



State of New Jersey

DEPARTMENT OF TRANSPORTATION
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PHILIP D. MURPHY
Governor

DIANE GUTIERREZ-SCACCETTI
Acting Commissioner

SHEILA Y. OLIVER
Lt. Governor

MEMORANDUM

TO: Sub-Recipients of Federal Financial Assistance

FROM: Diane Gutierrez-Scaccetti, Acting Commissioner

SUBJECT: Title VI Nondiscrimination Notice to Sub-recipients of Federal Financial Assistance

The New Jersey Department of Transportation's (NJDOT) policy is to abide by Title VI of the Civil Rights Act of 1964, The Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, Executive Order 12898 for Environmental Justice, Executive Order 13166 for Limited English Proficiency, 42 U.S.C. 4601, 23 U.S.C. Section 324, Sections 503 and 504 of the Rehabilitation Act of 1973, The Americans with Disabilities Act of 1990, the Age Discrimination Act of 1975, The Civil Rights Restoration Act of 1987, Executive Order 11246 for Equal Employment Opportunity, the Vietnam Era Veterans Readjustment Assistance Act of 1972, N.J.S.A 52:32-31.1 et. seq., New Jersey Law Against Discrimination N.J.S.A. 10:5-1 et. seq. and implementing regulations at N.J.A.C. 17:27 et. seq., and other related nondiscrimination laws, statutes, Executive Orders or policies, all together which require that no person in the United States shall, on the grounds of race, creed, color, national origin, age, ancestry, nationality, marital/domestic partnership/civil union status, gender, disability, religion, affectional or sexual orientation, gender identity or expression, family status, atypical cellular or blood trait, genetic information, military service, veterans status, income level or ability to read, write or speak English, be excluded from participation in, denied the benefits of, or otherwise subjected to discrimination in any program or activity which is administered by the Department, regardless of funding source (i.e. State, Federal Highway Administration, Federal Transit Administration, Federal Aviation Administration, Federal Railroad Administration, or Federal Motor Carrier Safety Administration).

NJDOT hereby notifies all sub-recipients, including but not limited to, local public agencies, consultants, contractors and subcontractors receiving federal financial assistance through NJDOT from the Federal Highway Administration (FHWA), Federal Transit Administration (FTA), Federal Aviation Administration (FAA), Federal Railroad Administration (FRA) or Federal Motor Carrier Safety Administration (FMCSA), or other Federal agencies, that sub-recipients must comply with NJDOT's Title VI Program requirements that prohibit discrimination on the basis of race, creed, color, national origin, age, ancestry, nationality, marital/domestic partnership/civil union status,

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gender, disability, religion, affectional or sexual orientation, gender identity or expression, family status, atypical cellular or blood trait, genetic information, military service, veterans status, income level or ability to read, write or speak English.

Sub-recipients shall not discriminate in their employment practices in connection with any projects, programs or activities funded by FHWA, FTA, FAA, FRA or FMCSA and such behavior could violate Title VI.

Sub recipients shall notify potential subcontractors or suppliers of the Title VI obligations under the contract for all solicitations by competitive bidding or negotiation for contract work, including the procurement of materials or leases of equipment.

Sub-recipients shall not discriminate on the grounds of race, creed, color, national origin, age, ancestry, nationality, marital/domestic partnership/civil union status, gender, disability, religion, affectional or sexual orientation, gender identity or expression, family status, atypical cellular or blood trait, genetic information, military service, veterans status, income level or ability to read, write or speak English in the their selection and retention of first tier subcontractors, and first tier subcontractors shall not discriminate in their selection and retention of second-tier subcontractors, including those who supply materials, and lease equipment.

Sub-recipients shall include Title VI contract provisions in every subcontract, including procurement of materials and leases of equipment, unless exempt by the Title VI regulations.

In the event of a sub-recipient's non-compliance with nondiscrimination provisions of the contract, NJDOT shall impose such contract sanctions as it, FHWA and/or FTA, FAA, FRA or FMCSA may determine to be appropriate, including but not limited to withholding of payments to the sub-recipient under the contract until the contractor complies, and/or; cancellation, termination, or suspension under the contract, in whole or in part.

Any person, sub-recipient, or contractor who believes that they have been subjected to an unlawful discriminatory practice under Title VI and/or another nondiscrimination provision has a right to file a formal complaint within one hundred eighty (180) days following the alleged discriminatory action. Any such complaint must be filed in writing or in person with NJDOT's Division of Civil Rights and Affirmative Action, Manager of Title VI and ADA Programs Anthony M. Davis, 1035 Parkway Avenue, Trenton, NJ 08618, or by phone through the Division of Civil Rights and Affirmative Action at (609) 530-3009, or via e-mail to TitleVI@dot.nj.gov.



Diane Gutierrez-Scaccetti
Commissioner

2-26-18

Date