



In Reply Refer to: HCR-20  
DOT# 2021-0083

February 12, 2021

(b) (6)

**Subject:** Acknowledgment of Complaint #2021-0083

Dear (b) (6),

This letter acknowledges the Federal Highway Administration (FHWA) Office of Civil Rights received your complaint against the City of Los Angeles Bureau of Streets and Sanitation, which alleges violations that may be related to Title VI of the Civil Rights Act of 1964 (Title VI) and its implementing regulations, including Title VI regulations administered by the United States Department of Transportation (49 C.F.R. Part 21) and the Federal Highway Administration (23 C.F.R. Part 200). Your complaint was received by this office on January 31, 2021.

This complaint has been assigned to Erik Lacayo, FHWA Title VI Analyst – Office of Civil Rights. Mr. Lacayo will keep you informed regarding the status of your complaint. You may contact him at 202-913-3926 or via e-mail at erik.lacayo@dot.gov.

Please be advised that no one may intimidate, threaten, coerce, or engage in other discriminatory conduct against anyone because he or she has either taken action or participated in an action to secure rights protected by the civil rights requirements that we enforce. Any individual alleging such harassment or intimidation may file a complaint with the FHWA. Any questions or concerns that you have regarding the complaint process and your rights can be discussed with Mr. Lacayo.

Sincerely,

*Nichole McWhorter*

Nichole McWhorter  
Title VI Team Leader  
Office of Civil Rights

cc: Vincent Mammano, Division Administrator, FHWA California Division Office  
Paul Schneider, Deputy Division Administrator, FHWA California Division Office  
Scott Carson, Civil Rights Specialist, FHWA California Division Office  
Jim Esselman, Senior Attorney-Advisor, FHWA Office of Chief Counsel

Yvette Rivera, Associate Director, Equal Employment Opportunity Programs Division,  
Departmental Office of Civil Rights  
Barbara Dougherty, Deputy Director, Departmental Office of Civil Rights

**From:** [Lacayo, Erik \(FHWA\)](#)  
**To:** (b) (6)  
**Cc:** [Chandler, David \(FHWA\)](#)  
**Bcc:** [Mann, Arianne \(FHWA\)](#); [Mcwhorter, Nichole \(FHWA\)](#)  
**Subject:** Complaint DOT #2021-0083  
**Date:** Monday, May 24, 2021 3:19:00 PM

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(b) (6),

I am writing in regard to the discrimination complaint you filed with us on January 31, 2021. After an initial review, we are referring your complaint to FHWA's DBE Program team because the complaint alleges potential violations of the DBE program. If you have any future questions about the status of your complaint, you may contact David Chandler with the DBE team at [david.chandler@dot.gov](mailto:david.chandler@dot.gov).

Thanks,

**Erik Lacayo**

Title VI Program Analyst  
Federal Highway Administration  
Office of Civil Rights  
(202) 913-3926  
[erik.lacayo@dot.gov](mailto:erik.lacayo@dot.gov)

**From:** (b) (6)  
**To:** [FHWA.TitleVIcomplaints](#)  
**Subject:** Online Civil Rights Complaint submission: Title VI  
**Date:** Sunday, January 31, 2021 8:36:57 PM

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## Title VI Complaint Submission

**Complaint Basis:** Color

**Name:** (b) (6)

**State:** CA

**Email:** (b) (6)

**Is this complaint on your own behalf?** (b) (6)

**If No, what is the relationship?** (b) (6)

**What is the reason for a third party submission?**

(b) (6)

**Confirm permission to file 3rd party:** (b) (6)

**Are you represented by legal counsel?** No

**Have you previously filed a civil rights complaint with FHWA?** Not specified

**Name of public entity complaint is against:**

City of Los Angeles Bureau of Streets and Sanitation. The "As Need Haul Truck Program" is a federally funded program specifically designed for owner operators and sole proprietor truckers.

**Complaint has been filed with following agencies:**

Not Specified

**Has been any lawsuit filed regarding this complaint?**

No

**Complaint Details:**

*The Administrators of Los Angeles Bureau of Streets and Sanitation, a federally funded program, are changing the program parameters to favor brokered equipment operators (Large Corporations) and openly discriminate against the owner operator and sole proprietors (Minority Owned Small business) for which the program was originally designed to benefit. The administrators are allowing the these larger companies to sit idle with pay while they break the backs of the smaller independent operators. Additionally, administrators are openly threatening and slandering the members of the YBCA listed in this complaint and delaying their payments in violation of the Prompt Pay Miller Act.*

**Signature:** (b) (6)

U.S. Department of Transportation  
**Federal Highway Administration**  
1200 New Jersey Avenue, SE  
Washington, DC 20590  
202-366-4000

*Case# 2021-0083*

## FHWA Office of Civil Rights

# Title VI Complaint

The Federal Highway Administration Office of Civil Rights is responsible for ensuring compliance with Title VI of the Civil Rights Act of 1964 by Federal-aid recipients.

If you have questions about how to prepare a complaint, or to request a hardcopy of this form to submit by U.S. mail, you may contact the FHWA Office of Civil Rights at 202-366-0693 or via email at: [FHWA.TitleVIcomplaints@dot.gov](mailto:FHWA.TitleVIcomplaints@dot.gov)

More information about Title VI related civil rights requirements may be found on the FHWA's website at [https://www.fhwa.dot.gov/civilrights/programs/title\\_vi/](https://www.fhwa.dot.gov/civilrights/programs/title_vi/)

## Section I

I believe that I have been (or someone else has been) discriminated against on the basis of:

- Race
- Color
- National Origin *armenia.*

## Section II

First Name:  State:

E-mail Address:

## Section III

Are you filing this complaint on your own behalf?

Yes  No

If not, please supply the name and relationship of the person for whom you are complaining:

\_\_\_\_\_

Please explain why you have filed for a third party:

\_\_\_\_\_

Please confirm that you have obtained the permission of the aggrieved party if you are filing on behalf of a third party:

Yes  No

Are you represented by legal counsel for this matter?

Yes  No

If yes, please supply name and contact information:

\_\_\_\_\_

Have you previously filed a civil rights complaint with FHWA?

Yes  No

### Section IV

Name of public entity complaint is against:

City of Los Angeles ~~City of~~ Department of public works  
Bureau of street services

### Section V

Have you filed this complaint with any of the following agencies?

U.S. Department of Justice

- U.S. Department of Transportation
- Your State's Department of Transportation
- Local Public Agency
- U.S. Equal Employment Opportunity Commission

Other:

Have you filed a lawsuit regarding this complaint?

Yes  No

If yes, please provide the case number:

## Section VI

Please Include Details of Your Complaint Below. FHWA will contact you to request any additional documentation you may want to submit on behalf of your complaint.

Not getting enough work Bringing  
 in Brower Truexes Paying them  
 minimum 4. to 5 hrs for one  
 load at Aiper hourly Rate  
 than what we get paid. Brower  
 Truexes doing 1-or 2 loads and  
 us doing 4-5 loads for less money than the  
 Brower

**Important:** We cannot accept your complaint without a signature, so please type your first name.

Signature: (b) (6)

U.S. Department of Transportation  
**Federal Highway Administration**  
1200 New Jersey Avenue, SE  
Washington, DC 20590  
202-366-4000

# 2021 - 0083

## FHWA Office of Civil Rights

# Title VI Complaint

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## Section I

I believe that I have been (or someone else has been) discriminated against on the basis of:

- Race
- Color
- National Origin

## Section II

First Name: (b) (6) [Redacted] State: CA

E-mail Address: (b) (6) [Redacted]

## Section III

Are you filing this complaint on your own behalf?

Yes  No

If not, please supply the name and relationship of the person for whom you are complaining:

\_\_\_\_\_

Please explain why you have filed for a third party:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Please confirm that you have obtained the permission of the aggrieved party if you are filing on behalf of a third party:

Yes  No

Are you represented by legal counsel for this matter?

Yes  No

If yes, please supply name and contact information:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Have you previously filed a civil rights complaint with FHWA?

Yes  No

## Section IV

Name of public entity complaint is against:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

## Section V

Have you filed this complaint with any of the following agencies?

U.S. Department of Justice

- U.S. Department of Transportation
- Your State's Department of Transportation
- Local Public Agency
- U.S. Equal Employment Opportunity Commission

Other:

Have you filed a lawsuit regarding this complaint?

Yes  No

If yes, please provide the case number:

## Section VI

Please Include Details of Your Complaint Below. FHWA will contact you to request any additional documentation you may want to submit on behalf of your complaint.

NOT GETTING PROPER AMOUNT OF WORK  
 BEING UNDER PAID, NOT PAID FOR ROUND TRIP,  
 NOT GETTING PAID ON TIME  
 NOT HAVING A CONTRACT

**Important:** We cannot accept your complaint without a signature, so please type your first name.

Signature: (b) (6)

U.S. Department of Transportation

## Federal Highway Administration

1200 New Jersey Avenue, SE

Washington, DC 20590

202-366-4000

Case # 2021-0083

### FHWA Office of Civil Rights

## Title VI Complaint

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### Section I

Do you believe that I have been (or someone else has been) discriminated against on the basis of:

Race

Color

National Origin

### Section II

First Name:

(b) (6)

State:

E-mail

Address:

(b) (6)

### Section III

Are you filing this complaint on your own behalf?

Yes No

If not, please supply the name and relationship of the person for whom you are complaining:

Please explain why you have filed for a third party:

Please confirm that you have obtained the permission of the aggrieved party if you are filing on behalf of a third party:

Yes  No

Are you represented by legal counsel for this matter?

Yes  No

If yes, please supply name and contact information:

Have you previously filed a civil rights complaint with FHWA?

Yes  No

## Section IV

Name of public entity complaint is against:

City of LA Dept of Public Works

## Section V

Have you filed this complaint with any of the following agencies?

- U.S. Department of Justice
- U.S. Department of Transportation
- Your State's Department of Transportation
- Local Public Agency
- U.S. Equal Employment Opportunity Commission

Other:

Case # 2021-0083

It is unfair that the owner operators in this program comply with, all the city regulations and have spent thousands of dollars in new equipment to meet the numerous Air Quality Management Division (AQMD) regulations. Whereas, the broker trucks are exempt from meeting the same regulations and requirements.

As per City of Los Angeles, Bureau of Street Services management, because of the minority, owner operator, As- Needed Truck Hauler program, the City of Los Angeles is #1 in the country for miles paved per year.

Have you filed a lawsuit regarding this complaint?

Yes  No

Yes, please provide the case number: \_\_\_\_\_

## Section VI

Please Include Details of Your Complaint Below. FHWA will contact you to request any additional documentation you may want to submit on behalf of your complaint.

To keep program operating / NOT to bring in  
outside broker trucks.  
We have followed all rules & Regulation and will  
like to be able to stay in program NOT  
to be shut down.

**Important:** We cannot accept your complaint without a signature, so please type your first name.

Signature: \_\_\_\_\_

Submit

U.S. Department of Transportation  
**Federal Highway Administration**  
1200 New Jersey Avenue, SE  
Washington, DC 20590  
202-366-4000

SUBJECT ACKNOWLEDGMENT  
OF COMPLAINT  
#2021-0083

## FHWA Office of Civil Rights

# Title VI Complaint

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## Section I

I believe that I have been (or someone else has been) discriminated against on the basis of:

- Race
- Color
- National Origin

## Section II

First Name:  State:

E-mail Address:

## Section III

Are you filing this complaint on your own behalf?

Yes  No

If not, please supply the name and relationship of the person for whom you are complaining:

\_\_\_\_\_

Please explain why you have filed for a third party:

\_\_\_\_\_

Please confirm that you have obtained the permission of the aggrieved party if you are filing on behalf of a third party:

Yes  No

Are you represented by legal counsel for this matter?

Yes  No

If yes, please supply name and contact information:

\_\_\_\_\_

Have you previously filed a civil rights complaint with FHWA?

Yes  No

### Section IV

Name of public entity complaint is against:

THE NEEDED BUREAU OF STREET SERVICES OF THE CITY OF L A

### Section V

Have you filed this complaint with any of the following agencies?

U.S. Department of Justice

- U.S. Department of Transportation
- Your State's Department of Transportation
- Local Public Agency
- U.S. Equal Employment Opportunity Commission

Other:

Have you filed a lawsuit regarding this complaint?

Yes  No

If yes, please provide the case number:

## Section VI

Please include details of your complaint below. FHWA will contact you to request any additional documentation you may want to submit on behalf of your complaint.

THE CITY OF LA HAS ILLEGALLY CHANGE ALL THE FEDERAL RULES FOR THIS PROGRAM AND THE CITY OF LOS ANGELES HAS TERMINATED ALL OF THE MINORITY PROGRAMS. THIS IS THE LAST MINORITY PROGRAM LEFT AND THEY ARE DETERMINED TO GET RID OF THE PROGRAM

**Important:** We cannot accept your complaint without a signature, so please type your first name.

Signature:

(b) (6)

Submit

*CASE # 2021-0083*

## FHWA Office of Civil Rights

### Title VI Complaint

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### Section I

I believe that I have been (or someone else has been) discriminated against on the basis of:

- Race
- Color
- National Origin

### Section II

First Name: (b) (6) State: CA

E-mail Address: (b) (6)

### Section III

Are you filing this complaint on your own behalf?

- Yes  No

If not, please supply the name and relationship of the person for whom you are complaining:

Please explain why you have filed for a third party:

---

Please confirm that you have obtained the permission of the aggrieved party if you are filing on behalf of a third party:

Yes  No

Are you represented by legal counsel for this matter?

Yes  No

If yes, please supply name and contact information:

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N/A

---

Have you previously filed a civil rights complaint with FHWA?

Yes  No

## Section IV

---

Name of public entity complaint is against:

City of Los Angeles, Department of Public Works Bureau of Street Services

## Section V

---

Have you filed this complaint with any of the following agencies?

- U.S. Department of Justice
- U.S. Department of Transportation
- Your State's Department of Transportation
- Local Public Agency
- U.S. Equal Employment Opportunity Commission

Other:

---

---

Have you filed a lawsuit regarding this complaint?

Yes  No

If yes, please provide the case number: \_\_\_\_\_

## Section VI

---

Please Include Details of Your Complaint Below. FHWA will contact you to request any additional documentation you may want to submit on behalf of your complaint.

See Attached

---

**Important:** We cannot accept your complaint without a signature, so please type your first name.

Signature: (b) (6)

I, (b) (6) would like to file a complaint in conjunction with (b) (6)

(b) (6) against the City of Los Angeles, Department of Public Works Bureau of Street Services (StreetsLA). The City of Los Angeles has made the decision to terminate the As-Needed Truck Hauler Program. The As-Needed Truck Hauler Program is a unique program that dates back to the 1890s and is a federally funded program designated specifically for Disadvantaged Business Enterprise(DBE) and Women-Owned Business Enterprise(WBE). The program is the only existing minority program in the City of Los Angeles, comprised of 82 minority independent owner operators. As a Hispanic minority and current owner operator of the As- Need Truck Hauler Program, I have been discriminated against by the City of Los Angeles.

As per Section 3 of the 2019-2020- As- Needed Truck Hauler Program- Offer of Work, “Owner- Operator must be the registered owner of the vehicle and the vehicle registration must be kept current and provided to show proof of ownership.” StreetsLA has used its federal dollars to pay an outside, large broker corporation that are not owner-operators, which is in violation of the distribution of federal funds. Additionally, the broker trucks are being compensated approximately 33% more of the hourly rate, a minimum of six-hours of pay, and port to port (roundtrip) pay than the contracted owner operator trucks.

It is discriminatory that the owner operators in this program comply with all the city regulations and have spent thousands of dollars in new equipment to meet the numerous Air Quality Management Division (AQMD) regulations. Whereas the corporate broker trucks are exempt from meeting the same regulations and requirements.

As per City of Los Angeles, Bureau of Street Services management, because of the minority, owner operator, As- Needed Truck Hauler program, the City of Los Angeles is #1 in the country for miles paved per year.

U.S. Department of Transportation

# Federal Highway Administration

1200 New Jersey Avenue, SE  
Washington, DC 20590  
202-366-4000

DOT  
Case # #2021-0083  
Complaint

## FHWA Office of Civil Rights

### Title VI Complaint

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### Section I

I believe that I have been (or someone else has been) discriminated against on the basis of:

- Race
- Color
- National Origin

### Section II

First Name: (b) (6)

State: California

E-mail Address: (b) (6)

### Section III

Are you filing this complaint on your own behalf?

Yes  No

If not, please supply the name and relationship of the person for whom you are complaining:

\_\_\_\_\_

Please explain why you have filed for a third party:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Please confirm that you have obtained the permission of the aggrieved party if you are filing on behalf of a third party:

Yes  No

Are you represented by legal counsel for this matter?

Yes  No

If yes, please supply name and contact information:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Have you previously filed a civil rights complaint with FHWA?

Yes  No

### Section IV

Name of public entity complaint is against:

Los Angeles Bureau of Street Services

### Section V

Have you filed this complaint with any of the following agencies?

U.S. Department of Justice

- U.S. Department of Transportation
- Your State's Department of Transportation
- Local Public Agency
- U.S. Equal Employment Opportunity Commission

Other: \_\_\_\_\_

Have you filed a lawsuit regarding this complaint?

Yes  No

If yes, please provide the case number: \_\_\_\_\_

## Section VI

Please include details of your complaint below. FHWA will contact you to request any additional documentation you may want to submit on behalf of your complaint.

*See the Attached Document*

**Important:** We cannot accept your complaint without a signature, so please type your first name.

Signature: \_\_\_\_\_

(b) (6)

Submit

I, (b) (6) would like  
to file a complaint in conjunction with  
the (b) (6)  
against the City of ~~Public Works~~ Los Angeles,  
Department of Public Works Street Services.

As of, August 2020, the City of Los Angeles  
decided to terminate the As-Needed Truck  
Hauler Program, which has always been a  
federally funded program dated back to the 1890's.  
This program was intended for minority owned  
sole proprietor businesses within the city of Los Angeles.

I have been waiting for the opportunity to  
dedicate my services to the City Los Angeles  
my whole life and after waiting ~~so~~ patiently  
for years, and finally been given the opportunity  
to become part of this great program with you,  
the last year, the City decides to terminate it,  
and give it to a large corporation. I have sacrificed  
so much, and invested, and became indebt with

CARB compliant equipment to meet the city's needs, that  
without this job my family will be at a great loss.  
As a Hispanic minority, I have been discriminated against  
by the City of L.A. Something else that's not  
fair is that the City of L.A. give work to  
outside Brokers & Vendors while paying them  
more, Instead of giving us Contract Trucks  
much needed work

U.S. Department of Transportation  
**Federal Highway Administration**  
1200 New Jersey Avenue, SE  
Washington, DC 20590  
202-366-4000

*CASE # 2021-0083*

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# Title VI Complaint

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## Section I

I believe that I have been (or someone else has been) discriminated against on the basis of:

- Race
- Color
- National Origin

## Section II

First Name: (b) (6) State: CALIFORNIA

E-mail Address: (b) (6)

## Section III

Are you filing this complaint on your own behalf?

Yes  No

If not, please supply the name and relationship of the person for whom you are complaining:

\_\_\_\_\_

Please explain why you have filed for a third party:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Please confirm that you have obtained the permission of the aggrieved party if you are filing on behalf of a third party:

Yes  No

Are you represented by legal counsel for this matter?

Yes  No

If yes, please supply name and contact information:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Have you previously filed a civil rights complaint with FHWA?

Yes  No

### Section IV

Name of public entity complaint is against:

LOS ANGELES BUREAU OF STREETS SERVICE

### Section V

Have you filed this complaint with any of the following agencies?

U.S. Department of Justice

- U.S. Department of Transportation
- Your State's Department of Transportation
- Local Public Agency
- U.S. Equal Employment Opportunity Commission

Other:

Have you filed a lawsuit regarding this complaint?

Yes  No

If yes, please provide the case number:

## Section VI

Please Include Details of Your Complaint Below. FHWA will contact you to request any additional documentation you may want to submit on behalf of your complaint.

*SEE THE ATTACHED DOCUMENT*

**Important:** We cannot accept your complaint without a signature, so please type your first name.

Signature: (b) (6)

I, (b) (6), would like to file a complaint in conjunction with the (b) (6) (b) (6) against the City of Los Angeles, Department of Public Works Street Services. As of, August 2020, the City of L.A. decided to terminate the As-Needed Truck Hauler Program. Which has always been a federally funded program for more than 100 years.

This program is intended for minority owned Sole Proprietor businesses within the City of L.A. And just recently the City of L.A. decides to give our jobs to a Large Corporation and leave us jobless.

I have been waiting so many years and I invested in California Compliant Equipment to provide my loyal services to the City of Los Angeles. I am a Hispanic Minority Individual and the termination ~~of~~ <sup>of</sup> this program will devastate my family and I tremendously! There have been many instances of unfairness with the City of L.A. Streets Services Consisting of Lower wages than outside Broker/Vender trucks, forced to sign documents in order to keep my Contract, and many other things just to Name a few.

U.S. Department of Transportation  
**Federal Highway Administration**  
1200 New Jersey Avenue, SE  
Washington, DC 20590  
202-366-4000

*case # 2021-0083*

### FHWA Office of Civil Rights

## Title VI Complaint

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### Section I

I believe that I have been (or someone else has been) discriminated against on the basis of:

- Race
- Color
- National Origin

### Section II

First Name:  State:

E-mail Address:

### Section III

*yes*

Are you filing this complaint on your own behalf?

Yes  No

If not, please supply the name and relationship of the person for whom you are complaining:

\_\_\_\_\_

Please explain why you have filed for a third party:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Please confirm that you have obtained the permission of the aggrieved party if you are filing on behalf of a third party:

Yes  No

Are you represented by legal counsel for this matter?

Yes  No

If yes, please supply name and contact information:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Have you previously filed a civil rights complaint with FHWA?

Yes  No

### Section IV

Name of public entity complaint is against:

Los Angeles street services #305

### Section V

Have you filed this complaint with any of the following agencies?

U.S. Department of Justice

- U.S. Department of Transportation
- Your State's Department of Transportation
- Local Public Agency
- U.S. Equal Employment Opportunity Commission

Other:

Have you filed a lawsuit regarding this complaint?  
 Yes  No

If yes, please provide the case number:

## Section VI

Please Include Details of Your Complaint Below. FHWA will contact you to request any additional documentation you may want to submit on behalf of your complaint.

My CONCERN not Enough work, check Has  
 Been late we dont get raise AND CITY IS PUTTING  
 VENDOR TRUCK BEFORE CONTRACTOR TRUCKS  
 I spend the money to Buy trucks, gotta payment  
 to pay

**Important:** We cannot accept your complaint without a signature, so please type your first name.

Signature (b) (6)

U.S. Department of Transportation  
**Federal Highway Administration**  
1200 New Jersey Avenue, SE  
Washington, DC 20590  
202-366-4000

CASE # 2021-0083

## FHWA Office of Civil Rights

# Title VI Complaint

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## Section I

I believe that I have been (or someone else has been) discriminated against on the basis of:

- Race
- Color
- National Origin

## Section II

First Name: (b) (6)

State: CA.

E-mail Address: (b) (6)

## Section III

Are you filing this complaint on your own behalf?  
 Yes  No

If not, please supply the name and relationship of the person for whom you are complaining:

Please explain why you have filed for a third party:

Please confirm that you have obtained the permission of the aggrieved party if you are filing on behalf of a third party:

Yes  No

Are you represented by legal counsel for this matter?

Yes  No

If yes, please supply name and contact information:

Have you previously filed a civil rights complaint with FHWA?

Yes  No

## Section IV

Name of public entity complaint is against:

~~THE~~ CITY OF LOS ANGELES DEPARTMENT OF PUBLIC WORKS BUREAU OF STREET SERVICES

## Section V

Have you filed this complaint with any of the following agencies?

- U.S. Department of Justice
- U.S. Department of Transportation
- Your State's Department of Transportation
- Local Public Agency
- U.S. Equal Employment Opportunity Commission

Other:

Have you filed a lawsuit regarding this complaint?

Yes  No

If yes, please provide the case number:

## Section VI

Please Include Details of Your Complaint Below. FHWA will contact you to request any additional documentation you may want to submit on behalf of your complaint.

SEE ATTACHMENT

**Important:** We cannot accept your complaint without a signature, so please type your first name.

Signature

(b) (6)

Submit

I, (b) (6), would like to file a complaint in conjunction with (b) (6) (b) (6) against the City of Los Angeles, Department of Public Works Bureau of Street Services (StreetsLA). The City of Los Angeles has made the decision to terminate the As-Needed Truck Hauler Program. The As-Needed Truck Hauler Program is a unique program that dates back to the 1890s and is a federally funded program designated specifically for Disadvantaged Business Enterprise(DBE) and Women-Owned Business Enterprise(WBE). The program is the only existing minority program in the City of Los Angeles, comprised of 82 minority independent owner operators. As a Hispanic minority and current owner operator of the As- Need Truck Hauler Program, I have been discriminated against by the City of Los Angeles.

As per Section 3 of the 2019-2020- As- Needed Truck Hauler Program- Offer of Work, "Owner- Operator must be the registered owner of the vehicle and the vehicle registration must be kept current and provided to show proof of ownership." StreetsLA has used its federal dollars to pay an outside, large broker corporation that are not owner-operators, which is in violation of the distribution of federal funds. Additionally, the broker trucks are being compensated approximately 33% more of the hourly rate, a minimum of six-hours of pay, and port to port (roundtrip) pay than the contracted owner operator trucks.

It is discriminatory that the owner operators in this program comply with all the city regulations and have spent thousands of dollars in new equipment to meet the numerous Air Quality Management Division (AQMD) regulations. Whereas, the corporate broker trucks are exempt from meeting the same regulations and requirements.

As per City of Los Angeles, Bureau of Street Services management, because of the minority, owner operator, As- Needed Truck Hauler program, the City of Los Angeles is #1 in the country for miles paved per year.

U.S. Department of Transportation  
**Federal Highway Administration**  
1200 New Jersey Avenue, SE  
Washington, DC 20590  
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CASE# 2021-0083

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**Title VI Complaint**

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**Section I**

I believe that I have been (or someone else has been) discriminated against on the basis of:

- Race
- Color
- National Origin

**Section II**

First Name: (b) (6) State: CA

E-mail Address: (b) (6)

**Section III**

Are you filing this complaint on your own behalf?  
 Yes  No

If not, please supply the name and relationship of the person for whom you are complaining:

Please explain why you have filed for a third party:

Please confirm that you have obtained the permission of the aggrieved party if you are filing on behalf of a third party:

Yes  No

Are you represented by legal counsel for this matter?

Yes  No

If yes, please supply name and contact information:

Have you previously filed a civil rights complaint with FHWA?

Yes  No

## Section IV

Name of public entity complaint is against:

LOS ANGELES BUREAU OF STREET SERVICES

## Section V

Have you filed this complaint with any of the following agencies?

- U.S. Department of Justice
- U.S. Department of Transportation
- Your State's Department of Transportation
- Local Public Agency
- U.S. Equal Employment Opportunity Commission

Other:

Have you filed a lawsuit regarding this complaint?

Yes  No

If yes, please provide the case number:

## Section VI

Please Include Details of Your Complaint Below. FHWA will contact you to request any additional documentation you may want to submit on behalf of your complaint.

---

SEE THE ATTACHED DOCUMENT

**Important:** We cannot accept your complaint without a signature, so please type your first name.

Signature: (b) (6)

Submit

I, [NAME], would like to file a complaint in conjunction with (b) (6)

(b) (6) against the City of Los Angeles, Department of Public Works Bureau of Street Services (StreetsLA). As of, August 2020, the City of Los Angeles made the decision to terminate the As-Needed Truck Hauler Program. The As-Needed Truck Hauler Program is a unique program that dates back to the 1890s and is a federally funded program designated specifically for Disadvantaged Business Enterprise(DBE) and Women-Owned Business Enterprise(WBE). The program is the only existing minority program in the City of Los Angeles, comprised of 82 minority independent owner operators. As a Hispanic minority and current owner operator of the As- Need Truck Hauler Program, I have been discriminated against by the City of Los Angeles.

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It is unfair that the owner operators in this program comply with, all the city regulations and have spent thousands of dollars in new equipment to meet the numerous Air Quality Management Division (AQMD) regulations. Whereas, the broker trucks are exempt from meeting the same regulations and requirements. As per City of Los Angeles, Bureau of Street Services management, because of the minority, owner operator, As- Needed Truck Hauler program, the City of Los Angeles is #1 in the country for miles paved per year.

FORCED TO sign documents per AS NEEDED contract, BAVEN CONT.  
TO WE WOULDN'T WORK IF WE DIDNT SIGN.  
PAY WAS LATE 3 MONTHS.  
HAVENT HADA RAISE ON HOURLY RATE.

U.S. Department of Transportation  
**Federal Highway Administration**  
1200 New Jersey Avenue, SE  
Washington, DC 20590  
202-366-4000

Ac

# 2021-0083

## FHWA Office of Civil Rights

# Title VI Complaint

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- Race
- Color
- National Origin

## Section II

First Name: (b) (6) State: Ca

E-mail Address: (b) (6)

## Section III

Are you filing this complaint on your own behalf?

Yes  No

If not, please supply the name and relationship of the person for whom you are complaining:

\_\_\_\_\_

Please explain why you have filed for a third party:

\_\_\_\_\_

Please confirm that you have obtained the permission of the aggrieved party if you are filing on behalf of a third party:

Yes  No

Are you represented by legal counsel for this matter?

Yes  No

If yes, please supply name and contact information:

\_\_\_\_\_

Have you previously filed a civil rights complaint with FHWA?

Yes  No

### Section IV

Name of public entity complaint is against:

City of Los Angeles Bureau of Street Services

### Section V

Have you filed this complaint with any of the following agencies?

U.S. Department of Justice

- U.S. Department of Transportation
- Your State's Department of Transportation
- Local Public Agency
- U.S. Equal Employment Opportunity Commission

Other: \_\_\_\_\_

Have you filed a lawsuit regarding this complaint?

Yes  No

If yes, please provide the case number: \_\_\_\_\_

## Section VI

Please Include Details of Your Complaint Below. FHWA will contact you to request any additional documentation you may want to submit on behalf of your complaint.

The reason for this complaint is for the unfair treatment of the sole proprietor owner-operator by the City of Los Angeles Bureau of Street Services. The Bureau incorporated the services of Broker Trucks paying them a ~~hour~~ minimum @ \$90/hr, while I work for \$73/hr with no minimum, to fun around time, this is unjust because the state of California is forcing me to upgrade my equipment, which would cost a minimum of a \$100,000. How is a sole proprietor owner-operator able to upgrade equipment if the last raise the Bureau has made was back in the year of 2014?

THANK YOU

**Important:** We cannot accept your complaint without a signature, so please type your first name.

Signature: (b) (6) \_\_\_\_\_

Submit

U.S. Department of Transportation  
**Federal Highway Administration**  
1200 New Jersey Avenue, SE  
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202-366-4000

CASE # 2021-0083

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## Section I

I believe that I have been (or someone else has been) discriminated against on the basis of:

- Race
- Color
- National Origin

## Section II

First Name:  State:

E-mail Address:

## Section III

Are you filing this complaint on your own behalf?

Yes  No

If not, please supply the name and relationship of the person for whom you are complaining:

\_\_\_\_\_

Please explain why you have filed for a third party:

\_\_\_\_\_

Please confirm that you have obtained the permission of the aggrieved party if you are filing on behalf of a third party:

Yes  No

Are you represented by legal counsel for this matter?

Yes  No

If yes, please supply name and contact information:

\_\_\_\_\_

Have you previously filed a civil rights complaint with FHWA?

Yes  No

## Section IV

Name of public entity complaint is against:

Los Angeles Bureau of Street Services  
Truck # 294

## Section V

Have you filed this complaint with any of the following agencies?

U.S. Department of Justice

- U.S. Department of Transportation
- Your State's Department of Transportation
- Local Public Agency
- U.S. Equal Employment Opportunity Commission

Other:

Have you filed a lawsuit regarding this complaint?

Yes  No

If yes, please provide the case number:

## Section VI

Please Include Details of Your Complaint Below. FHWA will contact you to request any additional documentation you may want to submit on behalf of your complaint.

1. Need Rate increase  
 2. Not working 5 day a week  
 3. Job Security

**Important:** We cannot accept your complaint without a signature, so please type your first name.

Signature: (b) (6)

U.S. Department of Transportation  
**Federal Highway Administration**  
1200 New Jersey Avenue, SE  
Washington, DC 20590  
202-366-4000

CON # 2021-0083

## FHWA Office of Civil Rights

### Title VI Complaint

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#### Section I

I believe that I have been (or someone else has been) discriminated against on the basis of:

- Race
- Color
- National Origin

#### Section II

First Name: (b) (6) State: Ca

E-mail

Address: (b) (6)

#### Section III

Are you filing this complaint on your own behalf?  
 Yes  No

If not, please supply the name and relationship of the person for whom you are complaining:

Please explain why you have filed for a third party:

Please confirm that you have obtained the permission of the aggrieved party if you are filing on behalf of a third party:

Yes  No

Are you represented by legal counsel for this matter?

Yes  No

If yes, please supply name and contact information:

Have you previously filed a civil rights complaint with FHWA?

Yes  No

## Section IV

Name of public entity complaint is against:

## Section V

Have you filed this complaint with any of the following agencies?

- U.S. Department of Justice
- U.S. Department of Transportation
- Your State's Department of Transportation
- Local Public Agency
- U.S. Equal Employment Opportunity Commission

Other:

Have you filed a lawsuit regarding this complaint?

Yes  No

If yes, please provide the case number:

## Section VI

Please Include Details of Your Complaint Below. FHWA will contact you to request any additional documentation you may want to submit on behalf of your complaint.

---

See the Attached Papers

**Important:** We cannot accept your complaint without a signature, so please type your first name.

Signature:

(b) (6)

Submit

I, (b) (6) Would like to file a complaint in conjunction with (b) (6) (b) (6) against the City of Los Angeles, Department of public works Bureau of street services (streetsLA). As of, August 2020, the City of los angeles made the decision to terminate the As-Needed Truck Hauler Program. the As-needed truck Hauler Program is a unique program that dates back to the 1890s and is a federally funded program designated specifically for Disadvantaged Business Enterprise(DBE) and Women-Owner Business Enterprise(WBE). the program is the only existing minority program in the City of Los Angeles, comprised of 82 minority independent owner operators. As a Hispanic minority and current owner operator of the As-Need Truck Hauler Program, I have been discriminated against by the City of Los Angeles.

As per (Section 3 of the 2019-2020-As - Needed truck Hauler program- Offer of work), Owner-Operator Must be the registered owner of the vehicle and The vehicle registration must be kept current and provided to show proof of ownership" Strees LA has used its federal dollars to pay an outside, large broker corporation that are not owner-operators, which is in violation of the distribution of Federal funds. Additionally, the broker trucks are being compensated approximately 33% more of the hourly rate, a minimum of six-hours of pay, and Port to port (round trip) pay than the contracted owner operator trucks.

It is unfair that the owner operators in this program comply with, all the city Regulations and have spent thousands of dollars in new equipment to meet the numerous Air Quality Management Division (AQMD) regulations Whereas, the Broker trucks are exempt from meeting the same regulations and requirements.

As per City of Los Angeles, Bureau of street services management, because of the minority, Owner operator, As- Needed truck Hauler Program, the City of Los Angeles is #1 in the Country for Miles Paved Per Year.

# U.S. Department of Transportation Federal Highway Administration

1200 New Jersey Avenue, SE  
Washington, DC 20590  
202-366-4000

*CASE # 2021-0083*

## FHWA Office of Civil Rights

### Title VI Complaint

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### Section I

I believe that I have been (or someone else has been) discriminated against on the basis of:

- Race
- Color
- National Origin

### Section II

First Name:  State:

E-mail Address:

### Section III

Are you filing this complaint on your own behalf?

Yes  No

If not, please supply the name and relationship of the person for whom you are complaining:

\_\_\_\_\_

Please explain why you have filed for a third party:

\_\_\_\_\_

Please confirm that you have obtained the permission of the aggrieved party if you are filing on behalf of a third party:

Yes  No

Are you represented by legal counsel for this matter?

Yes  No

If yes, please supply name and contact information:

\_\_\_\_\_

Have you previously filed a civil rights complaint with FHWA?

Yes  No

### Section IV

Name of public entity complaint is against:

CITY of Los Angeles Department of Public work Bureau  
of ST services

### Section V

Have you filed this complaint with any of the following agencies?

U.S. Department of Justice

- U.S. Department of Transportation
- Your State's Department of Transportation
- Local Public Agency
- U.S. Equal Employment Opportunity Commission

Other:

Have you filed a lawsuit regarding this complaint?  
Yes  No

If yes, please provide the case number:

## Section VI

Please Include Details of Your Complaint Below. FHWA will contact you to request any additional documentation you may want to submit on behalf of your complaint.

AFTER over 20 years working for the city of Los Angeles the city want to use Large Broker They ARE NOT owner operator on minorities

The city want to TERMINATED This program

This is the only minority program in the city

**Important:** We cannot accept your complaint without a signature, so please type your first name.

Signature:

U.S. Department of Transportation  
**Federal Highway Administration**  
1200 New Jersey Avenue, SE  
Washington, DC 20590  
202-366-4000

# 2021-0083

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# Title VI Complaint

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## Section I

I believe that I have been (or someone else has been) discriminated against on the basis of:

- Race
- Color
- National Origin

## Section II

First Name:

(b) (6)

CA

E-mail:

(b) (6)

Address:

## Section III

YES

Are you filing this complaint on your own behalf?



- U.S. Department of Transportation
- Your State's Department of Transportation
- Local Public Agency
- U.S. Equal Employment Opportunity Commission

Other:

Have you filed a lawsuit regarding this complaint?

Yes  No

If yes, please provide the case number:

## Section VI

Please include details of your complaint below. FHWA will contact you to request any additional documentation you may want to submit on behalf of your complaint.

SEE ATTACHED

**Important:** We cannot accept your complaint without a signature, so please type your first name.

Signature: (b) (6)

I, [NAME], would like to file a complaint in conjunction with (b) (6)

(b) (6) against the City of Los Angeles, Department of Public Works Bureau of Street Services (StreetsLA). The City of Los Angeles has made the decision to terminate the As-Needed Truck Hauler Program. The As-Needed Truck Hauler Program is a unique program that dates back to the 1890s and is a federally funded program designated specifically for Disadvantaged Business Enterprise(DBE) and Women-Owned Business Enterprise(WBE). The program is the only existing minority program in the City of Los Angeles, comprised of 82 minority independent owner operators. As a Hispanic minority and current owner operator of the As- Need Truck Hauler Program, I have been discriminated against by the City of Los Angeles.

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U.S. Department of Transportation

# Federal Highway Administration

1200 New Jersey Avenue, SE  
Washington, DC 20590  
202-366-4000

# 2021-0083

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## Section I

I believe that I have been (or someone else has been) discriminated against on the basis of:

- Race
- Color
- National Origin

## Section II

First Name: (b) (6) State: Ca.

E-mail Address: (b) (6)

## Section III

Are you filing this complaint on your own behalf? Yes

I (b) (6) would like to file a complaint in conjunction with (b) (6) as related to the As Needed Truck Program Bureau of Street Services of the City of LA. I have been discriminated against by the City of LA. I've been pressured, coerced and under duress to sign a contract with the City of LA against my will in order to keep my contract. The City of LA has been funded in advance for the project for the As Needed Truck Program Bureau of Street Services of the City of LA. They still refuse to pay on time and on several occasions, I have received my paycheck 2 ½ to 3 months late. I have been told by the City of LA that if I didn't have enough money to operate my business, I should look into another line of business. I suggested the fact that they should pay on time just as I am very productive and putting in 100% of loyalty on my job. Then it will not be a struggle for my family and I. For several years, I've been working for the City of LA and on multiple occasions, I have not received the correct payment that is stated in the contract. In the contract, it is stated that I will receive stand-by-time, meaning that while waiting to be loaded or if a machine breaks down, I will receive pay for stand by time. For a duration of seven years, the stand-by-time was never received due to the City of LA stating that it will make them look incompetent, even though paid stand-by-time is stated in my contract. Just three years ago, the City of LA started honoring their contract and paying hourly time; however, during the time before, the contract trucks were only paid by the load no matter how many hours we sat on the job, which is a violation of our contract. In our contract, it is stated that contract trucks are supposed to receive hourly pay and pay by the load. The City of LA agreed to pay for round trip loads instead and on your last load returning, they refuse to pay for the return. In the last three years, the City of LA just started paying for split districts, but before,

they would just pay for the lesser district, Which is a violation of the contract because it was previously stated that the split district would be paid separately. In addition to this inconvenience, Contract trucks have not received a raise in 6 years and we are being terminated for reasons that violate Federal and State local Anti-discrimination. The City of LA has illegally changed all the federal rules for this program and the City of LA has terminated all of the minority programs. This is the last minority program left and they are determined to get rid of the program.

Yes  No

If not, please supply the name and relationship of the person for whom you are complaining:

\_\_\_\_\_

Please explain why you have filed for a third party:

\_\_\_\_\_

Please confirm that you have obtained the permission of the aggrieved party if you are filing on behalf of a third party:

Yes  No

Are you represented by legal counsel for this matter?

Yes  No

If yes, please supply name and contact information:

\_\_\_\_\_

Have you previously filed a civil rights complaint with FHWA?

Yes  No

## Section IV

Name of public entity complaint is against:

The Needed Bureau of Street Services of the City of LA

## Section V

Have you filed this complaint with any of the following agencies?

U.S. Department of Justice

- U.S. Department of Transportation
- Your State's Department of Transportation
- Local Public Agency
- U.S. Equal Employment Opportunity Commission

Other:

Have you filed a lawsuit regarding this complaint?

Yes  No

If yes, please provide the case number:

## Section VI

Please Include Details of Your Complaint Below. FHWA will contact you to request any additional documentation you may want to submit on behalf of your complaint.

**Important:** We cannot accept your complaint without a signature, so please type your first name.

Signature: (b) (6)

U.S. Department of Transportation  
**Federal Highway Administration**  
1200 New Jersey Avenue, SE  
Washington, DC 20590  
202-366-4000

CASE # 2021-0083

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## Section I

I believe that I have been (or someone else has been) discriminated against on the basis of:

- Race
- Color
- National Origin

## Section II

First Name: (b) (6) State: CA

E-mail Address: (b) (6)

## Section III

Are you filing this complaint on your own behalf?

Yes  No

If not, please supply the name and relationship of the person for whom you are complaining:

\_\_\_\_\_

Please explain why you have filed for a third party:

\_\_\_\_\_

Please confirm that you have obtained the permission of the aggrieved party if you are filing on behalf of a third party:

Yes  No

Are you represented by legal counsel for this matter?

Yes  No

If yes, please supply name and contact information:

\_\_\_\_\_

Have you previously filed a civil rights complaint with FHWA?

Yes  No

### Section IV

Name of public entity complaint is against:

Los Angeles Bureau of Street Services

### Section V

Have you filed this complaint with any of the following agencies?

U.S. Department of Justice

- U.S. Department of Transportation
- Your State's Department of Transportation
- Local Public Agency
- U.S. Equal Employment Opportunity Commission

Other: \_\_\_\_\_

Have you filed a lawsuit regarding this complaint?

Yes  No

If yes, please provide the case number: \_\_\_\_\_

## Section VI

Please Include Details of Your Complaint Below. FHWA will contact you to request any additional documentation you may want to submit on behalf of your complaint.

*Rates Too Low*

**Important:** We cannot accept your complaint without a signature, so please type your first name.

Signature: (b) (6) \_\_\_\_\_

Submit

**CITY OF LOS ANGELES  
INTER-DEPARTMENTAL CORRESPONDENCE**

**DATE:** August 10, 2020

**TO:** Jim Abalos, Chief Personnel Analyst  
Personnel Department  
Attention: Don Harrahill, Personnel Department

**FROM:** Adel H. Hagekhalil, P.E.  
Executive Director and General Manager  
Bureau of Street Services

**SUBJECT:** **REQUEST FOR CHARTER SECTION 1022 DETERMINATION – AS-NEEDED HEAVY DUTY TRUCK DRIVERS AND TRUCK RENTAL SERVICES**

The Bureau of Street Services (StreetsLA) intends to issue a Request for Proposal (RFP) for the as-needed rental and operation of approximately 100 privately-owned dump trucks furnished with a driver and necessary equipment, license and qualification for hauling services (asphalt, concrete, debris, etc.) throughout the City. The contractor will be required to secure all necessary equipment, staff, insurance/arrangements, etc. to provide the trucking services.

The drivers must coordinate all activities with the StreetsLA staff. The contractors will be required to properly secure all applicable insurance, training, license, etc. and to provide a safe working environment for StreetsLA employees.

There are currently 82 contracts under a Program that is due to expire on June 30, 2021. City Charter requirements necessitate that any contract with a service or labor component must have a Charter Section 1022 findings before a new contract is awarded. Therefore, we respectfully request the Personnel Department to review and determine whether City employees could perform the proposed services.

The StreetsLA is preparing to release a RFP to award a new contract to the most responsive bidder or bidders. Attached is the "Personnel Department 1022 Information Form" required.

If there are any questions pertaining to this information, please contact Monica Shelton-Fricson, Senior Management Analyst I at (213) 847-2802.

AHH/SHC:MSF:sz

Attachments  
c: Stephanie Clements, StreetsLA  
Contract Services, StreetsLA

Pavement Preservation and Street Renewal Programs. As part of these programs, BSS contracts with 83 independent truck owner operators to provide hauling services (asphalt, concrete, and debris) using Work Agreements. The City Attorney has confirmed that these work agreements are considered contracts

The practice of providing this service through the proposed Work Agreements has been in place since 1890. The use of these Agreements is no longer fully compliant with City contracting requirements. We have discussed this with the City Attorney and BSS. An effort will be made to correct this in the near future. In the meantime, trucking services are required daily to continue critical BSS operations such as Pavement Preservation, Sidewalk Repair, Concrete and Asphalt Street Reconstruction, Alley Repair, and Debris Removal. Therefore, to avoid disruption of critical City services, it is recommended that the Mayor approve BSS's current request and instruct the BSS and the City Administrative Officer, and request the City Attorney, to review the Contract Trucking Program to achieve full compliance with current City contracting requirements.

The Bureau is requesting approval under the Mayor's Executive Directive 3 and an exemption from the suspension of new contracts, in accordance with the Mayor's Fiscal Year 2020-21 Cost Containment Memo dated June 24, 2020. Council approval is not required since the total contract term is less than three years.

This Office finds that the proposed AFE qualifies for exemption from the suspension of new contracts in the Mayor's Cost Containment Measures memo dated June 24, 2020. The cost of these contracts are funded by current appropriations in the Street Damage Restoration Fee Fund and the SB1 Road Maintenance & Rehabilitation Fund and will have no impact on the General Fund. The 2020-21 Budget continues to have significant uncertainty and downside revenue potential and \$16.5 million of SB1 appropriations for programs utilizing contract trucking are currently not authorized until January 1, 2021. However, sufficient current appropriations exist to support the Bureau's request through December 31, 2020.

Programs Using Contract Trucking	2020-21 SB1 Appropriation	SB1 Appropriations Not Available Until January 1, 2021
Concrete Streets	\$ 1,258,741	\$ 1,258,741
Failed Street Reconstruction	\$ 3,512,623	\$ 3,512,623
Pavement Preservation	\$ 23,996,188	\$ 11,759,287
<i>Totals</i>	\$ 28,767,552	\$ 16,530,651

Hauling services will be required beyond December 31, 2020 and the Bureau should be instructed to submit a new request prior to December 1, 2020 for authorization to continue beyond December 31, 2020. This will allow the City to identify where funding will be provided from and determine the level of services beginning January 1, 2021.

### FISCAL IMPACT STATEMENT

There is no General Fund Impact, funding is provided by the Street Damage Restoration Fee Fund and the SB1 Road Maintenance & Rehabilitation Fund. The City's obligation is limited to the availability of appropriations.

## **FINANCIAL POLICIES STATEMENT**

The recommendations comply with City Financial Policies in that sufficient special fund revenues are available and eligible for this purpose.

*RHL.NCT:06210014*

Attachments



Contractors).

10. Can the work to be performed be split between employees and contractors with special expertise?  
Yes  No

Heavy Duty Truck Operators (3584) currently share the work with more than 80 contractors that provide their own driver and dump trucks. StreetsLA has an estimated 100 heavy truck operators that drive heavy haul truck tractors. However, StreetsLA does not have the required 9-axle trailers, nor staffing (at that level), etc. which are needed depending on the job.

11. Can the department hire the required number of staff within the required time frame?  
Yes  No  Please explain.

StreetsLA anticipates needing a minimum of 100 independent truck-owner operators with their own dump trucks to establish the "on-call" Waiting List. Historically, recruitment efforts have not been able to produce a significant increase in staff for as-needed, truck driver jobs without using independent truck owner operators and contractors.

Each Contractor will be ranked and added to an "on-call" Waiting list and assigned "as-needed" to provide services throughout the City based on the project needs and by truck type.

12. Are there City employees in your department currently performing this work?  
Yes  If yes, which class(es):

Class Code Number	Job Classification
Class Code 3584	Heavy Duty Truck Operator

No

13. Have City employees in your department performed this work in the past?  
Yes  No

14. If the project is of a limited duration:

The department could absorb the employees at the end of the project.   
The employees would have to be laid off at the end of the project.

**Pls. submit to: Personnel Dept. Classification Division, Rm. 320, M.S. 391**

## PERSONNEL DEPARTMENT 1022 INFORMATION FORM

1. Requesting Department: Department of Public Works, Bureau of Street Services

2. Contacts

Department: Monica Shelton-Frierson Phone No. 213-847-2802 Fax No. 213-473-4150  
CAO: Nichole Trujillo Phone No. 213-473-7575 Fax No. 213-473-7517

3. Describe work to be performed. Describe duties and tasks involved.

The Bureau of Street Services (StreetsLA) seeks up to 150 qualified independent-truck owner operator type contractors to contract services for as-needed rental and operation of privately-owned dump trucks furnished with driver and necessary equipment, license and qualifications for hauling services (asphalt, concrete, debris, etc.) throughout the City. The contractors must be immediately available to assist the StreetsLA existing employees with hauling services-related jobs.

The trucking services are required daily to continue ongoing and critical StreetsLA operations such as Pavement Preservation, Sidewalk Repair, Concrete and Asphalt Street Reconstruction, Alley Repair, and Debris Removal. The necessary equipment requires the daily use of drivers (independent owner-operators) and four (4) types of dump trucks (10-Wheel, 12-Wheel, High-Side and Low-Side) to clean debris from our streets, haul trash, deliver hot asphalt grindings to and from transfer stations, including various projects throughout the City.

4. Is this a new contract? Yes  No

5. Proposed length of contract? Three years Proposed Start Date: January 1, 2021

6. Proposed cost of contract (if known): Historically, StreetsLA spend \$10 million - \$11.4 million annually

7. Name of proposed contractor (if applicable): Independent Truck Owner-Operators in StreetsLA's Truck Program, StreetsLA's Waiting List applicants, other bidders (if qualified).

8. Unique or special qualifications required to perform the work:

The contractor must have the ability to perform the duties as listed above while maintaining sufficient insurance, commercial driver's license, carbon emission compliance. In addition, the contractors must be independent contractors licensed to practice in California with experience in driving and hauling various materials and does related work.

The contractor's materials, supplies, and equipment must be privately owned and operated by the contractor. The contractor(s) should be familiar with state and federal laws that regulate heavy hauling. A crucial component/requirement of this contract requires that the contractor privately own a hauling truck and/or have access to the necessary equipment to fulfill their contractual obligations to the City. The privately owned hauling trucks must be either 10/12 Wheel, Low-Side, or High-Side trucks. The 10/12 Wheel must be able to haul 15 tons, Low-Side must haul 20.7 tons, and High-Side is 55 cubic yards. The contractor(s) must have the appropriate permits, insurances, and licenses.

9. Is there sufficient staff in your department with the appropriate expertise to perform the work?  
Yes  No

0120-17394-0000

**TRANSMITTAL**

TO  
Bureau of Street Services

DATE

COUNCIL FILE NO.

FROM  
The Mayor

COUNCIL DISTRICT  
All

**Request from the Bureau of Street Services for authority  
to execute \$6.4 million of agreements to provide hauling services.**

The AFE for hauling services is exempted from the Mayor's Cost Containment Measures and authorized for execution up to \$6.4 million. The Bureau is further instructed to request continuation of hauling services required beyond December 31, 2020 no later than December 1, 2020 and to work with the City Administrative Officer and City Attorney to update the Contract Trucking Program to full compliance with current City contracting requirements. Transmitted for further processing. See the City Administrative Officer report attached.

MAYOR

RHL:NCT:062100141

U.S. Department of Transportation  
**Federal Highway Administration**  
1200 New Jersey Avenue, SE  
Washington, DC 20590  
202-366-4000

CASE # 2021-0083

## FHWA Office of Civil Rights

# Title VI Complaint

The Federal Highway Administration Office of Civil Rights is responsible for ensuring compliance with Title VI of the Civil Rights Act of 1964 by Federal-aid recipients.

If you have questions about how to prepare a complaint, or to request a hardcopy of this form to submit by U.S. mail, you may contact the FHWA Office of Civil Rights at 202-366-0693 or via email at:

[FHWA.TitleVIcomplaints@dot.gov](mailto:FHWA.TitleVIcomplaints@dot.gov)

More information about Title VI related civil rights requirements may be found on the FHWA's website at [https://www.fhwa.dot.gov/civilrights/programs/title\\_vi/](https://www.fhwa.dot.gov/civilrights/programs/title_vi/)

## Section I

I believe that I have been (or someone else has been) discriminated against on the basis of:

- Race
- Color
- National Origin

## Section II

First Name:  State:

E-mail Address:

## Section III

Are you filing this complaint on your own behalf?

Yes  No

If not, please supply the name and relationship of the person for whom you are complaining:

\_\_\_\_\_

Please explain why you have filed for a third party:

\_\_\_\_\_

Please confirm that you have obtained the permission of the aggrieved party if you are filing on behalf of a third party:

Yes  No

Are you represented by legal counsel for this matter?

Yes  No

If yes, please supply name and contact information:

\_\_\_\_\_

Have you previously filed a civil rights complaint with FHWA?

Yes  No

### Section IV

Name of public entity complaint is against:

LOS ANGELES BURBAN STAIRTS SERVICE

### Section V

Have you filed this complaint with any of the following agencies?

U.S. Department of Justice

- U.S. Department of Transportation
- Your State's Department of Transportation
- Local Public Agency
- U.S. Equal Employment Opportunity Commission

Other:

Have you filed a lawsuit regarding this complaint?

Yes  No

If yes, please provide the case number:

## Section VI

Please Include Details of Your Complaint Below. FHWA will contact you to request any additional documentation you may want to submit on behalf of your complaint.

*(1) RATES ARE TOO LOW*

**Important:** We cannot accept your complaint without a signature, so please type your first name.

Signature

**(b) (6)**