



U.S. Department
of Transportation
Federal Highway
Administration

JUL 12 2011

1200 New Jersey Avenue, SE
Washington, D.C. 20590

In Reply Refer To: HCR-40
DOT #2011-014

(b) (6)

Dear (b) (6):

This is in reference to your complaint of discrimination, dated February 25, 2011, against (b) (6) (b) (6) (Respondent) alleging a violation of Title VI of the Civil Rights Act of 1964 (Title VI). In your complaint, you alleged that the Respondent used your bid quote to secure award of the Comer Travel Museum Project. Specifically, you alleged that you were identified in the contract as the Disadvantaged Business Enterprise (DBE) to perform electrician services; however, the Respondent replaced you with another DBE electrician, based on your race (African American).

Since the Respondent is a sub-recipient of Federal-aid funds through the Georgia Department of Transportation (GDOT), your complaint was investigated by the GDOT in accordance with the Federal Highway Administration's (FHWA) regulation at Title 23, Code of Federal Regulations, Part 200.9(b)(3) and the FHWA's complaint processing procedures. State recipients can conduct investigations of complaints alleging violations of Title VI by its sub-recipients or contractors and make a recommended finding to the Federal decisionmaking authority. However, the U.S. Department of Justice has determined that a Title VI finding of violation or no violation is a Federal decision that cannot be delegated. All FHWA recipients must submit their proposed dispositions to the FHWA for a final agency decision.

The FHWA is in receipt of a fully-executed Agreement dated April 26, 2011, between you and the Respondent regarding your complaint. The purpose of the Agreement is to provide your company with access to work equal to or greater than your initial bid of \$85,000 for the City of Comer Travel Museum. Therefore, the FHWA finds that the issue raised in your complaint has been resolved.

This concludes the FHWA's processing of this matter and no further action will be taken.

Sincerely yours,

Brenda F. Armstead
Director, Investigations and Adjudications

cc: Mr. Michael G. Cooper, Director, Equal Employment Opportunity, Equal Opportunity Office, GDOT
Ms. Carol Barnett, Title VI/Environmental Justice Coordinator, Equal Opportunity Office, GDOT
Mr. Rodney N. Barry, Division Administrator, FHWA, HDA-GA
Ms. Vanessa Ross, Civil Rights Specialist, FHWA, HDA-GA