



MONTANA

Department of Transportation

Federal Highway Administration
Title VI Program Implementation Plan
FFY 2026

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Introduction to MDT

Mission & Values

The mission of the Montana Department of Transportation (MDT) is to plan, build, operate, and maintain a safe and resilient transportation system to move Montana forward.

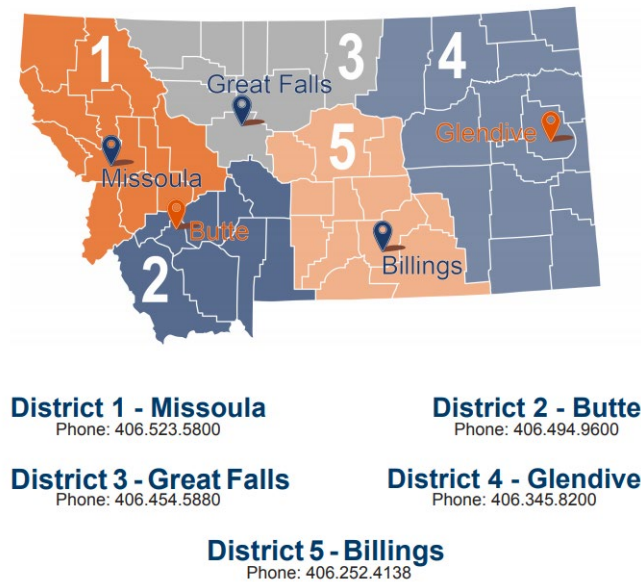
The core values that guide all MDT employee behavior, actions and approach are: Safety, Accountability, Customer Service, Leadership, Communication, Decision-Making and Disagreement, and Excellence.

Organization

MDT is responsible for the planning, design, maintenance, operation, and management of Montana's state-owned roadways, walkways, rest areas, airports, and numerous public-use facilities. The departmental structure helps staff at the state, regional, and local level efficiently deliver transportation improvements, comply with relevant rules and regulations, and maintain and operate transportation infrastructure to enable daily movement of goods and people across the state.

Each division within the department provides a critical function toward meeting MDT's mission of ensuring Montana's transportation network continues to remain a quality resource for all users. As transportation funding changes on both the federal and state levels, efficient management of resources to address needs will make all the difference in how Montana's transportation network continues to support the growth of businesses, communities, and the Montana way of life. MDT's leaders, employees, and partners are focused on the future of our state and finding the best ways to move Montana forward, together.

Montana's geographic and demographic diversity means regions in Montana face different travel demands and transportation challenges. Larger, metropolitan areas with a need to expand urban roadways or manage congested intersection operations may vary from rural Montana's need to reduce roadway departure crashes or manage the movement of large trucks through small towns. To address these unique challenges, the state is split into five transportation districts, each managed by district administrators focused on the individual transportation needs within their jurisdiction.



As a recipient of federal financial assistance from the United States Department of Transportation (USDOT), Federal Highway Administration (FHWA), MDT is committed to comply with Title VI of the Civil Rights Act of 1964 and other nondiscrimination statutes, regulations, and authorities to deliver its federally assisted programs, services, and activities in a fair and nondiscriminatory manner. This Implementation Plan sets forth the requirements that govern MDT's compliance with Title VI Program responsibilities for FHWA.

Policy Statement

MONTANA DEPARTMENT OF TRANSPORTATION


FHWA TITLE VI PROGRAM POLICY STATEMENT

The Montana Department of Transportation (MDT), as a recipient of federal financial assistance and under Title VI of the Civil Rights Act of 1964 and all related statutes and regulations, will make every effort to ensure that no person shall on the grounds of race, color, national origin, sex, age or disability be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any MDT programs or activities.

MDT is committed to comply with 23 CFR Part 200. I have signed the USDOT Standard Title VI/ Non-Discrimination Assurances, which is included as Attachment 1. In accordance with 23 CFR 200.9(b)(1), I have designated MDT's Office of Civil Rights Title VI Specialist, Kim Vietz, as the Agency-wide Title VI Coordinator for the MDT Title VI Program. The Title VI Program Coordinator is responsible for initiating and monitoring Title VI activities and preparing required reports. See Attachment 2 for designation of MDT Agency-wide Title VI Program Coordinator.

I have delegated sufficient responsibility and authority to the Title VI Program Coordinator and to the MDT Administrators to effectively implement MDT's Title VI Program for FHWA. See Attachment 2 for delegation.

The MDT Title VI Program Coordinator is responsible for the implementation of MDT's Title VI obligations which involve education, training, and prevention and investigation of claims of discrimination under Title VI. The Title VI Program Coordinator coordinates all complaints filed, conducts investigations, and maintains the files on all Title VI complaints.



Christopher Dorrington, Director
Montana Department of Transportation



Date

1. Standard USDOT Title VI Assurances

Pursuant to Section 23 C.F.R. 200.9(a)(1) MDT provides assurances that no person in the United States shall, on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or otherwise be subject to discrimination under any program or activity for which MDT receives federal assistance from the USDOT, FHWA. Current Title VI/Non-Discrimination Assurances signed by the MDT Director are included as Attachment 1.

2. Organization and Staffing

FHWA guidance recommends agencies implement an interdisciplinary approach to maintain Title VI compliance. Based upon this guidance, the MDT Director has delegated sufficient responsibility and authority to MDT's Office of Civil Rights (OCR) and MDT Administrators to effectively deliver its programs and activities in compliance with Title VI. See Attachment 2.

Office of Civil Rights

MDT's OCR is responsible for administering MDT's Title VI Nondiscrimination Program. MDT's Title VI Specialist serves as the Agency-wide Title VI Program Coordinator. With support from the OCR Bureau Chief, the Title VI Advisory Team and MDT's Administrators, the Title VI Program Coordinator is responsible for administering MDT's Title VI Program and has been delegated sufficient authority and responsibility to effectively carry out the duties assigned to this position.

OCR is administratively attached to the MDT General Operations Program and has direct and independent access to the MDT Director. The MDT organizational chart is included as Attachment 3.

OCR Bureau Chief/MDT's Agency-wide Title VI Program Coordinator:

The OCR Bureau Chief and Title VI Specialist work with the Title VI Advisory Team to administer the Title VI program, process discrimination complaints, and provide technical assistance and guidance to MDT Administrators and program managers. Specifically, the Title VI Specialist has the authority and responsibility to:

- Review, evaluate, and monitor programs and activities related to Title VI and effectuate changes to ensure consistency and program effectiveness.
- Develop procedures to ensure complaints are processed, investigated, and resolved in a fair and timely manner in accordance with Title VI and federal operating regulations.
- Ensure Purchasing Services Section verifies appropriate Title VI language is contained in contracts issued by the district. See Attachment 4.
- Advise the MDT Director and administrative staff concerning significant developments in the implementation of MDT's Title VI Program.
- Submit USDOT Title VI Assurances to the MDT Director for signature (after securing approval of the Chief Legal Counsel).

- Partner with MDT administrators to resolve any deficiencies found by FHWA.
- Provide technical assistance to MDT administrators to ensure subrecipients, effectively address and comply with Title VI and language assistance plans and requirements.
- Conduct objective audits and reviews of MDT's internal programs and ensure equal opportunities for participation in such programs and activities.
- Conduct Title VI compliance reviews of MDT's internal program areas.
- Develop procedures for collecting statistical data of participants in, and beneficiaries of, State highway programs.
- Conduct required Title VI reviews of subrecipients and third parties receiving Federal-aid highway funds.
- Develop Title VI training materials; conduct training on Title VI program and related statutes; and provide Title VI resource information on the MDT website for MDT employees, subrecipients, and stakeholders.
- Prepare and present MDT's Title VI Annual Goals and Accomplishments report to Title VI Advisory Team for review and submit approved document to FHWA.
- Prepare and present MDT's Title VI Implementation Plan to Title VI Advisory Team for review and submit approved document to FHWA.
- Prepare recommendations to Title VI Advisory Team for implementing the Title VI Plan and schedule quarterly meetings for follow-up.
- Develop Title VI information for dissemination to the public consistent with MDT and federal guidelines.
- Assist in ensuring compliance of MDT's Construction program with federal and state requirements, working with municipalities and counties to ensure community participation and representation in the planning and decision making processes
- Monitor mailing lists and conduct periodic reviews to ensure equal access to research opportunities information.
- Ensure all district staff and persons scheduling public meetings, open houses and forums verify Title VI compliance and report activity and compliance issues to the OCR.

Administrative Staff

Administrators have the authority and responsibility to:

- Attend quarterly meetings with OCR.
- Participate in Title VI training.
- Promote awareness of MDT's Title VI Program.
- Partner with OCR to resolve deficiencies and monitor and implement corrective actions.
- Refer Title VI complaints and discrimination allegations to OCR.
- Serve as the designated contact for Title VI within their district or division unless the administrator has otherwise identified a district or division Title VI point of contact.

Title VI Advisory Team

The MDT Title VI Advisory Team (Advisory Team) is comprised of administrators who participate in focused Title VI implementation meetings. Members include the OCR Bureau Chief; Title VI Program Coordinator; Project Development and Delivery Operations Manager; Statewide Planning and Modal Operations Manager; General Operations Manager; Asset Strategy, Operations and Maintenance Manager; Motor Carrier Services Division Administrator; and Public Information Officer. MDT's Director and Deputy Director are also members of the Advisory Team. The MDT Legal Section has assigned an attorney to staff the Advisory Team. The Advisory Team may invite other administrators and program managers to its meetings as needed.

The Advisory Team has the following responsibilities:

- Provide leadership, guidance, and technical assistance to program areas having significant impacts on the public and businesses, which are referred to as federal program areas, in carrying out their Title VI responsibilities.
- Serve as subject-matter experts for MDT programs and activities.
- Provide Title VI technical assistance to administrators and program managers.
- Present recommendations for Title VI training for MDT employees and supervisors.
- Monitor program reviews.
- Monitor program implementation of corrective actions.
- Review and approve MDT's annual Title VI Implementation Plans and Goals and Accomplishments Report.

3. Program Area Review Procedures

This section highlights MDT divisions and programs that assist OCR with civil rights compliance by collecting data, conducting audits, and alerting OCR of Title VI issues. Federal regulations require OCR to conduct annual reviews of specific program areas to ensure that MDT complies with Title VI Program requirements. OCR will conduct a review of at least one MDT program area each year to fulfill this requirement.

Selection of a program area is risk-based and is initiated by a discussion with the Administrator of the proposed program area. Once a program area is selected, relevant staff are notified via email and an introductory meeting is held to explain the review process. A customized questionnaire is provided for program area staff to complete and OCR staff review the completed questionnaire for compliance with Title VI and nondiscrimination requirements. If deficiencies are identified, OCR staff will work with program area staff to correct the deficiencies, including providing technical assistance.

OCR reviews all MDT agreements to verify nondiscrimination requirements are included in each agreement. In addition, OCR reviews Title VI Public Meeting/Hearing Forms to verify compliance. All MDT staff are encouraged to report potential Title VI complaints and violations to the Title VI Program Coordinator. Once reported, the Title VI Program Coordinator works with the affected division, bureau, or unit to address issues and educate staff.

Director's Office

The Director's Office leads the agency in delivering its mission and upholding core values across all levels of the organization. The Office provides strategic leadership, oversees organizational priorities, and ensures alignment of every initiative with MDT's mission. By ensuring consistent communication, operational excellence, and accountability, the Director's Office represents the state in legislative and regulatory matters and serves as the central hub for agency leadership, policy guidance, legal services, stakeholder collaboration and responsive public service – ensuring MDT meets the needs of Montana's people and communities effectively.

The Public Information Officer (PIO) or designee works with the project team and/or consultants to ensure community involvement. The PIO and project team review and approve all project deliverables to verify consistent language and compliance with Title VI and ADA requirements. The project manager, designee, or consultant is responsible for completing and submitting to OCR the Title VI Public Meeting/Hearing Form following each open house meeting/hearing.

Legal Services assures legal compliance by MDT with all Federal statutes and regulations as they apply to the programs it administers, including Title VI and other equal opportunity programs.

The Research Section is responsible for contracting research projects through its Research Program and conducting an Experimental Projects Program. Solicitations comply with MDT's Purchasing Services Section or Consultant Design Bureau requirements. MDT Research requirements are used for contracting with various public entities to perform research projects.

General Operations Program

The General Operations Program administers motor fuel taxes, and provides administrative support services for the department, including accounting and budgeting, civil rights and equal opportunity (see above section titled Office of Civil Rights, page 6, for program information), human resources and occupational safety, accounting and procurement services, appropriations management, information technology, and compliance review.

Project Development and Delivery Program

The Project Development and Delivery Program is responsible for the lifecycle of construction projects – from initial planning in the long-range work plan through final construction. Its responsibilities include project design, right-of-way acquisition, environmental compliance, contract bidding and awards, and construction contract administration. The program ensures quality through documentation, inspection, and testing of highway projects, it also delivers traffic improvements and educational initiatives to enhance public safety and welfare.

Asset Strategy, Operations and Maintenance Program

The Asset Strategy, Operations and Maintenance Program ensures the functionality and safety of Montana's roadway network, overseeing over 25,000 lane miles through activities such as snow and ice control, pavement preservation, signage, vegetation management, and traveler information. It also leads disaster response coordination, manages infrastructure inventory, long-range building projects, land mobile radio communications, and quality control. The program includes Motor Carrier Services (MCS), which regulates commercial motor carrier operations through safety enforcement, dyed fuel oversight, credentialing, fleet registration, permitting, and compliance with state and federal safety standards.

Statewide Planning and Modal Operations Program

The Statewide Planning and Modal Operations Program guides Montana's multimodal transportation strategy through planning and operational support. The program manages statewide transportation and transit planning, administers behavioral safety programs and initiatives, and coordinates with developers and agencies. It includes Aeronautics Program that supports airport and airway infrastructure, aviation safety, and aerial search and rescue; administers funding for airport improvements; and serves as a liaison with federal and commercial aviation partners. It also operates 14 state-owned airports, including the commercial service airport near West Yellowstone.

4. Subrecipient Review Procedures

MDT will monitor subrecipients that receive FHWA funding through MDT for compliance with Title VI requirements. Subrecipients will sign annually USDOT's Standard Title VI/Non-discrimination Assurances in accordance with USDOT Order 1050.2A.

MDT requires subrecipients to develop and submit Title VI plans that align with FHWA Title VI requirements and guidance. These plans will be updated every three years or more frequently if vital information changes. OCR staff will coordinate with MDT Planning staff annually to ensure compliance with these requirements.

If any subrecipient Title VI Plan deficiencies are identified, MDT will work with the subrecipient to correct the deficiencies, including providing technical assistance.

5. Data Collection - Reporting - Analysis

OCR uses U.S. Census Bureau data, including the American Community Survey, to collect statistical data about the race, color, religion, sex, and national origin of participants in and beneficiaries of Montana's highway program. OCR may also obtain data from federal, tribal, state and local health, environmental, social services, and economic development agencies; MPOs; and public involvement and outreach within the affected communities.

MDT reviews data collection processes set forth in subrecipient Title VI Plans for how Title VI data is collected, analyzed, and reported. Subrecipients may use MDT's Civil Rights Discrimination Complaint form and Complaint Log form to collect and report Title VI information.

From October 1, 2024-September 30, 2025, no FHWA-related Title VI complaints or ADA complaints were filed against MDT.

OCR tracks Title VI and Title VII complaint information in a complaint tracking database and captures the information below for each report:

Case #	Protected Class on which complaint is based	Nature of the Complaint	Date Filed	Date Investigation Complete	Authority	Date Received & Date Closed	Notes

6. Training

Internal Employee Training

MDT employees receive nondiscrimination training, which includes information on Title VI, within three months of their hire date and on an annual basis thereafter. OCR conducts language assistance training for MDT employees and will also provide customized training to address specific Title VI issues upon request.

External Stakeholder Training

MDT provides training opportunities on civil rights and Title VI requirements, including language assistance resources, for external stakeholders. OCR will provide customized training on request.

7. Complaint Procedures

The following procedures cover complaints filed under Title VI of the Civil Rights Act of 1964 and the Civil Rights Restoration Act of 1987:

Any person who believes they, or any specific class of persons, were subjected to prohibited discrimination based on race, color or national origin may file a written complaint individually or through a representative. A complaint must be filed no later than 180 days after the date of the alleged discrimination, unless the discrimination is ongoing, or the time for filing is extended by the FHWA.

Complaints related to MDT's Federal-aid Highway Program may be filed with MDT, the FHWA Montana Division Office, the FHWA Office of Civil Rights (HCR), the USDOT Departmental Office of Civil Rights, or the United States Department of Justice.

Complaints may be filed in writing with the following agencies:

Montana Department of Transportation
Office of Civil Rights
2701 Prospect Ave.
PO Box 201001
Helena, Montana 59601

Federal Highway Administration – Montana Division
585 Shephard Way, Suite 2
Helena, Montana 59601

Federal Highway Administration
U.S. Department of Transportation
Office of Civil Rights
1200 New Jersey Avenue SE
8th Floor E81-105
Washington, DC 20590
CivilRights.FHWA@dot.gov,
FHWA.TitleVIcomplaints@dot.gov

Federal Coordination and Compliance Section - NWB
Civil Rights Division
U.S. Department of Justice
950 Pennsylvania Avenue NW
Washington DC 20530

MDT will ensure that all complaints are sent to the appropriate authority for disposition.

NOTE: Additional information regarding the Title VI complaint process can be found at:
<https://highways.dot.gov/civil-rights/how-file-external-or-internal-program-complaint-under-americans-disabilities-act>

Confidentiality and Retention: Complaints and investigative files are confidential. The contents of such files will only be disclosed to appropriate MDT personnel and federal authorities in accordance with federal and state laws. MDT will retain files consistent with records retention schedules and all federal guidelines.

Processing Complaints

OCR has the primary responsibility of processing Title VI external discrimination complaints received by MDT. All discrimination complaints received by staff and management must be referred to OCR for review and action. OCR processes complaints

consistent with FHWA's Questions and Answers for Complaints Alleging Violations of Title VI of the Civil Rights Act of 1964 guidance. OCR will inform the FHWA Division Office, which will forward the complaint to the FHWA HCR for review and further investigation if accepted.

Complaints shall set forth, as fully as possible, the facts and circumstances surrounding the alleged discrimination. If a person makes a verbal complaint to an MDT employee, that person shall be interviewed by OCR. If necessary, OCR will assist the person in documenting the complaint in writing and submitting the written version to the person for signature. Within ten (10) days of receipt of the complaint, OCR will acknowledge receipt, inform the complainant of action proposed or taken, and forward the complaint to the appropriate regulatory agency. Complaints forwarded to FHWA will include the following information, if available:

- Name and contact information (e.g., email address) of the complainant.
- Name(s) and contact information of alleged discriminating individual(s).
- Basis of the complaint (i.e., race, color, national origin, sex, age, disability).
- Date of alleged discriminatory act(s) and location.
- Date complaint received by MDT.
- Statement of the complaint.
- Other agencies (state, local or federal) where the complaint has been filed.
- An explanation of the actions MDT has taken or proposed to resolve the issue raised in the complaint.

FHWA has final decision authority and may take any of the following actions:

Accept: If a complaint is filed timely, contains sufficient information to support a claim under Title VI, and concerns matters under FHWA's jurisdiction, then FHWA will send a written notice that it has accepted the complaint for investigation to the complainant, the respondent agency, and the FHWA Division Office.

Preliminary review: If it is unclear whether the complaint allegations are sufficient to support a claim under Title VI, then FHWA may (1) dismiss it, or (2) engage in a preliminary review to acquire additional information from the complainant and/or respondent before deciding whether to accept, dismiss, or refer the complaint.

Procedural Dismissal: If a complaint is not filed timely, is not in writing and signed, or features other procedural or practical defects, then FHWA will send the complainant, respondent, and FHWA Division Office a written notice that it is dismissing the complaint.

Referral/Dismissal: If the complaint is procedurally sufficient but FHWA (1) lacks jurisdiction over the subject matter, or (2) lacks jurisdiction over the respondent entity, then FHWA will either dismiss the complaint or refer it to another agency that has jurisdiction. If FHWA dismisses the complaint, it will send the complainant, respondent, and FHWA Division Office a copy of the written dismissal notice. For referrals, FHWA will send a written referral notice with a copy of the complaint to the proper federal agency and a copy to the USDOT Departmental Office of Civil Rights.

See Attachment 5 for MDT's Complaint Form.

8. Dissemination of Title VI Information

Engaging the public early and throughout the transportation decision-making process is key to MDT's mission. Meaningful public involvement efforts build trust and credibility for the department and enhance awareness and understanding of MDT activities and business practices.

Public involvement includes providing the public with information at key decision points and providing opportunities for input in planning and project development. MDT's Public Involvement Plan (mdt.mt.gov/publications/docs/manuals/pubinvhb.pdf) provides details on how the department strives to inform and involve all affected parties.

Public involvement is vital to good decision-making, acceptance of ideas, reducing misunderstanding, and avoiding and resolving conflict. Capturing the public's interest takes effort and continual attention. Engaging the public starts with MDT's long-range planning and continues through construction and operation.

MDT's public involvement can be identified in phases:

Planning and Programming: The planning and programming phase considers statewide, systems-level, metropolitan, non-metropolitan, transit, and aeronautics actions. The project development and construction phase centers on specific highway improvement projects. Both phases provide opportunities for the public to review and provide input for consideration in shaping decisions.

MDT's PIO and Public Involvement Specialist are both available to assist department staff and consultants with public involvement activities and planning, including arranging for reasonable accommodations.

Project Development and Construction: MDT's project staff and consultants offer OCR's informational complaint form at public meetings, hearings, and open houses. See Attachment 5. MDT's project staff and consultants also complete a Title VI Public Meeting/Hearing Form as appropriate and submit to OCR. See Attachment 6. MDT periodically reviews its public involvement activities to ensure Title VI compliance.

MDT also includes public involvement-related questions on the TranPlanMT biennial public and stakeholder surveys (mdt.mt.gov/publications/surveys.shtml) and reviews responses for consideration of changes to the public involvement process.

Working continually, cooperatively, and comprehensively with the public and stakeholders allows MDT to deliver transportation solutions that improve safety and efficiency, protect natural and human environments, and contribute to community vitality and general well-being for all.

9. Review of MDT Directives

MDT employs the following processes to review agency directives, administrative rules, policies, procedures, and manuals for Title VI Program compliance:

- Title VI Program Coordinator works collaboratively with the Title VI Advisory Team to ensure MDT directives comply with Title VI requirements.
- Staff and consultants hosting public meetings complete the Title VI checklist, submit to the Title VI Program Coordinator for review, and refer any Title VI issues to the OCR.
- OCR Bureau Chief serves as the civil rights advisor to the MDT Director and Administrative staff to ensure MDT directives comply with Title VI Program requirements.
- Title VI Program Coordinator works cooperatively with the FHWA Division Civil Rights staff and Title VI Advisory Team to implement federal Title VI Program directives.
- Legal staff reviews administrative rules, policies and procedures, and agency manuals to identify legal issues.

10. Compliance and Enforcement Procedures

Corrective Action Plan

MDT's goal under the FHWA Title VI Program is to achieve voluntary compliance. If deficiencies are found during a Title VI review, the Title VI Program Coordinator will prepare a compliance review report to submit to the Title VI Advisory Team. The OCR will meet and confer with the program area or subrecipient and prepare a corrective action plan (CAP) that includes the deficiencies, a discussion of required remedial actions and deadlines for implementing the CAP, not to exceed 90 days.

Programs and subrecipients are expected to correct deficiencies according to their CAP and provide periodic updates to the OCR. The Title VI Program Coordinator will provide technical assistance, as needed, and work with the program manager or subrecipients to obtain voluntary compliance with the CAP.

At each Title VI Advisory Team meeting, the Title VI Program Coordinator will report on any active deficiencies or CAPs. When a program area or subrecipient has completed the CAP, the Title VI Program Coordinator will submit a summary report to the Title VI Advisory Team. If the summary report demonstrates the deficiencies are addressed, the Title VI Advisory Team will authorize the Title VI Program Coordinator to prepare a closeout letter notifying the program manager or subrecipient that the review process is complete.

Addressing Noncompliance

The Title VI Advisory Team will require full cooperation from its programs and subrecipients to correct deficiencies found during Title VI reviews. If the Title VI Advisory

Team is unable to obtain voluntary compliance it will take necessary steps to ensure compliance.

MDT Programs and Activities: In the event an MDT program fails to cooperate during a review or comply with the terms of a CAP, the Title VI Advisory Team will make recommendations to the MDT Director regarding next steps.

Subrecipients: In the event subrecipient fails to cooperate during a review or comply with the terms of a CAP, the OCR will work through the program with oversight of the subrecipient to attempt to resolve the issue using the program's normal administrative solutions. If the issue is not corrected, the Title VI Advisory Team may take the following steps, with the concurrence of FHWA:

- Cancel, terminate, or suspend the contract or agreement in whole or in part.
- Refrain from extending further assistance to the subrecipient under the program for which the failure or refusal occurred until the subrecipient provides satisfactory assurances of future compliance.
- Initiate other actions deemed appropriate under the circumstances, until the subrecipient provides satisfactory assurances of future compliance.
- Refer the case to FHWA for appropriate administrative action or legal proceedings.

Process for Resolution of Deficiencies

MDT is committed to taking prompt action to correct deficiencies identified by FHWA. Upon receiving notice of program deficiencies, MDT will take the following actions:

- Title VI Program Coordinator will distribute findings to the Director, Deputy Director, and Title VI Advisory Team.
- Title VI Program Coordinator will work in conjunction with the Title VI Advisory Team to develop a CAP.
- Title VI Advisory Team will submit the CAP to the Director and Deputy Director.
- Title VI Program Coordinator will submit the final CAP to FHWA for comment and approval.
- Each CAP will contain:
 - Description of identified deficiencies.
 - Applicable laws, rules, and regulations.
 - Action items necessary for the MDT program to correct deficiencies.
 - Timeline and deadlines to complete the action items, not to exceed 90 days.
 - Strategy to monitor deadlines.
 - Timeline to provide updates to FHWA.

Upon FHWA's approval of the CAP, the Title VI Program Coordinator will work with the Title VI Advisory Team to implement the plan and schedule monthly meetings to track MDT's implementation and compliance with the CAP. The Title VI Program Coordinator will provide updates to FHWA as required in the CAP, and if necessary, work with the affected program area to update its procedures to implement the CAP. The CAP and its results will be included in the Title VI Goals and Accomplishments Report.

11. Limited English Proficiency

The current version of MDT's Language Assistance Plan for LEP individuals is located at: https://www.mdt.mt.gov/other/webdata/external/civilrights/limited_english_proficiency_plan.pdf

OCR has resources available to provide language assistance if needed. MDT provides the Language Identification and Assistance Guide to MDT employees, which gives guidance for how to provide interpretation services when interacting with LEP individuals: [mdt.mt.gov/other/webdata/external/civilrights/Language-Assistance-Guide.pdf](https://www.mdt.mt.gov/other/webdata/external/civilrights/Language-Assistance-Guide.pdf)

OCR also provides MDT staff and subrecipients with access to Language Link, a resource that can provide telephonic and written translation services.

OCR will monitor the LEP Plan annually to evaluate its compliance with federal requirements and its effectiveness in serving LEP individuals and will modify it accordingly.

Attachments

Attachment 1: USDOT Standard Title VI/Non-Discrimination Assurances

The United States Department of Transportation

Standard Title VI/Non-Discrimination Assurances

DOT Order No. 1050.2A

The Montana Department of Transportation (herein referred to as the "Recipient"), **HEREBY AGREES THAT**, as a condition to receiving any Federal financial assistance from the United States Department of Transportation (DOT), through Federal Highway Administration (FHWA), Federal Transit Administration (FTA), Federal Aviation Administration (FAA), and National Highway Traffic Safety Administration (NHTSA), it is subject to and will comply with the following:

Statutory/Regulatory Authorities

- Title VI of the Civil Rights Act of 1964 (42 U.S.C. § 2000d *et seq.*, 78 Stat. 252), (prohibits discrimination on the basis of race, color, national origin);
- 49 C.F.R. part 21 (entitled *Non-discrimination in Federally-Assisted Programs of The Department of Transportation—Effectuation of Title VI of The Civil Rights Act of 1964*);
- 28 C.F.R. section 50.3 (U.S. Department of Justice Guidelines for Enforcement of Title VI of the Civil Rights Act of 1964);

The preceding statutory and regulatory cites hereinafter are referred to as the "Acts" and "Regulations," respectively.

General Assurances

In accordance with the Acts, the Regulations, and other pertinent directives, circulars, policy, memoranda, and/or guidance, the Recipient hereby gives assurance that it will promptly take any measures necessary to ensure that:

"No person in the United States shall, on the grounds of race, color, or national origin be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity," for which the Recipient receives Federal financial assistance from DOT, including the FHWA, FTA and FAA.

The Civil Rights Restoration Act of 1987 clarified the original intent of Congress, with respect to Title VI and other non-discrimination requirements (The Age Discrimination Act of 1975, and Section 504 of the Rehabilitation Act of 1973) by restoring the broad, institutional-wide scope and coverage of these non-discrimination statutes and requirements to include all programs and activities of the Recipient, so long as any portion of the program is Federally assisted.

Specific Assurances

More specifically, and without limiting the above general Assurance, the Recipient agrees with and gives the following Assurances with respect to its Federally assisted FHWA, FTA, FAA or NHTSA programs:

1. The Recipient agrees that each "activity," "facility," or "program," as defined in §§ 21.23 (b) and 21.23 (e) of 49 C.F.R. § 21 will be (with regard to an "activity") facilitated, or will be (with regard to a "facility") operated, or will be (with regard to a "program") conducted in compliance with all requirements imposed by, or pursuant to the Acts and the Regulations.

2. The Recipient will insert the following notification in all solicitations for bids, Requests for Proposals for work, or material subject to the Acts and the Regulations made in connection with all FHWA, FTA, FAA and NHTSA programs and, in adapted form, in all proposals for negotiated agreements regardless of funding source:

"The Montana Department of Transportation, in accordance with the provisions of Title VI of the Civil Rights Act of 1964 (78 Stat. 252, 42 U.S.C. §§ 2000d to 2000d-4) and the Regulations, hereby notifies all bidders that it will affirmatively ensure that any contract entered into pursuant to this advertisement, disadvantaged business enterprises will be afforded full and fair opportunity to submit bids in response to this invitation and will not be discriminated against on the grounds of race, color, or national origin in consideration for an award."

3. The Recipient will insert the clauses of Appendix A and E of this Assurance in every contract or agreement subject to the Acts and the Regulations;
4. The Recipient will insert the clauses of Appendix B of this Assurance, as a covenant running with the land, in any deed from the United States effecting or recording a transfer of real property, structures, use, or improvements thereon or interest therein to a Recipient;
5. That where the Recipient receives Federal financial assistance to construct a facility, or part of a facility, the Assurance will extend to the entire facility and facilities operated in connection therewith;
6. That where the Recipient receives Federal financial assistance in the form, or for the acquisition of real property or an interest in real property, the Assurance will extend to rights to space on, over, or under such property;
7. That the Recipient will include the clauses set forth in Appendix C and Appendix D of this Assurance, as a covenant running with the land, in any future deeds, leases, licenses, permits, or similar instruments entered into by the Recipient with other parties:
 - a. for the subsequent transfer of real property acquired or improved under the applicable activity, project, or program; and
 - b. for the construction or use of, or access to, space on, over, or under real property acquired or improved under the applicable activity, project, or program.
8. That this Assurance obligates the Recipient for the period during which Federal financial assistance is extended to the program, except where the Federal financial assistance is to provide, or is in the form of, personal property, or real property, or interest therein, or structures or improvements thereon, in which case the Assurance obligates the Recipient, or any transferee for the longer of the following periods:
 - a. the period during which the property is used for a purpose for which the Federal financial assistance is extended, or for another purpose involving the provision of similar services or benefits; or
 - b. the period during which the Recipient retains ownership or possession of the property.
9. The Recipient will provide for such methods of administration for the program as are found by the Secretary of Transportation or the official to whom he/she delegates specific authority to give reasonable guarantee that it, other recipients, sub-recipients, sub-

grantees, contractors, subcontractors, consultants, transferees, successors in interest, and other participants of Federal financial assistance under such program will comply with all requirements imposed or pursuant to the Acts, the Regulations, and this Assurance.

10. The Recipient agrees that the United States has a right to seek judicial enforcement with regard to any matter arising under the Acts, the Regulations, and this Assurance.

By signing this ASSURANCE, the Montana Department of Transportation also agrees to comply (and require any sub-recipients, sub-grantees, contractors, successors, transferees, and/or assignees to comply) with all applicable provisions governing FHWA, FTA, FAA and NHTSA access to records, accounts, documents, information, facilities, and staff. You also recognize that you must comply with any program or compliance reviews, and/or complaint investigations conducted by FHWA, FTA, FAA and NHTSA. You must keep records, reports, and submit the material for review upon request to FHWA, FTA, FAA and NHTSA, or its designee in a timely, complete, and accurate way. Additionally, you must comply with all other reporting, data collection, and evaluation requirements, as prescribed by law or detailed in program guidance.

The Montana Department of Transportation gives this ASSURANCE in consideration of and for obtaining any Federal grants, loans, contracts, agreements, property, and/or discounts, or other Federal-aid and Federal financial assistance extended after the date hereof to the recipients by the U.S. Department of Transportation under the FHWA, FTA, FAA and NHTSA. This ASSURANCE is binding on Montana, other recipients, sub-recipients, sub-grantees, contractors, subcontractors and their subcontractors', transferees, successors in interest, and any other participants in the FHWA, FTA, FAA and NHTSA funded programs. The person(s) signing below is authorized to sign this ASSURANCE on behalf of the Recipient.

Montana Department of Transportation

by

 9/24/25

Christopher Dorrington, Director

DATED _____

APPENDIX A

During the performance of this contract, the contractor, for itself, its assignees, and successors in interest (hereinafter referred to as the “contractor”) agrees as follows:

1. **Compliance with Regulations:** The contractor (hereinafter includes consultants) will comply with the Acts and the Regulations relative to non-discrimination in Federally-assisted programs of the U.S. Department of Transportation, Federal Highway Administration (FHWA), Federal Transit Administration (FTA), Federal Aviation Administration (FAA) and National Highway Traffic Safety Administration (NHTSA), as they may be amended from time to time, which are herein incorporated by reference and made a part of this contract.
2. **Nondiscrimination:** The contractor, with regard to the work performed by it during the contract, will not discriminate on the grounds of race, color, or national origin in the selection and retention of subcontractors, including procurements of materials and leases of equipment. The contractor will not participate directly or indirectly in the discrimination prohibited by the Acts and the Regulation, including employment practices when the contract covers any activity, project, or program set forth in Appendix B of 49 C.F.R. part 21.
3. **Solicitations for Subcontracts, Including Procurements of Materials and Equipment:** In all solicitations, either by competitive bidding, or negotiation made by the contractor for work to be performed under a subcontract, including procurements of materials, or leases of equipment, each potential subcontractor or supplier will be notified by the contractor of the contractor’s obligations under this contract and the Acts and the Regulations relative to Non-discrimination on the grounds of race, color, or national origin.
4. **Information and Reports:** The contractor will provide all information and reports required by the Acts, the Regulations and directives issued pursuant thereto and will permit access to its books, records, accounts, other sources of information, and its facilities as may be determined by the Recipient or the FHWA, FTA, FAA and NHTSA to be pertinent to ascertain compliance with such Acts, Regulations, and instructions. Where any information required of a contractor is in the exclusive possession of another who fails or refuses to furnish the information, the contractor will so certify to the Recipient or the FHWA, FTA, FAA and NHTSA, as appropriate, and will set forth what efforts it has made to obtain the information.
5. **Sanctions for Noncompliance:** In the event of a contractor’s noncompliance with the non-discrimination provisions of this contract, the Recipient will impose such contract sanctions as it or the FHWA, FTA, FAA and NHTSA may determine to be appropriate, including, but not limited to:
 - a. withholding payments to the contractor under the contract until the contractor complies; and/or
 - b. cancelling, terminating, or suspending a contract, in whole or in part.

6. **Incorporation of Provisions:** The contractor will include the provisions of paragraphs one through six in every subcontract, including procurements of materials and leases of equipment, unless exempt by the Acts, the Regulations and directives issued pursuant thereto. The contractor will take action with respect to any subcontract or procurement as the Recipient or the FHWA, FTA, FAA and NHTSA may direct as a means of enforcing such provisions including sanctions for noncompliance. Provided, that if the contractor becomes involved in, or is threatened with litigation by a subcontractor, or supplier because of such direction, the contractor may request the Recipient to enter into any litigation to protect the interests of the Recipient. In addition, the contractor may request the United States to enter into the litigation to protect the interests of the United States.

APPENDIX B

CLAUSES FOR DEEDS TRANSFERING UNITED STATES PROPERTY

The following clauses will be included in deeds effecting or recording the transfer of real property, structures, or improvements thereon, or granting interest therein from the United States pursuant to the provisions of Assurance 4:

NOW, THEREFORE, the U.S. Department of Transportation as authorized by law and upon the condition that the Montana Department of Transportation will accept title to the lands and maintain the project constructed thereon in accordance with Title 23, United States Code, the Regulations for the Administration of Federal Highway Administration (FHWA), Federal Transit Administration (FTA), Federal Aviation Administration (FAA) and National Highway Traffic Safety Administration (NHTSA) Programs, and the policies and procedures prescribed by the FHWA, FTA, and FAA of the Department of Transportation in accordance and in compliance with all requirements imposed by Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Non-discrimination in Federally-assisted programs of the U.S. Department of Transportation pertaining to and effectuating the provisions of Title VI of the Civil Rights Act of 1964 (78 Stat. 252; 42 U.S.C. § 2000d to 2000d-4), does hereby remise, release, quitclaim and convey unto the Montana Department of Transportation all the right, title and interest of the U.S. Department of Transportation in and to said lands described in Exhibit A attached hereto and made a part hereof.

(HABENDUM CLAUSE)

TO HAVE AND TO HOLD said lands and interests therein unto Montana Department of Transportation and its successors forever, subject, however, to the covenants, conditions, restrictions and reservations herein contained as follows, which will remain in effect for the period during which the real property or structures are used for a purpose for which Federal financial assistance is extended or for another purpose involving the provision of similar services or benefits and will be binding on the Montana Department of Transportation, its successors and assigns.

The Montana Department of Transportation, in consideration of the conveyance of said lands and interests in lands, does hereby covenant and agree as a covenant running with the land for itself, its successors and assigns, that (1) no person will on the grounds of race, color, or national origin be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination with regard to any facility located wholly or in part on, over, or under such lands hereby conveyed [,] [and]* (2) that the Montana Department of Transportation will use the lands and interests in lands and interests in lands so conveyed, in compliance with all requirements imposed by or pursuant to Title 49, Code of Federal Regulations, U.S. Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Non-discrimination in Federally-assisted programs of the U.S. Department of Transportation, Effectuation of Title VI of the Civil Rights Act of 1964, and as said Regulations and Acts may be amended, and (3) that in the event of breach of any

of the above-mentioned non-discrimination conditions, the Department will have a right to enter or re-enter said lands and facilities on said land, and that above described land and facilities will thereon revert to and vest in and become the absolute property of the U.S. Department of Transportation and its assigns as such interest existed prior to this instruction.*

(*Reverter clause and related language to be used only when it is determined that such a clause is necessary in order to make clear the purpose of Title VI.)

APPENDIX C

CLAUSES FOR TRANSFER OF REAL PROPERTY ACQUIRED OR IMPROVED UNDER THE ACTIVITY, FACILITY OR PROGRAM

The following clauses will be included in deeds, licenses, leases, permits, or similar instruments entered into by the Montana Department of Transportation pursuant to the provisions of Assurance 7(a):

- A. The (grantee, lessee, permittee, etc. as appropriate) for himself/herself, his/her heirs, personal representatives, successors in interest, and assigns, as a part of the consideration hereof, does hereby covenant and agree [in the case of deeds and leases add “as a covenant running with the land”] that:
 - 1. In the event facilities are constructed, maintained, or otherwise operated on the property described in this (deed, license, lease, permit, etc.) for a purpose for which a U.S. Department of Transportation activity, facility, or program is extended or for another purpose involving the provision of similar services or benefits, the (grantee, licensee, lessee, permittee, etc.) will maintain and operate such facilities and services in compliance with all requirements imposed by the Acts and Regulations (as may be amended) such that no person on the grounds of race, color, or national origin, will be excluded from participation in, denied the benefits of, or be otherwise subjected to discrimination in the use of said facilities.
- B. With respect to licenses, leases, permits, etc., in the event of breach of any of the above Non-discrimination covenants, Montana Department of Transportation will have the right to terminate the (lease, license, permit, etc.) and to enter, re-enter, and repossess said lands and facilities thereon, and hold the same as if the (lease, license, permit, etc.) had never been made or issued.*
- C. With respect to a deed, in the event of breach of any of the above Non-discrimination covenants, the Montana Department of Transportation will have the right to enter or re-enter the lands and facilities thereon, and the above described lands and facilities will there upon revert to and vest in and become the absolute property of the Montana Department of Transportation and its assigns.*

(*Reverter clause and related language to be used only when it is determined that such a clause is necessary to make clear the purpose of Title VI.)

APPENDIX D

CLAUSES FOR CONSTRUCTION/USE/ACCESS TO REAL PROPERTY ACQUIRED UNDER THE ACTIVITY, FACILITY OR PROGRAM

The following clauses will be included in deeds, licenses, permits, or similar instruments/ agreements entered into by Montana Department of Transportation pursuant to the provisions of Assurance 7(b):

- A. The (grantee, licensee, permittee, etc., as appropriate) for himself/herself, his/her heirs, personal representatives, successors in interest, and assigns, as a part of the consideration hereof, does hereby covenant and agree (in the case of deeds and leases add, "as a covenant running with the land") that (1) no person on the ground of race, color, or national origin will be excluded from participation in, denied the benefits of, or be otherwise subjected to discrimination in the use of said facilities, (2) that in the construction of any improvements on, over, or under such land, and the furnishing of services thereon, no person on the ground of race, color, or national origin will be excluded from participation in, denied the benefits of, or otherwise be subjected to discrimination, (3) that the (grantee, licensee, lessee, permittee, etc.) will use the premises in compliance with all other requirements imposed by or pursuant to the Acts and Regulations, as amended, set forth in this Assurance.
- B. With respect to (licenses, leases, permits, etc.), in the event of breach of any of the above Non-discrimination covenants, Montana Department of Transportation will have the right to terminate the (license, permit, etc., as appropriate) and to enter or re-enter and repossess said land and the facilities thereon, and hold the same as if said (license, permit, etc., as appropriate) had never been made or issued.*
- C. With respect to deeds, in the event of breach of any of the above Non-discrimination covenants, Montana Department of Transportation will there upon revert to and vest in and become the absolute property of Montana Department of Transportation and its assigns.*

(*Reverter clause and related language to be used only when it is determined that such a clause is necessary to make clear the purpose of Title VI.)

APPENDIX E

During the performance of this contract, the contractor, for itself, its assignees, and successors in interest (hereinafter referred to as the “contractor”) agrees to comply with the following non-discrimination statutes and authorities; including but not limited to:

Pertinent Federal Non-Discrimination Authorities:

- Title VI of the Civil Rights Act of 1964 (42 U.S.C. § 2000d *et seq.*, 78 stat. 252), (prohibits discrimination on the basis of race, color, national origin); and 49 CFR Part 21,
- The Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, (42 U.S.C. § 4601), (prohibits unfair treatment of persons displaced or whose property has been acquired because of Federal or Federal-aid programs and projects);
- Federal-Aid Highway Act of 1973, (23 U.S.C. § 324 *et seq.*), (prohibits discrimination on the basis of sex);
- Section 504 of the Rehabilitation Act of 1973, (29 U.S.C. § 794 *et seq.*), as amended, (prohibits discrimination on the basis of disability); and 49 CFR Part 27;
- The Age Discrimination Act of 1975, as amended (42 U.S.C. § 6101 *et seq.*), (prohibits discrimination on the basis of age);
- Airport and Airway Improvement Act of 1982, (49 USC § 471, Section 47123), as amended, (prohibits discrimination based on race, creed, color, national origin, or sex);
- The Civil Rights Restoration Act of 1987 (PL 100-209), (Broadened the scope, coverage and applicability of Title VI of the Civil Rights Act of 1964, The Age Discrimination Act of 1975 and Section 504 of the Rehabilitation Act of 1973, by expanding the definition of the terms “programs or activities” to include all of the programs or activities of the Federal-aid recipients, sub-recipients and contractors, whether such programs or activities are Federally funded or not);
- Titles II and III of the Americans with Disabilities Act, which prohibit discrimination on the basis of disability in the operation of public entities, public and private transportation systems, places of public accommodation, and certain testing entities (42 U.S.C. §§ 12131 -- 12189), as implemented by Department of Transportation regulations at 49 C.F.R. parts 37 and 38;
- The Federal Aviation Administration’s non-discrimination statute (49 U.S.C. § 47123) (prohibits discrimination on the basis of race, color, national origin, and sex);
- Title IX of the Education Amendments of 1972, as amended, which prohibits you from discriminating because of sex in education programs or activities (20 U.S.C. § 1681 *et seq.*).

Attachment 2: MDT Designation and Delegation Letter



Christopher Dorrington, Director

2701 Prospect • PO Box 201001
Helena MT 59620-1001

September 24, 2025

Lucia Olivera
Division Administrator
Federal Highway Administration
585 Shephard Way, Suite 2
Helena, MT 59601

Subject: Title VI Program Implementation Plan, FFY 2026

Dear Ms. Olivera:

I am designating the Montana Department of Transportation (MDT) Office of Civil Rights (OCR) Title VI Specialist as the Agency-wide Title VI Coordinator for the MDT Title VI Program. I am delegating sufficient responsibility and authority to the Title VI Program Coordinator and to MDT's Administrators to effectively implement MDT's Title VI Program for the Federal Highway Administration.

The contact information for MDT's Title VI Coordinator is as follows:

Kim Vietz, Title VI Specialist
Office of Civil Rights
Montana Department of Transportation
2701 Prospect Avenue
Helena, MT 59620
Office: (406) 444-6334
kvietz@mt.gov

Sincerely,

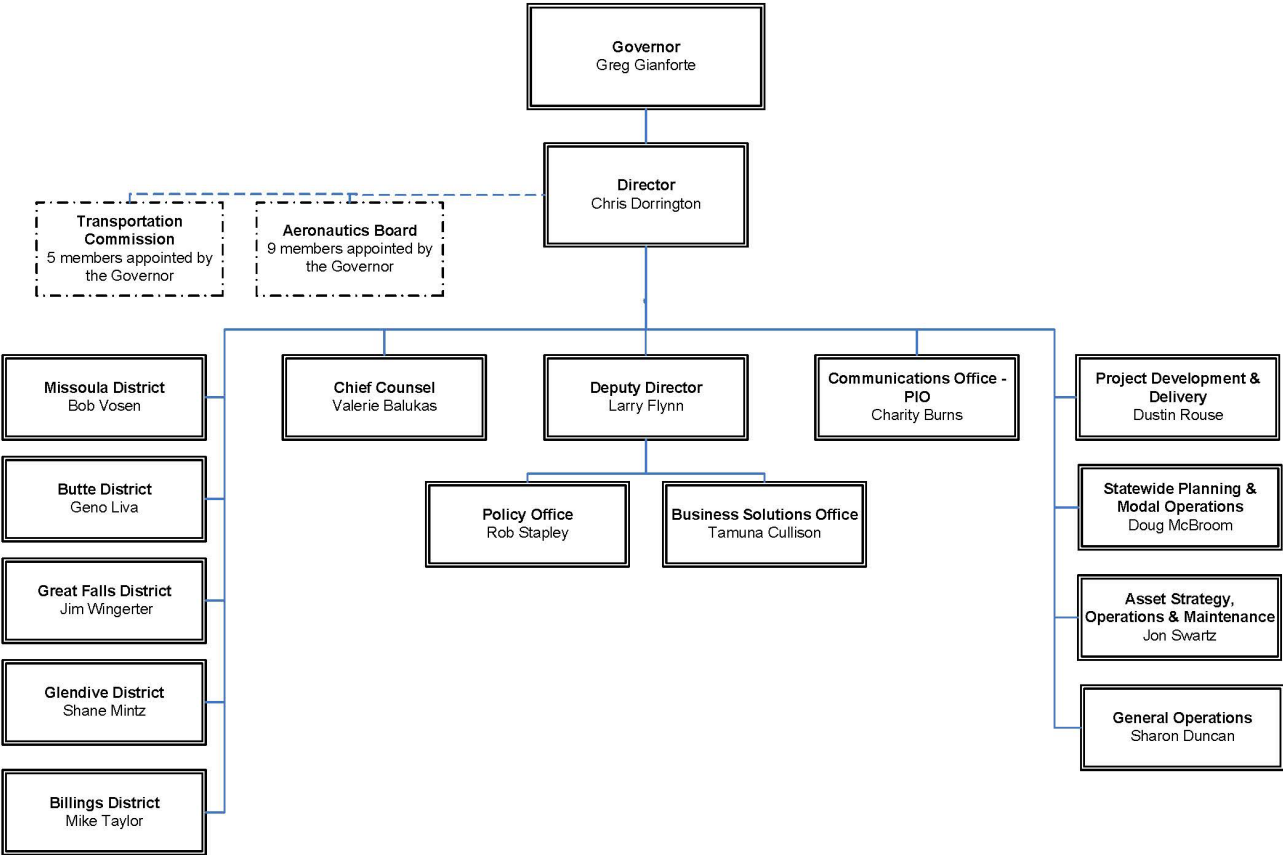
A handwritten signature in blue ink, appearing to read "Chris Dorrington", is written over the printed name. To the right of the signature is the date "9/24/25" written in blue ink.

Christopher Dorrington
Director

Copies: Larry Flynn, MDT Deputy Director
Erika Wimmer, MDT OCR Bureau Chief
Valerie Balukas, MDT Chief Legal Counsel

Attachment 3: Organizational Chart

Department Outline



**MDT NONDISCRIMINATION AND
DISABILITY ACCOMMODATION NOTICE**

Montana Department of Transportation ("MDT") is committed to conducting all of its business in an environment free from discrimination, harassment, and retaliation. In accordance with State and Federal law MDT prohibits any and all discrimination and protections are all inclusive (hereafter "protected classes") by its employees or anyone with whom MDT does business:

Federal protected classes

Race, color, religion, national origin, sex, age disability, and genetic information.

State protected classes

Race; color; national origin; familial or marital status; pregnancy, childbirth, or medical conditions related to pregnancy or childbirth; creed, social origin or condition; genetic information; sex, sexual orientation, gender identification or expression; ancestry; age; mental or physical disability; political or religious affiliations or ideas; military service or veteran status; vaccination status or possession of immunity passport.

For the duration of this contract/agreement, the PARTY agrees as follows:

(1) Compliance with Regulations: The PARTY (hereinafter includes consultant) will comply with all Acts and Regulations of the United States and the State of Montana relative to Non-Discrimination in Federally and State-assisted programs of the U.S. Department of Transportation and the State of Montana, as they may be amended from time to time, which are herein incorporated by reference and made a part of this contract.

(2) Non-discrimination:

- a. The PARTY, with regard to the work performed by it during the contract, will not discriminate, directly or indirectly, on the grounds of any of the protected classes in the selection and retention of subcontractors, including procurements of materials and leases of equipment, employment, and all other activities being performed under this contract/agreement.
- b. PARTY will provide notice to its employees and the members of the public that it serves that will include the following:
 - i. Statement that PARTY does not discriminate on the grounds of any protected classes.

- ii. Statement that PARTY will provide employees and members of the public that it serves with reasonable accommodations for any known disability, upon request, pursuant to the Americans with Disabilities Act as Amended (ADA).
 - iii. Contact information for PARTY's representative tasked with handling non-discrimination complaints and providing reasonable accommodations under the ADA.
 - iv. Information on how to request information in alternative accessible formats.
- c. In accordance with Mont. Code Ann. § 49-3-207, PARTY will include a provision, in all of its hiring/subcontracting notices, that all hiring/subcontracting will be on the basis of merit and qualifications and that PARTY does not discriminate on the grounds of any protected class.

(3) Participation by Disadvantaged Business Enterprises (DBEs):

- a. If the PARTY receives federal financial assistance as part of this contract/agreement, the PARTY will make all reasonable efforts to utilize DBE firms certified by MDT for its subcontracting services. The list of all currently certified DBE firms is located on the MDT website at mdt.mt.gov/business/contracting/civil/dbe.shtml
- b. By signing this agreement the PARTY assures that:
The contractor, sub recipient or subcontractor shall not discriminate on the basis of race, color, national origin, or sex in the performance of this contract. The contractor shall carry out applicable requirements of 49 CFR part 26 in the award and administration of DOT-assisted contracts. Failure by the contractor to carry out these requirements is a material breach of this contract, which may result in the termination of this contract or such other remedy as the recipient deems appropriate.
- c. PARTY must include the above assurance in each contract/agreement the PARTY enters.

(4) Solicitation for Subcontracts, Including Procurement of Materials and Equipment:

In all solicitations, either by competitive bidding, or negotiation, made by the PARTY for work to be performed under a subcontract, including procurements of materials, or leases of equipment, each potential subcontractor or supplier will be notified by the PARTY of the PARTY's obligation under this contract/agreement and all Acts and Regulations of the United States and the State of Montana related to Non-Discrimination.

(5) Information and Reports: The PARTY will provide all information and reports required by the Acts, Regulations, and directives issued pursuant thereto and will permit access to its books, records, accounts, other sources of information and its facilities as may be determined by MDT or relevant US DOT Administration to be pertinent to ascertain compliance with such Acts, Regulations, and instructions. Where any information

required of a contractor is in the exclusive possession of another who fails or refuses to furnish the information, the PARTY will so certify to MDT or relevant US DOT Administration, as appropriate, and will set forth what efforts it has made to obtain the information.

(6) Sanctions for Noncompliance: In the event of a PARTY's noncompliance with the Non-discrimination provisions of this contract/agreement, MDT will impose such sanctions as it or the relevant US DOT Administration may determine to be appropriate, including, but not limited to:

- a. Withholding payments to the PARTY under the contract/agreement until the PARTY complies; and/or
- b. Cancelling, terminating, or suspending the contract/agreement, in whole or in part.

(7) Pertinent Non-Discrimination Authorities:

During the performance of this contract/agreement, the PARTY, for itself, its assignees, and successor in interest, agrees to comply with the following non-discrimination statutes and authorities; including but not limited to:

Federal

- Title VI of the Civil Rights Act of 1964 (42 U.S.C. § 2000d *et seq.*, 78 stat. 252), (prohibits discrimination on the basis of race, color, national origin); and 49 CFR Part 21;
- The Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, (42 U.S.C. § 4601), (prohibits unfair treatment of persons displaced or whose property has been acquired because of Federal or Federal-aid programs and projects);
- Federal-Aid Highway Act of 1973, (23 U.S.C. § 324 *et seq.*), (prohibits discrimination on the basis of sex);
- Section 504 of the Rehabilitation Act of 1973, (29 U.S.C. § 794 *et seq.*), as amended, (prohibits discrimination on the basis of disability); and 49 CFR Part 27;
- The Age Discrimination Act of 1975, as amended, (42 U.S.C. § 6101 *et seq.*), (prohibits discrimination on the basis of age);
- Airport and Airways Improvement Act of 1982, (49 U.S.C. § 471, Section 47123), as amended, (prohibits discrimination based on race, creed, color, national origin, or sex);
- The Civil Rights Restoration Act of 1987, (PL 100-209), (broadened the scope, coverage, and applicability of Title VI of the Civil Rights Act of 1964, The Age Discrimination Act of 1975, and Section 504 of the Rehabilitation Act of 1973, by expanding the definition of the terms "programs or activities" to include all of the

programs or activities of the Federal-aid recipients, sub-recipients, and contractors, whether such programs or activities are Federally funded or not);

- Titles II and III of the Americans with Disabilities Act, which prohibits discrimination on the basis of disability in the operation of public entities, public and private transportation systems, places of public accommodation, and certain testing entities (42 U.S.C. §§ 12131-12189) as implemented by Department of Transportation regulations at 49 CFR parts 37 and 38;
- The Federal Aviation Administration's Non-Discrimination statute (49 U.S.C. § 47123) (prohibits discrimination on the basis of race, color, national origin, and sex);
- Title IX of the Education Amendments of 1972, as amended, which prohibits you from discriminating because of sex in education programs or activities (20 U.S.C. § 1681 *et seq.*).

State

- Mont. Code Ann. § 49-3-205 Governmental services;
- Mont. Code Ann. § 49-3-206 Distribution of governmental funds;
- Mont. Code Ann. § 49-3-207 Nondiscrimination provision in all public contracts.

(8) Incorporation of Provisions: The PARTY will include the provisions of paragraph one through seven in every subcontract, including procurements of materials and leases of equipment, unless exempt by the Acts, the Regulations and/or directives issued pursuant thereto. The PARTY will take action with respect to any subcontract or procurement as MDT or the relevant US DOT Administration may direct as a means of enforcing such provisions including sanctions for noncompliance. Provided, that if the PARTY becomes involved in, or is threatened with litigation by a subcontractor, or supplier because of such direction, the PARTY may request MDT to enter into any litigation to protect the interests of MDT. In addition, the PARTY may request the United States to enter into the litigation to protect the interests of the United States.

Attachment 5: Complaint Form

Montana Department of Transportation Discrimination Complaint Form

Instructions:

You are not required to use this form to file a complaint. In your complaint, please provide in detail how you believe you were discriminated against. Include all relevant names and dates. Attach any supporting documentation to your complaint. A representative from MDT Civil Rights will contact you **within seven (7) business days** of receipt of the complaint.



Submit complaint to:

Montana Department of
Transportation
Office of Civil Rights
2701 Prospect Avenue
PO Box 201001
Helena, MT 59620-1001
Email: mdtcrform@mt.gov
Voice: (406) 444-6334
TTY: (800) 335-7592
Fax: (406) 444-7243

Nondiscrimination & Accessibility ADA & Title VI

**For more information on ADA, Title VI, or
nondiscrimination at MDT, visit our website:**

mdt.mt.gov/business/contracting/civil/eeo.aspx

Montana Department of Transportation (MDT) is committed to conducting all of its business in an environment free of discrimination, harassment, and retaliation. In accordance with state and federal laws, MDT prohibits discrimination against its employees, job applicants, or anyone with whom MDT chooses to do business based on a person's protected class(es).

Anyone needing an alternative format of this document should contact MDT's ADA Coordinator at mmaze@mt.gov 406-444-5416 or Montana Relay Service at 711.

This document is printed at state expense. Information on the cost of producing this publication may be obtained by contacting the Department of Administration.

Basis of Complaint: (Mark all that apply)

- | | | | |
|------------------------------------------|-----------------------------------------|-----------------------------------------------------|----------------------------------------------|
| <input type="checkbox"/> Race | <input type="checkbox"/> Age | <input type="checkbox"/> Creed | <input type="checkbox"/> Genetic Information |
| <input type="checkbox"/> Color | <input type="checkbox"/> Sex | <input type="checkbox"/> Military Service | |
| <input type="checkbox"/> National Origin | <input type="checkbox"/> Pregnancy | <input type="checkbox"/> Veteran Status | <input type="checkbox"/> Ancestry |
| <input type="checkbox"/> Religion | <input type="checkbox"/> Disability | <input type="checkbox"/> Social Origin or Condition | <input type="checkbox"/> Vaccination Status |
| <input type="checkbox"/> Political Ideas | <input type="checkbox"/> Marital Status | | |

Complaint: (Mark all that apply)

- ☐ Harassment
☐ Discrimination
☐ Retaliation

Name, phone number and/or email address of the individual(s) you are filing a complaint against:

Complaint Details

Name, phone number and/or email address of the witness(es):

I am filing a complaint on behalf of:

- ☐ Myself ☐ Someone else Specify who: _____

Description of why you are filing your complaint: (attach additional pages if needed)

Contact Information

Please provide your contact information so we may reach you during our investigation.

Name:	_____	Phone Number:	_____
Address:	_____	Email:	_____
Signature:	_____	Date:	_____

Preferred method of contact: ☐ Phone ☐ Email

Attachment 6: Title VI Public Meeting/Hearing Form



MDT-CIV-038 09/25
Page 1 of 2

Montana Department of Transportation Civil Rights Title VI Public Meeting/Hearing Form

Please submit this completed form electronically to the Title VI Specialist at mdtcivilpubinfo@mt.gov

Meeting Location: District: Date:
Project No: Project Name:
Meeting Organizer:

Was the following language displayed, stated, or paraphrased to the audience? ☐ Yes ☐ No

This meeting is held pursuant to Title VI of the Civil Rights Act of 1964 which ensures that no person in the United States shall, as provided by Federal and State Civil Rights laws, be excluded from participation in, denied the benefits of, or be otherwise subjected to discrimination on the basis of a protected status during any MDT project. The MDT Public Notice of Title VI Program Rights and Nondiscrimination & Accessibility form are available at the sign-in table.

Type of Meeting/Hearing:

☐ Informational ☐ Hearing (Public Input Sought)
☐ Scoping ☐ Other:

Type of Notice(s) for Meeting/Hearing:

☐ Paid Advertising ☐ Public Service ☐ Newspaper ☐ Radio
☐ Television ☐ Internet ☐ Landowner Letter
☐ Direct Mail (postcard, brochure, etc.) ☐ Other:

Complete questions below as appropriate. Will there be:

Relocations? ☐ Yes ☐ No ☐ Unknown
Additional R/W? ☐ Yes ☐ No ☐ Unknown

If yes, please explain:

The meeting was held within miles of the project site.

Post-meeting Observations:

What was the timeframe of the meeting (e.g., 4:00 pm-6:00 pm)?

How many members of the public attended?

Did any members of the public make comments? ☐ Yes ☐ No

Was there a language barrier? ☐ Unknown ☐ Yes ☐ No

Was an interpreter/translator requested? ☐ Yes ☐ No

If yes, what language(s)?

Were the facilities accessible to individuals who are disabled? ☐ Yes ☐ No

(See <https://archive.ada.gov/business/accessiblemtg.htm>)

If no, please explain:

Were individuals with disabilities present? ☐ Unknown ☐ Yes ☐ No

Were other accommodations requested? ☐ Yes ☐ No

If yes, please explain:

Were any written Title VI complaints received regarding the meeting/project? ☐ Yes ☐ No
If yes, please submit a copy of the written Title VI complaint to the MDT Title VI Specialist.

Please submit this completed form electronically to the Title VI Specialist at mdtcivilpubinfo@mt.gov.