The Oklahoma Turnpike Authority (OTA) recently held a Disadvantaged Business Enterprise (DBE) Outreach Presentation on the anticipated Gilcrease Expressway Turnpike Project. The event was held on September 12, 2018, at the Rudisill Regional Library in Tulsa, OK. The purpose was to inform the community with an overview of the project, detailed project scope, and potential DBE opportunities. A presentation was held by the Oklahoma Department of Transportation’s Civil Rights Division to also inform new firms of the process in order to become DBE certified. This project involves funding partnerships between the OTA, City of Tulsa, Tulsa County, Indian Nations Council of Governments, the Oklahoma Department of Transportation (ODOT), federal government and private investors. For more information on this project www.drivingforwardok.com/gilcrease-expressway.

How many times a year does a certified DBE or ACDBE firm submit an online No Change Affidavit (NCA) application?

Once
In the last issue of the Transporter, we discussed Section II part 3 of the FHWA-1273. We discussed ways that contractors can disseminate the company EEO Policy and how EEO meetings with employees are required by the FHWA-1273. As always, keep in mind that all prime contractors and subcontractors are required to follow the FHWA-1273, which are found in all Federal-Aid contracts.

In this issue of the Transporter, we are going to discuss the construction site bulletin board. State and federal employment laws/regulations require certain posters to be posted at the jobsite for the benefit of the construction workers. The project bulletin board shall be weatherproof and watertight and be located in an area readily accessible to the project employees. I have gathered some frequently asked questions and answers to help you determine what is compliant and what is noncompliant.

Where can I obtain these posters?
Posters can be found on the ODOT’s website at www.ok.gov/odot; click on Doing Business → Civil Rights Division → Contractor Compliance Program → Construction (Contractors) → Bulletin Board Required Postings. Here, you will find a checklist of everything that is required on the bulletin board and links that will take you to the actual posters.

Where should the bulletin board be displayed on the construction site?
The bulletin board must be displayed at all times by the contractor at the site of work in a readily accessible place where they can easily be seen by the workers. The bulletin board also needs to be located where employees meet each morning before work. There have been issues where it is placed where the grass is too high or it is too muddy for an employee to access the bulletin board. It cannot be placed in a yard where the fence is locked at night due to employees and/or the public not having access to it.

Can I just place the posters in a binder?
No. By placing posters in a binder, the requirements are not met for displaying posters in a conspicuous and accessible place that is visible to all employees. Let’s say an employee needs to make a complaint to the company EEO Officer. He/she isn’t going to feel comfortable flipping through a binder looking for the information, especially if the complaint is against his supervisor.

I can’t fit all the posters on the bulletin board, is it okay to make the posters smaller?
I always go by the rule: If I can’t read it then someone else isn’t going to be able to read it. This also goes for the height of the bulletin board. The bulletin board needs to be low enough that employees are able to read the posters at the top.

When should I update the posters on the bulletin board?
The only time you will need to update the posters would be anytime they are no longer legible and when they are faded and ripped. Again, if you can’t read the posters then the employees can’t read them.

What if I have questions about the project bulletin board or posters?
You can contact Michelle Whittington at 405-521-2082.
What is a Subcontract Agreement? Do I need one?

A subcontract agreement is a legal document that outlines the responsibilities of someone engaged by a Consultant to work on a project. The subcontract agreements protect all parties on a professional project. The subcontract outlines the exact expectation of the work, any deadlines and how compensation is granted. Subcontracts are an important element of risk management on a job. Without these agreements, you are taking on liability for anyone you hire to do work. The subcontract agreement should include; 15-day prompt payment, return of retainage, Commercially Useful Function, Civil Rights Title VI’s Appendix A & E clauses, calendar days, payment terms, rules and regulations under the Occupational Safety and Health Act (OSHA), breach of contract, termination and replacement, change in scope of work. If you are a DBE, the consultant will need to follow the rules and regulations of the DBE program which can be found in the 49 CFR 26.21.

For more information go to https://www.ok.gov/odot/Doing_Business/Civil_Rights/index.html

The Department is currently in the process of notifying Consultants that subcontract agreements will be required on all consultant projects.
October is Disability Employment Awareness Month

Definition
What is the definition of disability under the Americans with Disabilities Act (ADA)? The ADA defines a disability as a “physical or mental impairment that substantially limits one or more major life activities, a person who has a history or record of such an impairment, or a person who is perceived by others as having such an impairment”.1

Legislative History
How did this come about? In 1945 Congress declared the first week in October as “National Employ the Physically Handicapped Week” and then in 1962 the word “Physically” was removed to acknowledge not all disabilities are only physical. In 1988 Congress changed the week to a month and renamed it “National Disability Employment Awareness Month”.2

Disabled Historical Figures
Stephen Hawking is a famous physicist who was diagnosed with amyotrophic lateral sclerosis (ALS) at age 21 and given only 2 years to live, yet when he passed away earlier this year he was 76 years old. Michael J. Fox is a famous actor diagnosed with Parkinson’s disease in 1991 when he was 29 years old. He continues to perform and has raised $233 million for Parkinson’s research.3 Hellen Keller was a political activist and lecturer well known for overcoming being blind and deaf, with the help of her teacher Annie Sullivan who taught her to communicate.4

Disability Employment Activities
For 2018 the theme is “America’s Workforce: Empowering All” and you can go to the website www.dol.gov/ndeam for specific ideas on supporting this event.5

Here are some things the ODOT is doing to work toward compliance with ADA by “Empowering All”. The Facilities Management Division is making changes to ensure all the agency’s facilities are ADA compliant. The Central Office now has special wheelchairs in the 3rd floor stairwells of Central Office to assist the disabled in the event that elevators become unusable and it is required to exit the building. The agency has procedures in place to handle reasonable accommodation requests. In the transportation system, at the project design level, the ADA Coordinator is ensuring that pedestrians with disabilities have the opportunity to use the transportation system in an accessible and safe manner.

“If we are to achieve a richer culture, we must weave one in which each diverse human gift will find a fitting place.” – Margaret Mead, Cultural Anthropologist

1. https://wwwada.gov/cguide.htm
3. https://www.sunrisemedical.co.uk/blog/famous-people-with-disabilities
5. https://www.whatcanyoudocampaign.org/celebrate-ndeam/
The Oklahoma Department of Transportation’s Civil Rights Division is proud to announce the creation of the Disadvantaged Business Enterprise (DBE) Advisory Board. The purpose of the DBE Advisory Board is to facilitate communication and relationships between DBE firms, ODOT, Primes and FHWA. Additionally, the goal is to make the DBE program stronger in Oklahoma.

In June 2018, a survey was sent to DBE firms in order to determine if there was an interest in providing a platform thru which DBE representatives could provide recommendations to ODOT for operational and administrative improvements. The first meeting was held on July 27, 2018, and a DBE Advisory Board was created. The DBE firms that attended this meeting were inducted as the representatives for the DBE community. The DBE Advisory Board is in the process of creating a Charter. Information along with upcoming meetings will soon be available on the Civil Rights Division’s website.
All,

We would like to provide you with an update on the 2018 Emerging Leaders Program. This program was designed to assist DBE firms with marketing and bidding through a series of courses presented by McMahon Marketing. Korey McMahon of McMahon Marketing was selected as the consultant to develop the courses for DBE firms. DBE firms benefited from the one-on-one and on-going contact with Korey and his team. McMahon Marketing has provided virtual on-line classes for selected DBE firms participating in the 2018 Emerging Leaders Program. The following series have occurred:

**Series 1: Kickoff Meeting**

**Series 2: Navigating the ODOT Website**

**Series 3: Ways to Build Relationships and Stay in Contact with Prospective Clients**

**Series 4: LinkedIn Training Program**

**Series 5: Leading and Lagging Indicators**

**Series 6: Getting Out of Your Southern Comfort Zone**

The topics covered offered various hands-on methods to grow businesses and have the opportunity to better compete in this technical savvy world. If participants missed the live session, Korey did a great job with providing links to see the power point presentation and topics of discussion for review at a later time. In addition, homework was assigned and updates were sent to the Supportive Service Coordinator on each participant’s progress on a weekly basis. With the assistance of McMahon Marketing, we have seen an increase in marketing and the bidding process of all firms participating in the program. We are pleased to see our DBE firms benefited from this service. We look forward to interviewing firms who have completed the series, in hopes to share their experiences on how it helped them come out of their comfort zone and grow their business in new ways.

At this time we would like to thank the DBE firms who dedicated their time and stayed involved in the process. We can see your efforts and growth. Great job everyone!

Sincerely,

La Tashia Thompson
Supportive Services (SS) Coordinator

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**Civil Rights Staff**

<table>
<thead>
<tr>
<th>Title:</th>
<th>Name:</th>
<th>Telephone:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Division Manager</td>
<td>Jenny Allen</td>
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<tr>
<td>Acting Assistant Division Manager</td>
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<td>Admin Program Officer</td>
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<td>Contract Compliance Officer</td>
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<tr>
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<td>Contract Compliance Officer</td>
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<tr>
<td>(Construction)</td>
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<td>DBE Reviewer</td>
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<td>DBE Supportive Services</td>
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<td>ADA/504/508 Coordinator</td>
<td>Kyle Stevens</td>
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<tr>
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<td>Katrina Fire</td>
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<tr>
<td>Office Main Telephone Number</td>
<td></td>
<td>405-521-3186</td>
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Employee Spotlight

Kyle Stevens

What is your role at ODOT?

I am the Americans with Disabilities Act Coordinator. I insure that ODOT complies to all applicable rules, regulations, and laws pertaining to the Americans with Disabilities Act. This includes things from HR related accommodations to construction projects.

If you could be on a game show which one would you choose?

Wheel of Fortune

Which cartoon character would you most like to switch lives with?

Shaggy from Scooby Doo. The dude eats, and goes on adventures with his best friends.

What three words would you use to describe yourself?

Inquisitive, Amiable, and hungry

If you had to eat one meal every day for the rest of your life, what would it be?

Pizza, I can always change the toppings, sauce, and crust.

Who is your celebrity twin?

Marshall Mathers (Eminem)

- Digital Building Services, LLC
- Garman Trucking, LLC
- GB Energie LED, LLC
- HP Engineering, Inc.
- Jared Neal Trucking, LLC
- JCM1, LLC
- Lobato Construction, LLC
- Minority Supply & Contracting, LLC
- Nicole Ford & Company
- SP Graves Trucking, LLC
- Spartan Reinforcing, LLC
- Trojan Labor of Nashville, LLC
- Vance Dotson Transportation Service, LLC
- Walters Construction Company, LLC
The Oklahoma Department of Transportation (ODOT) Civil Rights Division hosted a Davis Bacon / Certified Payroll training on October 15, 2018. Cheryl Masters, with the Oklahoma Department of Labor, conducted the training for all contractors who perform work on ODOT federally funded projects and ODOT Residency personnel.

““You must take personal responsibility. You cannot change the circumstances, the seasons, or the wind, but you can change yourself. That is something you have charge of. You don’t have charge of the constellations, but you do have charge of whether you read, develop new skills, and take new classes.”

-- Jim Rohn entrepreneur, author and motivational speaker.

DBE/ACDBE: NCA Duplicate Records

Reminder: The anniversary date or also known as the renewal date is once a year. It is important to start and finish one NCA application. If the owner(s) or company staff needs to take a break from the NCA, it is best practice to come back to the original NCA application instead of creating a duplicate NCA record. If you are certified as a DBE or ACDBE firm in Oklahoma but unsure on your anniversary date, please call Oklahoma Department of Transportation's office at 405-521-3186.

What if the company goes through changes before or after the NCA?

Report to your Home State Certifying Agency in a timely manner and do not wait until the next anniversary date.