

External Equal Opportunity (EEO) Compliance on Local Public Agency (LPA) Projects

LPA Stage-Type Inspections will serve as the monitoring tool for ensuring EEO compliance. LPA Stage-Type Inspections will be conducted on all prime contractors working on LPA projects. The LPA Stage-Type Inspection will be conducted when construction work on the project reaches 25% of the contract dollar value. For relatively short projects, the LPA Stage-Type Inspection should be conducted as soon as construction work begins.

DEFINITION OF ROLES:

SCDOT Office of Civil Rights Programs (OCR) – responsible for overseeing and monitoring the LPAs as they ensure EEO compliance.

LPAs – responsible for ensuring and monitoring contractor EEO compliance on LPA projects.

SCDOT Resident Construction Engineer (RCE)/SCDOT LPA District Contact – responsible for serving as a liaison for the LPAs and OCR, as well as providing assistance with ensuring and monitoring EEO compliance.

SCDOT OFFICE OF CIVIL RIGHTS PROGRAMS RESPONSIBILITIES:

1. Responsible for providing training to the LPAs, RCEs, and local contractors on External Equal Opportunity requirements as it relates to the FHWA Form 1273, as well as procedures for completing and reviewing LPA Stage-Type Inspection forms. One-on-one training and formal classroom type training sessions will be offered and provided on an as needed basis.
2. Responsible for developing the LPA Stage-Type Inspection form to be distributed and utilized by the LPAs in monitoring contractor EEO compliance.
3. Responsible for securing copies of all required EEO posters and forwarding to the LPA upon award of a project. The LPA will ensure that posters are provided to the Contractor.
4. Responsible for reviewing and providing concurrence for LPA Stage-Type Inspection Voluntary Corrective Action Plan (VCAP) which will document finding(s) and corrective action(s), as well as employee interviews and construction site inspection forms received from the LPAs.
5. Responsible for assisting with all preliminary investigations involving alleged complaints of discrimination.

6. Responsible for providing copies of the SCDOT LPA EEO Manual to local contractors to assist in complying with EEO requirements and LPAs to be used as a reference tool in monitoring local contractors EEO compliance upon request.

LOCAL PUBLIC AGENCY (LPA) RESPONSIBILITIES:

1. Responsible for submission of the *SCDOT Project Data Sheet* to the Office of Civil Rights Programs.
2. Responsible for forwarding all required EEO posters to local contractors upon receipt from SCDOT.
3. Responsible for contacting the prime contractor's EEO Officer to schedule a time to meet, ask questions listed on the LPA STI form and review all supportive documentation as outlined on the LPA STI form.
4. Upon completion of the LPA STI form, develop a Voluntary Corrective Action (VCAP) agreement if deficiencies are notated and corrective action is needed. Please reference VCAP template for outline of required information. If VCAP is needed, provide prime contractor with a deadline of seven (7) days after the date of the review to implement corrective action and provide follow-up documentation.
5. Responsible for interviewing prime contractor's employees (preferably on the same day the LPA STI form is completed) and conducting the construction site inspection (Please reference LPA Construction Site Inspection Form).
6. Responsible for notifying the Office of Civil Rights Programs of any alleged complaints of discrimination as a result of conducting employee interviews.
7. Responsible for developing the **Voluntary Corrective Action Plan** (if applicable) to include findings and required corrective action, forwarding employee interviews, and Construction Site Inspection form to the Office of Civil Rights Programs within seven (7) days of the LPA Stage-Type Inspection being conducted. Please include a Cover Letter indicating any special circumstances, as well as a recommendation of compliance or noncompliance.
8. Upon concurrence from the Office of Civil Rights Programs, LPA is responsible for notifying contractor of compliance determination in writing within five (5) business days of receiving the final EEO compliance determination letter.

Disclaimer: The Office of Civil Rights Programs reserves the right to modify these procedures as deemed necessary after submission and concurrence from FHWA.

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