



# State of New Jersey

DEPARTMENT OF TRANSPORTATION

P.O. Box 600

Trenton, New Jersey 08625-0600

PHILIP D. MURPHY  
*Governor*

FRANCIS K. O'CONNOR  
*Commissioner*

TAHESHA L. WAY  
*Lt. Governor*

## **MEMORANDUM**

**TO:** Subrecipients of Federal Financial Assistance

**FROM:** Francis K. O'Connor, Commissioner

**SUBJECT:** Title VI Nondiscrimination Notice to Subrecipients of Federal Financial Assistance

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The New Jersey Department of Transportation's Nondiscrimination Policy is to abide by Title VI of the Civil Rights Act of 1964, and other related mandates including Executive Order 12898 for Environmental Justice, Executive Order 13166 for Limited English Proficiency, Section 504 of the Rehabilitation Act of 1973, The Americans with Disabilities Act of 1990, the Age Discrimination Act of 1975, and the assurances set forth in the Department's Title VI Compliance and Implementation Plan to ensure that "no person in the State of New Jersey shall on the basis of race, color national origin, sex, creed, age, disability, low-income, or limited English proficiency (LEP); be excluded from participation in, denied the benefits of, or otherwise subjected to discrimination in any program or activity" which is administered by the Department, regardless of funding source (i.e. State, Federal Highway Administration, Federal Transit Administration, Federal Aviation Administration, Federal Railroad Administration, or Federal Motor Carrier Safety Administration).

NJDOT hereby notifies all subrecipients, including but not limited to, local public agencies receiving federal financial assistance through NJDOT from the Federal Highway Administration (FHWA), Federal Transit Administration (FTA), Federal Aviation Administration (FAA), Federal Railroad Administration (FRA) or Federal Motor Carrier Safety Administration (FMCSA), or other Federal agencies, that subrecipients must comply with NJDOT's Title VI Program requirements that prohibit discrimination on the basis of race, creed, color, national origin, age, or ability to read, write or speak English.

Subrecipients shall notify potential subcontractors or suppliers of the Title VI obligations under the contract for all solicitations by competitive bidding or negotiation for contract work, including the procurement of materials or leases of equipment.

Subrecipients shall include Title VI contract provisions in every subcontract, including procurement of materials and leases of equipment, unless exempt by the Title VI regulations.

In the event of a subrecipient's non-compliance with nondiscrimination provisions of the contract, NJDOT shall impose such contract sanctions as it, FHWA and/or FTA, FAA, FRA or FMCSA may determine to be appropriate, including but not limited to withholding of payments to the subrecipient under the contract until the contractor complies, and/or; cancellation, termination, or suspension under the contract, in whole or in part.

Any person, subrecipient, or contractor who believes that they have been subjected to an unlawful discriminatory practice under Title VI and/or another nondiscrimination provision has a right to file a formal complaint within one hundred eighty (180) days following the alleged discriminatory action. Any such complaint must be filed in writing or in person with:

**New Jersey Department of Transportation  
Division of Civil Rights and Affirmative Action  
Title VI Nondiscrimination Programs Unit  
1035 Parkway Avenue  
PO Box 600  
Trenton, NJ 08625  
(609) 963-2047**

*Francis K. O'Connor*

**Francis K. O'Connor  
Commissioner**

*9/26/2024*

**Date**