



Greetings:

Included with this letter is the Contractor Equal Employment Opportunity (EEO) Packet to assist you in complying with the requirements contained in the contract for the Federal-aid project you have been awarded.

The items listed below must be submitted to the Contracting Agency Project Manager. *Starred items must be submitted at least ten days prior to the Pre-Construction Conference, pursuant to Section 108.2.2, NMDOT Standard Specifications for Highway and Bridge Construction, 2019 Edition (SPECS). Failure to submit these items at least ten days prior to the Pre-Construction Conference may result in the Contractor being in default of the contract, pursuant to Section 108.9, SPECS. Work shall not commence until the required items are submitted. Contract Time shall commence as indicated in the Notice to Proceed and no additional Contract Time will be granted.

1. *EEO Policy Statement - signed by the Company EEO Officer.
2. Company EEO Officer Designation Letter - signed by the company president or other corporate officer with the authority to make such a designation.
3. *Superintendent Indoctrination Letter - signed by the Company EEO Officer and Project Superintendent.
4. Supervisory and Personnel Office Employee EEO Meeting - agenda and sign-in sheets for the prime contractor and all subcontractors.
5. Project EEO Meeting - agenda and sign-in sheets for the prime contractor and all subcontractors.
6. *Documentation of Recruitment Efforts - Department of Workforce Solutions letter along with documentation/descriptions of all other recruiting methods.
7. *On-The-Job (OJT) Training Letter - required only if a project employee is participating in the OJT Program.
8. *Form A-1237 Civil Rights/EEO Pre-Construction Report - signed by the Company EEO Officer and Contracting Agency Project Manager.

For your convenience, the EEO posters and documents required to be displayed outside the project field office are available on our webpage <https://dot.state.nm.us/>. The display must be weatherproof and visible to all employees.

Michelle Lujan Grisham
Governor

Michael R. Sandoval
Cabinet Secretary

Commissioners

Jennifer Sandoval
Commissioner, Vice-Chairman
District 1

Bruce Ellis
Commissioner
District 2

Hilma E. Chynoweth
Commissioner
District 3

Walter G. Adams
Commissioner, Chairman
District 4

Thomas C. Taylor
Commissioner
District 5

Charles Lundstrom
Commissioner, Secretary
District 6

New Mexico Department of Transportation



Contractor Equal Employment Opportunity Packet

(Revised May 2020)

Table of Contents

Notice to Contractors 3

OFCCP Notification Requirement 4

EEO Policy Statement 5

Company EEO Officer Designation Letter 6

Superintendent Indoctrination Letter 7

Supervisory and Personnel Office Employee EEO Meeting 8

Project EEO Meeting 9

Documentation of Recruitment Efforts..... 10

NM Department of Workforce Solutions Area Offices 11

On-The-Job Training Letter 12

A-1237 EEO Pre-Construction Report..... 13

Notice to Contractors

Incorporated in this contract are three Special Provisions on Equal Employment Opportunity (EEO) designated as FHWA-1273 Supplements. These are: (1) Specific EEO Responsibilities (23 USC 140); (2) Notice of Requirements for Affirmative Action to Ensure EEO (Executive Order (EO) 11246); and (3) Standard Federal EEO Construction Contract Specifications (EO 11246). This notice is to clarify the responsibilities for review of compliance and enforcement for these separate special provision requirements.

The first of the special provisions cited above covers the requirements for the EEO program under Title 23 for which the New Mexico Department of Transportation (NMDOT) is responsible. The NMDOT performs the necessary compliance review and enforcement of this special provision, which is applicable to all contractors holding Federal-aid highway contracts.

The latter two special provisions are for the specific EEO requirements contained in EO 11246, which is the sole responsibility of the Office of Federal Contract Compliance Program (OFCCP), Department of Labor. Review and enforcement under these special provisions are performed by OFCCP.

OFCCP has, under Paragraph 8 of the Standard Federal EEO Construction Contract Specifications (EO 11246) recognized the Associated Contractors of New Mexico's (ACNM) Heavy Highway Affirmative Action Plan as meeting the provisions of that special provision and special provision (2) cited above. With this recognition, those contractors signatory to the ACNM Plan have been waived from individual review of OFCCP. However, OFCCP retains the right to review any such contractors whenever circumstances warrant. Also, contractors that are non-signatory to the ACNM Plan are subject to OFCCP review under EO 11246.

ANY DOCUMENTS SUBMITTED TO THE NMDOT MUST APPEAR ON COMPANY LETTERHEAD.

OFFICE OF FEDERAL CONTRACT COMPLIANCE PROGRAMS (OFCCP) CONSTRUCTION CONTRACT AWARD NOTIFICATION REQUIREMENT

Contractors are required to give written notice to OFCCP within 10 working days of award of a construction contract or subcontract in excess of \$10,000 (see 41 CFR 60-4.2).

THE NOTIFICATION MUST INCLUDE:

- prime contract number (issued by the federal agency or applicant)
- name of awarding federal agency, applicant, or contractor
- contracting officer, applicant representative, or contractor representative submitting notification
 - name
 - phone number
 - email address
- contractor awarded contract or subcontract
 - name
 - address
 - phone number
 - EIN
- dollar amount of the contract
- estimated start date of the contract
- estimated completion date of the contract
- geographical area in which the contract is to be performed:
 - state
 - county
 - city

EMAIL NOTICES TO: OFCCP-SW-ConstructionAward@dol.gov

OTHER CONTACT INFORMATION:

OFCCP Southwest and Rocky Mountain Region:

U.S. Department of Labor
Office of Federal Contract Compliance Programs
525 S Griffin St - Room 840
Dallas, TX 75202-5092
Main Number: 972-850-2550
Fax: 972-850-2552
TTY (National Office): 1-877-889-5627

EEO Policy Statement

FHWA-1273.II.1(b): “The contractor will accept as its operating policy the following statement:

It is the policy of this Company to assure that applicants are employed, and that employees are treated during employment, without regard to their race, religion, sex, color, national origin, age or disability. Such action shall include: employment, upgrading, demotion, or transfer; recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship, pre-apprenticeship, and/or on-the-job training.”

The prime contractor must provide the NMDOT an EEO Policy Statement that includes the language listed above. The EEO Policy Statement must also include the Company EEO Officer’s printed name, signature, and contact information.

Company EEO Officer Designation Letter

FHWA-1273.II. 2: “The contractor will designate and make known to the contracting officers an EEO Officer who will have the responsibility for and must be capable of effectively administering and promoting an active EEO program and who must be assigned adequate authority and responsibility to do so.”

The prime contractor must provide the NMDOT a letter designating the Company EEO Officer. The letter must be signed by the company president or other corporate officer with the authority to make such a designation.

Superintendent Indoctrination Letter

The prime contractor must provide the NMDOT a Superintendent Indoctrination Letter, pursuant to Section 108.2.2, NMDOT Standard Specifications for Highway and Bridge Construction, 2019 Edition.

THE SUPERINTENDENT INDOCTRINATION LETTER MUST INCLUDE THE FOLLOWING:

- date
- project number
- be addressed to the project superintendent from the Company EEO Officer
- contain the following language: *“It is the policy of **(company name)** to ensure and maintain a working environment free of harassment, intimidation, and coercion at all sites and in all facilities at which **(company name)**'s employees are assigned to work. It is the responsibility of the superintendent to insure that all foremen and other onsite supervisory personnel are aware of and carry out **(company name)**'s obligation to maintain such an environment.”*
- the printed name and signature of the Company EEO Officer
- the printed name and signature of the Project Superintendent

Supervisory and Personnel Office Employee EEO Meeting

FHWA-1273.II.3(a): *“Periodic meetings of supervisory and personnel office employees will be conducted before the start of work and then not less often than once every six months, at which time the contractor's EEO policy and its implementation will be reviewed and explained. The meetings will be conducted by the EEO Officer.”*

To meet this requirement, it is recommended that once every six months the Company EEO Officer hold a Supervisory and Personnel Office Employee EEO Meeting. Attendees should include all supervisory staff and all personnel employees involved in the hiring process. A meeting agenda, including attendee sign-in sheets, must be submitted by the prime contractor and all subcontractors to the NMDOT.

A SUPERVISORY AND PERSONNEL OFFICE EMPLOYEE EEO MEETING AGENDA SHOULD INCLUDE, BUT IS NOT LIMITED TO THE FOLLOWING:

- meeting date
- review of the company EEO Policy
- review of all major EEO obligations under the contract
- discussion of how to maintain a working environment free of harassment, intimidation, and coercion
- discussion of minority and female employment goals
- invite employees to ask questions or to make comments
- Company EEO Officer printed name and signature
- printed name and signature of all attendees

Project EEO Meeting

FHWA-1273.II.3(e): *“The contractor's EEO policy and the procedures to implement such policy will be brought to the attention of employees by means of meetings, employee handbooks, or other appropriate means.”*

Prior to beginning work, the prime contractor and all subcontractors must hold a Project EEO Meeting. Attendees should include all employees working on the project. A meeting agenda, including attendee sign-in sheets, must be submitted by the prime contractor and all subcontractors to the NMDOT.

A PROJECT EEO MEETING AGENDA SHOULD INCLUDE, BUT IS NOT LIMITED TO THE FOLLOWING:

- meeting date
- project number
- review of the company EEO Policy (EEO Policy Statement must be signed and posted on the project bulletin board)
- state Company EEO Officer and Project EEO Officer names and contact information (Company EEO Officer Designation Letter must be signed and posted on the project bulletin board)
- state procedure for handling complaints and avenues of appeal
- state that subcontractors have accepted prime contractor's EEO Policy
- communicate minimum wage schedule with employees and state that employees will be paid equal to or in excess of the rates for each classification (wage schedule must be posted on the project bulletin board)
- encourage employees to refer minorities and women as applicants for employment
- discussion of training opportunities and explanation that training is available to employees who wish to upgrade their classification
- invite employees to ask questions or make comments
- Company EEO Officer printed name and signature
- printed name and signature of all attendees

Documentation of Recruitment Efforts

The prime contractor must send at least one recruitment letter to the New Mexico Department of Workforce Solutions Office local to the project, pursuant to Section 108.2.2, NMDOT Standard Specifications for Highway and Bridge Construction, 2019 Edition.

The prime contractor must provide the NMDOT a copy of the recruitment letter(s) along with documentation/descriptions of all other recruiting methods (e.g., print/online ads, Facebook posts, billboards, etc.).

RECRUITMENT LETTERS MUST INCLUDE, BUT ARE NOT LIMITED TO THE FOLLOWING:

- be addressed to the New Mexico Department of Workforce Solutions Office local to the project
- state your company is an “equal opportunity employer”
- state the date and location of the project you are hiring for
- list the job classifications for which you are hiring
- state your company is seeking female and minority employees
- provide a point of contact name and phone number
- explain how prospective applicants can apply

NEW MEXICO DEPARTMENT OF WORKFORCE SOLUTIONS AREA OFFICES

Updated May 2020

<p>ALAMOGORDO (Otero County) 901 Alaska Ave Alamogordo, NM 88310 Phone: 575-437-9210 Fax: 575-437-6312</p> <p>ALBUQUERQUE (Bernalillo County) 501 Mountain Rd NE Albuquerque, NM 87102 Phone: 505-843-1900 Fax: 505-843-1991</p> <p>ARTESIA (Eddy County) 704 W Main St Artesia, NM 88210 Phone: 575-748-1303 Fax: 575-746-3808</p> <p>BERNALILLO (Sandoval County) 301 Rail Runner Ave Bernalillo, NM 87004 Phone: 505-771-2160 Fax: 505-771-2541</p> <p>CARLSBAD (Eddy County) 323 S Halagueno Carlsbad, NM 88220 Phone: 575-887-1174 Fax: 575-885-4419</p> <p>CLOVIS (Curry/Quay/Harding/Guadalupe/Roosevelt/ De Baca Counties) 111 N Main St Clovis, NM 88101-4610 Phone: 505-762-4571 Fax: 575-769-0086</p> <p>DEMING (Luna County) 322 E Oak St Deming, NM 88030 Phone: 575-546-0192 Fax: 575-544-3605</p> <p>ESPAÑOLA (Rio Arriba/Los Alamos/Sandoval Counties) 319 Paseo de Oñate St Española, NM 87532 Phone: 505-753-2285 Fax: 505-753-1180</p>	<p>FARMINGTON (San Juan/Sandoval Counties) 600 W Arrington St Farmington, NM 87401 Phone: 505-327-6126 Fax: 505-326-6006</p> <p>GALLUP (McKinley/Cibola Counties) 2818 E Highway 66 Gallup, NM 87301 Phone: 505-863-8181 Fax: 505-863-8995</p> <p>HOBBS (Lea County) 204 W Park St Hobbs, NM 88240 Phone: 575-393-5188 Fax: 575-397-6380</p> <p>LAS CRUCES (Dona Ana County) 226 S Alameda Blvd Las Cruces, NM 88005 Phone: 575-524-6250 Fax: 575-524-6266</p> <p>LAS VEGAS (San Miguel/Mora/Union/Colfax/Guadalupe Counties) 833 Grand Ave Las Vegas, NM 87701 Phone: 505-425-6451 Fax: 505-425-5275</p> <p>LOS LUNAS (Valencia County) 428 S Los Lentos Rd SE Los Lunas, NM 87031 Phone: 505-212-9115 Fax: 505-865-2278</p> <p>MORIARTY (Torrance County) 777 Old US Route 66 Moriarty, NM 87035 Phone: 505-832-6774 Fax: 505-832-0220</p> <p>Rio Rancho (Bernalillo County) 409 NM Highway 528, Ste 101 Rio Rancho, NM 87124 Phone: 505-891-7161 Fax: 866-875-4810</p>	<p>ROSWELL (Chaves/De Baca Counties) 2110 S Main St Roswell, NM 88203 Phone: 575-624-6040 Fax: 676-627-5822</p> <p>RUIDOSO (Lincoln County) 709 Mechem Dr Ruidoso, NM 88345 Phone: 575-258-1730 Fax: 575-258-4781</p> <p>SANTA FE (Santa Fe County) 301 W De Vargas St Santa Fe, NM 87501 Phone: 505-827-7434 Fax: 505-827-7346</p> <p>SILVER CITY (Grant/Hidalgo Counties) 420 W Broadway St Silver City, NM 88061 Phone: 575-538-3737 Fax: 575-538-5072</p> <p>SOCORRO (Socorro/Sierra/Catron Counties) 109 Faulkner Rd Socorro, NM 87801 Phone: 575-835-0067 Fax: 575-835-9557</p> <p>TAOS (Taos County) 1036 Salazar Rd Taos, NM 87571 Phone: 575-758-4219 Fax: 505-758-3941</p> <p>T or C (Sierra County) 601 Sunset St T or C, NM 87901 Phone: 575-894-1263 Fax: 575-894-0970</p>
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On-The-Job Training Letter

If participating in the On-The-Job Training (OJT) Program, the prime contractor must provide the NMDOT with a letter listing any OJT Program participants working on the project, *pursuant to Section 108.2.2, NMDOT Standard Specifications for Highway and Bridge Construction, 2019 Edition.*

If a contractor is not participating in the OJT Program, a letter does not need to be sent.

OJT TRAINING LETTERS MUST INCLUDE, BUT ARE NOT LIMITED TO THE FOLLOWING:

- name of trainee
- classification of trainee
- trainee's approximate start date



NEW MEXICO DEPARTMENT OF TRANSPORTATION

CIVIL RIGHTS/EEO PRE-CONSTRUCTION REPORT

The purpose of this report is to ensure that the Contractor, through their Company EEO Officer, is aware of Civil Rights/EEO responsibilities under the contract.

The Contractor/Company EEO Officer shall complete Part A, read Part B, and sign Part C; **Part D is for Contracting Agency Use.**

PART A: CONTRACTOR INFORMATION FOR THE PRE-CONSTRUCTION CONFERENCE

Pre-Construction Conference Date: _____

Contractor: _____

Union Non-Union (check one)

Project Number: _____ Control Number: _____

Contract Amount: \$ _____ District: _____ County: _____

Location: _____

Company EEO Officer: _____

Project EEO Officer: _____

NMDOT or LPA Project Manager: _____

NMDOT or LPA Project Office Manager: _____

Scheduled Peak Employment Date: _____

Estimated Peak Number of Employees: _____

Contract DBE Participation Goal: _____

