



U.S. Department
of Transportation
**Federal Highway
Administration**

1200 New Jersey Avenue, SE
Washington, D.C. 20590

AUG 12 2013

In Reply Refer To: HCR-40
DOT #2010-0343

(b) (6)

Dear (b) (6)

This is in reference to your complaint of discrimination, dated October 18, 2010, against the Michigan Department of Transportation (MDOT). In your complaint, you alleged violations of Title VI of the Civil Rights Act of 1964 (Title VI), based on your race and sex. Specifically, you alleged that your firm received the lowest evaluation score for contracts between 2006 and 2008 from MDOT, that your firm was denied the opportunity to meet with MDOT to discuss any pending issues, and that your firm was eliminated from competition for a Request For Proposal for a Transportation Service Center by MDOT.

The Federal Highway Administration (FHWA) Office of Civil Rights has received information from MDOT that you filed a lawsuit regarding the allegations raised in your complaint.

Please be advised that Section III, B., of the Department of Justice's Investigation Procedures Manual for the Investigation and Resolution of Complaints Alleging Violations of Title VI and Other Nondiscrimination Statutes states in part that, ". . . an agency generally need not proceed with or continue a complaint investigation and attempts at resolution of an allegation under certain circumstances, which include: 5) Litigation has been filed raising the same allegations."

This concludes processing of this matter and no further action will be taken by the FHWA.

Sincerely yours,

Warren S. Whitlock
Associate Administrator for Civil Rights

cc: Ms. Cheryl Hudson, EEO Officer/Title VI Coordinator, MDOT
Mr. Russell Jorgenson, Division Administrator, FHWA, HDA-MI
Mr. Mary Finch, Civil Rights Specialist, FHWA, HDA-MI
Mr. James Esselman, Special Counsel, Office of Chief Counsel
Mr. Lester Finkle, Acting Director Investigations & Adjudication, Office of Civil Rights