



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

**MAY 31 2011**

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

In Reply Refer To: HCR-40  
DOT #2011-0015

**(b) (6)**

Dear **(b) (6)**:

This is in reference to your complaint of discrimination filed against the City of Jacksonville Department of Public Works (City). In your complaint, you alleged that you were terminated and failed to receive payment for work you performed under contract #8029-1 in 2003, based on your race (African American). The Federal Highway Administration (FHWA) Office of Civil Rights has received information from the Florida Department of Transportation (FDOT) that you filed a lawsuit which addressed the allegation raised in this 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."

Furthermore, the allegation raised in your complaint is untimely. The U.S. Department of Transportation's regulation at Title 49, Code of Federal Regulations, Part 21.11(b) states that a complaint must be filed not later than 180 days after the date of the alleged discrimination. The contract(s) cited in your complaint were awarded between 2000 and 2003. Your complaint was received long after the 180-day filing period. The FHWA accepted your complaint because you alleged that you were still owed payment for work you performed on your contract(s). However, investigation disclosed that you were paid for all work you completed on the contract(s).

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

Sincerely yours,

Brenda F. Armstead  
Director, Investigations and Adjudications



cc: Mr. Arthur E. Wright, Manager, Equal Opportunity Office, FDOT  
Ms. Charlotte Thomas, Title VI Coordinator, Equal Opportunity Office, FDOT  
Mr. Martin C. Knopp, Division Administrator, FHWA, HDA-FL  
Mr. Carey Shepherd, Equal Opportunity Specialist, FHWA, HDA-FL