

**STATE ASSURANCE WITH REGARD TO EQUAL EMPLOYMENT OPPORTUNITY  
AS REQUIRED BY THE FEDERAL-AID HIGHWAY ACT OF 1968**

Pursuant to the requirements of Section 22(a) of the Federal-aid Highway Act of 1968, the State of North Dakota, desiring to avail itself of the benefits of Chapter 1, Title 23, United States Code, and as a condition to obtaining the approval of the Secretary of Transportation of any programs for projects as provided for in Title 23, United States Code, Section 105(a), hereby gives its assurance that employment in connection with all proposed projects approved on or after August 23, 1968, will be provided without regard to race, color, creed, or national origin.

More specifically, and without limiting the above general assurance, the North Dakota Department of Transportation (NDDOT) hereby gives the following specific assurances:

1. NDDOT will establish an Equal Employment Opportunity Program in furtherance of the above General Assurance, which shall include a system to ascertain whether contractors and subcontractors are complying with their equal employment opportunity contract obligations and the degree to which such compliance is producing substantial progress on the various project sites in terms of minority group employment. NDDOT will furnish such information and reports regarding contractor and subcontractor compliance as may be requested by the Federal Highway Administration.
2. The NDDOT program shall include effective procedures to assure that discrimination in employment on the grounds of race, color, creed, or national origin will not be permitted on any projects; and if discrimination exists at the time this assurance is made, it will be corrected promptly.
3. NDDOT has appointed an Equal Employment Opportunity Coordinator whose primary duty shall be to administer NDDOT's Equal Employment Opportunity Program as established pursuant to these assurances.
4. NDDOT will, on its own initiative, take affirmative action, including the imposition of contract sanctions and the initiation of appropriate legal proceedings under any applicable state or federal law, to achieve equal employment opportunity on federal-aid highway projects and will actively cooperate with the Federal Highway Administration in all investigations and enforcement actions undertaken by the Federal Highway Administration.
5. NDDOT will establish and maintain effective liaison with public and private agencies and organizations which are, or should be, involved in equal employment opportunity programs. Such agencies and organizations include, but are not limited to labor unions, contractor associations, minority group organizations, the U.S. and State Employment Service, and the U.S. and State Department of Labor.

6. NDDOT hereby agrees that it will seek the cooperation of unions, contractors, appropriate state agencies, and other related organizations in the establishment of skill training programs and will assure that all persons will have an opportunity to participate in such programs without regard to race, creed, color, or national origin.
7. NDDOT hereby agrees that its own employment policies and practices with regard to NDDOT employees, any part of whose compensation is reimbursed from federal funds, will be without regard to race, color, creed, or national origin.
8. NDDOT shall include in the advertised specifications notification of the specific equal employment opportunity responsibilities of the successful bidder as those responsibilities are currently defined and required by the Federal Highway Administration. No requirement or obligation shall be imposed as a condition precedent to the award of a contract for a project unless such requirement or obligation is otherwise lawful and is specifically set forth in the advertised specifications. Procedures for the prequalification of federal-aid contractors and subcontractors to determine their capability to comply with their equal employment opportunity contract obligations will be issued as a supplement to this interim assurance for implementation by December 1, 1968.
9. NDDOT will obtain and furnish to the Federal Highway Administration such information and reports as may be requested to enable the Federal Highway Administration to determine compliance by NDDOT with this assurance.



Ronald J. Henke, PE  
Director

9/16/2024

Date