



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

Michigan Division

October 18, 2011

315 W. Allegan Street, Room 201
Lansing, MI 48933
517-377-1844
517-377-1084
Michigan.FHWA@dot.gov

In Reply Refer To:
HDA-MI

Mr. Kirk T. Steudle, P.E.
State Transportation Director
Department of Transportation
Lansing, Michigan

Dear Mr. ^{Kirk}Steudle:

The enclosed report concerns the issues brought to our attention by Ms. Belandra Foster, Owner of BBF Engineering Services, P.C., in Detroit, Michigan.

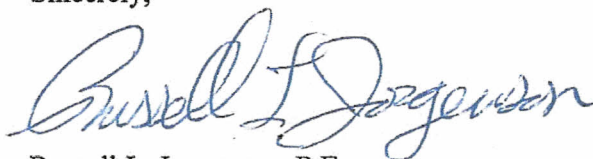
In October of 2010 the Federal Highway Administration Civil Rights Headquarters' Office (FHWA- CR-HQ) accepted for investigation four alleged violations of Title VI of the Civil Rights Act of 1964 (Title VI) made by Ms. Foster. These four complaints (and others that were accepted later) are still in the hands of the CR-HQ Office. In addition, CR-HQ remanded seven complaints that were not considered to have been filed timely (within 180 days of the incident) the FHWA Division Office. Please understand that although the complaints were not timely, we did not find them without merit. The report indicates Ms. Foster was not treated fairly in the procurement process by MDOT.

On September 15, 2011 FHWA and MDOT met to discuss the report and FHWA asked MDOT to consider negotiating a settlement with Ms. Foster. At this point we understand that MDOT is in consultation with the Attorney General's Office. However, since it has been one month since the meeting, FHWA does not view it as fair to Ms. Foster to withhold the official report any longer.

We encourage you to continue to pursue an opinion from the Attorney General's Office and to work with Ms. Foster on settlement of her claims.

By this letter, we are requesting that you form a process improvement team aimed at strengthening MDOT's monitoring of the consulting/service contract award process. It is our recommendation that you include both your Title VI Coordinator (Ms. Cheryl Hudson) and representative from the FHWA Division Office on the team. If you have further questions concerning this report, you may contact Ms. Mary Finch, Civil Rights Program Manager at 517-702-1853 or Mary.Finch@dot.gov.

Sincerely,

A handwritten signature in blue ink that reads "Russell L. Jorgenson". The signature is written in a cursive style with a large, stylized initial "R".

Russell L. Jorgenson, P.E.
Division Administrator