

## **JOHNSON CITY TRANSIT DBE COMPLAINT PROCEDURE**

Any complaint alleging that Johnson City Transit System (JCT) has not complied with DBE regulations (29 CFR Part 26) shall be submitted in writing to the City Manager, City of Johnson City, P.O. Box 2150, Johnson City, TN, 37605, no later than 30 days from the date of the alleged act of non-compliance with DBE regulations by JCT. The written complaint shall, at a minimum:

- a) identify the specific act(s) of non-compliance in question;
- b) Identify the specific date(s) of non-compliance in question;
- c) identify the specific DBE regulation(s) with which JCT's action has failed to comply;
- d) specify the reasons why the complaining party believes that JCT is not in compliance with the DBE regulation(s) in question; and
- e) provide the name and address of the complainant, as well, if applicable, the DBE minority status, and type of business of the complainant; and
- f) be signed by the complainant.

Upon receipt of the written DBE Complaint, the City Manager shall contact JCT to provide JCT with a summary of the complaint, and request a written response from JCT regarding the specific act(s) of non-compliance with DBE regulations alleged in the complaint. JCT will have 20 business days to provide a written response to the request from the City Manager. The City Manager may also conduct any independent investigation deemed appropriate by the City during this 20 days.

Within 10 business days of receipt of the written submissions from JCT and completion of any independent investigation deemed appropriate by the City, the City Manager shall either:

- a) render a decision which shall be final and advise all interested parties of this decision in writing; or
- b) at the sole election of the City Manager, conduct an informal hearing at which the interested participating parties will be afforded an opportunity to present their respective position, including facts, documents, justification, and technical information in support thereof.
  - The parties may be, but are not required to be, represented by counsel at the informal hearing, which will not be subject to formal rules of evidence or procedures.
  - Following the informal hearing, the City Manager shall render a decision, which shall be final, and advise all interested parties thereof in writing.

Any complainant: 1) dissatisfied with the final decision of the City Manager, whether following review of the written submission or informal hearing; or 2) desiring to submit a DBE complaint directly to the Federal Transit Administration (without first filing a complaint with the City) may file a written complaint to the Federal Transit Administration (FTA) Civil Rights office no later than 180 days of the alleged DBE violation. Written complaints should be submitted to the FTA at: Director, Office of Civil Rights, Federal Transit Administration, 1200 New Jersey Ave, SE, Washington, DC 20590.