

ARKANSAS STATE HIGHWAY AND TRANSPORTATION DEPARTMENT**SUPPLEMENTAL SPECIFICATION****REQUIRED CONTRACT PROVISIONS FOR STATE CONSTRUCTION JOBS**

During the performance of this contract, the Contractor agrees as follows:

EQUAL OPPORTUNITY

Employment Practices. (a) The Contractor will not discriminate against any employee or applicant for employment because of race, color, religion, sex, age, disability, or national origin. The Contractor will take affirmative action to ensure that applicants are employed, and that employees are treated during employment without regard to their race, color, religion, sex, age, disability, or national origin. Such action shall include, but not be limited to the following: Employment, upgrading, demotion, or transfer; recruitment advertising; layoffs or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship.

(b) The Contractor will, in all solicitations or advertisements for employees placed by or on behalf of the Contractor, state that all qualified applicants will receive consideration for employment without regard to race, color, religion, sex, age, disability, or national origin.

(c) In the event of the Contractor's noncompliance with the nondiscrimination clauses of this contract, this contract may be canceled, terminated, or suspended in whole or in part.

Selection of Subcontractors, Procurement of Materials, and Leasing of Equipment.

(a) The contractor, with regard to the work performed by it during the contract, shall not discriminate on the grounds of race, color, religion, sex, age, disability, or national origin in the selection and retention of subcontractors, including procurement of materials and leases for equipment.

(b) In all solicitations, either by competitive bidding or negotiation made by the Contractor for work to be performed under a subcontract, including procurement of materials or leases for equipment, each potential subcontractor or supplier shall be notified by the Contractor of the Contractor's obligations under this contract relative to nondiscrimination on the grounds of race, color, religion, sex, age, disability, or national origin.

(c) The Contractor shall provide all information and reports required by the Department and shall permit access to its books, records, accounts, other sources of information, and its facilities as may be determined by the Department to be pertinent to ascertain compliance with such directives. Where any information required of a Contractor is in the exclusive possession of another who fails or refuses to furnish this information, the Contractor shall so certify to the Department and shall set forth what efforts have been made by the Contractor to obtain the information.

(d) In the event of the Contractor's noncompliance with the nondiscrimination provisions of this contract, the Department shall impose such contract sanctions as it may determine to be appropriate, including, but not limited to:

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- (1) withholding of payments to the Contractor under the contract until the Contractor complies, and/or
- (2) cancellation, termination, or suspension of the contract, in whole or in part.

(e) The Contractor shall include the provisions of this Supplemental Specification in every subcontract, including procurements of materials and leases of equipment. The Contractor shall take such action with respect to any subcontractor or procurement as the Department may direct as a means of enforcing such provisions, including sanctions for non-compliance.

NONSEGREGATED FACILITIES

By submission of this bid or the execution of this contract or subcontract, the bidder or subcontractor, as appropriate, certified that segregated facilities are not maintained or provided for employees at any of its establishments, and that employees are not permitted to perform services at any location, under bidder/subcontractor control, where segregated facilities are maintained. The bidder/subcontractor further certified that segregated facilities will not be maintained or provided for employees at any of its establishments, and that employees will not be permitted to perform services at any location where segregated facilities are maintained. As used in this certification, the term "segregated facilities" means any waiting rooms, work areas, restrooms and washrooms, restaurants and other eating areas, time clocks, locker rooms and other storage or dressing areas, parking lots, drinking fountains, recreation or entertainment areas, transportation, and housing facilities provided for employees which are segregated by explicit directive or are in fact segregated on the basis of race, color, religion, age, disability, or national origin, because of habit, local custom, or otherwise. The bidder/subcontractor agrees that, except where identical certifications have been obtained from proposed subcontractors and material suppliers for specific time periods, identical certification will be obtained from subcontractors prior to the award of subcontracts.