

CONTRACT COMPLIANCE:

**What the Contractor
Needs to Know to Work
on Federally Funded Highway Construction Projects**





FHWA-1273

FDOT Compliance Implementation

- **To take advantage of FHWA funding, the State of Florida must develop and enforce a Construction contract compliance program in accordance with FHWA 1273**



**Florida's EEO
program is
outlined in FDOT
Procedure 275-020-005-b:
*Construction Contract
Compliance Manual***



Equal Employment Opportunity

**Construction Contract
Compliance Manual**

2021

What is FHWA-1273?

- Includes contract provisions and proposal notices required by regulations handed down by FHWA or other Federal agencies.
- A compilation of Federal provisions that are required to be inserted into federally funded contracts and subcontracts.

APPLICABILITY of FHWA- 1273

- In accordance with 23 CFR 633.102(d): required contract provisions apply to **ALL WORK** performed on the contract by the **PRIME** contractor's own organization and by **ALL WORK** of the Prime's **SUBCONTRACTORS**.

FORM FHWA - 1273



- I.** General
- II.** Nondiscrimination
- III.** Nonsegregated Facilities
- IV.** Davis-Bacon & Related Act Provisions
- V.** Contract Work Hours & Safety Standards Act (CWHSSA)
- VI.** Subletting or Assigning the Contract
- VII.** Safety: Accident Prevention
- VIII.** False Statements Concerning Highway Projects

FORM FHWA - 1273



IX. Implementation of Clean Air Act & Federal Water Pollution Control Act

X. Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion

XI. Certification Regarding Use of Contract Funds for Lobbying

XII. Use of United States-Flag Vessels

Attachment A. Employment and Materials Preference for Appalachian Development Highway System

<https://www.fhwa.dot.gov/programadmin/contracts/1273/1273.pdf>

FHWA-1273 – Revised October 23, 2023

**REQUIRED CONTRACT PROVISIONS
FEDERAL-AID CONSTRUCTION CONTRACTS**

- I. General
- II. Nondiscrimination
- III. Non-segregated Facilities
- IV. Davis-Bacon and Related Act Provisions
- V. Contract Work Hours and Safety Standards Act Provisions
- VI. Subletting or Assigning the Contract
- VII. Safety: Accident Prevention
- VIII. False Statements Concerning Highway Projects
- IX. Implementation of Clean Air Act and Federal Water Pollution Control Act
- X. Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion
- XI. Certification Regarding Use of Contract Funds for Lobbying
- XII. Use of United States-Flag Vessels:

ATTACHMENTS

A. Employment and Materials Preference for Appalachian Development Highway System or Appalachian Local Access Road Contracts (included in Appalachian contracts only)

I. GENERAL

1. Form FHWA-1273 must be physically incorporated in each construction contract funded under title 23, United States Code, as required in 23 CFR 633.102(b) (excluding emergency contracts solely intended for debris removal). The contractor (or subcontractor) must insert this form in each subcontract and further require its inclusion in all lower tier subcontracts (excluding purchase orders, rental agreements,

performed on the contract by the contractor's own organization and with the assistance of workers under the contractor's immediate superintendence and to all work performed on the contract by piecework, station work, or by subcontract. 23 CFR 633.102(d).

3. A breach of any of the stipulations contained in these Required Contract Provisions may be sufficient grounds for withholding of progress payments, withholding of final payment, termination of the contract, suspension / debarment or any other action determined to be appropriate by the contracting agency and FHWA.

4. Selection of Labor: During the performance of this contract, the contractor shall not use convict labor for any purpose within the limits of a construction project on a Federal-aid highway unless it is labor performed by convicts who are on parole, supervised release, or probation. 23 U.S.C. 114(b). The term Federal-aid highway does not include roadways functionally classified as local roads or rural minor collectors. 23 U.S.C. 101(a).

II. NONDISCRIMINATION (23 CFR 230.107(a); 23 CFR Part 230, Subpart A, Appendix A; EO 11246)

The provisions of this section related to 23 CFR Part 230, Subpart A, Appendix A are applicable to all Federal-aid construction contracts and to all related construction subcontracts of \$10,000 or more. The provisions of 23 CFR Part 230 are not applicable to material supply, engineering, or architectural service contracts.

In addition, the contractor and all subcontractors must comply

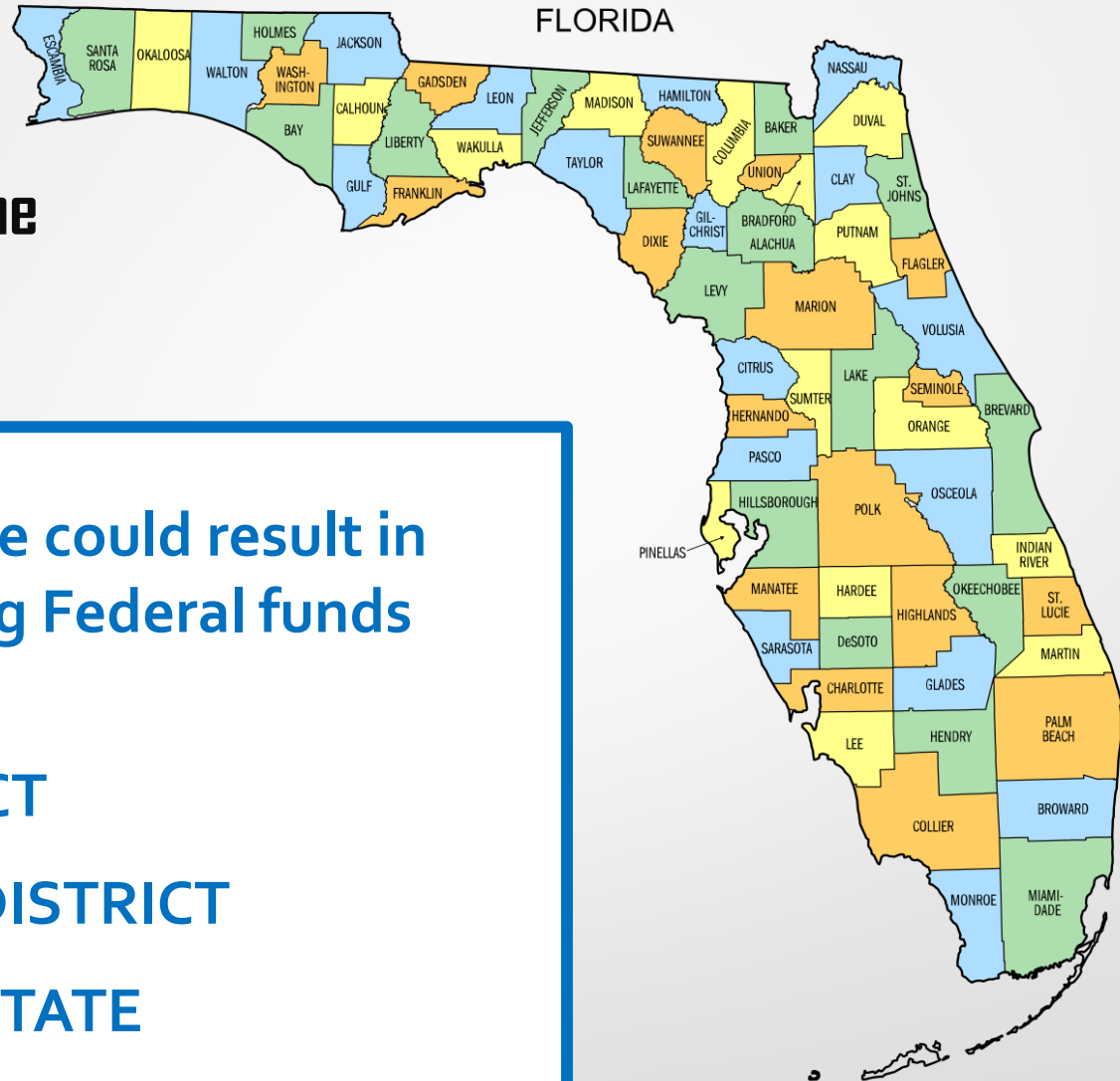


FHWA-1273

Requirements for the State of Florida

Noncompliance could result in FHWA revoking Federal funds from:

- The PROJECT
- The entire DISTRICT
- The entire STATE



THE FAB FOUR

- **EEO** – Equal Employment Opportunity
- **DBE** – Disadvantaged Business Enterprise
- **OJT** – On the Job Training
- **Wages** – Payrolls



Computer Based Training



RESOURCES

Welcome to the Resident Compliance Specialist CBT

This training will inform you on the federal guidelines and regulations regarding Equal Employment Opportunity (EEO) and does not replace the training that you will receive in your district. However, the goal is to provide you with a general overview of your role as a Resident Compliance Specialist.

[RCS Overview \(HTML5, 02:50\)](#)

Resident Compliance Specialist

- RCSs have many responsibilities and manage multiple areas of compliance.
- RCS can provide assistance to District staff and contractors in matters re: Federal regulation on highway construction projects.



GOVERNANCE



EEO:
FHWA-1273

GOVERNANCE

● DBE & Non-Discrimination:

49 CFR

- **Part 12:** Prohibits discrimination in the USDOT Federally assisted programs
- **Parts 23 & 26:** Regulates participation by DBEs in State Departments of Transportation programs
- **Part 26:** Authorizes FDOT to issue sanctions for the condition and state of noncompliance in the DBE Program

GOVERNANCE

- On-The-Job Training (OJT):

23 CFR Part 230 Appendix B to Subpart A

- Applicable to all contractors/subs on federal projects
- State developed (FDOT) program determines the number of required trainees

GOVERNANCE

- WAGES: *Davis-Bacon Act & Related Acts; 29 CFR Parts 1,3, and 5*
 - Applicable to all contractors/subs on federal projects in excess of \$2,000
 - Pay laborers/**mechanics** on a weekly basis
 - Pay laborers/mechanics prevailing wage rates (+ fringes if applicable) in the correct classification
 - Pay OT hours in excess of 40 hours/week
 - *Copeland Act*

Equal Employment Opportunity (EEO)



STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION
**RECORD OF SUPERVISORY AND OFFICE PERSONNEL
 EEO MEETING OR INDIVIDUAL ORIENTATION**

275-021-05
 EQUAL OPPORTUNITY
 01/07



1. COMPANY NAME: █	2. DATE OF MEETING (M/D/Y): █
3. FEID # OR FDOT VENDOR #: █	4. NAME OF EEO OFFICER: █
5. CHECK TYPE OF MEETING: <input type="checkbox"/> INDIVIDUAL ORIENTATION <input type="checkbox"/> EEO MEETING	6. ADDRESS WHERE MEETING HELD: █

7. EEO OFFICER'S CERTIFICATION:
 The signature of this Company's EEO Officer is certification that an individual orientation or meeting was held with supervisory personnel and others involved in personnel matters to address all aspects of our equal employment opportunity (EEO) obligations. The major topics were addressed and a signed attendance record was made.

SIGNATURE: _____, EEO OFFICER

- 8. MAJOR TOPICS ADDRESSED:**
- | | |
|--|--|
| <ul style="list-style-type: none"> ✓ EEO Policy and Affirmative Action Plan ✓ Identification of EEO Officer ✓ Equal Employment Opportunity and recruitment ✓ Wages and Payrolls ✓ Utilization of Disadvantaged Businesses | <ul style="list-style-type: none"> ✓ Bulletin Boards ✓ Interviews by State and Federal representatives ✓ Training opportunities ✓ Complaints |
|--|--|

9. ATTENDEES: PRINTED NAME AND TITLE	SIGNATURE
█	
█	
█	
█	
█	

REPORT

1. Check One <input type="checkbox"/> Prime <input type="checkbox"/> Subcontractor		2. Name and Address				3. FEID No. OR FDOT Vendor No.					
4. County						5. Financial Project No.					
6. Contractor's Beginning Work Date on Project				7. FDOT Contract No.				8. This Report is based on Pay Period ending M/D/Y			

9. FLORIDA CONSTRUCTION EMPLOYMENT

TABLE A

JOB CATEGORIES	TOTAL EMPLOYEES		TOTAL MINORITIES		BLACK (Not of Hispanic Origin)		HISPANIC		AMERICAN INDIAN or ALASKAN NATIVE		ASIAN		NATIVE HAWAIIAN OR OTHER PACIF ISL		TWO OR MORE RACES		WHITE		
	M	F	M	F	M	F	M	F	M	F	M	F	M	F	M	F	M	F	
OFFICIALS (MANAGERS)	0	0	0	0															
SUPERVISORS	0	0	0	0															
FOREMEN/WOMEN	0	0	0	0															
ADMIN SUPPORT	0	0	0	0															
EQUIPMENT OPERATORS	0	0	0	0															
MECHANICS	0	0	0	0															
TRUCK DRIVERS	0	0	0	0															

TABLE B

On-The-Job Trainees (OJT)	
M	F

1. Contractor's Name	2. FEID No.	3. Page No. (begin with #2)

SECTION 4: HIRES (Group by Location- Additional data may be submitted in an EEO Officer's letter0

A. Hiring location (x)				B. Job Title Filled	C. Hire's Name (first name/last name)	D. Sex and Race									
1	2	3	4			M	F	W	BI	H	AI	As	PI	2M	
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
E. Hire Date		F. Hourly Pay Rate		G. 4-digit employee identifier	H. How did the hire learn about the job?										
		\$													

I. How was this Job Opening communicated? Mark all that apply.

<input type="checkbox"/> No <input type="checkbox"/> Yes	Agency for Workforce Innovation	Name of Center/Office	Job Order #	Date placed
<input type="checkbox"/> No <input type="checkbox"/> Yes	Newspaper (Name each & ad dates)			
<input type="checkbox"/> No <input type="checkbox"/> Yes	Employee Referrals requested (how & date)	How communicated	Date(s)	
<input type="checkbox"/> No <input type="checkbox"/> Yes	Private Referral Sources (List Names & dates)			
<input type="checkbox"/> No <input type="checkbox"/> Yes	Internal (company) job posting (location & date)			
<input type="checkbox"/> No <input type="checkbox"/> Yes	Internet/email (site address & date)			
<input type="checkbox"/> No <input type="checkbox"/> Yes	Now Hiring Signs (location & date)			

J. Are records available to support each 'Yes' answer in 'I' (above)? No Yes

A. Hiring location (x)				B. Job Title Filled	C. Hire's Name (first name/last name)	D. Sex and Race									
1	2	3	4			M	F	W	BI	H	AI	As	PI	2M	
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
E. Hire Date		F. Hourly Pay Rate		G. 4-digit employee identifier	H. How did the hire learn about the job?										
		\$													

I. How was this Job Opening communicated? Mark all that apply.

<input type="checkbox"/> No <input type="checkbox"/> Yes	Agency for Workforce Innovation	Name of Center/Office	Job Order #	Date placed
<input type="checkbox"/> No <input type="checkbox"/> Yes	Newspaper (Name each & ad dates)			
<input type="checkbox"/> No <input type="checkbox"/> Yes	Employee Referrals requested (how & date)	How communicated	Date(s)	
<input type="checkbox"/> No <input type="checkbox"/> Yes	Private referral sources (Names & dates)			
<input type="checkbox"/> No <input type="checkbox"/> Yes	Internal (company) job posting (location & date)			
<input type="checkbox"/> No <input type="checkbox"/> Yes	Internet/email (site address & date)			
<input type="checkbox"/> No <input type="checkbox"/> Yes	Now Hiring Signs (location & date)			

J. Are records available to support each 'Yes' answer in 'I' (above)? No Yes

A. Hiring location (x)				B. Job Title Filled	C. Hire's Name (first name/last name)	D. Sex and Race									
1	2	3	4			M	F	W	BI	H	AI	As	PI	2M	
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
E. Hire Date		F. Hourly Pay Rate		G. 4-digit employee identifier	H. How did the hire learn about the job?										
		\$													

I. How was this Job Opening communicated? Mark all that apply.

<input type="checkbox"/> No <input type="checkbox"/> Yes	Agency for Workforce Innovation	Name of Center/Office	Job Order #	Date placed
<input type="checkbox"/> No <input type="checkbox"/> Yes	Newspaper (Name each & ad dates)			
<input type="checkbox"/> No <input type="checkbox"/> Yes	Employee Referrals requested (how & date)	How communicated	Date(s)	
<input type="checkbox"/> No <input type="checkbox"/> Yes	Private referral sources			

Project EEO Requirements

- Jobsite Bulletin Board
- EEO Officer
- EEO Project Personnel Meetings
- Annual July EEO Report
- Training Assessments

All monitored by the Resident Compliance Specialist (RCS)

Job Site Bulletin Board

What must be on the board?

- FDOT required posters
- USDOL required posters
- Wage Decision (ALL pages clearly displayed)
- Additional Wage Classifications
- EEO Officers (Prime and ALL subs over \$10,000)

*All monitored by the Resident Compliance Specialist
(RCS)*

POSTERS

- [FHWA Notice Posters \(with boxes pre-filled\) \(English\)](#)
- [FHWA Notice Posters \(with boxes pre-filled\) \(Spanish\)](#)
- [Wage Appeals](#)
- [E-Verify Poster](#)
- [Florida Law Prohibits Discrimination \(English and Spanish\)](#)
- [Employee Rights Under the Davis-Bacon Act \(with boxes pre-filled\) \(English\)](#)
- [Employee Rights Under the Davis-Bacon Act \(with boxes pre-filled\) \(Spanish\)](#)
- [EEOC Know Your Rights \(English\)](#)
- [EEOC Know Your Rights \(Spanish\)](#)
- [Pay Transparency Nondiscrimination \(English\)](#)
- [Pay Transparency Nondiscrimination \(Spanish\)](#)
- [Family and Medical Leave Act \(English\)](#)
- [Family and Medical Leave Act \(Spanish\)](#)
- [OSHA \(English\)](#)
- [OSHA \(Spanish\)](#)
- [Employee Polygraph Protection Act \(English\)](#)
- [Employee Polygraph Protection Act \(Spanish\)](#)
- [USERRA \(English\)](#)
- [Employee Rights Under the Fair Labor Standards Act \(English\)](#)
- [Employee Rights Under the Fair Labor Standards Act \(Spanish\)](#)





THE LAW

LA LEY

EVerify

COVID-19

EMPLOYEE RIGHTS

NOTICE

EMPLOYEE RIGHTS

EMPLOYEE RIGHTS

DERECHOS DEL EMPLEADO

DERECHOS DEL EMPLEADO

DERECHOS DEL EMPLEADO

Disadvantaged Business Enterprise (DBE)



DBE - DEFINITION

Disadvantaged Business Enterprise (DBE): A for-profit small business concern (1) that is at least 51% owned by one or more individuals who are both socially and economically disadvantaged or, in the case of a corporation, in which 51% of the stock is owned by one or more such individuals and (2) whose management and daily business operations are controlled by one or more of the socially and economically disadvantaged individuals who own it.



- FDOT has a race-neutral DBE Program = creates a level playing field on which a DBEs can compete fairly for FDOT contracts.
- FDOT believes the overall goal can be achieved through the normal competitive procurement process.
- The current statewide goal for Florida is **10.67%**

Disadvantaged Business Enterprise

DBE Forms

- **Bid Blank** (form #375-020-17) - states the DBE availability goal assigned to the contract. The DBE availability goal is the DBE percentage that the Department believes can be realistically achieved on the project based on the number of DBEs associated with the scopes of work that will be performed on the project.
- **Bidders Opportunity List** – list that is entered into the EOC (Equal Opportunity Compliance) system by **ALL** bidders which lists all companies that were solicited or submitted quotes to work on the project.



DBE Commitments

The screenshot shows the FDOT Equal Opportunity Compliance (EOC) login interface. At the top left is the FDOT logo. The main header reads "EQUAL OPPORTUNITY COMPLIANCE" with "EOC" and a scales of justice icon to the right. Below the header is a "FDOT Disclaimer" box containing a paragraph about system usage and privacy. Underneath is a section titled "Account Information" with a "Help" link. Further down are links for "I do not have a User Id" and "Change Password". The login fields include "User ID:" and "Password:" with corresponding input boxes, and a green "Login" button. The footer contains the FDOT Office of Information Systems logo, contact information for EOC questions and technical problems, and the MyFlorida.com logo.

- Assists the Department in tracking and reporting anticipated DBE utilization.
- Commitment is submitted into the EOC prior to the Pre-Construction Meeting.
- Revisions must be entered into the EOC system on a regular basis.

DBE Payments

- Contractors are required to pay and enter the payments made to DBEs monthly into the Equal Opportunity Compliance System (EOC).
- DBE payments entered into the EOC will be totaled to determine the DBE's final participation percentage (utilization).

*All monitored by the
Resident
Compliance
Specialist (RCS)*

CUF – *Commercially Useful Function*

- New forms validate that DBE provided materials:
 - Supplied materials – (100% credit)
 - Sold materials - DEALER (60% credit)
 - Produced materials - MANUFACTURER (100% credit)

					275-021-18
					EQUAL OPPORTUNITY OFFICE
					10/21

					275-021-18
					EQUAL OPPORTUNITY OFFICE
					8/22/2023

Section 1 & 2: Project Specific & DBE Information

STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION											
COMMERCIALLY USEFUL FUNCTION (CUF) DBE MONITORING REPORT											
SECTION 1: PROJECT IDENTIFICATION											
1. Prime Contractor		2. Financial Project No.		3. F.A.P. No.		4. Contract No.		5. District			
SECTION 2: DBE IDENTIFICATION											
1. Firm Name											
2. Function as:	NAICS Code			Subcontractor to Prime Contractor		<input type="checkbox"/>		Subcontracted to Lower Tier Subcontractor		<input type="checkbox"/>	
	Work Type			Furnish & Install		<input type="checkbox"/>	Labor Only		<input type="checkbox"/>	(name)	
3. Attachments	Daily Work Report	<input type="checkbox"/>	DBE Profile	<input type="checkbox"/>	Certification of Sublet & Schedule 'A'		<input type="checkbox"/>	Written Agreement	<input type="checkbox"/>	Other	<input type="checkbox"/>
4. Work began			5. Date Observed			6. Observer's Name (first & last)					
7. DBE Contract amount:			8. DBE Commitment:			9. Consideration for CUF = 30% commitment		10. DBE Payments:			
						\$0.00					

Section 3: Subcontractor

SECTION 3: SUBCONTRACTOR						
7	SECTION 3: SUBCONTRACTOR					
8	YES	NO	N/A	A. MANAGEMENT		
9				1. It appears the DBE firm controls and/or supervises work performed by the DBE firm's workers/foremen?		
9				2. At least one (1) worker was asked if DBE Manager or Foreman controls and/or supervises the work of the DBE?		
10						
11	YES	NO	N/A	B. PERFORMANCE		
12				1. Did the DBE firm subcontract any portion of the work to another contractor?		
13				2. If above is 'yes', was the original commitment reduced accordingly?		
14						
15	YES	NO	N/A	C. WORKFORCE		
16				1. Were any of the employees of the DBE firm recognized as appearing on payrolls of other contractors?		
17				2. Does the information on the Daily Work Reports (DWR) appear consistent with the information on the DBE's payroll?		
18				3. Is the person who signs the DBE's certified payrolls an employee of the DBE and not the prime or hiring contractor?		
19						
20	YES	NO	N/A	D. EQUIPMENT		
21				1. DBE firm appears to be using their own equipment. If no, identify which piece(s) of equipment in the COMMENTS section		
22				2. Is all equipment being operated by DBE firm's employees?		
23						
24	YES	NO	N/A	E. MATERIALS		
25				1. Was the material shipped to the DBE?	<input type="checkbox"/> Documentation reviewed/attached	<input type="checkbox"/> Other verification (explain):
26				2. Was the material purchased from a source not the prime or any affiliate of the prime?	<input type="checkbox"/> Documentation reviewed/attached	<input type="checkbox"/> Other verification (explain):
27				3. Was the material billed to the DBE/DBE Owner/representative?	<input type="checkbox"/> Documentation reviewed/attached	<input type="checkbox"/> Other verification (explain):
28				4. Did the DBE firm pay for the material?	<input type="checkbox"/> Documentation reviewed/attached	<input type="checkbox"/> Other verification (explain):
29	Comments					
30						

Section 4: CUF Determination

SECTION 4: CUF DETERMINATION										
Based upon the observations and review of relevant supporting documentation, the recommendation is the Department <u>DOES NOT</u> certify a commercially useful function (CUF) was achieved and suggests further investigation performed.			<input type="checkbox"/>							
Based upon the observations and review of relevant supporting documentation, the recommendation is the Department <u>DOES</u> certify commercially useful function (CUF) was achieved.			<input type="checkbox"/>							
Comments										
<table border="1"> <tr> <td align="center" rowspan="2">NONE</td> <td align="center"><input type="checkbox"/></td> <td colspan="2"></td> </tr> <tr> <td></td> <td colspan="2"></td> </tr> </table>				NONE	<input type="checkbox"/>					
NONE	<input type="checkbox"/>									
1. Date		2. Name & Title	Signature							
Based upon the observations reported and review of relevant supporting documentation, FDOT certifies the monitoring of DBE participation for compliance consistent with 49 CFR 26.37 and the commitments/payments have been accurately counted and are reflected in the FDOT reporting system in accordance with 49 CFR 26.55 and the approved FDOT DBE Program Plan.										
3. Date		4. Name & Title	Signature							

What can you do as Project Oversight to assist in determining CUF?

- No longer required to sign “Met CUF” or “Did Not Meet CUF”
- Assist with documentation to answer ?s re: materials
- Ensure timely submittal – To RCS within 5 business days of completion

Contracts – Sublets – Rental Agreements

- Compliance utilizes Sublets to determine what type of work is performed; complete CUF [contract amount; type of work; if a Partial (Labor Only) or Full (Furnish & Install); whether a DBE has subcontracted work; etc.]
- Contracts between Prime, Subs (ALL tiers) – are audited to ensure FHWA-1273 is included properly
- Rental Agreements vs Sublets

STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION
CERTIFICATION OF SUBLET WORK

700-010-36
CONSTRUCTION
01/23
Page 1 of 2

TO: THE STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION

Date:
Request No.:
FAP No.:
Fin. Proj. ID:
Cont. No.:
County:
Total Contract Amount
Total Work

General Info
Prime Contractor
F.E.I.D. #

Contractor _____

By: _____

Address _____

Change	Subcontractor Name	Tier	FEID #	Subcontract to Whom	Work Description	Partial	Total Amt Sublet	DBE/ NON DBE
TOTAL							\$ 0.00	

All pertinent provisions and requirements of the prime contract including but not limited to Required Contract Provisions Federal-Aid Construction Contracts (FHWA-1273) and Special Provisions - Specific Equal Opportunity Responsibilities (Per 23 CFR-633B of Federal-Aid Policy Guide) will be part of the subcontract or agreement. It is agreed that an Executed or a certified copy of the subcontract will be submitted upon request, to the Florida Department of Transportation. All sublets will be in continued compliance with all Contract provisions and that the Contractor will continue to perform the minimum percentage of Contract work with its own organization, as required by said Contract. It is recognized and agreed that, as prime contractor, the undersigned remains

State of Florida
County of _____

Sworn to (or affirmed) and subscribed before me, by means of physical presence or online notarization, this _____ day of _____

Incentive for Achieving DBE Goal

If the contractor meets or exceeds the DBE percentage for their contract and records the payments to all DBEs into EOC on a monthly basis, they will earn **Bonus Points** on the final CPPR.



On the Job Training (OJT)



OJT Criteria

When is it required?

Construction dollar amount is equal to or above \$2 million - **AND** -
Contract time is 275+ calendar days



OJT Evaluation Meeting

- Meeting is coordinated by the RCS
- Occurs prior to the first day of work

Required attendees:

- Prime Contractor's Project Manager
- Project Administrator
- RCS
- DCCM

I'm Attending!



Recommended attendees:

- Prime Contractor's EEO Officer
- Subcontractors' Project Manager and/or staff who will enroll trainees

OJT Evaluation Meeting (cont.)

OJT Required Actions / Forms:

- Training Evaluation Meeting
- Discuss OJT Schedule
- Trainee Enrollment
- Discuss Proficiencies
- Trainee Interview
- Monthly Time Reports (MTR)



OJT MOBILITY PILOT

(now allowed per 2021 CCM)

- ABILITY TO MOVE CREWS FROM PROJECT TO PROJECT TO TRAIN
- REQUIRES COMMUNICATION TO OUR OFFICE FOR APPROVAL
- DCCO COMMUNICATES WITH PROJECT STAFF TO VALIDATE TRAINING HOURS

Wages Contractor & Subcontractor Payrolls



Submittal of Payrolls

- All contractors on a project are required to pay no less than weekly.
- Weekly certified payroll is due to the RCS **7 calendar days** after the contractor's regular payment date.

MAY						
SUN	MON	TUE	WED	THU	FRI	SAT
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30	31	

Labor Interviews

Employee Interview Form – Labor
(FDOT Form No. 700-010-63)

Provides for monitoring of:

- **Proper classification**
- **Wage payment**
- **Employee knowledge of EEO Officer and Job Site Bulletin Board**

Labor Interviews(cont.)

Required Minimum Number of Monthly Interviews

- Table 6.4.3 - based on the original contract amount
- Conducted on a random basis
- Cross section of active contractors and different demographics of workers
- All workers are subject to an interview
(except for surveyors, supervisors, QA/QC testing, etc.)

Labor Interviews (cont.)

Performed for whom?

Employees of both prime and subcontractors

Performed by whom?

RCS and inspectors

RCS responsibility?

- Ensure appropriate number of interviews was conducted
- Review interview data for compliance

Timeframe?

- Within 5 business days of completion

Labor Interviews (cont.)



Interviews are **CONFIDENTIAL!**

- No other employees or supervisors should be within listening distance
- Do not send interviews to contractor

What can you do as Project Oversight to assist in the Labor Interview process?

- Emphasize to inspection staff the importance of interviews
- Ensure at least the minimum number of labor interviews are secured monthly
- Ensure a cross section of employees are interviewed
- Respond promptly to any discrepancy questions
- Timely submittal

DCCMs:

D1 ~ Diosmara Williams	863-519-2222
D2 ~ Brenda Crews	386-943-5367
D3 ~ Beth Minchin	850-330-1720
D4 ~ Sharon Singh-Hagyan	954-777-4190
D5 ~ Angela Mann	386-943-5369
D6 ~ Stan Ford	305-640-7459
D7 ~ Stephanie Galvan	813-975-6746



Important Links

- **FDOT Equal Opportunity Office**

- <https://www.fdot.gov/equalopportunity/default.shtml>

- **FDOT Contract Compliance**

- <https://www.fdot.gov/equalopportunity/contractcompliance.shtml>

- **FDOT EEO Contract Compliance Manual**

- <https://www.fdot.gov/equalopportunity/contractcompliancemanual.shtml>

- **FDOT State Construction Office**

- <https://www.fdot.gov/construction/>

**Any
QUESTIONS?**

THANK YOU!

