

FDOT P.M:			RCS:		Municipality Contact:
FDOT Contract Number:		FM Number:	Audit Number:	Date:	Auditor:
Contractor Name:		Letting Date:	Award Date:	NTP Date:	Start Date: Completion Date:
Project Name/Location:		Preconstruction Date:	Contract Days:	Contract Amount:	
NHS/SHS:	Non-NHS/SHS:	Non-NHS/Non-SHS	Non-Federal Aid Highway/Non-SHS:	AGENCY NAME:	ITB NO.:

No.	Reference	Topic	Requirements	In Compliance	Non Compliance	Comments
1	LAP Manual Chapter 3 - Section 3.3.2 -	Title VI (Non-Discrimination) Contract Insertions Appendices A & E	Comply with Federal Statutes, USDOT, FHWA Regulations. Verify the Title VI statement is in all solicitations for bids, work or for material. Reference to Title VI should be in the contract as outlined in Chapter 3 of the LAP Manual.			
2	23 CFR 635.117	Local Hiring Preference	The Local Agency needs to certify it does not have State or local hiring preferences.			
3	23 C.F.R. 635 Subpart B	Local Hiring	If the work was performed by local forces, was a cost effectiveness finding documented and approved by the District LAP Administrator. (LAP Manual 24.1.2)			
4	LAP Manual Chapter 15 Section 15.2	Executive Order 11246	FHWA 1273 references Executive Order 11246 which <i>must be referenced in all construction contracts</i> . It Bans discrimination and requires contractors and subcontractors to take affirmative action to ensure that all individuals have an equal opportunity for employment, without regard to race, color, religion, sex, national origin, disability or status as a Vietnam era or special disabled veteran.			
5	FDOT Contract Compliance Manual Chapter 1, Section 1.7.4	Identification of Subcontractors FDOT Form 700-010-36	Local Agency must be aware of all subcontractors performing work on the project jobsite. Does agency have a documentation or tracking mechanism to identify and/or approve subcontractors?			
6	49 CFR 26.53(b)(1)(2) 49 CFR 26.53(f)(1)	Disadvantaged Business Enterprise	Are DBE firms originally identified by the prime contractor at the time of contract award, the same firms that are approved to work on the project at the time of this review.			
7	49 CFR 26	Disadvantaged Business Enterprise Program (DBE) - must be in executed contract	The Local Agency shall comply with FDOT's DBE Program Plan unless the Local Agency has a DBE Program Plan approved by the USDOT. Effective October 1, 2015; FDOT DBE Goal is 9.91% . However, Effective October 1, 2017; FDOT DBE Goal is 10.65% in it's race neutral program. Establish a DBE Availability goal and include in bid document. Include DBE special provisions in bid document. Use DBE certified under the FL Unified Certification Program Directory: https://www3.dot.state.fl.us/EqualOpportunityOffice/biznet/mainmenu.asp (this is also in the EOC System). FDOT Standard Specification 7-24 (DBE Program) must be included in all contracts and subcontracts.			
8	LAP Manual Chapter 14 Section 14.4.6	Report Anticipated DBE Participation	Local Agency must create GAP contract screen This must be performed for the project to appear in EOC. The Prime Contractor must enter Anticipated DBE Participation in to the EOC System by the date of the Pre-Construction Meeting. The Agency assigned LAP RCS will review and accept the DBE Participation entered in the EOC System.			
9	LAP Manual Chapter 14 Section 14.4.3	Equal Opportunity Compliance System - (EOC)	Each month the Prime Contractor must enter into the EOC System actual payments made to all DBE contractors and suppliers. The Agency assigned LAP RCS will review and accept the DBE payments entered in the EOC System.			

No.	Reference	Topic	Requirements	In Compliance	Non Compliance	Comments
10	LAP Manual Chapter 14 Section 14.4.2	DBE Certification	The Local Agency must verify the DBE firm(s) named by the contractor are reported with the appropriate NAICS codes for the work being performed in order to be counted as DBE Participation. The Agency assigned LAP RCS will verify in the EOC System.			
11	49 CFR26.29(A) LAP Manual 14.4.4	30 Day Time Period Payment Verification. Prompt Payment	<ul style="list-style-type: none"> The 30-day time period for payment is required at every tier (49 CFR 26.29 (a)). A contract provision must exist in every contract that requires contractors and subcontractors to pay for satisfactory performance of their contract (completion and acceptance) no later than 30 days from their receipt of payment. The RCS should obtain copies of the contractor's last two "Certification Disbursement of Previous Periodic Payment to Subcontractors" (Form 700-010-38). Requested documents will include invoices, cancelled checks, bank statement or other document showing effective payment. Subcontractors should also pay lower tier subs within 30 days of receiving their payment from the prime and so forth. The previous two month's Certifications (Form 700-010-38), should be verified. (Make sure that at least one DBE and one non-DBE is a part of this Certification review, if applicable). 			
12	49 CFR 26	Commercially Useful Function (CUF) FDOT Form 275-021-18	A DBE firm performs a commercially useful function when it is responsible for execution of a distinct element of the work with its own workforce and it carries out its responsibilities by actually performing, managing and supervising the work involved. The Local Agency is responsible for utilizing the Commercially Useful Function form on each DBE contractor for the first three months active on the project and as needed thereafter. Photos should be taken as part of the review.			
13	LAP Manual Chapter 14 Section 14.43	Bid Opportunity List Compliance EOC System	The Prime Contractor must enter all Bids to subcontract for this project into the EOC System within 3 business days of the Prime contractor submitting their Bid.			
14	LAP Manual Chapter 15 Section 15.2	FHWA 1273 - Revised edition (dated 5/1/2012)	The Local Agency must include the "Required Contract Provisions for Federal-Aid Construction Contracts" (FHWA 1273) in all contracts and subcontracts in its entirety.			
15	FHWA 1273 (General Section-Item 2)	Subcontracting Inclusion of FHWA 1273 / Revised Edition dated 5/1/2012	<p>Edition 5/1/2012 of FHWA 1273 - identify, include and require adherence to in all contracts, subcontracts, rental agreements and purchase orders. Local Agency must have a process to verify these requirements are being met. Example: FDOT Process is to initially check at least 20% of the subcontracts to ensure prime contractor is in compliance. If any contracts are not correct in initial check; then 100% verification is required.</p> <p>Per FHWA request, at least 1 (one) subcontract must be reviewed by FDOT prior to execution.</p>			
16	FHWA-1273 Section II	Notification to FDOT of EEO Officer FDOT Form 275-021-13	Contractor to appoint EEO Officer before 1st work day. Submit form to FDOT Equal Opportunity Office. Contractor must resubmit form with appointment of new officer.			
17	FHWA-1273 Section II and Section IV	Inspection Report for Job Site Bulletin Board FDOT Form 275-021-10	Monthly inspections of the job site bulletin board are performed by the Agency during the term of the project. Photos should be taken as part of the inspection.			
18	FHWA-1273 Section II	Contractor's Annual July Report FDOT Form 275-021-08	The contractor's report is based on their "Final July Pay Period" which is the last active pay week which falls fully within July. The report is due to on or before August 20. Contractors report project workforce data by job category, race and sex as requested by FDOT or FHWA.			
19	23 USC 113 23 CFR 633A 29 CFR FHWA-1273	Prevailing Minimum Wage	Agency contract must include the appropriate Davis-Bacon Wage Rate Decision(s) and wage rate table(s). For contracts requiring multiple Wage Rate Decisions; Agency must clearly identify what scopes of work fall under each Wage Rate Decision.			

No.	Reference	Topic	Requirements	In Compliance	Non Compliance	Comments
20	Contract Compliance Manual Chapter 4 Section 4.3.4	Project Personnel EEO Meetings "Emphasize EEO as part of progress meetings"	Contractor must conduct and document "Project Personnel EEO meetings" on a specific Agenda Item. The Contractor must conduct a weekly "EEO" meetings with all active project personnel who is knowledgeable in the topics to be addressed, documenting attendance with a sign in sheet. The contractor will include an EEO Discussion Agenda Item during these "EEO" meetings. Initial meeting prior to 1 st workday. All new employees are made aware of their EEO reporting rights at time of hiring through an initial orientation specifically: a) asking employees to refer female and minorities for potential employment; and b) ensuring that employees know what to do if they believe they are the victims of discriminations.			
21	29 CFR 542 FHWA-1273	The Employee Interview Report Labor/EEO Compliance FDOT Form 700-010-63	Performed on a monthly basis. Number of interviews will be determined by the contract dollar amount.			
22	29 CFR FHWA-1273 Section V	Certified Weekly Payroll FDOT Form 700-010-69	Certified weekly payrolls (CWPs) must be received for every week in which any contract work is performed. CWPs include the Statement of Compliance and the payroll record. Employees are required to be paid weekly.			
23	FHWA 1273 Section V	Payroll Violation FDOT Form 700-010-59	Agency issues violations if any: employee is under paid, employee is not paid overtime, employee is misclassified, unauthorized deductions were made, employee is missing from payroll or that the submitted payroll is incomplete and/or includes errors.			
24	Contract Compliance Manual Chapter 1 Section 1.6.5	Non-Compliance Notification Process	Local Agency must establish documented process to notify contractor and all concerned of all compliance deficiencies (EEO, DBE, OJT and Wages). The missing, incomplete and incorrect items required to be submitted and/or corrected by the contractor to be found in compliance.			
On The Job Training						
25	23 CFR 230 - as authorized under 23 USC 140(a) The FDOT OJT Requirements in FDOT Specifications Book (2018) 7-25	OJT is required for contracts \$2 million and over and 275 days and longer. Requirements must be in the executed contract.	Once it is determined that the contract has OJT requirements; an OJT Evaluation Meeting must be held no more that 30 days prior to beginning construction or at another day ageedable to attendees, with the FDOT D6 Compliance Office, the Local Agency and the Prime contractor. All requirements will be discussed and agreed too. OJT Evaluation Meeting minutes must be issued within two weeks of the meeting. No credit will be given to the contractor if failure to hire the trainee as a journeyman is caused by the contractor.			

No.	Reference	Topic	Requirements	In Compliance	Non Compliance	Comments
26	23 CFR 230 - as authorized under 23 USC 140(a) - The FDOT OJT Program is outlined in Chapter 5 of the Compliance Manual.	On The Job Training Schedule FDOT Form 275-020-96	OJT Schedule is due or developed at or within 10 days of the Training Evaluation Meeting. Details the number of trainees to be trained in each training classification, the portion of the contract time during which training of each trainee is to take place, and the beginning and ending dates of training. The OJT Schedule must be approved by FDOT D6 Compliance Office. Revisions are due when events are missed by 14 or more days.			
27	23 CFR 230 - as authorized under 23 USC 140(a) - The FDOT OJT Program is outlined in Chapter 5 of the Compliance Manual.	On The Job Training Interview FDOT Form 275-021-02	Records information regarding an enrollee's previous work experience and training. Additionally, the proficiencies established for the trainee's proposed classification on the project are reviewed with the enrollee and utilized in determining existing abilities for the proposed classification. Trainee must not have performed duties of a Journeyman in the proposed training classification.			
28	23 CFR 230 - as authorized under 23 USC 140(a) - The FDOT OJT Program is outlined in Chapter 5 of the Compliance Manual.	Trainee Enrollment and Notice of Personnel Action FDOT Form 275-020-08	The Personnel Action Form is used by the contractor to communicate all trainee personnel actions to the FDOT D6 Compliance Office for approval. These actions include: enrollment, request for graduation and termination of trainee.			
29	23 CFR 230 - as authorized under 23 USC 140(a) - The FDOT OJT Program is outlined in Chapter 5 of the Compliance Manual.	Proficiency Record for On The Job Training FDOT Form 275-021-01	Contractor must identify a minimum of three (3) to a maximum of five (5) proficiencies that are skill based tasks; simple to perform, observe and grade. The completed form must first be approved by the FDOT D6 Compliance Office.			
30	23 CFR 230 - as authorized under 23 USC 140(a) - The FDOT OJT Program is outlined in Chapter 5 of the Compliance Manual.	Daily/Weekly Report for On The Job Trainees	Records the hours trained each day and is signed by Agency field inspector and contractor.			
31	23 CFR 230 - as authorized under 23 USC 140(a) - The FDOT OJT Program is outlined in Chapter 5 of the Compliance Manual.	OJT Monthly Time Report FDOT Form 275-021-12	The Monthly Time Report identifies the training curriculum for the classification and the minimum and maximum hours for each topic.			
32	23 CFR 230 - as authorized under 23 USC 140(a) - The FDOT OJT Program is outlined in Chapter 5 of the Compliance Manual.	OJT Certificate of Training	Once the trainee completes the minimum amount of required hours, the contractor should request for the Observation Demonstration to be performed. The trainee must pass all listed proficiencies in the Proficiency Record in order to graduate. The contractor then submits the graduation package to the FDOT D6 Compliance Office requesting graduation. The Compliance Office will issue the graduation certificate.			

Alourdes Brunot

Auditor's Signature

Comments:

No.	Reference	Topic	Requirements	In Compliance	Non Compliance	Comments
-----	-----------	-------	--------------	---------------	----------------	----------