

# **FDOT / FTBA**

## **D3 Compliance Meeting**

**June 8, 2021**

**Stefan Kulakowski CO EOO**  
**Hugh Kent CO Construction**  
**DCCM Beth Minchin**

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# **Contract Compliance**

## **EOO Updates & News**

# **EEO Contract Compliance**

**Authority: CFR 23 230 Subpart D**

**CFR 23 230.405 (4)(b)**

**State Responsibilities (1) The States as a contracting agencies, have a responsibility to assure compliance by contractors with requirements of Federal-aid construction contracts, including the equal opportunity requirements, and to assist in and cooperate with FHWA programs to assure equal opportunity.**

## **Cooperation with industry-FDOT/FTBA Collaboration Meetings**

- Partnering to have a better understanding of our roles, responsibilities, requirements, and processes.
- Creating an inclusive environment.
- Balance between Responsibility, Accountability, and Flexibility.



## Statewide District Compliance Manager Meetings

- We hold monthly meetings to review and discuss current issues, Team building, and planning for the future.



## **So what's new?**

- The EEO Contract Compliance Manual Review. Hopefully published by the end of the year.
- Peer exchanges with Texas, Florida, North Dakota, Iowa, & Kansas.
- Examining internal processes, OJT, Contract Compliance Reviews.
- Exploring and developing a Pilot for Risk Based Management rather than cumbersome Compliance Reviews.

## Frequently Asked Questions

- Check out our FAQ's on the EEO Website.
- <https://www.fdot.gov/equalopportunity/contractcompliancemanual.shtm>



# **Contract Compliance**

## **Office of Construction**



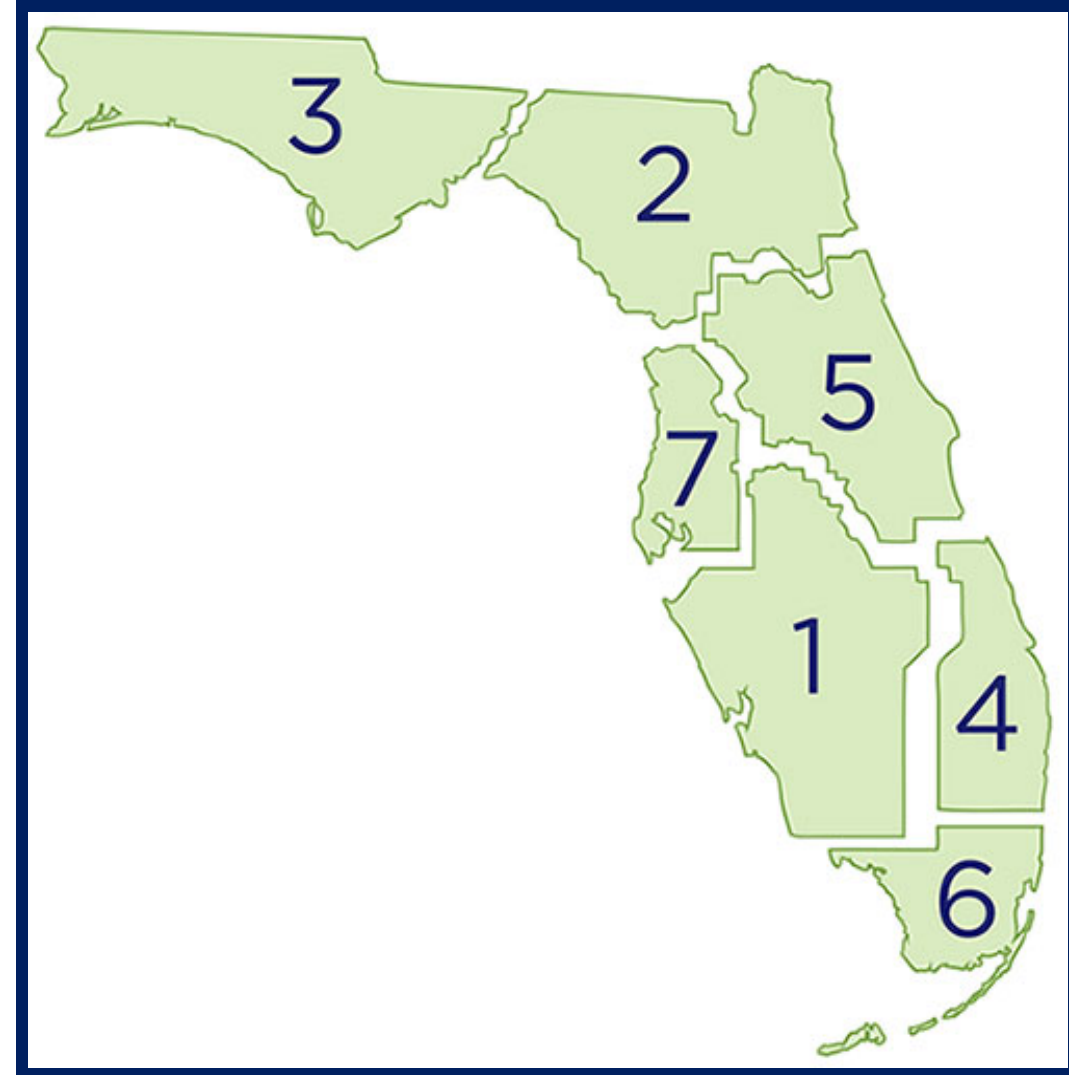
## **FDOT / FTBA Collaboration Successes**

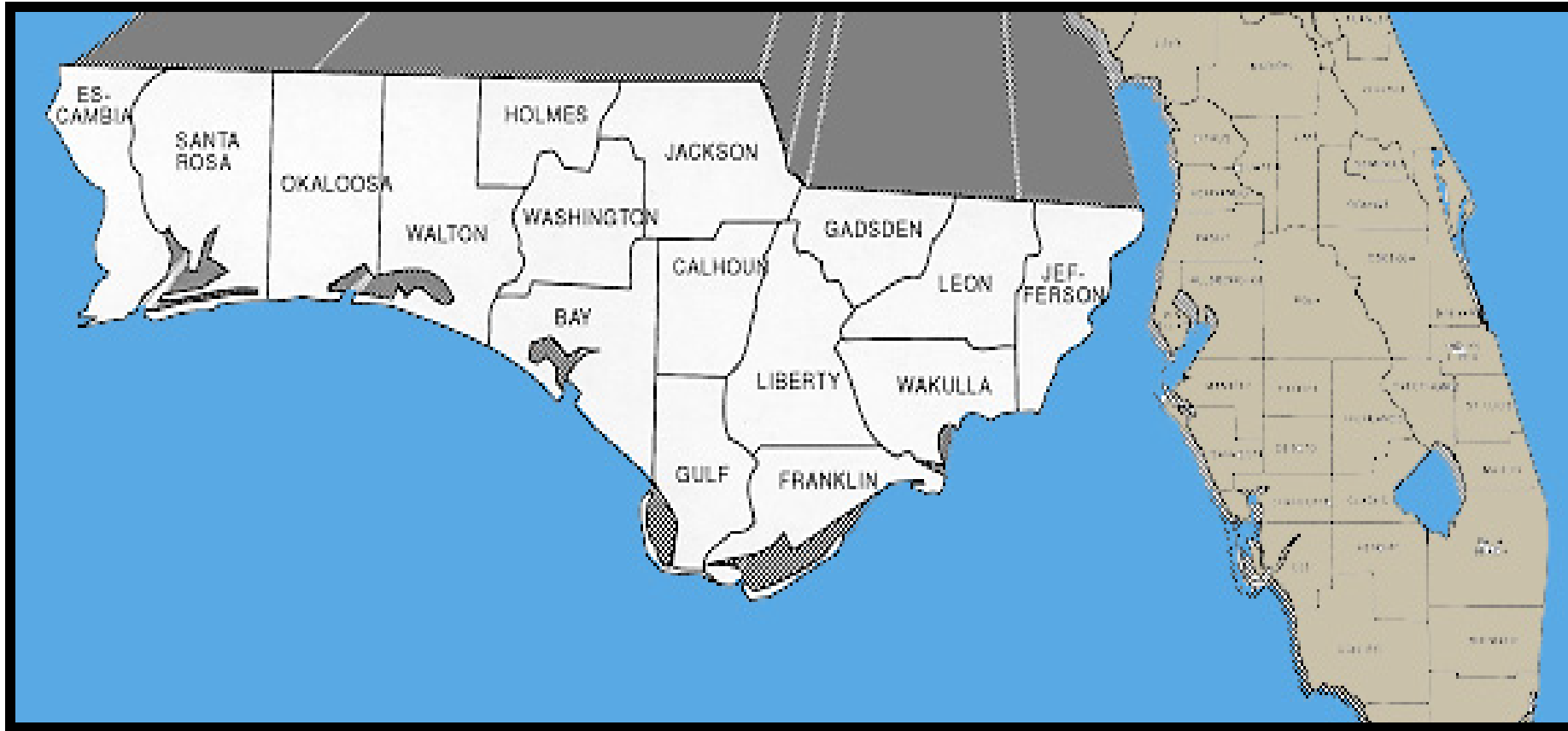
- Forms Review
  - Labor Interview 700-010-63
  - Wage and Hour Record Form 700-010-69
- Signing of documentation
- Escalation Matrix
- Transmittal of documentation
- Compliance Processes
  - Courtesy Call Vs. Payroll Violations

## **Under Review**

- CPAM
  - Chapter 5
- Construction Contract Compliance Manual
  - Chapter 6

# FDOT District Three





## Operations Centers:

Chipley

Midway

Ponce de Leon

Milton



## District 3 Construction

Renae Sanders, P.E.  
Assistant District  
Construction Engineer

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## **DISTRICT 3 Construction Contract Compliance**

### DISTRICT 3 Construction Contract Compliance

- Beth Minchin                      District Contract Compliance Manager
- Terri Steverson                      District Contract Compliance Specialist
- Amanda Sewell                      District Contract Compliance Specialist
- Briana Mitchell                      District Contract Compliance Support

## Local Agency Program Oversight

- Oversees the compliance on all Local Agencies Project that have been granted federal funds.
- The LAP RCS is assigned by the agency or the representing CEI.
- Coordinates with LAP Administrators to verify that their contracts have an assigned RCS who is trained in monitoring federally funded contracts.
- Conducts Construction Contract Compliance Reviews throughout the life of the project.
- Collection of all certified payrolls and associated records at project completion.
- Uploading certified payroll records into EDMS.
- Issuance of Final Completion Notification to Agency once all compliance is satisfied.





## EEO / AA COMPLIANCE:

- EEO
- DBE
- WAGES
- OJT



## **DISTRICT 3 ~ RCS Staff Contract Compliance**

**18 active RCSs -- 48 federally funded projects**

Kimberly Channell

Angie Byers

Rebecca Weeks

Kim Valle

Linda Clark

Missy Harvey

Amanda Hopkins

Sheila Winkler

Anna Leyva

Kristin Allard

Robbin Moody

Melissa McLeod

Sandee Launch

Crystal Creel

David Furrie

Rene' Hinton

Evan McAlister

Sabrina Covalt

## DISTRICT 3 ~ RCS Monitoring

- 48 federally funded projects = just over **\$1 billion** in contract award dollars
- 186 OJT trainees required on federal projects throughout the District (excluding voluntary)

# RCS Duties

- Preconstruction Meetings
- Monitor compliance with EEO
- Audit subcontracts for inclusion of FHWA 1273
- Monitor DBE commitments/payments; review CUFs
- Monitor the contractor's OJT Program
- Review Daily Work Reports and compare them to the Certified Payroll
- Review Certified Payrolls for the Prime Contractor and every Subcontractor who are active on the project
- ☐ Ensure at least minimum wage rate is paid to employees for work performed per wage rate decision
- ☐ Check deductions to ensure compliance with Copeland "Anti-Kickback" Act
- ☐ Ensure overtime pay of time and a half is paid appropriately
- ☐ Ensure employee classifications are accurate per wage rate decision

## RCS Duties

- Maintain the official compliance records for the project
- Provide technical assistance to contractors and subcontractors
- Notify the District of specific concerns or issues regarding contractors' compliance with FHWA 1273 and other federal authorities
- The RCS is your point of contact for all compliance questions and concerns





# SUCCESS

- Partnering
- Communication between all team members =

FDOT

Field Staff: CEI,  
RCS, Inspector,  
Contractor



## District 3 Specific Changes



**Process  
Improvement**



## D3 Improvements

Continual review of  
internal processes  
for thoroughness &  
efficiency

Flexibility







## D3 Improvements:

Courtesy calls vs Payroll Violations

3 ongoing OJT pilots in the District

- SR 390 – Bay – mobility across 3 contiguous projects
- SR 369 – Wakulla – 2 separate projects
- SR 77 – Bay



## D3 Improvements

Ending the required  
submittal of Daily-  
Weekly Reports  
for OJT







## D3 Improvements:

- Districtwide RCS Training
- Districtwide Contractor Training
- Districtwide Inspector Training

**GOAL: CONSISTENT  
COMMUNICATION**





## D3 Participation:

- CCM Revisions
- CUF Review
- Pilot – Risk Based Management approach to how contractors' processes are reviewed

## D3 Participation:

- FHWA Peer Exchange on OJT ~ TxDOT
- FHWA Peer Exchange on Compliance
- FHWA 1273 Workshop Development Team – September 2021







## D3 Goals:

- Provide Clear & Consistent Communication
- Promote Partnership
- Provide Courteous Service
- Continue to Improve Processes

## DISTRICT 3 Construction Contract Compliance

If you have any questions or need assistance, please contact us:

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