

FDOT / FTBA

D4 Compliance Meeting

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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, 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



District 4 Construction & Our Compliance Team

Each District has a **District Contract Compliance Office (DCCO)** which monitors compliance with FHWA 1273 and ensures it is implemented on all Federally funded projects

- District Contract Compliance Manager (DCCM)-
Sharon Singh Hagyan
- District Contract Compliance Specialists (DCCS)-
Ketsia Harrigan & Marielena Gombar
- Resident Compliance Specialists (RCS)

DCCM- Sharon Singh Hagyan



- District Contract Compliance Manager (DCCM) is responsible for the day-to-day administration of the contract compliance program
- Schedules, conducts, and prepares 8 Comprehensive Contract Compliance Reviews a year
- Monitoring DBE payments, commitments, and RCS assignments in EOC
- Title VI Coordinator
- Completes annual FHWA reports and special reporting
- Review Contractors Company-wide EEO Reports for reasonable representation of employees by race & sex; particularly females and minorities

District 4 represents 5 counties in Southeastern Florida

- Broward
- Palm Beach
- Martin
- St. Lucie
- Indian River



District 4 Management Team



Gerry O'Reilly, PE
District Four Secretary



Paul A. Lampley, P.E., MS
Director of Operations



Matt Carlock, P.E.
District Construction Engineer

We have 4 Operations Centers:

Broward Ops

Palm Beach Ops

Treasure Coast Ops

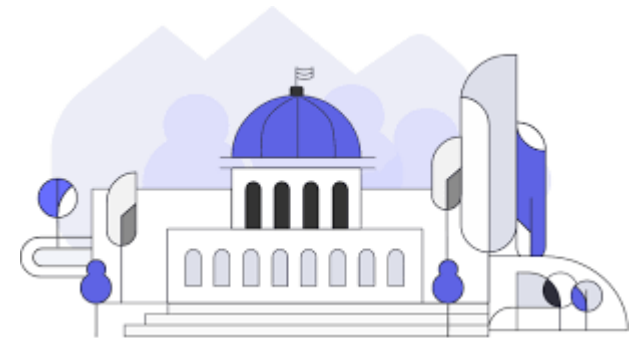
Materials & Research Office



Local Agency Program Information

Currently there are 23 municipalities in District 4

- Broward County
- City of Boca Raton
- City of Boynton Beach
- City of Deerfield Beach
- City of Delray Beach
- City of Fellsmere
- City of Greenacres
- City of Hollywood
- City of Lake Worth Beach
- City of Miramar
- City of Oakland Park
- City of Palm Beach Gardens
- City of Parkland
- City of Port St. Lucie
- City of West Palm Beach
- City of Wilton Manors
- Indian River County
- Martin County
- Palm Beach County
- St. Lucie County
- Town of Jupiter
- Village of Royal Palm Beach
- Village of Wellington



Broward Operations

- Currently Overseeing \$193 million in Contract Values
- 19 projects
- RCS staff: Winnie Wilson, Francis Pizzi,
Irma Raffucci, Leah Dupont



Palm Beach Operations

- Currently Overseeing \$500 million in Contract Values
- 15 projects, 11 LAP projects – worth \$352 million
- RCS staff: Surbhi Jain, Silvia Deshon, Susana Hernandez, Karen Campana, Leah Dupont
- 1 project - I95 – \$148 million Contract – (RCS) Angela Walker



Treasure Coast Operations, Martin & St. Lucie

- Currently Overseeing \$105 million in Contract Values
- 5 projects, 8 LAP projects
- RCS staff: Mary Ann Hataway, Colleen Kissane



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 DCCM
- 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

Federal Law states

- Companies serving as contractors on FDOT contracts are required to comply with FHWA 1273 “Required Contract Provisions Federal-Aid Construction Contracts.”
- This form consists of many laws and procedures relating to nondiscrimination, Equal Opportunities requirements, Affirmative Action Plans, On-The-Job Training, DBE and federal wage rate requirements.
- It also covers the Davis-Bacon and Related Act Provisions, compliance with the Copeland Act requirements, Contract Work Hours & Safety Standard acts, and rules on subletting the contract.

Federal Law also states

- FHWA 1273 states that a breach of any of the stipulations contained in the 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 (FDOT) and FHWA.
- We as compliance specialists, are responsible for ensuring that your organization complies with all federal, state, and local laws and regulations, so that you remain in good standings with the Department and continue to do business in Florida.
- D4's RCSs are skilled, knowledgeable, professionals and we are here to help guide your company down the road to success!

Florida's DBE Program

“Why should my company participate?”



Disadvantaged Business Enterprise (DBE)

- The current statewide goal for Florida is 10.65%
- FDOT has a race-neutral DBE Program, meaning the overall goal can be achieved through the normal competitive procurement process



DBE Program

The Department's Disadvantaged Business Enterprise (DBE) program helps small business owned and controlled by socially and economically disadvantaged individuals, including minorities and women, to participate in contracting opportunities created by USDOT financial assistance programs.

- Ensures non-discrimination in contracting
- Certifies businesses that meet the eligibility standards
- Develops firms to successfully compete
- Creates a level playing field



EOC and DBE Payments



- Payments to DBE that are entered into EOC are tracked to determine the DBE's participation percentage through out the life of the project
- If the contractor meets or exceeds the DBE availability goal 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

RCS (Resident Compliance Specialist)



Core Areas of Compliance monitored by the RCS

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



The RCS assigned to the project:

- Attends the Pre-Construction Meeting to discuss the Compliance Program
- Monitors compliance with EEO
- Performs Bulletin Board Inspections throughout the life of the project
- Oversees the DBE Program by monitoring DBE payments in EOC and making sure CUF's are performed
- Monitors the OJT schedules and the trainees on the project
- Reviews Certified Payrolls for the Prime Contractor and every Subcontractor who are active on the project, to ensure employees are being paid at least the minimum amount specified in the wage rate table, in accordance with the work they are performing and employee interviews.
- Checks deductions on payrolls to be sure there is no violation of the Copeland "Anti-Kickback" Act, ensuring overtime is paid at time and a half, and making sure Classifications used are on the wage rate decision

Maintaining communication with the RCS on the project is important.



The Project RCSs at District 4 are available to assist and partner with the contractor to ensure all areas of the Compliance Program are successful.