

FDOT / FTBA

D5 Compliance Meeting

June 22, 2021

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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

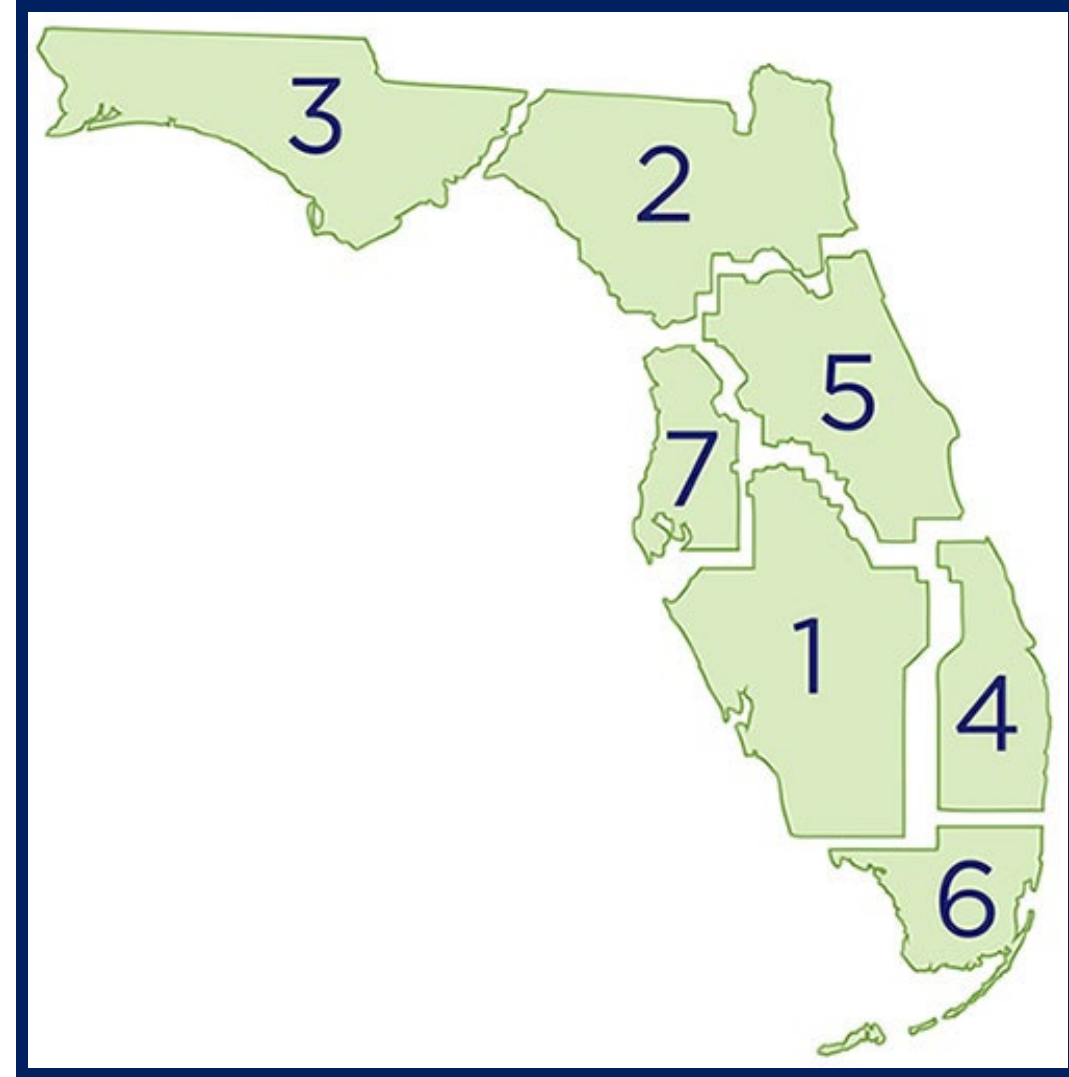
FDOT / FTBA Collaboration Successes

- 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

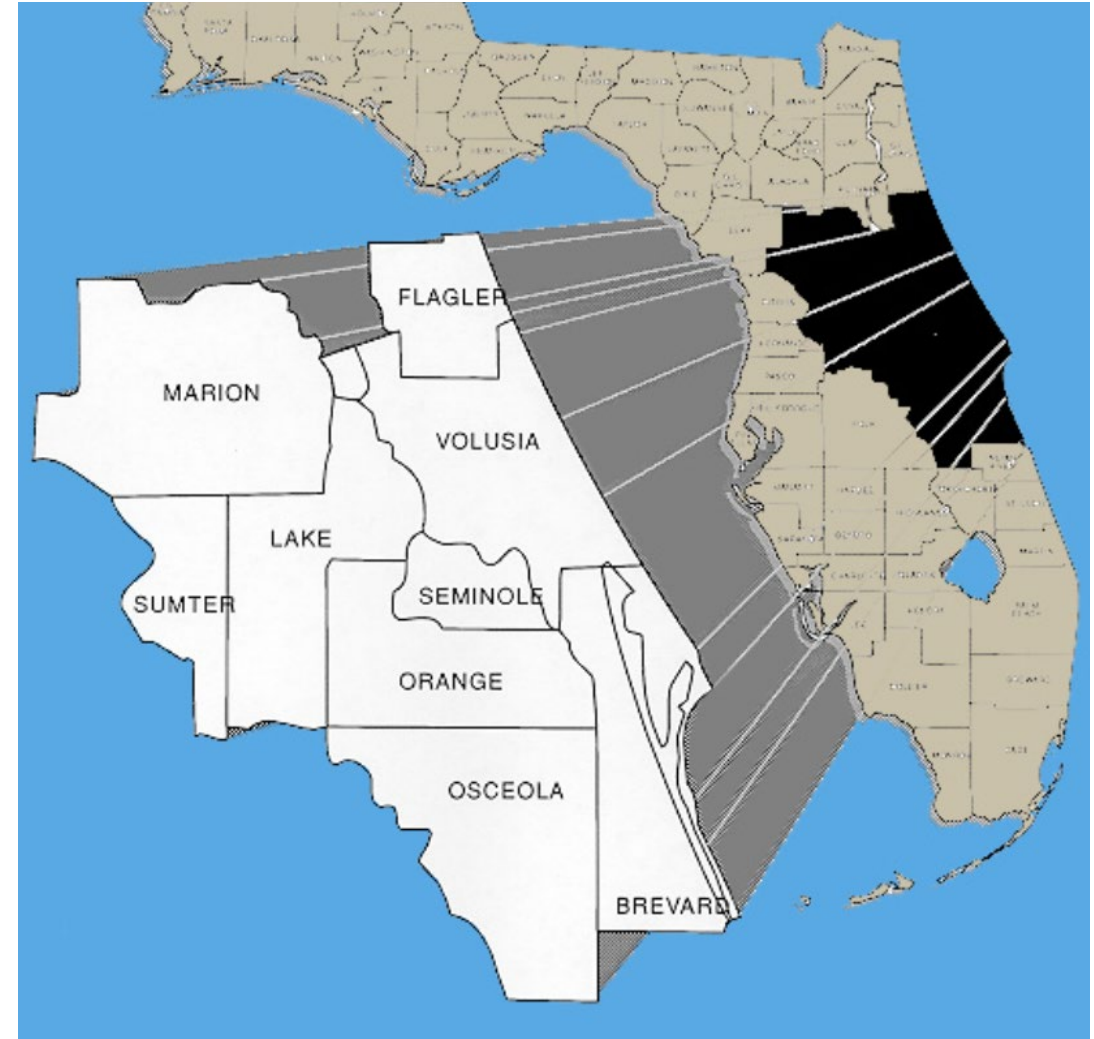
- CPAM
 - Chapter 5
- Construction Contract Compliance Manual
 - Chapter 6

FDOT District Five



DISTRICT 5: CENTRAL FLORIDA

- Major cities: Daytona Beach, DeLand, Melbourne, Merritt Island, Ocala, Orlando, and Titusville
- Counties: Brevard, Flagler, Lake, Marion, Orange, Osceola, Seminole, Sumter, and Volusia
- Operations Centers: Brevard, DeLand, Leesburg, Orlando, Ocala, and Oviedo





District 5 Construction

John Hatfield

District Construction Engineer

John.Hatfield@dot.state.fl.us

Jennifer Smith

Construction Services Manager

Jennifer.Smith2@dot.state.fl.us

DISTRICT 5 Construction Contract Compliance

- **Cindy Wolcott** District Construction Compliance Manager
- **Ligia Elena Benoit** District Construction Compliance Specialist,
LAP Oversight
- **Diana Turner** District Construction Compliance Specialist,
DBE Specialist

DISTRICT 5 RCS Staff Contract Compliance

21 Active RCSs covering 59 federally funded projects

Teresa Andrecheck
Dana Capers
Terri Destoppelaire
Marie Gregory
Anna Leyva
Verna Mitchell
Angela Spahn

Rosemarie Artura
Sabrina Covalt
David Furrie
Amanda Harbinson
Deborah Marchese
Amanda Reardon
Diana Turner

Ligia Elena Benoit
Debbie Cruz
Geisy Garcia
Tracy Hurd
Kelley Melinn
Alicia Richardson
Deborah White

DISTRICT 5 RCS Monitoring

- 59 federally funded projects totaling more than \$1 billion in contract award dollars in addition to the I-4 Ultimate project totaling \$2.3 billion
- Local Agency Program
 - 9 Local Agencies with 18 active projects
 - Contract values totaling more than \$66 million
- 160 OJT trainees required on active federal projects throughout the District



EEO/AA Compliance

- Equal Employment Opportunity (EEO)
- Disadvantaged Business Enterprises (DBE)
- Wages
- On-The-Job Training (OJT)

DISTRICT 5 RCS Duties

- Preconstruction Meetings
- Monitor compliance with EEO
- Audit subcontracts for inclusion of FHWA 1273
- Monitor DBE commitments/payments; review Commercially Useful Functions (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

DISTRICT 5 RCS Duties

- Ensure overtime pay of time and a half is paid appropriately
- Ensure employee classifications are accurate per wage rate decision
- 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



Florida's Disadvantaged Business Enterprise Program

The Department's Disadvantaged Business Enterprise (DBE) program has been in effect for over 20 years. The primary goal and objective of the DBE program is to level the playing field by providing small businesses owned and controlled by socially and economically disadvantaged individuals, including minorities and women, a fair opportunity to compete for transportation contracts.

The overall **goal** for federal fiscal years **2021** -2023 has been set at **10.65%** for FHWA assisted contracts.



Diana Turner, District 5 DBE Specialist

Diana.Turner@dot.state.fl.us

386-943-5414

Ways FDOT can assist Contractors achieve their goal:

- Supply lists of certified DBEs in particular scopes of work
- Assist with the Certification of new DBEs
- Assist with creative ideas for using DBEs
 - Janitorial services, office supplies, landscaping, safety equipment

Ways Contractors can achieve their goal:

- Solicit and hire DBEs
- Enter Commitments and monthly payments into EOC
- Reach out to Diana Turner, FDOT DBE Specialist for assistance



Our current DBE Anticipated Participation for 10/1/2020-6/22/2021 for Construction/Maintenance:

- **Federal Funded Dollars 14.45%**
- **State Funded Dollars 5.08%**

If the contractor achieves or exceeds the DBE availability percentage shown in the bid proposal, they will gain an extra 4 bonus points on their CPPR

Florida's On-The-Job Training Program

The Primary Objective is to **train and upgrade minorities, women, and disadvantaged persons** toward journey level status to ensure there is a **competent work force available to meet highway construction needs**, and to address the historical under-representation of these groups in skilled crafts.

District 5 Innovative Solutions/Improvements

- OJT Pilot Program
 - Flexibility with transfers
 - Asphalt, concrete, and survey crews move from job to job
 - Too short a period on the job
 - No transfer paperwork required



Reach out to your RCS with your OJT needs

DISTRICT 5 Training

- Districtwide Training:
 - RCS Training – CUFs, Equal Opportunity Compliance System, July Reports, Payrolls
 - Contractor Training – Equal Opportunity Compliance System, Job Site Bulletin Board, Payrolls
 - Local Agency Training – Classification Request Manager, Equal Opportunity Compliance System
 - Inspector Training – 5 part series: Job Site Bulletin Board, Labor Interviews, CUFs, Trucker Observations, OJT

GOAL: CONSISTENT COMMUNICATION

What training would be helpful to you?

To be **SUCCESSFUL**

- Partnering
- Communication between all **team** members:

FDOT

RCS

CEI

Inspector

Contractor



D5 Initiatives:

- Continuously reviewing our internal processes for thoroughness & efficiency
- Looking for ways to increase flexibility





- Providing courtesy calls vs payroll violations
- Continuously conducting trainings for Contractors, Inspectors, Local Agencies and RCSs for consistency



D5 Participation:

- Construction Compliance Manual Revision Team
- DBE Monitoring Team-Revising CUF Form and Review Process
- Implementation of OJT Pilot Program

D5 Participation:

- FHWA On-the-Job Training Peer Exchange with TxDOT
- FHWA Multi-state Peer Exchange on Compliance
- FHWA 1273 Workshop Development Team – September 2021





D5 Goals:

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

At District 5 our major focus is to resolve issues at the project level

Project Team (RCS, PA)



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graph TD; A[Project Team (RCS, PA)] --> B[Cindy Wolcott, Dist Construction Compliance Mgr  
Cindy.Wolcott@dot.state.fl.us/386-943-5369]; B --> C[Jennifer Smith, Construction Services Manager  
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John.Hatfield@dot.state.fl.us/386-943-5344];
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