



Florida Department of Transportation

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April 7, 2009

This Memo Has Expired

DCE MEMORANDUM 06-09
(FHWA Approved: April 6, 2009)

TO: DISTRICT CONSTRUCTION ENGINEERS

FROM: David A. Sadler, Director, Office of Construction 

COPIES: Bob Burleson, Chris Richter (FHWA), Paul Steinman

SUBJECT: CHANGE IN FEDERAL LAW REGARDING SUBMISSION OF CERTIFIED PAYROLLS

On December 19, 2008, the Federal Register announced a change to the reporting requirements under the Davis-Bacon and Copeland Acts. This change specified that certified payrolls submitted in conjunction with Federal-aid projects shall not include full social security numbers and addresses of the employees included on the report. This change only applies to contracts let after January 18, 2009.

Under the Department's contracts, the payroll reporting requirements for Federal-aid jobs is invoked through Special Provision 7-1.1. This Special Provision mandates compliance with the FHWA-1273, a compendium of Federal contract requirements. The FHWA-1273 has not yet been changed, and the requirements included in Section V, 2) b) of that document indicate that full social security numbers are to be reported.

To achieve compliance with the revised regulations contained in 29 CFR 3.5, all contracts **let on or after January 18, 2009** should be amended through supplemental agreement to specify that full social security numbers and addresses are not to be reported on certified payrolls. A unique identifying number is to be used to associate each employee to their full information, which the employer must continue to maintain. The last four digits of the social security number may be used for this purpose, or an employer internal number may be used. Contracts let prior to January 18, 2009 are not affected and certified payrolls for those contracts are required to include full social security numbers and addresses.

This memorandum serves as blanket approval to process this \$0.00 change and should be attached to the Work Order or Supplemental Agreement.

Any questions regarding this matter should be directed to Kim Smith, Prevailing Wage Rate Coordinator at (850) 414-4492.

DS/sw