

FDOT EEO CONSTRUCTION CONTRACT COMPLIANCE WORKBOOK
JANUARY 2009 EDITION-SUMMARY OF CHANGES

chapter/ Section	PAGE	CHANGE SUMMARY
All		Page Headers state January 2009
		Workbook Cover Page Updated to indicate "2009 Edition"
1		General Information
1.1	1.1.2	Role of OFCCP clarified
	1.1.3- 1.1.4	1.1.6-Non-discrimination Assurance required by FHWA is specified and shown in new Attachment 1.1.6
	1.2.5	Commercially Useful function added to glossary
1.3	1.3.1	Removed payments to non DBE subcontractors
	1.3.4	Bi-Plus contact data replaced with FDOT Computer Service Desk
1.4		Bi-Plus removed from list and FDOT Service Desk Added
1.6	all	'delinquency' removed in all non compliance references
	all	Name of first level letter changed from Notice of Delinquency for Non Compliance to Notice of Non Compliance
	1.6.1	Section 1.6.2 section expanded to include consideration of good faith efforts and their characteristics
	1.6.1	Information on consideration of good faith efforts is added
	1.6.5	Table 1.6.5.3 updated for 2009 Estimate dates
	1.6.4	Table 1.6.5.2 "Distribute to Address by:" updated for email delivery with electronic receipt
	1.6.7 1.6.8 1.6.9	Attachments 1.6.1, 1.6.2 and 1.6.6 modified to indicate " <i>Resolution for items not related to payroll may be accomplished through direct input into the FDOT EOR System or by mailing / faxing a copy of the completed document(s)</i> "
	1.6.2	1.6.5 – added "non compliance letters may be sent via e-mail"
	1.6.8- 1.6.9	Attachments 1.6.2 and 1.6.3 added or "Delivery via Email with Electronic Return Receipt"
1.7	1.7.7	Table 1.7.6.1 "Actual payments To DBE's : removed reference to "end of contract data entry". Remove reference to reporting payments to "other subcontractors"
2		DBE
	2.i-ii	Table of contents updated to include new Sub-Topics
2.1	2.1.2	Redundant "federal regulations" removed
2.2	2.2.1	Information on DBE directory is included in a separate sub topic.
2.3	2.3.2- 2.3.3	DBE Policy and Plan information is grouped together as In the sample document. New subtopics for "Submission, Expiration & Renewal" and "Review and Compliance";,
	2.3.5	New sub-topic 2.3.5, "Review and Compliance with DBE AA Plan"
2.4	2.4.1	Bid Opportunity form number specified for Bid Opportunity List: web address for form removed

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2.5	2.5.1	New Section ADBEPS- Initial Submission & Revision
		Data regarding Commercially useful function, DBE Trucking, Materials and suppliers is moved to Section 2.7, Monitoring.
	2.5.1	Section re-named to Commercially Useful Function (previous content moved to new sub-topic 2.3.5
		Section 2.5.2 Clarification that the ADBEPS must be submitted at the Preconstruction conference
	2.5.2	New sub-topic "Counting a DBE's participation added and basic CUF data included in new Table 2.5.1
	2.5.2	New Sub-topic Newly Certified, graduated & de-Certified DBE's
2.6		<i>Problem:</i> section 2.6 has incorrect footer reads 2.5.3 should be 2.6.1
	2.6.1	New Sub topics for Payment Reporting & EOR System Access.
	2.6.3	Bi-Plus removed and replaced with FDOT Computer Service Desk
2.7		Section expanded to include CUF data previously in 2.5. Directions for form not included in Workbook as this is an RCS form.
	2.7.1- 2.7.3	Previous Information broken into Sub-Topics, "Commercially Useful Function, DBE truckers, Materials and supplies"
2.8	2.8.1	The annual DBE goal is removed and reference is replaced with directions for finding the goal of the EO website.
	2.9.2	Provider's name is replaced with 'see website for contact information'
3		Company EEO
3.4	3.4.2	Changed to: <i>"FDOT's Race and Job Category codes will remain unchanged pending any related announcement by FHWA"</i>
	3.4.5- 3.4.8	More Classifications have been added: Equipment Operators: Excavator, Gradall, Power Broom, Skid Steer, Crew Boat operator; Mechanics: Fuel & Lube specialist; Semi Skilled: Sound Wall Erector.
	3.4.4	Form number for Project EEO Report corrected
3.5		Additional clarification added that the EEO/AA policy should not be sent to the EO office (See 3.2.3 and 3.2.5 and 3.2.5.

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4		Project EEO
	4.2.2	Contractors are encouraged to display, where feasible, non English versions of the posters
	4.3.2	Project EEO Report: Box 7 changed to "contract number" and Box 8 "pay period ending date:
5		On the Job Training
5.1	5.1.1	Section 5.1.1 Purpose is expanded to explain the linkage between 23 USC 140(a) 23 CFR part 230, FDOT Standard Specification 7-26 and Workbook Chapter 5
		The purpose of the FDOT OJT program is restated: movement of women, minorities, and disadvantaged persons into journey level positions.
		Sect 5.1.2 Estimated vs. awarded contract is explained.
		New Title for Table 5.1.2 "Maximum Number of Required Trainees Based on Estimated Contract Amount". Table has been updated based on Producer Price Index changes from July 2003 to July 2008
	5.1.3	Table 5.1.3, Approved Training Classifications: Removed: Air Compressor Operator; Added Sound Wall Erector; Stone Aggregate Spreader (title corrected)
	5.1.6	Hiring the trainee as a journeyman is emphasized
	5.1.7	Where Feasible 25% should be in 1 st Year is clarified as to purpose
5.2	5.2.1	Section 5.2.2 the DCCM or designee Schedules & attends the Training Evaluation Meeting.
		Table 5.2.3 Training Evaluation meeting "Workbook Ch 5" replaces "OJT Special Provisions"; added "Contract award amount, OJT Contract Money, scope and schedule of work"
		Sect 5.2.4 Rewritten. Calculation of "Estimate Contract Amount", monies typically excluded from training, etc. Related to table 5.1.2
	5.2.2	Added: "Company Wide EEO reports for subcontractors who will enroll trainees"
	5.2.3	Agenda For Training Evaluation Meeting: topics updated & added: "Chapter 5, Required Number of Trainees, Workforce diversity"
	5.2.2- 5.2.3	Section 5.2.4 "Setting the number of Required Trainees" is divided into 3 sections. <ul style="list-style-type: none"> a. Analyzing Contract Amount to Set Trainee Requirements b. Analyzing the Scope and Schedule of Work c. Determining Level at which Banking Begins
	5.2.5	Meeting outcomes: added required number of trainees and level at which banking begins
5.3	5.3.2	Added: "Accurate titles to be used on OJT Schedule"
5.4	5.4.3	Section 5.4.3 Trainee Enrollment Criteria expanded to include "Affirmative Action, Economic Disadvantages and Trainee Work and Training History"
5.7	5.7.2	New section added: Payroll Reporting on Voluntary OJT Projects: subsequent sections renumbers
	5.7.2	Added: voluntary banking may be pursued if RCS is available
	5.7.4	A prime working as a sub may redeem their banking certificates for another prime

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6		Wages & Payroll
	6-ii	Table of contents updated for 3 new section 6.5.10 Trucker Owner Operators 6.6.11 Certified payrolls for Warranty Work 6.5.13 Contractor & subcontractor Retention of Payroll Records
6.1	6-1-2	'Scope" current Fair Labor Standards Act minimum wage cited. Reference to Special Provisions removed.
	Table 6.1.3.1	New Federal & florida minimum rates shown
	6.1.4	Three year retention for payrolls
6.2	6.2.3	Contractor may be required to submit calculations for fringes if required on wage table
6.3	6.3.2	Email submission of Additional Classification request is allowed & preferred. Contractors may recreate the form but it but must contain all required data fields
	6.3.4	Revision to Directions for Additional Classification Request form
	6.3.4	Removed Directions for completing EEO/Labor Interview form (700-010-63)
6.5	6.5.2	Race names and abbreviations are restored to those used in previous years
	6.5.3	Authorization required for 'personal' use of cell phones or co. vehicles
	6-5-4	Address in Table corrected
	6-5-6	Information is added describing how a contractor can communicate minor classification word differences between the payroll and WD
	6.5.9	Availability of USDOL Fact sheet #13 on USDOL website is emphasized (address is in section 1.4).Moved Owner Operator to a separate section Tests for independent contractor status is included. Required affidavit is specified.
	6.5.10	New section on 'Trucker Owner-Operators' and new Trucker Interview form
	6.5.11	New Section Certified Payrolls for Warranty Work
	6.5.13	Contractor & subcontractor Retention of Payroll Records
6.6	6.6.3	Information added regarding underpayments; who to make checks payable & where to mail
	6.6.3	Corrections required within 20 Calendar days

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7		Forms
7.2		New: Form 275-021-18 Commercially Useful Function (CUF) Monitoring Report
		Revised: Important Poster –new contact info
		Revised: Notice Poster- new contact info
		Revised: 275-010-12 Project EEO Report: Box 7 changed to “contract number” and Box 8 “pay period ending date.”
		Revised: EEO Is the Law poster (content)
		Revised: OSHA poster (content & bi-lingual version)
7.5	7.5.1	Revised: Trainee Interview form 275-021-02 (questions regarding proficiencies)
7.5	7.5.2	Deleted: Form 275-020-36 Air Compressor Operator Monthly Time Report- removed from forms library
		Added: Sweeper MTR (275-xxx-xx) and added Sound wall Erector (275-xx-xx)
7.6		New: Form 700-xxx-xx Trucker Interview Form