



2024 OBOEC Compliance Contractor Training



Laurie Dolsen and Malonda Heinkel
Compliance Specialist Sr/Western Team Lead &
Compliance Specialist Sr
Northwest & Northcentral



Welcome

- Virtual Housekeeping (TEAMS)
 - Please mute your microphone
 - Place questions in the chat
- Break and Lunch
- Civil Rights Compliance System (CRCS) training this afternoon (1:00pm to 3:00pm)
- Q&A: [Compliance Training Q&A \(wisconsindot.gov\)](https://www.wisconsindot.gov)
- Evaluation



Hyperlinks

- There are hyperlinks embedded into this PowerPoint presentation that can be used to access online resources or document links.
- Hyperlinks are **blue** and will be underlined.
- All hyperlinks in this presentation are compiled on a resource document alphabetically for your quick reference.

<https://wisdot.box.com/s/xjowcqedn0sfkb0bk5tc38neg5llecap>



Introductions Using Chat Feature in TEAMS

- Name
- Company
- Role
- Experience



Compliance Specialists

Western Team

Rev. 20231218

Lead - Laurie Dolsen (715) 392-7977 (NW)
Malonda Heinkel (608) 266-0459 (NC)
Chad Gunderson (608) 246-5631
Susan Hagan (608) 246-3868 (SW)
Stephanie LaSage (262) 548-5675 (SW)

Eastern Team

Lead - Jason Johnson (920) 492-5728 (NE)
Xavier Correa-Sosa (262) 521-5347 (SE)
Margaret Powers (262) 521-5337 (SE)
Laurie Nelson (262) 548-5938 (SE)

Compliance Investigations (Statewide)

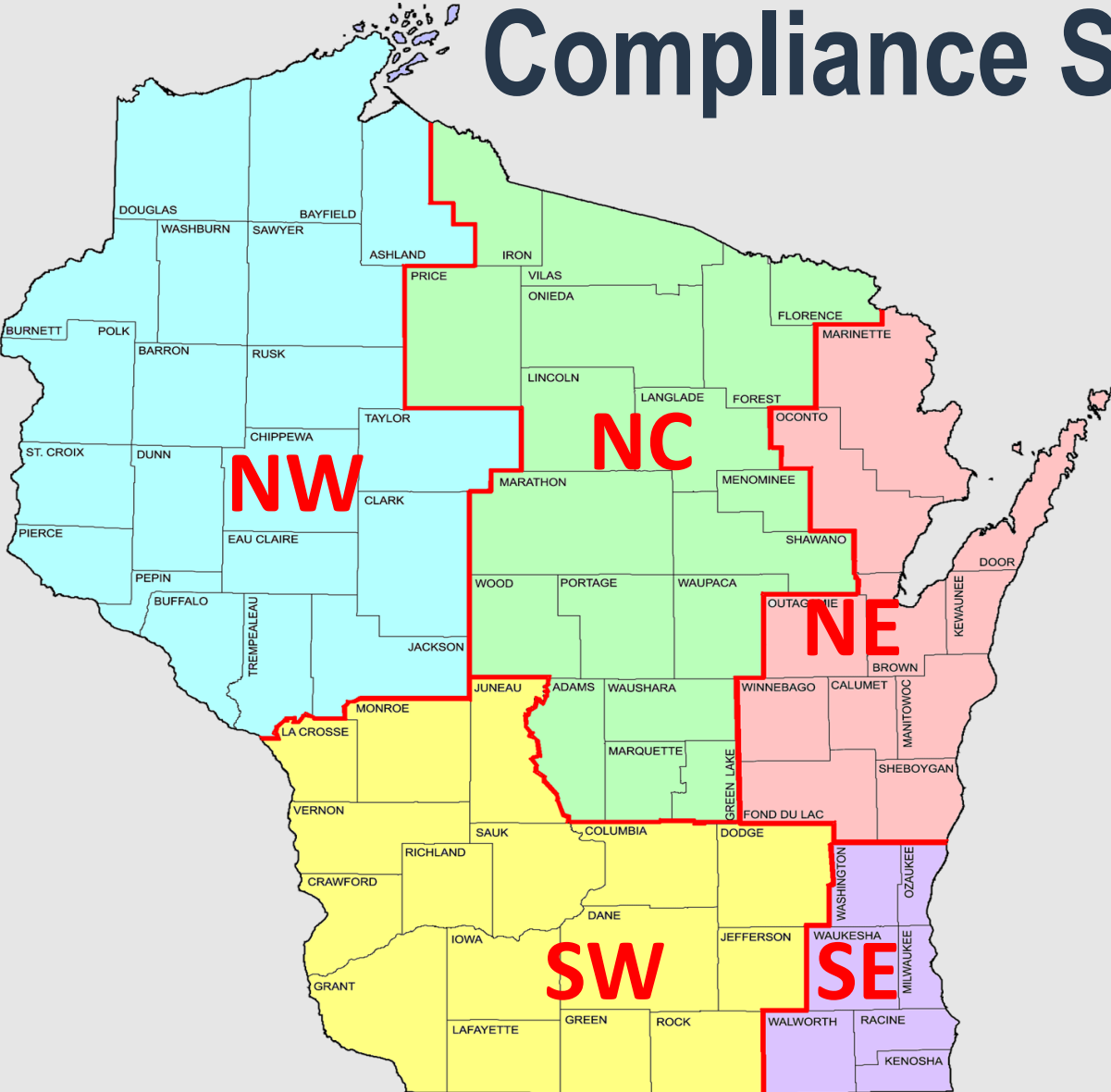
Lead - Kyle Carver (262) 548-5634
Stephanie LaSage (262) 548-5675

Compliance Analysts (Statewide)

Teresa Rademacher (920) 492-5657
Cua Xiong (Cece) (608) 246-3875

Aeronautics (Statewide)

Shannon Clary (608) 264-7607
Crystal Wilson (608) 264-8700
Jesse Friend (608) 266-9927



<https://wisconsindot.gov/Pages/doing-bus/civil-rights/labornwage/contacts.aspx>



Disclaimer

- The information provided is guidance only and **is not** intended as legal advice.



Agenda

- Trucking
- WisDOT Projects
- Federally Funded Projects
- Davis-Bacon Federal Wage Determinations
- Contract Additional Special Provisions (ASP's)
- Federal Law Overtime
- Fringe Benefits
- Deductions
- Paying Correctly
- Apprentices
- Job Site Posting Board
- Roles & Responsibilities
- Compliance Investigations
- Questions



Trucking on Contracts with Federal Funding

<https://wisconsindot.gov/Documents/doing-bus/civil-rights/labornwage/trucking-guidelines-after-11142017.pdf>



Common Trucking Issues

- **Issues** that create the greatest number of payroll problems include:
 - ▶ Record keeping - incomplete or lack of records regarding hauls, the material being hauled, employee work hours, de minimis tracking and project information.
 - ▶ Misinterpreting or not following [WisDOT trucking guidelines](#).
 - ▶ Unsure if a site is considered dedicated
 - ▶ Unclear communication with contractors and staff



Common Trucking Issues (continued)

- ▶ Not providing contract requirements to subcontractors at all tiers – FHWA 1273 and prevailing wage rates.
- ▶ Owner Operators reported as employees on another company's certified payroll.
- ▶ Employees misclassified as Independent Contractor/Owner Operator.
- ▶ Not assigning trucking firms as subcontractors in CRCS.
- ▶ Not submitting certified payrolls within 7 days.



Trucking Recommendations

- Inform subs when a haul requires prevailing wage and make sure subs have the correct wage rates.
- Establish good record keeping:
 - Have a way to track trucks, trucking tickets, hours, materials, source of material, destination, etc.
- Verify payrolls are submitted by your subs prior to issuing progress payments.
- Refer to the [trucking guidelines](#) – if you have a question ask the regional Compliance Specialist.



Trucking Recommendations (continued)

- View de minimis through the lens of both a day OR a week.
- If unsure, have a conversation with your hiring contractor, the prime contractor, or WisDOT staff to determine if a site is dedicated.
- Never hesitate to ask questions.
 - It is always easier for all parties to avoid an issue, rather than having to fix one.





October 2023

TRUCK TALK

NEWSLETTER



In this issue:

- Schedule of Owned and/or Leased Trucks Submission
- DBE Roundtable 3.0
- 2023 Marketplace Conference

Attention Trucking Companies: Are you interested in being highlighted in our next issue? Contact paul.ndon@dot.wi.gov

2024 Schedule of Owned and/or Leased Trucks Submission

WisDOT's Office of Business Opportunity and Equity Compliance (OBOEC) is accepting updates to your firm's Schedule of Owned and/Leased Vehicles as requirement for all Trucking entities. Complete and submit a "schedule update form" (see link below). This will be considered a condition of assignment to FFY 2024 WisDOT Construction Contracts.



Trucking and prevailing wage

[Civil rights and compliance](#)

[Labor and wage compliance](#)

[Prevailing wage compliance](#)

[Payroll submission \(CRCS\) compliance](#)

[Equal Employment Opportunity](#)

[HCST](#)

[HCST provider service areas](#)

[Trucking](#)

[Calendar](#)

[Contacts](#)

TRUCK TALK

The TRUCK TALK newsletter provides information regarding trucking on WisDOT highway construction projects. WisDOT will share updates on the Trucking Industry, it's facilitation, and any applicable information on new data, reports, and studies.

Submit questions, suggestions, comments and potential newsletter articles to:

Teresa.Rademacher@dot.wi.gov or Paul.Ndon@dot.wi.gov

- **New** [Truck Talk - Fall 2023](#)
- [Truck Talk - 07/2023](#)
- [Truck Talk - 01/2023](#)
- [Truck Talk - 07/2022](#)
- [Truck Talk - 01/2022](#)
- [Truck Talk - 10/2021](#)
- [Truck Talk - 07/2021](#)
- [Truck Talk - 11/2020](#)
- [Truck Talk - 08/2020](#)
- [Truck Talk - 05/2020](#)
- [Truck Talk - 04/2020](#)
- [Truck Talk - 02/2020](#)
- [Truck Talk - 01/2020](#)
- [Truck Talk - 12/2019](#)

Trucking Safety and Regulatory Requirements workshop

Presented at the 2022 DBE Annual Workshop and Networking Summit. Wisconsin State Patrol Lt. William Berger presents information related to state and federal regulations that apply to the trucking industry. The topic areas include regulations related to size, weight and load, Class B highways, posted roads, intrastate hours of service rules, Commercial Driver's License applicability, medical certification and tiers of operation, load securement and operating authority.

<https://wisconsindot.gov/Pages/doing-bus/civil-rights/labornwage/trckng.aspx>



Trucking

Prevailing Wages Are Required

Hauls from a Dedicated AND Virtually Adjacent Source (round trip).

Time spent hauling materials and supplies from one location on the site of work to another location on the site of work .

Drivers employed by primes and subcontractors who haul materials and supplies to and from the site work if such time on site exceeds de minimis for an entire day **OR** workweek.

Excavated material or spoil hauled to a site indicated in contract (round trip).

Prevailing Wages Are Not Required

Hauls from a Non-dedicated source if such time is less than de minimis for an entire day **OR** workweek.

Delivery of supply items such as sand, gravel, and ready-mixed concrete by bona fide material suppliers.

Drivers employed by primes and subcontractors who haul materials and supplies to and from the site of work if such time on site is less than de minimis for an entire day **OR** workweek.

Excavated material or spoil hauled off site of work if time spent on site is less than de minimis for an entire day **OR** workweek.

Wisconsin Department of Transportation (WisDOT) Projects



Let Dates

2024 bid lettings information by date

January 09 (December 5, 2023)	February 13 (January 09, 2024)	March 12 (February 6)	April 09 (March 5)
May 14 (April 9)	June 11 (May 7)	July 09 (June 4)	August 13 (July 9)
September 10 (August 6)	October 08 (September 3)	November 12 (October 8)	December 10 (November 5)

<https://wisconsin.gov/Pages/doing-business/contractors/hcci/bid-let-2024.aspx>



Two Types of WisDOT Projects Based on Funding

- **Federally funded** are projects with any federal funding.
- **State funded** are projects with only state funding.



Projects with Federal Funding



Highway Work Proposal

Federal ID Example: WISC 2022160

HIGHWAY WORK PROPOSAL

Wisconsin Department of Transportation
DT1502 01/2020 s.66.0901(7) Wis. Stats

Proposal Number: **005**

COUNTY

Iowa

STATE PROJECT

5034-00-72

FEDERAL

WISC 2022160

PROJECT DESCRIPTION

Blanchardville - Dane County Line; Sth
78 To Sth 39

HIGHWAY

CTH F



Civil Rights Compliance System

Federal ID Example: WISC 2020078

Project	Payment	Fringe Benefits	Report	TRANS Grad	Apprentice	UCP
Project Details		Project Details				
Edit Project Details		Project Information				
Sublet Approval		Project Name: IH 039, Stevens Point - Wausau; N 2nd St To CTH X				
DBE Commitment Report		Contract ID: 20200310021				
View Rate Sets		Project ID: 1166-00-79				
		Federal Contract Number: WISC 2020078				
		Available for FHWA: Yes				
		Project Description: IH 039, Stevens Point - Wausau; N 2nd St To CTH X				
		Advertising Date: 2/4/2020				
		Bid Opening Date: 3/10/2020				
		Award Date: 3/13/2020				
		Project Start Date: 3/10/2020				
		Estimated Project End Date: 7/17/2020				
		Final Payment Date:				
		Project Archived Date: 10/28/2021				
		Project Cost (\$): \$8,104,296.73				
		Federal Contract Percentage: 89.9%				
		Federal Governing Agency: FHWA				
		Lock Rates: No				
		Prime Contractor: American Asphalt of Wisconsin				
		Local Information				
		Address: Stephanie Jaecks				
		City: (715) 365-5732				
		State: WI				
		Zip: 54501				
		County: Portage				
		Cross County? No				



State Funded (no federal funding)



Highway Work Proposal

Federal ID N/A

HIGHWAY WORK PROPOSAL

Wisconsin Department of Transportation
DT1502 01/2020 s.66.0901(7) Wis. Stats

Proposal Number: **002**

<u>COUNTY</u>	<u>STATE PROJECT</u>	<u>FEDERAL</u>	<u>PROJECT DESCRIPTION</u>	<u>HIGHWAY</u>
Juneau	1016-05-70	N/A	Tomah - Mauston; Sth 82 Interchng/B29-36,152-155,157	IH 090



Civil Rights Compliance System

Name of project begins with SF



SF, USH 051, Minocqua - Manitowish; Trout River, Culvert Replacement
Project ID: 1170-20-61

Only DBE Incomplete Submitted Rejected Accepted Non-Performance

CPR Log

▶ SHEET PILING SERVICES LLC

Prefix	Prefix Meaning
LP	Local Program
NAHP	Native American Hiring Provision
SF	State Funded
WS	Workshare



Federally Funded Projects



The Davis-Bacon Act

United States Department of Labor (USDOL)

- Applies to contractors and subcontractors performing work on federally funded or assisted contracts in excess of \$2,000.
- October 23rd, 2023 key updates to Davis-Bacon (Final Rule)
 - Prevailing Wages, Wage Determinations, Definitions, Compliance Principles and Enforcement
 - **Effective on projects LET on or after November 2023**



2023 Davis-Bacon Act Updates (Final Rule)

- Transportation: The final rule articulates the circumstances under which transportation (e.g., of materials) by employees of contractors or subcontractors is covered, namely:
 - 1. Transportation entirely within the site of the work (i.e., from one location on the worksite to another),
 - 2. Transportation of a “significant portion” of a public work between a secondary construction site and a primary construction site (see above),
 - 3. Transportation between an adjacent or virtually adjacent dedicated support site (e.g., project-dedicated batch plants or borrow pits located next to the worksite) and the primary or secondary worksite, and



2023 Davis-Bacon Act Updates (Final Rule)

- De minimis
 - Onsite activities essential or incidental to offsite transportation (e.g., pickup, dropoff, loading and waiting time) where such time is not de minimis. The total amount of time a driver spends on the site of the work during a typical day or workweek—not just the amount of time that each individual delivery or removal takes—is relevant to a determination of whether the driver’s onsite time is de minimis.
 - Example: A driver is performing non-prevailing wage hauls offsite from Monday through Friday. Each day the driver spends 1 hour of time on site picking up/dumping material. That driver would be paid 5 hours of prevailing wage, since his time on site was more than de minimis (a few minutes).



2023 Davis-Bacon Act Updates (Final Rule)

- Note that, in the previous slides, transportation is generally not covered at all if the employer meets the definition of material supplier
- An entity is considered a material supplier if:
 - 1. Its only obligations on the contract or project are the delivery of materials and activities that are incidental to material supply, such as loading, unloading, and pickup, and
 - 2. Any facility that manufactures the supplies:
 - is not located on the primary or secondary worksite, and
 - was either established before the beginning of the project or is not dedicated exclusively or nearly exclusively to the project.



2023 Davis-Bacon Act Updates (Final Rule) Con't

Top Takeaway

Changes with de minimis and cumulative total time over a day or entire workweek. We encourage you to properly track employees time on site/performing dedicated hauls. That time on site, in total for their workday or workweek (if more than de minimis), would be paid as prevailing wage.

We encourage you to please take time to review these Davis-Bacon changes using the links on the next slide.



2023 Davis-Bacon Act Updates (Final Rule) Con't

Resources

Comparison Chart: <https://www.dol.gov/agencies/whd/government-contracts/construction/rulemaking-davis-bacon/dba-comparison-charts>

DOL Davis-Bacon Updates FAQ: Frequently Asked Questions: Updating the Davis-Bacon and Related Acts Regulations Final Rule | U.S. Department of Labor (dol.gov)

Federal Register: Federal Register :: Updating the Davis-Bacon and Related Acts Regulations

All Agency Memorandum: [AAM244.pdf](#) (dol.gov)

If you have any further questions, please contact the Compliance Team.



Prevailing Wage Requirements

- Pay no less than the prevailing wage rates and fringe benefits listed in the contract's Davis-Bacon wage determination.
- Apprentices – qualifications and pay.
- Pay employees weekly and submit certified payroll reports into CRCS within seven calendar days from the close of the pay period.



Record Keeping Requirements



- Contractors must maintain detailed employee payroll and basic records for all laborers and mechanics throughout the course of work and for a period of three years from final payment on the project.



Record Keeping Requirements (continued)

- Employee information, hours of work for each day and week, classifications, rates of pay for each payroll period, reasons for deductions, fringes, etc.
- Contractors must provide records and information to the Prime Contractor and WisDOT staff upon request.
- Helpful resources
 - <https://webapps.dol.gov/elaws/elg/minwage.htm#records>
 - <https://www.dol.gov/agencies/whd/fact-sheets/21-flsa-recordkeeping>
 - <https://dwd.wisconsin.gov/er/laborstandards/permanentrecords.htm>



Penalties

- May be subject to contract termination and debarment from future contracts for up to three years.
- Contract payments may be withheld.
- Each day that a violation continues is a separate offense.



Penalties (continued)

- Falsification of certified payroll records or the required kickback of wages may subject a contractor or subcontractor to civil or criminal prosecution.
 - The penalty may be fines and/or imprisonment.

See website for laws, executive orders, and regulations

<https://www.dol.gov/agencies/whd/government-contracts/construction>



Additional Contract Requirements

Affirmative Action

- Equal Opportunity Clause, Executive Order 11246.
- Goals for minority participation for each trade (by county).
- Goals for female participation for each trade (6.9%).
- Equal Employment Opportunity is THE LAW posters and supplements.



FHWA-1273
Revised October 23, 2023*
Federal Highway Administration

Required Contract Provision
Federal-Aid Construction Contracts

<http://www.fhwa.dot.gov/programadmin/contracts/1273/1273.pdf>





**REQUIRED CONTRACT PROVISIONS
FEDERAL-AID CONSTRUCTION CONTRACTS**

- I. General
- II. Nondiscrimination
- III. Non-segregated Facilities
- IV. Davis-Bacon and Related Act Provisions
- V. Contract Work Hours and Safety Standards Act Provisions
- VI. Subletting or Assigning the Contract
- VII. Safety: Accident Prevention
- VIII. False Statements Concerning Highway Projects
- IX. Implementation of Clean Air Act and Federal Water Pollution Control Act
- X. Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion
- XI. Certification Regarding Use of Contract Funds for Lobbying
- XII. Use of United States-Flag Vessels:

performed on the contract by the contractor's own organization and with the assistance of workers under the contractor's immediate superintendence and to all work performed on the contract by piecework, station work, or by subcontract. 23 CFR 633.102(d).

3. A breach of any of the stipulations contained in these 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 and FHWA.

4. Selection of Labor: During the performance of this contract, the contractor shall not use convict labor for any purpose within the limits of a construction project on a Federal-aid highway unless it is labor performed by convicts who are on parole, supervised release, or probation. 23 U.S.C. 114(b). The term Federal-aid highway does not include roadways functionally classified as local roads or rural minor collectors. 23 U.S.C. 101(a).

ATTACHMENTS

A. Employment and Materials Preference for Appalachian Development Highway System or Appalachian Local Access Road Contracts (included in Appalachian contracts only)

I. GENERAL

1. Form FHWA-1273 must be physically incorporated in each construction contract funded under title 23, United States Code, as required in 23 CFR 633.102(b) (excluding emergency contracts solely intended for debris removal). The

II. NONDISCRIMINATION (23 CFR 230.107(a); 23 CFR Part 230, Subpart A, Appendix A; EO 11246)

The provisions of this section related to 23 CFR Part 230, Subpart A, Appendix A are applicable to all Federal-aid construction contracts and to all related construction subcontracts of \$10,000 or more. The provisions of 23 CFR Part 230 are not applicable to material supply, engineering, or



FHWA-1273

- Flow down - FHWA-1273 must be physically incorporated in ALL subcontracts and trucking agreements at every tier.
- References Davis-Bacon and Related Acts (DBRA).
- Covers compliance regarding:
 - Nondiscrimination (EEO), reporting, recruitment, apprentices, on-the-job-training, overtime, wages, withholding, subletting and more.



FHWA-1273 (continued)

- Non-compliance / Penalties
 - Subject to civil or criminal penalties for falsification of the certification.
 - May be subject to contract termination and debarment from future contracts for up to three years.
 - Each day that a violation continues is a separate offense.



Equal Employment Opportunity (EEO) Contractor Compliance Program

- In accordance with 23 CFR Part 230, WisDOT is responsible for monitoring contractor's EEO compliance efforts.
- The non-discrimination provisions of FHWA-1273 are applicable to all contractors and subcontractors who hold contracts of \$10,000 or more.
- If you are a contractor with a subcontract value of \$10,000 or more, your firm may be selected for a review.
- WisDOT EEO Technical Assistance Guide [\(link\)](#)



Compliance Reviews

- A compliance review is a comprehensive assessment of a contractor's employment practices to determine compliance with the EEO/AA contractual obligations.
- It is a “spot check,” designed to ensure compliance with the EEO/AA requirements by identifying and correcting deficiencies or problem areas.
- Cooperation with WisDOT during the review is an additional component of compliance.



FHWA 1391 Report Contractor's Annual EEO Report

FEDERAL-AID HIGHWAY CONSTRUCTION CONTRACTORS ANNUAL EEO REPORT

1. CHECK ONE BOX <input type="checkbox"/> Prime Contractor <input type="checkbox"/> No work in July (complete boxes 2-5) <input type="checkbox"/> Subcontractor	2. COMPANY NAME, CITY, STATE <small>(Include Contact Name and Email)</small>	3. TOTAL # OF CONTRACT(S) <small>Grants Instructional</small> # <input style="width: 40px;" type="text"/> WisDOT Project ID <input style="width: 60px;" type="text"/>	4. DOLLAR AMOUNT OF CONTRACT(S):	5. PROJECT LOCATION (County): <i>If reporting on more than one project, enter on Tab 2</i>
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This collection of information is required by law and regulation 23 U.S.C. 140a and 23 CFR Part 230. The OMB control number for this collection is 2125-0019 expiring March 2025.

6. WORKFORCE ON FEDERAL-AID AND CONSTRUCTION SITE(S) DURING LAST FULL PAY PERIOD ENDING ON JULY 023

JOB CATEGORIES	7. DATA				TABLE A										TABLE B							
	TOTAL EMPLOYED		TOTAL RACIAL/ ETHNIC MINORITY		BLACK OR AFRICAN AMERICAN		HISPANIC OR LATINO		AMERICAN INDIAN OR ALASKA NATIVE		ASIAN		NATIVE HAWAIIAN OR OTHER PACIFIC ISLANDER		TWO OR MORE RACES		WHITE		APPRENTICES		ON THE JOB TRAINEES	
	M	F	M	F	M	F	M	F	M	F	M	F	M	F	M	F	M	F	M	F	M	F
OFFICIALS	0	0	0	0															NA	NA	NA	NA
SUPERVISORS	0	0	0	0															NA	NA	NA	NA
FOREMEN/WOMEN	0	0	0	0															NA	NA	NA	NA
CLERICAL	0	0	0	0															NA	NA	NA	NA
EQUIPMENT OPERATOR	0	0	0	0																		
MECHANICS	0	0	0	0															NA	NA	NA	NA
TRUCK DRIVERS	0	0	0	0															NA	NA	NA	NA
IRONWORKERS	0	0	0	0																		
CARPENTERS	0	0	0	0																		
CEMENT MASONS	0	0	0	0																		
ELECTRICIANS	0	0	0	0																		
PIPEFITTER/PLUMBERS	0	0	0	0																		
PAINTERS	0	0	0	0																		
LABORERS-SEMI SKILL	0	0	0	0																		
LABORERS-UNSKILLED	0	0	0	0															NA	NA	NA	NA
TOTAL	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0

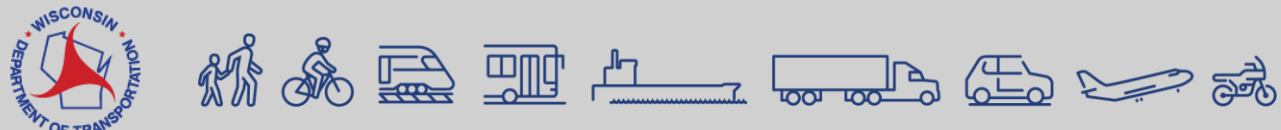
DRAFT

TABLE C (Table B data by racial status) TOTALS FOR TABLE B AND TOTAL EMPLOYED ON TABLE C MUST MATCH

APPRENTICES	0	0	0	0																				
OJT TRAINEES	0	0	0	0																				
8. PREPARED BY: (Signature and Title of Contractors Representative)					9. DATE					10. REVIEWED BY: (Signature and Title of State Highway Official)										11. DATE				

Form FHWA-1391 (Rev. 06-22)

PREVIOUS EDITIONS ARE OBSOLETE



FHWA 1391 Report

Contractor's Annual EEO Report (continued)

- For more information, visit: [Wisconsin Department of Transportation Equal Employment Opportunity \(wisconsindot.gov\)](http://www.wisconsin.gov/transportation/eoo)
- Completed reports or questions should be sent by email to: DOTLaborComplianceManagementSystem@dot.wi.gov



Davis-Bacon Federal Wage Determinations (federally funded projects only)



Wage Determinations WisDOT Contracts

- **Highway WI10** applies to all highway work and these wages are included in every contract.
- **Heavy WI15** included in contract if there is a bridge or structure over a navigable waterway as defined by USDOL and the US Coast Guard (applies to all work on the bridge/structure from bank to bank).
- **Heavy WI08** included in contract if sanitary sewer and water main work is more than 20% of the contract and will cost more than 1 million dollars.
- **Building** rates included in any contract with a building.



WI10 Highway Construction

- **Highway Construction (WI10)** includes the construction, alteration or repair of roads, streets, highways, runways, parking areas and most other paving work not incidental to building or heavy construction.

Highway, Airport Runway & Taxiway Construction

"General Decision Number: WI20200010 01/24/2020

Superseded General Decision Number: WI20190010

State: Wisconsin

Construction Type: Highway

Counties: Wisconsin Statewide.

HIGHWAY, AIRPORT RUNWAY & TAXIWAY CONSTRUCTION PROJECTS (does not include bridges over navigable waters; tunnels; buildings in highway rest areas; and railroad construction)



WI15 Heavy Construction Projects

(Excluding Tunnel, Sewer, and Water Lines)

Bridges over navigable water as determined by US DOL and US Coast Guard
(also includes dams and flood control projects).

"General Decision Number: WI2020015 01/24/2020

Superseded General Decision Number: WI20190015

State: Wisconsin

Construction Type: Heavy

Counties: Wisconsin Statewide.

HEAVY CONSTRUCTION PROJECTS (Excluding Tunnel, Sewer, and Water Lines).



WI08 Heavy Construction Projects (Sewer, and Water Lines and Tunnel)

"General Decision Number: WI20200008 01/24/2020

Superseded General Decision Number: WI20190008

State: Wisconsin

Construction Types: Heavy (Sewer and Water Line and Tunnel)

Counties: Wisconsin Statewide.

TUNNEL, SEWER & WATER LINE CONSTRUCTION PROJECTS



Building Construction Projects

- **Building Construction** includes the construction, rehabilitation and repair of sheltered enclosures with walk-in access for the purpose of housing persons, machinery, equipment, or supplies.

Buildings are numbered based on the county.

Included in contracts with a salt shed, utility shed, Safety and Weight Enforcement Facility (SWEF), or other building.

"General Decision Number: WI20200014 01/24/2020

Superseded General Decision Number: WI20190014

State: Wisconsin

Construction Type: Building

County: Brown County in Wisconsin.

BUILDING CONSTRUCTION PROJECTS (does not include single family homes and apartments up to and including 4 stories)



Federal Wage Determinations

- **Heavy Construction (WI08 or WI15)** is a comprehensive category which includes those projects which cannot be classified as Building, Residential or Highway; often further distinguished on the basis of the characteristics of particular projects, such as dredging, water and sewer line, dams, major bridges and flood control projects.



Wage Determinations

- Wage determinations included in the contract remain in effect for **the life of the contract.**
- Wage determinations for multiple counties can apply - use rates for the county in which the work is being performed.
- If a contract contains more than one set of wage rates like Highway and Building, paying the higher of the rates is acceptable.



Multiple Wage Determinations

- Pay the employee for the classification in the wage determination for work being done.
- Example: laborer working within the footprint of a building, pay the laborer rate in the Building wage determination. A laborer working on the highway, pay the laborer rate in the WI10/Highway wage determination.



Look for Addendums

- Before a WisDOT project is let there may be a change in the wage determination.

- Go to HCCI Construction Bid Letting.

<https://wisconsindot.gov/Pages/doing-bus/contractors/hcci/bid-let-2024.aspx>

- Click on let date, will open Bid Letting information.



Look for Addendums (continued)

Addenda (-soi requires updated schedule of items from [Bid Express™](#))

- [Federal Wage Rate](#) (Jan 6)
- [003-soi](#) (Jan 7)

**Click on Federal
Wage Rate**

Federal Wage Rate Addendum #01

Letting of January 14, 2020

Attached is a copy of the revised WI 10 Highway Davis Bacon Prevailing Wage Rates that are included in proposals 01 – 10, 12, 14, 17, and 20 – 36; WI 8 Heavy (Sewer & Water Line & Tunnel) Davis Bacon Prevailing Wage Rates that are included in proposal 09; and WI 15 Heavy Davis Bacon Prevailing Wage Rates that are included in proposals 4, 5, and 30. These wage rates are effective for all proposals they are included in in the January 14, 2020 letting. The updated wage rates are dated January 3, 2020 and are effective on or after January 13, 2020.

<https://wisdot.box.com/s/n4kq9jsqt2v128c5qo6twt5qmtmxcerh>



Contract Additional Special Provisions (ASP)





ASP 1



HCST (Highway Construction Skills Training)

*Previously TrANS Program

Federally Funded Projects Only

<https://wisconsin.gov/hccidocs/contracting-info/asp-1.pdf>

[Wisconsin Department of Transportation Highway Construction Skills Training \(HCST\) \(wisconsin.gov\)](https://wisconsin.gov)

[Highway Construction Skills Training \(HCST\) program](#)




Mission of ASP-1

- Provide opportunities for minorities, women, and disadvantaged persons to acquire training in the construction trades
- Assist contractors in meeting EEO requirements
- Utilize our Highway Construction Skills Training (HCST) (formerly TrANS) program to build the highway worker pipeline



ASP-1 HCST

- Reimbursement \$5.00 per hour for utilizing eligible HCST graduates and HCST apprentices:
 - To identify an HCST Graduate on a payroll, click on the TRANS Grad button in the employee's profile in the Civil Rights Compliance System (CRCS).

Address:	<input type="text"/>
Country:	<input checked="" type="radio"/> USA <input type="radio"/> Canada
State:	<input type="text" value="<-- Select A State -->"/>
City:	<input type="text" value="Please Enter City"/>
Zip:	<input type="text"/>
Contact Phone Number:	<input type="text"/>
Office Phone Number:	<input type="text"/>
Union Name:	<input type="text"/>
Hire Date:	<input type="text"/> 
Trans Grad:	<input type="radio"/> Yes <input checked="" type="radio"/> No
Is Prevailing Wage:	<input type="radio"/> Non Prevailing Wage Only <input type="radio"/> Non Prevailing Wage & Prevailing Wage <input checked="" type="radio"/> Prevailing Wage Only
Trucker Employed By:	<input type="text" value="<-- Select Trucker Employer -->"/>
<input type="button" value="Submit"/> <input type="button" value="Cancel"/>	



ASP 1 (HCST) (continued)

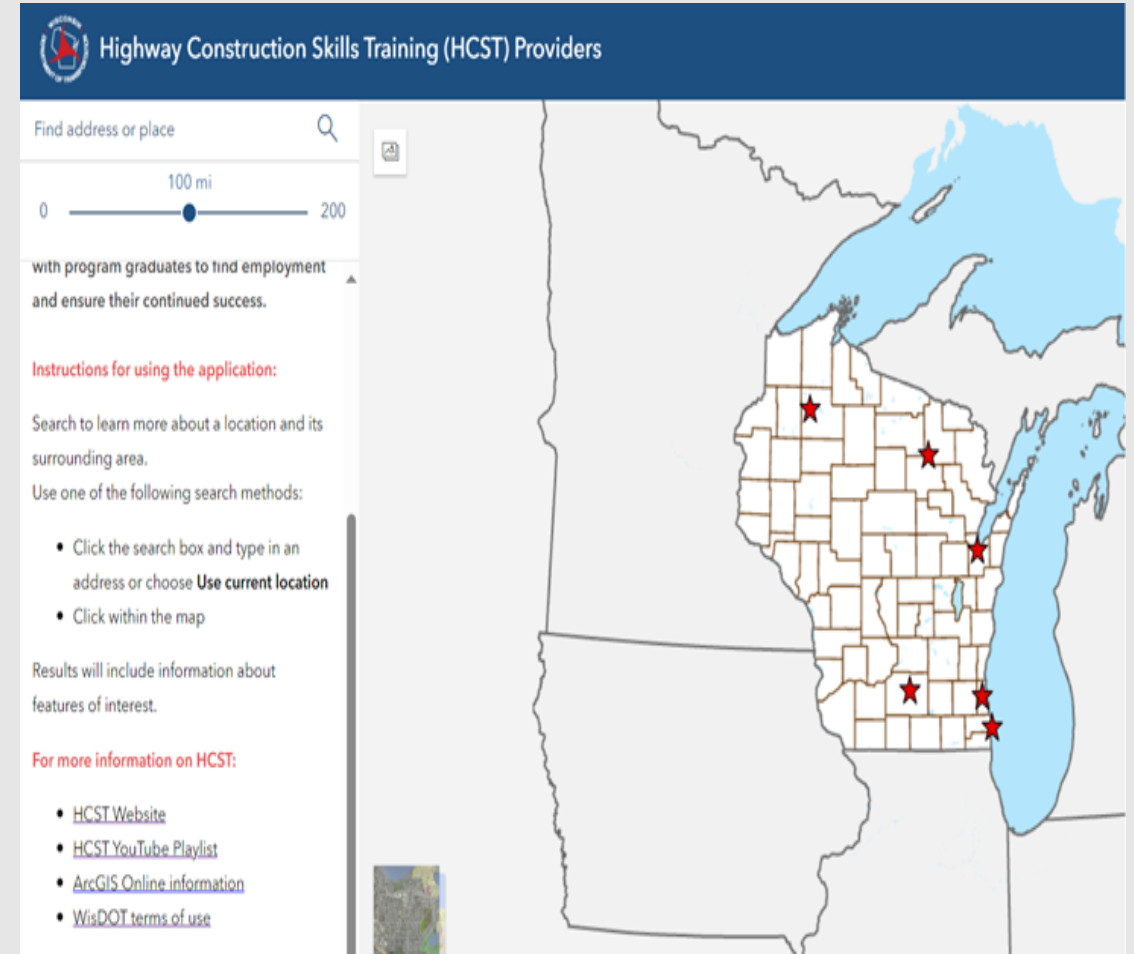
- The reimbursement for an eligible HCST graduate is for a maximum of 2,000 hours.
- The reimbursement for an eligible HCST apprentice is for the entire length of their apprenticeship.
- Reimbursement occurs via WisDOT to the prime contractor, and then the prime to subcontractors.



ASP 1 (HCST) (continued)

- HCST providers

- <https://wisdot.maps.arcgis.com/apps/instant/nearby/index.html?appid=c448c1e44c52463ea2eabc7518e8d6e1>



Highway Construction Skills Training (HCST) Providers

Find address or place

100 mi

0 200

with program graduates to find employment and ensure their continued success.

Instructions for using the application:

Search to learn more about a location and its surrounding area.

Use one of the following search methods:

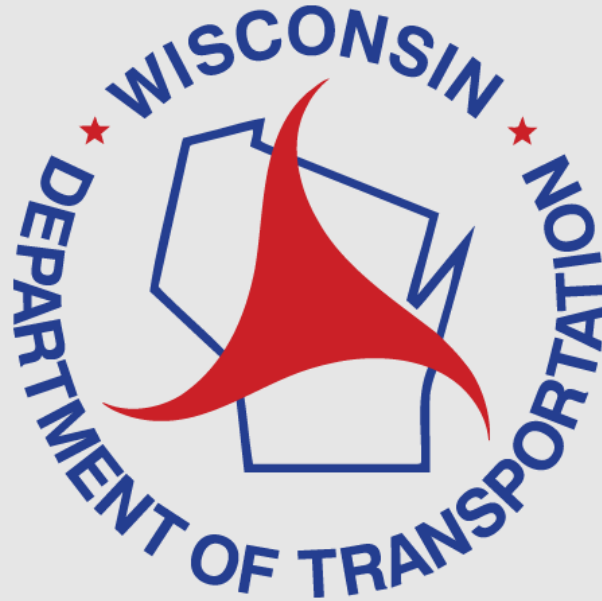
- Click the search box and type in an address or choose **Use current location**
- Click within the map

Results will include information about features of interest.

For more information on HCST:

- [HCST Website](#)
- [HCST YouTube Playlist](#)
- [ArcGIS Online information](#)
- [WisDOT terms of use](#)





DBE Commitment Monitoring & Enforcement

Office of Business Opportunity & Equity Compliance

Benjie Hayek – DBE Program Engineer

Construction 2024



Disadvantaged Business Enterprise (DBE) Program - Why???



Industry benefits

More qualified small businesses to participate



The State benefits

We are all safer driving on roads that are well-maintained

More dollars in our local communities

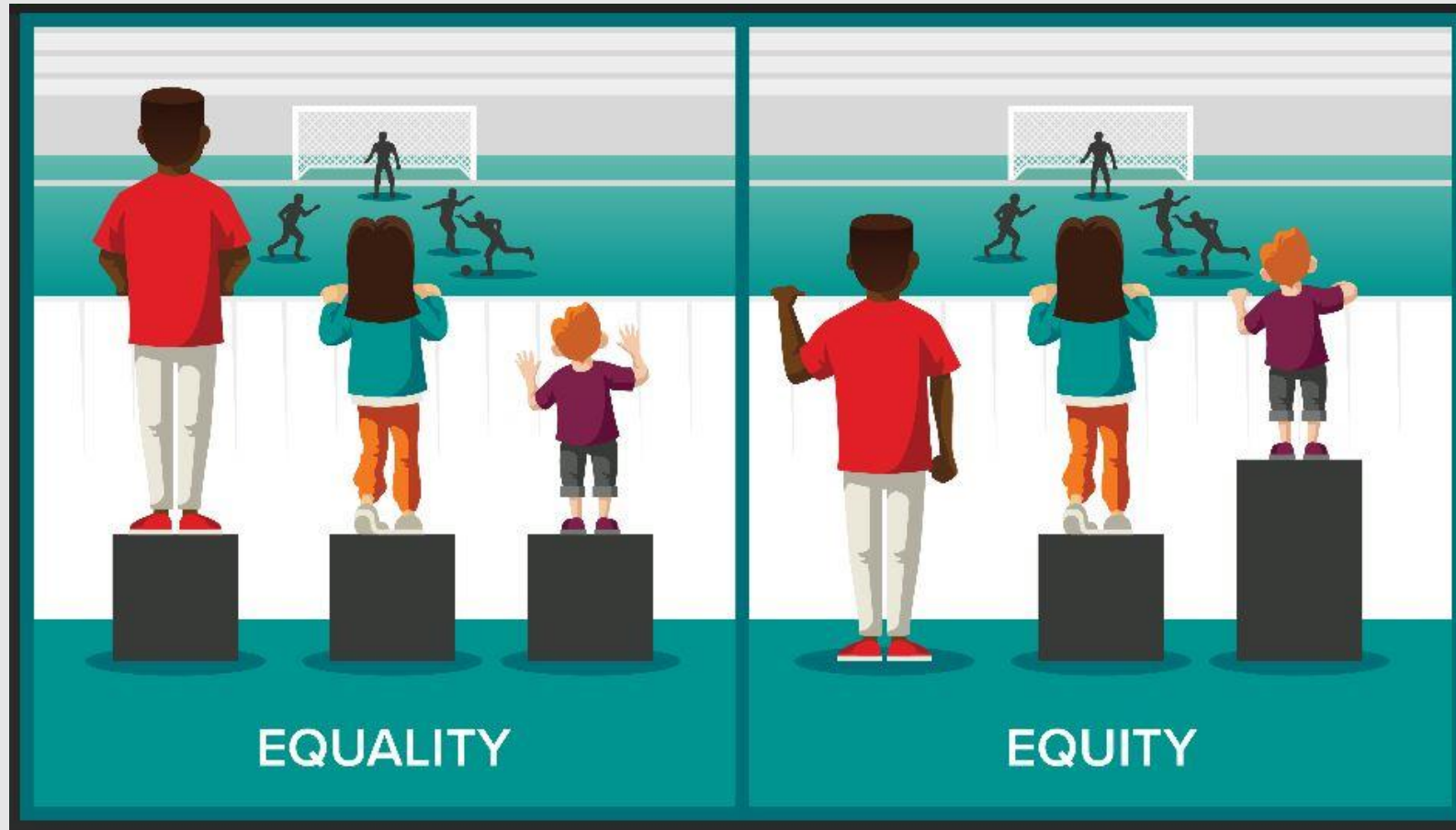


It's the law

49 CFR Part 26, FHWA 1273 and supporting statutes promoting equity in transportation contracting



Disadvantaged Business Enterprise (DBE) Program - Why???



ASP - 3

DBE Program Implementation

Section 9 – DBE Commitment Modification
(Federally Funded Projects Only)

<https://wisconsindot.gov/hccidocs/contracting-info/asp-3.pdf>



ASP 3 DBE

DBE Program Implementation

- Program Goals
 - To increase participation of firms owned by disadvantaged individuals.
 - DBE goal for a contract is listed on the cover of the Highway Work Proposal.
 - In CRCS DBE goal is listed under project details.

<https://wisconsindot.gov/hccidocs/contracting-info/asp-3.pdf>



ASP 3 DBE Program Tracking

- DBEs on the approved DBE Commitment form must appear on a Sublet Request form (DT 1925) and Attachment A.
- After 1st Tier – enter all DBEs in CRCS in place of sublet request.
- DBEs must be assigned in CRCS – payments to DBEs at all tiers are tracked per ASP7.



ASP 3 DBE Program Tracking

- CUF- Commercially Useful Function
 - Monitoring for all DBEs on all projects with federal funds
 - Ensures that DBE is in control of their crew, supplies, and equipment
 - Offsite trucking- special attention paid when DBE trucks are only hauling offsite loads (not on project site)
 - Supplies - additional documentation may be requested to substantiate



DBE Commitment Modification Policy Formerly "DBE Replacement Policy"



Prime informs DBE at least 5 days in advance of reduction



Prime requests permission from DBE Office in advance of reduction



Prime is not entitled to payment for unapproved DBE replacement work – prime must have “good cause”



Prime includes Project Engineer and Compliance Specialist on modification requests to include reduction, replacement or termination of DBE



DBE Commitment Modification Policy (cont.)

DBE Good Cause to Modify DBE Commitment

DBE does any of the following:

- Failure or refusal to execute contract.
- Failure to perform work meeting industry standards.
- Failure to meet reasonable bond requirements.
- Bankruptcy/insolvency/credit unworthiness.
- Being suspended or debarred.
- Voluntarily withdraws (in writing).
- Ineligible to receive DBE credit for that type of work.



DBE Commitment Modification Policy

ASP3 – Section 9 & CMM-242.6.3 DBE Subcontractor Commitment Changes

What requires a Contract Change Order? (NO) (YES)

- When changes occur to a DBE subcontractor commitment, coordination with the department's DBE office is **required right away – not later**. Examples requiring coordination are:
 - Adding a DBE contractor (NO)
 - Removing or replacing a DBE contractor (YES)
 - Modifying a DBE contractor's work (YES)
- Changes that **reduces** an approved DBE commitment **must be approved** by the DBE office before completing a **change order** unless the change is initiated by WisDOT. Prime contractor is required to make good faith effort to find another DBE to perform at least the same amount of work to meet contract goals.



DBE Commitment Modification Policy (cont.)

ASP3 – Section 9 & CMM-242.6.3 DBE Subcontractor DBE Commitment Reductions – Change Orders

- In the event quantities are reduced by Prime or WisDOT the same procedures must be followed as outlined in ASP3 – Section 9 and below. **Reductions require a Contract Change Order**
- If WisDOT initiates the change, the project engineer should notify the DBE office as soon as practicable to confirm that the prime contractor has communicated with the DBE. Field staff needs to conform to the following process as outlined in ASP3 - Section 9 (a. – d.)

Con't



DBE Commitment Modification Policy (cont.)

ASP3 – Section 9 & CMM-242.6.3 DBE Subcontractor

- The prime contractor must notify the DBE office and copy the project engineer to request a change to a previously approved DBE commitment.
- The DBE office approves or denies the change, informs the prime contractor and copies the project engineer.
- The project engineer executes a change order (Reason Code – DB) if the DBE office approves the modification and informs the DBE office at the following email address:
DBE_Alert@dot.wi.gov



Con't



DBE Commitment Modification Policy (cont.)

DBE Good Cause to Modify DBE Commitment

- The DBE office follows up with the prime contractor and project engineer regarding all commitment modifications.
- The project engineer withholds payment from the prime contractor for unapproved changes.
- **At every weekly project meeting, the project engineer needs to discuss DBE participation with the prime contractor to ensure the at LET or amended commitment is on track and inform the DBE office if it is not.**



DBE Commitment Modification Policy

Additional DBE Participation

- Additional DBE participation after contract execution?
 - Great! Prime submits an Attachment A to the DBE Alert email box with full commitment to new DBE
 - Trucking - if trucker is already on commitment (DT1506) you do not need to submit new Attachment A (New trucking firms requires Attachment A)
 - Submitting all DBE participation is important – we can set project goals lower if we document that DBE participation continues



Best Practices for Successful DBE Commitment

&

Participation Management



All subcontractors (DBE & Non-DBE) should attend the Pre-Construction Meeting



All DBE subcontractors should attend the Weekly Progress Meetings prior to work being performed and receive the meeting minutes from each meeting



Prime contractor and project staff should review DBE commitment – vs-actual at regular intervals – 30% & 60% of project completion timeframe



Any issues or potential reductions should be immediately conveyed to the DBE office



Any reduction must be approved by DBE Office and a Change Order should be created for the reduced amount



Good Faith Effort (GFE)

- Bidders are required to demonstrate GFE in meeting DBE goal
 - This is done by meeting the assigned goal OR
 - Demonstrating adequate good faith efforts if bidder did not meet the assigned goal
 - Two phase evaluation process if bidder did not meet the assigned goal
 - Review of bidder's documented efforts which are scored on a rubric
 - Team review of rubric and bidder's achievement to that of other bidders
 - See GFE resources on the [web](#)



Good Faith Effort (GFE)

- If GFE request is denied, the bidder can request Administrative Reconsideration (appeal)
 - All Administrative Reconsiderations will be scheduled with a Reviewer not involved with the original denial decision
 - If appeal is successful, the contract may be awarded
 - If appeal is unsuccessful, the contract will not be awarded to that bidder



DBE Program Contacts

Tondra Davis – OBOEC Director

Tondra.davis@dot.wi.gov

Benjie Hayek – DBE Program Engineer

benjie.hayek@dot.wi.gov

Marquis Young – DBE Utilization Engineer

Marquis.young@dot.wi.gov

Kathleen Panak – GFE Analyst

Kathleen.panak@dot.wi.gov

DBE Website: <https://wisconsindot.gov/DBEcontracting>

Email: DBE_Alert@dot.wi.gov





ASP 4

Prompt Payment

Federal and State Funded Projects

<http://wisconsindot.gov/hcciDocs/contracting-info/asp-4.pdf>



ASP 4 Prompt Payment

Payment to 1st Tier Subcontractors

- Within 10 calendar days of receiving a progress payment for work completed by a subcontractor, pay the subcontractor for that work.
- The prime contractor may withhold payment to a subcontractor if, within 10 calendar days of receipt of that progress payment, the prime contractor provides written notification to the subcontractor and the department documenting "just cause" for withholding payment.



ASP 4 Prompt Payment

Payment to 1st Tier Subcontractors (continued)

- The prime contractor is not allowed to withhold retainage from payments due subcontractors.



ASP 4 Prompt Payment

Payment to Lower-Tier Subcontractors

- Ensure that subcontracting agreements at all tiers provide prompt payment rights to lower-tier subcontractors that parallel those granted first-tier subcontractors in this provision.



ASP 4 Prompt Payment

Payment Issues

- Your first attempt to resolve an issue is between the subcontractors and the Prime.
- Contact the Prime Contractor before contacting WisDOT.
- Our contract is with the Prime only which is responsible for all subcontractors.
- If the issue remains unresolved, inform WisDOT project staff.



ASP 4 Prompt Payment

Payment Withholding

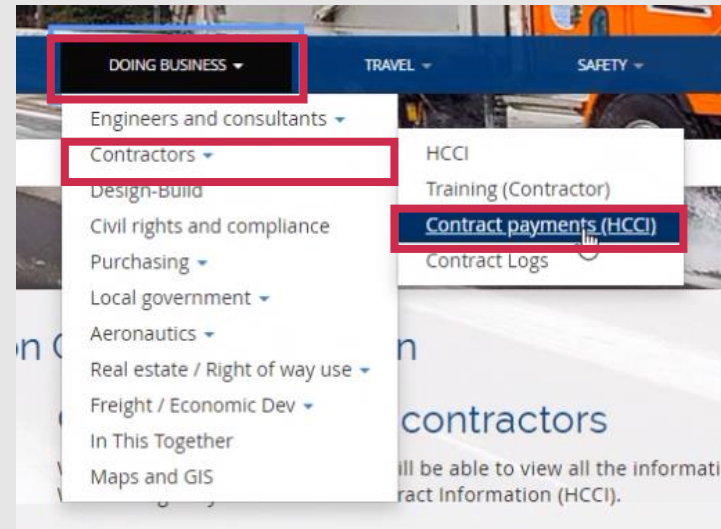
This special provision does not limit the right of the department, prime contractor, or subcontractors at any tier to withhold payment for work not acceptably completed or work subject to an unresolved contract dispute.



Construction Contract Payment Viewing System (CCPMS)

<https://wisconsindot.gov/Pages/doing-bus/contractors/hcci/default.aspx>

- Access the HCCI website.
- Click on Doing Business.
- Click on Contractors.
- Click on Contract Payments.
- Register for a WAMS user id and password.



Construction Contract Payment Viewing System (CCPMS)

WISCONSIN DEPARTMENT OF TRANSPORTATION

Doing Business

[Drivers & Vehicles](#) | [Safety](#) | [Travel](#) | [Plans & Projects](#) | [State Patrol](#) | [Doing Business](#) | [Programs for Local Gov't](#)

CONSTRUCTION CONTRACT PAYMENT VIEWING SYSTEM

Please Select one of the following:

- By Contractor -- Enter at least first 2 letters of the contractor's name and Show all contracts, which have at least one payment within the last
- By Contract Id -- Enter contract number
- By Project Id -- Enter project number (Use format 1234-03-75)
- By Region -- Select Region and Show all contracts, which have at least one payment within the last



Doing Business

 Search DOT

[Drivers & Vehicles](#) | [Safety](#) | [Travel](#) | [Plans & Projects](#) | [State Patrol](#) | [Doing Business](#) | [Programs for Local Gov't](#)

Vouchers for Contract: 20170509010

[Return to Initial Selection Page](#)

Contractor: LALONDE CONTRACTORS INCORPORATED			
Surety: PHILADELPHIA INDEMNITY INS CO			
Location: Loc Str, Milwaukee County			
Description: South 60th Street W Cold Spring RD TO W Morgan Ave			
Time charged:	495	Total Earnings:	\$3,469,368.71
Time Allowed:	10/16/2019	Material Allowance:	\$0.00
Percent Time:	61.64	Gross Earnings:	\$3,469,368.71
Current Contract Amount:	\$3,811,720.87	Retainage:	\$39,441.21
Awarded Contract Amount:	\$3,779,729.96	Net Earnings:	\$3,429,927.50
Percent Complete Work:	91.02	Liquidated damages:	\$0.00
Projects:		Payments:	3,429,927.50
2415-00-70			

Note: This report is for informational purposes only. It is not an actual payment document.

[Printer-friendly version](#)
[CSV Export](#)
[Glossary of Terms](#)

Voucher	Type	Pay Period	Total Earnings (\$)	Material Allowance (\$)	Retainage (\$)	Liquidated Damages (\$)	Payment (\$)	% Paid
0000	SM	00/00/0000	0.00	0.00	0.00	0.00	0.00	0.00
0001	SM	08/11/2017	23,365.66	0.00	0.00	0.00	23,365.66	0.61
0002	SM	08/21/2017	29,897.34	0.00	0.00	0.00	29,897.34	0.78
0003	SM	09/04/2017	61,741.90	0.00	0.00	0.00	61,741.90	1.62



Doing Business

[Drivers & Vehicles](#) | [Safety](#) | [Travel](#) | [Plans & Projects](#) | [State Patrol](#) | [Doing Business](#) | [Programs for Local Gov't](#)

VOUCHER DETAILS

[Return to Initial Selection Page](#)

Contract Id: 20170509010
Location: Loc Str, Milwaukee County
Description: South 60th Street W Cold Spring RD TO W Morgan Ave

Total Earnings: \$0.00	Retainage: \$0.00
Voucher no: 0000	Material Allowance: \$0.00
Pay Period: 00/00/0000	Net Earnings: \$0.00
Projects:	Liquidated damages: \$0.00
	Payment: \$0.00

2415-00-70 no payment this period

Note: This report is for informational purposes only.

[Printer-friendly version](#)

It is not an actual payment document.

[CSV Export](#)

[Glossary of Terms](#)

Cont Line	Item No	Item Descr	Units	Current Qty	Qty Paid	Unit Price (\$)	Cumulative Amount (\$)	Qty Placed	Current %Cpt	Material Allowance (\$)	Qty this period	Amount this period (\$)
0010	201.0105	Clearing	STA	4.00	4.00	239.00	956.00	4.00	100	0.00	0	0.00
0020	201.0120	Clearing	ID	240.00	381.00	6.00	2,286.00	381.00	158.75	0.00	0	0.00
0030	201.0205	Grubbing	STA	4.00	4.00	239.00	956.00	4.00	100	0.00	0	0.00
0040	201.0220	Grubbing	ID	240.00	381.00	13.85	5,276.85	381.00	158.75	0.00	0	0.00
0050	204.0100	Removing Pavement	SY	45,381.00	45,124.47	1.00	45,124.47	45,124.47	99.43	0.00	0	0.00
0060	204.0110	Removing Asphaltic Surface	SY	131.00	0.00	2.00	0.00	0.00	0	0.00	0	0.00



WisDOT Civil Rights Compliance



ASP 7

Reporting Payments in Civil Rights Compliance System (CRCS)

<http://wisconsindot.gov/hcciDocs/contracting-info/asp-7.pdf>



ASP 7 Reporting Payments

- **Payment Confirmations**

- Confirm all payments in CRCS within 10 days of receipt.
- If there is a dispute, flag payment as disputed and notify the prime.
 - Unresolved issues – notify WisDOT project staff.



ASP 7 Reporting Payments (continued)

- Report Payments
 - Report payments to 1st tier and **all** DBE firms (all tiers) in CRCs within **10 calendar days** of receipt of a progress payment.
 - Important to do this timely.
- Primes still need to email Paul Ndon a copy of the check or direct deposit information so the payment can be manually entered in CRCs.
 - Paul.Ndon@dot.wi.gov



ASP 9

Electronic Certified Payroll or Labor Data Submittal Civil Rights Compliance System (CRCS)

Federal and State Funded Projects

<https://wisconsindot.gov/hccidocs/contracting-info/asp-9.pdf>



ASP 9

Federal Funded Projects Electronic Certified Payroll

- All tiers of subcontractors and all trucking firms (if it is a covered haul), must submit Certified Payroll Reports (CPRs) each week through CRCS.
- Certified payrolls must be reported weekly.
 - **Bi-weekly is not acceptable.**
- Submit CPRs within 7 calendar days of the close of the payroll period.
- Signing the Statement of Compliance certifies the information reported is true and accurate.



ASP 9

State Funded Projects Labor Reporting

- Effective January 2019 contractors submit their labor data through CRCS by entering weekly payroll reports.
 - Trucking firms are required to submit labor data in CRCS on state-funded only projects if the haul would have required submittal of a CPR on a project with federal funds.

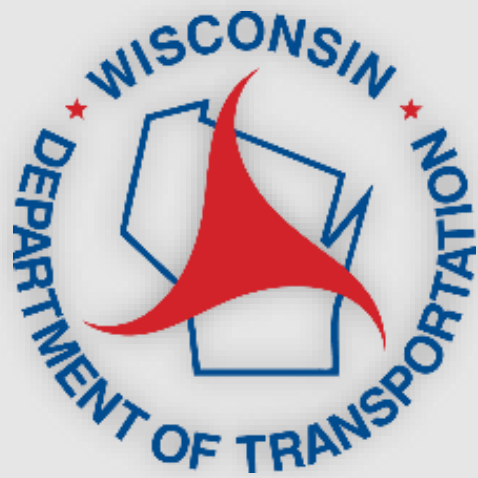


Native American Hiring Provision (NAHP)

- The provision applies to state and federal projects that are located on or partially on tribal lands.
- All contractors must attend the Tribal Coordination Meeting for projects with NAHP.
- Coordination meetings are held prior to the preconstruction meetings.
- DT2405 Monthly Reports are due on the 15th of each month.
- When the project wraps up, there is also a final report to complete.
- Discuss continued recruitment during weekly meetings.

<https://wisconsindot.gov/Pages/doing-bus/civil-rights/tribalaffairs/native-american-hiring-provision.aspx>





Federal Law Overtime



Overtime Regulations

- Overtime is paid at least 1.5 x the **basic hourly rate** of pay.
 - **The higher of the two must be paid:**
 - Employee's actual basic rate vs. the prevailing basic rate.
- Paid on all hours worked over **40 hours in one week.**
- Overtime Resources
 - [US DOL Prevailing Wage Resource Book](#) (Chapter 10)
 - [Prevailing Wage Laws Table](#)
 - [FHWA 1273](#) (Section 5)
 - [US DOL Field Operations Handbook](#) (Section 15a)



Overtime Example

Over 40 hours in a week

<u>INCORRECT</u>	Mon	Tues	Wed	Thurs	Fri	Sat	Sun
Straight Time	10	10	11	9	5	5	
Overtime	0 OT	0 OT	0 OT	0 OT	0 OT	0 OT	

<u>CORRECT</u>	Mon	Tues	Wed	Thurs	Fri	Sat	Sun
Straight Time	10	10	11	9	0	0	0
Overtime	0 OT	0 OT	0 OT	0 OT	5 OT	5 OT	



Fringe Benefits



Fringe Benefits

- Payments made or costs incurred by the contractor for bona fide fringe benefits may be credited towards fulfilling the prevailing wage.
- Credit is based on the effective annual rate of contributions for all hours worked in a year (both prevailing wage and non-prevailing wage hours).
- Total package may be met by any combination of cash wages and creditable bona fide fringe benefits.



Fringe Benefit Example

Wage Determination

Basic Hourly Rate	\$25.00
Fringe Benefit	\$10.00
Total Package	\$35.00

The Contractor can achieve compliance by paying:

- \$35.00 in cash wages; or
- \$25.00 in cash wages plus \$10.00 in Fringe Benefits; or
- \$20.00 in cash wages plus \$15.00 in Fringe Benefits



Cash in Lieu of Fringe

- If fringe benefits provided to an employee are not enough to meet the total package, the difference must be paid as a cash payment (aka cash fringe).
- Cash payment in lieu of fringes must be paid to the employee weekly on their paycheck and the paycheck should show the breakdown.



Cash in Lieu of Fringe (continued)

- Employees excluded from a fringe benefit plan must be paid the fringe rate as a cash payment.
- The hourly cash payment in lieu of fringe benefits should be recorded in the cash payment column in CRCS.



WEEKLY PAYROLL REPORT Wisconsin Department of Transportation		The weekly submittal of this form is required by 29 CFR Part 3.																						
Contractor Name: Hired By:		State Project ID:			Federal Project ID:			County:			Payroll Period Week Ending:													
	JOB CLASSIFICATION	Daily Hours Worked S=Straight Time, O=Overtime, D=Doubletime						Total Weekly Hours Worked	(A) Basic Hourly Rate	(B) Benefits Hourly Rate		(A)+(B) Total Hourly Rate	Project Wages		Deductions				Other Payment	Net Paid	Check #			
		MON	TUE	WED	THU	FRI	SAT			SUN	FUND PAYMENT		CASH PAYMENT	Gross Wages	FICA	FED WH	STWH	OTHER (Specify)						
		REFERENCED PROJECT																						
		S																						
		O																						
		D																						
		OTHER PROJECTS (Include private work)						S																
		OTHER PROJECTS (Include private work)						O																
		REFERENCED PROJECT																						
		S																						
		O																						
		D																						
		OTHER PROJECTS (Include private work)						S																
		OTHER PROJECTS (Include private work)						O																



**COMPLIANCE STATEMENT TO ACCOMPANY
CONTRACTOR'S WEEKLY PAYROLL**

Wisconsin Department of Transportation

DT1816 4/2004 (Replaces EC673)

The willful falsification of any of the statements on this form may subject the contractor or subcontractor to civil or criminal prosecution. See Section 1001 of the Title 18 and Section 231 of

No. State Project ID: Federal Project ID: County: Payroll Period:

Contractor Name:

Prime Contractor / Subcontractor Hired By:

Authorized Agent Name:

Authorized Agent Title:

I, the undersigned, do state that:

1) I pay, or supervise the payment of the persons employed by the above contractor or project. During subcontractor on the above the payroll period designated above all persons employed on said project have been paid the full weekly wages earned, excepted as noted in Section 1(a) below. No rebates have been or will be made either directly to or indirectly on behalf of said contractor or subcontractor from the full weekly wages earned by any person. No deductions have been made either directly or indirectly from the full wages earned by any person, other than permissible deductions as defined in Regulations, Part 3 (29 CFR Subtitle A), issued by the Secretary of Labor under the Copeland Act, as amended (48 Stat.948, 63 Stat. 108, 72 Stat. 967; 76 Stat. 357; 40 U.S.C. 276c), and described below in Section 1(b).

1 a) Exceptions

Name	Craft	Explanation	When will this person be paid?

Signature:

Date:

1 b) Description of Deductions

(2) Any payrolls otherwise under this contract required to be submitted for the above period are correct and complete. The wage rates for laborers or mechanics contained are not less than the applicable wage rates contained in any wage determination incorporated in to the contract. classifications set forth for each laborer or mechanic conform with the work performed.

(3) Any apprentices employed in the above period are duly registered in a bona fide apprenticeship program registered with a State apprenticeship agency recognized by the Bureau of Apprenticeship and Training, United States Department of Labor, or if no such recognized agency exists in a state, are registered with the Bureau of Apprenticeship and Training, United States Department of Labor.

4) (a) Where fringe benefits are paid to approved plans, fund, or programs.

In addition to the basic hourly wage rates paid to each laborer or mechanic listed in the above-referenced payroll, payments of fringe benefits as listed in the contract have been or will be made to appropriate programs for the benefit of such employees, except as noted in Section

b) Where fringe benefits are paid in cash.

Each laborer or mechanic listed in the above -referenced payroll has been paid, as indicated on the payroll an amount not less than the sum of the applicable basic hourly wage rate plus the amount of the required fringe benefits as listed in the contract, except as noted in Section 4(c) below.

Craft	Explanation

Remarks:



Fringe Benefit Funds

APPROVED

- ☺ Health & Welfare
- ☺ Vacation
- ☺ Pension
- ☺ Skill Improvement
- ☺ Labor Management
- ☺ Education, Apprenticeship,
& Training

NOT APPROVED

- ☹ Food, Lodging, Mileage,
Riding Time, Call-In Time
- ☹ Overtime
- ☹ Worker's Comp
- ☹ Contractor's Transportation
Education Fund (TEF)
- ☹ Vehicle Use
- ☹ Uniforms
- ☹ Payment for Tools
- ☹ Company Bonus/Stock Options



Fringe Benefit Requirements

- Contributions to a bona fide fringe benefit plan must be made no less than quarterly and must be irrevocable (cannot be taken back by the employer).
- Fringe benefits must be bona fide (recognized by USDOL).
- Fringe benefits must be credited to include all hours worked (public and private work).



Fringe Benefit Requirements (continued)

- Only the employer paid portion you pay on behalf of the employee may be used to calculate the hourly value of fringe benefits.
- Fringe Benefits must be calculated individually for each employee. Do not use an average for all employees.
- Employees must be notified in writing of benefits and explained how to obtain them.
- More Information:
<https://www.dol.gov/sites/dolgov/files/WHD/legacy/files/Tab9.pdf>



How To Calculate Fund Fringe Benefits

Annual Cost of Benefits (employer paid portion) divided by total hours worked per year.

Health Insurance Fund: \$200/month X 8 months = \$1,600/year

9 Holidays Fund: 9 days X 8 hours X \$20/hour = \$1,440/year

2 weeks vacation Fund: 10 days X 8 hours X \$20/hour = \$1,600/year

Annual cost of benefit **\$4,640/year**

Employee works (include all hours)

8 months out of a year : 8 months X 173 hrs/month = **1,384 hours**

The Calculation

\$4,640/1,384 hours = \$3.35 (per hour fund credit)



Recommendations

- Review [Prevailing Wage Resource Book](#) - Section 9 DBA/DBRA Compliance Principles-Fringe Benefits.
- Review calculations annually for accuracy.
- Review and update fringe benefit templates annually in CRCS to ensure current rates are reflected (i.e. health insurance premium increase).
- Review payments to funds to ensure they are an approved/bona fide fringe benefit.



Deductions



Authorized Deductions

ACCEPTABLE

- ☺ Charitable
- ☺ Contributions
- ☺ Court-ordered Wage Garnishments
- ☺ FICA
- ☺ Pension Plans
- ☺ Savings Bonds
- ☺ Union Dues

NOT ACCEPTABLE

- ☹ Clothing required by Employer
- ☹ Damage to Company Property
- ☹ Disciplinary Penalties
- ☹ Lodging
- ☹ Loss of Tools



Be Prepared to Verify Deductions

- Have a dated signed written agreement with the employee for all deductions.
- A deduction cannot be taken as credit toward fringe benefits.
- Itemize the deductions in CRCS under OTHER Deductions.
- Provide details on the Statement of Compliance in the Remarks section.



Paying Correctly



Correct Classification and Rate of Pay

- Track time and type of work employees perform.
- Classify employees based on type of work performed and equipment and tools used.
- Have a system to track the amount of time and type of work employees perform.
- In CRCS, report separately each classification an employee works.



Good Paystub Example



Classification

Job Id →

Typ Job	Occupation	Wks	Sun Jul30	Mon Jul31	Tue Aug01	Wed Aug02	Thu Aug03	Fri Aug04	Sat Aug05
R-T 2016-004	LABR-Unskilled	1-2			8.00				
T-H 2016-004	LABR-Unskilled	1-2			4.50				
R-T 2017-104	LABR-Unskilled	1-2				8.00	4.50	8.00	
T-H 2017-104	LABR-Unskilled	1-2				2.50		2.50	
R-T 2017-105	LABR-Unskilled	1-2		8.00					
T-H 2017-105	LABR-Unskilled	1-2		4.50					
Total hours				12.50	12.50	10.50	4.50	10.50	

← Daily Hours

Total Hours →

Current		Year-To-Date	
36.50	R-T	Hours at	30.71
14.00	T-H	Hours at	46.07
50.50		Total	

Hourly Rates

105	Hourly Adjustment		10.17
104	Cash in Lieu of Fringes		32.56
Total Earnings		\$	1,808.55

Hourly Adjustment →

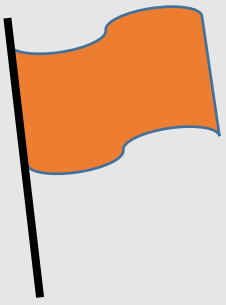
Cash Fringes

Fed Tax		339.88-	Fed Tax	3,076.76-
Soc Sec		112.13-	Soc Sec	1,107.15-
WI State Tax		107.31-	WI State Tax	1,025.54-
Medicare		28.22-	Work Dues	548.70-
309 Work Dues		59.59-	Medicare	258.94-
Total Deductions		\$ 644.91-		
Net Pay		\$ 1,163.64		

Provided Weekly

Gross Earnings		1,808.55	Gross Earnings	17,857.48	
Tax income		1,808.55	Tax income	17,857.48	
WI State Tax		107.31-	WI State Tax	1,025.54-	
WI State taxable		1,808.55	WI State taxable	17,857.48	
Wkrk Dues		59.59-	Work Dues	548.70-	
Hours	Reg	36.50	Hours	Reg	393.00
	T-H	14.00		T-H	124.00
Taxable income for Period		1,808.55			
Deposit BIG-00352	Dated	Aug 09, 17	for the amount of	\$1,163.64	





Incomplete Paystub Example

1330			
DATE	4.28.18	DEPOSITS	
TO			
FOR	LL Hwy	TOTAL	
		THIS CHECK	912 57
	19.00 Hours	OTHER	
TAX DEDUCTIBLE		BALANCE	

Missing:

- Rate of pay
- Hours worked
- Deductions
- Pay period
- YTD data



Apprentices



Qualified Apprentices

- An employee must be registered in a bona fide apprenticeship program recognized by USDOL or DWD, to be classified as an apprentice on WisDOT projects.
- Prior to the apprentice working on a WisDOT project, you must provide the regional Compliance Specialist with a copy of the apprentice's contract via email or Box:
<https://wisdot.app.box.com/f/e263e97e31b74803babcc7ef1d7a17d0>
 - This is a secure WisDOT Compliance folder.



Apprentice Contract

Apprentice Contract

This contract was prepared by Nicholas C Abbott on the date of June 28, 2018,
between the Wisconsin Department of Workforce Development (the Department) and:

<u>Apprentice</u> ██████████ ██████████ SSN: ██████████ DOB: ██████████	<u>Sponsor</u> SE WI Construction Craft Laborers JAC 4633 LIUNA Way #100 DeForest WI 53532
---	---

The Apprenticeship term begins on May 11, 2018, and terminates upon the successful completion of the apprenticeship program provisions of the Construction Craft Laborer trade, which are incorporated as part of this contract as Exhibit A, Program Provisions. The provisions included in this contract are binding on the parties.

The Department will issue a **CERTIFICATE OF APPRENTICESHIP** to the apprentice upon satisfactory completion of the provisions of this Apprentice Contract.

This contract may be terminated or cancelled by the apprentice, or may be suspended or cancelled by the sponsor, for good cause, with due notice to the apprentice and a reasonable opportunity for corrective action, and with written notice to the apprentice and to the Department.

The apprentice's signature authorizes the assigned provider(s) of paid and unpaid related instruction to release progress, grades, and attendance reports to the Department, sponsor, and employer while this contract is in effect.

The program sponsor and apprentice agree to the terms of the Apprenticeship Standards incorporated as part of this document and identified as Exhibit A. The sponsor will not discriminate in the selection and training of the apprentice and will accord the apprentice equal opportunity in all phases of apprenticeship employment and training, without discrimination because of race, color, religion, national origin, sex, age, creed, handicap, marital status, ancestry, sexual orientation, arrest record, conviction record, or membership in the military forces of the United States or this state.

The apprentice, sponsor, and employer agree to fulfill all the obligations of this Apprentice Contract. The parties have signed this contract, as required by Chapter 108.01 of the laws of Wisconsin. Personal information provided herein may be used for secondary purposes [Privacy Law, s.15.04(1)(m) Wisconsin Statutes].

██████████ Apprentice Signature	June 21, 2018 Date	The Registration Agency is the authority to receive and resolve controversies or differences arising out of this contract when they cannot be resolved locally in accordance with established procedures or collective bargaining provisions.
██████████ Sponsor Signature	May 21, 2018 Date	
<i>Karen P Morgan</i> Department Approval	June 27, 2018 Date	

Registration Agency:
Department of Workforce Development
Division of Employment and Training
Bureau of Apprenticeship Standards
PO Box 7972, Madison, WI 53707
Phone: 608-266-3332

- Shows name
- Shows classification
- Shows full SSN
- Shows start date



Apprentice Contract (continued)

SE WI Construction Craft Laborers JAC • DeForest WI
Construction Craft Laborer • 1-859463580-01-T
Exhibit A - Program Provisions

B. Building Construction
-concrete (tending, placement, removal)
-landscaping
-mason/plasterer tending
-pipe laying

C. Heavy/Highway Construction
-asphalt
-drilling and blasting
-pipe laying for work traditionally performed by Construction Craft Laborers
-tunnel and shaft
-concrete (tending, placement, removal)
-bridges

Paid Related Instruction	400
TOTAL	4400

The above schedule is to include all operations and such other work as is customary in the trade.

MINIMUM COMPENSATION TO BE PAID: (Per collective bargaining agreement)

First pay period of 1,000 work hours	70% of skilled wage rate + 10% wage add-on
Second pay period of 1,000 work hours	75% of skilled wage rate + 10% wage add-on
Third pay period of 1,000 work hours	80% of skilled wage rate + 10% wage add-on
Fourth pay period of 1,000 work hours	85% of skilled wage rate + 10% wage add-on

10% is being added on to the base wage rate to pay for the time apprentices spend in block related instruction. The compensation for school hours will be paid by the employer as an additional 10% of the basic wage rate for all hours of on-the-job training, as listed under Minimum Compensation to Be Paid.

Base skilled wage rate \$26.57 per hour.

If at any time the base skilled wage rate rises or falls, the apprentice's wage shall be adjusted proportionately. The wage rate of apprentices employed in this trade and this firm shall be based on the base skilled wage rate stated above.

All apprentices are covered by State and Federal Wage and Hour Standard requirements. All apprentices shall be paid no less than the minimum wage established under regulations.

CREDIT PROVISIONS: The apprentice, granted credit at the start or during the term of the apprenticeship, shall be paid the wage rate of the pay period to which such credit advanced the apprentice.

Work credit hours approved:	None
School credit hours approved:	None
Paid related instruction:	None
Unpaid related instruction:	

DETA-10408-E (R. 12/2010)

Exhibit A – Page 2 of 3

- Shows the basic rate of pay.
- Shows the percentage of apprentice contract.



Apprentice Contract (continued)

- Apprentice documentation needs to include:
 - Apprentice contract, name, ethnicity, full social security number, craft, percentage of journey worker pay, and apprentice start date.
- If the required information is missing, it can be added on to the contract.
 - See [How To Add Text to a PDF File](#).
- Email Compliance Specialist or upload apprentice paperwork on Box which is a secure WisDOT-DTSD-Compliance folder.
 - See [How to Upload Apprentice Paperwork on Box](#).



Enforcing Apprenticeship Wages

- Apprentices are paid according to their apprentice contract.
- Applicable Journey Rate x Percentage stated in the apprentice contract.



Enforcing Apprenticeship Wages (continued)

- Fringes

- Under Federal regulations, provisions of the apprentice program take precedence. When not outlined in the apprentice contract, the apprentice is due the full amount of fringe benefits listed on the wage determination.
- Under state law, when apprenticeship papers provide the applicable percentage, “Apprentices shall be paid a percentage of the applicable journey person’s hourly basic rate of pay and hourly fringe benefit contributions specified in the prevailing wage rate determination for the project”.



Enforcing Apprenticeship Wages (continued)

- Unverified apprentices must be paid full prevailing wage — no exceptions!
- Identify the employee as an apprentice in CRCS.
 - Trainees, helpers, LTEs, interns, etc., are not apprentices.



Indicating an Apprentice in CRCs

WisDOT Civil Rights Compliance

Wisconsin Department of Transportation

Home | Logout

Company Employee Fringe Benefits Report UCP

View by Project Name View by Project ID

Sort Alphabetically Sort Start Date

Hide Completed Active Projects

Advanced Search

Active Projects

Southwest

Archived Projects

Add Employee/ Edit Employee

Employee ID:

Salutation:

First Name:

Middle Initial:

Last Name:

Suffix:

Title:

Date of Birth:

SSN:

Marital Status:

Ethnicity:

Gender: Male Female

Job Groups and Job Classes:

Please check the box next to the crafts that you would like to be available for this employee. You also pick the default craft for this employee by selecting the button next to the checkbox.

Available?	Default	Available Crafts and Classes	Journeyman Apprentice
<input checked="" type="checkbox"/>	<input type="radio"/>	Truck Drivers 3 Or More Axles	<input checked="" type="radio"/>
<input type="checkbox"/>	<input type="radio"/>	Truck Drivers Off-Road Material Hauler (Night Shift)	<input type="radio"/>

Address:

Country: USA Canada

State:

City:

Zip:

Contact Phone Number:

Office Phone Number:

Union Name:

Hire Date:

Trans Grad: Yes No

Is Prevailing Wage: Non Prevailing Wage Only
 Non Prevailing Wage & Prevailing Wage
 Prevailing Wage Only

Trucker Employed By:

Employee Status: Enabled Disabled

Submit Cancel

1. First Name & Last Name are required and must match apprenticeship document
2. All 9 digits of SSN # must be entered for apprentices and TRANS Grads in the format XXX-XX-XXXX
3. Ethnicity is required and must match apprenticeship document
4. Job Groups and Classes must be marked Available and match apprenticeship document. Apprentice bubble must be selected.

<https://wisdot.box.com/s/7obu5sou2gou5mpx8sxy4jjzbs3j4yrb>



Contacts for Apprenticeship Contracts

Department of Workforce Development (DWD)

Benjamin Stahlecker

Field Operations Supervisor

731 N 1st St Suite 4000

Wausau, Wisconsin 54403

Benjamin.stahlecker@dwd.wi.gov

Cellular Phone: 715-571-4485

Office Phone: 715-679-5517



Job Site Posting Board



Job Site Posting Board Guidelines

- Posters must be posted on the 1st day of work and left up until last day of construction.
- Complete and accurate - Prime is responsible to ensure all required documents are posted.
- Posters must be readable.
- Posted - Placing posters in a binder are not acceptable.



Job Site Posting Board Guidelines

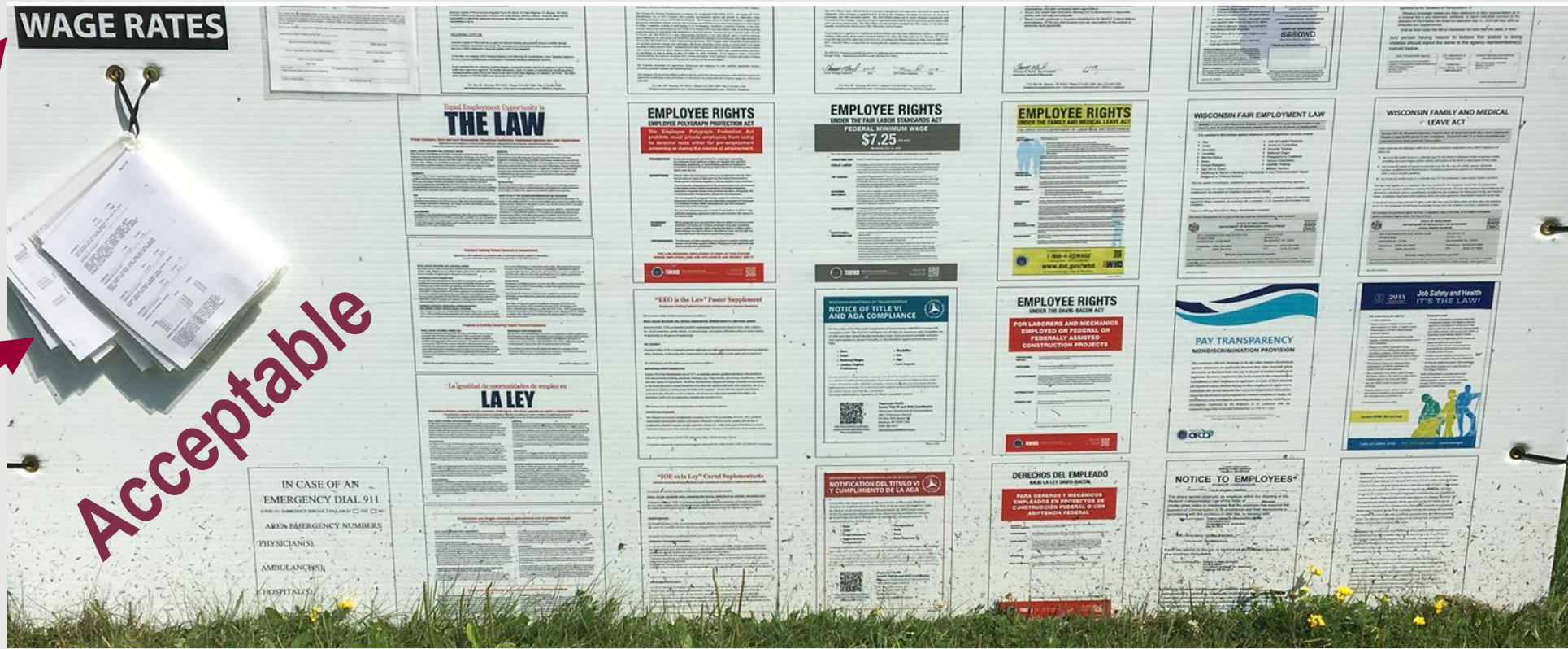
(continued)

- Accessible - Board must be physically located where contractor and subcontractor employees and the public can approach and read the board at all times.
- Wage rates can be stacked if each page is laminated and there is a sign above stating, “Wage Rates”.
- Wage rates posted must be the correct ones for that project.



Sign above stating "Wage Rates"

Wage rates are laminated



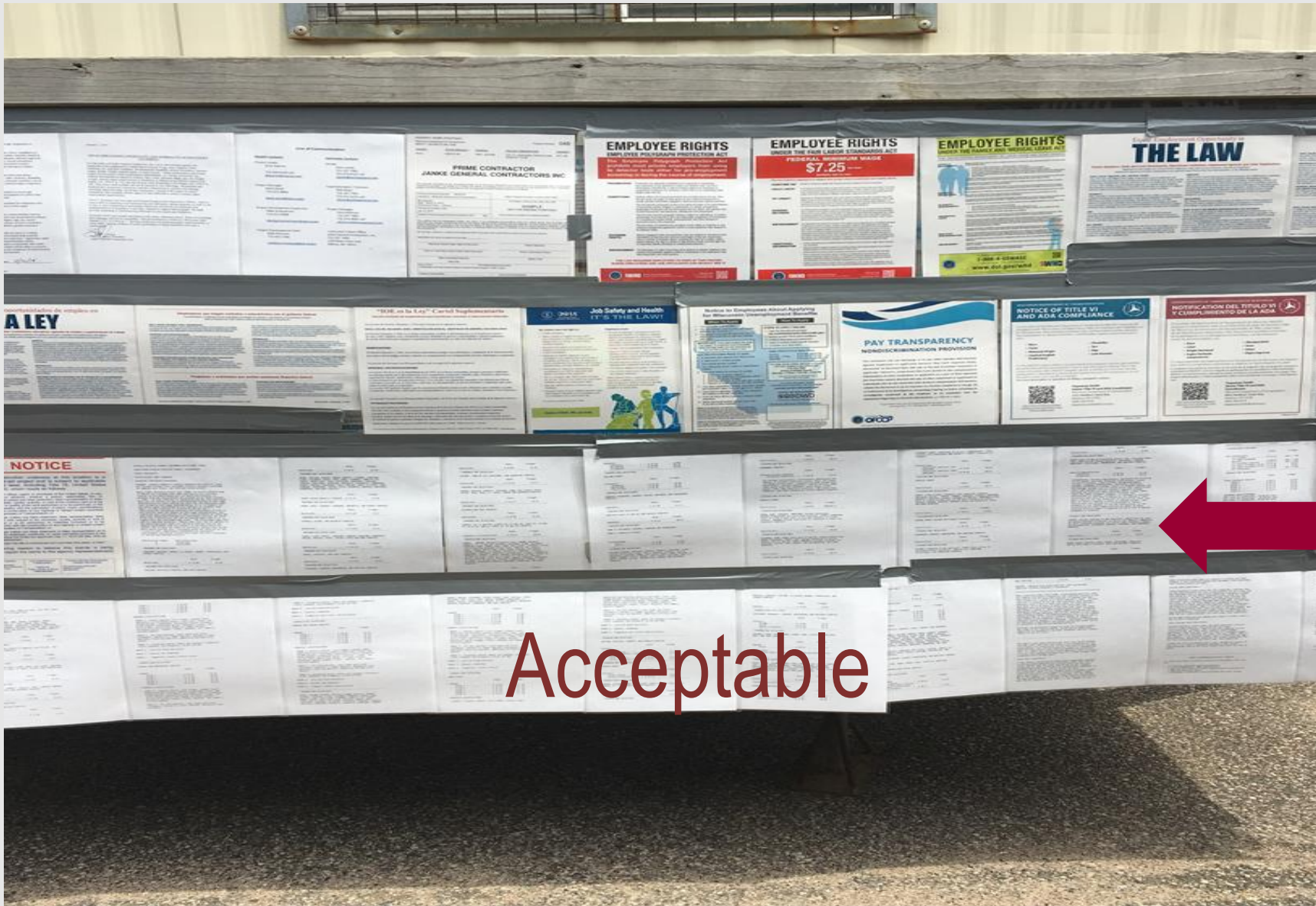
Job Site Posting Board

The only two acceptable ways to meet the federal requirements for POSTING:

- **#1** - Wages can be stacked if they are laminated and hung below a sign saying, "Wage Rates".



#2 - Post wage determinations page-by-page.



Acceptable



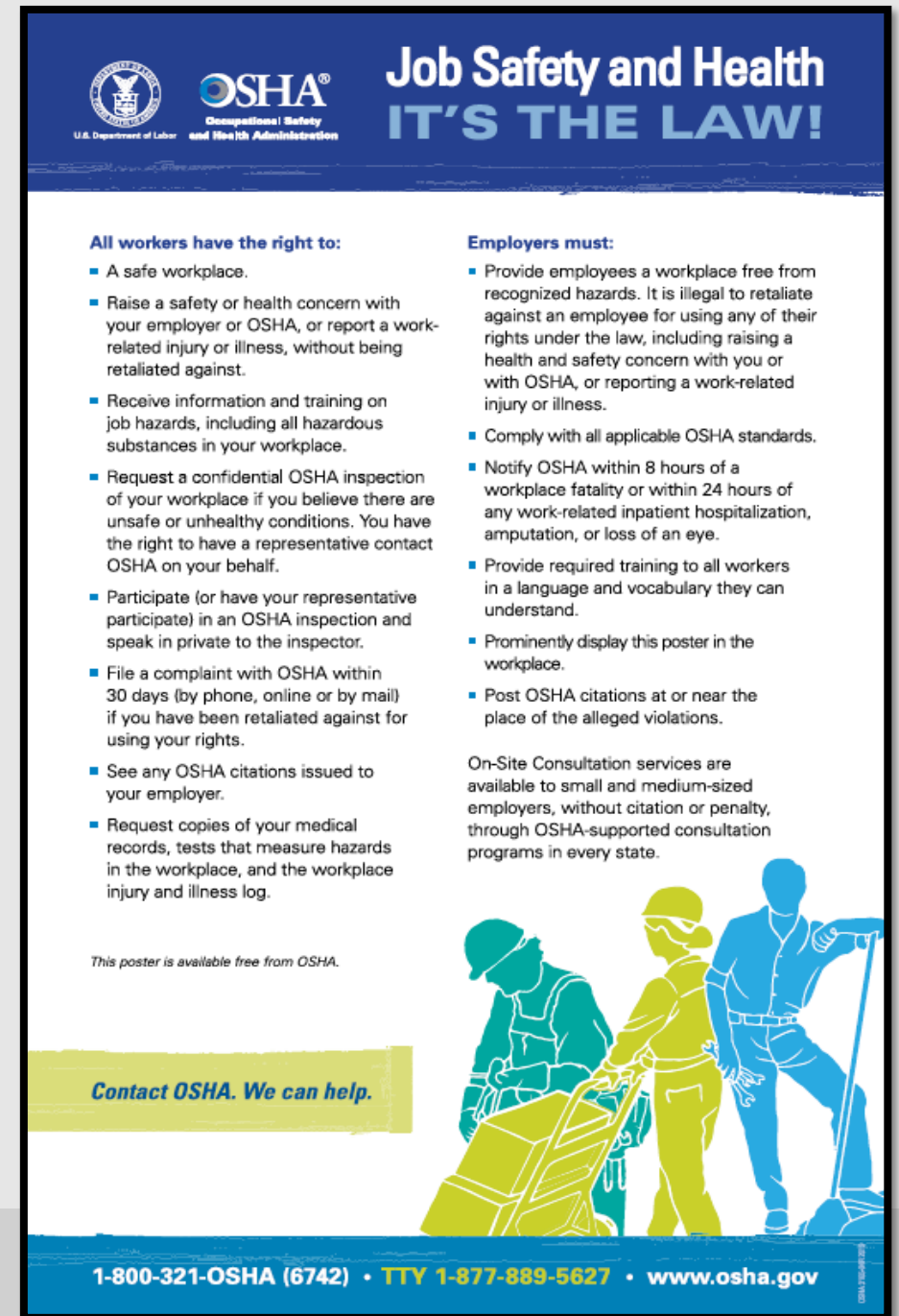


Job Site Posting Board Not Acceptable



Workplace Poster: Job Safety and Health IT'S THE LAW!

- Size requirement: 8.5" x 14".
- Prior versions okay, but size requirement must be met.
- OSHA's regulations on the OSHA poster are at [29 CFR 1903.2](#).
- [Frequently Asked Questions - United States Department of Labor \(dol.gov\)](#)



The poster features the OSHA logo at the top left, with the text "U.S. Department of Labor" and "Occupational Safety and Health Administration". To the right, the title "Job Safety and Health IT'S THE LAW!" is displayed in large, bold letters. The main body of the poster is white with blue text. It is divided into two columns: "All workers have the right to:" and "Employers must:". The "All workers have the right to:" column lists ten rights, including a safe workplace, the right to raise concerns, receive training, request OSHA inspections, participate in inspections, file complaints, see citations, and request medical records. The "Employers must:" column lists five requirements, including providing a hazard-free workplace, complying with standards, notifying OSHA of fatalities, providing training, and displaying the poster. At the bottom right, there is an illustration of three workers in safety gear. A yellow banner at the bottom left says "Contact OSHA. We can help." and a blue banner at the bottom right contains the contact information: "1-800-321-OSHA (6742) • TTY 1-877-889-5627 • www.osha.gov".

OSHA
Occupational Safety and Health Administration

Job Safety and Health IT'S THE LAW!

All workers have the right to:

- A safe workplace.
- Raise a safety or health concern with your employer or OSHA, or report a work-related injury or illness, without being retaliated against.
- Receive information and training on job hazards, including all hazardous substances in your workplace.
- Request a confidential OSHA inspection of your workplace if you believe there are unsafe or unhealthy conditions. You have the right to have a representative contact OSHA on your behalf.
- Participate (or have your representative participate) in an OSHA inspection and speak in private to the inspector.
- File a complaint with OSHA within 30 days (by phone, online or by mail) if you have been retaliated against for using your rights.
- See any OSHA citations issued to your employer.
- Request copies of your medical records, tests that measure hazards in the workplace, and the workplace injury and illness log.

Employers must:

- Provide employees a workplace free from recognized hazards. It is illegal to retaliate against an employee for using any of their rights under the law, including raising a health and safety concern with you or with OSHA, or reporting a work-related injury or illness.
- Comply with all applicable OSHA standards.
- Notify OSHA within 8 hours of a workplace fatality or within 24 hours of any work-related inpatient hospitalization, amputation, or loss of an eye.
- Provide required training to all workers in a language and vocabulary they can understand.
- Prominently display this poster in the workplace.
- Post OSHA citations at or near the place of the alleged violations.

On-Site Consultation services are available to small and medium-sized employers, without citation or penalty, through OSHA-supported consultation programs in every state.

This poster is available free from OSHA.

Contact OSHA. We can help.

1-800-321-OSHA (6742) • TTY 1-877-889-5627 • www.osha.gov

Job Site Posting Board Checklist

JOB SITE BOARD POSTINGS

State Project ID:		Federal ID:	
County:		Project Title:	
Highway/Airport:		Prime Contractor:	
Reviewer Name:		Date Reviewed:	

Project Leader complete & return to Labor Compliance Specialist assigned to this project prior to the first estimate being paid.

The prime contractor shall post the notices in at least one conspicuous place at the site of work prior to work starting and left up until work is complete. Posters must be readable (correct size), accessible, legible, and current.

Required for ALL Wisconsin DOT Projects (regardless of funding):

YES / NO / N/A

- _____ Front page of proposal with prime contractor listed (distributed by Labor Compliance Specialist at pre-con)
- _____ Contractor's EEO Policy Statement including name/signature of EEO officer & date signed
- _____ Contractor's letter appointing EEO Officer to the Project signed by company CEO/President
- _____ Construction Project Contact List (Emergency/Contact Phone Numbers)
- _____ EMPLOYEE RIGHTS EMPLOYEE POLYGRAPH PROTECTION ACT (WH1462 REV 07/16)
- _____ EMPLOYEE RIGHTS UNDER THE FAIR LABOR STANDARDS ACT (WH1088 REV 07/16)
- _____ EMPLOYEE RIGHTS UNDER THE FAMILY MEDICAL LEAVE ACT (WH1420 REV 04/16) Prior version okay.
- _____ Equal Employment Opportunity IS THE LAW* [EEOC-P/E-1 (Revised 11/09)]
- _____ "EEO is the Law" Poster Supplement (poster dated 11/09) (last revised 9/15)
- * _____ La Igualdad de Oportunidades en el Empleo es LA LEY [EEOC-P/E-1 (Revised 11/09)]
- * _____ Suplemento del document "IOE es La Ley" (poster dated 11/09) (last revised 9/15)
- _____ Job Safety and Health: IT'S THE LAW! (OSHA 3165-04R 2019) 8.5X14 Previous version okay.
- _____ Notice to Employees About Applying for Wisconsin Unemployment Benefits [(UCB-7-P (R. 09/2019)]
- _____ PAY TRANSPARENCY NONDISCRIMINATION PROVISION (undated - OFCCP 12/2016) Either format acceptable.
- _____ Wisconsin Department of Transportation Notice of Title VI and ADA Compliance (2/15/2018)
- * _____ Wisconsin Department of Transportation Notification Del Título VI Y Cumplimiento De La Ada (2/15/2018)
- _____ WISCONSIN FAIR EMPLOYMENT LAW [(ERD-4531-P (R.05/2014)]
- _____ WISCONSIN FAMILY MEDICAL LEAVE ACT [ERD-7983-P (R-06/2014)]

Applicable to all Projects with Federal-aid:

- _____ NOTICE--The highway construction under way at this location... [FHWA Form 1022 (Revised May2015)]
(not needed on FAA/Airport Projects)

Applicable to Projects with Federal Davis-Bacon Act:

- _____ Contract Wage Rates (US DOL, all pages - correct county/counties)
- _____ EMPLOYEE RIGHTS UNDER THE DAVIS-BACON ACT [WH 1321 Revised 10/17]
- * _____ DERECHOS DEL EMPLEADO BAJO LA LEY DAVIS-BACON [(WH 1321 SPA (Revised 10/17)]

<https://wisdot.box.com/s/32ftimr3b8gtfymbw21mvj6o5kfk7qqd>



Roles and Responsibilities



Contractor's Responsibilities

- Chain of Command - Hiring sub, Prime, WisDOT.
- Provide your subcontractor with the prevailing wage rates, any addendums (if applicable), State Project ID, and any contract requirements such as FHWA 1273, etc.
 - Flow-down



Contractor's Responsibilities (continued)

- Ensure that CRCS reporting requirements are met for all subs (payrolls if applicable, payments, etc.).
- The Prime contractor is required to monitor and ensure that the DBE Commitment is being met throughout the project. It's imperative if there is a change/reduction that all ASP 3 provisions are followed, and appropriate notifications are done.
- Ask your subs about their accounting and reporting practices – are they acceptable?



Contractor's Responsibilities (continued)

- Stay in contact with your Compliance Specialist (CS) regarding issues and follow up with subcontractors regarding non-compliance.
- Prior to the project starting, review the contract wage determinations to make sure all needed classifications are listed.
- Prime Contractor Responsibility
 - Communication - talk to your subcontractors and have your subs talk to their subs.



Before You Bid

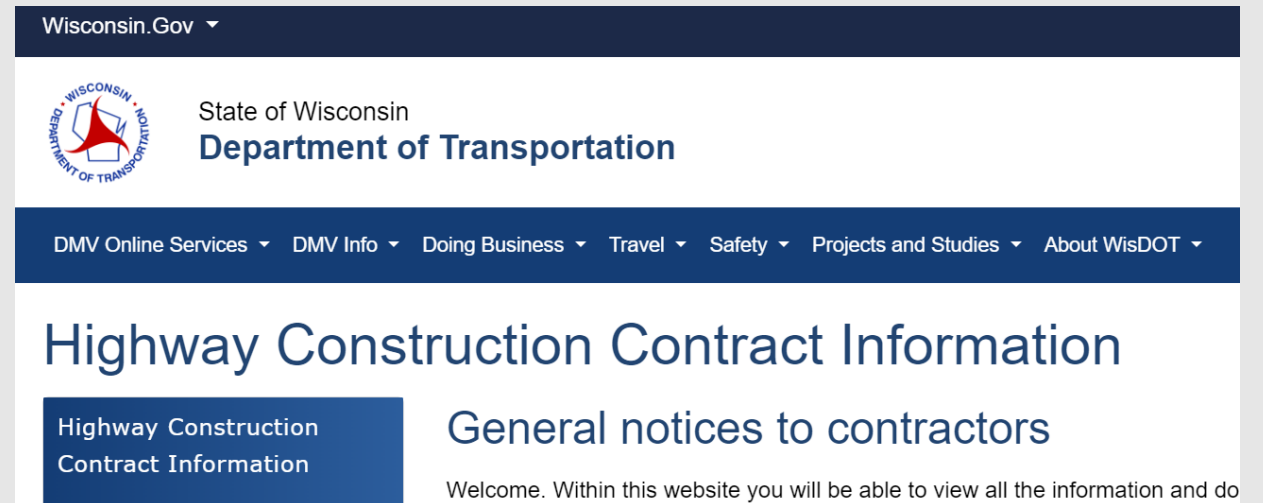
- Look for addendums on the Highway Construction Contract Information (HCCI) website (plan changes, wage rates if applicable, etc.).
- On HCCI, go to Construction bid letting-General process overview:
<http://wisconsindot.gov/Pages/doing-bus/contractors/hcci/bid-let.aspx>
- Verify that all required classifications needed to complete the work are listed in the wage rates. If not, contact your Compliance Specialist.



Resource - HCCI

HCCI

- Proposals
- CS and DBE contacts
- Contract Schedule
- Contract Payments
- CRCS Manual
- CMM



The screenshot shows the Wisconsin Department of Transportation website. At the top, there is a dark blue header with "Wisconsin.Gov" and a dropdown arrow. Below this is the state logo and the text "State of Wisconsin Department of Transportation". A navigation bar contains links for "DMV Online Services", "DMV Info", "Doing Business", "Travel", "Safety", "Projects and Studies", and "About WisDOT". The main content area features the heading "Highway Construction Contract Information" and a blue button labeled "Highway Construction Contract Information". To the right, it says "General notices to contractors" and "Welcome. Within this website you will be able to view all the information and do".

<http://wisconsindot.gov/Pages/doing-bus/contractors/hcci/default.aspx>



Resource

Civil Rights Compliance System

CRCS

- Project info
- Wage rates
- Contact info

WisDOT Civil Rights Compliance



<https://wisdot.ecomply.us/default.aspx?ReturnUrl=%2flogout.aspx>



Compliance Specialist

- New projects
 - Will do an initial overview and share vital information with the prime and subcontractors at the preconstruction meeting.
 - Review and approve initial sublet requests.
- Will utilize CRCS to manage the project
 - Payroll reviews or labor data.
 - Payment reports.



Compliance Specialist (continued)

- When you'll hear from us or see us
 - In the field conducting Wage/EEO interviews or at the project's weekly meeting.
 - Call or letter and/or email regarding a compliance issue or a rejection notice.
 - When the project is substantially complete.
- Communication
 - Will typically work directly with the Prime contractor.



Sublets (Best Practices)

- Primes - Have DT1925 (Sublet requests) to your Compliance Specialist before the preconstruction meeting.
 - Fill in the form completely including the running total of approved sublets.
- Non-trucking firms should not be listed in CRCS with placeholder dollar amounts.
 - If you cannot determine the amount of the contract, use your best judgement and guess the contract amount.



Compliance Investigations

- Sources of Investigation
 - Internal Review
 - Formal Complaint
 - Compliance Review
- Notification is sent to prime contractor and contractor being reviewed and WisDOT project staff
 - Prime contractor's responsibility to ensure WisDOT receives all requested information by the deadline.



Compliance Investigations (continued)

- WisDOT may withhold payments for non-compliance with deadlines and will **not** make a final payment until an investigation is closed.
- Failure to provide full, accurate, and timely information can lead to or result in suspension or debarment and referral to another agency.

http://docs.legis.wisconsin.gov/code/admin_code/trans/504.pdf



Top 10 Takeaways

- 1) Submit CPRs in CRCS within 7 days of the close of the payroll period.
- 2) Enter and confirm payments within 10 days of receipt of a progress payment.
- 3) Notify DBE_Alert@dot.wi.gov and Compliance Specialist of changes/reductions to DBE Commitment ASAP.
- 4) Apprenticeship: Bona fide program, up-to-date information, and upload documents to Box.
 - <https://wisdot.app.box.com/f/e263e97e31b74803babcc7ef1d7a17d0>
 - Refer to Apprenticeship slides 116-125.
- 5) OT hourly rate x 1.5 straight time/prevailing wage hourly whichever is greater.



Top 10 Takeaways (continued)

6) Other hours

- Hours worked elsewhere (public and private work) and show as a difference between project and gross wages.

7) Bidders list

- Update your company profile to reflect your current contacts.

8) Compliance staff is located throughout the state.

- Review Project/Project Details/Local Information area to find the Compliance Specialist assigned to a specific project and their contact information.

9) Keep good, updated records in case a Compliance staff member requests information.

10) Provide written notification if withholding payment to subcontractors.



In Summary



Thank you for attending.

If you have questions, ask your Compliance Specialist.

Have a safe season!

