

CONTRACT COMPLIANCE REVIEW CHECKLIST

Nevada Department of Transportation, Contract Compliance Division

Contractor: Complete this checklist. Attach all required documentation and send to the NDOT Contract Compliance Division **at least one week** prior to the date of the scheduled Contract Compliance Review. All records concerning Equal Employment Opportunity and Disadvantaged Business Enterprise utilization must be available at the time of the review. All documentation must be clear, legible, organized, and labeled according to section and question number.

IF ALL OF THE REQUIRED INFORMATION IS RECEIVED TIMELY, AND AFTER REVIEW, THERE ARE ONLY A FEW BASIC QUESTIONS, A CONFERENCE CALL MAY BE HELD AT THE SCHEDULED DATE AND TIME INSTEAD OF AN ON-SITE VISIT. A DECISION WILL BE MADE AND CONVEYED APPROXIMATELY FORTY-EIGHT HOURS PRIOR TO THE SCHEDULED REVIEW.

1. Contract or Project Number	2. Contract Value	3. Date of Review	
4. Contractor Identification (Specify if a Disadvantaged Business Enterprise.)			
Prime	Sub	Vendor	Supplier
Other (specify)			
5. Name And Address of Contractor			
6. Project Address, if Different (List county and nearest city or town.)			
7. Name And Title of Policy Making Officer (List titles of other positions currently being held in the company.)			
8. Name And Title of Project Officer (List titles of other positions currently being held in the company.)			
9. Name And Title of Equal Employment Opportunity Officer (List titles of other positions currently being held in the company.)			
10. Contract or Project Production Schedule	Beginning date:	Est. completion date:	Anticipated peak employment date:
11. Type of Work			12. % COMPLETE
13. Is a written EEO Affirmative Action Plan available? (Provide a copy of the plan)			

NOTE: The following questions relate to requirements found in FHWA 1273 - Required Contract Provisions, Federal-Aid Construction Contracts; Contract Special Provision - On-the-Job Training Program; Contract Special Provision - EEO Affirmative Action Requirements; and Contract Special Provision - Utilization of Disadvantaged Business Enterprise, which are located in the bidder's proposal.

A. Subcontractors, Regular Dealers, Vendors, Suppliers, Etc.

1. What is the DBE requirement for this project? _____ %

2. List intended DBE participation (provided at time of bid submittal) and actual DBE participation (amount paid to date) below.

FIRM NAME	TYPE OF WORK	INTENDED AMOUNT	ACTUAL AMOUNT
1.			
2.			
3.			
4.			
5.			
6.			
7.			
8.			
9.			
10.			

3. Provide a copy of **all** executed subcontract agreements, purchase orders, and canceled checks (front and back) issued to **only** the DBE subcontractors, regular dealers, and manufacturers participating on this project.

4. Provide a list of **all** subcontractors, with contracts of \$10,000 or more, on this project to include name and address; dollar amount; type of work or service provided; and whether or not subcontract work has started, is in progress, or has been completed. **For those subcontractors that have performed any work on the project**, include what their peak employment week has been to date for this project **only** (to include total number of employees, total number of minority and female employees, and the percent of each).

Subcontractor Name	Address	Dollar Amount	Type of Work or Service Provided	Work in Process or Complete?
1.				
2.				
3.				
4.				
5.				
6.				

7.				
8.				
9.				
10.				

5. Are there established procedures to ensure subcontractors' compliance with the EEO obligations of this contract?

Yes

No

(Provide documentation of this procedure)

B. Union Affiliations

1. Is this firm signatory to a collective bargaining agreement(s)? Yes No (If no, continue to Section C.)

2. Provide a copy of all current collective bargaining agreements.

3. Does the agreement(s) provide for exclusive hiring hall referrals? Yes No

4. Is there an Equal Employment Opportunity clause incorporated in the agreement(s)? Yes No

5. If so, on what page does the clause appear?

6. Have required written notices been sent to unions? Yes No (Provide documentation)

7. If the union(s) has been unable to refer qualified minorities and females for employment, have recruitment procedures been established and used to fill job vacancies consistent with EEO obligations of this contract?

Yes

No

(Provide a copy of the procedures and documentation of these efforts)

C. Other Recruitment Sources

1. Provide a list of recruitment sources (other than unions) actually used **on the project this season**, to include name and addresses.

D. Project Personnel

1. What are the employment goals for this project?

% minorities

% females

2. Provide a workforce breakdown for the **personnel of this project only** by job category developed from all available payrolls for the **current** construction season (using the format of the Federal-Aid Highway Construction Contractors Annual EEO Report. Form FHWA 1391.) If an employee works in more than one job category in which he or she accumulated the most hours.

3. Provide a similar current workforce breakdown reflecting your **entire company operation** (using the format of Form FHWA 1391 and base on the same week ending date as your last available payroll.)

4. Provide a list of **all new employees** hired for each position opening on this project only for the current construction season (as of the same week ending date as your last available payroll), to include name and address, race, sex, recruitment source, job classification, craft, beginning employment date, and starting wage rate.

5. Provide a list of **all minority and female employees** who have worked on the project to date (as of the same week ending date as your last available payroll), to include name and address, race, sex, job classification, beginning work date, ending work date (if applicable), and status of employment (still working on project, transferred to another project, laid off, discharged and for what reason, etc).

6. Provide a copy of the payrolls used in developing the workforce breakdown and workforce analysis by work hours requested in D-2 and D-6 above, to include annotations showing job classification, race and sex.

7. Are nondiscriminatory wage practices utilized on t his project (no wage difference between minority, female, and nonminority personnel within a given classification?)

Yes No

E. Training

1. Under the Contract Special Provision On-the-Job Training Program how many trainees have been assigned to your company? (If none, continue to Section F.)

2. Are there approved training programs? Yes No **(Provide copies)**

3. How many trainees are actually employed on this project?

4. If there are none on the project at the time of review, are they anticipated to be on the project?

Yes No

5. How many of the trainees are minority?	Female	Disadvantaged White	Other

6. Who certified the nonminority males as disadvantaged? **(Provide certification documentation)**

7. In what classifications are they being trained?

8. On what equipment (if applicable) are they being trained?

9. How many hours of training have the trainees received in their classification to date?

10. Have the trainees received the proper number of training hours as stated in their training programs?

Yes No

11. Will the trainees complete their training this season? Yes No
What are their anticipated completion dates?

12. What plans have been made for those trainees who do not complete their programs?

13. Are trainees receiving the proper pay scale for the classifications in which they are being trained?

Yes No

14. Have the trainees received rate increases as provided for in their training programs? Yes No
(Provide salary history for trainees including dates and amounts of salary increases)

15. Are trainees being retained by the contractor after completion of their programs? Yes No

(Provide employment records on all trainees who have completed programs within the past three years)

F. Project Personnel Actions

1. Are records kept on personnel actions that are necessary to determine compliance with CEO obligations?

Yes No

(Personnel actions include termination, layoff, upgrading, demotion, transfer, training, etc.)

2. Provide a list of promotions made on the project for the **current** construction season, to include name and address, race, sex, and beginning employment date (indicate position held, position promoted into, and corresponding wage rates.)

3. Provide a list of all other personnel actions taken on the project for the **current** construction season. The list must include name and address, job classification, wage rate, race, sex, type of personnel action, and date.

G. Recruitment

1. When advertising for employees in newspapers, trade magazines, or other publications, has the notation "An Equal Opportunity Employer" been included in those advertisements?

Yes No

(Provide documentation for this project only including name of publication and date(s) advertisement ran)

2. When advertising for employees by any of the above means, has the advertisement been placed in publications that have a large circulation among minorities in the area from which the project workforce would normally be derived?

Yes No

(Provide documentation and a list of the newspapers, trade magazines, or other publications used)

3. Have present employees been encouraged to refer minority and female applicants for employment?

Yes No

(Provide documentation supporting this claim)

4. Who on this project has the responsibility for hiring employees?

5. Have they been instructed in the methods to be followed when locating and hiring minority and female employees?

Yes No

(Provide documentation)

6. Has systematic and direct recruitment been conducted with referral sources likely to yield minority and female applicants?

Yes No

(Provide details of the results of these contracts)

7. Have procedures been established with these referral sources whereby minority and female applicants may be referred for employment consideration?

Yes No

(Provide documentation of this contact to include name and address)

8. What other innovative and proactive recruiting techniques have been used to locate and hire minority and female employees (placing notices or fliers in grocery stores, laundromats, gas stations, etc.)?

H. EEO Policy

1. Is the following statement included in the EEO Policy? Yes No

"It is the policy of this company to assure that applicants are employed, and that employees are treated during employment, without regard to their race, color, religion, sex, age, national origin, or disability. Such action shall include, but not be limited to the following: employment, upgrading, demotion, or transfer; recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship preapprenticeship, and/or on-the-job training." (See Exhibit A of the form "Required Posters on Federal-Aid Projects.")

(Provide a copy of this policy.)

I. Dissemination of EEO Policy

1. Has the EEO policy and other required notices and posters been placed in an area readily accessible to employees, applicants for employment, and potential employees? Yes No Where?
2. Check by which of the following means the EEO policy and the procedures to implements such policy have been brought to the attention of all employees on this project at least once annually: Meetings Employee Handbooks Other Appropriate Means (Provide minutes of meeting with roster of attendees, handbook, or documentation of other means utilized)
3. Check which of the following prospective employee providers have been made fully aware of the EEO policy and provide documentation: Schools Employment Agencies Labor Unions College Placement Offices Other
4. Do supervisory personnel fully understand the company EEO policy? Yes No
5. Have all new supervisory personnel and office personnel hired this season been given a thorough indoctrination in the EEO policy within 30 days of their employment starting date? Yes No (Provide documentation)
6. Have EEO meeting with supervisory personnel and office personnel been conducted prior to the start of work on this project and at least every six months during the progress of this project? Yes No (Provide minutes of the meetings including rosters of attendees)

J. EEO and DBE Officers

1. Has an EEO office been designated for the company (May be combined with designation of DBE officer. See Exhibit A of the form "Required Posters on Federal-Aid Projects.") Yes No (Provide a copy)
2. Has adequate written authority delegating the duties and responsibilities of that position been provided to the EEO officer? Yes No (Provide documentation)
3. What EEO training has the officer received within the past two years? (Provide dates and details of training)
4. When was the EEO responsibility assigned to the officer?
5. Annually, approximately what percentage of time does the officer spend on EEO concerns?
6. Has a Disadvantaged Business Enterprise (DBE) officer been designated? (May be combined with designation of EEO officer. See Exhibit A of the form "Required Posters on Federal-Aid Projects.") Yes No (Provide a copy and written authority delegating the duties and responsibilities of that position)

K. General

1. Is there a discrimination complaint procedure established for this company? (See Exhibit C of the form "Required Posters on Federal-Aid Projects.") Yes No (Provide a copy of the procedure)
2. Have any complaints of discrimination been received within the past three years? Yes No

3. If yes, give specific date(s) of complaint(s), nature of complaint(s), who was involved, what action was taken, and the outcome.

(Provide documentation)

4. Check which of the following required contract special provisions have been incorporated in all subcontract agreements of \$10,000 or more used on the project.

FHWA-1273 - Required Contract Provisions, Federal-Aid Construction Contracts.

EEO Affirmative Action Requirements.

Labor Rates from U.S. Department of Labor (Davis-Bacon.)

(Provide a sample subcontract agreement, if one has not already been provided)

5. In the past three years, have reviews made by the Equal Employment Opportunity Commission (EEOC), the Office of Federal Contract Compliance Programs (OFCCP), or any other federal, state, or local agency regarding your company or any of your subcontractors resulted in a determination of compliance or noncompliance?

Yes No

(Provide name of agency, date of review, and results)

6. Provide a list of all federally assisted contracts of \$10,000 or more currently held by your company. This list should include project number, dollar amount, location, contracting agency, and subcontractor.

Project Number	Dollar Amount	Location	Contracting Agency	Subcontractor

**TO BE COMPLETED BY THE
NEVADA DEPARTMENT OF TRANSPORTATION**

NDOT Contract Compliance Reviewer sign and date below:

L. Inspection

1. Review of the project was made to ensure that working conditions and employee facilities do not indicate Discriminatory treatment of project site personnel.

Yes No Date:

2. Notices and posters have been placed in an area readily accessible to employees, applicants for employment, and potential employees.

Yes No Where:

3. Check which of the following are posted at the job site.

Poster Board Provided by NDOT (A)

Federal Wage Rates (B)

Discrimination Complaint Procedure (C)

4. Are letters and notices dated and signed (where applicable)? Yes No

M. Project Manager Review

1. Does the contractor submit timely FHWA 1391 reports? Yes No

2. Have Labor Compliance and EEO Contract Compliance Job-Site Interviews been completed?

Yes No (Attach)

N. General Comments or Observations

1. Has the contractor cooperated with the Nevada Department of Transportation and the Federal Highway Administration in the review of their EEO activities under the contract?

Yes No

2. Make a general statement about the progress of the contractor in the hiring, training, and upgrading of minorities and females.

3. Additional sheets may be attached for comments and recommendations by the reviewing officer concerning information contained in this form. When making comments, refer to specific sections and questions in this report.