

FHWA-1273 REQUIRED CONTRACT PROVISIONS

Equal Opportunity Requirements for Contractors Applicable to Federal-aid Highway Projects (For use at Preconstruction Meetings)

Prime Contractors are reminded to:

1. Read the FHWA-1273 contract provisions located in their agreement.
 - a. Sections II and III apply to construction contracts and related subcontracts of \$10,000 or more.
 - b. Contractors are required to make a good faith effort to provide equal opportunity in all terms and conditions of employment.
2. Physically incorporate the FHWA-1273 in its entirety in **ALL** subcontracts and make reference to the document in any purchase order agreements.
3. Designate and make known an EEO Officer with adequate authority to effectively implement their EEO program.
4. Monitor and ensure subcontractor compliance with the FHWA-1273:
 - a. Notify all potential subcontractors, suppliers and lessors of their EEO obligations.
 - b. Require subcontractors to document how they are implementing their EEO programs, including their methods of monitoring any lower-tier subcontractors.
5. Make sure that all job or project site boards are accessible, and complete with all Federal posters and required notifications (per FHWA-1273), including their company's EEO policy statements.
6. Post the Prevailing Wage notification and ensure that employees are paid accordingly (**Applicable to all Federal-aid construction projects exceeding \$2000. Local roads are excluded**).
7. Conduct periodic site inspections of project sites to insure that working conditions and employee facilities do not indicate discriminatory treatment of project site personnel.
8. Remember that all contracts over \$10,000 are subject to an EO Compliance review relative to FHWA-1273 contract provisions.
9. Make sure that annual EEO reports (Form 1391) are submitted to the resident engineer for **ALL** active projects each July, as required.
10. Contractors shall maintain sufficient records to document their compliance with EEO requirements. Payroll records are required from all contractors during an EO compliance review, and must be annotated by race and sex. Records shall be retained for a period of three years following the date of final payment