



NORTH CAROLINA

Department of Transportation



Certified Payroll Webinar

Michelle Gaddy

Construction Unit

Why are we here

- We are here to offer support and guidance on certified payroll.
- To ensure the proper procedures are being followed
- To ensure our process in capturing and collecting data correctly is being followed.
- New personnel in the RE office
- Audits by OIG have had a history of poor results.

Section IV – Davis-Bacon and Related Acts

- Applies to Federal-Aid contracts in excess of \$2000 for construction, alteration, or repair of public works and to all related subcontracts and lower tier subcontracts regardless of the subcontract amount.
- Requires contractors and subcontractors to pay prevailing wages to “all laborers and mechanics employed directly upon the site of work.”
- Covered workers must be paid not less than once a week and without subsequent deduction or rebate.

FHWA 1273

- Must be physically incorporated into each subcontract agreement and all lower tier subcontracts.
- NCDOT's subcontract approval form requires both the Contractor and Subcontractor certify that the FHWA 1273 is incorporated into the subcontract agreement.
- The NCDOT subcontract approval form may be found at the following link:
<https://connect.ncdot.gov/projects/construction/pages/construction-resources.aspx>
- Verify that FHWA 1273 is included in subcontracts – 10% of subcontract agreements with a minimum of 2. Verify Title VI requirements as well.

Required Contract Provisions Federal-Aid Construction Contracts

REQUIRED CONTRACT PROVISIONS FEDERAL - AID CONSTRUCTION CONTRACTS

FHWA - 1273 Electronic Version - May 1, 2012

Z-8

- I. General
- II. Nondiscrimination
- III. Nonsegregated 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. Compliance with Governmentwide Suspension and Debarment Requirements
- XI. Certification Regarding Use of Contract Funds for Lobbying

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 (excluding emergency contracts solely intended for debris removal). The contractor (or subcontractor) must insert this form in each subcontract and further require its inclusion in all lower tier subcontracts (excluding purchase orders, rental agreements and other agreements for supplies or services).

The applicable requirements of Form FHWA-1273 are incorporated by reference for work done under any purchase order, rental agreement or agreement for other services. The prime contractor shall be responsible for compliance by any subcontractor, lower-tier subcontractor or service provider.

Form FHWA-1273 must be included in all Federal-aid design-build contracts, in all subcontracts and in lower tier subcontracts (excluding subcontracts for design services, purchase orders, rental agreements and other agreements for supplies or services). The design-builder shall be responsible for compliance by any subcontractor, lower-tier subcontractor or service provider.

Contracting agencies may reference Form FHWA-1273 in bid proposal or request for proposal documents, however, the Form FHWA-1273 must be physically incorporated (not referenced) in all contracts, subcontracts and lower-tier subcontracts (excluding purchase orders, rental agreements and other agreements for supplies or services related to a construction contract).

STATE FUNDED CONTRACT

disability and religion. In addition, the 1987 Civil Rights Restoration Act extends nondiscrimination coverage to all programs and activities of federal-aid recipients and contractors, including those that are not federally-funded.

Nondiscrimination Assurance

The North Carolina Department of Transportation (NCDOT) hereby gives assurance that no person shall on the ground of race, color, national origin, sex, age, and disability, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity conducted by the recipient, as provided by Title VI of the Civil Rights Act of 1964, the Civil Rights Restoration Act of 1987, and any other related Civil Rights authorities, whether those programs and activities are federally funded or not.

Obligation

During the performance of this contract, the Contractor and its subcontractors are responsible for complying with NCDOT's Title VI Program. The Contractor must ensure that NCDOT's Notice of Nondiscrimination is posted in conspicuous locations accessible to all employees and subcontractors on the jobsite, along with the Contractor's own Equal Employment Opportunity (EEO) Policy Statement. The Contractor shall physically incorporate this "TITLE VI AND NONDISCRIMINATION" language, in its entirety, into all its subcontracts on federally-assisted and state-funded NCDOT-owned projects, and ensure its inclusion by subcontractors into all subsequent lower tier subcontracts. The Contractor and its subcontractors shall also physically incorporate the FHWA-1273, in its entirety, into all subcontracts and subsequent lower tier subcontracts on Federal-aid highway construction contracts only. The Contractor is also responsible for making its subcontractors aware of NCDOT's Discrimination Complaints Process, as follows:

FILING OF COMPLAINTS

1. **Applicability** – These complaint procedures apply to the beneficiaries of the NCDOT's programs, activities, and services, including, but not limited to, members of the public, contractors, subcontractors, consultants, and other sub-recipients of federal and state funds.
2. **...**
3. **...**

II. Title VI Nondiscrimination Program

Title VI of the 1964 Civil Rights Act, 42 U.S.C. 2000d, provides that: "No person in the United States shall, on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance." The broader application of nondiscrimination law is found in other statutes, executive orders, and regulations (see Section III, Pertinent Nondiscrimination Authorities), which provide additional protections based on age, sex, disability and religion. In addition, the 1987 Civil Rights Restoration Act extends nondiscrimination coverage to all programs and activities of federal-aid recipients and contractors, including those that are not federally-funded.

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FILING OF COMPLAINTS

1. **Applicability** – These complaint procedures apply to the beneficiaries of the NCDOT's programs, activities, and services, including, but not limited to, members of the public, contractors, subcontractors, consultants, and other sub-recipients of federal and state funds.

Same Language in both Federal and State Contracts. All contracts require Title VI and Non-discrimination to be included in subcontracts. All federal contracts are required to have FHWA 1273 incorporated in subcontracts.

Standard Special Provision Minimum Wages

**STANDARD SPECIAL PROVISION
MINIMUM WAGES
GENERAL DECISION NC170101 01/06/2017 NC101**

Z-101

Date: January 6, 2017

General Decision Number: NC170101 01/06/2017 NC101

Superseded General Decision Numbers: NC20160101

State: North Carolina

Construction Type: HIGHWAY

COUNTIES:

Alamance	Forsyth	Randolph
Anson	Gaston	Rockingham
Cabarrus	Guilford	Stokes
Chatham	Mecklenburg	Union
Davie	Orange	Yadkin
Durham	Person	

HIGHWAY CONSTRUCTION PROJECTS (excluding tunnels, building structures in rest area projects & railroad construction; bascule, suspension & spandrel arch bridges designed for commercial navigation, bridges involving marine construction; and other major bridges).

Note: Under Executive Order (EO) 13658, an hourly minimum wage of \$10.20 for calendar year 2017 applies to all contracts subject to the Davis-Bacon Act for which the contract is awarded (and any solicitation was issued) on or after January 1, 2015. If this contract is covered by the EO, the contractor must pay all workers in any classification listed on this wage determination at least \$10.20 per hour (or the applicable wage rate listed on this wage determination, if it is higher) for all hours spent performing on the contract for calendar year 2017. The EO minimum wage rate will be adjusted annually. Additional information on contractor requirements and worker protections under the EO is available at www.dol.gov/whd/govcontracts.

Modification Number
0

Publication Date
01/06/2017

SUNC2014-003 11/14/2014

	Rates	Fringes
BLASTER	18.64	
CARPENTER	13.68	.05
CEMENT MASON/CONCRETE FINISHER	13.93	
ELECTRICIAN		
Electrician	18.79	2.72
Telecommunications Technician	15.19	1.25
IRONWORKER	13.30	
LABORER		

	Rates	Fringes
Asphalt Raker and Spreader	12.78	
Asphalt Scream/Jackman	14.50	
Carpenter Tender	12.51	.27
Cement Mason/Concrete Finisher Tender	11.04	
Common or General	10.40	.01
Guardrail/Fence Installer	13.22	
Pipelayer	12.43	
Traffic Signal/Lighting Installer	15.65	.24
PAINTER		
Bridges	23.77	
POWER EQUIPMENT OPERATORS		
Asphalt Broom Tractor	10.00	
Bulldozer Fine	16.13	
Bulldozer Rough	14.36	
Concrete Grinder/Groover	17.92	
Crane Boom Trucks	18.19	
Crane Other	19.83	
Crane Rough/All-Terrain	19.10	
Drill Operator Rock	14.28	
Drill Operator Structure	20.89	
Excavator Fine	16.95	
Excavator Rough	13.63	
Grader/Blade Fine	19.84	
Grader/Blade Rough	15.47	
Loader 2 Cubic Yards or Less	13.31	
Loader Greater Than 2 Cubic Yards	16.19	
Material Transfer Vehicle (Shuttle Buggy)	15.44	
Mechanic	17.51	
Milling Machine	15.22	
Off-Road Hauler/Water Tanker	11.83	
Oiler/Greaser	14.16	
Pavement Marking Equipment	12.05	
Paver Asphalt	15.97	
Paver Concrete	18.20	
Roller Asphalt Breakdown	12.79	
Roller Asphalt Finish	13.76	
Roller Other	12.08	
Scraper Finish	12.65	
Scraper Rough	11.50	
Slip Form Machine	19.60	
Tack Truck/Distributor Operator	14.82	
TRUCK DRIVER		
GVWR of 26,000 Lbs or Less	11.45	
GVWR of 26,000 Lbs or Greater	13.57	.03

Welders – Receive rate prescribed for craft performing operation to which welding is incidental.

Note: Executive Order (EO) 13706, Establishing Paid Sick Leave for Federal Contractors applies to all contracts subject to the Davis-Bacon Act for which the contract is awarded (and any solicitation was issued) on or after January 1, 2017. If this contract is covered by the EO, the contractor must provide employees with 1 hour of paid sick leave for every 30 hours they work, up to 56 hours of paid sick leave each year. Employees must be permitted to use paid sick leave for their own illness, injury or other health-related needs, including preventive care; to assist a family member (or person who is like family to the employee) who is ill, injured, or has other

Who is covered under DBA?

- Laborers and Mechanics who are performing work that is physical and/or manual in nature. Also includes apprentices, trainees and interns.
 - Carpenters
 - Electricians
 - Plumbers
 - Iron Workers
 - Flaggers
 - Craftsmen
 - Welders
 - Concrete Finishers
 - Power Equipment Operators
 - Truck Drivers (site of work only)

Who is not covered under DBA?

- Laborers and Mechanics do not include workers whose duties are primarily administrative, technical, professional, executive or clerical rather than manual.
 - Architects
 - Timekeepers
 - Utility
 - Employees of Railroads
 - Contracting Agency Inspectors
 - Contractor QA Inspector
 - Truck drivers who deliver or pick-up materials
 - Bona Fide programs provided by the USDOL w/ established wage rates, living allowances and other compensation.
 - Engineers
 - Supervisors
 - Survey Crew
 - Employees of Public Utilities
 - Public Agency Employees
 - Material suppliers

What needs to be submitted?

- The Davis-Bacon Act requires:
 - That “all laborers and mechanics” be paid unconditionally not less often than once a week
- The Copeland Act requires:
 - The contractor and subcontractors submit certified payrolls within 7 days of the payroll date
 - Certified payroll may be submitted on the form prescribed (WH-347) or on the company’s payroll form
 - Payroll must be accompanied by a “Statement of Compliance” with an original signature of the owner/company official

What does “Site of Work” include?

- The physical place or places where the work called for in the contract will remain
- Any other site where a significant portion of the work is constructed
- Batch plants, borrow pits, casting yards, job headquarters and tool yards are part of the “site of work” provided they are dedicated exclusively or nearly so to the contract.
- The R.E. must alert office staff if this is applicable.
- It is also a discussion the R.E. needs to have during the preconstruction conference.

Excluded from the “Site of Work”

- Permanent home offices
- Branch plant establishments
- Fabrication plants
- Commercial/Material supplier fabrication plants and batch plants

Submission

- All payrolls are to be submitted through the prime
- Prime's responsibility to obtain all required payrolls
- **Failure of the Prime to obtain and submit all required payrolls, or submission of nonconforming payrolls should result in the withholding of contract estimate payments and/or retainage.**
- Even if project is closed, other withholding avenues can be pursued.
- Failure to comply can result in removal from NCDOT's bidder list for future projects.

Review of Certified Payroll

- Statement of Compliance (SOC)
 - Ensure proper language, signatures, appropriate dates
- Wage and Hour Report
 - Ensure employee names, identifying numbers, proper job classifications, pay rates, overtime rates and accurate mathematical computations
- Deductions
 - Ensure clear explanations and proper authorizations
- Fringe

Standard Special Provision Minimum Wages

DG00337 W-5601GH

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Guilford County

	Rates	Fringes
Electrician	18.79	2.72
Telecommunications Technician	15.19	1.25
IRONWORKER	13.30	
LABORER		
Asphalt Raker and Spreader	12.78	
Asphalt Screed/Jackman	14.50	
Carpenter Tender	12.51	.27
Cement Mason/Concrete Finisher Tender	11.04	
Common or General	10.40	.01
Guardrail/Fence Installer	13.22	
Pipelay	12.43	
Traffic Signal/Lighting Installer	15.65	.24
PAINTER		
Bridge	23.77	
POWER EQUIPMENT OPERATORS		
Asphalt Broom Tractor	10.00	
Bulldozer Fine	16.13	
Bulldozer Rough	14.36	
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Crane Boom Trucks	18.19	
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TRUCK DRIVER		
GVWR of 26,000 Lbs or Less	11.45	
GVWR of 26,000 Lbs or Greater	13.57	.03

Welders – Receive rate prescribed for craft performing operation to which welding is incidental.

Recordkeeping

- Information required to be included on the payroll for each employee:
 - Name
 - 4 Digit Identifier
 - Proper Classification
 - Hourly Rates of Wages Paid (Fringe)
 - Daily and Weekly Gross Wages*
 - Deductions made and properly identified
 - Net Wages paid
 - Overtime Rates

PAYROLL

(For Contractor's Optional Use; See Instructions at www.dol.gov/whd/forms/wh347instr.htm)

Persons are not required to respond to the collection of information unless it displays a currently valid OMB control number.



Rev. Dec. 2008

NAME OF CONTRACTOR <input type="checkbox"/> OR SUBCONTRACTOR <input type="checkbox"/>		ADDRESS		OMB No.: 1235-0008 Expires: 02/28/2018	
PRIME OR SUBCONTRACTOR		FIRM'S ADDRESS			
PAYROLL NO.	BEGIN W/ 1 (# FOR SUBMISSION)	FOR WEEK ENDING	WORKWEEK END DATE	PROJECT AND LOCATION	SELF-EXPLANATORY
				SELF-EXPLANATORY	

(1) NAME AND INDIVIDUAL IDENTIFYING NUMBER (e.g., LAST FOUR DIGITS OF SOCIAL SECURITY NUMBER) OF WORKER	(2) NO. OF WITHHOLDING EXEMPTIONS	(3) WORK CLASSIFICATION	(4) DAY AND DATE							(5) TOTAL HOURS	(6) RATE OF PAY	(7) GROSS AMOUNT EARNED	(8) DEDUCTIONS					(9) NET WAGES PAID FOR WEEK
			OT OR ST	HOURS WORKED EACH DAY									FICA	WITH- HOLDING TAX	OTHER	TOTAL DEDUCTIONS		
				S	M	T	W	T	F								S	
NAME OF EMPLOYEE & LAST 4 DIGITS OF SSN		CLASSIFICATIO N DESCRIPTIVE OF WORK ACTUALLY PERFORMED	O	OVERTIME WORKED														
			S	STANDARD TIME WORKED														
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While completion of Form WH-347 is optional, it is mandatory for covered contractors and subcontractors performing work on Federally financed or assisted construction contracts to respond to the information collection contained in 29 C.F.R. §§ 3.3, 5.5(a). The Copeland Act (40 U.S.C. § 3145) contractors and subcontractors performing work on Federally financed or assisted construction contracts to "furnish weekly a statement with respect to the wages paid each employee during the preceding week." U.S. Department of Labor (DOL) regulations at 29 C.F.R. § 5.5(a)(3)(ii) require contractors to submit weekly a copy of all payrolls to the Federal agency contracting for or financing the construction project, accompanied by a signed "Statement of Compliance" indicating that the payrolls are correct and complete and that each laborer or mechanic has been paid not less than the proper Davis-Bacon prevailing wage rate for the work performed. DOL and federal contracting agencies receiving this information review the information to determine that employees have received legally required wages and fringe benefits.

Public Burden Statement

We estimate that it will take an average of 55 minutes to complete this collection, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. If you have any comments regarding these estimates or any other aspect of this collection, including suggestions for reducing this burden, send them to the Administrator, Wage and Hour Division, U.S. Department of Labor, Room S3502, 200 Constitution Avenue, N.W. Washington, D.C. 20210

(over)

(5) TOTAL HOURS	(6) RATE OF PAY		(7) GROSS AMOUNT EARNED	(8) DEDUCTIONS					(9) NET WAGES PAID FOR WEEK	
				FICA	WITH-HOLDING TAX			OTHER		TOTAL DEDUCTIONS
	OT PAY		/	DEDUCTIONS - 5 COLUMNS. IF MORE THAN 5 DEDUCTIONS, USE 4 COLUMNS & SHOW BALANCE DEDUCTIONS IN THE "OTHER" COLUMN; SHOW ACTUAL TOTAL UNDER "TOTAL DEDUCTIONS". IN ATTACHMENT TO PAYROLL DESCRIBE THE DEDUCTIONS CONTAINED IN THE "OTHER" COLUMN.					SELF-EXPLANATORY	SELF-EXPLANATORY
	BASE RATE	FRINGE								
			\$ EARNED ON FED. PROJ.						SELF-EXPLANATORY	SELF-EXPLANATORY
			\$ GROSSED DURING WEEK ON ALL PROJ.							

Date

I,
 (Name of Signatory Party) (Title)

do hereby state:

(1) That I pay or supervise the payment of the persons employed by on the (Contractor or Subcontractor); that during the payroll period commencing on the (Building or Work) day of , , and ending the day of , , all persons employed on said project have been paid the full weekly wages earned, that no rebates have been or will be made either directly or indirectly to or on behalf of said from the full (Contractor or Subcontractor)

weekly wages earned by any person and that 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 C.F.R. 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. § 3145), and described below:

DESCRIBES ANY DEDUCTIONS MADE. IF ALL DEDUCTIONS ARE MADE ADEQUATELY DESCRIBED IN THE "DEDUCTIONS" COLUMN ABOVE, STATE "SEE DEDUCTIONS COLUMN IN THIS PAYROLL".

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

(3) That 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) That:
 (a) WHERE FRINGE BENEFITS ARE PAID TO APPROVED PLANS, FUNDS, 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 4(c) below.

(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.

(c) EXCEPTIONS

EXCEPTION (CRAFT)	EXPLANATION

REMARKS:

NAME AND TITLE	SIGNATURE
<input type="text"/>	<input type="text"/>

THE WILLFUL FALSIFICATION OF ANY OF THE ABOVE STATEMENTS MAY SUBJECT THE CONTRACTOR OR SUBCONTRACTOR TO CIVIL OR CRIMINAL PROSECUTION. SEE SECTION 1001 OF TITLE 18 AND SECTION 231 OF TITLE 31 OF THE UNITED STATES CODE.

Fringe Benefits

- Fringe benefits include:
 - Medical or hospital
 - Pensions on retirement or death
 - Compensation for injuries or illness resulting from occupational activity or insurance to provide any of the foregoing unemployment benefits
 - Life insurance
 - Disability and sickness insurance or accident insurance
 - Vacation and holiday pay
 - Defrayment costs of apprenticeship or other similar programs

Fringe Benefits

- Contractors may use “bona fide” fringe benefits to achieve the hourly wage rate listed in the contract wage decision

Example #1:

- Required hourly rate = \$14.00 (OT must be paid at this rate)
- Required fringe benefits = \$0.00
- Total minimum wage/fringe benefit obligation = \$14.00

- The minimum wage and fringe benefit requirements may be met in either of the following ways:
 - \$14.00 in cash wages; OR
 - \$11.00 hourly wages and \$3.00 in pension contributions or other “bona fide” fringe benefits.

Fringe Benefits

Example #2:

- Required hourly rate = \$14.00 (OT must be paid at this rate)
- Required fringe benefits = \$3.00
- Total minimum wage/fringe benefit obligation = \$17.00

- The minimum wage and fringe benefit requirements may be met in either of the following ways:
 - \$17.00 in cash wages; OR
 - \$14.00 hourly wages and \$3.00 in pension contributions or other “bona fide” fringe benefits

Deductions

- All deductions from employee pay must be described in sufficient detail
- Payrolls may reference deduction codes if the employer provides a reference table to interpret the code
- General descriptions such as “insurance” are unacceptable
- Employers are required to obtain and retain detailed employee authorizations for voluntary deductions
- USDOL permission is required in some instances

Payroll Deductions

- Deductions for purposes other than previously listed **require the approval of the Secretary of Labor**. Such deductions typically include:
 - Personal use of vehicles, cell phones and/or pagers, credit cards
 - Uniform rentals
 - Purchase of tools
 - Transportation costs
- The Contractor makes to request to the DOL. The request should be in letter form on company letterhead and signed by a company official. A copy of the approval should be provided to the NCDOT Resident Engineer for project payroll files and maintained by the contractor for at least 3 years.

Prime Contractor Duties

- Each subcontract and lower tier contracts must include the FHWA 1273, Title VI, and Non-discrimination language in its entirety
- The Prime is responsible for compliance with all applicable rules and regulations by any subcontractor or lower tier subcontractor including temp agencies
- Wage tables and additional classifications posted at the site of work in a prominent and accessible place where it can be easily seen by the workers
- To collect and compile all certified payrolls from all tiers of subs for submission to NCDOT each week.

Resident Engineer Duties

- Construction Manual Instruction for Payroll Reviews (Section 107-22 Wages and Conditions of Employment)
- FAP-1
- FAP-2
- FAP-3
- Spot Interviews (Section 107-22 Wages and Conditions of Employment)

<https://connect.ncdot.gov/projects/construction/Pages/ConstMan.aspx?Order=CM-01-107#107-22%20WAGES%20AND%20CONDITIONS%20OF%20EMPLOYMENT>

Resident Engineer Duties

- RE prepares a record to document receipt of payrolls (FAP-1)
- If no work was performed for a subject week, documentation shall be completed indicating so
- The RE to review contractor's payroll to determine compliance
 - The first payrolls received shall be thoroughly inspected
 - If errors on the first payroll, the second is thoroughly inspected
 - Keep going until a correct payroll has been submitted

Resident Engineer Duties con't.

- Once a correct payroll is received, the checking of subsequent payrolls may be limited to the review of wages for at least two employees randomly selected for each weekly payroll received from prime and subs, however, a thorough inspection shall be made of all payrolls received from the prime and each sub for at least one week for each quarter year period based on duration of project
- Thorough reviews of certified payroll should be marked on the certified payrolls with a check (in red) and the box checked on the new FAP-1.

FAP-1

Form FAP-1

SUMMARY OF PAYROLLS

CONTRACT: _____ WEEK ENDING: _____

COUNTY: _____

Certified payrolls for the Contractors that performed work this week on the project are attached.

	ACTIVE	PAYROLL RECEIVED
PRIME CONTRACTOR		
APPROVED SUBCONTRACTORS		

Note: Check daily reports to confirm which contractors were active during the week for required payroll submittal.

Required quarterly review conducted this week.

Printed Name of Reviewer _____

Signed _____

Certified Payroll Checklist

Certified Payroll Audit Steps:

Yes/No

1. Review diaries to determined who worked:	
a. Record on FAP-1	
2. Receive payrolls	
a. Check signature, title, dates, Statement of Compliance	
3. Make sure information is complete and legible	
a. Ensure no employee addresses are included	
b. Are there identifying numbers for workers? (Not entire SSNs)	
4. Are the classifications on the Wage Determination (WD)?	
a. Look for helpers (Helpers are not normally listed on the WD)	
b. Are employees classified in two different classes?	
5. Are the wage rates sufficient to meet the requirements of the WD?	
a. Are employees paid at two different rates?	
6. Are there apprentices or trainees (Determine if they are being paid correctly)	
a. Are they registered in a DOL approved, bona fide program?	
b. Review ratios of apprentices to journeyman	
7. Are the hours correct? (Regular and OT reported separately?)	
a. Is it relatively consistent with the diaries?	
b. Are some employees working a lot less hours than others?	
8. Is OT computed correctly?	
9. Are reasons for deductions clear?	
a. Are deductions authorized?	
b. Do deductions add up correctly?	
10. If you have performed a Wage interview, is the information provided by the employee reflected accurately in the payroll data?	
11. Do you have a payroll for all subcontractors recorded in the diaries?	
12. Do you have a payroll for a subcontractor that is not recorded in diaries? (Other than "No Work").	

If the answer is No, provide details or response below:

Diary Review

- Things to look for in the diaries:
 - Who's present at site...are they being captured?
 - Any instance where a sub is prepared to do work, but decides not to for any given reason, they still need to be captured in the diaries.
 - Discrepancies between diaries and certified payrolls must be explained (this is a major issue we face yearly during the State Audit.)
 - With electronic documentation, all fields will need to be reviewed for subcontractor presence.
 - Attention needs to be made in regards to hours worked, number of laborers
 - **FAP-1s active field should be based on the information obtained from the diaries, not certified payroll that has been submitted.**

Sharepoint

- Diaries stored electronically on Sharepoint
- Diary reports can be created on Sharepoint to determine the contractors that performed work on any given day, if they have been captured by CEI or Project Inspector.
- Certified Payrolls can be stored on Sharepoint – Under Other/Federal Requirements/Certified Payrolls

Construction Projects ▸ Construction Projects Home

Team Sites for the NCDOT Highway & Bridge projects.

Home ▸ Construction Projects

Construction Team Sites

- Construction Resources
- Project Sites
- Rate your experience
- Help
- FAQs
- Division Letting List
- HiCAMS Contract Import Failures
- Construction Manual

Recent

The Project Sites tab is a list of most of the Construction Team Sites. NCDOT is in the process of moving sites into the tabs below by Division. If the site you're looking for isn't here, please click on the Division tab below to view it.

Project Sites

Division 01

Division 02

Division 03

Division 04

Division 05

Division 06

Division 07

Division 08

Division 09

Division 10

Division 11

Division 12

Division 13

Division 14

Construction Team Sites

Biological Surveys

C203632 - P-4900A

Template Pilot Site

Recent

Training

Find a Site

Team Site Help

- Name
 - Active Directory Groups for Construction Team Site Access
 - At Least One Signature Has Problems - DocuSign Root Certificate Expiration
 - Citrix Receiver - iPad Instructions
 - Construction Team Site Redesign - Overview
 - iPad Demo - Acrobat DC Markup
 - iPad Demo - Drawing Markup
 - iPad Demo - Extract sheet from Portfolio
 - iPad Demo - Setting Alerts
 - iPad Set-Up Guide - 13March2015
 - iPad Setup guide for CEI 6-30-2015
- 1 - 10 ▸

FAQs

- Title
- How do I get access to SharePlus Enterprise?
- How do I onboard a new CEI Technician



Select your Division

Construction Projects ▶ Construction Projects Home

Team Sites for the NCDOT Highway & Bridge projects.

Construction Projects

Construction Team Sites

- Construction Resources
- Project Sites
- Rate your experience
- Help
- FAQs
- Division Letting List
- HiCAMS Contract Import Failures
- Construction Manual

Recent

The Project Sites tab is a list of most of the Construction Team Sites. NCDOT is in the process of moving sites into the tabs below by Division. If the site you're looking for isn't here, please click on the Division tab below to view it.

Project Sites	C202025 - W-4712
	C202068 - R-3833B
Division 01	C202602 - I-3819A
Division 02	C202779 - B-4553
Division 03	C203026 - R-2707AA
Division 04	C203201 - R-2707B
Division 05	C203275
Division 06	C203336 - BD-5112V
Division 07	C203353 - B-5110
Division 08	C203356 - B-5155
Division 09	C203357 - I-4928
Division 10	C203384 - I-5606
Division 11	C203465
Division 12	C203471
Division 13	C203472
Division 14	C203528
	C203538 - B-5150
	C203547 - R-2707AB
	C203566 - K-4908
	C203579
	C203583 - I-5320



Select your Project

Find a Site

Team Site Help

Name
Active Directory Groups for Construction Team Site Access
At Least One Signature Has Problems - DocuSign Root Certificate Expiration
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Construction Team Site Redesign - Overview
iPad Demo - Acrobat DC Markup
iPad Demo - Drawing Markup
iPad Demo - Extract sheet from Portfolio
iPad Demo - Setting Alerts
iPad Set-Up Guide - 13March2015
iPad Setup guide for CEI 6-30-2015

1 - 10 ▶

FAQs

Title
How do I get access to SharePlus Enterprise?
How do I onboard a new CEI Technician

Construction Projects ▶ C203566 - K-4908 ▶

Construction Projects for Division 12 ▶ C203566 - K-4908

Project Site

- Submittal Dropoff
- Weekly Project Report
- Engineer Site Review - RESTRICTED
- Engineer Acceptance Report
- Report of Materials Received
- **Inspector's Daily Report - RESTRICTED**

CLICK HERE

Home

Construction Site

Find a List or Library

Erosion Control/Permits

Estimate Documentation

Materials

Other

Plans/Contracts

Reports

Signals/Lighting

Structures

Submittals

Utilities

Inspector's Daily

Current View ...

Contract No.	Date
...	5/26/2017
...	5/25/2017
C203566	5/24/2017
C203566	5/25/2017
C203566	5/26/2017
...	5/26/2017
...	5/26/2017

1 - 7 ▶

C203566 - K-4908 ▶ Inspector's Daily Report - RESTRICTED

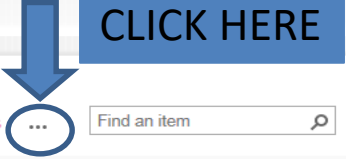
Construction Projects for Division 12 ▶ C203566 - K-4908

Project Site

- Submittal Dropoff
- Weekly Project Report
- Engineer Site Review - RESTRICTED
- Engineer Acceptance Report
- Report of Materials Received
- 📍 Inspector's Daily Report - RESTRICTED

+ new item

All Items Detail of Daily Ops Approve/reject Items ... Find an item 🔍



✓	📄	Title	Day of the Week	Date	Inspector Name	Prime Contractor Name	Sub/Utility Name	Sub/Utility is DBE?	App	
		Sitework ✳	...	Friday	5/26/2017	David McCreary	JR Lynch & Sons	No	Pen	
		Supervision/Carpentry ✳	...	Friday	5/26/2017	David McCreary	JR Lynch & Sons(building)	GL Wilson	No	Pen
		Painting ✳	...	Friday	5/26/2017		Charlotte Painting	No	Pen	
		Drywall ✳	...	Friday	5/26/2017		Brikley Acoustics	No	Pen	
		McCarthy Improvement (Form Removal) 5/25/17 ✳	...	Thursday	5/25/2017		McCarthy Improvement	No	Pen	
		Concrete Paving (Core Sample Lot #40) 5/25/17 ✳	...	Thursday	5/25/2017		Kelly Carson	No	Pen	
	📄	Project inspectors report ✳	...	Thursday	5/25/2017	B.E. McAlpin			Pen	
		Concrete Paving (Lot #40) 5/24/17 ✳	...	Wednesday	5/24/2017	Kelly Carson	JR Lynch & Sons	McCarthy Improvement	No	Pen
		Project Inspectors report ✳	...	Wednesday	5/24/2017	B.E. McAlpin			Pen	
		Concrete Paving (Dowel Baskets) 5/23/17 ✳	...	Tuesday	5/23/2017	Kelly Carson	JR Lynch & Sons	McCarthy Improvement	No	Pen

C203566 - K-4908 ▶ Inspector's Daily Report - RESTRICTED

Construction Projects for Division 12 ▶ C203566 - K-4908

Project Site

- Submittal Dropoff
- Weekly Project Report
- Engineer Site Review - RESTRICTED
- Engineer Acceptance Report
- Report of Materials Received
- 📍 Inspector's Daily Report - RESTRICTED

+ new item

My submissions

Create View

CLICK HERE

All Items Detail of Daily Ops Approve/reject Items

✓	📄	Title	Day of the Week	Date	Inspector Name	Prime Contractor Name	Sub/Utility Name	Sub/Utility is DBE?	App
		Sitework ✖	Friday	5/26/2017	David McCreary	JR Lynch & Sons		No	Pen
		Supervision/Carpentry ✖	Friday	5/26/2017	David McCreary	JR Lynch & Sons(building)	GL Wilson	No	Pen
		Painting ✖	Friday	5/26/2017			Charlotte Painting	No	Pen
		Drywall ✖	Friday	5/26/2017			Brikley Acoustics	No	Pen
		McCarthy Improvement (Form Removal) 5/25/17 ✖	Thursday	5/25/2017			McCarthy Improvement	No	Pen
		Concrete Paving (Core Sample Lot #40) 5/25/17 ✖	Thursday	5/25/2017			Kelly Carson	No	Pen
	📄	Project inspectors report. ✖	Thursday	5/25/2017	B.E. McAlpin				Pen
		Concrete Paving (Lot #40) 5/24/17 ✖	Wednesday	5/24/2017	Kelly Carson	JR Lynch & Sons	McCarthy Improvement	No	Pen
		Project Inspectors report. ✖	Wednesday	5/24/2017	B.E. McAlpin				Pen
		Concrete Paving (Dowel Baskets) 5/23/17 ✖	Tuesday	5/23/2017	Kelly Carson	JR Lynch & Sons	McCarthy Improvement	No	Pen

C203566 - K-4908 ▸ Settings ▸ View Type

Use this page to select the type of view you want to create for your data.

🏠 ▶ Construction Projects for Division 12 ▶ C203566 - K-4908

Project Site

- Submittal Dropoff
- Weekly Project Report
- Engineer Site Review - RESTRICTED
- Engineer Acceptance Report
- Report of Materials Received
- Inspector's Daily Report - RESTRICTED

Choose a view type



Standard View

View data on a Web page. You can use different styles.



CLICK HERE



Calendar View

View data as a daily, weekly, or monthly calendar.



Gantt View

View list items in a Gantt chart to see a graphical representation of how a team's tasks relate over time.



Access View

Start Microsoft Access to create forms and reports that are based on this list.

Start from an existing view

- Detail of Daily Ops
- My submissions
- Approve/reject Items
- All Items
- Certified Payrolls

C203566 - K-4908 » Settings » Create View

Use this page to create a view of this list.

Construction Projects for Division 12 » C203566 - K-4908

OK Cancel

Project Site

- Submittal Dropoff
- Weekly Project Report
- Engineer Site Review - RESTRICTED
- Engineer Acceptance Report
- Report of Materials Received
- Inspector's Daily Report - RESTRICTED

Name

Type a name for this view of the list. Make the name descriptive, such as "Sorted by Author", so that site visitors will know what to expect when they click this link.

View Name:

Certified Payrolls



Name your View

Audience

Select the option that represents the intended audience for this view.

View Audience:

- Create a Personal View
Personal views are intended for your use only.
- Create a Public View
Public views can be visited by anyone using the site.

Columns

Select or clear the check box next to each column you want to show or hide in this view of this page. To specify the order of the columns, select a number in the Position from left box.

Unselect any items that you do not wish to display

Display

- Attachments
- Title (linked to item with edit menu)
- Day of the Week
- Date
- Inspector Name
- Prime Contractor Name
- Sub/Utility Name

Column Name

Position from Left

- 1
- 2
- 3
- 4
- 5
- 6
- 7

These should be displayed

- Engineering staff 32
- Folder Child Count 33
- High Temp 34
- ID 35
- Inspection Details 36
- Item Child Count 37
- Low Temp 38
- Modified 39
- Modified By 40
- Operational Risk Management Controls (Check all that apply) 41
- Other Controls / Reassessment 42
- Personal Risk & Hazards Assessment (Inspection Staff Only) 43
- PM Conditions 44
- Prime Cntr: Foreman # 7
- Prime Cntr: Foreman Hours 8
- Prime Cntr: Laborers # 9
- Prime Cntr: Laborers Hrs 10
- Prime Cntr: Operators # 11
- Prime Cntr: Operators Hours 12
- Prime Cntr: Supt # 13
- Prime Cntr: Supt Hours 14
- Significant Date? 45
- Sub/Util Foreman # 46
- Sub/Util Foreman Hours 47
- Sub/Util Laborers # 48
- Sub/Util Laborers Hours 49
- Sub/Util Operators # 50
- Sub/Util Operators Hours 51

Select Prime Contractor Information and select column numbers.

Sort

Select up to two columns to determine the order in which the items in the view are displayed. [Learn about sorting items.](#)

First sort by the column:

None

- Show items in ascending order (A, B, C, or 1, 2, 3)
- Show items in descending order (C, B, A, or 3, 2, 1)

Then sort by the column:

None

- Show items in ascending order (A, B, C, or 1, 2, 3)
- Show items in descending order (C, B, A, or 3, 2, 1)

Sort only by specified criteria (folders may not appear before items).

Date ranges can be entered here, in order to filter the information.

Filter

Show all of the items in this view, or display a subset of the items by using filters. To filter on a column based on the current date or the current user of the site, type **[Today]** or **[Me]** as the column value. Use indexed columns in the first clause in order to speed up your view. Filters are particularly important for lists containing 5,000 or more items because they allow you to work with large lists more efficiently. [Learn about filtering items.](#)

- Show all items in this view
- Show items only when the following is true:

Show the items when column

None

is equal to

And Or

When column

None

is equal to

Show More Columns...

Tabular View

None

is equal to

Show More Columns...

- Tabular View
- Group By
- Totals
- Style
- Folders
- Item Limit
- Mobile

Adjust mobile settings for this view.

- Enable this view for mobile access
(Applies to public views only)
- Make this view the default view for mobile access
(Applies to public views only)

Number of items to display in list view web part for this view:

3

Field to display in mobile list simple view:

Title (linked to item with edit menu)

Once all selections have been made
CLICK HERE



OK

Cancel

C203566 - K-4908 Inspector's Daily Report - RESTRICTED

Information is displayed here

Construction Projects for Division 12 C203566 - K-4908

Project Site

- Submittal Dropoff
- Weekly Project Report
- Engineer Site Review - RESTRICTED
- Engineer Acceptance Report
- Report of Materials Received
- Inspector's Daily Report - RESTRICTED

+ new item

All Items Certified Payrolls Detail of Daily Ops ... Find an item

✓	📄	Title	Day of the Week	Date	Inspector Name	Prime Contractor Name	Prime Cntcr. Foreman #	Prime Cntcr. Foreman Hours
		JRLynch and Sons	Tuesday	5/19/2015	DBLevan	JRLynch and Sons	0	0
		JRLynch and Sons	Friday	5/29/2015	DBLevan	JRLynch and Sons	0	0
		JRLynch and Sons	Saturday	5/30/2015	DBLevan			
		JRLynch and Sons	Sunday	5/31/2015	DBLevan			
		JRLynch and Sons	Monday	6/1/2015	DBLevan	JRLynch and Sons	0	0
		JRLynch and Sons	Tuesday	6/2/2015	DBLevan	JRLynch and Sons	1	8
		JRLynch and Sons	Wednesday	6/3/2015	DBLevan	JRLynch and Sons	0	0

C203566 - K-4908 Inspector's Daily Report - RESTRICTED

To MODIFY the view
CLICK HERE



Construction Projects for Division 12 C203566 - K-4908

Project Site

- Submittal Dropoff
- Weekly Project Report
- Engineer Site Review - RESTRICTED
- Engineer Acceptance Report
- Report of Materials Received
- Inspector's Daily Report - RESTRICTED

+ new item

All Items Certified Payrolls Detail of Daily Ops ... Find an item

✓	📄	Title	Day of the Week	Date	Inspector Name	Prime Contractor Name	Prime Cntcr: Foreman #	Prime Cntcr: Foreman Hours
		JRLynch and Sons	Tuesday	5/19/2015	DBLevan	JRLynch and Sons	0	0
		JRLynch and Sons	Friday	5/29/2015	DBLevan	JRLynch and Sons	0	0
		JRLynch and Sons	Saturday	5/30/2015	DBLevan			
		JRLynch and Sons	Sunday	5/31/2015	DBLevan			
		JRLynch and Sons	Monday	6/1/2015	DBLevan	JRLynch and Sons	0	0
		JRLynch and Sons	Tuesday	6/2/2015	DBLevan	JRLynch and Sons	1	8
		JRLynch and Sons	Wednesday	6/3/2015	DBLevan	JRLynch and Sons	0	0

BROWSE ITEMS LIST

Skeens, Brian C

Connect NCDOT
BUSINESS PARTNER RESOURCES

Home Help Team Sites Site Map

Doing Business Bidding & Letting Projects Resources Local Governments

Search...

C203566 - K-4908 Inspector's Daily Report - RESTRICTED

Construction Projects for Division 12 C203566 - K-4908

- Project Site
 - Submittal Dropoff
 - Weekly Project Report
 - Engineer Site Review - RESTRICTED
 - Engineer Acceptance Report
 - Report of Materials Received
 - Inspector's Daily Report - RESTRICTED

+ new item

All Items Certified Payrolls Detail of Daily Ops

✓	📄	Title	Day of the Week	Date					
		JRLynch and Sons	Tuesday	5/19/2015	DBLevan	JRLynch and Sons	0		0
		JRLynch and Sons	Friday	5/29/2015	DBLevan	JRLynch and Sons	0		0
		JRLynch and Sons	Saturday	5/30/2015	DBLevan				
		JRLynch and Sons	Sunday	5/31/2015	DBLevan				
		JRLynch and Sons	Monday	6/1/2015	DBLevan	JRLynch and Sons	0		0
		JRLynch and Sons	Tuesday	6/2/2015	DBLevan	JRLynch and Sons	1		8
		JRLynch and Sons	Wednesday	6/3/2015	DBLevan	JRLynch and Sons	0		0

- Approve/reject Items
- My submissions
- Modify this View
- Create View

CLICK HERE

Unselect previously selected items

Select Subcontractors Information and select column numbers.

Engineering Item

<input type="checkbox"/>	Folder Child Count	41
<input type="checkbox"/>	High Temp	42
<input type="checkbox"/>	ID	43
<input type="checkbox"/>	Inspection Details	44
<input type="checkbox"/>	Item Child Count	45
<input type="checkbox"/>	Low Temp	46
<input type="checkbox"/>	Modified	47
<input type="checkbox"/>	Modified By	48
<input type="checkbox"/>	Operational Risk Management Controls (Check all that apply)	49
<input type="checkbox"/>	Other Controls / Reassessment	50
<input type="checkbox"/>	Personal Risk & Hazards Assessment (Inspection Staff Only)	51
<input type="checkbox"/>	PM Conditions	52
<input type="checkbox"/>	Significant Date?	53
<input checked="" type="checkbox"/>	Sub/Util Foreman #	8
<input checked="" type="checkbox"/>	Sub/Util Foreman Hours	9
<input checked="" type="checkbox"/>	Sub/Util Laborers #	10
<input checked="" type="checkbox"/>	Sub/Util Laborers Hours	11
<input checked="" type="checkbox"/>	Sub/Util Operators #	12
<input checked="" type="checkbox"/>	Sub/Util Operators Hours	13
<input checked="" type="checkbox"/>	Sub/Util Supt #	14
<input checked="" type="checkbox"/>	Sub/Util Supt Hours	15
<input checked="" type="checkbox"/>	Sub/Utility is DBE?	16
<input checked="" type="checkbox"/>	Sub/Utility Name	7
<input type="checkbox"/>	Title	54
<input type="checkbox"/>	Title (linked to item)	55
<input type="checkbox"/>	Traffic Control Review	56
<input type="checkbox"/>	Type (icon linked to document)	57

ABP 100%

Filter

Show all of the items in this view, or display a subset of the items by using filters. To filter on a column based on the current date or the current user of the site, type **[Today]** or **[Me]** as the column value. Use indexed columns in the first clause in order to speed up your view. Filters are particularly important for lists containing 5,000 or more items because they allow you to work with large lists more efficiently. [Learn about filtering items.](#)

- Tabular View
- Group By
- Totals
- Style
- Folders
- Item Limit

- Show all items in this view
- Show items only when the following is true:

Show the items when column

None

is equal to

- And
- Or

When column

None

is equal to

Show More Columns...

CLICK HERE 

C203566 - K-4908 ▸ Inspector's Daily Report - RESTRICTED

Construction Projects for Division 12 ▸ C203566 - K-4908

Information is displayed here

Project Site

- Submittal Dropoff
- Weekly Project Report
- Engineer Site Review - RESTRICTED
- Engineer Acceptance Report
- Report of Materials Received
- Inspector's Daily Report - RESTRICTED

+ new item

All Items **Certified Payrolls** Detail of Daily Ops ... Find an item

✓	📄	Title	Day of the Week	Date	Inspector Name	Sub/Utility Name	Sub/Util Foreman #	Sub/Util Foreman Hours	Sub/Util Labor
		JRLynch and Sons	Tuesday	5/19/2015	DBLevan	None	0	0	0
		JRLynch and Sons	Friday	5/29/2015	DBLevan	None	0	0	0
		JRLynch and Sons	Saturday	5/30/2015	DBLevan				
		JRLynch and Sons	Sunday	5/31/2015	DBLevan				
		JRLynch and Sons	Monday	6/1/2015	DBLevan	None	0	0	0
		JRLynch and Sons	Tuesday	6/2/2015	DBLevan	Stay Alert	2	4	2
		JRLynch and Sons	Wednesday	6/3/2015	DBLevan	Shelton Logging	0	0	0

Resident Engineer Duties con't.

- A thorough inspection shall be made of all payrolls received from the prime and each sub for at least one week for each quarter year period (based on project duration)
- Complete Certified Payroll Audit Checklist (new form).
Discrepancies and errors should be noted in the notes section.
- Prime is notified of the error (Form FAP-2)
- **The original payroll not to be returned to contractor.**
- RE upon receipt of supplemental payroll, documents resolution of the violation (Form FAP-3)

FAP-2

FAP-2 – Example Letter to the Contractor

Project Number: _____

F. A. Number: _____

County: _____

Description: _____

Subject: Wage Violation

Contractor: (Name and Address)

Gentlemen:

Upon review of (Name of Contractor) payroll, for the week ending _____, the following discrepancy was found. (Description of discrepancy)

In view of the errors or violations noted above, it will be necessary for you to investigate and report your findings to this office. If the error or violation has resulted in an underpayment to an employee, it will also be necessary for you to do the following:

1. Ascertain the correct amount of any pay that is due the employee and make payment.
2. Prepare a corrected payroll.
3. Prepare a letter of explanation, giving your reasons in detail why the underpayment occurred. Do not use such phrases as "due to error" or "due to oversight," without further explanation. An example of an appropriate explanation is as follows: "The total hours worked were incorrectly added on the foreman's time card and the payroll clerk failed to catch the error."
4. List corrective measures you have taken to prevent a reoccurrence. This must also be in detail. An example of an appropriate explanation is as follows: "All transferred data from time cards and payroll calculations are now being double checked by a second person."
5. Transmit the corrected payroll, your letter of explanation, and evidence of payment, where underpayment has occurred. Evidence of underpayment may be a copy of the canceled check to the employee or a copy of a statement signed by the employee stating that he has received the underpayment. This statement shall also show the amount of payment received by the employee

Yours very truly,

Resident Engineer

cc-(Division Engineer)
(State Construction Engineer)

FAP-3

FAP-3 – Example Memorandum of Resolution

Project Number: _____

F. A. Number: _____

County: _____

Description:

Subject: Status of Wage Violation

MEMORANDUM TO: (Name)
Division Engineer

FROM: (Name)
Resident Engineer

By letter dated (date), (Contractor's name) was advised of the wage violation(s) committed. I have since received a letter of explanation from the Contractor including verification that proper payment has been made.

I have reviewed the violation and have determined the following:

- (1) The classification of each employee involved is correct and the correct wages have been paid.
- (2) The employee(s) involved have been interviewed and now feel that they receive their proper wages.
- (3) Other: (Explain)

It is my judgment that the underpayment was non-willful and the violations were caused inadvertently, notwithstanding the exercise of due care.

cc:
(State Construction Engineer)

Attachments

Timely Review

- Certified payroll should be current within 1 month.
- Certified payroll review and completion of FAP-1 should be completed within one week of receiving certified payrolls for a project.
- Notification to contractors should be performed immediately to rectify discrepancies/errors that are discovered during the certified payroll review.

Other Considerations to DBA

- Additional Classifications
- Form SF-1444
- Additional Resident Engineer duties
- Wage Rate Form and Interviews
- Warranty Work
- Subcontract Approval Form

Additional Classifications

- Additional classifications are contract specific and must be requested for each contract on which a classification is needed using the conformance process (Form SF-1444)
- Classification are determined by the scope of work
- Be proactive – look at the scope of work at the preconstruction meeting to determine if any additional classifications are needed.

Form SF-1444

- The form must be fully completed including:
 - Proposed classification title
 - Proposed classification description (scope of work/duties)
 - Suggested hourly rate of pay
 - Signed by the prime contractor's official payroll representative
- Suggested hourly rates of pay must be comparable to other classifications on the assigned wage table
- The form SF-1444 and guidelines for requesting additional classifications is located at

<https://connect.ncdot.gov/projects/construction/documents/standard%20form%201444%20request%20for%20authorization%20of%20additional%20classification%20and%20rate.pdf>

Form SF-1444

AUTHORIZED FOR LOCAL REPRODUCTION

REQUEST FOR AUTHORIZATION OF ADDITIONAL CLASSIFICATION AND RATE		CHECK APPROPRIATE BOX <input type="checkbox"/> SERVICE CONTRACT <input type="checkbox"/> CONSTRUCTION CONTRACT	OMB Number: 9000-0089 Expiration Date: 9/30/2017
--	--	--	---

PAPERWORK REDUCTION ACT STATEMENT: Public reporting burden for this collection of information is estimated to average .5 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate or any other aspects of this collection of information, including suggestions for reducing this burden, to U.S. General Services Administration, Regulatory Secretariat (MVCB)/IC 9000-0089, Office of Governmentwide Acquisition Policy, 1800 F Street, NW, Washington, DC 20405.

INSTRUCTIONS: THE CONTRACTOR SHALL COMPLETE ITEMS 3 THROUGH 16, KEEP A PENDING COPY, AND SUBMIT THE REQUEST, IN QUADRUPLICATE, TO THE CONTRACTING OFFICER.

1. TO: ADMINISTRATOR, WAGE AND HOUR DIVISION U.S. DEPARTMENT OF LABOR WASHINGTON, DC 20210		2. FROM: (REPORTING OFFICE)	
3. CONTRACTOR		4. DATE OF REQUEST	
5. CONTRACT NUMBER	6. DATE BID OPENED (SEALED BIDDING)	7. DATE OF AWARD	8. DATE CONTRACT WORK STARTED
9. DATE OPTION EXERCISED (IF APPLICABLE) (SERVICE CONTRACT ONLY)		10. SUBCONTRACTOR (IF ANY)	
11. PROJECT AND DESCRIPTION OF WORK (ATTACH ADDITIONAL SHEET IF NEEDED)			
12. LOCATION (CITY, COUNTY AND STATE)			
13. IN ORDER TO COMPLETE THE WORK PROVIDED FOR UNDER THE ABOVE CONTRACT, IT IS NECESSARY TO ESTABLISH THE FOLLOWING RATE(S) FOR THE INDICATED CLASSIFICATION(S) NOT INCLUDED IN THE DEPARTMENT OF LABOR DETERMINATION			
NUMBER: _____		DATED: _____	
14. LIST IN ORDER: PROPOSED CLASSIFICATION TITLE(S); JOB DESCRIPTION(S); DUTIES; AND RATIONALE FOR PROPOSED CLASSIFICATIONS (Service contracts only) <small>(Use reverse or attach additional sheets, if necessary)</small>		15. WAGE RATE(S)	16. FRINGE BENEFITS PAYMENTS
17. SIGNATURE AND TITLE OF SUBCONTRACTOR REPRESENTATIVE (IF ANY)		18. SIGNATURE AND TITLE OF PRIME CONTRACTOR REPRESENTATIVE	
19. SIGNATURE OF EMPLOYEE OR REPRESENTATIVE		TITLE	CHECK APPROPRIATE BOX-REFERENCING BLOCK 13: <input type="checkbox"/> AGREE <input type="checkbox"/> DISAGREE

TO BE COMPLETED BY CONTRACTING OFFICER (CHECK AS APPROPRIATE - SEE FAR 22.1019 (SERVICE CONTRACT LABOR STANDARDS) OR FAR 22.406-3 (CONSTRUCTION WAGE RATE REQUIREMENTS))

THE INTERESTED PARTIES AGREE AND THE CONTRACTING OFFICER RECOMMENDS APPROVAL BY THE WAGE AND HOUR DIVISION. AVAILABLE INFORMATION AND RECOMMENDATIONS ARE ATTACHED.

THE INTERESTED PARTIES CANNOT AGREE ON THE PROPOSED CLASSIFICATION AND WAGE RATE. A DETERMINATION OF THE QUESTION BY THE WAGE AND HOUR DIVISION IS THEREFORE REQUESTED. AVAILABLE INFORMATION AND RECOMMENDATIONS ARE ATTACHED.
(Send 3 copies to the Department of Labor)

SIGNATURE OF CONTRACTING OFFICER OR REPRESENTATIVE	TITLE AND COMMERCIAL TELEPHONE NUMBER	DATE SUBMITTED
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PREVIOUS EDITION IS USABLE

STANDARD FORM 1444 (REV. 4/2013)
Prescribed by GSA-FAR (48 CFR) 53.222(f)

Form SF-1444 con't.

12. LOCATION (CITY, COUNTY AND STATE)

13. IN ORDER TO COMPLETE THE WORK PROVIDED FOR UNDER THE ABOVE CONTRACT, IT IS NECESSARY TO ESTABLISH THE FOLLOWING RATE(S) FOR THE INDICATED CLASSIFICATION(S) NOT INCLUDED IN THE DEPARTMENT OF LABOR DETERMINATION

NUMBER: **LOCATED IN BACK OF CONTRACT** DATED: **LOCATED W/ GENERAL DECISION**

a. LIST IN ORDER: PROPOSED CLASSIFICATION TITLE(S); JOB DESCRIPTION(S); DUTIES; AND RATIONALE FOR PROPOSED CLASSIFICATIONS (Service contracts only)

b. WAGE RATE(S)

c. FRINGE BENEFITS PAYMENTS

(Use reverse or attach additional sheets, if necessary)

PROVIDE SUFFICIENT INFO. REGARDING DUTIES ASSOCIATED W/ REQUESTED CLASSIFICATION. THE CLEARER THEY ARE, THE FASTER THE TURN AROUND FROM DOL.

14. SIGNATURE AND TITLE OF SUBCONTRACTOR REPRESENTATIVE (IF ANY)

15. SIGNATURE AND TITLE OF PRIME CONTRACTOR REPRESENTATIVE

WITH NAME

WITH NAME

16. SIGNATURE OF EMPLOYEE OR REPRESENTATIVE

TITLE

17. CHECK APPROPRIATE BOX DETERMINING BLOCK 13

Additional Classifications

- Prime to submit all completed SF-1444s to the Contract Administrator (RE)
- The RE sends the forms to NCDOT Construction Unit
- NCDOT processes and submits (email) to USDOL in Washington D.C. for decision
- USDOL responds (email) within 30 days with approval, disapproval or modification
- USDOL's notification to NCDOT – the contractor will be notified of the decision

Additional Classifications

- The additional classifications are approved by contract and are only applicable to the contract under which they were approved
- A contractor holding two adjacent contracts with identical wage tables will need to submit a request for each contract if the classification is to be used on both contracts

Resident Engineer Duties

- In addition, the RE is to:
 - Conduct spot labor interviews of prime contractor and subcontractor employees 1 x per quarter based on calendar quarter. An employee from each subcontractor should be interviewed sometime during the life of the project.
 - Determine that each employee is paid correctly/compare interviews with WD and payroll classification, wages and deductions
 - Furnish the required employment and wage posters to contractors
 - Maintain records in the project file of interviews
 - Listen to complaints and take investigative action if appropriate, submit findings to Division Engineer and State Construction Engineer

Wage Rate Form

Wage Interview Form

Contract Number: _____
Division and County: _____
Prime or Subcontractor: _____
Company Name: _____
North Carolina Department of Transportation
Subject: Interview of Wages and Hours
First and Last Name: _____
Street Address _____
City: _____ State _____
Zip Code: _____
Telephone Number: _____
Name of Company (your employer): _____
How long have you worked for this company? _____
Date you were hired? _____
Job Classification(s) _____
Hourly Wage _____
Are you paid by check or paid in cash? _____
Are taxes deducted from your pay? _____
Who pays you? _____
Do you work more than 40 hours per week? _____
Do you receive over-time pay for working more than 40 hours? _____
Who is your supervisor? _____

How many hours did you work last week? _____

List deductions from your paycheck. Have you authorized or are you in agreement with the deductions listed? _____

My employer has my permission to review this information. _____

Signature: _____

Date: _____

Interviewer : _____ Date _____

Interviewer evaluation:

Are certified payrolls required for this project? _____

*Exempt projects are those located on a roadway classified as a local road or rural minor collector. If this is an exempt project, do not complete the remainder of this form.

Is the employee properly classified for work performed? _____

Is this classification included in the contract? _____

What is the wage rate required by the contract? _____

Does the certified payroll information submitted by contractor agree with the information provided by the employee interviewed? _____

Does it agree with the contract wage requirements? _____

List the week ending of the payroll checked: _____

Name of the payroll checker: _____

Warranty Work

- Prevailing wage rates apply to warranty and repair work if this work is required in the original construction contract
- Wage tables that applied to the original contract will apply to the subsequent repair work
- Payrolls are submitted to the original maintaining agency for contract

NCDOT's Subcontract Approval Form con't.

SUBCONTRACT CERTIFICATION (applies only to Federal projects)

The Contractor / Subcontractor certifies that the subcontract is in writing and that FHWA 1273, "Required Contract Provisions," have been included in the subcontract / 2nd tier subcontract in its entirety.

Contractor:

APPROVED:

Resource Links

- NCDOT Construction Manual
 - <https://connect.ncdot.gov/projects/construction/Pages/ConstMan.aspx?Order=CM-00-000>
- Certified Payroll WH-347
 - <http://www.dol.gov/whd/forms/wh347.pdf>
- Certified Payroll Instructions
 - <http://www.dol.gov/whd/forms/wh347instr.htm>
- Request for Additional Payroll Classification (Form SF-1444)
 - <http://www.wdol.gov/docs/sf1444.pdf>
- SF-1444 Instructions
 - <http://www.dol.gov/whd/recovery/pwrp/tab14dbconformances.pdf>

Resource Links con't.

- NCDOT Standard Specifications
 - <https://connect.ncdot.gov/resources/Specifications/Pages/Specifications-and-Special-Provisions.aspx>
- FHWA 1273
 - <https://www.fhwa.dot.gov/programadmin/contracts/1273/1273.pdf>
- US Department of Labor
 - <https://www.dol.gov>
- US Department of Labor Compliance Manual
 - <https://www.fhwa.dot.gov/programadmin/contracts/coretoc.cfm>

Who to Contact

- The Contract Administrator (RE) is the contractor's primary contact for payroll compliance matters. Contract Administrators who require assistance with a payroll compliance issue may contact:

Michelle Gaddy

919.707.2490

mhgaddy@ncdot.gov

Delacy Bradsher

(704)301-5659

dvbradsher@ncdot.gov

Area Construction Engineer

Questions???

