CIVIL RIGHTS & LABOR
SUBCONTRACTOR PAYMENT REPORTING

Ohio Department of Transportation
CIVIL RIGHTS & LABOR VENDOR TRAINING FOR SUBCONTRACTOR PAYMENT REPORTING

Advait Supanekar - Business Analyst
Office of Business & Economic Opportunity
AGENDA

- Introduction and purpose
- AASHTOWare Project Civil Rights and Labor
- Prompt Payment
  - Payment Requirements
  - FHWA-1273
- Entering Payments in CRL
- Demo
- Reports
- Payment Affidavits
- Contact Information
- Questions and follow-up
Inform prime contractors and subcontractors on ODOT-Let construction projects on how to record payments in CRL for the purpose of being in compliance with contractual requirements and FHWA regulations.
Notice to industry for Subcontractor Payment Reporting was sent on December 12, 2019.

Notice Included
Prime contractors working on contracts that include Proposal Note 031 shall become compliant by entering and signing all previously made subcontractor payments (for open projects) by February 1, 2020 and by continuing to enter and sign subcontractor payments as they are made.

Previous notice to industry Prompt Payment notifications sent on January 9, 2016 & June 29, 2017.
AASHTOWARE PROJECT
CIVIL RIGHTS & LABOR
What is AASHTOWare Project?

- Powerful enterprise-wide software suite
- Manages entire contract and construction lifecycle
- Designed by transportation professionals for transportation professionals
- Web-based software with external access options
- Mobile Apps
- Cloud hosting availability
- 30+ years in production
- Data stored in single location
- Single standard security model
- Captures information at the source
- Easy reporting of information from the various modules
AASHTOWare Project licensees

50 agencies, including Washington D.C. and two Canadian provinces
CRL OVERVIEW

- Civil Rights & Labor is a module within AASHTOWare Project that allows the effective administration of an agency’s external civil rights & labor compliance activities.
- Contractors and Subcontractors use CRL to submit electronic subcontractor payment information.
- Will hasten the decommissioning of the paper-based payment affidavit process.
PROMPT PAYMENT
PROMPT PAYMENT

- After ODOT makes a payment to the prime contractor for work on a contract, the prime contractor is in turn responsible for paying its subcontractors.

- When the prime contractor has paid the subcontractors, those subcontractors are responsible for paying their own subcontractors.
Proposal Note 31 - PROMPT PAYMENT

The Code of Federal Regulations (CFR) 49, 26.29 requires that ODOT establish a mechanism to monitor Prompt Payment requirements to all subcontractors. Additionally, Ohio Revised Code (ORC) 4113.61 Timeline Limitations on Payments to Subcontractors and Materialmen, establishes payments must be made within 10 calendar days after receipt of payment from the owner.
The Department requires Prime Contractors to report their payments to Subcontractors, and Subcontractors to report their payments to Sub-subcontractors. All such reporting must take place within the AASHTOWare Project Civil Rights and Labor (CRL) system. The payer must enter and sign payments within 7 calendar days of making the payment.

Prime Contractors and Subcontractors must report payments to Subcontractors (DBE and non-DBE), Sub-subcontractors (DBE and non-DBE), suppliers (DBE only), and trucking firms (DBE only).
The payment data reported must include any retainage withheld and any previously withheld retainage released. The payer must also enter and sign return of retainage within 7 calendar days of release back to the payee.
SUBCONTRACT PAYMENT WORKFLOW

- **Pending** - If you are the prime contractor, enter subcontractor payment records for the work subcontractors performed for each estimate payment and sign subcontract payment.

- **Under Payee Review** - Payees on subcontractor payments verify receipt of the subcontractor payment.

- **Under Agency Review** - The agency reviews the subcontract payment transactions.

- **Reviewed** - Subcontract payments have been reviewed. This is the end of the subcontract payment process.
ENTERING AND SIGNING PAYMENTS IN CRL
Log into CRL.
Make sure you’re using the ODOT Contractor Subpayment role.
Search for your Contract.

<table>
<thead>
<tr>
<th>Contract</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>CUY96833</td>
<td>CUY-IR 490/SR 10-02.09/19.28</td>
</tr>
<tr>
<td>Prime ID</td>
<td>Prime Name</td>
</tr>
<tr>
<td>061115001</td>
<td>KOKOSING CONSTRUCTION COMPANY INC</td>
</tr>
</tbody>
</table>
Select the payment estimate on which you’re reporting a subcontractor payment.

Contract Payment Overview

<table>
<thead>
<tr>
<th>Estimate Num</th>
<th>Type</th>
<th>Amount Paid</th>
<th>End Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>0008</td>
<td>Progress Estimate</td>
<td>2,375,833.71</td>
<td>12/01/2018</td>
</tr>
<tr>
<td>0007</td>
<td>Progress Estimate</td>
<td>2,401,737.56</td>
<td>11/11/2018</td>
</tr>
<tr>
<td>0006</td>
<td>Progress Estimate</td>
<td>1,235,236.71</td>
<td>10/06/2018</td>
</tr>
<tr>
<td>0005</td>
<td>Progress Estimate</td>
<td>2,599,360.01</td>
<td>08/15/2018</td>
</tr>
<tr>
<td>0004</td>
<td>Progress Estimate</td>
<td>2,692,630.00</td>
<td>08/01/2018</td>
</tr>
<tr>
<td>0003</td>
<td>Progress Estimate</td>
<td>2,314,890.00</td>
<td>06/12/2018</td>
</tr>
<tr>
<td>0002</td>
<td>Progress Estimate</td>
<td>190,720.00</td>
<td>05/17/2018</td>
</tr>
<tr>
<td>0001</td>
<td>Progress Estimate</td>
<td>1,904,000.00</td>
<td>04/09/2018</td>
</tr>
</tbody>
</table>
Click “Subcontract Payments” tab
Click link “Add Subcontractor Payment From Prime”.
Add Subcontractor Payment

Contract: CUY96833 - CUY-IR 490/SR 10-02.09/19.28
Number: 0001 Period: 03/26/2018 - 04/09/2018

Payer
06115001 - KOKOSING CONSTRUCTION COMPANY INC

Payee
06115001 - KOKOSING CONSTRUCTION COMPANY INC

Payee Payment Number
A unique identifier for the payment made to a subcontractor by the prime contractor on a contract.

Date Paid
01/21/2020
The date of this contractor payment. This must be later than the End of Payment Time Period for this contractor payment.

Payment Type
The kind of payment being made to this subcontractor.

Paid Amount
The amount being paid to this subcontractor.

* Paid Amount may include retainage

DBE Firm Indicator
No

DBE Commitment Indicator
No

Payee Work Complete Indicator
Indicates that the work associated with this subcontract payment has been completed.

Ohio Department of Transportation

SUBCONTRACTOR PAYMENT REPORTING
The Paid Amount represents the gross amount paid to the payee, and that retainage or other amounts withheld from the gross payment will be reported on the Withholding tab (see slide 26). If reporting return of retainage or other amounts previously withheld, enter the amount being released here, and then check the This Entire Payment Is a Release of Dollars Previously Withheld box on the Withholding tab.
## Subcontract Payment Summary

<table>
<thead>
<tr>
<th>Field</th>
<th>Value</th>
</tr>
</thead>
<tbody>
<tr>
<td>Payer</td>
<td>061115001 - KOKOSING CONSTRUCTION COMPANY INC</td>
</tr>
<tr>
<td>Payee</td>
<td>031201002 - LAKE ERIE CONSTRUCTION COMPANY</td>
</tr>
<tr>
<td>Payee Payment Number</td>
<td>051520</td>
</tr>
<tr>
<td>Date Paid</td>
<td>05/15/2020</td>
</tr>
<tr>
<td>Payment Type</td>
<td>Progress</td>
</tr>
<tr>
<td>Paid Amount</td>
<td>10,200.00</td>
</tr>
</tbody>
</table>

**DBE Firm Indicator**: No

**DBE Commitment Indicator**: No

**Payee Work Complete Indicator**: [ ]

Press Save button to save the subcontractor payment information.
ADD WITHHOLDING IF APPLICABLE

By checking this box, the payer is reporting that the entire Paid Amount entered on the General tab is a release to the payee of previously withheld funds.

The amount entered here is the amount the payer is reporting as having been withheld from the amount entered on the General tab.

An unchecked box indicates that the amount entered in the “Amount Withheld from this Payment” field represents retainage withheld.

A comment is needed when the amount entered in the “Amount Withheld from this Payment” field represents withholding for a purpose other than retainage.

Payment of $1,500 withheld.
From Subcontractor Payments tab, open Row Actions menu for payment recorded and select “Sign Subcontract Payment”
Sign Subcontractor Payment

Sign Subcontract Payment

Progress:  Review  Verify  Sign

Sign:

Signer Comments

Signed Date

Signed By

Press Sign Payment button
VERIFYING SUBCONTRACTOR PAYMENTS RECEIVED
Log into CRL.
VERIFY SUBCONTRACT PAYMENT

Make sure you’re using the ODOT Contractor Subpayment role.
VERIFY PAYMENT AS SUBCONTRACTOR

Search for your Contract.

PROJECT ODOT Contractor Subcontract Payments User

Welcome to Civil Rights and Labor (CRL)

Welcome to Transport Civil Rights and Labor.
For Application/Technical Support, please contact DOT.CRL.Support@dot.ohio.gov

Contract Overview

Search for Contract

CUY96833

Advanced   Showing 1 of 1

Contract

CUY96833

Prime ID

061115001

Description

CUY-IR 490/SR 10-02.09/19.28

Prime Name

KOKOSING CONSTRUCTION COMPANY INC
Select the payment estimate on which you’re verifying a subcontractor payment.

Contract Payment Overview

- **Contract:** CUY96833 - CUY-IR 490/SR 10-02.09/19.28

<table>
<thead>
<tr>
<th>Estimate Num</th>
<th>Type</th>
<th>Amount Paid</th>
<th>End Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>0001</td>
<td>Progress Estimate</td>
<td>1,904,000.00</td>
<td>04/09/2018</td>
</tr>
</tbody>
</table>
Open Row Actions menu and select “Review Sub Contractor Paymt. Summary”

<table>
<thead>
<tr>
<th>Payor</th>
<th>Payee</th>
</tr>
</thead>
<tbody>
<tr>
<td>06115001 - KOKOSING CONSTRUCTION COMPANY INC</td>
<td>031201002 - LAKE ERIE CONSTRUCTION COMPANY</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Field</th>
<th>Value</th>
</tr>
</thead>
<tbody>
<tr>
<td>Payment Type</td>
<td>Progress</td>
</tr>
<tr>
<td>Paid Amount</td>
<td>10,200.00</td>
</tr>
<tr>
<td>Parent Subcontractor Payment ID</td>
<td></td>
</tr>
<tr>
<td>DBE Firm Indicator</td>
<td>No</td>
</tr>
<tr>
<td>DBE commitment Indicator</td>
<td>No</td>
</tr>
</tbody>
</table>
### Observe Withholding Tab

**Review Subcontract Payment Summary**

<table>
<thead>
<tr>
<th>Contract</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Number: End Date:</td>
<td></td>
</tr>
</tbody>
</table>

**General**

**Withholding**

**Amount Withheld from this Payment**

1,500.00

**The Withholding from this Payment is for a Purpose Other Than Retainage**

No

**Withholding Comments**

Payment of $1,500 withheld.
## Verify Subcontractor Payment

Open Row Actions menu and select “Verify Payment”

<table>
<thead>
<tr>
<th>Payer</th>
<th>Payee</th>
<th>Action</th>
</tr>
</thead>
<tbody>
<tr>
<td>061115001 - KOKOSING CONSTRUCTION COMPANY INC</td>
<td>031201002 - LAKE ERIE CONSTRUCTION COMPANY</td>
<td>Verify Payment</td>
</tr>
</tbody>
</table>

- **Payment Type**: Progress
- **Paid Amount**: 10,200.00
- **DBE Firm Indicator**: No
- **DBE Commitment Indicator**: No
Verify Payment

Progress:
- Review
- Verify Receipt
- Submit

2 Verify Receipt

Payment Received
- Whether the payment has been received, and if so, whether it was as expected or not (for example, the amount or date differed from what was expected). If you select Yes, Not as Expected, then you must also enter a value in the Payee Comment field.

Amount Received
- The amount received in this payment.

Date Received
- The date this payment was received.

Payee’s Work on Contract Complete
- Indicates that the payee's work on this contract has been completed.

Payee Comments
- Information about the payment added by the vendor being paid.
VERIFY SUBCONTRACTOR PAYMENT

Verify Payment

- Verify Payment

Progress:
- Review
- Verify Receipt
- Submit

2 Verify Receipt:

- Payment Received
  - Yes as Expected
- Amount Received: 8,700.00
- Date Received: 05/20/2020

Payee's Work on Contract Complete

Payee Comments
**SUBMIT VERIFICATION**

Verify Payment

<table>
<thead>
<tr>
<th>Verify Payment</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
</tr>
</tbody>
</table>

Progress:  
- Review
- Verify Receipt
- Submit

Submit:

Payee Name
031201002

Payee Reviewed By

Payee Reviewed Date

Press Submit Verification button

Submit Verification

Subcontract Payment Summary

Successfully verified Subcontract Payment

<table>
<thead>
<tr>
<th>Contract -</th>
</tr>
</thead>
<tbody>
<tr>
<td>Number: End Date:</td>
</tr>
</tbody>
</table>

General

Withholding

Endorsements

<table>
<thead>
<tr>
<th>Payer</th>
<th>DBE Firm Indicator</th>
<th>DBE Commitment Indicator</th>
</tr>
</thead>
<tbody>
<tr>
<td>061115001 - KOKOSING CONSTRUCTION COMPANY INC</td>
<td>No</td>
<td>No</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Payee</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>031201002 - LAKE ERIE CONSTRUCTION COMPANY</td>
<td></td>
</tr>
</tbody>
</table>

39 | SUBCONTRACTOR PAYMENT REPORTING
Click Endorsements tab

### Subcontract Payment Summary

<table>
<thead>
<tr>
<th>Contract -</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Number: End Date:</td>
<td></td>
</tr>
</tbody>
</table>

#### General
- **Signed By**: ODOTONLINE\pcontract
- **Signed Date**: 05/15/2020

#### Withholding
- **Payee Reviewed By**: ODOTONLINE\scontract
- **Payee Reviewed Date**: 05/20/2020
- **Payment Received**: Yes as Expected
- **Date Received**: 05/20/2020

#### Endorsements
- **Agency Reviewed Date**: 05/20/2020
- **Signer Comments**:              
- **Amount Received**: 8,700.00
- **Payee Work Complete Indicator**: No
- **Payee Comments**:              
- **Agency Reviewer Comments**:  

---

**Ohio Department of Transportation**

40 | SUBCONTRACTOR PAYMENT REPORTING
DEMO
## Contractor with Missing Sub Payments and/or Signatures

*This report refreshes nightly. Any changes made will not appear until the next morning.*

<table>
<thead>
<tr>
<th>Prime Name</th>
<th>Const Proj Nbr</th>
<th>Contract Name</th>
<th>Est Nbr</th>
<th>Warrant Date</th>
<th>Warrant Amount</th>
<th>Sub Paid Date</th>
<th>Sub Name</th>
<th>Paid to Sub</th>
<th>Signed?</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>0001</td>
<td></td>
<td>8/3/2016</td>
<td>1,068,450.00</td>
<td>8/5/2016</td>
<td>MILLER CABLE COMPANY</td>
<td>6,000.00</td>
<td>YES</td>
<td></td>
</tr>
<tr>
<td></td>
<td>0001</td>
<td></td>
<td>8/18/2016</td>
<td>1,023,080.04</td>
<td>8/10/2016</td>
<td>A &amp; A SAFETY INC</td>
<td>7,753.23</td>
<td>YES</td>
<td></td>
</tr>
<tr>
<td></td>
<td>0001</td>
<td></td>
<td>8/18/2016</td>
<td>1,023,080.04</td>
<td>8/10/2016</td>
<td>A &amp; A SAFETY INC</td>
<td>7,753.23</td>
<td>YES</td>
<td></td>
</tr>
<tr>
<td></td>
<td>0001</td>
<td></td>
<td>9/1/2016</td>
<td>403,923.62</td>
<td>9/12/2016</td>
<td>Veach Trucking, Inc.</td>
<td>769.30</td>
<td>YES</td>
<td></td>
</tr>
<tr>
<td></td>
<td>0001</td>
<td></td>
<td>9/1/2016</td>
<td>403,923.62</td>
<td>9/12/2016</td>
<td>Veach Trucking, Inc.</td>
<td>769.30</td>
<td>YES</td>
<td></td>
</tr>
<tr>
<td></td>
<td>0001</td>
<td></td>
<td>9/15/2016</td>
<td>646,520.67</td>
<td>9/26/2016</td>
<td>Veach Trucking, Inc.</td>
<td>2,770.61</td>
<td>YES</td>
<td></td>
</tr>
</tbody>
</table>
# SUBCONTRACTOR WITH MISSING SIGNATURES


---

## Prompt Pay Subcontractor Report for:

*(This report refreshes nightly. Any changes made will not appear until the next morning.)*

<table>
<thead>
<tr>
<th>Prime Vendor Name</th>
<th>Cnst Prj Nbr</th>
<th>Contract Name</th>
<th>Estimate Number</th>
<th>Paid by Prime Date</th>
<th>Paid by Prime Amt</th>
<th>Sub Rec’d. Date</th>
<th>Signed?</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>0005</td>
<td></td>
<td></td>
<td>7/6/2018</td>
<td>$5,567.80</td>
<td></td>
<td>NO</td>
</tr>
<tr>
<td></td>
<td>0011</td>
<td></td>
<td></td>
<td>6/8/2018</td>
<td>$3,442.15</td>
<td></td>
<td>NO</td>
</tr>
<tr>
<td></td>
<td>0058</td>
<td></td>
<td></td>
<td>7/6/2018</td>
<td>$52,058.99</td>
<td></td>
<td>NO</td>
</tr>
<tr>
<td></td>
<td>0061</td>
<td></td>
<td></td>
<td>10/25/2019</td>
<td>$49,064.44</td>
<td></td>
<td>NO</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>12/13/2019</td>
<td>$16,846.96</td>
<td></td>
<td>NO</td>
</tr>
</tbody>
</table>
PAYMENT AFFIDAVITS
WHAT IS A PAYMENT AFFIDAVIT?

The affidavit seeks to verify actual payments made to DBE firms on the project. Each DBE firm must verify the actual payment amount.
SUBMITTING PAYMENT AFFIDAVITS

- **Prime Contractor** - Submits to DBE Subcontractor the interim and final affidavit.

- **DBE Subcontractor** - Signs interim and final affidavits and returns to Prime.

- **Prime Contractor** - Submits all DBE interim and final affidavits to ODOT DBE Goal Attainment Coordinator.

- Affidavit submission remains a requirement
PAYMENT AFFIDAVITS VS CRL

- Payment Affidavits are **only** submitted for DBEs.

- Payment Affidavits do not allow ODOT to monitor Prompt Payment.

- CRL captures all payments to all subcontractors (DBE and non-DBE).
CONTACT INFORMATION
CONTACT INFORMATION

Email CRL Support for Application Support
DOT.CRL.SUPPORT@DOT.OHIO.GOV

CRL Web Site
http://www.dot.state.oh.us/CRL

Contact Contractor Compliance Officers for Compliance Questions
http://www.dot.state.oh.us/Divisions/ODI/CRC/Pages/default.aspx
Ohio DOT Reference Materials

Interactive Training Guides (Download Files to Use)

Using the Excel Spreadsheet

Convert Excel Template to XML
Process for converting Excel Template to XML for upload.

Import & Validate Payrolls
To be used by both Prime and Subcontractors submitting payrolls via CRL.

Sign Payrolls in CRL
Covers signing process in CRL.

Review & Progress Subcontractor Payrolls
To be used by prime contractors to review and progress subcontractor payrolls and send them to ODOT for review.

Request an Account
Request an Account through myODOT to login to CRL for Payroll Upload.

Subcontractor Payments
Process for entering, verifying and signing subcontractor payments.
FREQUENTLY ASKED QUESTIONS

Frequently Asked Questions about Payment Reporting:

http://www.dot.state.oh.us/Divisions/ODI/SDBE/Documents/PaymentReportingFAQ.pdf
COMPLAINT HOTLINE

(888) 778-4171
ODOTComplaintHotline@dot.ohio.gov

For reporting DBE fraud, contracting fraud, prompt payment violations, discrimination, etc.

Contact available at:
http://www.dot.state.oh.us/Divisions/O DI/Pages/default.aspx