



## **Instructions for (Manual) FHWA 1391 Report (2021)**

The FHWA 1391 report is required for all prime contractors and subcontractors (**with subcontracts that equal or exceed \$10,000**) on federally funded contracts that have construction activity during July. The staffing data should represent the project work force in all or any part of July. This report is NOT required for contracts that are state funded only.

**For 2021, contractors will fall into one of two groups:**

### **Group 1 – Payrolls in LCPtracker**

This group of contractors is working on federally funded projects at any point in the month of July 2021. These projects that are in LCPtracker are single year and/or multi-year projects that have been in LCPtracker for a while, or it can be any regular federally funded project that went to ad after 1/1/17. This group may also consist of Local Agency projects that opted into using LCPtracker on a Local Agency / CDOT project. All projects in this group are using LCPtracker for payroll submission. *If you are NOT using LCPtracker, you are NOT in this group.*

All contractors in this group will need to make sure that their **July payrolls are completely up to date as of Friday, 8/13/2021**. This means that **all subcontractor payroll will have to be prime approved by the 20th of August**.

Per federal regulation, contractors are required to submit their payroll information for each project for all laborers and mechanics (and anyone performing work that is manual in nature) as well as the clerical staff, foremen, supervisors, and managers (officials) for the last week worked in the month of July on any federally funded construction project, even if these latter classifications do not appear on payrolls. Please note: there is a separate process for adding in those supervisors and other managing officials in LCPtracker. Please find the directions at: <https://www.codot.gov/library/forms/fhwa-other-forms/fhwa-1391>. If working on different federally funded projects in the month of July, contractors will report payroll information separately for each project, just like they normally would. For the classifications of clerical staff, foremen, supervisors, and managers, contractors should plan to enter these additional classifications in LCPtracker for each project worked in the month of July. Please use the link above to locate the directions to input additional staff.

**The Colorado Department of Transportation will collect information for Group 1 by using the payroll submissions from contractors that primes have approved in LCPtracker by August 20, 2021.**



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### **Group 2 – Payrolls *not* in LCPtracker**

This group of contractors may also be working on federally funded projects at any point in the month of July, but these projects are not utilizing LCPtracker. These are Local Agency projects who have opted not to use LCPtracker, and paper payrolls are being submitted.

Subcontractors in this group will have to submit the FHWA 1391 spreadsheet to the prime contractor, using the Excel spreadsheet. For each project, the prime contractor will send all spreadsheets (from prime and subs) and report no work statements for contractors in one email that will be sent to the project engineer and [leeda.wood@state.co.us](mailto:leeda.wood@state.co.us) by **Friday, August 13, 2021**.

Please note that a failure to submit the required information may result in future estimate payments being withheld. The most current electronic version of the FHWA 1391 and the instructions may be found at <https://www.codot.gov/library/forms/fhwa-other-forms/fhwa-1391>.

### **Directions for the FHWA 1391 Report for 2021 Projects not in LCPtracker**

Contractors must report their own (**PROJECT**) workforce and ensure that all lower tier subcontractors that were active during the reporting time frame also submit their information electronically. The **REQUIRED** format for submission is via the provided Excel spreadsheet. ***Please note that a PDF version will not be accepted.***

Prime contractors must ensure that their active subcontractors submit the report to them prior to submission to CDOT. All contractors must submit all reports for the project in the required Excel format to CDOT.

Prime contractors will send all reports for themselves and for their subcontractors to the project engineer and to the Civil Rights Specialist, [leeda.wood@state.co.us](mailto:leeda.wood@state.co.us) by **Friday, August 13, 2021**. Failure to submit the required information may result in future estimate payments being withheld. The most current electronic version of the FHWA 1391 and these instructions may be found at <https://www.codot.gov/library/forms/fhwa-other-forms/fhwa-1391>.

When emailing the spreadsheet, please title the subject line as follows: Region number (if known), CDOT Project Sub Account Number (5 digit number), and the name of the contractor or subcontractor. This is what it should look like: R5 / 12345 / ABC Contractor.

For contractors who do not work the month of July, an FHWA 1391 does not need to be submitted. In an email, prime contractors shall include 1391 reports for themselves and any subcontractors who are listed on the project in the month of July. For those contractors (prime or sub) that are not working during that time frame, “no work” statements must be added within the text of their email.

**\*\*\* DO NOT SAVE OR SUBMIT FORMS IN THE .PDF FORMAT, AS THEY WILL NOT BE ACCEPTED. \*\*\***



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All **project** personnel on each federally funded contract where the company is a prime or a subcontractor (with subcontracts that equal or exceed \$10,000) must be reported. Include company officials, supervisors, and administrative personnel **ONLY** if they work on the specific project a majority of the time -- even if they do not appear on payrolls.

- DO NOT include project personnel if they are on the project only from time to time and do not have daily, on-site responsibility for project activity.
- DO NOT include home office personnel unless they are assigned exclusively to a project and appear on project payroll. This would involve primarily clerical personnel.
- DO NOT count project personnel or company trainees as apprentices or OJT's unless they are currently enrolled in a recognized and approved (by CDOT, US Department of Labor and/or FHWA) training program.
- DO NOT include OJT trainees/apprentices in Table A. Table B and C should be filled out and must correspond to one another.

Please note: If any of the information is missing on the Form 1391, it will be returned to the contractor(s). If you are unsure of project codes, dollar values, etc., please ask the prime contractor.

Please complete the form as follows:

- Box 1: Choose whether the company that you work for is a prime contractor or subcontractor.
- Box 2: Add the name and address of your company.
- Box 3: Fill out the CDOT sub-account project (five-digit) number for the 1391 project report being submitted. This number is only five digits. If the number that you have for the project is more than five digits, then the number that you have is incorrect.
- Box 4: Report contract dollar value of project. This is the amount for each contract / subcontract. Each subcontractor's amount should be different than one another's and the prime's.
- Box 5: Report region and Location of project (County and City).
- Box 6: **Table A – DOES NOT INCLUDE OJT TRAINEES OR APPRENTICES.** Employment data lists all employees who are working for the company on the project for the week of July 2021 that is being reported. Insert the number of employees broken out by classification, gender, and ethnicity. The Excel columns and rows shaded in green are locked and the program will automatically total individual columns across and to the bottom of the form.



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Use the most appropriate job category:

- Air tool operators and operators of power pavement saws, form setters, etc. should be listed as “Laborers – semi-skilled”
- Operators of paint striping trucks are not painters and should be listed as either “Truck Drivers” or “Equipment Operators”
- Flaggers should be listed as “Laborers - unskilled”
- Form builders are carpenters
- Form setters are laborers – Semi-Skilled
- Concrete finishers are cement masons
- Welders are included in ironworkers
- List the employees who work in multiple classifications only once and in the classification in which they work the most frequently
- **Professional services with no DB wages are not required to report**
- DO NOT add categories

### RACE and ETHNIC Identification:

- Black or African American (Not Hispanic or Latino) - A person having origins in any of the black racial groups of Africa.
- Hispanic or Latino - A person of Cuban, Mexican, Puerto Rican, South or Central American, or other Spanish culture or origin regardless of race.
- American Indian or Alaska Native (Not Hispanic or Latino) - A person having origins in any of the original peoples of North and South America (including Central America), and who maintain tribal affiliation or community attachment.
- Asian (Not Hispanic or Latino) - A person having origins in any of the original peoples of the Far East, Southeast Asia, or the Indian Subcontinent, including, for example, Cambodia, China, India, Japan, Korea, Malaysia, Pakistan, the Philippine Islands, Thailand, and Vietnam.
- Native Hawaiian or Other Pacific Islander (Not Hispanic or Latino) - A person having origins in any of the peoples of Hawaii, Guam, Samoa, or other Pacific Islands.
- Two or More Races (Not Hispanic or Latino) - All persons who identify with more than one of the above five races.
- White (Not Hispanic or Latino) - A person having origins in any of the original peoples of Europe, the Middle East, or North Africa.



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**Table C Data must match Table B for the ethnic and gender reporting for the apprentice and/or OJT trainees.**

- Box 8: Indicate the person responsible for the preparation of the form by typing in their name and title. Original documentation shall be signed and maintained by the Contractor and subcontractors for a period of 3 years. **No original signature is required.**
- Box 9: Date the contractor prepared the form.
- Box 10: To be completed by CDOT representative.

Upon completion of the form, select “File” and “Save as” an Excel document.