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CDOT/FHWA/USDOL Form Number Reference

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| CDOT FORM # 17 | Certification of Actual Payments to DBE Firms |
| 118 | Contractor Wage Compliance Statement |
| 200 | OJT Trainee Interview Form |
| 205 | Sublet Permit Application |
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| 838 | Trainee & Apprentice Roster |
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| 1337 | Contractor Commitment to Meet OJT Requirements |
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| 1413 | Bidder's List |
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| 1425 | Material Supplier List |

FHWA 1273 Required Contract Provisions Federal-Aid & Construction Contracts

FHWA 1391 Federal-Aid Highway Construction Contractors Annual EEO Report

USDOL Form 347 Certified Payroll

USDOL SF 1444 Request for Additional Classification and Rate

Website Resources

Code of Federal Regulations 23

Code of Federal Regulations 29

Code of Federal Regulations 41

Access available via the following link:

<http://www.access.gpo.gov/nara/cfr/cfr-table-search.html#page1>

Colorado Highway Standard Specifications-2011 and revisions - For sale by CDOT,
Headquarters Building, Bid Plans Annex
or

Access available via the following link:

<https://www.codot.gov/business/designsupport/construction-specifications/2011-Specs> <https://www.codot.gov/business/publications-for-purchase.html>

Federal Highway Administration:

<http://www.fhwa.dot.gov/>

Davis Bacon and Related Acts (DBRA):

<http://www.dol.gov/whd/govcontracts/dbra.htm>

Contract Work Hours and Safety Standards Act (CHWSSA):

<http://www.dol.gov/compliance/laws/comp-cwhssa.htm>

Fair Labor Standards Act (FLSA):

<http://www.dol.gov/compliance/laws/comp-flsa.htm>

U.S. Department of Labor:

<http://www.dol.gov/index.htm>

Federal Highway Administration Contract Administration Core Curriculum Manual:

<http://www.fhwa.dot.gov/programadmin/contracts/index.cfm>

U.S. Department of Labor's Field Operations Handbook, Davis Bacon and Related Acts and
Contract Work Hours and Safety Standards Act:

http://www.dol.gov/whd/FOH/FOH_Ch15.pdf

Special Provisions -

FHWA 1273 - Required Contract Provisions Federal-Aid Construction Contracts

Affirmative Action Requirements Equal Employment Opportunity

Disadvantaged Business Enterprises-Definitions and Requirements

Emerging Small Business Program

On the Job Special Provision

These provisions are in all State of Colorado Transportation construction contracts.

Access of special provisions are available via:

<https://www.codot.gov/business/designsupport/construction-specifications/2011-Specs/standard-special-provisions/mics>

CDOT Electronic Forms:

<https://www.codot.gov/library/forms>

Federal Highway Administration Forms:

<http://www.fhwa.dot.gov/eforms/>

Project Bidding:

<https://www.codot.gov/business/bidding>

CDOT Monthly Project Pay Estimates:

<https://www.codot.gov/business/payestimates>

Equal Employment Opportunity Commission (EEOC) - Denver District Office:

<http://www.eeoc.gov/denver/filing.html>

Colorado Civil Rights Division (CCRD):

<http://www.dora.state.co.us/civil-rights>

Colorado Recruitment Sources:

<https://www.codot.gov/business/civilrights/contractor-compliance/assets/contractor-recruitment-resources>

Veterans Employment Center:

<https://www.ebenefits.va.gov/ebenefits/jobs>

Workplace Violence guidelines:

<http://www.opm.gov/policy-data-oversight/worklife/reference-materials/workplaceviolence.pdf>

MUTCD Manual:

<http://mutcd.fhwa.dot.gov/>

CDOT American with Disabilities:

<https://www.codot.gov/business/civilrights/accessibility/ada>

Debarred Contractors:

https://www.sam.gov/portal/SAM/?portal:componentId=6fd72bdf-176f-4f82-99b2-bfd794cb124f&interactionstate=JBPNs_r00ABXc0ABBfanNmQnJpZGdIVmIld0IkAAAAAQATL2pzZi9mdW5jdGlubmFsLmpzcAAHX19FT0ZfXw**&portal:type=action#1

Colorado DBE Directory:

<http://www.coloradodbe.org/>

North American Industry Classification System -- NAICS Codes:

<http://www.census.gov/eos/www/naics/>

Partial Payments:

<https://www.codot.gov/business/designsupport/construction-specifications/2011-Specs/2011-specs-book/Section-100.pdf/view>

Occupational Safety & Health Administration - OSHA:

<https://www.osha.gov/employers/index.html>

Colorado Safety Association - CSA:

<http://www.coloradosafety.org/>

American National Standards Institute - ANSI:

<http://ansi.org/>

EEO Census:

<http://factfinder.census.gov/faces/nav/jsf/pages/index.xhtml###>

CDOT Bulletin Board Posters:

<https://www.codot.gov/business/bidding/bulletin-board-postings>

FHWA Posters:

<http://www.fhwa.dot.gov/programadmin/contracts/poster.cfm>

State of Colorado Posters:

<https://www.colorado.gov/pacific/cdle/posters>

Department of Transportation Occupational Descriptions:

<http://www.occupationalinfo.org/>

U.S. Department of Labor poster website:

<http://www.dol.gov/osbp/sbrefa/poster/main.htm>

CDOT Posted US DOL Davis Bacon Wages:

<https://www.codot.gov/business/designsupport/construction-specifications/2011-Specs/standard-special-provisions/mics>

U.S. Wage Department of Labor Wage Determinations:

<http://www.wdol.gov/dba.aspx>

Executive Exemption (Fairpay link):

http://www.dol.gov/whd/reg/compliance/fairpay/fs17a_overview.htm

Contractor Project Action Checklist

PRE-BID/PRE-AWARD ACTIONS

- ___ Current EEO/Affirmative Action
- ___ Harassment policy
- ___ Written EEO grievance procedure
- ___ Workplace Violence Policy
- ___ Subcontractor bid solicitations
- ___ DBE - CDOT Form 1413 - Bidders List
- ___ DBE - CDOT Form 1414 - Anticipated DBE Participation Plan

Does the company have the statement "An Equal Employment Opportunity Employer" on contracts and other company documents?

BIDDING/AWARD ACTIONS

Due from apparent low bidder within 5 days of selection

- ___ DBE - CDOT Form 1415 - Commitment Confirmation
- ___ DBE - CDOT Form 1416 - Good Faith Efforts Report

PRE-CONSTRUCTION CONFERENCE ACTIONS

- ___ FHWA 1273 Required Contract Provisions Federal-Aid Construction Contracts (if applicable)
- ___ On-the-Job Training Special Provisions (if applicable)
- ___ Contract Davis Bacon Prevailing Wage decision(s) attached to the written subcontracts (if applicable)
- ___ Other special provisions attached to written subcontracts
- ___ CDOT Forms 205 - Application for Permit to Sublet to be approved **PRIOR** to work
- ___ Equal Employment Opportunity/Affirmative Action plans
- ___ EEO complaint/grievance procedures
- ___ CDOT Form 1425 - Materials Supplier List
- ___ OJT - CDOT Form 1337 - Contractor Commitment to Meet OJT Requirements
- ___ OJT - CDOT Form 838 - On-the-Job Trainee/Apprentice Record
- ___ OJT - Copy of approved training program
- ___ OJT - Copy of trainee acceptance/certification into program
- ___ Date of first EEO meeting (may be tentative)
- ___ OFCCP Reporting of Subcontractors

CONSTRUCTION ADMINISTRATION ACTIONS

- ___ Employee referral form
- ___ List of all referral sources

- ___ Send all subcontractors EEO and related material
- ___ Supervisory EEO meeting minutes and roster
- ___ Conduct project EEO meetings as required
- ___ EEO Supervisor/Employee/Subcontractor Meetings agenda/minutes and roster
- ___ FHWA 1391 - Federal-Aid Highway Construction Contractors Annual EEO Report submittals for Contractor and active subcontractors for work in July; analyze results and take action as needed
- ___ Monitor subcontractors on EEO compliance and payroll requirements
- ___ Diaries of project work
- ___ OJT - CDOT Form 832 - Trainee Status & Evaluation
- ___ OJT - CDOT Form 1336 - Waiver Request for Contract's On the Job Training Hours (if applicable)
- ___ Bulletin board posters
- ___ Certified Payrolls with CDOT Form 118
- ___ CDOT Form 1418 - Prompt Payment Report (Due Monthly)
- ___ DBE - CDOT Form 1419 - DBE Participation Report (Due Quarterly)
- ___ DBE - CDOT Form 1420 - DBE Participation Plan Modification Request (if applicable)
- ___ DBE - CDOT Form 1415 - Commitment confirmation (if applicable with 1420)

POST AWARD CONSTRUCTION ACTIONS

- ___ CDOT Form 1419 - DBE Participation Report for final reporting

CDOT Region Civil Rights Managers (RCRM'S)

Region 1

Kathy Williams
Denver Region Office
2000 South Holly Street
Denver, CO 80222

303/757-9386

303/757-9987 fax

Kathy.Williams@state.co.us

Region 2

Mary T. Vigil
Pueblo Region Office
PO Box 536
950 Erie Avenue
Pueblo, CO 81002

719/546-5432

719/562-5525 fax

Mary.Vigil@state.co.us

Region 3

Chip Brazelton
Grand Junction Region Office
PO Box 850
222 South 6th Street, Room 317
Grand Junction, CO 81501

970/683-6210

970/683-6227 fax

Chip.Brazelton@state.co.us

Region 4

Juliet Sheets
Greeley Region Office
1420 2nd Street

Greeley, CO 80632

970/350-2156

970/350/2262 fax

Juliet.Sheets@state.co.us

Region 5

Jason Benally
Durango Region Office
3803 North Main Avenue, Suite 306
Durango, CO 81301

970/385-1403

970/385-1450 fax

Jason.Benally@state.co.us

Civil Rights and Business Resource Center
(CRBRC)

Main Line
303-757-9234
800-925-3427
DOT.civilrights@state.co.us

Greg Diehl
Civil Rights Program Manager
303-757-9599
Greg.diehl@state.co.us

Anna Mariotti
Compliance Programs
303-757-9394
Anna.mariotti@state.co.us

Katherine Williams
Disadvantaged Business Enterprise, Small Business Program, Title VI
303-757-9162
Katherine.williams@state.co.us

Greg Martinez
ADA/Title II
303-512-4142
Greg.martinez@state.co.us

Colorado State Contacts
Colorado Civil Rights Division
Equal Employment Opportunity Commission

Colorado Civil Rights Division (CCRD)

1560 Broadway
Suite 1050
Denver, Colorado 80202
303/894-2997
303/894-7830 fax
www.dora.state.co.us/civil-rights/index.htm

Equal Employment Opportunity Commission (EEOC)

303 East 17th Avenue
Suite 510
Denver, Colorado 80203
800/669-4000
303/866-1085 fax
<http://www.eeoc.gov/denver/filing.html>

October 31, 2013

REQUIRED CONTRACT PROVISIONS FEDERAL-AID CONSTRUCTION CONTRACTS

NOTICE

This is a standard special provision that revises or modifies CDOT's *Standard Specifications for Road and Bridge Construction*. It has gone through a formal review and approval process and has been issued by CDOT's Project Development Branch with formal instructions for its use on CDOT construction projects. It is to be used as written without change. Do not use modified versions of this special provision on CDOT construction projects, and do not use this special provision on CDOT projects in a manner other than that specified in the instructions unless such use is first approved by the Standards and Specifications Unit of the Project Development Branch. The instructions for use on CDOT construction projects appear below.

Other agencies which use the *Standard Specifications for Road and Bridge Construction* to administer construction projects may use this special provision as appropriate and at their own risk.

Instructions for use on CDOT construction projects:

Use this standard special provision on federal aid projects

Attached is Form FHWA 1273 titled *Required Contract Provisions Federal-Aid Construction Contracts*. As described in Section I. General, the provisions of Form FHWA 1273 apply to all work performed under the Contract and are to be included in all subcontracts with the following modification:

For TAP (Transportation Alternatives Program) funded Recreational Trails projects, Section I (4) regarding convict labor and all of Section IV of the FHWA 1273 do not apply.

REQUIRED CONTRACT PROVISIONS

- 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).

2. Subject to the applicability criteria noted in the following sections, these contract provisions shall apply to all work performed on the contract by the contractor's own organization and with the assistance of workers under the contractor's immediate superintendence and to all work performed on the contract by piecework, station work, or by subcontract.

3. A breach of any of the stipulations contained in these Required Contract Provisions may be sufficient grounds for withholding of progress payments, withholding of final payment, termination of the contract, suspension / debarment or any other action determined to be appropriate by the contracting agency and FHWA.

4. Selection of Labor: During the performance of this contract, the contractor shall not use convict labor for any purpose within the limits of a construction project on a Federal-aid highway unless it is labor performed by convicts who are on parole, supervised release, or probation. The term Federal-aid highway does not include roadways functionally classified as local roads or rural minor collectors.

II. NONDISCRIMINATION

The provisions of this section related to 23 CFR Part 230 are applicable to all Federal-aid construction contracts and

to all related construction subcontracts of \$10,000 or more. The provisions of 23 CFR Part 230 are not applicable to material supply, engineering, or architectural service contracts.

In addition, the contractor and all subcontractors must comply with the following policies: Executive Order 11246, 41 CFR 60, 29 CFR 1625-1627, Title 23 USC Section 140, the Rehabilitation Act of 1973, as amended (29 USC 794), Title VI of the Civil Rights Act of 1964, as amended, and related regulations including 49 CFR Parts 21, 26 and 27; and 23 CFR Parts 200, 230, and 633.

The contractor and all subcontractors must comply with: the requirements of the Equal Opportunity Clause in 41 CFR 60-1.4(b) and, for all construction contracts exceeding \$10,000, the Standard Federal Equal Employment Opportunity Construction Contract Specifications in 41 CFR 60-4.3.

Note: The U.S. Department of Labor has exclusive authority to determine compliance with Executive Order 11246 and the policies of the Secretary of Labor including 41 CFR 60, and 29 CFR 1625-1627. The contracting agency and the FHWA have the authority and the responsibility to ensure compliance with Title 23 USC Section 140, the Rehabilitation Act of 1973, as amended (29 USC 794), and Title VI of the Civil Rights Act of 1964, as amended, and related regulations including 49 CFR Parts 21, 26 and 27; and 23 CFR Parts 200, 230, and 633.

The following provision is adopted from 23 CFR 230, Appendix A, with appropriate revisions to conform to the U.S. Department of Labor (US DOL) and FHWA requirements.

1. Equal Employment Opportunity: Equal employment opportunity (EEO) requirements not to discriminate and to take affirmative action to assure equal opportunity as set forth under laws, executive orders, rules, regulations (28 CFR 35, 29 CFR 1630, 29 CFR 1625-1627, 41 CFR 60 and 49 CFR 27) and orders of the Secretary of Labor as modified by the provisions prescribed herein, and imposed pursuant to 23 U.S.C. 140 shall constitute the EEO and specific affirmative action standards for the contractor's project activities under this contract. The provisions of the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 et seq.) set forth under 28 CFR 35 and 29 CFR 1630 are incorporated by reference in this contract. In the execution of this contract, the contractor agrees to comply with the following minimum specific requirement activities of EEO:

a. The contractor will work with the contracting agency and the Federal Government to ensure that it has made every good faith effort to provide equal opportunity with respect to all of its terms and conditions of employment and in their review of activities under the contract.

b. The contractor will accept as its operating policy the following statement:

"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, religion, sex, color, national origin, age or disability. Such action shall include: employment, upgrading, demotion, or transfer; recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training,

including apprenticeship, pre-apprenticeship, and/or on-the-job training."

2. EEO Officer: The contractor will designate and make known to the contracting officers an EEO Officer who will have the responsibility for and must be capable of effectively administering and promoting an active EEO program and who must be assigned adequate authority and responsibility to do so.

3. Dissemination of Policy: All members of the contractor's staff who are authorized to hire, supervise, promote, and discharge employees, or who recommend such action, or who are substantially involved in such action, will be made fully cognizant of, and will implement, the contractor's EEO policy and contractual responsibilities to provide EEO in each grade and classification of employment. To ensure that the above agreement will be met, the following actions will be taken as a minimum:

a. Periodic meetings of supervisory and personnel office employees will be conducted before the start of work and then not less often than once every six months, at which time the contractor's EEO policy and its implementation will be reviewed and explained. The meetings will be conducted by the EEO Officer.

b. All new supervisory or personnel office employees will be given a thorough indoctrination by the EEO Officer, covering all major aspects of the contractor's EEO obligations within thirty days following their reporting for duty with the contractor.

c. All personnel who are engaged in direct recruitment for the project will be instructed by the EEO Officer in the contractor's procedures for locating and hiring minorities and women.

d. Notices and posters setting forth the contractor's EEO policy will be placed in areas readily accessible to employees, applicants for employment and potential employees.

e. The contractor's EEO policy and the procedures to implement such policy will be brought to the attention of employees by means of meetings, employee handbooks, or other appropriate means.

4. Recruitment: When advertising for employees, the contractor will include in all advertisements for employees the notation: "An Equal Opportunity Employer." All such advertisements will be placed in publications having a large circulation among minorities and women in the area from which the project work force would normally be derived.

a. The contractor will, unless precluded by a valid bargaining agreement, conduct systematic and direct recruitment through public and private employee referral sources likely to yield qualified minorities and women. To meet this requirement, the contractor will identify sources of potential minority group employees, and establish with such identified sources procedures whereby minority and women applicants may be referred to the contractor for employment consideration.

b. In the event the contractor has a valid bargaining agreement providing for exclusive hiring hall referrals, the contractor is expected to observe the provisions of that agreement to the extent that the system meets the

contractor's compliance with EEO contract provisions. Where implementation of such an agreement has the effect of discriminating against minorities or women, or obligates the contractor to do the same, such implementation violates Federal nondiscrimination provisions.

c. The contractor will encourage its present employees to refer minorities and women as applicants for employment. Information and procedures with regard to referring such applicants will be discussed with employees.

5. Personnel Actions: Wages, working conditions, and employee benefits shall be established and administered, and personnel actions of every type, including hiring, upgrading, promotion, transfer, demotion, layoff, and termination, shall be taken without regard to race, color, religion, sex, national origin, age or disability. The following procedures shall be followed:

a. The contractor will conduct periodic inspections of project sites to insure that working conditions and employee facilities do not indicate discriminatory treatment of project site personnel.

b. The contractor will periodically evaluate the spread of wages paid within each classification to determine any evidence of discriminatory wage practices.

c. The contractor will periodically review selected personnel actions in depth to determine whether there is evidence of discrimination. Where evidence is found, the contractor will promptly take corrective action. If the review indicates that the discrimination may extend beyond the actions reviewed, such corrective action shall include all affected persons.

d. The contractor will promptly investigate all complaints of alleged discrimination made to the contractor in connection with its obligations under this contract, will attempt to resolve such complaints, and will take appropriate corrective action within a reasonable time. If the investigation indicates that the discrimination may affect persons other than the complainant, such corrective action shall include such other persons. Upon completion of each investigation, the contractor will inform every complainant of all of their avenues of appeal.

6. Training and Promotion:

a. The contractor will assist in locating, qualifying, and increasing the skills of minorities and women who are applicants for employment or current employees. Such efforts should be aimed at developing full journey level status employees in the type of trade or job classification involved.

b. Consistent with the contractor's work force requirements and as permissible under Federal and State regulations, the contractor shall make full use of training programs, i.e., apprenticeship, and on-the-job training programs for the geographical area of contract performance. In the event a special provision for training is provided under this contract, this subparagraph will be superseded as indicated in the special provision. The contracting agency may reserve training positions for persons who receive welfare assistance in accordance with 23 U.S.C. 140(a).

c. The contractor will advise employees and applicants for employment of available training programs and entrance requirements for each.

d. The contractor will periodically review the training and promotion potential of employees who are minorities and women and will encourage eligible employees to apply for such training and promotion.

7. Unions: If the contractor relies in whole or in part upon unions as a source of employees, the contractor will use good faith efforts to obtain the cooperation of such unions to increase opportunities for minorities and women. Actions by the contractor, either directly or through a contractor's association acting as agent, will include the procedures set forth below:

a. The contractor will use good faith efforts to develop, in cooperation with the unions, joint training programs aimed toward qualifying more minorities and women for membership in the unions and increasing the skills of minorities and women so that they may qualify for higher paying employment.

b. The contractor will use good faith efforts to incorporate an EEO clause into each union agreement to the end that such union will be contractually bound to refer applicants without regard to their race, color, religion, sex, national origin, age or disability.

c. The contractor is to obtain information as to the referral practices and policies of the labor union except that to the extent such information is within the exclusive possession of the labor union and such labor union refuses to furnish such information to the contractor, the contractor shall so certify to the contracting agency and shall set forth what efforts have been made to obtain such information.

d. In the event the union is unable to provide the contractor with a reasonable flow of referrals within the time limit set forth in the collective bargaining agreement, the contractor will, through independent recruitment efforts, fill the employment vacancies without regard to race, color, religion, sex, national origin, age or disability; making full efforts to obtain qualified and/or qualifiable minorities and women. The failure of a union to provide sufficient referrals (even though it is obligated to provide exclusive referrals under the terms of a collective bargaining agreement) does not relieve the contractor from the requirements of this paragraph. In the event the union referral practice prevents the contractor from meeting the obligations pursuant to Executive Order 11246, as amended, and these special provisions, such contractor shall immediately notify the contracting agency.

8. Reasonable Accommodation for Applicants / Employees with Disabilities: The contractor must be familiar with the requirements for and comply with the Americans with Disabilities Act and all rules and regulations established there under. Employers must provide reasonable accommodation in all employment activities unless to do so would cause an undue hardship.

9. Selection of Subcontractors, Procurement of Materials and Leasing of Equipment: The contractor shall not discriminate on the grounds of race, color, religion, sex, national origin, age or disability in the selection and retention of subcontractors, including procurement of materials and leases of equipment. The contractor shall

take all necessary and reasonable steps to ensure nondiscrimination in the administration of this contract.

a. The contractor shall notify all potential subcontractors and suppliers and lessors of their EEO obligations under this contract.

b. The contractor will use good faith efforts to ensure subcontractor compliance with their EEO obligations.

10. Assurance Required by 49 CFR 26.13(b):

a. The requirements of 49 CFR Part 26 and the State DOT's U.S. DOT-approved DBE program are incorporated by reference.

b. The contractor or subcontractor shall not discriminate on the basis of race, color, national origin, or sex in the performance of this contract. The contractor shall carry out applicable requirements of 49 CFR Part 26 in the award and administration of DOT-assisted contracts. Failure by the contractor to carry out these requirements is a material breach of this contract, which may result in the termination of this contract or such other remedy as the contracting agency deems appropriate.

11. Records and Reports: The contractor shall keep such records as necessary to document compliance with the EEO requirements. Such records shall be retained for a period of three years following the date of the final payment to the contractor for all contract work and shall be available at reasonable times and places for inspection by authorized representatives of the contracting agency and the FHWA.

a. The records kept by the contractor shall document the following:

(1) The number and work hours of minority and non-minority group members and women employed in each work classification on the project;

(2) The progress and efforts being made in cooperation with unions, when applicable, to increase employment opportunities for minorities and women; and

(3) The progress and efforts being made in locating, hiring, training, qualifying, and upgrading minorities and women;

b. The contractors and subcontractors will submit an annual report to the contracting agency each July for the duration of the project, indicating the number of minority, women, and non-minority group employees currently engaged in each work classification required by the contract work. This information is to be reported on [Form FHWA-1391](#). The staffing data should represent the project work force on board in all or any part of the last payroll period preceding the end of July. If on-the-job training is being required by special provision, the contractor will be required to collect and report training data. The employment data should reflect the work force on board during all or any part of the last payroll period preceding the end of July.

III. NONSEGREGATED FACILITIES

This provision is applicable to all Federal-aid construction contracts and to all related construction subcontracts of \$10,000 or more.

The contractor must ensure that facilities provided for employees are provided in such a manner that segregation on the basis of race, color, religion, sex, or national origin cannot result. The contractor may neither require such segregated use by written or oral policies nor tolerate such use by employee custom. The contractor's obligation extends further to ensure that its employees are not assigned to perform their services at any location, under the contractor's control, where the facilities are segregated. The term "facilities" includes waiting rooms, work areas, restaurants and other eating areas, time clocks, restrooms, washrooms, locker rooms, and other storage or dressing areas, parking lots, drinking fountains, recreation or entertainment areas, transportation, and housing provided for employees. The contractor shall provide separate or single-user restrooms and necessary dressing or sleeping areas to assure privacy between sexes.

IV. DAVIS-BACON AND RELATED ACT PROVISIONS

This section is applicable to all Federal-aid construction projects exceeding \$2,000 and to all related subcontracts and lower-tier subcontracts (regardless of subcontract size). The requirements apply to all projects located within the right-of-way of a roadway that is functionally classified as Federal-aid highway. This excludes roadways functionally classified as local roads or rural minor collectors, which are exempt. Contracting agencies may elect to apply these requirements to other projects.

The following provisions are from the U.S. Department of Labor regulations in 29 CFR 5.5 "Contract provisions and related matters" with minor revisions to conform to the FHWA-1273 format and FHWA program requirements.

1. Minimum wages

a. All laborers and mechanics employed or working upon the site of the work, will be paid unconditionally and not less often than once a week, and without subsequent deduction or rebate on any account (except such payroll deductions as are permitted by regulations issued by the Secretary of Labor under the Copeland Act (29 CFR part 3)), the full amount of wages and bona fide fringe benefits (or cash equivalents thereof) due at time of payment computed at rates not less than those contained in the wage determination of the Secretary of Labor which is attached hereto and made a part hereof, regardless of any contractual relationship which may be alleged to exist between the contractor and such laborers and mechanics.

Contributions made or costs reasonably anticipated for bona fide fringe benefits under section 1(b)(2) of the Davis-Bacon Act on behalf of laborers or mechanics are considered wages paid to such laborers or mechanics, subject to the provisions of paragraph 1.d. of this section; also, regular contributions made or costs incurred for more than a weekly period (but not less often than quarterly) under plans, funds, or programs which cover the particular weekly period, are deemed to be constructively made or incurred during such weekly period. Such laborers and mechanics shall be paid the appropriate wage rate and fringe benefits on the wage determination for the

classification of work actually performed, without regard to skill, except as provided in 29 CFR 5.5(a)(4). Laborers or mechanics performing work in more than one classification may be compensated at the rate specified for each classification for the time actually worked therein: Provided, That the employer's payroll records accurately set forth the time spent in each classification in which work is performed. The wage determination (including any additional classification and wage rates conformed under paragraph 1.b. of this section) and the Davis-Bacon poster (WH-1321) shall be posted at all times by the contractor and its subcontractors at the site of the work in a prominent and accessible place where it can be easily seen by the workers.

b. (1) The contracting officer shall require that any class of laborers or mechanics, including helpers, which is not listed in the wage determination and which is to be employed under the contract shall be classified in conformance with the wage determination. The contracting officer shall approve an additional classification and wage rate and fringe benefits therefore only when the following criteria have been met:

(i) The work to be performed by the classification requested is not performed by a classification in the wage determination; and

(ii) The classification is utilized in the area by the construction industry; and

(iii) The proposed wage rate, including any bona fide fringe benefits, bears a reasonable relationship to the wage rates contained in the wage determination.

(2) If the contractor and the laborers and mechanics to be employed in the classification (if known), or their representatives, and the contracting officer agree on the classification and wage rate (including the amount designated for fringe benefits where appropriate), a report of the action taken shall be sent by the contracting officer to the Administrator of the Wage and Hour Division, Employment Standards Administration, U.S. Department of Labor, Washington, DC 20210. The Administrator, or an authorized representative, will approve, modify, or disapprove every additional classification action within 30 days of receipt and so advise the contracting officer or will notify the contracting officer within the 30-day period that additional time is necessary.

(3) In the event the contractor, the laborers or mechanics to be employed in the classification or their representatives, and the contracting officer do not agree on the proposed classification and wage rate (including the amount designated for fringe benefits, where appropriate), the contracting officer shall refer the questions, including the views of all interested parties and the recommendation of the contracting officer, to the Wage and Hour Administrator for determination. The Wage and Hour Administrator, or an authorized representative, will issue a determination within 30 days of receipt and so advise the contracting officer or will notify the contracting officer within the 30-day period that additional time is necessary.

(4) The wage rate (including fringe benefits where appropriate) determined pursuant to paragraphs 1.b.(2) or 1.b.(3) of this section, shall be paid to all workers performing work in the classification under this contract from the first day on which work is performed in the classification.

c. Whenever the minimum wage rate prescribed in the contract for a class of laborers or mechanics includes a fringe benefit which is not expressed as an hourly rate, the contractor shall either pay the benefit as stated in the wage determination or shall pay another bona fide fringe benefit or an hourly cash equivalent thereof.

d. If the contractor does not make payments to a trustee or other third person, the contractor may consider as part of the wages of any laborer or mechanic the amount of any costs reasonably anticipated in providing bona fide fringe benefits under a plan or program, Provided, That the Secretary of Labor has found, upon the written request of the contractor, that the applicable standards of the Davis-Bacon Act have been met. The Secretary of Labor may require the contractor to set aside in a separate account assets for the meeting of obligations under the plan or program.

2. Withholding

The contracting agency shall upon its own action or upon written request of an authorized representative of the Department of Labor, withhold or cause to be withheld from the contractor under this contract, or any other Federal contract with the same prime contractor, or any other federally-assisted contract subject to Davis-Bacon prevailing wage requirements, which is held by the same prime contractor, so much of the accrued payments or advances as may be considered necessary to pay laborers and mechanics, including apprentices, trainees, and helpers, employed by the contractor or any subcontractor the full amount of wages required by the contract. In the event of failure to pay any laborer or mechanic, including any apprentice, trainee, or helper, employed or working on the site of the work, all or part of the wages required by the contract, the contracting agency may, after written notice to the contractor, take such action as may be necessary to cause the suspension of any further payment, advance, or guarantee of funds until such violations have ceased.

3. Payrolls and basic records

a. Payrolls and basic records relating thereto shall be maintained by the contractor during the course of the work and preserved for a period of three years thereafter for all laborers and mechanics working at the site of the work. Such records shall contain the name, address, and social security number of each such worker, his or her correct classification, hourly rates of wages paid (including rates of contributions or costs anticipated for bona fide fringe benefits or cash equivalents thereof of the types described in section 1(b)(2)(B) of the Davis-Bacon Act), daily and weekly number of hours worked, deductions made and actual wages paid. Whenever the Secretary of Labor has found under 29 CFR 5.5(a)(1)(iv) that the wages of any laborer or mechanic include the amount of any costs reasonably anticipated in providing benefits under a plan or program described in section 1(b)(2)(B) of the Davis-Bacon

Act, the contractor shall maintain records which show that the commitment to provide such benefits is enforceable, that the plan or program is financially responsible, and that the plan or program has been communicated in writing to the laborers or mechanics affected, and records which show the costs anticipated or the actual cost incurred in providing such benefits. Contractors employing apprentices or trainees under approved programs shall maintain written evidence of the registration of apprenticeship programs and certification of trainee programs, the registration of the apprentices and trainees, and the ratios and wage rates prescribed in the applicable programs.

b. (1) The contractor shall submit weekly for each week in which any contract work is performed a copy of all payrolls to the contracting agency. The payrolls submitted shall set out accurately and completely all of the information required to be maintained under 29 CFR 5.5(a)(3)(i), except that full social security numbers and home addresses shall not be included on weekly transmittals. Instead the payrolls shall only need to include an individually identifying number for each employee (e.g., the last four digits of the employee's social security number). The required weekly payroll information may be submitted in any form desired. Optional Form WH-347 is available for this purpose from the Wage and Hour Division Web site at <http://www.dol.gov/esa/whd/forms/wh347instr.htm> or its successor site. The prime contractor is responsible for the submission of copies of payrolls by all subcontractors. Contractors and subcontractors shall maintain the full social security number and current address of each covered worker, and shall provide them upon request to the contracting agency for transmission to the State DOT, the FHWA or the Wage and Hour Division of the Department of Labor for purposes of an investigation or audit of compliance with prevailing wage requirements. It is not a violation of this section for a prime contractor to require a subcontractor to provide addresses and social security numbers to the prime contractor for its own records, without weekly submission to the contracting agency..

(2) Each payroll submitted shall be accompanied by a "Statement of Compliance," signed by the contractor or subcontractor or his or her agent who pays or supervises the payment of the persons employed under the contract and shall certify the following:

(i) That the payroll for the payroll period contains the information required to be provided under §5.5(a)(3)(ii) of Regulations, 29 CFR part 5, the appropriate information is being maintained under §5.5(a)(3)(i) of Regulations, 29 CFR part 5, and that such information is correct and complete;

(ii) That each laborer or mechanic (including each helper, apprentice, and trainee) employed on the contract during the payroll period has been paid the full weekly wages earned, without rebate, either directly or indirectly, and that no deductions have been made either directly or indirectly from the full wages earned, other than permissible deductions as set forth in Regulations, 29 CFR part 3;

(iii) That each laborer or mechanic has been paid not less than the applicable wage rates and fringe benefits or cash equivalents for the classification of work

performed, as specified in the applicable wage determination incorporated into the contract.

(3) The weekly submission of a properly executed certification set forth on the reverse side of Optional Form WH-347 shall satisfy the requirement for submission of the "Statement of Compliance" required by paragraph 3.b.(2) of this section.

(4) The falsification of any of the above certifications may subject the contractor or subcontractor to civil or criminal prosecution under section 1001 of title 18 and section 231 of title 31 of the United States Code.

c. The contractor or subcontractor shall make the records required under paragraph 3.a. of this section available for inspection, copying, or transcription by authorized representatives of the contracting agency, the State DOT, the FHWA, or the Department of Labor, and shall permit such representatives to interview employees during working hours on the job. If the contractor or subcontractor fails to submit the required records or to make them available, the FHWA may, after written notice to the contractor, the contracting agency or the State DOT, take such action as may be necessary to cause the suspension of any further payment, advance, or guarantee of funds. Furthermore, failure to submit the required records upon request or to make such records available may be grounds for debarment action pursuant to 29 CFR 5.12.

4. Apprentices and trainees

a. Apprentices (programs of the USDOL).

Apprentices will be permitted to work at less than the predetermined rate for the work they performed when they are employed pursuant to and individually registered in a bona fide apprenticeship program registered with the U.S. Department of Labor, Employment and Training Administration, Office of Apprenticeship Training, Employer and Labor Services, or with a State Apprenticeship Agency recognized by the Office, or if a person is employed in his or her first 90 days of probationary employment as an apprentice in such an apprenticeship program, who is not individually registered in the program, but who has been certified by the Office of Apprenticeship Training, Employer and Labor Services or a State Apprenticeship Agency (where appropriate) to be eligible for probationary employment as an apprentice.

The allowable ratio of apprentices to journeymen on the job site in any craft classification shall not be greater than the ratio permitted to the contractor as to the entire work force under the registered program. Any worker listed on a payroll at an apprentice wage rate, who is not registered or otherwise employed as stated above, shall be paid not less than the applicable wage rate on the wage determination for the classification of work actually performed. In addition, any apprentice performing work on the job site in excess of the ratio permitted under the registered program shall be paid not less than the applicable wage rate on the wage determination for the work actually performed. Where a contractor is performing construction on a project in a locality other than that in which its program is registered, the ratios and wage rates (expressed in percentages of the journeyman's hourly rate) specified in

the contractor's or subcontractor's registered program shall be observed.

Every apprentice must be paid at not less than the rate specified in the registered program for the apprentice's level of progress, expressed as a percentage of the journeymen hourly rate specified in the applicable wage determination. Apprentices shall be paid fringe benefits in accordance with the provisions of the apprenticeship program. If the apprenticeship program does not specify fringe benefits, apprentices must be paid the full amount of fringe benefits listed on the wage determination for the applicable classification. If the Administrator determines that a different practice prevails for the applicable apprentice classification, fringes shall be paid in accordance with that determination.

In the event the Office of Apprenticeship Training, Employer and Labor Services, or a State Apprenticeship Agency recognized by the Office, withdraws approval of an apprenticeship program, the contractor will no longer be permitted to utilize apprentices at less than the applicable predetermined rate for the work performed until an acceptable program is approved.

b. Trainees (programs of the USDOL).

Except as provided in 29 CFR 5.16, trainees will not be permitted to work at less than the predetermined rate for the work performed unless they are employed pursuant to and individually registered in a program which has received prior approval, evidenced by formal certification by the U.S. Department of Labor, Employment and Training Administration.

The ratio of trainees to journeymen on the job site shall not be greater than permitted under the plan approved by the Employment and Training Administration.

Every trainee must be paid at not less than the rate specified in the approved program for the trainee's level of progress, expressed as a percentage of the journeyman hourly rate specified in the applicable wage determination. Trainees shall be paid fringe benefits in accordance with the provisions of the trainee program. If the trainee program does not mention fringe benefits, trainees shall be paid the full amount of fringe benefits listed on the wage determination unless the Administrator of the Wage and Hour Division determines that there is an apprenticeship program associated with the corresponding journeyman wage rate on the wage determination which provides for less than full fringe benefits for apprentices. Any employee listed on the payroll at a trainee rate who is not registered and participating in a training plan approved by the Employment and Training Administration shall be paid not less than the applicable wage rate on the wage determination for the classification of work actually performed. In addition, any trainee performing work on the job site in excess of the ratio permitted under the registered program shall be paid not less than the applicable wage rate on the wage determination for the work actually performed.

In the event the Employment and Training Administration withdraws approval of a training program, the contractor will no longer be permitted to utilize trainees at less than

the applicable predetermined rate for the work performed until an acceptable program is approved.

c. **Equal employment opportunity.** The utilization of apprentices, trainees and journeymen under this part shall be in conformity with the equal employment opportunity requirements of Executive Order 11246, as amended, and 29 CFR part 30.

d. **Apprentices and Trainees (programs of the U.S. DOT).**

Apprentices and trainees working under apprenticeship and skill training programs which have been certified by the Secretary of Transportation as promoting EEO in connection with Federal-aid highway construction programs are not subject to the requirements of paragraph 4 of this Section IV. The straight time hourly wage rates for apprentices and trainees under such programs will be established by the particular programs. The ratio of apprentices and trainees to journeymen shall not be greater than permitted by the terms of the particular program.

5. Compliance with Copeland Act requirements. The contractor shall comply with the requirements of 29 CFR part 3, which are incorporated by reference in this contract.

6. Subcontracts. The contractor or subcontractor shall insert Form FHWA-1273 in any subcontracts and also require the subcontractors to include Form FHWA-1273 in any lower tier subcontracts. The prime contractor shall be responsible for the compliance by any subcontractor or lower tier subcontractor with all the contract clauses in 29 CFR 5.5.

7. Contract termination: debarment. A breach of the contract clauses in 29 CFR 5.5 may be grounds for termination of the contract, and for debarment as a contractor and a subcontractor as provided in 29 CFR 5.12.

8. Compliance with Davis-Bacon and Related Act requirements. All rulings and interpretations of the Davis-Bacon and Related Acts contained in 29 CFR parts 1, 3, and 5 are herein incorporated by reference in this contract.

9. Disputes concerning labor standards. Disputes arising out of the labor standards provisions of this contract shall not be subject to the general disputes clause of this contract. Such disputes shall be resolved in accordance with the procedures of the Department of Labor set forth in 29 CFR parts 5, 6, and 7. Disputes within the meaning of this clause include disputes between the contractor (or any of its subcontractors) and the contracting agency, the U.S. Department of Labor, or the employees or their representatives.

10. Certification of eligibility.

a. By entering into this contract, the contractor certifies that neither it (nor he or she) nor any person or firm who has an interest in the contractor's firm is a person or firm ineligible to be awarded Government contracts by virtue of section 3(a) of the Davis-Bacon Act or 29 CFR 5.12(a)(1).

b. No part of this contract shall be subcontracted to any person or firm ineligible for award of a Government contract by virtue of section 3(a) of the Davis-Bacon Act or 29 CFR 5.12(a)(1).

c. The penalty for making false statements is prescribed in the U.S. Criminal Code, 18 U.S.C. 1001.

V. CONTRACT WORK HOURS AND SAFETY STANDARDS ACT

The following clauses apply to any Federal-aid construction contract in an amount in excess of \$100,000 and subject to the overtime provisions of the Contract Work Hours and Safety Standards Act. These clauses shall be inserted in addition to the clauses required by 29 CFR 5.5(a) or 29 CFR 4.6. As used in this paragraph, the terms laborers and mechanics include watchmen and guards.

1. Overtime requirements. No contractor or subcontractor contracting for any part of the contract work which may require or involve the employment of laborers or mechanics shall require or permit any such laborer or mechanic in any workweek in which he or she is employed on such work to work in excess of forty hours in such workweek unless such laborer or mechanic receives compensation at a rate not less than one and one-half times the basic rate of pay for all hours worked in excess of forty hours in such workweek.

2. Violation; liability for unpaid wages; liquidated damages. In the event of any violation of the clause set forth in paragraph (1.) of this section, the contractor and any subcontractor responsible therefor shall be liable for the unpaid wages. In addition, such contractor and subcontractor shall be liable to the United States (in the case of work done under contract for the District of Columbia or a territory, to such District or to such territory), for liquidated damages. Such liquidated damages shall be computed with respect to each individual laborer or mechanic, including watchmen and guards, employed in violation of the clause set forth in paragraph (1.) of this section, in the sum of \$10 for each calendar day on which such individual was required or permitted to work in excess of the standard workweek of forty hours without payment of the overtime wages required by the clause set forth in paragraph (1.) of this section.

3. Withholding for unpaid wages and liquidated damages. The FHWA or the contacting agency shall upon its own action or upon written request of an authorized representative of the Department of Labor withhold or cause to be withheld, from any moneys payable on account of work performed by the contractor or subcontractor under any such contract or any other Federal contract with the same prime contractor, or any other federally-assisted contract subject to the Contract Work Hours and Safety Standards Act, which is held by the same prime contractor, such sums as may be determined to be necessary to satisfy any liabilities of such contractor or subcontractor for unpaid wages and liquidated damages as provided in the clause set forth in paragraph (2.) of this section.

4. Subcontracts. The contractor or subcontractor shall insert in any subcontracts the clauses set forth in paragraph (1.) through (4.) of this section and also a clause requiring the subcontractors to include these clauses in any

lower tier subcontracts. The prime contractor shall be responsible for compliance by any subcontractor or lower tier subcontractor with the clauses set forth in paragraphs (1.) through (4.) of this section.

VI. SUBLETTING OR ASSIGNING THE CONTRACT

This provision is applicable to all Federal-aid construction contracts on the National Highway System.

1. The contractor shall perform with its own organization contract work amounting to not less than 30 percent (or a greater percentage if specified elsewhere in the contract) of the total original contract price, excluding any specialty items designated by the contracting agency. Specialty items may be performed by subcontract and the amount of any such specialty items performed may be deducted from the total original contract price before computing the amount of work required to be performed by the contractor's own organization (23 CFR 635.116).

a. The term "perform work with its own organization" refers to workers employed or leased by the prime contractor, and equipment owned or rented by the prime contractor, with or without operators. Such term does not include employees or equipment of a subcontractor or lower tier subcontractor, agents of the prime contractor, or any other assignees. The term may include payments for the costs of hiring leased employees from an employee leasing firm meeting all relevant Federal and State regulatory requirements. Leased employees may only be included in this term if the prime contractor meets all of the following conditions:

(1) the prime contractor maintains control over the supervision of the day-to-day activities of the leased employees;

(2) the prime contractor remains responsible for the quality of the work of the leased employees;

(3) the prime contractor retains all power to accept or exclude individual employees from work on the project; and

(4) the prime contractor remains ultimately responsible for the payment of predetermined minimum wages, the submission of payrolls, statements of compliance and all other Federal regulatory requirements.

b. "Specialty Items" shall be construed to be limited to work that requires highly specialized knowledge, abilities, or equipment not ordinarily available in the type of contracting organizations qualified and expected to bid or propose on the contract as a whole and in general are to be limited to minor components of the overall contract.

2. The contract amount upon which the requirements set forth in paragraph (1) of Section VI is computed includes the cost of material and manufactured products which are to be purchased or produced by the contractor under the contract provisions.

3. The contractor shall furnish (a) a competent superintendent or supervisor who is employed by the firm, has full authority to direct performance of the work in accordance with the contract requirements, and is in charge of all construction operations (regardless of who performs the work) and (b) such other of its own organizational resources (supervision, management, and engineering services) as the contracting officer determines is necessary to assure the performance of the contract.

4. No portion of the contract shall be sublet, assigned or otherwise disposed of except with the written consent of the contracting officer, or authorized representative, and such consent when given shall not be construed to relieve the contractor of any responsibility for the fulfillment of the contract. Written consent will be given only after the contracting agency has assured that each subcontract is evidenced in writing and that it contains all pertinent provisions and requirements of the prime contract.

5. The 30% self-performance requirement of paragraph (1) is not applicable to design-build contracts; however, contracting agencies may establish their own self-performance requirements.

VII. SAFETY: ACCIDENT PREVENTION

This provision is applicable to all Federal-aid construction contracts and to all related subcontracts.

1. In the performance of this contract the contractor shall comply with all applicable Federal, State, and local laws governing safety, health, and sanitation (23 CFR 635). The contractor shall provide all safeguards, safety devices and protective equipment and take any other needed actions as it determines, or as the contracting officer may determine, to be reasonably necessary to protect the life and health of employees on the job and the safety of the public and to protect property in connection with the performance of the work covered by the contract.

2. It is a condition of this contract, and shall be made a condition of each subcontract, which the contractor enters into pursuant to this contract, that the contractor and any subcontractor shall not permit any employee, in performance of the contract, to work in surroundings or under conditions which are unsanitary, hazardous or dangerous to his/her health or safety, as determined under construction safety and health standards (29 CFR 1926) promulgated by the Secretary of Labor, in accordance with Section 107 of the Contract Work Hours and Safety Standards Act (40 U.S.C. 3704).

3. Pursuant to 29 CFR 1926.3, it is a condition of this contract that the Secretary of Labor or authorized representative thereof, shall have right of entry to any site of contract performance to inspect or investigate the matter of compliance with the construction safety and health standards and to carry out the duties of the Secretary under Section 107 of the Contract Work Hours and Safety Standards Act (40 U.S.C. 3704).

VIII. FALSE STATEMENTS CONCERNING HIGHWAY PROJECTS

This provision is applicable to all Federal-aid construction contracts and to all related subcontracts.

In order to assure high quality and durable construction in conformity with approved plans and specifications and a high degree of reliability on statements and representations made by engineers, contractors, suppliers, and workers on Federal-aid highway projects, it is essential that all persons concerned with the project perform their functions as carefully, thoroughly, and honestly as possible. Willful falsification, distortion, or misrepresentation with respect to any facts related to the project is a violation of Federal law. To prevent any misunderstanding regarding the seriousness of these and similar acts, Form FHWA-1022 shall be posted on each Federal-aid highway project (23

CFR 635) in one or more places where it is readily available to all persons concerned with the project:

18 U.S.C. 1020 reads as follows:

"Whoever, being an officer, agent, or employee of the United States, or of any State or Territory, or whoever, whether a person, association, firm, or corporation, knowingly makes any false statement, false representation, or false report as to the character, quality, quantity, or cost of the material used or to be used, or the quantity or quality of the work performed or to be performed, or the cost thereof in connection with the submission of plans, maps, specifications, contracts, or costs of construction on any highway or related project submitted for approval to the Secretary of Transportation; or

Whoever knowingly makes any false statement, false representation, false report or false claim with respect to the character, quality, quantity, or cost of any work performed or to be performed, or materials furnished or to be furnished, in connection with the construction of any highway or related project approved by the Secretary of Transportation; or

Whoever knowingly makes any false statement or false representation as to material fact in any statement, certificate, or report submitted pursuant to provisions of the Federal-aid Roads Act approved July 1, 1916, (39 Stat. 355), as amended and supplemented;

Shall be fined under this title or imprisoned not more than 5 years or both."

IX. IMPLEMENTATION OF CLEAN AIR ACT AND FEDERAL WATER POLLUTION CONTROL ACT

This provision is applicable to all Federal-aid construction contracts and to all related subcontracts.

By submission of this bid/proposal or the execution of this contract, or subcontract, as appropriate, the bidder, proposer, Federal-aid construction contractor, or subcontractor, as appropriate, will be deemed to have stipulated as follows:

1. That any person who is or will be utilized in the performance of this contract is not prohibited from receiving an award due to a violation of Section 508 of the Clean Water Act or Section 306 of the Clean Air Act.

2. That the contractor agrees to include or cause to be included the requirements of paragraph (1) of this Section X in every subcontract, and further agrees to take such action as the contracting agency may direct as a means of enforcing such requirements.

X. CERTIFICATION REGARDING DEBARMENT, SUSPENSION, INELIGIBILITY AND VOLUNTARY EXCLUSION

This provision is applicable to all Federal-aid construction contracts, design-build contracts, subcontracts, lower-tier subcontracts, purchase orders, lease agreements, consultant contracts or any other covered transaction requiring FHWA approval or that is estimated to cost \$25,000 or more - as defined in 2 CFR Parts 180 and 1200.

1. Instructions for Certification - First Tier Participants:

a. By signing and submitting this proposal, the prospective first tier participant is providing the certification set out below.

b. The inability of a person to provide the certification set out below will not necessarily result in denial of participation in this covered transaction. The prospective first tier participant shall submit an explanation of why it cannot provide the certification set out below. The certification or explanation will be considered in connection with the department or agency's determination whether to enter into this transaction. However, failure of the prospective first tier participant to furnish a certification or an explanation shall disqualify such a person from participation in this transaction.

c. The certification in this clause is a material representation of fact upon which reliance was placed when the contracting agency determined to enter into this transaction. If it is later determined that the prospective participant knowingly rendered an erroneous certification, in addition to other remedies available to the Federal Government, the contracting agency may terminate this transaction for cause of default.

d. The prospective first tier participant shall provide immediate written notice to the contracting agency to whom this proposal is submitted if any time the prospective first tier participant learns that its certification was erroneous when submitted or has become erroneous by reason of changed circumstances.

e. The terms "covered transaction," "debarred," "suspended," "ineligible," "participant," "person," "principal," and "voluntarily excluded," as used in this clause, are defined in 2 CFR Parts 180 and 1200. "First Tier Covered Transactions" refers to any covered transaction between a grantee or subgrantee of Federal funds and a participant (such as the prime or general contract). "Lower Tier Covered Transactions" refers to any covered transaction under a First Tier Covered Transaction (such as subcontracts). "First Tier Participant" refers to the participant who has entered into a covered transaction with a grantee or subgrantee of Federal funds (such as the prime or general contractor). "Lower Tier Participant" refers any participant who has entered into a covered transaction with a First Tier Participant or other Lower Tier Participants (such as subcontractors and suppliers).

f. The prospective first tier participant agrees by submitting this proposal that, should the proposed covered transaction be entered into, it shall not knowingly enter into any lower tier covered transaction with a person who is debarred, suspended, declared ineligible, or voluntarily excluded from participation in this covered transaction, unless authorized by the department or agency entering into this transaction.

g. The prospective first tier participant further agrees by submitting this proposal that it will include the clause titled "Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion-Lower Tier Covered Transactions," provided by the department or contracting agency, entering into this covered transaction, without modification, in all lower tier covered transactions and in all solicitations for lower tier covered transactions exceeding the \$25,000 threshold.

h. A participant in a covered transaction may rely upon a certification of a prospective participant in a lower tier covered transaction that is not debarred, suspended, ineligible, or voluntarily excluded from the covered transaction, unless it knows that the certification is erroneous. A participant is responsible for ensuring that its principals are not suspended, debarred, or otherwise ineligible to participate in covered transactions. To verify the eligibility of its principals, as well as the eligibility of any lower tier prospective participants, each participant may, but is not required to, check the Excluded Parties List System website (<https://www.epls.gov/>), which is compiled by the General Services Administration.

i. Nothing contained in the foregoing shall be construed to require the establishment of a system of records in order to render in good faith the certification required by this clause. The knowledge and information of the prospective participant is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.

j. Except for transactions authorized under paragraph (f) of these instructions, if a participant in a covered transaction knowingly enters into a lower tier covered transaction with a person who is suspended, debarred, ineligible, or voluntarily excluded from participation in this transaction, in addition to other remedies available to the Federal Government, the department or agency may terminate this transaction for cause or default.

* * * * *

2. Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion - First Tier Participants:

a. The prospective first tier participant certifies to the best of its knowledge and belief, that it and its principals:

(1) Are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participating in covered transactions by any Federal department or agency;

(2) Have not within a three-year period preceding this proposal been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State or local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;

(3) Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, State or local) with commission of any of the offenses enumerated in paragraph (a)(2) of this certification; and

(4) Have not within a three-year period preceding this application/proposal had one or more public transactions (Federal, State or local) terminated for cause or default.

b. Where the prospective participant is unable to certify to any of the statements in this certification, such prospective participant shall attach an explanation to this proposal.

2. Instructions for Certification - Lower Tier Participants:

(Applicable to all subcontracts, purchase orders and other lower tier transactions requiring prior FHWA approval or estimated to cost \$25,000 or more - 2 CFR Parts 180 and 1200)

a. By signing and submitting this proposal, the prospective lower tier is providing the certification set out below.

b. The certification in this clause is a material representation of fact upon which reliance was placed when this transaction was entered into. If it is later determined that the prospective lower tier participant knowingly rendered an erroneous certification, in addition to other remedies available to the Federal Government, the department, or agency with which this transaction originated may pursue available remedies, including suspension and/or debarment.

c. The prospective lower tier participant shall provide immediate written notice to the person to which this proposal is submitted if at any time the prospective lower tier participant learns that its certification was erroneous by reason of changed circumstances.

d. The terms "covered transaction," "debarred," "suspended," "ineligible," "participant," "person," "principal," and "voluntarily excluded," as used in this clause, are defined in 2 CFR Parts 180 and 1200. You may contact the person to which this proposal is submitted for assistance in obtaining a copy of those regulations. "First Tier Covered Transactions" refers to any covered transaction between a grantee or subgrantee of Federal funds and a participant (such as the prime or general contract). "Lower Tier Covered Transactions" refers to any covered transaction under a First Tier Covered Transaction (such as subcontracts). "First Tier Participant" refers to the participant who has entered into a covered transaction with a grantee or subgrantee of Federal funds (such as the prime or general contractor). "Lower Tier Participant" refers any participant who has entered into a covered transaction with a First Tier Participant or other Lower Tier Participants (such as subcontractors and suppliers).

e. The prospective lower tier participant agrees by submitting this proposal that, should the proposed covered transaction be entered into, it shall not knowingly enter into any lower tier covered transaction with a person who is debarred, suspended, declared ineligible, or voluntarily excluded from participation in this covered transaction, unless authorized by the department or agency with which this transaction originated.

f. The prospective lower tier participant further agrees by submitting this proposal that it will include this clause titled "Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion-Lower Tier Covered Transaction," without modification, in all lower tier covered transactions and in all solicitations for lower tier covered transactions exceeding the \$25,000 threshold.

g. A participant in a covered transaction may rely upon a certification of a prospective participant in a lower tier covered transaction that is not debarred, suspended, ineligible, or voluntarily excluded from the covered transaction, unless it knows that the certification is erroneous. A participant is responsible for ensuring that its

principals are not suspended, debarred, or otherwise ineligible to participate in covered transactions. To verify the eligibility of its principals, as well as the eligibility of any lower tier prospective participants, each participant may, but is not required to, check the Excluded Parties List System website (<https://www.epls.gov/>), which is compiled by the General Services Administration.

h. Nothing contained in the foregoing shall be construed to require establishment of a system of records in order to render in good faith the certification required by this clause. The knowledge and information of participant is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.

i. Except for transactions authorized under paragraph e of these instructions, if a participant in a covered transaction knowingly enters into a lower tier covered transaction with a person who is suspended, debarred, ineligible, or voluntarily excluded from participation in this transaction, in addition to other remedies available to the Federal Government, the department or agency with which this transaction originated may pursue available remedies, including suspension and/or debarment.

* * * * *

Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion--Lower Tier Participants:

1. The prospective lower tier participant certifies, by submission of this proposal, that neither it nor its principals is presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participating in covered transactions by any Federal department or agency.

2. Where the prospective lower tier participant is unable to certify to any of the statements in this certification, such prospective participant shall attach an explanation to this proposal.

* * * * *

XI. CERTIFICATION REGARDING USE OF CONTRACT FUNDS FOR LOBBYING

This provision is applicable to all Federal-aid construction contracts and to all related subcontracts which exceed \$100,000 (49 CFR 20).

1. The prospective participant certifies, by signing and submitting this bid or proposal, to the best of his or her knowledge and belief, that:

a. No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of any Federal agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.

b. If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing

or attempting to influence an officer or employee of any Federal agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions.

2. This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by 31 U.S.C. 1352. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

3. The prospective participant also agrees by submitting its bid or proposal that the participant shall require that the language of this certification be included in all lower tier subcontracts, which exceed \$100,000 and that all such recipients shall certify and disclose accordingly.

ATTACHMENT A - EMPLOYMENT AND MATERIALS PREFERENCE FOR APPALACHIAN DEVELOPMENT HIGHWAY SYSTEM OR APPALACHIAN LOCAL ACCESS ROAD CONTRACTS
This provision is applicable to all Federal-aid projects funded under the Appalachian Regional Development Act of 1965.

1. During the performance of this contract, the contractor undertaking to do work which is, or reasonably may be, done as on-site work, shall give preference to qualified persons who regularly reside in the labor area as designated by the DOL wherein the contract work is situated, or the subregion, or the Appalachian counties of the State wherein the contract work is situated, except:

a. To the extent that qualified persons regularly residing in the area are not available.

b. For the reasonable needs of the contractor to employ supervisory or specially experienced personnel necessary to assure an efficient execution of the contract work.

c. For the obligation of the contractor to offer employment to present or former employees as the result of a lawful collective bargaining contract, provided that the number of nonresident persons employed under this subparagraph (1c) shall not exceed 20 percent of the total number of employees employed by the contractor on the contract work, except as provided in subparagraph (4) below.

2. The contractor shall place a job order with the State Employment Service indicating (a) the classifications of the laborers, mechanics and other employees required to perform the contract work, (b) the number of employees required in each classification, (c) the date on which the participant estimates such employees will be required, and (d) any other pertinent information required by the State Employment Service to complete the job order form. The job order may be placed with the State Employment Service in writing or by telephone. If during the course of the contract work, the information submitted by the contractor in the original job order is substantially modified, the participant shall promptly notify the State Employment Service.

3. The contractor shall give full consideration to all qualified job applicants referred to him by the State Employment Service. The contractor is not required to

grant employment to any job applicants who, in his opinion, are not qualified to perform the classification of work required.

4. If, within one week following the placing of a job order by the contractor with the State Employment Service, the State Employment Service is unable to refer any qualified job applicants to the contractor, or less than the number requested, the State Employment Service will forward a certificate to the contractor indicating the unavailability of applicants. Such certificate shall be made a part of the contractor's permanent project records. Upon receipt of this certificate, the contractor may employ persons who do

not normally reside in the labor area to fill positions covered by the certificate, notwithstanding the provisions of subparagraph (1c) above.

5. The provisions of 23 CFR 633.207(e) allow the contracting agency to provide a contractual preference for the use of mineral resource materials native to the Appalachian region.

6. The contractor shall include the provisions of Sections 1 through 4 of this Attachment A in every subcontract for work which is, or reasonably may be, done as on-site work.

CDOT's Affirmative Action Requirements Equal Employment Opportunity

February 3, 2011

1 AFFIRMATIVE ACTION REQUIREMENTS EQUAL EMPLOYMENT OPPORTUNITY

A. AFFIRMATIVE ACTION REQUIREMENTS

Notice of Requirement for Affirmative Action to Ensure Equal Employment Opportunity (Executive Order 11246)

1. The Bidder's attention is called to the "Equal Opportunity Clause" and the "Standard Federal Equal Employment Opportunity Construction Contract Specifications" set forth herein.
2. The goals and timetables for minority and female participation, expressed in percentage terms for the Contractor's aggregate workforce in each trade on all construction work in the covered area are as follows:

Goals and Timetable for Minority Utilization

| Timetable - Until Further Notice | | | |
|-----------------------------------|---|---|-------|
| Economic Area | Standard Metropolitan Statistical Area (SMSA) | Counties Involved | Goal |
| 157 (Denver) | 2080 Denver-Boulder | Adams, Arapahoe, Boulder, Denver, Douglas, Gilpin, Jefferson..... | 13.8% |
| | 2670 Fort Collins | Larimer..... | 6.9% |
| | 3060 Greeley | Weld..... | 13.1% |
| | Non SMSA Counties | Cheyenne, Clear Creek, Elbert, Grand, Kit Carson, Logan, Morgan, Park, Phillips, Sedgwick, Summit, Washington & Yuma..... | 12.8% |
| 158 (Colo. Spgs. - Pueblo) | 1720 Colorado Springs | El Paso, Teller..... | 10.9% |
| | 6560 Pueblo | Pueblo..... | 27.5% |
| | Non SMSA Counties | Alamosa, Baca, Bent, Chaffee, Conejos, Costilla, Crowley, Custer, Fremont, Huerfano, Kiowa, Lake, Las Animas, Lincoln, Mineral, Otero, Prowers, Rio Grande, Saguache..... | 19.0% |
| 159 (Grand Junction) | Non SMSA | Archuleta, Delta, Dolores, Eagle, Garfield, Gunnison, Hinsdale, La Plata, Mesa, Moffat, Montezuma, Montrose, Ouray, Pitkin, Rio Blanco, Routt, San Juan, San Miguel | 10.2% |
| 156 (Cheyenne - Casper WY) | Non SMSA | Jackson County, Colorado..... | 7.5% |

GOALS AND TIMETABLES FOR FEMALE UTILIZATION

| | |
|------------------------------|---------|
| Until Further Notice..... | 6.9% -- |
| Statewide | |

AFFIRMATIVE ACTION REQUIREMENTS
EQUAL EMPLOYMENT OPPORTUNITY

These goals are applicable to all the Contractor's construction work (whether or not it is Federal or federally assisted) performed in the covered area. If the Contractor performs construction work in a geographical area located outside of the covered area, it shall apply the goals established for such geographical area where the work is actually performed. With regard to this second area, the Contractor also is subject to the goals for both its federally involved and non-federally involved construction.

The Contractor's compliance with the Executive Order and the regulations in 41 CFR Part 60-4 shall be based on its implementation of the Equal Opportunity Clause specific affirmative action obligations required by the specifications set forth in 41 CFR 60-4.3(a), and its efforts meet the goals established for the geographical area where the contract resulting from this solicitation is to be performed. The hours of minority and female employment and training must be substantially uniform throughout the length of the contract, and in each trade, and the Contractor shall make a good faith effort to employ minorities and women evenly on each of its projects. The transfer of minority or female employees or trainees from Contractor to Contractor or from project to project for the sole purpose of meeting the Contractor's goals shall be a violation of the contract, the Executive Order and the regulations in 41 CFR Par 60-4. Compliance with the goals will be measured against the total work hours performed.

3. The Contractor shall provide written notification to the Director of the Office of Federal Contract Compliance Programs within 10 working days of award of any construction subcontract in excess of \$10,000 at any tier for construction work under the contract resulting from this solicitation. The notification shall list the name, address and telephone number of the subcontractor; employer identification number; estimated dollar amount of the subcontract; estimated starting and completion dates of the subcontract; and the geographical area in which the contract is to be performed.
4. As used in this specification, and in the contract resulting from this solicitation, the "covered area" is the county or counties shown on the Invitation for Bids and on the plans. In cases where the work is in two or more counties covered by differing percentage goals, the highest percentage will govern.

B. STANDARD FEDERAL EQUAL EMPLOYMENT OPPORTUNITY CONSTRUCTION CONTRACT SPECIFICATIONS

Standard Federal Equal Employment Opportunity Construction Contract Specifications (Executive Order 11246)

1. As used in these Specifications:
 - a. "Covered area" means the geographical area described in the solicitation from which this contract resulted;
 - b. "Director" means Director, Office of Federal Contract Compliance Programs, United States Department of Labor, or any person to whom the Director delegates authority;
 - c. "Employer identification number" means the Federal Social Security number used on the Employer's Quarterly Federal Tax Return, U.S. Treasury Department Form 941.
 - d. "Minority" includes:
 - (i) Black (all persons having origins in any of the Black African racial groups not of Hispanic origin);
 - (ii) Hispanic (all persons of Mexican, Puerto Rican, Cuban, Central or South American or other Spanish Culture or origin, regardless of race);

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- (iii) Asian and Pacific Islander (all persons having origins in any of the original peoples of the Far East, Southeast Asia, the Indian Subcontinent, or the Pacific Islands); and
 - (iv) American Indian or Alaskan Native (all persons having origins in any of the original peoples of North America and maintaining identifiable tribal affiliations through membership and participation or community identification).
2. Whenever the Contractor, or any Subcontractor at any tier, subcontracts a portion of the work involving any construction trade, it shall physically include in each subcontract in excess of \$10,000 the provisions of these specifications and the Notice which contains the applicable goals for minority and female participation and which is set forth in the solicitations from which this contract resulted.
 3. If the Contractor is participating (pursuant to 41 CFR 60-4.5) in a Hometown Plan approved by the U.S. Department of Labor in the covered area either individually or through an association, its affirmative action obligations on all work in the Plan area (including goals and timetables) shall be in accordance with that Plan for those trades which have unions participating in the Plan. Contractors must be able to demonstrate their participation in and compliance with the provisions of any such Hometown Plan. Each Contractor or Subcontractor participating in an approved Plan is individually required to comply with its obligations under the EEO clause, and to make a good faith effort to achieve each goal under the Plan in each trade in which it has employees. The overall good faith performance by other Contractors or Subcontractor toward a goal in an approved Plan does not excuse any covered Contractor's or Subcontractor's failure to take good faith efforts to achieve the Plan goals and timetables.
 4. The Contractor shall implement the specific affirmative action standards provided in paragraphs 7a through p of these specifications. The goals set forth in the solicitation from which this contract resulted are expressed as percentages of the total hours of employment and training of minority and female utilization the Contractor should reasonably be able to achieve in each construction trade in which it has employees in the covered area. Covered Construction contractors performing construction work in geographical areas where they do not have a Federal or federally assisted construction contract shall apply the minority and female goals established for the geographical area where the work is being performed. Goals are published periodically in the Federal Register in notice form, and such notices may be obtained from any office of Federal Contract Compliance Programs Office or from Federal procurement contracting officers. The Contractor is expected to make substantially uniform progress in meeting its goals in each craft during the period specified.
 5. Neither the provisions of any collective bargaining agreement, nor the failure by a union with whom the Contractor has a collective bargaining agreement, to refer either minorities or women shall excuse the Contractor's obligations under these specifications, Executive Order 11246, or the regulations promulgated pursuant thereto.
 6. In order for the nonworking training hours of apprentices and trainees to be counted in meeting the goals, such apprentices and trainees must be employed by the Contractor during the training period, and the Contractor must have made a commitment to employ the apprentices and trainees at the completion of their training, subject to the availability of employment opportunities. Trainees must be trained pursuant to training programs approved by the U.S. Department of Labor.
 7. The Contractor shall take specific affirmative actions to ensure equal employment opportunity. The evaluation of the Contractor's compliance with these specifications shall be based upon its effort to achieve maximum results from its actions. The Contractor shall document these efforts fully, and shall implement affirmative action steps at least as extensive as the following:
 - a. Ensure and maintain a working environment free of harassment, intimidation, and coercion at all sites, and in all facilities at which the Contractor's employees are assigned to work. The Contractor, where possible, will assign two or more women to each construction project. The Contractor shall

AFFIRMATIVE ACTION REQUIREMENTS
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- specifically ensure that all foremen, superintendents, and other on-site supervisory personnel are aware of and carry out the Contractor's obligation to maintain such a working environment, with specific attention to minority or female individuals working at such sites or in such facilities.
- b. Establish and maintain a current list of minority and female recruitment sources, provide written notification to minority and female recruitment sources and to community organizations when the Contractor or its union have employment opportunities available, and maintain a record of the organization's responses.
 - c. Maintain a current file of the names, addresses and telephone numbers of each minority and female off-the-street applicant and minority or female referral from a union, a recruitment source of community organization and of what action was taken with respect to each individual. If such individual was sent to the union hiring hall for referral and was not referred back to the Contractor by the union or, if referred, not employed by the Contractor, this shall be documented in the file with the reason therefor, along with whatever additional actions the Contractor may have taken.
 - d. Provide immediate written notification to the Director when the union with which the Contractor has a collective bargaining agreement has not referred to the Contractor a minority person or woman sent by the Contractor, or when the Contractor has other information that the union referral process has impeded the Contractor's efforts to meet its obligations.
 - e. Develop on-the-job training opportunities and/or participate in training programs for the area which expressly include minorities and women, including upgrading programs and apprenticeship and trainee programs relevant to the Contractor's employment needs, especially those programs funded or approved by the Department of Labor. The Contractor shall provide notice of these programs to the sources compiled under 7b above.
 - f. Disseminate the Contractor's EEO policy by providing notice of the policy to unions and training programs and requesting their cooperation in assisting the Contractor in meeting its EEO obligations; by including it in any policy manual and collective bargaining agreement; by publicizing it in the company newspaper, annual report, etc., by specific review of the policy with all management personnel and with all minority and female employees at least once a year, and by posting the Contractor's EEO policy on bulletin boards accessible to all employees at each location where construction work is performed.
 - g. Review, at least annually, the Contractor's EEO policy and affirmative action obligations under these specifications with all employees having any responsibility for hiring, assignment, layoff, termination or other employment decisions including specific review of these items with onsite supervisory personnel such as Superintendents, General Foreman, etc., prior to the initiation of construction work at any job site. A written record shall be made and maintained identifying the time and place of these meetings, persons attending, subject matter discussed, and disposition of the subject matter.
 - h. Disseminate the Contractor's EEO policy externally by including it in any advertising in the news media, specifically including minority and female news media, and providing written notification to and discussing the Contractors and Subcontractors with whom the Contractor does or anticipates doing business.
 - i. Direct its recruitment efforts, both oral and written, to minority, female and community organizations, to schools with minority and female students and to minority and female recruitment and training organizations serving the Contractor's recruitment area and employment needs. Not later than one month prior to the date for the acceptance of applications for apprenticeship or other training by any recruitment source, the Contractor shall send written notification to organizations such as the above, describing the openings, screening procedures, and tests to be used in the selection process.

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- j. Encourage present minority and female employees to recruit other minority persons and women and, where reasonable, provide after school, summer and vacation employment to minority and female youth both on the site and in other areas of a Contractor's workforce.
 - k. Validate all tests and other selection requirements where there is an obligation to do so under 41 CFR Part 60-3.
 - l. Conduct, at least annually, an inventory and evaluation at least of all minority and female personnel for promotional opportunities and encourage these employees to seek or to prepare for, through appropriate training, etc. such opportunities.
 - m. Ensure that seniority practices, job classifications, work assignments and other personnel practices, do not have a discriminatory effect by continually monitoring all personnel and employment related activities to ensure that the EEO policy and the Contractor's obligations under these specifications are being carried out.
 - n. Ensure that all facilities and Contractor's activities are nonsegregated except that separate or single-user toilet and necessary changing facilities shall be provided to assure privacy between the sexes.
 - o. Document and maintain a record of all solicitations of offers for subcontracts from minority and female construction contractors and suppliers, including circulation of solicitations to minority and female contractor associations and other business associations.
 - p. Conduct a review, at least annually, of all supervisor's adherence to and performance under the Contractor's EEO policies and affirmative action obligation.
8. Contractors are encouraged to participate in voluntary associations which assist in fulfilling one or more of their affirmative action obligations (7a through p). The efforts of a contractor association, joint contractor-union contractor-community, or other similar group of which the Contractor is a member and participant, may be asserted as fulfilling any one or more of its obligations under 7a through p of these specifications provided that the Contractor actively participates in the group, makes every effort to assure that the group has a positive impact on the employment of minorities and women in the industry, ensures that the concrete benefits of the program are reflected in the Contractor's minority and female workforce participation, makes a good faith effort to meet its individual goal and timetables, and can provide access to documentation which demonstrates the effectiveness of actions taken on behalf of the Contractor. The obligation to comply, however, is the Contractor's and failure of such a group to fulfill an obligation shall not be a defense for the Contractor's noncompliance.
9. A single goal for minorities and a separate single goal for women have been established. The Contractor, however, is required to provide equal employment opportunity and to take affirmative action for all minority groups, both male and female, and all women, both minority and non-minority. Consequently, the Contractor may be in violation of the Executive Order if a particular group is employed in a substantially disparate manner (for example, even though the Contractor has achieved its goals for women generally, the Contractor may be in violation of the Executive Order if a specific minority group of women is underutilized).
10. The Contractor shall not use the goals and timetables or affirmative action standards to discriminate against any person because of race, color, religion, sex, or national origin.
11. The Contractor shall not enter into any Subcontract with any person or firm debarred from Government contracts pursuant to Executive Order 11246.

Recruitment Resources

COLORADO RECRUITMENT SOURCES

Adams County Workforce & Business Center
4430 South Adams County Parkway
1st Floor, Suite W5000
Brighton, CO 80601
Phone: 720-523-6900
Main Fax: 720-523-6974
Employment First Fax: 720-523-6994

Alms Community College
Career Services
5401 West 20th Street
Greeley, CO 80634
Appointment Scheduling: 970-339-6251
Loveland Campus
Appointment Scheduling: 970-667-4611 Ext. 3306
Fort Lupton Campus
Appointment Scheduling: 303-718-5903

American G.I. Forum
Mountain States Business Chapter
2660 S. Linley Court
Denver, CO 80219
Mr. John Padilla, Director
johnpadilla@comcast.net
303-934-3433 Fax: 303-934-8374

Arapahoe Community College
Career Education Center
5900 S. Santa Fe Drive
Littleton, CO 80160

Archuleta County Education Center, Inc.
398 Lewis Street
Pagosa Springs, CO 81147
jullalor@centurytel.net
970-264-2835 Fax 970-264-2845

Army Career Alumni Program, Career Center
1625 Long Street, Building 1118, Rm. 133
Fort Carson, CO 80913-4139
719-526-1002 Fax 719-526-2500
Louis.m.bay.ctr@mail.mil

Bayaud Enterprises
333 W. Bayaud Avenue
Denver, CO 80223-1801
Mary Page, Employment Services Director
303-830-6885 Fax 303-830-6653
e-mail: mary.page@bayaudindustries.org
web: www.bayaudindustries.org

Bollman Technical Education Center
Adams Twelve Five Star Schools
9451 North Washington
Thornton, CO 80229
Mrs. Stormie Baxter, Job Placement Coordinator
720-972-5859
stormie.s.baxter@adams12.org

Center for People with Disabilities
1675 Range Street
Boulder, CO 80301
Suzane Hunter, Employment Specialist
303-442-8662 Fax 303-442-0502
Toll Free 888-929-5519

Center for Women's Employment & Education, Inc.
1175 Osage Street, Suite 300
Denver, CO 80204
Ms. Barb Wallace, Director
Amy Downing, Employment Specialist
303-892-8444 Fax 303-892-8375
barbw@cwee.org
adowning@cwee.org
Web: www.cwee.org

Colorado Center for the Blind
2233 West Shepperd Ave.
Littleton, CO 80120
Kimberley Johnson - Student Services Coordinator,
kjohnson@cocenter.org
Phone: 303-778-1130
Toll Free: 800-401-4632
FAX: 303-778-1598
Website: www.cocenter.org
E-Mail: ccb@cocenter.org

**Colorado Department of Human Services Division of Vocational
Rehabilitation Administration**
1575 Sherman St, 4th Floor
Denver, CO 80203
Phone: 303.866.4150
866.870.4595
Fax: 303.866.4905
303.866.4908
TTY: 303.866.4150
Denver Metro
2211 W Evans
Denver, CO 80223
Phone: 303.866.2500 A
303.866.3100 B
877.243.2823
Fax: 303.866.3419 A
303.866.3491 B
TTY: 303.866.3980
303.866.3984
WEBSITE: <http://www.colorado.gov/cs/Satellite/CDHS-SelfSuff/CBON/1251580884712>

COLORADO RECRUITMENT SOURCES

Colorado Northwestern Community College Rangely Campus
500 Kennedy Drive
Rangely, CO 81648
1-800-562-1105
Charity Stolworthy
charity.stolworthy@cnc.edu

Craig Campus
2801 W 9th Street
Craig, CO 81625
1-800-562-1105
WEBSITE:
<http://www.cnc.edu/cms/content/counseling-and-career-planning-home>

Colorado State University Career Center
Lory Student Center, Main Office
8008 Campus Delivery
Fort Collins, CO. 80523-8008
Front Desk: (970)491-5707
Fax: (970)491-1134
Pamela O'Grady - Interim Director
Pamela.OGrady@colostate.edu
PHONE: (970)491-5493
WEBSITE: <http://www.career.colostate.edu/>
General Inquiry EMAIL: Career_info@mail.colostate.edu

Commission for People with Disabilities
Denver Office of Disability Rights (DODR)
201 W. Colfax Avenue, Dept. 1102, 12th floor
Denver, CO 80202
Ed Neuberg - Director
720-913-8480
Phone #720-913-8480 or 720-913-8475 TTY
WEBSITE: <http://www.denvergov.org/Default.aspx?alias=www.denvergov.org/dlsabilities>

Community College of Aurora Career Development Center
Career Development Center
16000 E. CentreTech Pkwy., Ste. S202B
Aurora, CO 80011
Ms. Rusty White, Job Resource Specialist
EMAIL: rusty.white@acca.cccoes.edu
PHONE: 303-361-7429
FAX: 303-360-4791

Community College of Denver - Auraria Campus
Physical Address
Tivoli Student Union, Rm. 221
900 Auraria Parkway
Denver, CO 80204
PHONE: (303) 352-3306
Fax: (303) 352-5051
Benjamin Weihrach, Coordinator
benjamin.weihrach@ccd.edu
PHONE: 303-352-3192
FAX: 303-352-5051

Community College of Denver - Auraria Campus
Mailing Address
P.O. Box 173363
Campus Box 270
Denver, CO 80217-3363
WEBSITE: <http://www.ccaurora.edu/job-opportunities/career-center>
EMAIL: career@ccd.edu

Community College of Denver CCD North
Center for Career and Technical Education Staff
6221 Downing St.
Denver, CO 80216
PHONE: 303-289-1249
FAX: 303-289-1044
Office Manager,
Frances Robles
PHONE: 303-556-3823
frances.robles@ccd.edu

Community Outreach Service Center
2515 California St.
Denver, CO 80205
PHONE: 303-295-6180
FAX: 303-291-0811
EMAIL: Pastor Bob: robert.woolfolk@yahoo.com

Colorado Rocky Mountain SER/Jobs for Progress
3555 Pecos Street
Denver, CO 80211
Chris D. Anderson
Chief Executive Officer, RMSER
PHONE: 303.480.9394 or 800.748.9214
FAX: 303.480.9214
EMAIL: RMSER@RMSER.Org
WEBSITE: <http://rmser.org/>

Colorado Rocky Mountain SER/Jobs for Progress
528 Main Street
Walsenburg, CO 81089
Ms. Mary L. Anderson, Sr. Field Rep.
PHONE: 719-3004
FAX: 719-738-3616
EMAIL: manderson@cwfc.net

Denver Indian Center, Inc.
7465 E. 1st Ave., Suite B
Denver, CO 80230
Job Counselor
303-326-0645 Fax: 303-326-0715
Main phone: 303-936-2688
www.denverindiancenter.org/

Denver Vet Center
7465 East First Avenue, Suite B
Denver, CO 80230
303-326-0645/1-877-927-8387
Fax: 303-326-0715
Vet Centers in Colorado:
<http://www2.va.gov/directory/guide/state.asp?dnum=ALL&STATE=CO>

COLORADO RECRUITMENT SOURCES

Department of Veterans Affairs
Colorado Department of Labor & Employment
Regional Office
155 Van Gordon
Lakewood, CO 80225
Dave Alred (Call for appt.)
303-914-5549 fax: 303-914-5555
US Mail: Box 25126, Denver, CO 80225
e-mail: Dave.Alred@state.co.us

Developmental Pathways
11111 E. Mississippi Avenue
Aurora, CO 80012
303-214-3200
www.developmentalpathways.org/

Discovery: Job Network, Inc.
St. Thomas More Center
8035 S. Quebec
Centennial, CO 80112
Ms. Karen Leddy, Director of Operations
(303) 220-3384; FAX (303) 220-3385
Email: djn1@mindspring.com
Web: www.stthomasmore.org/djn.html

Division of Vocational Rehabilitation
110 Parkside Dr.
Colorado Springs, CO 80910-3198
Ms. Joanne Feenstra, Employer Svcs Spec.
(719) 635-3585; FAX (719) 635-3177
Email: joanne.feenstra@state.co.us
Web: www.cdhs.state.co.us/ods/dvr/ods_dvr1.html

Durango Workforce Center
331 S. Camino Del Rio, Ste. C
Durango, CO 81303-7923
Ms. Connie Eckerman, Labor & Emp. Spec.
(970) 247-0308; FAX (970) 247-0328
Email: www.durango@cwfc.net

Epilepsy Foundation of Colorado
234 Columbine St., Ste. 333
Denver, CO 80206-4711
Mr. David Caster, Job & Career Transition Coach
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Email: EFCO@msn.com
Web: www.epilepsycolorado.org

Florence Crittenton School
High School - PT or Summer Employment
96 S. Zuni St.
Denver, CO 80223
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Fort Lewis College
Career Services
1000 Rim Dr.
Durango, CO 81301-3999
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Front Range Community College
Employment Services
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Westminster, CO 80031
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Genesis Jobs, Inc.
243 E. 19th Ave., Ste. 215
Denver, CO 80203
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Goodwill Industries
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Web: www.goodwilldenver.org

Hilltop Community Resources
Mesa County Workforce Center
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Grand Junction, CO 81501
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Hope Center
3400 Elizabeth
Denver, CO 80205
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(303) 388-4801; FAX (303) 388-0249
Email: gghope@qwest.net
Web: www.hopecenterinc.org

Job Corps Center in Colorado
57608 Highway 330
Collbran, CO 81624
(970) 487-3576; FAX (970) 487-3823
<http://collbran.jobcorps.gov>

Labor Source
1400 Dixon Ave.
Lafayette, CO 80026-2790
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(303) 926-6448; FAX (303) 665-2648
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COLORADO RECRUITMENT SOURCES

Legal Center for People with Disabilities and Older People

455 Sherman St., Ste. 130
Denver, CO 80203-4403
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(303) 722-0300; FAX (303) 722-0720
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Web: www.thelegalcenter.org

Marcus Garvey Center for Black Cultural Education

University of Northern Colorado
Davis House, 928 20th St.
Campus Box 41
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Mesa County Workforce Center

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Grand Junction, CO 81501
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Metropolitan State College of Denver

Career Services, Campus Box 68
P.O. Box 173362
Denver, CO 80217-3362
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Email: duvallsh@mscd.edu

Mi Casa Resource Center for Women

Avenidas Program/Career Dev. Center
571 Galapago St.
Denver, CO 80204
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Email: blopez@micasadenver.org
Web: www.micasadenver.org

NAACP

2823 Fairfax St.
Denver, CO 80207
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(303) 333-9013; FAX (303) 333-9055
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Web: www.naacp.org

National Association of Women in Construction

440 Lipan
Denver, CO 80204
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Email: lolsrickstrew@msn.com
Web: www.nawic.org

Native American Student Service

University of Northern Colorado
924 20th St.
Greeley, CO 80639
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Email: solomon.littleowl@unco.edu

Northeast Women's Center

4821 E. 38th Ave.
Denver, CO 80207
Ms. Hazel Whitsett, Director
(303) 355-3486; FAX (303) 355-3488
Email: newc4821@aol.com

Paralyzed Veterans of America

Mountain States Chapter
1101 Syracuse St.
Denver, CO 80220
Mr. James Sack, President
(303) 322-4402; FAX (303) 321-6123
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Web: www.msccpva.org

Pickens Technical Center

Job Placement Office
500 Airport Blvd.
Aurora, CO 80011
Ms. Dana Griffith, Emp. Services
(303) 344-4910; FAX (303) 326-1277
Email: danag@pickens.aps.k12.co.us

Pikes Peak Community College

Career Services Center
5675 S. Academy Blvd., Ste. A210
Colorado Springs, CO 80906-5498
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Pikes Peak Workforce Center

2306 E. Pikes Peak Ave.
Colorado Springs, CO 80909
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Red Rocks Community College

Student Employment Services, Box 10
13300 W. 6th Ave.
Lakewood, CO 80228-1255
Ms. Nancy Carlson, Director, Student Employment Services
(303) 914-6258; FAX (303) 988-6191
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COLORADO RECRUITMENT SOURCES

Rocky Mountain SER/Jobs for Progress

Administrative Offices:
3555 Pecos Street, Denver, CO 80211
(303) 480-9394 or 1-800-748-9214
FAX (303) 480 9214
Email: RMSER@RMSER.Org
Web: www.rmser.org

Salvation Army Red Shield

2915 High Street
DENVER, CO
Captain Ron McKinney
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PHONE: 303-295-2107

San Juan Basin Technical College

33057 Highway 160
Mancos, CO 81328-9196
PHONE: (970) 565-8457
WEBSITE: <http://www.sjbtc.edu>

Society of Women Engineers

Rocky Mountain Section
P.O. Box 260692 Lakewood, CO 80226-0692
PRESIDENT: Kristen Ramey
EMAIL: kristin.ramey@swe.org
WEBMASTER: webmaster.RMS@swe.org
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Southern Ute Tribe TERO Division

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Ignacio Colorado 81137
Mark Torres, Division Head
PHONE: 970-563-0100 x 2290
WEBSITE: <http://www.southern-ute.nsn.us/justice-and-regulatory/tero>

Southwest Colorado Workforce Center

2208 E Main St
Cortez, CO 81321
Gabe Torres, Regional Contact
PHONE: 970-247-0308
PHONE: 970-565-3759
WEBSITE:
http://www.yourworkforcecenter.com/WFCDir/WFC_SouthwestDir.aspx

University of Colorado at Boulder Career Services

Center for Community
N352, 133 UCB
Boulder, CO 80309-0133
Lisa Severy, PhD, Director of Career Services
PHONE: 303-492-6541
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WEBSITE: <http://careerservices.colorado.edu/public/>

University of Colorado Boulder

The BOLD Center College of Engineering and Applied Science
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WEBSITE: <http://bold.colorado.edu/>

University of Colorado Office of Disability Services

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University of Colorado Veteran's Services

Office of the Registrar
Veterans Educational Benefits, 20 UCB
Boulder, Colorado 80309
Regent Administrative Center, Room 105
Veterans Educational Benefits
John-Patrick Sansom -- Certifying Official
(303) 492-7323
PHONE: 303-492-7322
FAX: 303-492-9005
EMAIL: vet-serv@colorado.edu
WEBSITE: <http://registrar.colorado.edu/vs/>

Department of Veterans Affairs -- Denver Regional Office

155 Van Gordon Street
Lakewood, CO 80228
PHONE: 1-800-827-1000
Regional GI Bill Help Line 1-888-442-4551
Verification Hotline 1-877-823-2378

University of Colorado at Colorado Springs

UCCS Career Center
Main Hall 201
1420 Austin Bluffs Parkway
Colorado Springs, CO 80918
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FAX: 719-255-3875
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EMAIL: jobhelp@uccs.edu

University of Colorado at Denver

Career Center
Campus Box 138, P.O. Box 173364
Denver, CO 80217-3364
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COLORADO RECRUITMENT SOURCES

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University of Northern Colorado
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Urban League of Metro Denver
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Urban League of Pikes Peak Region
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Colorado Springs, CO 80901-1979
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Ute Mountain Ute Tribe
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Email: atalk@utemountainute.com
Web: www.utemountainute.com

Veterans of Foreign Wars
5783 N. Sheridan
Arvada, CO 80002
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Warren Tech
13300 W. 2nd Pl.
Lakewood, CO 80228-1256
Ms. Bev DiClementi-Brown, Job Development Specialist
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West Side Workforce Center
Colorado Dept. of Labor & Employment
Mayor's Office of Workforce Development
1200 Federal Blvd.
Denver, CO 80204
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West Side Workforce Center
Colorado Dept. of Labor & Employment
Mayor's Office of Workforce Development
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Denver, CO 80204
Jobs Unit
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Women's Resource Agency
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Colorado Springs, CO 80909-5904
Ms. Kathleen Stevens, Director
(719) 471-3170; FAX (719) 471-3197
Email: kstevens@wrainc.org
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Women's Resource Center
723 E. 2nd Ave.
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For a list of all Colorado Workforce Centers:
<http://workforcecenters.state.co.us>

Temporary Traffic Control Pedestrian Reference

Pedestrians Checklist and Considerations for Temporary Traffic Control Zones

For those who plan, design, and construct temporary traffic control (TTC) zones, the *Manual on Uniform Traffic Control Devices* (MUTCD) provides guidance considerations regarding pedestrians, accessibility, and worker safety. This document provides a checklist and overview of pedestrian-related considerations during planning, design, and construction phases for a project and is designed to enhance pedestrian safety and accessibility, maintain Americans with Disabilities Act of 1990 (ADA) compliance, and provide positive guidance to avoid pedestrian confusion throughout each phase. This side of the document provides pedestrian considerations for use during the planning and design phases, while the other side provides information for users while out in the field.

Pedestrian Considerations during Planning and Design

Planning

- Provide a safe, convenient travel path for pedestrians that replicates as nearly as possible the most desirable characteristics of the existing sidewalks or footpaths throughout all phases of construction.
- Avoid creating pedestrian paths that lead pedestrians into direct conflicts with work site vehicles, equipment, operations.
- Avoid creating pedestrian paths that lead pedestrians into direct conflicts with mainline traffic moving through or around the work site.
- Determine the TTC impact on pedestrians, including significant generators such as schools, senior centers, transit stops and shopping areas.
 - Determine the level of accessibility needed for pedestrians in the TTC zone through observing existing pedestrian travel patterns, and make accommodations prior to the start of work. Consider meeting with local community organizations (i.e., local blind organization, city ADA coordinator, etc.) through open houses to address concerns and needs. Develop outreach products available in the appropriate formats for those with special needs.
- Assess the TTC impact on existing pedestrian flow.
 - Ensure that temporary facilities replicate as nearly as practical the accessibility features present in the existing pedestrian facility when the existing facilities are disrupted, closed, or relocated in a TTC zone.



photo courtesy of AAA Foundation for Traffic Safety



Design

- Provide pedestrian information throughout the TTC zone.
 - Provide advance information, transition information, work area information, and ingress and egress directions for pedestrians. See *Accommodating Pedestrians in Work Zones* brochure developed by FHWA; FHWA-SA-03-011.
- The TTC pedestrian accommodation that utilizes a temporary route does the following:
 - Defines detoured routes clearly.
 - Provides advance signage at intersections rather than mid-block locations.
 - Separates pedestrians from vehicle traffic.
 - Avoids mid-block crossings.
 - Ensures that temporary routes are not much longer than the original route.
 - Provides clear and positive guidance to delineate a temporary route.
 - Provides continuous access to transit stops and/or relocates transit stops.
- Maintain a continuous accessible path of travel either around or through the construction site throughout all construction phases.
- Ensure compliance with Americans with Disabilities Act (ADA) of 1990 requirements.
 - Provide an alternate route when existing pedestrian facilities are disrupted, closed, or relocated in a TTC zone. Temporary facilities should replicate the features present in the existing pedestrian facility.
 - Ensure a minimum sidewalk width of 36" (a 48" width is desirable), erect curb ramps, and provide passing space (minimum 5 foot by 5 foot space every 200 feet).
 - Maintain a minimum width and smooth surface to avoid creating tripping danger and to minimize barriers to wheelchair use. This includes providing ADA compliant facilities.
 - Make all barriers and channelizing devices detectable for pedestrians with visual disabilities. Note that the use of caution tape stretched between traffic control devices is not adequate and not acceptable.
 - Consider using additional devices for visual disabilities, such as audible information devices or accessible pedestrian signal.
- Maintain pedestrian access to businesses, residences, transit stops, etc.
- Provide temporary nighttime lighting for pedestrian walkways throughout the TTC zone.



continued on reverse

Lista de verificación para peatones y consideraciones para zonas de control de tránsito temporal

Para quienes planean, diseñan y construyen zonas de control de tránsito temporal (TTC) el Manual para la uniformidad de dispositivos de control de tránsito (Manual on Uniform Traffic Control Devices, MUTCD) ofrece consideraciones de orientación en cuanto a peatones, accesibilidad y seguridad del trabajador. Este documento presenta una lista de verificación y visión general de las consideraciones relacionadas con los peatones durante la planificación, diseño y fases de construcción de un proyecto y está diseñado para mejorar la seguridad y accesibilidad del peatón, mantener el cumplimiento con la Ley para estadounidenses con discapacidades de 1990 (ADA) y ofrecer orientación positiva para evitar la confusión de los peatones en cada fase. En este lado del documento se presentan consideraciones sobre el peatón para las fases de planificación y diseño, mientras que en el otro lado se suministra información para usuarios cuando están en el área de trabajo.

Consideraciones sobre los peatones durante la planificación y el diseño

Planificación

- Presentar una ruta segura y conveniente para los peatones que tenga, en la medida de lo posible, las mejores características de las aceras y senderos existentes en todas las fases de construcción.
- Evitar la creación de rutas que lleven a los peatones a enfrentarse directamente con vehículos, maquinaria y operaciones de sitio de trabajo.
- Evitar la creación de rutas que lleven a los peatones a enfrentarse directamente con el tránsito de la calzada principal que se desplaza en o alrededor del sitio de trabajo.
- Determinar el impacto del TTC en los usuarios, incluidos los generadores peatonales tales como las escuelas, centros de servicios para ancianos, paradas de buses y áreas comerciales.
 - Determinar el nivel de accesibilidad necesario para peatones en las zonas TTC por medio de la observación de patrones de desplazamiento existentes y realizar los ajustes antes de iniciar el trabajo. Planear encuentros con organizaciones comunitarias locales (por ej., organizaciones locales de personas invidentes, coordinador de la ADA de la ciudad, etc.) por medio de jornadas de puertas abiertas para tratar las preocupaciones y necesidades. Desarrollar productos de ayuda disponibles en los formatos apropiados para personas con necesidades especiales.
- Evaluar el impacto del TTC en el flujo peatonal actual.
 - Cerciorarse de que las instalaciones temporales incluyan, en la medida de lo posible, las características de accesibilidad de la instalación peatonal existente cuando ésta se haya desmontado, cerrado o reubicado en una zona TTC.



Foto cortesía de AAA Foundation for Traffic Safety



Diseño

- Presentar información al peatón a lo largo de la zona TTC.
 - Suministrar información anticipada, información en transición, información en zona de trabajo e indicaciones de ingreso y egreso para los peatones. Vea el folleto Acomodación de Peadones en Zonas de Trabajo (Accommodating Pedestrians in Work Zones desarrollado por la FHWA; FHWA-SA-03-011).
- La adaptación de TTC para peatones con una ruta temporal debe:
 - Definir claramente las rutas de desvío.
 - Ofrecer señalización anticipada en las intersecciones preferiblemente que en ubicaciones a mitad de cuadra.
 - Separar a los peatones del tránsito vehicular.
 - Evitar cruces a mitad de cuadra.
 - Garantizar que las rutas temporales no sean mucho más largas que la ruta original.
 - Presentar orientación clara y positiva para delinear una ruta temporal.
 - Ofrecer acceso continuo a las paradas de buses y/o reubicarlas.
- Mantener una ruta continua accesible ya sea alrededor o a través del sitio a lo largo de todas las fases de la construcción.
- Garantizar el cumplimiento con los requisitos de la Ley para estadounidenses con discapacidades (ADA) de 1990.
 - Presentar una ruta alterna cuando las instalaciones peatonales existentes se desmonten, cierren o reubiquen en una zona TTC. Las instalaciones temporales deberían tener las características de la instalación peatonal existente.
 - Garantizar un ancho de acera mínimo de 36" (de ser posible es deseable un ancho de 48"), rampas de bordillo montadas y ofrecer espacio de paso (espacio mínimo de 5 pies por 5 pies cada 200 pies).
 - Mantener un ancho mínimo y una superficie lisa para evitar el riesgo de tropezón y caída y minimizar las barreras para el uso de sillas de ruedas. Esto incluye ofrecer instalaciones que estén de conformidad con la Ley ADA.
 - Hacer que todas las barreras y dispositivos de canalización sean detectables para los peatones con discapacidad visual. Observe que no es adecuado ni aceptable el uso de cinta de precaución extendida entre los dispositivos de control de tránsito.
 - Considerar el uso de dispositivos adicionales para personas con discapacidad visual, tales como dispositivos de información audible o señales accesibles a los peatones.
- Mantener el acceso peatonal a empresas, residencias, paradas de buses, etc.
- Proporcionar iluminación nocturna temporal en vías peatonales a lo largo de la zona TTC.



Continúa en el reverso

ADA in Work Zones

Applying the Americans with Disabilities Acts in Work Zones: A Practitioners Guide

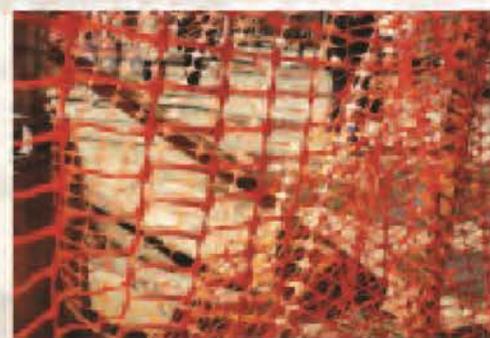
Applying the Americans with Disabilities Act in Work Zones: A Practitioner Guide

Fall 2012

Developed by:

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Introduction and Background

A basic requirement of work zone traffic control, as provided in the Manual on Uniform Traffic Control Devices (MUTCD) is that the needs of pedestrians, including those with disabilities, must be addressed in temporary traffic control plans (TCPs) in accordance with the Americans with Disabilities Act of 1990 (ADA), Title II, Paragraph 35.130. The ADA is a Federal law that requires pedestrians with physical and/or mental disabilities be accommodated not only in completed, publicly accessible facilities, but also during times of construction or improvement. All pedestrians, including the disable, should be provided with safe, accessible, and reasonably convenient paths that replicate as nearly as practical the most desirable characteristics of the existing pedestrian circulation facilities when temporary traffic control (TTC) zones are planned and set up.

MUTCD Section 6D.04:
If the TTC zone affects the movement of pedestrians, adequate pedestrian access and walkways shall be provided. If the TTC zone affects an accessible and detectable pedestrian facility, the accessibility and detectability shall be maintained along the alternate pedestrian route.

Sources of Legal Authority and Best Practices

The U.S. Access Board, an independent Federal agency devoted to the issue of accessibility for people with disabilities, develops and maintains design criteria for the built environment (including the transportation system) under the ADA Accessibility Guidelines, or ADAAG. ADAAG covers a wide variety of facilities and establishes guidelines for new construction and alterations.

The Access Board also maintains responsibility for accessibility guidelines under the Architectural Barriers Act, or ABA. The ABA requires agencies to provide access to facilities **designed, built, altered, or leased with Federal funds**. Some examples may include transit stop shelters or elevators to raised public transportation platforms. Like ADAAG, the Board's ABA accessibility guidelines apply specifically to **new construction and alterations that use Federal-aid funding**, so many construction projects will need to comply with these guidelines.

The Access Board has also drafted a set of standards that provides interim guidance for pedestrian facilities *within* the public right-of-way. These guidelines, called the Proposed Right-of-Way Accessibility Guidelines, or PROWAG, were published in the Federal Register in 2005. Although the PROWAG has not yet been fully adopted and so is not considered a "standard" with the force of law behind it, these Draft Guidelines are the currently recommended best practices and can be considered the state of the practice for those issues that are not fully addressed by the ADAAG and ABA. The PROWAG specifically states that **temporary facilities covered by its standards include, but are not temporary routes around work**

Throughout this document, color-coded text boxes will be used to identify standards from the MUTCD (blue) and the ADAAG (green), best practices identified in the PROWAG (purple), and proposed language developed by the NCUTCD (pink) for inclusion in the next edition of the MUTCD (red).

proposed limited to, zones.

It is also worth noting that the National Committee on Uniform Traffic Control Devices (NCUTCD), a group whose sole function is to improve the quality and effectiveness of MUTCD standards, has adopted proposed language to add the next edition of the MUTCD. The proposed language for a new section on Pedestrian Channelizing Devices was approved by the NCUTCD on June 23, 2011, so practitioners should be advised that there is a strong possibility that this language, which makes several current best practices required activities, will be adopted (see Appendix A for the proposed new language). The table below summarizes the standards and guidance that are currently in place or may come to be in place as legal guidance to the States. As with any work zone, practitioners should check for applicable State or local standards, which will take precedence over the minimum standards provided by Federal law.

Table 1. Summary of Federal Sources for Legal Minimum Standards and Best Practices

| Guidance Source | Legal Standard | Best Practice |
|--|----------------|---------------|
| Manual on Uniform Traffic Control Devices | X | X |
| Americans with Disabilities Act Accessibility Guidelines | X | X |
| Architectural Barriers Act | X | X |
| Proposed Right-of-Way Accessibility Guidelines | X | X |
| Pedestrian Channelizing Devices (NCUTCD proposed language) | X | X |

This document uses the sources listed above to provide State and local transportation agencies with strategies and technical guidance on how to design TCPs that address pedestrian access during construction, including the needs of those with disabilities. This document:

- *Describes the challenges faced by disabled pedestrians;*
- *Outlines considerations to planning and designing strategies to manage pedestrians in a work zone; and*
- *Provides examples to further assist practitioners in setting up work zones and making them safe for all pedestrians.*

Because there is growing interest in this topic among State agencies and practitioners, several States have developed drawings, specifications, and standards as part of their State MUTCDs or other policy documents that may provide useful guidelines to all practitioners in designing accessible temporary pedestrian access routes. The appendices at the end of this document have been developed to provide samples from that information pool, with each appendix focused on a different accessibility feature; for example, Appendix B (Minnesota) addresses surfaces, Appendix C (Florida) outline a high-level view of overall work zone set up and guidance, and the drawings in Appendix D (Oregon) depict diversions and setups across smaller networks. A sample ADA drawing is also provided in Appendix F.

Understanding the Disability Challenge

Challenges Faced by Disabled Pedestrians

There are several types of disability that may affect a user's ability to navigate a work zone safely, but these can be distilled down into two broad categories of users that work zone practitioners must particularly keep in mind: those with **sight impairments** and those with **mobility impairments**.

In designing accessible routes, it is important to consider the needs of disabled pedestrians in order to keep them as safe as pedestrians who are not impaired. Those with sight impairments will need a physical environment that is free of sharp edges, uneven grading, and obstructions that can cause tripping or falling hazards. Those who are mobility challenged may use canes, crutches, walkers, wheelchairs, scooters, or no assistive devices at all. Their mobility challenges generally mean they have difficulty using steps, navigating narrow pathways, turnarounds, and changes in elevation; even small elevation changes are sometimes difficult for some mobility impaired pedestrians to negotiate, which is one reason that installing ramps is essential to maintaining access.

Some of the types of safety issues a blind pedestrian will often face include:

- *Not knowing the TTC is there until they reach it;*
- *Not knowing if there is a safe alternative way to proceed (in other words, is the sidewalk closed, or has a safe pathway through the TTC been set up?);*
- *Not knowing if they should attempt to cross the street and continue by walking on the other side or if they should retrace their steps and use another route;*
- *Not knowing if a cane can provide a safe way to continue through the detour;*
- *Not knowing if there might be someone nearby who could offer them assistance; and*
- *Not knowing if barriers have exposed nails or jagged edges that can injure someone feeling their way along by hand.*

Similarly, mobility impaired pedestrians also face significant challenges, including:

- *Temporary ramps that are too steep, wobble, or don't have an adequate side guard rail to hold on to.*
- *Pathways and turns or turnarounds that are too narrow for wheelchairs, motorized scooters, or those who travel with service animal assistance.*
- *Ramps or pathways with inadequate bottom barrier protection, which, during wet weather, can allow mud to flow over the surface of the ramp or path, creating slippery conditions that can be very dangerous to those who are on crutches, canes, or walkers.*

Challenges Faced by Work Zone Practitioners

The challenges to work zone designers or planners can be looked at from two different perspectives: the "hard" challenges, which are more quantitative in nature and include measurable characteristics such as distances, slopes, and established design parameters, and "soft" challenges, which are qualitative in nature and relate to issues such as communication and access to businesses.

However, sometimes the quantitative and qualitative needs of persons with different types of disabilities will come into conflict. For example, visually impaired people do not know where the curb line is located when there are flush curbs. On the opposite end of the spectrum, however, wheelchair or stroller users typically prefer flush curbs. The compromise is to add tactile components which allow both a flush curb and a method for the visually impaired to recognize when they are entering the street. This shows that engineers will often have to use engineering judgment to accommodate the majority of users.

The remainder of this document first discusses pedestrian routing approaches and factors to consider when developing alternate pedestrian routes. It then moves on to address the actual physical requirements for accessible paths through work zones.

Approaches to Routing Pedestrians

Addressing pedestrian accessibility in a temporary traffic control area can be distilled down into three approaches. These include:

- Maintaining the existing pedestrian pathways if the sidewalks can remain open during construction.
- Developing an alternative pedestrian pathway that is parallel to or easily reached from the current pathway if the current pathway must be closed. For example, using concrete or other crashworthy barriers for protection, pedestrians can be detoured into a channelized pathway on a road adjacent to the work area (see figure 1).
- If the existing pedestrian path must be closed, identifying and developing an alternative pedestrian pathway in advance of the TTC that will detour pedestrians around the TTC (for example, if the sidewalk on the same side of the street as the construction must be closed and a parallel pathway is not feasible, then pedestrians can be re-routed across the street to a parallel sidewalk).

that temporary facilities must include accessibility features consistent with the features present in the existing pedestrian facility. For example, if the current facility features accessible curb ramps with detectable warning surfaces, then the TTC facility must provide the equivalent elements.

The first and most important consideration for all pedestrians is safety. Pedestrians must be kept in a safe environment, ideally on a smooth, well-marked travel path. The following are general considerations to take into account when assessing the best approach to use for pedestrian accommodation and accessibility.

Keep in mind that the concept of what a safe, useful pedestrian pathway is has evolved to incorporate many ADA elements, so addressing the needs of the disabled is an inherent element in well-planned and properly engineered pedestrian facilities.

Maintaining Accessibility on the Current Pathway

If it is determined that the current pedestrian facility can remain safely open to all users during construction, the MUTCD clearly states



The concept of what a safe, useful pedestrian pathway is has evolved to incorporate many ADA elements, so addressing the needs of the disabled is an inherent element in well-planned and properly engineered pedestrian facilities.

Figure 1. Example of a Parallel Pedestrian Pathway

Creating an Accessible Alternate Pathway: General Considerations

In the event that an alternative pathway must be created to accommodate pedestrians, engineers need to consider a number of factors. One factor is the general environment: are there pedestrian generators such as schools, shopping areas, community or senior centers, transit facilities, etc. in close proximity to the traffic control zone? Are pedestrians present at all? A second factor is the characteristics of the traffic that frequents the area, such as speed, volume, the significant presence of commercial vehicles traversing the area, etc.



According to Section R205 of the PROWAG, and reinforced by Part 6D.01 of the MUTCD, where feasible, same-side travel is the preferred option because it does not increase pedestrian exposure to traffic and the attendant risk of accident that an added street crossing brings. Note that, depending on the characteristics of the traffic and the surrounding environment, a route that uses a vehicle lane width for the pedestrian pathway may be shorter, safer, and more usable than one that requires two street crossings, even if the roadway surface is imperfect.

It is also important to remember that pedestrians are not likely to back-track – meaning that they need early warning of what they are approaching, as they may be more inclined to go into the street to avoid a short closure rather than retrace their steps back to a designated crosswalk.

Figure 2. Where Feasible, Same-Side Travel is the Preferred Option

In areas that are rural, or where few or no pedestrians exist, the need for temporary facilities will depend on several factors, including whether there is an existing sidewalk. Per ADA and MUTCD requirements, any alternative pedestrian pathway must have at least the same level of accessibility as the one it is replacing, so if a paved walkway is present, an alternative walkway featuring a smooth, continuous, hard surface should be provided throughout the entire length of

the temporary facility. There should be no curbs or abrupt changes in grade or terrain that could cause tripping or be a barrier to wheelchair use. If there is no sidewalk, however, no wide shoulder on which pedestrians are permitted to walk, or no evidence of existing pedestrian activity (i.e. worn dirt paths, visual observation of people walking in roadway, adjacent bus stops, adjacent pedestrian destinations such as schools or shopping centers, etc.), the project may not require an accessible alternative pedestrian route.

Pedestrian considerations should be treated as a facet of a TCP. Pedestrian treatments can be addressed as a subsection of the overall plan, identifying and addressing relevant factors and considerations unique to the work zone (see section on Best Practices).

Speed

If the work zone will be in an area where the speed is 35 mph or less, it is advisable to maintain longitudinal separation with channelization devices, curbing, railings, or barricades at a minimum. If the TTC will be in an area of high crash frequency or if there is concern over pedestrian exposure and risk, the use of positive protection should be considered.

If the work zone will be in an area where the speed is 40 mph or more, provide positive protection with crash cushions or barriers, or consider detouring pedestrians across the street or around the block to open, permanent pedestrian facilities, as appropriate.

Be sure to establish temporary pedestrian facilities that are completely separated from work vehicles, equipment, operations, and vehicles moving through or around the worksite.

Access to Businesses and Transit

Note that, in addition to the pedestrian path in general, access to business entrances and transit stops will need to be maintained. This may require construction of temporary ramps and guide rails from the pedestrian pathway to the entrances of buildings or businesses. If the pedestrian facility currently has a transit stop that will be affected by the work zone, practitioners should consult the transit authorities that service the affected stop to determine whether a temporary stop will need to be created either inside the traffic control area or external to it. If the construction zone is extensive and will impact multiple stops, it may be necessary to arrange for a shuttle or establish a temporary route that transports pedestrians safely around the work area. Any changes to transit stop locations or schedules due to construction must be provided in an accessible format, preferably well in advance of the TTC, but also via other information outlets addressed in the next section.



Figure 3. Access to Businesses and Transit will Need To Be Maintained.

If an alternative pedestrian pathway is going to be created that requires pedestrians to cross multi-lane intersections, pedestrian walk phase timing may need to be adjusted to accommodate the presence of the disabled. Note that when

designing for pedestrians, the 2009 MUTCD recommends 3.5 ft./sec. This is consistent with recommendations developed by the Access Board to ensure that persons with physical impairments have enough time to cross a street.

Communicating with the Public

Many of the challenges encountered by visually impaired pedestrians are information-related and can be addressed in two ways: by improved communication at the site of the work zone and by improved communication with the public that also targets disabled transportation system users in general.

Broadly speaking, Title II requires that the State or local agency performing the work ensure that communications with individuals with disabilities are as effective as communications with others. In general, standard public announcements via public service messages, the Internet, radio and TV, area newspapers, phone messaging, etc. should be made to advise the community of the location and duration of temporary traffic control for significant reconstruction projects that will have long-term impacts on pedestrians. These announcements should include information targeted to disabled persons needing to access pedestrian facilities or should provide contact information where specialized information can be obtained, such as a special telephone and TTY lines. In addition, the agency must provide appropriate auxiliary aids and services for people with disabilities onsite at the temporary traffic control area (see the section below on Physical Characteristics of the Temporary Traffic Control Zone for a more detailed discussion of this targeted communication).

PROWAG Advisory R302.1

Temporary routes are alterations to an existing developed pedestrian environment and are required to achieve the maximum accessibility feasible under existing conditions.

Physical Characteristics of an Accessible Temporary Facility

The devices and features that are required to provide an accessible alternate pedestrian pathway are similar to those required to guide traffic through a TTC zone. As with drivers, pedestrians, too, must be warned in advance of changed conditions and advised of their options for alternate routes. When they approach the work area, disabled pedestrians need guidance on any changes from the normal route, such as shifts in the walkway alignment, in the same way that drivers must be warned about lane changes. As with vehicles, when pedestrians traverse the work zone, the route must be clearly marked, be provided with a suitable surface, and they must be protected from other traffic and work operations, including drop-offs. When they exit the work area, pedestrians need to be guided back to their original route.

There are a number of specific guidelines for the physical characteristics of an accessible pedestrian pathway that are outlined by the MUTCD, ADAAG, and PROWAG. As discussed previously, MUTCD's standards represent requirements, as do those of ADAAG, and while PROWAG's guidance is only advisory, so its recommendations should be considered best

practices and adopted where feasible when creating a temporary pedestrian pathway. These guidelines, as well as the standards set forward in the MUTCD, are summarized below.

Communication Devices

One of the most important factors to consider when planning a work zone is how to communicate with the disabled pedestrians who are approaching and will be using the pedestrian pathway about where the work zone is located and how to navigate it safely.

The MUTCD notes that the “most desirable way” to provide guidance through TTCs for people with visual disabilities is “a speech message provided by an audible information device...[which] is needed when the detectable barricade or barrier for an alternate channelized route is not continuous.” The best devices are those that provide “speech messages in response to passive pedestrian actuation,” although devices that continuously emit a message or emit a message in response to use of a pushbutton are also acceptable. A pushbutton used to provide equivalent TTC information to pedestrians with visual disabilities should be equipped with a locator tone to notify the vision impaired that an accessible message is available and to help them locate the pushbutton.

The MUTCD also advises that audible information “might not be needed if detectable channelizing devices make an alternate route of travel evident to pedestrians with visual disabilities.”

Note that, while it is now possible for guidance and warning information to be transmitted to personal receivers, these devices may not be carried by pedestrians with visual disabilities; this method should not be wholly relied upon to convey important information.

The audible messages provided should clearly state instructions on accessing the detour route, such as “Attention pedestrians, sidewalk closed 1 block ahead, cross here to use other side of street” or “Attention westbound Maple Street pedestrians. Sidewalk construction ahead. Ramp slopes down. Temporary fenced path in street is open. Rejoins original sidewalk after 100 feet.” Other important pieces of information include turning or crossing instructions, the location of temporary transit stops or transit stop closures, and the route to alternate transit stops.



Figure 4. Audible Information Device in Advance of a Closed Sidewalk

Table 2. Minnesota DOT Guidance for Audio Message Device Features

| | |
|------------------------|---|
| Activation: | Various categories may be developed, such as motion sensitive, push-button, and continuous. |
| Color: | Should contrast with “typical” surrounding background. This is highly recommended if the pedestrian is required to find a pushbutton to activate the audible message. |
| Weather Proof: | The device should be weather proof for typical Minnesota weather conditions, including extremes in temperature, moisture and wind. |
| Power Source: | Various power source categories may be developed, including replaceable batteries, solar charging batteries, external power feeds, or other alternatives. |
| Message Length: | The device shall provide adequate recording length for clear informational message needs. The minimum time will be determined, but assume 30 seconds min. |
| Mounting: | The device should be capable of being mounted on a standard TTC channelizing device or be integral with its own deployment system. |
| Security: | The device should be designed with theft and vandalism deterrents. |
| Volume Control: | The device shall playback the recorded message at a level that readily overcomes typical ambient sound levels such as traffic, construction and crowd noise. Volume control categories may be developed such as automatic volume control (dependent on ambient levels) and manually adjusted volume control. Note that APS systems require 5 decibels over ambient, which may also be the final spec for AMDs. |

Source: Minnesota Department of Transportation, “PROWAG/ADAAG Standards Guidance For Temporary Pedestrian Access Route (TPAR) Facilities and Devices – Draft,” May 11, 2010.

Information may also be provided in a Braille format and formats with raised lettering/maps for those who rely on their tactile capabilities for information

Signing and visual messages to accommodate people with disabilities should be clear and concise, with large, clear lettering, high contrast, and easy to understand symbols.

It is also important to keep in mind that people with cognitive disabilities have different processing and decision-making skills, and that their language comprehension skills may be limited. As a result, signing and visual messages to accommodate people with disabilities should be clear and concise, with large, clear lettering, high contrast, and easy to understand symbols.



Proper signage warning of the upcoming TTC should be placed well in advance to allow disabled pedestrians to select an alternate route if they are not comfortable navigating the TTC. Sign placement should be in advance of the construction site at beginning of the block at an accessible crossing point. Similar to audio messages, signage should include any specialized instructions that may be informative to a disabled person (e.g., the presence of ramps, where the temporary traffic control area will terminate, whether alternative access routes to businesses or destinations are available, the availability of busing to transport pedestrians around the TTC, etc.)

In addition, a guide can be provided in advance of the temporary traffic control area to assist any disabled or impaired persons in navigating the accessible pathway. This may be particularly appropriate in areas where there are known to be higher concentrations of individuals with disabilities. The presence of a large number of disabled persons would be determined during the planning phase, while engineers are assessing the general environment for pedestrian generators and other factors that may call for special access accommodations prior to designing a TCP.

Overhead and Protrusion Protection

In the event that the accessible pedestrian route uses a canopied walkway to protect pedestrians from falling debris, the MUTCD states that such a walkway should have a minimum of 7 ft. (84 inches) of headroom, although the PROWAG advises 80 inches. Objects with leading edges more than 27 inches and not more than 80 inches above the walk (such as signs) are not permitted to protrude more than 4 inches into the pedestrian pathway. Other elements of the vertical environment that affect accessibility are discussed below.

Channelizing Devices

MUTCD Section 6D.02:

Where pedestrians with visual disabilities normally use [a] closed sidewalk, a barrier that is detectable by a person with a visual disability traveling with the aid of a long cane shall be placed across the full width of the closed sidewalk

Consider erecting barriers as positive protection for pedestrians when they might otherwise be exposed to traffic. This may include concrete, steel, or water-filled barriers. The pedestrian channelizing devices should be used both to close sidewalks and to delineate an alternate route. When used properly, they should indicate a suitable path of pedestrian travel around or through the TTC, and the bottom and top surfaces of the pedestrian channelizing device should have retro reflective material or delineation for improved nighttime visibility.

Note that the MUTCD prohibits the use of tape, rope, or plastic chain strung between devices because they are not detectable and do not comply with the design standards in the ADAAG; therefore, they may not be used as a control for pedestrian movements (MUTCD 6D.01). Joints between channelizing devices should be closed and flush to

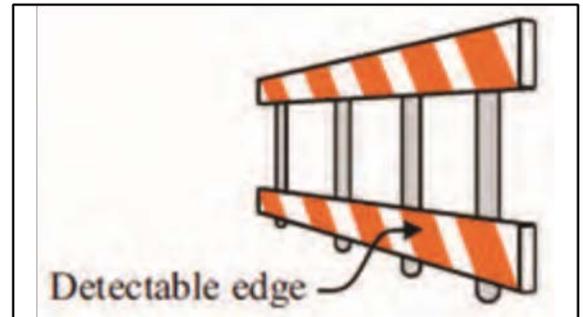
prevent canes or small wheels from being trapped, to reduce the risk of tripping, and to facilitate safe hand trailing. Furthermore, when used as a sidewalk

closure mechanism, channelizing devices must run the entire width of

the sidewalk without gaps; gaps in coverage could lead to visually disabled persons accidentally crossing into the work space, where they may be exposed to trips, falls, and severe injuries.

According to MUTCD guidance, pedestrian channelizing devices should be vertical, sturdy, and have smooth, continuous surfaces that are free of sharp or rough edges or objects which may harm hands, arms, or clothing (MUTCD 6F.63). Devices used to channelize pedestrians must be detectable to users of long canes and visible to persons having low vision, so, per the MUTCD, the lower edge of the bottom portion of the devices used must be no more than 2 inches above the walkway. ADAAG advises (and MUTCD supports) that no part of the device used may extend more than 4 inches into the pedestrian pathway because they can cause a wheelchair or motorized cart to get stuck or overturn, may trip a visually disabled person, or may cause someone using a cane to become disoriented.

Per the MUTCD (6F.63), where channelizing devices are used to channelize pedestrians, the top of the top surface must be no lower than 32 inches above the walkway. The top surface should be smooth, and both upper and lower surfaces should have a common vertical plane. Furthermore, the devices should be continuous and parallel with the walkway surface and be supported in such a way that there is minimal interference to the pedestrian's hands or fingers. Be aware that while the guidance on surfaces and planes is currently a best practice, the



NCUTCD has proposed language that would change this recommendation to a requirement (see box).

Figure 5. Example of a Pedestrian Channelizing Device with a Detectable Edge

Proposed NCUTCD Standard for New MUTCD Language on Channelizing Devices:

Pedestrian channelizing devices shall have continuous bottom and top surfaces. The lower edge of the bottom portion shall be no higher than 2 inches above the walkway. The top edge of the bottom portion shall measure at least 8 inches above the walkway. The top of the top portion shall be no lower than 32 inches above the walkway. The top surface shall be smooth to optimize hand-trailing. Both upper and lower surfaces shall share a common vertical plane.

Color contrast is important for pedestrians with low vision, and should be taken into account when selecting channelizing devices. Orange is a good color to use as it is seen as the “standard” color for construction, provides color contrast, and seldom results in glare. Do not use black to color any base on a device as the black can blend in with the pathway surface, which could cause a tripping hazard.

Per MUTCD 6F.63, when exposed to vehicular traffic, channelizing devices should be able to provide positive protection to pedestrians, and the bottom and top surfaces of devices must have retro reflective material or delineation on the side exposed to traffic for improved nighttime visibility. On those surfaces facing the pedestrians, the devices should have a contrasting pattern in alternating light and dark colors to provide visual contrast on the upper surface that consists of a minimum of 6 inches of sheeting or other contrasting materials. Non-retro reflective materials may be used on the pedestrian-facing side of the channelizing device.

Proposed NCUTCD Standard for New MUTCD Language on Channelizing Devices:

Pedestrian channelizing devices shall be crashworthy when exposed to vehicular traffic.

The following listing describes the various types of pedestrian channelizing devices and who may benefit:

- **Detectable Edging provides the channelizing for long-cane users.** Detectable edging used alone will provide guidance to sighted pedestrians, and visually impaired pedestrians (if high contrast colors are utilized), but may introduce a tripping hazard and has limited effect for preventing non-disabled pedestrians from leaving the route. Detectable Edging specifications are listed above.
- **TTC Barricades provide visual channelizing to both non-disabled and visually impaired pedestrians** (if high contrast colors are utilized). See the MUTCD for Specifications on Type I, II or III Barricades. NOTE: Typical TYPE III Barricades may provide adequate visual guidance, but the standard legs would present a tripping hazard and would not provide any guidance for long-cane users. Keep in mind that:
 - a. Barricade rail supports may not project into pedestrian circulation routes more than 4 inches from the support between 27 and 80 inches from the surface as described in ADAAG Section 4.4.1 and
 - b. Barricades should be crashworthy [if] they are located adjacent to vehicular traffic flow and are subject to impact by errant vehicles, per MUTCD 6F.63.
- **Longitudinal Channelizers provide visual channelizing to those pedestrians who are non-disabled, who are visually impaired (if high contrast colors are utilized), and who use a long-cane (if a detectable edge is incorporated into the channelizer design).** Longitudinal channelizers may also provide a suitable mounting surface for a handrail or guiderail.
- **Handrails (if high contrast colors are utilized) provide channelizing guidance to all pedestrians through vision and tactile.**
- **Guiderails (if high contrast colors are utilized) provide channelizing guidance to all pedestrians through vision and tactile.**
- **Temporary Traffic Barriers** provide channelizing benefits similar to Longitudinal Channelizers, but they must be manufactured and installed such that gaps are within specifications for detectable edging and adequate contrasting colors are provided.
- **Pavement Markings (e.g., crosswalk markings) provide visual channelizing to the non-disabled and visually impaired (if high contrast colors are utilized).** Painted markings have no benefit for long-cane users.

Handrails and Guiderails

It is important to make a distinction between handrails and guiderails because they serve different purposes and their characteristics are governed by different standards. Handrails are required to assist ambulatory disabled pedestrians navigate steep grades along walkways as per the standards listed below. Guiderails are NOT intended to provide the required support as specified for handrails; rather, they provide visual and tactile guidance to all pedestrians along a designated route.

Handrail Requirements

Per ADAAG section 4.8.5, ramps used on pedestrian access routes that have a rise greater than 6 inches or length greater than 72 inches should have handrails on both sides. Handrails should be mounted 34 to 38 inches above the walkway surface (to top of rail), maintain a minimum of 36 inches between the handrails, and should have a minimum clearance of 1.5 inches behind and 18 inches above. The front face of the handrail should be aligned within +/- 4 inches of the detectable edge face.

Be sure that handrails have a width between 1.25 and 1.5 inches and contain a “graspable” cross-section. Edges must have a minimum radius of 1/8 inch. Handrails are prohibited from being able to rotate within their fittings, and must be free of any sharp or abrasive elements. They should have a continuous gripping surface, but when they are not continuous, they should extend a minimum of 12 inches beyond the end of ramps. On switchback or dogleg ramps, the

inside handrail must be continuous. Furthermore, handrails should be parallel with the walkway surface and either have rounded ends or turn towards the ground, wall, or post.

Per ADAAG 4.26.3, the structural strength of handrails, fasteners, and mounting devices are required to meet the following specification:

- Bending stress in a handrail induced by the maximum bending moment from the application of 250 pound force shall be less than the allowable stress for the material of the handrail.
- Shear stress induced in a handrail by the application of 250 pound force shall be less than the allowable shear stress for the handrail. If the connection between the handrail and its mounting bracket or other support is considered to be fully restrained, then direct and torsional shear stresses shall be totaled for the combined shear stress, which shall not exceed the allowable shear stress.
- Shear force induced in a fastener or mounting device from the application of 250 pound force shall be less than the allowable lateral load of either the fastener or mounting device or the supporting structure, whichever is the smaller allowable load.

Guiderails

As mentioned above, guiderails are distinct from handrails in that they provide visual and tactile guidance to pedestrians along a designated route, but they do not provide the sturdiness or support features of a handrail. Therefore, it is very important that users of the pedestrian pathway be able to distinguish between a guiderail and a handrail so that they are aware that the guiderail is not a weight-bearing device, but is capable only of providing tangible guidance along the route. This can be accomplished by allowing the guiderail to be semiflexible, have a non-rigid mounting or be an “ungraspable” shape.

In general, guiderails do not meet accessibility standards without the addition of approved detectable edging. It is recommended that the use of guiderails be limited to those pedestrian routes that call for special guidance through turns, curves, or crowd directional control.

Guiderails should have a top surface width of a minimum of 0.5” (contrast this to the 1.25” minimum required for handrails) to allow the hand to feel the surface. As mentioned previously, the surface should be smooth and free of any sharp or abrasive elements to facilitate hand trailing.

Guiderails should be mounted at the same height as handrails with the same clearance considerations and should generally be parallel with the walkway surface. When a guiderail is used to guide pedestrians along an accessible route, the guiderail surface should be continuous for length of pathway, although it may be interrupted by posts or short gaps. The length of gap should not permit pedestrians to maneuver through the gap, however. **Surfaces**

The ADAAG advises that joints should be closed and flush to prevent tripping and to reduce the possibility of canes or small wheels getting trapped in gaps or spaces. If drainage openings are located within the pedestrian route, then the grating should run perpendicular to the pathway and must be narrow enough that a sphere greater than ½ inch in diameter will not pass through it.

Pathways should be clear of debris and adequately drained to prevent accumulation of trash or mud that can cause a tripping or slipping hazard. Furthermore, a minimum, continuous, clear width of 48 inches, free of obstructions, should be maintained, although a width of 60 inches is recommended, where feasible. Also, be advised that where the clear width of pedestrian access routes is less than 60 inches, passing spaces must be provided at intervals of a maximum of 200 feet. Passing spaces must be a minimum of 5 feet by 5 feet.

The surface of the pathway should be as clear and as flat as possible. It is important to keep in mind that some mobility-impaired pedestrians are not able to navigate steps or uneven surfaces without becoming disoriented or losing their balance. Furthermore, per the MUTCD guidance, a continuously detectable edging that can be followed by pedestrians using long canes should be provided throughout the length of the facility. This edging should protrude at least 6 inches above the surface of the sidewalk or pathway, with the bottom of the edging being a maximum of 2.5 inches above the surface. Detectable pedestrian edging should be orange, white, or yellow and should match the color of the adjacent channelizing or traffic control devices, when present.

Temporary Curb Ramps

When pedestrian are diverted to temporary routes in the roadway, temporary curb ramps should be provided to enable them to negotiate curbs safely. Temporary curb ramps should be the full width of the temporary route, with a 60-inch recommended width and a minimum width of 48 inches. As noted in the section handrails, handrails on curb ramps are not required unless the curb ramp has a rise exceeding 6 inches rise and a length exceeding 72 inches. Ramps should generally lie in a single sloped plane with a minimum of surface warping. The ADAAG advises that curb ramps will ideally have a slope of 1:12 or less, but where space limitations prohibit this, a slope between 1:10 and 1:12 is allowed for a maximum rise of 6 inches and a slope between 1:8 and 1:10 is allowed for a maximum rise of 3 inches. A slope steeper than 1:8 is not allowed.



Figure 6. All Ramps Should be Firm, Stable, and Have a Non-Slip Surface

All ramps should be firm, stable, and have a non-slip surface. They should not warp or buckle, and should be made of materials strong enough to support the weight of pedestrians as well as motorized scooters and wheelchairs. Ramps should also be color contrasting and contain marked edges so they are noticeable by pedestrians who have visual impairments. Furthermore, ramps should also have free draining surfaces with a maximum cross slope of 2 percent. Note that the cross slope for midblock crosswalks can match the running slope of the roadway up to a maximum of 5 percent.

When placing temporary curb ramps, workers should avoid placing ramps near drainage collection areas because ponding or running water could cause slippery or unstable conditions for individuals who use crutches or walkers.

Transitions

Transitions from ramps to walks, gutters, or streets should be flush and free of abrupt changes, and while vertical changes up to 1/4 in do not require edge treatment, although ADAAG (Section 4.5.2) advises that changes in level between 1/4 in and 1/2 in (6 beveled and have a slope no of adjoining gutters, road curb ramp, or the accessible ADAAG (Sections 4.7 and 4.8),

ADAAG Section 4.3.8:

If an accessible route has changes in level elevator, or platform lift shall be provided. An accessible route does not include stairs, steps, or escalators.

mm and 13 mm) will need to be greater than 1:2. Maximum slopes surface immediately adjacent to the route may not exceed 1:20. Per ramp slopes may be 1:8 with a

maximum rise of 30 inches for any run. As mentioned previously, if a ramp run has a greater than 6 in or a horizontal projection greater than 72 in, then it must have handrails on both sides (ADAAG 4.8.4 and 4.8.5).

Finally, PROWAG R304.2.1 advises that when a ramp is installed parallel to the curb, a 48 inch by 48 inch platform should be provided at curb level to allow pedestrians to turn 90 degrees before descending the ramp.

Lighting

Good lighting is important to pedestrians as it provides a sense of personal security, safety, and enables them to see signs and instructions clearly. Many visually impaired pedestrians testify to the importance of good lighting conditions. Lighting should illuminate the route, any obstructions, changes in elevation, and changes in surface texture. When planning a pedestrian pathway as part of a TCP, consideration should be given to avoiding trees and other objects that would cast a shadow and obstruct the light output.

Best Practices for Work Zone Design and Planning

In 2010, The Minnesota Department of Transportation (MnDOT), manufacturers and persons with disabilities came together to hold a Temporary Pedestrian Route Workshop and Demonstration. The event was a joint effort planned and developed by MnDOT, the American Traffic Safety Service Association, and experts from the manufacturing side. One result of this workshop was a set of suggestions from the disabled community and the other attendees as to how to maximize the accessibility of temporary pedestrian access routes. The following questions and responses can be used by practitioners who are tasked with developing a response to the more specific and far-reaching ADA requirements that will likely be adopted nationwide in the near future.

1. What should agencies do to let designers and contractors know about the placement of signs, vehicles, equipment and materials such that they do not impede access to, or use of sidewalks, pedestrian ramps, and other pedestrian route infrastructure?

- *Provide a separate certification course for accessibility evaluators, until accessibility standards are totally incorporated into standard practice.*
- *Consider making a statement of policy that “no vehicles, equipment or materials shall block sidewalks, pedestrian ramps or other pedestrian infrastructure without approval of the engineer.”*
- *Include accessibility requirements in special provisions, field manual, and permit forms to make them enforceable.*
- *Train inspectors and project engineers to enforce pedestrian access route restrictions.*
- *Place messages on plans and other bid documents to raise awareness of challenges posed by construction projects impacting pedestrian access routes.*
- *Include accessible route plans for large, pedestrian-impacted projects that include messages on maintenance of active pedestrian access routes during the project.*
- *Solicit input from local pedestrians including people with disabilities on types of devices and how they will be placed and used, and lengths and times of any closures.*

- Consider movement of vehicles and equipment across pedestrian routes, appropriate storage and lay down areas, proper drainage near pedestrian routes, access to accessible features such as push buttons and bus stops, and proper placement of materials and equipment to maintain visibility between pedestrians and motorists/construction workers.
- Provide work zone refresher training to construction personnel emphasizing accessible pedestrian paths.
- Provide design and device training to traffic staff as agency guidelines and standards begin to be developed.
- Acknowledge that some impacts cannot be avoided and that those impacts apply to residents, businesses, motorists and pedestrians alike. However, good planning can minimize their duration and extent.

2. How do work zone planners determine if pedestrians should be routed through a construction area or around it (i.e., how do we calculate or determine undue hardship for persons in the disabled community)?

- Solicit input from local pedestrians including people with disabilities.
- Consider the nature of the work in the determining whether to set up a detour. Large, dangerous excavations are more likely to require a detour versus smaller utility repairs that may be easier to route through.
- Prioritize routing through if it is safe to do so – consider narrowing the route or placing the route in the street, and determine that the contractor will not need to cross the route frequently.
- Put yourself in the pedestrian’s shoes and think about whether YOU would take a particular detour:
- Is the route confusing?
- Can the detour be clearly communicated?
- Is the detour accessible?
- Does the detour cut off access to bus stops?
- Does the detour require crossing heavy traffic volumes or wide intersection approaches?
- Solicit trainers and people with disabilities to evaluate prospective detour routes and develop a list of concerns about issues that may cause undue hardship. This list might be subcategorized based on type of disability.
- If a safe and accessible route cannot be maintained through or around construction, then other options should be explored, such as shuttle service.
- Consider distance, quality of terrain, pedestrian volumes, vehicle volumes, and required construction durations.

3. Which devices or installation schemes would best qualify for development of standard plates or standard plans?

- Contractor curb ramp
- Handi-Ramp curb ramp
- Consider various curb ramp sizes to accommodate curb heights taller than 6”.
- Clear area protection
- Consider creating an approved list of ADA compliant products that designers and planners can select from when designing a work zone.

4. Do you have any suggested best practice for methods of depicting accessible devices or installations within a plan set or on Traffic Control Plan sheets?

- Suggest using standard symbols for items such as audible devices, pedestrian longitudinal channelizing devices, etc.
- Recommend a separate Temporary Pedestrian Access Plan that will indicate placement of various elements and could also include additional notes and information, such as the audible messages to be broadcast at the various audible message device sites, time restrictions for building access, etc.
- Suggest indicating accessible routes on the Traffic Control Plan sheets. The accessible route could be indicated via a line style that is also depicted on the Traffic Control Plan legend. The accessible route lines on the plan could be noted “See TPAR Plans.”

Conclusions

While accommodating all pedestrians in work zones can be challenging, it is not impossible. Guidance documents are being developed by Federal agencies to encourage compliance with relevant legislation and requirements.

Likewise many agencies are beginning to develop policies and guidance on pedestrian accessibility in work zones, effectively advancing the state of the practice in accessible work zone design and installation (see appendices for examples of existing State-level guidance). Proprietary traffic control device manufacturers continue to research needs and develop a range of products to accommodate pedestrians with all types of disabilities. Agencies should use these collective resources to develop and implement policies and practices to consistently meet the needs of all pedestrians through work zones.

PROWAG, R205 Alternate Pedestrian Access Route:

When an existing pedestrian access route is blocked by construction, alteration, maintenance, or other temporary conditions, an alternate pedestrian access route complying to the maximum extent feasible with R301 [Pedestrian Access Route requirements], R302 [Alternate Circulation Path requirements], and Section 6D.01 and 6D.02 of the MUTCD... shall be provided.

Appendix A. National Committee on Uniform Traffic Control Devices (NCUTCD) Proposed

MUTCD Language

The Temporary Traffic Control Committee of the National Committee on Uniform Traffic Control Devices (NCUTCD) proposed Language to add to the MUTCD. The proposed language was approved by the NCUTCD on June 23, 2011, for new section on Pedestrian Channelizing Devices. It is as follows:

Section 6F.xx Pedestrian Channelizing Devices [suggest placing after Section 6F.63 Channelizing Devices]

Support:

Pedestrian channelizing devices indicate a suitable path of pedestrian travel around or through the work zone.

Guidance:

Pedestrian channelizing devices should be provided when work activities impact sidewalks and/or other pedestrian facilities or when the design of the temporary pedestrian facility does not otherwise include accessibility features consistent with the features in the existing pedestrian facility.

The pedestrian channelizing devices should be used both to close sidewalks and to delineate an alternate route.

Support:

An example of a Pedestrian Channelizing Device is depicted in Figure 6F.xx.

Standard:

Pedestrian channelizing devices shall be crashworthy when exposed to vehicular traffic.

Devices used to channelize pedestrians shall be detectable to users of long canes and visible to persons having low vision.

When used as a sidewalk closure, the device shall cover the entire width of the sidewalk.

Standard:

Pedestrian channelizing devices shall have continuous bottom and top surfaces. The lower edge of the bottom portion shall be no higher than 2 inches above the walkway. The top edge of the bottom portion shall measure at least 8 inches above the walkway. The top of the top portion shall be no lower than 32 inches above the walkway. The top surface shall be smooth to optimize hand-trailing. Both upper and lower surfaces shall share a common vertical plane.

Option:

A continuous wall may be used as a pedestrian channelizing device.

Guidance:

When used, a continuous wall should have a lower edge no more than 2 inches above the walkway, should extend a minimum of 32 inches above the walkway, should have a common vertical face and should have alternating, contrasting sheeting positioned 32 inches above the walkway.

Option

The continuous wall may extend to any height above the 32 inch minimum.

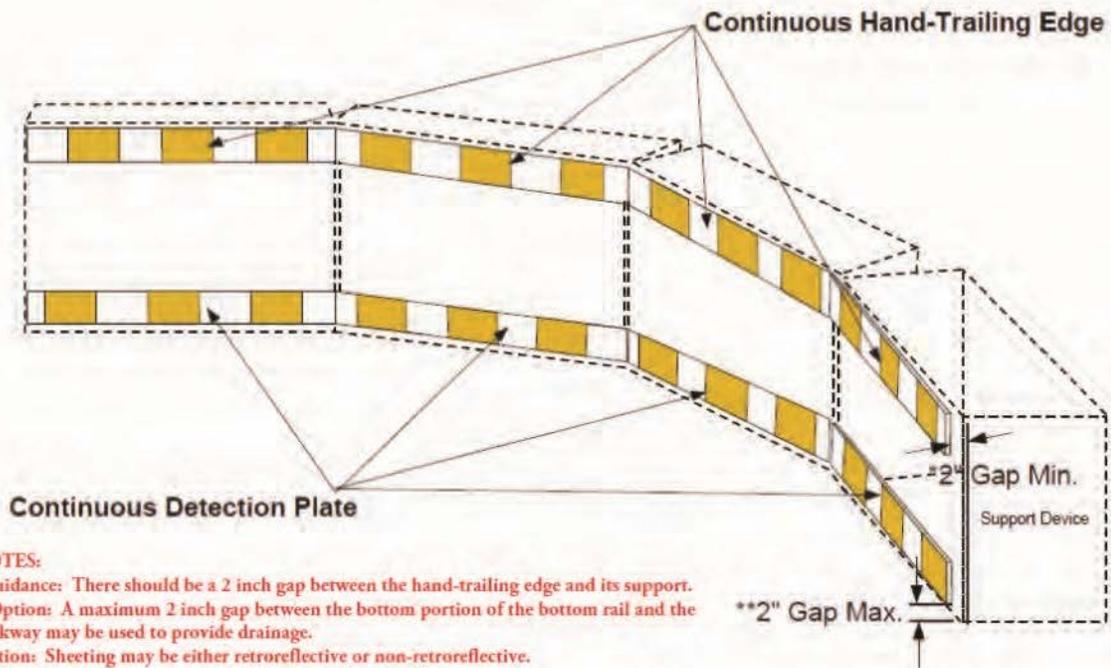
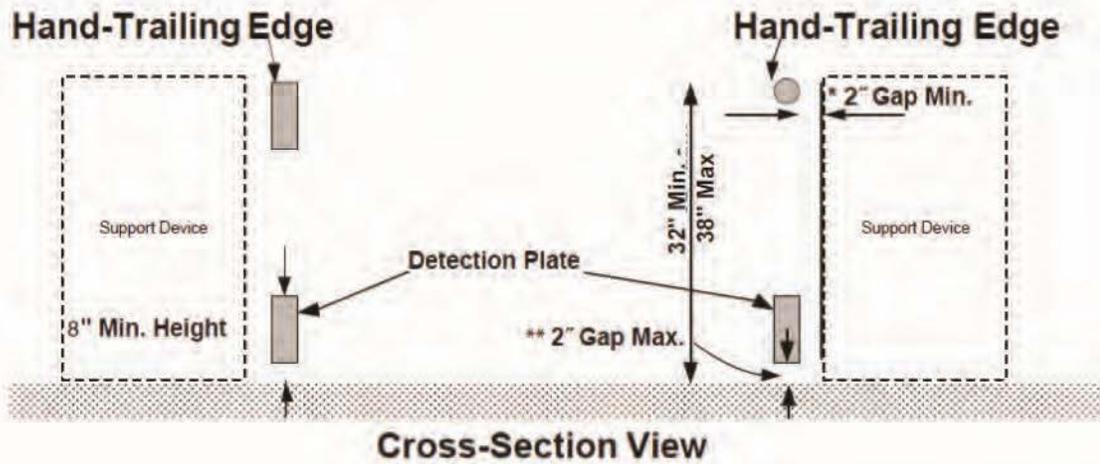
Guidance:

When pedestrian channelizing devices are combined in a series, the gap between devices should not exceed one inch.

Support:

A Hand-Trailing Edge is the upper surface of the upper rail on a pedestrian channelizing device, as shown in Figure xx. It is provided to allow pedestrians with limited vision to follow the pedestrian channelizing device with their hand. The Hand-Trailing Edge is not a weight bearing railing.

Figure 6F-XX Pedestrian Channelizing Device



NOTES:

- *Guidance: There should be a 2 inch gap between the hand-trailing edge and its support.
- **Option: A maximum 2 inch gap between the bottom portion of the bottom rail and the walkway may be used to provide drainage.
- Option: Sheeting may be either retroreflective or non-retroreflective.
- Option: Sheeting panels may be either vertical or at a 45 degree angle.
- Option: Hand-Trailing Edges and/or Detection Plates are optional for continuous walls.

Figure 7. NCUTD Proposed Guidelines for Pedestrian Channelizing Devices

Standard:

When exposed to vehicular traffic the bottom and top surfaces of the Pedestrian Channelizing Device shall have sheeting complying with Section 6F.71 line 03.

Guidance:

When not exposed to vehicular traffic, the Pedestrian Channelizing device should have a contrasting pattern in alternating light and dark colors to provide visual contrast on the upper surface consisting of a minimum of 6 inches of sheeting or other contrasting materials. Non-retroreflective materials may be used on the pedestrian side of the Pedestrian Channelizing device.

Option:

The sheeting on the side of the device on the pedestrian side of the Pedestrian Channelizing device may have sheeting with a vertical orientation.

Support:

The contrast of the light and dark stripes on the barricade sheeting assists low-vision pedestrians in following the designated detour.

Appendix B. Minnesota Department of
Transportation Standards, Drawings, and Sample

Specification

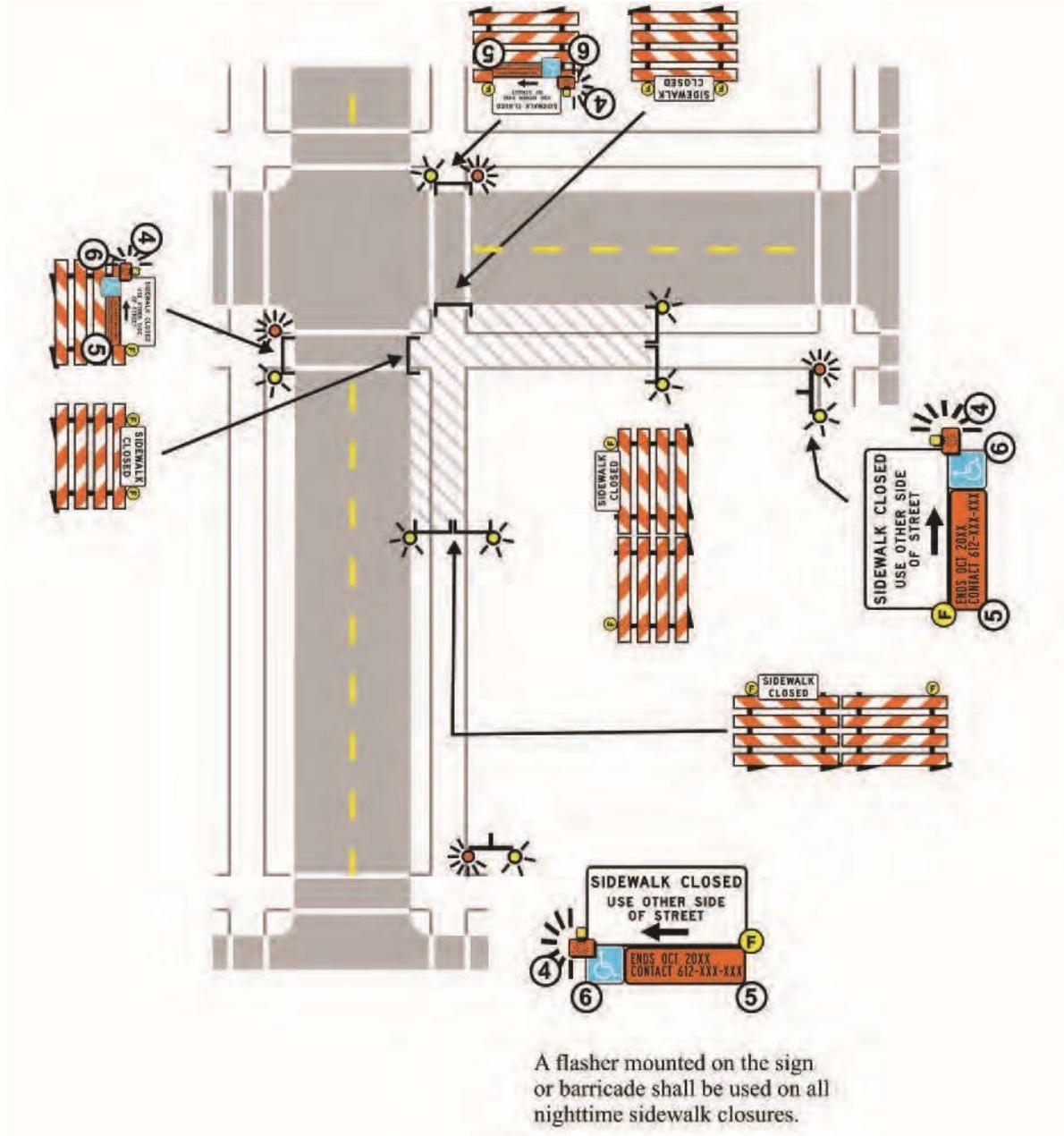


Figure 8. Layout 84B: Crosswalk Closures and Pedestrian Detours

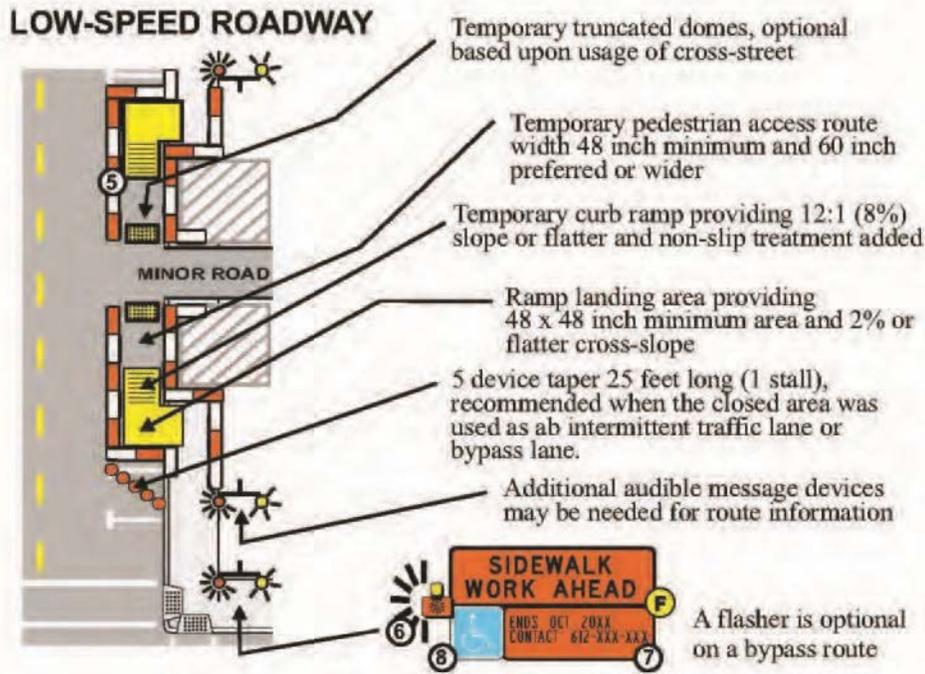


Figure 9. Minnesota DOT Drawing 85a: Sidewalk By-Pass on a Low Speed Roadway

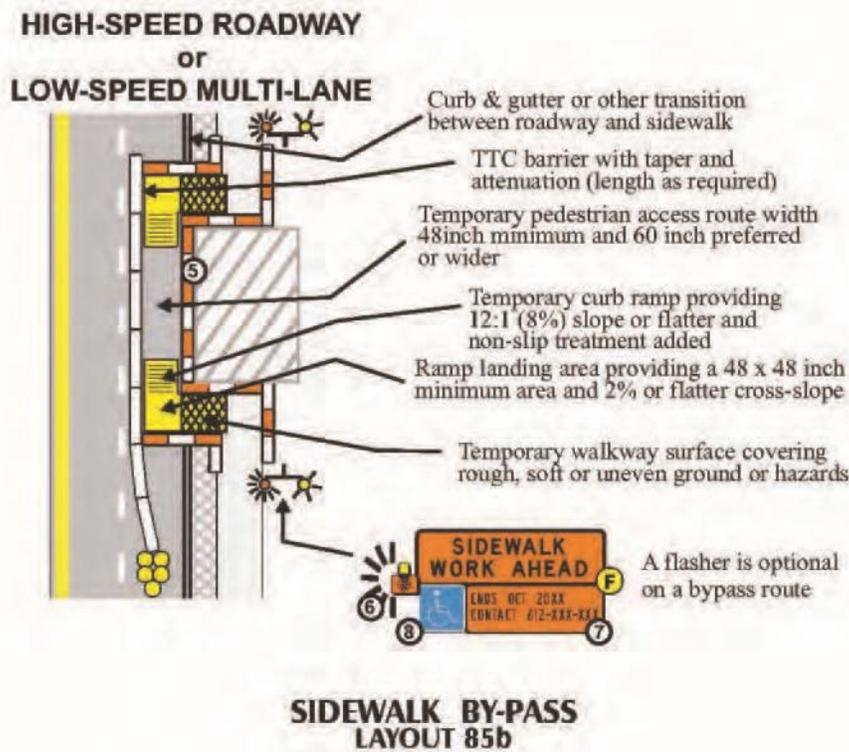


Figure 10. Minnesota DOT Drawing 85b: Sidewalk By-Pass on a High Speed Roadway or Low-Speed Multi-Lane Road

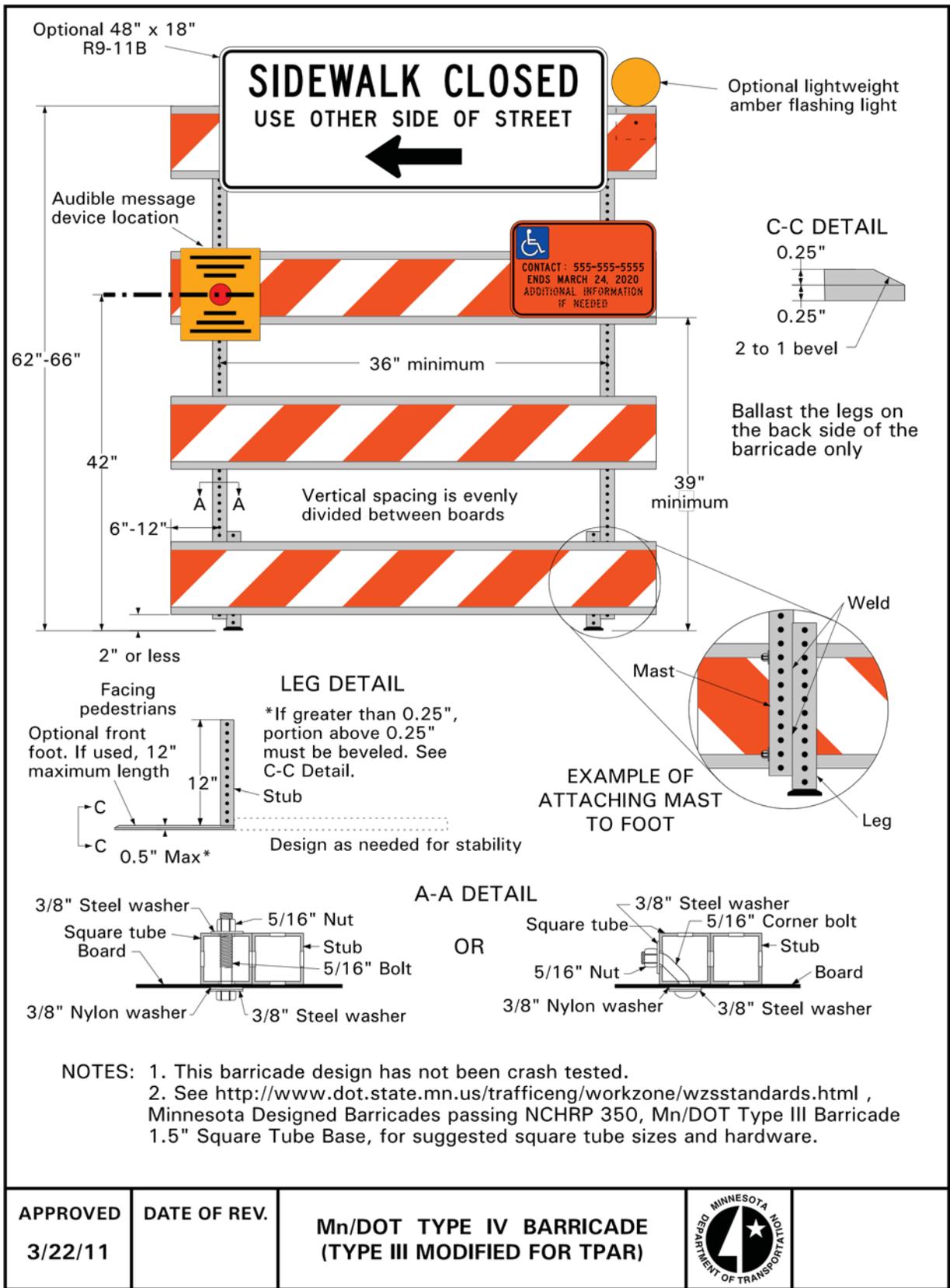


Figure 11. Specifications for MnDOT Type IV Barricade for Use on a Temporary Pedestrian Access Route

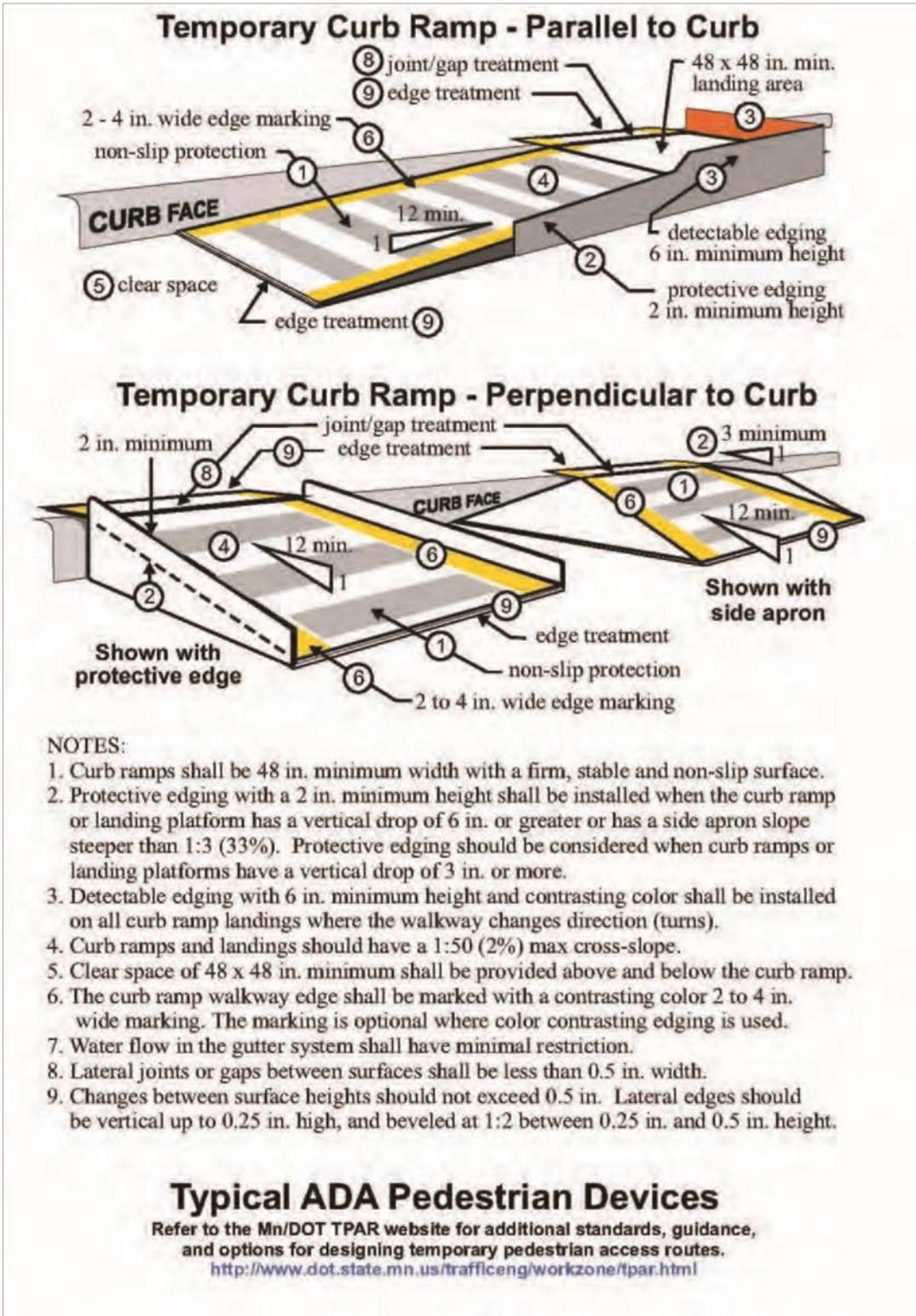
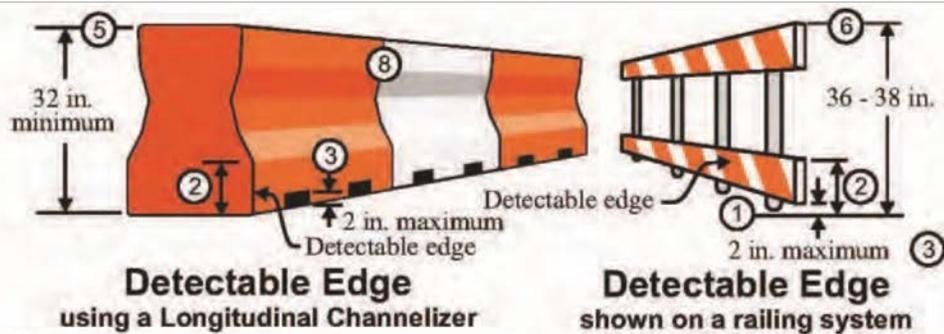


Figure 12. Minnesota DOT Specifications for Temporary Curb Ramps



NOTES:

1. To prevent any tripping hazard to pedestrians, ballast shall be located behind or internal to the device. Any support on the front of the device shall not extend into the 48 in. minimum walkway clear space and shall have 0.5 in. maximum height above the walkway surface with approved beveling (see note #9 on page 6K-xxxi for beveling details).
2. Detectable edges for long canes shall be continuous and 6 in. min high above the walkway surface and have color or markings contrasting with the walkway surface.
3. Devices shall not block water drainage from the walkway. A gap height or opening from the walkway surface up to 2 in. maximum height is allowed for drainage purposes.
4. Railings or other objects may protrude a maximum of 4 in. into the walkway clear space when located 27 in. minimum above the walkway surface.
5. Longitudinal channelizing devices for pedestrians shall be 32 in. high or greater.
6. When hand guidance is required, the top rail or top surface shall:
 - be in a vertical plane perpendicular to the walkway above the detectable edge,
 - be continuous at a height of 36 to 38 in. above the walkway surface, and
 - be supported with minimal interference to the pedestrian's hands or fingers.
7. All devices shall be free of sharp or rough edges, and fasteners (bolts) shall be rounded to prevent harm to hands, arms or clothing of pedestrians.
8. All devices used to channelize pedestrian flow should interlock such that gaps do not allow pedestrians to stray from the channelized path.
9. Any pedestrian devices used to provide positive protection (traffic or hazard) for pedestrians or workers shall meet crashworthy requirements appropriate for the barriers' application.



Typical ADA Pedestrian Devices

Refer to the Mn/DOT TPAR website for additional standards, guidance, and options for designing temporary pedestrian access routes.
<http://www.dot.state.mn.us/trafficeng/workzone/tpar.html>

Figure 13. Minnesota DOT Specifications for Detectable Edging and Detectable Sidewalk Barricades

SAMPLE Specification from Minnesota for Pedestrian Access in Work Zones

This work shall consist of providing Temporary Access Control Plan. This plan shall consist of identifying a Temporary Pedestrian Accessible Route (TPAR) and features needed to assist pedestrian, bicyclists and nonmotorized vehicles safe

movement within and around the construction zone. This work shall be done in accordance with Contract provisions and the following:

S-270.1 The Contractor shall develop and provide for a continuous Temporary Pedestrian Accessible Route (TPAR) for this Project. The TPAR shall clearly address all non-motorized users in the construction zone. The Contractor shall submit this plan to the Engineer for acceptance at the pre-construction meeting.

S-270.2 PEDESTRIAN ACCESS

- (A) The TPAR must have a minimum width of 48 inches (4 feet) and guide pedestrians through and/or around the Project by using devices such as signage, barricades, and temporary curb ramps or blended transitions. The Contractor may provide an alternate route that is accessible and within ___ block(s) offset (*Leave blank for the project engineer to choose the allowable distance offset for the detour*) of the closed construction area. To the maximum extent feasible, the TPAR shall be provided on the same side of the street as the disrupted route. Where the TPAR is exposed to adjacent construction, excavation drop-offs, traffic, or other hazards, it shall be protected with a pedestrian barricade or channelizing device. All TPARs must have a smooth, level, slip resistant surface and shall meet the applicable requirements of the Public Right-of-Way Accessibility Guidelines (PROWAG).
- (B) The Contractor shall schedule and coordinate the replacement of the pedestrian access to accommodate the needs of the business and residences. Existing sidewalks shall be left in-place until such time that it is required to remove them to accommodate new construction. Pedestrian access may be provided to businesses be provided to buildings without alternate public entrances. Where disrupted by construction, the Contractor must provide a continuous TPAR for all areas disrupted construction throughout all phases of construction.
- (C) For technical provisions on TPAR, the Contractor is directed to the Guidelines for Accessible Public Rights of-Way at: <http://www.access-board.gov/prowac/draft.htm> and Chapter 6D of the MN MUTCD. The pedestrian accessibility checklist is on page 6D-5 and 6D-6 of the MN MUTCD. The Contractor shall complete MN MUTCD Fig. 6D-1, "Pedestrian Accessibility Considerations in Temporary Traffic Control Zones Check List". A copy shall be provided to the Engineer at the pre-construction meeting.
- (D) The Contractor shall notify the Engineer in writing at least 72 hours prior to the start of any construction operation that will necessitate a change in pedestrian access. S-270.3 Traffic control devices must allow for an accessible route through the Project. TPAR pedestrian barricades and channelizing devices shall be continuous, stable, and non-flexible and shall consist of a wall, fence, or enclosures. The base of any traffic control devices shall be a continuous raised barrier of no more than 6 inches in height and must allow for drainage. The purpose of this barrier is to provide a continuous way finding device for the visually impaired, therefore the barrier shall not have any points that might catch a person who is using a cane for a guide. The Devices shall provide a continuous surface or upper rail at a minimum 3 feet above the ground or walkway surface. Support members shall not protrude into the path. Whenever possible the TPAR shall only utilize in-place street crossings. TPAR must be regularly inspected and updated depending on Project staging.

S-270.4 No pedestrian curb ramp or blended transition work shall occur concurrently at adjacent intersections. *Removed sentence, but we want to use S-.8 on all jobs with curb ramps on them. The idea is that the contractor will stage work so that work only occurs on one side of the street and at every other intersection*

S-270.5 The Contractor shall be responsible for maintaining the TPAR within this Project. The Contractor shall furnish the name, addresses, and phone number of at least one individual responsible for the placement and maintenance of TPAR. This individual shall be "on call" 24 hours per day, seven days per week during the times any devices, furnished and installed by the Contractor, are in place. The required information shall be submitted to the Engineer at the pre-construction meeting. S-270.5 The Contractor shall be responsible for maintaining the TPAR within this Project. The Contractor shall furnish the name, addresses, and phone number of at least one individual responsible for the

placement and maintenance of TPAR. This individual shall be “on call” 24 hours per day, seven days per week during the times any devices, furnished and installed by the Contractor, are in place. The required information shall be submitted to the Engineer at the pre-construction meeting.

The Contractor shall be expected to answer calls immediately and begin corrective measures needed within one hour. **If the Contractor is negligent in correcting the deficiency within one hour of notification the Contractor shall be subject to a monetary deduction at the rate of \$100.00 per hour when only one residence or location is affected and at the rate of \$500.000 per hour in all other cases that the Engineer determines the Contractor has not complied.**

Use if needed

S-270.6 No closures for sidewalk or pedestrian curb ramp or blended transition related work are allowed along *route* between the hours of *X-X AM and X-X PM*.

Use if needed

S-270.7 The Contractor is advised that the corridor has Transit service. Re-locations of stops can only be made with the approval of the Engineer. The Contractor is hereby directed to Section S-1707 (PUBLIC CONVENIENCE AND SAFETY) of these Special Provisions.

Use ON ALL PROJECTS THAT HAVE PED RAMP RECONSTRUCTION

S-270.8 Only one side of the roadway may be disrupted at a time for pedestrian curb ramp, blended transition, or sidewalk construction. Where it is not feasible to provide a same-side TPAR and pedestrians will be detoured, the alternate route must provide a similar level of accessibility to the existing route. This may include the incorporation of accessible pedestrian signals (APS), curb ramps, or other accessibility features.

Use with pay item

S-270.9 No measurement will be made of the various items that constitute Temporary Pedestrian Access Control, but all such work shall be construed to be included in the lump sum payment under Item 2563.601 (Temporary Pedestrian Access Control). The lump sum payment shall be compensation in full for all costs of furnishing, installing, maintaining and removing the individual devices.

Use without pay item

S-270.10 All traffic control required under this Contract for pedestrian access shall be performed as incidental work for which no direct payment will be made.

Appendix C. Florida Standard 660 Pedestrian Control For Closure of Sidewalks

The following general notes reference the 3 sample design drawings for Florida DOT

1. Only the signs controlling pedestrian flows are shown. Other work zone signs will be needed to control traffic on streets.
2. For spacing of traffic control devices and general TCZ requirements refer to Index No. 600. Maximum spacing between barricades, vertical panels, drums or tubular markers shall not be greater than 25 feet.
3. Street lighting should be considered.
4. For nighttime closures use Type A flashing warning lights on barricades supporting signs and closing sidewalks. Use Type C steady-burn lights on channelizing devices separating the work area from vehicular traffic.
5. Pedestrian traffic signal display controlling closed crosswalks shall be covered or deactivated.

6. Post Mounted Signs located near or adjacent to a sidewalk shall have a 7 foot minimum clearance from the bottom of sign to the sidewalk.
7. When Construction activities involve sidewalks on street, efforts should be made to stage the construction so that both sidewalks are not out of service at the same time.
8. In the event that sidewalks on both sides of the street are closed, pedestrians shall be guided around the construction zone.
9. Temporary walkways shall be a minimum of 4 feet wide with a maximum 0.02 cross slope and a maximum 0.05 running slope between ramps. Temporary walkways less than 5 feet wide in width shall provide for a 5 foot by 5 foot passing space at intervals not to exceed 200 feet. Temporary walkway surfaces and ramps shall be stable, firm, slip resistant, and kept free of any obstructions and hazards such as holes, debris, mud, construction equipment, stored materials, etc.
10. Temporary ramps and temporary crosswalk markings shall be removed with reopenings of the sidewalk, unless otherwise noted in the plans. All work and materials associated with constructing temporary curb ramps and temporary crosswalk markings, removal disposal of temporary curb ramps and temporary crosswalk markings, and restoration to original condition shall be paid for as Maintenance of Traffic, Lump Sum.

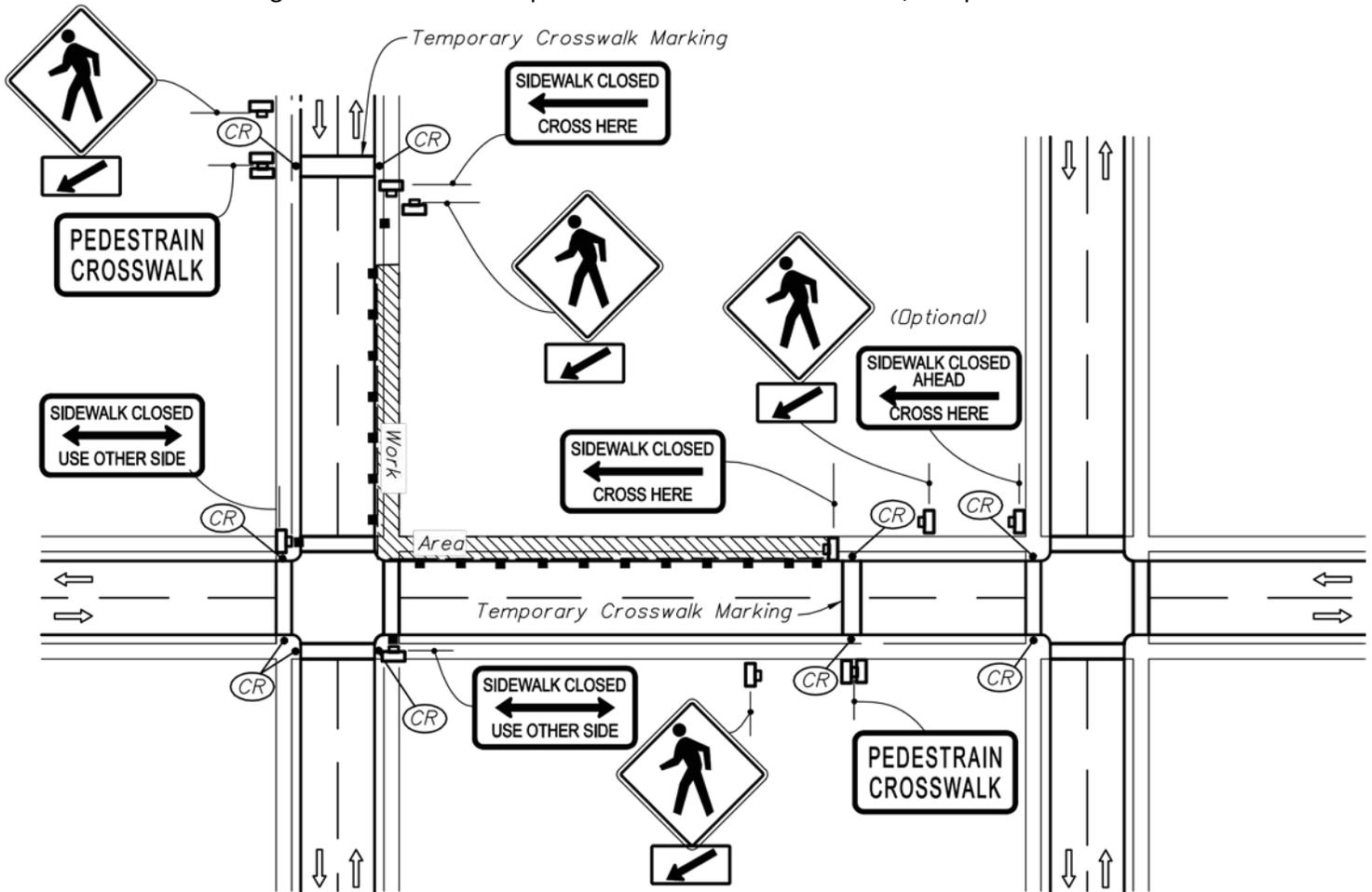


Figure 14. Corner Sidewalk Closure with Temporary Crosswalks

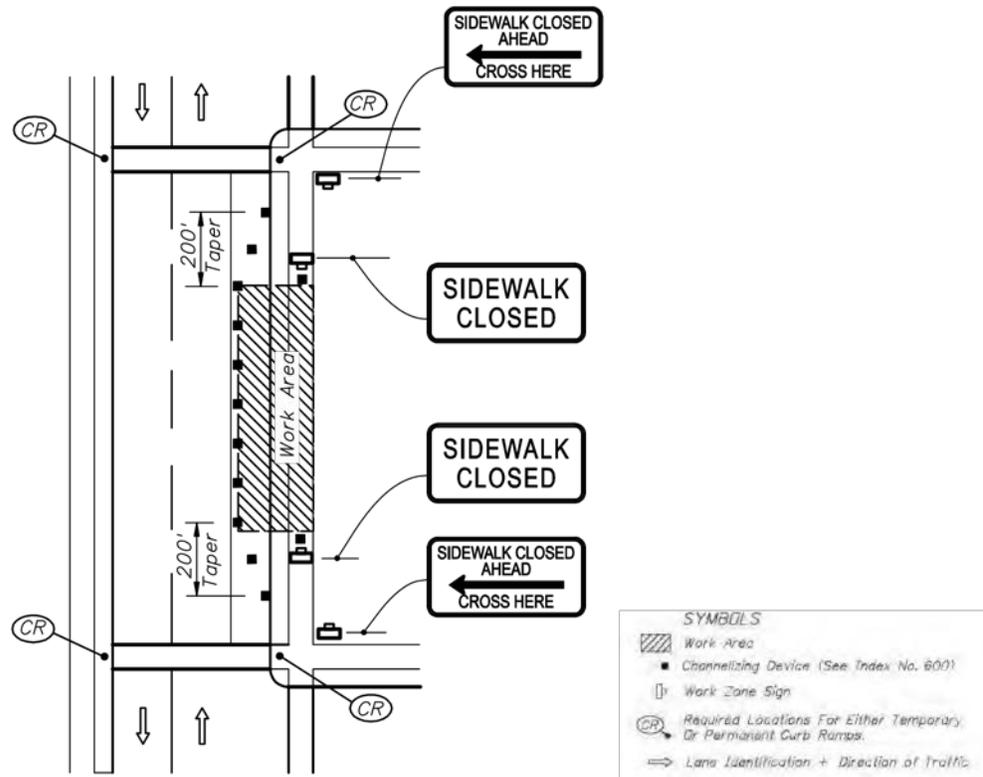


Figure 15. Florida Standard 660: Pedestrian Control for Closure of Sidewalks

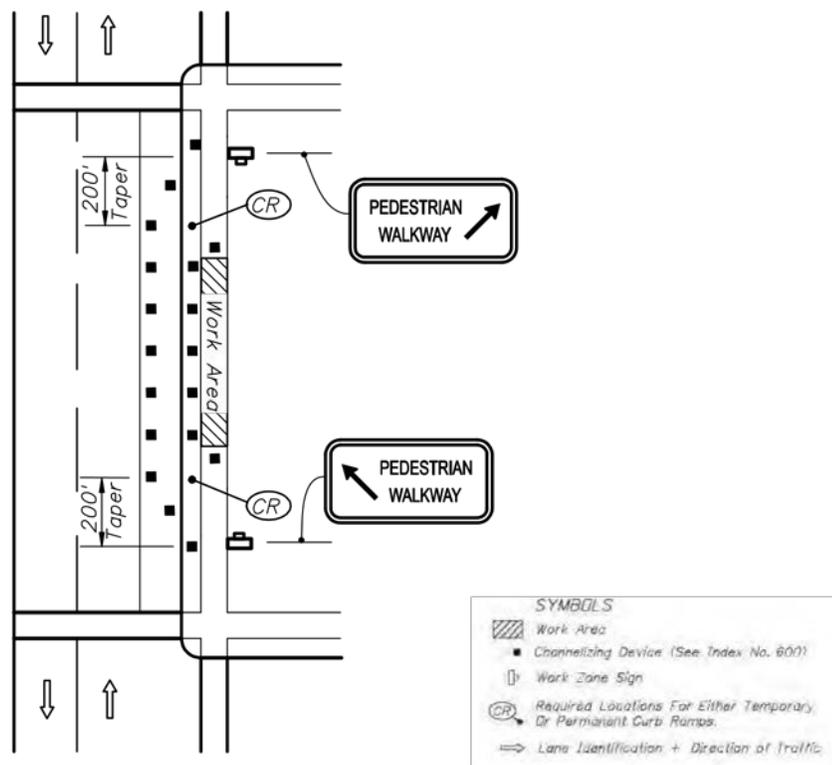


Figure 16. Florida standard 660: Pedestrian Control For Closure of Sidewalks - Mid-Block Sidewalk Closure with Temporary Walkway

Appendix D. Oregon Department of Transportation Design Guidance and Sample Layout

The following is design guidance that Oregon Department of Transportation provides to their engineers on ADA specific requirements.

- For specifications, Oregon provides guidance by providing them information to use and tailor to the individual work zone. The information that they provide includes what information to provide and where to pull the information:
 - i. For all sidewalk or sidewalk ramp closures
 - a. Install signs as shown on standard drawings. Mount signs between the panels of the type II barricade or, if installed on single-post TSS, locate the signs behind type II barricades
 - b. Close the sidewalk at a point where there is an alternate way to proceed or provide an alternate pedestrian route
 - c. Pave the alternate pedestrian route surface or provide an approved, non-slip 48 inch minimum wide surface meeting the requirements of the American with Disabilities Act (ADA).
 - d. When utilizing a temporary pedestrian access route, protect pedestrians by installing pedestrian channelizing devices (PCD) along both sides of the route. The temporary pedestrian access route is to remain open until the pedestrian facility is reopened.
 - e. Reopen the sidewalk during non-work hours or continue to provide an alternate route for pedestrians.
 - f. Provide alternate pedestrian routes that match existing facilities and provide additional TCM to meet the accessibility requirements in Part VI of the MUTCD.
 - ii. “Add the following subsection **Specification X: Pedestrian Channelizing Device**-Use PCD from the QPL and as shown on the standard drawings.
 - iii. “Add the following subsection: **Specification X: Pedestrian Channelizing Device** – Install PCD as shown. Provide a continuous route by interconnecting all adjacent PCD. iv. “Add the following subsection: **Specification X: Pedestrian Channelizing Device** – the quantities of pedestrian channelizing devices will be measured on the unit basis.
 - v. Specification X: Temporary Barricades, Guardrail, Barrier, and Attenuators – Add the following pay item to the end of the pay item list: Pedestrian Channelizing Devices...Each
- Oregon also provides a set of standard drawings to use. These drawings help the designer’s layout a particular sidewalk closure and provide some general notes to use.

Oregon Standard Drawings

General Notes for the following drawings include:

- When closing or relocating crosswalks or other pedestrian facilities provide ADA compliant facilities. Include accessibility features consistent with existing pedestrian facilities by providing adequate slope transitions and surfacing.
- Only TCD for pedestrians are shown. Other devices may be necessary to control vehicular traffic.
- Stage work, as necessary, to provide a temporary pedestrian access route at all times. For roadways with no available detours, maintain one open sidewalk at all times.
- Minimize pedestrian out-of-directional travel.

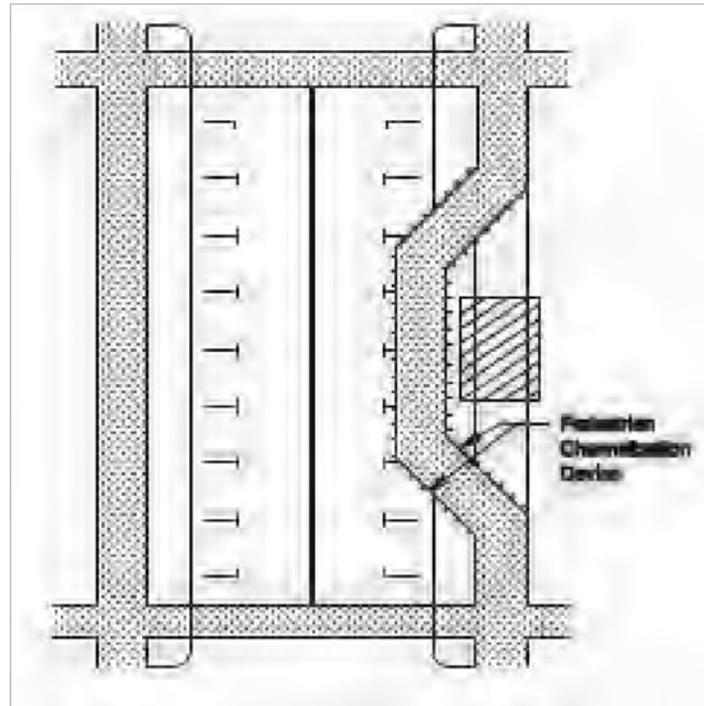


Figure 17. Roadway Sidewalk Diversion for Low Speed Roads (< 40 mph)

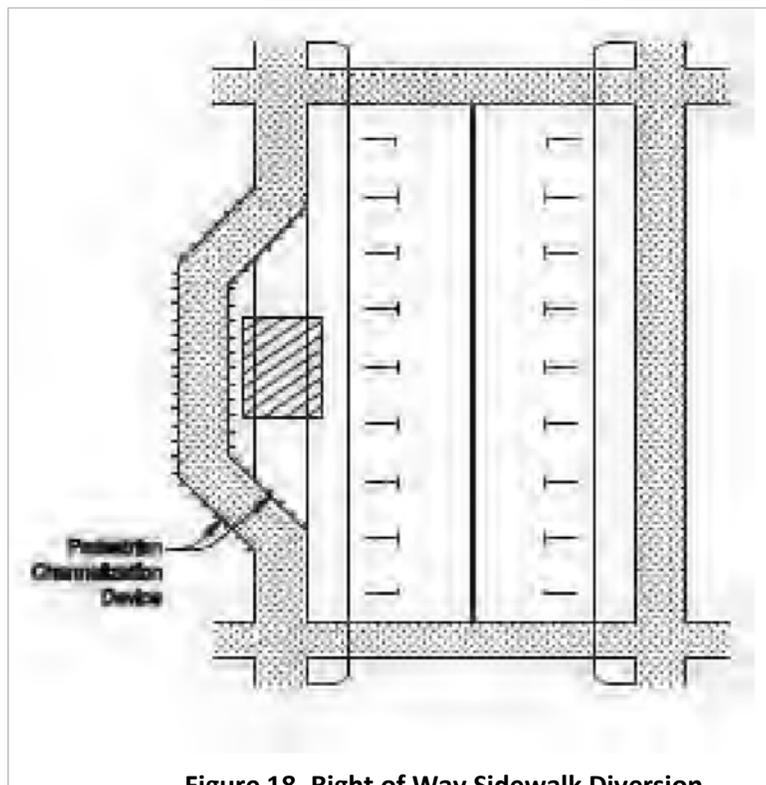


Figure 18. Right of Way Sidewalk Diversion

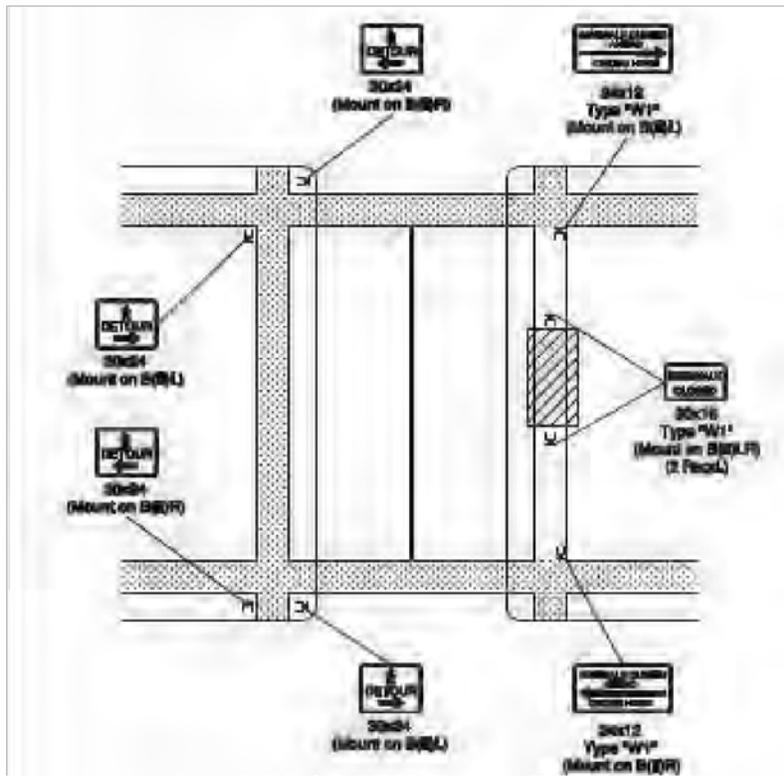
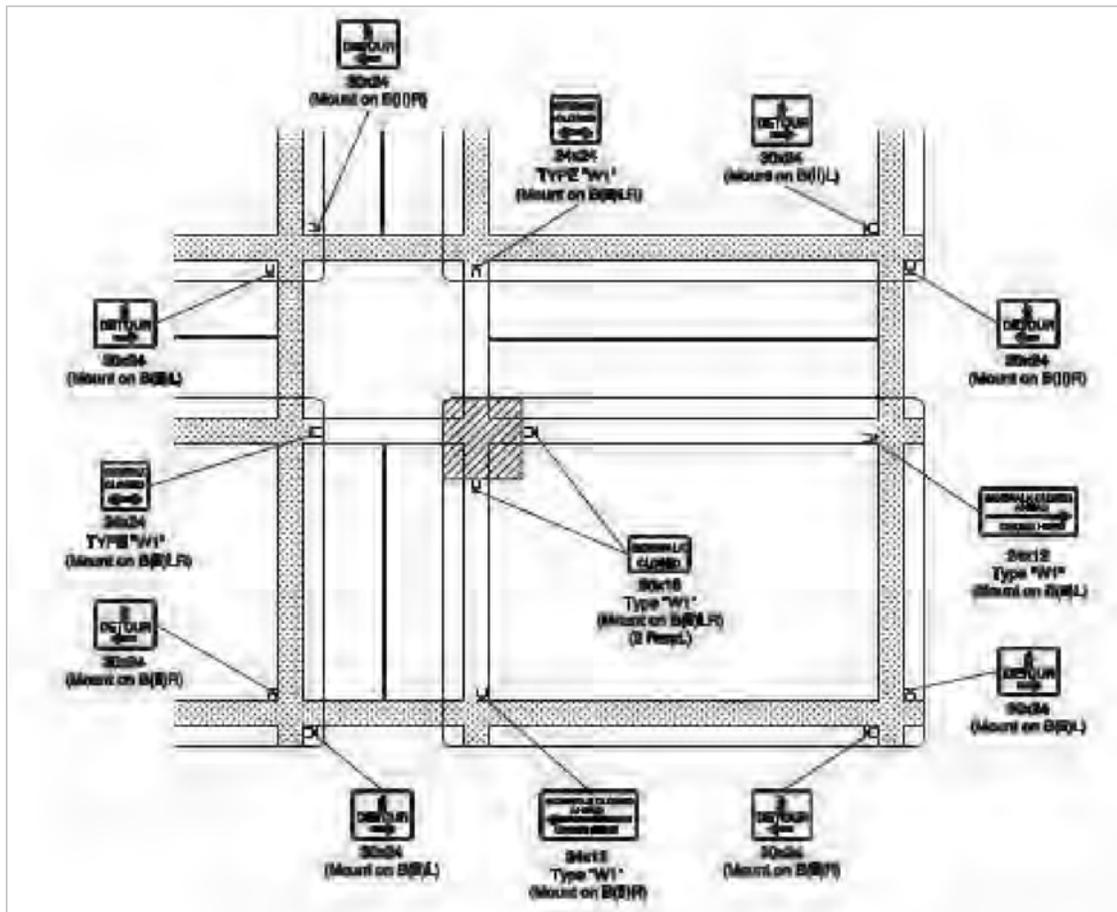


Figure 19. Mid-Block Sidewalk Closure



Note: Limit work to one corner at a time to minimize the pedestrian disruption.

Figure 20. Corner Sidewalk Closure

Appendix E. Washington State Department of Transportation Design Guidance

1510.17 Work Zone Pedestrian Accommodation¹

Providing access and mobility for pedestrians through and around work zones is an important design concern, and it must be addressed in the temporary traffic control plans if the project occurs in a location accessible to pedestrians. The designer must determine pedestrian needs in the proposed work zone during the public input process and through field visits.

In work zones:

- Separate pedestrians from conflicts with work zone equipment and operations.
- Separate pedestrians from traffic moving through or around the work zone.
- Provide pedestrians with alternate routes that have accessible and convenient travel paths that duplicate, as closely as feasible, the characteristics of the existing pedestrian facilities.

Provide walkways that are clearly marked and pedestrian barriers that are continuous, rigid, and detectable to vision-impaired persons who navigate with a cane. Also, keep:

- The pedestrian head space clear.
- Walkways free from pedestrian hazards such as holes, debris, and abrupt changes in grade or terrain.
- Access along sidewalks clear of obstructions such as construction traffic control signs.
- A minimum clear width path throughout: 4 feet for pedestrians or 10 feet for pedestrians and bicyclists.

Temporary pedestrian facilities within the work zone must meet accessibility criteria to the maximum extent feasible.

Consider the use of flaggers if pedestrian generators such as schools are in the work zone vicinity. Consider spotters who are prepared to help pedestrians through the work zone.

Provide for advance public notification of sidewalk closures in the contract special provisions and plans.

Where transit stops are affected or relocated because of work activity, provide an accessible route to temporary transit stops.

¹ WSDOT Design Manual 22-01.08 dated July 2011 access at <http://www.wsdot.wa.gov/publications/manuals/fulltext/M22-01/1510.pdf>

Appendix F. Sample Americans with Disabilities Act (ADA) Drawings

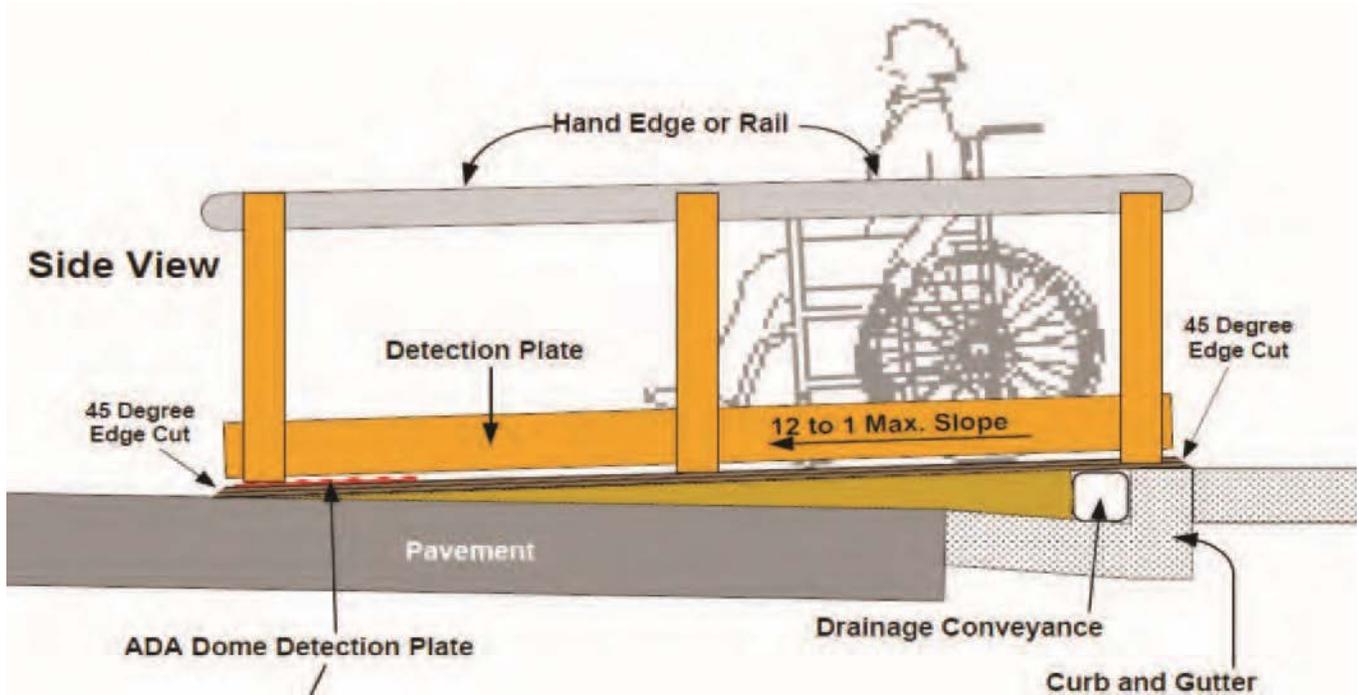


Figure 21. Pedestrian/ADA Detour Path – Temporary Ramp into the Roadway

CDOT Disadvantage Business Enterprise Requirements

December 26, 2013

DISADVANTAGED BUSINESS ENTERPRISE (DBE) REQUIREMENTS

NOTICE

This is a standard special provision that revises or modifies CDOT's *Standard Specifications for Road and Bridge Construction*. It has gone through a formal review and approval process and has been issued by CDOT's Project Development Branch with formal instructions for its use on CDOT construction projects. It is to be used as written without change. Do not use modified versions of this special provision on CDOT construction projects, and do not use this special provision on CDOT projects in a manner other than that specified in the instructions unless such use is first approved by the Standards and Specifications Unit of the Project Development Branch. The instructions for use on CDOT construction projects appear below.

Other agencies which use the *Standard Specifications for Road and Bridge Construction* to administer construction projects may use this special provision as appropriate and at their own risk.

Instructions for use on CDOT construction projects:

Use this Standard Special Provision on all partially or wholly funded Federal-Aid Design-Bid-Build Projects. Use in conjunction with the Project Special Provision Worksheet, Disadvantaged Business Enterprise (DBE) Contract Goal.

The Designer should consult with the Regional Civil Rights Office (RCRO) to determine the use of this standard special and to obtain the contract goal. A contract goal of zero still requires the use of this standard special and the worksheet. Designers shall not set their own contract goal.

This standard special provision should not be used for CM/GC services, design-build or other innovative projects. For DBE provisions for these projects, contact the Civil Rights and Business Resource Center (CRBRC) at (303)757-9234.

1. Overview

The Disadvantaged Business Enterprise (DBE) Program is a federally-mandated program that seeks to ensure non-discrimination in the award of U.S. Department of Transportation (DOT)-assisted contracts and to create a level playing field on which DBEs can compete fairly for DOT-assisted contracts. To such end, CDOT sets a contract goal for DBE participation for each DOT-assisted Contract.

In order to be awarded the Contract, the bidder shall show that it has committed to DBE participation sufficient to meet the goal or has otherwise made good faith efforts to do so. CDOT will amend the goal prior to award if the lowest apparent bidder demonstrates that good faith efforts were made but sufficient commitments to meet the goal could not be obtained.

CDOT will monitor the progress of the Contractor throughout the project to ensure that the Contractor's DBE commitments are being fulfilled. Modifications to the commitments must be approved by CDOT. CDOT may withhold payment or seek other contractual remedies if the Contractor is not complying with the requirements of this special provision. Upon completion of the Contract, CDOT may reduce the final payment to the Contractor if the Contractor has failed to fulfill the commitments or made good faith efforts to meet the contract goal.

For general assistance regarding the DBE program and compliance, contact CDOT's Civil Rights and Business Resource Center (CRBRC) at (303)757-9234. For project specific issues, contact the Engineer.

All forms referenced herein can be found on the CDOT website in the forms library:

<https://www.codot.gov/library/forms/cdot-forms-by-number>

2. Contract Assurance

By submitting a proposal for this Contract, the bidder agrees to the following assurance and shall include it verbatim in all (including non-DBE) subcontracts:

The contractor, subrecipient or subcontractor shall not discriminate on the basis of race, color, national origin, or sex in the performance of this contract. The contractor shall carry out applicable requirements of 49 CFR Part 26 in the award and administration of DOT-assisted contracts. Failure by the contractor to carry out these requirements is a material breach of this contract, which may result in the termination of this contract or such other remedy as CDOT deems appropriate.

3. Definitions

Terms not defined herein shall have the meaning provided in the CDOT Standard Specifications for Road and Bridge Construction.

- A. *Commitment*. A commitment is a portion of the Contract, identified by dollar amount and work area, designated by the bidder or Contractor for participation by a particular DBE. Commitments are submitted to CDOT via Form 1414, Anticipated DBE Participation Plan, or via Form 1420, DBE Plan Modification Request. Once approved, commitments are obligations of the Contract that are enforceable by CDOT.
- B. *Commercially Useful Function (CUF)*. Responsibility for the execution of the work and carrying out such responsibilities by actually performing, managing and supervising the work as further

described in Section 8 below.

- C. *Contract Goal*. The percentage of the contract designated by CDOT for DBE participation. The contract goal for this contract is provided in the Project Special Provision Disadvantaged Business Enterprise Contract Goal.
 - (1) The bidder/Contractor shall make good faith efforts to fulfill the contract goal with eligible DBE participation. For determining whether the contract goal was met prior to award, the contract goal shall be based upon the proposal amount excluding force account items. For determining whether the contract goal was met during and upon completion of the project, the contract goal shall be based upon the total earnings amount.
 - (2) If the lowest apparent bidder demonstrates that it was unable to meet the contract goal but made good faith efforts to do so, the contract goal will be amended and the revised contract goal will be provided on Form 1417, Approved DBE Participation Plan.
- D. *Disadvantaged Business Enterprise (DBE)*. A Colorado-certified Disadvantaged Business Enterprise listed on the Colorado Unified Certification Program (UCP) DBE Directory at www.coloradodbe.org.
- E. *DBE Program Manual*. The manual maintained by the CRBRC which details CDOT's policies and procedures for administering the DBE program. A copy of the DBE Program Manual is available on the CRBRC webpage.
- F. *Eligible Participation*. Work by a DBE that counts toward fulfillment of the contract goal as described in Section 4 below.
- G. *Good Faith Efforts*. All necessary and reasonable steps to achieve the contract goal which, by their scope, intensity, and appropriateness to the objective, could reasonably be expected to obtain sufficient DBE participation, even if not fully successful. Good faith efforts are evaluated prior to award and throughout performance of the Contract. For guidance on good faith efforts, see 49 CFR Part 26, Appendix A.
- H. *Joint Check*. A check issued by the Contractor or one of its subcontractors to a DBE firm and a material supplier or other third party for materials or services to be incorporated into the work.
- I. *Reduction*. A reduction occurs when the Contractor reduces a commitment to a DBE. A reduction constitutes a partial termination.
- J. *Subcontractor*. An individual, firm, corporation or other legal entity to whom the Contractor sublets part of the Contract. For purposes of this special provision, the term subcontractor includes suppliers.
- K. *Substitution*. Substitution occurs when a Contractor seeks to find another DBE to perform work on the contract as a result of a reduction or termination.
- L. *Termination*. A termination occurs when a Contractor no longer intends to use a DBE for fulfillment of a commitment.
- M. *Total Earnings Amount*: Amount of the Contract earned by the Contractor, including approved

changes and approved force account work performed, but not including any deductions for liquidated damages, price reduced material, work time violations, overweight loads or liens. The amount of the Contract earned does not include plan force account items (i.e. OJT, pavement incentives, etc).

- N. *Work Code*. A code to identify the work that a DBE is certified to perform. A work code includes a six digit North American Industry Classifications System code plus a descriptor. Work codes are listed on a firm's profile on the UCP DBE Directory. The Contractor may contact the CRBRC to receive guidance on whether a work code covers the work to be performed.

4. Eligible Participation

The following rules will be used to determine whether work performed by a DBE qualifies as eligible participation on the Contract:

- A. *Work Must be Identified in Commitment.* The work performed by the DBE must be reasonably construed to be included in the work area and work code identified by the Contractor in the approved commitment.
 - (1) If the Contractor intends to use a DBE for work that was not listed in the commitment, the Contractor shall submit Form 1420, DBE Participation Plan Modification for approval of the modification. Unapproved work will not count toward the contract goal.
 - (2) A DBE commitment cannot be modified to include work for which the DBE was not certified at the time of the approval of the original commitment.
- B. *DBE Must be Certified to Perform the Work.* The DBE must be certified to perform the work upon submission of the commitment and upon execution of the DBE's subcontract.
 - (1) When a commitment has been made, but upon review of Form 205 or 205B, Sublet Permit, CDOT determines that the DBE is no longer certified in the work code which covers the work to be performed, the Contractor may not use the DBE's participation toward the contract goal. The Contractor shall terminate the DBE commitment and seek substitute DBE participation in accordance with Section 9 below.
 - (2) A DBE's work will continue to count as eligible participation if the DBE was certified upon approval of Form 205 or 205B, Sublet Permit and the certification status changes during the performance of the work.
 - (3) Suppliers must be certified upon execution of the purchase order.
- C. *DBE Performs the Work.* Eligible participation will only include work actually performed by the DBE with its own forces.
 - (1) Work performed by the DBE includes the cost of supplies and materials obtained by the DBE for its work on the Contract, including any equipment leased by the DBE, provided that such supplies or equipment are not purchased or leased from the Contractor or a subcontractor that is subletting to the DBE.
 - (2) If CDOT determines that a DBE has not performed a CUF on the project, no participation by such DBE shall count toward the contract goal.
- D. *DBE Subcontracts to Another Firm.* When a DBE subcontracts part of the work, the value of the subcontracted work may only be counted toward the goal if the subcontractor is a DBE. Performance by non-DBE subcontractors, including non-DBE trucking firms and owner-operators, shall be deducted from the DBE's participation.
- E. *DBE Received Payment for the Work.* Eligible participation only includes work for which the DBE has received payment, including the release of its retainage.
- F. *Special Calculations for Suppliers.* When a DBE supplies goods on a project, the DBE may be

classified as a manufacturer, dealer or broker. The DBE's status as a manufacturer, dealer or broker is determined on a contract-by-contract basis and is based upon the actual work performed.

- (1) When a DBE is deemed to be acting as a manufacturer, one hundred percent of the commitment will count as eligible participation.
- (2) When a DBE is deemed to be acting as a regular dealer (i.e. non-manufacturer supplier), only sixty percent of the commitment will count as eligible participation.
- (3) When a DBE is deemed to be acting as a broker, only the reasonable brokerage fee will count as eligible participation.

- G. *Reasonable Fee for Contract-Specific Services.* Services shall count toward the contract goal only if they are specifically required for the performance of the Contract. Non-contract specific expenses may not be counted toward the contract goal. Fees for services must be reasonable. Services include but are not limited to professional services, public involvement, etc. In the case of temporary employment placement agencies, only the placement fee for an individual to be specifically and exclusively used for work on the contract shall count as eligible participation.
- H. *Pre-Approval for Joint Venture Participation.* When a DBE is a participant in a joint venture, the DBE must apply to CDOT to determine how much of the work performed by the joint venture will count toward the contract goal. The DBE shall complete Form 893, Information for Determining DBE Participation when a Joint Venture Includes a DBE. Form 893 shall be submitted to CDOT no less than ten days before the submission of the Proposal to ensure sufficient time for review.

5. Proposal Requirements

In order to be eligible for award, the following shall be submitted with the proposal, or, for electronic bidders, via email to cdot_hq_dbeforems@state.co.us by the proposal submission deadline. In order to avoid an error within the electronic bidding system, electronic bidders shall also enter the total percentage of anticipated eligible DBE participation into the Form 714 and electronically sign the form.

- A. *Form 1413, Bidders List.* The bidder shall list each subcontractor (including both DBE and non-DBE subcontractors) that submitted a quote for participation on the project. Failure to submit a signed Form 1413 will result in rejection of the proposal.
- B. *Form 1414, Anticipated DBE Participation Plan.* If the Contract Goal is greater than zero, the bidder shall submit Form 1414 to document anticipated DBE participation.
- (1) If the Bidder has not obtained any DBE commitments, it shall still submit Form 1414 documenting zero anticipated participation. If the Contract Goal is greater than zero, failure to submit a signed Form 1414 shall result in rejection of the proposal.
 - (2) The bidder shall list the DBE, work area(s), commitment amount and estimated eligible participation for each commitment. Once Form 1414 is submitted, a commitment may only be terminated or reduced in accordance with Section 9 below. The bidder is responsible for ensuring that commitments, and the estimated eligible participation resulting therefrom, have been properly calculated prior to submitting its proposal.
 - (3) If the bidder is a DBE, the bidder must include itself in Form 1414 and list the work area(s) and amount that it intends to self-perform and count as eligible participation

on the contract.

- (4) Commitments may be made to second tier or lower DBE subcontractors; however, the Contractor is ultimately responsible for the fulfillment of the commitment and shall sign the Form 1415, Commitment Confirmation.

6. Additional Forms Due Prior to Award.

If the contract goal is greater than zero, or if the bidder has voluntarily made commitments, the Bidder shall submit the following forms within five calendar days of selection as the lowest apparent bidder:

- A. *Form 1415, Commitment Confirmation.* A Form 1415, Commitment Confirmation shall be obtained from each DBE listed on Form 1414. The bidder shall complete Section 1 and the DBE shall complete Section 2 of Form 1415. Form 1415s shall be consistent with the commitments listed on Form 1414. The bidder shall not modify commitments listed on Form 1414 without good cause and approval from CDOT. The bidder shall contact CDOT if any issues arise which may require the bidder to alter or terminate a commitment.
- B. *Form 1416, Good Faith Effort Report.* If the total eligible participation listed on Form 1414 does not meet the contract goal, the lowest apparent bidder shall also submit Form 1416, Good Faith Effort Report and any supporting documentation that the bidder would like considered by CDOT as evidence of good faith efforts.

7. Commitment and Good Faith Effort Review

- A. *Commitment Review.* CDOT will evaluate the Form 1414 and each Form 1415 to ensure that it the commitment is valid and has been properly calculated. CDOT may investigate or request additional information in order to confirm the accuracy of a commitment. If CDOT determines that the total estimated eligible participation of the commitments does not meet the contract goal, within two business days of notice from CDOT or within the original five calendar day deadline, whichever is later, the bidder shall submit Form 1416 to CDOT.
- B. *Good Faith Effort Review.* If the total eligible participation of Form 1414 and all supporting Form 1415s does not meet the contract goal, CDOT will review Form 1416 and all supporting documentation submitted by the bidder in order to determine whether the bidder has demonstrated good faith efforts to obtain DBE participation. CDOT will use 49 CFR Part 26, Appendix A as a guide for determining whether the bidder made good faith efforts to meet the contract goal. A bidder will be deemed to not have made good faith efforts if the bidder lists a DBE for a work area for which the DBE is not certified and the bidder cannot establish a reasonable basis for its determination. CDOT may consider and approve commitments made after submission of the bid if the Bidder demonstrates that (1) good faith efforts were made prior to submission of the bid and (2) there is a reasonable justification for not obtaining the commitments prior to submission of the bid.
- C. *Administrative Reconsideration.* If CDOT determines that the bidder did not demonstrate good faith efforts to meet the contract goal, it will provide the bidder with written notice of its determination and an opportunity to appeal. The process for reconsideration is set forth in the *Good Faith Effort Appeal Process*, which is an Appendix I to the DBE Program Manual. A copy of the *Good Faith Effort Appeal Process* will be included in the written notice from CDOT.
- D. *Form 1417, Approved DBE Participation Plan.* If CDOT determines that the bidder has met the contract goal or made good faith efforts to do so, CDOT will issue Form 1417, Approved DBE Participation Plan, documenting the approved commitments. If CDOT determines that the bidder did not meet the contract goal but made good faith efforts to do so, via the Form 1417 CDOT will amend the contract goal in accordance with the commitments that were obtained and attach an explanation of its determination.

8. Ongoing Oversight of DBE Participation

- A. *Consistency Review.* CDOT will review Form 205 or 205B, Sublet Permit Application to determine whether the work being sublet is consistent with the DBE commitments. CDOT may withhold approval of the sublet or stop performance of the work if the Contractor has reduced, terminated, or otherwise modified the type or amount of work to be performed by a DBE without seeking prior approval.
- B. *Form 1419, DBE Participation Report.* The Contractor shall submit Form 1419, DBE Participation Report to the Engineer on a quarterly basis (January 15, April 15, July 15, and October 15) and upon completion of the Contract. CDOT may withhold progress payments if the quarterly Form 1419 is not received on time. CDOT will not provide final payment on the Contract in accordance with subsection 109.09 of CDOT's *Standard Specifications for Road and Bridge Construction* until the final Form 1419 has been reviewed and approved.
- C. *Joint Checks.* All joint checks must be approved by CDOT before they are used in payment to a DBE. Joint checks used in payments to DBEs will be monitored closely to ensure (1) the DBE is performing a CUF and (2) the joint checks are not being used in a discriminatory manner. The Contractor shall request approval for the use of a joint check in a written letter signed by the DBE and the Contractor, stating the reason for the joint checks and the approximate number of checks that will be needed.
- D. *Commercially Useful Function.* CDOT will monitor performance during the Contract to ensure each DBE is performing a CUF. If CDOT determines that a DBE is not performing a CUF, no work performed by such DBE shall count as eligible participation. The DBE, Contractor, and any other involved third parties may also be subject to additional enforcement actions.
- (1) When determining whether a DBE is performing a CUF, CDOT will consider the amount of work subcontracted, industry practices, the amount the firm is to be paid compared to the work performed and eligible participation claimed, and any other relevant factors.
 - (2) With respect to material and supplies used on the Contract, in order to perform a CUF the DBE must be responsible for negotiating price, determining quality and quantity, ordering the material, installing the material, if applicable, and paying for the material itself.
 - (3) With respect to trucking, in order to perform a CUF, the DBE trucking firm must own and operate at least one fully licensed, insured and operational truck used on the Contract. Additionally, the DBE trucking firm must be responsible for the management and supervision of the entire trucking operation for which it is responsible on the Contract.
 - (4) A DBE does not perform a CUF when its role is limited to that of an extra participant in a transaction, contract or project through which funds are passed in order to obtain the appearance of DBE participation. CDOT will evaluate similar transactions involving non-DBEs in order to determine whether a DBE is an extra participant.
 - (5) If a DBE does not perform or exercise responsibility for at least 30 percent of the total cost of its contract with its own work force, or the DBE subcontracts a greater portion of the work than would be expected on the basis of normal industry practice for the type of work involved, CDOT will presume that the DBE is not performing a CUF. The DBE may present evidence to rebut this presumption.
 - (6) If the Contractor disagrees with CDOT's determination regarding CUF, in accordance with 49 CFR 26.55 the Contractor may seek review of the determination by the applicable USDOT operating administration, however, CUF determination is not subject to administrative appeal.

9. DBE Participation Plan Modifications

- A. *Form 1420, DBE Participation Plan Modification Request.* During the performance of the Contract, the Contractor shall use Form 1420, DBE Participation Plan Modification Request to communicate all requests for *termination*, reduction, substitution, and waivers to CDOT. One Form 1420 may include multiple requests and must be submitted at the time of the occurrence or, if that is not possible, within a reasonable time of the occurrence requiring termination, reduction, substitution or waiver.
- B. *Commitment Terminations and Reductions.* No commitment shall be terminated or reduced without CDOT's approval. Terminations and reductions include, but are not limited to, instances in which a Contractor seeks to *perform* work originally designated for a DBE subcontractor with its own forces, those of an affiliate, a non-DBE firm or with another DBE firm. In order to receive approval, the Contractor shall:
- (1) Have good cause for termination or reduction. Good cause may include:
 - (i) the DBE fails or refuses to execute a written contract;
 - (ii) the DBE fails or refuses to perform the work of its subcontract consistent with normal industry standards, provided that such failure is not the result of bad faith or discriminatory actions of the Contractor or one of its subcontractors;
 - (iii) the DBE fails to meet reasonable, nondiscriminatory bond requirements;
 - (iv) the DBE becomes bankrupt, insolvent, or exhibits credit unworthiness;
 - (v) the DBE is ineligible to work because of suspension or debarment proceedings or other state law;
 - (vi) the DBE is not a responsible contractor;
 - (vii) the DBE voluntarily withdraws from the project and provides written notice to CDOT,
 - (viii) the DBE is ineligible to receive DBE credit for the work required;
 - (ix) the DBE owner dies or becomes disabled and is unable to complete the work;
 - (x) the DBE ceases business operations or otherwise dissolves;
 - (xi) or other documented good cause that compels termination. Good cause does not exist if the Contractor seeks to terminate a DBE it relied upon to obtain the contract so that the Contractor can self-perform the work for which the DBE was engaged or so that the Contractor can substitute another DBE or non-DBE contractor after contract award.
 - (2) Provide the DBE notice of the Contractor's intent to terminate or reduce the commitment and the reason for such termination or reduction, with a copy to CDOT;
 - (3) In the notice of intent, provide the DBE at least five calendar days to respond to the notice and inform CDOT and the Contractor of the reasons, if any, why it objects to the proposed termination or reduction and any reasons that it shall not be approved. The Contractor is not required to provide the five calendar days written notice in cases where the DBE in question has provided written notice that it is withdrawing from the

subcontract or purchase order. The notice period may be reduced by CDOT if required by public necessity.

- (4) Following the notice period, if the Contractor decides to proceed, submit Form 1420 requesting approval of the termination or reduction.
- (5) When a commitment is terminated or reduced (including when a DBE withdraws), make good faith efforts to find another DBE to substitute. These good faith efforts shall be directed at finding another DBE to perform at least the same amount of work under the contract as the participation that was terminated or reduced up to the contract goal.

C. *Contract Changes.* In the event of a contract change:

- (1) If CDOT eliminates or reduces work committed to a DBE, such change shall be considered good cause for termination or reduction in accordance with Section 9.B above. The Contractor shall follow the processes outlined in Section 9.B but is not required to substitute. If the change reduces the Contractor's DBE participation to below the contract goal, the Contractor shall indicate so on a Form 1420 and request a waiver of the unmet participation.
- (2) If CDOT issues a change which increases or adds new work items, the Contractor shall ensure that it has obtained sufficient DBE participation to meet the Contract Goal, or has made good faith efforts to do so.

D. *Process for Substitution or Increase in Participation to Meet the Contract Goal.* When the Contractor must obtain additional DBE participation to meet the Contract Goal, whether resulting from an approved termination or reduction or a change to the Contract, the Contractor shall:

- (1) Increase the participation of a DBE for any work items previously identified in an approved commitment without seeking CDOT approval; provided, however, that at its discretion, CDOT may request a Form 1420 documenting such additional participation; or
- (2) If the Contractor needs to add new work to a commitment or obtain additional participation from a DBE that is not already participating on the contract pursuant to an approved commitment, submit a Form 1420 and Form 1415 requesting approval of the additional participation; or
- (3) If the Contractor determines that additional DBE participation cannot be obtained, submit a Form 1420 requesting waiver of the participation. The Contractor shall include its justification for not obtaining additional participation and, at its discretion, CDOT may require additional information regarding the efforts of the Contractor.

10. Payment Reduction

The Contractor's retainage will not be released until CDOT has determined whether the Contractor will be subject to a payment reduction. Payment reductions will be calculated as follows:

- A. *Failure to Fulfill Commitments.* If the Contractor terminated or reduced a commitment, the Contractor will be subject to a payment reduction for any termination or reduction which was not approved via a Form 1420.
- B. *Failure to Meet Contract Goal.* If the Contractor failed to meet the contract goal, the Contractor will be subject to a payment reduction for the portion of the contract goal that was not met and was not waived via an approved Form 1420.
- C. *Duplication.* The contractor will not be subject to duplicate reduction for the same offense.
- D. *Adjustments.* CDOT may adjust the payment reduction wherein the Contractor demonstrates that its failure to obtain DBE participation was due to circumstances outside of its control.

11. Other Enforcement

- A. *Investigations.* As it determines necessary, CDOT may conduct reviews or investigations of participants. All participants, including, but not limited to, DBE firms and applicants for DBE certification, complainants, and contractors using DBE firms to meet contract goals, are required to cooperate fully and promptly with compliance reviews, certification reviews, investigations, and other requests for information.
- B. *Intimidation and retaliation.* Participants shall not intimidate, threaten, coerce, or discriminate against any individual or firm for the purpose of interfering with any right or privilege secured by the DBE program or because the individual or firm has made a complaint, testified, assisted, or participated in any manner in an investigation, proceeding, or hearing under the DBE program.
- C. *Consequences of Non-Compliance.* Failure to comply with subsections 11 A. or 11 B. shall be a ground for appropriate action against the party involved (e.g., with respect to recipients, a finding of noncompliance; with respect to DBE firms, denial of certification or removal of eligibility and/or suspension and debarment; with respect to a complainant or appellant, dismissal of the complaint or appeal; with respect to a contractor which uses DBE firms to meet goals, findings of non-responsibility for future contracts and/or suspension and debarment).
- D. *Fraud and Misrepresentation.* If CDOT determines that a Contractor or subcontractor was a knowing and willing participant in any intended or actual subcontracting arrangement contrived to artificially inflate DBE participation or any other business arrangement determined by CDOT to be unallowable, or if the Contractor engages in repeated violations, falsification or misrepresentation, CDOT may:
 - (1) refuse to count any fraudulent or misrepresented DBE participation;
 - (2) withhold progress payments to the Contractor commensurate with the violation;
 - (3) suspend or reduce the Contractor's prequalification status;
 - (4) refer the matter to the Office of Inspector General of the US Department of Transportation for investigation; or
 - (5) seek any other available contractual remedy.

Contractor DBE Action Checklist

PRE-BID ACTIONS

- ___ CDOT Form 1413 - Bidders List
- ___ CDOT Form 1414 - Anticipated DBE Participation Plan

Due from apparent low bidder within 5 days of selection:

- ___ CDOT Form 1415 - Commitment Confirmation
- ___ CDOT Form 1416 - Good Faith Efforts Report (if applicable)

CONSTRUCTION ACTIONS

- ___ CDOT Form 1419 - DBE Participation Report (Due Quarterly)
- ___ CDOT Form 1420 - DBE Participation Plan Modification Request (if applicable)
- ___ CDOT Form 1415 - Commitment Confirmation (if applicable with 1420)

POST CONSTRUCTION ACTIONS

- ___ CDOT Form 1419 - DBE Participation Report for final reporting

DBE Project Special Provision

DBE Contract Goal

This is a federally-assisted construction project. As described in the CDOT DBE Standard Special Provision, the Bidder shall make good faith efforts to meet the following contract goal:

 Percent DBE participation.

INSTRUCTIONS TO DESIGNERS (delete instructions from final draft):

- Use this project special provision on all Federal-Aid Design-Bid-Build projects.
- The Designer shall consult with the Regional Civil Rights Office to determine if the DBE program applies to the project and, if necessary, to obtain a contract goal. Designers shall not set contract goals.
- Neither this project special provision nor the DBE Standard Special Provision shall be included in solely state-funded projects.
- For federally-assisted projects, insert the contract goal (including 0 percent goals) provided by the Regional Civil Rights Office in the highlighted space above and include the DBE Standard Special Provision.
- This project special provision and the DBE Standard Special Provision shall not be used for innovative contracts. For DBE project special provisions for Design-Build, CM/GC and other innovative contracts, please contact the CDOT Civil Rights and Business Resource Center at (303)757-9234.

DBE Work Conversion Chart

DBE Work Code Conversion Chart

| Old Work Code | New Work Code (NAICS + Index Descriptor) |
|---------------|--|
| | Building Construction |
| 10000 | General Contractor Work Code Eliminated |
| 10100 | Athletic Field Construction 237990 Athletic field (except stadium) construction |
| 10200 | Concrete Building 236220 Commercial building construction |
| 10201 | Foundation Systems 238110 Footing and foundation concrete contractors |
| 10202 | Slab On Grade and Structural Floors 238120 Precast concrete panel, slab, or form installation |
| 10203 | Cast In Place and Structural Precast Concrete 238120 Precast concrete panel, slab, or form installation |
| 10204 | Concrete Flatwork and Curb and Gutter (Remove and Install) 238990 Sidewalk construction, residential and commercial |
| 10300 | Demolition/Site Clearing/Etc. 238910 Demolition contractor |
| 10400 | Doors 238290 Door, commercial- or industrial-type, installation |
| 10500 | Electrical 238210 Electrical contractors |
| 10501 | General 238210 Electrical contractors |
| 10502 | Systems 238210 Electrical contractors |
| 10503 | Telecommunications 238210 Telecommunications equipment and wiring (except transmission line) |
| 10600 | Excavating/Earthwork/Clearing and Grub/Etc. 238910 Excavation contractors |
| 10700 | Finishes 238350 Finish carpentry |
| 10701 | Painting, Wall Coverings 238320 Painting (except roof) contractors |
| 10702 | Floor Covering Contractors 238330 Carpet, installation only |
| 10703 | Window Coverings 238390 Window shade and blind installation |
| 10704 | Ceilings 238310 Acoustical ceiling tile and panel installation |
| 10705 | Sandblasting 238990 Sandblasting, building exterior |
| 10800 | Foundation Drainage/Systems/Site Storm Sewer and Septic Systems 237110 Storm sewer construction |
| 10900 | Janitorial/Maintenance 561720 Janitorial services |
| 10901 | Steam Cleaning 561790 Steam cleaning building exteriors |
| 10902 | Trash Pick-up 562111 Trash collection services |
| 10903 | Pressure Washing 561790 Power washing building exteriors |
| 10904 | Construction Cleanup 238990 Construction site cleanup contractors |
| 10905 | Ground Maintenance 561730 Landscape care and maintenance services |
| 10906 | Street Sweeping 488490 Street cleaning service |
| 10907 | Floor and Carpet Maintenance 561740 Carpet cleaning services |
| 10908 | Window Washing 561720 Window cleaning services |
| 11000 | Manholes/Cover/Culverts and Water Gas Lines 237110 Storm sewer construction |
| 11100 | Masonry 238140 Masonry contractors |
| 11200 | Mechanical 238220 Mechanical contractors |
| 11201 | Plumbing 238220 Plumbing contractors |
| 11202 | HVAC 238220 HVAC (heating, ventilation and air-conditioning) contractors |
| 11203 | Solar Systems 238220 Sheet metal duct work installation |
| 11300 | Metals – Building All work codes under "00" assigned |
| 11301 | Steel – Standard and Reinforcing Steel 238120 Steel reinforcing contractors |
| 11302 | Steel Rod 238120 Steel reinforcing contractors |
| 11303 | Steel Floor Decking 238120 Structural steel contractors |
| 11304 | Ornamental 238190 Ornamental metal work installation |
| 11305 | Sheet Metal 238220 Sheet metal duct work installation |
| 11306 | Welding 238190 Welding, on site, contractors |
| 11400 | Paving (Asphalt and Concrete, and Waterproofing) 238990 Parking lot paving and sealing |
| 11500 | Pile Driving/Caissons/Retaining Wall 238910 Pile driving, building foundation |
| 11600 | Roofing 238160 Roofing contractors |
| 11700 | Signage 238990 Sign (except on highways, streets, bridges and tunnels) erection |
| 11800 | Specialty 238290 Machinery and equipment, large-scale, installation |
| 11801 | Equipment Installers 238290 Machinery and equipment, large-scale, installation |
| 11802 | Conveying Systems 238290 Conveyor system installation |
| 11803 | Other 238290 Other Building Equipment Contractors |
| 11900 | Thermal and Moisture Protection/Waterproofing 238390 Waterproofing contractors |
| 12000 | Windows/Glass/Glazing 238150 Glass and Glazing Contractors |

DBE Work Code Conversion Chart

| Old Work Code | | New Work Code (NAICS + Index Descriptor) | |
|---------------|--|--|---|
| 12001 | Skylights | 238160 | Skylight installation |
| 12100 | Wood/Carpentry/Architectural Millwork | 238350 | Carpentry work (except framing) |
| 12200 | Fencing | 238990 | Fencing contractors (except electronic containment fencing for pets) |
| 12300 | Fire Protection | 238190 | Fireproofing buildings |
| 12301 | Fire Proofing | 238190 | Fireproofing buildings |
| 12302 | Fire Stopping | 238190 | Fireproofing buildings |
| 12303 | Fire Sprinkler Systems | 238220 | Sprinkler system, building, installation |
| 12400 | Drywall and Plaster | 238310 | Drywall contractors |
| 12500 | Acoustical and Insulation | 238310 | Soundproofing contractors |
| 12600 | Crane Service | 238990 | Crane rental with operator |
| 12700 | Concrete/Grout Pumps | 238110 | Concrete pumping (i.e., placement) |
| 19900 | Other | 238990 | Special Trade Contractors |
| | Roadway Construction | | |
| 20000 | General Contractor | | Work Code Eliminated |
| 20100 | Aggregate Base Course | 238910 | Excavation contractors |
| 20200 | Asphalt Cement and Emulsified Asphalt | 237310 | Asphalt paving (i.e., highway, road, street, public sidewalk) |
| 20300 | Cattle Guard | 238990 | Fencing contractors (except electronic containment fencing for pets) |
| 20400 | Clearing and Grubbing | 238910 | Land clearing |
| 20500 | Concrete Flatwork | 238990 | Sidewalk construction, residential and commercial |
| 20600 | Concrete Pavement Roadway | 237310 | Concrete paving (i.e., highway, road, street, public sidewalk) |
| 20700 | Traffic Control | 561990 | Flagging (i.e., traffic control) services |
| 20701 | Flagging | 561990 | Flagging (i.e., traffic control) services |
| 20702 | Channellizing Devices (Vertical Panels, Barrels, Cones, Glare Screens) | 561990 | Flagging (i.e., traffic control) services |
| 20703 | Temporary Impact Attenuators | 561990 | Flagging (i.e., traffic control) services |
| 20704 | Construction Signing | 561990 | Flagging (i.e., traffic control) services |
| 20705 | Pavement Marking | 237310 | Painting lines on highways, streets and bridges |
| 20706 | Pilot Vehicle | 561990 | Flagging (i.e., traffic control) services |
| 20800 | Delineators and Reflectors | 237310 | Sign erection, highway, roads street or bridge |
| 20900 | Drilled Caissons | 238910 | Caisson (i.e., drilled building foundations) construction |
| 20901 | Drilling | 238910 | Drilled pier (i.e., for building foundations) contractors |
| 20902 | Steel Fabrication (Reinforced Steel) | 238120 | Steel reinforcing contractors |
| 20903 | Steel Tying | 238120 | Steel reinforcing contractors |
| 21000 | Earthwork | 238910 | Excavation contractors |
| 21001 | Drilling and Blasting | 238910 | Blasting, construction site |
| 21002 | Excavating | 238910 | Excavation contractors |
| 21003 | Grading | 238910 | Excavation contractors |
| 21100 | Electrical | 238210 | Electrical contractors |
| 21101 | Lighting | 238210 | Lighting system installation |
| 21102 | Signalization | 238210 | Traffic signal installation |
| 21103 | Telecommunications | 238210 | Telecommunications equipment and wiring (except transmission line) installation contractors |
| 21200 | Environmental/Hazmat | 237990 | Other Heavy and Civil Engineering Construction |
| 21300 | Expansion Device | 237310 | Bridge construction |
| 21400 | Fencing | 238990 | Fencing contractors (except electronic containment fencing for pets) |
| 21401 | Metal Sound Barrier | 238990 | Fencing contractors (except electronic containment fencing for pets) |
| 21402 | Wood Sound Barrier | 238990 | Fencing contractors (except electronic containment fencing for pets) |
| 21403 | Concrete Sound Barrier | 238990 | Fencing contractors (except electronic containment fencing for pets) |
| 21404 | Masonry Sound Barrier | 238140 | Masonry contractors |
| 21405 | Chain Link | 238990 | Fencing contractors (except electronic containment fencing for pets) |

DBE Work Code Conversion Chart

| Old Work Code | | New Work Code (NAICS + Index Descriptor) | |
|---------------|-------------------------------------|--|--|
| 21406 | Barbed Wire | 238990 | Fencing contractors (except electronic containment fencing for pets) |
| 21407 | Snow Fence | 238990 | Fencing contractors (except electronic containment fencing for pets) |
| 21408 | Wood Fence | 238990 | Fencing contractors (except electronic containment fencing for pets) |
| 21500 | Guard Rails, Railing, Etc. | 237310 | Guardrail construction |
| 21600 | Geotextile | 237990 | Other Heavy and Civil Engineering Construction |
| 21700 | Guardrail | 237310 | Guardrail construction |
| 21701 | Metal | 237310 | Guardrail construction |
| 21702 | Concrete | 237310 | Guardrail construction |
| 21703 | Precast Portable Concrete | 237310 | Guardrail construction |
| 21704 | Bridge Rail (Metal) | 237310 | Guardrail construction |
| 21705 | Bridge Rail (Concrete) | 237310 | Guardrail construction |
| 21800 | Heater Scarifying | | Work Code Eliminated |
| 21900 | Hot Poured Joint and Crack Sealant | 237310 | Repair, highway, road, street, bridge or airport runway |
| 22000 | Hydrated Lime Processing | 237990 | Other Heavy and Civil Engineering Construction |
| 22100 | Inlets, Manholes, Sewer Pipe | 237310 | Culverts, highway, road and street, construction |
| 22101 | Inlets | 237310 | Culverts, highway, road and street, construction |
| 22102 | Manholes | 237310 | Culverts, highway, road and street, construction |
| 22103 | Concrete Pipe | 237310 | Culverts, highway, road and street, construction |
| 22104 | Plastic Pipe | 237110 | Sewer main, pipe and connection, construction |
| 22105 | Other | 237310 | Culverts, highway, road and street, construction |
| 22200 | Irrigation | 237110 | Irrigation system construction |
| 22201 | Irrigation Design | 237110 | Irrigation system construction |
| 22202 | Irrigation Installation | 237110 | Irrigation system construction |
| 22300 | Landscaping | 561730 | Landscape contractors (except construction) |
| 22301 | Hydro Mulching | 561730 | Hydroseeding services (e.g., decorative, erosion control purposes) |
| 22302 | Hay Mulching | 561730 | Landscape contractors (except construction) |
| 22303 | Seeding | 561730 | Seeding lawns |
| 22304 | Sodding | 561730 | Sod laying services |
| 22305 | Soil Retention Blanket/Fabric | 561730 | Landscape contractors (except construction) |
| 22306 | Planting | 561730 | Landscape contractors (except construction) |
| 22307 | Brush Layer Cutter | 561730 | Landscape contractors (except construction) |
| 22308 | Tree Transplant | 561730 | Tree services (e.g., bracing, planting, pruning, removal, spraying, surgery, trimming) |
| 22309 | Water Wells | 237110 | Drilling water wells (except water intake wells in oil and gas fields) |
| 22310 | Other | 561730 | Landscape contractors (except construction) |
| 22400 | Masonry, Stone and Brick Work | 238140 | Masonry contractors |
| 22500 | Pavement Marking | 237310 | Painting lines on highways, streets and bridges |
| 22501 | Paint | 237310 | Painting lines on highways, streets and bridges |
| 22502 | Thermoplastic | 237310 | Painting lines on highways, streets and bridges |
| 22503 | Epoxy | 237310 | Painting lines on highways, streets and bridges |
| 22504 | Preformed | 237310 | Painting lines on highways, streets and bridges |
| 22700 | Paving-Cold Bituminous (Recycle) | 237310 | Asphalt paving (i.e., highway, road, street, public sidewalk) |
| 22800 | Paving-Hot Bituminous | 237310 | Asphalt paving (i.e., highway, road, street, public sidewalk) |
| 22801 | Bike Paths, Driveways, Parking Lots | 238990 | Parking lot paving and sealing |
| 22802 | Asphalt Curb | 237310 | Curbs and street gutters, highway, road and street, construction |
| 22900 | Pedestrian Railing | 237310 | Bridge construction |
| 22901 | Steel | 237310 | Bridge construction |
| 22902 | Timber | 237310 | Bridge construction |
| 23000 | Permanent Signing and Signalization | | All work codes under "00" assigned |
| 23001 | Permanent Signing | 237310 | Sign erection, highway, roads street or bridge |
| 23002 | Signalization | 238210 | Traffic signal installation |

DBE Work Code Conversion Chart

| Old Work Code | | New Work Code (NAICS + Index Descriptor) |
|---------------|---|--|
| 23003 | Impact Attenuators | 237310 Sign erection, highway, roads street or bridge |
| 23100 | Pile Driving | All work codes under "00" assigned |
| 23101 | Drill Holes | 238910 Drilled pier (i.e., for building foundations) contractors |
| 23102 | Driving | 238910 Pile driving, building foundation |
| 23200 | Pipe Installation (Plastic and Concrete) | 237110 Utility line (i.e., sewer, water), construction |
| 23300 | Pipe Under Drain | 237990 Land drainage contractors |
| 23400 | Plant Mix Bituminous Base | 237310 Asphalt paving (i.e., highway, road, street, public sidewalk) |
| 23500 | Plant Mix Seal Coat | 237310 Tarring roads |
| 23600 | Pre/Post Tensioning | 238120 Prestressed concrete beam, slab or other component installation |
| 23601 | Install and Stress Post Tensioning Strands/Bars | 238120 Prestressed concrete beam, slab or other component installation |
| 23602 | Install Prestressed Concrete Units | 238120 Prestressed concrete beam, slab or other component installation |
| 23700 | Reconditioning | 237990 Other Heavy and Civil Engineering Construction |
| 23800 | Reinforcing Steel | 238120 Steel reinforcing contractors |
| 23900 | Removal and Demolition | 238910 Demolition contractor |
| 23901 | Structures | 238910 Demolition contractor |
| 23902 | Pipe | 238910 Demolition contractor |
| 23903 | Bridges | 238910 Demolition contractor |
| 23904 | Concrete Flatwork/Pavement | 238910 Demolition contractor |
| 23905 | Asphalt Pavement and Mat Planing | 237310 Resurfacing, highway, road, street, bridge or airport runway |
| 23906 | Pavement Marking | 238910 Demolition contractor |
| 23907 | Traffic Signalization/Electrical | 238910 Demolition contractor |
| 23908 | Permanent Traffic Signing | 238910 Demolition contractor |
| 23909 | Fence | 238910 Demolition contractor |
| 23910 | Guardrail Metal and Concrete | 238910 Demolition contractor |
| 24100 | Retaining Walls (Other than cast in place concrete) | 237990 Retaining walls, anchored (e.g., with piles, soil nails, tieback anchors), construction |
| 24200 | Rip-Rap Complete In Place | 237990 Riprap installation |
| 24300 | Rock Reinforcement | 237990 Earth retention system construction |
| 24400 | Sandblasting | 238990 Sandblasting, building exterior |
| 24500 | Sawing and Sealing | 238990 Concrete sawing and drilling (except demolition) |
| 24600 | Slope and Ditch Paving | 237310 Concrete paving (i.e., highway, road, street, public sidewalk) |
| 24601 | Concrete | 237310 Concrete paving (i.e., highway, road, street, public sidewalk) |
| 24602 | Bituminous | Work Code Eliminated |
| 24603 | Grout and Rubble | Work Code Eliminated |
| 24700 | Slurry Cut-Off Wall | 238110 Retaining wall (except anchored earth), poured concrete, construction |
| 24800 | Snow Removal-Highway | 488490 Snow removal, highway |
| 24900 | Storm Drainage | 237110 Sewer main, pipe and connection, construction |
| 24901 | Reinforced Concrete Pipe | 237110 Sewer main, pipe and connection, construction |
| 24902 | Corrugated Steel Pipe | 237110 Sewer main, pipe and connection, construction |
| 24903 | Plastic Pipe | 237110 Sewer main, pipe and connection, construction |
| 24904 | Precast Culvert | 237310 Culverts, highway, road and street, construction |
| 24905 | Pipe Jacking and Boring | 237990 Pipe-jacking contractors |
| 25000 | Structural Concrete | All work codes under "00" assigned |
| 25001 | Box Culvert | 238120 Concrete product (e.g., structural precast, structural prestressed) installation |
| 25002 | Bridge | 238120 Prestressed concrete beam, slab or other component installation |
| 25003 | Wall | 238120 Precast concrete panel, slab, or form installation |
| 25004 | Miscellaneous Structures | 238120 Prestressed concrete beam, slab or other component installation |
| 25005 | Deck Topping | 237310 Bridge decking construction |
| 25006 | Structural Concrete Coating | 238390 Concrete coating, glazing or sealing |
| 25007 | Masonry | 238140 Masonry contractors |

DBE Work Code Conversion Chart

| Old Work Code | | New Work Code (NAICS + Index Descriptor) | |
|---------------|--|--|--|
| 25008 | Paint Existing Structure | 238320 | Bridge painting |
| 25100 | Structural Steel | 238120 | Structural steel contractors |
| 25200 | Structure Excavating and Backfill | 238910 | Excavation contractors |
| 25300 | Topsoil | 238910 | Excavation contractors |
| 25400 | Treated Timber | 237990 | Other Heavy and Civil Engineering Construction |
| 25500 | Trucking | | All work codes under "00" assigned |
| 25501 | Tandem Truck | 484220 | Dump trucking (e.g., gravel, sand, top soil) |
| 25502 | Tractor Trailer | 484220 | Gravel hauling, local |
| 25503 | Special Trailers (Live Bottom, Belly Dump, End Dump) | 484220 | Gravel hauling, local |
| 25504 | Heated Tanker | 484220 | Tanker trucking (e.g., chemical, juice, milk, petroleum), local |
| 25505 | Dirt (Haul) | 484220 | Top-soil hauling, local |
| 25506 | Aggregate (Haul) | 484220 | Gravel hauling, local |
| 25507 | Asphalt (Haul) | 484220 | Gravel hauling, local |
| 25508 | Rip Rap (Haul) | 484220 | Gravel hauling, local |
| 25509 | Construction Debris | 484220 | Gravel hauling, local |
| 25510 | Trucking Broker | 541990 | Scientific and Technical Services |
| 25600 | Utility Relocation | 237110 | Utility line (i.e., sewer, water), construction |
| 25700 | Water Line | 237110 | Water main and line construction |
| 25701 | Ductile Iron | 237110 | Water main and line construction |
| 25702 | Welded Steel | 237110 | Water main and line construction |
| 25703 | Copper | 237110 | Water main and line construction |
| 25704 | Plastic | 237110 | Water main and line construction |
| 25800 | Waterproofing | 238390 | Waterproofing contractors |
| 25801 | Membrane (Bridge Decks) | 238390 | Waterproofing contractors |
| 25802 | Sealer | 238390 | Waterproofing contractors |
| 25900 | Welding | 238190 | Welding, on site, contractors |
| 26000 | Dam Construction | 237990 | Dam construction |
| 26100 | Land Reclamation | 238910 | Site Preparation Contractors (Wrecking, Demolition, and Excavation) |
| 26200 | Land Drainage | 238910 | Site Preparation Contractors (Wrecking, Demolition, and Excavation) |
| 26300 | Construction Reset and Adjust | | All work codes under "00" assigned |
| 26301 | Traffic Signalization/Electrical | 238210 | Traffic signal installation |
| 26302 | Permanent Traffic Signing | 237310 | Sign erection, highway, roads street or bridge |
| 26303 | Fence | 238990 | Fencing contractors (except electronic containment fencing for pets) |
| 26304 | Guardrail – Metal | 237310 | Guardrail construction |
| 26305 | Guardrail – Concrete | 237310 | Guardrail construction |
| 26306 | Pipe | 237110 | Water main and line construction |
| 26307 | Manholes | 237310 | Culverts, highway, road and street, construction |
| 26400 | Crane Service | 238990 | Crane rental with operator |
| 26500 | Concrete/Grout Pumps | 238110 | Concrete pumping (i.e., placement) |
| 26600 | Portable Rock/Concrete Crushing | 238910 | Concrete breaking and cutting for demolition |
| 26700 | Erosion Control | 561730 | Erosion Control Services |
| 26701 | Erosion Log | 561730 | Erosion Control Services |
| 26702 | Silt Fence | 561730 | Erosion Control Services |
| 26703 | Concrete Washout Structure | 561730 | Erosion Control Services |
| 26704 | Storm Drain Inlet Protection | 561730 | Erosion Control Services |
| 26705 | Erosion Control Supervisor | 561730 | Erosion Control Services |
| 26800 | Potholing | 237990 | Other Heavy and Civil Engineering Construction |
| 29900 | Other | 237990 | Other Heavy and Civil Engineering Construction |
| | Transit Services | | |
| 30000 | Auto Body Repair | 811121 | Automotive body shops |
| 30100 | Auto Transport | 484220 | Automobile carrier trucking, local |
| 30200 | Automotive Services | | All work codes under "00" assigned |
| 30201 | Auto Body Repair | 811121 | Automotive body shops |

DBE Work Code Conversion Chart

| Old Work Code | | | New Work Code (NAICS + Index Descriptor) |
|---------------|--|--------|--|
| 30202 | Radiator Repair | 811118 | Automotive radiator repair shops |
| 30300 | Bus Wash Systems | 811192 | Truck and bus washes |
| 30400 | Claims Rehabilitation | 541618 | Other Management Consulting Services |
| 30500 | Light Rail | 541990 | Scientific and Technical Services |
| 30600 | Towing | 488410 | Motor vehicle towing services |
| 30700 | Transit Planning | 541330 | Traffic engineering consulting services |
| 30800 | Transportation and Travel | | All work codes under "00" assigned |
| 30801 | Car Rental (Non Concession) | | Work Code Eliminated |
| 30802 | Travel Agents | | Work Code Eliminated |
| 30803 | Private Providers | 485320 | Limousine services (except shuttle services) |
| 30900 | Vehicle Tracking Systems | 541990 | Scientific and Technical Services |
| 30901 | Automatic | 541990 | Scientific and Technical Services |
| 30902 | Vehicle Monitoring | 541990 | Scientific and Technical Services |
| 31000 | Railway Construction | 237990 | Railway construction (e.g., interlocker, roadbed, signal, track) |
| 39900 | Other | 541990 | Scientific and Technical Services |
| | Professional Design Services | | |
| 40000 | Architecture | 541310 | Architectural (except landscape) services |
| 40100 | Construction Management and Related Services | | All work codes under "00" assigned |
| 40101 | Bridge and Tunnel | 237990 | Construction management, tunnel |
| 40102 | Institutional Buildings | 236220 | Construction management, commercial and institutional building |
| 40103 | Highway and Street | 237310 | Construction management, highway, road, street and bridge |
| 40104 | Water, Sewer, Pipeline | 237110 | Construction management, water and sewer line |
| 40200 | Drafting/CAD Services | 541340 | Drafting services |
| 40300 | Engineering-Acoustical | 541330 | Acoustical engineering consulting services |
| 40400 | Engineering-Aerospace | 541330 | Civil engineering services |
| 40500 | Engineering-Civil | 541330 | Civil engineering services |
| 40600 | Engineering-Electrical | 541330 | Electrical engineering services |
| 40700 | Engineering-Environmental | 541330 | Environmental engineering services |
| 40800 | Engineering-Geological | 541330 | Geological engineering services |
| 40900 | Engineering-Geotechnical | 541330 | Geophysical engineering services |
| 41000 | Engineering-Hydrology/Hydraulics | 541330 | Civil engineering services |
| 41100 | Engineering-Mechanical | 541330 | Mechanical engineering services |
| 41200 | Engineering-Roadway Design | 541330 | Civil engineering services |
| 41300 | Engineering-Structural | 541330 | Civil engineering services |
| 41400 | Engineering-Transportation | 541330 | Traffic engineering consulting services |
| 41500 | Inspection Services | 541330 | Civil engineering services |
| 41600 | Land Surveyors | 541370 | Land surveying services |
| 41700 | Landscape Architecture | 541320 | Landscape architectural services |
| 41800 | Soils Testing | 541380 | Soil testing laboratories or services |
| 41900 | Traffic Studies and Plans | 541330 | Traffic engineering consulting services |
| 42000 | Urban Planning/Design and Related Services | 541320 | Urban planning services |
| 42001 | Preliminary Studies | 541320 | Urban planning services |
| 42002 | Airspace or Route Studies | 541990 | Scientific and Technical Services |
| 42003 | Activity Studies | 541320 | Urban planning services |
| 42004 | Economic Impact Studies | 541690 | Economic consulting services |
| 42005 | Location or Route Studies | 541320 | Urban planning services |
| 42006 | Feasibility Studies | 541320 | Urban planning services |
| 42007 | Quality Control Services | 541990 | Scientific and Technical Services |
| 42008 | Research | 541320 | Urban planning services |
| 42009 | Vehicle Traffic Access | 541320 | Urban planning services |
| 42100 | Airport Engineering and Design | 541330 | Civil engineering services |
| 42101 | Runway and Taxiways | 541330 | Civil engineering services |
| 42102 | Landside, Roads and Parking | 541330 | Civil engineering services |
| 42103 | FAA Pavement Condition Indexing (PCI) | 541330 | Civil engineering services |
| 49900 | Other | 541990 | Scientific and Technical Services |
| | Other Professional Services | | |

DBE Work Code Conversion Chart

| Old Work Code | | | New Work Code (NAICS + Index Descriptor) |
|---------------|---|--------|---|
| 50000 | Banking Services | 522110 | Commercial Banks |
| 50100 | Business Services | | All work codes under "00" assigned |
| 50101 | Accounting Auditing Services | 541211 | Accounting (i.e., CPAs) services, certified public |
| 50102 | Advertising/Public Relations/Marketing/Graphics | 541810 | Advertising agencies |
| 50103 | Consulting | 561499 | All Other Business Support Services |
| | | | Data processing services (except payroll services, financial transaction processing services) |
| 50104 | Data Processing | 518210 | |
| 50105 | Employee Services | 561499 | All Other Business Support Services |
| 50106 | Mailing Services | 561431 | Parcel mailing services, private |
| 50107 | Telephone Answering Services | 561421 | Telephone answering services |
| 50108 | Training | 611430 | Management development training |
| 50109 | Bonding Underwriters | 524298 | All Other Insurance Related Activities |
| 50200 | Communications | | All work codes under "00" assigned |
| 50201 | Telecommunications/Data/Electronic | 541618 | Telecommunications management consulting services |
| 50202 | System Consultants | 541512 | Computer systems integration analysis and design services |
| 50203 | Long Distance Services | 517110 | Long-distance telephone carriers (except wireless) |
| 50204 | Film, Video, TV Production | 512110 | Films, motion picture production |
| 50300 | Environmental/Hazmat | | All work codes under "00" assigned |
| 50301 | Environmental Impact Services | 541620 | Environmental consulting services |
| 50302 | Federal Air Regulations Part 150 Studies | 541620 | Environmental consulting services |
| 50303 | Water/Air Quality Studies | 541620 | Environmental consulting services |
| 50304 | Environmental Assessments | 541620 | Environmental consulting services |
| 50305 | Materials Testing | 541380 | Laboratory testing (except medical, veterinary) services |
| 50306 | Environmental Remediation | 541620 | Site remediation consulting services |
| 50307 | Wetland Consulting | 541620 | Environmental consulting services |
| 50400 | Insurance and Bond Services | 524298 | All Other Insurance Related Activities |
| 50500 | Interior Design/Space Planning | 541410 | Interior design services |
| 50600 | Legal Services | | All work codes under "00" assigned |
| 50601 | Attorney | 541110 | Attorneys' offices |
| 50602 | Court Reporter | 561492 | Court reporting and stenotype services |
| 50603 | Modeling | 541199 | All Other Legal Services |
| 50700 | Legislative Liaison (Lobbyist) | 541820 | Lobbying services |
| 50800 | Medical and Mental Health Services | 621111 | Medical doctors' (MDs, except mental health) offices (e.g., centers, clinics) |
| 50900 | Parking Management | 812930 | Automobile parking garages or lots |
| 51000 | Personnel Placement Services | 561311 | Employment agencies |
| 51100 | Photographic and Mapping Services | 541370 | Photogrammetric mapping services |
| 51200 | Printing Service | 323110 | Printing, lithographic (except books, grey goods, manifold business forms, quick printing) |
| 51300 | Public Involvement and Hearings | 541910 | Marketing Research and Public Opinion Polling |
| 51400 | Rebuilding of Equipment | 811310 | Commercial and Industrial machinery repair and maintenance services |
| 51500 | Salvage Services | 541990 | Scientific and Technical Services |
| 51600 | Security | 561612 | Security guard services |
| 51700 | Technical Representative Services | 541990 | Scientific and Technical Services |
| 51800 | Travel Service | 561510 | Travel agencies |
| 51900 | Upholstery Cleaning | 561740 | Upholstery cleaning services |
| 52100 | Miscellaneous Services | 541990 | Scientific and Technical Services |
| 52200 | Facility Management | 561210 | Facilities (except computer operation) support services |
| 52300 | Aviation Planning | 541990 | Scientific and Technical Services |
| 52400 | Right of Way Services | | All work codes under "00" assigned |
| 52401 | Real Estate | 531390 | Other Activities Related to Real Estate |
| 52402 | Fee Appraisals | 531320 | Real estate appraisal services |
| 52403 | Relocation Assistance | 531390 | Other Activities Related to Real Estate |
| 52500 | Equipment Rental | 532412 | Construction machinery and equipment rental or leasing without operator |
| 52600 | Locksmith | 561622 | Locksmith services |

DBE Work Code Conversion Chart

| Old Work Code | | | New Work Code (NAICS + Index Descriptor) |
|---------------|--|--------|---|
| 52700 | Uniform Cleaning Services | 812332 | Industrial launderers |
| | Manufacturers | | |
| 60000 | Architectural Supplies | | Work Code Eliminated |
| 60100 | Art, Graphics | 339942 | Artist's supplies (except paper) manufacturing |
| 60200 | Audio/Visual, Video | 334310 | Audio and Video Equipment Manufacturing |
| 60300 | Automotive Supplies | | Work Code Eliminated |
| 60301 | Auto Electrical | 336321 | Automotive lighting fixtures manufacturing |
| 60302 | Auto Glass | 327215 | Glass, automotive, made from purchased glass |
| 60303 | Auto Tires, Tubes, Chains | 326211 | Motor vehicle tires manufacturing |
| 60304 | Auto Parts | 336312 | Engines and parts (except diesel), automotive and truck, manufacturing |
| 60400 | Bearings/Couplings | 333613 | Bearings, plain (except internal combustion engine), manufacturing |
| 60500 | Beverage | 312111 | Soft drink manufacturing |
| 60600 | Bus Passenger Shelters | 339999 | All Other Miscellaneous Manufacturing |
| 60700 | Computer | 334111 | Computers manufacturing |
| 60800 | Construction Equipment | 333120 | Construction machinery manufacturing |
| 60900 | Construction Materials | | All work codes under "00" assigned |
| 60901 | Asphalt | 324121 | Asphalt Paving Mixture and Blocking Manufacturing |
| 60902 | Cement | 327310 | Cement (e.g., hydraulic, masonry, portland, pozzolana) manufacturing |
| 60903 | Concrete | 327320 | Ready-mix concrete manufacturing and distributing |
| 60904 | Fuel | | Review Required |
| 60905 | Gravel and Aggregate | 212321 | Sand and gravel quarrying (i.e., construction grade) and/or beneficiating |
| 60906 | Pipe | 331111 | Pipe, iron or steel, made in iron and steel mills |
| 60907 | Rip Rap | 212321 | Sand and gravel quarrying (i.e., construction grade) and/or beneficiating |
| 60908 | Sand | 212321 | Sand and gravel quarrying (i.e., construction grade) and/or beneficiating |
| 60909 | Suppliers of Chemicals | 325199 | Heterocyclic chemicals, not specified elsewhere by process, manufacturing |
| 60910 | Frames and Grates | 332323 | Gratings (i.e., open steel flooring) manufacturing |
| 61000 | Conveying Systems | 333922 | Belt conveyor systems manufacturing |
| 61100 | Decking | 332322 | Roof deck, sheet metal (except stampings), manufacturing |
| 61200 | Detection Systems | 334290 | Alarm systems and equipment manufacturing |
| 61300 | Diesel Engines/Components | 333618 | Diesel and semidiesel engines manufacturing |
| 61400 | Doors | | All work codes under "00" assigned |
| 61401 | Metal | 332321 | Doors, metal, manufacturing |
| 61402 | Wood | 321911 | Doors, wood and covered wood, manufacturing |
| 61403 | Overhead | 332321 | Garage doors, metal, manufacturing |
| 61500 | Electrical Products, Supplies and Components | 335931 | Lugs and connectors, electrical, manufacturing |
| 61600 | Electronics | 334413 | Microprocessor chip manufacturing |
| 61700 | Engineering Supplies | 339999 | All Other Miscellaneous Manufacturing |
| 61800 | Engines, Turbines, Components | 336312 | Engines and parts (except diesel), automotive and truck, manufacturing |
| 61900 | Fabric, Geotextile | 339999 | All Other Miscellaneous Manufacturing |
| 62000 | Fasteners | 332722 | Bolts, metal, manufacturing |
| 62100 | Fencing | 332323 | Fences and gates (except wire), metal, manufacturing |
| 62200 | Floor Coverings | 326192 | Floor coverings, linoleum, manufacturing |
| 62300 | Food | | Review Required |
| 62400 | Fuel Injectors | 336312 | Fuel injection systems and parts, automotive and truck gasoline engine, manufacturing |
| 62500 | Fuels, Lubricants, Oils, Fluids | | All work codes under "00" assigned |
| 62501 | Diesel | 324110 | Diesel fuels manufacturing |
| 62502 | Fuel Additives | 324199 | Oil-based additives made from refined petroleum |
| 62503 | Gasoline | 324110 | Gasoline made in petroleum refineries |

DBE Work Code Conversion Chart

| Old Work Code | | New Work Code (NAICS + Index Descriptor) | |
|---------------|--|--|--|
| 62504 | Greases | 324191 | Greases, petroleum lubricating, made from refined petroleum |
| 62505 | Hydraulic Fluid | 324191 | Hydraulic fluids, petroleum, made from refined petroleum |
| 62506 | Methanol | 325191 | Methyl alcohol (methanol), natural, manufacturing |
| 62507 | Oils | 324191 | Oils, petroleum lubricating, re-refining used |
| 62508 | Propane | 324110 | Propane gases made in petroleum refineries |
| 62509 | Transmission Fluid | 324191 | Transmission fluids, petroleum, made from refined petroleum |
| 62600 | Furniture, Equipment, Supplies - Hotel and Restaurant | 337127 | Restaurant furniture (e.g., carts, chairs, foodwagons, tables) manufacturing |
| 62700 | Furniture, Equipment, Supplies - Office (except computer and telecommunications) | 337211 | Office furniture, padded, upholstered, or plain wood, manufacturing |
| 62800 | Gasoline Reciprocating Engines | 336312 | Engines and parts (except diesel), automotive and truck, manufacturing |
| 62900 | Geotechnical Products | 334519 | Geophysical instruments manufacturing |
| 63000 | Glass/Windows | 327211 | Glass, plate, made in glass making plants |
| 63100 | Hardware | 332510 | Hardware Manufacturing |
| 63200 | Industrial Supplies and Equipment | 333298 | All Other Industrial Machinery Manufacturing |
| 63201 | Materials Handling Equipment | 333298 | All Other Industrial Machinery Manufacturing |
| 63300 | Information Display Centers (Schedule Holders, Etc.) | | Work Code Eliminated |
| 63400 | Interior Design Finishes | 337212 | Custom design interiors (i.e., coordinated furniture, architectural woodwork, fixtures), manufacturing |
| 63500 | Janitorial/Maintenance | | All work codes under "00" assigned |
| 63501 | Chemicals | 325612 | Floor polishes and waxes manufacturing |
| 63502 | Cleaning Equipment | 333319 | Carpet and floor cleaning equipment, electric commercial-type, manufacturing |
| 63503 | Cleaning Supplies | 325612 | Floor polishes and waxes manufacturing |
| 63504 | Incinerators | 333994 | Incinerators (except precast concrete) manufacturing |
| 63600 | Laboratory Instruments and Equipment | 333314 | Laboratory analytical optical instruments (e.g., microscopes) manufacturing |
| 63700 | Landscape Machinery and Equipment | 333112 | Lawn and garden equipment manufacturing |
| 63800 | Landscape Material | | All work codes under "00" assigned |
| 63801 | Mulch/Hay | 111940 | Hay farming (e.g., alfalfa hay, clover hay, grass hay) |
| 63802 | Nursery Stock | 111421 | Nursery stock growing |
| 63803 | Seed | 111998 | Grass seed farming |
| 63804 | Other Landscape Material | 339999 | All Other Miscellaneous Manufacturing |
| 63900 | Lighting Fixtures and Lamps | 335122 | Lighting fixtures, commercial electric, manufacturing |
| 64100 | Lumber, Millwork, Plywood, Veneer | 321113 | Lumber (i.e., rough, dressed) made from logs or bolts |
| 64200 | Manufactured Buildings/Shelters/Trailers | 332311 | Prefabricated buildings, metal, manufacturing |
| 64300 | Measuring Tools | 332212 | Measuring tools, machinist's (except optical), manufacturing |
| 64400 | Mechanical | | All work codes under "00" assigned |
| 64401 | HVAC Supplies | 333415 | Air-conditioning equipment (except motor vehicle) manufacturing |
| 64402 | Plumbing | 332913 | Plumbing fittings and couplings (e.g., compression fittings, metal elbows, metal unions) manufacturing |
| 64403 | Refrigeration | 333415 | Refrigeration equipment, industrial and commercial-type, manufacturing |
| 64500 | Medical Supplies | | Review Required |
| 64600 | Metal Bars, Sheets, Shapes, and Culverts | 332322 | Culverts, sheet metal (except stampings), manufacturing |
| 64700 | Miscellaneous Engines/Components | 336312 | Engines and parts (except diesel), automotive and truck, manufacturing |
| 64800 | Motor Vehicles | | All work codes under "00" assigned |
| 64801 | Buses | 336120 | Buses (except trackless trolley) assembling on chassis of own manufacture |
| 64802 | Cars/Trucks/Vans | 336111 | Automobiles assembling on chassis of own manufacture |

DBE Work Code Conversion Chart

| Old Work Code | | New Work Code (NAICS + Index Descriptor) | |
|---------------|---|--|---|
| 64803 | Trailers/Tractors | 336120 | Tractors, truck for highway use, assembled on chassis of own manufacture |
| 64900 | Packaging | 333993 | Packaging machinery manufacturing |
| 65000 | Paints | 325510 | Paints (except artist's) manufacturing |
| 65100 | Parks and Recreation Equipment/Structures | 339999 | All Other Miscellaneous Manufacturing |
| 65200 | Phone Cards | 339999 | All Other Miscellaneous Manufacturing |
| 65300 | Pipe and Fitting | 331111 | Pipe, iron or steel, made in iron and steel mills |
| 65400 | Plastics | | Work Code Eliminated |
| 65401 | Hardware/Software | 511210 | Software publishers |
| 65402 | Peripherals | | Work Code Eliminated |
| 65500 | Prefab Structures and Scaffolding | 332323 | Scaffolds, metal, manufacturing |
| 65600 | Printing Equipment | 333293 | Printing presses (except textile) manufacturing |
| 65700 | Promotional Products | 339999 | All Other Miscellaneous Manufacturing |
| 65800 | Publications, Books, Magazines | 323110 | Magazines and periodicals lithographic (offset) printing without publishing |
| 65900 | Pumps and Compressors | 333911 | Pumps, industrial and commercial-type, general purpose, manufacturing |
| 66000 | Recyclable Materials | 339999 | All Other Miscellaneous Manufacturing |
| 66100 | Roofing | 326299 | Roofing (i.e., single ply rubber membrane) manufacturing |
| 66200 | Safety Equipment | | All work codes under "00" assigned |
| 66201 | Eyewear | 339115 | Goggles (e.g., industrial, safety, sun, underwater) manufacturing |
| 66202 | Ear Protectors | 339113 | Noise protectors, personal, manufacturing |
| 66203 | Face Shields | 339115 | Goggles (e.g., industrial, safety, sun, underwater) manufacturing |
| 66204 | Hard Hats | 339113 | Hard hats manufacturing |
| 66205 | Other Safety Equipment | 339113 | Personal safety devices, not specified elsewhere, manufacturing |
| 66300 | Sanitation Equipment | 333319 | Other Commercial and Service Industry Machinery Manufacturing |
| 66400 | Security, Alarm, Signal Products | 334290 | Alarm systems and equipment manufacturing |
| 66500 | Shredders | | Work Code Eliminated |
| 66600 | Siding | 326199 | Siding, plastics, manufacturing |
| 66700 | Signage | | All work codes under "00" assigned |
| 66701 | Non-Electrical | 339950 | Signs and signboards (except paper, paperboard) manufacturing |
| 66702 | Electrical | 339950 | Electrical signs manufacturing |
| 66800 | Special Industry Equipment | | Work Code Eliminated |
| 66801 | Bicycle Rack Manufacturers | 336399 | Racks (e.g., bicycle, luggage, ski, tire), automotive, truck, and buses manufacturing |
| 66802 | Fuel/Water Dispensing Machines | | Work Code Eliminated |
| 66803 | Industrial Marking Machines | | Work Code Eliminated |
| 66804 | Industrial Sewing Machines | 333298 | Sewing machines (including household-type) manufacturing |
| 66805 | Metal Working Machinery | 333512 | Milling machines, metalworking, manufacturing |
| 66806 | Rubber/Plastic Working Machinery | 333220 | Plastics working machinery manufacturing |
| 66807 | Wrapping and Packaging Machinery | 333993 | Packaging machinery manufacturing |
| 66808 | Other -- Special Industry Equipment | 339999 | All Other Miscellaneous Manufacturing |
| 66900 | Specialties | 339999 | All Other Miscellaneous Manufacturing |
| 67000 | Telecommunications | | All work codes under "00" assigned |
| 67001 | Radios | 334220 | Communications equipment, mobile and microwave, manufacturing |
| 67002 | Telephone Instruments and Systems | 334210 | Telephones (except cellular telephone) manufacturing |
| 67003 | Fiber Optic Cable | 335921 | Fiber optic cable manufacturing |
| 67004 | Other Equipment | 334290 | Other Communications Equipment Manufacturing |
| 67005 | Systems | 334290 | Other Communications Equipment Manufacturing |
| 67006 | Pagers | 334220 | Pagers manufacturing |
| 67100 | Toiletries | 339999 | All Other Miscellaneous Manufacturing |

DBE Work Code Conversion Chart

| Old Work Code | | New Work Code (NAICS + Index Descriptor) | |
|---------------|---|--|---|
| 67200 | Tools | 332212 | Tools, handheld, nonpowered (except kitchen-type), manufacturing |
| 67300 | Traffic Signs | 339950 | Signs and signboards (except paper, paperboard) manufacturing |
| 67400 | Training Aids and Devices | | Work Code Eliminated |
| 67500 | Transit Supplies and Equipment | | Work Code Eliminated |
| 67501 | Automatic Fare Collection | 334514 | Fare collection equipment manufacturing |
| 67502 | Automatic Passenger Counters | | Work Code Eliminated |
| 67503 | Busters | | Work Code Eliminated |
| 67504 | Bus Parts | 336350 | Motor Vehicle Transmission and Power Train Parts Manufacturing |
| 67505 | Decollators | | Work Code Eliminated |
| 67506 | Fare Boxes, New and Used | 334514 | Fare collection equipment manufacturing |
| 67507 | Rail Equipment | 331111 | Pipe, iron or steel, made in iron and steel mills |
| 67508 | Thermo Bond | | Work Code Eliminated |
| 67509 | Tokens, Hand Imprinters | | Work Code Eliminated |
| 67600 | Trash Containers | 332313 | Trash racks, fabricated metal plate work, manufacturing |
| 67800 | Uniforms/Clothing | 315211 | Uniforms, nontailored, men's and boys', cut and sew apparel contractors |
| 67900 | Upholstery Material | | Work Code Eliminated |
| 68000 | Vending Machines | 333311 | Vending machines manufacturing |
| 68100 | Water Purification and Sewage Treatment Equipment | | Work Code Eliminated |
| 68101 | Distilled Water | | Work Code Eliminated |
| 68102 | Sewage Treatment Equipment | 333319 | Sewage treatment equipment manufacturing |
| 68103 | Water Purification Equipment | 333319 | Water treatment equipment manufacturing |
| 68104 | Water Purification Machines | 333319 | Water treatment equipment manufacturing |
| 68105 | Water Treatment Chemicals, Equipment, and Service | 333319 | Water treatment equipment manufacturing |
| 68200 | Welding Supplies and Equipment | 333992 | Welding equipment manufacturing |
| 68300 | Window Coverings | 337920 | Blinds (e.g., mini, venetian, vertical), all materials, manufacturing |
| 68400 | Precast Concrete Products | | All work codes under "00" assigned |
| 68401 | Pipe | 327332 | Precast concrete pipe manufacturing |
| 68402 | Culvert | 327332 | Precast concrete pipe manufacturing |
| 68403 | Inlets | 327332 | Precast concrete pipe manufacturing |
| 68404 | Manholes | 327332 | Precast concrete pipe manufacturing |
| 68405 | Wall Panels | 327390 | Architectural wall panels, precast concrete, manufacturing |
| 69900 | Other | 339999 | All Other Miscellaneous Manufacturing |
| | Regular Dealers | | |
| 60000 | Architectural Supplies | 423490 | Architect's equipment and supplies merchant wholesalers |
| 60100 | Art, Graphics | 424990 | Artists' supplies merchant wholesalers |
| 60200 | Audio/Visual, Video | 423620 | Audio equipment, household-type, merchant wholesalers |
| 60300 | Automotive Supplies | | All work codes under "00" assigned |
| 60301 | Auto Electrical | | Work Code Eliminated |
| 60302 | Auto Glass | 423120 | Automobile glass merchant wholesalers |
| 60303 | Auto Tires, Tubes, Chains | 423130 | Motor vehicle tire and tube merchant wholesalers |
| 60304 | Auto Parts | 423120 | Motor vehicle parts and accessories, new, merchant wholesalers |
| 60400 | Bearings/Couplings | 423840 | Bearings merchant wholesalers |
| 60500 | Beverage | 424490 | Soft drinks merchant wholesalers |
| 60600 | Bus Passenger Shelters | 423860 | Transportation equipment and supplies (except marine pleasure craft, motor vehicles) merchant wholesalers |
| 60700 | Computer | 423430 | Computers merchant wholesalers |
| 60800 | Construction Equipment | 423810 | Construction machinery and equipment merchant wholesalers |
| 60900 | Construction Materials | | All work codes under "00" assigned |

DBE Work Code Conversion Chart

| Old Work Code | | | New Work Code (NAICS + Index Descriptor) |
|---------------|--|--------|---|
| 60901 | Asphalt | 423320 | Asphalt and concrete mixtures merchant wholesalers |
| 60902 | Cement | 423320 | Cement merchant wholesalers |
| 60903 | Concrete | 327320 | Ready-mix concrete manufacturing and distributing |
| 60904 | Fuel | | Review Required |
| 60905 | Gravel and Aggregate | 423320 | Gravel, construction, merchant wholesalers |
| 60906 | Pipe | 423510 | Pipe, metal, merchant wholesalers |
| 60907 | Rip Rap | 423320 | Gravel, construction, merchant wholesalers |
| 60908 | Sand | 423320 | Sand (except industrial) merchant wholesalers |
| 60909 | Suppliers of Chemicals | 424690 | Chemicals (except agriculture) (e.g., automotive, household, industrial, photographic) merchant wholesalers |
| 60910 | Frames and Grates | 423510 | Metal products (e.g., bars, ingots, plates, rods, shapes, sheets) merchant wholesalers |
| 61000 | Conveying Systems | 423830 | Conveying equipment (except farm) merchant wholesalers |
| 61100 | Decking | 423510 | Metal products (e.g., bars, ingots, plates, rods, shapes, sheets) merchant wholesalers |
| 61200 | Detection Systems | 423610 | Alarm apparatus, electric, merchant wholesalers |
| 61300 | Diesel Engines/Components | 423120 | Engines and parts, automotive, new, merchant wholesalers |
| 61400 | Doors | 423310 | Doors and door frames merchant wholesalers |
| 61401 | Metal | 423310 | Doors and door frames merchant wholesalers |
| 61402 | Wood | 423310 | Doors and door frames merchant wholesalers |
| 61403 | Overhead | 423310 | Doors and door frames merchant wholesalers |
| 61500 | Electrical Products, Supplies and Components | 423610 | Construction materials, electrical, merchant wholesalers |
| 61600 | Electronics | 423690 | Electronic parts (e.g., condensers, connectors, switches) merchant wholesalers |
| 61700 | Engineering Supplies | 423490 | Engineers' equipment and supplies merchant wholesalers |
| 61800 | Engines, Turbines, Components | 423120 | Engines and parts, automotive, new, merchant wholesalers |
| 61900 | Fabric, Geotextile | 424310 | Textiles (except burlap, felt) merchant wholesalers |
| 62000 | Fasteners | 423710 | Fasteners (e.g., bolts, nuts, rivets, screws) merchant wholesalers |
| 62100 | Fencing | 423390 | Fencing (except wood) merchant wholesalers |
| 62200 | Floor Coverings | 423220 | Floor coverings merchant wholesalers |
| 62300 | Food | 424490 | Dried foods (e.g., fruits, milk, vegetables) merchant wholesalers |
| 62400 | Fuel Injectors | 423120 | Engines and parts, automotive, new, merchant wholesalers |
| 62500 | Fuels, Lubricants, Oils, Fluids | | All work codes under "00" assigned |
| 62501 | Diesel | 424720 | Fuel oil merchant wholesalers (except bulk stations, terminals) |
| 62502 | Fuel Additives | 424690 | Chemical additives (e.g., concrete, food, fuel, oil) merchant wholesalers |
| 62503 | Gasoline | 424720 | Gasoline merchant wholesalers (except bulk stations, terminals) |
| 62504 | Greases | 424720 | Lubricating oils and greases merchant wholesalers (except bulk stations, terminals) |
| 62505 | Hydraulic Fluid | 424720 | Lubricating oils and greases merchant wholesalers (except bulk stations, terminals) |
| 62506 | Methanol | | Work Code Eliminated |
| 62507 | Oils | 424720 | Lubricating oils and greases merchant wholesalers (except bulk stations, terminals) |
| 62508 | Propane | 424710 | Propane bulk stations and terminals |
| 62509 | Transmission Fluid | 424720 | Lubricating oils and greases merchant wholesalers (except bulk stations, terminals) |
| 62600 | Furniture, Equipment, Supplies - Hotel and Restaurant | 423210 | Hotel furniture merchant wholesalers |
| 62700 | Furniture, Equipment, Supplies - Office (except computer and telecommunications) | 423210 | Office furniture merchant wholesalers |
| 62800 | Gasoline Reciprocating Engines | 423120 | Engines and parts, automotive, new, merchant wholesalers |

DBE Work Code Conversion Chart

| Old Work Code | | New Work Code (NAICS + Index Descriptor) | |
|---------------|--|--|--|
| 62900 | Geotechnical Products | 423490 | Laboratory equipment (except dental, medical, ophthalmic) merchant wholesalers |
| 63000 | Glass/Windows | 423390 | Glass, plate, merchant wholesalers |
| 63100 | Hardware | 423710 | Hardware (except motor vehicle) merchant wholesalers |
| 63200 | Industrial Supplies and Equipment | 423830 | Industrial machinery and equipment (except electrical) merchant wholesalers |
| 63201 | Materials Handling Equipment | 423830 | Industrial machinery and equipment (except electrical) merchant wholesalers |
| 63300 | Information Display Centers (Schedule Holders, Etc.) | | Work Code Eliminated |
| 63400 | Interior Design Finishes | 444190 | Other Building Material Dealers |
| 63500 | Janitorial/Maintenance | 423850 | Janitorial equipment and supplies merchant wholesalers |
| 63501 | Chemicals | 423850 | Janitorial equipment and supplies merchant wholesalers |
| 63502 | Cleaning Equipment | 423850 | Janitorial equipment and supplies merchant wholesalers |
| 63503 | Cleaning Supplies | 423850 | Janitorial equipment and supplies merchant wholesalers |
| 63504 | Incinerators | 423830 | Furnaces, industrial process, merchant wholesalers |
| 63600 | Laboratory Instruments and Equipment | 423490 | Laboratory equipment (except dental, medical, ophthalmic) merchant wholesalers |
| 63700 | Landscape Machinery and Equipment | 423820 | Lawn maintenance machinery and equipment merchant wholesalers |
| 63800 | Landscape Material | | All work codes under "00" assigned |
| 63801 | Mulch/Hay | 424930 | Nursery stock (except plant bulbs, seeds) merchant wholesalers |
| 63802 | Nursery Stock | 424930 | Nursery stock (except plant bulbs, seeds) merchant wholesalers |
| 63803 | Seed | 424910 | Seeds (e.g., field, flower, garden) merchant wholesalers |
| 63804 | Other Landscape Material | 424930 | Nursery stock (except plant bulbs, seeds) merchant wholesalers |
| 63900 | Lighting Fixtures and Lamps | 423610 | Lighting fixtures, electric, merchant wholesalers |
| 64100 | Lumber, Millwork, Plywood, Veneer | 423310 | Lumber, Plywood, Millwork, and Wood Panel Merchant Wholesalers |
| 64200 | Manufactured Buildings/Shelters/Trailers | 423390 | Prefabricated buildings (except wood) merchant wholesalers |
| 64300 | Measuring Tools | 423830 | Measuring and testing equipment (except automotive) merchant wholesalers |
| 64400 | Mechanical | | All work codes under "00" assigned |
| 64401 | HVAC Supplies | 423730 | Air-conditioning equipment (except room units) merchant wholesalers |
| 64402 | Plumbing | 423720 | Plumbing supplies merchant wholesalers |
| 64403 | Refrigeration | 423740 | Refrigeration equipment and supplies, commercial-type, merchant wholesalers |
| 64500 | Medical Supplies | 423450 | Medical equipment merchant wholesalers |
| 64600 | Metal Bars, Sheets, Shapes, and Culverts | 423510 | Metal products (e.g., bars, ingots, plates, rods, shapes, sheets) merchant wholesalers |
| 64700 | Miscellaneous Engines/Components | 423120 | Engines and parts, automotive, new, merchant wholesalers |
| 64800 | Motor Vehicles | | Work Code Eliminated |
| 64801 | Buses | 423110 | Bus merchant wholesalers |
| 64802 | Cars/Trucks/Vans | 423110 | Automobile merchant wholesalers |
| 64803 | Trailers/Tractors | 423110 | Truck tractors, road, merchant wholesalers |
| 64900 | Packaging | 423840 | Packing materials merchant wholesalers |
| 65000 | Paints | 424950 | Paints (except artists') merchant wholesalers |
| 65100 | Parks and Recreation Equipment/Structures | 423910 | Recreational equipment and supplies (except vehicles) merchant wholesalers |
| 65200 | Phone Cards | 423690 | Communications equipment merchant wholesalers |
| 65300 | Pipe and Fitting | 423510 | Pipe, metal, merchant wholesalers |
| 65400 | Plastics | | All work codes under "00" assigned |
| 65401 | Hardware/Software | 423430 | Software, computer, packaged, merchant wholesalers |
| 65402 | Peripherals | 423420 | Office equipment merchant wholesalers |

DBE Work Code Conversion Chart

| Old Work Code | | New Work Code (NAICS + Index Descriptor) | |
|---------------|------------------------------------|--|--|
| 65500 | Prefab Structures and Scaffolding | 423390 | Prefabricated buildings (except wood) merchant wholesalers |
| 65600 | Printing Equipment | 423830 | Printing trade machinery, equipment, and supplies merchant wholesalers |
| 65700 | Promotional Products | 424990 | Other Miscellaneous Nondurable Goods Merchant Wholesalers |
| 65800 | Publications, Books, Magazines | 424920 | Books merchant wholesalers |
| 65900 | Pumps and Compressors | 423830 | Pumps and pumping equipment, industrial-type, merchant wholesalers |
| 66000 | Recyclable Materials | 423930 | Recyclable materials (e.g., glass, metal, paper) merchant wholesalers |
| 66100 | Roofing | 423330 | Roofing materials (except wood) merchant wholesalers |
| 66200 | Safety Equipment | | All work codes under "00" assigned |
| 66201 | Eyewear | 423460 | Optical goods (except cameras) merchant wholesalers |
| 66202 | Ear Protectors | 423450 | Industrial safety devices (e.g., eye shields, face shields, first-aid kits) merchant wholesalers |
| 66203 | Face Shields | 423450 | Industrial safety devices (e.g., eye shields, face shields, first-aid kits) merchant wholesalers |
| 66204 | Hard Hats | 423450 | Industrial safety devices (e.g., eye shields, face shields, first-aid kits) merchant wholesalers |
| 66205 | Other Safety Equipment | 423450 | Industrial safety devices (e.g., eye shields, face shields, first-aid kits) merchant wholesalers |
| 66300 | Sanitation Equipment | 423850 | Janitorial equipment and supplies merchant wholesalers |
| 66400 | Security, Alarm, Signal Products | 423610 | Alarm apparatus, electric, merchant wholesalers |
| 66500 | Shredders | 423830 | Industrial machinery and equipment (except electrical) merchant wholesalers |
| 66600 | Siding | 423330 | Siding (except wood) merchant wholesalers |
| 66700 | Signage | | All work codes under "00" assigned |
| 66701 | Non-Electrical | 423990 | Signs (except electrical) merchant wholesalers |
| 66702 | Electrical | 423440 | Electrical signs merchant wholesalers |
| 66800 | Special Industry Equipment | | Work Code Eliminated |
| 66801 | Bicycle Racks | 423990 | Other Miscellaneous Durable Goods Merchant Wholesalers |
| 66802 | Fuel/Water Dispensing Machines | 423830 | Pumps and pumping equipment, industrial-type, merchant wholesalers |
| 66803 | Industrial Marking Machines | 424120 | Marking devices merchant wholesalers |
| 66804 | Industrial Sewing Machines | 423830 | Sewing machines, industrial, merchant wholesalers |
| 66805 | Metal Working Machinery | 423830 | Metalworking machinery and equipment merchant wholesalers |
| 66806 | Rubber/Plastic Working Machinery | 423830 | Plastics industries machinery, equipment, and supplies merchant wholesalers |
| 66807 | Wrapping and Packaging Machinery | 423830 | Packing machinery and equipment merchant wholesalers |
| 66808 | Other – Special Industry Equipment | 423830 | Industrial machinery and equipment (except electrical) merchant wholesalers |
| 66900 | Specialties | 423830 | Industrial machinery and equipment (except electrical) merchant wholesalers |
| 67000 | Telecommunications | 423690 | Communications equipment merchant wholesalers |
| 67001 | Radios | 423690 | Radios (except household-type) merchant wholesalers |
| 67002 | Telephone Instruments and Systems | 423690 | Telephones merchant wholesalers |
| 67003 | Fiber Optic Cable | 423610 | Insulated wire or cable merchant wholesalers |
| 67004 | Other Equipment | 423690 | Communications equipment merchant wholesalers |
| 67005 | Systems | 423690 | Communications equipment merchant wholesalers |
| 67006 | Pagers | 423690 | Telephones merchant wholesalers |
| 67100 | Toiletries | 424990 | Artists' supplies merchant wholesalers |
| 67200 | Tools | 423710 | Handtools (except motor vehicle mechanics', machinists' precision) merchant wholesalers |
| 67300 | Traffic Signs | 423990 | Signs (except electrical) merchant wholesalers |
| 67400 | Training Aids and Devices | 423490 | Surveying equipment and supplies merchant wholesalers |
| 67500 | Transit Supplies and Equipment | | All work codes under "00" assigned |

DBE Work Code Conversion Chart

| Old Work Code | | New Work Code (NAICS + Index Descriptor) | |
|---------------|---|--|---|
| 67501 | Automatic Fare Collection | 423830 | Industrial machinery and equipment (except electrical) merchant wholesalers |
| 67502 | Automatic Passenger Counters | 423830 | Measuring and testing equipment (except automotive) merchant wholesalers |
| 67503 | Bursters | 423830 | Industrial machinery and equipment (except electrical) merchant wholesalers |
| 67504 | Bus Parts | 423120 | Motor vehicle parts and accessories, new, merchant wholesalers |
| 67505 | Decollators | 423830 | Industrial machinery and equipment (except electrical) merchant wholesalers |
| 67506 | Fare Boxes, New and Used | 423830 | Industrial machinery and equipment (except electrical) merchant wholesalers |
| 67507 | Rail Equipment | 423860 | Railroad equipment and supplies merchant wholesalers |
| 67508 | Thermo Bond | 423830 | Industrial machinery and equipment (except electrical) merchant wholesalers |
| 67509 | Tokens, Hand Imprinters | 423830 | Industrial machinery and equipment (except electrical) merchant wholesalers |
| 67600 | Trash Containers | 423850 | Janitorial equipment and supplies merchant wholesalers |
| 67800 | Uniforms/Clothing | 448190 | Uniform stores (except athletic) |
| 67900 | Upholstery Material | 451130 | Upholstery materials stores |
| 68000 | Vending Machines | 423440 | Vending machines merchant wholesalers |
| 68100 | Water Purification and Sewage Treatment Equipment | | All work codes under "00" assigned |
| 68101 | Distilled Water | 424490 | Bottled water (except water treating) merchant wholesalers |
| 68102 | Sewage Treatment Equipment | 423830 | Water treatment equipment, industrial, merchant wholesalers |
| 68103 | Water Purification Equipment | 423830 | Water treatment equipment, industrial, merchant wholesalers |
| 68104 | Water Purification Machines | 423830 | Water treatment equipment, industrial, merchant wholesalers |
| 68105 | Water Treatment Chemicals, Equipment, and Service | 423830 | Water treatment equipment, industrial, merchant wholesalers |
| 68200 | Welding Supplies and Equipment | 423840 | Welding supplies (except welding gases) merchant wholesalers |
| 68300 | Window Coverings | 423220 | Window shades and blinds merchant wholesalers |
| 68400 | Precast Concrete Products | 423320 | Concrete building products merchant wholesalers |
| 68401 | Pipe | 423320 | Concrete building products merchant wholesalers |
| 68402 | Culvert | 423320 | Concrete building products merchant wholesalers |
| 68403 | Inlets | 423320 | Concrete building products merchant wholesalers |
| 68404 | Manholes | 423320 | Concrete building products merchant wholesalers |
| 68405 | Wall Panels | 423320 | Concrete building products merchant wholesalers |
| 69900 | Other | 423990 | Other Miscellaneous Durable Goods Merchant Wholesalers |
| | Brokers | | |
| 60000 | Architectural Supplies | 425120 | Wholesale Trade Agents and Brokers |
| 60100 | Art, Graphics | 425120 | Wholesale Trade Agents and Brokers |
| 60200 | Audio/Visual, Video | 425120 | Wholesale Trade Agents and Brokers |
| 60300 | Automotive Supplies | 425120 | Wholesale Trade Agents and Brokers |
| 60301 | Auto Electrical | 425120 | Wholesale Trade Agents and Brokers |
| 60302 | Auto Glass | 425120 | Wholesale Trade Agents and Brokers |
| 60303 | Auto Tires, Tubes, Chains | 425120 | Wholesale Trade Agents and Brokers |
| 60304 | Auto Parts | 425120 | Wholesale Trade Agents and Brokers |
| 60400 | Bearings/Couplings | 425120 | Wholesale Trade Agents and Brokers |
| 60500 | Beverage | 425120 | Wholesale Trade Agents and Brokers |
| 60600 | Bus Passenger Shelters | 425120 | Wholesale Trade Agents and Brokers |
| 60700 | Computer | 425120 | Wholesale Trade Agents and Brokers |
| 60800 | Construction Equipment | 425120 | Wholesale Trade Agents and Brokers |
| 60900 | Construction Materials | 425120 | Wholesale Trade Agents and Brokers |

DBE Work Code Conversion Chart

| Old Work Code | | New Work Code (NAICS + Index Descriptor) | |
|---------------|--|--|------------------------------------|
| 60901 | Asphalt | 425120 | Wholesale Trade Agents and Brokers |
| 60902 | Cement | 425120 | Wholesale Trade Agents and Brokers |
| 60903 | Concrete | 425120 | Wholesale Trade Agents and Brokers |
| 60904 | Fuel | 425120 | Wholesale Trade Agents and Brokers |
| 60905 | Gravel and Aggregate | 425120 | Wholesale Trade Agents and Brokers |
| 60906 | Pipe | 425120 | Wholesale Trade Agents and Brokers |
| 60907 | Rip Rap | 425120 | Wholesale Trade Agents and Brokers |
| 60908 | Sand | 425120 | Wholesale Trade Agents and Brokers |
| 60909 | Suppliers of Chemicals | 425120 | Wholesale Trade Agents and Brokers |
| 60910 | Frames and Grates | 425120 | Wholesale Trade Agents and Brokers |
| 61000 | Conveying Systems | 425120 | Wholesale Trade Agents and Brokers |
| 61100 | Decking | 425120 | Wholesale Trade Agents and Brokers |
| 61200 | Detection Systems | 425120 | Wholesale Trade Agents and Brokers |
| 61300 | Diesel Engines/Components | 425120 | Wholesale Trade Agents and Brokers |
| 61400 | Doors | 425120 | Wholesale Trade Agents and Brokers |
| 61401 | Metal | 425120 | Wholesale Trade Agents and Brokers |
| 61402 | Wood | 425120 | Wholesale Trade Agents and Brokers |
| 61403 | Overhead | 425120 | Wholesale Trade Agents and Brokers |
| 61500 | Electrical Products, Supplies and Components | 425120 | Wholesale Trade Agents and Brokers |
| 61600 | Electronics | 425120 | Wholesale Trade Agents and Brokers |
| 61700 | Engineering Supplies | 425120 | Wholesale Trade Agents and Brokers |
| 61800 | Engines, Turbines, Components | 425120 | Wholesale Trade Agents and Brokers |
| 61900 | Fabric, Geotextile | 425120 | Wholesale Trade Agents and Brokers |
| 62000 | Fasteners | 425120 | Wholesale Trade Agents and Brokers |
| 62100 | Fencing | 425120 | Wholesale Trade Agents and Brokers |
| 62200 | Floor Coverings | 425120 | Wholesale Trade Agents and Brokers |
| 62300 | Food | 425120 | Wholesale Trade Agents and Brokers |
| 62400 | Fuel Injectors | 425120 | Wholesale Trade Agents and Brokers |
| 62500 | Fuels, Lubricants, Oils, Fluids | 425120 | Wholesale Trade Agents and Brokers |
| 62501 | Diesel | 425120 | Wholesale Trade Agents and Brokers |
| 62502 | Fuel Additives | 425120 | Wholesale Trade Agents and Brokers |
| 62503 | Gasoline | 425120 | Wholesale Trade Agents and Brokers |
| 62504 | Greases | 425120 | Wholesale Trade Agents and Brokers |
| 62505 | Hydraulic Fluid | 425120 | Wholesale Trade Agents and Brokers |
| 62506 | Methanol | 425120 | Wholesale Trade Agents and Brokers |
| 62507 | Oils | 425120 | Wholesale Trade Agents and Brokers |
| 62508 | Propane | 425120 | Wholesale Trade Agents and Brokers |
| 62509 | Transmission Fluid | 425120 | Wholesale Trade Agents and Brokers |
| 62600 | Furniture, Equipment, Supplies - Hotel and Restaurant | 425120 | Wholesale Trade Agents and Brokers |
| | Furniture, Equipment, Supplies - Office (except computer and telecommunications) | 425120 | Wholesale Trade Agents and Brokers |
| 62700 | | 425120 | Wholesale Trade Agents and Brokers |
| 62800 | Gasoline Reciprocating Engines | 425120 | Wholesale Trade Agents and Brokers |
| 62900 | Geotechnical Products | 425120 | Wholesale Trade Agents and Brokers |
| 63000 | Glass/Windows | 425120 | Wholesale Trade Agents and Brokers |
| 63100 | Hardware | 425120 | Wholesale Trade Agents and Brokers |
| 63200 | Industrial Supplies and Equipment | 425120 | Wholesale Trade Agents and Brokers |
| 63201 | Materials Handling Equipment | 425120 | Wholesale Trade Agents and Brokers |
| 63300 | Information Display Centers (Schedule Holders, Etc.) | 425120 | Wholesale Trade Agents and Brokers |
| 63400 | Interior Design Finishes | 425120 | Wholesale Trade Agents and Brokers |
| 63500 | Janitorial/Maintenance | 425120 | Wholesale Trade Agents and Brokers |
| 63501 | Chemicals | 425120 | Wholesale Trade Agents and Brokers |
| 63502 | Cleaning Equipment | 425120 | Wholesale Trade Agents and Brokers |
| 63503 | Cleaning Supplies | 425120 | Wholesale Trade Agents and Brokers |
| 63504 | Incinerators | 425120 | Wholesale Trade Agents and Brokers |
| 63600 | Laboratory Instruments and Equipment | 425120 | Wholesale Trade Agents and Brokers |

DBE Work Code Conversion Chart

| Old Work Code | | New Work Code (NAICS + Index Descriptor) | |
|---------------|---|--|------------------------------------|
| 63700 | Landscape Machinery and Equipment | 425120 | Wholesale Trade Agents and Brokers |
| 63800 | Landscape Material | 425120 | Wholesale Trade Agents and Brokers |
| 63801 | Mulch/Hay | 425120 | Wholesale Trade Agents and Brokers |
| 63802 | Nursery Stock | 425120 | Wholesale Trade Agents and Brokers |
| 63803 | Seed | 425120 | Wholesale Trade Agents and Brokers |
| 63804 | Other Landscape Material | 425120 | Wholesale Trade Agents and Brokers |
| 63900 | Lighting Fixtures and Lamps | 425120 | Wholesale Trade Agents and Brokers |
| 64100 | Lumber, Millwork, Plywood, Veneer | 425120 | Wholesale Trade Agents and Brokers |
| 64200 | Manufactured Buildings/Shelters/Trailers | 425120 | Wholesale Trade Agents and Brokers |
| 64300 | Measuring Tools | 425120 | Wholesale Trade Agents and Brokers |
| 64400 | Mechanical | 425120 | Wholesale Trade Agents and Brokers |
| 64401 | HVAC Supplies | 425120 | Wholesale Trade Agents and Brokers |
| 64402 | Plumbing | 425120 | Wholesale Trade Agents and Brokers |
| 64403 | Refrigeration | 425120 | Wholesale Trade Agents and Brokers |
| 64500 | Medical Supplies | 425120 | Wholesale Trade Agents and Brokers |
| 64600 | Metal Bars, Sheets, Shapes, and Culverts | 425120 | Wholesale Trade Agents and Brokers |
| 64700 | Miscellaneous Engines/Components | 425120 | Wholesale Trade Agents and Brokers |
| 64800 | Motor Vehicles | 425120 | Wholesale Trade Agents and Brokers |
| 64801 | Buses | 425120 | Wholesale Trade Agents and Brokers |
| 64802 | Cars/Trucks/Vans | 425120 | Wholesale Trade Agents and Brokers |
| 64803 | Trailers/Tractors | 425120 | Wholesale Trade Agents and Brokers |
| 64900 | Packaging | 425120 | Wholesale Trade Agents and Brokers |
| 65000 | Paints | 425120 | Wholesale Trade Agents and Brokers |
| 65100 | Parks and Recreation Equipment/Structures | 425120 | Wholesale Trade Agents and Brokers |
| 65200 | Phone Cards | 425120 | Wholesale Trade Agents and Brokers |
| 65300 | Pipe and Fitting | 425120 | Wholesale Trade Agents and Brokers |
| 65400 | Plastics | 425120 | Wholesale Trade Agents and Brokers |
| 65401 | Hardware/Software | 425120 | Wholesale Trade Agents and Brokers |
| 65402 | Peripherals | 425120 | Wholesale Trade Agents and Brokers |
| 65500 | Prefab Structures and Scaffolding | 425120 | Wholesale Trade Agents and Brokers |
| 65600 | Printing Equipment | 425120 | Wholesale Trade Agents and Brokers |
| 65700 | Promotional Products | 425120 | Wholesale Trade Agents and Brokers |
| 65800 | Publications, Books, Magazines | 425120 | Wholesale Trade Agents and Brokers |
| 65900 | Pumps and Compressors | 425120 | Wholesale Trade Agents and Brokers |
| 66000 | Recyclable Materials | 425120 | Wholesale Trade Agents and Brokers |
| 66100 | Roofing | 425120 | Wholesale Trade Agents and Brokers |
| 66200 | Safety Equipment | 425120 | Wholesale Trade Agents and Brokers |
| 66201 | Eyewear | 425120 | Wholesale Trade Agents and Brokers |
| 66202 | Ear Protectors | 425120 | Wholesale Trade Agents and Brokers |
| 66203 | Face Shields | 425120 | Wholesale Trade Agents and Brokers |
| 66204 | Hard Hats | 425120 | Wholesale Trade Agents and Brokers |
| 66205 | Other Safety Equipment | 425120 | Wholesale Trade Agents and Brokers |
| 66300 | Sanitation Equipment | 425120 | Wholesale Trade Agents and Brokers |
| 66400 | Security, Alarm, Signal Products | 425120 | Wholesale Trade Agents and Brokers |
| 66500 | Shredders | 425120 | Wholesale Trade Agents and Brokers |
| 66600 | Siding | 425120 | Wholesale Trade Agents and Brokers |
| 66700 | Signage | 425120 | Wholesale Trade Agents and Brokers |
| 66701 | Non-Electrical | 425120 | Wholesale Trade Agents and Brokers |
| 66702 | Electrical | 425120 | Wholesale Trade Agents and Brokers |
| 66800 | Special Industry Equipment | 425120 | Wholesale Trade Agents and Brokers |
| 66801 | Bicycle Rack Manufacturers | 425120 | Wholesale Trade Agents and Brokers |
| 66802 | Fuel/Water Dispensing Machines | 425120 | Wholesale Trade Agents and Brokers |
| 66803 | Industrial Marking Machines | 425120 | Wholesale Trade Agents and Brokers |
| 66804 | Industrial Sewing Machines | 425120 | Wholesale Trade Agents and Brokers |
| 66805 | Metal Working Machinery | 425120 | Wholesale Trade Agents and Brokers |
| 66806 | Rubber/Plastic Working Machinery | 425120 | Wholesale Trade Agents and Brokers |
| 66807 | Wrapping and Packaging Machinery | 425120 | Wholesale Trade Agents and Brokers |

DBE Work Code Conversion Chart

| Old Work Code | | New Work Code (NAICS + Index Descriptor) | |
|---------------|---|--|------------------------------------|
| 66808 | Other -- Special Industry Equipment | 425120 | Wholesale Trade Agents and Brokers |
| 66900 | Specialties | 425120 | Wholesale Trade Agents and Brokers |
| 67000 | Telecommunications | 425120 | Wholesale Trade Agents and Brokers |
| 67001 | Radios | 425120 | Wholesale Trade Agents and Brokers |
| 67002 | Telephone Instruments and Systems | 425120 | Wholesale Trade Agents and Brokers |
| 67003 | Fiber Optic Cable | 425120 | Wholesale Trade Agents and Brokers |
| 67004 | Other Equipment | 425120 | Wholesale Trade Agents and Brokers |
| 67005 | Systems | 425120 | Wholesale Trade Agents and Brokers |
| 67006 | Pagers | 425120 | Wholesale Trade Agents and Brokers |
| 67100 | Toiletries | 425120 | Wholesale Trade Agents and Brokers |
| 67200 | Tools | 425120 | Wholesale Trade Agents and Brokers |
| 67300 | Traffic Signs | 425120 | Wholesale Trade Agents and Brokers |
| 67400 | Training Aids and Devices | 425120 | Wholesale Trade Agents and Brokers |
| 67500 | Transit Supplies and Equipment | 425120 | Wholesale Trade Agents and Brokers |
| 67501 | Automatic Fare Collection | 425120 | Wholesale Trade Agents and Brokers |
| 67502 | Automatic Passenger Counters | 425120 | Wholesale Trade Agents and Brokers |
| 67503 | Bursters | 425120 | Wholesale Trade Agents and Brokers |
| 67504 | Bus Parts | 425120 | Wholesale Trade Agents and Brokers |
| 67505 | Decollators | 425120 | Wholesale Trade Agents and Brokers |
| 67506 | Fare Boxes, New and Used | 425120 | Wholesale Trade Agents and Brokers |
| 67507 | Rail Equipment | 425120 | Wholesale Trade Agents and Brokers |
| 67508 | Thermo Bond | 425120 | Wholesale Trade Agents and Brokers |
| 67509 | Tokens, Hand Imprinters | 425120 | Wholesale Trade Agents and Brokers |
| 67600 | Trash Containers | 425120 | Wholesale Trade Agents and Brokers |
| 67800 | Uniforms/Clothing | 425120 | Wholesale Trade Agents and Brokers |
| 67900 | Upholstery Material | 425120 | Wholesale Trade Agents and Brokers |
| 68000 | Vending Machines | 425120 | Wholesale Trade Agents and Brokers |
| 68100 | Water Purification and Sewage Treatment Equipment | 425120 | Wholesale Trade Agents and Brokers |
| 68101 | Distilled Water | 425120 | Wholesale Trade Agents and Brokers |
| 68102 | Sewage Treatment Equipment | 425120 | Wholesale Trade Agents and Brokers |
| 68103 | Water Purification Equipment | 425120 | Wholesale Trade Agents and Brokers |
| 68104 | Water Purification Machines | 425120 | Wholesale Trade Agents and Brokers |
| 68105 | Water Treatment Chemicals, Equipment, and Service | 425120 | Wholesale Trade Agents and Brokers |
| 68200 | Welding Supplies and Equipment | 425120 | Wholesale Trade Agents and Brokers |
| 68300 | Window Coverings | 425120 | Wholesale Trade Agents and Brokers |
| 68400 | Precast Concrete Products | 425120 | Wholesale Trade Agents and Brokers |
| 68401 | Pipe | 425120 | Wholesale Trade Agents and Brokers |
| 68402 | Culvert | 425120 | Wholesale Trade Agents and Brokers |
| 68403 | Inlets | 425120 | Wholesale Trade Agents and Brokers |
| 68404 | Manholes | 425120 | Wholesale Trade Agents and Brokers |
| 68405 | Wall Panels | 425120 | Wholesale Trade Agents and Brokers |
| 69900 | Other | 425120 | Wholesale Trade Agents and Brokers |
| | Concessionaires | | |
| 70000 | Concessionaires | | Review Required |
| 70001 | Food and Beverage | | Review Required |
| 70002 | Rental Car | 995010 | Rental Cars |
| 70003 | Retail | | Review Required |
| 70004 | Service | 994000 | Business & Professional Service |
| | Airport Concessions - ACDBE | | |
| 80100 | Food & Beverage | | Review Required |
| 80200 | Car Rental | 995010 | Rental Cars |
| 80300 | Retail | | Review Required |
| 80400 | Service | | Review Required |
| 80401 | Business & Professional Services | 994000 | Business & Professional Service |
| 80402 | Communications | 994000 | Business & Professional Service |

DBE Work Code Conversion Chart

| Old Work Code | | New Work Code (NAICS + Index Descriptor) | |
|---------------|---|--|------------------------------------|
| 80403 | Currency & Banking | 994010 | Currency Exchange |
| 80404 | Management | 994000 | Business & Professional Service |
| 80405 | Specialty Service | 994000 | Business & Professional Service |
| 80500 | Goods & Services to Airport Concessions | | Review Required |
| 80501 | Goods | 994071 | Goods to Airport Concessions |
| 80502 | Business & Professional Services | 994072 | Business and professional services |
| 80503 | Communications | 994072 | Business and professional services |
| 80504 | Janitorial | 994073 | Janitorial |
| 80505 | Maintenance | 994074 | Maintenance |
| | | | |
| | | | |

Bulletin Board Required Posters

- [Colorado Anti-Discrimination](#)
 - o English Only
- [Colorado Employment Security Act \(Unemployment Insurance\)](#)
 - o English/Spanish
- [Colorado Minimum Wage Poster - 2016](#)
 - o English and Spanish
- [Colorado Notice of Paydays](#)
 - o English Only
- [Colorado Notice to Employer of Injury](#)
 - o English Only
- [Colorado Worker's Compensation](#)
 - o English and Spanish
- [Company EEO Policy - CDOT Form 388](#)
 - o English Only
- [EEO is the Law](#)
 - o English and Spanish
- [EEO is the Law Supplement](#)
 - o English and Spanish
- [Emergency Phone Numbers - CDOT Form 140](#)
 - o English Only
- [Employee Polygraph Protection Act - WH 1462](#)
 - o English and Spanish
- [Employee Rights under the FLSA - WH Form 1088](#)
 - o English and Spanish
- [Employee Rights for Workers with Disabilities Paid at Special Minimum Wages - WH Form 1284](#)
 - o English and Spanish
- [Employee Rights Under the Davis-Bacon Act - WH 1321](#)
 - o English and Spanish
- [Employee Rights Under the National Labor Relations Act](#)
 - o English and Spanish
- [Family and Medical Leave Act - WH 1420](#)
 - o English and Spanish
- [Job Safety and Health - OSHA 3165](#)
 - o English and Spanish
- [Notice to Unions or Other Hiring Agencies - CDOT Form 465](#)
 - o English Only
- [Penalty for False Statements - FHWA Form 1022](#)
 - o English Only
-  [Prompt Payment](#)
 - o English Only
- [Your Rights Under USERRA](#)

- English Only
- The Uniformed Service Employment and Reemployment Rights Act
 - English Only
- Optional - Whistleblower - Know Your Rights
 - English
- Colorado Workers Compensation information (obtain from insurance company)
- USDOL Minimum Wage Decision(s) from contract and any approved conformance requests

Below is the link to the required bulletin board posters:

<https://www.codot.gov/business/bidding/bulletin-board-postings>

CDOT's On the Job Training Special Provision

July 29, 2011

ON THE JOB TRAINING

This training special provision is an implementation of 23 U.S.C. 140 (a). The Contractor shall meet the requirements of the FHWA 1273 for all apprentices and trainees.

As part of the Contractor's Equal Employment Opportunity Affirmative Action Program, training shall be provided on projects as follows:

1. The Contractor shall provide on the job training aimed at developing full journey workers in the skilled craft identified in the approved training plan. The Contractor shall provide at a minimum, required training hours listed in the Project Special Provisions for each project.
2. The primary objective of this specification is to train and upgrade women and minority candidates to full journey worker status. The Contractor shall make every reasonable effort to enroll and train minority and women workers. This training commitment shall not be used to discriminate against any applicant for training whether or not the applicant is a woman or minority.
3. The Contractor may employ temporary workers from CDOT supportive services providers to meet OJT requirements. Information pertaining to supportive services providers may be obtained by calling the CDOT OJT Coordinator at the number shown on the link <https://www.codot.gov/business/equal-opportunity/training.html>
4. An employee shall not be employed or utilized as a trainee in a skilled craft in which the employee has achieved journey status.
5. The minimum length and type of training for each skilled craft shall be as established in the training program selected by the Contractor and approved by the Department and the Colorado Division of the Federal Highway Administration (FHWA), or the U. S Department of Labor (DOL), Office of Apprenticeship or recognized state apprenticeship agency. To obtain assistance or program approval contact:

CDOT Center for Equal Opportunity
4201 East Arkansas Avenue
Denver, CO 80222
eo@dot.state.co.us
1-800-925-3427

6. The Contractor shall pay the training program wage rates and the correct fringe benefits to each approved trainee employed on the project and enrolled in an approved program. The minimum trainee wage shall be no less than the wage for the Guardrail Laborer classification as indicated in the wage decision for the project.
7. The CDOT Regional Civil Rights Manager must approve all proposed apprentices and trainees for the participation to be counted toward the project goal and reimbursement. Approval must occur before training begins. Approval for the apprentice or trainee to begin work on a CDOT project will be based on:
 - A. Evidence of the registration of the trainee or apprentice into the approved training program.
 - B. The completed Form 838 for each trainee or apprentice as submitted to the Engineer.
8. Before training begins, the Contractor shall provide each trainee with a copy of the approved training program, pay scale, pension and retirement benefits, health and disability benefits, promotional opportunities, and company policies and complaint procedures.

ON THE JOB TRAINING

9. Before training begins, the Contractor shall submit a copy of the approved training program and CDOT Form 1337 to the Engineer. Progress payments may be withheld until this is submitted and approved and may be withheld if the approved program is not followed.
10. On a monthly basis, the Contractor shall provide to the Engineer a completed On the Job Training Progress Report (Form 832) for each approved trainee or apprentice on the project. The Form 832 will be reviewed and approved by the Engineer before reimbursement will be made. The Contractor will be reimbursed for no more than the OJT Force Account budget. At the discretion of the Engineer and if funds are available, the Engineer may increase the force account budget and the number of reimbursable training hours through a Change Order. The request to increase the force account must be approved by the Engineer prior to the training.
11. Upon completion of training, transfer to another project, termination of the trainee or notification of final acceptance of the project, the Contractor shall submit to the Engineer a "final" completed Form 832 for each approved apprentice or trainee.
12. All forms are available from the CDOT Center for Equal Opportunity, through the CDOT Regional Civil Rights Manager, or on CDOT's website at <https://www.codot.gov/business/bidding/Bidding%20Forms/Bid%20Winner%20Forms>
13. Forms 838 and 832 shall be completed in full by the Contractor. Reimbursement for training is based on the number of hours of on the job training documented on the Form 832 and approved by the Engineer. The Contractor shall explain discrepancies between the hours documented on Form 832 and the corresponding certified payrolls.
14. The OJT goal (# of training hours required) for the project will be included in the Project Special Provisions and will be determined by the Regional Civil Rights Manager after considering:
 - A. Availability of minorities, women, and disadvantaged for training;
 - B. The potential for effective training;
 - C. Duration of the Contract;
 - D. Dollar value of the Contract;
 - E. Total normal work force that the average bidder could be expected to use;
 - F. Geographic location;
 - G. Type of work; and
 - H. The need for additional journey workers in the area
 - I. The general guidelines for minimum total training hours are as follows:

| Contract dollar value | Minimum total training hours to be provided on the project |
|--|--|
| Up to 1 million | 0 |
| >1 - 2 million | 320 |
| >2 - 4 million | 640 |
| >4 - 6 million | 1280 |
| >6 - 8 million | 1600 |
| >8 - 12 million | 1920 |
| >12 - 16 million | 2240 |
| >16 - 20 million | 2560 |
| For each increment of \$5 million, over \$20 million | 1280 |

ON THE JOB TRAINING

15. The number of training hours for the trainees to be employed on the project shall be as shown in the Contract. The trainees or apprentices employed under the Contract shall be registered with the Department using Form 838, and must be approved by the Regional Civil Rights Manager before training begins for the participation to be counted toward the OJT project goal. The goal will be met by an approved trainee or apprentice working on that project; or, if a Contractor's apprentice is enrolled in a DOL approved apprenticeship program and registered with CDOT using Form 838 and working for the Contractor on a non-CDOT project. The hours worked on the non-CDOT project may be counted toward the project goal with approved documentation on Form 832. Training hours will be counted toward one project goal.
16. Subcontractor trainees who are enrolled in an approved Program may be used by the Contractor to satisfy the requirements of this specification.
17. The Contractor will be reimbursed \$2.00 per hour worked for each apprentice or trainee working on a CDOT project and whose participation toward the OJT project goal has been approved
18. The Contractor shall have fulfilled its responsibilities under this specification if the CDOT Regional Civil Rights Manager has determined that it has provided acceptable number of training hours.
19. Failure to provide the required training will result in the following disincentives: A sum representing the number of training hours specified in the Contract, minus the number of training hours worked as certified on Form 832, multiplied by the journey worker hourly wages plus fringe benefits [(A hours - B hours worked) x (C dollar per hour + D fringe benefits)] = Disincentives Assessed. Wage rate will be determined by averaging the wages for the crafts listed on Form 1337. The Engineer will provide the Contractor with a written notice at Final Acceptance of the project informing the Contractor of the noncompliance with this specification which will include a calculation of the disincentives to be assessed.

CDOT OJT Action Checklist

- ___ Review plans and specs
 - ___ OJT goal (hours)
 - ___ Plan F/A dollar amount (do not exceed plan without a change order)
Item Code 700-70021 @ 2.00/hour

PRE-CONSTRUCTION ACTIONS

- ___ CDOT OJT Form 1337 (Contractor Commitment to Meet OJT Requirements)
- ___ CDOT Form 838's (Trainee & Apprentice Roster)
- ___ Copy of approved Training plan submitted
- ___ Trainee acceptance/certification approval in program
 - ___ Yes
 - Send/scan originals to Civil Rights Office
 - Copies for project book
 - ___ No
 - Send CDOT Form 105 to prime contractor giving 2 weeks to comply
 - If not in compliance, send second 105 (copy to Civil Rights Office) and monthly progress estimate may be withheld

CONSTRUCTION ACTIONS

- ___ CDOT OJT Form 832's (Trainee Status & Evaluation Report) submitted monthly
 - ___ Yes
 - Send copies to Civil Rights Office
 - Keep originals in the project book, CDOT Form 266 (Inspector Progress Report) & SM Form 305
 - Calculate payment due - Total approved trainee hours worked times \$2.00/Hr
 - ___ No
 - Notify Contractor - send CDOT Form 105 to prime Contractor stating that they will be held in non-compliance if not turned in giving 1 week to comply
 - If a second notice is necessary, you must send a copy to the Civil Rights Office who may assess damages
 - Monthly Progress Estimate may be withheld
- ___ CDOT OJT Form 1336 (Request for Waiver on Contract's OJT Training Hours) with the Contractor's written explanation been submitted to the Civil Rights Office?
 - ___ Yes
 - Work with the Region Civil Rights Manager for resolution
 - ___ No

- Notify Contractor in writing of Non compliance - 14 days to respond with a written explanation

____ CDOT OJT Form 200 (OJT Trainee Interview) if needed

POST-CONSTRUCTION ACTIONS

____ Region Civil Rights Manager will make OJT Assessment determination at end of project

- Item Code 900-00028 in category 200

CDOT Payroll Review Action Checklist

Contractor:

Project Code:

Project Subaccount Code:

Payroll Period Week Ending:

- CDOT Form 118 attached to payroll (3/07 version)
- Contractor/Subcontractor Name
- Project Code
- Project Subaccount Number
- Payroll Period established
- Payroll correctly numbered and signed by appointed party (first page)
- If first payroll, payroll supervisor (designee) appointed
- Fringe benefit administrator(s) listed and described
- Form 118 completed in full/original signature (second page)
- Form 205B on file (if subcontractor)
- 7 day pay period established/constant
- Correct day(s) worked show on payroll
- Reasonable number of employees shown
- All weeks to date accounted for (includes no workweeks)
- If any trainee(s)/apprentice(s), documentation received/approved
- If any trainee(s)/apprentice(s) during week, conformed to ratio
- Employee's name/unique identification number (last 4 digits of ssn or employee id)
- CDOT classification codes included
- Classifications titles reflect type of work performed on site
- Payroll form reflects number of hours worked per day
- Payroll form reflects number of hours worked per week
- 1.5 Davis Bacon base rate paid when hours worked exceeds 40 hours
- Employees hours wage rate(s) are shown
- Wage rate minimum of wage decision required
- Classifications/wages match CDOT Form 280 interview (if applicable)
- Gross wages are shown (CDOT and nonCDOT)
- Deductions shown and are reasonable
- Deductions are allowable
- "Other" deductions are explained
- Deductions have back up documentation when required
- Fringes shown as hourly amount (or can be calculated)
- Cash fringe + plan fringe = minimum of Davis Bacon fringe
- Pension fund fringe
 - **If pension fringe benefit is shown, can request copy of executive summary/address for submission to HQ
- Net wages paid are shown

US DOL Davis Bacon Minimum Wages

Colorado

CDOT uses US DOL's wage decisions for federal projects. Colorado does not have its own state wages.

Colorado's most current Davis Bacon Wage tables can be found at:

<https://www.codot.gov/business/designsupport/construction-specifications/2011-Specs/standard-special-provisions/mics>