

DEI CONTRACT COMPLIANCE REQUIREMENTS

Date: _____

Contract Name: _____

Contract Number: _____

Prime Contractor/Developer: _____

Compliance Officer's Name: _____

Compliance Officer's Email: _____

Forms, Posters, and Checklists

All forms, posters, and checklists referenced below are located on the Department of Economic Inclusion's website at <http://cincinnati-oh.gov/inclusion/forms/>. This document should be shared with all contractors working on the project.

Subcontracting

The following subcontractor documentation must be submitted in the time and manner stated below:

- **Vendor Compliance and Certification System (VCCS):**
 Subcontractor information must be entered into this system to track payments to subcontractors and completion towards meeting the inclusion goals for this contract. VCCS can be accessed at www.cincinnati.diversitycompliance.com. A copy of the VCCS user guide will be provided.
 - o The prime/developer enters payments to subcontractors within the month they were made, regardless of when payment was received from the City. Subcontractors must confirm these payments.

- **Subcontractor Approval Request Form 2004:**
 This form must be submitted **prior to any subcontractor beginning work on the project site**, and must be submitted via VCCS along with the subcontractor approval request. All sections of the form must be completed, or your request will be returned for completion in VCCS. This is the only form suppliers are required to submit.
 - o **Subcontractor Agreements:** When available, submit subcontractor agreements with your subcontractor approval request in VCCS.

- **Subcontractor Substitution Request Form 2006 (if applicable):**
 This form must be submitted, reviewed, and approved by DEI prior to termination of a contract with a City certified business after the bids or proposals have been submitted or the contract has been awarded. The Contractor must provide a written explanation for the request. This form must be submitted via VCCS along with the subcontractor approval request.
 - o **Contract Goals:**
 This contract has _____ participation goal(s).
 - o Each City certified contractor must perform a Commercially Useful Function on the project as defined in [CMC Chapter 324 Sec. 324-1-C3](#) to count towards the contract inclusion goals.

Prevailing Wage

This is a **STATE** Prevailing Wage Project (_____ rates apply). As such, the following items require your compliance in the time and/or manner stated below.

- **Prevailing Wage Rates Poster and Equal Employment Opportunity Poster:**
 A copy of the current Prevailing Wage Rates Poster and the City’s Equal Employment Opportunity Poster must both be posted at the jobsite and readily available for employees/subcontractors to view throughout the duration of the contract.

- **Certified Payroll Reports and LCP Tracker:**
 The prime/developer is responsible for submitting Certified Payroll Reports for their company’s employees and approving the Certified Payroll Reports of all other subcontractors working on the project as the Prime Approver. All payrolls must be submitted through LCP Tracker.
 - LCP Tracker is the online payroll submission system used by the City of Cincinnati and can be accessed via www.lcptracker.com. Please submit the initial payroll into LCP Tracker within 2 weeks of starting work on the project and submit all subsequent payrolls no less than monthly. Timely payment of invoices is contingent upon receipt and approval of Certified Payroll Reports. Additional user information can be found in the [LCPtracker Contractor User Guide](#).
 - **NOTE:** Only DEI Compliance Officers are authorized to add subcontractors to the contract in LCP Tracker.

- **Other Prevailing Wage Forms:**
 All forms mentioned below must be uploaded into LCP Tracker.
 - **Prevailing Wage Notifications/Union Affiliation Letters:**
 These are required at the beginning of the project before work begins.
 - **Union Affiliation Letter:** If the contractor is union affiliated, a Union Affiliation Letter on union letterhead signed by a union representative is required. Union Affiliation Letters must represent all job classifications of employees working on the project.
 - **Prevailing Wage Notification:** If a contractor is not union affiliated, a signed Prevailing Wage Notification is required for each employee.

 - **Schedule of Payments and Payroll Dates:**
 All contractors performing work on the project must provide a list of all dates the contractor will pay their employees for the duration of the project prior to beginning work on the project.

 - **Apprentices:**
 Apprenticeship certificates must be uploaded in LCP Tracker for approval by DEI before Certified Payroll Reports with apprentices can be submitted. The certificate must be issued by the U.S. Department of Labor. Please email your Compliance Officer for approval once the apprenticeship certificates are uploaded to avoid delays in certified payroll submissions.

 - **DEI Final Affidavit of Prevailing Wages Form 104:**
 Upon completion of work by the Prime and each subcontractor, this Final Affidavit must be completed, notarized, and submitted in LCP Tracker. Final Affidavits must be submitted and approved before final pay applications can be approved by DEI.

- **DEI Final Affidavit of Prevailing Wages for Truckers Form 105 (if applicable):** If a trucking firm claims the *de minimis* exemption to prevailing wage laws, the DEI Final Affidavit of Prevailing Wages for Truckers Form 105 must be submitted in LCP tracker.

Wage Enforcement

This contract is subject to the City’s Wage Enforcement Ordinance ([CMC 326](#)). As such, the following items require your compliance in the time and/or manner stated below:

- **Subcontractor Utilization Plan Form WE-20:**
This must be submitted by the prime/developer and any other contractor who intends to hire a subcontractor prior to commencing work on the project. This form must be submitted with the subcontractor addition request in VCCS.
- **Affidavit Regarding Wage Theft or Payroll Fraud Form WE-30:**
This must be submitted for every contractor prior to their commencement of work on the project. If a company has any affiliates, they must be disclosed in section 1F. **If a company does not have any affiliated companies, they must state “none” in this section, “n/a” is not an acceptable response. If “n/a” is written in this section, the form will be returned for correction.**
- **Wage Enforcement Poster:**
This poster must be displayed on the job site in a location visible to employees throughout the duration of the project.

Wage Enforcement Complaints:

If there is a wage enforcement complaint filed against any contractor on the project, the following documentation is required in the time or manner stated below.

- **Supplemental Affidavit Regarding Wage Theft or Payroll Fraud Form WE-40:** This form must be filed within 30 calendar days of knowledge of the complaint and submitted to DEI for review.
- **Complaint of Wage Theft of Payroll Fraud Form WE-50:** This form may be used by workers or others to outline the allegations of wage theft or payroll fraud. This can be used to file the original complaint with DEI.
- **Report of Wage Theft of Payroll Fraud Complaint Filed with State or Federal Agency Form WE-60:** This form must be filed within 30 calendar days of knowledge of the complaint and submitted to DEI for review.

Change Orders

If a change order is issued on the project, the prime/developer must notify DEI as soon as possible. A change order is defined as any written alteration in specifications, delivery point, rate of delivery, period of performance, service, quantity or other provisions of any contract per [CMC 321 Sec. 321-1-C5](#).

Ohio Means Jobs (OMJ) Employment Postings

Contractors and subcontractors on City construction contracts must use their best efforts to post their available employment opportunities with the Ohio Means Jobs Center. To meet the job-posting requirements, contractors should contact the Ohio Means Jobs Center whenever they or any of their subcontractors have available employment opportunities within their organization.

- Opportunities can be mailed to Ohio Means Jobs Center, 1916 Central Parkway, Cincinnati, Ohio 45214. OMJ can be reached by phone at 513-946-7200 or via email at OMJHamil@jfs.ohio.gov.