

A&E Subcontractor Utilization Data Tracking Process Guidance

Phase 1: Tracking Subcontractors Paid

PURPOSE

This document provides process guidance and direction for ODOT staff and consultants in gathering necessary data regarding utilization of A&E subcontractors for ODOT highway projects.

INTRODUCTION

ODOT receives funding from various sources. It is the interest of the public, small business community, state legislature, and federal/local government that funding for projects be used to diversify the workforce and create opportunities for small businesses.

For projects that include federal funding, there are FHWA requirements for DBE programs, and goal setting rules apply if so determined by a disparity study. Similarly, for non-federally funded projects, there are legislative requirements for MWESB programs and aspirational targets. Technically, these requirements apply to both construction and A&E utilization, but the focus has traditionally been on construction only.

The most recent disparity study revealed ODOT's lack of available A&E data, as compared to the availability of construction data, and identified the need to place an emphasized focus on data collection and review of A&E firm utilization. Without the data, ODOT and A&E firms cannot clearly demonstrate the opportunities we are providing to develop a diverse workforce.

This process is Phase 1 of a larger program streamlining effort and focuses solely on gathering the necessary data. This includes the creation of a basic data collection and reporting system for subcontractor utilization and prepares ODOT for the next disparity study scheduled to begin in October 2010. Phase 2 will focus on compliance and monitoring forms and processes.

DEFINITIONS/ACRONYMS

APM	Agency's Project Manager - responsible for managing/approving the deliverables/outcome of the contract and overseeing the project and consultant. May also serve as the CA.
CA	Contract Administrator - responsible for administering the contract terms and conditions, invoice and payment processing, etc. May also serve as the APM.
Contract	Includes Price Agreement (PA), Personal Services Contract (PSK), and Work Order Contract (WOC)
Contractor	Refers generically to a Contractor, Consultant or Vendor that ODOT

has entered into a contract or other agreement with.

DBE	Disadvantaged Business Enterprises. Assigned on federally funded projects only.
MWESB	Minority, Women, Emerging Small Business. Assigned on non-federally funded projects only.
OPO	ODOT Procurement Office
OCR	ODOT Office of Civil Rights
SOW	Statement of Work. The portion of a contract that identifies and defines the scope of the work to be performed, the required deliverables/tasks, the general project timeframes, and the performance expectations.

CONTRACT INITIATION & PLANNING

1. **APM** or other initiator -Send SOW (or project scope and tasks) for solicitations to OPO.
2. **OPO** - Send SOW to OCR DBE/MWESB Program Manager via email to: ODOTAEcontractordata@odot.state.or.us with “Goal Request” in subject line to request DBE Goal or MWESB Aspirational Target.
3. **OCR** - Review SOW, determine goal and communicate goal to OPO via email.
4. **OPO** - Notify APM of goal for inclusion in solicitation document and/or Contract.

CONTRACT EXECUTION & CONTROL

1. **Contractor** - Complete and submit to the APM a [“Summary Report of Subcontractors Paid” Form 734-2722](#), by the 5th of each month following receipt of payment from the Agency, certifying payments made to subcontractors.
2. **APM** - Verify utilization of subs included on invoice and forward the completed Summary Report of Subcontractors Paid form to assigned OCR Field Representative.
3. **OCR Field Representative** - Review and enter the information into the CRCT database within 5 days.

INVOICING

1. **Contractor** - Send invoice to CA, in accordance to the invoice requirements referenced in the Contract.
2. **CA** - Review invoice for completeness, appropriate billing rates and contract validity. Send APM a [“Payment Approval” Form 734-2833](#) along with a copy of the invoice. This form is **required** for non-construction payment authorizations.

3. **APM** - Review invoice to verify check-listed items for compliance with contractual requirements and recommend approving or not approving payment of invoice. APM is responsible for ensuring all required forms as listed in the Contract are submitted. APM may choose to withhold payment if Contractor does not provide required forms timely and/or accurately.
4. If recommending approval of invoice, **APM** submits Payment Approval form to CA for payment allocation information and payment processing.
5. If recommending not approving invoice, **APM** works with CA, Contractor, and/or OPO to resolve invoice issues.

DATA QUALITY ASSURANCE AND MANAGEMENT

1. **APM** is responsible for ensuring that accurate, timely information is received from the Contractor according to the terms of the Contract.
2. **OCR** is responsible for the accurate and timely entering of the information received from the APM into the CRCT database.
3. **OCR** will request updated submittals from Contractors as needed (when not completed properly).
4. **OCR** will provide quarterly reports to ODOT Management indicating forms due but not received, and will provide ad-hoc reports as needed to internal and external stakeholders.

FORMS

- [“Summary Report of Subcontractors Paid” Form 734-2722](#)
- [“Payment Approval” Form 734-2833](#)

REFERENCES

- Standard Price Agreement Template and PSK Template
 - [Invoice Requirements Guide](#) (incorporated in Exhibit B of Price Agreement and PSK documents)
 - [Exhibit E - DBE Required Provisions](#)
 - [Exhibit K - MWESB Aspirational Target Provisions](#)
- [Full Service A&E User Guide](#)
- [OCR website](#)

CONTACTS

[OCR contact webpage](#)

[OPO contact webpage](#)