



Iowa Department of Transportation

**SPECIAL PROVISIONS
FOR
EEO/AA REQUIREMENTS FOR CONTRACTOR AND SUBCONTRACTORS**

**Mills County
NHSX-534-1(81)--3H-65
NHSX-534-1(84)--3H-65**

**Effective Date
March 20, 2012**

THE STANDARD SPECIFICATIONS, SERIES 2009, ARE AMENDED BY THE FOLLOWING MODIFICATIONS AND ADDITIONS. THESE ARE SPECIAL PROVISIONS AND THEY SHALL PREVAIL OVER THOSE PUBLISHED IN THE STANDARD SPECIFICATIONS.

090189.01 DESCRIPTION.

- A.** The Contractor and subcontractors awarded a subcontract in excess of \$10,000 for construction work under the contract shall comply with the requirements of Executive Order 11246 as amended, Section 503 of The Rehabilitation Act of 1973 as amended and the Vietnam Era Veterans' Readjustment Assistance Act of 1974 as amended (38 U.S.C. 4212).
- B.** The Contractor shall provide written notification to the District Director, Office of Federal Contract Compliance Programs (OFCCP), U.S. Dept. of Labor, Hruska Federal Courthouse, 111 S. 18th Plaza, Suite 2231, Omaha, NE 68102 - phone: (402) 221-3381, fax: (402) 221-3379, within 10 working days of the award of any subcontract in excess of \$10,000 for construction work under the contract. This notification shall include name, address and telephone number of the subcontractor, employer identification number (EIN), dollar amount of the subcontract, and the estimated starting and completion date.
- C.** The Contractor and each subcontractor covered by this Special Provision are required to complete a monthly Utilization Report. The report will include the total number of work hours broken out by construction trade and classification (supervisor, journey or apprentice), race and gender. The report will also include the number of employees within each trade and classification by race and gender. Each subcontractor will forward the completed monthly Utilization Report to the Contractor.
- D.** The Contractor and each subcontractor covered by this Special Provision shall prepare and submit a monthly Hire Activity Report including name, trade (including breakout by supervisor, journey or apprentice), race, gender, hire date, rehire date and referral source. If there were no hires during the month, a statement indicating this must be submitted. This report will be submitted with the monthly Utilization Report.

- E. The Contractor shall prepare a monthly consolidated report and a project cumulative report from the monthly Utilization Reports. These reports, including the required reports under Articles C and D, are to be received by OFCCP from the Contractor no later than the 20th day of the following month.
- F. Each Wednesday, the Contractor shall submit to OFCCP a list of the names of all subcontractors covered by this Special Provision who worked on the project during the prior week.
- G. The Contractor is required to appoint an EEO/Affirmative Action (EEO/AA) Manager for the project. Each subcontractor covered by this Special Provision is required to appoint an EEO/AA Project Coordinator. The EEO/AA Manager shall have overall responsibility for the monitoring of EEO/AA compliance by the Contractor and by all subcontractors covered by this Special Provision.
- H. The Contractor shall establish a Special Project Affirmative Action Oversight Committee (SPAAOC) comprised of OFCCP, and other representatives from state/local Civil Rights Enforcement/Development Agencies, labor unions, community constituents representing minority and female groups and other government and non-government agencies as needed. The first meeting will be held as soon as possible prior to the start of the project. Thereafter, the SPAAOC shall meet periodically throughout the course of the contract to discuss EEO/AA issues.
- I. The designated EEO representatives of the Contractor and each subcontractor covered by this Special Provision must attend a technical assistance seminar sponsored by OFCCP to understand their obligations under these programs. If a contractor's EEO representative has attended an OFCCP technical assistance seminar during the previous 12 calendar months, they will be exempt from this requirement.
- J. The EEO/AA goals (good faith effort) for this contract are 5.3% of total work force hours by trade for Minorities and 6.9% of total work force hours by trade for Females.

090189.02 METHOD OF MEASUREMENT AND BASIS OF PAYMENT.

The cost of complying with this special provision will not be measured for payment, but shall be considered incidental to other work on the project.