

2022 WisDOT Contractor Compliance Training Questions & Answers

DBE

Q: Can we get DBE contact information?

A: We encourage you to visit the DBE website: <https://wisconsin.gov/DBEcontracting> and scroll down to access the UCP Directory. You can also follow this link to the DBE Directory Map: [Disadvantaged Businesses \(arcgis.com\)](https://wisconsin.gov/DisadvantagedBusinesses(arcgis.com)). If you have general questions, you can email the mailbox: DBE_Alert@dot.wi.gov or for DBE team contact information, visit: <https://wisconsin.gov/Pages/doing-bus/civil-rights/contacts.aspx>

Q: Please confirm that currently DOT contracts only acknowledge DBE as MB, DVE, not a WBE.

A: WisDOT construction contracts will only include DBE goals. Any contract with a DBE goal only recognizes DBE certified firms towards goal achievement. You may see that a municipality has a TBE (targeted business enterprise) goal and will often accept a variety of certifications, but if DBE is called out specifically, and is the only goal listed on a project, you must use certified DBEs only to meet that goal. There may be other types of contracts with WisDOT, sure as procurement contracts with state dollars that emphasize MBE or DVB inclusion, but these will not be part of the letting process.

Q: As a minority owned business, we are DBE and have different transportation codes. If we wanted an introduction to contractors needing help meeting their DBE requirements, where could we do that? Are there places for introductions to them?

A: Yes. Reach out and contact the DBE unit. The Annual DBE Workshop & Networking Summit was held at the beginning of March. Prime contractors and prime consultants, DBEs, WisDOT staff, and state and federal organization meet and share resources. Contact Rosalind Roberson for more information at: Rosalind.roberson@dot.wi.gov. Additionally, the DBE office works with industry to create and engage in a variety of networking opportunities throughout the year. Please let Rosalind know if you would like to be added to the monthly eBlast from the DBE Office. The DBE Office team can also make an introduction for you to a prime contractor if you let us know who you would like to meet.

Fringe Benefits

Q: Is paid holiday an approved fringe?

A: If you (an employer) put money aside for holiday pay that an employee can use, then you can claim a per hour credit. Contact a compliance specialist for more information on how to determine the hourly credit amount.

Q: If we pay travel time before and after a shift, are we allowed to add those as fringe benefits?

A: No. Food, lodging and riding time are not approved fringe benefits.

Q: Can we include bonus cost in the Fringe Benefit calculation?

A: No, it is not considered part of the fringe benefit package.

Paying Correctly

Q: What should I do if I have a driver working on multiple jobs?

A: Make sure the driver notes the number of hours worked on each individual project as wages can vary from project to project based on when the project was let. Make sure you are paying them the correct wage for the project you are reporting. When adding their time to the CPR, you can use the same information on each payroll in the payroll deductions section if the driver is getting one check. Net paid and other information will be the same since it is on one check. Hours worked on other projects (both public and private) need to be noted below where their project hours for the project you are reporting are listed.

Q: What is an acceptable check number entry for direct deposit?

A: Contractors have used “ACH” or “DD” in the check number field.

Q: Can you share an example of how other companies keep track of employee times?

A: An example or resource a firm can use is: <https://www.dol.gov/agencies/whd/timesheet-app>

Prevailing Wage

Q: In Illinois under Illinois prevailing wage, travel time is to be paid at prevailing wage. Is Wisconsin the same?

A: There is no requirement in Wisconsin that travel time be paid at the prevailing wage rate. Travel time is also not considered a fringe benefit.

Roles and Responsibilities

Q: If we cannot get a subcontractor to comply, what can we do?

A: WisDOT’s contract is with the Prime. Reach out to the Prime, they are responsible for their subcontractors. If there is no compliance with the subcontractor after they have reached out, please work with WisDOT project leader/manager.

Q: Are we financially held responsible when we can’t get subcontractors to comply?

A: If you are the prime, then yes you can be held responsible because the contract is between WisDOT and the prime – the prime is responsible for compliance with all aspects of the contract at every level. If you are a subcontractor, the prime can hold you financially responsible for non-compliance and usually will include that provision in your subcontract.

Q: Please clarify that Primes do not enter DBE firms that their subcontractor uses on the contract.

A: The Prime is responsible to enter any DBE firms the Prime hires. If the Prime has a subcontractor that hires a DBE firm or a trucking firm or they get DBE supplies from them, the Prime can’t enter second tier suppliers or trucking firms. DBE firms should be entered by the contractor that hired them or who bought supplies from them. An example would be Century Fence typically purchases supplies from GAT Tenor for DBE credit. Once Century Fence has been entered and approved in CRCS, then Century Fence needs to enter their DBE supplier, GAT Tenor. The prime shouldn’t be entering second tier DBE suppliers or trucking firms. The firm that hired the DBE trucking firm or supplier and who will be issuing payment to them should be entering them in CRCS for payment tracking purposes.

Wage Determination

Q: If the wage rate determination is only highway for the whole job (WI10), you use those for all work, even if you are doing sewer/water work, correct?

A: Yes, correct. If WI08 wage rates are not included in the contract, you use WI10 wage rates. WI08 wages are added to a contract only if the contract meets certain criteria. Use only the wages that are included in the contract at the time of letting.