Labor Compliance Monitoring Program

Construction Management Consultant

User Guide

June 2015
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Note: Nothing in this guide is intended to provide legal advice. This guide is not intended to, and does not, create any rights or benefits, substantive or procedural, enforceable at law or in equity, against SANDAG, its agencies, departments, entities, officers, or employees.
1. INTRODUCTION

Overview of Construction Management CM Consultant Guide

This guide is intended to assist Construction Management (CM) Consultants in the understanding of the Labor Compliance Monitoring Program (LCMP) mandated by SANDAG and the usage of the Labor Compliance Monitoring System, an online labor compliance system that captures the necessary requirements of the Department of Industrial Relations (DIR) and the Federal requirements issued by the Department of Labor (DOL) and Davis-Bacon Act, which apply to SANDAG construction projects. For this reason all requirements and forms will be included in this manual for reference to all applicable parties. All applicable forms will also be included through the Labor Compliance Monitoring System (LCMS) under the e-Documents area.

Please note that for purposes of this guide all references to “contractors” or “subcontractors” is meant to include all entities that employ persons working on SANDAG public works projects even though SANDAG may refer to the entity as a “consultant” or “subconsultant” in other SANDAG documents. Also note that references to “contractors” includes prime contractors and all subcontractors unless otherwise indicated.

Labor Compliance Monitoring System (LCMS) Overview

The LCMS is a web-based reporting system available 24 hours a day, 7 days a week. It allows SANDAG and the CM Consultant firms to email directly to contractors relating to any items missing or that may need further clarification. The SANDAG LCMS system is used to enter and submit certified payroll reports, which includes documentation for fringe benefits, training fund contributions, apprenticeship forms, check stub details, canceled checks, etc. All “paperwork” mandated by the DIR and the DOL will need to be uploaded into the LCMS for review. Be aware however, that information uploaded to the SANDAG LCMS is not sent by SANDAG to the DIR, which means that contractors and subcontractors will be required to also submit this information to DIR.

This guide will give instructions on how to use the LCMS with screen shots to assist.

2. CM CONSULTANT RESPONSIBILITIES

Preconstruction Meetings

- **Schedule and Conduct a Pre-Construction Meeting:** It is the responsibility of the CM Consultant to coordinate with SANDAG when a preconstruction meeting will be held with the prime contractor and all applicable subcontractors. The LCMP will be discussed in full, including the mandated use of the LCMS. The Labor Compliance Monitoring Checklist will be required to be signed by all contractors working onsite and be collected by the CM Consultant prior to the contractors work. All such
signature pages will be uploaded to the LCMS under eDocuments for verification of this requirement.

- **Prevailing Wage:** It is the responsibility of the CM Consultant to prepare the Preconstruction package/documents. The package must include language regarding the proper payment of prevailing wages, fringe benefits, training funds, etc. in accordance with Labor Code Section 1720 et seq., the Davis Bacon Act and all applicable regulations relating to the workers on public works projects.

- **Distribute package:** For any subcontractors not in attendance at the Pre-Construction Meeting, it will be mandatory that the prime contractor send the full package to the contact person for that subcontractor. The CM Consultant should check to see that the LCM Checklist is signed by all contractors and subcontractors on the project and uploaded to the LCMS into eDocuments.

**Review and Respond to Questions:**

It is the responsibility of the CM Consultant to be familiar with the LCMP. Any questions by contractors/subcontractors should ALWAYS first be address to the CM Consultant. If the answer is not known, the CM Consultant will contact the SANDAG Labor Compliance Analyst for further clarification and then report information back to the corresponding contractor.

**Verification of Applicable State Regulatory Requirements**

Standard prevailing wage language should be included in all of the SANDAG contracts involving public works. The CM Consultant is required to review and be familiar with all such language, including the correct wage determination applicable to the project. A summary of the contractors’ and subcontractors’ requirements that the CM Consultant must monitor follows.

- **California Prevailing Wage Governing Regulations:** Contractors are reminded of the need for compliance with California Labor Code Sections 1774-1775, Section 1776, and Section 1777.5, that define prevailing wage and certified payroll submission requirements. Refer to applicable sections of the California Labor Code, Public Contracts Code, and the DIR User Manual for details.

- **Additional Labor Compliance Related Responsibilities:**
  - Make training contributions to third parties for each hour worked on the project where such trade classifications have an approved apprenticeship program.
  - Pay special prevailing wage rates as required for work performed on weekends, holidays and for certain shift work.
  - Pay travel and subsistence rates for travel incurred by workers on the project.
Contractors should also be aware that some wage rates will increase during the course of the project and are noted on the specific Wage Determination Requirements can be found on the DIR website at www.dir.ca.gov.

- **Apprentice Requirements:** Only bona fide apprentices actively enrolled in a California Division of Apprenticeship Standards approved program may be employed on the project and receive the applicable apprenticeship prevailing wage rates.
  - Apprentices who are not properly supervised and employed in the appropriate ratio shall be paid the full journeyman wages for the classification of work performed.
  - Contractors are to submit DAS-140 and DAS-142 forms for all applicable projects (When the total amount of prime contract exceeds $30,000).
  - It is the duty of the contractor and subcontractors to attempt to employ registered apprentices on public works projects per Labor Code Section 1777.5 in all trade classifications employed on the project, where there is a State approved apprenticeship program.
  - Contractors and subcontractors must submit proof of Public Works Contract Award Information (DAS140). This document is to be delivered with the first week of certified payrolls in the LCMS. At least one DAS-140 form is required for each apprenticeable trade the contractor or subcontractor employs on the projects. If the contractor/ subcontractor marks Box 3 on the DAS-140 then they are to submit a DAS-140 to ALL approved apprenticeship committees in the county and upload a copy of those to the LCMS.
  - Apprentices are to be employed in all crafts and in all trades with approved training programs. Contactors are to employ apprentices on a ratio of 1 apprentice hour for every 5 journeymen hours or as otherwise approved by the DAS approved Apprenticeship Training Committee. Contractors and subcontractors who do not meet this ratio must submit documentation that apprentices were requested and were not provided and/or not available in sufficient number to meet this ratio. The submission of an accurate DAS142 meets this requirement.
  - A copy of the Bureau of Apprenticeship Training (BAT) certification is also required for federally funded projects. This can be obtained by the contractor from the apprenticeship program and verifies that the individual employed as an apprentice is also an approved apprentice with the DOL Bureau of Apprenticeship Training. Each BAT is valid for 6 months. Updated BATs must be obtained when projects exceed 6 months.
  - Confirm Apprentice Contributions: The payment of the training funds is regulated by California Labor Code 1777.5(m) (1).
- **Confirm Payment to applicable State approved training fund**
  - Training contributions paid to approved apprenticeship programs must be confirmed directly with the program. A copy of the monthly contribution report showing the names of all employees and hours covered for said contributions is needed for verification of payments made on employee’s behalf.
  - To verify payments made to the California Apprenticeship Committee in lieu of another State Approved training fund, you can search by contractor license number on the following link for all contributions made within the last 24 months [http://www.dir.ca.gov/CAC/trainingfund/Tfsearch.html](http://www.dir.ca.gov/CAC/trainingfund/Tfsearch.html)

- **Onsite interview verification**
  The LCMP requires that a sampling of employees be interviewed for the jobsite. It is expected that all contractors will be cooperative to this effect and not hinder or impede the personnel performing the interviews and give true and correct information at all times. SANDAG interview requirements are as follows:
  - No less than four interviews shall be conducted each month
  - Different workers-To the greatest extent possible different employees are to be interviewed each time onsite interviews are conducted.
  - For each onsite visit one interview may be from the prime contractor employees and the rest should come from a variety of subcontractors onsite. Each visit should try to obtain a sampling of subcontractors until each subcontractor has been interviewed at least once during the course of the project.
  - Reconcile information from interview against the payrolls in the system-All onsite interviews are to be verified against the applicable certified payrolls in the LCMS with regards to employee name, trade classification, pay date, etc. Any discrepancies are to be reported to the effected subcontractor, the prime contractor and SANDAG. For any corrections to payroll data entry or retro-payments necessary, the effected contractor will need to edit/resubmit the payroll record and upload a copy of the timecard and retro-payment verification, if needed, as verification of correction made.

- **Compare Daily Logs with Certified Payroll Reports**
  The daily site logs kept by the prime contractor are to be reviewed against the CPRs. All subcontractors should be accounted for, number of employees on the jobsite and job duties verified against the records each subcontractor is providing through LCMS.

- **Failure to Comply Penalties**
  The DIR may impose penalties upon contractors and subcontractors for failure to comply with prevailing wage requirements. These penalties are up to $200 per day per
worker for each wage violations identified; $100 per day per worker for failure to provide the required paperwork and documentation requested within a 10 day window; and $25 per day per worker for any overtime violation.

- **Progress and Retention Payment Requirements**

As a condition to receiving progress payments, final payment on any and all projects subject to prevailing wages, the contractor agrees to present to SANDAG all applicable and necessary certified payrolls and related labor compliance documents (monthly benefit statements, proof of training contributions and apprentice forms (for itself and all applicable subcontractors) for the time period covering such payment request. Reference California Labor Code Section 1720 et seq., as well as any additional documentation requested by SANDAG for details.

- **Senate Bill 854 (SB 854) Requirements**

In addition to submitting the certified payrolls and related documentation to SANDAG or its designee, the contractor and all subcontractors are required by SB 854 (2014) to:

1) Register with the DIR and pay the annual fee for registering as a public works contractor for each fiscal year (July 1- June 30);

2) For all projects awarded after April 1, 2015 submit certified payroll and related documents electronically to the DIR on a weekly basis; and,

3) For projects awarded prior to April 1, 2015 and are still active January 1, 2016, certified payrolls are required to be submitted to the DIR through the eCPR program for all work after January 1, 2016. Failure to submit payrolls to the DIR when mandated by the project parameters shall also result in the withholding of progress, retention and final payment.

All contractors/subcontractors and related construction services subject to prevailing wage, including but not limited to: trucking, surveying and inspection work must be registered with the DIR as a “public works contractor”. Those that fail to register and maintain their status as a public works contractor shall be in violation of their contract with SANDAG, which would constitute just cause for SANDAG to terminate its contract.

**Applicable Federal Regulatory Requirements:**

For projects that receive Federal funding (in addition to State or entirely Federal), contractors must follow the federal Davis Bacon requirements IN ADDITION to California prevailing wage requirements (SANDAG will include contract clauses and a copy of the federal Davis Bacon wage determination in the project specifications).
**Federal Davis Bacon Wage Requirements**: Where there is a conflict in laws or regulations, the higher wage rate and the more restrictive rule will apply. If the prime contractor will be using subcontractors, they are REQUIRED to insert these same contract clauses AND the federal wage rates in their subcontracts. Failure to comply with this requirement will make the contractors liable for any underpayment of federal wages by the applicable subcontractor (without the right to back charge the subcontractor for this underpayment).

If California has a wage classification that is not in the federal wage determination, there is a process whereby the contractor and SANDAG may request a federal wage conformance from the DOL. The conformance may or may not be granted depending on the circumstances of the request.

**Federal Apprentice Requirements**: Contractors are advised to inform the apprenticeship program that when they are working on a federally funded program all apprentices dispatched need to meet both state and federal apprenticeship requirements. If an apprentice is enrolled in a California approved program, but not a BAT approved program, the contractor will be required to pay that apprentice the full journeyman wages.

Davis Bacon also requires that any apprentices employed on the project be enrolled in a program approved by the DOL’s BAT. So, any apprentice employed on a project with federal funding must be enrolled in a California approved apprenticeship program AND also a program that has the apprentice listed with the BAT. Contractors should be asked for a BAT certificate for each apprentice on the project. This verification can be obtained from the applicable.

**Failure to Comply Penalties**: SANDAG shall withhold any portion of a payment, including the entire payment amount, until certified payroll forms and related documentation are properly submitted, reviewed and found to be in full compliance. In the event that certified payroll forms do not comply with the requirements of Labor Code Section 1720 et seq. (or federal Davis Bacon requirements when applicable), SANDAG may continue to hold sufficient funds to cover estimated wages and penalties under the contract.

**Managing Non-Compliance Issues**

**Labor compliance claims/investigations**: All claims of non-compliance shall be taken seriously and investigated. Any such documentation to resolve the claim may be requested from the affected contractor (such as wage statements, canceled checks, daily logs, fringe benefit verifications, etc.). The CM Consultant shall inform the SANDAG Labor Compliance Analyst of any claims of non-compliance and report an investigatory findings to the SANDAG Labor Compliance Analyst as described below.
• **Deficiency Notices:** The LCMS is set to notify contractors when an issue of non-compliance arises with their payroll record. If after an audit has been conducted further errors are found, the contractor shall be notified in writing through LCMS when the payroll or other eDocument is “rejected.”

• **Reporting Deficiencies to SANDAG:** It is the CM Consultant’s responsibility to ensure compliance by the prime contractor and all subcontractors for the projects that are being monitored.
  - A written summary/report of all non-compliance issues that are over sixty (60) days old shall be submitted to SANDAG Labor Compliance Analyst.
  - SANDAG may request more frequent updates as it deems appropriate. On or before project closeout, a Notice of Withholding will be filed for any contractors found with violations of the LCMP. These items are discussed in further detail in Section 8 (Non-Compliance Issues) & Section 9 (Project Closeout).

**Rules for Withholding of Contract Payments and Imposing Penalties**

• Failure of contractors to pay the proper prevailing wages, training funds and/or submit required paperwork shall be subject to withholding of progress payments. SANDAG may withhold the amount equal to the wages due and/or penalty amounts that could be imposed until such time as corrective action has been taken by the contractor.

• At the end of a project the CM Consultant shall prepare a Notice of Withholding (NOW) for any contractor with penalty amounts due and forward the NOW to the SANDAG Labor Compliance Analyst. The affected contractor will then have 60 days to appeal the NOW. If no such appeal is filed, the amounts listed in the document shall be withheld by SANDAG. If an appeal is brought against the information contained in the NOW, SANDAG (or its designee) will provide a Notice of Transmittal to the DIR, and the appeal process will proceed. (Reference Labor Code Sections 1742).

• For projects funded by Davis-Bacon, the Contract Work Hours and Safety Standards Act (CWHSSA) guidelines only impose penalties for overtime underpayments. All straight time wage violations, once corrected, are not subject to penalties under the Davis Bacon Related Acts (DBRA). For any project on which more than $1,000 of wages was collected and paid to workers in restitution, a special report must be provided to DOL. See Title 29 of the Code of Federal Regulations, Part 5 for specific instructions.
Contractor Violation Notification

- For each violation found, the applicable subcontractor and/or prime contractor should be notified in writing by the CM Consultant. The CM Consultant should quote Labor Code Section 1776 in the notice so that the contractor and/or subcontractor will have ten days from the date of notice to provide corrective documentation.
- If the contractor fails to cure the violation within 30 calendar days, SANDAG may impose penalties of $100 per day per worker for each day the documentation is late, even if the information eventually submitted is found to be correct.

3. PROJECT CLOSEOUT

Final Review

- At the Closeout of the project, penalty worksheets should be run by the CM Consultant for all contractors and subcontractors. Penalties, including forfeitures and debarment recommendations, shall be imposed for contractor/subcontractor failure to pay prevailing wages, failure to maintain and submit accurate certified payroll records upon request, failure to employ apprentices, and for failure to pay employees for all hours worked at the correct prevailing wage rate, in accordance with Labor Code Sections 1775, 1776, 1777.7, and 1813.
- Monetary penalties of $200 per day per worker shall be imposed for failure to pay correct prevailing wage; $25 per day per worker shall be imposed for overtime violated; and $100 per day per worker for failure to provide certified payroll information.
- All apprenticeship violations that remain outstanding are to be reported to the DIR; only the DIR, not SANDAG may impose the $100 per calendar day for noncompliance of apprenticeship issues.
- Under Davis Bacon a penalty of $10 per day is imposed for overtime violations (40 hours a week).
- CM Consultant shall submit a report of all such findings to SANDAG, no later than 30 days after the final completion date of work performed onsite.

Training Contribution Verification

- For each trade that is apprenticeable, all training funds must be paid to a State approved fund. All hours worked by journeyman, as well as apprentices, must be verified at project closeout.
- Failure to pay training in full for all apprenticeable hours is both a wage violation and an apprenticeship violation.
- CM Consultant shall provide Letter of Transmittal of violations to the SANDAG Labor Compliance Analyst to report violation to the Department of Labor Standards Enforcement (DLSE) as follows:
Apprentice Ratio Verification

- For each contractor that employed an apprenticeable trade on the project, the ratio of 1:5 for hours worked for apprentices to journeymen should have been met.

- Any contractor that failed to submit Apprenticeship paperwork (DAS140, DAS142) and had apprentices employed less than the 1:5 ratio need to be reported to the DLSE as a violation and such report will need to be submitted to the DLSE as indicated above.

Notice of Completion

- At the end of the project a Notice of Completion (NOC) shall be filed. The NOC serves as the final piece of documentation to closeout the project. SANDAG CM Consultant will obtain the NOC from the Project Engineer, the Project Manager, or the SANDAG Construction Manager and will forward to the SANDAG Labor Compliance Analyst for filing with the DIR. The DIR may investigate a project up to 18 months after the NOC date to ensure compliance.
4. **LABOR COMPLIANCE MONITORING SYSTEM (LCMS) SETUP**

**How to access the LCMS**

a) Using the SANDAG website, click the **Contracts** tab.
b) Scroll down to the **Labor Compliance Monitoring System** section and click the **LCMS** web page link.
c) The LCMS (LCPtracker) login screen will display.

![Login to LCPtracker](image)

**User ID:**

Your **User ID** will be established when the SANDAG Labor Compliance Analyst adds you to the system. The User ID will be the same as your email address.

**Password:**

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**Password Help**

Know someone who would benefit from LCPtracker? **Refer a Friend**
Your password

Your password is initially assigned to you when you receive the Welcome Email. You must change your password to something only you know the first time you login.

How to login

a) In the User ID box, enter your user name (email)
b) In the Password box, enter your personal password.
c) Click Login.

How to obtain a forgotten Password

From the LCMS (LCPtracker) home page:

a) Below User ID and Password Login boxes, click Password Help.
b) This screen will allow you to send a password reminder email.

c) Enter your User ID and Email Address fields and click Submit.
d) An email reminder will be sent to you within minutes.
How to change your password

After logging into the system, the LCMS Home Page will be displayed. From the Home Screen:

a) Click the **Setup** tab.

![Setup tab](image)

b) From the **Setup** screen, click on the **Change Password** button.

![Change Password button](image)

This screen will allow you to change your password.

![Password change screen](image)

c) In the **Current Password** field, type your current password.

d) In the **New Password** and **Repeat Password** fields, type your new password.

e) Click **Save**.

f) Your new password is effective immediately.
How to Logout

From any LCMS screen, click the Logout button at the top right portion of the screen.

System “timeout” rule (user inactivity during a session)

If you leave your desk or sit idle for fifteen (15) minutes or longer on any one screen, the LCMS will automatically logout. You will need to login again to access the system. Any work not saved prior to the logout will be lost.
5. **MANAGE EXISTING CONTRACTS/PROJECTS USING LCMS**

**How to view and select projects**

a) From the LCMS home page, click on the **Projects** tab.

This screen displays all applicable projects for which you have been assigned work.

If one of your assigned projects does not appear on the list, you should:

- Contact the SANDAG Labor Compliance Analyst.

**How to verify Contractors and Subcontractors assigned to the project**

a) From any LCMS screen, click the **Set Up** tab.

b) Click on the **Contractor Setup** button.
c) Click on **Contractor Assignment**.

d) All contractors assigned to the project will display.
e) The **Sub To** column will display the “tiered” subcontractors.
How to view all “Tiered Subcontractors” in a Report format

a) From any LCMS screen, click the Reports tab.

b) Select Management Reports.
c) Select **Contractor Assignments Report** from the list.

![Contractor Assignments Report in the list](image-url)
How to review what has been audited/approved

a) From any LCMS screen, click the Certifications tab.

b) Select the Process Status you wish to view from the dropdown menu.

c) If the payroll has been audited and everything is correct, you will need to select Approve from the Prime Approver Status Dropdown menu under Accept Status.
d) If a violation is found and needs to be corrected, select “Reject” from the Accept Status drop down menu.

Anytime you Reject a payroll, you need to enter a notation to the contractor to describe the reason for the rejection and ask them to correct and resubmit (the system will automatically prompt you to make the notation when you reject the payroll).

For the contractor to “Resubmit”, you need to “Permit Edit.” Once edited/recertified, the payroll Status will change to “Resubmitted” (this verifies that the corrections have been made).

e) Verify that all eDocuments are submitted as follows:

- From any LCMS screen click the eDocuments tab, View Documents button.
- Complete the selection criteria and View Details.
- The screen will display the document information which you must **Accept** or **Reject**.
- You can view any notes the **contractor** has made about the document.
- You may add **Administrator Notices** here for the contractor to view the reason for the document Rejection, as well as **Confidential Administrator Notes** that the contractor cannot view.
f) Approve all **Apprentices** (prior certifying the payroll record) as follows:

- From any LCMS screen, click the **Admin** tab.
- Click the **Edit Employees** button.
- Select the **Apprentice Information** tab.
- **Approve** or **Reject** the Apprentice by selecting from the **Apprentice Approval** drop down menu.
- Complete the **Approved Date**, **Registration Date** and **Expire date**.

*All BAT Apprentice certifications expire within 60 days. You need to approve the Apprentice every 60 day (as the contractor provides an updated certification showing continued active enrollment in the training program).*
How to view all projects for a particular contractor:

a) From any LCMS screen, click the **Set Up** tab.

b) Click on the **Contractor Setup** button.

c) Click on the **Contractor Assignment** button.

d) Select **Contractor to Display**.

All projects assigned to the contractor will display.
6. CERTIFIED PAYROLL REVIEW

How to review Contractor/Subcontractor Certified Payroll Reports (CPRs)

a) From any LCMS screen, click the Certifications tab.

b) Select the Project and Contractor for which you want to review payroll information.

c) Click the Load Data button.

d) All payrolls for the selected contractor will be loaded.

- You may also filter the information by selecting a specific From Date and To Date.
e) To view the **Certified Payroll Report**, click on the **PDF button** under **View CPR** column.

f) Since the majority of projects for SANDAG are dual funded (funded by State and Federal monies) you will need to verify the **Craft Match** for the payroll records.

- On the payroll record in the column **Work Classification** there will be a listed craft naming the Federal classification for the worker.
- Using the **Notes** section, verify that the California named craft classification covers the same scope of work.
Information to review per regulatory requirements (SB 854, Labor Code, DOL, and Davis Bacon)

a) Verify that CPRs contain the following information:
   - Name, address, social security number
   - Work Classification – as shown in the DIR Wage Determination or under Davis Bacon.
   - Hours – straight time, overtime, hours worked each day
   - Fringe Benefits – Allows you to view all contacts listed for this contractor
   - Per Diem Wages –
   - Deductions – Standard (taxes) and Non-standard (levies, garnishments, loans)

b) Payroll records must be e-certified (signed under Penalty of Perjury by some at the contractor/subcontractor who is in a position of authority).
   - Disclosure of certified payroll information to anyone other than the SANDAG, its authorized agent, or the DIR requires that personal information about the
employees (name, address and social security number) listed on the forms be redacted (omitted) to protect employee privacy. Different levels of “redaction” apply depending on the legal status of the entity requesting the payroll information. See Labor Code Section 1776 for the specific types of redaction required.

c) For weeks where no work is performed, the Certified Payroll Record shall be annotated “No Work” for that week (or submit a Statement of Non-Performance)

d) SANDAG (or its designee) is also authorized to request and review all related payroll records such as time cards, cancelled checks, etc.
  • In addition to the electronic version, the DIR and SANDAG may also request hardcopies of the original certified payroll and supporting documentation at any time.
  • If this project is ALSO subject to the requirements of federal prevailing wage requirements, then the payrolls will need to be certified in accordance with Davis Bacon Requirements.
  • Federal Davis-Bacon and related laws require employees to be paid weekly.

e) Review/track payment of proper prevailing wage rates:
  • Confirm proper payment of prevailing wage amounts.
    o LCMS is set up with the prevailing wage rates applicable to the project. Anytime a contractor does not pay the minimum hourly rate, training fund contribution, or total prevailing wage package (which includes all benefits) the system will send them a NOTICE. This will inform the contractor of the discrepancy and mandate that the issue be resolved prior to certifying the payroll record.
  • All workers employed on the project have been paid not less than the specified California general prevailing wage rates or Davis Bacon wage rate, whichever is greater.
    o Prevailing wage determinations for this project can be obtained at: www.dir.ca.gov.
    o This includes a total package including: a base wage rate, fringe benefits and training contributions which are paid to the employee or for the benefit of the employee to a bona fide fringe benefit plan.
    o Contractor is responsible for obtaining and complying with all applicable California general prevailing wage rates for trades workers and any rate changes, which may occur during the term of the contract.
    o Prevailing wage rates and rate changes are to be posted at the job site for workers to view. Or the contractor may post a notice stating where the
prevailing wage determinations are available on the jobsite and the contractor shall provide access to such information upon reasonable notice.
7. **WORKING WITH eDOCUMENTS**

a) From any LCMS screen, click the **eDocuments**

![Image of LCMS eDocuments interface]

b) Click the **View Documents** button to define selection criteria

![Image of LCMS eDocuments view documents]

c) Select criteria from the dropdown menus as follows.

![Image of LCMS eDocuments dropdown menus]

- **Projects**: View eDocuments by Project
- **Contractor**: View eDocuments submitted by specific contractors or subcontractor
- **Document Type**: Search for specific eDocuments, such as Fringe Benefit Statements, Apprentice forms, etc.
  - Types of eDocuments:
- **Fringe Benefit Statements**: Must include accompanying backup documents (i.e.: Union contribution forms, 3rd Party contribution forms from Healthcare, Pension, Life Insurance, etc.)

- **Apprentice Certificates**: All apprentices onsite must be enrolled in a State Approved Apprentice program; for Federally, or dual funded projects Apprentices must also provide a BAT form (Bureau of Apprenticeship Training).

- **Authorization Certification**: Company Officer designates personnel to prepare and submit payroll records.

- **“Other” Deduction Sign-off Form**: All “other” deductions must be delineated on the payroll records and contractor must provide evidence of a court order or the employee’s authorization for said deduction.

- **Child Support, Garnishment or other Court Ordered Deduction**: Must provide the documentation from the Court designating this amount is mandated and authorized.

- **Proof of Wage Restitution/Canceled Check Documentation**: For any wage restitutions due, a copy of the wage statement and canceled check (copy front and back) must be uploaded for verification of correction.

- **Daily Reports**: Site Logs tracking subcontractors onsite, man hours, and daily work performed are required to be uploaded.

- **Paycheck**: One random paycheck for each month, for each subcontractor, may be requested for verification of payroll data reported.

- **DAS 140**: Registration for working on a Public Works Project with apprenticeable trades.

- **DAS 142**: Apprentice Request form for each trade employed on the project.

- **CAC2**: Training Verification form for State Funded Projects when training funds are being paid to the California Apprenticeship Council as opposed to an authorized Apprenticeship Training Program.

- **Labor Law Checklist-Signature Verification**: Include this page from Labor Compliance Monitoring Program packet that all applicable regulations have been given and received by Contractor.

- **Document Submittal Timeframe Guideline**: This worksheet lists all applicable forms and the dates of required submission for each. Some documents may be due only at project start (i.e.: Child Support or other Court Ordered Deductions, DAS-140), while others are required during the course of the project (i.e.: apprenticeship forms for each apprentice that comes onsite). This is given as a quick reference/checklist to ensure all documents are submitted within a timely manner.

- **Public Works Affidavit** – Affidavit affirming that all regulations of the California Prevailing Wage Laws have been observed under penalty of perjury.
- **Prevailing Wage Document Submittal Timeframe Guideline:** List provided.

<table>
<thead>
<tr>
<th>DOCUMENT NAME</th>
<th>SUBMITTAL TO LCMS DUE DATE</th>
<th>FREQUENCY</th>
<th>NOTES</th>
</tr>
</thead>
<tbody>
<tr>
<td>LCMP Checklist</td>
<td>Pre-Construction LCMP Meeting</td>
<td>1-time Submittal</td>
<td>Must be submitted by all lined contractors and subcontractors and uploaded to LCMS by the SANDAG CM Consultant.</td>
</tr>
<tr>
<td>Form DAS-140 Public Works Contract Award Info</td>
<td>Prior to start of work</td>
<td>1-time submittal</td>
<td>Registration for working on a Public Works project with apprenticeable trades. Sent to each apprenticeship committee for each trade in the county of work performed. Upload to LCMS the verification of submission to apprenticeship committee along with DAS-140.</td>
</tr>
<tr>
<td>DAS-142 Request for Dispatch of Apprentices</td>
<td>Prior to start of work</td>
<td>1-time submittal</td>
<td>Apprentice Request form for each trade employed on project. Upload to LCMS along with the verification of submission to apprenticeship committees.</td>
</tr>
<tr>
<td>Fringe Benefit Statement</td>
<td>Submitted with 1st CPR, and when contribution amounts are updated</td>
<td>1-time submittal and when contribution amounts are updated</td>
<td>In the event fringe benefits are paid in “cash” to workers, contractor should indicate “fringe benefits paid in cash” across this form. Notes: Training Fund contributions should be paid to the CAC or an approved apprenticeship training program; NOT PAID TO EMPLOYEE.</td>
</tr>
<tr>
<td>Certified Payroll Report (CPR)</td>
<td>Within 30 days of the end of payroll period</td>
<td>Weekly</td>
<td>Input payroll information into LCMS for each week ending; all documents modifying the payrolls are uploaded into “Other Forms” in LCMS.</td>
</tr>
<tr>
<td>Statement of Compliance</td>
<td>Within 30 days of the end of payroll period</td>
<td>Weekly</td>
<td>Auto generated Certification form in LCMS to be completed after CPR is correct; click on “certify” tab to complete.</td>
</tr>
<tr>
<td>Statement of Non-Performance</td>
<td>Within 30 days of the end of payroll period</td>
<td>Weekly</td>
<td>Auto generated CPR form in LCMS to be completed for a non work week.</td>
</tr>
<tr>
<td>Owner-Operator CPR</td>
<td>Within 30 days of the end of payroll period</td>
<td>Weekly</td>
<td>If applicable, all Owner-Operators are to be reported on these forms. Upload form to LCMS.</td>
</tr>
<tr>
<td>Owner-Operator Statement of Compliance</td>
<td>Within 30 days of the end of payroll period</td>
<td>Weekly</td>
<td>If applicable, all Owner-Operators are to be reported on these forms. Upload form to LCMS.</td>
</tr>
<tr>
<td>CAC2 Form</td>
<td>By the 15th of each month, for work performed in the preceding month</td>
<td>Monthly</td>
<td>Training verification form for State funded projects when training funds are being paid to the California Apprenticeship Council as opposed to an authorized Apprenticeship Training Program.</td>
</tr>
</tbody>
</table>

- OR - Upload either form to LCMS.

| Training Fund Contribution Form | By the 15th of each month, for work performed in the preceding month | Monthly | Any funds paid to an approved Apprenticeship Training Program must be submitted to LCMS as verification of payment. |
| Copy of the Contribution Check  | By the 15th of each month, for work performed in the preceding month | Monthly | Copy of check for Training Funds sent to Council or Program; Upload to LCMS. |
| Court Ordered Deductions       | Submitted with 1st CPR that employee has performed work | As Required | Copy of court ordered documentation from the Court designating the amount mandated and authorized by; Upload to LCMS. |
| Other Deductions Sign-Off Form | Submitted with 1st CPR that employee has performed work | As Required | Employee authorization to approve deduction from payroll check; Upload to LCMS. |
| Apprenticeship Certification   | Submitted with 1st CPR that employee has performed work | As Required | Apprenticeship agreement with approved agency or BAT Certification (Bureau of Apprenticeship Training); Upload to LCMS. |
| On-Site Interview Form         | Submitted for each worker interviewed | Monthly - Minimum [4] four interviews per month | Consultant performs onsite interview; Uploaded by CM Consultant for each on-site interview. |
| Contractor Discrepancy Report  | Submitted for all deficiencies past 60 days | As Required | Submitted on all contractors and subcontractors whose prevailing wage deficiencies extend 60+ days; Uploaded by CM Consultant. |
| Prinl Closeout Documentation   | Submitted for all deficiencies past 60 days | As Required | Summary of all contractor deficiency “Notice of Withholding” NOW forms; Uploaded by CM Consultant. |
Download required documents

This option is used by Contractors. It is described here for reference by the CM Consultants so that they can assist contractors with this process.

- From the e-Documents tab click on Download Document Templates. (A sample or blank form of each required document is shown on the list.)
Upload required documents

This option is used by contractors. It is described here for reference by the CM Consultants so that they can assist contractors with this process.

- From the e-Document tab click **Upload Documents**. (Fill in applicable information and save.)
8. **NOTICES AND VIOLATION WARNINGS**

a) From any LCMS screen, select the Violations tab.

b) Select the criteria from the dropdown menus:

- **Interpret/resolve a WARNING**: The system has various validation settings that have been mandated by the Administrator. If there is a WARNING this is a potential error which a contractor will want to look into prior to certifying the payroll. (i.e., verifies that the check amount is greater than the total deductions). If the WARNING has been read and the issue was an error on data entry, the contractor has an opportunity to correct, resave and certify the payroll. If the contractor does not feel the WARNING is applicable, they may proceed to certify with the WARNING.

- **Interpret/resolve a NOTICE**: The system has various validation settings that have been mandated by the Administrator. A NOTICE is a validation setting that cannot be overridden. (i.e.: Overtime worked but paid at straight time wage rate.)
• **If a NOTICE is in the system, a contractor may not certify the payroll record until the item has been corrected.**

c) **What to do for errors that should have been resolved but are still “flagged”:** Contractors may contact the Administrator whose contact information appears on the Projects Tab under “Show Info.” This should be the main point of contact from the CM Consultant.

d) **Getting Help on system related issues:** Contact LCPtracker Technical Support 714-669-0052 EXT: 4.
9. **RUN AUDIT DISCREPANCY REPORT**

a) From any LCMS screen, click on the **Reports** tab.

b) Select **Compliance Reports**

c) Select the **All Notices Report** and fill in applicable selection criteria, click **RUN**.
10. **SEND A SYSTEM MESSAGE**

Anytime a payroll or other eDocument is “Rejected” the LCMS will give a pop up screen. Fill in the notation to be emailed to the contractor regarding the issue and what needs editing. You may also input confidential notifications for other Administrators to read regarding this document.

![Image of LCMS interface for sending system messages](image-url)
11. DISPLAY CORRECTION FOR UNDER-PAYMENT

This option is used by contractors and describes the process by which the CM Consultants would verify a correction has been made.

a) From any LCMS screen, click the **Certifications** tab.

b) Select **Project**, **Contractor** and the **Week Ending** date for the CPR you wish to view the edits on a resubmitted payroll.

The “Accept Status” column will indicate that a correction has been made.

The contractor will need to make a notation regarding the reason for the payroll edit. The contractor may edit the individual employee’s record to include additional check numbers issued. They will also need to upload a copy of the retroactive wage statement and cancelled check under the **eDocuments** option.