

CIVIL RIGHTS & LABOR SUBCONTRACTOR PAYMENT REPORTING



OHIO DEPARTMENT OF
TRANSPORTATION

CIVIL RIGHTS & LABOR VENDOR TRAINING FOR SUBCONTRACTOR PAYMENT REPORTING

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Office of Business & Economic Opportunity

AGENDA

- Introduction and purpose
- AASHTOWare Project Civil Rights and Labor
- Prompt Payment
 - Payment Requirements
 - FHWA-1273
- Entering Payments in CRL
- Demo
- Reports
- Payment Affidavits
- Contact Information
- Questions and follow-up

INTRODUCTION & PURPOSE

Inform prime contractors and subcontractors on ODOT-Let construction projects on how to record payments in CRL for the purpose of being in compliance with contractual requirements and FHWA regulations.

NOTICE TO INDUSTRY

Notice to industry for Subcontractor Payment Reporting was sent on December 12, 2019.

Notice Included

Prime contractors working on contracts that include Proposal Note 031 shall **become compliant** by entering and signing all previously made subcontractor payments (for open projects) **by February 1, 2020** and by continuing to enter and sign subcontractor payments as they are made.

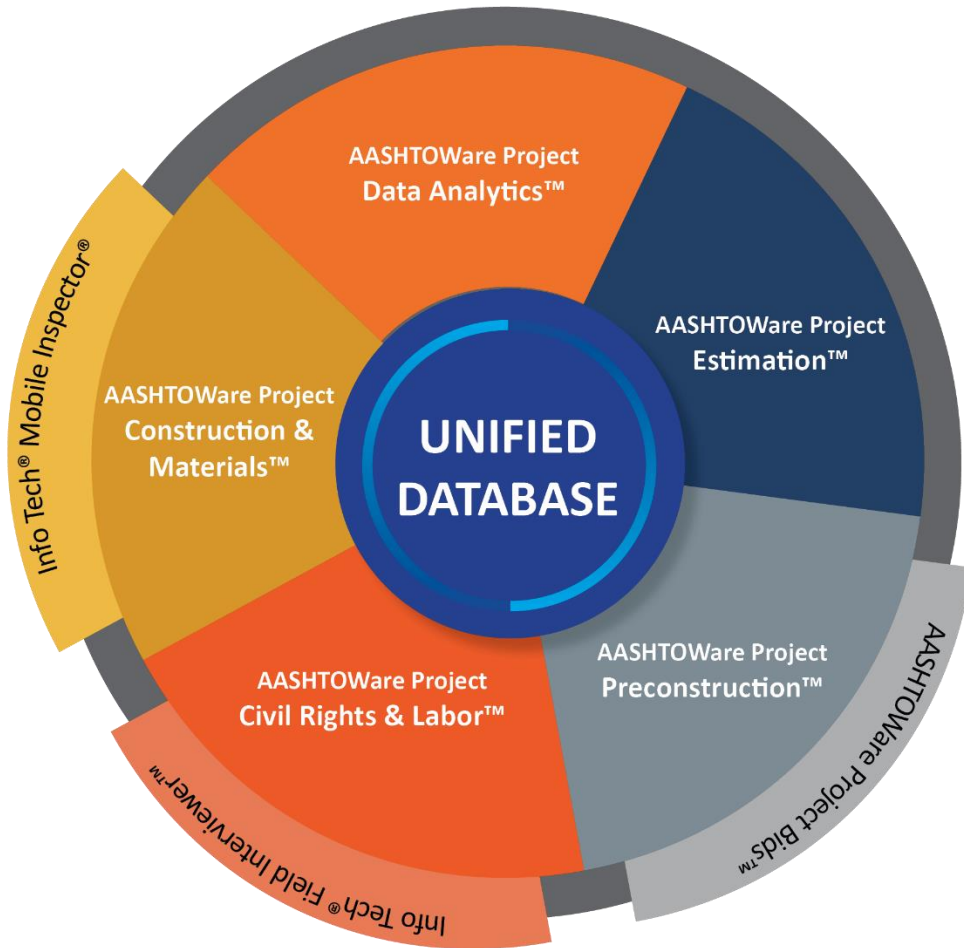
Previous notice to industry Prompt Payment notifications sent on January 9, 2016 & June 29, 2017.

AASHTOWARE PROJECT CIVIL RIGHTS & LABOR

What is AASHTOWare Project?

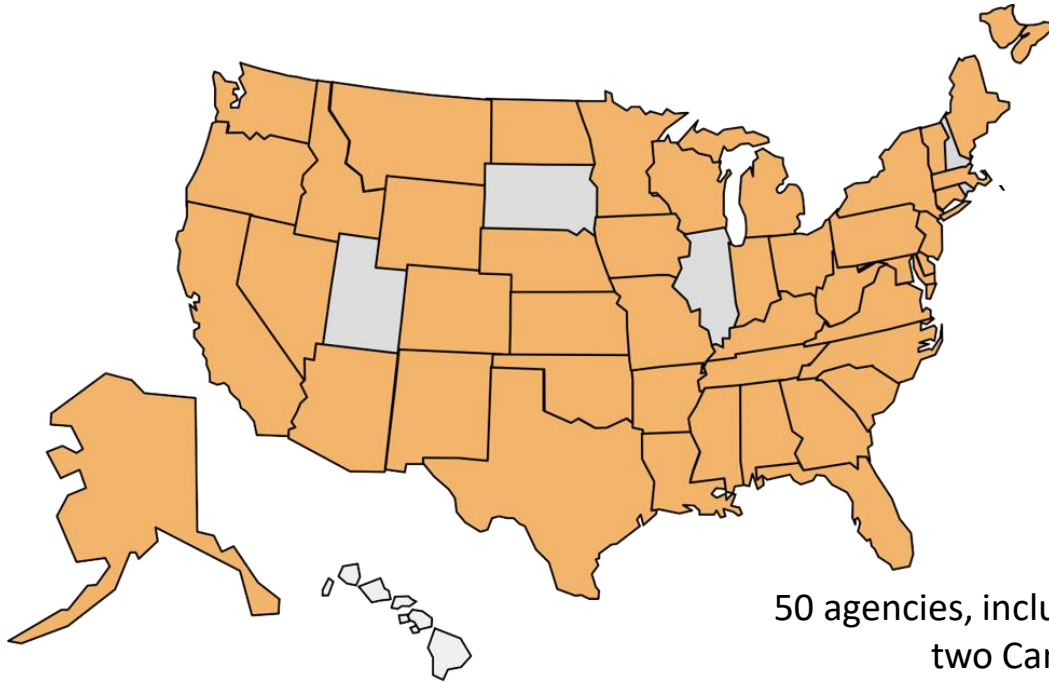
- Powerful enterprise-wide software suite
- Manages entire contract and construction lifecycle
- Designed by transportation professionals for transportation professionals
- Web-based software with external access options
- Mobile Apps
- Cloud hosting availability
- 30+ years in production





- Data stored in single location
- Single standard security model
- Captures information at the source
- Easy reporting of information from the various modules

AASHTOWare Project licensees



50 agencies, including Washington D.C. and two Canadian provinces

CRL OVERVIEW

- Civil Rights & Labor is a module within AASHTOWare Project that allows the effective administration of an agency's external civil rights & labor compliance activities.
- Contractors and Subcontractors use CRL to submit electronic subcontractor payment information.
- Will hasten the decommissioning of the paper-based payment affidavit process.

PROMPT PAYMENT

PROMPT PAYMENT

- After ODOT makes a payment to the prime contractor for work on a contract, the prime contractor is in turn responsible for paying it's subcontractors.
- When the prime contractor has paid the subcontractors, those subcontractors are responsible for paying their own subcontractors.

PROMPT PAYMENT REQUIREMENTS

Proposal Note 31 - PROMPT PAYMENT

The Code of Federal Regulations (CFR) 49, 26.29 requires that ODOT establish a mechanism to monitor Prompt Payment requirements to all subcontractors. Additionally, Ohio Revised Code (ORC) 4113.61 Timeline Limitations on Payments to Subcontractors and Materialmen, establishes payments must be made within 10 calendar days after receipt of payment from the owner.

PAYMENT REQUIREMENTS CONTINUED

The Prime Contractor shall notify the Department that it has complied with the Prompt Payment requirements set forth in Construction and Materials Specification 107.21 utilizing the Civil Rights and Labor (CRL) System. The Prime Contractor will enter subcontractor payments within 10 calendar days of payment from ODOT.

PAYMENT REQUIREMENTS CONTINUED

Promptly release any **retainage** held, as set forth in any subcontractor or supplier agreement, within 10 days of Department's acceptance of the work involving the subcontractor or supplier from whom retainage has been held. For the sole purpose of establishing a time frame for the release of the subcontractor or supplier retainage, acceptance of subcontractor or supplier work will occur when the subcontractor or supplier has complied with the requirements of 109.12.A, B and C.

FHWA 1273

FHWA 1273 - REQUIRED CONTRACT PROVISIONS FEDERAL-AID CONSTRUCTION CONTRACTS

The Form FHWA-1273 must be *physically* incorporated (not referenced) in all contracts, subcontracts and lower-tier subcontracts (excluding purchase orders, rental agreements and other agreements for supplies or services related to a construction contract).

FHWA 1273 CONTINUED

ODOT physically incorporates FHWA 1273 in all Federal-Aid contracts, and subsequently, the prime contractor must meet this contractual obligation by placing the 1273 in all subcontractor and supplier contracts that it enters into and further require that all subcontractor and suppliers place the same in each of their lower tier contracts.

During Signing Process for prompt payment - Prime and Subs can acknowledge receiving a physical copy of Form FHWA-1273.

FHWA-1273 ACKNOWLEDGMENT PAYER

Sign Subcontract Payment

▼ Sign Subcontract Payment



Progress: Review Verify Sign

3 Sign:

FHWA-1273 Acknowledgment / Comments (Payer)

Signed Date

By Verifying this Subcontract Payment, Payer certifies it received a physical copy of Form FHWA 1273, physically incorporated it in each subcontract, and required its inclusion in all lower tier subcontracts (excl. PO, rental and supply agmts.)

Sign Payment



NOTE: Remove FHWA-1273 Acknowledgment text from comments field if the contract is 100% State Funded.

FHWA-1273 ACKNOWLEDGEMENT PAYEE

Verify Payment

▼ Verify Payment ?

Progress: Review Verify Receipt Submit

2 Verify Receipt:

Payment Received
Yes Not as Expected ▼

Amount Received
800.00

Date Received
11/21/2017

Payee's Work on Contract Complete

FHWA-1273 Acknowledgment / Comments (Payee)

By Verifying this Subcontract Payment, Payee certifies it received a physical copy of Form FHWA 1273, physically incorporated it in each subcontract, and required its inclusion in all lower tier subcontracts (excl. PO, rental and supply agmts.)



NOTE: Remove FHWA-1273 Acknowledgment text from comments field if the contract is 100% State Funded.

ENTERING AND SIGNING PAYMENTS IN CRL

SUBCONTRACT PAYMENT WORKFLOW

- **Pending** - If you are the prime contractor, enter subcontractor payment records for the work subcontractors performed for each estimate payment and sign subcontract payment
- **Under Payee Review** - Payees on subcontractor payments verify receipt of the subcontractor payment
- **Under Agency Review** - The agency reviews the subcontract payment transactions
- **Reviewed** - Subcontract payments have been reviewed. This is the end of the subcontract payment process

CRL LOGON

Log into CRL.



Username

Password

ODOTONLINE

Log On

Version 4.0 Revision 192

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SUBCONTRACT PAYMENT FROM PRIME

Make sure you're using the ODOT Contractor Subpayment role.

The screenshot shows a web application interface. At the top, there are three navigation buttons: "Home", "Previous", and "My Pages", each with a dropdown arrow. Below these is a "Switch Role" dropdown menu with a close button (X) in the top right corner. The menu lists three roles: "Prime Contractor", "ODOT Contractor Subpayment" (which is selected and has a green checkmark), and "ODOT Non-Agency Prime Contractor Payroll". To the right of the menu, the text "Contract Payments User" is partially visible. Below the menu is a blue bar with a dropdown arrow and the text "Welcome to Civil Rights and Labor (CRL)". Underneath this bar, there is a welcome message: "Welcome to Tmsport Civil Rights and Labor. For Application/Technical Support, please contact DOT.CRL.Support@dot.ohio.gov". Below the welcome message is another blue bar with a dropdown arrow and the text "Contract Overview". At the bottom of the screenshot, there is a search bar with a magnifying glass icon, the text "Type search criteria or press Enter", and a link labeled "Advanced". Below the search bar, there is a line of text: "Enter search criteria above to see results" followed by a circular "or" button and a link labeled "Show first 10".

SUBCONTRACTOR PAYMENT

Search for your Contract.

▼ Contract Overview

Q CUY96833  **Advanced** *Showing 1 of 1*

Contract	Description
CUY96833	CUY-IR 490/SR 10-02.09/19.28
Prime ID	Prime Name
061115001	KOKOSING CONSTRUCTION COMPANY INC

CONTRACT PAYMENT OVERVIEW

Select the payment estimate on which you're reporting a subcontractor payment.

Contract Payment Overview

Contract: CUY96833 - CUY-IR 490/SR 10-02.09/19.28



Type search criteria or press Enter



Advanced Showing 4 of 4

0 changed

0004	Progress Estimate	2,692,630.00	08/01/2018	▼
0003	Progress Estimate	2,314,890.00	06/12/2018	▼
0002	Progress Estimate	190,720.00	05/17/2018	▼
Estimate Num	Type	Amount Paid	End Date	▼
0001	Progress Estimate	1,904,000.00	04/09/2018	

ADD SUBCONTRACTOR PAYMENT FROM PRIME

Click link “Add Subcontractor Payment From Prime”.

Contract Payment Summary

▼ Contract CUY96833 - CUY-IR 490/SR 10-02.09/19.28

Estimate Num: 0001 - Payment End Dt 04/09/2018

General

[Add Subcontract Payment From Prime](#)

Items

Subcontract Payments

SUBCONTRACTOR PAYMENT FIELDS DESCRIPTION

Add Subcontractor Payment

Contract: CUY96833 - CUY-IR 490/SR 10-02.09/19.28

Number: 0001 Period: 03/26/2018 - 04/09/2018

Payer

061115001 - KOKOSING CONSTRUCTION COMPANY INC

DBE Firm Indicator

No

Payee *

The Reference Vendor ID for the vendor receiving a payment from another vendor on this subcontract payment.

DBE Commitment Indicator

No

Payee Payment Number *

A unique identifier for the payment made to a subcontractor by the prime contractor on a contract.

Indicates that the work associated with this subcontract payment has been completed.

Payee Work Complete Indicator

Date Paid *

The date of this contractor payment. This must be later than the End of Payment Time Period for this contractor payment.

Payment Type *

The kind of payment being made to this subcontractor.

Paid Amount

The amount being paid in this contract or subcontractor payment.

* Paid Amount may include retainage

ADD SUBCONTRACTOR PAYMENT

Home Previous My Pages

Actions Help Log off

Contract Payment

Add Subcontractor Payment

There are unsaved changes. ✕

Contract: CUY96833 - CUY-IR 490/SR 10-02.09/19.28

Save ?

Number: 0001 Period: 03/26/2018 - 04/09/2018

Payer
061115001 - KOKOSING CONSTRUCTION COMPANY INC

DBE Firm Indicator
No

Payee *
0314055167
2LMN, Inc.

DBE Commitment Indicator
No

Payee Payment Number *
0001

Payee Work Complete Indicator

Date Paid *
10/17/2018

Payment Type *
Progress

Paid Amount
10,200.00

If Paid Amount includes retainage, before project closeout the payer will need to submit a separate payment record to report the release of the retainage.

SAVED SUBCONTRACTOR PAYMENT

Home Previous My Pages

Actions Help Log off

Contract Payment Overview Contract Payment

Subcontract Payment Summary

Subcontractor Payment - Successfully Saved

Press Save button

Contract -

Save

Number: End Date:

General

Endorsements

Items

Payer

061115001 - KOKOSING CONSTRUCTION COMPANY INC

Payee

0314055167 - 2LMN, Inc.

Payee Payment Number

0001

Date Paid

10/17/2018

Payment Type

Progress

Paid Amount

10,200.00

DBE Firm Indicator

Yes

DBE Commitment Indicator

No

Payee Work Complete Indicator

WITHHOLDING TAB

(TO BE INCLUDED IN A FUTURE CRL RELEASE)

Subcontract Payment Summary

▼ Contract CUY96833 - CUY-IR 490/SR 10-02.09/19.28

Number: 0001 End Date: 04/09/2018

General

Withholding

Endorsement

Items

Indicates that a portion of the amount due for this subcontract payment is being withheld. If this check box is selected, you must also enter an explanation in the Comments field.

Retainage Released

Indicates that this subcontract payment includes the release of retainage withheld in an earlier payment.

Retainage Dollars Held

The amount withheld from this subcontract payment for retainage.

Payment or Partial Amount Withheld Indicator

Information explaining why a portion of the amount due for this subcontract payment is being withheld.

Partial Payment Comments

SIGN SUBCONTRACTOR PAYMENT

From Subcontractor Payments tab, open Row Actions menu for payment recorded and select “Sign Subcontract Payment”

061115001 KOKOSING CONSTRUCTION COMPANY INC	0314055167 2LMN, Inc.	
Payer	Payment Type	Actions
061115001 - KOKOSING CONSTRUCTION COMPANY INC	Progress	Add New Payment Same Payer
Payee	Paid Amount	Delete
0314055167 - 2LMN, Inc.	10,200.00	Review Sub Contractor Paymt. Summary
		Tasks
		Sign Subcontract Payment

SIGN SUBCONTRACTOR PAYMENT

Sign Subcontract Payment

Sign Subcontract Payment



Progress: Review Verity **Sign**

3 Sign:

FHWA-1273 Acknowledgment / Comments (Payer)

Signed Date

By Verifying this Subcontract Payment, Payer certifies it received a physical copy of Form FHWA 1273, physically incorporated in each subcontract, and required its inclusion in all lower tier subcontracts (excl. PO, rental and supply agmts.)

Signed By

Press Sign Payment button



Sign Payment



Contract Payment Overview Contract Payment

Subcontract Payment Summary

Successfully signed Subcontract Payment



Contract -

Number: End Date:

General

Payer

DBE Firm Indicator

Endorsements

061115001 - KOKOSING CONSTRUCTION COMPANY INC

Yes

Items

Payee

DBE Commitment Indicator

0314055167 - 2LMN, Inc.

No

VERIFYING SUBCONTRACTOR PAYMENTS RECEIVED

CRL LOGON

Log into CRL.



Username

Password

ODOTONLINE

Version 4.0 Revision 192

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VERIFY SUBCONTRACT PAYMENT

Make sure you're using the ODOT Contractor Subpayment role.

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VERIFY PAYMENT AS SUBCONTRACTOR

Search for your Contract.

PROJECT ODOT Contractor Subcontract Payments User

▼ Welcome to Civil Rights and Labor (CRL)



Welcome to Transport Civil Rights and Labor.

For Application/Technical Support, please contact DOT.CRL.Support@dot.ohio.gov

▼ Contract Overview

Q CUY96833

Advanced Showing 1 of 1

Contract	Description
CUY96833	CUY-IR 490/SR 10-02.09/19.28
Prime ID	Prime Name
061115001	KOKOSING CONSTRUCTION COMPANY INC

REVIEW SUBCONTRACTOR PAYMENT

Select the payment estimate on which you're verifying a subcontractor payment.

Contract Payment Overview

▼ Contract: CUY96833 - CUY-IR 490/SR 10-02.09/19.28

🔍 Type search criteria or press Enter  **Advanced** *Showing 1 of 1*

Estimate Num	Type	Amount Paid	End Date
0001	Progress Estimate	1,904,000.00	04/09/2018

VERIFY SUBCONTRACTOR PAYMENT

Open Row Actions menu and select “Verify Payment”

Contract Payment Summary

Contract CUY96833 - CUY-IR 490/SR 10-02.09/19.28 Save ?

Estimate Num: 0001 - Payment End Dt 04/09/2018 0 marked for deletion 0 changed

General

Items

Subcontract Payments

061115001 KOKOSING CONSTRUCTION COMPANY INC	0314055167 2LMN, Inc.
Payer 061115001 - KOKOSING CONSTRUCTION COMPANY INC	Payment Type Progress
Payee 0314055167 - 2LMN, Inc.	Paid Amount 10,200.00
Payee Payment Number 0001	Parent Subcontractor Payment ID
Date Paid 10/17/2018	DBE Firm Indicator Yes
	DBE Commitment Indicator No

Actions

- Add New Payment From Payee
- Delete
- Review Sub Contractor Paymt. Summary
- Verify Payment**
- Views
- Attachments
- Links
- Tracked Issues
- Reports
- Payment Verification Text
- Subcontract Payment

VERIFY SUBCONTRACTOR PAYMENT FIELDS DESCRIPTION

Verify Payment

Verify Payment



Progress:

Review

Verify Receipt

Submit

2 Verify Receipt:

Payment Received

Whether the payment has been received, and if so, whether it was as expected or not (for example, the amount or date differed from what was expected). If you select Yes, Not as Expected, then you must also enter a value in the Payee Comment field.

Amount Received

The amount received in this payment.

Date Received

The date this payment was received.

Indicates that the payee's work on this contract has been completed.

Payee's Work on Contract Complete

FHWA-1273 Acknowledgment / Comments (Payee)

By Verifying this Subcontract Payment, Payee certifies it received a physical copy of Form FHWA 1273, physically incorporated it in each subcontract, and required its inclusion in all lower tier subcontracts (excl. PO, rental and supply agmts.)

Information about the payment added by the vendor being paid.

Up to 256 characters



VERIFY SUBCONTRACTOR PAYMENT

Verify Payment

▼ Verify Payment ?

Progress: Review **Verify Receipt** Submit

2 Verify Receipt:

Payment Received

Yes as Expected ▼

Amount Received

10,200.00

Date Received

10/18/2018 

Payee's Work on Contract Complete

FHWA-1273 Acknowledgment / Comments (Payee)

By Verifying this Subcontract Payment, Payee certifies it received a physical copy of Form FHWA 1273, physically incorporated it in each subcontract, and required its inclusion in all lower tier subcontracts (excl. PO, rental and supply agmts.)



SUBMIT VERIFICATION

Verify Payment

▼ Verify Payment ?

Progress: Review Verify Receipt Submit

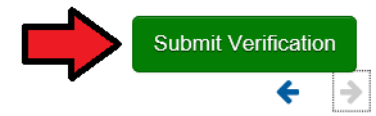
3 Submit:

Payee Name
0314055167

Payee Reviewed Date

Payee Reviewed By

Press Submit Verification button



Subcontract Payment Summary

Successfully verified Subcontract Payment x

▼ Contract -

Number: End Date:

General	Payer	DBE Firm Indicator
Endorsements	061115001 - KOKOSING CONSTRUCTION COMPANY INC	Yes
Items	Payee	DBE Commitment Indicator
	0314055167 - 2LMN, Inc.	No

ENDORSEMENTS

Click Endorsements tab

Subcontract Payment Summary

Contract - Save ?

Number: End Date:

- General
- Endorsements**
- Items

Signed By	ODOTONLINE\pcontrac	FHWA-1273 Acknowledgment / Comments (Payer)	By Verifying this Subcontract Payment, Payer certifies it received a physical copy of Form FHWA
Signed Date	10/18/2018		
Payee Reviewed By	ODOTONLINE\pcontrac	Amount Received	10,200.00
Payee Reviewed Date	10/18/2018	Payee Work Complete Indicator	No
Payment Received	Yes as Expected	FHWA-1273 Acknowledgment / Comments (Payee)	By Verifying this Subcontract Payment, Payee certifies it received a physical copy of Form FHWA
Date Received	10/18/2018		

DEMO

REPORTS

CONTRACTOR WITH MISSING SUB PAYMENTS AND/OR SIGNATURES

<http://odotextrpt.dot.state.oh.us/ViewReport.aspx?reportPath=%2fprd%2fprecon%2fpublic%2f99d> projects w missing sub payments

Please Enter Your Vendor Code: View Report

1 of 40 Find | Next



Contractor with Missing Sub Payments and/or Signatures

(This report refreshes nightly. Any changes made will not appear until the next morning.)

Prime Name	Const Proj Nbr	Contract Name	Est Nbr	Warrant Date	Warrant Amount	Sub Paid Date	Sub Name	Paid to Sub	Signed?
			0001	8/3/2016	1,068,450.00	8/5/2016	MILLER CABLE COMPANY	6,000.00	YES
						8/16/2016	A & A SAFETY INC	7,753.23	YES
						8/23/2016	A & A SAFETY INC	6,900.00	YES
						8/29/2016	Veach Trucking, Inc.	769.30	YES
						9/6/2016	Veach Trucking, Inc.	1,159.36	YES
						9/7/2016	A & A SAFETY INC	86,480.86	YES
							American Roadway Logistics, Inc.	861.30	YES
							LAKE ERIE CONSTRUCTION COMPANY	279,125.00	YES
						9/16/2016	RAR Contracting Co. Inc	4,760.00	YES
						9/20/2016	RAR Contracting Co. Inc	945.00	YES
							Rath Builders Supply, Inc.	56,625.08	YES
						9/23/2016	A & A SAFETY INC	8,500.34	YES
							LAKE ERIE CONSTR	49,700.45	YES
			0002	8/18/2016	1,023,986.04				NO
			0003	9/1/2016	493,923.62				NO
			0004	9/19/2016	646,626.67	9/26/2016	Veach Trucking, Inc.	2,770.61	YES

SUBCONTRACTOR WITH MISSING SIGNATURES

http://odotextrpt.dot.state.oh.us/ViewReport.aspx?reportPath=%2fprd%2fpreconstruction%2fpublic%2f99g_prompt_pay_subcontractor_report

Please Enter Your Vendor Code:

View Report



Prompt Pay Subcontractor Report for:

(This report refreshes nightly. Any changes made will not appear until the next morning.)

Prime Vendor Name	Cnst Prj Nbr	Contract Name	Estimate Number	Paid by Prime Date	Paid by Prime Amt	Sub Rec'd. Date	Signed?
			0005	7/6/2018	\$5,567.80		NO
			0011	6/8/2018	\$3,442.15		NO
				7/6/2018	\$52,058.99		NO
			0058	10/25/2019	\$49,064.44		NO
			0061	12/13/2019	\$16,846.96		NO

PAYMENT AFFIDAVITS

WHAT IS A PAYMENT AFFIDAVIT?

The affidavit seeks to verify actual payments made to DBE firms on the project.

Each DBE firm must verify the actual payment amount.

SUBMITTING PAYMENT AFFIDAVITS

- **Prime Contractor-** Submits to DBE Subcontractor the notarized interim and final affidavit.
- **DBE Subcontractor-** Signs and notarizes interim and final affidavits and returns to Prime.
- **Prime Contractor-** Submits all DBE interim and final affidavits to ODOT DBE Goal Attainment Coordinator.
- Affidavit submission remains a requirement

PAYMENT AFFIDAVITS VS CRL

- Payment Affidavits are only submitted for DBEs.
- Payment Affidavits do not allow ODOT to monitor Prompt Payment.
- CRL captures all payments to all subcontractors (DBE and non-DBE).

CONTACT INFORMATION

CONTACT INFORMATION

Email CRL Support for Application Support

DOT.CRL.SUPPORT@DOT.OHIO.GOV

CRL Web Site

<http://transportation.ohio.gov/crl>

**Contact Contractor Compliance Officers for
Compliance Questions**

**[http://www.dot.state.oh.us/Divisions/ODI/CRC
/Pages/default.aspx](http://www.dot.state.oh.us/Divisions/ODI/CRC/ Pages/default.aspx)**

REFERENCE MATERIALS

Ohio DOT Reference Materials

Interactive Training Guides (Download Files to Use)

Using the Excel Spreadsheet

Convert Excel Template to XML

Process for converting Excel Template to XML for upload.

Import & Validate Payrolls

To be used by both Prime and Subcontractors submitting payrolls via CRL.

Sign Payrolls in CRL

Covers signing process in CRL.

Review & Progress Subcontractor Payrolls

To be used by prime contractors to review and progress subcontractor payrolls and send them to ODOT for review.

Request an Account

Request an Account through myODOT to login to CRL for Payroll Upload.

Subcontractor Payments

Process for entering, verifying and signing subcontractor payments.

FREQUENTLY ASKED QUESTIONS

Frequently Asked Questions about Payment Reporting :

<http://www.dot.state.oh.us/Divisions/ODI/SDBE/Documents/PaymentReportingFAQ.pdf>

COMPLAINT HOTLINE

(888) 778-4171

ODOTComplaintHotline@dot.ohio.gov

For reporting DBE fraud, contracting fraud, prompt payment violations, discrimination, etc.

Contact available at :

[http://www.dot.state.oh.us/Divisions/O
DI/Pages/default.aspx](http://www.dot.state.oh.us/Divisions/O
DI/Pages/default.aspx)

QUESTIONS

