

CIVIL RIGHTS CHECKLIST FOR ALL FEDERAL AID PROJECTS

This form is intended as a tool for District and Consulting Engineers on federally funded NDDOT highway construction projects. It should be provided to the individual(s) who will be collecting, reviewing, and uploading all Civil Rights forms and program requirements on the project. If you have any questions about any of the below information, please contact the appropriate Civil Rights Program Administrator.

All forms used should be downloaded from <https://www.dot.nd.gov/dotnet2/view/forms.aspx> to ensure you are using the most current version.

The checklist should be started at the beginning of the project, however, before the project can be closed out, all items on this checklist must be verified for completion. Further clarification, Civil Rights contact information, copies of form, and more can be found on the Civil Rights webpage at: [NDDOT - Civil Rights](#)

1/1/2026 Update - Due to the DBE Interim Final Rule published in October 2025, the items below in red with an asterisk (*) are currently suspended until the DBE Program is active again. Those items will not need to be completed on federal aid projects until new DBE Special Provisions, DBE Program Manual and Triennial Goal are created and approved by FHWA. If you have any questions about this, please contact Amy Conklin at 701-328-3116 or aconklin@nd.gov

****1/1/2026 Update: FHWA has been working to address recent changes to legal requirements, policies, and procedures. One of those changes is that on January 21, 2025, President Trump issued Executive Order (E.O.) 14173, "Ending Illegal Discrimination and Restoring Merit-Based Opportunity," which revoked E.O. 11246, entitled "Equal Employment Opportunity." E.O. 14173 ordered that the Office of Federal Contract Compliance Programs (OFCCP) immediately cease holding federal contractors responsible for taking affirmative action or allowing workforce balancing on certain bases. FHWA's EEO regulations at 23 CFR Part 230, Subpart A, which include FHWA's on-the-job training requirements, incorporate elements of E.O. 11246. FHWA has not yet issued guidance regarding the impact of the revocation of E.O. 11246 on its OJT regulations. At this time, we note only that EEO requirements under E.O. 11246 and OFCCP's regulations at 41 CFR Part 60 cannot be enforced. If you have any further questions, please contact Daniel Weaver at (701) 328-2605 or dweaver@nd.gov**

PCN: _____

Project Number: _____

Prime Contractor: _____

- ☐ **SFN 9423 PRE-JOB CONFERENCE, EEO, TITLE VI, LABOR STANDARDS, & DBE INFO** - Complete prior to Construction starting & upload to CARS
- ☐ **SFN 9425 MONTHLY EEO PROJECT INSPECTION REPORT** - Submitted monthly, beginning the first full month following commencement of a federal-aid project and uploaded to CARS.
- ☐ **SFN 60547 PROJECT BULLETIN BOARD INSPECTION** - Inspected for every federal-aid project within 15 days of work commencing on the project. It should be also completed immediately prior to an in-depth Contractor Compliance Review. Photo of bulletin board and SFN 60547 Project Bulletin Board Inspection shall be uploaded to CARS.
- ☐ ****LABOR COMPLIANCE & EEO CONTRACT COMPLIANCE JOB SITE INTERVIEW** - Complete electronically in the LCPTracker On-Site Module for project staff with access to mobile devices. If Project Staff do not have access to a mobile device, labor compliance interviews shall be uploaded to LCP Tracker using the edocuments feature. One minority, one nonminority, and one female, if available, should be interviewed. Ideally, five (5) interviews should be conducted.
- ☐ ***SFN 62120 DBE PERFORMANCE – COMMERCIAL USEFUL FUNCTION (CUF) CERTIFICATION** - Must be completed on ALL DBEs within 5 days of working on/providing materials for the project. If you are unsure which

DBEs are committed to working on your project, check the DBE Participation Review packet in FileNet/CARS or look up the project in CCS. The form must be uploaded to CARS. Once uploaded to CARS Civil Rights receives a notification and must review/sign the form as well and reupload it. Civil Rights will be tracking all DBEs committed to each project and documenting the CUF was completed for each. If you have outstanding CUFs due expect to receive a notice from CRD.

- ☐ **CERTIFICATION AND COMPLIANCE SYSTEM (B2GNOW)** - is required for prompt pay monitoring of DBE and non-DBE payments on federal aid projects. All tiers of subs/suppliers should be included and listed appropriately on the contract within the system. If a Discrepancy is reported project personnel may be required to review the dispute and resolve the Discrepancy if the two firms cannot come to a resolution on their own. Construction Services is the contact for any non-DBE items within the system and Civil Rights Division is the contact for any DBE related items. It is highly recommended to review your project(s) within CCS at least once a month to ensure all subs/suppliers are being reported correctly and to confirm which DBEs are committed to being used.
- ☐ ***SFN 13743a DBE PARTICIPATION REVIEW – RACE/GENDER CONSCIOUS** - This form is used prior to the project being awarded to document any DBE commitments and any Good Faith Efforts (if goal not met). Good Faith Efforts follows a Prime through the life of the project when they don't meet goal at bid. A Prime must solicit subcontractor work to DBEs prior to non-DBEs when any work is needed outside what is already documented in the Good Faith Efforts form within the packet. This form should be referenced to determine if/which DBEs will be working on the project. CCS is a more up to date version of this form and should also be referenced to confirm the DBEs working on projects.
- ☐ ***SFN 13743b DBE PARTICIPATION REVIEW – RACE/GENDER NEUTRAL** - This form is used prior to the project being awarded to document any DBE commitments. It should be referenced to determine if/which DBEs will be working on the project. CCS is a more up to date version of this form and should also be referenced to confirm the DBEs working on projects.
- ☐ ***SFN 60595 REPLACEMENT APPROVAL REQUEST** - Completed by Prime if ANY changes to the DBE participation committed at time of award changes (even if another DBE is used instead). This form is only required on Race Gender Conscious projects for the DBEs committed to at time of award. Any DBEs on Race Gender Neutral projects or additional DBE participation attained after award (unless by Good Faith Efforts when the goal wasn't met) do not require SFN 60595 to make changes in DBE participation. Form must be accompanied by backup documentation as to why the change is necessary and all fields must be completed. **NEW** - DBE being replaced must also review and sign the form. Work cannot be completed without final approval from CRD.
- ☐ **SFN 51795 TITLE VI EXTERNAL COMPLAINTS OF DISCRIMINATION FORM** - Any time there is an external complaint this form needs to be completed and signed. This form can be sent to civilrights@nd.gov
- ☐ **SFN 60557 DAVIS BACON WAGE COMPLAINT** - forward completed and signed form to civilrights@nd.gov
- ☐ ***SFN 60781 DBE WEEKLY TRUCKING REPORT** - Filled out by DBE trucking company **only if 1:1 DBE Trucking Ratio Match is used** (DBE has 2nd tier non-DBE sub working under them as DBE match trucks). If the DBE trucking company is only using their own trucks, the form is not required. Form is submitted to Project Engineer weekly and uploaded to CARS. **NEW** – DBE Trucking firms utilizing the 1:1 ratio must now document who they intend to subcontract to on their Form C (SFN 62120) & non-DBE match trucks must display signage visible to project staff identifying which DBE they are working under.
- ☐ **PAYROLLS** - Certified payrolls should be filed electronically in LCP Tracker by all contractors working on the project and approved by the Prime Approver on a weekly basis. Payrolls should be accepted by Project Staff weekly. Non-performing payrolls are required to be submitted for weeks when contractors are not working on the project but will return later.
- ☐ **CLOSING PROJECTS IN LCP TRACKER** - Once all payrolls have been submitted, approved, and accepted by Project Staff and all work is completed on a project, the project must be closed in LCP Tracker under the add/edit projects tab.
- ☐ **OJT TRAINEES** - On the Job Trainees are assigned to Primes working on NDDOT projects, however, they may

have their trainees work on non-DOT projects. A Prime that has OJT assignments may not have the trainee(s) working your project. You are encouraged to ask Primes if they intend to have an OJT Trainee working on the project, so you are aware. If an OJT Trainee is working on the project our Field Monitor will make 2 visits to the project to interview the trainee, the trainer, and the Project Engineer. The Field Monitor needs access to the trainee in a quiet and secure location away from other employees.

For Civil Rights Division direct contact regarding program specific questions please go to [NDDOT - Civil Rights](#)