OEO Project Closeout Checklist

Cleveland Area Business Code (Chapter 187) Compliance:

1. **Ensure that all Subcontractors and Vendors have been paid and that there are no negative payments and/or total "0" payment in Compliance Audit Summary Tab in B2Gnow**

(1) Double check that all subcontractors and vendors have been paid. Enter all payments in B2Gnow.
(2) Double check that there are no negative payments and/or "0" in the compliance audit summary. Negative payment typically occurs when payment has not been recorded to the 1st tier subcontractor, but the 1st tier subcontractor has recorded payments to a 2nd tier subcontractor.
(3) If you are unable to get the subcontractor to enter payments, please follow the steps listed in the attached Document listed **Protocol #1A: 2nd Tier Vendor failed to report in B2Gnow any payments to 3rd Tier Vendor**.

2. **Ensure that all Payments have been confirmed Compliance Audit List Tab in B2Gnow.**

(1) Ensure that there are no incomplete audits for the project.
(2) Ensure that **all subcontractors have confirmed all payments**. Anything in **Bold Red** means that action is required, in this case, it means that a payment has not been confirmed.
  (1) If you are unable to get the certified vendor to confirm payments, please follow the steps listed in the attached Document listed as **Protocol #1B: Proof of Payment – Bank Cancelled Endorsed Check.**

3. **Complete Final Audit in B2Gnow**

In your most recent B2Gnow (www.cleveland.diversitycompliance.com) monthly **Contract Audit**, please indicate **"YES"** to the question **"Marked as Final Audit."** Please Note: Once you have marked an Audit as FINAL, no additional audits will be created on the project without OEO assistance.

Compliance Audit Information	
Compliance Audit Period	March 2021
Compliance Audit Status	None selected ▾ Update
	0 discrepancy reported pending resolution 36 payments to subcontractors remaining to be reported by prime Reporting deadline is 5/1/2021 Audit will be locked 7/12/2021
Compliance Audit Reference	Add Reference
System Audit Number	04451465-0063
Date Posted	Local: 4/1/2021 5:32:46 AM CDT System: 4/1/2021 5:32:46 AM CDT
Final Audit?	No (mark audit as final)
Payment to Prime	Not Reported · Submit

Click "mark audit as final"

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4. ## Assess MBE / FBE / CSB Goal Attainment & Good Faith Efforts

The final monthly **"Contract Audit"** in B2Gnow allows the contractor to assess its goal attainment in terms of subcontracting dollars and/or participation percentage.

If the project has met the identified MBE, FBE, and/or CSB subcontractor participation goals for the contract, no further action from the prime and/or general contractor is required. The standard goals for vertical construction development contracts are:
- 15% MBE
- 7% FBE
- 8% CSB

These goals may be adjusted or waived for a particular contract. Please consult your project manager or your OEO Contract Compliance Officer for clarification when necessary.

If a project falls short of the original OEO goals, the contractor shall **submit a letter** explaining the shortfall to the OEO Contract Compliance Officer. Contractors shall include documentation of any **good faith efforts to utilize certified firms and/or other justification for the shortfall** as described in Pre-Construction Handout #5. The OEO closeout team will consider this documentation at contract closing.

Internal OEO Process

Once the above is completed, the OEO Contract Compliance Officer will complete a closeout report and submit the Project File to the OEO Closeout Team to review for completeness and goal achievement.

If the project was in full compliance, the OEO Closeout Team will close the project and a closeout memo will be issued to the contracting department.

If the OEO closeout team determines that a Cleveland Resident Worker Hour penalty should been assessed, OEO will send the notice to the Developer and/or Prime Contractor, as well as the Project Manager in the contracting department.

If the OEO Closeout Team determines that a project was in not compliance with MBE / FBE / CSB goals, OEO will advise the contracting department of the non-compliance, and the contracting department may assess a penalty according to the terms of the contract.

Cleveland Resident Employment (Chapter 188) Compliance, see page 3 ➡️

OEO Project Closeout Checklist

Fannie Lewis Cleveland Resident Employment (Chapter 188) Compliance:
*** Below is only for Projects with Chapter 188 – Cleveland Resident Requirement & Cleveland Low Resident Income Employment Goals:

5. Make sure all subcontractors report their payrolls in LCPtracker

1) *** To avoid full noncompliance penalty assessment, all subcontractors who worked on site must report hours in LCPtracker. ***

6. Official Low Income Cleveland Resident Approval Letter(s) Required

1) Submit official letters for every Cleveland Resident Low Worker to your OEO contract compliance officer. Additional steps are listed below in Section 8(1).

7. Login to LCPTracker via your Prime Approver Account, perform the following:

1) Review and ensure that each subcontractor payrolls are (1) number sequentially and (2) ensure that the final payroll is listed as "final". If it is not, please go to each payroll and click permit edit and have the subcontractor(s) make the corrections.
2) Review and ensure each payroll is approved in LCPtracker.
3) If a supplier or broker hires a subcontractor to perform labor, (1) the broker and subcontractor must be added to B2Gnow; (2) however in LCPtracker the broker does not get assigned to the project and the subcontractor gets listed as a subcontractor under the General Contractor.

8. Assess Cleveland Resident Requirement & Cleveland Low Income Goal Achievement

1) Using the Prime Approver Account in LCPtracker (www.lcptracker.com), the contractor shall run the "City of Cleveland Low Income Workers Report" in the "Reports" tab to obtain a list of all workers identified as "low income workers" on the project. Contractors shall ensure that they have an **OEO approval letter for every low income worker listed**. Any hours recorded for a low income worker who has not been approved by OEO will be deducted from the Total Participation. Please have your subcontractor uncheck low income checkbox in employee profile for anyone who was not approved.

2) Using the Prime Approver Account in LCPtracker (www.lcptracker.com), the contractor shall run the "Cleveland Status Report" and review the report for the following:
   a) Ensure that all subcontractors that performed any construction are listed in B2Gnow are listed in LCPtracker.
   b) Ensure that hours are reported for each subcontractor. Note that the project will automatically be assessed the full penalty if **any** subcontractor fails to report hours.
   c) Use the "Cleveland Status Report" to assess the total participation of Cleveland Residents and Low-Income Resident Workers to determine whether or not the project achieved the following utilization requirements:
      i) Under "CHP 188 RES" column, is the Percentage (%) listed equal to or greater than **20%**?
      ii) Under "LOW INC" column, is the Percentage (%) listed equal to or greater than **4%**?

3) If the "Total Participation" under "CHP 188 RES" column, the Percentage is less than 20% and/or under "LOW INC" column, the Percentage is less than 4%, the contractor shall perform the following:
   a) **Write a letter** with any justification you would like the OEO closeout team to consider.
   b) **Submit "Associated Hours"** of Cleveland resident workers for OEO to consider. Please follow the steps and criteria listed in the attached document **Protocol #2: Submittal of Associated Hours**

How many Associated hours do I need to be compliant?
Let's say your Total OH Hours is 1000 hours, to be compliant you needed 200 Cleveland Resident Hours and 8 Low Cleveland Income Hours. Your project achieved 100 Cleveland Resident Hours and 4 Low Income Hours. The total Associated Hours needed is as follows: 100 Cleveland Resident and 4 Cleveland Low Income Hours to be compliant.

Description	Cleveland Resident	Cleveland Low Income
Project Requirement and Goal	20%	4%
If total "OH Hours" is 1000 hours, to be compliant:	1000 x 20% = 200 hours	1000 x 20% x 4% = 8 hours
Project Total Hours Achieved	100 hours	2 hours
Associated Hours Needed	100 hours	6 hours
Project Total Cleveland Resident Achieved + Associated Hours	200 hrs = Compliant	8 hrs = Compliant

Protocol # 1A: 2nd Tier Vendor failed to report in B2Gnow any payments to 3rd Tier Vendor

Obtain either (1) an **Accounts Payable Check Register by Job by Vendor/Payee** or (2) get the following information in Excel or using this form when 2nd Tier Vendor failed to report in B2Gnow Payments made to 3rd Tier Vendor throughout the life of the project for General Contractor to enter the information on their behalf:

Note: If you issued two-party checks (also known as a multi-party or joint checks) – You will be responsible for entering the payments into B2Gnow.

Section 1: This section to be completed by the General Contractor or Developer:	
Project Name in B2Gnow:	
2nd Tier Subcontractor:	
2nd Tier Subcontractor Contact:	
2nd Tier Subcontractor Email:	
2nd Tier Subcontractor Phone:	
Date:	

Section 2: This section to be completed by the vendor who failed to enter payments in B2Gnow	

3rd Tier Subcontractor / Supplier / Vendor: _____

Date	Check Number	Check Note / Detail / Invoice / Purchase Order	Check Amount
			$
			$
			$
			$
			$
			$
		Grand Total	$

Important: If you still cannot get the information the 2nd Tier Subcontractor, please ask the 3rd Tier Vendor for an "Accounts Receivable Report" of Payments received for the project for work performed and/or products supplied for the 2nd Tier Subcontractor. If they do not have such a report, they can provide the information as listed in section 2.

Protocol # 1B: Proof of Payment – Bank Cancelled Endorsed Checked

Required Format for Submittals of "Bank Cancelled Checks" for Unresponsive Subcontractors

Please provide us a scanned packet of the following documents for each unresponsive certified MBE / CSB / FBE City of Cleveland subcontractor:

- Cover Page (See sample graphic below for necessary fields and requested format) or Provide an "Account Payable Check Register by Job for the Vendor"
- Copy of the cancelled check(s) with Check Payment Details
- Copy of the depositor's endorsement (back of cancelled check)
- Copy of corresponding subcontractor's invoice which payment was made for. Ensure that the invoice lists, the work which was performed.

Contact your OEO Compliance Officer if you have additional questions.
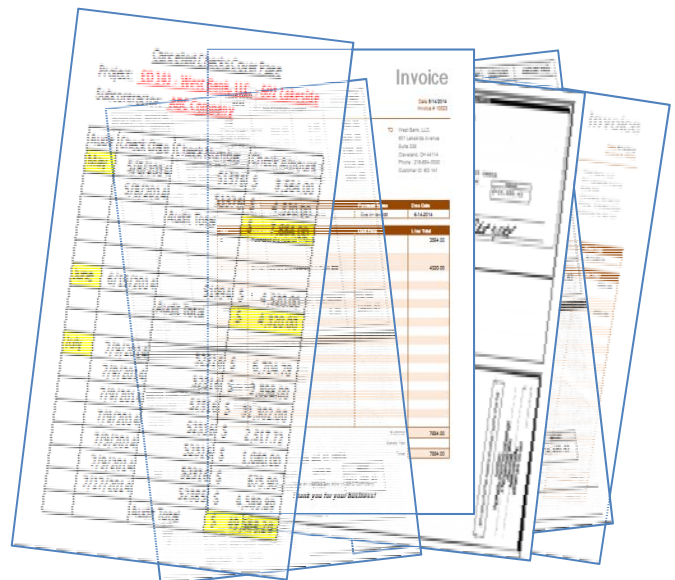
Protocol #2: Submittal of Additional Resident Worker Hours

All hours must be entered in LCPtracker

Section 188.02(a) allows contractors to submit additional hours performed by Cleveland Resident construction workers on other, non-City of Cleveland projects to meet the resident worker hour requirements of the Cleveland Resident Employment Law.

Steps for Documenting and Submitting Additional Resident Worker Hours to Resolve a Shortfall

1. Effective 07-01-2015, all additional concurrent resident worker hours to resolve a shortfall in meeting the resident worker hour and/or low income worker hour requirement must be entered in LCPtracker.

2. ***** Very important ***** Please note that any **non-City of Cleveland financially-assisted project** may only be applied to a single City of Cleveland funded/financially assisted project. If the project was already used as additional resident worker hours for another City funded or financially assisted project, either by your company or another company, the hours will be rejected. To save time and effort for all parties, the contractor should first check with its subcontractors and to ensure that the hours and/or projects have not been submitted as additional hours for another City project. Only hours that occurred after the project start date and before the end date can be used.

3. Provide your **OEO Contract Compliance Officer with a spreadsheet with a list of project(s)** which you would like to submit for the additional resident worker hours being offered to bring the contractor into compliance with the "Titled columns" as seen in the graphic below:

4. The OEO Contract Compliance Officer will review the list of submitted Projects and will approve the project(s) that are eligible to provide additional resident worker hours. The OEO Contract Compliance Officer will email you confirmation of which projects were approved.

5. The OEO Contract Compliance Officer will set up the project(s) in LCPtracker.

6. In LCPtracker, under your "Prime Approver Account" you can assign the subcontractors via the "Set-Up" tab and "Contractor Assignment Button". Once you have them set-up in LCPtracker, please contact your subcontractor to enter their hours.

7. Repeat the above steps for any additional projects deemed eligible to provide additional resident worker hours.

8. Collect from your subcontractors and provide to your OEO Contract Compliance Officer a copy of the Cleveland Resident Low Income Approval Letter(s) for any low income workers listed by the subcontractor.

9. Inform your OEO Contract Compliance Officer when all subcontractors have entered hours.

PROJECTS for ADDITIONAL CLEVELAND RESIDENT WORKER HOURS

Project Name in B2Gnow:		
Project's Start Date:		**Project's End Date**
Subcontractor's Payroll Person Name:		**Today's Date:**
Subcontractor's Payroll Person Email:		**Phone Number:**
Cleveland Resident Hours Shortage:		**Low Income Hours Shortage:**

Information Related to each Associated Project

#	Associated Project Name Typically the projected name listed in the certified payroll report	Project Location and Address	Project Start	Project End Date	General Contractor	Subcontractor	Payroll Start Date	Payroll End Date	# of Cleveland Hours to be used	# of Low Income Cleveland Hours to be used
1										
2										
3										
4										
5										
6										
7										
8										
9										
10										
11										
12										
	Saved as: 13. OEO Development Project Closeout Checklist – Last Update 04/12/2021							Grand Total:		