

Justification for Nonmaterial/Nonsubstantive Change

Department of Labor Office of Federal Contract Compliance Programs

Construction Program OMB Control Number 1250-0001

Background

In July 2021, the Office of Federal Contract Compliance Programs (OFCCP) received Office of Management and Budget (OMB) approval for the reauthorization of the Construction Program under OMB Control Number 1250-0001. This information collection request outlines the legal authority, procedures, burden, and costs associated with recordkeeping and reporting requirements of covered construction contractors. Construction contractors, contracting officers, applicants for construction contracts, and covered nonconstruction contractors must notify OFCCP with written notification within 10 working days of award of a covered contract in excess of \$10,000.¹ This information serves two purposes: (1) to identify those construction employers that would benefit from technical assistance; and (2) to contribute to the formulation of OFCCP's pool for selecting construction contractors for compliance evaluations. The Construction Contract Award Notification Form (Form CC-314) was developed to assist contractors in fulfilling the written notification requirement. In the 1250-0001 Supporting Statement, OFCCP mentioned the agency would be collecting new, additional information on the form, such as the contractor's email address and whether they are a prime or subcontractor.² In addition, the OFCCP website indicates the information the notification must include. Included in

¹ 41 CFR 60-4.2.

² See, 1250-0001 Construction Supporting Statement 30 Day FINAL, available at <https://www.reginfo.gov/public/do/DownloadDocument?objectID=110675801>.

the list are the name, address, phone number, email address, and EIN for the “Contractor Awarded Contract or Subcontract.”³

Summary of Changes

Due to an administrative oversight, the Form CC-314, that was approved by OMB in July 2021, failed to include an e-mail address field for the “Contractor Awarded Contract or Subcontract.”

The Form CC-314 was cleared by OMB with the understanding that OFCCP would be collecting this e-mail address field, as outlined in the Supporting Statement. OFCCP requests this e-mail address field be added onto the applicable section of the Form CC-314. Adding the e-mail address to the form will ensure OFCCP receives accurate and current contact information for employers awarded contracts on federally funded construction projects. It will also resolve the discrepancy between the Form CC-314 and the items listed on OFCCPs website and reduce potential confusion for contractors.

Changes in Burden

In the currently approved collection, OFCCP acknowledges reporting burden for construction contractors due to the requirement to provide this notification via the currently approved form (in either paper or electronic format). OFCCP estimated it would take 0.5 hours (30 minutes) to identify the needed information to send the notification to OFCCP. OFCCP does not expect the addition of the e-mail address field will result in a change to the burden to contractors to complete the form. As a result, there are no anticipated changes in the overall reporting burden for this collection.

³ See, Contract Award Notification Requirement, available at <https://www.dol.gov/agencies/ofccp/contract-award-notifications>.