



Travis County Better Builder® Program

Frequently Asked Questions

- **What is the Travis County Better Builder® Program (TCBBP)?**
 - ❖ The TCBBP is a comprehensive construction contract compliance program based on Better Builder® standards that focus on timely and correct payment of wages; safety training and construction jobsite safety; independent on-site monitoring; encouraging use of labor from workforce training (apprenticeship) programs; and a preference for a living wage minimum.
 - ❖ TCBBP activities include pre-screening checks, on-site construction project monitoring, and providing compliance assistance when needed.
- **What are you checking when you're pre-screening and when does this happen?**
 - ❖ We are checking and verifying contractors' compliance history and responsibility.
- **What is the purpose of the SRQ?**
 - ❖ The SRQ is used by Travis County Contract Compliance Program (TCCCP) monitors to determine bidders' (and their subs') history of compliance (or non-compliance) with applicable safety regulations (e.g., OSHA) and environmental laws and regulations, and to check their criminal history. Monitors search publicly accessible databases to complete this activity.
- **Must all contractors (primes and subs) fill out the SRQ, Living Wage Certification, and Workforce Training Program Certification, or just the primes?**
 - ❖ All primes and subs must submit the completed SRQ to the TCCCP, but only the prime must complete and submit the Living Wage Certification and the Workforce Training Program Certification.
- **Is this the same SRQ Travis County has been using?**
 - ❖ Yes. For many years, all Travis County primes and subs have been required to fill out the SRQ. There are two differences between what has been required in the past and what will be required under the TCBBP:
 - ❖ Difference #1: The TCCCP now receives the SRQs.
 - **Previously**, all subs were required to submit a completed SRQ directly to the prime, who maintained these SRQs on file. The Purchasing Office did not verify that all SRQs were, in fact, submitted.



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- **Now**, under the TCBBP, primes must collect their subs' SRQs and submit them to the TCCCP upon receipt of notice that prime is the apparent low bidder or has been short-listed.
- ❖ *Difference #2: Other documentation must now be submitted with the SRQ.*
 - Together with the completed and signed SRQ, primes and subs will also have to submit the following:
 - Safety and Health Plan (project-specific);
 - OSHA 300 Log of Work-Related Injuries and Illnesses;
 - OSHA 300A Summary of Work-Related Injuries and Illnesses; and
 - OSHA 300/300A Certification.
 - ❖ Primes and subs must submit the Log and the Summary for the previous three (3) years. However, a prime or sub that has not been incorporated for at least three (3) years must submit the OSHA 300/300A instead of the Logs and Summaries.
 - ❖ As with the SRQs, subs must give these additional documents to the primes who will submit them with their bid.
- **What is the OSHA 300/300A Certification? How is it different from the OSHA 300 Log and the OSHA 300A Summary?**
 - ❖ The OSHA 300/300A Certification is a certification that exempts a prime or sub from being required to submit the OSHA Logs/OSHA Summaries. It applies **only** if the prime or sub has **not** been legally incorporated for at least three (3) years, **or** if the prime or sub has employed 10 or fewer employees in the last calendar year.
- **What is the Living Wage Certification?**
 - ❖ Travis County encourages primes and subs on County public works projects to pay a living wage to construction workers because of the benefits a living wage provides to workers, contractors, and the County.
- **Why do I have to fill out this certification?**
 - ❖ The TCCCP uses this certification as an outreach tool in its efforts to inform those who may not be familiar with the benefits of paying a living wage about those benefits. We encourage primes and subs to read the [Benefits of Paying a Living Wage Document](#) on our website to learn more about the many benefits to construction workers, contractors, and the County that result from paying a living wage.



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- **If I decide that I will not, for whatever reason, commit to paying a living wage, will I be penalized? Will this decision affect my eligibility or evaluation for contract award?**
 - ❖ No, you will not be penalized and your eligibility or evaluation for contract award will not be affected.
 - ❖ This certification offers you two options:
 - ❖ Box 1 says you **will pay** and **will require your subs to pay** the Travis County living wage; and
 - ❖ Box 2 says you **will not at this time** commit to paying, **or to requiring its subcontractors** to pay, at a minimum, the Travis County living wage in effect on the date set forth to all individuals performing construction work on the project
 - ❖ Check the box that applies.
- **What is the Workforce Training Program Certification?**
 - ❖ Like the Living Wage Certification, the Workforce Training Certification is another tool the TCCCP uses to inform those who may not be familiar with the benefits of hiring students or graduates from Department of Labor (DOL)-registered apprenticeship programs about those benefits.
 - ❖ This certification requires primes to demonstrate efforts to use apprentice labor by reaching out to three (3) or more subcontractors who hire students and graduates from DOL-registered training programs.
- **What if I contacted three subs, but none of them worked out?**
 - ❖ Check all of the boxes in Paragraph 7 that apply.
- **What if there are no apprenticeship training programs in the subcontracting categories that I need?**
 - ❖ List those subcontracting categories for which you were not able to find a DOL-registered program in Paragraph 8.
- **What if I plan to self-perform?**
 - ❖ Check the box in Paragraph 4 and proceed to the end of the form and sign.
 - ❖ If you award subcontracts during the project, you will have to repeat the required outreach as described in Paragraphs 5 and 6.
- **What if I use other workforce training programs that are not DOL-registered apprenticeship programs? Do I have to perform the outreach?**



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- ❖ If you use other programs that are DOL-approved but not DOL-registered, the TCCCP asks that you identify those programs and share information about them that you have gathered (such as trainee completion rates and other outcomes you have tracked).
- ❖ Yes, unless Paragraph 8 applies to you, you must still perform the outreach described in Paragraphs 5 and 6.
- **Are all of the workforce training programs just another word for union programs?**
 - ❖ No. Although apprenticeship programs have traditionally been offered through unions or trade organizations, many programs are now offered or sponsored by the construction industry as well as by educational institutions.
 - ❖ The most common apprenticeship programs are for skilled trades like carpentry, plumbing, and electrical.
- **Are all Travis County public works projects part of the TCBBP?**
 - ❖ No. Only certain public works projects are selected as Better Builder® Certified or Consistent.
 - ❖ Better Builder® Consistent projects are those valued at \$1-8 million.
 - ❖ Better Builder® Certified projects are those valued at \$8 million and above.
- **What difference does it make if it's \$1 million or \$8 million?**
 - ❖ We chose the threshold of \$1 million because, as project size and scope increase, the contracting chain becomes more complex. On larger projects, there are many more workers onsite at a given time than there are on smaller projects, which allows TCCCP staff to monitor jobsites more efficiently and to balance our resources more evenly.
- **Why do I have to fill out all of these forms? Why don't you just put these requirements in the body of the contract?**
 - ❖ To be clear: these certifications are part of the contract and are legally binding. Because TCBBP consists of unique standards and requirements, we decided to keep TCBBP materials separate from other procurement documents to allow for more efficient contract administration and monitoring.
 - ❖ These certifications are the tools the TCCCP uses to verify that primes and subs are responsible contractors. They are also used to ensure contractors are in compliance with both the Better Builder® standards, the associated contract requirements, and with local, state, and federal laws and regulations.



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- **What happens if I don't submit these certifications with my bid?**
 - Once prime is notified that it is the “apparent low bidder” (by receiving a Notice of Recommendation for contract award from the Purchasing Office), prime must do the following:
 - ❖ (1) Submit the Living Wage Certification;
 - ❖ (2) Submit the Workforce Training Program Certification;
 - ❖ (3) Submit the following both for itself and for all subs who will perform work on the project:
 - ❖ (a) SRQ and associated safety-related documents;
 - ❖ (b) OSHA Training Certification;
 - ❖ (c) Employee Classification Certification;
 - ❖ (d) Apprentice Designation Certification; and
 - ❖ (e) Wage Law Compliance Certification

If the prime fails to submit the above documentation, prime will be considered non-responsive to the solicitation.

- **What is the OSHA Training Certification?**
 - ❖ Primes and subs use this certification to let the TCCCP know that all construction workers have completed OSHA-10 training and all safety managers have completed OSHA-30 training.
- **What is the Employee Classification Certification?**
 - ❖ This certification is used by the TCCCP to verify that all workers on the project are classified correctly as either an employee or as an independent contractor.
- **What is the Apprentice Designation Certification?**
 - ❖ This certification is used for educational purposes. It contains the legal definition under federal law of who can be classified as an “apprentice.”
 - ❖ Understanding who is and who is not an apprentice helps keep the payroll in compliance with the law.
- **What is the Wage Law Compliance Certification?**
 - ❖ Like the Living Wage Certification and the Workforce Training Program Certification, this certification is used as a tool by the TCCCP to verify if primes or subs have violated any local, state, or federal wage laws, including Davis-Bacon; National Labor Relations Act; Texas Labor Code, Chapter 61; Texas Property Code, Chapter 162; and Texas Government Code, Chapter 2258.
 - ❖ In Paragraph two (2), primes and subs are asked to certify, or say, if they have either been adjudicated guilty, pled nolo contendere, or entered into a settlement agreement in a legal proceeding at least two (2) times or more in the previous five (5) years. If they have,



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then the TCCCP will recommend you be considered non-responsible and be disqualified from the project.