

SDDOT CONSTRUCTION MANUAL
PROJECT MANAGEMENT SECTION
CHAPTER 4 – LABOR COMPLIANCE

TABLE OF CONTENTS

ITEM	PAGE
DAVIS-BACON & RELATED ACTS (DBRA)	4-2
Authorities & SDDOT's Responsibilities	
Purpose of DBRA in federal contracts	
What are "(DBRA) Covered Projects?"	
LABOR COMPLIANCE CONTRACT PROVISIONS & DBRA COVERAGE ISSUES.....	4-2
What Contractor EMPLOYEES are Entitled to when Working on the Site of DOT's Projects	
Other DBRA responsibilities of Contractors and Subcontractors	
Site of the Work – How it Impacts Subcontracts, Trucking and Plant/Pits	
Equipment Owner-Operators	
Project Superintendents and Foremen	
Child Labor Laws	
Relatives	
Temporary Employment Agencies	
Exempt from DBRA Labor Provisions	
PRECONSTRUCTION MEETINGS – LABOR COMPLIANCE ITEMS.....	4-6
Use of Most Recent Authorization Form for Preconstruction Meeting	
Subcontract Approvals & Contract Provisions	
Bulletin Board Location & Posters	
Contractor's Payroll Requirements	
BI-WEEKLY PROGRESS REPORTS (WPRS) IN CONSTRUCTION MEASUREMENT AND PAYMENT (CM&P) SYSTEM	4-7
<i>"Work in Progress"</i> field of WPRs	
<i>"Contract Day Worked"</i> field of WPR	
<i>"Exempt Ind"</i> in WPR, what does this mean?	
HANDOUTS AND WAGE COMPLAINTS/INVESTIGATIONS	4-7
Purpose of Handout Cards being Distributed by SDDOT Project Personnel	
Wage Complaints	
Labor Compliance Investigations – Project Personnel's Role	
ELECTRONIC LINKS TO SDDOT'S AND TO FEDERAL FORMS & REGULATIONS	4-8
EXHIBITS	4-8
Sample Bi-Weekly Progress Report (WPR)	

SDDOT CONSTRUCTION MANUAL
PROJECT MANAGEMENT SECTION
CHAPTER 4 – LABOR COMPLIANCE

DAVIS-BACON & RELATED ACTS

Title 29 of the Code of Federal Regulations (CFR), Parts 1, 3 and 5 requires that the SDDOT, as the Contracting Agency, monitor and enforce compliance with the Davis-Bacon and Related Acts (DBRA).

There are two main purposes of the DBRA: to create a fair playing field to contractors bidding the jobs (they all are required to pay the same wage rates to complete the contract work), AND to protect the employees so they are paid timely and appropriately for the actual work they perform.

Covered contracts: the Davis-Bacon Act applies to all Federal-aid construction contracts exceeding \$2,000, and to all related subcontracts. In addition, the Transportation Commission adopted a minimum wage scale applicable to all Federal-aid projects, as well as to State-funded highway construction projects awarded for \$100,000 or more. (The following provisions are also stipulated in Parts I, IV and V of the FHWA-1273 Required Contract Provisions, and on the Contractor's Statement of Compliance - which is accompanied with each weekly Certified Payroll Report.)

LABOR COMPLIANCE CONTRACT PROVISIONS & DBRA COVERAGE ISSUES

Contractor's employees (laborers and mechanics), working on the site of work of a DBRA covered contract, are entitled to:

1. Receive the appropriate wage rate for the classification of work actually performed, without regard to skill, (ex: if a Common Laborer is operating a grader or scraper, he/she is entitled to receive the corresponding wage rate(s) regardless of experience or time spent performing the duty); and
2. Be paid unconditionally and not less often than once a week (bi-weekly or monthly payment of wages is not allowable); and
3. The full amount of wages and bona fide fringe benefits due at the time of their weekly payroll payment. They must be paid without subsequent deduction or rebate on any account [except for such payroll deductions permitted by regulations 29 CFR Part 3 § 3.5 issued by the Secretary of Labor under the Copeland Act]. Employees must be paid for all hours worked; must be paid within seven days of the end of the workweek; only employee-approved deductions are allowed other than required tax deductions or court-ordered garnishments; and it is not allowable to return any part of their wages back to the employer; and
4. Payment(s) shall be computed at not less than the prevailing hourly wage, according to the rate schedule as made part of the contract or any subsequent supplemental wage rate schedule(s), regardless of any contractual relationship which may be alleged to exist between the contractor(s) and such laborers and mechanics. Contract relationships that SHOULD BE included/reported but are commonly excluded from the wage rates and/or not reported on certified payrolls include, but are not limited to: Relatives of the contractor or subcontractors; and working foremen-see 29 CFR 5.2(m) definition of "laborers and mechanics" and leased equipment with an operator-the operator is entitled to the wage rates and must be reported on the payroll(s) by the company paying his/her wages; and

SDDOT CONSTRUCTION MANUAL
PROJECT MANAGEMENT SECTION
CHAPTER 4 – LABOR COMPLIANCE

5. Time and one half the basic hourly rate MUST be paid for all hours worked in excess of 40 in a workweek for any part of the contract work. Please note: Overtime pay is required on all hours over 40 worked with the same contractor in a seven-day workweek; regardless if the work is performed on the project site or not; such as work performed at an off-site plant or pit, or any off-site hauling of material or equipment. Because off-site work is not subject to the wage rates, an off-site overtime violation would typically be identified by a wage complaint situation.

Other DBRA responsibilities: In addition to complying with the above contract provisions, contractors and subcontractors engaged in the work of Davis-Bacon covered contracts shall:

1. In a prominent place at the site of work, post, at all times, the following bulletin board posters: contract Davis-Bacon Wage Determinations (including any additional classifications), Form FHWA-1495 and Form FHWA-1022, (see the “Bulletin Board” chapter of this manual for sample posters); and
2. Request any additional classifications needed which are not listed in the wage determination from the State Highway Agency (SHA) contracting officer. Please note: if a specialty type of work is required to complete the project and the wage class is not listed on the Wage Determination, the contractor or subcontractor is responsible to request additional wage classifications and rates; and
3. Each week in which any contract work is performed, submit an electronic copy of all payrolls accompanied with a Statement of Compliance via the Electronic Payroll Submission System (EPSS) through Elation Systems, with respect to the wages paid each of its employees for work performed during the preceding weekly payroll period. If project work is not performed then payrolls are not required to be submitted for that week, however a No Work report should be marked; and
4. Each weekly statement shall be electronically submitted by the contractor or subcontractor within seven days after the regular payment date of the payroll period through the EPSS for review by the Federal or State agency in charge of the building or work. SDDOT does not require subcontractors to submit their payrolls to the prime contractors, this is a matter of contractual agreement between the prime and their subs. Subs are required to submit their payrolls directly into the EPSS; and
5. Preserve his/her weekly payroll records for a period of three years from the date of completion of the contract; and
6. Payrolls submitted shall set out accurately and completely the name, address, last 4 digits of the social security number or an employee identification number of each such worker, his/her correct work classification, hourly rates of wages paid, daily and weekly number of hours worked, deductions made and actual wages paid, (Certified Payroll & SDDOT’s Statement forms and Instructions are available on the Labor Compliance link: [Certified Payrolls - let after 6/5/19 - South Dakota Department of Transportation \(sd.gov\)](https://www.sd.gov/transportation/labor-compliance/certified-payrolls)); and
7. SDDOT’s Statement of Compliance form must be used and shall be electronically signed by the contractor or subcontractor or his/her agent who supervises payment of the persons employed under the contract and shall certify compliance with the DBRA regulations; and

SDDOT CONSTRUCTION MANUAL
PROJECT MANAGEMENT SECTION
CHAPTER 4 – LABOR COMPLIANCE

8. Falsification of any of the above certifications may subject the contractor to civil or criminal prosecution under U.S.C. 1002 and 31 U.S.C. 231, (subject to penalty of \$10,000, five years in prison, or both); and
9. The contractor or subcontractor shall make the records required available for inspection, copying, or transcription by an authorized representative of the State Highway Agency (SHA), Federal Highway Administration (FHWA), or DOL, and shall permit such representatives to interview employees during working hours on the job; and
10. If the contractor or subcontractor fails to submit the required records or make them available, the SHA, FHWA, and/or DOL, may, after written notice to the contractor, suspend any further payment, advance, or guarantee of funds under any such contract or any other Federal contract with the same prime contractor, (the prime contractor may receive only one written notice before pay estimates are suspended when the contractor OR subcontractors do not submit payrolls timely and/or fails to provide requested records); and
11. Prime contractor shall be responsible for compliance by any subcontractor or lower tier subcontractor with the Required Contract Provisions, (Example: if there is a wage finding identified against a subcontractor and the subcontractor refuses to correct the violation, the prime contractor is responsible for paying the subcontractor's employees their back wages); and
12. In the event it is found that any laborer or mechanic, including any apprentice, trainee, or helper has not been paid all or part of the wages from the contractor or subcontractor as required by the contract, the SHA contracting officer may, after written notice to the contractor, take such action necessary to cause the suspension of any further payment, advance, or guarantee of funds under this contract or any other Federal contract subject to Davis-Bacon prevailing wages with the same prime contractor, until such violations have ceased. When a violation occurs, the company in violation and/or the prime contractor are notified in writing and given 30 days to correct. If not corrected, the SDDOT may suspend any, or all, of the prime's pay estimates until such violations are resolved; and
13. Violation of any clauses of the Required Contract Provisions may also be grounds for debarment as provided in 29 CFR 5.12.

“Site of the Work” is defined {according to the U.S. Department of Labor’s (DOL’s) Final Rule, dated October 23, 2023} as follows: The primary construction site(s), defined as the physical place or places where the building or work called for in the contract will remain; and any secondary site(s) where a significant portion of the building or work is constructed, *provided* that such construction is for specific use in that building or work and does not simply reflect the manufacture or construction of a product made available to the general public, and provided further that the site is either established specifically for the performance of the contract or project, or is dedicated exclusively, or nearly so, to the performance of the contract or project for a specific period of time. A “significant portion” does not include materials or prefabricated component parts such as prefabricated housing components. A “specific period of time” means a period of weeks, months, or more, and does not include circumstances where a site at which multiple projects are in progress is shifted exclusively or nearly so to a single project for a few hours or days in order to meet a deadline.

SDDOT CONSTRUCTION MANUAL
PROJECT MANAGEMENT SECTION
CHAPTER 4 – LABOR COMPLIANCE

How does the “site of the work” impact subcontracts? Please refer to *Section 8.1* of the *SDDOT Standard Specifications for Roads and Bridges*. This clarifies that production of material within the project limits the Department would consider this a subcontract; therefore, a DOT-202 Request to Sublet Work form would be required. The SDDOT defines "virtually adjacent" as located within a 1/2 mile of the closest right of way boundary to the project, as the crow flies. The Davis-Bacon Act requires the payment of contract wage rates and submissions of payrolls for work performed on the site of the work.

How does the “site of the work” impact Davis-Bacon coverage of plants/pits? The DOL's October 2023 Final Rule clarifies that two conditions must be met for plants or pits to be covered by the Davis-Bacon Act; 1) the plant/pit is set up after the opening of the bid and is dedicated exclusively to the project, or nearly so, and 2) the plant/pit must be located adjacent or virtually adjacent to the work, in accordance with 29 CFR 5.2(1)(2). Under the Final Rule any adjacent or virtually adjacent dedicated support sites are defined as: A) Job headquarters, tool yards, batch plants, borrow pits, and similar facilities of a contractor or subcontractor that are dedicated exclusively, or nearly so, to performance of the contract or project, *and* adjacent or virtually adjacent to either a primary construction site or a secondary construction site, and B) Locations adjacent or virtually adjacent to a primary construction site at which workers perform activities associated with directing vehicular or pedestrian traffic around or away from the primary construction site.

For further clarification, in accordance with 29 CFR 5.2(1)(3), not included in the "site of the work" are: permanent home offices, branch plant establishments, fabrication plants, tool yards, etc., of a contractor or subcontractor whose location and continuance in operation are determined wholly without regard to a particular Federal or federally assisted project. Also excluded from the "site of work" are fabrication plants, batch plants, borrow pits, job headquarters, tool yards, etc., of a material supplier which are established by a material supplier for the project before opening of bids and not on the primary construction site or a secondary construction site, even where the operations for a period of time may be dedicated exclusively, or nearly so, to the performance of the contract.

Equipment Owner-Operators are considered employees under the DBRA (this does not include owner-operator truck drivers). Consequently, they **MUST** be paid the correct Davis-Bacon wage, including fringe benefits, and be included on payrolls showing the hours worked and the wages paid. (Example: Contractor hires a crane owner-operator to perform work on the project site, the operator **MUST** be paid at least the crane operator wage rate and **MUST** be reported on the employer's [the company that hired him/her] payroll.)

Project Superintendents and Foremen, who physically perform work more than 20% of their time during a work week, **MUST** be paid at least the minimum hourly rate, plus overtime, for such (laborer and mechanic) time spent and for such type of work performed. For more details, please visit: <http://www.dol.gov/whd/programs/dbra/faqs/suprvisr.htm>

Child Labor Laws prohibit children ages 14 and 15 from working on construction or repair projects. There is very limited non-hazardous work that 16 and 17 year olds may perform. If you suspect a child labor violation, **PLEASE** contact the DOT Labor Law Compliance Officer immediately. Taking pictures would be helpful to resolve such cases. For details on what DOL considers hazardous work, please visit: <http://www.dol.gov/elaws/esa/flsa/docs/haznonag.asp>

Relatives must be paid the appropriate Davis-Bacon wage for the job classification of project work performed and **MUST** be included on the payroll. There are no exceptions from coverage

SDDOT CONSTRUCTION MANUAL
PROJECT MANAGEMENT SECTION
CHAPTER 4 – LABOR COMPLIANCE

under the Davis-Bacon & Related Acts for family relationships, or for relatives performing work of laborers or mechanics.

Temporary Employment Agencies are the employer and should be treated as a subcontractor. Employees who are hired through temporary employment agencies MUST be paid not less than the appropriate Davis-Bacon wage and MUST appear on the payroll of the company that pays their wages.

Survey Crew members who perform primarily physical and/or manual duties, spend most of their time on a covered project taking or assisting in taking measurements, staking, etc. would likely be deemed laborers or mechanics provided they do not meet the tests for exemption as professional, executive or administrative employees under 29 CFL part 541, (i.e., college student learning the trade).

Exempt from the Davis-Bacon & Related Acts Labor Provisions:

1. Workers that are not working “on site of the work” are exempt. The most common type of workers not working “on site of the work” are trucker drivers. (SDDOT considers trucking off site if one end of the haul is not on the site of the work, within ½ mile of the project limits, and no work is performed on the project site. The DOL’s 2023 final rule clarifies that delivery of material does not meet the definition of “construction” work.)
2. Also exempt are categories of workers that are NOT considered “laborers and mechanics” in the definitions of the Davis-Bacon & Related Acts, which are:
 - a. Architects and engineers;
 - b. Professional Surveyors, gravel testers, technicians, scale operators;
 - c. Timekeepers;
 - d. Inspectors;
 - e. Watchmen and guards; and
 - f. People performing administrative or executive duties
3. Specifically exempt in the DBRA provisions are:
 - a. Legitimate truck owner-operators; and
 - b. Material suppliers provided that no production or work is performed on the site of the project, within a ½ mile of the project limits.

Note: Equipment owner-operators are not exempt; operators of leased equipment working on-site must be paid the appropriate wage rates and must be reported on the Certified Payrolls of the company that hired them.

PRECONSTRUCTION MEETINGS – LABOR COMPLIANCE ITEMS

The prime contractor must complete the most recent version of the SDDOT’s Authorization Form for Preconstruction Meeting (DOT-270) prior to scheduling the preconstruction meeting in accordance with Section 8.3 of the Standard Specifications “Contractor Led Preconstruction Meeting”. Further guidance on the preconstruction meeting process and its requirements can be found in Chapter 12 of this manual.

SDDOT CONSTRUCTION MANUAL
PROJECT MANAGEMENT SECTION
CHAPTER 4 – LABOR COMPLIANCE

BI-WEEKLY PROGRESS REPORTS (WPRS) IN CONSTRUCTION MEASUREMENT AND PAYMENT (CM&P) SYSTEM

The CM&P System is interfaced with the Labor Compliance application. The Bi-Weekly Progress Report (WPR) feature of the CM&P that is completed by DOT field personnel is critical to monitor and enforce compliance with the Davis-Bacon & Related Acts labor provisions as it triggers when payrolls are required from contractors.

In the “Work in Progress” field of the WPR, each company working should be listed with a brief description of the work being performed during each week. *(Please see Exhibit A, Sample WPR, at the end of this Chapter 4.)*

In the “Contract Day Worked” fields of the WPR, the days worked during the two-week period are marked “Y” for each contractor that performed project work and the “Exempt indicator” is marked Yes or No. *(Please see Exhibit A, Sample WPR, at the end of this Chapter 4.)*

Exempt Indicator, what is this? If the “Exempt Ind” is marked “Y” (Yes), it means the company is not covered under the Davis-Bacon Act, therefore not subject to pay prevailing wage rates or subject to the Certified Payroll Report submission requirements. If the Exempt field is left blank, then CM&P is defaulted to enter “N” (No) in the Exempt field – and triggers that a payroll report is required if one or more days are marked yes as working during Week 1 or Week 2 periods. *(Please refer to page 4-6 of this chapter for Davis-Bacon EXEMPT details.)*

HANDOUTS AND WAGE COMPLAINTS/INVESTIGATIONS

As a means of ensuring contractors comply with applicable labor regulations, “handout” information cards are distributed twice each construction season. The DOT Labor Law Compliance Officer will coordinate the handout distributions. The handout cards are distributed by SDDOT project personnel to each person working on any active Federal-aid or qualifying State-funded highway construction projects. The cards inform the contractor and subcontractor employees of their rights and the wage rates they are entitled to for the type of work they are performing. The handouts are color-coded to correspond with the applicable contract Wage Decision poster on the project bulletin board.

Wage Complaints often occur after the Wage Handout cards are distributed. If a contractor’s employee notifies you that he/she is not being paid properly, PLEASE report the potential wage violation to the DOT Labor Law Compliance Officer. Observe the type of work they are performing and please take notes and pictures of them working, if it appears they are being classified and paid incorrectly.

Investigations resulting from wage complaints typically require the project personnel’s assistance, which is often critical in resolving such cases. The DOT Labor Law Compliance Officer may contact you to conduct interviews and/or may request information from you to clarify the types of work performed by the construction company’s employee(s) to determine if a complaint is justified.

SDDOT CONSTRUCTION MANUAL
PROJECT MANAGEMENT SECTION
CHAPTER 4 – LABOR COMPLIANCE

ELECTRONIC LINKS TO SDDOT'S AND FEDERAL FORMS & REGULATIONS

SDDOT's Links to:

1. Subcontract Requirements: Detailed information about the prime contractor's responsibilities to avoid termination of their contract(s) and possible debarment. Includes links to the DOT-202 Form (Request to Sublet Work) and to the FHWA-1273 Required Contract Provisions.
<http://www.sddot.com/business/contractors/subcontractor/Default.aspx>
2. Labor Compliance Electronic Payroll Forms and Instructions
<http://www.sddot.com/business/contractors/labor/payrolls/Default.aspx>
3. Defined Work Classifications - assists employers in classifying their employees
<https://dot.sd.gov/doing-business/contractors/labor-compliance/defined-work-classifications-wage-requirements>
4. Bulletin Board Poster Requirements, including access to the most recent Davis-Bacon Wage Decision
<http://www.sddot.com/business/contractors/labor/bulletinboard/Default.aspx>

Federal Links to:

1. USDOL's Davis-Bacon Regulations 29 CFR Part 3 Index – Payroll Submission Requirements & Allowable Payroll Deductions
<https://www.ecfr.gov/current/title-29/subtitle-A/part-3>
2. USDOL's Davis-Bacon & Related Acts Provisions and Procedures, 29 CFR Part 5, Subpart A Index (Section 5.5 has the Labor Contract Provisions, that are contained in the FHWA-1273)
<http://www.ecfr.gov/cgi-bin/text-idx?SID=c961274a08c1423164e297c9d95b4e02&node=pt29.1.5&rgn=div5>
3. USDOL's Interpretations of Fringe Benefits of DBRA, 29 CFR 5, Subpart B Index
<http://www.ecfr.gov/cgi-bin/text-idx?SID=c961274a08c1423164e297c9d95b4e02&node=pt29.1.5&rgn=div5>

EXHIBITS

- A. Sample Bi-Weekly Progress Report (WPR)

SOUTH DAKOTA DEPARTMENT OF TRANSPORTATION

Bi-Weekly Progress Report No. 21

PCN 03VD
* Project No. NH-PH 0385(50)96 County Pennington
Prime Contractor OFTEDAL CONSTRUCTION, INC.
Type of Work Grading, Interim Surfacing, Replace Str (2-13x13 CIP & 12x12 CIP RCBC)

Contract Amount \$49,081,403.60
Period Ending 08/09/2025

Contract Substantial Completion Requirements
Fixed Date 06/26/2026
Working Days
Calendar Days

Contract Field Work Completion Requirements
Fixed Date 10/02/2026
Working Days
Calendar Days

See specifications sec. 8.8 and any special provisions regarding liquidated damages rates.

Work Started 10/24/2024 Work Suspended Actual Field Work Completion Date 10/02/2026
Work Resumed Actual Substantial Completion Date 12/11/2025

Percent Paid to Date 42.39%
Amount Paid to Date \$20,804,745.85

Table with 5 columns: Requirement, Days This Period, Days To Date, Overrun Days This Period, Overrun Days To Date. Rows include Phase Area 1 North/South, Phase Area 3/4, Phase Custer Gulch Road, Phase Rally Blotter, and various completion metrics.

Work In Progress This Period

- Week 1
OFTEDAL CONSTRUCTION, INC.
-Regulated traffic with pilot cars and flaggers from Sta. 202+00 to Sta. 303+00, and Sta. 323+00 to Sta. 415+00
-Continue small fill operations at Victoria Lake Rd.
-backfilled RCBC outlet cutoff walls and finished grade prep for F18 floor.
-general project cleanup for Rally
-Maintained traffic control
-Installed topsoil in Right ditch from Sta. 524+00 to 531+80
-Dewatered the box culvert at Sta. 208+19
-move blade and steel face roller to Boulder Hill Rd in preparation for reapplication of mag

- Simon Contractors of South Dakota, Inc.
-Finish installation of blotter from 247+00 to 201+00

- Hilt Construction, Inc.
-Mucked silt fence at Sta. 113+98 LT and 520+00 LT

CC: Region Engineer
FHWA
Region Materials Engineer
Construction Engineer
Bridge Engineer

Bi-Weekly Progress Report Prepared By
On _____
By _____
Bi_Weekly Progress Report Approved By
On _____
By _____

SOUTH DAKOTA DEPARTMENT OF TRANSPORTATION

Bi-Weekly Progress Report No. 21

(Jul 27, 2025 - Aug 09, 2025)

PCN 03VD

Contract Amount

\$49,081,403.60

* **Project No.** NH-PH 0385(50)96 **County** Pennington

Period Ending

08/09/2025

Prime Contractor OFTEDAL CONSTRUCTION, INC.

Type of Work Grading, Interim Surfacing, Replace Str (2-13x13 CIP & 12x12 CIP RCBC)

Contract Substantial Completion Requirements

Fixed Date 06/26/2026

Working Days

Calendar Days

Contract Field Work Completion Requirements

Fixed Date 10/02/2026

Working Days

Calendar Days

See specifications sec. 8.8 and any special provisions regarding liquidated damages rates.

Complete Concrete, Inc. dba Complete Contracting Solutions

-Box Culvert at Sta. 208+19

+ Set forms

+ Tied steel

- form and prep F18 floor for RCBC.

- continue for and prep F16 top of box/ roof.

Dakota Barricade LLC

- Install temporary pavement markings through entire project.

Week 2

Complete Concrete, Inc. dba Complete Contracting Solutions

-Box Culvert at Sta. 208+19

+ Set forms

+ Tied steel

- form and prep F18 floor for RCBC.

- continue for and prep F16 top of box/ roof.\

OFTEDAL CONSTRUCTION, INC.

- Road maintenance

General Comments

July 30, 2025 - August 11, 2025: Sturgis Rally Restriction

July 28, 2025 - Day count for Rally Blotter Phase ended with 6 calendar days charged.

Revision Comments

CC: Region Engineer

FHWA

Region Materials Engineer

Construction Engineer

Bridge Engineer

Bi-Weekly Progress Report Prepared By

On _____

By _____

Bi_Weekly Progress Report Approved By

On _____

By _____

SOUTH DAKOTA DEPARTMENT OF TRANSPORTATION

Bi-Weekly Progress Report No. 21

(Jul 27, 2025 - Aug 09, 2025)

PCN 03VD

Contract Amount

\$49,081,403.60

* Project No. NH-PH 0385(50)96 County Pennington

Period Ending

08/09/2025

Prime Contractor OFTEDAL CONSTRUCTION, INC.

Type of Work Grading, Interim Surfacing, Replace Str (2-13x13 CIP & 12x12 CIP RCBC)

Contract Substantial Completion Requirements

Fixed Date 06/26/2026

Working Days

Calendar Days

Contract Field Work Completion Requirements

Fixed Date 10/02/2026

Working Days

Calendar Days

See specifications sec. 8.8 and any special provisions regarding liquidated damages rates.

Contractors Working	Week 1	Exempt	Week 2	Exempt
Baker Timber Products, Inc.				
Brosz Engineering Inc				
Complete Concrete, Inc. dba Complete Contracting Solutions	Worked		Worked	
D&W Crane & Rigging, Inc.				
Dakota Barricade LLC	Worked			
Dustbusters Enterprises, Inc.				
Fisher Sand & Gravel Co. dba Arizona Drilling & Blasting				
Hilt Construction, Inc.	Worked			
Iowa Trenchless				
JIM RIVER FENCING LLC				
Luke's Concrete Pumping, LLC				
Midstate Reclamation, Inc.				
OFTEDAL CONSTRUCTION, INC.	Worked		Worked	
Simon Contractors of South Dakota, Inc.	Worked			
Solid Construction, Inc.				
Stanto Group, Inc.				
SUBSURFACE, INC.				
Wagner Reclamation Services, LLC				

Day	Date	Day Counted	Day #	Overrun Day #	Weather and Comments
Sunday	07/27/2025	0.0 W	Substantial Completion	0.0	Sunny, Temp: 60 - 92°F, Wind: 5 - 10 mph, Precip: none
		0.0 W	Field Work Completion	0.0	
		1.0	Phase Rally Blotter	5.0	
Monday	07/28/2025	0.0 W	Substantial Completion	0.0	Cloudy, Temp: 56 - 68°F, Wind: 5 - 10 mph, Precip: none
		0.0 W	Field Work Completion	0.0	
		1.0	Phase Rally Blotter	6.0	
Tuesday	07/29/2025	0.0 W	Substantial Completion	0.0	Cloudy, Temp: 65 - 83°F, Wind: 5 - 10 mph, Precip: none
		0.0 W	Field Work Completion	0.0	
Wednesday	07/30/2025	0.0 W	Substantial Completion	0.0	Overcast, Temp: 56 - 70°F, Wind: 5 - 10 mph, Precip: none
		0.0 W	Field Work Completion	0.0	
Thursday	07/31/2025	0.0 W	Substantial Completion	0.0	Overcast, Temp: 54 - 67°F, Wind: 5 - 10 mph, Precip: none
		0.0 W	Field Work Completion	0.0	

CC: Region Engineer
FHWA
Region Materials Engineer
Construction Engineer
Bridge Engineer

Bi-Weekly Progress Report Prepared By

On _____
By _____

Bi-Weekly Progress Report Approved By

On _____
By _____

SOUTH DAKOTA DEPARTMENT OF TRANSPORTATION

Bi-Weekly Progress Report No. 21

PCN 03VD

Contract Amount

\$49,081,403.60

* Project No. NH-PH 0385(50)96 County Pennington

Period Ending

08/09/2025

Prime Contractor OFTEDAL CONSTRUCTION, INC.

Type of Work Grading, Interim Surfacing, Replace Str (2-13x13 CIP & 12x12 CIP RCBC)

Contract Substantial Completion Requirements

Fixed Date 06/26/2026

Working Days

Calendar Days

Contract Field Work Completion Requirements

Fixed Date 10/02/2026

Working Days

Calendar Days

See specifications sec. 8.8 and any special provisions regarding liquidated damages rates.

Table with columns for Day, Date, W, Substantial Completion, Field Work Completion, and Weather conditions. Rows include Friday 08/01/2025, Saturday 08/02/2025, Sunday 08/03/2025, Monday 08/04/2025, Tuesday 08/05/2025, Wednesday 08/06/2025, Thursday 08/07/2025, Friday 08/08/2025, and Saturday 08/09/2025.

- Area 1 North Area 1 North (Sta. 150+00 to Sta. 186+54)
Area 1 South Area 1 South (106+73 to Sta. 150+00)
Area 3 Area 3 (Sta. 415+13 to Sta. 524+00)
Area 4 Area 4 (Sta. 524+00 to Sta. 535+68)
Custer Gulch Road Custer Gulch Road (Sta. 415+13 L)
Rally Blotter Rally Blotter Requirements per the Special Provision for Contract Time

Associated Projects: NH-PH 0385(50)96

CC: Region Engineer
FHWA
Region Materials Engineer
Construction Engineer
Bridge Engineer

Bi-Weekly Progress Report Prepared By

On _____
By _____

Bi-Weekly Progress Report Approved By

On _____
By _____