

Frequently Asked Questions: FHWA 1391

Q: Who is required to submit the FHWA 1391 form?

A: All Prime Contractors and all Subcontractors on federally funded projects, (including off-system projects let by a city or county as pass-through funds from MoDOT), that equal or exceed \$10,000.00, and have construction activity during the **latest week in July 2023, in which work was performed.**

Q: Do contractors need to submit the FHWA 1391 form if there was NO construction activity during July 23-29, 2023?

A: Yes, contractors still need to submit the FHWA 1391 form with “NO WORK” typed in the blue box between Box 1 and Box 2. (See example below.)

FEDERAL-AID HIGHWAY CONSTRUCTION CONTRACTORS ANNUAL EEO REPORT		
1. MARK APPROPRIATE BLOCK <input type="checkbox"/> Contractor <input type="checkbox"/> Subcontractor	2. COMPANY NAME, CITY, STATE:	3. PROJECT NUMBER:
NO WORK		

Q: Are contractors required to submit the FHWA 1391 form for projects 100% state funded?

A: No. Contractors only need to report on the projects provided in the list of active projects received with the initial email.

Q: What if neither the prime contractor nor any subcontractors on the project performed any work during the Target Week of July 23-29, 2023, but did perform work during the week of July 9-15, 2023? Is the FHWA 1391 form still required to be submitted?

A: Primes and Subcontractors are required to submit the FHWA 1391 form for the latest week in July 2023, in which they performed work. Report would be submitted for the week of July 9-15th.

Q: What if neither the prime contractor nor any subcontractors on the project performed any work during the entire month of July 2023? Is the FHWA 1391 form still required to be submitted?

A: Yes, all Primes and Subcontractors are required to submit the FHWA form when no work was performed. You will need to complete the top of the form and between box 1 and 2, enter “NO WORK” to show no work was performed the whole month of July 2023. (See below example)

FEDERAL-AID HIGHWAY CONSTRUCTION CONTRACTORS ANNUAL EEO REPORT				
1. MARK APPROPRIATE BLOCK <input type="checkbox"/> Contractor <input checked="" type="checkbox"/> Subcontractor	2. COMPANY NAME, CITY, STATE:	3. PROJECT NUMBER:	4. DOLLAR AMOUNT OF CONTRACT:	5. PROJECT LOCATION: (County and State)
NO WORK	Dig-N-Haul, LLC	230531-D01	\$1,482,567.00	Cole County, Missouri

Q: As the Prime Contractor, am I responsible for making sure my subcontractors submitted the FHWA 1391 form for each active project?

A: We strongly encourage all Prime Contractors verify all subcontractors on all active projects have submitted the FHWA 1391 form.

Q: Do I just pick one project from the active project list to submit the FHWA 1391 form?

A: A FHWA 1391 form is required to be submitted for ALL projects listed on the active project list by ALL prime contractors and ALL subcontractors.

Q: As the Prime Contractor, are there other forms that I need to submit besides the FHWA 1391 form for each active project?

A: All Prime Contractors must also submit a subcontractor list for each active project which is due to MoDOT External Civil Rights Division by **Friday, August 4, 2023**.

Q: Is there a submission due date for the FHWA 1391 form?

A: ALL prime and subcontractors are required to submit ALL FHWA 1391 forms for ALL active projects by **Friday, August 18, 2023**.

Q: What numbers need to be submitted on the FHWA 1391 form?

A: The number of personnel who performed work on the active project are the numbers which need to be captured and submitted on the FHWA 1391 form.
DO NOT provide the number of hours worked on the active project.

Q: Do I count company officials and supervisors?

A: Company officials and supervisors are required to be counted even if they do not appear on payrolls.

Q: What if an employee works on multiple active projects?

A: All employees who work on multiple active projects are required to be counted for each active project.

Q: Do I count clerical personnel on the FHWA 1391 form?

A: Home office and clerical personnel are required to be counted if they are assigned exclusively to a project and appear on the project payroll.