

Reporting Certified Payroll Records to CDB

STATE LAW REQUIRES ALL CONTRACTORS TO SUBMIT CERTIFIED PAYROLLS TO CDB

State law now requires all contractors and sub-contractors working on state construction projects to submit certified payroll records to the Capital Development Board. Contractors must submit these records once a month. The payroll records must include all workers employed by contractors on a CDB project.

In order to more efficiently handle the hundreds of pages of certified payroll that Capital Development Board receives each month, a cover sheet was implemented that allows for electronic processing of the documents as they are received. This cover sheet can be completed online or downloaded from the CDB Website – www.illinois.gov/cdb. The document is located in the Website's "Reference Library."

Since the implementation of this procedure, the cover sheet has been revised, but many contractors continue to use an outdated cover sheet. Please take time now to download the latest cover sheet. Also, please take time to familiarize yourself with the instructions provided on the cover sheet.

Certified payroll received by Capital Development Board without the latest cover sheet, will be marked "unable to process" and returned, as well as any that have been completed other than as instructed. The cover sheets are read electronically and deviations from the fonts or position of the information will result in the system rejecting the document.

If you have any questions about the cover sheet, or if you have legal and procedural questions about certified payroll, please contact the Capital Development Board at 217-782-1887.

COMPLYING WITH THIS NEW LAW:

How do I submit certified payroll records to CDB?

In general, all documents should be paper-clipped or binder-clipped. The documents as a whole should not contain staples.

Payroll records will be accepted by CDB in a paper or electronic format.

- E-Mail your records to:

CDB.CentralFiles@Illinois.gov

- Mail or Hand Deliver a CD or paper record to:

Certified Payroll
Capital Development Board
3rd Floor Stratton Office Building
401 South Spring Street
Springfield, IL 62704

- To expedite the data storage process, all certified payroll records submitted to the Capital Development Board *must* include a completed CDB cover sheet. The cover sheet for certified payroll submissions can be found in the CDB Website's [Reference Library](#) under the heading "Certified Payroll Cover Sheet". Data required on the Cover Sheet includes:
 - Project Number
 - Pay Period Ending Date
 - Contract Number
 - Name of firm and designation: Please tell us whether you are a "prime" contractor or a "sub" contractor.
- **CONTRACTORS:** *All* certified payroll submissions must include the nine-digit CDB project number. For example, the project number must be NNN-NNN-NNN, with no additional detail given.
- *All* certified payroll submissions must include the prime contractor's CDB contract identification number. The contractor must be identified as a primary or subcontractor and a name must be given with no additional information. The system only reads one line.
- Sub-contractors, please include the prime contractor's CDB contract identification number.
- All electronic submissions must be in the "Word", "PDF" or "TIF" format. Please submit all records in one file.
- The contract number is not required, but if provided must be the eight-digit CDB number only (NN-NNNN-NN) with no additional information.
- Please *TYPE* the information on the cover sheet – the CDB computer system does not accept handwritten information.
- When filling out the date on the cover sheet, please use numerals for the date. For example: type 01/01/06; not January 1, 2006.
- **DO NOT** send your CDB Monthly Manpower Utilization Report along with the required certified payroll records. The two forms are recorded differently in different places and can easily be misplaced if they are bundled together.

What information do I have to supply?

For each project managed by CDB, contractors and sub-contractors must submit:

- For each employee:
 - Name
 - Address
 - Telephone number
 - Social Security number
 - Classification or classifications
 - Hourly wages paid in each pay period
 - The number of hours worked each day in the pay period
 - The starting and ending times of each work day in the pay period.

- A statement signed by the contractor or sub-contractor certifying that the records are true and accurate; that the hourly wage paid each worker is not less than the general prevailing wage rate; and that the contractor is aware that knowingly filing a false certified payroll is a misdemeanor crime.

Does CDB require the information to be recorded in a certain way?

No, as long as all of the information is reported and the proper cover sheet is attached.

Do I have to submit a certified payroll for all of my employees?

No. You must submit a certified payroll only for employees working on a CDB-managed public works project. Existing state law defines these employees as:

"Only such laborers, workers and mechanics as are directly employed by contractors or subcontractors in actual construction work on the site of the building or construction job, and laborers, workers and mechanics engaged in the transportation of materials and equipment to or from the site, but not including the transportation by sellers and suppliers or the manufacture or processing of materials or equipment, in the execution of any contract or contracts for public works shall be deemed to be employed upon public works".

Do I have to submit certified payrolls of my suppliers or their sub-contractors?

No. The legal definition of public works employees excludes the employees and sub-contractors of suppliers and the manufacturers or processors of materials and equipment.

Do sub-contractors submit their reports separately, or do prime contractors have to collect and submit the reports of all their sub-contractors?

It is the responsibility of each firm to submit certified payrolls every month. Prime contractors are not responsible for the submissions of sub-contractors. Prime contractors *may* collect certified payroll reports from their sub-contractors and submit them as one package if they so choose. These decisions should be made cooperatively by each prime contractor and sub-contractor.

Is there a penalty if I don't submit a certified payroll to CDB?

Failing to submit a certified payroll, or knowingly filing a false payroll is a Class B misdemeanor, punishable by up to six months in jail.

Is a general contractor liable for false information supplied by a sub-contractor?

No; as long as the general contractor does not knowingly submit a false certified payroll submitted by a sub-contractor.

Is commercial software available to help me record certified payrolls?

Yes. Several software companies manufacture programs that will help any kind of company track and record certified payroll information. Four firms that have been mentioned to CDB are:

- Job Cost Inc.
Naperville, Illinois
800-562-2678
www.jobcost.com

- Cheetah Advanced Technologies, Inc.
Fort Collins, Colorado
800-323-7662
www.cheetahware.com
- BidTech, Inc.
Edmonton, Alberta, Canada
877-482-6114
www.bidtech.ca
- Sage Timberline Office
Beaverton, Oregon
503-690-6775
www.sagetimberlineoffice.com

What is CDB going to do with these records?

Under the law, CDB will retain these certified payroll records for three years. Most of the information is considered public record and will be available through the Freedom of Information Act. An employee's address, telephone number and social security number will not be released by CDB.

How can I request to view payroll records on file with CDB?

To view any of the records, you must file a freedom of information request with the CDB legal council's office. The Capital Development Board will follow the provisions of the Illinois Freedom of Information Act when taking action on all requests.

Capital Development Board
Office of the General Council
Stratton Office Building - 3rd Floor
401 South Spring Street
Springfield, IL 62706

Does this law require submissions only to the Capital Development Board?

No. All contractors engaged in any public works project must submit monthly certified payroll reports to the government agency managing the project.

When did this law take effect?

The law was signed and became effective on August 10, 2005.

How can I find a copy of this law?

This new requirement was the subject of House Bill 188, which was approved by the General Assembly in May, 2005. The bill amends Chapter 820 of the Illinois Compiled Statutes, Section 130/5. The new law can be found on-line by visiting www.ilga.gov and going to the "bill search" page.