



OFCCP Launches New Electronic Portal for Construction Contractors

Insights

9.15.22

Federal officials recently launched a new online portal allowing construction contractors, federal agency contracting officers, and applicants for construction contract federal assistance a secure electronic means to submit construction contract award notifications – but this new system could result in increased visibility with the agency and increased likelihood of an audit. According to the Office of Federal Contract Compliance (OFCCP), the new Notification of Construction Contract Award Portal (NCAP) – launched on August 26 – is a convenient and cost-effective option for contractors to comply with their obligations under federal regulations. What do you need to know about this new digital solution and whether your business should use it?

Quick Background

For more than 40 years, construction contractors and subcontractors holding any Federal or federally assisted construction contract in excess of \$10,000 have been required to give written notice to the (OFCCP) within 10 working days of the award of a construction subcontract. Until recently, contractors had to send their notifications via U.S. mail, email, and facsimile to OFCCP. However, with the launch of the new electronic portal, you now have an instantaneous delivery method at your disposal.

Portal Access and Required Information

The portal is accessible by contracting officers, applicants, contractors, and subcontractors. Users create an account via [Login.gov](https://login.gov). Once in the portal, users should input:

- Prime Contract Number issued by the federal agency or applicant (this is the number associated with the federal dollars used for your contract, issued by a federal agency or applicant, such as N63245-13-C-0001 or 0335(123E))
- Name of awarding federal agency, applicant, or contractor
- Identification of the contracting officer, applicant representative, or contractor representative submitting notification
- Identification of contractor awarded contract or subcontract
- Value of the contract

- Estimated start date of the contract
- Estimated completion date of the contract
- Geographical area in which the contract is to be performed

The agency has assured users that the portal access is secure. Once completed, users will be provided with confirmation that their notices were successfully transmitted – a response that is not currently available when contractors submit notification by fax, U.S. mail, or email.

The agency has published an [FAQ](#) to assist contractors in their notification obligations utilizing the NCAP system.

What Should Contractors Do?

Construction contractors should continue to ensure they meet their compliance obligations by providing OFCCP with notice of their contract awards. While NCAP is OFCCP's preferred method of sending construction contract notifications, you maintain the option to send notifications via mail, email, or facsimile.

Whether you should take this new pathway and begin submitting notifications via OFCCP's new electronic portal is a determination that should be made in consultation with your legal counsel, considering many aspects of your business operations. We expect the NCAP system to be utilized by OFCCP to more efficiently identify construction contractors for audit, but this alone may not be a sufficient reason for you not to take advantage of the system – depending on your individual circumstances, of course.

Conclusion

If you'd like more information about the NCAP, contact your Fisher Phillips attorney, the authors of this Insight, or any member of our [Affirmative Action and Federal Contract Compliance Group](#). We will continue to monitor developments on this topic. Make sure you are subscribed to [Fisher Phillips' Insight System](#) to get the most up-to-date information direct to your inbox.

Related People





Sheila M. Abron

Partner

803.740.7676

Email

Service Focus

Affirmative Action and Federal Contract Compliance

Industry Focus

Construction