TECHNICAL SPECIFICATIONS AND BID PROPOSAL
Capital Improvement Project

PROJECT NAME: **Proposed Women's Handicapped Bathroom**
&
Family Room Combination

***SCOPE OF WORK*: PLUMBING, ELECTRICAL AND MASONRY**

Address of Property: ***Delfino Park***
110 Lake Street, White Plains, NY

Owner: City of White Plains

INSTRUCTIONS TO BIDDERS

The following shall constitute the "Instructions to Bidders", governing the preparation and submission of the bids. These requirements will become part of the contract when and if composed. To be entitled for consideration, bids must be made in accordance with the following instructions:

1. The bidder is to be advised that the Community Development Program will receive a bid on behalf of the Owner and that any contractual arrangement for performance of the work will be between the Contractor and the Owner. The Community Development Program will neither be a party thereto, nor liable thereon.

2. The contractor must personally inspect the premises prior to submission of his BID and fully familiarize himself with all conditions relating to his work and his BID. **A mandatory pre-bid site visit is scheduled for Wednesday, September 13, 2017 at 11:00 AM, at *Delfino Park*, 110 Lake Street, White Plains, NY 10604.** All bidders must attend. The representative of each bidder shall be an authorized employee of the bidder and shall sign in accordingly. This meeting will clarify the project and/ or answer any questions. A materials/equipment storage area (if required) will be designated during the course of the pre-bid meeting.

3. The contractor is responsible for obtaining **ALL** permits and license as may be required and all costs associated with them and shall provide the Rehabilitation Officer with copies of all Inspection Reports, and/or Certificate of Compliance prior to final payment.

4. All construction work shall be performed according to the NYS Uniform Building Code Rules & Regulations, Local Building Zoning, Mechanical, Plumbing, Electrical & Demolition codes, National Electrical Code and all applicable code requirements

5. The contractor must fill out ONE copy of this BID form. Return the ONE signed copy in a sealed envelope directly to the Community Development Rehabilitation Program Office, 70 Church Street, White Plains, NY

6. PLEASE NOTE ON THE OUTSIDE OF THE ENVELOPE THE FOLLOWING: THE PROJECT NAME AND SEALED BID. THE COMMUNITY DEVELOPMENT REHABILITATION PROGRAM WILL NOT BE RESPONSIBLE FOR ANY BIDS NOT LABELED WITH THIS INFORMATION.

Tech Spec Posted Wednesday, September 6, 2017

BIDS MUST BE SUBMITTED BY NO LATER THAN

10:00 AM, Tuesday, September 19, 2017

Prepared by: Edward Nixon, CD Rehabilitation Officer

PROJECT NAME: **Proposed Women's Handicapped Bathroom**
&
Family Room Combination

***SCOPE OF WORK*: PLUMBING, ELECTRICAL AND MASONRY**

Address of Property: ***Delfino Park***
110 Lake Street, White Plains, NY

Owner: City of White Plains

NOTE: *This work falls under the* ***Davis-Bacon Act, as amended (40 U.S.C. 276a to a-7)*** *and that contractor shall supply the Community Development Program with certified payroll documentation. The Davis-Bacon and Related Acts will apply to contractors and subcontractors performing construction, alteration, or repair with federally funded or assisted contracts $2,000 or more. Under this Act, contractors shall be required to pay wages specified in a wage determination made by the Secretary of Labor. In addition, contractors shall be required to pay wages not less than once a week. A current copy of the prevailing wage will be attached to Tech Spec and contractor shall attach a copy of the prevailing wage to bid proposal. The award of contract shall be conditioned upon the acceptance of the wage determination.*

The contractor is responsible for and shall verify all quantiles, measurements, conditions, plans and drawings PRIOR to submission of bid. ***NO CHANGE ORDERS*** shall be approved for mistaken, quantities, measurements or conditions. The contractor shall notify the Rehabilitation Officer of any discrepancies in the plans, scope of work and dimensions PRIOR to submission of bid.

General:

1. General Contractor (GC) understands and acknowledges that Work must be completed before or on the 20th of October 2017 and will make the necessary effort to complete Work;

2. GC shall be responsible for **ALL** aspect of the Work;

3. GC shall include in Bid Proposal **ALL** cost associated with M.E.Ps and Masonry work;

4. GC shall furnish and install **ALL** items specified on Drawings Titled: ***Proposed Women's Handicapped Bathroom and Family Room Combination, Dated 7-17-17, pages 1 thru 4 and Technical Specification***;

5. Patch all walls, floors and ceilings as required. All new materials to be moisture and mold resistant;

6. GC to provide for mini dumpster and remove after work completion. Location for dumpster will be provided during site visit;

7. Painting and Priming of new Proposed Handicapped Bathroom shall be part of GC's Bid Proposal and must verify all finishes in field during mandatory walk though;

Painting
Manufacturer: ***Benjamin Moore Paint***
Wall Paint Color – Dove White (Two Coats)
Ceiling Paint Color - Dove White (Two Coats)
Door and Frame - Tudor Brown (Two Coats)

8. Furnish and install for a new Ceiling Access Panel to attic space located in main hallway; Access Panel to be fully hinged on one side with lock.

Ceiling Access Panel
Manufacturer: ELR (or Approve Equal)
Model #: FRC24X24PC-DUL

SCOPE OF WORK:

1. GC to build new masonry wall at proposed Handicapped Bathroom, as per Sheet 4 of 4;

2. New 6" masonry block wall shall be anchor to floor using #3 rebar with 12" O.C and ceiling with cross bracing between ceiling joist and metal strap anchors;

3. Mason shall be responsible for coordinating all openings and patching of walls for other trades;

4. ***New metal door and frame ONLY* for the *Mechanical Room shall be hot dipped Galvanized 18 Gauge with 16 Gauge fully welded frame*; *Door Stop to be furnished and installed on***

hinge;[1]

5. New entry door for bathroom from main hallway area shall be a Hot Dipped Galvanized Metal Door and 14 Gauge; Door Stop to be furnished and installed on hinge;

6. Hardware for both new doors to be Best Manufacturer;

7. All locks to be in accordance with Owner's Grandmaster Keying System;

8. All Cylinders shall have interchangeable cores;

9. Furnish un-keyed plugs for each lock and (7) pin cores- match existing finishes;

10. ***Rubberized Floor Tiles: G.C. to furnish and install for new rubberized floor tiles at main hallway. New flooring to be Black Stamina with Blue Fleck and 3/8" thickness: Manufacturer- North West Rubber Mats, LTD;***[2]

11. ***G.C. to furnish and install new rubberized floor tiles at existing bathroom (men's) and Proposed Handicapped Bathroom; new flooring to be Grey and 3/8" thickness: Manufacturer- North West Rubber Mats, LTD;***[3]

12. ***Furnish and install new 6" Vinyl Cove Base for Main Hallway, Existing Bathroom and Proposed Handicap Bathroom;***[4]

13. Floors and Cove Base shall be prep to accept new material;

14. G.C. to furnish and install **ALL** fixtures necessary for the completion of an A.D.A. Bathroom: **ALL** items are to meet A.D.A regulation;

    1. ***New Toilet Fixture***
       Manufacturer: *Sloan*
       Model#: *St-2459A Universal Closet*

    2. ***New Flushometers***
       Manufacturer: *Sloan*
       Model #: *Regal XL Flushometers 111-XL*

    3. ***New Sink Faucet***
       Manufacturer: *Sloan*
       Model#: *Optima Plus Fiber Optic Faucet EBF-85-4*

    4. ***New Sink Fixture Wall Hung with Backsplash***
       Manufacturer: *Sloan*
       Model #: *SS-3003*

15. Carrier for new toilet fixture and venting to be furnished and installed by GC, as per New York State and Local Plumbing Codes;

16. Water lines and waste for sink to be mounted on block wall and insulated;

17. Furnish and install A.D.A Mirror and Grab Bars; other bathroom accessories supplied by Owner;

18. GC to remove and dispose of (3) existing ceiling light fixtures and replace with (3) L.E.D light fixture;

    1. ***New Ceiling Light Fixture***
       Manufacturer: *LG Innotek*
       Supplier: *A.L.P Lighting Components, Ink*
       Model # *314 LED Wraparound 2 –Row L.E.D*

20. Change wall switch at Proposed Handicapped Bathroom to a motion sensor- sensor to control lights and new exhaust fan;

21. Install a new variable speed switch on main hallway side to control roof exhaust fan;

22. Furnish and install (1) hand dryer mount on block wall between sink and toilet;

23. Install (1) GFIC Receptacle by sink per Code and use circuit to power new hand dryer;

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[1] This is a change from the General Notes for Construction located on Sheet 2 of 4 of the Plans for Proposed Women's Handicapped Bathroom and Family Room Combination. This change supersedes the note on the Plans.
Footnotes #2, 3, and 4: This is a change from the General Notes for Construction located on Sheet 2 of 4 of the Plans for Proposed Women's Handicapped Bathroom and Family Room Combination. This change supersedes the note on the Plans.

24. Move existing receptacle located below existing wood shelving to new masonry wall, convert to GFIC;

25. Furnish and install for (1) Roof Exhaust Fan:

    1. ***Exhaust Fan***
       Manufacturer: Loren Cook Company
       Model#: ACE B

26. Exhaust fan to be 1200 – 1500 cfm; 1" Static Pressure; Belt Driven with Pre-Fabricated Roof Curb & Automatic Damper; Duct Trough to accommodate (8) 8" Flex Duct with 10" x 10" register; 120 volt with variable speed – ***Contractor to submit alternate cost for side-mounted Exhaust Fan.***

SUPPLEMENTARY TECHNICAL SPECIFICATIONS

A. NOTICE TO CONTRACTORS AND OWNERS: Unless otherwise noted in the specifications, in the event deteriorated, decayed and or rotted wood is discovered during the course of construction, the contractor will immediately notify the Owner and the Rehabilitation Officer of the CD Office, who will then conduct a field inspection to determine if the deterioration should be replaced.

B. IMPORTANT NOTICE TO CONTRACTOR: Under this Scope of Work item, the General Contractor shall be advised that this building *meets the criteria for the New York State Office of Parks, Recreation and Historical Preservation otherwise known as SHPO, and that all methods of construction and materials are to be in keeping with the building's character and as per the Scope of Work. The Contractor shall take every precaution necessary to insure and preserve the building's appearance with new material to be installed in a manner that will minimize any appearance change. The Contractor shall notify the CD Office of any problems that would affect the finished condition of the building. Upon uncovering of any objectionable job conditions, the contractor shall notify the CD Office for verification of these conditions. The contractor is not to proceed on this work item until verified by Owner and as ordered by the CD Office.

C. The Contractor shall file and pay for all the required permits and inspections necessary to complete the project.

D. The Contractor shall supply all materials, labor, tools and equipment, as specified in this Contractors Manual, required under this contract for a complete, neat and skilled installation.

E. **Codes**: The Contractor shall perform all work in strict accordance with the New York State / Building, Fire, Maintenance and Energy Codes, the New York Board of Fire Underwriters, BOCA, plus any other Local Municipality code that is applicable including those found in this Contractors manual.

F. Contractor shall remove and dispose of all debris and materials resulting from work.

G. Contractor shall be responsible for the repair of any adjoining work on which his work, in any way, is dependent for its proper installation.

H. All openings in the walls, floors, roof, etc., shall be accurately located and sited as per the mechanical requirements whether they are shown on drawings or not; neatly cut and no wider or deeper than necessary.

I. Contractor shall perform all work in strict conformance to the regulations promulgated pursuant to the Lead Based Paint Hazard Reduction Act of 1992 (24 CFR Part 35) by using US/HUD's Safe Work Practices and US/EPA's Renovation, Repair and Paint, (RRP), rule (40 CFR 745). The use of LBP is STRICTLY PROHIBITED. If applicable, specifications for LBP / Hazard Reduction activities concerning this bid are contained in a separate SECTION 15000 pages 125-134.

J. Contractor shall take all the necessary measures and precautions to protect surroundings and attachments (interior and exterior) and shall be liable for all damages that may be caused by his actions and work.

K. The Contractor shall perform all other work as required to deliver a completed and satisfactory job using skilled craftsmen. All measurements and the Scope of Work must be verified on the job by the contractor.

L. The contractor must protect all shrubs, trees, bushes, plants, lawns, etc. and will be held liable for all damages.

M. The contractor shall be responsible for securing the premises during the course of construction and shall not permit entry by any person or persons other than his employees, sub-contractors and/or suppliers and be responsible for same

N. If applicable, the contractor shall be responsible for maintain the structure during the course of construction in a weather tight manner. All areas will be protected from the elements through the use of temporary or permanent means, recognized by the appropriate construction trade.

O. The contractor shall follow all OSHA requirements, which state that under the OSH Act, employers are responsible for providing a safe and healthful workplace.

P. Said work falls under the Davis-Bacon Act. The contractor shall supply the City of White Plains with certified payroll documentation. The Davis-Bacon and Related Acts apply to contractors and subcontractors performing construction, alteration, or repair with federally funded or assisted contracts in excess of $2,000. Davis-Bacon Act and Related Act contractors and subcontractors must pay their laborers and mechanics employed under the contract no less than the locally prevailing wages and fringe benefits for corresponding work on similar projects in the area. The Davis-Bacon Act directs the Department of Labor to determine such locally prevailing wage rates.

WORK PERFORMANCE

A. Labor Quality: All labor furnished by contractors or subcontractors must be performed by trained, skilled, competent craftsperson, licensed when required. All work shall be performed to meet minimum acceptable quality standards and all work performed will be subject to inspections and approval by the CD Office.

B. Materials Quality: The contractor must furnish all materials, cartage, equipment, etc., at his expense that may be necessary to the satisfactory execution of the contract. The materials used and installed must be new and of the best quality as specified. These Performance Standards are not intended to exclude any products or materials of equal or greater merit than those specified herein. Trade names used herein are for the purpose of establishing the quality desired. Before substitutions for materials specified are made, the consent of the CD Rehabilitation Officer must be obtained in writing. All materials furnished and/or installed are subject to inspections and approval by CD Office.

C. Verification of Measurements: Contractor shall verify and be responsible for all measured dimensions. No extra compensation will be allowed because differences between actual measurements and dimensions were shown.

NOTE: THE CONTRACTOR AGREES TO ADHERE TO THE PRICE GIVEN BELOW FOR A PERIOD OF SEVEN DAYS COMMENCING WITH THE DATE THE BID WAS DUE.

NOTE: THE CONTRACTORS FAILURE TO HONOR THIS SPECIFICATION PRICE ACCEPTED BY THE COMMUNITY DEVELOPMENT PROGRAM WILL JEOPARDIZE FUTURE PARTICIPATION FOR THE CONTRACTOR IN THE COMMUNITY DEVELOPMENT REHABILITATION PROGRAM.

PAYMENT

A PAYMENT SCHEDULE WILL BE NEGOTIATED UPON AWARD OF CONTRACT AND THE SATISFACTORY COMPLETION OF ALL WORK.

BID PROPOSAL

The undersigned contractor agrees to supply all labor and materials for the attached Contract.

$ _____
(Amount in Numbers)

Dated: _____

_____
Signature

PROPERTY:

_____
Name of Company

CONTRACT #:

_____
Address of Business

_____
Phone Number of Company

Contract Provisions

1. **Equal Employment Opportunity** - All construction contracts awarded in excess of $10,000 shall contain a provision requiring compliance with E.O. 11246, "Equal Employment Opportunity," as amended by E.O. 11375, "Amending Executive Order 11246 Relating to Equal Employment Opportunity," and as supplemented by regulations at 41 CFR part 60, "Office of Federal Contract Compliance Programs, Equal Employment Opportunity, Department of Labor."

2. **Copeland "Anti-Kickback" Act** (18 U.S.C. 874 and 40 U.S. C. 276c) - All contracts and sub-grants in excess of $2000 for construction or repair shall include a provision for compliance with the Copeland "Anti-Kickback" Act (18 U.S.C. 874), as supplemented by Department of Labor regulations (29 CFR part 3, "Contractors and Subcontractors on Public Building or Public Work Financed in Whole or in Part by Loans or Grants from the United States"). The Act provides that each contractor or sub-recipient shall be prohibited from inducing, by any means, any person employed in the construction, completion, or repair of public work, to give up any part of the compensation to which he is otherwise entitled. All suspected or reported violations shall be reported to the Federal awarding agency.

3. **Davis-Bacon Act**, as amended (40 U.S.C. 276a to a-7) - When required by Federal grant program legislation, all construction contracts awarded by Recipients and sub-recipients of more than $2000 shall include a provision for compliance with the Davis-Bacon Act (40 U.S.C. 276a to a-7) and as supplemented by Department of Labor regulations (29 CFR part 5, "Labor Standards Provisions Applicable to Contracts Governing Federally Financed and Assisted Construction") . Under this Act, contractors shall be required to pay wages to laborers and mechanics at a rate not less than the minimum wages specified in a wage determination made by the Secretary of Labor. In addition, contractors shall be required to pay wages not less than once a week. The Recipient shall place a copy of the current prevailing wage determination issued by the Department of Labor in each solicitation and the award of a contract shall be conditioned upon the acceptance of the wage determination. All suspected or reported violations shall be reported to the Federal awarding agency.

4. **Contract Work Hours and Safety Standards Act** (40 U.S. C. 327-330) - Where applicable, all construction contracts awarded in excess of $100,000. Contracts that involve the employment of mechanics or laborers shall include a provision for compliance with Sections 103 and 107 of the Contract Work Hours and Safety Standards Act (40 U.S.C. 327-330), as supplemented by Department of Labor regulations (29 CFR part 5). Under Section 102 of the Act, each contractor shall be required to compute the wages of every mechanic and laborer on the basis of a standard work week of 40 hours. Work in excess of the standard work week is permissible provided that the worker is compensated at a rate of not less than 1 1/2 times the basic rate of pay for all hours worked in excess of 40 hours in the work week.

Section 107 of the Act is applicable to construction work and provides that no laborer or mechanic shall be required to work in surroundings or under working conditions which are unsanitary, hazardous or dangerous on federal and federally financed and assisted construction projects. These requirements do not apply to the purchases of supplies or materials or articles ordinarily available on the open market, or contracts for transportation or transmission of intelligence.

5. **Patent Rights to Inventions Made Under a Contract or Agreement** - Contract agreements for the performance of experimental, developmental, or research work shall provide for the patent rights of the Federal Government and the Recipient in any resulting invention in accordance with 37 CFR part 401, "Rights to Inventions Made by Nonprofit Organizations and Small Business Firms Under Government Grants, Contracts and Cooperative Agreements," and any implementing regulations issued by the awarding agency.

6. **Clean Air Act** {42 U.S.C. 7401.et seg.) and the Federal Water Pollution Control Act {33 U.S.C. 1251 et sea.), as amended - Contracts and sub-grants of amounts in excess of $100,000 shall contain a provision that requires compliance with all applicable standards, orders or regulations issued pursuant to the Clean Air Act (42 U.S.C. 7401 et seq.) and the Federal Water Pollution Control Act as amended (33 U.S.C. 1251 et seq,). Violations shall be reported to the Federal awarding agency and the Regional Office of the Environmental Protection Agency (EPA).

7. **Section 312 U.S.C. 1701 u of The Housing & and Community Development Act of 1968**., as amended - All contracts subject to Section 3 shall include the clause set forth at 24 CFR 135.38 as provided in the Section 3 Rider.

NOTICE TO CONTRACTORS

THE CITY OF WHITE PLAINS – DEPARTMENT OF PLANNING

Sealed Bids will be received by the Community Development Program of the City of White Plains, N.Y., 70 Church Street, White Plains, N.Y., until 10:00 A.M. EST on Tuesday, September 19, 2017, at which place and after which time they will be publicly opened and read aloud for the following work:

TITLE: Proposed Women's Handicapped Bathroom and Family Room Combination
TARGET START DATE: September 21, 2017
TARGET COMPLETION DATE: October 20, 2017

Work includes furnishing of all materials, debris removal, labor and work necessary to complete said work. *Contractor shall furnish with Bid Proposal a complete copy of contractor's primary insurance policies which must be in effect and continued so during the life of contract, in not less than the following amounts, with the City of White Plains & Community Development Program as additional insured on all polices:*

Automobile Liability	***$ 1,000,000***
Personal & Property Liability	***$ 1,000,000***
Workmen's Compensation	

See City website (http://cityofwhiteplains.com/bids.aspx) for Technical Specifications and Bid Proposal.

This project is funded by the U.S. Department of Housing and Urban Development (HUD) and therefore must comply with the *Davis-Bacon Act, as amended (40 U.S.C. 276a to a-7)* and all relevant federal requirements. Neither the United States nor any of its departments, agencies, or employees is or will be a party to this invitation for bids or any resulting contract this procurement will be subject to regulations contained in 24 CFR PART 85.

The City requires contractors to utilize their best efforts to achieve goals for the Minority Business Enterprises (MBE's) and Women's Business Enterprises (WBE's) participation on this project. NYS has set a combined MWBE goal of 20% for construction contracts. NYS has further defined the goals by county, the NYS goals for Westchester counter are: 22% by MBE firms and 10% by WBE firms. The successful bidder will be required to take various affirmative steps to achieve the participation goals set forth herein.

PLANS, AND/OR SPECIFICATIONS, AND OTHER CONTRACT DOCUMENTS may be examined at the office of the Community Development Program, at Municipal Building, 70 Church Street, White Plains, N.Y. and may be obtained at said website. No bid shall be received or considered after the time stated hereinafter. The City of White Plains reserves the right to waive any informality in the bids, or to reject any or all the bids. No bidder may withdraw his bid within 7 days after the date bids are publicly opened.

A mandatory pre-bid site visit is scheduled for Wednesday, September 13, 2017 at 11:00 AM EST, at ***Delfino Park***, 110 Lake Street Mitchell Place, White Plains, NY 10604. All bidders must attend. The representative of each bidder shall be an authorized employee of the bidder and shall sign in accordingly.

Any questions please contact the White Plains Department of Planning Community Development Program for more information:

White Plains Department of Planning
Office of Community Development
70 Church Street, White Plains NY 10601
Phone: 914-422-1300
Email: planning@whiteplainsny.gov

SITE LOCATION MAP

SCALE : 1" = XXX'

SYMBOL LIST	
NAME	SYMBOL

DRAWING LIST	
SHEET	TITLE
1	TITLE SHEET
2	GENERAL CONSTRUCTION NOTES / SPEC'S
3	EXISTING AND PARTIAL DEMO PLAN
4	PROPOSED NEW BATHROOM PLAN

PLANS FOR:

PROPOSED WOMEN'S HANDICAPPED BATHROOM AND FAMILY ROOM COMBINATION

COMMON COUNCIL

Thomas M. Roach, Mayor

John Kirkpatrick, President
Dennis E. Krolian
Milagros Lecuona

John M. Martin
Nadine Hunt-Robinson
Beth N. Smayda

Richard G. Hope
Commissioner of Public Works

DEPARTMENT OF PUBLIC WORKS
BUREAU OF ENGINEERING
255 MAIN STREET WHITE PLAINS, N.Y. 10601
PHONE: (914) 422-1206 FAX: (914) 422-1469

Unauthorized Alteration or Addition to this Plan is a Violation of Section 7209(2) of the New York State Education Law. Copies of this Map Not Having the Seal of the Engineer Shall Not Be Valid.

Drawn by : P.C.
Designed by : P.C.
Recommended by :

No.	Revision/Issue	Date

DEPARTMENT OF PUBLIC WORKS
Anthony R. Carr, P.E., CFM
DEPUTY COMMISSIONER OF PUBLIC WORKS
N.Y. STATE P.E. LICENSE NO. 087233

APPROVED BY DEPARTMENT OF PUBLIC WORKS
_____ Date: _____
Richard G. Hope
COMMISSIONER OF PUBLIC WORKS

THE CITY OF WHITE PLAINS
DEPARTMENT OF PUBLIC WORKS
BUREAU OF ENGINEERING
255 MAIN STREET • WHITE PLAINS, NY 10601
PHONE: (914) 422- 1216 • FAX: (914) 422- 1469

PLANS FOR:
Delfino Park

CONTRACT No._____

Date: 07-17-17
Scale: as noted
Sheet: 1 of 4

G:\ENG\DRAWINGS\parks\Delfino Park\Ebersole Rink\Interior Renovation\bathroom layout

ALL ITEMS TO MEET A.D.A REGULATIONS:

NEW TOILET FIXTURE.
MANUFACTURER: SLOAN
MODEL #: ST 2459 A UNIVERSAL CLOSET

NEW FLUSHOMETERS.
MANUFACTURER: SLOAN
MODEL #: REGAL XL FLUSHOMETERS 111-XL

NEW SINK FIXTURE WALL HUNG WITH BACKSPLASH.
MANUFACTURER: SLOAN
MODEL #: SS-3003

NEW SINK FAUCET.
MANUFACTURER: SLOAN
MODEL #: OPTIMA PLUS FIBER OPTIC FAUCET EBF 85-4

NEW CEILING ACCESS PANEL
(OR APPROVED EQUAL)
MANUFACTURER: ELMDOR
MODEL #: FRC24X24PC-DUL

NEW CHANGING TABLE SIZE OPENED
(OR APPROVED EQUAL)
35.5"x19"Dx19"H.
MANUFACTURER: ELR
MODEL #: 18004

GENERAL NOTES FOR CONSTRUCTION:

NEW 6" MASONRY BLOCK WALL, ANCHOR TO FLOOR WITH #3 REBAR MINIMUM 12" O.C. AND CEILING WITH CROSS BRACING BETWEEN CEILING JOIST AND METAL STRAP ANCHORS.

NEW METAL DOOR, HOT DIPPED GALVANIZED, FULLY WELDED FRAME AND 14 GAUGE.

HARDWARE TYPE BEST MANUFACTURER. ALL LOCKS IN ACCORDANCE WITH THE OWNER'S GRANDMASTER KEYING SYSTEM. ALL CYLINDERS SHALL HAVE INTERCHANGEABLE CORES. KEYING WILL BE PERFORMED BY THE OWNER. FURNISH UN-KEYED PLUGS FOR EACH LOCK AND (7) PIN CORES. MATCH EXISTING FINISHES.

RUBBERIZED FLOOR TILES
MANUFACTURER : NORTH WEST RUBBER MATS, LTD
SUPPLIER: BECKER ARENA PRODUCTS, INC.
MODEL #: BLACK STAMINA WITH BLUE FLECK AND 3/8" THICKNESS.

NEW CEILING MOUNTED EXHAUST FAN VENTED TO EXTERIOR. (OR APPROVED EQUAL)
MANUFACTURER: BROAN
MODEL #: L250

PATCH ALL WALLS, FLOORS AND CEILINGS AS REQUIRED. ALL NEW MATERIALS TO BE MOISTURE AND MOLD RESISTANT.

BENJAMIN MOORE PAINT. SEMI GLOSS FINISH FOR WALLS AND CEILINGS. VERIFY ALL FINISHES IN FIELD, PRIOR TO PERFORMING WORK.
PRIMER (TWO COATS): TINT PRIMER AS NEEDED
WALL PAINT COLOR (TWO COATS): DOVE WHITE
CEILING PAINT COLOR (TWO COATS): DOVE WHITE
DOOR AND FRAMES (TWO COATS): TUDOR BROWN

MECHANICAL WALL, DEMO AS NEEDED TO CONNECT ALL NEW PIPING TO EXISTING UTILITIES AND PATCH / REPAIR TO MATCH EXISTING.

OPTION VENTING #1: PREFERRED BY THE CITY TO EXHAUST VENT THROUGH SIDE WALL PATCH FACADE AS REQUIRED TO MATCH EXISTING MATERIALS AND FINISHES. CONNECT ELECTRICAL TO OPERATE OFF LIGHTING CIRCUIT.

OPTION VENTING #2: EXHAUST VENT THROUGH ROOF, PATCH ROOF AS REQUIRED TO MATCH EXISTING MATERIALS AND FINISHES. CONNECT ELECTRICAL TO OPERATE OFF LIGHT CIRCUIT.

ACCESS PANEL TO ATTIC SPACE IN MAIN HALLWAY. VERIFY CEILING STRUCTURE FOR EXACT LOCATION. FULLY HINGED ON ONE SIDE WITH LOCK.

REMOVE EXISTING WOOD STRUCTURE SHELVING ENTIRELY.

FURNISH AND INSTALL HANDICAPPED WALL MOUNTED TOILETS AND LAVATORY COMPLETE WITH CARRIERS.

FURNISH AND INSTALL ALL REQUIRED PIPING. CONNECT TO EXISTING. FURNISH AND INSTALL ALL HOT AND COLD WATER VALVES TO ALL FIXTURE UNITS.

FURNISH AND INSTALL AND DO ALL REQUIRED ELECTRICAL WORK TO CONNECT NEW L.E.D FIXTURES.
MANUFACTURER: LG INNOTEK
SUPPLIER: A.L.P. LIGHTING COMPONENTS, INC.
MODEL #: 314 LED WRAPAROUND 2-ROW L.E.D.

ALTERNATE #1 - SUPPLY NEW ENTRY DOOR FOR BATHROOM FROM MAIN HALLWAY AREA, SAME SPECIFIVATIOIN AS NEW DOOR FOR MECHANICAL ROOM.

GENERAL CONSTRUCTION NOTES

V.I.F. : VERIFY IN FIELD ALL DIMENSIONS PRIOR TO BID

SCALE : NTS

Drawing name: G:\ENG\DRAWINGS\parks\Delfino Park\Ebensole Rink\Interior Renovation\bathroom layout march 2017.dwg

EXISTING AND PARTIAL DEMO PLAN

V.I.F. : VERIFY IN FIELD ALL DIMENSIONS PRIOR TO BID

SCALE : 1/4" = 1'-0"

Sheet: 3 of 4

Drawing name: G:\ENGIDRAWING\Sparks\Delfino Park\Eberstle Rink\Interior Renovation\bathroom layout march 2017.dwg

PROPOSED NEW BATHROOM PLAN

V.I.F. : VERIFY IN FIELD ALL DIMENSIONS PRIOR TO BID

SCALE : 1/2" = 1'-0"

Sheet: 4 of 4

Drawing name: G:\ENGDRAWING\Sparks\Delfino Park\Ebersole Rink\Interior Renovation\bathroom layout march 2017.dwg

MAKING DAVIS-BACON WORK

June 2006

hud

Introduction

This Guide has been prepared for you as a contractor performing work on construction projects that are ***assisted*** by the Department of Housing and Urban Development and subject to Davis-Bacon prevailing wage requirements. This Guide ***does not*** address contractor requirements involved in ***direct*** Federal contracting where HUD or another Federal agency enters into a procurement contract. In this latter case, the Federal Acquisition Regulations (FAR) are applicable. While the guidance contained in this Guide is generally applicable to ***any*** Davis-Bacon covered project, specific questions pertaining to direct Federal contracts should be addressed to the Contracting Officer who signed the contract for the Federal agency.

Our objective here is to provide you with a guide which is simple and non-bureaucratic yet comprehensive and which will help you better understand and comply with Davis-Bacon labor standards. HUD's Office of Labor Relations worked closely with the Department of Labor's Wage and Hour Division to make sure that the labor standards provisions in your contract and the specifics of complying with them represent the latest information. It is the Department of Labor which has general administrative oversight of all Federal contracting agencies, such as HUD, which administer the day-to-day responsibilities of enforcing Davis-Bacon provisions in construction contracts they either fund or assist in funding.

There are three chapters in this Guide. The first chapter offers a brief description of the laws and regulations associated with Federal labor standards administration and enforcement and discusses both what's in your contract that requires Davis-Bacon compliance and your responsibilities. The second chapter deals with labor standards and payroll reporting requirements. The third chapter discusses what can happen in the event there is a dispute about the wage rates that should be (or have been) paid and any back wages that may be due.

Finally, not all HUD construction projects are covered by Davis-Bacon wage rates. For the purpose of this Guide, we are assuming that a determination has already been made that Davis-Bacon wage rates are applicable. Should you wish assistance in determining whether Davis-Bacon wage rates apply to a particular project or if you need other related technical assistance, please consult with the HUD Labor Relations Field staff for your area. If you don't know which staff to contact, a list of Labor Relations field offices and their geographic areas and telephone numbers can be found on HUD's Home Page at the address below.

Visit the Office of Labor Relations
on the World Wide Web HUD Home Page at:
http://www.hud.gov/offices/olr

Obtain additional copies of this Guide and other publications at our web site or by telephone from HUD's Customer Service Center at (800) 767-7468.

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CHAPTER 1. Laws, Regulations, Contracts and Responsibilities

The following paragraphs describe what the labor standards laws and regulations actually say and what they mean to you on HUD projects:

1-1 Davis-Bacon and Other Labor Laws

a. The Davis-Bacon Act (DBA)

The Davis-Bacon Act requires the payment of prevailing wage rates (which are determined by the U.S. Department of Labor) to all laborers and mechanics on Federal government and District of Columbia construction projects in excess of $2,000. Construction includes alteration and/or repair, including painting and decorating, of public buildings or public works.

Most HUD construction work ***is not*** covered by the DBA itself since HUD seldom contracts directly for construction services. Most often, if Davis-Bacon wage rates apply to a HUD project it is because of a labor provision contained in one of HUD's "Related Acts" such as the U.S. Housing Act of 1937, the National Housing Act, the Housing and Community Development Act of 1974, the National Affordable Housing Act of 1990, and the Native American Housing Assistance and Self-Determination Act of 1996. The Related Acts are often referred to as the **Davis-Bacon and Related Acts or *DBRA*.**

b. The Contract Work Hours and Safety Standards Act (CWHSSA)

CWHSSA requires time and one-half pay for overtime (O/T) hours (over 40 in any workweek) worked on the covered project. The CWHSSA applies to both direct Federal contracts and to indirect Federally-assisted contracts ***except*** where the assistance is solely in the nature of a loan guarantee or insurance. CWHSSA violations carry a liquidated damages penalty ($10/day per violation). Intentional violations of CWHSSA standards can be considered for Federal criminal prosecution.

CWHSSA does not apply to *prime contracts* of $100,000 or less. In addition, some HUD projects are not covered by CWHSSA because some HUD programs only provide loan guarantees or insurance. CWHSSA also does not apply to construction or rehabilitation contracts that are not subject to Federal prevailing wage rates (e.g., Davis-Bacon wage rates, or HUD-determined rates for operation of public housing and Indian block grant-assisted housing). However, even though CWHSSA overtime pay is not required, Fair Labor Standards Act (FLSA) overtime pay is probably still applicable. *(See also* Labor Relations Letter *SL-95-01, CWHSSA Coverage threshold for overtime and health and safety provisions,* available on-line at the HUD Labor Relations Library at: www.hud.gov/offices/olr/library.cfm)

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DOL Regulations are available on-line on the World Wide Web: ***http://www.dol.gov/dol/allcfr/Title_29/toc.htm***

c. The Copeland Act (Anti-Kickback Act)

The Copeland Act makes it a Federal crime for anyone to require any laborer or mechanic (employed on a Federal or Federally-assisted project) to ***kickback*** (i.e., give up or pay back) any part of their wages. The Copeland Act requires every employer (contrac- tors and subcontractors) to submit weekly certified payroll reports (CPRs) and regulates permissible payroll deductions.

d. The Fair Labor Standards Act (FLSA)

The FLSA contains Federal minimum wage rates, overtime (O/T), and child labor requirements. These requirements generally apply to any labor performed. The DOL has the authority to administer and enforce FLSA. HUD will refer to the DOL any possible FLSA violations that are found on HUD projects.

1-2 Davis-Bacon Regulations

The Department of Labor (DOL) has published rules and instructions concerning Davis-Bacon and other labor laws in the Code of Federal Regulations (CFR). These regulations can be found in ***Title 29 CFR Parts 1, 3, 5, 6 and 7.*** *Part 1* explains how the DOL establishes and publishes DBA wage determinations *(aka wage decisions)* and provides instructions on how to use the determinations. *Part 3* describes Copeland Act requirements for payroll deductions and the submission of weekly certified payroll reports. *Part 5* covers the labor standards provisions that are in your contract relating to Davis-Bacon Act wage rates and the responsibilities of contractors and contracting agencies to administer and enforce the provisions. *Part 6* provides for administra- tive proceedings enforcing Federal labor standards on construction and service contracts. Last, *Part 7* sets parameters for practice before the Administrative Review Board. These regulations are used as the basis for administering and enforcing the laws.

1-3 Construction Contract Provisions

Each contract subject to Davis-Bacon labor standards requirements must contain labor standards clauses and a Davis-Bacon wage decision. These documents are often bound into the contract specifications.

a. The Labor Standards Clauses

The labor standards clauses describe the responsibilities of the contractor concerning Davis-Bacon wages and obligate the contractor to comply with the labor requirements. The labor standards clauses also provide for remedies in the event of viola- tions, including withholding from payments due to the contractor to ensure the payment of wages or liquidated damages which may be found due. These contract clauses enable the contract adminis- trator to enforce the Federal labor standards applicable to the project. HUD has standard forms that contain contract clauses. For example, the HUD-2554, Supplementary Conditions to the Contract for Construction, which is issued primarily for FHA multifamily housing and other construction projects administered by HUD; the HUD-4010, Federal Labor Standards Provisions, which is used for CDBG and HOME projects, and the HUD-5370, General Conditions of the Contract for Construction – Public and Indian Housing Program.

b. Davis-Bacon Wage Decisions

The Davis-Bacon wage decision (or wage determination) is a listing of various construction work classifications, such as Carpenter, Electrician, Plumber and Laborer, and the minimum wage rates (and fringe benefits, where prevailing) that people performing work in those classifications must be paid.

Davis-Bacon wage decisions are established by the DOL for various types of construction (e.g., residential, heavy, highway) and apply to specific geographic areas, usually a county or group of counties. Wage decisions are modified from time to time to keep them current. In most cases, when the contract is awarded or when construction begins, the wage decision is "locked-in" and no future modifications are applicable to the contract or project involved.

All current Davis-Bacon wage decisions can be accessed on-line at no cost at:

www.wdol.gov

1-4 Responsibility of the Principal Contractor

The principal contractor (also referred to as the ***prime*** *or* ***general contractor***) is responsible for the full compliance of all employers (the contractor, subcontractors and any lower-tier subcontractors) with the labor standards provisions applicable to the project. Because of the contractual relationship between a prime contractor and his/her subcontractors, subcontractors generally should communicate with the contract administrator only through the prime contractor. *(See Contract Administrator, below.)*

To make this Guide easier to understand, the term ***"prime contractor"*** will mean the principal contractor; ***"subcontractor"*** will mean all subcontractors including lower-tier subcontractors; and the term ***"employer"*** will mean all contractors as a group, including the prime contractor and any subcontractors and lower-tier subcontractors.

1-5 Responsibility of the Contract Administrator

The ***contract administrator*** is responsible for the proper administration and enforcement of the Federal labor standards provisions on contracts covered by Davis-Bacon requirements. We use this term to represent the person (or persons) who will provide labor standards advice and support to you and other project principals (e.g., the owner, sponsor, architect), including providing the proper Davis-Bacon wage decision (see ¶2-1, ***The Wage Decision***) and ensuring that the wage decision and contract clauses are incorporated into the contract for construction. The contract administrator also monitors labor standards compliance (see ¶2-6, ***Compliance Reviews***) by conducting interviews with construction workers at the job site and reviewing payroll reports, and oversees any enforcement actions that may be required.

The contract administrator could be an employee or agent of HUD, or of a city or county or public housing agency. *For HUD projects administered directly by HUD staff, usually FHA-insured multifamily projects, the contract administrator will be the HUD Labor Relations field staff.* But many HUD-assisted projects are administered by local contracting agencies such as Public Housing Agencies (PHAs),

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Indian tribes and tribally-designated housing entities (TDHEs), and States, cities and counties under HUD's Community Development Block Grant (CDBG) and HOME programs. In these cases, the *con- tract administrator* will likely be local agency staff. In either case, the guidance for you remains essentially the same.

The DOL also has a role in monitoring Davis-Bacon administration and enforcement. In addition, DOL has independent authority to conduct investigations. A DOL investigator or other DOL representative may visit Davis-Bacon construction sites to interview construction workers or review payroll information.

CHAPTER 2. How to Comply with Labor Standards and Payroll Reporting Requirements

Where to start?

Now that you know you're on a Davis-Bacon project and you know some of the legal and practical implications, what's next?

SECTION 1 — THE BASICS

2-1 The Wage Decision

Davis-Bacon labor standards stipulate the wage payment requirements for *Carpenters, Electricians, Plumbers, Roofers, Laborers, and other construction work classifications* that may be needed for the project. The ***Davis-Bacon wage decision*** that applies to the project contains a schedule of work classifications and wage rates that must be followed. If you don't have it already (and by now you should), you'll want to get a copy of the applicable ***Davis-Bacon wage decision***.

> Remember, the wage decision is contained in the contract specifications along with the labor standards clauses. *See ¶1-3, Construction Contract Provisions.*

a. The Work Classifications and Wage Rates

A Davis-Bacon wage decision is simply a listing of different work classifications and the minimum wage rates that must be paid to anyone performing work in those classifications. You'll want to make sure that the work classification(s) you need are contained in the wage decision and make certain you know exactly what wage rate(s) you will need to pay. Some wage decisions cover several counties and/or types of construction work (for example, residential and commercial work) and can be lengthy and difficult to read. Contact the *contract administrator* (HUD Labor Relations field staff or local agency staff) if you have any trouble reading the wage decision or finding the work classification(s) you need.

> To make reading lengthy wage decisions easier for you, the contract administrator may prepare a Project Wage Rate Sheet (HUD-4720). This Sheet is a one-page transcript that will show only the classifications and wage rates for a particular project. A blank copy of a Project Wage Rate Sheet is provided for you in the appendix. Also, a fillable version of this form is available on-line at HUDClips (see web address in the Appendix). Contact the contract administrator monitoring your project for assistance with a Project Wage Rate Sheet.

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b. Posting the Wage Decision

If you are the prime contractor, you will be responsible for posting a copy of the wage decision (or the Project Wage Rate Sheet) and a copy of a DOL poster called *Notice to All Employees* (Form WH-1321) at the job site in a place that is easily accessible to all of the construction workers employed at the project and where the wage decision and poster won't be destroyed by wind or rain, etc. The *Notice to All Employees* poster is available on-line at HUDClips (see address in the Appendix).

2-2 Additional "Trade" Classifications and Wage Rates

What if the work classification you need isn't on the wage decision? If the work classification(s) that you need doesn't appear on the wage decision, you will need to request an ***additional classification and wage rate***. This process is usually very simple and you'll want to start the request right away. Basically, you identify the classification you need and recommend a wage rate for DOL to approve for the project. There are a few rules about additional classifications; you'll find these rules in the DOL regulations, Part 5, and in the labor clauses in your contract. The rules are summarized for you here:

a. Additional Classification Rules

Additional classifications and wage rates can be approved if:

1) The requested classification is used by construction contractors in the area of the project. (The area is usually defined as the *county* where the project is located).

2) The work that will be performed by the requested classification is not already performed by another classification that is already on the wage decision. (In other words, if there already is an Electrician classification and wage rate on the wage decision you can't request another Electrician classification and rate.)

3) The proposed wage rate for the requested classification "fits" with the other wage rates already on the wage decision. (For example, the wage rate proposed for a trade classification such as Electrician must be at least as much as the lowest wage rate for other trade classifications already contained in the wage decision.) And,

4) The workers that will be employed in the added classification (if it is known who the workers are/will be), or the workers' representatives, must agree with the proposed wage rate.

b. Making the Request

A request for additional classification and wage rate must be made in writing through the contract administrator. (If the contract administrator is a local agency, the agency will send the request to the HUD Labor Relations staff.) If you are a subcontractor, your request should also go through the prime contractor. All you need to do is identify the work classification that is missing and recommend a wage rate (usually the rate that employer is already paying to the employees performing the work) for that classification. You may also need to describe the work that the new classification will perform.

c. HUD Review

The HUD Labor Relations field staff will review the requested classification and wage rate to determine whether the request meets the DOL rules outlined in paragraph 2-2(a), above. If additional information or clarification is needed, the staff will contact the prime contractor (or contract administrator for local agency projects) for more information, etc. If the Labor Relations review finds that the request meets the rules, the staff will give preliminary approval on the request and refer it to the DOL for final approval. The staff will send to you a copy of the preliminary approval/referral letter to the DOL.

If the HUD Labor Relations staff doesn't think the request meets the rules and if agreement can't be reached on the proper classification or wage rate for the work described, the HUD Labor Relations staff will *not* approve the request. In this case, the staff will send your request to the DOL with an explanation why HUD believes that the request shouldn't be approved. The DOL still has final decision authority. You will receive a copy of the disapproval/referral letter to the DOL.

d. DOL Decision

The DOL will respond to HUD Labor Relations in writing about the additional classification and wage rate request. HUD Labor Relations will notify you of the DOL decision in writing. If the DOL approves the request, the prime contractor must post the approval notice on the job site with the wage decision.

If the DOL *does not* approve the request, you will be notified about what classification and wage rate should be used for the work in question. You will also receive instructions about how to ask for DOL reconsideration if you still want to try to get your recommendation approved.

It's always a good idea to talk to the contract administrator before submitting an additional classification and wage rate request. The contract administrator can offer suggestions and advice that may save you time and increase the likelihood that DOL will approve your request. Usually, the contract administrator can give you an idea about what the DOL will finally decide.

2-3 Certified Payroll Reports

You'll need to submit a weekly certified payroll report (CPR) beginning with the first week that your company works on the project and for every week afterward until your firm has completed its work. It's always a good idea to number the payroll reports beginning with #1 and to clearly mark your last payroll for the project "Final."

You are *not required* to use Payroll Form WH-347. You are welcome to use any other type of payroll, such as computerized formats, as long as it contains all of the information that is required on the WH-347.

a. Payroll Formats

The easiest form to use is DOL's WH-347, ***Payroll***. A sample copy of the WH-347 is included in the back of this Guide. You may access a fillable version of the WH-347 on-line at HUDClips (see web address in the Appendix). Also, the contract administrator can provide a few copies of the WH-347 that you can reproduce.

b. Payroll Certifications

The weekly payrolls are called *certified* because each payroll is signed and contains language certifying that the information is true and correct. The payroll ***certification*** language is on the reverse side of the WH-347. If you are using another type of payroll format you may attach the certification from the back of the WH-347, or any other format which contains the same certification language on the WH-347 (reverse).

> DOL's website has Payroll Instructions, and the Payroll Form WH-347, in a "fillable" PDF format at this address: ***www.dol.gov/esa/programs/dbra/forms.htm and at HUDClips.***

c. "No Work" Payrolls

"No work" payrolls may be submitted whenever there is a temporary break in your work on the project, for example, if your firm is not needed on the project right now but you will be returning to the job in a couple of weeks. *(See Tip Box, below, for "no work" payroll exemption!)* However, if you know that your firm will not be working on the project for an extended period of time, you may wish to send a short note to the contract administrator to let them know about the break in work and to give an approximate date when your firm will return to the project. If you send a note, you do not need to send "no work" payrolls.

> If you number your payroll reports consecutively, you *do not* need to submit "no work" payrolls!

d. Payroll Review and Submission

The prime contractor should **review** each subcontractor's payroll reports for compliance ***prior*** to submitting the reports to the contract administrator. Remember, the prime contractor is responsible for the full compliance of all subcontractors on the contract and will be held accountable for any wage restitution that may be found due to any laborer or mechanic that is underpaid *and* for any liquidated damages that may be assessed for overtime violations. All of the payroll reports for any project must be submitted to the contract administrator *through* the prime contractor.

> An alert prime contractor that reviews subcontractor payroll submissions can detect any misunderstandings early, prevent costly underpayments and protect itself from financial loss should underpayments occur.

e. Payroll Retention

Every contractor (including every subcontractor) must keep a complete set of their own payrolls and other basic records such as time cards, tax records, evidence of fringe benefit payments,

for a Davis-Bacon project for at least 3 years after the project is completed. The prime contractor must keep a complete set of all of the payrolls for every contractor (including subcontractors) for at least 3 years after completion of the project.

f. Payroll Inspection

In addition to submitting payrolls to the contract administrator, every contractor (including subcontractors) must make their *own* copy of the payrolls and other basic records available for review or copying to any authorized representative from HUD or from DOL.

2-4 Davis-Bacon Definitions

Before we discuss how to complete the weekly payroll forms, we need to review a couple of definitions. These definitions can help you understand what will be required of you:

a. Laborer or Mechanic

"Laborers" and "mechanics" mean anyone who is performing construction work on the project, including trade journeymen (carpenters, plumbers, sheet metal workers, etc.), apprentices, trainees and, for CWHSSA purposes, watchmen and guards. "Laborers" and "mechanics" are the two groups of workers that must be paid not less than Davis-Bacon wage rates.

1) **Working foremen.** Foremen or supervisors that regularly spend **more** than 20% of their time performing construction work and do not meet the exclusions in paragraph 2 below are covered "laborers" and "mechanics" for labor standards purposes for the time spent performing construction work.

2) **Exclusions.** People whose duties are primarily administrative, executive or clerical are not laborers or mechanics. Examples include superintendents, office staff, timekeepers, messengers, etc. (Contact the contract administrator if you have any questions about whether a particular employee is excluded.)

b. Employee

Every person who performs the work of a laborer or mechanic is "*employed*" regardless of any contractual relationship which may be alleged to exist between a contractor or subcontractor and such person. This means that even if there is a contract between a contractor and a worker, the contractor must make sure that the worker is paid at least as much as the wage rate on the wage decision for the classification of work they perform. Note that there are no exceptions to the prevailing wage requirements for relatives or for self-employed laborers and mechanics.

For more information about working subcontractors, ask the contract administrator or your HUD Labor Relations Field Staff for a copy of Labor Relations Letter LR-96-01, *Labor standards compliance requirements for self-employed laborers and mechanics.* Labor Relations Letters and other helpful Labor Relations publications are available at HUD's Labor Relations web site (see the list of web site addresses in the *Appendix*).

c. Apprentices and Trainees

The only workers who can be paid less than the wage rate on the wage decision for their work classification are "apprentices" and "trainees" registered in approved apprenticeship or training

programs, including *Step-Up* apprenticeship programs designed for Davis-Bacon construction work. Approved programs are those which have been registered with the DOL or a DOL-recognized State Apprenticeship Council (SAC). Apprentices and trainees are paid wage rates in accordance with the wage schedule in the approved program.

Most often, the apprentice/trainee wage rate is expressed as a series of percentages tied to the amount of time spent in the program. For example, 0-6 months: 65%; 6 months – 1 year: 70%; etc. The percentage is applied to the journeyman's wage rate. On Davis-Bacon projects, the percentage must be applied to the journeyman's wage rate *on the applicable wage decision* for that craft.

1) **Probationary apprentice.** A "probationary apprentice" can be paid as an apprentice (less than the rate on the wage decision) if the DOL or SAC has certified that the person is eligible for probationary employment as an apprentice.

2) **Pre-apprentice.** A "pre-apprentice", that is, someone who is not registered in a program and who hasn't been DOL- or SAC-certified for probationary apprenticeship is ***not*** considered to be an "apprentice" and must be paid the full journeyman's rate on the wage decision for the classification of work they perform.

3) **Ratio of apprentices and trainees to journeymen.** The maximum number of apprentices or trainees that you can use *on the job site* can not exceed the ratio of apprentices or trainees to journeymen allowed in the approved program.

d. Prevailing Wages or Wage Rates

Prevailing wage rates are the wage rates listed on the wage decision for the project. The wage decision will list a minimum basic hourly rate of pay for each work classification. Some wage decisions include fringe benefits which are usually listed as an hourly fringe rate. If the wage decision includes a fringe benefit rate for a classification, you will need to add the fringe benefit rate to the basic hourly rate *unless* you provide bona fide fringe benefits for your employees.

1) Piece-work. Some employees are hired on a piece-work basis, that is, the employee's earnings are determined by a factor of work produced. For example, a Drywall Hanger's earnings may be calculated based upon the square feet of sheetrock actually hung, a Painter's earnings may be based upon the number of units painted. Employers may calculate weekly earnings based upon piece rates ***provided*** the weekly earnings are sufficient to satisfy the wage rate requirement based upon actual hours, including any overtime, worked. *Accurate time records must be maintained for any piece-work employees.* If the weekly piece rate earnings are not sufficient, the employer must recompute weekly earnings based upon the actual hours worked and the rate on the wage decision for the work classification(s) involved.

e. Fringe Benefits

Fringe benefits can include health insurance premiums, retirement contributions, life insurance, vacation and other paid leave as well as some contributions to training funds. Fringe benefits ***do not*** include employer payments or contributions required by other Federal, State or local laws, such as the employer's contribution to Social Security or some disability insurance payments.

Note that the *total* hourly wage rate paid to any laborer or mechanic (basic wage or basic wage plus fringe benefits) may be no less than the total wage rate (basic wage or basic wage plus fringe benefits) on the wage decision for their craft. If the value of the fringe benefit(s) you provide is less than the fringe benefit rate on the wage decision, you will need to add the balance of the wage decision fringe benefit rate to the basic rate paid to the employee. For example, if the wage decision requires $10/hour basic rate plus $5/hour fringe benefits, you must pay no less than that total ($15/hour) in the basic rate or basic rate plus whatever fringe benefit you may provide. You can meet this obligation in several ways: you could pay the base wage and fringe benefits as stated in the wage decision, or you could pay $15 in base wage with no fringe benefits, or you could pay $12 basic plus $3 fringe benefits. You can also *off-set* the amount of the base wage if you pay more in fringe benefits such as by paying or $9 basic plus $6 fringe benefits; as long as you meet the total amount. The amount of the base wage that you may off-set with fringe benefits is limited by certain IRS and FLSA requirements.

f. Overtime

Overtime hours are defined as all hours worked on the contract in excess of 40 hours in any work week. Overtime hours must be paid at no less than one and one-half times the regular rate of basic pay plus the straight-time rate of any required fringe benefits.

Referring to our example above where the wage decision requiring a $15 total wage obligation ($10 basic wage plus $5 fringe benefits) was met by paying $9 base wage plus $6 fringe benefits: Note that overtime rates must be based on one and one-half times the basic rate *as stated on the wage decision*. In the above example, the employer must pay for overtime: $15/hr ($9 basic + $6 fringe) plus $5 (one-half of $10, the wage decision basic rate) for a total of $20 per hour.

g. Deductions

You may make payroll deductions as permitted by DOL Regulations 29 CFR Part 3. These regulations prohibit the employer from requiring employees to "kick-back" (i.e., give up) any of their earnings. Allowable deductions which do not require prior DOL permission include employee obligations for income taxes, Social Security payments, insurance premiums, retirement, savings accounts, and any other legally-permissible deduction authorized by the employee. Deductions may also be made for payments on judgements and other financial obligations legally imposed against the employee.

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h. Proper Designation of Trade

You must select a work classification on the wage decision for each worker based on the actual type of work he/she performed and you must pay each worker no less than the wage rate on the wage decision for that classification regardless of their level of skill. In other words, if someone is performing carpentry work on the project, they must be paid no less than the wage rate on the wage decision for Carpenters *even* if they aren't considered by you to be fully trained as a Carpenter. ***Remember,*** the only people who can be paid less than the rate for their craft are apprentices and trainees registered in approved programs.

1) **Split-classification.** If you have employees that perform work in more than one trade during a work week, you can pay the wage rates specified for each work classification in which work was performed ***only*** if you maintain accurate time records showing the amount of time spent in each classifica- tion. If you do not maintain accurate time records, you must pay these employees the highest wage rate of all of the classifications of work performed.

i. Site of Work

The "site of work" is where the Davis-Bacon wage rates apply. Usually, this means the boundaries of the project. "Site of work" can also include other adjacent or virtually adjacent property used by a contractor or subcontractor in the construction of the project, like a fabrication site that is dedicated exclusively, or nearly so, to the project.

SECTION II
REPORTING REQUIREMENTS

2-5 Completing a Payroll Report

What information has to be reported on the payroll form?
The weekly payroll form doesn't ask for any information that you don't already need to keep for wage payment and tax purposes. For example, you need to know each employee's ***name, address*** and ***social security number***; his or her ***work classification*** (who is working for you and what do they do?), the hours worked during the week, his or her ***rate of pay***, the ***gross amount earned*** (how much did they earn?), the amounts of any ***deductions*** for taxes, etc., and the ***net amount paid*** (how much should the paycheck be made out for?). No more information than you need to know in order to manage your work crew and make certain they are paid properly. And, certainly, no more information than you need to keep for IRS, Social Security and other tax and employment purposes.

You are required to submit certified payrolls to illustrate and document that you have complied with the prevailing wage requirements. The purpose of the contract administrator's review of your payrolls is to verify your compliance. Clearer and complete payroll reports will permit the contract administrator to complete reviews of your payroll reports quickly.

a. Project and Contractor/Subcontractor Information

Each payroll must identify the contractor or subcontractor's name and address, the project name and number, and the week ending date. Indicate the *week dates* in the spaces provided. Numbering payrolls is optional but strongly recommended.

b. Employee Information

The first payroll on which each employee appears must contain the employee's name, address and Social Security Number. Afterward, the address and Social Security Number only need to be reported if there is a change in this information.

c. Work Classification

Each employee must be classified in accordance with the wage decision based on the type of work they actually perform.

1) **Apprentices or Trainees.** The first payroll on which any apprentice or trainee appears must be accompanied by a copy of that apprentice's or trainee's registration in a registered or approved program. A copy of the portions of the registered or approved program pertaining to the wage rates and ratios shall also accompany the first payroll on which the first apprentice or trainee appears.

2) **Split classifications.** For an employee that worked in a split classification, make a separate entry for each classification of work performed distributing the hours of work to each classification, accordingly, and reflecting the rate of pay and gross earnings for each classification. Deductions and net pay may be based upon the total gross amount earned for all classifications.

d. Hours Worked

The payroll should show ONLY the regular and overtime hours worked on this project. Show both the daily and total weekly hours for each employee. If an employee performs work at job sites other than the project for which the payroll is prepared, those "other job" hours *should not* be reported on the payroll. In these cases, you should list the employee's name, classification, hours for this project only, the rate of pay and gross earnings for this project, and the gross earned for *all projects*. Deductions and net pay may be based upon the employee's total earnings (for all projects) for the week.

e. Rate of Pay

Show the basic hourly rate of pay for each employee for this project. If the wage decision includes a fringe benefit and you ***do not*** participate in approved fringe benefit programs, ***add*** the fringe benefit rate to the basic hourly rate of pay. Also list the overtime rate if overtime hours were worked.

1) **Piece-work.** For any piece-work employees, the employer **must** compute an *effective hourly rate* for each employee each week based upon the employee's piece-work earnings for

that week. To compute the effective hourly rate, divide the piece-work earnings by the total number of hours worked, including consideration for any overtime hours.

The effective hourly rate must be reflected on the certified payroll and the hourly rate may be no less than the wage rate (including fringe benefits, if any) on the wage decision for the classification of work performed. It does not matter that the effective hourly rate changes from week-to-week, only that the rate is no less than the rate on the wage decision for the classification of work performed.

Remember, the overtime rate is computed at one and one-half times the *basic* rate of pay plus any fringe benefits. For example, if the wage decision requires $10/hour basic plus $5/hour fringe benefits, the overtime rate would be: ($10 x 1½) + $5 = $20/hour.

f. Gross Wages Earned

Show the gross amount of wages earned for work performed on this project. *Note:* For employees with work hours and earnings on other projects, you may show gross wages for this project over gross earnings all projects (for example, $425.40/$764.85) and base deductions and net pay on the "all projects" earnings.

g. Deductions

Show the amounts of any deductions from the gross earnings. "Other" deductions should be identified (for example, Savings Account or Loan Repayment). Any voluntary deduction (that is, not required by law or by an order of a proper authority) must be authorized in writing by the employee or provided for in a collective bargaining (union) agreement. A short note signed by the employee is all that is needed and should accompany the first payroll on which the other deduction appears.

Only one employee authorization is needed for recurring (e.g., weekly) other deductions. Written employee authorization is not required for income tax and Social Security deductions.

h. Net Pay

Show the net amount of wages paid.

i. Statement of Compliance

The Statement of Compliance is the certification. It is located on the reverse side of a standard payroll form (WH-347). Be sure to complete the identifying information at the top, particularly if you are attaching the Statement of Compliance to an alternate payroll form such as a computer payroll. Also, you must check either 4(a) or 4(b) if the wage decision contains a fringe benefit. Checking 4(a) indicates that you are paying required fringe benefits to approved plans or programs; and 4(b) indicates that you are paying any required fringe benefit amounts directly to the employee by adding the fringe benefit rate to the basic hourly rate of pay. If you are paying a portion of the required fringe benefit to programs and the balance directly to the employee, explain those differences in box 4(c).

Only one Statement of Compliance is required for each employer's weekly payroll no matter how many pages are needed to report the employee data.

j. Signature

Make sure the payroll is **signed** with an original signature. The payroll must be signed by a principal of the firm (owner or officer such as the president, treasurer or payroll administrator) or by an authorized agent (a person authorized by a principal in writing to sign the payroll reports). Signature authorization (for persons other than a principal) should be submitted with the first payroll signed by such an agent.

SECTION III
PAYROLL REVIEWS AND CORRECTIONS

2-6 Compliance Reviews

The contract administrator or other inspector may visit the project site and interview some of the workers concerning their employment on the project. The DOL may also independently conduct its own reviews (see ¶1-5). In addition, the contract administrator will periodically review payrolls and related submissions, comparing the interview information to the payrolls, to ensure that the labor standards requirements have been met. You will be notified by the contract administrator if these reviews find any discrepancies or errors. You will be given instructions about what steps must be taken to correct any problems.

a. On-Site Interviews

Every employer (contractor, subcontractor, etc.) must make their employees available for interview at the job site with the contract administrator or other agency representative, or HUD or DOL representative. The interviews are confidential and the employee will be asked about the kind of work they perform and their rate of pay. Every effort will be made to ensure that these interviews cause as little disruption as possible to the on-going work. The interviewer will record the interview information, usually on a form HUD-11, *Record of Employee Interview*, and forward the interviews to the contract administrator.

b. Project Payroll Reviews

The contract administrator will compare the information on the interview forms to the corresponding payrolls to ensure that the workers are properly listed on the payrolls for the days, work classification and rate of pay. The contract administrator will also review the payroll submissions to make certain that the payrolls are complete and signed; that employees are paid no less than the wage rate for the work classification shown; apprentice and trainee certifications are submitted (where needed); employee or other authorizations for other deductions are submitted (where needed); etc.

2-7 Typical Payroll Errors and Required Corrections

The following paragraphs describe common payroll errors and the corrective steps you must take.

MAKING DAVIS-BACON WORK

a. Inadequate Payroll Information

If an alternate payroll format used by an employer (such as some computer payrolls) is inadequate, e.g., does not contain all of the necessary information that would be on the optional form WH-347, the employer will be asked to resubmit the payrolls on an accept- able form.

b. Missing Addresses and Social Security Numbers

If the first payroll on which an employee appears does not contain the employee's address and Social Security Number, the employer will be asked to supply the missing information. A short note providing the information is all that is needed.

c. Incomplete Payrolls

If the information on the payroll is not complete, for example, if work classifications or rates of pay are missing, the employer will be asked to send a corrected payroll.

d. Classifications

If the payrolls show work classifications that do not appear on the wage decision, the employer will be asked to reclassify the employees in accordance with the wage decision ***or*** the employer may request an ***additional classification and wage rate*** (See ¶2-2). If reclassifica- tion results in underpayment (i.e., the wage rate paid on the payroll is less than the rate required for the new classification), the employer will be asked to pay ***wage restitution*** to all affected reclassified employees. *(See ¶2-8 for instructions about wage restitution.)*

e. Wage Rates

If the wage rates on the payroll are less than the wage rates on the wage decision for the work classifications reported, the employer will be asked to pay wage restitution to all affected employees.

f. Apprentices and Trainees

If a copy of the employee's registration or the approved program ratio and wage schedule are not submitted with the first payroll on which an apprentice or trainee appears, the employer will be asked to submit a copy of each apprentice's or trainee's registra- tion and/or the approved program ratio and wage schedule. If the ratio of apprentices or trainees to journeymen on the payroll is greater than the ratio in the approved program, the employer will be asked to pay wage restitution to any excess apprentices or trainees. Also, any apprentice or trainee that is *not* registered in an approved program must receive the journeyman's wage rate for the classification of work they performed.

g. Overtime

If the employees did not receive at least time and one-half for any overtime hours worked on the project, the following will occur:

1) If the project is subject to *CWHSSA overtime* requirements, the employer will be asked to pay wage restitution for all over- time hours worked on the project. The employer may also be liable to the United States for liquidated damages computed at $10 per day per violation. Or,

2) If the project is ***not*** subject to CWHSSA, the employer will be notified of the possible *FLSA overtime* violations. Also, the contract administrator may refer the violations to the DOL for further review.

h. Computations

If the payroll computations (hours worked times rate of pay) or extensions (deductions, net pay) show frequent errors, the employer will be asked to take greater care. Wage restitution may be required if underpayments resulted from the errors.

i. Deductions

If there are any "Other" deductions that are not identified, or if employee authorization isn't provided, or if there is any unusual (very high, or large number) deduction activity, the employer will be asked to identify the deductions, provide employee authorization or explain unusual deductions, as necessary.

> HUD does not enforce or attempt to provide advice on employer obligations to make deductions from employee earnings for taxes or Social Security. However, HUD may refer to the IRS or other responsible agency copies of certified payroll reports that show wages paid in gross amounts (i.e., without tax deduction) for its review and appropriate action.

j. Fringe Benefits

If the wage decision contains fringe benefits but the payroll does not indicate how fringe benefits were paid [neither 4(a) nor 4(b) is marked on the Statement of Compliance], the employer may be asked to submit corrected payrolls ***and*** will be required to pay wage restitution if underpayments occurred. *However*, if the basic hourly rates for the employees are at least as much as the total wage rate on the wage decision (basic hourly rate *plus* the fringe benefit rate), no correction is necessary.

k. Signature

If the payroll *Statement of Compliance* is not signed or is missing, the employer will be asked to submit a signed Statement of Compliance for each payroll affected. If the Statement of Compliance is signed by a person who is not a principal of the firm and that person has not been authorized by principal to sign, the employer will be asked to provide an authorization or to resubmit the Statement(s) of Compliance bearing the signature(s) of a principal or other signatory.

l. On-Site Interview Comparisons

If the comparison of on-site interviews to the payrolls indicates any discrepancies (for example, the employee does not appear on the payroll for the date of the interview), the employer will be asked to submit a corrected payroll report.

2-8 Restitution for Underpayment of Wages

Where underpayments of wages have occurred, the employer will be required to pay wage restitution to the affected employees. Wage restitution must be paid promptly in the full amounts due, less permissible and authorized deductions.

Notification to the Employer/Prime Contractor

The contract administrator will notify the employer and/or prime contractor in writing of any underpayments that are found during

a.

The contract administrator may communicate directly with a subcontractor when the underpayments are plainly evident and the subcontractor is cooperative. It is best to work through the prime contractor when the issues are complex, when there are significant underpayments and/or the subcontractor is not cooperative. In all cases, the subcontractor must ensure that the prime contractor receives a copy of the required corrective documentation.

In most cases, HUD no longer requires employers to submit checks or copies of checks (certified, cashiers, canceled or other) to correct underpayments. Restitution payments are reported and certified by the employer on a correction payroll.

payroll or other reviews. The contract administrator will describe the underpayments and provide instructions for computing and documenting the restitution to be paid. The employer/prime contractor is allowed 30 days to correct the underpayments.

Note that the prime contractor is responsible to the contract administrator for ensuring that restitution is paid. If the employer is a subcontractor, the subcontractor will usually make the computations and restitution payments and furnish the required documentation through the prime contractor.

b. Computing Wage Restitution

Wage restitution is simply the difference between the wage rate paid to each affected employee and the wage rate required on the wage decision for all hours worked where underpayments occurred. The difference in the wage rates is called the *adjustment rate*. The adjustment rate times the number of hours involved equals the gross amount of restitution due. You may also compute wage restitution by calculating the total amount of Davis-Bacon wages earned and subtracting the total amount of wages paid. The difference is the amount of back wages due.

c. Correction Payrolls

The employer will be required to report the restitution paid on a correction certified payroll. The correction payroll will reflect the period of time for which restitution is due (for example, Payrolls #1 through #6; or a beginning date and ending date). The correction payroll will list each employee to whom restitution was paid and their work classification; the total number of work hours involved (daily hours are usually not applicable for restitution); the adjustment wage rate (the difference between the required wage rate and the wage rate paid); the gross amount of restitution due; deductions and the net amount actually paid. A signed Statement of Compliance must be attached to the correction payroll.

d. Review of Correction CPR

The contract administrator will review the correction certified payroll to ensure that full restitution was paid. The prime contractor shall be notified in writing of any discrepancies and will be required to make additional payments, if needed, documented on a supplemental correction payroll within 30 days.

e. Unfound Workers

Sometimes, wage restitution cannot be paid to an affected employee because, for example, the employee has moved and can't be located. After wage restitution has been paid to all of the workers who could be located, the employer must submit a list of any workers who could not be found and paid (i.e., unfound workers) providing their names, Social Security Numbers, last known addresses and the gross amount due. In such cases, at the end of the project the prime contractor will be required to place in a deposit or escrow account an amount equal to the total amount of restitution that could not be paid because the employee(s) could not be located. The contract administrator will continue attempts to locate the unfound workers for 3 years after the completion of the project. After 3 years, any amount remaining in the account for unfound workers will be credited and/or forwarded by the contract administrator to HUD.

CHAPTER 3. Labor Standards Disputes, Administrative Reviews, Withholding, Deposits and Escrow Accounts, and Sanctions

What happens when things go wrong?

3-1 Introduction

Even in the best of circumstances, things can go wrong. In a Davis-Bacon context, "things going wrong" usually means there's a difference of opinion or a dispute about whether and to what extent underpayments have occurred. These disputes are usually between the contract administrator and one or more employers (the prime contractor and/or a subcontractor). The dispute may involve something simple such as an additional classification request that is pending before the DOL; or something as significant as investigative findings following a complaint of underpayment. This chapter discusses some of what you may expect and what you can do to make your views known and to lessen any delays in resolving the problem or issue.

3-2 Administrative Review on Labor Standards Disputes

As mentioned in the Introduction above, a dispute about labor standards and compliance can arise for a number of reasons. The labor standards clauses in your contract and DOL regulations provide for administrative review of issues where there is a difference of views between the contract administrator and any employer. The most common circumstances include:

a. Additional Classifications and Wage Rates

Additional classification and wage rate requests are sometimes denied by the DOL. An employer that is dissatisfied with the denial can request reconsideration by the DOL Wage and Hour Administrator. The employer may continue to pay the wage rate, as requested, until a final decision is rendered on the matter. When the final decision is known, the employer will be required to pay any additional wages that may be necessary to satisfy the wage rate that is established.

1) **Reconsideration.** The DOL normally identifies the reasons for denial in its response to the request. Any interested person (*for example*, the contract administrator, employer, representatives of the employees) may request reconsideration of the

decision on the additional classification request. The request for reconsideration must be made in writing and must thoroughly

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address the denial reasons identified by the DOL. Employer requests for reconsideration should be made through the contract administrator but may be made directly to the DOL. *(See ¶2-2(d), and also DOL Regulations 29 CFR 1.8.)* All requests initiated by or made through the contract administrator or HUD must be submitted through the HUD Headquarters Office of Labor Relations.

2) **Administrative Review Board.** Any interested party may request a review of the Administrator's decision on reconsid- eration by **DOL's *Administrative Review Board***. DOL regulations 29 CFR Part 7 explain the procedures for such reviews. *(See also 29 CFR 1.9.)*

b. Findings of Underpayment

Compliance reviews and other follow-up enforcement actions may result in findings of underpayment. The primary goal in every case and at every step in this process is to reach agreements about who may have been underpaid and how much wage restitution may be due and, of course, to promptly deliver restitution to any underpaid workers. The contract administrator will usually work informally with you to reach such agreements. You will have an opportunity to provide additional information to the contract administrator that may explain apparent inconsistencies and/or resolve the discrepancies.

If informal exchanges do not result in agreement, the final determination and schedule of back wages due will be presented to you in writing and you will be permitted 30 days in which to correct the underpayment(s) *or* to request a hearing on the matter before the DOL. The request for hearing must be made in writing through the contract administrator and must explain what findings are in dispute and the reasons. In such cases, HUD is required to submit a report to DOL for review and further consideration. All requests for DOL hearing must be submitted through the HUD Headquarters Office of Labor Relations.

1) **DOL review.** The DOL will review the contract administrator's report and the arguments against the findings presented in the hearing request. The DOL may affirm or modify the findings based upon the materials presented. You will be notified in writing by the DOL of the results of its review; you will be given an opportunity to correct any underpayments *or* to request a hearing before a DOL Administrative Law Judge (ALJ). *(See DOL Regulations 29 CFR 5.11 (b) and 29 CFR Part 6, Rules of Practice for Administrative Proceedings.)*

2) **Administrative Review Board.** Contractors and/or subcontractors may request a review by the Administrative Review Board of the decision(s) rendered by the DOL ALJ in the administrative hearing process. See DOL regulations 29 CFR Part 7 for more information about this proceeding.

3-3 Withholding

The contract administrator shall cause withholding from payments due to the prime contractor to ensure the payment of wages which are

believed to be due and unpaid, for example, if wage underpayments or other violations are not corrected within 30 days after notification to the prime contractor. DOL may also direct the withholding of contract payments for alleged wage underpayments. Withholding is considered to be serious and is not taken unless warranted. If withholding is deemed necessary, you will be notified in writing. Only the amounts needed to meet the contractor's (and/or subcontractors') liability shall be withheld.

Remember, the prime contractor is responsible and will be held liable for any wage restitution that is due to any worker employed in the construction of the project, including workers employed by subcontractors and any lower-tier subcontractors. *See ¶1-4, Responsibility of the Principal Contractor, and ¶2-8, Restitution for Underpayment of Wages.*

3-4 Deposits and Escrows

In every case, we attempt to complete compliance actions and resolve any disputes before the project is completed and final payments are made. Sometimes, corrective actions or disputes continue after completion and provisions must be made to ensure that funds are available to pay any wage restitution that is ultimately found due. In these cases, we allow projects to proceed to final closing and payments ***provided*** the prime contractor deposits an amount equal to the potential liability for wage restitution and liquidated damages, if necessary, in a special account. The deposit or *escrow account* is controlled by the contract administrator. When a final decision is rendered, the contract administrator makes disbursements from the account in accordance with the decision. Deposit/escrow accounts are established for one or more of the following reasons:

a. **Where the parties have agreed to amounts of wage restitution that are due** *but* the employer hasn't furnished evidence yet that all of the underpaid workers have received their back wages, e.g., some of the workers have moved and could not be located. The amount of the deposit is equal to the total amount of restitution due to workers lacking payment evidence. As these workers are paid and proper documentation is provided to the contract administrator, amounts corresponding to the documented payments are returned to the depositor. Amounts for any workers who can not be located are held in the deposit/escrow account for three years and disbursed as described in ¶2-8(e) of this Guide.

b. **Where underpayments are suspected or alleged and an investigation has not yet been completed**. The deposit is equal to the amount of wage restitution and any liquidated damages, if applicable, that are estimated to be due. If the final determination of wages due is less than the amount estimated and placed in the escrow account, the escrow will be reduced to the final amount and the difference will be returned to the depositor. If the parties agree to the investigative findings, the amounts due to the workers will be disbursed from the escrow account in accordance with the schedule of wages due. Amounts for unfound workers will be retained as described above (*See ¶2-8(e) and 3-4(a)*).

If the parties *do not* agree and an administrative hearing is requested,

the escrow will be maintained as explained in ¶3-4(c), below.

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c. **Where the parties are waiting for the outcome of an administrative hearing** that has been or will be requested contesting a final determination of wages due. The deposit shall be equal to the amount of wage restitution and liquidated damages, if applicable, that have been determined due. Once a final decision is rendered, disbursements from the escrow account are made in accordance with the decision.

3-5 Administrative Sanctions

Contractors and/or subcontractors that violate the labor standards provisions may face administrative sanctions imposed by HUD and/or DOL.

a. DOL Debarment

Contractors and/or subcontractors that are found by the Secretary of Labor to be in aggravated or willful violation of the labor stan- dards provisions of the Davis-Bacon and Related Acts (DBRA) will be ineligible ***(debarred)*** to participate in any DBRA or Davis-Bacon Act contracts for up to 3 years. Debarment includes the contractor or subcontractor and any firm, corporation, partnership or association in which the contractor or subcontractor has a substantial interest. Debarment proceedings can be recommended by the contract administrator or can be initiated by the DOL. Debarment proceedings are described in DOL regulations 29 CFR 5.12.

b. HUD Sanctions

HUD sanctions may include Limited Denials of Participation (LDPs), debarments and suspensions.

1) **LDPs.** HUD may issue to the employer a limited denial of participation (LDP) which prohibits the employer from further participation in HUD programs for a period up to one year. The LDP is usually effective for the HUD program in which the violation occurred and for the geographic jurisdiction of the issuing HUD Office. HUD regulations concerning LDP's are found at 24 CFR 24.700-24.714.

2) **Debarment and suspensions.** In certain circumstances, HUD may initiate its own debarment or suspension proceedings against a contractor and/or subcontractor in connection with improper actions regarding Davis-Bacon obligations. For example, HUD may initiate debarment where a contractor has been convicted for making false statements (such as false statements on certified payrolls or other prevailing wage certifications) or may initiate suspension where a contractor has been indicted for making false statements. HUD regulations concerning debarment and suspension are found at 24 CFR Part 24.

3-6 Falsification of Certified Payroll Reports

Contractors and/or subcontractors that are found to have willfully falsified payroll reports (Statements of Compliance), including correction certified payroll reports, may be subject to civil or criminal prosecution. Penalties may be imposed of $1,000 and/or one year in prison for each false statement (see Section 1001 of Title 18 and Section 231 of Title 31 of the United States Code).

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Acronyms and Symbols

CDBG – Community Development Block Grant
CFR – Code of Federal Regulations
CPR – Certified Payroll Report
CWHSSA – Contract Work Hours and Safety Standards Act
DBA – Davis-Bacon Act
DBRA – Davis-Bacon and Related Acts
DOL – Department of Labor
FHA – Federal Housing Administration
FLSA – Fair Labor Standards Act
HUD – Housing and Urban Development (Department of)
IHA – Indian Housing Authority
LCA – Local Contracting Agency
LDP – Limited Denial of Participation
O/T – Overtime
PHA – Public Housing Agency
S/T – Straight-time
SAC – State Apprenticeship Council/Agency
TDHE – Tribally-Designated Housing Entity
§ – Section
¶ – Paragraph

Davis-Bacon – Related Web Sites*

HUD Office of Labor Relations:
www.hud.gov/offices/olr

HUD Regulations:
www.access.gpo.gov/nara/cfr/cfr-table-search.html

HUDClips (Forms and Publications):
www.hudclips.org/cgi/index.cgi

DOL Davis-Bacon and Related Acts Homepage:
www.dol.gov/esa/programs/dbra/index.htm

DOL Regulations:
www.dol.gov/dol/allcrf/Title_29/toc.htm

Davis-Bacon Wage Decisions:
www.wdol.gov

DOL Forms:

www.dol.gov/esa/programs/dbra/forms.htm

***Web addresses active as of June 2006**

Project Wage Rate Sheet

U.S. Department of Housing and Urban Development
Office of Labor Relations

PROJECT NAME:			WAGE DECISION NUMBER/MODIFICATION NUMBER:			
PROJECT NUMBER:			PROJECT COUNTY:			
WORK CLASSIFICATION	BASIC HOURLY RATE (BHR)	FRINGE BENEFITS	TOTAL HOURLY WAGE RATE	LABORERS FRINGE BENEFITS:		$
Bricklayers			$	GROUP #	BHR	TOTAL WAGE
Carpenters			$			$
Cement Masons			$			$
Drywall Hangers			$			$
Electricians			$			$
Iron Workers			$			$
Painters			$	OPERATORS FRINGE BENEFITS:		$
Plumbers			$	GROUP #	BHR	TOTAL WAGE
Roofers			$			$
Sheet Metal Workers			$			$
Soft Floor Lavers			$			$
Tapers			$			$
Tile Setters			$	TRUCK DRIVERS FRINGE BENEFITS:		$
OTHER CLASSIFICATIONS				GROUP #	BHR	TOTAL WAGE
			$			$
			$			$
			$			$

ADDITIONAL CLASSIFICATIONS (HUD Form 4230-A)

WORK CLASSIFICATION	BASIC HOURLY RATE	FRINGE BENEFITS	TOTAL HOURLY WAGE RATE	DATE OF HUD SUBMISSION TO DOL	DATE OF DOL APPROVAL
			$		
			$		
			$		
			$		

form HUD-4720

A-4

U.S. Department of Labor
Employment Standards Administration
Wage and Hour Division

PAYROLL

(For Contractor's Optional Use; See Instructions, Form WH-347 Inst.)

Persons are not required to respond to the COiiection of information unless it displays a currently valid OMB control number.

OMB No.: 1215-0149
Expires: 03/31/2006

NAME OF CONTRACTOR D OR SUBCONTRACTOR D

ADORESS

PAYROLL NO.

FOR WEEK ENDING

PROJECT AND LOCATION

PROJECT OR CONTRACT NO.

(1) NAME, ADDRESS, AND SOCIAL SECURITY NUMBER OF EMPLOYEE	(2) "!i! ¡!i O:c:O iU	(3) WORK CLASSIFICATION		(4) DAY AND DATE HOURS WORKED EACH DAY							(5) TOTAL HOURS	(6) RATE OF PAY	(7) GROSS AMOUNT EARNED	(8) OEDUCTIONS FICA	WITH-HOLDING TAX			OTHER	TOTAL DEDUCTIONS	(9) NET WAGES PAID FOR WEEK
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We estimate that it will take an average of 56 minutes to complete this collection of information, Including time for reviewing Instructions searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of Information. If you have any comments regarding these estimates or any other aspect of this collection of Information, including suggestions for reducing this burden, send them to the Administrator, Wage and Hour Division, ESA, U. S. Department of Labor, Room 53502, 200 Constitution Avenue, N.W., Washington, D. C.20210.

FORM WH-347, Revised Nov. 1998 • FORMERLY SOL 184 -*PURCHASE THIS FORM DIRECTLY FROM THE SUPT. OF DOCUMENTS*

Date_____

I, _____ _____

(Name of Signatory Party) (Title)

do hereby state:

(1) That I pay or supervise the payment of the persons employed by

_____ on the

(Contractor or Subcontractor)

_____;that during the payroll period commencing on

the (Building or Work)

_____cBY of ,_____, and ending the_____day of ,_____,

all persons employed on said project have been paid the full weekly wages earned, that no rebates have been or will be made either directly or indirectly to or on behalf of said

_____ from the full

(Contractor or Subcontractor)

weekly wages earned by any person and that no deductions have been made either directly or indirectly from the full wages earned by any person, other than permissible deductions as defined in Regulations, Part 3 (29 CFR Subtitle A), issued by the Secretary of Labor under the Copeland Act, as amended (48 Stat. 948, 63 Start. 108, 72 Stat. 967; 76 Stat. 357; 40 U.S.C. 276c), and described below:

(2) That any payrolls otherwise under this contract required to be submitted for the above period are correct and complete; that the wage rates for laborers or mechanics contained therein are not less than the applicable wage rates contained in any wage determination Incorporated into the contract; that the classifications set forth therein for each laborer or mechanic conform with the work he performed.

(3) That any apprentices employed in the above period are duly registered in a bona fide apprenticeship program registered with a State apprenticeship agency recognized by the Bureau of Apprenticeship and Training, United States Department of Labor, of if no such recognized agency exists in a State, are registered with the Bureau of Apprenticeship and Training, United States Department of Labor.

(4) That:

(a) WHERE FRINGE BENEFITS ARE PAID TO APPROVED PLANS, FUNDS, OR PROGRAMS

D in addition to the basic hourly wage rates paid to each laborer or mechanic listed in the above referenced payroll, payments of fringe benefits as listed in the contract have been or will be made to appropriate programs for the benefit of such employees, except as noted in Section 4(c) below.

(b) WHERE FRINGE BENEFITS ARE PAID IN CASH

D – Each laborer or mechanic listed in the above referenced payroll has been paid, as indicated on the payroll, an amount not less than the sum of the applicable basic hourly wage rate plus the amount of the required fringe benefits as listed in the contract, except as noted in Section 4(c) below.

(c) EXCEPTIONS

EXCEPTION (CRAFT)	EXPLANATION

REMARKS:

NAME AND TITLE	SIGNATURE

THE WILLFUL FALSIFICATION OF ANY OF THE ABOVE STATEMENTS MAY SUBJECT THE CONTRACTOR OR SUBCONTRACTOR TO CIVIL OR CRIMINAL PROSECUTION. SEE SECTION 1001 OF TITLE 18 AND SECTION 231 OF TITLE 31 OF THE UNITED STATES CODE.

• U.S. G.P.0.:1997 519.861

U.S. Department of Housing and Urban Development
Office of Labor Relations
Washington, DC 20410

Official Business
Penalty for Private Use $300

Return Service Requested

STANDARD MAIL
POSTAGE & FEES PAID
HUD
Permit No. G-795

Labor Relations Desk Guide
LR01.DG

EQUAL HOUSING OPPORTUNITY

GPO U.S. GOVERNMENT PRINTING OFFICE: 2005–321-332

4812

EMPLOYEE RIGHTS

UNDER THE DAVIS-BACON ACT

fOR LABORERS AND MECHANICS EMPLOYED ON fEDERAL OR fEDERALLY ASSISTED CONSTRUCTION PROjECTS

THE UNITED STATES DEPARTMENT OF LABOR WAGE AND HOUR DIVISION

PREVAILING WAGES

You must be paid not less than the wage rate listed in the Davis-Bacon Wage Decision posted with this Notice for the work you perform.

OVERTIME

You must be paid not less than one and one-half times your basic rate of pay for all hours worked over 40 in a work week. There are few exceptions.

ENFORCEMENT

Contract payments can be withheld to ensure workers receive wages and overtime pay due, and liquidated damages may apply if overtime pay requirements are not met. Davis-Bacon contract clauses allow contract termination and debarment of contractors from future federal contracts for up to three years. A contractor who falsifies certified payroll records or induces wage kickbacks may be subject to civil or criminal prosecution, fines and/or imprisonment.

APPRENTICES

Apprentice rates apply only to apprentices properly registered under approved Federal or State apprenticeship programs.

PROPER PAY

If you do not receive proper pay, or require further information on the applicable wages, contact the Contracting Officer listed below:

City of White Plains
Community Development Program
70 Church Street
White Plains, NY 10601
Phone: 914-422-1300
Email: planning@whiteplainsny.gov

or contact the U.S. Department of Labor's Wage and Hour Division.

For additional information:

1-866-4-USWAGE

(1-866-487-9243) TTY: 1-877-889-5627

U.S. Wage and Hour Division

WWW.WAGEHOUR.DOL.GOV

JOB DESCRIPTION Carpenter **DISTRICT** 8

ENTIRE COUNTIES
Bronx, Dutchess, Kings, Nassau, New York, Putnam, Queens, Richmond, Rockland, Suffolk, Westchester

PARTIAL COUNTIES
Orange: The area lying on Southern side of Orange County demarcated by a line drawn from the Bear Mountain Bridge continuing east to the Bear Mountain Circle, continue North on 9W to the town of Cornwall where County Road 107 (also known as Quaker Rd) crosses under 9W, then east on County Road 107 to Route 32, then north on Route 32 to Orrs Mills Rd, then west on Orrs Mills Rd to Route 94, continue west and south on Route 94 to the Town of Chester, to the intersection of Kings Highway, continue south on Kings Highway to Bellvale Rd, west on Bellvale Rd to Bellvale Lakes Rd, then south on Bellvale Lakes Rd to Kain Rd, southeast on Kain Rd to Route 17A, then north and southeast along Route 17A to Route 210, then follow Route 210 to NJ Border.

WAGES
Per hour: 07/01/2016

Carpet/Resilient
Floor Coverer $ 50.50

INCLUDES HANDLING & INSTALLATION OF ARTIFICIAL TURF AND SIMILAR TURF INDOORS/OUTDOORS.

SUPPLEMENTAL BENEFITS
Per hour worked:

Floor Coverer $ 45.85

OVERTIME PAY
See (B, E, Q) on OVERTIME PAGE

HOLIDAY
Paid: See (18, 19) on HOLIDAY PAGE.

Paid: for 1st & 2nd yr.
Apprentices See (5,6,11,13,16,18,19,25)

Overtime: See (5,6,11,13,16,18,19,25) on HOLIDAY PAGE.

REGISTERED APPRENTICES
Wage per hour is Pecentage of Joumeyworkers Wage

(1) year terms:

1st.	2nd.	3rd.	4th.
$20.20	$25.25	$32.83	$40.40

Supplemental benefits per hour:

$ 31.11

8-2287

United States Department of Labor

Wage and Hour Division

Wage and Hour Division (WHD)

Instructions For Completing Payroll form, WH-347

11 WH-347 (PDF)
OMB Control No. 1235-0008, Expires 02/28/2018.

General: Form WH-347 has been made available for the convenience of contractors and subcontractors required by their Federal or Federally-aided construction-type contracts and subcontracts to submit weekly payrolls. Properly filled out, this form will satisfy the requirements of Regulations, Parts 3 and 5 (29 C.F.R., Subtitle A), as to payrolls submitted in connection with contracts subject to the Davis-Bacon and related Acts.

While completion of Form WH-347 is optional, it is mandatory for covered contractors and subcontractors performing work on Federally financed or assisted construction contracts to respond to the information collection contained in 29 C.F.R. §§ 3.3, 5.S(a). The Copeland Act (40 U.S.C. § 3145) requires contractors and subcontractors performing work on Federally financed or assisted construction contracts to "furnish weekly a statement with respect to the wages paid each employee during the preceding week." U.S. Department of Labor (DOL) Regulations at 29 C.F.R. § 5.S(a)(3)(ii) require contractors to submit weekly a copy of all payrolls to the Federal agency contracting for or financing the construction project, aa::ompanied by a signed "Statement of Compliance" indicating that the payrolls are correct and complete and that eadl laborer or medlanic has been paid not less than the proper Davis-Bacon prevailing wage rate for the work performed. DOL and federal contracting agencies receiving this information review the information to determine that employees have received legally required wages and fringe benefits.

Under the Davis-Bacon and related Acts, the contractor is required to pay not less than prevailing wage, induding fringe benefits, as predetermined by the Department of Labor. The contractor's obligation to pay fringe benefits may be met either by payment of the fringe benefits to bona fide benefit plans, funds or programs or by making payments to the covered workers (laborers and mechanics) as cash in lieu of fringe benefits.

This payroll provides for the contractor to show on the face of the payroll all monies to earn worker, whether as basic rates or as cash in lieu of fringe benefits, and provides for the contractor's representation in the statement of compliance on the payroll (as shown on page 2) that he/she is paying for fringe benefits required by the contract and not paid as cash in lieu of fringe benefits. Detailed instructions concerning the preparation of the payroll follow:

Contractor or Subcontractor: Fill in your firm's name and check appropriate box.

Address: Fill in your firm's address.

Payroll No.: Beginning with the number "1", list the payroll number for the submission.

For Week Ending: List the workweek ending date.

Project and location: Self-explanatory.

Project or Contract Nlo.: Self-explanatory.

Column 1 - Name and ndividual Xdent fying !\'lumber of Worker: Enter each wo rker's full name and an individual identifying number (e.g., last four digits of worker's social serurity number) on each weekly payroll submitted.

Column 2 - No. of Withhodlng E>Cempt:ions: This column is merely inserted for the employer's convenience and is not a requirement of Regulations, Part 3 and 5.

Column 3 - Work Classificatons: List classification descriptive of work actually performed by each laborer or mechanic. Consult dassification and minimum wage schedule set forth in contract specifications. If additional dassifications are deemed necessary, see Contracting Officer or Agency representative. An individual may be shown as having worked in more than one classification provided an aCOJrate breakdown or hours worked in each dassification is maintained and shown on the submitted payroll by use of separate entries.

Column 4 - Hours worked: List the day and date and straight time and overtime hours worked in the applicable boxes. On all contracts subject to the Contract Work Hours Standard Act, enter hours worked in excess of 40 hours a week as "overtime".

Column S - Total: Self-explanatory

Column 6 - Rate of Pay (nduding Fringe Benefits): n the "straight time" box for each worker, list the actual hourly rate paid for straight time worked, plus cash paid in lieu of fringe benefits paid. When recnrding the straight time hourly rate, any cash paid in lieu of fringe benefits may be shown separately from the basic rate. For example, "$12.25/.40" would reflect a $12.25 base hourly rate plus $0.40 for fringe benefits. This is of assistance in correctly computing overtime. See "Fringe Benefits" below. When overtime is worked, show the overtime hourly rate paid plus any cash in lieu of fringe benefits paid in the "overtime" box for each worker; otherwise, you may skip this box. See "Fringe Benefits" below. Payment of not less than time and one-half the basic or regular rate paid is required for overtime under the Contract Work Hours Standard Act of 1962 if the prime contract exceeds $100,000. n addition to paying no less than the predetermined rate for the dassification which an individual works, the contractor must pay amounts predetermined as fringe benefits in the wage decision made part of the contract to approved fringe benefit plans, funds or programs or shall pay as cash in lieu of fringe benefits. See "FRINGE BENEFITS" below.

Column 7 - Gross Amount Earned: Enter gross amount earned on this project. f part of a worker's weekly wage was earned on projects other than the project described on this payroll, enter in column 7 first the amount earned on the Federal or Federally assisted project and then the gross amount earned during the week on all projects, thus "$163.00/$420.00" would reflect the earnings of a worker who earned $163.00 on a Federally assisted construction project during a week in which $420.00 was earned on all work.

Column 8 - Deductions: Five columns are provided for showing deductions made. f more than five deduction are involved, use the first four columns and show the balance deductions under "Other" column; show actual total under "Total Deductions" column; and in the attachment to the payroll describe the deduction(s) contained in the "Other" column. All deductions must be in accordance with the provisions of the Copeland Act Regulations, 29 C.F.R., Part 3. f an individual worked on other jobs in addition to this project, show actual deductions from his/her weekly gross wage, and indicate that deductions are based on his gross wages.

Column 9 - et Wages Paid for Week: Self-explanatory.

Totals - Space has been left at the bottom of the columns so that totals may be shown if the contractor so desires.

Stilltement Required by Regulations, Parts 3 and S: While the "statement of compliance" need not be

notarized, the statement (on page 2 of the payroll form) is subject to the penalties provided by 18 U.S.C. § 1001, namely, a fine, possible imprisonment of not more than 5 years, or both. Accordingly, the party signing

this statement should have knowledge of the facts represented as true.

Item land! 2: Space has been provided between items (1) and (2) of the statement for describing any deductions made. f all deductions made are adequately described in the "Deductions" column above, state "See Deductions column in this payroll." See "FRINGE BENEITTS" below for instructions concerning filling out paragraph 4 of the statement.

Item 4 FRINGE BENEFITS • Contractors who pay all required fringe benefits: f paying all fringe benefits to approved plans, funds, or programs in amounts not less than were determined in the applicable wage decision of the Secretary of Labor, show the basic cash hourly rate and overtime rate paid to each worker on the face of the payroll and check paragraph 4(a) of the statement on page 2 of the WH-347 payroll form to indicate the payment. Note any exceptions in section 4(c).

Contractors who pay no fringe benefits: If not paying all fringe benefits to approved plans, funds, or programs in amounts of at least those that were determined in the applicable wage decision of the Secretary of Labor, pay any remaining fringe benefit amount to each laborer and mechanic and insert in the "straight time" of the "Rate of Pay" column of the payroll an amount not less than the predetermined rate for each dassification plus the amount of fringe benefits determined for each dassification in the application wage decision. nasmuch as it is not necessary to pay time and a half on cash paid in lieu of fringe benefits, the overtime rate shall be not less than the sum of the basic predetermined rate, plus the half time premium on basic or regular rate, plus the required cash in lieu of fringe benefits at the straight time rate. n addition, check paragraph 4(b) of the statement on page 2 the payroll form to indicate the payment of fringe benefits in cash directly to the workers. Note any exceptions in section 4(c).

Use of Section 4(c), Exceptions

Any a:>ntractor who is making payment to approved plans, funds, or programs in amounts less than the wage determination requires is obliged to pay the deficiency directly to the a:>vered worker as cash in lieu of fringe benefits. Enter any exceptions to section 4(a) or 4(b) in section 4(c). Enter in the Exception a:>lumn the craft, and enter in the Explanation rolumn the hourly amount paid each worker as cash in lieu of fringe benefits and the hourly amount paid to plans, funds, or programs as fringe benefits. The contractor must pay an amount not less than the predetermined rate plus cash in lieu of fringe benefits as shown in section 4(c) to each such individual for all hours worked (unless otherwise provided by applicable wage determination) on the Federal or Federally assisted project. Enter the rate paid and amount of cash paid in lieu of fringe benefits per hour in column 6 on the payroll. See paragraph on "Contractors who pay no fringe benefits" for oomputation of overtime rate.

Public Burden Statement: We estimate that it will take an average of 55 minutes to complete this collection of information, induding time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. f you have any a:>mments regarding these estimates or any other aspect of this oollection of information, induding suggestions for reducing this burden, send them to the Administrator, Wage and Hour Division, ESA, U.S. Department of Labor, Room 53502, 200 Constitution Avenue, N.W., Washington, D.C. 20210.

Note: n order to view, fill out, and print PDF forms, you need Adobe® Acrobat® Reader® version S or later, which you may download for free at www.adobe.com/products/acrobat/readstep2.html. To save the oompleted forms on your workstation, you need to use the "Save As" method to save the file.
For example, move your mouse curser over the PDF link and dick on your "RIGKT" mouse button. This will cause a menu to be displayed, from which you will select the proper save option -- depending upon which browser you are using:

c For Microsoft E users, select "Save Target As"

c For Netscape Navigator users, select "Save Link As"

Once you've selected the proper save option for your browser, and have saved the file to a location you specified, go to your program menu and start the Adobe Acrobat® Reader. Once open, locate the PDF file you saved and open it directly in Acrobat®.

>

U.S. Department of Labor
Wage and Hoix Division

PAYROLL

(For Contractor's Optional Use; See Instructions at www.dol.gov/whd/forms/wh347instr.htm)

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Persons ere not required to roapond to th• co/14ctlon of Information Ull/es.s it displays a currently valid OMS conll'OI nutrber.

Rev. Dec. 2008

OMB No.: 1235-0008
Expires: 02/28/2018

NAME OF CONTRACTOR O OR SUBCONTRACTOR 0 | ADORESS

PAYROU. NO. | FOR WEEK ENDING | PROJECT ANO LOCATION | PROJECT OR CONTRACT NO.

(1) NAME ANO DMDUAL IDENTIFYING NUMBER (e.g., LAST FOUR DIGITS OF SOCIAL SECURITY NUMBER) OF WORKER	(2) g J	(3) WORK CLASSIFICATION		(4) DAY ANO DATE HOURS WORKED EACH DAY	TOTAL HOURS	(e) RATE OF PAY	(7) GROSS AMOUNT EARNED	(8) DEDUCTIONS FICA	WITH-HOLDING TAX			OTHER	TOTAL DEDUCTIONS	(9) NET WAGES PAID FOR WEEK
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Publlc Burden S-IMnt

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Washington, D.C.20210

(over)

Date _____

I. _____ _____

_____

(Name of Signatory Party) (Tiiie)

do hereby state:

(1) That Ipay or supervise the payment of the persons employed by

_____ on the
(Contractor or aibcontractor)

_____;that during the payroll period commencing on the
(Building or Work)

_____day of _____ and ending the_____day of _____,_____•

all persons employed on said project ha11e been paid the full weekly wages earned, that no rebates have been or will be made either directly or indirectly to or on behalf of said

_____from the full
(Contractor or Subcontractor)

weekly wages earned by any person and that no deductions have been made either directly or hdirectly from the full wages earned by any person, other than permissible deductions as defined in Regulations, Part 3 (29 C.F.R. SubtiUe A), issued by the Secretary of Labor under the Copeland Act, as amended (48 Stat. 948, 63 Stal. 108, 72 Stat. 967; 76 Stat. 357; 40 U.S.C. § 3145), and described below:

_____

_____

_____

_____

(2) That any payrolls otherwise under this contract required to be submitted for the above period are correct and complete; that the wage rates for laborers or mechanics contained therein are not less than the applicable wage rates containeith any wage determination hcorporated into the contract; that the ciassIllcatlons set forth therein for each laborer or mechanic confonn with the wort he performed.

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(4) That:

(a) WHERE FRINGE BENEFITS ARE PAID TO APPROVED PLANS, FUNDS, OR PROGRAMS

D

In addition to the basic hour1y wage rates paid to each laborer or mechanic listed in the above referenced payrol, payments of fringe benefits as listed in the contract have been or wilt be made to appropriate programs for the benefit of such employees, except as noted in section 4(c) below.

(b) WHERE FRINGE BENEFITS ARE PAID IN CASH

D -

Each laborer or mechanic listed in the above referenced payroll has been paid, as hdcated on the payroll, an amount not less than the sum of the applicable basic hourty wage rate plus the amount of the required fringe benefits as listed in the contract, except as noted in section 4(c) below.

(c) EXCEPTIONS

EXCEPTION (CRAF1)	EXPLANATION

REMARKS:

NAME ANO TITLE	SIGNATURE

THE WILLFUL FALSIACATION OF y OF THE ABOVE STATEMENTS UAY SUBJECT THE CONTRACTOR OR SUBCONTRACTOR TO CIVIL OR CRIMINAL PROSECUTION SEE SECTION 1001 OF TITLE 18 ANO SECTION 231 OF T1TIE 31 OF THE UNTEO STATES CODE.