

Applicability

The Project or Program to which the construction work covered by this contract pertains is being assisted by the United States of America and the following Federal Labor Standards Provisions are included in this Contract pursuant to the provisions applicable to such Federal assistance.

A. 1. (i) Minimum Wages. All laborers and mechanics employed or working upon the site of the work, will be paid unconditionally and not less often than once a week, and without subsequent deduction or rebate on any account (except such payroll deductions as are permitted by regulations issued by the Secretary of Labor under the Copeland Act (29 CFR Part 3), the full amount of wages and bona fide fringe benefits (or cash equivalents thereof) due at time of payment computed at rates not less than those contained in the wage determination of the Secretary of Labor which is attached hereto and made a part hereof, regardless of any contractual relationship which may be alleged to exist between the contractor and such laborers and mechanics. Contributions made or costs reasonably anticipated for bona fide fringe benefits under Section 1(b)(2) of the Davis-Bacon Act on behalf of laborers or mechanics are considered wages paid to such laborers or mechanics, subject to the provisions of 29 CFR 5.5(a)(1)(iv); also, regular contributions made or costs incurred for more than a weekly period (but not less often than quarterly) under plans, funds, or programs, which cover the particular weekly period, are deemed to be constructively made or incurred during such weekly period.

Such laborers and mechanics shall be paid the appropriate wage rate and fringe benefits on the wage determination for the classification of work actually performed, without regard to skill, except as provided in 29 CFR 5.5(a)(4). Laborers or mechanics performing work in more than one classification may be compensated at the rate specified for each classification for the time actually worked therein: Provided, That the employer's payroll records accurately set forth the time spent in each classification in which work is performed. The wage determination (including any additional classification and wage rates conformed under 29 CFR 5.5(a)(1)(ii) and the Davis-Bacon poster (WH-1321) shall be posted at all times by the contractor and its subcontractors at the site of the work in a prominent and accessible, place where it can be easily seen by the workers.

(ii) (a) Any class of laborers or mechanics which is not listed in the wage determination and which is to be employed under the contract shall be classified in conformance with the wage determination. HUD shall approve an additional classification and wage rate and fringe benefits therefor only when the following criteria have been met:

(1) The work to be performed by the classification requested is not performed by a classification in the wage determination; and

(2) The classification is utilized in the area by the construction industry; and

(3) The proposed wage rate, including any bona fide fringe benefits, bears a reasonable relationship to the wage rates contained in the wage determination.

(b) If the contractor and the laborers and mechanics to be employed in the classification (if known), or their representatives, and HUD or its designee agree on the classification and wage rate (including the amount designated for fringe benefits where appropriate), a report of the action taken shall be sent by HUD or its designee to the Administrator of the Wage and Hour Division, Employment Standards Administration, U.S. Department of Labor, Washington, D.C. 20210. The Administrator, or an authorized representative, will approve, modify, or disapprove every additional classification action within 30 days of receipt and so advise HUD or its designee or will notify HUD or its designee within the 30-day period that additional time is necessary. (Approved by the Office of Management and Budget under OMB control number 1215-0140.)

(c) In the event the contractor, the laborers or mechanics to be employed in the classification or their representatives, and HUD or its designee do not agree on the proposed classification and wage rate (including the amount designated for fringe benefits, where appropriate), HUD or its designee shall refer the questions, including the views of all interested parties and the recommendation of HUD or its designee, to the Administrator for determination. The Administrator, or an authorized representative, will issue a determination within 30 days of receipt and so advise HUD or its designee or will notify HUD or its designee within the 30-day period that additional time is necessary. (Approved by the Office of Management and Budget under OMB Control Number 1215-0140.)

(d) The wage rate (including fringe benefits where appropriate) determined pursuant to subparagraphs (1)(ii)(b) or (c) of this paragraph, shall be paid to all workers performing work in the classification under this contract from the first day on which work is performed in the classification.

(iii) Whenever the minimum wage rate prescribed in the contract for a class of laborers or mechanics includes a fringe benefit which is not expressed as an hourly rate, the contractor shall either pay the benefit as stated in the wage determination or shall pay another bona fide fringe benefit or an hourly cash equivalent thereof.

(iv) If the contractor does not make payments to a trustee or other third person, the contractor may consider as part

of the wages of any laborer or mechanic the amount of any costs reasonably anticipated in providing bona fide fringe benefits under a plan or program. Provided, That the Secretary of Labor has found, upon the written request of the contractor, that the applicable standards of the Davis-Bacon Act have been met. The Secretary of Labor may require the contractor to set aside in a separate account assets for the meeting of obligations under the plan or program. (Approved by the Office of Management and Budget under OMB Control Number 1215-0140.)

2. Withholding. HUD or its designee shall upon its own action or upon written request of an authorized representative of the Department of Labor withhold or cause to be withheld from the contractor under this contract or any other Federal contract with the same prime contractor, or any other Federally-assisted contract subject to Davis-Bacon prevailing wage requirements, which is held by the same prime contractor so much of the accrued payments or advances as may be considered necessary to pay laborers and mechanics, including apprentices, trainees and helpers, employed by the contractor or any subcontractor the full amount of wages required by the contract. In the event of failure to pay any laborer or mechanic, including any apprentice, trainee or helper, employed or working on the site of the work, all or part of the wages required by the contract, HUD or its designee may, after written notice to the contractor, sponsor, applicant, or owner, take such action as may be necessary to cause the suspension of any further payment, advance, or guarantee of funds until such violations have ceased. HUD or its designee may, after written notice to the contractor, disburse such amounts withheld for and on account of the contractor or subcontractor to the respective employees to whom they are due. The Comptroller General shall make such disbursements in the case of direct Davis-Bacon Act contracts.

3. (i) Payrolls and basic records. Payrolls and basic records relating thereto shall be maintained by the contractor during the course of the work preserved for a period of three years thereafter for all laborers and mechanics working at the site of the work. Such records shall contain the name, address, and social security number of each such worker, his or her correct classification, hourly rates of wages paid (including rates of contributions or costs anticipated for bona fide fringe benefits or cash equivalents thereof of the types described in Section 1(b)(2)(B) of the Davis-bacon Act), daily and weekly number of hours worked, deductions made and actual wages paid. Whenever the Secretary of Labor has found under 29 CFR 5.5 (a)(1)(iv) that the wages of any laborer or mechanic include the amount of any costs reasonably anticipated in providing benefits under a plan or program described in Section 1(b)(2)(B) of the Davis-Bacon Act, the contractor shall maintain records which show that the commitment to provide such benefits is enforceable, that the plan or program is financially responsible, and that the plan or program has been

communicated in writing to the laborers or mechanics affected, and records which show the costs anticipated or the actual cost incurred in providing such benefits. Contractors employing apprentices or trainees under approved programs shall maintain written evidence of the registration of apprenticeship programs and certification of trainee programs, the registration of the apprentices and trainees, and the ratios and wage rates prescribed in the applicable programs. (Approved by the Office of Management and Budget under OMB Control Numbers 1215-0140 and 1215-0017.)

(ii) (a) The contractor shall submit weekly for each week in which any contract work is performed a copy of all payrolls to HUD or its designee if the agency is a party to the contract, but if the agency is not such a party, the contractor will submit the payrolls to the applicant sponsor, or owner, as the case may be, for transmission to HUD or its designee. The payrolls submitted shall set out accurately and completely all of the information required to be maintained under 29 CFR 5.5(a)(3)(i) except that full social security numbers and home addresses shall not be included on weekly transmittals. Instead the payrolls shall only need to include an individually identifying number for each employee (e.g., the last four digits of the employee's social security number). The required weekly payroll information may be submitted in any form desired. Optional Form WH-347 is available for this purpose from the Wage and Hour Division Web site at <http://www.dol.gov/esa/whd/forms/wh347instr.htm> or its successor site. The prime contractor is responsible for the submission of copies of payrolls by all subcontractors. Contractors and subcontractors shall maintain the full social security number and current address of each covered worker, and shall provide them upon request to HUD or its designee if the agency is a party to the contract, but if the agency is not such a party, the contractor will submit the payrolls to the applicant sponsor, or owner, as the case may be, for transmission to HUD or its designee, the contractor, or the Wage and Hour Division of the Department of Labor for purposes of an investigation or audit of compliance with prevailing wage requirements. It is not a violation of this subparagraph for a prime contractor to require a subcontractor to provide addresses and social security numbers to the prime contractor for its own records, without weekly submission to HUD or its designee. (Approved by the Office of Management and Budget under OMB Control Number 1215-0149.)

(b) Each payroll submitted shall be accompanied by a "Statement of Compliance," signed by the contractor or subcontractor or his or her agent who pays or supervises the payment of the persons employed under the contract and shall certify the following:

(1) That the payroll for the payroll period contains the information required to be provided under 29 CFR 5.5 (a)(3)(ii), the appropriate information is being maintained under 29 CFR 5.5(a)(3)(i), and that such information is correct and complete;

(2) That each laborer or mechanic (including each helper, apprentice, and trainee) employed on the contract during the payroll period has been paid the full weekly wages earned, without rebate, either directly or indirectly, and that no deductions have been made either directly or indirectly from the full wages earned, other than permissible deductions as set forth in 29 CFR Part 3;

(3) That each laborer or mechanic has been paid not less than the applicable wage rates and fringe benefits or cash equivalents for the classification of work performed, as specified in the applicable wage determination incorporated into the contract.

(c) The weekly submission of a properly executed certification set forth on the reverse side of Optional Form WH-347 shall satisfy the requirement for submission of the "Statement of Compliance" required by subparagraph A.3.(ii)(b).

(d) The falsification of any of the above certifications may subject the contractor or subcontractor to civil or criminal prosecution under Section 1001 of Title 18 and Section 231 of Title 31 of the United States Code.

(iii) The contractor or subcontractor shall make the records required under subparagraph A.3.(i) available for inspection, copying, or transcription by authorized representatives of HUD or its designee or the Department of Labor, and shall permit such representatives to interview employees during working hours on the job. If the contractor or subcontractor fails to submit the required records or to make them available, HUD or its designee may, after written notice to the contractor, sponsor, applicant or owner, take such action as may be necessary to cause the suspension of any further payment, advance, or guarantee of funds. Furthermore, failure to submit the required records upon request or to make such records available may be grounds for debarment action pursuant to 29 CFR 5.12.

4. Apprentices and Trainees.

(i) **Apprentices.** Apprentices will be permitted to work at less than the predetermined rate for the work they performed when they are employed pursuant to and individually registered in a bona fide apprenticeship program registered with the U.S. Department of Labor, Employment and Training Administration, Office of Apprenticeship Training, Employer and Labor Services, or with a State Apprenticeship Agency recognized by the Office, or if a person is employed in his or her first 90 days of probationary employment as an apprentice in such an apprenticeship program, who is not individually registered in the program, but who has been certified by the Office of Apprenticeship Training, Employer and Labor Services or a State Apprenticeship Agency (where appropriate) to be eligible for probationary employment as an apprentice. The allowable ratio of apprentices to journeymen on the job site in any craft classification shall not be greater than the ratio permitted to the contractor as to the entire work force under the registered program. Any worker listed on a payroll at an apprentice wage rate, who

is not registered or otherwise employed as stated above, shall be paid not less than the applicable wage rate on the wage determination for the classification of work actually performed. In addition, any apprentice performing work on the job site in excess of the ratio permitted under the registered program shall be paid not less than the applicable wage rate on the wage determination for the work actually performed. Where a contractor is performing construction on a project in a locality other than that in which its program is registered, the ratios and wage rates (expressed in percentages of the journeyman's hourly rate) specified in the contractor's or subcontractor's registered program shall be observed. Every apprentice must be paid at not less than the rate specified in the registered program for the apprentice's level of progress, expressed as a percentage of the journeymen hourly rate specified in the applicable wage determination. Apprentices shall be paid fringe benefits in accordance with the provisions of the apprenticeship program. If the apprenticeship program does not specify fringe benefits, apprentices must be paid the full amount of fringe benefits listed on the wage determination for the applicable classification. If the Administrator determines that a different practice prevails for the applicable apprentice classification, fringes shall be paid in accordance with that determination. In the event the Office of Apprenticeship Training, Employer and Labor Services, or a State Apprenticeship Agency recognized by the Office, withdraws approval of an apprenticeship program, the contractor will no longer be permitted to utilize apprentices at less than the applicable predetermined rate for the work performed until an acceptable program is approved.

(ii) **Trainees.** Except as provided in 29 CFR 5.16, trainees will not be permitted to work at less than the predetermined rate for the work performed unless they are employed pursuant to and individually registered in a program which has received prior approval, evidenced by formal certification by the U.S. Department of Labor, Employment and Training Administration. The ratio of trainees to journeymen on the job site shall not be greater than permitted under the plan approved by the Employment and Training Administration. Every trainee must be paid at not less than the rate specified in the approved program for the trainee's level of progress, expressed as a percentage of the journeyman hourly rate specified in the applicable wage determination. Trainees shall be paid fringe benefits in accordance with the provisions of the trainee program. If the trainee program does not mention fringe benefits, trainees shall be paid the full amount of fringe benefits listed on the wage determination unless the Administrator of the Wage and Hour Division determines that there is an apprenticeship program associated with the corresponding journeyman wage rate on the wage determination which provides for less than full fringe benefits for apprentices. Any employee listed on the payroll at a trainee rate who is not registered and participating in a training plan approved by

the Employment and Training Administration shall be paid not less than the applicable wage rate on the wage determination for the work actually performed. In addition, any trainee performing work on the job site in excess of the ratio permitted under the registered program shall be paid not less than the applicable wage rate on the wage determination for the work actually performed. In the event the Employment and Training Administration withdraws approval of a training program, the contractor will no longer be permitted to utilize trainees at less than the applicable predetermined rate for the work performed until an acceptable program is approved.

(iii) **Equal employment opportunity.** The utilization of apprentices, trainees and journeymen under 29 CFR Part 5 shall be in conformity with the equal employment opportunity requirements of Executive Order 11246, as amended, and 29 CFR Part 30.

5. Compliance with Copeland Act requirements. The contractor shall comply with the requirements of 29 CFR Part 3 which are incorporated by reference in this contract

6. Subcontracts. The contractor or subcontractor will insert in any subcontracts the clauses contained in subparagraphs 1 through 11 in this paragraph A and such other clauses as HUD or its designee may by appropriate instructions require, and a copy of the applicable prevailing wage decision, and also a clause requiring the subcontractors to include these clauses in any lower tier subcontracts. The prime contractor shall be responsible for the compliance by any subcontractor or lower tier subcontractor with all the contract clauses in this paragraph.

7. Contract termination; debarment. A breach of the contract clauses in 29 CFR 5.5 may be grounds for termination of the contract and for debarment as a contractor and a subcontractor as provided in 29 CFR 5.12.

8. Compliance with Davis-Bacon and Related Act Requirements. All rulings and interpretations of the Davis-Bacon and Related Acts contained in 29 CFR Parts 1, 3, and 5 are herein incorporated by reference in this contract

9. Disputes concerning labor standards. Disputes arising out of the labor standards provisions of this contract shall not be subject to the general disputes clause of this contract. Such disputes shall be resolved in accordance with the procedures of the Department of Labor set forth in 29 CFR Parts 5, 6, and 7. Disputes within the meaning of this clause include disputes between the contractor (or any of its subcontractors) and HUD or its designee, the U.S. Department of Labor, or the employees or their representatives.

10. (i) Certification of Eligibility. By entering into this contract the contractor certifies that neither it (nor he or she) nor any person or firm who has an interest in the contractor's firm is a person or firm ineligible to be awarded Government contracts by virtue of Section 3(a) of the Davis-Bacon Act or 29 CFR 5.12(a)(1) or to be

awarded HUD contracts or participate in HUD programs pursuant to 24 CFR Part 24.

(ii) No part of this contract shall be subcontracted to any person or firm ineligible for award of a Government contract by virtue of Section 3(a) of the Davis-Bacon Act or 29 CFR 5.12(a)(1) or to be awarded HUD contracts or participate in HUD programs pursuant to 24 CFR Part 24.

(iii) The penalty for making false statements is prescribed in the U.S. Criminal Code, 18 U.S.C. 1001. Additionally, U.S. Criminal Code, Section 1 01 0, Title 18, U.S.C., "Federal Housing Administration transactions", provides in part: "Whoever, for the purpose of . . . influencing in any way the action of such Administration..... makes, utters or publishes any statement knowing the same to be false..... shall be fined not more than \$5,000 or imprisoned not more than two years, or both."

11. Complaints, Proceedings, or Testimony by Employees. No laborer or mechanic to whom the wage, salary, or other labor standards provisions of this Contract are applicable shall be discharged or in any other manner discriminated against by the Contractor or any subcontractor because such employee has filed any complaint or instituted or caused to be instituted any proceeding or has testified or is about to testify in any proceeding under or relating to the labor standards applicable under this Contract to his employer.

B. Contract Work Hours and Safety Standards Act. The provisions of this paragraph B are applicable where the amount of the prime contract exceeds \$100,000. As used in this paragraph, the terms "laborers" and "mechanics" include watchmen and guards.

(1) **Overtime requirements.** No contractor or subcontractor contracting for any part of the contract work which may require or involve the employment of laborers or mechanics shall require or permit any such laborer or mechanic in any workweek in which the individual is employed on such work to work in excess of 40 hours in such workweek unless such laborer or mechanic receives compensation at a rate not less than one and one-half times the basic rate of pay for all hours worked in excess of 40 hours in such workweek.

(2) **Violation; liability for unpaid wages; liquidated damages.** In the event of any violation of the clause set forth in subparagraph (1) of this paragraph, the contractor and any subcontractor responsible therefor shall be liable for the unpaid wages. In addition, such contractor and subcontractor shall be liable to the United States (in the case of work done under contract for the District of Columbia or a territory, to such District or to such territory), for liquidated damages. Such liquidated damages shall be computed with respect to each individual laborer or mechanic, including watchmen and guards, employed in violation of the clause set forth in subparagraph (1) of this paragraph, in the sum of \$10 for each calendar day on which such individual was required or permitted to work in excess of the standard workweek of 40 hours without payment of the overtime wages required by the clause set forth in subparagraph (1) of this paragraph.

(3) Withholding for unpaid wages and liquidated damages. HUD or its designee shall upon its own action or upon written request of an authorized representative of the Department of Labor withhold or cause to be withheld, from any moneys payable on account of work performed by the contractor or subcontractor under any such contract or any other Federal contract with the same prime contract, or any other Federally-assisted contract subject to the Contract Work Hours and Safety Standards Act which is held by the same prime contractor such sums as may be determined to be necessary to satisfy any liabilities of such contractor or subcontractor for unpaid wages and liquidated damages as provided in the clause set forth in subparagraph (2) of this paragraph.

(4) Subcontracts. The contractor or subcontractor shall insert in any subcontracts the clauses set forth in subparagraph (1) through (4) of this paragraph and also a clause requiring the subcontractors to include these clauses in any lower tier subcontracts. The prime contractor shall be responsible for compliance by any subcontractor or lower tier subcontractor with the clauses set forth in subparagraphs (1) through (4) of this paragraph.

C. Health and Safety. The provisions of this paragraph C are applicable where the amount of the prime contract exceeds \$100,000.

(1) No laborer or mechanic shall be required to work in surroundings or under working conditions which are unsanitary, hazardous, or dangerous to his health and safety as determined under construction safety and health standards promulgated by the Secretary of Labor by regulation.

(2) The Contractor shall comply with all regulations issued by the Secretary of Labor pursuant to Title 29 Part 1926 and failure to comply may result in imposition of sanctions pursuant to the Contract Work Hours and Safety Standards Act, (Public Law 91-54, 83 Stat 96). 40 USC 3701 et seq.

(3) The contractor shall include the provisions of this paragraph in every subcontract so that such provisions will be binding on each subcontractor. The contractor shall take such action with respect to any subcontractor as the Secretary of Housing and Urban Development or the Secretary of Labor shall direct as a means of enforcing such provisions.

Service Contract Act	Davis-Bacon Act	Related Information
<ul style="list-style-type: none"> ▪ Selecting SCA WDs ▪ e98 ▪ Archived WDs ▪ WDs due to be revised ▪ PACT (Price Adjustment Calculation Tool) NEW! 	<ul style="list-style-type: none"> ▪ Selecting DBA WDs ▪ Archived WDs ▪ WDs due to be revised ▪ Rollover Crosswalk NEW! 	<ul style="list-style-type: none"> ▪ Agency Labor Advisors ▪ Library ▪ DOL Wage and Hour Website

Welcome to the Wage Determinations OnLine Program!

This website provides a single location for federal contracting officers to use in obtaining appropriate Service Contract Act (SCA) and Davis-Bacon Act (DBA) wage determinations (WDs) for each official contract action. The website is available to the general public as well. Guidance in selecting WDs from this website is provided in the WDOL.gov User's Guide.

Alternatively, the WDOL.gov Program also provides contracting officers direct access to the Department of Labor's (DOL's) "e98" website to submit a request for SCA WDs for use on official contract actions. In some instances, the WDOL.gov Program will not contain the appropriate SCA WD, and contracting officers will be directed to use DOL's e98 website in order to obtain the required SCA WD. DOL will provide the contracting officer with an SCA WD through the e98 system.

Questions pertaining to the application of contract labor standards or the selection of appropriate WDs for specific contract actions should be referred to the contracting officer or to the designated agency labor advisors. Questions pertaining to this website may be referred to the WDOL.gov Webmaster.

The WDOL.gov Program and the User's Guide does not relieve the contracting officer or other program user of the requirement to carefully review the contract or solicitation, federal acquisition regulations, and/or DOL regulations related to these actions.

Where the contracting officer selects a SCA or DBA WD using the WDOL.gov Program and DOL later determines, whether before or after contract award, that the appropriate SCA or DBA WD was not incorporated in a covered contract, the contracting officer, within 30 days of notification by DOL, shall include in the contract the applicable WD issued by DOL.

This site is best viewed with Microsoft Internet Explorer 6.0+ or Mozilla Firefox 1.0+ browsers

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News and Updates...

- **NEW!** All Agency Memorandum (AAM) No. 225, issued on July 25, 2017, the new Health and Welfare Fringe Benefit Rates will increase for all Service Contract Act wage determinations. See DOL All Agency Memorandum (AAM) 225. Revised WDs reflecting the new benefit rates will be available at the Wage Determination On-Line website on or about August 1st, 2017. The Electronic SF-98 form will be temporarily unavailable because of the update from July 25th, 2017 through July 27th, 2017. No e98 requests will be processed at that time. The system will be back online once the update is completed.
- **NEW!** All Agency Memorandum (AAM) No. 224, issued on January 17, 2017, provides background and context regarding the Davis Bacon Act regulations requiring agencies, at the beginning of each fiscal year and to the extent practicable, to provide the Administrator of the Wage and Hour Division with information regarding their proposed construction programs for the coming year.
- **NEW!** All Agency Memorandum (AAM) No. 223, issued on January 13, 2017, Provides Notification of the FY 2017 Davis-Bacon Wage Survey Plan. The Memorandum also seeks input from stakeholders concerning the FY 2018 Davis-Bacon Wage Survey Plan currently in development.
- **NEW!** All Agency Memorandum (AAM) No. 222, issued on January 11, 2017, provides background and context regarding the Davis Bacon Act and its coverage provisions, summarizes the CityCenterDC opinion, and provides guidance regarding the opinion's significance.
- **NEW!** Executive Order (EO) 13658 established a minimum wage for certain Federal contractors. Under the EO, effective January 1, 2017, an hourly minimum wage of \$10.20 for calendar year 2017 applies to all contracts subject to the Service Contract Act or the Davis-Bacon Act for which the contract is awarded (and any solicitation was issued) on or after January 1, 2015. The EO minimum wage rate will be adjusted annually. Additional information on contractor requirements and worker protections under the EO is available at <http://www.dol.gov/whd/govcontracts>.
- **NEW!** Effective January 1st, 2017, Executive Order 13706, Establishing Paid Sick Leave for Federal Contractors, requires certain employers that contract with the Federal Government to provide employees working on or in connection

General Decision Number: MN170048 09/22/2017 MN48

Superseded General Decision Number: MN20160048

State: Minnesota

Construction Type: Building

County: Big Stone County in Minnesota.

BUILDING CONSTRUCTION PROJECTS (does not include single family homes or apartments up to and including 4 stories).

Note: Under Executive Order (EO) 13658, an hourly minimum wage of \$10.20 for calendar year 2017 applies to all contracts subject to the Davis-Bacon Act for which the contract is awarded (and any solicitation was issued) on or after January 1, 2015. If this contract is covered by the EO, the contractor must pay all workers in any classification listed on this wage determination at least \$10.20 (or the applicable wage rate listed on this wage determination, if it is higher) for all hours spent performing on the contract in calendar year 2017. The EO minimum wage rate will be adjusted annually. Additional information on contractor requirements and worker protections under the EO is available at www.dol.gov/whd/govcontracts.

Modification Number	Publication Date
0	01/06/2017
1	02/17/2017
2	03/03/2017
3	04/14/2017
4	05/19/2017
5	05/26/2017
6	07/21/2017
7	07/28/2017
8	08/11/2017
9	08/25/2017
10	09/08/2017
11	09/22/2017

BOIL0647-001 01/01/2017

	Rates	Fringes
BOILERMAKER.....	\$ 35.65	29.89

BRMN0001-038 05/01/2017

	Rates	Fringes
BRICKLAYER.....	\$ 26.87	18.16

CARP1382-018 06/01/2016

	Rates	Fringes
CARPENTER (Acoustical Ceiling Installation, Drywall		

Hanging, Form Work & Metal
 Stud Installation Only).....\$ 24.75 15.98

ELEC0292-018 09/11/2016

	Rates	Fringes
ELECTRICIAN		
Electrical Contracts		
\$300,000 and over.....	\$ 32.70	19.87
Electrical Contracts under		
\$300,000.....	\$ 32.23	19.59

ELEV0009-004 01/01/2017

	Rates	Fringes
ELEVATOR MECHANIC.....	\$ 46.90	31.585

FOOTNOTE:

PAID VACATION: Employer contributes 8% of regular hourly rate as vacation pay credit for employees with more than 5 years of service, and 6% for 6 months to 5 years of service.
 PAID HOLIDAYS: New Years Day, Memorial Day, Independence Day, Labor Day, Veterans Day, Thanksgiving Day, Friday after Thanksgiving, and Christmas Day.

ENGI0049-051 05/01/2017

	Rates	Fringes
OPERATOR: Power Equipment		
GROUP 1.....	\$ 38.15	19.45
GROUP 2.....	\$ 37.83	19.45
GROUP 3.....	\$ 36.50	19.45
GROUP 4.....	\$ 36.18	19.45
GROUP 5.....	\$ 35.27	19.45
GROUP 6.....	\$ 33.85	19.45
GROUP 7.....	\$ 32.79	19.45
GROUP 8.....	\$ 30.90	19.45

POWER EQUIPMENT OPERATOR CLASSIFICATIONS

- GROUP 1: Truck & Crawler Crane with 200' of Boom & Over, including Jib (\$.50 premium with 300' of Boom & over, including jib); & Tower Crane 250' & Over.
- GROUP 2: Truck & Crawler Crane with 150' of Boom, up to but not including 200' of Boom, including Jib; & Tower Crane 200' & Over.
- GROUP 3: Traveling Tower Crane; Truck & Crawler Crane, up to but not including 150' of Boom, including Jib; Tower Crane (Stationary) up to 200'; All-Terrain Vehicle Crane.
- GROUP 4: Backhoe/Track/Trackhoe, Hoist (3 drums or more); Overhead Crane (inside building perimeter).
- GROUP 5: Asphalt Spreader, Bulldozer, Forklift, Compressor

450 CFM or over (2 or more machines); Hoist (1 or 2 drums); Roller, Scraper, Tractor over D2.

GROUP 6: Bobcat/Skid Loader, Tractor D2 or similar size.

GROUP 7: Crane Oiler.

GROUP 8: Oiler, Greaser (Tractor/Truck).

 * IRON0512-005 05/01/2017

	Rates	Fringes
IRONWORKER, ORNAMENTAL, REINFORCING, AND STRUCTURAL.....	\$ 36.50	26.45

 LABO0563-014 05/01/2017

	Rates	Fringes
Laborers:		
(1) Common or General Laborer, Mason Tender (Brick).....	\$ 26.51	17.69
(2) Pipelayer.....	\$ 27.26	17.69

PROJECTS OVER \$950,000: \$1.75 additional per hour.

 LABO0563-034 05/01/2017

	Rates	Fringes
LABORER (LANDSCAPE).....	\$ 24.29	13.94

 PAIN0884-013 06/01/2010

	Rates	Fringes
PAINTER (Brush & Roller).....	\$ 24.16	13.31

PROJECTS UNDER \$8,000: Rate is 80% of basic hourly rate.

PAINTER'S PREMIUM - \$0.75 per hour additional for the following: Two Component Paints; Epoxies; Sandblasting & Rigging; Work done on Swing Scaffolding, Safety Harness, Window Jacks, Boatswain's Chair, Coverings & Erection of Scaffolding for same; Work on Erected Structural Steel & Abrasive Blasting

 PLUM0015-009 05/01/2016

	Rates	Fringes
PLUMBER/PIPEFITTER.....	\$ 44.01	21.94

FOOTNOTE:

Paid Holiday: Labor Day

ROOF0096-032 06/01/2017

	Rates	Fringes
ROOFER.....	\$ 32.29	16.51

SHEE0010-067 09/05/2017

	Rates	Fringes
SHEET METAL WORKER (HVAC Duct and System Installation only)....	\$ 33.84	17.63

SUMN2009-002 07/27/2009

	Rates	Fringes
CARPENTER, Excludes Acoustical Ceiling Installation, Drywall Hanging, Form Work, and Metal Stud Installation.....	\$ 15.72	4.66
CEMENT MASON/CONCRETE FINISHER...	\$ 14.31	1.45
LABORER: Common or General.....	\$ 12.28	2.32
LABORER: Mason Tender - Cement/Concrete.....	\$ 12.70	3.89
LABORER: Roof Tearoff.....	\$ 10.42	2.08
OPERATOR: Excavator.....	\$ 17.64	2.97
OPERATOR: Loader.....	\$ 15.50	1.56
OPERATOR: Mechanic.....	\$ 19.74	4.47
PAINTER: Spray.....	\$ 17.98	4.47
SHEET METAL WORKER, Excludes HVAC Duct and Unit Installation.....	\$ 16.73	4.86
TRUCK DRIVER: Dump Truck.....	\$ 13.92	1.08

WELDERS - Receive rate prescribed for craft performing operation to which welding is incidental.

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Note: Executive Order (EO) 13706, Establishing Paid Sick Leave for Federal Contractors applies to all contracts subject to the Davis-Bacon Act for which the contract is awarded (and any solicitation was issued) on or after January 1, 2017. If this contract is covered by the EO, the contractor must provide employees with 1 hour of paid sick leave for every 30 hours they work, up to 56 hours of paid sick leave each year. Employees must be permitted to use paid sick leave for their

own illness, injury or other health-related needs, including preventive care; to assist a family member (or person who is like family to the employee) who is ill, injured, or has other health-related needs, including preventive care; or for reasons resulting from, or to assist a family member (or person who is like family to the employee) who is a victim of, domestic violence, sexual assault, or stalking. Additional information on contractor requirements and worker protections under the EO is available at www.dol.gov/whd/govcontracts.

Unlisted classifications needed for work not included within the scope of the classifications listed may be added after award only as provided in the labor standards contract clauses (29CFR 5.5 (a) (1) (ii)).

The body of each wage determination lists the classification and wage rates that have been found to be prevailing for the cited type(s) of construction in the area covered by the wage determination. The classifications are listed in alphabetical order of "identifiers" that indicate whether the particular rate is a union rate (current union negotiated rate for local), a survey rate (weighted average rate) or a union average rate (weighted union average rate).

Union Rate Identifiers

A four letter classification abbreviation identifier enclosed in dotted lines beginning with characters other than "SU" or "UAVG" denotes that the union classification and rate were prevailing for that classification in the survey. Example: PLUM0198-005 07/01/2014. PLUM is an abbreviation identifier of the union which prevailed in the survey for this classification, which in this example would be Plumbers. 0198 indicates the local union number or district council number where applicable, i.e., Plumbers Local 0198. The next number, 005 in the example, is an internal number used in processing the wage determination. 07/01/2014 is the effective date of the most current negotiated rate, which in this example is July 1, 2014.

Union prevailing wage rates are updated to reflect all rate changes in the collective bargaining agreement (CBA) governing this classification and rate.

Survey Rate Identifiers

Classifications listed under the "SU" identifier indicate that no one rate prevailed for this classification in the survey and the published rate is derived by computing a weighted average rate based on all the rates reported in the survey for that classification. As this weighted average rate includes all rates reported in the survey, it may include both union and non-union rates. Example: SULA2012-007 5/13/2014. SU indicates the rates are survey rates based on a weighted average calculation of rates and are not majority rates. LA indicates the State of Louisiana. 2012 is the year of survey on which

these classifications and rates are based. The next number, 007 in the example, is an internal number used in producing the wage determination. 5/13/2014 indicates the survey completion date for the classifications and rates under that identifier.

Survey wage rates are not updated and remain in effect until a new survey is conducted.

Union Average Rate Identifiers

Classification(s) listed under the UAVG identifier indicate that no single majority rate prevailed for those classifications; however, 100% of the data reported for the classifications was union data. EXAMPLE: UAVG-OH-0010 08/29/2014. UAVG indicates that the rate is a weighted union average rate. OH indicates the state. The next number, 0010 in the example, is an internal number used in producing the wage determination. 08/29/2014 indicates the survey completion date for the classifications and rates under that identifier.

A UAVG rate will be updated once a year, usually in January of each year, to reflect a weighted average of the current negotiated/CBA rate of the union locals from which the rate is based.

WAGE DETERMINATION APPEALS PROCESS

1.) Has there been an initial decision in the matter? This can be:

- * an existing published wage determination
- * a survey underlying a wage determination
- * a Wage and Hour Division letter setting forth a position on a wage determination matter
- * a conformance (additional classification and rate) ruling

On survey related matters, initial contact, including requests for summaries of surveys, should be with the Wage and Hour Regional Office for the area in which the survey was conducted because those Regional Offices have responsibility for the Davis-Bacon survey program. If the response from this initial contact is not satisfactory, then the process described in 2.) and 3.) should be followed.

With regard to any other matter not yet ripe for the formal process described here, initial contact should be with the Branch of Construction Wage Determinations. Write to:

Branch of Construction Wage Determinations
Wage and Hour Division
U.S. Department of Labor
200 Constitution Avenue, N.W.
Washington, DC 20210

2.) If the answer to the question in 1.) is yes, then an interested party (those affected by the action) can request

review and reconsideration from the Wage and Hour Administrator (See 29 CFR Part 1.8 and 29 CFR Part 7). Write to:

Wage and Hour Administrator
U.S. Department of Labor
200 Constitution Avenue, N.W.
Washington, DC 20210

The request should be accompanied by a full statement of the interested party's position and by any information (wage payment data, project description, area practice material, etc.) that the requestor considers relevant to the issue.

3.) If the decision of the Administrator is not favorable, an interested party may appeal directly to the Administrative Review Board (formerly the Wage Appeals Board). Write to:

Administrative Review Board
U.S. Department of Labor
200 Constitution Avenue, N.W.
Washington, DC 20210

4.) All decisions by the Administrative Review Board are final.

=====

END OF GENERAL DECISION



Construction Type: Commercial

County Number: 15

County Name: CLEARWATER

Effective: 2016-12-27 Revised: 2017-05-08

This project is covered by Minnesota prevailing wage statutes. Wage rates listed below are the minimum hourly rates to be paid on this project.

All hours worked in excess of eight (8) hours per day or forty (40) hours per week shall be paid at a rate of one and one half (1 1/2) times the basic hourly rate.

Violations should be reported to:

Department of Labor and Industry
Prevailing Wage Section
443 Lafayette Road N
St Paul, MN 55155
(651) 284-5091
DLI.PrevWage@state.mn.us

* Indicates that adjacent county rates were used for the labor class listed.



County: CLEARWATER (15)

LABOR CODE AND CLASS

EFFECT BASIC FRINGE TOTAL
DATE RATE RATE RATE

LABORERS (101 - 112) (SPECIAL CRAFTS 701 - 730)

101	LABORER, COMMON (GENERAL LABOR WORK)	+\$760000	2016-12-27	20.02	16.69	36.71
		-\$760000	2016-12-27	17.02	16.69	33.71
102	LABORER, SKILLED (ASSISTING SKILLED CRAFT JOURNEYMAN)	+\$760000	2016-12-27	20.02	16.69	36.71
		-\$760000	2016-12-27	17.02	16.69	33.71

Minimum rates of hourly compensation

Classification	Wage Rate	Fringe	Aggregate Compensation
Carpenter	\$25.15	\$4	\$29.15
Roofer	\$27.75	\$7.25	\$35
Cement Mason	\$26.5	\$7.25	\$33.75

We expect the above Classifications to be used. If you use Classifications in addition to these, your bid shall be based on at least the minimum compensation for those Classifications.

Illustration 1

Civil Rights Laws

Small Cities Development Program
State of Minnesota



Title VI of the Civil Rights Act of 1964. This law provides that no person shall be excluded from participation, denied program benefits, or be subjected to discrimination on the basis of race, color or national origin.

Section 109, Title I, of the Housing and Community Development Act (HCDA) of 1974. This law provides that no person shall be excluded from participation (including employment), denied program benefits, or be subjected to discrimination on the basis of race, color, religion, national origin, sex, age or handicap.

Age Discrimination Act of 1975. This law provides that no person shall be excluded from participation, denied program benefits, or be subjected to discrimination on the basis of age.

Title VIII, Civil Rights Act of 1968, as amended (The Fair Housing Act). This law prohibits discrimination in housing on the basis of race, color, religion, sex, national origin, familial status, and handicap. The law further requires that programs be administered in a manner that affirmatively promotes fair housing.

Executive Order 11063, Amended by Executive Order 12259, (Equal Opportunity in Housing). This executive order prohibits discrimination in housing and related facilities provided with federal funds on the basis of race, color, religion, creed, sex or national origin.

Section 3, Housing and Urban Development Act of 1968, as amended. This law provides that to the greatest extent feasible, opportunities for training and employment that arise through HUD financed projects shall be given to lower income residents of the project area. Section 3 also provides that contracts awarded in connection with such projects shall be awarded to Section 3 businesses located in the area, or businesses owned in substantial part by residents in the project area.

Executive Order 11246 (Equal Employment Opportunity). This executive order provides that no person shall be discriminated against on the basis of race, color, religion, sex, or national origin in any phase of employment during the performance of federal or federally assisted construction contracts. Contracts in excess of \$10,000 require affirmative action on the part of employers.

Executive Orders 11625, 12432, 12138. These executive orders require that efforts be made to encourage the use of minority and women owned businesses in federally funded programs.

See Reverse Side

Illustration 1

Civil Rights Laws

Small Cities Development Program
State of Minnesota



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See Reverse Side

Civil Rights Laws
(continued)

Public Law 95-507, Amendments to the Small Business Investment Act of 1958. This law establishes and sets forth that "it is the policy of the U.S. that small business concerns, and small business concerns owned and controlled by socially and economically and disadvantaged individuals, shall have the maximum practicable opportunity to participate in the performance of contracts let by any federal agency."

Section 504 of the Rehabilitation Act of 1973, as amended. This law provides that no otherwise qualified individual with handicaps shall solely, by reason of his or her handicap, be excluded from participation in, be denied the benefits of, or be discriminated against under any program receiving federal funds.

Americans with Disabilities Act (ADA). This law provides civil rights protection to persons with disabilities in the areas of employment, public services, public accommodations, and telecommunications.

Minnesota Human Rights Law (Chapter 363). This law prohibits discrimination in credit, employment, housing, public accommodations, public service, and education on the basis of race, color, creed, national origin, sex, marital status, disability, sexual orientation, public assistance and familial status.



Illustration 4
Uniform Administrative Requirements
(24 CR 85.36(e))
Excerpt On M/WBE Contracting
Small Cities Development Program
State of Minnesota



- E. Contracting with small and minority firms, women's business enterprise and labor surplus area firms.
1. The grantee and subgrantee will take all necessary affirmative steps to assure that minority firms, women's business enterprises, and labor surplus area firms are used when possible.
 2. Affirmative steps shall include:
 - a. Placing qualified small and minority businesses and women's business enterprises on solicitation lists;
 - b. Assuring that small and minority businesses, and women's business enterprises are solicited whenever they are potential sources;
 - c. Dividing total requirements, when economically feasible, into smaller tasks or quantities to permit maximum participation by small and minority business, and women business enterprises;
 - d. Establishing delivery schedules, where the requirement permits, which encourage participation by small and minority business, and women's business enterprises;
 - e. Using the services and assistance of the Small Business Administration, and the Minority Business Development Agency of the Department of Commerce; and
 - f. Requiring the prime contractor, if subcontracts are to be let, to take the affirmative steps listed in paragraphs (E)(2)(a) through (e) of this section.

Illustration 10

**Standard Federal Equal Employment Opportunity
Construction Contract Specifications
(Executive Order 11246)**

Small Cities Development Program
State of Minnesota



1. As used in these specifications:
 - a. "Covered area" means the geographical area described in the solicitation from which this contract resulted;
 - b. "Director" means Director, Office of Federal Contract Compliance Program, United States Department of Labor, or any person to whom the Director delegates authority;
 - c. "Employer identification number" means the Federal Social Security Number used on the Employer's quarterly Federal Tax Return, U.S. Treasury Department Form 941.
 - d. "Minority" includes:
 - (i) Black (all persons having origins in any of the Black African racial groups not of Hispanic origin);
 - (ii) Hispanic (all persons of Mexican, Puerto Rican, Cuban, Central or South America or other Spanish Culture or origin, regardless of race);
 - (iii) Asian and Pacific Islander (all persons having origins in any of the original peoples of the Far East, Southeast Asia, the Indian Subcontinent, or the Pacific Islands); and
 - (iv) American Indian or Alaskan Native (all groups having origins in any of the original peoples of North American and maintaining identifiable tribal affiliations through membership and participation or community identification).
2. Whenever the Contractor, or any Subcontractor at any tier, subcontracts a portion of the work involving any construction trade, it shall physically include in each subcontract in excess of \$10,000, the provisions of these specifications and the Notice which contains that applicable goals for minority and female participation and which is set forth in the solicitations from which the contract resulted.
3. If the Contractor is participating (pursuant to 41 CFR 60-4.5) in a Hometown Plan approved by the U.S. Department of Labor in the covered area either individually or through an association, its affirmative action obligations on all work in the Plan area (including goals and timetables) shall be in accordance with the Plan for those trades which have unions participating in the Plan. Contractors must be able to demonstrate their participation in and compliance with the provisions of any such Hometown Plan. Each Contractor or Subcontractor participating in an approved Plan is individually required to comply with its obligations goal under the Plan in each trade in which it has employees. The overall good faith performance by other Contractors or Subcontractors toward a goal in an approved Plan does not excuse any covered Contractor's or Subcontractor's failure to take good faith efforts to achieve the Plan goals and timetables.

See Reverse Side

Standard Federal Equal Employment Opportunity Construction Contract Specifications
(continued)

4. The Contractor shall implement the specific affirmative action standards provided in paragraphs 7 a through p of these specifications. The goals set forth in the solicitation from which this contract resulted are expressed as percentages of the total hours of employment and training of minority and female utilization the Contractor should reasonably be able to achieve in each construction trade in which it has employees in the covered area. Covered Construction contractors performing construction work in geographical areas where they do not have a Federal or federally assisted construction contract shall apply the minority and female goals established for the geographical area where the work is being performed. Goals are published periodically in the Federal Register in notice form, and such notices may be obtained from any Office of Federal Contract Compliance Programs or from Federal procurement contracting officers. The contractor is expected to make substantially uniform progress toward meeting its goals in each craft during the period specified.
5. Neither the provisions of any collective bargaining agreement, nor the failure by a union with whom the Contractor has a collective bargaining agreement, to refer either minorities or women shall excuse the Contractor's obligations under these specifications, Executive Order 11246, or the regulations promulgated pursuant thereto.
6. In order for the nonworking training hours of apprentices and trainees to be counted in meeting the goals, apprentices and trainees must be employed by the Contractor during the training period, and the Contractor must have made a commitment to employ the apprentices and trainees at the completion of their training, subject to the availability of employment opportunities. Trainees must be trained pursuant to training programs approved by the U.S. Department of Labor.
7. The Contractor shall take specific affirmative actions to ensure equal employment opportunity. The evaluation of the Contractor's compliance with these specifications shall be based upon its effort to achieve maximum results from its actions. The Contractor shall document these efforts fully, and shall implement affirmative action steps at least as extensive as the following:
 - a. Ensure and maintain a working environment free of harassment, intimidation, and coercion at all sites, and in all facilities at which the Contractor's employees are assigned to work. The Contractor, where possible, will assign two or more women to each construction project. The contractor shall specifically ensure that all foremen, superintendents, and other on-site supervisory personnel are aware of and carry out the Contractor's obligations to maintain such a working environment, with specific attention to minority or female individuals working at such sites or in such facilities.

Continued on Next Page

**Standard Federal Equal Employment Opportunity
Construction Contract Specifications**
(Executive Order 11246)



(continued)

positively
Minnesota
Department of Employment
and Economic Development

- b. Establish and maintain a current list of minority and female recruitment sources, provide written notification to minority and female recruitment sources and to community organizations when the Contractor or its unions have employment opportunities available, and maintain a record of the organization's responses.
- c. Maintain a current file of the names, addresses and telephone numbers of each minority and female off-the-street applicant and minority and female referral from a union, a recruitment source or such individual. If such individual was sent to the union hiring hall for referral and was not referred back to the Contractor by the union or, if referred, not employed by the Contractor, this shall be documented in the file with the reason therefore, along with whatever additional actions the Contractor may have taken.
- d. Provide immediate written notification to the Director when the union or unions with which the Contractor has a collective bargaining agreement has not referred to the Contractor a minority person or woman sent by the Contractor, or when the Contractor has other information that the union referral process had impeded the Contractor's efforts to meet its obligations.
- e. Develop on-the-job training opportunities and/or participate in training programs for the area which expressly include minorities and women, including upgrading programs and apprenticeship and trainee programs relevant to the Contractor's employment needs, especially those programs funded or approved by the Department of Labor. The Contractor shall provide notice of these programs to the sources compiled under 7b above.
- f. Disseminate the Contractor's EEO policy by providing notice of the policy to unions and training programs and requesting their cooperation in assisting the Contractor in meeting its EEO obligations; by including it in any policy manual and collective bargaining agreement; by publicizing it in the company newspaper, annual report, etc.; specific review of the policy with all management personnel and with all minority and female employees at least once a year; and by posting the company EEO policy on bulletin boards accessible to all employees at each location where construction work is performed.
- g. Review, at least annually, the company's EEO policy and affirmative action obligations under these specifications with all employees having any responsibility for hiring, assignment, layoff, termination, or their employment decisions, including specific review of these items with on-site supervisory personnel such as Superintendents, General Foreman, etc., prior to the initiation of construction work at any job site. A written record shall be made and maintained identifying the time and place of these meetings, persons attending, subject matter discussed, and disposition of the subject matter.

See Reverse Side

Standard Federal Equal Employment Opportunity Construction Contract Specifications
(continued)

- h. Disseminate the Contractor's EEO policy externally by including it in any advertising in the news media, specifically including minority and female news media, and providing written notification to and discussing the Contractor's EEO policy with other Contractors and Subcontractors with whom the Contractor does or anticipates doing business.
- i. Direct its recruitment efforts, both oral and written, to minority, female, and community organizations, to schools with minority and female students and to minority and female recruitment and training organizations serving the Contractor's recruitment area and employment needs. Not later than one month prior to the date for the acceptance of the applications for apprenticeship or other training by any recruitment sources, the Contractor shall send written notification to organizations, such as the above, describing the openings, screening procedures, and tests to be used in the selection process.
- j. Encourage present minority and female employees to recruit other minority persons and women and, where reasonable, provide after school, summer and vacation employment to minority and female youth both on the site and in other areas of a Contractor's workforce.
- k. Validate all tests and other selection requirements where there is an obligation to do so under 41 CFR Part 60-3.
- l. Conduct, at least annually, an inventory and evaluation at least of all minority and female personnel for promotional opportunities and encourage these employees to seek or to prepare for, through appropriate training, etc., such opportunities.
- m. Ensure that seniority practices, job classification, work assignments, and other personnel practices, do not have a discriminatory effect by continually monitoring all personnel and employment related activities to ensure that the EEO policy and the Contractor's obligations under these specifications are being carried out.
- n. Ensure that all facilities and company activities are nonsegregated except that separate or single-user toilet and necessary changing facilities shall be provided to assure privacy between the sexes.
- o. Document and maintain a record of all solicitations of offers for subcontracts from minority and female construction contractors and suppliers, including circulation of solicitations to minority and female contractor associations and other business associations.
- p. Conduct a review, at least annually, of all supervisors adherence to and performance under the Contractor's EEO policies and affirmative action obligations.

Continued on Next Page

**Standard Federal Equal Employment Opportunity
Construction Contract Specifications**
(Executive Order 11246)
(continued)



8. Contractors are encourage to participate in voluntary associations which assist in fulfilling one or more of the affirmative action obligations (7a through p). The efforts of a contractor association, joint contractor-union, contractor-community, or other similar group of which the Contractor is a member and participant, may be asserted as fulfilling any one or more of its obligations under 7a through p of these Specifications provided that the Contractor actively participates in the group, makes every effort to assure that the group has a positive impact on the employment of minorities and women in the industry, ensures that the concrete benefits of the program are reflected in the Contractor's minority and female workforce participation, makes a good faith effort to meet its individual goals and timetables, and can provide access to documentation which demonstrates the effectiveness of action taken on behalf of the Contractor. The obligation to comply, however, is the Contractor's failure of such a group to fulfill an obligation shall not be a defense for the Contractor noncompliance.
9. A single goal for minorities and a separate single goal for women have been established. The Contractor, however, is required to provide equal employment opportunity and to take affirmative action for all minority groups, both male and female, and all women, both minority and non-minority. Consequently, the Contractor may be in violation of the Executive Order if a particular group is employed in a substantially disparate manner (for example, even though the Contractor has achieved its goals for women generally, the Contractor may be in violation of the Executive Order if a specific minority group of women is underutilized).
10. The Contractor shall not use the goals and timetables of affirmative action standards to discriminate against any person because of race, color, religion, sex, or national origin.
11. The Contractor shall not enter into any Subcontract with any person or firm debarred from Government contracts pursuant to Executive Order 11246.
12. The Contractor shall carry out such sanctions and penalties for violation of these specifications and of the Equal Opportunity Clause, including suspension, termination, and cancellation of existing subcontracts as may be imposed or ordered pursuant to Executive Order 11246, amended, and its implementing regulations, by the Office of Federal Contract Compliance Programs. Any Contractor who fails to carry out such sanction and penalties shall be in violation of these Specifications and Executive Order 11246, as amended.

See Reverse Side

Standard Federal Equal Employment Opportunity Construction Contract Specifications
(continued)

13. The Contractor, fulfilling its obligations under these Specifications, shall implement specific affirmative actions steps, at least as extensive as those standards prescribed in paragraph 7 of these Specifications, so as to achieve maximum results from its efforts to ensure equal employment opportunity. If the Contractor fails to comply with the requirements of the Executive Order, the implementing regulations or these specifications, the Director shall proceed in accordance with 41 CFR 60-4.8.
14. The Contractor shall designate a responsible official to monitor all employment related activity to ensure that the company EEO policy is being carried out, to submit reports relating to the provisions hereof as may be required by the Government and to keep records. Records shall at least include for each employee the name, address, telephone numbers, construction trade, union affiliation, if any, employee identification number when assigned, social security number, race, sex, status, (e.g., mechanic, apprentice, trainee, helper, or laborer), dates of changes in status, hours worked per week in the indicated trade, rate of pay, and locations at which the work was performed. Records shall be maintained in an easily understandable and retrievable form; however, to the degree that existing records satisfy this requirement, Contractors shall not be required to maintain separate records.
15. Nothing herein provided shall be construed as a limitation upon the application of other laws which establish different standards of compliance or upon the application of requirements for hiring of local or other area residents (e.g., those under the Public Works Employment Act of 1977 and the Community Development Block Grant Program).

Illustration 11

Section 3 Clause §135.38

Small Cities Development
State of Minnesota



positively
Minnesota
Department of Employment
and Economic Development

- A. The work to be performed under this contract is subject to the requirements of section 3 of the Housing and Urban Development Act of 1968, as amended, 12 U.S.C. 1701u (section 3). The purpose of section 3 is to ensure that employment and other economic opportunities generated by HUD assistance or HUD-assisted projects covered by section 3, shall, to the greatest extent feasible, be directed to low- and very low-income persons, particularly persons who are recipients of HUD assistance for housing.
- B. The parties to this contract agree to comply with HUD's regulations in 24 CFR part 135, which implement section 3. As evidenced by their execution of this contract, the parties to this contract certify that they are under no contractual or other impediment that would prevent them from complying with the part 135 regulations.
- C. The contractor agrees to send to each labor organization or representative of workers with which the contractor has a collective bargaining agreement or other understanding, if any, a notice advising the labor organization or workers' representative of the contractor's commitments under this section 3 clause, and will post copies of the notice in conspicuous places at the work site where both employees and applicants for training and employment positions can see the notice. The notice shall describe the section 3 preference, shall set forth minimum number and job titles subject to hire, availability of apprenticeship and training positions, the qualifications for each; the name and location of the person(s) taking applications for each of the positions; and the anticipated date the work shall begin.
- D. The contractor agrees to include this section 3 clause in every subcontract subject to compliance with regulations in 24 CFR part 135, and agrees to take appropriate action, as provided in an applicable provision of the subcontract or in this section 3 clause, upon a finding that the subcontractor is in violation of the regulations in 24 CFR part 135. The contractor will not subcontract with any subcontractor where the contractor has notice or knowledge that the subcontractor has been found in violation of the regulations in 24 CFR part 135.
- E. The contractor will certify that any vacant employment positions, including training positions, that are filled (1) after the contractor is selected but before the contract is executed, and (2) with persons other than those to whom the regulations of 24 CFR part 135 require employment opportunities to be directed, were not filled to circumvent the contractor's obligations under 24 CFR part 135.
- F. Noncompliance with HUD's regulations in 24 CFR part 135 may result in sanctions, termination of this contract for default, and debarment or suspension from future HUD assisted contracts.

See Reverse Side

Section 3 Clause §135.38

(continued)

- G. With respect to work performed in connection with section 3 covered Indian housing assistance, section 7(b) of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450e) also applies to the work to be performed under this contract. Section 7(b) requires that to the greatest extent feasible (i) preference and opportunities for training and employment shall be given to Indians, and (ii) preference in the award of contracts and subcontracts shall be given to Indian organizations and Indian-owned Economic Enterprises. Parties to this contract that are subject to the provisions of section 3 and section 7(b) agree to comply with section 3 to the maximum extent feasible, but not in derogation of compliance with section 7(b).

Sample Specs

ARTICLE 9 – CONTRACT DOCUMENTS

9.01 *Contents*

A. The Contract Documents consist of the following:

1. This Agreement

2. MN150118 #0, effective 01/02/15, contains the federal prevailing wages that will be enforced.
(attached as exhibit 9.01.A.3)

3. HUD 4010, Federal Labor Standards provisions. (attached as exhibit 9.01.A.4)

4. Performance bond (Document C-610)

5. Payment bond (Document C-615)

6. General Conditions (Document C-700)

7. Supplementary Conditions

8. Specifications as listed in the table of contents of the Project Manual.

9. Drawings consisting of 48 sheets with each sheet bearing the following general title: 2013 City

Project No. 1.

10. Addenda

11. Exhibits to this Agreement (enumerated as follows):

a. Contractor's Bid

b. Documentation submitted by Contractor prior to Notice of Award

c. Certificates of Insurance

12. The following which may be delivered or issued on or after the Effective Date of the Agreement and are not attached hereto:

a. Notice to Proceed (Document C-550)

b. Work Change Directives

c. Change Order(s). (Document C-941)

B. The documents listed in Paragraph 9.01.A are attached to this Agreement (except as expressly noted otherwise above).

C. There are no Contract Documents other than those listed above in this Article 9.

D. The Contract Documents may only be amended, modified, or supplemented as provided in Paragraph 3.04 of the General Conditions.

ARTICLE 10 – MISCELLANEOUS

10.01 *Terms*

A. Terms used in this Agreement will have the meanings stated in the General Conditions and the Supplementary Conditions.

**Contractor/Subcontractor Certification
Minnesota Small Cities Development Program**



This form must be executed and submitted before work begins on the project. Payments will not be issued until contract compliance forms are fully completed and submitted to the labor standards officer assigned to this project. This form is to be completed by each General Contractor and Subcontractor. The General Contractor is responsible for submission of this completed form to the labor standards officer. Any changes in the information below during the project must be submitted to the labor standards officer assigned to this project. Additional forms are needed from any additional subcontractors employed after construction begins.

Project Name (*To be completed by labor standards officer*) Als' Hardware

Contractor Name and Address: Joe's Glass, Roofing and More, 123 Smith, Smallville, MN

Contractor Phone Number: 507-444-5555

Person(s) authorized to sign payroll reports: Joe Owner General Contractor or Sub? General

Identify all of the work classification(s) and corresponding base wage rates (from the wage decision for the project) that plan to be paid for work performed on this project. Please use back of form or additional pages to complete if necessary.

<u>Work Classification(s)</u>	<u>Base Rate of Pay</u>	<u>Fringe Rate</u>
Carpenter	\$26.75	\$6.77
Roofer	\$28.50	\$7.43
Unskilled Laborer	\$14.63	\$5.87
Cement Mason	\$27.18	\$7.05

If Unskilled Laborers or Tenders will be used, please explain what specific tasks they will be performing:

Unskilled laborers will assist with ~~handling~~ hauling ~~with hauling~~ materials to the point of installation as well as cleaning up the work site with brooms and shop vacs. No installation of roofing material or windows will be performed.

If apprentices or helpers will be used, please provide planned compensation rates along with certification of rates and program from the Minnesota Department of Labor and Industry or the Federal Department of Labor.

SPECIALTY AND GENERAL CLASSIFICATIONS

Additional classification requests/conformances are often requested for the following specialty classifications. These specialty classifications should not be approved if the duties are performed on similar construction in the area by general classifications that are listed on the contract wage determination.

<p>SPECIALTY CLASSIFICATION (Often requested by contractors)</p>	<p>GENERAL CLASSIFICATION (may perform the specialty duties)</p>
Drywall (sheetrock) installers	Carpenters
Drywall finishers/tapers	Painters
Alarm installers Sound and communication workers/installers Electronic technicians Lightning protection installers Low voltage installers	Electricians
HVAC mechanics (heating, ventilation and air conditioning mechanics) Refrigeration mechanics/workers Furnace installers Burner repairmen	Sheet metal workers Plumbers Pipe fitters/steam fitters Electricians
Pipe wrappers/insulators Mechanical (system) insulators	Asbestos workers/ heat & frost insulators
Batt insulation installers Blown insulation installers	Carpenters Laborers
Asbestos abatement workers (removal from pipes and boilers that will be reinsulated)	Asbestos workers/heat and frost insulators
Asbestos abatement workers (removal does not include removal from pipes and boilers that will be reinsulated)	Laborers
Metal building assemblers/builders/erectors	Iron workers Laborers Sheet metal workers Carpenters
Fence erectors	Ironworkers Laborer
Tuckpointing	Brick Masons or Masons

* Carpenters cannot be conformed for Roofers!

SPECIALTY CLASSIFICATION (Often requested by contractors)	GENERAL CLASSIFICATION (may perform the specialty duties)
Rebar workers Rodman (performing rebar work) Steel setters Steel or iron tiers	Ironworkers (reinforcing) Cement workers Laborers
TV-grout operators	Power equipment operators Laborers Truck drivers

Illustration 8.1

Request for Additional Classification and Rate
Minnesota Small Cities Development Program



Please complete this form, along with illustrations 8.2 and 8.3, if applicable. Submit to DEED by following the instructions on the bottom of this form. Pending DEED approval, the request will be forwarded to the Department of Labor for final approval. Expect approximately a month before we receive an answer from the DOL. Please include any supporting data, such as a corresponding evidence of state rates from the Minnesota Department of Labor and Industry.

Date: 03/23/09 Grant Number: CDAP- 08-1234-O-FY09

DEED Labor Standards Number: 1243 Wage Decision Enforced: MN08-18#0
 Effective Date of Decision: 02/08/08

<u>Proposed Classification(s):</u>	<u>Hourly Base Rate (Proposed)</u>	<u>Fringe Rate (proposed)</u>
Rofer	\$28.50	\$3.50

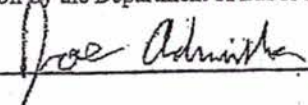
Brief description(s) of work provided by the Classification(s) as well as non-hand tools used: *For example;*
Rofer - remove old roof material and install new roof material using air nailers.

Rofer - Repair cracks in roof with hand tools. Operate equipment to heat weld rubber roof.

Name and Address of Contractor or Subcontractor: Joe's Glass, Roofing and More

Please select one of the following:

- The employees, General Contractor, and Subcontractor (if applicable) agree on the proposed Classification and rates. Corresponding signatures attached in Illustration 8.1.
- The General Contractor, Subcontractor (if applicable), and the authorized union representative agree on the proposed Classification and rates. Corresponding signatures attached in Illustration 8.2.
- The interested parties cannot agree on wage rates that correspond with the proposed Classification. A determination by the Department of Labor is therefore requested.

Grant Administrator's Signature: 

DEED Labor Officer's Signature: _____

We prefer that you E-mail this form and corresponding attachments as a pdf attached file to patrick.armon@state.mn.us;
Or, mail or fax to Patrick Armon at DEED, 1st National Bank Building, Suite E200, 332 Minnesota Street, St. Paul, MN 55101. Fax number 651-296-5287.



**Request for Additional Classification and Rate - Attachment
Minnesota Small Cities Development Program**

Please include this form, or Illustration 8.3, when submitting a "Request for Additional Classification and Rate" (Illustration 8.1) form.

DBED Labor Standards Number: 1243 Grant Number: CDAP-08-1234-O-FY09

Project Name: Al's Hardware

We, the interested parties including the employees who perform the work, certify our agreement with the Classification, wage rates, and fringe rates proposed on the attached "Request for Additional Classification and Rate" form.

Joe's Glass, Roofing and More
General Contractor Name

Joe Owa 3-22-09
General Contractor Signature and Date

Subcontractor Name

Subcontractor Signature and Date

Sally Hammer
Employee Name

Sally Hammer 3-22-09
Employee Signature and Date

Employee Name

Employee Signature and Date

Employee Name

Employee Signature and Date

Employee Name

Employee Signature and Date

Employee Name

Employee Signature and Date

Employee Name

Employee Signature and Date

Employee Name

Employee Signature and Date

Employee Name

Employee Signature and Date

Employee Name

Employee Signature and Date

Items to be Discussed at Preconstruction Conferences

- The Prime or General Contractor is responsible to ensure that subcontractors are not debarred from federal projects. Payments will be withheld if debarred contractors are used.
- Davis-Bacon and Related Acts apply to all subcontractors, regardless of dollar amount of contract.
- All contractors (including subs) need to complete the Contractor/Subcontractor Certification. Payment may be withheld until a usable form is submitted.
- Ensure that all contractors and subcontractors are completely clear about which wage decision is being enforced for the project.
- Are job classifications that are planned for use included in the enforced wage decision? If not, is an additional classification to DEED needed?
- Will any apprentices be used? If so, insist on proper paperwork. Only the state or federal departments of labor can define an apprentice. Any “apprentice” that is employed without correct paperwork will be paid the prevailing rate for their corresponding Classification.
- All workers will be paid dependent on the work they are doing. For instance, anyone engaged in Pipelayer-orientated work will be paid the Pipelayer rates. **The full rates will be paid regardless of how skilled or experienced the worker is in their respective Classification.**
- All workers on job site will be paid at base rates and fringe benefits that meet or exceed those in the enforced wage decision. If no fringes paid, the base rate will meet or exceed the base rate plus the fringe rate listed on the wage decision. Workers will be interviewed to ensure compliance.
- For projects over \$100,000, all workers will be paid overtime at time and a half the base rate that is actually paid.
- Contractors cannot ask employees to pay back any wages to the contractor. (or, no kick backs). Workers will be interviewed about this subject.
- The enforced wage decision and “Notice to All Employees” will be posted at the job site where workers can see them. This will be monitored.

- If split Classifications are used, employee – signed timecards are necessary to document the time. If no time cards have been secured, administrators will enforce the highest rate. (Most applicable to public facilities or large rental projects)
- All workers, including owner-operators, will need to be paid wages that meet or exceed the wage decision. Owner-operators will be assigned an appropriate Classification from the wage decision. Terms such as “Owner,” “Co-owner” or “Sole Proprietor” are not acceptable. (Generally a commercial rehabilitation issue) Owner – operators do not need to complete the withholding section of the payroll reports. The phrase “self-employed” should be written into that section in such a case.
- Foreman is not considered an acceptable Classification if the subject performs construction tasks for more than 20% of their time.
- Generally, Davis-Bacon and Related Acts do not apply to truck drivers delivering materials to the job site, unless the materials come from a site owned or dedicated to the contractor. (Generally a public facilities issue) Truck drivers are not excluded from state prevailing wage if state funds are part of the project.
- All payrolls must be signed by an authorized agent of the contracting firm on the compliance page of payroll reports (WH348).
- Department of Labor Payroll forms (WH347) are highly recommended for use by contractors. Alternative forms will need to provide all information required on the DOL payroll and must be accompanied by a signed compliance page (WH348, see above).
- Payrolls must be provided to the administrator in a timely fashion (within 10 days of the end of the payroll period. Contractors may not be paid if compliant payrolls are not submitted.
- Payrolls will be submitted and numbered in sequential order. No work weeks should be documented. Workers must be paid weekly. Payrolls should be for time and overtime on the project only and not include other work. At least the first payroll will list the last 4 digits of the social security number.
- General or prime contractors are responsible for underpayments of subcontractors.
- Fringe benefits need to be paid to employee paid plans, or be paid in cash. This will be documented on payroll reports.

CONTRACTOR PROFILE FORM (Illustration 5.1)

Project Name: Al's Hardware

Contractor/Business Name: Joe's Glass, Roofing & More

Business Address: 123 Smith, Smallville, MN

Telephone: (507)444-5555

Federal Tax ID #: 12345678 State Tax ID #: 987654

Our contract is with Al Johnson in the amount of \$ 40,239

for Roof, windows and concrete work
(identify specific work to be performed)

Will any work be subcontracted out? Yes _____ No x

If yes, to whom? _____

Person(s) authorized to sign (certify) Payroll reports: 1) Sally Bythenumbers

2) _____

The fringe benefit payment will be (check A, B or C below):

(A) _____ paid directly (with the pay check) to each worker in the amount of \$ _____

(B) x paid to plan(s)

Complete chart below or attach schedule of fringe benefits.

Benefit	Amount
Vacation and Holiday	
Dental Benefits	
Health Benefits	<i>see attached</i>
Pension	
Annuity	
Other (Identify)	

Joe Owner

Owner/Principal Officer Name (Please Print)

Joe Owner

Signature

1-15

Date

PROGRAM TITLE, CLASSIFICATION TITLE, OR INDIVIDUAL EMPLOYEES	HEALTH / WELFARE	VACATION / HOLIDAY	APPRENTICESHIP / TRAINING	PENSION	OTHER INCLUDE TITLE
Roofer Fringe	\$ 4.15	\$ 1.15	\$	\$ 2.13	\$
Carpenter Fringe	\$ 3.68	\$ 1.15	\$	\$ 1.94	\$
	\$	\$	\$	\$	\$
	\$	\$	\$	\$	\$
	\$	\$	\$	\$	\$
	\$	\$	\$	\$	\$
	\$	\$	\$	\$	\$
	\$	\$	\$	\$	\$
	\$	\$	\$	\$	\$
	\$	\$	\$	\$	\$
	\$	\$	\$	\$	\$
	\$	\$	\$	\$	\$
	\$	\$	\$	\$	\$

The willful falsification of any of the above statements may subject the contractor or subcontractor to civil or criminal prosecution under state law. See Minnesota Statutes 16B, 16C, 177.30, 177.43, Subdivision 5, 177.44, Subdivision 6, 609.63.

NAME AND TITLE OF CONTRACTOR'S REPRESENTATIVE	SIGNATURE
As a representative of the contractor submitting the payroll identified above, I hereby certify that the payroll is true and correct to the best of my knowledge.	

Sample attachment for contractor profile and statement of compliance.
use for classifications receiving different fringes.

PROGRAM TITLE, CLASSIFICATION TITLE, OR INDIVIDUAL EMPLOYEES	HEALTH / WELFARE	VACATION / HOLIDAY	APPRENTICESHIP / TRAINING	PENSION	OTHER INCLUDE TITLE
Rofer Fringe	\$ 4.15	\$ 1.15	\$	\$ 2.13	\$
Carpenter Fringe	\$ 3.68	\$ 1.15	\$	\$ 1.94	\$
Rofer (Sam Strong)	\$ 4.35	\$ 1.28	\$	\$ 2.64	\$
Cement Mason	\$ 3.87	\$ 1.15	\$	\$ 2.03	\$
	\$	\$	\$	\$	\$
	\$	\$	\$	\$	\$
	\$	\$	\$	\$	\$
	\$	\$	\$	\$	\$
	\$	\$	\$	\$	\$
	\$	\$	\$	\$	\$
	\$	\$	\$	\$	\$

The willful falsification of any of the above statements may subject the contractor or subcontractor to civil or criminal prosecution under state law. See Minnesota Statutes 16B, 16C, 177.30, 177.43, Subdivision 5, 177.44, Subdivision 6, 609.63.

NAME AND TITLE OF CONTRACTOR'S REPRESENTATIVE	SIGNATURE
---	-----------

As a representative of the contractor submitting the payroll identified above, I hereby certify that the payroll is true and correct to the best of my knowledge.

Sample attachment for Contractor Profile and attachment for Statement of Compliance. Use for workers receiving different fringes within classification(s).

	Cash in lieu of fringe
Roofer	\$7.43
Carpenter	\$6.77
Cement Mason	\$5.02

Sample when cash is
used instead of ~~fringes~~

Armon, Patrick (DEED)

Examples of Fringes

From: Szweduik, Loretta A <Loretta.A.Szweduk@hud.gov>
Sent: Wednesday, November 07, 2012 9:20 AM
To: Armon, Patrick (DEED)
Subject: RE: Question

Pat,
The fringe benefit rate on the applicable wage decision is what is required for CWHSSA.

H. Fringe benefits. Fringe benefits may include:

1. Sick, vacation or holiday pay;
2. Costs to defray expenses of apprenticeship or similar programs;
3. Medical or hospital care;
4. Supplemental unemployment benefits;
5. Life insurance;
6. Pensions on retirement or death;
7. Compensation for injuries or illness resulting from occupational activity;
8. Other bona fide fringe benefits; or
9. Insurance to provide any of the above.

In addition, fringe benefits may reflect the rate of costs to the employer that may be reasonably anticipated in providing bona fide fringe benefits pursuant to an enforceable commitment to carry out a financially responsible program. Fringe benefits **do not** include employer contributions or payments required by other Federal, State or local law, such as FICA, workers' compensation, or unemployment compensation.

Loretta

Loretta Szweduik, Labor Relations Specialist

HUD Labor Relations
Minneapolis Field Office
920 2nd Ave S - Suite 1300
Minneapolis MN 55402-4012
e-mail: loretta.a.szweduk@hud.gov
t: 612-370-3000 x2284
f: 612-370-3218

Search Results

Current Search Terms: Joe's Glass Roofing and More

No records found for current search.

SAM | System for Award Management 1.0

IBM v1.178.20120909-0011



Note to all Users: This is a Federal Government computer system. Use of this system constitutes consent to monitoring at all times.

Notice of Contract Award
Minnesota Small Cities Development Program



This form **must** be completed and submitted to the **SCDP Representative** for the project as soon as all of the information requested on the form is known. This is necessary for federal compliance.

Grant #: CDAP-13-1234-O-FY14 Grantee: City of Frostbite Falls

Project Name and Address (Do not insert an address if public facility): Al's Hardware,
Bass Street, Frostbite Falls, MN

County where this project will be: Dudley

Project Description: SCDP=Roof and Foundation Match= Interior carpentry work

Wage decision and modification used in contract: Mn15-18#1
 Effective date of wage decision used in contract (mm/dd/yy): 3/27/2015
 (Please consult SCDP staff if not sure of correct decision to be in specs and contract)

Bid Opening Date (mm/dd/yy): 4/29/2015 Contract Award Date (mm/dd/yy): 4/30/2015

Pre-Construction Conference Date (mm/dd/yy): 5/8/2015

If no pre-construction conference, attach a short explanation of why:

General contractor name and address: Joe's Glass Roofing & More

Upon review of the Contractor/Subcontractor Certification(s), does the examination indicate that Requests for Additional Classification appear necessary at this point? YES NO

If yes, date when we can expect Request for Additional Classification (mm/dd/yy): 5/11/2015

Upon review of the Contractor/Subcontractor Certification(s), does the examination indicate that the wages that correspond with the listed work Classifications meet or exceed those in the correct wage decision? YES NO

If no, please attach an explanation of actions taken to ensure compliance.

Total (all sources of funds included) dollar amount (do not use cents) of contract: 40,239

My signature below confirms that this project meets a federal objective and that SCDP funds are only being used for eligible expenses (for commercial: exterior repairs, code compliance of building, energy, accessibility, and documented health and safety.) Furthermore, I attest that the project financing plan matches the one approved in the full application to the SCDP, that the correct wage decision is being enforced, a screening process for conflicts has taken place, and that no debarred contractors are employed on the project.

Mary Administrator
 (Signature of Project Administrator)

5-8-15
 (Date)

Please Provide the following only if the information is not known by SCDP staff

Project Administrator Name and Address: Mary Administrator, Smallville HRA,
368 Itasca Street, Smallville, MN 55533

Phone #: 320-222-3333 E-mail address: maryadministrator@smallvill.gov

natasha.kurkowski

We prefer that you E-mail this form as a pdf attached file to billery.jasicki@state.mn.us and your SCDP Representative. After reception of this form, we will e-mail you (or call if no e-mail) with the SCDP labor standards # assigned to the project. Please use the labor standards # assigned by DEED for the Final Labor Standards Report.

BUSINESS AND COMMUNITY DEVELOPMENT
Office of Community Assistance – SCDP

MEMO

Toll Free: 800.657.3858
Phone: 651.259.7461
Fax: 651.296.1290
<http://mn.gov/deed/>

Date:

To:

From: Natasha Kukowski

RE: Labor Standards award number with instructions.

Grant Number: CDAP-XX-XXXX-O-FYXX

Grantee: City of XXX

Labor Standards Number: # XXXX

Project Name:

Dear Grantee:

Thank you for providing the Notice of Contract Award. The SCDP Labor Standards Number for this project is assigned above. Please begin using this assigned number when referencing the project with our office.

The attached instructions will outline procedures to ensure compliance. Please read all the instructions. To find out what steps are to be taken following the award notice, start at Step 9. More compliance information is available on the Labor Standards compliance section of our web site at <http://mn.gov/deed/government/financial-assistance/community-funding/>.

Labor Standards Checklist
Minnesota Small Cities Development Program



This checklist is a valuable resource to not only assist with keeping track of projects, but also for preparing for SCDP monitoring. The illustration numbers provided correspond with forms that can be provided separately by SCDP staff. If confused by anything on this checklist, please consult the 12 step instructions that can also be provided by SCDP staff.

Project Name Al's Hardware LS# 2345
NOTE: DEED will provide LS# number after satisfactory Notice of Contract Award is received

- Scope of work for project complete. Bid documents assembled. DATE 4/18/2016
 SCDP environmental, including SHPO, complete.
- Bid documents contain correct wage decision, (call DEED if not sure) and HUD 4010 (Illustration 2) DATE 4/18/2016
- N/A **When applicable**, for projects that are directly bid by the grantee (generally large and bids are returned to a city or engineer; such as public facility, large rehab. or new construction): Appropriate equal opportunity and employment documents (Illustration 3) are placed in job specs **and** contracts.
- Debarment check complete. Results screen(s) printed for documentation DATE 5/1/2016
 (Use <http://www.sam.gov> to check for debarment before contract is awarded.)
- Contract Awarded. Pre-construction conference held. DATE 5/8/2016
 (see Illustration 4) (optional, but at least informal should be conducted)
- Obtained all Contractor/Subcontractor Certifications (Illustration 5) DATE 5/15/2016
- Submitted Notice of Contract Award to DEED (Illustration 6) DATE 5/18/2016
- Additional Classification and rates (if applicable, Illustrations 8.1 to 8.3) DATE 5/20/2016
- Employee interviews ((Illustration 9) (includes mailed HUD 4730 forms, (Illustration 9.1))
 # of Interviews 3 # of Classifications 3
- N/A Notified DEED of underpayments, violations or complaints DATE 6/20/2016
 (see Illustration 10 for restitution and manual for complaints and violations)
- Visited job site to find correct wage decision and "Employee Rights" (Illustration 11.1) poster posted. Documentation (Illustration 11.2) of visit in your file. DATE 6/1/2016
- Each project or file contains all weekly payrolls submitted (Illustrations 7.1 to 7.3) and evidence of review (your initials on reviewed payrolls)
- N/A If split classifications are used, timecards are signed by contractor and employees
 DATE _____
- N/A Wage underpayments and any other violations resolved prior to contractor payments
 DATE 6/19/2016
- Project is complete. Submitted Final Compliance Report (Illustration 12) to DEED DATE 7/1/2016

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:

*Your contact information
here.*

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



WWW.WAGEHOUR.DOL.GOV

Illustration 11.2

On-Site Labor Standards Monitoring

Minnesota Small Cities Development Program
State of Minnesota



Project Name: ALS Hardware, LS#1234 Grant Number: CDAP-13-1234-0-
Location: 567 Bass Street, Frostbite Falls, MN FY 14
Contractor: Joe's Glass, Roofing and More

I certify that I have visited the job site for the above-referenced project and further certify that the following Labor Standards posters and/or documents were prominently displayed as required:

- Wage Decision Number: MN15-18#1
- Employee Rights Poster WH-1321
- Contracting Officer Listed on WH-1321
- Other: _____
- Other: _____

My observation of these items was at: job site / window

Signed: Joe Administration Date: 5-20-15
Grantee Labor Standards Officer

Illustration 7.3

On-Site Payroll Number Tracking Sheet



Minnesota Small Cities Development Program
State of Minnesota

positively
Minnesota

Project Name: ALS Hardware Grant Number: CDAP-08-0021-0-FV09
 General Contractor: Joel Colass, Roofing and More
 Contract Amount: \$ 40,234 Construction Start Date: 03/23/09 Construction End Date: _____

For the Week of:	Payroll Provided:	Payroll Numbers	For the Week of:	Payroll Provided:	Payroll Numbers
03/23/09-03/29/09	<input checked="" type="checkbox"/>	1	___-___-___	<input type="checkbox"/>	_____
03/30/09-04/05/09	<input checked="" type="checkbox"/>	2	___-___-___	<input type="checkbox"/>	_____
04/14/09-04/19/09	<input type="checkbox"/>	3 No. work	___-___-___	<input type="checkbox"/>	_____
4/20/09-4/26/09	<input checked="" type="checkbox"/>	4	___-___-___	<input type="checkbox"/>	_____
___-___-___	<input type="checkbox"/>	_____	___-___-___	<input type="checkbox"/>	_____
___-___-___	<input type="checkbox"/>	_____	___-___-___	<input type="checkbox"/>	_____
___-___-___	<input type="checkbox"/>	_____	___-___-___	<input type="checkbox"/>	_____
___-___-___	<input type="checkbox"/>	_____	___-___-___	<input type="checkbox"/>	_____
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___-___-___	<input type="checkbox"/>	_____	___-___-___	<input type="checkbox"/>	_____
___-___-___	<input type="checkbox"/>	_____	___-___-___	<input type="checkbox"/>	_____
___-___-___	<input type="checkbox"/>	_____	___-___-___	<input type="checkbox"/>	_____
___-___-___	<input type="checkbox"/>	_____	___-___-___	<input type="checkbox"/>	_____

O.T. With Fringes

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 this 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.

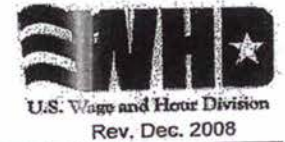
Remember, the overtime rate is computed at one and one-half times the basic rate of pay plus any fringe benefits. For example, if the wage decision requires \$10/hour basic plus \$5/hour fringe benefits, the overtime rate would be: $(\$10 \times 1 \frac{1}{2}) + \$5 = \$20/\text{hour}$.

- 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.

U.S. Department of Labor
Wage and Hour Division

PAYROLL

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



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

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

NAME OF CONTRACTOR: OR SUBCONTRACTOR: ADDRESS: 123 Smith, Smallville, MN

PAYROLL NO. 1 FOR WEEK ENDING 07/10/2015 PROJECT AND LOCATION AI's Hardware PROJECT OR CONTRACT NO.

(1) NAME AND INDIVIDUAL IDENTIFYING NUMBER (e.g., LAST FOUR DIGITS OF SOCIAL SECURITY NUMBER) OF WORKER	(2) NO. OF WITHHOLDING EXEMPTIONS	(3) WORK CLASSIFICATION	(4) DAY AND DATE							(5) TOTAL HOURS	(6) RATE OF PAY	(7) GROSS AMOUNT EARNED	(8) DEDUCTIONS					(9) NET WAGES PAID FOR WEEK				
			OT OR ST.	M	T	W	Th	F	Sa				Su	FICA	WITH-HOLDING TAX	Child Support	Health/Welfare		OTHER	TOTAL DEDUCTIONS		
				6	7	8	9	10	HOURS WORKED EACH DAY													
Sally Hammer 2099		Roofer	O			1.00	2.00					3.00	\$42.75	\$1,268.25	\$50.73	\$190.24		\$103.00		\$343.97	\$924.28	
			S	8.00	8.00	8.00	8.00	8.00			40.00	28.50										
Sam Strong 3145		Roofer	O			1.00	2.00					3.00	\$45.23	\$1,341.69	\$53.17	\$207.24		\$113.00		\$373.41	\$968.28	
			S	8.00	8.00	8.00	8.00	8.00			40.00	30.15										
Joe Toolbelt 7456		Carpenter	O											\$1,070.00	\$46.87	\$167.85	\$83.00	\$98.00		\$395.72	\$674.28	
			S	10.00	10.00	10.00	10.00				40.00	26.75										
Sam Stone 8723		Cement Mason	O							0.00				\$1,087.20	\$48.19	\$172.42		\$100.23		\$320.84	\$766.36	
			S	9.00	8.00	9.00	8.00	6.00			40.00	27.18										
Joe Owner 2781		Cement Mason/ Carpenter	O							0.00											\$1,960.00	
			S	8.00	8.00	8.00	8.00	8.00			40.00											
			O																			
			S																			
			O																			
			S																			

Self-employed

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, 5.5(a). The Copeland Act (40 U.S.C. § 3145) 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. § 5.5(a)(3)(ii) require contractors to submit weekly a copy of all payrolls to the Federal agency contracting for or financing the construction project, accompanied by a signed "Statement of Compliance" indicating that the payrolls are correct and complete and that each laborer or mechanic 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.

Public Burden Statement
We estimate that it will take an average of 55 minutes to complete this collection, 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, including suggestions for reducing this burden, send them to the Administrator, Wage and Hour Division, U.S. Department of Labor, Room S3502, 200 Constitution Avenue, N.W., Washington, D.C. 20210

PAYROLL

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



Rev. Dec. 2008

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

NAME OF CONTRACTOR <input type="checkbox"/> OR SUBCONTRACTOR <input type="checkbox"/>	ADDRESS	OMB No.:
Joe's Roofing, Glass and More	348 South Maple Street, Happy Town, MN	1235-0008
		Expires: 02/28/2018

PAYROLL NO. 1	FOR WEEK ENDING 01/13/2017	PROJECT AND LOCATION Marie's Cafe, 247 Main Street, Happy Town, MN	PROJECT OR CONTRACT NO.
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(1) NAME AND INDIVIDUAL IDENTIFYING NUMBER (e.g., LAST FOUR DIGITS OF SOCIAL SECURITY NUMBER) OF WORKER	(2) NO. OF WITHHOLDING EXEMPTIONS	(3) WORK CLASSIFICATION	OT OR ST.	(4) DAY AND DATE							(5) TOTAL HOURS	(6) RATE OF PAY	(7) GROSS AMOUNT EARNED	(8) DEDUCTIONS					(9) NET WAGES PAID FOR WEEK
				Su	Mo	Tu	We	Th	Fr	Sa				FICA	WITH-HOLDING TAX	State Income Tax	OTHER	TOTAL DEDUCTIONS	
				8	9	10	11	12	13	7									
Joe Smith - 12345		Glazier (Owner)	O										\$1,550.00						
			S		8.00	8.00	8.00	8.00	8.00		40.00								
Nancy Hammer - 6789		Carpenter	O											\$125.00	\$133.00	\$57.00			\$315.00
			S		8.00	8.00	8.00	8.00	8.00		40.00	38.75							
			O																
			S																
			O																
			S																
			O																
			S																
			O																
			S																

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U.S. Department of Labor

Wage and Hour Division

PAYROLL

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

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



U.S. Wage and Hour Division

Rev. Dec. 2008

NAME OF CONTRACTOR <input type="checkbox"/> OR SUBCONTRACTOR <input type="checkbox"/> <p style="text-align: center;">Joe's Roofing, Glass and More</p>	ADDRESS 348 South Maple Street, Happy Town, MN	OMB No.: 1235-0008 Expires: 02/28/2018
---	--	---

PAYROLL NO. 1	FOR WEEK ENDING 01/13/2017	PROJECT AND LOCATION Marie's Cafe, 247 Main Street, Happy Town, MN	PROJECT OR CONTRACT NO.
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(1) NAME AND INDIVIDUAL IDENTIFYING NUMBER (e.g., LAST FOUR DIGITS OF SOCIAL SECURITY NUMBER) OF WORKER	(2) NO. OF WITH-HOLDING EXEMPTIONS	(3) WORK CLASSIFICATION	OT. OR ST.	(4) DAY AND DATE							(5) TOTAL HOURS	(6) RATE OF PAY	(7) GROSS AMOUNT EARNED	(8) DEDUCTIONS					(9) NET WAGES PAID FOR WEEK
				Su	Mo	Tu	We	Th	Fr	Sa				FICA	WITH- HOLDING TAX	OTHER	TOTAL DEDUCTIONS		
				8	9	10	11	12	13	7				HOURS WORKED EACH DAY					
Joe Smith - 12345		Glazier (Owner)	O									\$1,730.00						\$1,730.00	
			S		8.00	8.00	8.00	8.00	8.00	8.00	40.00	43.25							
			O																
			S																
			O																
			S																
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FURTHER GUIDANCE ON STATEMENT OF COMPLIANCE

To simplify matters for the SCDP:

Either 4(a) or 4(b) will always need to be checked.

Regardless of the instructions provided for 4(a), information on fringes will need to be provided.

Remember that the fringe information should not be new to you as an outline should already have been provided in the Contractor Profile.

Regardless of the instructions provided for 4(b), the only way where no fringe information needs to be provided through an attachment to the SOA is if 4(b) is checked and the payrolls indicate that the aggregate compensation for straight wages and fringes are being paid in cash. Example: Wage decision provides straight rate of \$32 and a fringe of \$8. The payroll indicates payment of \$40 per hour.

If some of the crew is being paid in cash to meet this \$40 threshold and some are being paid fringes in order to get to the aggregate of \$40, 4(a) will be checked and the differences will be outlined in 4(c). For example – Joe Owner (Owner-Operator) is paid \$40 in cash, but the rest of the employees are being paid as outlined in the fringe benefit outline.

See attached samples.

PROGRAM TITLE, CLASSIFICATION TITLE, OR INDIVIDUAL EMPLOYEES	HEALTH / WELFARE	VACATION / HOLIDAY	APPRENTICESHIP / TRAINING	PENSION	OTHER INCLUDE TITLE
Roofer Fringe	\$ 4.15	\$ 1.15	\$	\$ 2.13	\$
Carpenter Fringe	\$ 3.68	\$ 1.15	\$	\$ 1.94	\$
	\$	\$	\$	\$	\$
	\$	\$	\$	\$	\$
	\$	\$	\$	\$	\$
	\$	\$	\$	\$	\$
	\$	\$	\$	\$	\$
	\$	\$	\$	\$	\$
	\$	\$	\$	\$	\$
	\$	\$	\$	\$	\$
	\$	\$	\$	\$	\$
	\$	\$	\$	\$	\$
	\$	\$	\$	\$	\$
	\$	\$	\$	\$	\$

The willful falsification of any of the above statements may subject the contractor or subcontractor to civil or criminal prosecution under state law. See Minnesota Statutes 16B, 16C, 177.30, 177.43, Subdivision 5, 177.44, Subdivision 6, 609.83.

NAME AND TITLE OF CONTRACTOR'S REPRESENTATIVE	SIGNATURE
As a representative of the contractor submitting the payroll identified above, I hereby certify that the payroll is true and correct to the best of my knowledge.	

Sample attachment for contractor profile and statement of compliance.
use for classifications receiving different fringes.

Date 7/27/15

I, Sally Bythenumbers Payroll Clerk
(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)

Al's Hardware Project; that during the payroll period commencing on the
(Building or Work)

20th day of July, 2015, and ending the 24th day of July, 2015,

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 C.F.R. Subtitle A), issued by the Secretary of Labor under the Copeland Act, as amended (48 Stat. 948, 63 Stat. 108, 72 Stat. 967; 76 Stat. 357; 40 U.S.C. § 3145), and described below:

FICA, Federal Tax, State Tax, Child Support

(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, or 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



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.

Sample

Workers receive different fringes within same classification

(b) WHERE FRINGE BENEFITS ARE PAID IN CASH

- 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
Carpenter	Rate is \$26.75 with fringes of \$6.77
Joe Hammer (Carpenter)	Rate is \$33.52 in cash
Roofer	Rate is \$28.50 with fringes of \$7.43
Sam Strong (Roofer)	Rate is \$30.15 with fringes of \$6.77
Joe Owner (Cement Mason)	Owner/Operator
Joe Owner (Roofer)	Owner/Operator -Rate is \$49 per hour

REMARKS:

\$78 per week is deducted from Joe Toolbelt's payroll for child support.

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.

TO BE COMPLETED BY THE APPRENTICE

Date of Birth		Race/Ethnic Group (Check One)
Month	Day Year	
Check appropriate box: <input type="checkbox"/> Male <input type="checkbox"/> Female		<input type="checkbox"/> Caucasian
Social Security No.		<input type="checkbox"/> Black
VA Claim No.		<input type="checkbox"/> Asian
<input type="checkbox"/> Veteran with 181 days or more of active duty		<input type="checkbox"/> Am Indian/ Alaskan Native
		<input type="checkbox"/> Hispanic
		<input type="checkbox"/> Ethnic Group if none of above



APPRENTICESHIP AGREEMENT

Agreement No. _____

Date Approved _____

Director of
Apprenticeship

THIS AGREEMENT, is entered into this _____ day of _____, 19____, between

(Employer, Joint Apprenticeship Committee, Assn. of Employers, or Organization of Employees)

and: _____ hereinafter referred to as the Apprentice
(Name of Apprentice)

WITNESSETH, that the Employer, the Apprentice, and his or her Parent or Guardian (if the apprentice is a minor) desire to enter into an agreement of apprenticeship for the trade or craft of _____ That the apprenticeship begins _____ to continue for _____ hours less accreditation of _____ hours with _____ remaining to be completed.
Hours work per week _____
Required school time compensated? _____ yes _____ no _____
Hours related training attendance per yr. _____
(Must be not less than 144 hours)

The minimum graduated scale of wages, to be paid the apprentice is: (Shall be in percentages of journeyman wage and rate per hour)

_____ months - hours _____	%	\$ _____	_____ months - hours _____	%	\$ _____
_____ months - hours _____	%	\$ _____	_____ months - hours _____	%	\$ _____
_____ months - hours _____	%	\$ _____	_____ months - hours _____	%	\$ _____
_____ months - hours _____	%	\$ _____	_____ months - hours _____	%	\$ _____
_____ months - hours _____	%	\$ _____	_____ months - hours _____	%	\$ _____
_____ months - hours _____	%	\$ _____	_____ months - hours _____	%	\$ _____

Journeyman wage rate on _____ was _____ (Date)

That this agreement is subject to the approval of the State Director of Apprenticeship and is binding on the parties hereto including the provisions as stated on the reverse side hereof. The terms and conditions of the (Name of standards) _____ are hereby made a part of this Agreement.

Apprentice's Signature _____

Street Address _____

City, State & Zip Code _____

Home Number _____

Under auspices of _____

Place of employment if a JAC program _____

Employer, JAC, Assn. of Employers or Organization of Employees _____

Officer's Signature _____

Street Address _____

City, State & Zip Code _____

Officer _____

Street Address _____

City, State & Zip Code _____

This trade schedule supplement is attached to and a part of the Apprenticeship and Training Standards for the above identified occupation.

1. TERM OF APPRENTICESHIP (Section V)

The term of apprenticeship shall be a period of not less than 8000 hours of reasonably continuous employment and training on the job, supplemented by the required hours of related technical instruction.

2. RATIO OF APPRENTICES TO JOURNEYMEN (Section IV)

Apprentices may be employed in each shop, department, and/or jobsite at a ratio of one (1) apprentice for every one (1) journeyman regularly employed.

The Sponsor shall assure that each apprentice is under the direct supervision of a competent and qualified journeyman at all times on the job, so as to ensure their safety and training in all phases of the trade.

3. APPRENTICE WAGE SCHEDULE (Section VIII)

Apprentices shall be paid a progressively increasing schedule of wages based on a percentage of the current journeyman wage rate as follows:

1st period-(1000 hrs) - <u>50%</u>	5th period-(1000 hrs) - <u>75%</u>
2nd period-(1000 hrs) - <u>55%</u>	6th period-(1000 hrs) - <u>80%</u>
3rd period-(1000 hrs) - <u>60%</u>	7th period-(1000 hrs) - <u>85%</u>
4th period-(1000 hrs) - <u>70%</u>	8th period-(1000 hrs) - <u>90%</u>

Current Journeyman Wage Rate \$16.50 per hour.

4. SCHEDULE OF WORK EXPERIENCE (Section X)

<u>Work Process</u>	<u>Approximate Hours</u>
A. PLAN READING INTERPRETATION.....	750
B. CARE OF TOOLS, MATERIALS & EQUIPMENT.....	800
C. PREPARATION OF TOOLS, MATERIAL & EQUIPMENT.....	650
D. PIPE CUTTING, THREADING, REAMING & WELDING.....	1250
E. INSTALLATION UNDERGROUND PIPING & ACCESSORIES.....	650
F. WET PIPE SYSTEM.....	1600
G. DRY PIPE SYSTEM.....	500
H. STANDPIPE SYSTEM.....	500
I. SPECIAL HAZARD INSTALLATION.....	350
J. INSTALLATION OF FIRE PUMPS & ACCESSORIES.....	350
K. MAINTENANCE & REPAIR.....	600
TOTAL HOURS: 8000	

Sample only

10-16-1997 11:23AM

2516858

P.26



The Certificate of Registration certifies the employer has met all of the requirements of the state and federal legislation to become an approved Minnesota apprenticeship training sponsor registered with the Minnesota Department of Labor and Industry, Apprenticeship unit.

Apprenticeship training

**Report of Wage Restitution Accomplished
Minnesota Small Cities Development Program**



Please complete one form for each contractor required to pay restitution and submit to DEED.
Submit additional forms if more space is needed. This form can be completed and totaled electronically.

Grant # CDAP-13-1234-O-FY14 Grantee City of Frostbite Falls

DEED Labor Standards Number: 1234

Check either overtime or straight time: Overtime Straight time

If both, please specify for each employee in table below:

For example: Joe Hammer - S, Sally Hammer - O

General Contractor: Remember that the General needs to be informed of sub underpayments when underpayments are discovered.

Contractor or Subcontractor required to pay restitution:

Note: Restitution of \$10 or less must be paid, but reporting is not required

<u>Name(s) of Worker(s)</u>	<u>Restitution Amount(s)</u>
Joe Hammer (overtime)	\$50.00
Fred Staple (overtime)	\$22.00
Sally Hammer (straight time)	\$80.00

Total number of workers: 2 \$80.00 Total \$ (straight)
\$72.00 Total \$ (overtime)

Have payrolls been corrected? Yes No
Is documentation of worker receipt in place? Yes No

Underpayment by contractor appeared to be willful: Yes No
If "Yes," please contact your DEED representative.

Signature: Joe Armon
Date: 5-5-15

We prefer that you E-mail this form as a pdf attached file to patrick.armon@state.mn.us; Or mail or fax to Patrick Armon at DEED, 1st National Bank Building, Suite E200, 332 Minnesota Street, St. Paul, MN 55101. Fax number 651-296-5287. After reception of this form, we will e-mail you (or call if no e-mail) with the SCDP labor standards # assigned to the project. Please use the labor standards # assigned by DEED for the Final Labor Standards Report.

Illustration 9.1

OMB Approval No. 2501-0009
(exp. 08/31/2007)

Record of Employee Interview

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

Public reporting burden for this collection of information is estimated to average 15 minutes per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. This agency may not collect this information, and you are not required to complete this form, unless it displays a currently valid OMB control number. The information is collected to ensure compliance with the Federal labor standards by recording interviews with construction workers. The information collected will assist HUD in the conduct of compliance monitoring; the information will be used to test the veracity of certified payroll reports submitted by the employer. Sensitive Information. The information collected on this form is considered sensitive and is protected by the Privacy Act. The Privacy Act requires that these records be maintained with appropriate administrative, technical, and physical safeguards to ensure their security and confidentiality. In addition, these records should be protected against any anticipated threats or hazards to their security or integrity that could result in substantial harm, embarrassment, inconvenience, or unfairness to any individual on whom the information is maintained. The information collected herein is voluntary, and any information provided shall be kept confidential.

1. Project Name <i>A.L's Hardware</i>		2a. Employee Name <i>Sally Hammer</i>	
2. Project Number		2b. Employee Phone Number (including area code) <i>507-555-0000</i>	
3. Contractor or Subcontractor (Employer) <i>Joe's Glass Roofing and More</i>		2c. Employee Home Address & Zip Code <i>123 Casserole Drive Davis, MN 59098</i>	
		2d. Verification of Identification? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	
How long on this job? <i>2 days</i>	3b. Last date on this job before today? <i>yesterday 3-24-09</i>	3c. No. of hours last day on this job? <i>9</i>	4a. Hourly rate of pay? <i>\$28.50</i>
		4b. Fringe Benefits? Vacation Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Medical Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Pension Yes <input type="checkbox"/> No <input type="checkbox"/>	
		4c. Pay stub? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	

Your job classification(s) (list all) — continue on a separate sheet if necessary
Roofers

Your duties
Heat weld roof, repair cracks

Tools or equipment used
Roof welding equipment - propane powered

Are you an apprentice or trainee? <input type="checkbox"/> Y <input checked="" type="checkbox"/> N	10. Are you paid at least time and 1/2 for all hours worked in excess of 40 in a week? <input checked="" type="checkbox"/> Y <input type="checkbox"/> N
Are you paid for all hours worked? <input checked="" type="checkbox"/> Y <input type="checkbox"/> N	11. Have you ever been threatened or coerced into giving up any part of your pay? <input type="checkbox"/> Y <input checked="" type="checkbox"/> N

1. Employee Signature
Sally Hammer

12b. Date
3-25-09

Duties observed by the Interviewer (Please be specific.)
Application of rubber roof

Remarks
1 roofer observed

Interviewer name (please print) <i>Joe Administrator</i>	15b. Signature of Interviewer <i>Joe Administrator</i>	15c. Date of interview <i>3-25-09</i>
---	---	--

Payroll Examination
Remarks
Match payroll - waiting for approval of additional classification request

Signature of Payroll Examiner
Joe Administrator

17b. Date
04-10-09

Illustration 9.2

U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT Office of Labor Relations FEDERAL LABOR STANDARDS QUESTIONNAIRE	HUD FORM 4730 <small>OMB Approval No: 2501-0018 (Exp. 06/30/2007)</small>
--	---

We are conducting a review of federal labor standards compliance on the project named below. We are asking for certain information regarding your employment on this project. Sending this questionnaire to you does not imply that your employer has violated any law.

Please respond to all of the questions listed below. Your responses will be considered confidential and will not be released to anyone without your permission. Your answers should refer only to the time during which you worked on this project. Please return the completed form as soon as possible, using the envelope provided, which needs no postage.

If you have any questions, please call:

Employer <i>Joe's Glass, Roofing and More</i>		Project name, number and location	
1. Your Name <i>Joe Hammer</i>	2. Your Job title <i>Carpenter</i>		
3. When did you work on this project? From: <i>3-22</i> To: <i>present</i>		4. Where did you work (job site, shop, etc)? <i>job site</i>	
5. What duties did you perform on this project? <i>Replaced damaged building rafters</i>			
6. What tools did you use (if any) to perform your duties on the project? <i>Air nailer, level, tape measure</i>			
7. How were you paid? (hourly wage, salary, piece work, etc.) <i>hourly wage</i>		8. If your wage was based on piece work, how was your pay determined (i.e., \$ per board, per unit, etc.)? <i>N/A</i>	
9. What was your hourly wage on this project? \$ <i>26.50</i>	10a. Did you receive fringe benefits? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	10b. If yes, which fringe benefits did you receive? Vacation <input checked="" type="checkbox"/> Medical <input checked="" type="checkbox"/> Pension <input type="checkbox"/> Other <input type="checkbox"/> Specify:	
11. On average, how many hours did you work each week? <i>43</i>	12. Did you ever work over 40 hours in a single week? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	13. If you worked over 40 hours per-week, did you receive overtime pay (at least 1½ times your regular rate of pay)? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	14. If you did <u>not</u> receive overtime pay for overtime hours worked, identify the number of weeks in which overtime was worked and/or total overtime hours <i>N/A</i>
15. Attach copies of check stubs or a record of your hours and pay received <input type="checkbox"/> CHECK IF ATTACHED		16. Attach any other comments or statements on separate sheet <input type="checkbox"/> CHECK IF ATTACHED	

U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT
Office of Labor Relations
FEDERAL LABOR STANDARDS QUESTIONNAIRE

HUD FORM 4730
 OMB Approval No. 2501-0018
 (Exp. 06/30/2007)

17. Identify other employees (name, address, phone) who worked with you and who could confirm the type of work you performed
None

18. Identify employees (name, address, phone) you supervised
None

I affirm that the information provided herein is accurate to the best of my knowledge.

Employee Name (Please print clearly) <i>Joe Hammer</i>	Home Phone Number (including area code) <i>507-555-5555</i>
Current address (Include apartment number, if any) (Street/City/State/Zip Code) <i>346 Hot Dish Drive Bacon, MN 59068</i>	Alternate Phone Number(s) (including area code)
Permanent/Alternate Address (if current address is temporary)	Email address
Signature <i>Joe Hammer</i>	Date <i>4-6-09</i>

Disclosure Authorization

I authorize the HUD representative to disclose my name and the information I have submitted to the extent necessary to enforce my rights under the Acts administered by the U.S. Department of Housing and Urban Development.

Signature: <i>Joe Hammer</i>	Date: <i>4-6-09</i>
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Public reporting burden for this collection of information is estimated to average 30 minutes per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining data needed, and completing and reviewing the collection of information. The information is considered sensitive and will not be released without your approval. Provision of this is voluntary. This agency may not collect this information, and you are not required to complete this form, unless it displays a currently valid Office of Management and Budget (OMB) control number.

HUD and local agencies administering HUD-assisted programs must enforce Federal wage and reporting requirements on covered HUD-assisted construction and maintenance work. Enforcement activities include contacting laborers and mechanics and requesting information about their employment on covered projects.

Compared to payrolls O.K. Not Administered

U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT
Office of Labor Relations
FEDERAL LABOR STANDARDS COMPLAINT INTAKE FORM

HUD FORM 4731

OMB Approval No. 2501-0018
 (Exp. 08/31/2010)

Name of complainant	Social Security Number
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	Yes	No		Yes	No
Were meal breaks taken? If yes, how long were the breaks?	<input type="checkbox"/>	<input type="checkbox"/>	Did the employer keep time records?	<input type="checkbox"/>	<input type="checkbox"/>
Paid Overtime (time and ½) after 40 hours?	<input type="checkbox"/>	<input type="checkbox"/>	Did the complainant keep time records?	<input type="checkbox"/>	<input type="checkbox"/>
Paid for all hours worked?	<input type="checkbox"/>	<input type="checkbox"/>	Does complainant have other personal records (pay stubs, log books, etc.) he/she can provide?	<input type="checkbox"/>	<input type="checkbox"/>
Was/is the complainant an Apprentice?	<input type="checkbox"/>	<input type="checkbox"/>	Were fringe benefits paid?	<input type="checkbox"/>	<input type="checkbox"/>

If fringe benefits were paid, check all that apply:

- | | | |
|--|---|--|
| <input type="checkbox"/> Cash in lieu of fringe benefits | <input type="checkbox"/> Life insurance | <input type="checkbox"/> Pension |
| <input type="checkbox"/> Health insurance | <input type="checkbox"/> Dental insurance | <input type="checkbox"/> Holiday/Sick/Vacation |

Identify other fringe benefits paid

Names of others affected by the alleged violation(s)

Names of others who can verify/attest to the complainant's allegations

- Continuation sheets attached
 Complainant's personal interview attached

Complaint taken by:

Name (print clearly)	Phone number (including area code) and E-mail address
Title	Agency, office
Signature	Date

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**Final Labor Standards Compliance Report
Minnesota Small Cities Development Program**



Grant # CDAP-08-1234-O-FY09 Grantee City of Frostbite Falls

DEED Log Number: 1243

Important

Please submit this form to the SCDP when each construction contract is completed. We prefer that you submit the form by e-mail with the form attached as a pdf file to patrick.armon@state.mn.us; Or mail or fax to Patrick Armon at DEED, 1st National Bank Building, 332 Minnesota Street, Suite E200, St. Paul, MN 55101. Fax number 651-296-5287.

Completion Date (mm/dd/yy): 04/10/09
 Number of construction (face to face) wage interviews completed: 1
 Number of HUD 4730 forms mailed: 1 Number of Responses 1
 Number of trades reviewed through interviews, including mailed forms: 2
 If no interviews were conducted or HUD 4730 forms were not mailed, explain why not in comments section:
 Date "Notice to All Employees" (WH 1321) and wage decision found posted on site: 03/25/09

If the answer to any of the following questions is "NO" please explain in comments

- Are all payroll submissions complete and compliant? YES NO
- Have all payrolls been reviewed? YES NO
- Were wage interviews compared to payroll submissions? YES NO N/A
- Have all known labor standards non-compliances been resolved? YES NO N/A
- Have all known restitutions been received by employees? YES NO N/A
- Have all known restitutions been reported to DEED? YES NO N/A
- Were complaints forwarded to DEED staff? YES NO N/A
- Were any volunteers used on this project? YES N/A

If so, please attach a list of how many volunteers worked on the project, a description and cost of their work, and how many hours each volunteer worked on the project.

Final Report Comments (if any):

Note: Please attach comments if more space is needed.

I certify to the best of my knowledge that all laborers and mechanics employed on this construction contract were paid in accordance with labor provisions, except as noted. There are no outstanding or unresolved labor standards underpayments, complaints, or disputes.

Signature: Joe Admitt Date: 4-15-09

Title: Project Manager