



Project Start-up: What happens before construction begins

**Virginia Department of Housing and Community Development (DHCD)
Program Administration and Assistance Office
Richmond, Virginia**

**January 8, 2013
12 Noon – 1 PM**

Speakers

- **Moderator and Host: Kyle Meyer**
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Community Development Specialist, DHCD
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Webinar Format

- The presentation will last approximately 40 minutes with periodic pauses for Q & A.
- In order to hear the webinar, you *must* call in for audio at the following number **1-866-842-5779** .
- The conference code number is **475 623 3278**.
- Audience members are asked to press *6 to mute their volume due to the high number of participants.

Audio Issues During the Webinar

- If you have technical difficulty with the audio or video portions of this webcast, try:
 - Logging off, then logging in again; or
 - Request help from the host through the chat box that will appear on your screen.

How to Submit Questions

- Address your questions to the host through the chat box that will appear on your screen during the presentation. Technical questions will be addressed right away.
- We'll pause and take content questions at designated points during and after the presentation.

FLS Brown Bag Webinar Series

Presented over the lunch hour, 12 to 1 p.m.

- February 12 — It's All in the Details: Reviewing payroll reports
- March 12 — Tools of the Trade: Logs, registers, and authorizations

Learning Objectives

- Understand the federal labor standard activities that take place before construction starts

- Become aware of common challenges

- Know where to go for resources and questions

Brief Survey

- Using the survey feature on your Webex webinar screen, please answer the simple survey:

Did you listen in to last month's webinar?

- a) Yes
- b) No

Agenda

- Laws and Definitions
- The 9 Key Steps
- Common Challenges and Helpful Tips
- Resources

What are the Federal Labor Standards?

Davis–Bacon and Related Acts

- Requires the payment of prevailing wage rates, including fringe benefits, as determined by the US DOL, to all laborers and mechanics on federally-funded constructions projects in excess of \$2,000
- Construction includes alterations and/or repairs, including painting and decorating, and housing rehab contracts of 8+ units

Key Labor-related Statutory Provisions

Contract Work Hours and Safety Standards Act of 1962

- Requires "overtime" at a rate of 1 ½ times of a worker's basic rate of pay for all hours worked in excess of 40 hours in a work week
- Time off in lieu of overtime is not allowed

Key Labor–related Statutory Provisions

Copeland “Anti–Kickback” Act

- Makes it a federal crime for anyone to use force, intimidation, or threats to force any laborer or worker working on a federally–financed project to give back any part of their wages to which they are entitled
- Requires a signed “Statement of Compliance” certifying workers have received all of their wages

Additional Federal Construction Requirements

- **Executive Order 11246, as amended**
 - Prohibits discrimination and requires affirmative action to ensure equal employment opportunity without regard to race, color, sex, religion and/or national origin
 - Covers all contracts and subcontracts which exceed \$10,000

Definitions

- **Contract Compliance Officer (CCO)**
 - The person responsible for ensuring compliance with the federal labor standards

- **Wage Decision (WD)**
 - A listing of various construction work classifications and the *minimum* wages and fringe benefits that must be paid to anyone performing work in those classifications
 - Established by US Department of Labor for defined geographic areas e.g. county or group of counties, and by various types of construction e.g.; highway, residential and heavy

- **Federal Construction Contract Inserts**
 - Includes clauses regarding the contractor's obligation to observe the federal labor standards, which must be incorporated into the bid documents; mailed to CCO along with WD

Definitions

□ **Contract Award Notice**

- Issued after the local governing body approves the award. States the award amount , the date and place of the pre-construction conference and the execution of the contract documents.

□ **Pre-construction Conference**

- A formally scheduled meeting held after the contract award notice is issued. Bonds and insurance are submitted.
-

□ **Labor Standards Checklist**

- Outlines the federal labor standards requirements. **Must be signed by the general contractor and all subcontractors.**

□ **Equal Opportunity Checklist**

- Outlines EO construction requirements. **Must be signed by the general contractor and all subcontractors.**

Pop Quiz

The FLS checklist only has to be signed by those who attend the pre-construction conference?

True or False?

9 Key Steps

Step 1

Request a Wage Decision

CIG WAGE RATE REQUEST

TO: Brad Belo, Community Rep VA DHCD **DATE:** 06 / 08 / 11
FROM: Michael Paul Dodson, CPP, Inc. **CIG #:** 10-01
PROJECT NAME: Kirby Street Neighborhood Revital CCD **ESTIMATED:**
PROJECT LOCATION: 1000-1500 blk Kirby St, 100-200 blk 11th-16th St **Advertising Date:** 06 / 20 / 11
CITY/COUNTY NAME: Town of West Point, King William County **Bid Opening Date:** 07 / 15 / 11

Provide a specific description of ALL construction activities to be bid under this *specific* construction contract.

| Activity Type | Quantity | Estimated CDBG Cost | Estimated Non-CDBG Cost | For DHCD Use: (Sewer, Bldg, Hwy, Residential, Heavy) |
|-------------------------|---|---------------------|-------------------------|---|
| Sewer: | | | | |
| Water: | | | | |
| Laterals: | | | | |
| Streets: | 160 LF of curb improvement ; 480 LF of storm drainage improvements | \$ 4,000 | \$ 4,000 | highway BDB 6/8/11 |
| Housing Rehab 8+ Units: | | | | |
| Facades | | | | |
| Other: Sidewalks | 20,950 sq ft of new 5' sidewalk, 720 sq ft of replacement 5' sidewalk | \$125,000 | \$125,000 | |
| Total | | \$129,000 | \$129,000 | highway BDB 6/8/11 |

Mail Wage Decision Package to the Following Address:

Name: Michael Paul Dodson & Blair Wilson **Address:** 2201 West Broad Street, Ste 204, Richmond VA 23220
Firm: Community Planning Partners, Inc. **Phone:** 804/204-1022
05-16/REV06-09

APW
6/13/2011

Step 2 Insert WD in bid documents

Wage Decision Packet

- Wage Decision(s)
- MBE and WBDE Goals
- Federal Contract Inserts
- Employee Interview Forms
- FLS Posters
- *Davis-Bacon Labor Standards* guide



Robert F. McDonnell
Governor

James S. Cheng
Secretary of Commerce
and Trade

COMMONWEALTH of VIRGINIA

DEPARTMENT OF
HOUSING AND COMMUNITY DEVELOPMENT

William C. Shelton
Director

February 13, 2012

Mr. William A. Blatter
Director of Planning and Development
City of Lexington
300 East Washington Street
Lexington, Virginia 24450

RE: Community Improvement Grant #11-08
Thompson's Knoll Project
Transmittal of Wage Decision(s)

Dear Mr. Blatter:

You will find enclosed a copy of the U.S. Department of Labor's wage scales applicable to this project. Please be that advised Area Rates VA35/Mod 0, dated 1/6/2012 (Heavy) and VA11, Mod 0, dated 1/6/2012 (Highway) expire when superseded by a new or modified decision. Since the Department of Labor is also using Area Rates published in the Federal Register, the locality must contact this office ten (10) days prior to opening bids to determine if new or modified rates have been issued by the Department of Labor. All new or modified rates published ten (10) days prior to bid opening become applicable to the contract.

Also enclosed are the required Federal Contract Inserts to be incorporated into the construction contracts for this project. As per 41 CFR Part 60-4 published October 3, 1980, the affirmative action goals established for the City of Lexington are:

- | | | |
|----|------------|-------|
| 1) | Minorities | 12.0% |
| 2) | Females | 06.9% |

Prior to bidding, these affirmative action goals must be incorporated in the Federal Contract Inserts in the *Notice of Requirement for Affirmative Action to Ensure Equal Employment Opportunity* section along with a description of the project area. In addition, the Local (Section 3) project area (the surrounding County) must be inserted in the above section and in *Subpart F: Section 3 of the Housing and Urban Development Act of 1968*.

General Decision Number: VA100064 03/12/2010 VA64

Superseded General Decision Number: VA20080064

State: Virginia

Construction Types: Heavy (Heavy and Sewer and Water Line)

Counties: Bland, Buchanan, Carroll, Craig, Dickenson, Floyd, Galax*, Giles, Grayson, Lee, Montgomery, Norton*, Pulaski, Radford*, Russell, Smyth, Tazewell, Wise and Wythe Counties in Virginia.

*INDEPENDENT CITIES

*INCLUDING THE RADFORD ARMY AMMUNITION PLANT

HEAVY CONSTRUCTION PROJECTS (Including Sewer and Water Lines)

Modification Number Publication Date
 0 03/12/2010

BOIL0045-002 10/01/2008

| | Rates | Fringes |
|-------------------------|----------|---------|
| Boilermakers:..... | \$ 30.96 | 16.87 |
| ----- | | |
| PLUM0491-002 06/01/2007 | | |

| | Rates | Fringes |
|---------------------------|----------|---------|
| Steamfitter..... | \$ 21.66 | 10.28 |
| ----- | | |
| * SUVA1989-003 04/01/1989 | | |

| | Rates | Fringes |
|---|---------|---------|
| Carpenters (Excluding Concrete Form Work)..... | \$ 7.69 | |
| Cement Mason/Concrete Finisher... | \$ 9.78 | 3.05 |
| Ironworker (Reinforcing)..... | \$ 7.30 | |
| Laborers: | | |
| Pipelayers..... | \$ 7.25 | .93 |
| Unskilled..... | \$ 7.25 | |
| Power equipment operators: | | |
| Backhoes..... | \$ 7.71 | |
| Bulldozers..... | \$ 7.84 | |
| Loaders..... | \$ 7.45 | |
| Truck drivers..... | \$ 7.25 | |

WELDERS - Receive rate prescribed for craft performing

Historial de Entrevista del Empleado

Departamento de Vivienda y Desarrollo Urbano de EE.UU.
Oficina de Relaciones Laborales

Aprobación de OMB No. 2501-0009
(exp. 10/31/2010)

Información confidencial. La información recopilada en este formulario es considerada confidencial y está protegida por la Ley de Privacidad. La Ley de Privacidad requiere que estos archivos se mantengan con salvaguardas administrativas, técnicas, y físicas apropiadas para garantizar su seguridad y confidencialidad. Además, estos archivos deberán ser protegidos contra cualquier amenaza anticipada o riesgos a su seguridad o integridad, que podría causar daño sustancial, vergüenza, inconveniencias, o injusticias a cualquier individuo de quien se mantiene la información.

| | | | | | |
|---|---|---|---|--|---|
| 1a. Nombre del proyecto | | | 2a. Nombre del empleado | | |
| 1b. Número del proyecto | | | 2b. Número de teléfono del empleado (incluso prefijo local) | | |
| 1c. Contratista o subcontratista (Patrón) | | | 2c. Dirección residencial del empleado y código postal | | |
| | | | 2d. ¿Verificación de identificación? Sí <input type="checkbox"/> No <input type="checkbox"/> | | |
| 3a. ¿Cuánto tiempo en este trabajo? | 3b. ¿Último día en este trabajo antes de hoy? | 3c. ¿No. de horas en su último día en este trabajo? | 4a. ¿Salario por hora? | 4b. ¿Beneficios complementarios? | |
| | | | | Vacaciones Sí <input type="checkbox"/> No <input type="checkbox"/> | |
| | | | | Médicos Sí <input type="checkbox"/> No <input type="checkbox"/> | |
| | | | | Pensión Sí <input type="checkbox"/> No <input type="checkbox"/> | |
| 4c. ¿Talónario de paga? Sí <input type="checkbox"/> No <input type="checkbox"/> | | | | | |
| 5. Clasificación(es) de su trabajo(s) (enumere todas) --- continúe en una página separada si es necesario | | | | | |
| 6. Sus deberes | | | | | |
| 7. Herramientas o equipo usado | | | | | |
| 8. ¿Es aprendiz? | | S <input type="checkbox"/> N <input type="checkbox"/> | 10. ¿Le pagan al menos tiempo y medio por todas las horas trabajadas superior a 40 horas semanales? | | S <input type="checkbox"/> N <input type="checkbox"/> |
| 9. ¿Le pagan todas las horas trabajadas? | | S <input type="checkbox"/> N <input type="checkbox"/> | 11. ¿Alguna vez ha sido amenazado o coaccionado a entregar parte de su paga? | | S <input type="checkbox"/> N <input type="checkbox"/> |
| 12a. Firma del empleado | | | 12b. Fecha | | |
| 13. Deberes observados por el entrevistador (Por favor sea específico.) | | | | | |
| 14. Comentarios | | | | | |
| 15a. Nombre del entrevistador (use letra de imprenta) | | 15b. Firma del entrevistador | | 15c. Fecha de la entrevista | |
| Examinación de Nómina | | | | | |
| 16. Comentarios | | | | | |
| 17a. Firma del examinador de nómina | | | 17b. Fecha | | |

Federal Contract Inserts

CD - 8.1

General Conditions - Part 1

1. Definitions
2. Engineer's Authority
3. Materials, Services, Workmanship and Facilities
4. Equals
5. Additional Instructions and Detail Drawings
6. Requests for Supplemental Information
7. Shop Drawings
8. Drawings and Specifications
9. Warranty of Title
10. Samples, Certificates and Tests
11. Surveys, Permits, and Codes
12. Patents
13. Superintendence by Contractor
14. Protection of Work, Property and Persons
15. Accident Prevention
16. Sanitary Facilities
17. Use of Premises/Storage
18. Schedules, Reports and Records
19. Inspection
20. Payments to Contractor
21. Payments by Contractor
22. Public Body's Use of Premises
23. Changes in the Work
24. Claims for Extra Cost/Subsurface Conditions
25. Time for Completion and Liquidated Damages
26. Suspension of Work, Termination and Delay
27. Correction of Work
28. Cleanup Requirements
29. Fitting and Coordination of the Work
30. Subcontracting
31. Separate Contracts
32. Lands and Rights-of-Way
33. As Constructed Drawings
34. Final Inspection and Closeout
35. Insurance
36. Assignment of Contract
37. Indemnification
38. Guarantee
39. Notices
40. Access to Records
41. Withholding of Funds
42. Federal Funding Termination
43. Interest of Contractor
44. Political Activity
45. Interest of Officials
46. Provisions Required by Law Deem Inserted
47. Contract Security
48. Contractual Disputes
49. Administrative Appeals Procedure and Arbitration
50. Other Contractual Requirements

General Conditions Part I must be included in CDBG contracts unless another substantially equivalent contract is provided by another state or federal agency which provides funding for the

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:

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



Insert
CCO's
name in
box





U.S. Department of Housing
and Urban Development

Labor Relations Desk Guide
LR01.DG

DAVIS-BACON

LABOR STANDARDS

*A Contractor's Guide
to Prevailing Wage Requirements
for Federally-Assisted Construction Projects*

January 2012
Previous versions obsolete

Step 2

Assemble Federal Construction Contract Inserts

Step 2

Assemble Federal Construction Contract

| Timetables | Goals for minority participation in each trade | Goals for female participation in each trade |
|-------------------------------|--|--|
| | 12% | 6-9% |
| (Insert goals for each year.) | | |

These goals are applicable to all the Contractor's construction work (whether or not it is Federal or federally assisted) performed in the covered area. If the contractor performs construction work in a geographical area located outside of the covered area, it shall apply the goals established for such geographical area where the work is actually performed. With regard to this second area, the contractor also is subject to the goals for both its federally involved and nonfederally involved construction.

The Contractor's compliance with the Executive Order 11246, as amended, and the regulations in 41 CFR Part 60-4 shall be based on its implementation of the Equal Opportunity Clause, specific affirmative action obligations required by the specifications set forth in 41 CFR 60-4.3(a), and its efforts to meet the goals established for the geographical area where the contract resulting from this solicitation is to be performed. The hours of minority and female employment and training must be substantially uniform throughout the length of the contract, and in each trade, and the contractor shall make a good faith effort to employ minorities and women evenly on each of its projects. The transfer of minority or female employees or trainees from Contractor to Contractor or from project to project for the sole purpose of meeting the Contractor's goals shall be a violation of the contract, the Executive Order and the regulations in 41 CFR Part 60-4. Compliance with the goals will be measured against the total work hours performed.

- c. The Contractor shall provide written notification to the Director of the Office of Federal Contract Compliance Programs within 10 working days of award of any construction subcontract in excess of \$10,000 at any tier for construction work under the contract resulting from this solicitation. The notification shall list the name, address and telephone number of the subcontractor; employer identification

Step 2

Assemble Federal Construction Contract

Ir

number; estimated dollar amount of the subcontract; estimated starting and completion dates of the subcontract; and the geographical area in which the contract is to be performed.

- d. As used in this Notice, and in the contract resulting from this solicitation, the "covered area" is the boundaries of the County of Rockbridge, Virginia, in which the project area is located.

3. Standard Federal Equal Employment Opportunity Construction Contract Specifications (Executive Order 11246). (Applicable to all contracts and subcontracts exceeding \$10,000.)

- a. As used in these specifications:

- (1) "Covered area" means the geographical area described in the solicitation from which this contract resulted;
- (2) "Director" means Director, Office of Federal Contract Compliance Programs, United States Department of Labor, or any person to whom the Director delegates authority;
- (3) "Employer identification number" means the Federal Social Security number used on the Employer's Quarterly Federal Tax Return, U.S. Treasury Department Form 941.
- (4) "Minority" includes:
 - Black (all persons having origins in any of the Black African racial groups not of Hispanic origin);
 - Asian or 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
 - American Indian or Alaskan Native (all persons having origins in any of the original peoples of North America and maintaining identifiable tribal affiliations through membership and participation or community identification).
 - Hispanic (all persons of Mexican, Puerto Rican, Cuban, Central or South American or other Spanish Culture or origin, regardless of race);

- b. 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

Step 2

Assemble Federal Construction Contract

Ir

Subpart D: Title VI of the Civil Rights Act Of 1964, As Amended

No person in the United States shall, on the ground of race, color or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance.

Subpart E: Section 109 Of The Housing And Community Development Act Of 1974, As Amended

No person in the United States shall on the ground of race, color, national origin, or sex be excluded from participation in, be denied the benefits of or be subjected to discrimination under any program or activity funded in whole or in part with funds made available under this title. Any prohibition against discrimination on the basis of age under the *Age Discrimination Act of 1975* or with respect to an otherwise qualified handicapped individual as provided in *Section 504 of the Rehabilitation Act of 1973* shall also apply to any such program or activity.

Subpart F: Section 3 Of The Housing And Urban Development Act Of 1968

(Applicable to all contracts/subcontracts in excess of \$100,000)

1. The Section 3 covered Project Area for this PROJECT is designated as the boundaries of the County of ROCKBRIDGE, Virginia, in which the project area is located.
2. The purpose of Section 3 is to ensure that employment and other economic opportunities generated by Housing and Urban Development 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.
3. 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.
4. 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

Step 2

Assemble Federal Construction Contract

| TO GRANTEE:

Note: Insert the Wage Decision(s) here.

Step 3

Verify ad language

- Because this is a federally-funded project, the advertisement must state that the following applies:
 - the Davis-Bacon Act;
 - the Copeland “Anti Kickback” Act;
 - the Contract Work Hours and Safety Standards Act; and
 - the fact that not less than minimum wages set forth in the contract documents must be paid.

Step 4

Verify WD has not been modified

Step 4 Another Modification Check

- If a conditional or formal award of a construction contract is not issued within ninety (90) days of the date of the bid opening, the CCO must contact the Specialist to determine if the WD has been modified.
- If it has been, the modified wage decision must be incorporated into the contract documents

Step 5

Check debarment status

- Contact CD Specialist and provide the *all* of the following information:
 - Name of proposed contractor (as it appears on DPOR license)
 - Business address of proposed contractor
 - Federal identification number
 - DPOR license number

- CD Specialist will check on the low bidder's eligibility to receive the contract award and send written confirmation

Questions and Comments?

Use the chat feature to ask questions and communicate with everyone!



Step 6

Issue Contract Award Notice

Step 7

Hold pre-construction conference

- Must be attended by the prime contractor, all known subcontractors, their payroll clerks, project engineer, contract compliance officer and grant manager
- Invite the CD Specialist, who will attend schedule permitting

Step 7

Hold pre-construction conference

- Agenda:
 - Review wage decision(s)
 - Identify how workers doing two or more trades will be paid
 - Identify how workers whose classifications are listed on dual WD will be paid
 - Discuss apprentices, trainees, and helpers

Step 7

Hold pre-construction conference

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)



Rev. Dec. 2008

OMB No.: 1215-0149
Expires: 12/31/2011

NAME OF CONTRACTOR OR SUBCONTRACTOR ADDRESS _____
 PAYROLL NO. #2 FOR WEEK ENDING 03/25/2012 PROJECT AND LOCATION _____ PROJECT OR CONTRACT NO. _____

| (1) NAME AND INDIVIDUAL IDENTIFYING NUMBER (e.g., LAST FOUR DIGITS OF SOCIAL SECURITY NUMBER) OF WORKER | (2) NO. OF OMB 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 | | |
|--|---------------------------------|--|------------------|----|----|----|----|------|----|-----------------------|-----------------------|----------------------------------|----------------|-------------------------|----------|------------|---------|---|---------------------|----------|
| | | | M | T | W | R | F | Sa | Su | | | | FICA | WITH- HOLDING TAX | Medicare | Simple IRA | OTHER | | TOTAL DEDUCTIONS | |
| | | | 19 | 20 | 21 | 22 | 23 | 24 | 25 | | | | | | | | | | | |
| 6373 | 0 | Labor, Pipe Layer, Backhoe, Bulldozer & Front End Loader | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 40.00 | \$31.50 | \$840.00 | \$30.43 | \$52.00 | \$10.51 | \$40.00 | \$115.42 | \$248.36 | \$591.64 |
| 4960 | 0 | Skilled Labor, Pipe Layer, Backhoe & Front End Loader | 0 | 0 | 0 | 0 | 0 | 1.00 | 0 | 0 | 1.00 | \$30.90 | \$555.83 | \$34.51 | \$119.00 | \$11.91 | \$17.12 | \$34.28 | \$216.82 | \$639.01 |
| 9246 | 0 | Skilled Labor, Pipe Layer, Backhoe & Front End Loader | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0.85 | \$30.90 | \$850.27 | \$35.72 | \$148.00 | \$12.33 | | | \$196.05 | \$654.22 |
| 7172 | 0 | Truck Driver (Multi-Rear Axle) | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | \$27.00 | \$850.27 | \$19.83 | \$43.00 | \$6.85 | \$44.46 | \$83.60 | \$197.74 | \$357.95 |
| 0742 | 0 | Truck Driver (Tandem Rear) & Skilled Laborer | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | \$24.00 | \$555.69 | \$18.96 | \$68.00 | \$6.55 | | | \$93.51 | \$357.98 |
| 9323 | 0 | Skilled Labor, Pipe Layer, Backhoe & Front End Loader | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | \$32.25 | \$451.49 | \$36.12 | \$125.00 | \$12.47 | \$25.80 | | \$199.39 | \$660.61 |
| 3616 | 0 | Unskilled Laborer | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | \$20.31 | \$860.00 | \$14.95 | \$6.00 | \$5.17 | | \$138.47 | \$164.59 | \$191.45 |
| 1475 | 0 | Unskilled Laborer | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | \$20.31 | \$356.04 | \$21.48 | \$37.00 | \$7.42 | | | \$65.90 | \$445.54 |

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, 3.5(e). 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)(iv) 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

(over)

Step 7

Identify needed additional job classifications

Step 7

Additional conference topics

- Review required submissions:
 - Certified Payroll Reports
 - Authorization of Employee Payroll Deduction(s)
 - Employee Interviews

Step 7

Additional conference topics

- More required submissions:
 - Register of Assigned Employees
 - Monthly Register of Contractors, Subcontractors and Suppliers
- Labor Relations and Equal Opportunity checklists signed and Section 3 Plan submitted

Step 7

Additional conference topics

LABOR STANDARDS CHECKLIST

(to be completed initially at pre-construction conference)

- Contractors have reviewed and understand all Labor Standards contract provisions.
- Contractors have reviewed and understand wage decision and job classifications.
- Contractors have been informed that all workers:
 - a) must be paid at least the appropriate minimum wage for the job classification;
 - b) must be paid time-and-a-half for all work beyond 40 hours per week;
 - c) must be paid at least weekly;
 - d) must perform only the work which is covered by the job classification they are listed and paid in. If a worker performs in more than one job classification, he must be paid either the wage of the highest paid job he works or time cards signed by the worker must document the amount of time worked in each job during the week.
- Contractors will inform all workers:
 - a) of their job classifications and duties;
 - b) of their wage rates and fringe benefits;
 - c) that they may be interviewed on the jobsite and are required to cooperate;
 - d) of deductions from pay.
- Contractors will obtain each worker's name, permanent address, and social security number prior to assigning them to a jobsite.
- * Contractors will obtain certification of any apprentices and trainees, including registration number and year of program, and will submit the same to the Public Body.
- Contractors are aware that they are responsible for the compliance of their subcontractors with Labor Standards provisions.
- Contractors must verify that the subcontractors(s) is/are not debarred from Federal or State contracts.

Step 7

Additional conference topics

EQUAL OPPORTUNITY CHECKLIST

(to be completed initially at pre-construction conference)

- Contractors have reviewed and understand Equal Opportunity/Section 3 contract provisions.
- Contractors must inform unions or other source of workers of Equal Opportunity requirements such as:
 - a) taking applications at jobsite; and
 - b) advertising in local or appropriate media.
- * Contractors have received DHCD forms "Register of Assigned Employees" and "Register of Contractors, Subcontractors and Suppliers"; and have been instructed to submit initial forms at Start of Construction and every month or part of month during the course of the contract.
- Contractors are aware of goals for utilization of minority and female workers.
- Contractors are aware that they are obligated to the greatest extent feasible to hire lower income project area residents as workers and trainees and to utilize project area businesses and businesses owned by project area residents.
- Prime contractor has been given Equal Opportunity poster and will display it in prominent place at jobsite(s).
- * If contractors employ more than 50 persons and contract is over \$50,000 they have submitted form EEO-1 to the Joint Reporting Committee, P. O. Box 779, Norfolk, Virginia 23501; 804/461-1213.

* Denotes those items which must be submitted by the Contractor.

Step 8

Issue Notice to Proceed with Construction

Step 9

Posting of WD and Posters



Pop Quiz

The typical wage decision lock-in date is:

- A. The bid opening date
- B. The contract execution date
- C. The Notice to proceed with construction date
- D. None of the above

Common Challenges

Common Challenges

Bottom Line

Regardless of any consultant, the Grantee is responsible for ensuring someone is *actively* overseeing any and all construction contracts and that contractors are complying with FLS requirements!

Great References

- Distribute *Davis–Bacon Labor Standards: A contractor’s guide...* to all payroll clerks
- And, keep a copy for yourself
- Use the *Construction and Labor Standards Checklist*
- Read Chapter 8 of the *Grant Management Manual*

Tips and Helpful Hints

- Sign up for the mailing list of HUD's Office of Labor Standards at http://portal.hud.gov/hudportal/HUD?src=/program_offices/labor_relations
- Register for the two upcoming brown bag FLS webinars

Other Resources

- DOL Forms
 - www.dol.gov/whd/programs/dbra/forms.htm
- HUD forms
- www.hud.gov/offices/adm/hudclips/index.cfm
- *Labor Standards Post-Contract Compliance checklist*
- When in doubt – contact your Community Development Specialist

Questions and Comments?

Use the chat feature to ask questions and communicate with everyone!



Thank You for Participating

- Recording of the webinar will be posted on DHCD's website on the CDBG Training Archive page:
<http://www.dhcd.virginia.gov/index.php/cdbg-training-archive.html>
- You will shortly be receiving an e-mail with the hyperlink to the webinar evaluation form. ***Thank you in advance for taking the time to give us your valuable feedback.***