OFFICE OF PLANNING AND BUDGET

Brian P. Kemp
Governor

Kelly Farr
Director

Davis Bacon and Related Acts Guide

American Rescue Plan Act

State Local Fiscal Recovery Funds

Purpose

This information is provided by the Georgia Governor's Office of Planning and Budget (OPB) to serve as a resource for subrecipients engaged in Water, Sewer and Broadband infrastructure projects funded by the American Rescue Plan Act. The information included herein pertains to those projects with an overall budget (including match funds) in excess of $10 million.

Background

The U.S. Department of the Treasury includes the following Davis Bacon Act and labor related requirements its Compliance and Reporting Guidance to non-Federal entities. The information below is an extraction, and the full Compliance and Reporting Guidance can be found here: SLFRF-Compliance-and-Reporting-Guidance.

> *For projects over $10 million (based on expected total cost):*
> *A recipient may provide a certification that, for the relevant project, all laborers and mechanics employed by contractors and subcontractors in the performance of such project are paid wages at rates not less than those prevailing, as determined by the U.S. Secretary of Labor in accordance with subchapter IV of chapter 31 of title 40, United States Code (commonly known as the "Davis-Bacon Act"), for the corresponding classes of laborers and mechanics employed on projects of a character similar to the contract work in the civil subdivision of the State (or the District of Columbia) in which the work is to be performed, or by the appropriate State entity pursuant to a corollary State prevailing-wage-in-construction law (commonly known as "baby Davis- Bacon Acts"). If such certification is not provided, a recipient must provide a project employment and local impact report detailing:*
> - *The number of employees of contractors and sub-contractors working on the project;*
> - *The number of employees on the project hired directly and hired through a third party;*
> - *The wages and benefits of workers on the project by classification; and*
> - *Whether those wages are at rates less than those prevailing.*
>
> *Recipients must maintain sufficient records to substantiate this information upon request.*

Davis Bacon and Related Acts Guide

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State Local Fiscal Recovery Funds

Continued…

Summary

To summarize the guidance provided on the preceding page, Subrecipients have two options:

- Certify compliance with Davis Bacon and implement processes and controls to collect required payroll records and contractor / subcontractor certifications during the project; or

- Provide a Project Employment and Local Impact Report on a quarterly basis reporting on the four (4) required elements explained on the preceding page.

Resources

The following is a summary of the information included in the pages that follow:

- Page 3 –Davis Bacon Overview produced by the U.S. Department of Labor. Some content has been removed from the original publication for efficacy, and the entire deck can be found here: DOL DBA Overview

- Page 41 – Frequently asked questions produced by the U.S. Department of Labor.

- Page 54 – U.S. Department of Labor Employment Law Guide which includes helpful record keeping and reporting guidance, among others.

- Page 59 – U.S. Wage and Hour Division commonly used Form 347 to document and certify weekly payroll.

- Page 61 – Sample Project Employment and Local Impact Report.

- U.S. Department of Labor Wage and Hour Division Guidance

Questions

Please submit questions regarding Davis Bacon not addressed in the resources above to GeorgiaGrants@rsmus.com

Davis Bacon Overview

Contract Coverage

DBA Coverage

- Applies to contracts in excess of $2,000 to which the Federal Government or the District of Columbia is a party for construction, alteration, and/or repair, including painting and decorating, of public buildings or public works
- Does not apply to work performed in foreign countries or the U.S. territories

Coverage – Contract for Construction

- Is the agreement a “contract for construction” to which the Federal Government or District of Columbia is a party?
- “Construction” includes all types of work done on a particular building or work at the site thereof, as defined in the regulations (section 5.2(j)(1)).
- A contract is “for construction” if “more than an incidental amount of construction-type of activity is involved in the performance of the government contract.”

Coverage – Public Building or Work

- Is the "contract for construction" a contract for construction of a public building or public work of the U.S. or the District of Columbia?
- A "public building" or "public work" – includes "a building or work, the construction, prosecution, completion, or repair of which is carried on directly by authority of or with funds of a Federal agency to serve the interest of the general public regardless of whether title thereof is in a Federal agency." 29 CFR 5.2(k)

Davis Bacon Related Acts

- Davis-Bacon (DB) requirements extend to numerous “related Acts” that provide federal assistance by
  - Grants
  - Loans
  - Loan guarantees
  - Insurance

Davis Bacon Labor Standards/Contract Stipulations

- The term “labor standards” means the requirements of:
  - The Davis-Bacon Act
  - The Contract Work Hours and Safety Standards Act
  - The Copeland Act
  - Prevailing wage provisions of the Davis-Bacon and “related Acts”; and
  - Regulations, 29 C.F.R. 1, 3, and 5

Wage Determinations

Types of Wage Determination

- Davis-Bacon WDs specify the prevailing wages, including fringe benefits, which are determined to be prevailing for the described classes of laborers and mechanics employed on construction projects of a similar character in the localities specified therein
- Two types of wage determinations: general and project

Selecting the Correct Category of Wage Determination

- Selecting and incorporating the appropriate general wage determination for the project type
  - Building
  - Residential
  - Heavy
  - Highway
  - Guidance provided in AAM 130
- Multiple wage determinations may apply where there are separate construction types and the different type of construction is at least 20 percent of the project cost or exceeds $2.5 million – guidance provided in AAM 131 and 236.

Selecting the Correct Wage Determination Modification

Incorporate most current WD:

- Negotiated contracts ("RFPs") – Time of award.
- Competitively bids contracts: In effect 10 days or more before opening of bids
- Exceptions
- If the contract is not warded within 90 days of bid opening, any modification to the WD must be incorporated unless the federal agency requests and obtains an extension to the 90 day period

Interpreting General Wage Determinations

Useful information contained in a general wage determination:

- State and county
- Type of construction with description
- Record of modifications
- List of classifications and rates
- Basis for rates – Identifiers
  - Union Identifiers
  - Union Weighted Average Identifiers
  - SU Identifiers

Wage Determinations
Contracting Agency Responsibilities

- Ensure proper wage determination (WD) is identified and applied
- Advise contractors which schedule of rates applies to various construction items; and
- Advise contractors regarding the duties performed by various crafts in the WD

Covered Workers

Laborers and Mechanics

- Workers whose duties are manual or physical in nature;
- Includes apprentices, trainees and helpers; and
- For CWHSSA, includes guards and watchmen.
- Does not include workers such as timekeepers, inspectors, architects, engineers, or bona fide executive, administrative, and professional employees as defined under FLSA
- Working foremen are generally non-exempt:
  - must be paid the Davis Bacon (DB) rate for the classification of work performed if not 541 exempt.

Apprentices

- Are laborers and mechanics; not listed on WDs.
- Only includes persons individually registered in a bona fide apprenticeship program registered with DOL's Employment Training Administration (ETA) Office of Apprenticeship (OA) or a State Apprenticeship Agency recognized by OA.
- Individuals in their first 90 days of probationary employment as an apprentice in such a program.
- Regulations: 29 C.F.R. §§ 5.2(n)(1) and 5.5(a)(4)(i).

Apprentice Ratios

- Apprentices must be employed within the allowable ratio specified in approved program for the number of apprentices or trainees to journeymen.
- “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.” 29 CFR 5.5(a)(4)(i).
- Compliance with the ratio is determined on a daily, not a weekly basis.

Apprentice Rates

- Apprentices individually registered in an approved program and employed within the allowable ratio may be paid less than the journeyworker wage when they are:
  - Paid the percentage of hourly rate required by the apprenticeship or training program required for each apprentice's level of training;
  - Paid the fringe benefit's specified in approved program; if the program is silent, the full amount of fringe benefit's listed on the WD

Payment of Prevailing Wage Rates

Prevailing Wage Payments

- All laborers and mechanics employed or working upon the site of work must be paid at least the applicable prevailing wage rate for the classification of work performed as listed in the applicable wage determination or a rate approved in accordance with the "conformance process" set forth at 29 C.F.R. § 5.5 (a)(1)(ii), without regard to skill
- The laborers and mechanics working on the site of work must be paid weekly unless the fringe benefits are paid into a bona fide FB plan and then contributions must be paid no less often then quarterly

Base Hourly Wage Rates and Fringe Benefit Rates

- Under DBA, FBs are a component of the DBA "prevailing wage"
- The prevailing wage obligation may be satisfied by:
  - Paying the base hourly rate (BHR) and FB in cash (including negotiable instruments payable on demand)
  - Contributing payments to a bona fide plan; or
  - Any combination of the two
- Cash wages paid in excess of BHR may count to offset or satisfy the FB obligation (unlike under SCA); however, the regular rate for overtime cannot be less than the BHR

Prevailing Wages for Multiple Classifications

- Laborers and mechanics who perform work in more than one classification may be paid the different applicable rates for the work they actually perform if the employer keeps an accurate record of the time spent working in each classification and pays accordingly.
- If in a single workweek an employee works in more than one classification for which different non-overtime rates of pay have been established, the overtime pay generally should be computed based on the weekly average rate.

Determining Worker Classifications

- There are no nationwide standard classification definitions under the DBA.

- To determine proper classifications for workers employed on a Davis-Bacon covered project, it may be necessary to examine **local area practice**.
- Contracting agencies are responsible for advising contractors regarding the duties performed by various crafts in the WD

Determining Local Area Practice

- If, in the applicable wage determination, the rates listed for the classification(s) that may perform the work in question are union rates:
  - any question will be resolved by examining the practice(s) of union contractors in classifying workers who have been performing the duties in question in the area.
- If, in the applicable wage determination, the rates listed for the classification(s) that may perform the work in question are non-union rates:
  - any question will be resolved by examining the practice(s) of non-union contractors in classifying workers who have been performing the duties in question in the area.

Fringe Benefits

Funded Fringe Benefit Plans

- Contractors may take credit (without prior approval from DOL) for bona fide FB fund contributions made to third-party trustees or insurers that:
  - Are *irrevocably* paid; and
  - Are made regularly, not less often than *quarterly*
- Credit is for payments made for individual workers eligible to participate in the plan, program, or fund.

Unfunded Fringe Benefit Plans

- Costs for an “unfunded” FB plan count towards WD obligation if specific criteria are met:
  - The contributions reasonably anticipate the cost to provide a bona fide FB
  - Contributions are made pursuant to an enforceable commitment
  - That is carried out under a financially responsible plan; and
  - The plan has been communicated in writing to affected workers
- Contractors must submit a written request for DOL approval of unfunded plans, as required by 29 CFR 5.5(a)(1)(iv), prior to claiming fringe benefit credit.

Eligibility and Participation

- Employers may not take credit for contributions for employees who are not eligible to participate in the fringe benefit plan.
- Employers may take credit for contributions made on behalf of employees who will likely become participants in a plan but are not yet eligible to receive benefits (for example, a health insurance plan with a 30 day waiting period for new participants)

Administrative Expenses

- The administrative expenses incurred by a contractor or subcontractor in connection with the administration of a bona fide fringe benefit plan are not creditable towards the prevailing wage under the DBA.

Annualization Principle

- Davis-Bacon credit is based on the effective annual rate of contributions for all hours worked in a year (both Davis-Bacon and non-Davis-Bacon work).
  - Davis-Bacon work may not be used as the exclusive or disproportionate source of funding for a benefit in effect during both covered and non-covered work.
- Determine the hourly rate of contribution that is creditable towards a contractor's Davis-Bacon prevailing wage obligation by dividing the total annual contributions by the total annual hours worked (both Davis-Bacon and non-Davis-Bacon work).

Recordkeeping and Certified Payrolls

Payroll and Basic Records

- Payrolls and related basic records shall be maintained by the contractor during the course of the work and for 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. 29 CFR 5.5(a)(3)(i)

Certified Payroll Clauses

- Two separate contract clause requirements apply to "certified payrolls" for a project:
  - The contractor shall submit weekly for any week in which any contract work is performed a copy of all payrolls, which must contain the information that the contractor is required to maintain under § 5.5(a)(3)(i). 29 C.F.R. § 5.5 (a)(3)(ii)(A)
  - Each weekly payroll submitted must be accompanied by a "Statement of Compliance". 29 C.F.R. § 5.5 (a)(3)(ii)(B)

"Statement of Compliance"

- Must be executed by the contractor or subcontractor or by an authorized officer or employee of the contractor or subcontractor who supervises the payment of wages. 29 C.F.R. § 3.3(b).
- Each weekly statement must be delivered or mailed by the contractor or subcontractor, within seven days after the regular payment date of the payroll period, to a representative of a Federal or State agency contracting for or financing the building or work. 29 C.F.R. § 3.4(a).

Certified Payrolls & Signatures

- The signature on each weekly “Statement of Compliance” may be either an original handwritten or an electronic signature.
- A contracting agency or prime contractor may permit or require contractors to submit the weekly payrolls, each with the accompanying ”Statement of Compliance” through an electronic system.

Falsification of Certified Payrolls

- The importance of the "Statement of Compliance" requirement is clear in that:
  - "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."

29 C.F.R. § 5.5(a)(3)(ii)(D),
reiterated at FAR 48 C.F.R. § 52.222-8(b)(4).

Internet Sites

- Wage Determinations – https://sam.gov
- Wage and Hour Division - https://www.dol.gov/agencies/whd/government-contracts/construction
- Resource Book - https://www.dol.gov/agencies/whd/government-contracts/prevailing-wage-resource-book
- Office of the Administrative Law Judges Law Library - http://www.oalj.dol.gov
- Administrative Review Board - http://www.dol.gov/arb

Disclaimer

- **This presentation is intended as general information only and does not carry the force of legal opinion**

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Employment Law Guide

Federal Contracts-Working Conditions: Prevailing Wages in Construction Contracts

Related Information

DOL Agency Assistance

- Wage and Hour Division DBRA Page
- Wage Determinations On-Line

- Who Is Covered
- Basic Provisions/Requirements
- Employee Rights
- Recordkeeping, Reporting, Notices and Posters
  - Notices and Posters
  - Recordkeeping
  - Reporting
- Penalties/Sanctions
- Relation to State, Local, and Other Federal Laws
- Compliance Assistance Available
- DOL Contacts

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Updated: December 2016

Davis-Bacon and Related Acts

(40 USC §3141 et seq.; 29 CFR Parts 1, 3, 5, 6 and 7)

Who is Covered

The Davis-Bacon and related Acts (DBRA) generally apply to contractors and subcontractors performing on federal and federally assisted contracts in excess of $2,000 for construction, alteration, or repair (including painting and decorating). Laborers and mechanics performing on the site of the work of DBRA-covered contracts are entitled to receive prevailing wage rates for such work.

Basic Provisions/Requirements

The Davis-Bacon and related Acts (DBRA) require that contractors and subcontractors performing on covered contracts pay laborers and mechanics employed on the project jobsite not less than the prevailing wage rates (including fringe benefits) listed in the contract's Davis-Bacon wage determination for corresponding classes of laborers and mechanics. The rates listed are based on wages and fringe benefits WHD found to be prevailing for laborers and mechanics employed on similar projects in the area. Davis-Bacon labor standards clauses and the applicable wage determination(s) must be included in covered contracts.

Apprentices may be employed at less than the predetermined rates if they are individually registered in and employed pursuant to an apprenticeship program registered with the Department of Labor or with a state apprenticeship agency recognized by the Department. Trainees individually registered may be employed at less than predetermined rates if they are participating in a trainee program certified by the Department.

Contractors and subcontractors on DBRA projects are required to pay laborers and mechanics weekly and to submit weekly certified payroll records to the contracting agency. DBRA contractors and subcontractors are also subject to rules concerning allowable payroll deductions.

Contractors and subcontractors on Davis-Bacon Act prime contracts in excess of $150,000, or related Act contracts in excess of $100,000, are also required, pursuant to the Contract Work Hours and Safety Standards Act, to pay laborers and mechanics one and one-half times their basic rates of pay for all hours over 40 worked on a covered contract in a workweek.

Employee Rights

The Davis-Bacon and Related Acts provide laborers and mechanics on covered contracts the right to receive at least the locally prevailing wages (including fringe benefits), as determined by the Department of Labor, for the type of work performed. The Wage and Hour Division and respective federal contracting agencies accept complaints of alleged Davis-Bacon violations.

Recordkeeping, Reporting, Notices and Posters

Notices and Posters

Every employer performing work covered by the labor standards of the DBRA must post the WH-1321 "Employee Rights Under the Davis-Bacon Act" poster at the site of the work in a prominent and accessible place where it may be easily seen by workers. The applicable wage determination must be similarly posted.

Recordkeeping

Under the Davis-Bacon and related Acts, covered contractors must maintain payroll and basic records for all covered laborers and mechanics during the course of the work and for a period of three years thereafter. Records to be maintained include:

- Name, address, and social security number of each worker
- Each worker's work classifications
- Hourly rates of pay, including rates of contributions or costs anticipated for fringe benefits or their cash equivalents
- Daily and weekly numbers of hours worked
- Deductions made
- Actual wages paid
- Detailed information regarding bona fide fringe benefit plans and programs, including records that show that the plan or program has been communicated in writing to the laborers and mechanics affected
- If applicable, detailed information regarding approved apprenticeship or trainee programs

Some of the records required to be kept under the law are also required under the Fair Labor Standards Act. See Wage and Hour Division Fact sheet #21: Recordkeeping Requirements under the Fair Labor Standards Act (FLSA) .

Reporting

Each covered contractor and subcontractor must, on a weekly basis, provide the contracting agency a copy of all payrolls providing the information listed above under "Recordkeeping" for the preceding weekly payroll period, except that that full social security numbers and home addresses shall not be included on weekly transmittals, and instead the payrolls only need to include an individually identifying number for each worker (e.g., the last four digits of the worker's social security number). Each payroll submitted must be accompanied by a "Statement of Compliance" using page 2 of Form WH-347 Payroll (For Contractors Optional Use), or any form with identical wording, certifying compliance with applicable requirements. The statement is to be signed by the contractor or subcontractor, or by an authorized officer or employee of the contractor or subcontractor who supervises the payment of wages, and delivered to a representative of the federal or state agency in charge. This must be submitted within seven days after the regular pay date for the pay period

.
From time to time, contractors may also be asked to submit, via survey, wage data from construction projects on which they have employed laborers and mechanics for use by WHD in determining the locally prevailing wage rates that will apply to Davis-Bacon and related Acts-covered projects in the future. The submission of

wage data is encouraged, but voluntary. When new surveys are conducted to enable WHD to reflect the locally prevailing wages, contractors and others may use the WD-10 Form, Report of Construction Contractor's Wage Rates.

Penalties/Sanctions

Contractors or subcontractors found to have disregarded their obligations to employees under the Davis-Bacon Act, or found to be "in aggravated or willful violation" of any of the related Acts, may be subject to debarment from future contracts for up to three years. In addition, contract payments may be withheld in sufficient amounts to satisfy liabilities for unpaid wages and for liquidated damages that result from overtime violations of the Contract Work Hours and Safety Standards Act (CWHSSA). Breach of the required contract clauses under the Davis-Bacon and related Acts and CWHSSA may also be grounds for termination of the contract.

Contractors and subcontractors may challenge the Wage and Hour Division's determinations of violations and debarment before an Administrative Law Judge. Contractors and subcontractors may appeal decisions by Administrative Law Judges to the Department's Administrative Review Board (ARB). ARB determinations on violations may be appealed to and are enforceable through the federal courts.

Falsification of the required certified payroll records or any kickback of wages may subject a contractor or subcontractor to civil or criminal prosecution, the penalty for which may be fines and/or imprisonment.

Relation to State, Local, and Other Federal Laws

Since 1931, Congress has extended the Davis-Bacon prevailing wage requirements to numerous other laws – "related Acts" – that provide federal assistance for construction through loans, grants, loan guarantees, and insurance. These laws require payment of the prevailing wages determined in accordance with the Davis-Bacon Act on federally assisted construction undertaken pursuant to the relevant law. Examples of the related Acts are the Federal-Aid Highway Acts, the Housing and Community Development Act of 1974 (and various other HUD-administered laws), and the Federal Water Pollution Control Act.

The Copeland "Anti-Kickback" Act prohibits contractors from inducing any person employed in DBRA-covered construction to give up any part of the compensation to which he or she is entitled, and requires contractors to submit a weekly statement of the wages paid to each employee performing DBRA-covered work. Implementing regulations govern allowable payroll deductions.

Contractors on projects subject to Davis-Bacon labor standards may also be subject to overtime pay requirements under the Contract Work Hours and Safety Standards Act (CWHSSA) and the Fair Labor Standards Act.

In addition to these federal labor standards, State and local prevailing wage and overtime pay requirements may apply.

Compliance Assistance Available

The Department of Labor provides employers, workers, and others with clear and easy-to-access information and assistance on how to comply with the DBRA, such as the DOL Prevailing Wage Resource Book and the DBRA Forms page. Other compliance assistance related to the DBRA is available on the Davis-Bacon and Related Acts (DBRA) webpage. Also, the Wage Determinations Learning Center provides help understanding wage determinations, a quick-start guide, and the ability to search wage determinations.

DOL Contacts

Wage and Hour Division*(https://www.dol.gov/whd/)*
Contact WHD*(https://webapps.dol.gov/contactwhd/Default.aspx)*
Tel: 1-866-4-US-WAGE (1-866-487-9243)*
*If you are deaf, hard of hearing, or have a speech disability, please dial 7-1-1 to access telecommunications relay services.

The Employment Law Guide is offered as a public resource. It does not create new legal obligations and it is not a substitute for the U.S. Code, Federal Register, and Code of Federal Regulations as the official sources of applicable law. Every effort has been made to ensure that the information provided is complete and accurate as of the time of publication, and this will continue.

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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 ☐ OR SUBCONTRACTOR ☐ | ADDRESS | OMB No.:1235-0008 Expires: 07/31/2024

PAYROLL NO. | FOR WEEK ENDING | 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 WITHHOLDING EXEMPTIONS	(3) WORK CLASSIFICATION	OT. OR ST.	(4) DAY AND DATE HOURS WORKED EACH DAY	(5) TOTAL HOURS	(6) RATE OF PAY	(7) GROSS AMOUNT EARNED	(8) DEDUCTIONS FICA	WITH-HOLDING TAX			OTHER	TOTAL DEDUCTIONS	(9) NET WAGES PAID FOR WEEK
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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 is 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)

Date _____

I, _____ _____
(Name of Signatory Party) (Title)

do hereby state:

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

_____ on the
(Contractor or Subcontractor)

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

_____ day of _____, _____, and ending the _____ day of _____, _____,

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

_____ from the full
(Contractor or Subcontractor)

weekly wages earned by any person and that no deductions have been made either directly or indirectly from the full wages earned by any person, other than permissible deductions as defined in Regulations, Part 3 (29 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:

_____

_____

_____

_____

(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.

(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

REMARKS:

NAME AND TITLE	SIGNATURE

THE WILLFUL FALSIFICATION OF ANY OF THE ABOVE STATEMENTS MAY SUBJECT THE CONTRACTOR OR SUBCONTRACTOR TO CIVIL OR CRIMINAL PROSECUTION. SEE SECTION 1001 OF TITLE 18 AND SECTION 3729 OF TITLE 31 OF THE UNITED STATES CODE.

Governor's Office *of*
PLANNING AND BUDGET

THE STATE OF GEORGIA

Project Employment and Local Impact Report

Grantees who cannot certify compliance with Davis Bacon must submit a Project Employment and Local Impact Report that must include:

- The number of employees of contractors and sub-contractors working on the project;
- The number of employees on the project hired directly and hired through a third party;
- The wages and benefits of workers on the project by classification; and
- Whether those wages are at rates less than those prevailing.

Note: Recipients must maintain sufficient records to substantiate this information upon request.

Grantee Name:

GA Number (Award Number):

Program Name:

Date:

Report POC Name:

Report POC Email:

1. Please enter the number of employees of contractors and sub-contractors working on the project.

2. Please enter the number of employees on the project hired directly and hired through a third party.

3. Please enter your report narrative below. Be sure to include all necessary information to ensure completeness.