

## Davis-Bacon Act Compliance Checklist

Sub-Grantee	
Contractor/Subcontractor	
Project Title	
Date	

Construction contracts in excess of \$2,000 must include a provision for compliance with the Davis-Bacon Act (40 USC 3141-3144, and 3146-3148), as supplemented by the Department of Labor (29 CFR Part 5). Contractors and subcontractors will include a copy of the Wage Determination(s) in each executed contract, and must pay the wages specified by the Secretary of Labor to laborers and mechanics working on the Project. See Exhibit G of the Grantee RAP Grant Agreement for a full description of the Grantee’s responsibility to ensure Davis-Bacon compliance.

Question	Explanation/Instruction
<p>1. Were General Wage Determination(s) (WDs) available from the DOL for all the respective counties where construction will take place?</p>	<p>At <a href="http://www.SAM.gov">www.SAM.gov</a>, DOL provides WDs on a county-by-county basis. This website should be used to select the proper WDs for your project. Large projects can complicate Davis-Bacon compliance, as the prevailing wage must be paid for the labor performed at each individual worksite. You are thus expected to select the appropriate WD for each construction site. This could mean paying the same laborer different rates for time spent at separate construction sites. Alternatively, you could pay the highest prevailing wage rate at all project work sites, including those with lower wage rates. You should ensure that you have WDs covering each county in which construction occurs, even if you have chosen to pay the highest wage rates at all project work sites.</p> <p>The WD will list the prevailing wage for work classifications that are typically associated with that WD category: Building, Heavy, Residential. And Highway. Two decisions may be necessary if a substantial amount of the work (20% or more) is described under another wage category.</p>
<p>2. Do your payroll records include the following for each individual laborer?</p> <p>A. Name</p> <p>B. Work classification</p>	<p>a. Each laborer’s full name must be listed on the row in which his or her wages are recorded.</p> <p>b. The WD labor classification assigned to each laborer must be included. If, for instance, employee John Smith’s work duties correspond to the “Electrician” labor classification in the project’s WD, “Electrician” should be listed here. An employee may have multiple work classifications they performed for the project; as such that worker will have multiple entries on payroll to show they were paid the appropriate wage for each work classification performed. This number must be greater than or equal to the prevailing wage established in the project’s WD.</p>

C. Hourly rate of pay	c. This number must be greater than or equal to the prevailing wage established in the project's WD. When recording the base hourly rate, any cash paid in lieu of fringe benefits may be shown separately from the basic rate. For example, "\$12.25/.40" would reflect a \$12.25 base hourly rate plus \$0.40 for fringe benefits.
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