



School System: _____

Project: _____

American Recovery and Reinvestment Act funds used for transactions involving new construction or repair contracts exceeding \$2,000 must comply with the prevailing wage requirements of the Davis-Bacon Act. This checklist provides an overview of the requirements established by the Davis-Bacon Act and is not a substitute for the detailed provisions in the U.S. Department of Labor (DOL) regulations implementing Davis-Bacon Act requirements. Grant recipients should keep the completed checklist for their records.

Question	Explanation/Instruction	Status		
		Yes	No	N/A
CONTRACTOR REQUIREMENTS				
Verification of Wage Determination (WD)				
Were wage determinations available from SAM.gov for all of the respective counties where construction will take place?	<p>At SAM.gov, the Department of Labor (DOL) provides WDs on a parish-by-parish basis. This website should be used to select the proper WDs for the contractor's project.</p> <p>Some projects cover multiple parishes, sometimes even multiple states. These large projects can complicate Davis-Bacon compliance, as the prevailing wage must be paid for the labor performed at each individual worksite.</p> <p>The contractor is 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, the contractor could pay the highest prevailing wage rate at all project work sites, including those with lower wage rates.</p> <p>The contractor should ensure they have WDs covering each parish in which construction occurs, even if they've chosen to pay the highest wage rates at all project work sites.</p>			

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Does the general wage determination have classifications covering the project's labor categories?	At SAM.gov , DOL provides WDs on a parish-by-parish basis for multiple labor categories. The contractor should use this website to select the proper WD and ensure it includes all necessary classifications.			
Have the project's WDs and a Davis-Bacon poster (WH-1321) been posted at all construction sites?	The WDs and a Davis-Bacon poster (WH-1321) must be posted at all times by the contractor and any subcontractors at all work sites in a prominent and accessible place where it can be easily seen. An electronic version of the WH-1321 poster may be obtained at no charge: http://www.dol.gov/whd/programs/dbra/wh1321.htm .			
CONTRACTOR REQUIREMENTS				
Verification of Certified Payrolls				
Is the contractor maintaining all certified payrolls for at least three years?	For auditing purposes, maintain all certified payrolls for at least three years after the project is completed. Certification signatures must be original.			
Is the contractor using subcontractors to assist in construction, and are the subcontractor's certified payrolls included in the files?	All laborers working on federally funded construction sites, not just those employed by the contractor must be paid at least Davis-Bacon prevailing wages. The contractor should collect certified payrolls from all subcontractors whose laborers assist in construction work.			
Does the contractor (and any subcontractors) use optional form WH-347 to record payroll?	Form WH-347 (or a payroll form of choice, provided it contains all of the information required on WH-347) presents a standardized method of recording payroll, which assists entities in verifying Davis-Bacon compliance. The form may be downloaded at http://www.dol.gov/whd/programs/dbra/wh347.htm .			

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Do the contractor's payroll records include the following for each individual laborer?	Though the contractor is not required to use WH-347 to record payrolls, certain information must appear in the contractor's payroll records. Ensure that the following has been included for each individual laborer:			
<ul style="list-style-type: none"> Name? 	Each laborer's full name must be listed on the row in which his or her wages are recorded. In the case of an audit, this allows auditors to match employees and interviewees with their reported wages.			
<ul style="list-style-type: none"> Individual identifying number? 	Each laborer must also have an individual identifying number. This is often the last 4 digits of that employee's social security number, although awardees and subcontractors will occasionally use unique employee ID numbers.			
<ul style="list-style-type: none"> Labor classification? 	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. (This is sometimes called "Work Classification" instead of "Labor Classification").			
<ul style="list-style-type: none"> Number of hours worked in a day? 	The certified payroll must show how many hours each employee worked on each day covered by the certified payroll. The contractor and any subcontractors should record all hours in excess of 40 as overtime.			
<ul style="list-style-type: none"> Hourly rate of pay? 	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.			
<ul style="list-style-type: none"> Gross amount of standard, overtime, and fringe benefit compensation? 	The contractor and any subcontractors must record the gross amount earned by each employee prior to deductions for items such as taxes.			

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<ul style="list-style-type: none"> Legally permissible deductions for items such as income taxes or social security? 	The contractor and any subcontractors must record all deductions made from an employee's compensation for items such as income taxes or social security taxes.			
<ul style="list-style-type: none"> Net wages paid? 	The contractor and any subcontractors must record the net amount paid to each employee after deductions.			
Apprentices	Does the contractor employ apprentices?			
	If yes, does the contractor 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?			
	The allowable ratio of apprentices to journeymen laborers on the job site in any craft classification is not greater than the ratio permitted to the contractor as to the entire workforce under the registered program.			
Do the payroll records include a statement of compliance signed by the person authorized to supervise wages?	As an accompaniment to the certified payroll, an authorized representative from the contractor's project must sign a statement of compliance that attests to the fact that all laborers were paid the amount reflected on the certified payroll, which was not less than the Davis-Bacon prevailing wage.			

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	<p>Any subcontractors must also have an authorized representative sign such a statement for their payrolls. The statement(s) of compliance does not need to be notarized.</p> <p>If the contractor or any subcontractors are using WH-347, a template version of the statement of compliance is included on the second page of the form.</p>			
SCHOOL SYSTEM and CONTRACTOR REQUIREMENTS				
Verification of Davis-Bacon Compliance				
Do the contracts include the required Davis-Bacon contract clauses (29 CFR Section 5.5(a)(1) through (a)(10))?	The Davis-Bacon Act requires that certain contract clauses be present in contracts. Any work orders used should be reviewed on-site to ensure that they include the required clauses.			
Are laborers being paid weekly?	The Davis-Bacon Act requires that all laborers are paid weekly. As most modern payrolls are bi-weekly, it can be challenging for awardees and subcontractors to meet this requirement. Determine whether the contractor or any subcontractors pay laborers working on construction sites weekly.			
Have the proper parishes been selected for each WD?	Ensure the WDs chosen match the parish or parishes in which federally funded construction will occur. Be aware that some parishes will have different wage rates within them (e.g., a parish could have a different rate in the northern half than in the southern half).			
Cross-reference WDs and	Review the contractor's and any subcontractor's certified payrolls to ensure all laborers are paid adequate wages under Davis-Bacon.			

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certified payrolls. Did the gross compensation paid to each laborer meet or exceed the minimum combination of base rates and fringe benefits?				
Do the WD and certified payrolls reconcile with the WD included in the construction contract?	A construction contract must include information on the WD and labor categories that will carry out the work specified in the contract. Ensure that the WD and payroll records being maintained correlate to the information included in the construction contract.			
Does the contractor maintain evidence of wage verification interviews with laborers and subcontractor's laborers?	Davis-Bacon regulations require interviews with the laborers and mechanics performing the contract or project work. Conduct and document wage verification interviews with contractor's laborers and subcontractor's laborers. Documentation verifying that wage verification interviews took place may include SF-1445.			
SCHOOL SYSTEM REQUIREMENTS				
Reporting Documentation				
Recordkeeping	The school system will preserve all payrolls and certifications for a period of 3 years from the date of final payment on the contract.			
Copy of the Checklist	A copy of this completed checklist will serve as certification of compliance with each component.			

Additional items to consider

Action items to occur before awarding a construction or repair contract.



- Informing the Applicant and Reviewing the Contract: When a grant application is made or a guaranteed lender for assistance involving construction, the school system must inform the applicant that wages paid for labor must not be less than the prevailing wages determined by SAM.gov. The school system will review the contract to ensure that it contains the language provided in the Davis-Bacon Act.
- Wage Determination: Before bidding, the school system shall obtain the applicable Department of Labor (DOL) Davis-Bacon Wage Determination for the work.
- Information for Bidders: Information provided to any and all bidders shall include the statement "The contractor must comply with the minimum rates for wages for laborers and mechanics as determined by the Secretary of Labor in accordance with the provisions of the Davis-Bacon and Related Acts." The school system shall verify this and include a copy of the Wage Determination in the bid information.
- Construction Contract Provisions: All construction and repair contracts must include the statement "The contractor must comply with the minimum rates for wages for laborers and mechanics as determined by the Secretary of Labor in accordance with the provisions of the Davis-Bacon and Related Acts." In addition, labor standards provisions from 29 CFR 5.5(a) must be included in every contract.

After awarding a construction contract and before construction starts.

- Pre-Construction Conference: The school system and other project participants will have a pre-construction conference to discuss the following items.
 - The school system may monitor the contractor's adherence to the Davis-Bacon and Related Acts requirements at any time.
 - Non-compliance with the Davis-Bacon and Related Acts requirements may result in termination of the contract and debarment of the contractor.
 - Enforcement of non-compliance with the Davis-Bacon and Related Acts requirements may result in penalties.
 - Although the school system has the right to perform employee interviews, typically information can be confirmed by reviewing progress reports and contractor's typical payroll records.
 - The contractor shall maintain posted on-site a copy of the Davis-Bacon and Related Acts poster (form WH-1321) and a copy of the wage determination.

School System Representative: _____

Title: _____

Date: _____