DAVIS-BACON ACT





Why Do We Care?

- It's the law.
- Our federal funding depends on compliance from contractors and subcontractors.

What Is Davis Bacon Act (DBA)?

Laborers and mechanics working on federally funded construction projects must be paid prevailing wage rates.



General Decision (Wage Rates)

- A list of classifications and wages must be placed in the contract book for a project, showing the prevailing wage to be paid for each classification in each county.
- Components of prevailing wage are:
 Base Rate hourly rate to be paid.

 Fringe (benefits) can be paid in cash.

Identify & Request Additional Classifications

 General Decision does not always have all classifications and rates for a project.

 Contractor must request missing classifications in Elations – a web-based payroll system that contactors must use on federally funded projects.

Additional Classifications

- MaineDOT staff will review/approve the contractor's request in Elations, allowing use of that Classification & Rate pending approval by the U.S. Department of Labor.
- Approval will be emailed to the contractor and project resident and must be posted to the contractor's bulletin board immediately.

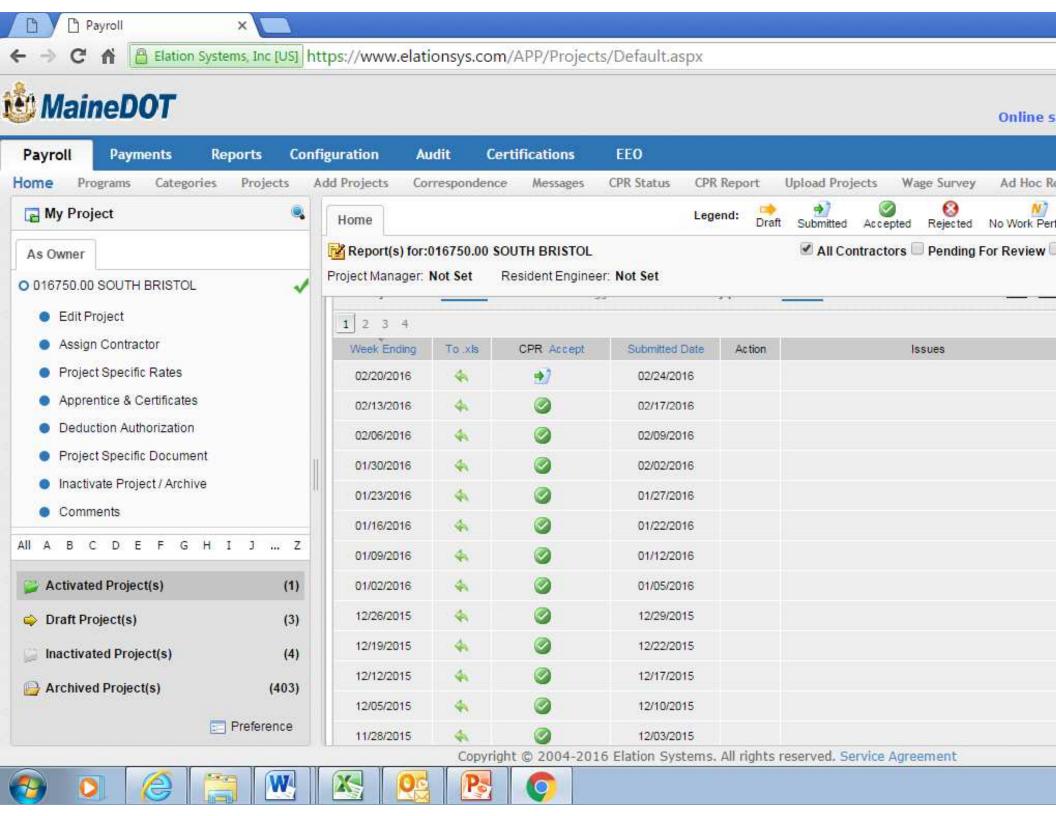
Project Resident Responsibilities

- Review General Decision (Wage Rates)
- Have contractors request rates for missing classifications - through Elations.
- Check contractor's bulletin board for accuracy and completeness.
- Review Certified Payrolls Reports (CPRs) for missing/appropriate classifications and other compliance issues



Review Certified Payroll Reports

- Certified Payroll Reports (CPRs) must be reviewed for completeness, accuracy and approval.
- Elations will perform basic compliance checks, there is no substitute for on-site observations.
- Duties performed and hours worked by all covered workers must be consistent with what is on the CPRs as well as the payroll interviews.



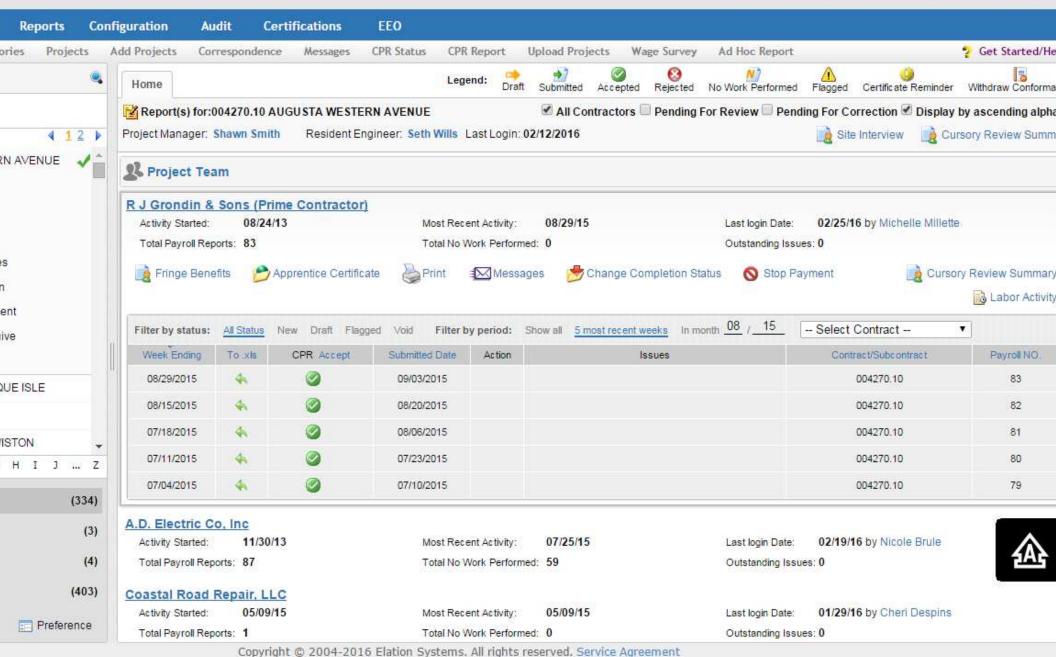
Payroll Interviews

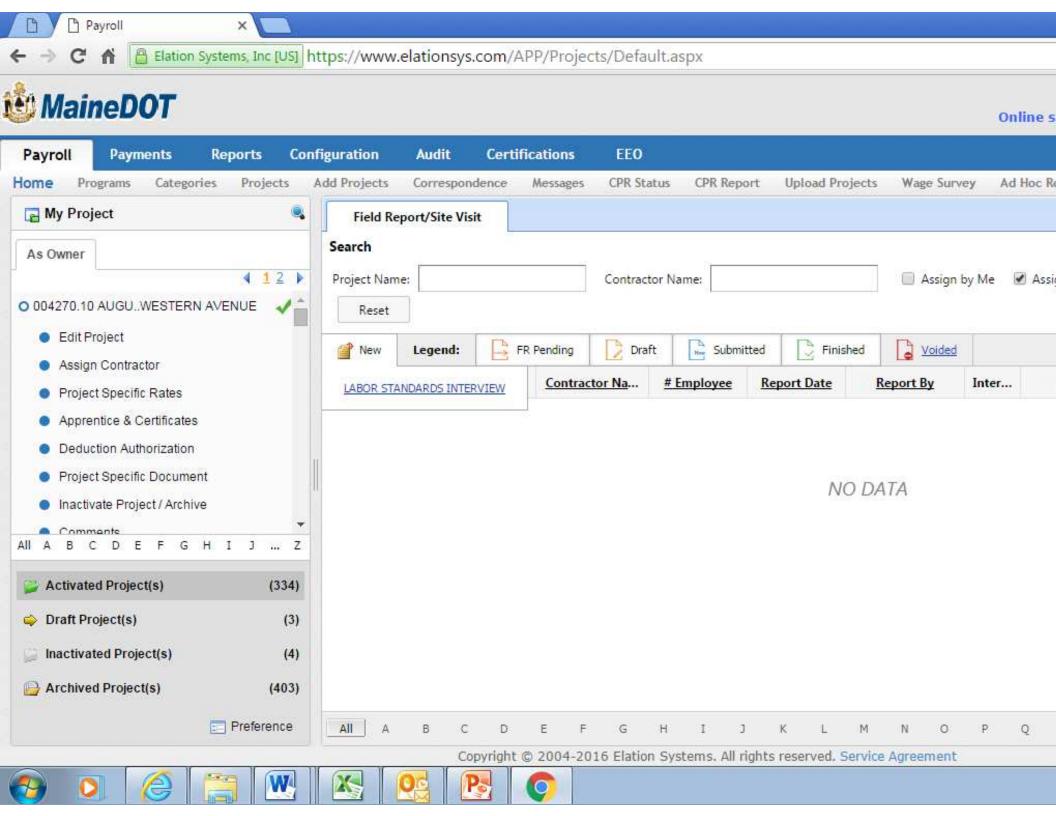
- Conducted every 90 days with 2 employees from Prime Contractor and all Subcontractors on site 5 or more days during each 90 day period.
- Interviews are confidential & voluntary. They
 must be conducted in person on the job site.
- Every effort should be made to cause as little disruption as possible to ongoing work.
- Both parties must sign Standard Interview Form (form #1445) at the end of the interview.

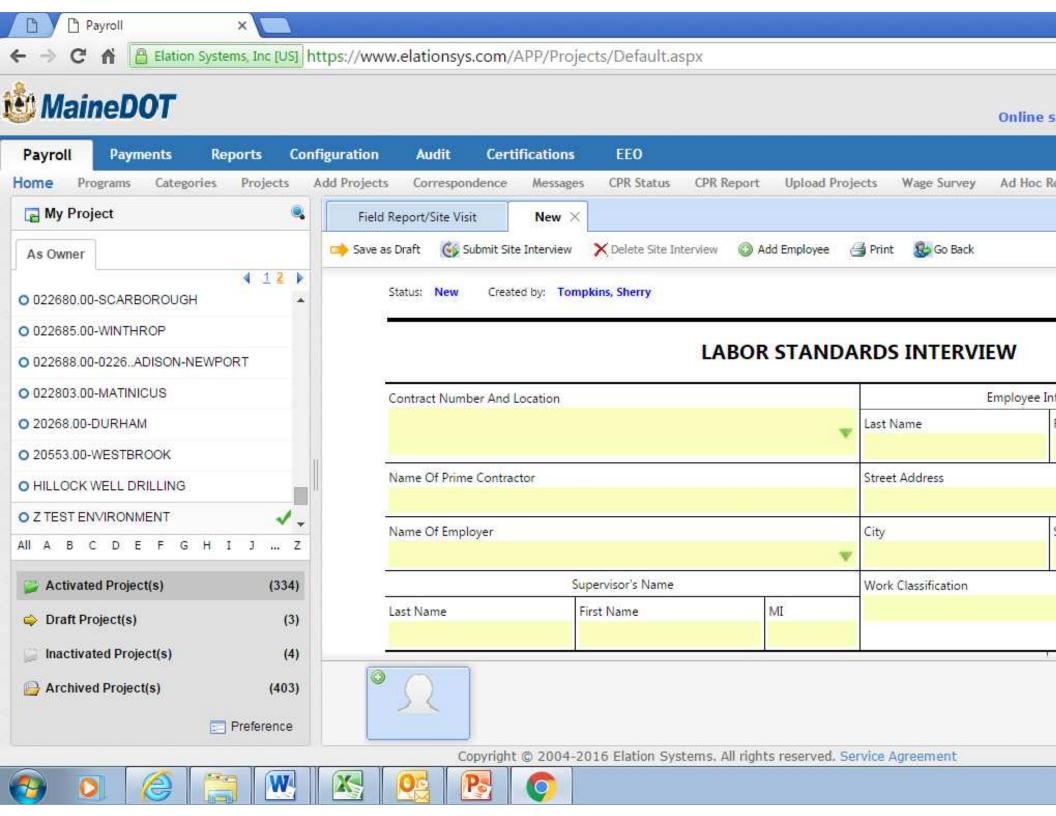


Payroll Interview Comparisons

- Interview form is found in Elations and the information must be compared with the data from the payroll report for that week.
- Any apparent discrepancies should be addressed by the project resident immediately.
- Contact the MaineDOT Civil Rights Office for assistance or clarification if needed.







Labor Standards Bulletin Board

- Contractor's bulletin board must be displayed on the first day of construction activity.
- Must be in an area accessible to all employees and the general public, 24/7.
- Board is usually placed outside the field office and must remain readable for the duration of the project.
- MaineDOT has developed a diagram and checklist. See page 10-20 of the LPA Manual.



Contractor Guide to DBA

You can find the Contractors Guide to DBA at our website:

http://www.maine.gov/mdot/civilrights/

MaineDOT CONTACTS

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