

## **DAVIS-BACON ACT:**

The Davis-Bacon Act is applicable to construction contracts and related subcontracts exceeding \$2,000 when the construction will be occurring within Federal-aid system highway right-of-way. **THIS REQUIREMENT HAS BEEN REMOVED FOR CONTRACTED SERVICES FOR DEBRIS REMOVAL ONLY.** Bid documents and contracts shall contain a schedule of wage rates as determined by the U.S. Department of Labor. The rates, including fringe benefits, must be incorporated in the contract specifications and are the minimum that must be paid to persons performing that class of labor on the project. These rates are published in the Federal Registry and are modified periodically. Current copies can be obtained from the following website: <http://www.aot.state.vt.us/civilrights/labor.htm>. **The wage rate schedule must be displayed on the project at a location convenient to all personnel prior to the contractor beginning any work on the project.**

A certified copy of each weekly payroll must be submitted by the prime contractor and each subcontractor within seven days after the regular payment date thereof. The weekly payroll copy must be accompanied with a certificate of compliance indicating that the attached payroll is correct and complete. Payrolls must be complete. The prime contractor is responsible for the submittal of payrolls by subcontractors. All basic records pertaining to the payrolls must be preserved for a period of three years after the completion of the project. Entries to be checked on every payroll include:

- work classifications & title code for each employee
- hourly wage rates for each employee including fringe benefits
- daily and weekly total hours
- signed certification
- itemized deductions
- all approved deductions
- wage rates verified with those shown in the applicable contract

Entries that need to be checked on at least the first two payrolls include:

- arithmetical accuracy
- overtime computations
- wage rates verified with those shown in the wage schedule
- employee's full name, address and Social Security Number

Laborers and mechanics employed by the prime contractor and subcontractors are covered by the contract provisions, but employees of material suppliers are not. The prime contractor is responsible for violations of labor provisions by the subcontractors. Owner/Operators of non-hauling equipment are considered employees and must be included on the prime or subcontractors payroll. Owner/Operators of non-hauling equipment are covered by the labor standards provisions. Truck owner-operators are not considered subcontractors and are not covered by the labor standard provisions.