APPENDIX H

Major Construction Projects Using Federal Funds

**The Davis-Bacon and Related Acts (DBRA)**

DBRA requires payment of prevailing wages on federally funded or assisted construction projects.

The [Davis-Bacon Act](https://www.dol.gov/agencies/whd/government-contracts/construction) applies to each federal government or District of Columbia contract in excess of $2,000 for the construction, alteration, or repair (including painting and decorating) of [public buildings or public works](https://www.ecfr.gov/current/title-29/subtitle-A/part-5#5.2). Many federal laws that authorize federal assistance for construction through grants, loans, loan guarantees, insurance, and other methods are Davis-Bacon “Related Acts.” The “Related Acts” include provisions that apply Davis-Bacon labor standards to most federally assisted construction. Examples of “Related Acts” include the Federal-Aid Highway Acts, the Housing and Community Development Act of 1974, and the Federal Water Pollution Control Act.

Contractors must pay [laborers and mechanics](https://www.ecfr.gov/cgi-bin/text-idx?SID=ae3fea45403eedfdfce29a5990461450&mc=true&node=se29.1.5_12&rgn=div8) working on the [site of the work](https://www.ecfr.gov/cgi-bin/text-idx?SID=ae3fea45403eedfdfce29a5990461450&mc=true&node=se29.1.5_12&rgn=div8) at least the locally prevailing wages (including fringe benefits), listed in the Davis-Bacon wage determination applicable to the contract, for the work performed. [Davis-Bacon labor standards clauses](https://www.ecfr.gov/current/title-29/subtitle-A/part-5#5.5) must be included in covered contracts.

The Davis-Bacon "prevailing wage" is the combination of the basic hourly rate and any fringe benefits listed in a Davis-Bacon wage determination. The contractor’s obligation to pay at least the prevailing wage listed in the applicable wage determination can be met by paying each laborer and mechanic the applicable prevailing wage entirely as cash wages or by a combination of cash wages and employer-provided bona fide fringe benefits. Prevailing wages, including fringe benefits, must be paid for all hours worked on the site of the work. ([Source](https://www.dol.gov/agencies/whd/fact-sheets/66-dbra))

**Davis-Bacon Poster - WH-1321 (Government Construction)**

Every employer performing work covered by the labor standards of The Davis-Bacon and related Acts shall post a notice (including any applicable wage determination) at the site of the work in a prominent and accessible place where it may be easily seen by employees. ([Source](https://www.dol.gov/whd/programs/dbra/wh1321.htm))

**Submission of certified payroll and the preservation and inspection of weekly payroll records:**

***(a) Certified payroll.*** Each certified payroll required under [§ 3.3](https://www.ecfr.gov/current/title-29/section-3.3) must be delivered by the contractor or subcontractor, within 7 days after the regular payment date of the payroll period, to a representative at the site of the building or work of the agency contracting for or financing the work, or, if there is no representative of the agency at the site of the building or work, the statement must be delivered by mail or by any other means normally assuring delivery by the contractor or subcontractor, within that 7 day time period, to the agency contracting for or financing the building or work. After the certified payrolls have been reviewed in accordance with the contracting or sponsoring agency's procedures, such certified payrolls must be preserved by the agency for a period of 3 years after all the work on the prime contract is completed and must be produced for inspection, copying, and transcription by the Department of Labor upon request. The certified payrolls must also be transmitted together with a report of any violation, in accordance with applicable procedures prescribed by the United States Department of Labor. [Source ecfr.gov](https://www.ecfr.gov/current/title-29/subtitle-A/part-3/section-3.4)

**Laborer Interviews**

Corsicana ISD shall include interviews with laborers, which shall be taken in confidence, and examinations of payroll data and evidence of registration and certification with respect to apprenticeship and training plans. Interviews will be conducted individually and privately. All laborers and mechanics employed on the job site must be made available for interview at the interviewer’s request. The employee’s participation, however, is voluntary. Interviews shall be conducted in a manner and place that are conducive to the purposes of the interview and that cause the least inconvenience to the employer(s) and the employee(s). ([Source](https://www.govinfo.gov/content/pkg/CFR-2013-title29-vol1/xml/CFR-2013-title29-vol1-part5.xml%23seqnum5.6))