# **ADDENDUM NO. 2** FOR:

ADA BUILDING UPGRADES FOR DENNIS TOWNSHIP RUTGERS MUNICIPAL BUILDING - Dennis Township, NJ

Prepared By:

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ADDDENDUM #1

To all Contract Documents dated November 9, 2023. This Addendum becomes a part of the Contract Documents for this job and supersedes the

original Documents in case of conflict.

DATE ISSUED

November 17, 2023

**ISSUED TO** 

All Plan Holders of Record

**PURPOSE** 

To supplement and modify Contract Requirements and Contract Documents.

**NOTICE** 

This Addendum is hereby made a part of the original Contract Documents, and supersedes the original in case of conflict. All contractors shall carefully note all the omissions, changes, additions, or clarifications included herein and are responsible for taking into account any changes that will affect their

work.

ACKNOWLEDGMENT

Contractors are required to acknowledge receipt of this Addendum by inserting its number and date on the Proposal Form in Accordance with the "Instruction to Bidders". Failure to acknowledge all Addenda may subject Contractor to disqualification. This Addendum forms part of the Contract Documents.

**CONTENTS** 

This addendum consists of: 2 pages, plus attachments.

- I. Changes to the Project Manual
- II. Changes to the Drawings
- III. Responses to Questions

# **ATTACHMENTS**

- 1. Specifications
  - a. Table of Contents
  - b. NJ DCA Small Cities CDBC Specifications General Conditions
  - c. Division 00-General Conditions

# I. CHANGES TO THE PROJECT MANUAL

- 1. Table of Contents.
  - a. DELETE this section and REPLACE it with the new section attached to this addendum.
- 2. Division 00 General Conditions-NJDCA Small Cities CDBC Specifications,
  - a. DELETE this section and REPLACE it with the new division attached to this addendum.

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# and

New Jersey Department of Labor & Workforce Development -Construction EEO Compliance Monitoring Program Form AA-202

MW-562 (9/19)

NJ Department of Labor & Workforce Development

# Payroll Certification for Public Works Projects for Contractor and Subcontractor's Weekly and Final Certification

Other (specify)

□ Check if additional sheets used 10, Total Fringe Benefit Cost/Hour IMPORTANT: For purposes of law, you must also submit this form to the appropriate public body or lessor. Net Wages Pald for Week SUBMIT form by email: equalpayact@dol.nj.gov Total State Other specify) 80 ΥœΤ Federal Tax FICA Gross Amt, Earned This This Contractor Registration # Contract I.D. or Project I.D. Hourly Rate of Pay 9 Total Hours Project Name ۲s Æ SU MO TU WE TH 4. Day and Date no smiT Jrtgien 12 Overtime 0 0 s 0 0 0 0 0 v See Key Race 3. Demographics **Business Address** Sex M=Male F=Female X=Non-Blnary Project Location eg. curpenter, moson, plumber Work Classification/ Occupational Category or D Final Certification Week Ending Date Name of ☐ Contractor or ☐ Subcontractor e.g., apprentice, fourneyman, foreman Job Mile Date Wages Due & Paid (nam/do/yywg) Employee Name and Address Payroll No. FE.I.N.

KEY W= White; B= Black or African American;
 A= Asian; N= American Indian or Native Alaskan;
 I = Native Hawaiian or Pacific Islander; M= 2 or More

FORM AA-202 REVISED 11/11

State New Jersey

Department of Labor & Workforce Development Construction EEO Compliance Monitoring Program

# MONTHLY PROJECT WORKFORCE REPORT - CONSTRUCTION

TOTAL WORK HOURS	Award  Ct ID Number  A B A B A B A B A B A B A B A B A B A
	MORK HRS A B. B. MIN FEMALE HOURS HOURS

17. COMPLETED BY (PRINT OR TYPE)

(TITLE) (SIGNATURE) (EXT.) (TELEPHONE NUMBER) (NAME) (AREA CODE)

# NJDCA Small Cities CDBG Program Labor Standards Compliance Bid Checklist

# **CHECKLIST**

# THIS CHECKLIST MUST BE COMPLETED AND SUBMITTED WITH YOUR BID. PLEASE INITIAL BELOW, ACKNOWLEDGING THAT YOU RECEIVED AND REVIEWED THE ITEMIZED DOCUMENTS AND INSTRUCTIONS. A BID SUBMITTED WITHOUT THE CHECKLIST COMPLETED MAY BE REJECTED.

ITEM	ITEM	INITIAL		
1	Compliance Summary – Attention to Acknowledgement in Advertising			
2	Form HUD-4010, Federal Labor Standards Provisions			
3	Contractor's Guide to Davis Bacon			
4	DBA Employee Rights Poster – English and Spanish			
5	Federal Prevailing Wage Determination, WD to be used – It is the bidder's responsibility to go to <a href="https://wdol.gov/dba.aspx">https://wdol.gov/dba.aspx</a> and down load the WD effective 10 days prior to the bid opening date and shall attach this to the bid submitted.			
6	State Prevailing Wages, WD to be used – It is the bidder's responsibility, if an award is received, to go to <a href="https://www.nj.gov/labor/wagehour/wagerate/wage_rates.html">https://www.nj.gov/labor/wagehour/wagerate/wage_rates.html</a> and down load the NJ WD on the date of the award, which shall be the effective WD for this project.			
7	Bidder shall comply with the highest prevailing wage in the Federal and State WDs, and the most stringent requirements of the two prevailing wage regulations. (no form)			
8	Department of Labor (DOL) Form WH-347, Payroll Form			
9	DOL Form WH-347, Payroll Form – Instructions			
10	Form HUD-11, Record of Employee Interview and Instructions			
11 -	Form HUD-11, Record of Employee Interview in Spanish and Instructions			
12	Preconstruction Checklist for Contractors: Meeting Labor Standards Contract Requirements			
13	Form HUD-2516, Minority Business Enterprise Report – This information shall be submitted to the project coordinator for entry into NJDCA's SAGE online system.			
14	Form HUD-60002, Section 3 Summary Report – This information shall be submitted to the project coordinator for entry into NJDCA's SAGE online system.	*****		
15	SAMs Registration – Current, Contractors will submit copies of their current registrations, or application for registration with the bid. Contractors must submit the completed registration to the Grantee when obtained. SAM renewals must be submitted during the course of the project.			

# THE UNDERSIGNED HEREBY ACKNOWLEDGES THE ABOVE LISTED REQUIREMENTS.

Person, Firm or Corporation Submitting Proposal:	
Authorized Agent Name and Title:	
Authorized Signature and Date:	

# NJDCA Small Cities CDBG Compliance Checklist

1. Compliance Summary

# NJDCA Small Cities CDBG Compliance Checklist

# **COMPLIANCE SUMMARY**

In addition to the information, terms and conditions previously stated in this bid package, notice of bidders is particularly called to the conditions in relation to the Department of Housing and Urban Development (HUD) Community Development Block Grant Disaster Recover (CDBG-DR) program. Federal labor standards and civil rights regulations must be followed. Bidders should review the information and forms included in this Compliance section as well as be familiar with the NJDCA CDBG webpage and compliance handbooks. Additional compliance information can be found at the NJDCA CDBG-DR (Hurricane Irene) and Small Cities CDBG Programs website at <a href="http://www.nj.gov/dca/divisions/dhcr/offices/cdbg.html">http://www.nj.gov/dca/divisions/dhcr/offices/cdbg.html</a>.

The following types of businesses are especially encouraged to submit bids: Small, Women, Minority, and Veteran-owned Business Enterprises (SWMVBE) and Section 3 businesses as defined by Section 3 of the Housing and Urban Development Act of 1968 and 24 CFR Part 135.

# Form HUD-4010, Federal Labor Standards Provisions

The contractor must comply with the provisions of this document, which is included as an attachment for your reference. In addition, the HUD-4010 form will be included as part of the construction contract.

# Minority & Women's Business Enterprise Requirements

Small Cities CDBG Grantees are required to take all necessary steps to assure that minority owned firms and women's business enterprises are used to perform CDBG funded activities whenever possible. Executive Orders 11625, 12432, 12138 and regulations contained in 24 CFR 85.36(e) mandate that such affirmative efforts be made.

# Required Affirmative Contracting Efforts:

- 1. Placing qualified minority and women owned business enterprises on a solicitation list for CDBG contracts;
- 2. Assuring that these firms are solicited whenever they are potential sources;
- 3. Dividing total requirements, whenever feasible, into smaller units, to encourage participation of minority and women owned firms;
- 4. Establishing delivery schedules, whenever possible, that encourage minority and women owned businesses to participate;
- 5. Requiring the prime contractor, if sub-contracts are to be let, to take the affirmative steps listed here.

# Equal Opportunity Requirements

Small Cities Program grantees are required to administer CDBG funded activities in conformance with the civil rights provisions of the Community Development Act of 1974 (Section 106). This law mandates equal opportunity in accordance with the Civil Rights Law of 1964, the Age Discrimination Act of 1974, Section 504 of the Rehabilitation Act of 1974, and the Americans with Disabilities Act of 1990. These statutes provide that no person may be denied participation in, or be denied the benefits of, or be subjected to discrimination under any federally funded program or activity. Specifically, discrimination is prohibited on the basis of race, color, national origin, sex, age, and/or disability.

# NJDCA Small Cities CDBG Compliance Checklist

# COMPLIANCE SUMMARY

# **Monitoring Visits**

DCA Representatives and the project's Labor Standards Officer will conduct monitoring visits to the project site to ensure Labor Standards Compliance.

# Federal and State Prevailing Wage Rate Determinations

Since the construction contract will be in excess of \$2,000 federal and state prevailing wage rates have been obtained. The higher of the two wage rates shall be the wage rate used. Nothing, however, shall prohibit the payment of more than the prevailing wage rate to any workman employed on the construction project.

Contractors and sub-contractors shall post the prevailing wage rates for each craft and classification in a prominent and easily accessible place at the site of the work, or at such places as are used by them to pay workers. Rate notifications must be replaced if lost or unreadable at any time during construction

The federal and state prevailing wage rates are included at an attachment for your reference and use. Applicable wage rates are those in effect 10 days prior to bid opening, provided the construction contract is awarded within 90 days of bid opening.

# Weekly Payroll and Certification Review

Contractor and sub-contractor must submit weekly certified payrolls for project work. Initial and final payrolls must be so marked by each contractor and sub-contractor. P ayrolls shall be completed and submitted no later than seven work days following completion of the work week.

Contractors shall be urged to use the optional Department of Labor Form WH-347, Payroll Form and instructions on completing Form WH-347.

Proper wage and fringe benefit rates must be paid by all contractors and sub-contractors. The proper wage and fringe benefit rate for a particular job classification must be equal to or greater than the highest of the corresponding federal or state prevailing wage rate and fringe benefit rate.

Except where falsification is suspected, an incomplete payroll shall be returned to the prime contractor for completion. In most cases it will be better to require the prime contractor to supply the missing information by means of a new or supplemental payroll or a supplemental statement. If a payroll is false, it shall not be returned to the contractor. A report of such findings shall be referred to the DCA Program Representative.

The statement of compliance must be signed by the owner, officer, or designated employee of the contractor. Written authority must be furnished by the owner or officer of the contractor where a designated employee signs the payrolls.

Form WH-347 and instructions are included as an attachment for your reference.

# **Employee Interviews**

Employee interviews will be conducted by the Labor Standards Officer to establish the degree of accuracy of the records and nature and extent of violations, if any.

2. Form HUD-4010, Labor Standards
Provisions

- (D) The wage rate (including fringe benefits, where appropriate) determined pursuant to subparagraphs (1)(ii)(B) or (C) of this paragraph, shall be paid to all workers performing work in the classification under this Contract from the first day on which work is performed in the classification.
- (iii) Whenever the minimum wage rate prescribed in the contract for a class of laborers or mechanics includes a fringe benefit which is not expressed as an hourly rate, the contractor shall either pay the benefit as stated in the wage determination or shall pay another bona fide fringe benefit or an hourly cash equivalent thereof.
- (iv) If the contractor does not make payments to a trustee or other third person, the contractor may consider as part of the wages of any laborer or mechanic the amount of any costs reasonably anticipated in providing bona fide fringe benefits under a plan or program, Provided, that the Secretary of Labor has found, upon the written request of the contractor, that the applicable standards of the Davis-Bacon Act have been met. The Secretary of Labor may require the contractor to set aside in a separate account assets for the meeting of obligations under the plan or program. (Approved by the Office of Management and Budget under OMB Control Number 1235-0023.)
- (2) Withholding. HUD or its designee shall, upon its own action or upon written request of an authorized representative of the U.S. Department of Labor, withhold or cause to be withheld from the contractor under this contract or any other Federal contract with the same prime contractor, or any other Federally-assisted contract subject to Davis-Bacon prevailing wage requirements which is held by the same prime contractor, so much of the accrued payments or advances as may be considered necessary to pay laborers and mechanics, including apprentices, trainees and helpers, employed by the contractor or any subcontractor the full amount of wages required by the contract. In the event of failure to pay any laborer or mechanic, including any apprentice, trainee or helper, employed or working on the site of the work, all or part of the wages required by the contract, HUD or its designee may, after written notice to the contractor, sponsor, applicant, or owner, take such action as may be necessary to cause the suspension of any further payment, advance, or guarantee of funds until such violations have ceased. HUD or its designee may, after written notice to the contractor, disburse such amounts withheld for and on account of the contractor or subcontractor to the respective employees to whom they are due. The Department of Labor shall make such disbursements in the case of direct Davis-Bacon Act contracts.

# (3) Payrolls and basic records.

(i) Maintaining Payroll Records. Payrolls and basic records relating thereto shall be maintained by the contractor during the course of the work and preserved for a period of three years thereafter for all laborers and mechanics working at the site of the work. Such records shall contain the name, address, and social security number of each such worker, his or her correct classification(s), hourly rates of wages paid (including rates of contributions or costs anticipated for bona fide fringe benefits or cash equivalents thereof of the types described in Section 1(b)(2)(B) of the Davis-Bacon Act), daily and weekly number of hours worked, deductions made, and actual wages paid.

Whenever the Secretary of Labor has found, under 29 CFR 5.5(a)(1)(iv), that the wages of any laborer or mechanic include the amount of any costs reasonably anticipated in providing benefits under a plan or program described in Section 1(b)(2)(B) of the Davis-Bacon Act, the contractor shall maintain records which show that the commitment to provide such benefits is enforceable, that the plan or program is financially responsible, and that the plan or program has been communicated in writing to the laborers or mechanics affected, and records which show the costs anticipated or the actual cost incurred in providing such benefits.

Contractors employing apprentices or trainees under approved programs shall 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. (Approved by the Office of Management and Budget under OMB Control Numbers 1235-0023 and 1215-0018)

# (ii) Certified Payroll Reports.

(A) The contractor shall submit weekly, for each week in which any contract work is performed, a copy of all payrolls to HUD or its designee if the agency is a party to the contract, but if the agency is not such a party, the contractor will submit the payrolls to the applicant sponsor, or owner, as the case may be, for transmission to HUD or its designee. The payrolls submitted shall set out accurately and completely all of the information required to be maintained under 29 CFR 5.5(a)(3)(i), except that full social security numbers and home addresses shall not be included on weekly transmittals. Instead, the payrolls only need to include an individually identifying number for each employee (e.g., the last four digits of the employee's social security number). The required weekly payroll information may be submitted in any form desired. Optional Form WH-347 is available for this purpose from the Wage and Hour Division Web site at https://www.dol.gov/agencies/whd/forms or its successor site. The prime contractor is responsible for the submission of copies of payrolls by all subcontractors.

If the apprenticeship program does not specify fringe benefits, apprentices must be paid the full amount of fringe benefits listed on the wage determination for the applicable classification. If the Administrator determines that a different practice prevails for the applicable apprentice classification, fringe benefits shall be paid in accordance with that determination. In the event the Office of Apprenticeship Training, Employer and Labor Services, or a State Apprenticeship Agency recognized by the Office, withdraws approval of an apprenticeship program, the contractor will no longer be permitted to utilize apprentices at less than the applicable predetermined rate for the work performed until an acceptable program is approved.

(ii) Trainees. Except as provided in 29 CFR 5.16, trainees will not be permitted to work at less than the predetermined rate for the work performed, unless they are employed pursuant to and individually registered in a program which has received prior approval, evidenced by formal certification by the U.S. Department of Labor, Employment and Training Administration. The ratio of trainees to journeymen on the job site shall not be greater than permitted under the plan approved by the Employment and Training Administration. Every trainee must be paid at not less than the rate specified in the approved program for the trainee's level of progress, expressed as a percentage of the journeyman hourly rate specified in the applicable wage determination. Trainees shall be paid fringe benefits in accordance with the provisions of the trainee program. If the trainee program does not mention fringe benefits, trainees shall be paid the full amount of fringe benefits listed on the wage determination unless the Administrator of the Wage and Hour Division determines that there is an apprenticeship program associated with the corresponding journeyman wage rate on the wage determination which provides for less than full fringe benefits for apprentices. Any employee listed on the payroll at a trainee rate who is not registered and participating in a training plan approved by the Employment and Training Administration shall be paid not less than the applicable wage rate on the wage determination for the work actually performed.

In addition, any trainee performing work on the job site in excess of the ratio permitted under the registered program shall be paid not less than the applicable wage rate on the wage determination for the work actually performed. In the event the Employment and Training Administration withdraws approval of a training program, the contractor will no longer be permitted to utilize trainees at less than the applicable predetermined rate for the work performed until an acceptable program is approved.

- (iii) Equal employment opportunity. The utilization of apprentices, trainees, and journeymen under 29 CFR Part 5 shall be in conformity with the equal employment opportunity requirements of Executive Order 11246, as amended, and 29 CFR Part 30.
- (5) Compliance with Copeland Act requirements. The contractor shall comply with the requirements of 29 CFR Part 3, which are incorporated by reference in this Contract.
- (6) Subcontracts. The contractor or subcontractor will insert in any subcontracts the clauses contained in subparagraphs (1) through (11) in this paragraph (a) and such other clauses as HUD or its designee may, by appropriate instructions, require, and a copy of the applicable prevailing wage decision, and also a clause requiring the subcontractors to include these clauses in any lower tier subcontracts. The prime contractor shall be responsible for the compliance by any subcontractor or lower tier subcontractor with all the contract clauses in this paragraph.
- (7) Contract termination; debarment. A breach of the contract clauses in 29 CFR 5.5 may be grounds for termination of the contract and for debarment as a contractor and a subcontractor as provided in 29 CFR 5.12.
- (8) Compliance with Davis-Bacon and Related Act Requirements. All rulings and interpretations of the Davis-Bacon and Related Acts contained in 29 CFR Parts 1, 3, and 5 are herein incorporated by reference in this Contract.
- (9) Disputes concerning labor standards. Disputes arising out of the labor standards provisions of this Contract shall not be subject to the general disputes clause of this Contract. Such disputes shall be resolved in accordance with the procedures of the U.S. Department of Labor set forth in 29 CFR Parts 5, 6, and 7. Disputes within the meaning of this clause include disputes between the contractor (or any of its subcontractors) and HUD or its designee, the U.S. Department of Labor, or the employees or their representatives.

## (10) Certification of Eligibility.

(i) By entering into this Contract, the contractor certifies that neither it (nor he or she) nor any person or firm who has an interest in the contractor's firm is a person or firm ineligible to be awarded Government contracts by virtue of Section 3(a) of the Davis-Bacon Act or 29 CFR 5.12(a)(1) or to be awarded HUD contracts or participate in HUD programs pursuant to 24 CFR Part 24.

3. Contractor's Guide to Davis Bacon

# INTRODUCTION

This Guide has been prepared for you as a contractor performing work on construction projects that are assisted by the Department of Housing and Urban Development and subject to Davis-Bacon prevailing wage requirements. This Guide does not address contractor requirements involved in direct Federal contracting where HUD or another Federal agency enters into a procurement contract. In this latter case, the Federal Acquisition Regulations (FAR) are applicable. While the guidance contained in this Guide is generally applicable to any Davis-Bacon covered project, specific questions pertaining to direct Federal contracts should be addressed to the Contracting Officer who signed the contract for the Federal agency.

Our objective here is to provide you with a guide which is simple and non-bureaucratic yet comprehensive and which will help you better understand and comply with Davis-Bacon labor standards. HUD's Office of Labor Relations worked closely with the Department of Labor's Wage and Hour Division to make sure that the labor standards provisions in your contract and the specifics of complying with them represent the latest information. It is the Department of Labor which has general administrative oversight of all Federal contracting agencies, such as HUD, which administer the day-to-day responsibilities of enforcing Davis-Bacon provisions in construction contracts they either fund or assist in funding.

There are three chapters in this Guide. The first chapter offers a brief description of the laws and regulations associated with Federal labor standards administration and enforcement and discusses both what's in your contract that requires Davis-Bacon compliance and your responsibilities. The second chapter deals with labor standards and payroll reporting requirements. The third chapter discusses what can happen in the event there is a dispute about the wage rates that should be (or have been) paid and any back wages that may be due.

Finally, not all HUD construction projects are covered by Davis-Bacon wage rates. For the purpose of this Guide, we are assuming that a determination has already been made that Davis-Bacon wage rates are applicable. Should you wish assistance in determining whether Davis-Bacon wage rates apply to a particular project or if you need other related technical assistance, please consult with the HUD Labor Relations Field staff for your area. If you don't know which staff to contact, a list of Labor Relations field offices and their geographic areas and telephone numbers can be found on HUD's Home Page at the address below.

# Visit the Office of Labor Relations on-line:

# http://www.hud.gov/offices/olr

Obtain additional copies of this Guide and other publications at our website or by telephone from HUD's Customer Service Center at (800)767-7468.

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# CHAPTER 1 LAWS, REGULATIONS, CONTRACTS AND RESPONSIBILITIES

The following paragraphs describe what the labor standards laws and regulations actually say and what they mean to you on HUD projects:

# 1-1 DAVIS-BACON AND OTHER LABOR LAWS.

a. <u>The Davis-Bacon Act (DBA)</u>. The Davis-Bacon Act requires the payment of prevailing wage rates (which are determined by the U.S. Department of Labor) to all laborers and mechanics on Federal government and District of Columbia construction projects in excess of \$2,000. Construction includes alteration and/or repair, including painting and decorating, of public buildings or public works.

Most HUD construction work is not covered by the DBA itself since HUD seldom contracts directly for construction services. Most often, if Davis-Bacon wage rates apply to a HUD project it is because of a labor provision contained in one of HUD's "Related Acts" such as the U. S. Housing Act of 1937, the National Housing Act, the Housing and Community Development Act of 1974, the National Affordable Housing Act of 1990, and the Native American Housing Assistance and Self-Determination Act of 1996. The Related Acts are often referred to as the Davis-Bacon and Related Acts or DBRA.

b. The Contract Work Hours and Safety Standards Act (CWHSSA). CWHSSA requires time and one-half pay for overtime (O/T) hours (over 40 in any workweek) worked on the covered project. The CWHSSA applies to both direct Federal contracts and to indirect Federally-assisted contracts except where the assistance is solely in the nature of a loan guarantee or insurance. CWHSSA violations carry a liquidated damages penalty (\$10/day per violation). Intentional violations of CWHSSA standards can be considered for Federal criminal prosecution.

CWHSSA does not apply to prime contracts of \$100,000 or less. In addition, some HUD projects are not covered by CWHSSA because some HUD programs only provide loan guarantees or insurance. CWHSSA also does not apply to construction or rehabilitation contracts that are not subject to Federal prevailing wage rates (e.g., Davis-Bacon wage rates, or HUD-determined rates for operation of public housing and Indian block grant-assisted housing). However, even though CWHSSA overtime pay is not required, Fair Labor Standards Act (FLSA) overtime pay is probably still applicable. (See also Labor Relations Letter SL-95-01, CWHSSA Coverage threshold for overtime and health and safety provision, available on-line at the HUD Labor Relations Library at: www.hud.gov/offices/olr/library.cfm)

administered by HUD; the HUD-4010, Federal Labor Standards Provisions, which is used for CDBG and HOME projects, and the HUD-5370, General Conditions of the Contract for Construction or the HUD-5370-EZ (construction contracts ≤\$100,000) which are used for Public and Indian Housing projects.

HUD program labor standards forms are available on-line at: www.hud.gov/offices/adm/hudclips/index.cfm

b. Davis-Bacon Wage Decisions. The Davis-Bacon wage decision (or wage determination) is a listing of various construction work classifications, such as Carpenter, Electrician, Plumber and Laborer, and the minimum wage rates (and fringe benefits, where prevailing) that people performing work in those classifications must be paid.

Davis-Bacon wage decisions are established by the DOL for various types of construction (e.g., residential, heavy, highway) and apply to specific geographic areas, usually a county or group of counties. Wage decisions are modified from time to time to keep them current. In most cases, when the contract is awarded or when construction begins, the wage decision is "locked-in" and no future modifications are applicable to the contract or project involved.

All current Davis-Bacon wage decisions can be accessed on-line at no cost at: http://www.wdol.gov

# 1-4 RESPONSIBILITY OF THE PRINCIPAL CONTRACTOR

The principal contractor (also referred to as the *prime* or *general contractor*) is responsible for the full compliance of all employers (the contractor, subcontractors and any lower-tier subcontractors) with the labor standards provisions applicable to the project. Because of the contractual relationship between a prime contractor and his/her subcontractors, subcontractors generally should communicate with the contract administrator only through the prime contractor. (See Contract Administrator, below.)

To make this Guide easier to understand, the term "prime contractor" will mean the principal contractor; "subcontractor" will mean all subcontractors including lower-tier subcontractors; and the term "employer" will mean all contractors as a group, including the prime contractor and any subcontractors and lower-tier subcontractors.

# CHAPTER 2 HOW TO COMPLY WITH LABOR STANDARDS AND PAYROLL REPORTING REQUIREMENTS

WHERE TO START?

Now that you know you're on a Davis-Bacon project and you know some of the legal and practical implications, what's next?

# **SECTION I - THE BASICS**

# 2-1 THE WAGE DECISION.

Davis-Bacon labor standards stipulate the wage payment requirements for Carpenters, Electricians, Plumbers, Roofers, Laborers, and other construction work classifications that may be needed for the project. The Davis-Bacon wage decision that applies to the project contains a schedule of work classifications and wage rates that must be followed. If you don't have it already (and by now you should), you'll want to get a copy of the applicable Davis-Bacon wage decision.

Remember, the wage decision is contained in the contract specifications along with the labor standards clauses. See 1-3, Construction Contract Provisions.

a. The work classifications and wage rates. A Davis-Bacon wage decision is simply a listing of different work classifications and the minimum wage rates that must be paid to anyone performing work in those classifications. You'll want to make sure that the work classification(s) you need are contained in the wage decision and make certain you know exactly what wage rate(s) you will need to pay. Some wage decisions cover several counties and/or types of construction work (for example, residential and commercial work) and can be lengthy and difficult to read. Contact the contract administrator (HUD Labor Relations field staff or local agency staff) if you have any trouble reading the wage decision or finding the work classification(s) you need.

To make reading lengthy wage decisions easier for you, the contract administrator may prepare a Project Wage Rate Sheet (HUD-4720). This Sheet is a one-page transcript that will show only the classifications and wage rates for a particular project. A blank copy of a Project Wage Rate Sheet is provided for you in the appendix. Also, a fillable version of this form is available on-line at HUDClips (see web address in the Appendix). Contact the contract administrator monitoring your project for assistance with a Project Wage Rate Sheet.

- b. Making the request. A request for additional classification and wage rate must be made in writing through the contract administrator. (If the contract administrator is a local agency, the agency will send the request to the HUD Labor Relations staff.) If you are a subcontractor, your request should also go through the prime contractor. All you need to do is identify the work classification that is missing and recommend a wage rate (usually the rate that employer is already paying to the employees performing the work) for that classification. You may also need to describe the work that the new classification will perform.
- c. <u>HUD review.</u> The HUD Labor Relations field staff will review the requested classification and wage rate to determine whether the request meets the DOL rules outlined in paragraph 2-2(a), above. If additional information or clarification is needed, the staff will contact the prime contractor (or contract administrator for local agency projects) for more information, etc. If the Labor Relations review finds that the request meets the rules, the staff will give preliminary approval on the request and refer it to the DOL for final approval. The staff will send to you a copy of the preliminary approval/referral letter to the DOL.

If the HUD Labor Relations staff doesn't think the request meets the rules and if agreement can't be reached on the proper classification or wage rate for the work described, the HUD Labor Relations staff will not approve the request. In this case, the staff will send your request to the DOL with an explanation why HUD believes that the request shouldn't be approved. The DOL still has final decision authority. You will receive a copy of the disapproval/referral letter to the DOL.

d. <u>DOL decision</u>. The DOL will respond to HUD Labor Relations in writing about the additional classification and wage rate request. HUD Labor Relations will notify you of the DOL decision in writing. If the DOL approves the request, the prime contractor must post the approval notice on the job site with the wage decision.

If the DOL does not approve the request, you will be notified about what classification and wage rate should be used for the work in question. You will also receive instructions about how to ask for DOL reconsideration if you still want to try to get your recommendation approved.

It's always a good idea to talk to the contract administrator before submitting an additional classification and wage rate request. The contract administrator can offer suggestions and advice that may save you time and increase the likelihood that DOL will approve your request. Usually, the contract administrator can give you an idea about what the DOL will finally decide.

d. <u>Payroll review and submission</u>. The prime contractor should review each subcontractor's payroll reports for compliance prior to submitting the reports to the contract administrator. Remember, the prime contractor is responsible for the full compliance of all subcontractors on the contract and will be held accountable for any wage restitution that may be found due to any laborer or mechanic that is underpaid and for any liquidated damages that may be assessed for overtime violations. All of the payroll reports for any project must be submitted to the contract administrator through the prime contractor.

An alert prime contractor that reviews subcontractor payroll submissions can detect any misunderstandings early, prevent costly underpayments and protect itself from financial loss should underpayments occur.

- e. <a href="Payroll retention">Payroll retention</a>. Every contractor (including every subcontractor) must keep a complete set of their own payrolls and other basic records such as employee addresses and full SSNs, time cards, tax records, evidence of fringe benefit payments, for a Davis-Bacon project for at least 3 years after the project is completed. The prime contractor must keep a complete set of all of the payrolls for every contractor (including subcontractors) for at least 3 years after completion of the project.
- f. <u>Payroll inspection.</u> In addition to submitting payrolls to the contract administrator, every contractor (including subcontractors) must make their own copy of the payrolls and other basic records available for review or copying to any authorized representative from HUD or from DOL.

# 2-4 DAVIS-BACON DEFINITIONS.

Before we discuss how to complete the weekly payroll forms, we need to review a couple of definitions. These definitions can help you understand what will be required of you:

- a. <u>Laborer or mechanic.</u> "Laborers" and "mechanics" mean anyone who is performing construction work on the project, including trade journeymen (carpenters, plumbers, sheet metal workers, etc.), apprentices, and trainees and, for CWHSSA purposes, watchmen and guards. "Laborers" and "mechanics" are the two groups of workers that must be paid not less than Davis-Bacon wage rates.
  - 1. <u>Working foremen</u>. Foremen or supervisors that regularly spend more than 20% of their time performing construction work and do not meet the exclusions in paragraph 2 below are covered "laborers" and "mechanics" for labor standards purposes for the time spent performing construction work.
  - 2. **Exclusions.** People whose duties are primarily administrative, executive or clerical are not laborers or mechanics. Examples include superintendents, office staff, timekeepers, messengers, etc. (Contact the contract administrator if you have any questions about whether a particular employee is excluded.)

- d. <u>Prevailing wages or wage rates.</u> Prevailing wage rates are the wage rates listed on the wage decision for the project. The wage decision will list a minimum basic hourly rate of pay for each work classification. Some wage decisions include fringe benefits which are usually listed as an hourly fringe rate. If the wage decision includes a fringe benefit rate for a classification, you will need to add the fringe benefit rate to the basic hourly rate unless you provide bona fide fringe benefits for your employees.
  - 1. Piece-work. Some employees are hired on a piece-work basis, that is, the employee's earnings are determined by a factor of work produced. For example, a Drywall Hanger's earnings may be calculated based upon the square feet of sheetrock actually hung, a Painter's earnings may be based upon the number of units painted. Employers may calculate weekly earnings based upon piece rates provided the weekly earnings are sufficient to satisfy the wage rate requirement based upon actual hours, including any overtime, worked. Accurate time records must be maintained for any piece-work employees. If the weekly piece rate earnings are not sufficient, the employer must recompute weekly earnings based upon the actual hours worked and the rate on the wage decision for the work classification(s) involved.
- e. <u>Fringe benefits</u> Fringe benefits can include health insurance premiums, retirement contributions, life insurance, vacation and other paid leave as well as some contributions to training funds. Fringe benefits do not include employer payments or contributions required by other Federal, State or local laws, such as the employer's contribution to Social Security or some disability insurance payments.

Note that the total hourly wage rate paid to any laborer or mechanic (basic wage or basic wage plus fringe benefits) may be no less than the total wage rate (basic wage or basic wage plus fringe benefits) on the wage decision for their craft. If the value of the fringe benefit(s) you provide is less than the fringe benefit rate on the wage decision, you will need to add the balance of the wage decision fringe benefit rate to the basic rate paid to the employee. For example, if the wage decision requires \$10/hour basic rate plus \$5/hour fringe benefits, you must pay no less than that total (\$15/hour) in the basic rate or basic rate plus whatever fringe benefit you may provide. You can meet this obligation in several ways: you could pay the base wage and fringe benefits as stated in the wage decision, or you could pay \$15 in base wage with no fringe benefits, or you could pay \$12 basic plus \$3 fringe benefits. You can also off-set the amount of the base wage if you pay more in fringe benefits such as by paying or \$9 basic plus \$6 fringe benefits; as long as you meet the total amount. The amount of the base wage that you may off-set with fringe benefits is limited by certain IRS and FLSA requirements.

f. Overtime. Overtime hours are defined as all hours worked on the contract in excess of 40 hours in any work week. Overtime hours must be paid at no less than one and one-half times the regular rate of basic pay plus the straight-time rate of any required fringe benefits.

# **SECTION II - REPORTING REQUIREMENTS**

# 2-5 COMPLETING A PAYROLL REPORT.

What information has to be reported on the payroll form? The weekly payroll form doesn't ask for any information that you don't already need to keep for wage payment and tax purposes. For example, you need to know each employee's name; his or her work classification (who is working for you and what do they do?), the hours worked during the week, his or her rate of pay, the gross amount earned (how much did they earn?), the amounts of any deductions for taxes, etc., and the net amount paid (how much should the paycheck be made out for?). No more information than you need to know in order to manage your work crew and make certain they are paid properly. And, certainly, no more information than you need to keep for IRS, Social Security and other tax and employment purposes.

For many contractors, the Weekly Certified Payroll is the only Davis-Bacon paperwork you need to submit!

You are required to submit certified payrolls to illustrate and document that you have complied with the prevailing wage requirements. The purpose of the contract administrator's review of your payrolls is to verify your compliance. Clearer and complete payroll reports will permit the contract administrator to complete reviews of your payroll reports quickly.

- a. <u>Project and contractor/subcontractor information</u>. Each payroll must identify the contractor or subcontractor's name and address, the project name and number, and the week ending date. Indicate the week dates in the spaces provided. Numbering payrolls is optional but strongly recommended.
- b. <u>Employee information</u>. Effective January 18, 2009, payrolls shall not report employee addresses or full Social Security Numbers (SSNs). Instead, the first payroll on which each employee appears shall include the employee's name and an individually identifying number, usually the last 4 digits of the employee's SSN. Afterward, the identifying number does not need to be reported unless it is necessary to distinguish between employees, e.g., if two employees have the same name.

Employers (prime contractors and subcontractors) must maintain the current address and full SSN for each employee and must provide this information upon request to the contracting agency or other authorized representative responsible for federal labor standards compliance monitoring. Prime contractors may require a subcontractor(s) to provide this information for the prime contractor's records. DOL has modified form WH-347, Payroll, to accommodate these reporting requirements.

c. <u>Work classification.</u> Each employee must be classified in accordance with the wage decision based on the type of work they actually perform.

g. <u>Deductions.</u> Show the amounts of any deductions from the gross earnings. "Other" deductions should be identified (for example, Savings Account or Loan Repayment). Any voluntary deduction (that is, not required by law or by an order of a proper authority) must be authorized in writing by the employee or provided for in a collective bargaining (union) agreement. A short note signed by the employee is all that is needed and should accompany the first payroll on which the other deduction appears.

Only one employee authorization is needed for recurring (e.g., weekly) other deductions. Written employee authorization is not required for income tax and Social Security deductions.

- h. Net pay. Show the net amount of wages paid.
- i. Statement of compliance. The Statement of Compliance is the certification. It is located on the reverse side of a standard payroll form (WH-347). Be sure to complete the identifying information at the top, particularly if you are attaching the Statement of Compliance to an alternate payroll form such as a computer payroll. Also, you must check either 4(a) or 4(b) if the wage decision contains a fringe benefit. Checking 4(a) indicates that you are paying required fringe benefits to approved plans or programs; and 4(b) indicates that you are paying any required fringe benefit amounts directly to the employee by adding the fringe benefit rate to the basic hourly rate of pay. If you are paying a portion of the required fringe benefit to programs and the balance directly to the employee, explain those differences in box 4(c).

Only one Statement of Compliance is required for each employer's weekly payroll no matter how many pages are needed to report the employee data.

j. <u>Signature.</u> Make sure the payroll is signed with an original signature in ink. The payroll must be signed by a principal of the firm (owner or officer such as the president, treasurer or payroll administrator) or by an authorized agent (a person authorized by a principal in writing to sign the payroll reports). Signature authorization (for persons other than a principal) should be submitted with the first payroll signed by such an agent. Signatures in pencil; signature stamps; xerox, pdf and other facsimiles are not acceptable.

- c. <u>Incomplete payrolls.</u> If the information on the payroll is not complete, for example, if work classifications or rates of pay are missing, the employer will be asked to send a correction certified payroll.
- d. <u>Classifications.</u> If the payrolls show work classifications that do not appear on the wage decision, the employer will be asked to reclassify the employees in accordance with the wage decision or the employer may request an additional classification and wage rate (see 2-2). If reclassification results in underpayment (i.e., the wage rate reported on the payroll is less than the rate required for the new classification), the employer will be asked to pay wage restitution to all affected reclassified employees. (see 2-8 for instructions about wage restitution.)
- e. <u>Wage rates</u>. If the wage rates on the payroll are less than the wage rates on the wage decision for the work classifications reported, the employer will be asked to pay wage restitution to all affected employees.
- f. Apprentices and trainees. If a copy of the employee's registration or the approved program ratio and wage schedule are not submitted with the first payroll on which an apprentice or trainee appears, the employer will be asked to submit a copy of each apprentice's or trainee's registration and/or the approved program ratio and wage schedule. If the ratio of apprentices or trainees to journeymen on the payroll is greater than the ratio in the approved program, the employer will be asked to pay wage restitution to any excess apprentices or trainees. Also, any apprentice or trainee that is not registered in an approved program must receive the journeyman's wage rate for the classification of work they performed.
- g. <u>Overtime</u>. If the employees did not receive at least time and one-half for any overtime hours worked on the project, the following will occur:
  - 1. If the project is subject to CWHSSA overtime requirements, the employer will be asked to pay wage restitution for all overtime hours worked on the project. The employer may also be liable to the United States for liquidated damages computed at \$10 per day per violation. Or,
  - 2. If the project is not subject to CWHSSA, the employer will be notified of the possible FLSA overtime violations. Also, the contract administrator may refer the matter to the DOL for further review.
- h. <u>Computations.</u> If the payroll computations (hours worked times rate of pay) or extensions (deductions, net pay) show frequent errors, the employer will be asked to take greater care. Wage restitution may be required if underpayments resulted from the errors.
- i. <u>Deductions.</u> If there are any "Other" deductions that are not identified, or if employee authorization isn't provided, or if there is any unusual (very high, or large number) deduction activity, the employer will be asked to identify the deductions, provide employee authorization or explain unusual deductions, as necessary.

The contract administrator may communicate directly with a subcontractor when the underpayments are plainly evident and the subcontractor is cooperative. It is best to work through the prime contractor when the issues are complex, when there are significant underpayments and/or the subcontractor is not cooperative. In all cases, the subcontractor must ensure that the prime contractor receives a copy of the required corrective documentation.

- b. <u>Computing wage restitution</u>. Wage restitution is simply the difference between the wage rate paid to each affected employee and the wage rate required on the wage decision for all hours worked where underpayments occurred. The difference in the wage rates is called the adjustment rate. The adjustment rate times the number of hours involved equals the gross amount of restitution due. You may also compute wage restitution by calculating the total amount of Davis-Bacon wages earned and subtracting the total amount of wages paid. The difference is the amount of back wages due.
- c. <u>Correction certified payrolls.</u> The employer will be required to report the restitution paid on a correction certified payroll. The correction payroll will reflect the period of time for which restitution is due (for example, Payrolls #1 through #6; or a beginning date and ending date). The correction payroll will list each employee to whom restitution is due and their work classification; the total number of work hours involved (daily hours are usually not applicable for wage restitution); the adjustment wage rate (the difference between the required wage rate and the wage rate paid); the gross amount of restitution due; deductions and the net amount actually paid. A properly signed Statement of Compliance must accompany the correction payroll.

HUD no longer requires the signature of the employee on the correction payroll to evidence employee receipt of restitution payment. In addition, except in the most extraordinary cases, HUD no longer requires employers to submit copies of restitution checks (certified, cashiers, canceled or other), or employee-signed receipts or waivers.

- d. <u>Review of correction CPR.</u> The contract administrator will review the correction certified payroll to ensure that full restitution was paid. The prime contractor shall be notified in writing of any discrepancies and will be required to make additional payments, if needed, documented on a correction certified payroll within 30 days.
- e. <u>Unfound workers.</u> Sometimes, wage restitution cannot be paid to an affected employee because, for example, the employee has moved and can't be located. After wage restitution has been paid to all of the workers who could be located, the employer must submit a list of any workers who could not be found and paid (i.e., unfound workers) providing their names, Social Security Numbers, last known addresses and the gross amount due. In such cases, at the end of the project the prime contractor will be required

# CHAPTER 3 LABOR STANDARDS DISPUTES, ADMINISTRATIVE REVIEWS, WITHHOLDING, DEPOSITS AND ESCROW ACCOUNTS, AND SANCTIONS

# WHAT HAPPENS WHEN THINGS GO WRONG?

# 3-1 **INTRODUCTION.**

Even in the best of circumstances, things can go wrong. In a Davis-Bacon context, "things going wrong" usually means there's a difference of opinion or a dispute about whether and to what extent underpayments have occurred. These disputes are usually between the contract administrator and one or more employers (the prime contractor and/or a subcontractor). The dispute may involve something simple such as an additional classification request that is pending before the DOL; or something as significant as investigative findings following a complaint of underpayment. This chapter discusses some of what you may expect and what you can do to make your views known and to lessen any delays in resolving the problem or issue.

# 3-2 ADMINISTRATIVE REVIEW ON LABOR STANDARDS DISPUTES.

As mentioned in the Introduction above, a dispute about labor standards and compliance can arise for a number of reasons. The labor standards clauses in your contract and DOL regulations provide for administrative review of issues where there is a difference of views between the contract administrator and any employer. The most common circumstances include:

- a. Additional classifications and wage rates. Additional classification and wage rate requests are sometimes denied by the DOL. An employer that is dissatisfied with the denial can request reconsideration by the DOL Wage and Hour Administrator. The employer may continue to pay the wage rate, as requested, until a final decision is rendered on the matter. When the final decision is known, the employer will be required to pay any additional wages that may be necessary to satisfy the wage rate that is established.
  - 1. Reconsideration. The DOL normally identifies the reasons for denial in its response to the request. Any interested person (for example, the contract administrator, employer, representatives of the employees) may request reconsideration of the decision on the additional classification request. The request for reconsideration must be made in writing and must thoroughly address the denial reasons identified by the DOL. Employer requests for reconsideration should be made through the contract administrator but may be made directly to the DOL. (See 2-2(d), and also DOL Regulations 29 CFR 1.8.) All requests initiated by or made through the contract administrator or HUD must be submitted through the HUD Headquarters Office of Labor Relations.

# 3-4 DEPOSITS AND ESCROWS.

In every case, we attempt to complete compliance actions and resolve any disputes before the project is completed and final payments are made. Sometimes, corrective actions or disputes continue after completion and provisions must be made to ensure that funds are available to pay any wage restitution that is ultimately found due. In these cases, we allow projects to proceed to final closing and final payments provided the prime contractor deposits an amount equal to the potential liability for wage restitution and liquidated damages, if necessary, in a special account. The deposit or escrow account is controlled by the contract administrator. When a final decision is rendered, the contract administrator makes disbursements from the account in accordance with the decision. Deposit/escrow accounts are established for one or more of the following reasons:

Remember, the prime contractor is responsible and will be held liable for any wage restitution that is due to any worker employed in the construction of the project, including workers employed by subcontractors and any lower-tier subcontractors. See 1-4, Responsibility of the Principal Contractor, and 2-8, Restitution for Underpayment of Wages.

- a. Where the parties have agreed to amounts of wage restitution that are due but the employer hasn't furnished evidence yet that all of the underpaid workers have received their back wages, e.g., some of the workers have moved and could not be located. The amount of the deposit is equal to the total gross amount of restitution due to workers lacking payment evidence. As these workers are paid and proper documentation is provided to the contract administrator, amounts corresponding to the documented payments are returned to the depositor. Amounts for any workers who cannot be located are held in the deposit/escrow account for three years and disposed as described in 2-8(f) of this Guide.
- b. Where underpayments are suspected or alleged and an investigation has not yet been completed. The deposit is equal to the amount of wage restitution and any liquidated damages, if applicable, that are estimated to be due. If the final determination of wages due is less than the amount estimated and placed in the escrow account, the escrow will be reduced to the final amount and the difference will be returned to the depositor.

If the parties agree to the investigative findings, the amounts due to the workers will be paid by the employer. As these workers are paid and proper documentation is provided to the contract administrator, the gross amounts corresponding to the documented payments are returned to the depositor.

1. If the employer is unable to make the payments to the workers, e.g., lacks the funds necessary, the contract administrator may make disbursements directly to the workers in the net amounts calculated by the employer. The amounts withheld from the workers for tax deduction will be returned to the employer as payments to workers are made. The employer shall be responsible for reporting and transmitting withholdings to the appropriate agencies.

2. <u>Debarment and suspensions.</u> In certain circumstances, HUD may initiate its own debarment or suspension proceedings against a contractor and/or subcontractor in connection with improper actions regarding Davis-Bacon obligations. For example, HUD may initiate debarment where a contractor has been convicted for making false statements (such as false statements on certified payrolls or other prevailing wage certifications) or may initiate suspension where a contractor has been indicted for making false statements. HUD regulations concerning debarment and suspension are found at 24 CFR Part 24.

# 3-6 FALSIFICATION OF CERTIFIED PAYROLL REPORTS.

Contractors and/or subcontractors that are found to have willfully falsified payroll reports (Statements of Compliance), including correction certified payroll reports, may be subject to civil or criminal prosecution. Penalties may be imposed of \$1,000 and/or one year in prison for each false statement (see Section 1001 of Title 18 and Section 231 of Title 31 of the United States Code).

Remember, if you have any questions or need assistance concerning labor standards requirements help is always available. Contact the contract administrator for the project you're working on or the HUD Field Labor Relations staff in your area.

# **DAVIS-BACON - RELATED WEB SITES\***

HUD Office of Labor Relations: www.hud.gov/offices/olr

# **HUD Regulations:**

http://www.gpo.gov/fdsys/browse/collectionCfr.action?collectionCode=CFR

HUDClips (HUD Forms and Publications): www.hud.gov/offices/adm/hudclips/index.cfm

DOL Davis-Bacon and Related Acts Homepage: http://www.dol.gov/whd/contracts/dbra.htm

# **DOL** Regulations:

http://www.gpo.gov/fdsys/browse/collectionCfr.action?collectionCode=CFR

Davis-Bacon Wage Decisions: www.wdol.gov

# **DOL Forms:**

www.dol.gov/whd/programs/dbra/forms.htm

\*Web addresses active as of January 2012

# U.S. Department of Labor

Wage and Hour Division

OR SUBCONTRACTOR

NAME OF CONTRACTOR

PAYROLL

(For Contractor's Optional Use; See Instructions at www.dol.gov/whd/forms/wh347instr.htm)

Persons are not required to respond to the collection of information unless it displays a currently valid OMB control number.

ADDRESS

J.S. Wage and Hour Division Rev. Dec. 2008

OMB No.:1235-0008 Expires: 04/30/2021

While completion of Form WH-347 is optional, it is mandatory for covered contractors and subcontractors performing work on Federally financed or assisted construction contracts to respond to the information contrained in 29 C.F.R. §§ 3.3, 5.5(a). The Copeland Act
(40 U.S.C. § 3145) contractors and subcontractors performing work on Federally financed or assisted construction contracts to "furnish weekly a statement with respect to the wages paid each employee during the preceding weekl." U.S. Department of Labor (DOL) regulations at
29 C.F.R. § 5.5(a)(3)(ii) require contractors to submit weekly a copy of all payrolls to the Federal agency contracting for or financing the construction project, accompanied by a signed "Statement of Compliance" indicating that the payrolls are correct and complete and that each laborer NET WAGES PAID FOR WEEK 6 DEDUCTIONS TOTAL PROJECT OR CONTRACT NO. OTHER (8) DEDUCTIONS WITH-HOLDING TAX FICA GROSS AMOUNT EARNED 6 PROJECT AND LOCATION RATE OF PAY 9 TOTAL HOURS (2) EACH DA (4) DAY AND DATE 0 S Ø ဟ 0 Ø 0 Ø 0 S 0 T\$ 90.TO 0 Ø 0 0 FOR WEEK ENDING CLASSIFICATION WORK 3 NO. OF EXEMPTIONS (7) NAME AND INDIVIDUAL IDENTIFYING NUMBER (e.g., LAST FOUR DIGITS OF SOCIAL SECURITY NUMBER) OF WORKER E PAYROLL NO.

# **Public Burden Statement**

rechanic has been paid not less than the proper Davis-Bacon prevailing wage rate for the work performed. DOL and federal contracting agencies receiving this information review the information to determine that employees have received legally required wages and fringe benefits.

We estimate that is will take an average of 55 minutes to complete this collection, including time for reviewing the collection of information. If you have any comments regarding these estimates or any other aspect of this collection, including suggestions for reducing this burden, send them to the Administrator, Wage and Hour Division, U.S. Department of Labor, Room 83502, 200 Constitution Avenue, N.W.

Washington, D.C. 20210

# NJDCA Small Cities CDBG Compliance Checklist

4. DBA Employee Rights Poster

# **NJDCA Small Cities CDBG Compliance Checklist**

5. DBA Employee Rights Poster – Spanish

# 6. Federal Prevailing Wage Rate Determinations

2	02/10/2023
3	04/14/2023
4	05/19/2023
5	08/25/2023
6	09/22/2023

	ASBE0089-004 07/01/2022		
		Rates	Fringes
	ASBESTOS WORKER/HEAT & FROST INSULATOR ((includes the application of all insulating materials, protective coverings, coatings and finishings to all types of mechanical systems; also, the application of firestopping material to openings and penetrations in walls, floors, ceilings and curtain walls; also, all lead abatement))	.\$ 51.90	36.80
	PAID HOLIDAYS: The last day prior to the Chrisobserved holiday: 4 hrs. pay.	stmas and New Ye	ar's Day
	BRNJ0002-013 05/01/2021		
8		Rates	Fringes
	Bricklayer	.\$ 45.20	33.26
	Work on high stacks: 22% per hour		
	BRNJ0007-012 07/04/2022		
		Rates	Fringes
	Marble setter	\$ 62.40	38.82
	BRNJ0007-013 06/06/2022		
		Rates	Fringes
	Terrazzo finisher		28.57
	BRNJ0007-017 06/06/2022		
		Rates	Fringes
	Tile finisher		28.57 34.05
	Tile finisher: Work grouting all epoxy: \$10.00	∂ additional per	day.
	CARP0006-009 05/01/2022		******

Rates

Fringes

CARPENTER (Scaffold Builder).....\$ 53.30

58%

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consecutive days before and the working day after the holiday): New Years's Day; Memorial Day; Independence Day; Labor Day; Veteran's Day; Thanksgiving Day and the Friday after Thanksgiving Day, and Christmas Day.

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## ENGI0825-017 07/01/2021

	Rates	Fringes
Power equipment operators:		
GROUP 1	.\$ 56.02	31.80
GROUP 2	\$ 54.43	31.80
GROUP 3	<b>\$</b> 52.52	31.80
GROUP 4	.\$ 50.89	31.80
GROUP 5	.\$ 49.18	31.80

### Hazardous waste removal work:

Work on a state or federally designated hazardous waste site, where the worker is in direct contact with hazardous material, and when personal protective equipment is required for respiratory, skin and eye protection: 20% per hour additional.

### PAID HOLIDAYS:

New Year's Day, Washington's Birthday observed, Memorial Day, Independence Day, Labor Day, Presidential Election Day, Veteran's Day, Thanksgiving Day and Christmas Day; provided 1) that the worker works three of the preceding five work days before the holiday; or, the work day before the holiday and the work day after the holiday; and, 2) that the worker works the work day before and the work day after the holiday.

# **DEFINITION OF GROUPS:**

### GROUP 1:

Backhoe, Including Backhoe Track; Boom; Concrete Paving Machine; Crane (all types, including overhead and straddle traveling type); Drill (down-the-hole drill, rotary drill, self-propelled hydraulic drill, self-powered drill); Elevating Grader; Excavator; Front End Loader (5 cu. yd. and over); Piledriver (length of boom, including length of leads, shall determine premium rate applicable); Trencher

### GROUP 2:

Backhoe Loader Combo; Concrete Pumper; Grader/Blade (Finish); Hoist; Hydraulic Crane, 10 Tons and under; Front End Loader (2 cu. yd. but less than 5 cu. yd.); Scraper; Side Boom

### GROUP 3:

Asphalt Spreader; Bulldozer; Compressor(2 or 3) (in Battery) (within 100 ft.); Forklift; Front End Loader (1 cu. yd. and over but less than 2 cu. yd.); Lull; Man Lift/Outside Elevator; Mechanic; Paver, Asphalt; Roller, Blacktop; Tractor;

# GROUP 4:

Bobcat/Skid Loader; Compressor (Single); Farm Tractor; Front End Loader (under 1 cu. yd.); Hydroseeder; Roller, Grade; Pump, Hydraulic

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CEMENT MASON/CONCRETE FINISHER...\$ 46.71 

PLUM0322-009 05/01/2023

	Rates	Fringes
PIPEFITTER (Including HVAC Pipe Installation)	of 40 06	F4 2F
PLUMBER (Excluding HVAC Pipe		51.25
Installation)	.\$ 49.06 	51.25

ROOF0030-027 05/01/2023

	Rates	Fringes
Roofer		
SHINGLES	\$ 32.85	21.75
SLATE AND TILE	\$ 35.85	21.75
ALL OTHER WORK	\$ 42.63	34.12

Mopper, and operator of felt-laying machine: \$.50 per hour additional.

Work applying roofing material, on any new construction job, on those days on which a felt-laying machine or slag dispensing machine is used: \$.50 per hour additional.

#### PAID HOLIDAY:

The last working day before Christmas, to be paid at the rate of four hours pay.

SFNJ0669-006 04/01/2023

	Rates	Fringes
SPRINKLER FITTER (Fire		
Sprinklers)	•	35.34
SHEE0027-009 06/01/2022		

	Rates	Fringes
SHEET METAL WORKER (Including		
HVAC Duct Installation)\$	54.58	45.01

TEAM0676-003 05/01/2023

R	Rates	Fringes
Truck drivers:		
Dump Truck Drivers\$	41.20	27.35
Off the Road Truck\$	41.55	27.35

#### Hazardous waste removal work:

Work on a state or federally designated hazardous waste site, where the worker is in direct contact with hazardous materials, and when personal protective equipment is required for respiratory, skin and eye protection: \$3.00 per hour additional.

Work on a state or federally designated hazardous waste site, where personal protection A, B, C or D is NOT required:

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cited type(s) of construction in the area covered by the wage determination. The classifications are listed in alphabetical order of ""identifiers"" that indicate whether the particular rate is a union rate (current union negotiated rate for local), a survey rate (weighted average rate) or a union average rate (weighted union average rate).

#### Union Rate Identifiers

A four letter classification abbreviation identifier enclosed in dotted lines beginning with characters other than ""SU"" or ""UAVG"" denotes that the union classification and rate were prevailing for that classification in the survey. Example: PLUM0198-005 07/01/2014. PLUM is an abbreviation identifier of the union which prevailed in the survey for this classification, which in this example would be Plumbers. 0198 indicates the local union number or district council number where applicable, i.e., Plumbers Local 0198. The next number, 005 in the example, is an internal number used in processing the wage determination. 07/01/2014 is the effective date of the most current negotiated rate, which in this example is July 1, 2014.

Union prevailing wage rates are updated to reflect all rate changes in the collective bargaining agreement (CBA) governing this classification and rate.

#### Survey Rate Identifiers

Classifications listed under the ""SU"" identifier indicate that no one rate prevailed for this classification in the survey and the published rate is derived by computing a weighted average rate based on all the rates reported in the survey for that classification. As this weighted average rate includes all rates reported in the survey, it may include both union and non-union rates. Example: SULA2012-007 5/13/2014. SU indicates the rates are survey rates based on a weighted average calculation of rates and are not majority rates. LA indicates the State of Louisiana. 2012 is the year of survey on which these classifications and rates are based. The next number, 007 in the example, is an internal number used in producing the wage determination. 5/13/2014 indicates the survey completion date for the classifications and rates under that identifier.

Survey wage rates are not updated and remain in effect until a new survey is conducted.

#### Union Average Rate Identifiers

Classification(s) listed under the UAVG identifier indicate that no single majority rate prevailed for those classifications; however, 100% of the data reported for the classifications was union data. EXAMPLE: UAVG-OH-0010 08/29/2014. UAVG indicates that the rate is a weighted union average rate. OH indicates the state. The next number, 0010 in the example, is an internal number used in producing the wage determination. 08/29/2014 indicates the survey completion date for the classifications and rates under that identifier.

A UAVG rate will be updated once a year, usually in January of each year, to reflect a weighted average of the current negotiated/CBA rate of the union locals from which the rate is based.

# 7. State Prevailing Wage Rate Determinations

#### Comments/Notes

For each craft listed there will be comments/notes that cover the definition of the regular workday, shift differentials, overtime, recognized holidays, and any other relevant information.

#### **Public Works Contractor Registration**

The Public Works Contractor Registration Act (N.J.S.A. 34:11-56.48, et seq.) requires that all contractors, subcontractors, or lower tier subcontractors who are working on or who bid on public works projects register with the Department of Labor and Workforce Development. Applications are available at <a href="https://www.nj.gov/labor">www.nj.gov/labor</a> (click on Wage & Hour and then go to Registration & Permits).

#### Pursuant to N.J.S.A. 34:11-56.51:

No contractor shall bid on any contract for public work as defined in section 2 of P.L.1963, c. 150 (C.34:11-56.26) unless the contractor is registered pursuant to this act. No contractor shall list a subcontractor in a bid proposal for the contract unless the subcontractor is registered pursuant to P.L.1999, c.238 (C.34:11-56.48 et seq.) at the time the bid is made. No contractor or subcontractor, including a subcontractor not listed in the bid proposal, shall engage in the performance of any public work subject to the contract, unless the contractor or subcontractor is registered pursuant to that act.

#### **Snow Plowing**

Snow plowing contracts are <u>not</u> subject to the New Jersey Prevailing Wage Act or the Public Works Contractor Registration Act.

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County - CAPE MAY

Craft: Boilermaker PREVAILING WAGE RATE

	01/01/23
Foreman  General Foreman  Journeyman	W53.50
	B46.66
	T100.16
General Foreman	W55.50
	B47.71
	T103.21
Journeyman	W48.50
	B44.92
	T93.42

Craft: Boilermaker APPRENTICE RATE SCHEDULE

INTERVAL	PERIOD AND RATES									
1000 Hours	65%	70%	75%	80%	85%	90%	95%			
Benefit =	38.07	39.03	40.03	41.00	41.99	42.97	43.93			

#### Ratio of Apprentices to Journeymen - \*

\* 1 apprentice will be allowed for the first 5 journeymen, 1 apprentice for the next 10 journeymen and 1 apprentice for each succeeding 20 journeymen up to a maximum of 5 apprentices per contractor on any job.

Craft: Boilermaker

COMMENTS/NOTES

HIGH WORK: All apprentices working on the erection, repair, or dismantling of smoke stacks, standpipes, or water towers shall be paid the Journeyman rate.

The regular workday shall consist of 8 hours, between 8:00 AM and 4:30 PM.

#### SHIFT DIFFERENTIALS:

- The second shift shall work 7½ hours and receive 8 hours pay, at a rate equal to the regular hourly rate plus 10%.
- The third shift shall work 7 hours and receive 8 hours pay, at a rate equal to the regular hourly rate plus 20%.
- For "Municipal Water Works" projects only, the following shall apply: Two, four day, 10 hour shifts may be worked at straight time Monday through Thursday. The day shift shall work four days, at 10 hours, for 10 hours pay. The second shift shall work four days, at nine and a half hours, for 10 hours pay, plus 10% the hourly rate for new work and .25 cents on repair work. Friday may be used as a make-up day at straight time, due to weather conditions, hoilday or any other circumstances beyond the employer's control.

#### OVERTIME:

- Hours in excess of 8 per day, Monday through Friday, and all hours on Saturdays shall be paid at time and one-half the hourly rate. All hours on Sundays and holidays (except Labor Day) shall be paid at double the hourly rate. All hours on Labor Day shall be paid at four times the hourly rate.
- If any other craft employed by the same contractor, or a subcontractor thereof, receives double time in lieu of time and one-half, then the Boilermaker shall receive double time in lieu of time and one-half.
- For "Municipal Water Works" projects only, the following shall apply: Four 10 hour days may be worked Monday through Thursday at straight time. Friday may be used as a make-up day for a day lost to inclement weather, holiday or other conditions beyond the control of the employer. Overtime shall be paid for any hours that exceed 10 hours per day or 40 hours per week.

County - CAPE MAY

Craft: Boilermaker - Minor Repairs

#### PREVAILING WAGE RATE

	01/01/23
Foreman	W35.45
	B17.78
	T53.23
General Foreman	W35.95
	B17.78
	T53.73
Mechanic	W33.95
	B17.78
	T51.73

Craft: Boilermaker - Minor Repairs

#### **COMMENTS/NOTES**

NOTE: These rates apply to MINOR REPAIR WORK ONLY (repair work in the field for which the contract amount does not exceed \$125,000.00), for boilers that do not produce electric or are not used in the heating of petroleum products.

#### **OVERTIME:**

Hours in excess of 8 per day, Monday through Friday, and all hours on Saturdays shall be paid at time and one-half the hourly rate. All hours on Sundays and holidays (except Labor Day) shall be paid at double the hourly rate. All hours on Labor Day shall be paid at four times the hourly rate.

RECOGNIZED HOLIDAYS: New Year's Day, Washington's Birthday, Good Friday, Memorial Day, July 4th, Labor Day, Presidential Election Day, Thanksgiving Day, day after Thanksgiving, Christmas Day. Saturday holidays observed the following Monday.

County - CAPE MAY

RECOGNIZED HOLIDAYS: New Year's Day, President's Day, Memorial Day, July 4th, Labor Day, Veterans' Day, Thanksgiving Day, Christmas Day. Sunday holidays will be observed the following Monday.

County - CAPE MAY

- Four 10-hour days may be worked, Monday to Thursday, at straight time. Friday may be used as a make-up day for a day lost due to inclement weather. If Friday is not a make-up day, all hours on Friday shall be paid at time and one-half the hourly rate, inclusive of benefits.

RECOGNIZED HOLIDAYS: New Year's Day, Presidents' Day, Memorial Day, July 4th, Labor Day, Veterans' Day, Thanksgiving Day, Christmas Day. Sunday holidays observed the following Monday. Veterans' Day may be substituted for the day after Thanksgiving.

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County - CAPE MAY

time and one-half the wage rate. All hours on Sundays and holidays shall be paid at double the wage rate.

- Four 10-hour days may be worked, Monday to Thursday, at straight time. Friday may be used as a make-up day for hours lost to reasons beyond the control of the employer. If Friday is not a make-up day, all hours on Friday shall be paid at time and one-half the wage rate.

RECOGNIZED HOLIDAYS: New Year's Day, Presidents' Day, Memorial Day, July 4th, Labor Day, Veterans' Day, Thanksgiving Day, Christmas Day. Sunday holidays will be observed the following Monday. Veterans' Day may be substituted for the day after Thanksgiving.

County - CAPE MAY

day lost due to inclement weather. If Friday is not a make-up day, all hours on Friday shall be paid at time and one-half the hourly rate, inclusive of benefits.

RECOGNIZED HOLIDAYS: New Year's Day, Presidents' Day, Memorial Day, July 4th, Labor Day, Veterans' Day, Thanksgiving Day, Christmas Day. Sunday holidays observed the following Monday. Veterans' Day may be substituted for the day after Thanksgiving.

County - CAPE MAY

Craft: Commercial Painter

#### PREVAILING WAGE RATE

	05/02/23
Foreman  General Foreman	W48.02
	B29.51
	T77.53
General Foreman	W52.38
	B29.51
	T81.89
Journeyman	W43.65
	B29.51
	T73.16
Journeyman	T81.8 W43.6 B29.5

Craft: Commercial Painter

#### APPRENTICE RATE SCHEDULE

INTERVAL	PERIOD AND RATES									
6 Months	40%	45%	55%	65%	70%	75%	80%	80%		
Benefits	8.85	8.85	11.25	11.25	12.30	12.30	15.10	15.10		

#### Ratio of Apprentices to Journeymen - 1:4

#### Craft: Commercial Painter

#### COMMENTS/NOTES

\* Commercial Painters perform work on all commercial structures such as offices, schools, hotels, shopping malls, restaurants, condominiums, etc.

Spraying, sandblasting, lead abatement work on commercial buildings, work performed above 3 stories or 30 feet in height, or using swing scaffolds requires an additional 10% of the wage rate.

#### FOREMEN REQUIREMENTS:

- When there are 4 or more Painters on a job, 1 shall be designated a Foreman.
- When there are 15 or more Painters on a job, 1 shall be designated a General Foreman.

The regular workday shall consist of 8 hours between 7:00 AM and 5:30 PM.

#### SHIFT DIFFERENTIALS:

- The second shift shall receive an additional 10% of the hourly rate, per hour, and the third shift shall receive an additional 15% of the hourly rate, per hour.

#### OVERTIME:

- Hours in excess of 8 per day, or before or after the regular workday, Monday through Friday, and all hours on Saturdays shall be paid at time and one-half the regular rate. All hours on Sundays and holidays shall be paid at double the regular rate.
- Saturday or Sunday may be used to make up a day lost to inclement weather, at straight time.
- Four 10-hour days may be worked, at straight time, Monday through Friday.

RECOGNIZED HOLIDAYS: New Year's Day, President's Day, Memorial Day, July 4th, Labor Day, General Election Day,

County - CAPE MAY

Craft: Diver PREVAILING WAGE RATE

	05/02/23
Diver	W58.41
	B41.89
	T100.30
Tender	W46.73
	B41.89
	T88.62

Craft: Diver

#### APPRENTICE RATE SCHEDULE

INTERVAL		PERIOD AND RATES								
1500 hours	70%	75%	80%	85%						
Benefits	30.24	31.25	32.23	33.25						

Ratio of Apprentices to Journeymen - 1:4

Craft: Diver

**COMMENTS/NOTES** 

NOTE: All dive crews must consist of a Tender, a Diver, and a Standby Diver (Standby Diver is the same rate as a Diver).

- Diver- will perform all Dive related tasks at hand.
- Tender- will provide Tending support to the in water Diver and who may also be designated as a Standby Diver.

Diving in Contaminated Water (including, but not limited to, radioactively contaminated water, sewer effluent combined sanitary and storm sewers, or any environment known to be harmful to those with skin contact): Shall receive an additional 20% of the hourly rate.

#### **OVERTIME**:

- The first 2 hours in excess of 8 per day (9th and 10th hours), Monday through Friday, and the first 8 hours on Saturdays shall be paid at time and one-half the hourly rate. Hours in excess of 10 per day, Monday through Friday, hours in excess of 8 per day on Saturdays, and all hours on Sundays and holidays shall be paid at double the hourly rate.
- Employees may work four 10-hour days, Monday through Thursday, at straight time, with Friday used as a make-up day for a day lost to inclement weather. If Friday is not a make-up day, the first 10 hours on Friday shall be paid at time and one-half the hourly rate. Hours in excess of 10 per day shall be paid at double the hourly rate.

RECOGNIZED HOLIDAYS: New Year's Day, President's Day, Memorial Day, July 4th, Labor Day, Thanksgiving Day, Christmas Day. Saturday holidays will be observed the preceeding Friday and Sunday holidays will be observed the following Monday.

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#### County - CAPE MAY

- Shift work pertains to both land and water work.
- When a 2 shift schedule (including a day shift) is established, the first shift shall start between 5:00 am and 8:00 am and work for 7 and one-half hours and receive 8 hours pay. The second shift shall start when the first shift ends and shall work for 7 and one-half hours and receive 8 hours pay.
- When a three shift schedule is established, all shifts shall work 7 and one-half hours and receive 8 hours pay.
- When there is no day shift, and a second or third shift is established, a worker shall be paid at time and one-half of the hourly rate.

#### OVERTIME:

- The first 2 hours in excess of 8 per day (9th and 10th hours), Monday through Friday, and the first 8 hours on Saturdays shall be paid at time and one-half the hourly rate. Hours in excess of 10 per day, Monday through Friday, hours in excess of 8 per day on Saturdays, and all hours on Sundays and holidays shall be paid at double the hourly rate.
- Employees may work four 10-hour days, Monday through Thursday, at straight time, with Friday used as a make-up day for a day lost to inclement weather. If Friday is not a make-up day, the first 10 hours on Friday shall be paid at time and one-half the hourly rate. Hours in excess of 10 per day shall be paid at double the hourly rate.

RECOGNIZED HOLIDAYS: New Year's Day, President's Day, Memorial Day, July 4th, Labor Day, Thanksgiving Day, Christmas Day. Saturday holidays will be observed the preceeding Friday and Sunday holidays will be observed the following Monday.

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County - CAPE MAY

Craft: Electrician PREVAILING WAGE RATE

	10/02/23
Asst. General Foreman	W64.43
	B55.99
	T120.42
Foreman	W60.13
	B52.68
	T112.81
General Foreman	W69.80
	B60.11
	T129.91
Journeyman, Cable	W53.69
Splicer	B47.73
	T101.42
Lead Foreman	W61.74
	B53.91
	T115.65
Working Foreman,	W56.37
Welder, Crane Operator	B49.79
(all types)	T106.16

Craft: Electrician APPRENTICE RATE SCHEDULE

INTERVAL		PERIOD AND RATES									
Yearly	16.30	20.70	23.40	27.63	31.87						
Benefits	7.94	9.19	9.95	11.16	12.36						

Ratio of Apprentices to Journeymen - 2:3

Craft: Electrician COMMENTS/NOTES

THESE RATES ALSO APPLY TO THE FOLLOWING:

- All fire and burglar alarm work.
- All fiber optic work.
- Teledata work in new construction (including additions).
- Teledata work involving 16 or more instruments or voice/data lines.
- All camera installations.

Height Work: 40 feet above ground/floor: +10% of the wage and benefit amount.

FOREMAN REQUIREMENTS (number of Electricians on site):

(2 to 10) - a Working Foreman; (11 to 22) - a Foreman; (23 to 44) - a Lead

Foreman; (35 to 48) - an Assistant General Foreman; (49 or more) - a General Foreman.

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County - CAPE MAY

Craft: Electrician - Teledata (15 Voice/Data Lines & Less)

PREVAILING WAGE RATE

	05/02/23
Master Technician/Gen.	W51.90
Foreman	B38.44
(31+ Workers on Job)	T90.34
Senior Technician/Lead	W47.31
Foreman	B36.98
(21-30 Workers on Job)	T84.29
Technician A/Foreman	W45.18
Technician A/Foreman (11-20 Workers on Job)	B36.31
	T81.49
Technician B/Working	W43.92
Foreman	B34.91
(4-10 Workers on Job)	T78.83
Technician C/Journeyman	W40.00
(1-3 Workers on Job)	B32.66
	T72.66

Craft: Electrician - Teledata (15 Voice/Data Lines & Less)

#### APPRENTICE RATE SCHEDULE

INTERVAL		PERIOD AND RATES									
6 Months	17.26	17.26	20.54	20.54	25.48	25.48	30.02	30.02			
Benefits	9.65	9.65	10.62	10.62	12.57	12.57	14.92	14.92			

Ratio of Apprentices to Journeymen - 2:3

Craft: Electrician - Teledata (15 Voice/Data Lines & Less)

COMMENTS/NOTES

NOTES: These rates are for service, maintenance, moves and/or changes affecting 15 voice/data lines or less. These rates may NOT be used for any new construction or fiber optic work.

#### FOREMAN REQUIREMENTS:

The number of workers on the jobsite is the determining factor for which Foreman category applies.

HIGH WORK: Any work performed 40 feet above ground or floor: +10% of the wage and benefit amount.

#### SHIFT DIFFERENTIAL:

- 2nd Shift (4:30 PM to 12:30 AM) 8 hrs. pay for 7.5 hrs. work + an additional 10% of the wage rate, inclusive of benefits.
- 3rd Shift (12:30 AM to 8:00 AM) 8 hrs. pay for 7 hrs. work + an additional 15% of the wage rate, inclusive of benefits.

#### **OVERTIME:**

Hours in excess of 8 per day, Monday through Friday, and all hours on Saturdays shall be paid at time and one-half the regular rate, inclusive of benefits. All hours on Sundays and holidays shall be paid at double the regular rate, inclusive of benefits.

County - CAPE MAY

Craft:	Electrician - Teledata (16 Instruments & More)	PREVAILING WAGE RATE
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See "Electrician" Rates

Craft: Electrician - Teledata (16 Instruments & More)

**COMMENTS/NOTES** 

\*\*\*See ELECTRICIAN Rates\*\*\*

County - CAPE MAY

#### \* FOR UTILITY WORK PLEASE SEE STATEWIDE RATES

#### FOREMAN REQUIREMENTS (number of Electricians on site):

(1 to 10) - one Working Foreman.

(11 to 20)- one Working Foreman and one Foreman.

(21 to 30)- one Working Foreman, one Foreman and one Lead Foreman.

(31 to 40) - one Working Foreman, two (2) Foremen and one Lead Foreman.

(41 to 50)- one Working Foreman, four (4) Foremen, one Assistant General Foreman (runs 5 foremen), and one General Foreman.

(51 to 60)- one Working Foreman, five (5) Foremen, one Assistant General Foreman (runs 5 foremen), and one General Foreman

(runs one foreman).

(61 to 70)- one Working Foreman, six (6) Foremen, one Assistant General Foreman (runs 5 foremen), and one General Foreman

(runs two foremen).

(71 to 80)- one Working Foreman, seven (7) Foremen, two (2) Assistant General Foremen and one General Foreman.

(81 to 90)- one Working Foreman, eight (8) Foremen, two (2) Assistant General Foremen, and one General Foreman.

(91 to 100)- one Working Foreman, nine (9) Foremen, two (2) Assistant General Foremen and one General Foreman.

The regular workday consists of 8 hours, between 7:00 AM and 4:30 PM.

#### SHIFT DIFFERENTIALS:

Shift work must run for a minimum of 5 consecutive workdays.

2nd Shift (4:30 PM to 12:30 AM): 8 hrs. pay for 7.5 hrs. work + an additional 10% of the wage rate, inclusive of benefits. 3rd Shift (12:30 AM to 8:00 AM): 8 hrs. pay for 7 hrs. work + an additional 15% of the wage rate, inclusive of benefits.

#### **OVERTIME:**

All hours in excess of 8 per day, Monday through Friday, that are not shift work, and all hours on Saturday shall be paid at time and one-half the regular rate, inclusive of benefits. All hours on Sundays and Holidays shall be paid at double the regular rate, inclusive of benefits.

#### **RECOGNIZED HOLIDAYS:**

New Year's Day, Memorial Day, July 4th, Labor Day, Presidential Election Day, Veterans' Day, Thanksgiving Day, Christmas Day. Sunday holidays will be observed the following Monday.

County - CAPE MAY

Craft: Electrician-Utility Work (South)

PREVAILING WAGE RATE

Rates are located in the "Statewide" rate package

Craft: Electrician-Utility Work (South)

#### APPRENTICE RATE SCHEDULE

INTERVAL		PERIOD AND RATES									
6 Months	31.65	34.29	36.93	39.56	42.20	44.84	47.78				
Benefits	28.02	29.62	31.20	32.80	34.40	36.00	37.58				

Craft: Electrician-Utility Work (South)

**COMMENTS/NOTES** 

Electrician-Utility Work (South) rates are located in the "Statewide" rate package.

County - CAPE MAY

#### **OVERTIME:**

- Hours in excess of 8 per day, Monday through Friday, and all hours on Saturdays, Sundays, and holidays shall be paid at double the hourly rate.
- Four 10-hour days may be worked, Monday to Thursday or Tuesday to Friday, at straight time. When working a 4-10 hour day schedule, all hours worked on a day other than the days established for the 4-10 hour schedule shall be paid at double the hourly rate.

RECOGNIZED HOLIDAYS: New Year's Day, Memorial Day, July 4th, Labor Day, Veterans' Day, Thanksgiving Day and day after, Christmas Day. Saturday holidays observed the preceding Friday, Sunday holidays observed the following Monday.

County - CAPE MAY

Craft: Heat & Frost Insulator

#### PREVAILING WAGE RATE

	07/07/23	07/01/24	07/01/25
Foreman	W54.90	W0.00	W0.00
	B37.85	B0.00	B0.00
	T92.75	T95.50	T98.25
Journeyman	W53.40	W0.00	W0.00
	B37.85	B0.00	B0.00
	T91.25	T94.00	T96.75

Craft: Heat & Frost Insulator

#### APPRENTICE RATE SCHEDULE

INTERVAL		PERIOD AND RATES									
Yearly	45%	55%	65%	75%	80%						
Benefit	34.60	for	all	intervals							

#### Ratio of Apprentices to Journeymen - \*

\* Ratio = 1:4 on a "company-wide" basis (i.e. the total number of apprentices and journeymen employed by the company). There is no limit to the number of apprentices allowed on any one job, provided there is at least 1 journeyman on the job.

#### Craft: Heat & Frost Insulator

#### COMMENTS/NOTES

#### FOREMAN REQUIREMENTS:

- If there is only 1 Insulator on the job, he must be designated a Foreman.
- If ther are 2 to 10 Insulators on the job, 1 must be designated a Foreman.
- If there are 11 or more Insulators on the job, 1 must be designated a General Foreman and receive the following additional pay (% above Journeyman wage rate):
  - 11 20 Insulators on site: 10%; 21 30 Insulators on site: 15%;
  - 31 40 Insulators on site: 20%; 41 50 Insulators on site: 25%

The regular workday shall be 8 hours between 7:00 AM and 3:30 PM.

#### SHIFT DIFFERENTIALS:

- Shift work must run for a minimum of two (2) consecutive days and a minimum of two (2) shifts per day must be worked. Additionally, no less than two (2) employees may work on any one (1) shift. If these requirements are not met then shift work would not apply and the applicable overtime rate shall be paid.
- 1st Shift- Monday through Friday (7:00 AM- 3:00 PM).
- 2nd Shift- Monday through Friday (3:00 PM -11:00 PM): additional 15% of the regular rate, inclusive of benefits.
- 3rd Shift- Monday through Friday (11:00 PM -7:00 AM): additional 20% of the regular rate, inclusive of benefits.
- When a single night shift is established by the project owner for work not accessible during the day (due to the building being occupied), Monday through Friday, work performed during a second shift (3:00 PM-11:00 PM) shall be paid an additional 20% of the regular rate, inclusive of benefits, and work performed during a third shift (11:00 PM- 7:00 AM) shall be paid an additional 25% of the regular rate, inclusive of benefits.

#### OVERTIME:

- Hours in excess of 8 per day, or before or after the regular workday Monday through Friday, that are not shift work, and all hours on Saturday, shall be paid at time and one-half the regular rate, inclusive of benefits. All hours on Sunday and holidays (except Labor Day) shall be paid at double the regular rate, inclusive of benefits. All hours on Labor Day shall be paid at triple the regular rate, inclusive of benefits.

County - CAPE MAY

Craft: Heat & Frost Insulator - Asbestos Worker

#### PREVAILING WAGE RATE

	07/07/23	07/01/24	07/01/25
Foreman	W54.90	W0.00	W0.00
	B37.85	B0.00	B0.00
	T92.75	T95.50	T98.25
Journeyman	W53.40	W0.00	W0.00
	B37.85	B0.00	B0.00
	T91.25	T94.00	T96.75

Craft: Heat & Frost Insulator - Asbestos Worker

#### APPRENTICE RATE SCHEDULE

INTERVAL		PERIOD AND RATES									
	SEE	Heat &	Frost	Insulator							

Craft: Heat & Frost Insulator - Asbestos Worker

#### **COMMENTS/NOTES**

NOTE: These rates apply only to the REMOVAL of insulation materials/asbestos from mechanical systems, including containment erection and demolition, and placing material in appropriate containers.

#### FOREMAN REQUIREMENTS:

- If there is only 1 Asbestos Worker on the job, he must be designated an Abatement Foreman.
- If there are 2 to 10 Asbestos Workers on the job, 1 must be designated an Abatement Foreman.
- If there are 11 or more Asbestos Workers on the job, 1 must be designated a General Foreman and receive the following additional pay (% above Abatement Mechanic wage rate):
  - 11 20 Insulators on site: 10%; 21 30 Insulators on site: 15%;
  - 31 40 Insulators on site: 20%; 41 50 Insulators on site: 25%

#### MECHANIC-TO-APPRENTICE RATIO:

- Maximum of 5 Apprentices for each Abatement Mechanic on the job.

#### **OVERTIME:**

- Hours in excess of 8 per day, and all hours on Saturday, shall be paid at time and one-half the regular rate, inclusive of benefits. All hours on Sunday and holidays (except Labor Day) shall be paid at double the regular rate, inclusive of benefits. All hours on Labor Day shall be paid at triple the regular rate, inclusive of benefits.

RECOGNIZED HOLIDAYS: New Year's Day, President's Day, Memorial Day, July 4th, Labor Day, Veteran's Day, Presidential Election Day, Thanksgiving Day, Christmas Day. Saturday holidays observed the preceding Friday, Sunday holidays observed the following Monday.

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County - CAPE MAY

RECOGNIZED HOLIDAYS: New Year's Day, President's Day, Memorial Day, July 4th, Labor Day, Presidential Election Day, Veterans Day, Thanksgiving Day, Christmas Day. Saturday holiday observed the preceding Friday. Sunday holiday observed the following Monday.

County - CAPE MAY

RECOGNIZED HOLIDAYS: New Year's Day, President's Day, Memorial Day, July 4th, Labor Day, Presidential Election Day, Veterans Day, Thanksgiving Day, Christmas Day. Saturday holiday observed the preceding Friday. Sunday holiday observed the following Monday.

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County - CAPE MAY

RECOGNIZED HOLIDAYS: New Year's Day, President's Day, Memorial Day, July 4th, Labor Day, Presidential Election Day, Veterans Day, Thanksgiving Day, Christmas Day. Saturday holiday observed the preceding Friday. Sunday holiday observed the following Monday.

#### County - CAPE MAY

- Employees may work four 10-hour days, Monday to Thursday, at straight time. Friday may be used as a make-up day for a day lost to inclement weather. If Friday is not a make-up day, all hours worked on Friday shall be paid at time and one-half the wage rate.
- Benefits on overtime hours shall be paid at the following rates:

For Rod/Mesh and Structural-

When wages are time and one-half, benefits = \$43.08.

When wages are double, benefits = \$48.44.

For Fence and Guardrail-

When wages are time and one-half, benefits = \$41.91.

When wages are double, benefits = \$46.88.

RECOGNIZED HOLIDAYS: New Year's Day, Memorial Day, July 4th, Labor Day, General and Presidential Election Day, Thanksgiving Day, Christmas Day. Sunday holidays observed the following Monday.

County - CAPE MAY

Craft: Laborer - Building

#### PREVAILING WAGE RATE

	11/14/23
Class A Journeyman	W38.25
	B32.42
	T70.67
Class B Journeyman	W37.25
	B32.42
	T69.67
Class C Journeyman	W31.70
-	B32.42
	T64.12
Foreman	W43.00
	B32.42
	T75.42
General Foreman	W47.75
	B32.42
	T80.17

Craft: Laborer - Building

#### APPRENTICE RATE SCHEDULE

INTERVAL		PERIOD AND RATES									
6 Months	60%	70%	80%	90%	of Class B	wage rate					
Benefit	29.17	29.17	29.17	29.17							

Ratio of Apprentices to Journeymen - \*

\* Ratio of apprentices to journeymen shall not be more than one apprentice for the first journeyman and no more than one (1) apprentice for each additional three (3) journeymen.

Craft: Laborer - Building

#### COMMENTS/NOTES

CLASS A: Specialist laborer including mason tender or concrete pour crew; scaffold builder (scaffolds up to 14 feet in height); operator of forklifts, Bobcats (or equivalent machinery), jack hammers, tampers, motorized tampers and compactors, vibrators, street cleaning machines, hydro demolition equipment, riding motor buggies, conveyors, burners; and nozzlemen on gunite work.

CLASS B: Basic laborer - includes all laborer work not listed in Class A or Class C.

CLASS C: Janitorial-type light clean-up work associated with the TURNOVER of a project, or part of a project, to the owner. All other clean-up work is Class B.

The regular workday shall be 8 hours between 6:00 AM and 6:00 PM.

#### SHIFT DIFFERENTIALS:

- Shift work must run for a minimum of 5 consecutive workdays.
- When a 2-shift schedule is worked, including a day shift, both shifts shall be established on the basis of 8 hours pay for 8 hours worked. The second shift shall receive the regular rate plus an additional 10%.
- When a 3-shift schedule is worked, the day shift shall be established on the basis of 8 hours pay for 8 hours worked, the second shift shall be established on the basis of 8 hours pay for 7.5 hours worked, and the third shift shall be established

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County - CAPE MAY

Craft: Laborer - Heavy & General

PREVAILING WAGE RATE

Rates are located in the "Statewide" rate package

Craft: Laborer - Heavy & General

#### APPRENTICE RATE SCHEDULE

INTERVAL		PERIO	DD AND RAT	TES
1000 Hours	60%	70%	80%	90%
Benefit	23.98	for	all	intervals

Ratio of Apprentices to Journeymen - \*

\* No more than 1 apprentice for the first journeyman and no more than 1 apprentice for each additional 3 journeymen.

Craft: Laborer - Heavy & General

**COMMENTS/NOTES** 

Heavy & General Laborer rates are located in the "Statewide" rate package.

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County - CAPE MAY

foundation systems whether poured on-site or prefabricated, all underground waterproofing, underground utilities, concrete slabs, sidewalks, driveways, paving, hardscape and landscaping. Please note the construction must be Residential as defined above. All work performed by the Set Crew (the crew of workers who set the modular boxes on the foundation), including the rigging, setting, attaching and assembly of all modules and structural members, preparation of the foundation to accept modules, such as sill plates, connection of all in-module and under-module connections including, but not limited to, plumbing, electrical, HVAC, fire suppression, CATS, telephone, television/internet, and fiber optic, the building or installation of any porches or decks regardless of material or method of construction, the on-site installation of, or completion of any roof system, doors, windows and fenestrations, including flashing, gutter and soffit systems, waterproofing, insulation and interior and exterior trim work, and painting. Please note that modular construction does not include on-site stick built construction, tip up construction or panel built construction.

The regular workday shall be 8 hours between 6:00 AM and 6:00 PM.

#### **OVERTIME**:

Hours worked in excess of 8 per day/40 per week, Monday through Saturday, and all hours worked on Sunday and holidays shall be paid at time and one-half the hourly rate.

#### **RECOGNIZED HOILDAYS:**

New Year's Day, Martin Luther King Day, Memorial Day, July 4th, Labor Day, Thanksgiving Day and Christmas Day.

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County - CAPE MAY

Craft: Operating Engineer

PREVAILING WAGE RATE

Rates are located in the "Statewide" rate package

Craft: Operating Engineer

#### APPRENTICE RATE SCHEDULE

INTERVAL		PERIC	DD AND RAT	ES			
Yearly	60%	70%	80%	90%			
						-	

Ratio of Apprentices to Journeymen - \*

\* 1 apprentice for each piece of heavy equipment. At least 10 pieces of heavy equipment or a minimum of 5 Operating Engineers must be on site.

Craft: Operating Engineer

**COMMENTS/NOTES** 

Operating Engineer rates are located in the "Statewide" rate package.

County - CAPE MAY

#### Craft: Painter - Line Striping

#### PREVAILING WAGE RATE

	12/07/22
Apprentice (1st year)	W29.15
	B14.75
	T43.90
Apprentice (2nd year)	W33.25
	B25.70
	T58.95
Foreman (Charge Person)	W42.05
	B26.48
	T68.53
Journeyman 1 (at least 1	W37.28
year of working exp. as a	B26.48
journeyman)	T63.76
Journeyman 2 (at least 2	W41.05
years of working exp. as a	B26.48
journeyman)	T67.53

Craft: Painter - Line Striping

**COMMENTS/NOTES** 

#### OVERTIME:

Hours in excess of 8 per day, Monday through Saturday, and all hours on Sundays and holidays shall be paid at time and one-half the hourly rate.

RECOGNIZED HOLIDAYS: New Year's Day, Presidents' Day, Memorial Day, July 4th, Labor Day, Veterans Day, Thanksgiving Day and Christmas Day. Veterans Day may be substituted for the day after Thanksgiving.

County - CAPE MAY

Craft: Pipefitter

PREVAILING WAGE RATE

See "Plumber" Rates

Craft: Pipefitter

COMMENTS/NOTES

\*\*\* See PLUMBER Rates\*\*\*

County - CAPE MAY

Craft: Plumber

PREVAILING WAGE RATE

	05/04/23
Foreman	W53.97
	B51.55
	T105.52
Journeyman	W49.06
	B51.55
	T100.61

Craft: Plumber

APPRENTICE RATE SCHEDULE

INTERVAL		PERIO	DD AND RAT	ES						
6 Months	30%	35%	45%	50%	55%	60%	65%	70%	75%	80%
Benefits	32.19	33.59	36.35	37.73	39.10	40.49	41.88	43.25	44.65	46.01

Ratio of Apprentices to Journeymen - 1:4

Craft: Plumber

COMMENTS/NOTES

#### FOREMAN REQUIREMENTS:

- On any job having 2 or more Journeyman Plumbers, 1 must be designated a Foreman.
- There must be 1 additional Foreman for every 10 Plumbers on the job.

The regular workday is 8 hours, between 7:00 AM and 4:30 PM.

#### SHIFT DIFFERENTIALS:

- Shift work must run for a minimum of 5 consecutive workdays.
- When 2 shifts are worked, the second shift shall receive 8 hours pay for 8 hours of work.
- When 3 shifts are worked, the second shift shall receive 8 hours pay for 7.5 hours of work, and the third shift shall receive 8 hours pay for 7 hours of work.
- The rate of pay for all shift work shall be an additional 15% of the hourly rate, per hour.

#### **OVERTIME**:

The first 4 hours in excess of 8 per day, or before or after the regular workday that are not shift work, Monday through Friday, and the first 12 hours on Saturdays shall be paid at time and one-half the regular rate, inclusive of benefits. Hours in excess of 12 per day, and all hours on Sundays and holidays shall be paid at double the regular rate, inclusive of benefits.

RECOGNIZED HOLIDAYS: New Year's Day, Presidents' Day, Memorial Day, July 4th, Labor Day, Presidential Election Day, Veterans' Day, Thanksgiving Day, Christmas Day. Sunday holidays will be observed the following Monday.

County - CAPE MAY

Craft: Roofer - Shingle, Slate & Tile

PREVAILING WAGE RATE

	05/19/23
Foreman	W33.10
(3 workers or less)	B22.10
	T55.20
Foreman	W33.85
(4 workers or more)	B22.10
	T55.95
Helper	W16.43
	B22.10
	T38.53
Journeyman	W32.85
(shingle work)	B22.10
	T54.95

Craft: Roofer - Shingle, Slate & Tile

#### APPRENTICE RATE SCHEDULE

INTERVAL		PERIO	DD AND RAT	ES			
Yearly	60%	70%	80%				
Benefits	22.10	22.10	22.10		_		

Ratio of Apprentices to Journeymen - \*

\* 1:2, 2:4, 3:6, 4:8, 5:10, 6:12, 7:14

Craft: Roofer - Shingle, Slate & Tile

**COMMENTS/NOTES** 

NOTE: Above rates are for Shingle work only. Slate and Tile work rates are an additional \$3.00 per hour.

HELPER RATIO: 1 Helper to 1 Journeyman

#### FOREMAN REQUIREMENTS:

- There must be a Foreman on all jobs.
- Foreman rate depends on the number of Roofers on the job, as indicated.

#### **OVERTIME:**

Hours in excess of 8 per day, Monday through Friday, and all hours on Saturdays, Sundays, and holidays shall be paid at time and one-half the wage rate.

RECOGNIZED HOLIDAYS: New Year's Day, Memorial Day, July 4th, Labor Day, Thanksgiving Day, Christmas Day. Sunday holidays will be observed the following Monday.

County - CAPE MAY

#### Craft: Sheet Metal Worker

#### PREVAILING WAGE RATE

	06/01/23
Foreman	W59.68
	B47.39
	T107.07
Journeyman	W56.18
•	B47.39
	T103.57

Craft: Sheet Metal Worker

#### APPRENTICE RATE SCHEDULE

INTERVAL		PERIO	D AND RAT	ES						
6 months	40%	45%	50%	55%	60%	65%	70%	75%	80%	85%
Benefits	14.55	16.25	17.96	19.64	21.34	30.19	32.45	34.68	36.93	39.18

Ratio of Apprentices to Journeymen- 1:3, except for the following types of work where the ratio shall be 1:1 (architectural metal work, testing and balancing, lockers, shelving and toilet partitions).\*

#### Craft: Sheet Metal Worker

#### **COMMENTS/NOTES**

#### JOB SITE FOREMAN REQUIREMENTS:

- When there are 2 to 9 Sheet Metal Workers on a jobsite, 1 must be designated a Foreman.
- When there are 10 to 16 Sheet Metal Workers on a job site, 2 must be designated Foremen.
- When there are 17 to 23 Sheet Metal Workers on a job site, 3 must be designated Foremen.
- For every 7 additional Sheet Metal Workers on a job site, there shall be 1 additional Foreman.

#### SHOP FOREMAN REQUIREMNTS (For custom fabrication):

- When there are 1 to 10 Sheet Metal Workers in the shop, 1 must be designated a Foreman.
- For every 10 additional Sheet Metal Workers in the shop, 1 must be designated a Foreman.

The regular workday consists of 8 hours, between 6:00 AM and 4:30 PM.

#### SHIFT DIFFERENTIALS:

- Shift work must run for a minimum of 5 consecutive workdays.
- There must be a day shift worked in order to have a 2nd and/or 3rd Shift.
- Shop work does not satisfy shift requirements.
- 2nd Shift (4:30 PM-12:30 AM) shall be paid an additional 15% of the regular rate per hour inclusive of benefits, and receive 8 hours pay for 7.5 hours of work.
- 3rd Shift (12:30 AM-8:00 AM) shall be paid an additional 25% of the regular rate per hour inclusive of benefits, and receive 8 hours pay for 7 hours of work.

#### **OVERTIME:**

Hours in excess of 8 per day, or before or after the regular workday, Monday through Friday, that are not shift work, and all

<sup>\*</sup> For work performed in a fabrication shop, the ratio will be applied on a "company-wide" basis (i.e. the total number of apprentices and journeymen employed by the company).

County - CAPE MAY

Craft: Sprinkler Fitter

#### PREVAILING WAGE RATE

	06/13/23
Foreman	W55.19
	B35.59
	T90.78
General Foreman	W57.44
	B35.59
	T93.03
Journeyman	W52.19
	B35.59
	T87.78

Craft: Sprinkler Fitter

#### APPRENTICE RATE SCHEDULE

INTERVAL		PERIC	DD AND RAT	ES						
1000 Hours	45%	50%	55%	60%	65%	70%	75%	80%	85%	90%
Benefits	8.74	8.74	20.32	20.32	20.57	20.57	20.57	20.57	20.57	20.57

Ratio of Apprentices to Journeymen - 1:1

Craft: Sprinkler Fitter

COMMENTS/NOTES

#### FOREMAN REQUIREMENTS:

- There must be a Foreman on all projects. If there is only 1 Sprinkler Fitter on the project, he/she shall be designated a Foreman.
- On any job with 22 or more Sprinkler Fitters 1 shall be designated a General Foreman.

The regular workday consists of 8 hours, between 6:00 AM and 6:00 PM.

#### SHIFT DIFFERENTIALS:

- Shift work must run for a minimum of 5 consecutive workdays.
- 2nd and/or 3rd shift shall receive an additional 15% of the hourly rate, per hour.

#### **OVERTIME**:

- Hours in excess of 8 per day, or before or after the regular workday that are not shift work, Monday through Friday, and all hours on Saturdays shall be paid at time and one-half the hourly rate. All hours on Sundays and holidays shall be paid at double the hourly rate.
- Four 10-hour days may be worked at straight time, Monday through Friday.

RECOGNIZED HOLIDAYS: New Year's Day, Memorial Day, July 4th, Labor Day, Thanksgiving Day, Christmas Day, Saturday holidays will be observed the preceding Friday, Sunday holidays will be observed the following Monday.

County - CAPE MAY

Craft: Truck Driver

#### PREVAILING WAGE RATE

	05/01/23
Bucket, Seeding/Fertilizing/ Mulching trucks	W42.45 B25.64 T68.09
Concrete mobile unit; Tack Spreader, Transit Mix trucks	W42.45 B25.64 T68.09
Dump, Tank, Pick-up, Vacuum or Vac-All trucks	W42.45 B25.64 T68.09
Helper on Straight 3-axle truck, Mechanic's helper	W42.25 B25.64 T67.89
Mechanic	W42.95 B25.64 T68.59
Shop Steward, Large Off-Road Dump Truck, Winch Truck	W42.90 B25.64 T68.54
Straight 3-axle truck	W42.45 B25.64 T68.09
Tow Truck	W42.60 B25.64 T68.24
Tractor Trailer, Fuel, and Asphalt Oil Distributor Trucks	W42.80 B25.64 T68.44
Water Truck	W42.80 B25.64 T68.44

Craft: Truck Driver

**COMMENTS/NOTES** 

#### HAZARDOUS WASTE WORK:

- On hazardous waste removal work on a State-designated hazardous waste site where the driver is in direct contact with hazardous materials and when personal protective equipment is required for respiratory, skin, and eye protection: + \$3.00 per hour.
- All other designated hazardous waste sites: + \$1.00 per hour.

#### SHIFT DIFFERENTIAL:

- Second shift shall receive an additional \$1.00 per hour.

#### OVERTIME:

# NEW JERSEY DEPARTMENT OF LABOR AND WORKFORCE DEVELOPMENT PREVAILING WAGE RATE DETERMINATION

County - CAPE MAY

Craft: Truck Driver-Material Delivery Driver

PREVAILING WAGE RATE

	05/01/23
Driver	W42.45
	B25.64
	T68.09

Craft: Truck Driver-Material Delivery Driver

**COMMENTS/NOTES** 

### HAZARDOUS WASTE WORK:

- All designated hazardous waste sites: + \$1.00 per hour.

### SHIFT DIFFERENTIAL:

- Second shift shall receive an additional \$1.00 per hour.

### OVERTIME:

- Hours in excess of 8 per day, Monday through Friday, and all hours on Saturdays shall be paid at time and one-half the hourly rate. All hours on Sundays and holidays shall be paid at double the hourly rate.
- Employees may work four 10-hour days at straight time, Monday through Thursday, with Friday used as a make-up day. If Friday is not a make-up day, then all hours on Friday shall be paid at time and one-half the hourly rate.

RECOGNIZED HOLIDAYS: New Year's Day, President's Day, Memorial Day, July 4th, Labor Day, Presidential Election Day, Veterans' Day, Thanksgiving Day, Christmas Day. When all trades agree, the day after Thanksgiving may be substituted for Veterans' Day. Sunday holidays will be observed the following Monday.

# STATEWIDE RATES

# NEW JERSEY DEPARTMENT OF LABOR AND WORKFORCE DEVELOPMENT PREVAILING WAGE RATE DETERMINATION

### OPERATING ENGINEERS Rates Expiration Date :

Effective Dates:

07/01/2023		07/01/2024	07/01/2025	
Rate	Fringe	Total	Total	Total
57.63	37.65	95.28	98.03	100.53

### **CLASSIFICATIONS:**

A-Frame

Backhoe (combination)

Boom Attachment on loaders (Except pipehook)

Boring & Drilling Machine

Brush Chopper, Brush Shredder, Tree Shredder, Tree Shearer

Bulldozer, finish grade

Cableway

Carryall

Concrete Pump

Concrete Pumping System (Pumpcrete & similar types)

Conveyor, 125 feet or longer

Drill Doctor (Duties include dust collector and maintenance)

Front End Loader (2 cu. yds. but less than 5 cu. yds.)

Grader, finish

Groove Cutting Machine (ride-on type)

Heater Planer

Hoist: Outside Material Tower Hoist (all types including steam, gas, diesel, electric, air hydraulic, single and double drum, concrete, brick shaft caisson, snorkle roof, and other similar types, Except Chicago-boom type) \* receives an additional \$1.00 per hour on 100 ft. up to 199 ft. total height, and an additional \$2.00 per hour on 200 ft. and over total height.

Hydraulic Crane (10 tons & under)

Hydraulic Dredge

Hydro-Axe

Hydro-Blaster

# NEW JERSEY DEPARTMENT OF LABOR AND WORKFORCE DEVELOPMENT PREVAILING WAGE RATE DETERMINATION

### OPERATING ENGINEERS Rates Expiration Date :

**Effective Dates:** 

07/01/2023		07/01/2024	07/01/2025	
Rate	Fringe	Total	Total	Total
55.72	37.65	93.37	96.12	98.62

### **CLASSIFICATIONS:**

Asphalt Curbing Machine

Asphalt Plant Engineer

Asphalt Spreader

Autograde Curb Trimmer & Sidewalk Shoulder Slipform (CMI & similar types)

Autograde Curecrete Machine (CMI & similar types)

Autograde Tube Finisher & Texturing Machine (CMI & similar types)

Bar Bending Machines (Power)

Batcher, Batching Plant, & Crusher [On Site]

Belt Conveyor System

Boom-Type Skimmer Machine

Bridge Deck Finisher

Bulldozer (all sizes)

Captain (Power Boats)

Car Dumper (railroad)

Compressor & Blower unit for loading/unloading of concrete, cement, fly ash, or similar type materials (used independently or truck-mounted)

Compressor (2 or 3 battery)

Concrete Breaking Machine

Concrete Cleaning/Decontamination Machine

Concrete Finishing Machine

Concrete Saw or Cutter (ride-on type)

Concrete Spreader (Hetzel, Rexomatic & similar types)

Concrete Vibrator

# NEW JERSEY DEPARTMENT OF LABOR AND WORKFORCE DEVELOPMENT PREVAILING WAGE RATE DETERMINATION

### OPERATING ENGINEERS Rates Expiration Date :

Effective Dates:

07/01/2023		07/01/2024	07/01/2025
Fringe	Total	Total	Total
37.65	93.37	96.12	98.62
	Fringe	Fringe Total	Fringe Total Total

### **CLASSIFICATIONS:**

Laddervator

Locomotive (Dinky-type)

Maintenance Utility Man

Master Environmental Maintenance Technician

Mechanic

Mixer (Except paving mixers)

Pavement Breaker (truck-mounted or small self-propelled ride-on type)

Pavement Breaker - maintenance of compressor or hydraulic unit

Pipe Bending Machine (power)

Pitch Pump

Plaster Pump (regardless of size)

Post Hole Digger (post pounder, auger)

Rod Bending Machines

Roller (black top)

Scale (power)

Seamen Pulverizing Mixer

Shoulder Widener

Silo

Skimmmer Machine (boom type)

Steel Cutting Machine (service & maintenance)

Tamrock Drill

Tractor

Transfer Machines

# NEW JERSEY DEPARTMENT OF LABOR AND WORKFORCE DEVELOPMENT PREVAILING WAGE RATE DETERMINATION

OPERATING ENGINEERS Rates Expiration Date :

Effective Dates:

07/01/2023			07/01/2024	07/01/2025
Rate	Fringe	Total	Total	Total
57.96	37.65	95.61	98.36	100.86

### **CLASSIFICATIONS:**

Lead Engineer, Foreman Engineer, Safety Engineer (minimum)

# NEW JERSEY DEPARTMENT OF LABOR AND WORKFORCE DEVELOPMENT PREVAILING WAGE RATE DETERMINATION

### OPERATING ENGINEERS Rates Expiration Date :

**Effective Dates:** 

07/01/2023		07/01/2024	07/01/2025	
Rate	Fringe	Total	Total	Total
59.22	37.65	96.87	99.62	102.12

### **CLASSIFICATIONS:**

Pavement & Concrete Breaker (Superhammer & Hoe Ram)

Pile Driver

Prentice Truck

Roadway Surface Grinder

Scooper (loader & shovel)

Shovel (Excavator)

Trackhoe (Excavator)

Tree Chopper with boom

Trenching Machine (cable plow)

Tunnel Boring Machine

Vacuum Truck

# NEW JERSEY DEPARTMENT OF LABOR AND WORKFORCE DEVELOPMENT PREVAILING WAGE RATE DETERMINATION

### OPERATING ENGINEERS Rates Expiration Date :

**Effective Dates:** 

07/01/2023		07/01/2024	07/01/2025	
Rate	Fringe	Total	Total	Total
54.09	37.65	91.74	94.49	96.99

### **CLASSIFICATIONS:**

Steam Generator or Boiler

Stone Spreader

Tamping Machine (vibrating ride-on type)

Temporary Heating Plant (Nelson or other type, including proprane, natural gas, and flow-type units)

Water or Sprinkler Truck

Welding Machine (gas, diesel, or electric convertor, of any type)

Welding System - Multiple (rectifier transformer type)

Wellpoint Systems (including installation by bull gang and maintenance)

Effective Dates:

07/01/2023		07/01/2024	07/01/2025	
Rate	Fringe	Total	Total	Total
61.04	37.65	98.69	101.44	103.94

### **CLASSIFICATIONS:**

Helicoptor Pilot/Engineer

### **Effective Dates:**

07/01/2023			07/01/2024	07/01/2025
Rate	Fringe	Total	Total	Total
65.72	37.65	103.37	106.12	108.62

### **CLASSIFICATIONS:**

Cranes, Derricks, Pile Driver (all types), 100 tons and over and TOWER CRANE with boom (including jib and/or leads) 140 ft. and over

### **Effective Dates:**

07/01/2023		07/01/2024	07/01/2025	
Rate	Fringe	Total	Total	Total
64.72	37.65	102.37	105.12	107.62

### **CLASSIFICATIONS:**

Cranes, Derricks, Pile Driver (all types), 100 tons and over and TOWER CRANE with boom (including jib and/or leads) from 100 ft. to 139 ft.

# NEW JERSEY DEPARTMENT OF LABOR AND WORKFORCE DEVELOPMENT PREVAILING WAGE RATE DETERMINATION

### STRUCTURAL STEEL ERECTION Rates Expiration Date :

{For apprentice rates refer to "Operating Engineers" apprentice rates in any county rate package}

The regular workday consists of 8 hours, Monday to Friday, between 6:00 AM and 5:30 PM.

### SHIFT DIFFERENTIALS:

- Shift work must be established for 5 consecutive workdays.
- Any work started outside of the allowed start time, 6:00 AM to 9:00 AM, except for \* tidal work, shall be considered an irregular shift and paid at straight time, plus 15% for the first eight hours, inclusive of benefits.
- \* FOR TIDAL WORK- a contractor can start their job according to tide schedules (tide schedules are the various high and low tides related to this work), providing the eight hour shift is completed between the hours of 5:00 AM and 6:30 PM.
- All time worked in excess of an established shift (an established shift is a shift that is determined at the time of the bid) shall be paid at the applicable overtime rate. When a portion of an established shift works into Saturday, Sunday or a holiday, that time worked shall be paid at the established shift rate.
- When working with other trades who receive a higher irregular shift differential, these employees shall also receive the higher differential rate.

### OVERTIME:

- Hours in excess of 8 per day, or outside of the regular workday, Monday through Friday, that are not shift work, and all hours on Saturday shall be paid at time and one-half the regular rate, inclusive of benefits. All hours on Sunday and holidays shall be paid at double the regular rate, inclusive of benefits.
- Four 10-hour days may be worked, Monday through Thursday, at straight time, with all hours on Friday paid at time and one-half the regular rate, inclusive of benefits.

ECOGNIZED HOLIDAYS: New Year's Day, Presidents' Day, Memorial Day, July 4th, Labor Day, Presidential Election Day, Veterans Day, Thanksgiving Day, Christmas Day. Sunday holidays observed the following Monday. When all trades on a particular job site agree, the day after Thanksgiving may be substituted for Veterans Day.

For projects bid after April 1, 2020, on hazardous waste removal work of any kind, including a state or federally designated site, where the operating engineer is required to wear level A, B, or C personal protection, the operating engineer shall receive an hourly wage rate of his regular hourly wage plus \$5.00 per hour.

- An operating engineer working at a hazardous waste removal project or site at a task requiring hazardous waste related certification, but who is not working in a zone requiring level A, B, or C personal protection, shall receive an hourly wage rate of his regular rate plus \$1.00 per hour.

### **Effective Dates:**

07/01/2023		07/01/2024	07/01/2025	
Rate	Fringe	Total	Total	Total
62.85	37.65	100.50	103.25	105.75

### **CLASSIFICATIONS:**

Helicopter Co-Pilot & Communications Engineer

# NEW JERSEY DEPARTMENT OF LABOR AND WORKFORCE DEVELOPMENT PREVAILING WAGE RATE DETERMINATION

### STRUCTURAL STEEL ERECTION Rates Expiration Date:

Effective Dates:

07/01/2023		07/01/2024	07/01/2025	
Rate	Fringe	Total	Total	Total
56.13	37.65	93.78	96.53	99.03

### **CLASSIFICATIONS:**

Aerial Platform Used On Hoists

Apprentice Engineer/Oiler with Compressor or Welding Machine

Captain (Power Boats)

Compressor (2 or 3 in battery)

Concrete Cleaning/Decontamination Machine Operator

Conveyor or Tugger Hoist

Directional Boring Machine

Elevator or House Car

Fireman

Forklift

Generator (2 or 3)

Heavy Equipment Robotics, Operator/Technician

Maintenance Utility Man

Master Environmental Maintenance Technician

Tug Master (Power Boats)

Ultra High Pressure Waterjet Cutting Tool System Operator/Maintenance Technician

Vacuum Blasting Machine Operator/Maintenance Technician

Welding Machines, Gas or Electric Converters on any type-2 or 3 in battery including diesels

# NEW JERSEY DEPARTMENT OF LABOR AND WORKFORCE DEVELOPMENT PREVAILING WAGE RATE DETERMINATION

### STRUCTURAL STEEL ERECTION Rates Expiration Date:

### Effective Dates:

07/01/2023		07/01/2024	07/01/2025	
Rate	Fringe	Total	Total	Total
59.55	37.65	97.20	99.95	102.45

### **CLASSIFICATIONS:**

Field Engineer-Chief of Party

Vacuum Truck

### **Effective Dates:**

07/01/2023		07/01/2024	07/01/2025	
Rate	Fringe	Total	Total	Total
67.74	37.65	105.39	108.14	110.64

### **CLASSIFICATIONS:**

Cranes (all cranes, land or floating with booms, including jib, 140 ft. and over, above ground). Derricks (all derricks, land, floating or Chicago Boom type with booms including jib, 140 ft. and over, above ground), and Pile Drivers (all types) 100 tons and over and Tower Cranes.

### **Effective Dates:**

	07/01/2023		07/01/2023 07/01/202		07/01/2025
P	Rate	Fringe	Total	Total	Total
66	5.08	37.65	103.73	106.48	108.98

### **CLASSIFICATIONS:**

Cranes (all cranes, land or floating with booms including jib, less than 140 ft. above ground), Derricks (all derricks. land, floating or Chicago Boom type with booms including jib, less than 140 ft. above ground), Pile Drivers (all types), 100 tons and over and Tower Crane.

### **Effective Dates:**

07/01/2023		07/01/2024	07/01/2025	
Rate	Fringe	Total	Total	Total
63.24	37.65	100.89	103.64	106.14

### **CLASSIFICATIONS:**

Cranes (all cranes, land or floating with booms including jib, 140 ft. and over, above ground), Derricks (all derricks, land, floating or Chicago Boom type with booms including jib, 140 ft. and over, above ground), Pile Drivers (all types), under 100 tons.

### **Effective Dates:**

07/01/2023		07/01/2024	07/01/2025	
Rate	Fringe	Total	Total	Total
61.58	37.65	99.23	101.98	104.48

### **CLASSIFICATIONS:**

Cranes (all cranes, land or floating with booms including jib, less than 140 ft. above ground), Derricks (all derricks, land, floating or Chicago Boom type with booms including jib, less than 140 ft. above ground), Pile Drivers (all types), under 100 tons.

## NEW JERSEY DEPARTMENT OF LABOR AND WORKFORCE DEVELOPMENT PREVAILING WAGE RATE DETERMINATION

### TEST BORING PRELIMINARY TO CONSTRUCTION-SOUTH/WEST Rates Expiration Date:

. HESE RATES APPLY IN THE FOLLOWING COUNTIES ONLY:

Atlantic, Burlington, Camden, Cape May, Cumberland, Gloucester, Hunterdon, Mercer, Monmouth, Ocean, Salem, Sussex, Warren

The regular workday consists of 8 hours, Monday to Friday, between 6:00 AM and 5:30 PM.

### SHIFT DIFFERENTIALS:

- Shift work must be established for 5 consecutive workdays.
- Any work started outside of the allowed start time, 6:00 AM to 9:00 AM, except for \* tidal work, shall be considered an irregular shift and paid at straight time, plus 15% for the first eight hours, inclusive of benefits.
- \* FOR TIDAL WORK- a contractor can start their job according to tide schedules (tide schedules are the various high and low tides related to this work), providing the eight hour shift is completed between the hours of 5:00 AM and 6:30 PM.
- All time worked in excess of an established shift (an established shift is a shift that is determined at the time of the bid) shall be paid at the applicable overtime rate. When a portion of an established shift works into Saturday, Sunday or a holiday, that time worked shall be paid at the established shift rate.
- When working with other trades who receive a higher irregular shift differential, these employees shall also receive the higher differential rate.

### OVERTIME:

- Hours in excess of 8 per day, or outside of the regular workday, Monday through Friday, that are not shift work, and all hours on Saturday shall be paid at time and one-half the regular rate, inclusive of benefits. All hours on Sunday and holidays shall be paid at double the regular rate, inclusive of benefits.
- Four 10-hour days may be worked, Monday through Thursday, at straight time, with all hours on Friday paid at time and one-half the regular rate, inclusive of benefits.

ECOGNIZED HOLIDAYS: New Year's Day, Presidents' Day, Memorial Day, July 4th, Labor Day, Presidential Election Day, Veterans Day, Thanksgiving Day, Christmas Day. Sunday holidays observed the following Monday. When all trades on a particular job site agree, the day after Thanksgiving may be substituted for Veterans Day.

For projects bid after April 1, 2020, on hazardous waste removal work of any kind, including a state or federally designated site, where the operating engineer is required to wear level A, B, or C personal protection, the operating engineer shall receive an hourly wage rate of his regular hourly wage plus \$5.00 per hour.

- An operating engineer working at a hazardous waste removal project or site at a task requiring hazardous waste related certification, but who is not working in a zone requiring level A, B, or C personal protection, shall receive an hourly wage rate of his regular rate plus \$1.00 per hour.

### **Effective Dates:**

07/01/2023		07/01/2024	07/01/2025	
Rate	Fringe	Total	Total	Total
59.22	37.65	96.87	99.62	102.12

### **CLASSIFICATIONS:**

Driller

### **Effective Dates:**

07/01/2023		07/01/2024	07/01/2025	
Rate	Fringe	Total	Total	Total
52.38	37.65	90.03	92.78	95.28

### **CLASSIFICATIONS:**

Driller's Helper

### NEW JERSEY DEPARTMENT OF LABOR AND WORKFORCE DEVELOPMENT PREVAILING WAGE RATE DETERMINATION

**ENTIRE STATE** 

FREE AIR TUNNEL JOBS

Rates Expiration Date :

Effective Dates:

03/01/2023

Rate 49.50 Fringe

Total 85.23

35.73

**CLASSIFICATIONS:** 

Iron Foreman, Caulking Foreman, Form Foreman, Cement Finishing Foreman, Concrete Foreman, Track Foreman, Cleanup Foreman, Grout Foreman

**Effective Dates:** 

03/01/2023

Rate

Fringe

Total

52.00

35.73

87.73

**CLASSIFICATIONS:** 

Blaster

**Effective Dates:** 

03/01/2023

Rate

Fringe

Total

48.95

35.73

84.68

**CLASSIFICATIONS:** 

Top Labor Foreman

**Effective Dates:** 

03/01/2023

Rate

Fringe

Total

48.60

35.73

84.33

**CLASSIFICATIONS:** 

Skilled Men (including Caulker, Powder Carrier, all other skilled men)

Skilled Men (including Miner, Drill Runner, Iron Man, Conveyor Man, Manitenance Man, Safety Miner, Rigger, Block Layer, Cement Finisher, Tod Man)

**Effective Dates:** 

03/01/2023

Rate

Fringe

Total

48.45

35.73

84.18

**CLASSIFICATIONS:** 

Semi-Skilled Men (including Bell or Signal Man Top or Bottom, Form Worker & Mover, Concrete Worker, Shaft Man, Tunnel Laborer, Caulker's Helper, all other semi-skilled)

Semi-Skilled Men (including Miner's Helper, Chuck Tender, Track Man, Nipper, Brake Man, Derail Man, Cable Man, Hose Man, Gravel Man, Form Man)

# NEW JERSEY DEPARTMENT OF LABOR AND WORKFORCE DEVELOPMENT PREVAILING WAGE RATE DETERMINATION

### DRILL FOR GROUND WATER SUPPLY Rates Expiration Date :

ne well driller and/or helper may perform all work relative to the construction, finishing, and servicing of wells, pumps and borings for ground water supply. The present methods of well drilling entailing as they do, many diverse job operations calling for drilling, pump discharge, piping, and the operation of various types of related power equipment, shall all be within the job duties and functions of the well driller and/or helper. In the event that an extension of work should occur beyond water well drilling functions, into the field of general construction work, such extension of work would come under the appropriate rates listed elsewhere in this wage determination.

- For Work Hours, Shift Differentials, Overtime Rates, and Recognized Holidays see the "Operating Engineers" section of this wage determination.

### **Effective Dates:**

07/01/2023		07/01/2024	07/01/2025	
Rate	Fringe	Total	Total	Total
57.97	37.65	95.62	98.37	100.87

### **CLASSIFICATIONS:**

Driller

**Effective Dates:** 

07/01/2023		07/01/2024	07/01/2025		
	Rate	Fringe	Total	Total	Total
	51.13	37.65	88.78	91.53	94.03

### **CLASSIFICATIONS:**

Driller's Helper

# NEW JERSEY DEPARTMENT OF LABOR AND WORKFORCE DEVELOPMENT PREVAILING WAGE RATE DETERMINATION

### ENTIRE STATE

### OPERATING ENGINEERS MARINE-DREDGING Rates Expiration Date :

Effective Dates:

10/01/2023

Rate Fringe

Total

35.83

14.31

50.14

**CLASSIFICATIONS:** 

Mate, Drag Barge Operator, Steward, Assistant Fill Placer

Welder

**Effective Dates:** 

10/01/2023

Rate

Fringe

Total

34.68

14.23

48.91

**CLASSIFICATIONS:** 

**Boat Operator** 

**Effective Dates:** 

10/01/2023

Rate

Fringe

Total

28.81

13.82

42.63

**CLASSIFICATIONS:** 

Shoreman, Deckhand, Rodman, Scowman

**Effective Dates:** 

10/01/2023

Rate

Fringe

Total

40.33

14.87

55.20

**CLASSIFICATIONS:** 

Crane Operator

# NEW JERSEY DEPARTMENT OF LABOR AND WORKFORCE DEVELOPMENT PREVAILING WAGE RATE DETERMINATION

ENTIRE STATE

MICROSURFACING/SLURRY SEAL Rates Expiration Date :

Effective Dates:

03/01/2017

Rate Fringe

Total

30.30

21.27

51.57

**CLASSIFICATIONS:** 

Cleaner, Taper

**ENTIRE STATE** 

### NEW JERSEY DEPARTMENT OF LABOR AND WORKFORCE DEVELOPMENT PREVAILING WAGE RATE DETERMINATION

### **ASPHALT LABORERS - SOUTH** Rates Expiration Date:

Effective Dates:

03/01/2023

Fringe Rate

Total

47.95

35.73

83.68

### **CLASSIFICATIONS:**

Tampers, Smoothers, Kettlemen, Painters, Shovelers, Roller Boys

**Effective Dates:** 

03/01/2023

Rate

Fringe

Total

48.05

35.73

83.78

### **CLASSIFICATIONS:**

Milling Controller

**Effective Dates:** 

03/01/2023

Rate

Fringe

Total

48.25

35.73

83.98

**CLASSIFICATIONS:** 

Traffic Control Coordinator

**Effective Dates:** 

03/01/2023

Rate

Fringe

Total

48.20

35.73

83.93

**CLASSIFICATIONS:** 

Raker, Luteman

# NEW JERSEY DEPARTMENT OF LABOR AND WORKFORCE DEVELOPMENT PREVAILING WAGE RATE DETERMINATION

### HEAVY & GENERAL LABORERS - NORTH Rates Expiration Date :

. HESE RATES APPLY IN THE FOLLOWING COUNTIES ONLY:

Bergen, Essex, Hudson, Hunterdon, Middlesex, Monmouth, Morris, Passaic, Somerset, Sussex, Union. Warren

{For apprentice rates refer to "Laborer - Heavy & General" apprentice rates in any county rate package}

The regular workday consists of 8 hours, starting at 7:00 AM or 8:00 AM.

### SHIFT DIFFERENTIALS:

- Shifts must start at 3:00 PM, 4:00 PM, 12:00 AM, or 1:00 AM, to be considered shift work, except when the project owner mandates special hours of work in the job specifications, in which case those hours may be considered shift work.
- When such hours are mandated by the project owner, a shift that begins before midnight on Friday and ends on Saturday morning, or that begins at or after 8:00 PM on Sunday and ends on Monday morning may be paid at the shift differential rate.
- Shifts shall receive an additional \$3.00 per hour.

FOR TIDE WORK (pertains to tidal water): A contractor can start their job according to tide schedules (tide schedules are the various high and low tides related to this work) providing the eight (8) hour shift is completed between the hours of 5:00 AM and 6:30 PM.

### OVERTIME:

- Hours in excess of 8 per day, Monday through Friday, or outside of the regular workday that are not shift work, and all hours on Saturdays, shall be paid at time and one-half the hourly rate. All hours on Sundays and holidays shall be paid at double the hourly rate.
- Four 10-hour days may be worked, Monday through Thursday, at straight time, with Friday used as a make-up day for a day lost to inclement weather. If Friday is not a make-up day, all hours on Friday shall be paid at time and one-half the hourly rate.

RECOGNIZED HOLIDAYS: New Year's Day, Presidents' Day, Memorial Day, July 4th, Labor Day, Presidential Election Day, Veterans' Day, Thanksgiving Day, Christmas Day. Sunday holidays observed the following Monday. Veterans Day may be substituted for the day ter Thanksgiving. However, in the trading of Veterans Day for the day after Thanksgiving, if overtime is worked on Veterans Day, it all be paid at double the hourly rate.

### Hazardous Waste Work:

- -where Level A, B, or C protection is required: + \$5.00/hr
- -other Hazardous Waste site: + \$1.00/hr

### **Effective Dates:**

### 03/01/2023

Rate	Fringe	Total
47.55	35.73	83.28

### CLASSIFICATIONS:

### "D" Rate:

basic, landscape, asphalt, slurry seal, or railroad track laborer; utility meter installer; flagman; salamander tender; pitman; dumpman; rakers or tampers on cold patch work; wrappers or coaters of pipe; waterproofer; timberman; wagon drill or drill master helper; powder carrier; magazine tender; signal man; power buggy operator; tree cutter; operator of basic power tools

### Effective Dates:

### 03/01/2023

Rate	Fringe	Total	
48.25	35.73	83.98	

### CLASSIFICATIONS:

### "C" Rate:

pipe layer; laser man; conduit or duct line layer; operator of jack hammer, chipping hammer, pavement breaker, concrete cutter, asphalt cutter, sheet hammer, or walk-behind saw cutter; sandblaster; acetylene cutting or burning; wagon drill, directional drill, or hydraulic drill operator; drill master; core driller; traffic control coordinator; asphalt raker or lute man

# NEW JERSEY DEPARTMENT OF LABOR AND WORKFORCE DEVELOPMENT PREVAILING WAGE RATE DETERMINATION

### HEAVY & GENERAL LABORERS - SOUTH Rates Expiration Date :

. HESE RATES APPLY IN THE FOLLOWING COUNTIES ONLY:

Atlantic, Burlington, Camden, Cape May, Cumberland, Gloucester, Mercer, Ocean, Salem

{For apprentice rates refer to "Laborer - Heavy & General" apprentice rates in any county rate package}

The regular workday consists of 8 hours, starting at 7:00 AM or 8:00 AM.

### SHIFT DIFFERENTIALS:

- Shifts must start at 3:00 PM, 4:00 PM, 12:00 AM, or 1:00 AM, to be considered shift work, except when the project owner mandates special hours of work in the job specifications, in which case those hours may be considered shift work.
- When such hours are mandated by the project owner, a shift that begins before midnight on Friday and ends on Saturday morning, or that begins at or after 8:00 PM on Sunday and ends on Monday morning may be paid at the shift differential rate.
- Shifts shall receive an additional \$3.00 per hour.

FOR TIDE WORK (pertains to tidal water): A contractor can start their job according to tide schedules (tide schedules are the various high and low tides related to this work) providing the eight (8) hour shift is completed between the hours of 5:00 AM and 6:30 PM. OVERTIME:

- Hours in excess of 8 per day, Monday through Friday, or outside of the regular workday that are not shift work, and all hours on Saturdays, shall be paid at time and one-half the hourly rate. All hours on Sundays and holidays shall be paid at double the hourly rate.
- Four 10-hour days may be worked, Monday through Thursday, at straight time, with Friday used as a make-up day for a day lost to inclement weather. If Friday is not a make-up day, all hours on Friday shall be paid at time and one-half the hourly rate.

RECOGNIZED HOLIDAYS: New Year's Day, Presidents' Day, Memorial Day, July 4th, Labor Day, Presidential Election Day, Veterans' Day, Thanksgiving Day, Christmas Day. Sunday holidays observed the following Monday. Veterans Day may be substituted for the day after Thanksgiving. However, in the trading of Veterans Day for the day after Thanksgiving, if overtime is worked on Veterans Day, it vall be paid at double the hourly rate.

### Hazardous Waste Work:

- -where Level A, B, or C protection is required: + \$5.00/hr
- -other Hazardous Waste site: + \$1.00/hr

### **Effective Dates:**

### 03/01/2023

Rate	Fringe	Total
47.55	35.73	83.28

### CLASSIFICATIONS:

basic, landscape, or railroad track laborer; utility meter installer; flagman; salamander tender; pitman; dumpman; rakers or tampers on cold patch work; wrappers or coaters of pipe; waterproofers; tree cutter, timberman

### **Effective Dates:**

### 03/01/2023

Rate	Fringe	Total
47.55	35.73	83.28

### **CLASSIFICATIONS:**

wagon drill or drill master helper; powder carrier; magazine tender; signal man

# NEW JERSEY DEPARTMENT OF LABOR AND WORKFORCE DEVELOPMENT PREVAILING WAGE RATE DETERMINATION

### HEAVY & GENERAL LABORERS - SOUTH Rates Expiration Date :

**Effective Dates:** 

03/01/2023

Rate Fringe Total 48.50 35.73 84.23

### **CLASSIFICATIONS:**

concrete finisher; setter of brick or stone pavers; stone cutter; form setter; manhole, catch basin, or inlet builder; rammer; gunite nozzle man

# NEW JERSEY DEPARTMENT OF LABOR AND WORKFORCE DEVELOPMENT PREVAILING WAGE RATE DETERMINATION

ENTIRE STATE

PIPELINE - MAINLINE TRANSMISSION Rates Expiration Date :

Effective Dates:

07/01/2023

Rate Fringe

Total

57.34

34.70

92.04

**CLASSIFICATIONS:** 

Pipeline Journeyman

**Effective Dates:** 

07/01/2023

Rate

Fringe

Total

33.84

24.32

58.16

**CLASSIFICATIONS:** 

Pipeline Helper

# NEW JERSEY DEPARTMENT OF LABOR AND WORKFORCE DEVELOPMENT PREVAILING WAGE RATE DETERMINATION

### ASPHALT LABORERS- NORTH Rates Expiration Date :

### . HESE RATES APPLY IN THE FOLLOWING COUNTIES ONLY:

Bergen, Essex, Hudson, Hunterdon, Middlesex, Monmouth, Morris, Passaic, Somerset, Sussex, Union, Warren {For apprentice rates refer to "Laborer - Heavy & General" apprentice rates in any county rate package} The regular workday consists of 8 hours, starting at 7:00 AM or 8:00 AM.

### SHIFT DIFFERENTIALS:

- Shifts must start at 3:00 PM, 4:00 PM, 12:00 AM, or 1:00 AM, to be considered shift work, except when the project owner mandates special hours of work in the job specifications, in which case those hours may be considered shift work.
- When such hours are mandated by the project owner, a shift that begins before midnight on Friday and ends on Saturday morning, or that begins at or after 8:00 PM on Sunday and ends on Monday morning may be paid at the shift differential rate.
- Shifts shall receive an additional \$3.00 per hour.

### **OVERTIME:**

- Hours in excess of 8 per day, Monday through Friday, or outside of the regular workday that are not shift work, and all hours on Saturdays, shall be paid at time and one-half the hourly rate. All hours on Sundays and holidays shall be paid at double the hourly rate.
- Four 10-hour days may be worked, Monday through Thursday, at straight time, with Friday used as a make-up day for a day lost to inclement weather. If Friday is not a make-up day, all hours on Friday shall be paid at time and one-half the hourly rate.

RECOGNIZED HOLIDAYS: New Year's Day, Presidents' Day, Memorial Day, July 4th, Labor Day, Presidential Election Day, Veterans' Day, Thanksgiving Day, Christmas Day. Sunday holidays observed the following Monday. Veterans Day may be substituted for the day after Thanksgiving. However, in the trading of Veterans Day for the day after Thanksgiving, if overtime is worked on Veterans Day, it shall be paid at double the hourly rate.

-where Level A, B, or C protection is required: + \$5.00/hr

-other Hazardous Waste site: + \$1.00/hr

OR TIDE WORK (pertains to tidal water): A contractor can start their job according to tide schedules (tide schedules are the various and low tides related to this work) providing the eight (8) hour shift is completed between the hours of 5:00 AM and 6:30 PM.

### **Effective Dates:**

Hazardous Waste Work:

### 03/01/2023

Rate	Fringe	Tota
51.80	35.73	87.53

### **CLASSIFICATIONS:**

Asphalt Foreman

### **Effective Dates:**

### 03/01/2023

Rate	Fringe	Total
48.50	35.73	84.23

### **CLASSIFICATIONS:**

Asphalt Screedman

### **Effective Dates:**

### 03/01/2023

Rate	Fringe	Total
48.25	35.73	83.98

### **CLASSIFICATIONS:**

Asphalt Raker or Lute Man

# NEW JERSEY DEPARTMENT OF LABOR AND WORKFORCE DEVELOPMENT PREVAILING WAGE RATE DETERMINATION

### ELECTRICIAN- UTILITY WORK (NORTH) Rates Expiration Date :

\_lectrician-Utility Work (North)

(For apprentice rates refer to Electrician-Utility Work (North) in any county rate package).

These rates apply to work contracted for by the following utility companies:

Public Service Electric & Gas Co. of NJ, GPU Energy, Borough of Madison Electric Department, Sussex Rural

Electric Cooperative, Rockland Utilities, and Butler Municipal Electric Co.

These rates do not apply to work on substations or switching stations.

For Utility work contracted for by a utility company other than those listed above or those listed under "Electrician-

Utility Work (South), see the "Outside Commercial Rates" for the county in which the jobsite is located.

### \* FOR OUTSIDE COMMERCIAL RATES PLEASE SEE COUNTY RATES

The regular workday is 8 hours, between 6:00 AM and 6:00 PM.

FOR EMERGENCY WORK ONLY: (emergency work is defined as work caused by storm, catastrophe, act of god, and circumstances beyond the control of the employer)-all hours of work shall be paid at double the hourly rate.

### SHIFT DIFFERENTIALS:

Shift work must run for a minimum of 5 consecutive workdays.

2nd shift (between the hours of 4:30 PM and 1:00 AM): 8 hours of work + 17.3% of the regular rate, inclusive of benefits.

3rd shift (between the hours of 12:30 AM and 9:00 AM): 8 hours of work + 31.4% of the regular rate per hour, inclusive of benefits.

### **OVERTIME:**

Hours in excess of 8 per day, or before or after the regular wokday Monday through Friday, that is not shift work, and all hours on Saturday shall be paid at time and one-half the regular rate, inclusive of benefits. All hours on Sundays and holidays shall be paid at double the hourly rate, inclusive of benefits.

Four 10-hour days may worked, at straight time, between 6:00 AM and 6:00 PM, Monday through Thursday.

### LECOGNIZED HOLIDAYS:

New Year's Day, Presidents' Day, Memorial Day, July 4th, Labor Day, Presidential Election Day, Veterans' Day, Thanksgiving Day and Christmas Day, or day on which they are legally observed.

### **Effective Dates:**

12/04/2022		12/03/2023	12/01/2024	
Rate	Fringe	Total	Total	Total
61.07	42.13	103.20	106.36	109.56

### **CLASSIFICATIONS:**

Chief Lineman

### **Effective Dates:**

12/04/2022		12/03/2023	12/01/2024	
Rate	Fringe	Total	Total	Total
57.61	39.75	97.36	100.35	103.36

### CLASSIFICATIONS:

Journeyman Lineman

# NEW JERSEY DEPARTMENT OF LABOR AND WORKFORCE DEVELOPMENT PREVAILING WAGE RATE DETERMINATION

### ELECTRICIAN- UTILITY WORK (NORTH) Rates Expiration Date :

Effective Dates:

12/04/2022			12/03/2023	12/01/2024
Rate	Fringe	Total	Total	Total
64.52	44.51	109.03	112.40	115.76

### **CLASSIFICATIONS:**

Line Foreman

**Effective Dates:** 

12/04/2022			12/03/2023	12/01/2024
Rate	Fringe	Total	Total	Total
46.66	32.19	78.85	81.28	83.72

### **CLASSIFICATIONS:**

Street Light Mechanical Leader

**Effective Dates:** 

12/04/2022			4/2022 12/03/2023		
Rate	Fringe	Total	Total	Total	
44.36	30.60	74.96	77.26	79.58	

### **CLASSIFICATIONS:**

Groundman Winch Operator

**Effective Dates:** 

12/04/2022			12/03/2023	12/01/2024
Rate	Fringe	Total	Total	Total
44.36	30.60	74.96	77.26	79.58

### **CLASSIFICATIONS:**

Groundman Truck Operator

**Effective Dates:** 

12/04/2022			12/03/2023	12/01/2024
Rate	Fringe	Total	Total	Total
43.78	30.20	73.98	76.26	78.55

### **CLASSIFICATIONS:**

Street Light Mechanic

**Effective Dates:** 

12/04/2022			12/03/2023	12/01/2024	
Rate	Fringe	Total	Total	Total	
43.78	30.20	73.98	76.26	78.55	

### **CLASSIFICATIONS:**

Line Equipment Mechanic

# NEW JERSEY DEPARTMENT OF LABOR AND WORKFORCE DEVELOPMENT PREVAILING WAGE RATE DETERMINATION

### ELECTRICIAN- UTILITY WORK (SOUTH) Rates Expiration Date :

Jectrician-Utility Work (South)

(For apprentice rates refer to Electrician-Utility Work (South) in any county rate package).

These rates apply to work contracted for by the following utility company:

Atlantic City Electric.

These rates do not apply to work on substations or switching stations.

For utility work contracted for by a utility company other than the one listed above or those listed under "Electrician-

Utility Work (North), see the "Outside Commercial Rates" for the county in which the jobsite is located.

### \* FOR OUTSIDE COMMERCIAL RATES PLEASE SEE COUNTY RATES

The regular workday is 8 hours, between 7:00 AM and 4:30 PM.

FOR EMERGENCY WORK ONLY: (emergency work is defined as work caused by storm, catastrophe, act of god, and circumstances beyond the control of the employer)- all hours of work shall be paid at double the hourly rate.

### SHIFT DIFFERENTIALS:

Shift work must run for a minimum of 5 consecutive workdays.

When two (2) or three (3) shifts are worked the following shall apply:

1st shift (between the hours of 8:00 AM and 4:30 PM)

2nd shift (between the hours of 4:30 PM and 12:30 AM): 8 hours of work + 10% of the regular rate of pay for 7.5 hours worked.

3rd shift (between the hours of 12:30 AM and 8:00 AM): 8 hours of work + 15% of the regular rate of pay for 7 hours worked.

### OVERTIME:

Hours in excess of 8 per day, or before or after the regular wokday Monday through Friday, that is not shift work, and all hours on Saturday shall be paid at time and one-half the regular rate. All hours on Sundays and Holidays all be paid double the hourly rate.

Four 10-hour days may be worked, at straight time, between 6:00 AM and 6:00 PM, Monday through Thursday with Friday used as a make-up day.

### RECOGNIZED HOLIDAYS:

New Year's Day, Memorial Day, July 4th, Labor Day, Veterans' Day, Thanksgiving Day and Christmas Day or on days celebrated.

### **WORKING RULES:**

There shall be a Foreman in charge of each work crew. No crews are to exceed twelve (12) men, including Foremen.

There shall be a General Foreman designated for transmission work when three (3) or more crews are on the same job and for distribution work where there are are more than twenty (20) employees on site.

A small job crew shall consist of five (5) or less employees, one (1) of the Journeyman Linemen in the crew shall be designated as a Small Job Foreman.

Work performed from ladders and/or mechanical lift equipment shall be the work of Linemen and/or Apprentices.

On new construction, fitting and framing poles, towers or structures may be done by Journeymen and/or Apprentices. Groundmen may assist, but may not perform any work which would be performed by Linemen if assembled in the air.

There shall be a Journeyman Lineman in each pole setting, erection, grounding, wire and cable-pulling crew of more than three (3) men.

### **Effective Dates:**

### 12/04/2022

Rate	Fringe	Total
67.52	55.11	122.63

### **CLASSIFICATIONS:**

General Foreman

### NEW JERSEY DEPARTMENT OF LABOR AND WORKFORCE DEVELOPMENT PREVAILING WAGE RATE DETERMINATION

### ELECTRICIAN- UTILITY WORK (SOUTH) Rates Expiration Date:

Total

Effective Dates:

12/04/2022

Rate Fringe 52.75

98.93 46.18

**CLASSIFICATIONS:** 

Journeyman Painter

**Effective Dates:** 

12/04/2022

Rate Fringe Total

42.20 39.80 82.00

**CLASSIFICATIONS:** 

Light Equipment Operator

**Effective Dates:** 

12/04/2022

Rate Fringe Total

36.93

36.60

73.53

**CLASSIFICATIONS:** 

Groundman Truck Driver

**Effective Dates:** 

12/04/2022

Rate

Fringe

Total

34.29

69.31

35.02

**CLASSIFICATIONS:** 

Groundman 3rd Year

**Effective Dates:** 

12/04/2022

Rate Fringe

Total

31.65

33.42

65.07

**CLASSIFICATIONS:** 

Groundman 2nd Year

**Effective Dates:** 

12/04/2022

Rate

Fringe

29.01

31.83

Total 60.84

**CLASSIFICATIONS:** 

Groundman 1st Year

# NEW JERSEY DEPARTMENT OF LABOR AND WORKFORCE DEVELOPMENT PREVAILING WAGE RATE DETERMINATION

### HEAVY & GENERAL LABORERS- NEW TRANS HUDSON TUNNELS Rates Expiration Date:

\*THESE RATES APPLY TO CONSTRUCTION ON NEW TRANS HUDSON TUNNELS ONLY\*\*

{For apprentice rates refer to "Laborer - Heavy & General" apprentice rates in any county rate package}

The regular workday consists of 8 hours, starting at 7:00 AM or 8:00 AM.

### SHIFT DIFFERENTIALS:

- Shifts must start at 3:00 PM, 4:00 PM, 12:00 AM, or 1:00 AM, to be considered shift work, except when the project owner mandates special hours of work in the job specifications, in which case those hours may be considered shift work.
- When such hours are mandated by the project owner, a shift that begins before midnight on Friday and ends on Saturday morning, or that begins at or after 8:00 PM on Sunday and ends on Monday morning may be paid at the shift differential rate.
- Shifts shall receive an additional \$3.00 per hour.

### OVERTIME:

- Hours in excess of 8 per day, Monday through Friday, or outside of the regular workday that are not shift work, and all hours on Saturdays, shall be paid at time and one-half the hourly rate. All hours on Sundays and holidays shall be paid at double the hourly rate.
- Four 10-hour days may be worked, Monday through Thursday, at straight time, with Friday used as a make-up day for a day lost to inclement weather. If Friday is not a make-up day, all hours on Friday shall be paid at time and one-half the hourly rate.

RECOGNIZED HOLIDAYS: New Year's Day, Presidents' Day, Memorial Day, July 4th, Labor Day, Presidential 'ection Day, Veterans' Day, Thanksgiving Day, Christmas Day. Sunday holidays observed the following Monday. Veterans Day may be abstituted for the day after Thanksgiving. However, in the trading of Veterans Day for the day after Thanksgiving, if overtime is worked on Veterans Day, it shall be paid at double the hourly rate.

### Hazardous Waste Work:

- -where Level A, B, or C protection is required: + \$3.00/hr
- -other Hazardous Waste site: + \$1.00/hr

### Effective Dates:

### 03/01/2023

Rate	Fringe	Total
75.46	35.73	111.19

### **CLASSIFICATIONS:**

Walking Boss & Superintendent

### **Effective Dates:**

### 03/01/2023

Rate	Fringe	Total		
75.01	35.73	110.74		

### **CLASSIFICATIONS:**

Heading Foreman, Shaft Foreman, Rod Foreman, Electrical Foreman, Rigging Foreman

# NEW JERSEY DEPARTMENT OF LABOR AND WORKFORCE DEVELOPMENT PREVAILING WAGE RATE DETERMINATION

### HEAVY & GENERAL LABORERS- NEW TRANS HUDSON TUNNELS Rates Expiration Date :

ffective Dates:

03/01/2023

Rate Fringe Total 72.08 35.73 107.81

### **CLASSIFICATIONS:**

All others (including Powder Watchman, Change House Attendant, Top Laborer, Job Steward)

# U.S. Department of Labor Wage and Hour Division

(For Contractor's Optional Use; See Instructions at www.dol.gov/whd/forms/wh347instr.htm)

FOR WEEK ENDING

OR SUBCONTRACTOR

NAME OF CONTRACTOR

PAYROLL NO.

U.S. Wage and Hour Division OMB No.:1235-0008 Expires: 04/30/2021 Rev. Dec. 2008 PROJECT OR CONTRACT NO. Persons are not required to respond to the collection of information unless it displays a currently valid OMB control number. PROJECT AND LOCATION PAYROLL ADDRESS

(6)		TOTAL PAID DEDUCTIONS FOR WEEK																
		OTHER																
	TIONS																	
8)	DEDUCTIONS																	
		WITH- HOLDING TAX																
		FICA																
<u> </u>	4	GROSS AMOUNT EARNED	/	\	/	\		\	/	\		\	/	\		\	/	\
(9)		RATE OF PAY																
(2)		TOTAL																
(4) DAY AND DATE		RKED EAC																
(4) DA		HOURS WORKED EACH DAY																
	,12 R	10.10	0	ω	0	ω	0	σ	0	σ	0	ω	0	σ	0	w	0	
(3)		WORK CLASSIFICATION																
(2)	IONS	NO. OF EXEMPTI																
(1)		NAME AND INDIVIDUAL IDENTIFYING NUMBER (e.g., LAST FOUR DIGITS OF SOCIAL SECURITY NUMBER) OF WORKER																

29 C.F.R. § 5.5(a)(3)(ii) require contractors to submit weekly a copy of all payrolls to the Federal agency contracting for or financing the construction project, accompanied by a signed "Statement of Compliance" Indicating that the payrolls are correct and complete and that each laborer or mechanic has been paid not less than the proper Davis-Bacon prevailing wage rate for the work performed. DOL and federal contracting agencies receiving this information review the information to determine that employees have received legally required wages and fringe benefits. While completion of Form WH-347 is optional, it is mandatory for covered contractors and subcontractors performing work on Federally financed or assisted construction contracts to respect to the wages paid each employee during the preceding week." U.S. Department of Labor (DOL) regulations at

# Public Burden Statement

We estimate that is will take an average of 55 minutes to complete this collection, including time for reviewing instructions, searching existing data sources, gathering and maintaining the date needed, and completing and reviewing the collection, including suggestions for reducing this burden, send them to the Administrator, Wage and Hour Division, U.S. Department of Labor, Room S3502, 200 Constitution Avenue, N.W. Washington, D.C. 20210 9. DOL Form WH-347, Payroll Form – Instructions

on projects other than the project described on this payroll, enter in column 7 first the amount earned on the Federal or Federally assisted project and then the gross amount earned during the week on all projects, thus "\$163.00/\$420.00" would reflect the earnings of a worker who earned \$163.00 on a Federally assisted construction project during a week in which \$420.00 was earned on all work.

**Column 8 - Deductions:** Five columns are provided for showing deductions made. If more than five deduction are involved, use the first four columns and show the balance deductions under "Other" column; show actual total under "Total Deductions" column; and in the attachment to the payroll describe the deduction(s) contained in the "Other" column. All deductions must be in accordance with the provisions of the Copeland Act Regulations, 29 C.F.R., Part 3. If an individual worked on other jobs in addition to this project, show actual deductions from his/her weekly gross wage, and indicate that deductions are based on his gross wages.

Column 9 - Net Wages Paid for Week: Self-explanatory.

Totals - Space has been left at the bottom of the columns so that totals may be shown if the contractor so desires.

**Statement Required by Regulations, Parts 3 and 5:** While the "statement of compliance" need not be notarized, the statement (on page 2 of the payroll form) is subject to the penalties provided by 18 U.S.C. § 1001, namely, a fine, possible imprisonment of not more than 5 years, or both. Accordingly, the party signing this statement should have knowledge of the facts represented as true.

**Items 1and 2:** Space has been provided between items (1) and (2) of the statement for describing any deductions made. If all deductions made are adequately described in the "Deductions" column above, state "See Deductions column in this payroll." See "FRINGE BENEFITS" below for instructions concerning filling out paragraph 4 of the statement.

Item 4 FRINGE BENEFITS - Contractors who pay all required fringe benefits: If paying all fringe benefits to approved plans, funds, or programs in amounts not less than were determined in the applicable wage decision of the Secretary of Labor, show the basic cash hourly rate and overtime rate paid to each worker on the face of the payroll and check paragraph 4(a) of the statement on page 2 of the WH-347 payroll form to indicate the payment. Note any exceptions in section 4(c).

Contractors who pay no fringe benefits: If not paying all fringe benefits to approved plans, funds, or programs in amounts of at least those that were determined in the applicable wage decision of the Secretary of Labor, pay any remaining fringe benefit amount to each laborer and mechanic and insert in the "straight time" of the "Rate of Pay" column of the payroll an amount not less than the predetermined rate for each classification plus the amount of fringe benefits determined for each classification in the application wage decision. Inasmuch as it is not necessary to pay time and a half on cash paid in lieu of fringe benefits, the overtime rate shall be not less than the sum of the basic predetermined rate, plus the half time premium on basic or regular rate, plus the required cash in lieu of fringe benefits at the straight time rate. In addition, check paragraph 4(b) of the statement on page 2 the payroll form to indicate the payment of fringe benefits in cash directly to the workers. Note any exceptions in section 4(c).

### Use of Section 4(c), Exceptions

Any contractor who is making payment to approved plans, funds, or programs in amounts less than the wage determination requires is obliged to pay the deficiency directly to the covered worker as cash in lieu of fringe benefits. Enter any exceptions to section 4(a) or 4(b) in section 4(c). Enter in the Exception column the craft, and enter in the Explanation column the hourly amount paid each worker as cash in lieu of fringe benefits and the hourly amount paid to plans, funds, or programs as fringe benefits. The contractor must pay an amount not less than the predetermined rate plus cash in lieu of fringe benefits as shown in section 4(c) to each such individual for all hours worked (unless otherwise provided by applicable wage determination) on the Federal or Federally assisted project. Enter the rate paid and amount of cash paid in lieu of fringe benefits per hour in column 6 on the payroll. See paragraph on "Contractors who pay no fringe benefits" for computation of overtime rate.

**Public Burden Statement:** We estimate that it will take an average of 55 minutes to complete this collection of information, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. If you have any comments regarding these estimates or any other aspect of this collection of information, including suggestions for reducing this burden, send them to the Administrator, Wage and Hour Division, ESA, U.S. Department of Labor, Room S3502, 200 Constitution Avenue, N.W., Washington, D.C. 20210.

**Note:** In order to view, fill out, and print PDF forms, you need Adobe® Acrobat® Reader® version 5 or later, which you may download for free at <a href="https://www.adobe.com/products/acrobat/readstep2.html">www.adobe.com/products/acrobat/readstep2.html</a>. To save the completed forms on your workstation, you need to use the "Save As" method to save the file.

For example, move your mouse curser over the PDF link and click on your "RIGHT" mouse button. This will cause a menu to be displayed, from which you will select the proper save option -- depending upon which browser you are using:

- For Microsoft IE users, select "Save Target As"
- For Netscape Navigator users, select "Save Link As"

Once you've selected the proper save option for your browser, and have saved the file to a location you specified, go to your program menu and start the Adobe Acrobat® Reader. Once open, locate the PDF file you saved and open it directly in Acrobat®.

### Record of Employee Interview

# U.S. Department of Housing and Urban Development Office of Labor Relations

OMB Approval No. 2501-0009 (exp.09/30/2017)

Public reporting burden for this collection of information is estimated to average 15 minutes per response, including the time for reviewing instructions, searching existing data sources, rering and maintaining the data needed, and completing and reviewing the collection of information. This agency may not collect this information, and you are not required to complete orm, unless it displays a currently valid OMB control number. The information is collected to ensure compliance with the Federal labor standards by recording interviews with struction workers. The information collected will assist HUD in the conduct of compliance monitoring; the information will be used to test the veracity of certified payroll reports submitted by the employer. Sensitive Information. The information collected on this form is considered sensitive and is protected by the Privacy Act. The Privacy Act requires that these records be maintained with appropriate administrative, technical, and physical safeguards to ensure their security and confidentiality. In addition, these records should be protected against any anticipated threats or hazards to their security or integrity that could result in substantial harm, embarrassment, inconvenience, or unfairness to any individual on whom the information is maintained. The information collected herein is voluntary, and any information provided shall be kept confidential.

1a. Project Name			2a	2a. Employee Name							
1b. Project Number			2b.	2b. Employee Phone Number (including area code)							
1c. Contractor or Subo	contractor (Employer)		2c.	Employee Home Add	dress & Zip Code						
			-9,4,5	2d. Verification of identification?  Yes No							
3a. How long on this job?  5. Your job classificati	3b. Last date on this job before today?  on(s) (list all) continue	0?	Hourly rate of pay?	4b. Fringe Benderation Yes  Medical Yes  Pension Yes	es 🗌	No	4c. Pay st	tub?			
6	onto the continue	on a coparate o	noot ii noocase								
6. Your duties											
ools or equipment	used										
Are you an apprentic     Are you paid for all h     12a. Employee Signat	nours worked?	At Tanana Sa	ave you ever be	east time and ½ for all een threatened or coer b. Date					N		
13. Duties observed b	y the Interviewer (Please	be specific.)									
14. Remarks											
15a. Interviewer name	e (please print)		15b. Signatu	ignature of Interviewer 15c. Date of interview							
Payroll Exami	nation										
16. Remarks											
17a. Signature of Pay	yroll Examiner			17b. Date							
evious editions are ob	solete						_	Form HUD-11	(08/2004)		

# Record of Employee Interview Instructions

U.S. Department of Housing and Urban Development Office of Labor Relations OMB Approval No. 2501-0009 (exp. 10/31/2010)

Instructions

### General:

This form is to be used by HUD and local agency staff for recording information gathered during on-site interviews with laborers and mechanics employed on projects subject to Federal prevailing wage requirements. Typically, the staff that will conduct on-site interviews and use this form are HUD staff and fee construction inspectors, HUD Labor Relations staff, and local agency labor standards contract monitors.

Information recorded on the form HUD-11 is evaluated for general compliance and compared to certified payroll reports submitted by the respective employer. The comparison tests the veracity of the payroll reports and may be critical to the successful conclusion of enforcement actions in the event of labor standards violations. The thoroughness and accuracy of the information gathered during interviews is crucial.

Note that the interview itself and the information collected on the form HUD-11 are considered confidential. Interviews should 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).

### Completing the form HUD-11

Items 1a - 1c: Self-explanatory

Items 2a – 2d: Enter the employee's full name, a telephone number where the employee can be reached, and the employee's home address. Many construction workers use a temporary address in the locality of the project and have a more permanent address elsewhere from which mail may be forwarded to them. Obtain a more permanent address, if available. Ask the employee for a form of identification (e.g., driver's license) to verify their name.

Items 3a - 4c: Enter the employee's responses. Ask the employee whether they have a pay stub with them; if so, determine whether the pay stub is consistent with the information provided by the employee.

Items 5 – 7: Be certain that the employee's responses are specific. For example, job classification (#5) must identify the trade involved (e.g., Carpenter, Electrician, Plumber) – responses such as "journeyman" or "mechanic" are not helpful for our purposes.

Items 8 – 12b: Self-explanatory

Items 13 – 15c: These items represent some of the most important information that can be gathered while conducting on-site interviews. Please be specific about the duties you observed the employee performing. It may be easiest to make these observations before initiating the interview. Please record any comments or remarks that may be helpful. For example, if the employee interviewed was working with a crew, how many workers were in the crew? Was the employee evasive?

The level of specificity that is warranted is directly related to the extent to which interview(s) or other observations indicate that there may be violations present. If interviews indicate that there may be underpayments involving a particular trade(s), the interviewer is encouraged to interview as many workers in that trade(s) that are available.

Items 16 – 17b: The information on the form HUD-11 may be reviewed for general compliance, initially. For example, are the job classification and wage rate stated by the employee compatible with the classifications and wage rates on the applicable wage decision? Are the duties observed by the interviewer consistent with the job classification?

Once the corresponding certified payroll reports are received, the information on the HUD-11 shall be compared to the payroll reports. Any discrepancies noted between the HUD-11 information and that on the payroll report shall be noted in Item 16, Remarks. If discrepancies are noted, follow-up actions to resolve the discrepancies must be taken.

### Historial de Entrevista del Empleado

### Departamento de Vivienda y Desarrollo Urbano de EE.UU. Oficina de Relaciones Laborales

Aprobación de OMB No. 2501-0009 (exp.09/30/2017)

Se estima que la tarea de recolección de esta información pública es de aproximadamente 15 minutos por respuesta, incluso el tiempo para examinar instrucciones, buscar fuentes de ne existentes, recopilar y mantener datos necesarios, y completar y examinar la recopilación de la información. Esta agencia no puede recopilar esta información y no se requiere usted llene este formulario, a menos que éste exhiba un número de control válido de la Oficina de Administración y Presupuesto (OMB, por sus siglas en inglés. La información que a conducir el monitoreo de conformidad a las normas laborales Federales mediante entrevistas con obreros de construcción. La información recopilada asistirá a HUD a confidencial. La información se usará para examinar la veracidad de los informes de nómina certificados presentados por el patrón. Información confidencial. La información recopilada en este formulario es considerada confidencial y está protegida por la Ley de Privacidad. La Ley de Privacidad requiere que estos archivos se mantengan con salvaguardas administrativos, técnicos, y físicos apropiados para garantizar su seguridad y confidencialidad. Además, estos archivos deberán ser protegidos contra cualquier amenaza anticipada o riesgos a su seguridad o integridad, que podría causar daño sustancial, vergüenza, inconveniencias, o injusticias a cualquier individuo de quien se mantiene la información recopilada aquí es voluntaria y cualquier información proporcionada será mantenida como confidencial.

4											
1a. Nombre del proye	ecto		2a. Nombre del empleado								
1b. Número del proye	ecto		2b. Número de teléfono	2b. Número de teléfono del empleado (incluso prefijo local)							
1c. Contratista o subc	contratista (Patrón)		2c. Dirección residencial del empleado y código postal								
			2d. ¿Verificación de idea	2d. ¿Verificación de identificación?							
3a. ¿Cuánto tiempo en este trabajo?	3b. ¿Último día en este trabajo antes de hoy?	3c. ¿No. de horas en su ultimo día en este trabajo?	4a. ¿Salario por hora?  a página separada si es nec	Vacaciones S Médicos S Pensión S		4c. ¿Talona paga? Sí	ario de No 🔲				
33, 3	o da trabajo(o) (chamere t	odes) continue on an	a pagina separada si es nec	esano							
6. Sus deberes											
Herramientas o equ											
8. ¿Es aprendiz?	s	N 10. ¿Le pagar horas semana	n al menos tiempo y medio po les?	or todas las horas tra	abajadas superior a	<b>s</b>	N				
<ol><li>¿Le pagan todas las trabajadas?</li></ol>		11. ¿Alguna v		z ha sido amenazado o coercionado a entregar parte de su paga?							
12a. Firma del emplea			12b. Fecha								
13. Deberes observad	dos por el entrevistador (F	or favor sea específico.									
14. Comentarios											
15a. Nombre del entre	evistador (use letra de imp	orenta) 15b. F	irma del entrevistador		15c. Fecha de la e	ntrevista					
Examinación (	de Nómina	<u>.</u>									
16. Comentarios											
Firma del exami	inador de nómina		17b. Fecha								

# 13. Preconstruction Checklist for Contractors: Meeting Labor Standards Contract Requirements

IV.	At the construction start the contractor has:
□ A	. Notified recipient of construction start date in writing.
В	Has placed each of the following on a bulletin board prominently located on the project site which can be seen easily by the workers (and replaced if lost or unreadable any time during construction):
	☐ Wage Decisions ( <u>State</u> and <u>Federal</u> )
	☐ Notices to Employees ( <u>WH1321</u> )
	☐ Safety & Health Protection on the Job (DOL)
□ C.	Before assigning each project worker to work, has obtained worker's name, best mailing address, and Social Security Number.
□ D	. Has obtained a copy of each apprentice's certificate with the apprentice's registration number and his/her year of apprenticeship.
E.	Has informed each worker of:
	his/her work classification (journeyman or job title) as it will appear on the payroll.
	☐ his/her duties of work.
	the US Department of Labor's requirement on this project that he/she is either a journeyman, apprentice, or laborer
	☐ If journeyman, he/she is to be paid journeyman's minimum wage rate or more;
	If apprentice, he/she is to be paid not less than the apprentice's rate for the trade based on his/her year of apprenticeship; or
	☐ If laborer, he/she is to do laborer's work only - not use any tool or tools of the trade – and not perform any part of a journeyman's work and is to be paid the laborer's minimum wage rate or more.
F.	Understands the requirements that each laborer or mechanic who performs work on the project in more than one classification and paid at the highest wage rate applicable to any of the work which he/she performs <u>unless</u> the following requirements are met:
	Accurate daily time records shall be maintained. These records must show the time worked in each classification and the rate of pay for each classification, and must be signed by the worker.
	The payroll shall show the hours worked in each classification and the wage rate paid for each classification.

**Project Superintendent** Project Engineer Supervisory Foreman (Less than 20% of time as a working foreman) Messenger Clerical Workers Timekeepers Payroll Clerks Bookkeepers ☐ Any alternate payroll form should be cleared with DCA before employer starts work on the project. A project printout by computer, for example, is acceptable provided all data shown and required on the front and back of Payroll Form WH-347 is on, or included with, payroll submitted to recipient. Apprentice. If the worker is an apprentice, his/her registration number and year of apprenticeship is included in this column the first time the apprentice's name appears on the payroll. Split Classification. If the worker has performed more than one class of work during the work week, such as carpenter and laborer, the division of work will be shown on separate lines of the payroll. Accurate daily time records show the exact hours of work performed daily in each class of work, and are signed by the affected worker. Average Pay of Two Classes of Work Not Accepted. The employer shall not pay a "semi-journeyman" or semi-skilled laborer the average of journeyman's and laborer's rates. The actual hours each worker uses tools of trade (journeyman) and each hour he/she does not use tools of trade (laborer) must be recorded on the payroll. ☐ <u>Helper</u>. The work classification of "helper" is not accepted by the DCA, unless included in the Wage Decision issued by the Department of Labor for the project. Any employee listed as "helper" in absence of such classification in the Wage Decision must be paid the journeyman's rate for hours he/she uses tools of the trade. Apprentices. If a copy of the apprentice's registration certificate has not been Submitted to recipient by employer (through contractor), apprentice must be paid journeyman's rate. Weekly Payroll Review. Each employer has promptly reviewed the weekly payroll for compliance with all labor requirements (using this check list) and made necessary corrections. Each Lower-Tier Sub-contractor has submitted his weekly payroll or "no work" letter to the respective sub-contractor for the sub-contractor to have received within 3 calendar days from the last date of the work week. Each sub-contractor has received a payroll or "no work" letter from each and his/her own payroll, required necessary corrections, and submitted all of such payrolls to the contractor within 5 calendar days from the last date of the workweek.

#### **NJDCA Small Cities CDBG Compliance Checklist**

# 14. Form HUD-2516, Minority Business Enterprise Report

Noninsured; Public and Indian Housing Authorities; and contracts entered into by recipients of project owners for reporting contract and subcontract activities of \$10,000 or more under the Urban Development Action Grants; Housing Development Grants; Multifirmily Insured and following programs: Community Development Block Grants (entitlement and small cities); CDBG rehabilitation Contracts/subcontracts of less than \$10,000 need be reported only if such contracts represent a significant portion of your total contracting activity. Include only contracts executed during this reporting period

3 requires that the employment and other economic opportunities generated by HUD financial assistance for housing and community development programs shall, to the greatest extent feasible, be directed toward low- and very low-income persons, particularly those who are recipients of government assistance for housing. Recipients using this form to report Section 3 This form has been modified to capture Section 3 contract data in columns 7g and 7i. Section contract data must also use Part I of form HUD-60002 to report employment and training opportunities data. Form HUD-2516 is to be Community Development Programs

- I. Grantee: Enter the name of the unit of government submitting this report,
- 3. Contact Person: Enter name and phone of person responsible for maintaining and submitting contract/subcontract data.

Contact Person: Same as item 3 under CPD Programs

Multifamily Housing Programs

submitting this report.

4. Reporting Period: Check only one period

- Number (with dashes). For example: B-32-MC-25-0034, For Entitlement Programs and Small 7a. Grant Number: Enter the HUD Community Development Block Grant Identification City multi-year comprehensive programs, enter the latest approved grant number.
- 7b. Amount of Contract/Subcontract: Enter the dollar amount rounded to the nearest dollar, If subcontractor ID number is provided in 7f, the dollar figure would be for the subcontract only and not for the prime contract.
- contractor's/subcontractor's service. If subcontractor ID number is provided in 7f., the type of trade code would be for the subcontractor only and not for the prime contractor. 7c. Type of Trade: Enter the numeric codes which best indicates the

The "other" category includes supply, professional services and all other activities except

- 7d. Business Racial/Ethnic/Gender Code: Enter the numeric code which indicates the racial/ethnic/gender character of the owner(s) and controller(s) of 51% of the business. construction and education/training activities
- enter the code which seems most appropriate, If the subcontractor ID number is provided, the When 51% or more is not owned and controlled by any single racial/ethnic/gender category code would apply to the subcontractor and not to the prime contractor.

# 7c. Woman Owned Business: Enter Yes or No.

- 7f. Contractor Identification (ID) Number: Enter the Employer (IRS) Number of the Prime Contractor as the unique identifier for prime recipient of HUD funds. Note that the Employer (IRS) Number must be provided for each contract/subcontract awarded.
  - 7g. Section 3 Contractor: Enter Yes or No.
- subcontractor as the unique identifier for each subcontract awarded from HUD funds. When the subcontractor ID Number is provided, the respective Prime Contractor ID Number must 7h. Subcontractor Identification (ID) Number; Enter the Employer (IRS) Number of the also be provided,
- Section 3 Contractor: Enter Yes or No.
- 7). Contractor/Subcontractor Name and Address: Enter this information for each firm receiving contract/subcontract activity only one time on each report for each firm.

completed for public and Indian housing and most community development programs. Form IIUD-60002 is to be completed by all other HUD programs including State administered community the metropolitan area (or nonmetropolitan county), including a business concern that is 51 petson business concern that provides economic opportunities to low and very Low-income residents of development programs covered under Section3. A Section 3 Contractor/subcontractor is a or more owned by low-income residents; employs a substantial number of low- or very lowincome residents;

persons) whose incomes do not exceed 50 per centum of the median family income for the area, as determined by the Secretary with adjustments for smaller and larger families, except that the secretary may establish income ceilings higher or lower than 50 per centum of the median for the

area on the basis of the Secretary's findings that such variations are necessary because of

unusually high or low family incomes.

or provides subcontracting or business development opportunities to businesses owned by low or low-income residents. Low and very low-income residents; include participants in Youthbuild programs estublished under Subtitle D of Title IV of the Cranston-Genzalez National Affordable Housing Act.

contact person on the front of this form within ten (10) days after the end of the reporting period you checked in item 4 on the front, Complete item 7h. Only once for each

Submit a copy of this report electronically to your Small Cities Grant Manager and the DCA

Specifications for Women Owned Businesses must be checked in column 7e as well as the identification code in column 7d. Contracts to Women Owned Businesses require documentation Enter the prime contractor's ID in item 7f. for all contracts and subcontracts. Include only contracts expected during this reporting period. PHAs/IHAs are to report all contracts. contractor/subcontractor on each semi-animal report. for both 7d and 7e. the terms in section3(b)(2) of the United States Housing Act of 1937. Low-income persons mean The terms "low-income persons" and "very low-income persons" have the same meanings given centum of the median for the area on the basis of the Secretary's findings that such variations are families (including single persons) whose incomes do not exceed 80 per centum of the median families, except that the Secretary may establish income ceilings higher or lower than 80 per income for the area, as determined by the Secretary, with adjustments for smaller an larger se of prevailing levels of construction

# Public Housing and Indian Housing Programs

- PHAs/IIIAs are to report all contracts/subcontracts. Include only contracts executed during this reporting period. 1. Grantee/Project Owner: Enter the name of the unit of government, agency or mostgagor entity
- 1. Project Owner: Enter the name of the unit of government, agency or mortgagor entity submitting this report. Check box as appropriate,
- 3. Contact Person: Same as item 3 under CPD Programs.
- 4. Reporting Period: Check only one period
- 5. Program Code: Enter the appropriate program code.

7n. Grant/Project Number: Unter the HUD Project Number or Housing Development Grant or number assigned.

5. Program Code: Enter the appropriate program code.

7h. Amount of Contract/Subcontract: Same as item 7b, under CPD Programs

7c. Type of Trade: Same as item 7c. under CPD Programs

- 7a, Grant/Project Number: Enter the HUD Project Number or Housing Development Grant or number assigned
- 7b. Amount of Contract/Subcontract: Same as item 7b. under CPD Programs.
- 7c. Type of Trade: Same as item 7c. under CPD Programs
- 7d. Business Racial/Ethnic/Gender Code: Same as ilem 7d. under CPD Programs.
- 7e. Woman Owned Business: Enter Yes or No.
- 7f. Contractor Identification (ID) Number: Same as item 7f. under CPD Programs.
- 7g. Section 3 Contractor: Enter Yes or No.

7h. Subcontractor Identification (ID) Number: Same as item 7h. under CPD Programs.

7f. Contractor Identification (ID) Number: Same as item 7f. under CPD Programs.

7g. Section 3 Contractor: Enter Yes or No.

7d. Business Racial/Ethuic/Gender Code: Same as item 7d. under CPD Programs.

7c. Woman Owned Business: Enter Yes or No.

- 7h. Subcontractor Identification (ID) Number: Same as item 7h, under CPD Programs.
- 7i, Section 3 Contractor: Enter Yes or No.
- 7j. Contractor/Subcontractor Name and Address: Same as item 7j. under CPD Programs

NJ Small Cities CDBG Program Modification (6/14/10) Previous editions are obsolete.

7]. Contractor/Subcontractor Name and Address: Same as item 7j. under CPD Programs

7i. Section 3 Contractor: Enter Yes or No.

form 11UD-2516 (8/910)

# Section 3 Summary Report Economic Opportunities for low - and Very Low-Income Persons

N J Small Cities CDBG Program Revision 5-23-2018 (use form in SAGE)

OMB Approval No 2529-0043

1 Recipient Name & Address: (street, city, state, zip)	7 Federal (danildication (grant no.) 00-0000		3 Total Amount of Award		
Name	4 Contact Person	Name		5 Phone (Include area code)	
Address	6 Length of Grant			7 Reporting Period	
Address	9 Program Code	8 - CURG State Adm	rustered	10 Program Name:	
6 Date Report Submitted:					
Part I: Employment and Training (** Columns B.	G and F are mandatory fi	elds Include New Hires	iọ E &F)		
A Job Category	B Number of New Hires	C Number of New Hires that are Sec 3 Residents	D % of Aggregate Number of Staff Hours of New Hires that are Sec. 3 Residents	E % of Total Staff Hours for Section 3 Employees and Trainees	F Number of Soction 3 Trainees
Professionals					
Technicians					
Office/Clerical Caristraction by Trade (Ent) Trade					
Trade					
Trade					
Trade	1,				
Trade					
Trade			3	i	
Trade					
Other (List)			-		
		-			
otal	0	0	o l	0	0

<sup>•</sup> Program Codes 1 = Flexible Subsidy 2 = Section 202/611

<sup>3 =</sup> Public/Indian Housing A = Development B = Operation

C = Modernization

<sup>4 =</sup> Homeless Assistance 5 = HOME 6 = HOME State Administered 7 = CDBG Entillement

<sup>6 =</sup> CDBG State Administered 9 = Other CD Programs 10 = Other Housing Programs

Economic Opportunities for low - and Very Low-Income Persons

Form HUD-60002, Section 3 Summary Report, Economic Opportunities for Low- and Very Low-Income Persons.

Instructions. This form is to be used to report annual accomplishments regarding employment and other economic opportunities provided to low- and very low-income persons under Section 3 of the Housing and Urban Development Act of 1968. The Section 3 regulations apply to any public and Indian housing programs that receive: (1) development assistance pursuant to Section 5 of the U.S. Housing Act of 1937; (2) operating assistance pursuant to Section 9 of the U.S. Housing Act of 1937; or (3) modernization grants pursuant to Section 14 of the U.S. Housing Act of 1937 and to rectiplents of housing and community development assistance in excess of \$200,000 expended for: (1) housing rehabilitation (including reduction and abatement of lead-based paint hazards); (2) housing construction; or (3) other public construction projects, and to contracts and subcontracts in excess of \$100,000 awarded in connection with the Section-3-covered activity

Form HUD-60002 has three parts, which are to be completed for all programs covered by Section 3. Part I relates to employment and training. The recipient has the option to determine numerical employment/training goals either on the basis of the number of hours worked by new hires (columns B, D, E and F). Part III of the form relates to contracting, and Part III summarizes recipients' efforts to comply with Section 3. comply with Section 3.

Recipients or contractors subject to Section 3 requirements must maintain appropriate documentation to establish that HUD financial mainian appropriate documentation to establish that HOD Infanciari assistance for housing and community development programs were directed toward low- and very low-income persons. A recipient of Section 3 covered assistance shall submit one copy of this report to the N J. Small Cities CDBG Program's designated person annually by the date designated by the Program HUD Headquarters. Office of Fair-Housing and Equal Oppertunity:
Where the program providing accistance requires an annual

performance report, this Section 3 report is to be submitted at the ratifie program parlomnance report is eatimited. Where or within 40 days of project completion. Only Prince Recipients are within 40 days of project completion. Only Prince Recipients are accomplishments of all recipients and their Section 3 covered contractors and subcontractors.

- Recipient: Enter the name and address of the recipient submitting this report
   Federal Identification: Enter the number that appears on the award form (with dashes) The award may be a grant, cooperative agreement or contract
- Dollar Amount of Award: Enter the dollar amount, rounded to the nearest dollar, received by the recipient
   8.5. Contact Person/Phone: Enter the name and telephone number.
- of the person with knowledge of the award and the recipient's implementation of Section 3
- 6 Length of Grant:7 Reporting Period: Indicate the time period (months and year) this report covers
- 8 Date Report Submitted: Enter the appropriate date

- 9. Program Code: Enter the appropriate program code as listed at the bottom of the page

  10. Program Name: Enter the name of the program corresponding
- with the "Program Code" in number 9
  Part I: Employment and Training Opportunities

Column A: Contains various job categories Professionals are defined as people who have special knowledge of an occupation (i.e. supervisors, architects, surveyors, planners, and computer programmers). For construction positions, list each trade and provide data in columns B through F for each trade where persons were employed. The category of "Other" includes occupations such as service workers.

Column B: (Mandatory Field) Enter the number of new hires for each category of workers identified in Column A in connection with this award. New hire refers to a person who is not on the contractor's or recipient's payroll for employment at the time of selection for the Section 3 covered award or at the time of receipt of Section 3 covered

assistance Column C: (Mandatory Field) Enter the number of Section 3 new hires for each category of workers identified in Column A in connection with this award Section 3 new hire refers to a Section 3 resident who is not on the contractor's or recipient's payroil for employment at the time of selection for the Section 3 covered award or at the time of receipt of Section 3 covered assistance

Column D: Enter the percentage of all the staff hours of new hires (Section 3 residents) in connection with this award Column E: Enter the percentage of the total staff hours worked for Section 3 employees and trainees (including new hires) connected with this award. Include staff hours for part-time and full-time

positions.

Column F: (Mandatory Field) Enter the number of Section 3 residents that were trained in connection with this award

Part II: Contract Opportunities Block 1: Construction Contracts

Item A: Enter the total dollar amount of all contracts awarded on the project/program

Item B: Enter the total dollar amount of contracts connected with this project/program that were awarded to Section 3 businesses.

Item C: Enter the percentage of the total dollar amount of contracts connected with this project/program awarded to Section 3 businesses Item D: Enter the number of Section 3 businesses receiving awards Block 2: Non-Construction Contracts
Hem A: Enter the IoIal dollar amount of all contracts awarded on the

project/program

Item B: Enter the total dollar amount of contracts connected with this project awarded to Section 3 businesses Item C: Enter the percentage of the total dollar amount of contracts

connected with this project/program awarded to Section 3 businesses Item D: Enter the number of Section 3 businesses receiving awards Part III: Summary of Efforts - Self -explanatory

Submit one (1) copy of this report to the NJ Small Cities Program as required HUD Headquarters Office of Fair Housing and Equal program allica. The Godina G report is raubmilled by vianauly fur the ude of the period open 

\* The terms "low-income persons" and very low-income persons have the same meanings given the terms in section 3 (b) (2) of the United States Housing Act of 1937 Low-income persons mean families (including single persons) whose incomes do not exceed 60 percent of the median income for the area, as determined by the Secretary, with adjustments for smaller and larger families, except that

The Secretary may establish income ceilings higher or lower than 80 percent of the median for the area on the basis of the Secretary's findings such that variations are necessary because of prevailing levels of construction costs or unusually high- or low-income families. Very low-income persons mean low-income families (including single persons) whose incomes do not exceed 50 percent of the median family income area, as determined by the Secretary with adjustments or smaller and larger families, except that the Secretary may establish income ceilings higher or lower than 50 percent of the median for the area on the basis of the Secretary's findings that such variations are necessary because of unusually high or low family incomes

# Financial assistance for this project is made possible by a grant from the: New Jersey Department of Community Affairs Division of Housing and Community Resources Small Cities Community Development Block Grant Program

## Phil Murphy, Governor State of New Jersey

Jacquelyn A. Suárez, Acting Commissioner
New Jersey Department of Community Affairs

Federal Labor Standards require that Contractors and Sub-Contractors pay the higher of the State or Federal Wage Rates and fringe benefits in effect at the time the contract is signed.

All bids must be accompanied by a copy of the Contractors and all subcontractors registration certificates or applications for registration through the Federal System for Award Management (SAM). Upon approval of any pending applications for registration, the successful contractor and any subcontractors must submit copies of the approved registration certificates to the owner. SAM registration must be renewed and kept current during the course of the contract.

#### DENNIS TOWNSHIP ADVERTISEMENT FOR BIDS

NOTICE is hereby given that sealed bids will be received by Dennis Township, New Jersey for the ADA Building Upgrades for Dennis Township Municipal Building. The project involves interior renovations to the Municipal Building.

Bid materials will be on public file and available for inspection in the office of Jessica Bishop, CPM/CMFO/QPA, Administrator/CFO of Dennis Township, N.J. located at 571 Petersburg Rd., Dennisville, New Jersey. Documents will be available beginning on November 9, 2023. Bid materials may be examined at any time during normal working hours with prior notification.

Copies of bid materials may be obtained from J.W. Pedersen Architect, P.C. of 1199 East Park Avenue Vineland, NJ 08360 (Phone 856-692-5622; fax 856-692-0585) upon payment of a non-refundable fee of \$75.00 for each set, payable by either company check or by certified check made payable to "J.W. Pedersen Architect, P.C.". A \$30.00 shipping charge is required if mailing of the document is desired. Express mail charges will be additional. No partial sets will be issued to Subcontractors, Suppliers, or Manufacturers.

A pre-bid conference will be held at 11:00A.M. prevailing time on Thursday, November 16, 2023 at the proposed site located at 571 Petersburg Rd, Dennisville, N.J. At this conference bidders may have the opportunity to acquaint themselves with the project. Representatives of Owner, Architect and Engineer will be present to discuss the project and provide access to the work areas. Sealed bids will be received, opened and read aloud at the Dennis Township Municipal Building located at 571 Petersburg Rd. Dennisville, New Jersey 08214 on Thursday November 30, 2023 at 11:00A.M. prevailing time.

If bids are to be mailed, they should be sent via certified mail to the Administrator's address listed below.

Dennis Township reserves the right to reject any or all bids, either in whole or in part and also to waive any informality in any bid or bids so received. Bids must be made on the enclosed bid forms in the manner designated therein and as required by the specifications, must be enclosed in sealed envelopes bearing the name and address of the bidder on the outside and also referenced to the particular work bid upon, i.e., "Dennis Township". Said bids shall be addressed to:

Jessica Bishop, CPM/CMFO/QPA, Administrator/CFO Dennis Township, N.J. 571 Petersburg Rd., Dennisville, New Jersey

RE: ADA Building Upgrades for the Municipal Building, Dennis Township

Bids must be made on standard proposal forms in the manner designated therein required. Bids must be enclosed in sealed envelopes bearing the name and address of bidder and project on outside and addressed to the Dennis Township. Each bidder shall submit a bid bond to the benefit of Dennis Township in the amount noted in the Instructions to Bidders. The successful bidder will be required to furnish a Performance Bond and Labor and Material Payment Bond in the amount of 100% of the contract price. Consent of Surety from an approved Surety Company must also be submitted with the Bid. Please be advised that any bidder who fails to submit a "Consent of Surety" with the bid can anticipate that the bid submitted will be automatically rejected. No bid may be withdrawn for a period of 60 days after the opening date.

#### SECTION 00100 INSTRUCTIONS TO BIDDERS, NJ

#### 1.01 GENERAL

- A. Sealed Proposals will be received by Dennis Township on the date and at the time stated in the Advertisement for Bids, when they will be publicly opened and read aloud.
- B. To be considered, bids must be made in accordance with these Instructions to Bidders, the Advertisement for Bids (Document 00030), and N.J.S.A. 40A:11-1 et seq.

#### 1.02 BIDS

A. Bids will be received at the time and date stated in the Advertisement for Bids for work included in the following contracts:

#### SINGLE OVERALL CONTRACT

#### 1.03 BID DOCUMENTS AVAILABILITY

- A. The Bid Documents may be examined at the Offices of the following:
  - J.W. Pedersen Architect, P.C.
     1199 E. Park Ave.
     Vineland, NJ 08360
  - Dennis Township
     571 Petersburg Rd.
     Dennisville, New Jersey 08214

Copies of bid materials may be obtained from J.W. Pedersen Architect, P.C. of 1199 East Park Avenue Vineland, NJ 08360 (Phone 856-692-5622; fax 856-692-0585) upon payment of a non-refundable fee of \$75.00 for each set, payable by either company check or by certified check made payable to "J.W. Pedersen Architect, P.C.". A \$30.00 shipping charge is required if mailing of the document is desired. Express mail charges will be additional. No partial sets will be issued to Subcontractors, Suppliers, or Manufacturers.

- B. A BIDDER is a person or entity who submits and who meets the requirements set forth in the Bidding Documents.
- C. PLAN HOLDER of RECORD is a person or entity who pays a deposit and receives Bidding Documents.

#### D. BIDDING DOCUMENTS:

Bidding documents include the Bidding Requirements and the proposed Contract Documents. The Bidding Requirements consist of the:

- 1. Advertisement to Bid
- 2. Instructions to Bidders
- 3. The Bid Form
- 4. Other required sample Bidding and Contract Forms
- 5. The proposed Contract Documents consist of:
  - a. the Form of Agreement between the Owner and Contractor
  - b. Conditions to the Contract (General, Supplementary and other Conditions)
  - c. Drawings
  - d. Specifications
  - e. and all Addenda issued prior to execution of the Contracts.
- 6. DRAWING COLOR For Greatest Clarity the Drawings were produced utilizing colored delineation in areas to better identify the work. BIDDERS should refer to the Color

#### 1.06 BID DOCUMENTS INTERPRETATION

- A. Bidders shall submit any and all questions about the Bid Documents to the Office of the Architect in writing via e-mail to: <a href="mailto:info@jwparch.com">info@jwparch.com</a>. Replies if necessary will be issued only to prime bidders of record via fax or mail as Addenda to the Bid Documents and will become part of the Contract Documents. The Architect and Owner will not be responsible for oral communication. Questions received less than seven (7) business days before bid opening will not be answered. Addenda will be faxed or mailed to all bidders who have obtained bid documents from the offices of the Architect not later than seven (7) business days before bid opening. Failure of any bidder to receive any addendum shall not relieve such bidder from any requirements of the Contract Documents.
- B. Bidders submitting a Bid in response to these Bidding Documents, except to the extent of requests for any clarification or interpretation of the Bidding Documents as set forth above, shall be considered to have affirmatively accepted and acknowledged that no further clarification or interpretation is required; and, that no errors, inconsistencies or ambiguities exist within these bidding documents that would have any effect on the amount set forth in the Bid.

#### 1.07 SUBSTITUTIONS

A. Refer to Section 01630 Products and Substitutions

#### 1.08 BASIS of BIDS

- A. A Bid is a complete and properly executed proposal to do the Work for the sums stipulated therein, submitted in accordance with the Bidding Documents.
- B. The base Bid is the sum stated in the Bid for which the Bidder offers to perform the Work described in the Bidding Documents as the Base Bid, to which Work may be added or from which Work may be deleted for the sums stated in the Alternate Bids.
- C. Bids not based on the Bid Documents, those indicating a qualification of the bid, conditional or uninvited alternative bids, alterations of form, or irregularities of any kind, may be causes for rejection. Bids in which the prices are unbalanced will be rejected.

#### 1.09 PREPARATION of BIDS

- A. The Bid is based upon the materials, equipment and systems required by the Bidding Documents without exception. Each Bidder understands and agrees that the work to be provided by it and which is encompassed within its bid may be reflected in one or more drawings, as well as in the specifications. By submission of this bid, each Bidder warrants and represents that it has reviewed each and every Drawing and has fully reviewed the specifications to determine that full scope of that work which is encompassed by its bid under the terms of the contract documents. The fact that a Bidder's scope of work may be identified in certain drawings or specifications, but not in other Drawings or Specifications shall not constitute a basis for claim or requested change order in the event that the Bidder is awarded the Contract.
- B. Bids shall be prepared on forms contained in the project manual. All blank spaces shall be filled in, by typewriter or ink, and amounts shown in both words and figures.
- C. Each copy of the Bid shall include the legal name of the Bidder and a statement that the Bidder is a sole proprietor, partnership, corporation or other legal entity. Each copy shall be signed by the person, or persons, legally authorized to bind the Bidder to a contract.
- D. A Bid, by a corporation, shall further give the state of incorporation and have the corporate seal affixed. In the event of a bid, by a corporation that has not been incorporated within the State of New Jersey, that corporation must have received the statutory authority to do business within the State of New Jersey. They shall provide, with the bid, a certified copy of its authorization to

INSTRUCTION TO BIDDERS 00100 - 3

determination of the low Bidder will be on the basis of the sum of the Base Bid and Alternates accepted.

#### 1.11 BID SECURITY (BID BOND).

A. Bid securities are to be submitted with the bids and shall be made payable to Borough of Woodbine in the amount of 10% of the bid sum, but not to exceed \$20,000.00. Securities shall be either certified check, cashier's check, or bid bonds issued by sureties licensed to conduct business in New Jersey. A successful bidder's surety will be retained until he has signed the contract and furnished the required Performance Bond.

#### 1.12 CONTRACT SECURITY

- A. Each successful bidder shall be required to furnish a performance bond in the amount of 100% of the contract sum. The bond shall be on a form furnished by the Architect (Document 00411) or may be a State Statutory Form, and the surety shall be a company approved by the Owner and licensed to conduct business in New Jersey. Surety bonds shall be obtained from surety companies with a Best's Rating of "A" (Excellent) or better.
- B. Surety Company providing Bid Bond and/or Performance and Payment Bonds shall be:
  - 1. Currently licensed to do business in the State of New Jersey.
  - 2. Rated at A (+) or better in the current edition of Bests Insurance Reports, Property and Casualty Liability issued by A.M. Best, Oldwick, New Jersey 08858.
  - 3. Acceptance to the U.S. Government, as indicated in U./S. Treasury Publication Circular #570, most recent edition.
- C. The bond shall be written on the performance and payment bond forms enclosed herewith each in the amount of the contract sum.

#### 1.13 OUALIFICATIONS of BIDDERS

- A. 1. New Jersey Business Registration Certificate pursuant to N.J.S.A. 40 A: 11-23.2 shall be submitted.
  - 2. Public Works Contractor's Registration Certificate (Including all major trade Sub-Contracts).
  - 3. Bidder shall submit evidence of Surety Company rating when submitting Performance and Payment Bonds.
- B. The Owner may make such investigation as he deems necessary to determine the ability of a bidder to perform the work and that bidder shall furnish the Owner all such information and data for this purpose as the Owner may request.

#### 1.14 SUBMITTAL of BIDS

- A. The Bidder shall assume full responsibility for timely delivery at the location designated for receipt of Bids.
- B. Bids must be submitted in accordance with the Advertisement for Bids (Document 00030) in sealed, opaque envelopes. Oral, telephonic, telephonic facsimile or other electronically transmitted bids will not be considered.

Identify the envelopes with:

- 1. DENNIS TOWNSHIP, NJ;
- 2. Name of Bidder; and
- 3. Contract Number or Trade.
- C. Any bid delivered other than by hand, delivery shall not be deemed received until actually received and the date of mailing or transmission shall not be operable. If mailed, sealed envelopes containing bids shall be enclosed within another envelope.
- D. Outer envelopes whether mailed or delivered in person, shall be marked "SEALED BID

or irregularities in a bid received, or to accept a bid that includes informalities or irregularities.

- C. The Owner shall have the right to accept Alternates in any order or combination, unless otherwise specifically provided in the Bidding Documents, and to determine the low Bidder on the basis of the sum of the Base Bid and Alternates accepted.
- D. The Bidder shall deliver the properly executed required Bonds to the Architect no later than seven (7) days following the date of the Letter of Intent.

#### E. INSURANCE REQUIREMENTS

Prior to the start of any work; the successful bidder shall furnish a Certificate of Insurance to the owner showing the following minimum insurance requirements in forms and with insurance companies acceptable to the owner. Further, it is agreed that the policy (IFS) shall be endorsed to provide 30 days written notice of cancellation or non-renewal to the owner prior to cancellation, termination, or material alternations of said insurance.

Workers Compensation and Employer's Liability are in accordance with the statutory requirements. Contractor shall require all subcontractors to similarly provide the same coverage. "All States" Endorsement shall be attached and the Employer's Liability Insurance shall carry a minimum limit of \$1,000,000 each occurrence.

Comprehensive General Liability Insurance including Products/Completed Operations, X, C, & U exclusion deleted so as to provide underground blasting and excavation coverage, Broad Form Property Damage, Broad Form Contractual Liability and General Liability Broadening Endorsement-Personal Injury Employee/Employer exclusion deleted with the following minimum limits of liability:

Bodily Injury - \$1,000,000 each occurrence Property Damage - \$1,000,000 each occurrence

The Completed Operations coverage shall be written so as to protect the owner in the event of damage to the owner's and/or any other person's property and for Bodily Injury or death in the amounts shown. This insurance shall be maintained for the duration of the guarantee period. The Product Liability coverage shall have a limit of \$1,000,000.00 and shall be certified for the life of the product.

Contractual Liability coverage will indicate that it includes the contractual obligations stipulated in the contract.

Comprehensive Automobile Liability insurance with the following minimum limits of liability:

Bodily Injury - \$1,000,000 each occurrence Property Damage - \$1,000,000 each occurrence

This insurance is to apply to all owned, non-owned and hired automobiles used by Contractor in the performance of the work.

Umbrella Excess Liability Insurance with the following minimum limits of liability: \$2,000,000 each occurrence/aggregate for project. The insurance coverage's outlined above are to include the Dennis Township as an additional insured with respect to its liability arising out of operations performed under this contract or purchase order. No policies of insurance shall contain any exclusions relating to the work to be performed pursuant to the contractual documents.

INSTRUCTION TO BIDDERS 00100 - 7

## D. To meet this Completion Date the Work is to be completed within 160 Calendar Days from Date of the Notice to Proceed.

a. It is anticipated and expected that the contractor will have all important materials in their possession prior to beginning construction work on site.

#### 1.22 LIQUIDATED DAMAGES

A. Each bidder with whom the Owner executes a contract must agree to pay the Owner, as liquidated damages, the sums for each consecutive calendar day after completion date, that is required to complete all work according to the contract and that is required to obtain the Owner's acceptance of the building as follows:

#### \$750.00 per calendar day.

B. Liquidated damages shall not in any way release a contractor from the obligations of his contract with the Owner.

#### 1.23 NON-COLLUSIVE AFFIDAVIT

A. Bidder must submit with his bid a Non-Collusive Affidavit. See Document 00481 for Form of Affidavit.

### 1.24 N.J.P.L. 1977 - CHAPTER 33, "STOCKHOLDERS & PARTNERS DISCLOSURE STATEMENT"

A. Submittal of bid on this project obligates the bidder to comply with the provisions of N.J.P.L. 1977 - Chapter 33, and each bidder must submit a Disclosure Statement with the bid or prior to the receipt of bids setting forth the names and addresses of all stockholders in the corporation or partnership who own 10% or more of its stock. (See Document 00485 for further clarification and Form of Disclosure Statement).

#### 1.25 N.J.P.L. 1975, NJAC, c. 127 "LAW AGAINST DISCRIMINATION"

A. Bidders are obligated to comply with N.J.P.L. 1975, NJAC, c.127, "Law Against Discrimination". See Document 00821 for further information.

#### 1.26 MEANING OF WORDS USED IN CONTRACT DOCUMENT

- A. Where the word "Contractor" is used in the Specifications or on the Drawings, it shall refer to and mean any of the Prime Contractors for the Trades as indicated in this Section, article 1.02 BIDS.
- B. Where the works "Special Conditions" are used in the Specifications or on the Drawings it shall refer to and mean Supplementary General Conditions of the Contract.
- C. Where the word "Owner" is used in Specifications or on drawings it shall refer to and mean the Dennis Township.

#### 1.29 LABOR STANDARDS COMPLIANCE AFFIDAVIT

A. The Owner may make such investigations as he deems necessary to verify bidders compliance with the standards established under the Department of Labor and Industry Act of 1948 (N.J.S.A. 34:1A-34 et. seq.).

#### SECTION 00301 BID PROPOSAL FORM

# TO:ADA BUILDING UPGRADES FOR DENNIS TOWNSHIP MUNICIPAL BUILDING

	BID OF:
	(print or type name of bidder)
	(address)
	Pursuant to and in compliance with your Advertisement for Bidders and the Instructions to Bidders relating thereto, the undersigned hereby offers to furnish shall labor, materials, equipment and other facilities and things necessary or proper for, or incidental to, or required by, the drawings and specifications for the ADA BUILDING UPGRADES FOR DENNIS TOWNSHIP, NJ prepared by J.W. Pedersen Architect, P.C. ("Architect") and all addenda issued by the Architect sent to the undersigned prior to the date of opening bids whether received by the undersigned or not.
B	BIDS ARE TO BE BASED ON PLANS AND SPECIFICATIONS. CONTRACT - BASE BID
I, B	or We, propose to fully execute and complete all work under this Contract for General Construction - ase Bid.
F	OR THE TOTAL SUM OF
	(set forth amount of bid in words) dollars
	(set forth amount of bid in numbers)
2.	QUALIFICATION In submitting this bid, it is understood by the bidder that the right is reserved by the Owner to reject any and all bids.

BID PROPOSAL FORM

ALTE	NATE #D1 – BALLISTIC PROTECTION ADJUSTMENT -DEDUCT
	\$
ALTE	NATE #D2A -REPLACEMENT FLOORING & WALL BASE-BASE BID - REDUCTION - DEDUCT  \$
ALTE	NATE #D2B – REPLACEMENT FLOORING & WALL BASE ALTERNATE 1 - REDUCTION – <u>DEDUCT</u> \$
ALTE	NATE #D3A -REPLACEMENT FLOORING  TYPE CHANGE- BASE BID - DEDUCT or ADD  (clearly circle one and black out the other)  \$
ALTE	NATE #3B – REPLACEMENT FLOORING – TYPE CHANGE- ALTERNATE 1 0 DEDUCT or ADD (clearly circle one and black out the other)
	\$ <sub></sub>
3. Al	ENDA AND CONTRACT DOCUMENTS: The bidder hereby affirms that he/she/it has visited the site, examined all conditions affecting the work, including Contract Documents for this and other Contract Divisions, and that he has received the following addenda:
	ADDENDUM NO DATED
	ADDENDUM NO DATED
	(Bidder must insert number and dates of Addenda received.)
b.	The above Addenda are part of the Contract Documents as through originally incorporated therein.

### SECTION 00303 PREVAILING WAGE ACT COMPLIANCE DECLARATION

The Contractor hereby agrees to comply in all respects with the New Jersey Prevailing Wage Act, Chapter 150, *PL.* 1963 as amended. Prevailing wage rates pertaining to the work and issued by the New Jersey Department of Labor and Industry can be obtained online at the State of New Jersey Department of Labor and Workforce Development website: <a href="www.state.nj.us/labor/lsse/lspubcon.html">www.state.nj.us/labor/lsse/lspubcon.html</a>. Pursuant to N.J.S.A. 34: 11-5637 and 34.11-56.38 - Prevailing Wage Act, no contract may be awarded to any contractor and subcontractor or to any firm, corporation or partnership in which they have an interest on the disbarred bidders list until expiration date given. Workmen shall be paid not less than such prevailing wage rate. In the event it is found that any workman employed by the Contractor or any Subcontractor covered by the contract herein has been paid a rate of wages less than the prevailing rate required to be paid by such contract, the Owner may terminate the Contractor's and any Subcontractors' right to proceed with the work or such part of the work as to which there has been a failure to pay required wages and to prosecute the work to completion or otherwise. The Contractor and his sureties shall be liable to the Owner for any excess costs occasioned thereby.

Before final payment is made by or on behalf of the Owner of any sum or sums due to the work, the Contractor and any Subcontractor shall file with the Owner, written statements in form satisfactory to the Commissioner of Labor and Industry certifying to the amounts then due and owing from such contractor or subcontractor filing such statements to any and all workmen for wages due on account of the work, setting forth therein the names of the persons whose wages are unpaid and the amount due to each respectively which statement shall be certified by the oath of the Contractor or Subcontractor as the case may be in accordance with the said New Jersey Prevailing Wage Act.

The prevailing wage rate shall be determined by the Commissioner of Labor an authorized deputy or representative.	d Industry or his duly
The undersigned is a corporation under the Laws of the State of principal office located at:	having a 
(SIGNED)	
(TYPE OR PRINT)	
(COMPANY NAME)	
(ADDRESS)	
(TELEPHONE NUMBER)	

#### SECTION 00330 EXISTING CONDITIONS INVESTIGATION DATA

#### 1.1 GENERAL

A. Existing conditions investigation data is not part of the Contract Documents whether contained herein, indicated on the drawings or obtained directly or indirectly from the Owner or Architect.

#### 2.1 DESCRIPTION OF DOCUMENTS

- A. In the preparation of the Contract Documents, the Architect has relied upon this data in preparing the Scope of Work.
- B. The data is not guaranteed as to accuracy or completeness and may be inadequate for purposes of bidding. Where estimated quantities have been shown for contract items, such quantities are solely for the purpose of comparing bids, and are not intended to constitute an explicit or implicit representation as to the nature of materials which may be encountered.
- C. Availability of this data is not intended to relieve Bidders of their responsibility to familiarize themselves with conditions that may affect cost, progress or performance of the Work.
- D. The submission of a bid constitutes an agreement by the Bidder that he/she/it shall make no claim against the Owner or Architect because the data made available is not representative of actual conditions.
- E. In event that conditions actually encountered vary from those used for design purposes to the extent that, in the sole opinion of the Architect, a change in the work is necessary, such change will be made as provided by the conditions of the Contract.

**END OF SECTION 00330** 

EXISTING CONDITIONS 00330 - 1

#### SECTION 00481 FORM OF NON-COLLUSION AFFIDAVIT

STATE OF NEW JERSEY:	
COUNTY OF:	
I, of the To of and the State of according to law on my oath depose and say that:	wnship of in the County, of full age, being duly sworn
I certify that I am	,
of the firm of	<del></del>
the bidder making the Proposal for the above named with full authority so to do; that said bidder has agreement, participated in any collusion, or othe competitive bidding in connection with the abocontained in said Proposal and in this affidavit are to that the Township of Dennis relies upon the truth of the statements contained in this affidavit in awarding. I further warrant that no person or selling agency secure such contract upon an agreement or un brokerage or contingent fee, except bona fide maintained by (N.J.S.A. 52:34-15).	not, directly or indirectly, entered into any erwise taken any action in restraint of free, ove named project; and that all statements rue and correct, and made with full knowledge of the statements contained in said also and in g the contract for the said project.  That been employed or retained to solicit or inderstanding for a commission, percentage,
	(NAME OF CONTRACTOR)
	(SIGNATURE OF CONTRACTOR
Subscribed and sworn to before me this Day of,	
Notary Public of	
My commission expires	

References: N.J. Laws of 1977 - Chapter 3 Stockholders in the corporation or partners!	3 hip who own 10% or more of its stock, of any class:
NAMES	ADDRESSES
OR: All individual partners in the partners	hip who own 10% or greater interest therein:
NAMES	ADDRESSES
	artners is itself a corporation or partnership, the stockholder, stock, or the individual partners owning 10% or greater interest
NAMES	ADDRESSES

**END OF DOCUMENT 00485** 

#### SECTION 00488 AMERICANS WITH DISABILITIES ACT

The Contractor and the Owner do hereby agree that the provisions of Title II of the Americans With Disabilities Act of 1990 (the "Act") (42 U.S.C. §121 01 et. seq.), which prohibits discrimination on the basis of disability by public entities in all services, programs, and activities provided or made available by public entities, and the rules and regulations promulgated pursuant thereunto, are made a part of this contract. In providing any aid, benefit, or service on behalf of the Owner pursuant to the contract, the Contractor agrees that the performance shall be in strict compliance with the Act. In the event that the Contractor, its agents, servants, employees, or subcontractors violate or are alleged to have violated the Act during the performance of this contract, the contractor shall defend the Owner in any action or administrative proceeding commenced pursuant to this Act. The Contractor shall indemnify, protect, and hold harmless, the Owner, its officials, agents, servants, and employees from and against any and all suits, claims, losses, demands, or damages, of whatever kind or nature arising out of or claimed to arise out of the alleged violation. The Contractor shall, at its own expense, appear, defend, and pay any and all charges for legal services and any and all costs and other expenses arising from such action or administrative proceeding or incurred in connection therewith. In any and all complaints brought pursuant to the Owner's grievance procedure, the Contractor agrees to abide by any decision of the Owner which is rendered pursuant to said grievance procedure. If any action or administrative proceeding results in an award of damages against the Owner or if the Owner incurs any expense to cure a violation of the Act which had been brought pursuant to its grievance procedure, the Contractor shall satisfy and discharge the same at its own expense.

The Owner shall, as soon as practicable after a claim has been made against it, give written notice thereof to the Contractor along with full and complete particulars of the claim. If any action or administrative proceeding is brought against, the Owner or any of its officials, agents, servants, and employees, the Owner shall expeditiously forward or have forwarded to the Contractor every demand, complaint, notice, summons, pleading, or other process received by the Owner or its representative.

It is expressly agreed and understood that any approval by the Owner of the services provided by the Contractor pursuant to this contract will not relieve the contractor of the obligation to comply with the Act and to defend, indemnify, protect, and hold harmless, the Owner pursuant to this paragraph.

It is further agreed and, understood that the Owner assumes no obligation to indemnify or hold harmless the Contractor, its agents, servants, employees and subcontractors for any claim which may rise out of their performance of this Agreement. Furthermore, the Contractor expressly understands and agrees that the provisions of this indemnification clause shall in no way limit the Contractor's obligations assumed in this Agreement, nor shall they be construed to relieve the Contractor from any liability, nor preclude the Owner from taking any other actions available to it under other provisions of the Agreement or otherwise by law.

I have read the above Americans v	vith Disabilities Act.	
COMPANY:		
SIGNATURE:		
TITLE:	DATE:	

#### SECTION 00493 LISTING OF SUBCONTRACTORS

IN ACCORDANCE WITH N.J.S.A. 40A:11-16, ET. SEQ., IF THE BIDDER/GENERAL CONTRACTOR INTENDS TO USE SPECIALIZED SUB-PRIME CONTRACTORS (PLUMBING, HVAC, ELECTRICAL, STRUCTURAL STEEL) ON THIS PROJECT, THE BIDDER MUST SUBMIT WITH THEIR BID THE NAME AND ADDRESS OF EACH PRIME SUBCONTRACTOR.

I or we	
(Name of Company)	
in compliance with N.J.S.A. 40A:11-10 subcontractors for this project:	6, hereby certify that I/we will employ the following
A. Plumbing and Gas Fitting and All I	Kindred Work:
Name of Subcontractor	÷
Address of Subcontractor	:
License # (if applicable)	
B. Steam and Hot Water Heating and Kindred Work:	Ventilating Apparatus, Steam Power Plants and All
Name of Subcontractor	÷
Address of Subcontractor	
License # (if applicable)	
C. Electrical Work:	
Name of Subcontractor	
Address of Subcontractor	
License # (if applicable)	

#### **SECTION 00610 - PAYMENT BOND**

CONTRACTOR(Name and Address)	
SURETY(Name and Principal Place of Business)	
OWNER(Name and Address)	
CONSTRUCTION CONTRACT  Date: Amount: Description:(Name and Location):	
BOND  Date(Note Earlier than Construction Contract Amount:  Modifications to this Bond:None	Date):See Page
CONTRACTOR AS PRINCIPAL Company: (Corporate Seal)	SURETY Company: (Corporate Seal)
Signature: Signa	iture:
Name and Title: Name	e and Title:
KNOW ALL MEN BY THESE PRESENTS, that we sureties, are hereby held and firmly bound unto in the which well and truly to be made, we hereby jointly and executors, administrators, successors, and assigns.	penal sum of dollars, for the payment of
Signed thisday of	, 2023.
The condition of the above obligation is such that wheday of Contract with the	reas, the above named principal, did on the, 2023, enter into a

PAYMENT BOND 00610 -1

#### SECTION 00611 PERFORMANCE BOND

**CONTRACTOR** (Name and Address): **SURETY**(Name and Principal Place of Business): **OWNER** (Name and Address): **CONSTRUCTION CONTRACT** Date: Amount: Description (Name and Location): Date (Not earlier than Construction Contract Date): Amount: Modifications to this Bond: [ ] None [ ] See Page CONTRACTOR AS PRINCIPAL **SURETY** Company: Company: (Corporate Seal) (Corporate Seal) Signature:\_\_ Signature:\_\_ Name and Title: Name and Title: KNOW ALL MEN BY THESE PRESENTS, that we, the undersigned, as principal and as sureties, are hereby held and firmly bound unto in the penal sum of dollars, for the payment of which well and truly to be made, we hereby jointly and severally bind ourselves, our heirs, executors, administrators, successors and assigns. Signed this \_\_\_\_\_\_ day of \_\_\_\_\_\_\_, 2023. The condition of the above obligation is such that whereas, the above named principal, did On \_\_\_\_\_day of \_\_\_\_\_ , 2023, enter into a Contract with the \_, which said Contract is made a part of the Bond, the same as those set forth herein; NOW, if the said principal shall well and faithfully do and perform each and every obligation set forth within the Contract, and all things agreed by the principal to be done and performed in full accordance to all terms of said Contract, then this obligation shall be void; otherwise, the same

#### SECTION 00670 FORM OF RELEASE OF LIENS

WHEREAS, pursuant to contract made on the day of	, 2023 by and between the
Township of Weymouth (hereinafter called the Owner) and	
	(hereinafter called the Contractor), final
payment is about to be made.	
NOW, THEREFORE, in consideration of the premise	es and of the sum of
dollars (\$	)
lawful money of the United States, being the full and entire sur	m due upon the completion of the contract aforesaid
to the said contractor in hand paid by Owner, receipt to which	is hereby acknowledged, said Contractor does hereby
remise, release and forever discharge the Owner of and from a	ny and all manner of actions, suits, debts, dues, sums
of money, accounts, reckonings, bonds, bills, covenants, control	oversies, agreements, promises, claims and demands
whatsoever in law or in equity which the said contractor has or	may have for or on account of or in connection with
the contract aforesaid.	
The Contractor further agrees to indemnify and hold have	armless the Owner from loss, expense, damage or
injury as a result of claims arising out of, or, in connection with	h the execution of the work provided for in said
contract including; any claim made by any laborer, contractor,	or materialmen that may have furnished labor of any
action brought, or judgment recovered, by such laborer, contra	ctor or materialmen.
IN WITNESS WHEREOF, the Contractor has caused	d its name to be hereunto subscribed and its seal to
be hereunto affixed this day of	, 2023.
ATTEST	
(SEAL)	
	(name of Contractor)
	BY:
	PRESIDENT
SECRETARY	
END OF DOCUM	ENT 00670

FORM OF RELEASE OF LIENS 00670 - 1

construction trade, the contractor or subcontractor shall, within three days of the contract award, seek assurances from the union that it will cooperate with the contractor or subcontractor as it fulfills its affirmative action obligations under this contract and in accordance with the rules promulgated by the Treasurer pursuant to P.O. 1975, c.127, as supplemented and amended from time to time. If the contractor or subcontractor is unable to obtain said assurances from the construction trade union at least five days prior to commencement of construction work, the contractor or subcontractor agrees to attempt to hire minority and female workers directly, consistent with the applicable employment goal. If the contractor's or subcontractor's prior experience provided said assurances, indicates a significant possibility that the trade union will not refer sufficient minority and female workers directly, consistent with the applicable employment goal, by complying with the hiring procedures prescribed under c. below: and the contractor or subcontractor further agrees to take said action immediately if it determines or is so notified by the affirmative action office that the union is not referring minority and female workers consistent with the applicable employment goal.

- (B) If the hiring of a workforce consistent with the employment goal has not or cannot be achieved for each construction trade by adhering to procedures of b. above, or if the contractor does not have a referral agreement or arrangement with a union for a construction trade, the contractor and subcontractor agrees to take the following actions consistent with the applicable county employment goals:
  - To notify the public agency compliance officer, affirmative action office, and at least on approved minority referral organization of its manpower needs, and request referral of minority and female workers;
  - (2) To notify any minority and female workers who have been listed with it as awaiting available vacancies:
  - (3) Prior to commencement of work, to request the local construction trade union, if the contractor or subcontractor has a referral agreement or arrangement with a union for the construction trade, to refer minority and female workers to fill job openings;
  - (4) To leave standing requests for additional referral to minority and female workers with the local construction trade union, if the contractor or subcontractor has a referral agreement or arrangement with a union for the construction trade, the State training and employment service and other approved referral sources in the area until such time as the workforce is consistent with the employment goal;
  - (5) If it is necessary to lay off some of the workers in a given trade on the construction site, to assure, consistent with the applicable State and Federal statutes and court decisions, that sufficient minority and female employees remain on the side consistent with the employment goal; and to comply any minority and female workers so laid off by the contractor or any other construction site in the area on which its workforce composition is not established pursuant to rules implementing P.L. 1975, c.127;
  - (6) To adhere to the following procedure when minority and female workers apply or are referred to the contractor or subcontractor.
    - (i) If said individuals have never previously received any document or certification signifying a level of qualification lower than that required, the contractor or subcontractor shall determine the qualifications of such individuals and if the contractor's or subcontractor's workforce in each construction trade is not consistent with the applicable employment goal, it shall employ such persons which satisfy appropriate qualification standards; provided however, that a

Action Office and to the Public Agency Compliance officer. The contractor agrees to cooperate with the Public Agency in the payment of budgeted funds, as is necessary, for on-the-job and off-the-job programs for outreach and training of minority and female trainees employed on the construction projects.

(E) The contractor and its subcontractors shall furnish such reports or other documents to the Affirmative Action Office as may be requested by the office from time to time in order to carry out the purposes of these regulations, and public agencies shall furnish such information as may be requested by the affirmative action office for conducting a compliance investigation pursuant to Subchapter 10 of the Administrative Code (NJAC 17:27).

The Contractor must sign a contract containing the mandatory language in the section above entitled "Specific Language Required". The construction goals and related contract obligations and procedures, as described in the regulations, do not apply to any construction contractor or subcontractor which submits appropriate evidence that it is operating under a federally approved or sanctioned affirmative action plan.

If the contractor refuses to sign a contract containing the mandatory affirmative action contract language, at the time the contract is submitted for signing by the OWNER, then the Owner will reject the contractor's bid as non-responsive. When such a rejection occurs, the same affirmative action requirements shall apply to any other contractor selected by the Owner in accordance with the contracting laws and procedures.

If prior to or at the time the Owner submits a contract for signing, the contractor does not submit to the Owner evidence of any existing federally approved or sanctioned Affirmative Action Program; then no later than three (3) days after the contractor signs the construction contract, the contractor shall complete and submit the Projected Planning Table Form AA201-A to the Owner. The contractor should retain the copy marked "Contractor", remaining copies will be forwarded immediately to:

Affirmative Action Office Dept. of the Treasury State House CN 029 Trenton, NJ 08625

For clarification of Affirmative Action requirements bidders are referred to the State of New Jersey Affirmative Action Manual.

Bidders wishing clarification of the State's specific requirements should contact:

The Department of Treasury, State House CN 211 Trenton, New Jersey

Or Call
Affirmative Action Investigator
Northern New Jersey - (201) 877-1460
Central and Southern New Jersey - (609) 292-5475

Action Office as may be requested by the office from time to time in order to carry out the purposes of these regulations, and public agencies shall furnish such information as may be requested by the Affirmative action office for conducting a compliance investigation pursuant to subchapter 10 of the Administrative code. (NJAC 17:27)

#### PLEASE CHECK APPROPRIATE BOX (ONLY ONE)

I have a current New Jersey Affirmation proposal).	ve Action certificate (please attach a copy to your bid
I have a valid Federal Affirmative Ac proposal).	tion plan approval letter (please attach a copy to your bid
I have completed the form AA302 Af	firmative Action employee information report.
COMPANY:	
SIGNATURE	
TITLE:	DATE:

It is also agreed and understood that the acceptance of the final payment by the *CONTRACTOR* shall be understood as a release in full of the claims against the *TOWNSHIP* or, by reason of, the work done and materials furnished under this contract.

The entire work of the *PROJECT* shall be completed within \_\_\_\_\_ days upon receipt of the Notice to Proceed, issued by the Architect.

**CONTRACTOR** agrees to pay the **TOWNSHIP**, as liquidated damages not as a penalty, the sum of \$750.00 per day for each consecutive calendar day after the completion date that will be specified in the Notice to Proceed that is required to complete the **PROJECT** in accordance with the terms of this contract. Liquidated damages shall not in any way release the **CONTRACTOR** from obligations to the **TOWNSHIP** under this contract.

The *CONTRACTOR* agrees to comply with Affirmative Action Specifications attached hereto, if applicable.

The **CONTRACTOR** agrees to pay "prevailing wages" in conformance with the New Jersey Prevailing Wage Law.

In consideration of the promises, the *TOWNSHIP* hereby agrees to pay the *CONTRACTOR* for said *PROJECT* when completed in accordance with this contract and said *SPECIFICATIONS* and within the time stated, subject to additions and deductions by Change Order as provided in the *SPECIFICATIONS*, the total sum of [INSERT BID AMOUNT \$. 00 (Base \$.00; Alternate/s TBD \$.00)]. The bidder hereby agrees to carry out and complete said *PROJECT* as specified and delineated at the price per alternate for the following scheduled items of work:

#### [INSERT ALTERNATES-TBD]

Vouchers for payment shall be submitted at least two week prior to a regular Township Committee Meeting in accordance with Township Ordinance for payment of bills.