

Construction Compliance Overview

Loans that receive a subsidy through the St. Louis County SAVES™ program are subject to federal ARRA provisions, including the prevailing wage requirements under the Davis Bacon Act. Standard clauses for Davis Bacon and other ARRA provisions are included in subsidy and loan agreements and must be included in any contract or sub-contract paid for through St. Louis County SAVES™ subsidized loan funds (“Exhibit A”). For convenience, below is a listing of typical items that must be adhered to during construction of a St. Louis County SAVES™ subsidized project:

- **Davis Bacon Act Compliance:** The DBA requires all contractors and subcontractors to pay laborers and mechanics employed on a covered contract wages and fringe benefits determined by the Secretary of Labor to be prevailing for corresponding classes of employees engaged on similar projects in the locality. Prevailing wage rates are categorized by county and can be found at www.wdol.gov (contact Abundant Power Solutions if no applicable wage rate exists for a specific classification of work). Each contractor must submit weekly payroll records for “laborers and mechanics” through the full term of project activities. Certified payroll forms, in a Department of Labor approved format, must be submitted directly to Kelley Fluharty, Abundant Power, **within 10 days** of each week ending date (www.dol.gov/whd/forms/wh347.pdf). Payroll form numbers must be consecutive and should include interim weeks during which no work was performed (hours=0). A Payroll Officer Designation form (attached) must be executed before and submitted with the first payroll document of a project. Mail signed originals directly to Kelley Fluharty at the address below:
 - o Signed Originals to:
Kelley Fluharty
Abundant Power
2201 South Boulevard, Suite 300
Charlotte, NC 28203
 - o Electronic copies to:
aklein@stlouisco.com and
kfluharty@abundantpower.com
- **Whistleblower Poster:** This poster must be posted on the project site during construction activities. www.recovery.gov/contact/reportfraud/documents/whistleblowerposter.pdf
- **Davis Bacon Poster (Attached):** This poster must be posted on the project site during construction activities.

EMPLOYEE RIGHTS UNDER THE DAVIS-BACON ACT

FOR LABORERS AND MECHANICS EMPLOYED ON FEDERAL OR FEDERALLY ASSISTED CONSTRUCTION PROJECTS

THE UNITED STATES DEPARTMENT OF LABOR WAGE AND HOUR DIVISION

PREVAILING WAGES

You must be paid not less than the wage rate listed in the Davis-Bacon Wage Decision posted with this Notice for the work you perform.

OVERTIME

You must be paid not less than one and one-half times your basic rate of pay for all hours worked over 40 in a work week. There are few exceptions.

ENFORCEMENT

Contract payments can be withheld to ensure workers receive wages and overtime pay due, and liquidated damages may apply if overtime pay requirements are not met. Davis-Bacon contract clauses allow contract termination and debarment of contractors from future federal contracts for up to three years. A contractor who falsifies certified payroll records or induces wage kickbacks may be subject to civil or criminal prosecution, fines and/or imprisonment.

APPRENTICES

Apprentice rates apply only to apprentices properly registered under approved Federal or State apprenticeship programs.

PROPER PAY

If you do not receive proper pay, or require further information on the applicable wages, contact the Contracting Officer listed below:

James Parker, Contract Specialist
National Energy Technology Laboratory
james.parker@NETL.DOE.GOV
3610 Collins Ferry Road
P.O. Box 880
Morgantown, WV 26507-0880
(304) 285-5249

or contact the U.S. Department of Labor's Wage and Hour Division.



For additional information:

1-866-4-USWAGE
(1-866-487-9243) TTY: 1-877-889-5627



WWW.WAGEHOUR.DOL.GOV