



**City of Phoenix**

# Davis Bacon and Related Acts (DBRA) COMPLIANCE TRAINING



**INSTRUCTIONS  
FOR  
CONTRACTORS**

**Prevailing  
Wage  
Requirements  
For  
Federally  
Assisted  
Construction  
Projects**

City of Phoenix  
Public Works Dept  
Labor Compliance  
Office  
200 W Washington  
St  
Phoenix AZ 85003-  
1611  
Phone (602) 261-  
8287  
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**City of Phoenix**

# DBRA COMPLIANCE TRAINING

*The City applies for and receives federal assistance for its capital construction projects - therefore it has an obligation to comply with federal labor regulations.*





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# DBRA COMPLIANCE TRAINING

- Introduction
- Marci Thies

- History & Purpose of DBRA
- Debbie Decker

- Enforcement & Investigations
- Pete Martin

- Bidding a DBRA Project
- Christina Hernandez

- Conclusion
- Marci Thies





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# DBRA COMPLIANCE TRAINING

## Davis-Bacon Act of 1931



Pennsylvania  
Senator James  
John Davis

1873-1947

- Federal construction (prime) contracts > \$2000
- New Construction
- Alteration
- Remodeling



New York  
Representative,  
Robert Bacon

1884-1938



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# DBRA COMPLIANCE TRAINING

## Davis-Bacon Act

- Applies to all laborers and mechanics
- Requires payment of prevailing wages
- Requires weekly payment of wages





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# DBRA COMPLIANCE TRAINING



New York Senator Royal  
S. Copeland

1868-1938

## Copeland Anti-Kickback Act of 1934

- Criminalizes “Kick-backs”
- Requires Payroll Certification
- Monitors Deductions



# DBRA COMPLIANCE TRAINING

## Contract Work Hours and Safety Standards Act (CWHSSA)

- Enacted 1962
- Overtime
- \$100,000 Threshold
- Liquidated damages





# DBRA COMPLIANCE TRAINING

## Investigation and Enforcement

- Reorganization Plan #14 of 1950
  - Responsibilities
  - DOL
  - COP
  - Funding Agencies







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# DBRA COMPLIANCE TRAINING

## Investigation

- Contract & Files
- Certified Payrolls
- Employee Interviews
- Onsite inspections
- Investigations/ Complaints/  
Claims
- Violations
- Withholding Funds





# DBRA COMPLIANCE TRAINING

- **DBA Wages & Fringe Benefits**

- Rate of pay
- Overtime
- Fringe Benefits
- Wage Deductions
- Apprentices
- Owner Operators (TD)





# DBRA COMPLIANCE TRAINING

## Onsite Interviews

- Confidential
- Verification/CPR:
  - Job Classification
  - Hours worked
  - Job Duties
  - Tools
  - Heavy Equipment
  - Deductions





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# DBRA COMPLIANCE TRAINING

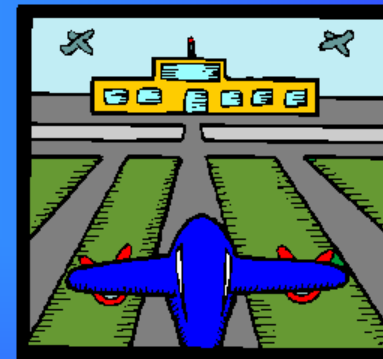
▶ Residential



▶ Building



▶ Highway



▶ Heavy







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# DBRA COMPLIANCE TRAINING

General Decision Number: AZ100001 07/23/2010 AZ1

Superseded General Decision Number: AZ20080001

State: Arizona

Construction Type: Building

Counties: Coconino, Maricopa, Mohave, Pima, Pinal and Yuma Counties in Arizona.

BUILDING CONSTRUCTION PROJECTS (does not include residential construction consisting of single family homes and apartments up to and including 4 stories)

Modification Number	Publication Date
0	03/12/2010
1	06/04/2010
2	07/02/2010
3	07/09/2010
4	07/23/2010

Florence Canal to the intersection of the line "Second Guide Meridian East" then North to the Maricopa-Pinal County Lines) COUNTIES

	Rates	Fringes
Electrician/Wireman.....	\$ 24.80	3% + 7.09
-----		
ENG0428-003 06/01/2010		
Power Equipment Operator		
(2) Crane under 15 tons.....	\$ 25.22	9.79
(3) Crane, 15 tons to 100 tons.....	\$ 26.30	9.79
(4) Crane, 100 tons and over.....	\$ 27.33	9.79

IRON0075-002 08/01/2009

IRONWORKER, STRUCTURAL  
Zone 1:.....

Zone 1: 0 to 50 miles from City Hall in Phoenix or Tucson  
Zone 2: 050 to 100 miles - Add \$4.00  
Zone 3: 100 to 150 miles - Add \$5.00  
Zone 4: 150 miles & over - Add \$6.50

LAB00383-005 06/01/2009

LABORER (Brick/Block Tender).....

PAIN0086-003 04/01/2009

PAINTE.....

PAIN0086-005 07/01/2009

GLAZIER.....

PLUM0469-002 07/01/2010  
ZONE A: COCONINO, MARICOPA, MOHAVE & YUMA COUNTIES  
ZONE B: PIMA AND PINAL COUNTIES

	Rates	Fringes
PLUMBER/PIPEFITTER		
Zone A.....	\$ 31.65	14.90
Zone B.....	\$ 28.55	14.65

= \$24.05



# DBRA COMPLIANCE TRAINING

1. The work is not performed by a classification already in the wage decision
2. The classification is used in the area by the construction industry
3. The proposed rate bears a reasonable relationship to the wage rates contained in the wage decision

REQUEST FOR AUTHORIZATION OF ADDITIONAL CLASSIFICATION AND RATE		CHECK APPROPRIATE BOX <input type="checkbox"/> SERVICE CONTRACT <input type="checkbox"/> CONSTRUCTION CONTRACT	OMB No. 9000-0089 Expires: 02/28/96
<small>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, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate or any other aspect of the collection of information, including suggestions for reducing the burden, to the FAR Secretariat Office, Office of Federal Acquisition Policy, GSA, Washington, DC 20465, and to the Office of Management and Budget, Paperwork Reduction Project (9500-0089), Washington, DC 20503.</small>			
NOTE: THE CONTRACTOR SHALL COMPLETE ITEMS 3 THROUGH 16 AND SUBMIT THE REQUEST, IN QUADRUPLETE, TO THE CONTRACTING OFFICER.			
1. TO: ADMINISTRATOR, Employment Standards Administration, WAGE AND HOUR DIVISION, U.S. DEPARTMENT OF LABOR, WASHINGTON, D.C. 20210		2. FROM: (REPORTING OFFICE):	
3. CONTRACTOR:		4. DATE OF REQUEST:	
5. CONTRACT NUMBER (ISSUES)	6. DATE BID OPENED (ISSUED)	7. DATE OF AWARD	8. DATE CONTRACT WORK STARTED
10. SUBCONTRACTOR (IF ANY):		9. DATE OFFER EXPIRES (IF APPLICABLE) (SEE ONLY):	
11. PROJECT AND DESCRIPTION OF WORK. (ATTACH ADDITIONAL SHEET IF NEEDED)			
12. LOCATION (CITY, COUNTY AND STATE)			
13. IN ORDER TO COMPLETE THE WAGE DECISION FOR UNDER THE ABOVE CATEGORY, IF NECESSARY TO ESTABLISH THE FOLLOWING RATES FOR THE INDICATED CLASSIFICATION(S) NOT INCLUDED IN THE DEPARTMENT OF LABOR DETERMINATION:			
NAME			
A. LIST IN ORDER: PROPOSED CLASSIFICATION TITLE(S), JOB DESCRIPTION(S), DUTIES, AND RATIONALE FOR PROPOSED CLASSIFICATION(S) (GSA ONLY)		B. WAGE RATE(S)	C. FRINGE BENEFITS/PAYMENTS
<small>(Use reverse or attach additional pages, if necessary)</small>			
14. SIGNATURE AND TITLE OF SUBCONTRACTOR REPRESENTATIVE (IF ANY):		15. SIGNATURE AND TITLE OF PRIME CONTRACTOR REPRESENTATIVE:	
16. SIGNATURE OF EMPLOYEE OR REPRESENTATIVE:		TITLE:	
		[CHECK APPROPRIATE BOXES (REQUIRED BLOCK "1")] <input type="checkbox"/> AGREE <input type="checkbox"/> DISAGREE	
TO BE COMPLETED BY CONTRACTING OFFICER (CHECK AS APPROPRIATE - SEE FAR 22.1019 (SCA) OR FAR 22.406-3 (DEA))			
<input type="checkbox"/> THE INTERESTED PARTIES AGREE AND THE CONTRACTING OFFICER RECOMMENDS APPROVAL BY THE WAGE AND HOUR DIVISION. AVAILABLE INFORMATION AND RECOMMENDATIONS ARE ATTACHED.			
<input type="checkbox"/> THE INTERESTED PARTIES CANNOT AGREE ON THE PROPOSED CLASSIFICATION AND WAGE RATE. A DETERMINATION OF THE QUESTION BY THE WAGE AND HOUR DIVISION IS THEREFORE REQUESTED. AVAILABLE INFORMATION AND RECOMMENDATIONS ARE ATTACHED.			
SIGNATURE OF CONTRACTING OFFICER OR REPRESENTATIVE:		DATE SUBMITTED:	
TITLE AND COMMERCIAL TELEPHONE NO.:			
FORM 15-60 (ST 28-0051) Previous edition is obsolete.		CONTRACTING OFFICER - PENDING	
		STANDARD FORM 1444 (REV. 12-90) Prescribed by GSA FPMR (41 CFR) 101-11.6	

*Code of Federal Regulations, Title 29, Part 5.5(a) (1) (ii)(A) (-3)*



# DBRA COMPLIANCE TRAINING

## Regulations

- **The Davis-Bacon Act**

<http://www.dol.gov/whd/regs/statutes/dbra.pdf>

- **29 CFR Parts 3 & 5**

<http://www.dol.gov/whd/reg-library.htm>

- **Funding Agency Verbiage**

HUD Form 4010 OR 5370

<http://www.hud.gov/offices/adm/hudclips/forms/hud5.cfm>

FHWA Form 1273

<http://www.fhwa.dot.gov/programadmin/contracts/1273.cfm#IV>

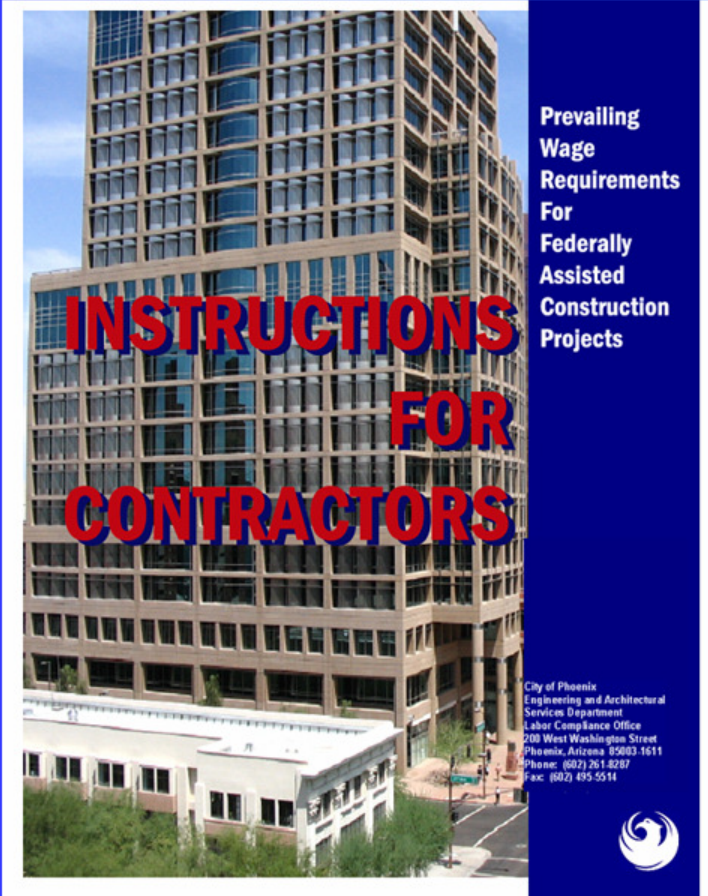
- **City of Phoenix Instructions for Contractors**





**City of Phoenix**

# DBRA COMPLIANCE TRAINING



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# DBRA COMPLIANCE TRAINING

- **LCP Tracker**
- **Future Opportunities**
  - Energize Phoenix  
[energizephx@phoenix.gov](mailto:energizephx@phoenix.gov)
  - FAA, FHWA, FTA, HUD



Ευχαριστώ

*Merci*

Bedankt

Gracias

*Obrigado!*

THANK YOU

*Grazie*

Tesekkürler

*Vielen*  
Dank

*Dikey*

*Köszönettel*

*Hvala*

ขอบคุณ

شكراً

תודה