

Prevailing Wage Compliance 2021

Introduction - MDOT Oversight/Labor Statutes

Prevailing Wage Components
Contract Documents
Wage Decisions
Wage Rate Interviews
Overtime
Certified Payrolls
Truck Drivers

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Labor Statutes

- Davis Bacon & Related Acts (DBRA)
 - Applies to all Federal-aid construction projects over \$2,000
 - “Laborers or mechanics” must be paid at least the “prevailing wage” when working on the “site of work”
 - Requires workers to be paid weekly
 - Minimum wages incorporated into contract via wage determination
- Fair Labor Standards Act (FLSA)
 - Federal Minimum Wage: \$7.25 as of July 2009
 - Overtime requirements for covered non-exempt employees who work more than 40 hours per week for a covered employer or occupation
 - Requires employers maintain basic time and pay records

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Labor Statutes

- Contract Work Hours & Safety Standards Act (CWHSSA)
 - Applies to construction projects in excess of \$100,000
 - Requires all laborers and mechanics employed on covered contracts to be paid time and a half their basic rate of pay for hours worked in excess of 40 in a workweek
- Copeland “Anti-Kickback” Act (CA)
 - Applies to all DBRA contracts and prohibits “kickbacks” of wages
 - Regulates payroll deductions
 - Requires each certified payroll be accompanied by a statement of compliance.
 - Attaches legal penalty to the falsification of certified payroll reports

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MDOT Oversight Reminders

- The term “subcontractor” includes any company with which the prime contractor has entered into a contractual agreement to work on the project.
 - e.g. Pavement sweeping, flagging & concrete pumping
- The Prime Contractor is responsible to submit ALL weekly certified payrolls within a three week “grace period” from the time work is performed.
- Certified payroll must be entered into LCPtracker, certified, and approved by the prime to be considered “received” by the Department. (12SP-107G or 20SP-107D)

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Components

PW is made up of two interchangeable components:

- Base Hourly Rate (BHR)
- Fringe Benefit Value (FB)

The total dollar value of the two components comprise the PW requirement (29 CFR 5.23)

CARP0004-005 06/01/2018		
LIVINGSTON (Townships of Brighton, Deerfield, Genoa, Hartland, Oceaola & Tyrone), MACOMB, MONROE, OAKLAND, SANILAC, ST. CLAIR AND WAYNE COUNTIES		
	Rates	Fringes
CARPENTER (Piledriver).....	\$ 30.50	27.28

The goal is to ensure compliance with DBRA

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Prevailing Wage

A contractor may discharge their base hourly rate and fringe benefit obligations by:

- Paying both in cash;
- Making payments or incurring costs for “bona fide” fringe benefits;
- Or, a combination thereof (29 CFR Part 5.31)

Base hourly rate + fringe benefit = Prevailing Wage

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Examples of ‘Bona Fide’ Benefits

- Training and Apprentice Programs (29 CFR 5.16)
- Pension Plans; 401k plans (29 CFR 5.26)
- Vacation and Holiday (29 CFR 5.28)
- Health Insurance (29 CFR 5.29)
- Prevailing wage supplemental benefit (SUB) plans
 - Might have to be approved by USDOL

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NOT a 'Bona Fide' Benefit

- Company Trucks (including a gas allowance)
- Paid Lodging
- Tools
- Cell Phones
- Loan Payments
- Uniforms
- Unemployment/Workers Comp/Social Security

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Example

Base Hourly Rate		Fringe Benefit		Prevailing Wage
\$22.00	+	\$8.00	=	\$30.00

The contractor can comply by paying (29 CFR 5.31):

1. \$30.00 in wages
2. \$22.00 plus, \$5.00 in health insurance benefits, and \$3.00 contributions in a 401k account
3. \$19.00 plus \$11.00 in 401k contributions or any other "bona fide" fringe benefit that would have a value of \$11.00

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Apprentices

- Employee who is individually registered in a bona fide apprenticeship or training program with USDOL.
- Apprentice wages are figured according to the Apprentice Agreement registered with USDOL (29 CFR 5.2 and 5.5).
- The published base and fringe wages are to be used when figuring the minimum PW due for the apprentice percentage.
- Contractors must maintain written evidence of apprentice programs and certifications.
- Must be employed within allowable ratio to journeyman.

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On-the-Job Training Program (OJT)

- Equal opportunity training program for women, minorities, and disadvantaged persons in construction trades.
- Overseen by MDOT Office of Business Development
- Guidelines and compensation requirements in Special Provision 12SP-108C (2020 Spec Book Section 102.18)
- OJTs are strongly suggested to be enrolled in DOL apprentice programs where available.
 - If enrolled the apprentice requirements become controlling.

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Minimum PW Apprentice/OJT

$$\begin{array}{rclcl} \text{BHR} & + & \text{Fringe} & = & \text{Total Package} \\ \$22.00 & & \$8.00 & & \$30.00 \end{array}$$

Minimum PW due an Apprentice at 50%

$$\begin{array}{rclcl} \text{BHR} & + & \text{Fringe} & = & \text{Total Package} \\ (50\% \times \$22.00) & & \$8.00 & & \$19.00 \\ \$11.00 & & & & \end{array}$$

NOT Prevailing: 50% x \$30.00 (total package) = \$15.00

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Overtime and Fringe Benefits (see Overtime Module)

- When computing overtime wages, the total wages paid must meet or exceed the 'total package' listed in the wage decision (29 CFR 5.32) :

$$\begin{array}{rclcl} 1.5 \times \text{BHR} & + & \text{Fringe} & = & \text{Total Package} \\ (1.5 \times \$22.00) & + & \$8.00 & = & \$41.00 \end{array}$$

- Once the total package is determined, it may be paid in any combination as long as it equals the total package.

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Hourly Credit Example

Fringe Benefit Credit

<u>Benefit</u>	<u>Paid</u>	<u>Total</u>
Vacation	40 hrs. X \$20/hr.	\$800/yr.
Blue Cross	Yearly Premium	\$10,800/yr.
401K	Employer Contribution of \$3.00/hr.	\$3.00/hr.

To Calculate the Fringe Credit:

<u>Benefit</u>	<u>Calculation</u>	<u>Total</u>
Vacation	40 hrs. X \$20/hr. = \$800/2,080 hrs.	\$.38
Blue Cross	\$10,800/2,080 hrs.	\$5.19
401K	\$3.00/hr.	\$3.00
		\$8.57 Credit

**Note: This example assumes the employee worked a full year and accrued 2080 hours. Seasonal workers may work less than 2080 hours. In these cases, the actual total hours accrued may be used instead of 2080 hours.*

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Hourly Credit Example

Examples

Health insurance costs \$10,800 for a 12-month premium. The insurance is provided to the employee year-round, and the employee normally works 1,200 hours a year:

$$\$10,800/1,200 \text{ hrs.} = \$9.00/\text{hr.}$$

Health insurance costs \$900 per month. The insurance is only offered in the months the employee works and the employee works 175 hours per month:

$$\$900/175 \text{ hrs.} = \$5.14/\text{hr.}$$

Contractors are not entitled to deduct more than the actual cost of the benefit. Once the benefit has been funded for the coverage period it must be converted to another bona fide benefit or paid to the worker on their weekly check.

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What and Where to Look for PW Compliance

- MDOT Construction Manual
 - Division 1 Section. 107 – Prevailing Wage Oversight Procedures

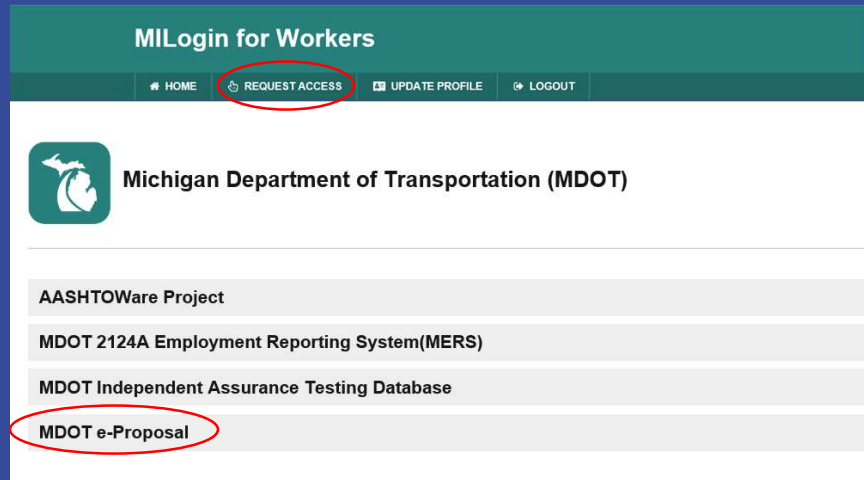
The oversight procedures provide guidance on the following:

- FHWA – 1273
- Notice to Bidders
- Wage Decisions
- PW Notifications

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eProposal



MILogin for Workers

HOME REQUEST ACCESS UPDATE PROFILE LOGOUT

 Michigan Department of Transportation (MDOT)

AASHTOWare Project

MDOT 2124A Employment Reporting System(MERS)

MDOT Independent Assurance Testing Database

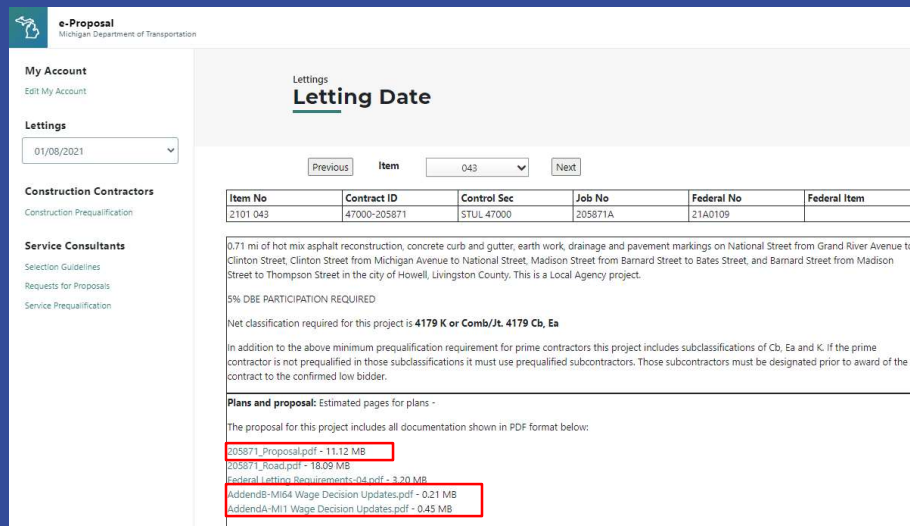
MDOT e-Proposal

Initial access will require requesting access to the application

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eProposal



e-Proposal
Michigan Department of Transportation

My Account
Edit My Account

Lettings
01/08/2021

Construction Contractors
Construction Prequalification

Service Consultants
Selection Guidelines
Requests for Proposals
Service Prequalification

Lettings
Letting Date

Previous Item 043 Next

Item No	Contract ID	Control Sec	Job No	Federal No	Federal Item
2101 043	47000-205871	STUL 47000	205871A	21A0109	

0.71 mi of hot mix asphalt reconstruction, concrete curb and gutter, earth work, drainage and pavement markings on National Street from Grand River Avenue to Clinton Street, Clinton Street from Michigan Avenue to National Street, Madison Street from Barnard Street to Bates Street, and Barnard Street from Madison Street to Thompson Street in the city of Howell, Livingston County. This is a Local Agency project.

5% DBE PARTICIPATION REQUIRED

Net classification required for this project is **4179 K or Combs/Jt. 4179 Cb, Ea**

In addition to the above minimum prequalification requirement for prime contractors this project includes subclassifications of Cb, Ea and K. If the prime contractor is not prequalified in those subclassifications it must use prequalified subcontractors. Those subcontractors must be designated prior to award of the contract to the confirmed low bidder.

Plans and proposal: Estimated pages for plans -

The proposal for this project includes all documentation shown in PDF format below:

205871_Proposal.pdf - 11.12 MB
205871_Road.pdf - 18.09 MB
Federal Letting Requirements-04.pdf - 3.20 MB
AddendB-MI64 Wage Decision Updates.pdf - 0.21 MB
AddendA-MI1 Wage Decision Updates.pdf - 0.45 MB

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eProposal

Bookmarks

- Cover Page
- Schedule of Items
- Subcontract Provisions
- Table of Contents
- Advertising Notice
- Progress Clause
- Maintaining Traffic incl. Details
- Permits
- Unique Special Provisions
- Special Provisions for this Project
- Notice to Bidders for this Project
- Utility Coordination
- Supplemental Specifications
- Log of Project (Title Sheet)
- Notice of Bidders - Contact Person
- Labor Rates

MDOT
Michigan Department of Transportation

2012 Standard Specifications for Construction

Warranty	No	FHWA Oversight	No
DBE %	Yes	NHS	No

ITEM NUMBER
2101 043

STATE OF MICHIGAN DEPARTMENT OF TRANSPORTATION
PROPOSAL

0.71 mi of hot mix asphalt reconstruction, concrete curb and gutter, earth work, drainage and pavement markings on National Street from Grand River Avenue to Clinton Street, Clinton Street from Michigan Avenue to National Street, Madison Street from Barnard Street to Bates Street, and Barnard Street from Madison Street to Thompson Street in the city of Howell, Livingston County. This is a Local Agency project.

BIDS WILL BE ELECTRONICALLY DOWNLOADED AT 10:30 AM LOCAL TIME, ON 1/8/21

CONTRACT ID	CONTROL SECTION	PROJECT	FEDERAL NUMBER
47000-205871	STUL 47000	205871A	21A0109

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eProposal

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"General Decision Number: **MI20200001 11/06/2020**

Superseded General Decision Number: MI20190001

State: Michigan

Construction Types: Highway (Highway, Airport & Bridge xxxxx and Sewer/Incid. to Hwy.)

Counties: Michigan Statewide.

Note: Under Executive Order (EO) 13658, an hourly minimum wage of \$10.80 for calendar year 2020 applies to all contracts

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eProposal

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- Utility Coordination
- Supplemental Specifications
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- Notice of Bidders - Contact Person
- Labor Rates

"General Decision Number: MI20200064 12/04/2020

Superseded General Decision Number: MI20190064

State: Michigan

Construction Type: Heavy

County: Livingston County in Michigan.

Heavy, Includes Water, Sewer Lines and Excavation (Excludes Hazardous Waste Removal; Coal, Oil, Gas, Duct and other similar Pipeline Construction)

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Form FHWA – 1273

- Contains several of the most common contract provisions mandated by various federal agencies when federal dollars are involved:
 - Included in all MDOT let Federal-aid construction contracts
 - Required subcontract attachment (see form 1302-Fed)
 - Form was revised 01/21
 - Required attachments moved from page six to page two
 - Contains DBRA and CWHSSA provisions

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PW Oversight Procedures

- Certified Payrolls must be received by the Engineer with in three weeks from the week ending in which work is performed.
- If they are not received in three weeks they are considered:
 - **Delinquent**
- Certified payrolls that are found to be incomplete, inaccurate, or inconsistent with other project records are considered:
 - **Deficient**

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PW Oversight Procedures

Delinquent Notice

The notification sequence previously described would be as follows:

Initiate Notice	Notice Sequence	Contractor Notice of Action	Allotted Time For Response / Resolution	If No Response / Resolution
First payroll has not been received within 3 weeks.	First Notice (See Note 1)	Payment is being withheld for offending contractor's work items. Non-payment will continue until complete and accurate payrolls are received. Intent to assess non-compliance damages until all payrolls are complete, accurate and current. (See Notes 2 and 3)	30 days from receipt of first notice by the prime contractor	Implement actions from the first notice. Send second notice.
Payroll remains delinquent	Second Notice (See Note 1)	Intent to rescind all prior payment for the offending contractor's work items. Intent to until all payrolls are complete, accurate and current. (See Notes 2 and 3)	30 days from	Implement actions from the second notice
Payroll remains delinquent 30 days after first notice received by prime contractor	Second Notice (See Note 1)	Intent to rescind all prior payment for the offending contractor's work items. Intent to submit interim Contractor Performance Evaluation(s) for the offending contractor(s). (See Note 2)	30 days from receipt of second notice by the prime contractor	Implement actions from the second notice

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Delinquent Notification Example

Date _____

(Company President's Name)
(Prime Contractor Name)
(Address)

Re: (Contract ID), Certified Payrolls, Delinquent Notice 1

Dear _____:

Your (company/subcontractor) performed work on (Contract ID) during the week(s) ending (____). As of (3 weeks from the date work was started) certified weekly payrolls have not been received for the work performed by your (company/subcontractor name) and are classified as delinquent. Payment has been suspended for the work items performed by your (company/subcontractor, name). If certified weekly payrolls remain delinquent after 30 calendar days from the receipt of this notice, non-compliance damages will be assessed retroactive to the date this notice was received. Payment for work items performed by your (company/subcontractor, name) will continue to be suspended until complete and accurate certified payrolls are current and received by this office.

Sincerely,

Name
Construction Engineer
(Name of company, agency or TSC)

Sent by certified mail receipt requested or other method which establishes the date received by the prime contractor

cc: Subcontractor (by regular mail if needed)
cc: Region coordinator for prevailing wage

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Agency Payroll Review

NAME OF CONTRACTOR (Not Contractor)		CONTRACTOR'S LICENSE No. 5177197544		ADDRESS : 8885 Rock Rd., Lansing, MI 48909		PROJECT LOCATION / CODE / NAME :																
Prime		SPECIALTY LICENSE No.		PHONE: 5177197544		Multiple Locations : AD-1254 / Test_Road Rehabilitation from I-74 North to Detroit																
PAYROLL No. 1		MOTOR CARRIER PERMIT No.		SELF-INSURED CERTIFICATE No.		WAGE DECISION: MI130001 Highway Mod I																
FOR WEEK ENDING: 01/04/2020		UNION		WORKERS COMP. POLICY :																		
SUBMITTED ON: January 21, 2020		Non-Union																				
NAME, ADDRESS, SSN, DRIVER'S LICENSE, ETHNICITY, GENDER	WORK CLASSIFICATION, LOCATION AND TYPE	HOURS WORKED EACH DAY							TOTAL HOURS	BASE HOURLY RATE	GROSS AMOUNT EARNED	DEDUCTION, CONTRIBUTION AND PAYMENTS										
BRYANT, KOBE Map_A4_1212 XXX-XX-1212 AFRICAN AMERICAN Male	CARPENTER-400 / Carpenter (Highway) / Statewide W2-MCH200001	12/29/19	12/30/19	12/31/19	1/1/20	1/2/20	1/3/20	1/4/20	TOTAL HOURS THIS PERIOD	BASE HOURLY RATE OF PAY	GROSS AMOUNT EARNED	Federal Tax	State Tax	Medicare	State Tax	Local Taxes	Other	Savings	Total Deductions			
		S	M	T	W	TH	F	S				368.59	152.35	35.63	104.43	0.00	0.00	0.00	0.00	0.00	661.00	
		8.00	8.00	8.00	8.00	8.00	8.00	40.00				36.50	2,457.26	Vacation	Health	Pension	Vacation	Training	All Other	Total Fringe		
		0	0	0	0	0	0	0				0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00		
		0	0	0	0	0	0	0				0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	
All or Part of Fringe Paid to Employee:		* Vacation, Holiday and Days in Gross Pay: YES		* Union Contribution (Union Dues, etc.): NO								Rate in Line of Fringe	Total in Line of Fringe	Total Rate	Vacation Payable	Vacation Payable	Health Plan	Pension Plan	Health Plan	Training Plan	All Other Plan	Total Fringe Rate
YES												22.28	1,445.76	57.78	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00

Things to look for:

- Classification and location correct?
- Number of hours and employees look appropriate?
- Fringes match fringe benefit statement?

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PW Oversight Procedures

Deficient Notice

The notification sequence previously described would be as follows:

Initiate Notice	Notice Sequence	Notice of Action to Contractor	Allotted Time For Response / Resolution	If no Response / Resolution
Payroll deficiencies	First notice (See Note 1)	Intent to withhold payment for offending contractor's work items. Intent to assess non-compliance damages from the date the first notice was received by the prime contractor. (See Note 3)	30 days from receipt of first notice by the prime contractor	Implement actions from the first notice. Send second notice.
Payroll issue not resolved 30 days after first notice	Second notice (See Note 2)	Intent to rescind payment for all work items of offending contractor(s). Intent to submit interim Contractor Performance Evaluations	30 days from receipt of second notice by the prime contractor	Implement actions from the second notice.

The notification sequence previously described would be as follows:

Initiate Notice	Notice Sequence	Notice of Action to Contractor	Allotted Time For Response / Resolution	If no Response / Resolution
Payroll deficiencies	First notice (See Note 1)	Intent to withhold payment for offending contractor's work items. Intent to assess non-compliance damages from the date the first notice was received by the prime contractor. (See Note 3)	30 days from receipt of first notice by the prime contractor	Implement actions from the first notice. Send second notice.
Payroll issue not resolved 30 days after first notice	Second notice (See Note 2)	Intent to rescind payment for all work items of offending contractor(s). Intent to submit interim Contractor Performance Evaluations	30 days from receipt of second notice by the prime contractor	Implement actions from the second notice.

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PW Oversight Procedures

Deficient Notification Example

Date _____

(Company President's Name)
(Prime Contractor Name)
(Address)

Re: (Contract ID), Certified Payrolls, Deficient Notice 1

Dear _____:

The certified payroll(s) for week(s) ending (enter date) submitted by your (company/subcontractor, name) are deficient as noted below. The above dated certified payrolls must be corrected and resubmitted with signature certifications. Corrected certified payrolls of subcontractors must be resubmitted through your company. The following items shall be addressed. (Delete all items that do not apply).

Name and address with the prime or subcontractor(s) identified
State contract ID numbers (contract identification)
Payroll No., week ending, project location
Employee full name and last four digits of social security number
Identification of minority and female employees
Employee's full work classification, including group or class
Identification of OTTs, apprentices and program levels (%) on payrolls
Daily and weekly employee hours worked in each job classification
Daily and weekly employee overtime (or premium) hours worked in each job classification
Total weekly hours worked on all jobs (prevailing and non-prevailing wage)
Base rate shown for each employee, overtime (or premium) rate shown when worked
Fringe benefit package information in file and updated as needed
Project gross weekly wages
Week's gross wages for all jobs
Week's itemized deductions
Week's Net wages paid for all jobs
Compliance statement attached
Explanation of itemized deductions if needed
Method of fringe benefit payment described by checking either box (4)(a) or (4)(b)
Exceptions explanation for fringe benefit (4)(c)
Original signed signature
Other (give detailed explanation)

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MDOT Form 1954

[Instructions](#)
[Clear Form](#)

Michigan Department of Transportation
1954 (07/09)

CERTIFIED PAYROLL STATUS RECORD

File 111
Page 1 of 3

Contract ID: _____ Project Engineer: _____ Subcontractor: _____
 Location: _____ Prime Contractor: _____ Contact Information: _____

	W	R	A	W	R	A	W	R	A	W	R	A	W	R	A	W	R	A	W	R	A	W	R	A	W	R	A	W	R	A
Week Ending																														
Week Ending																														
Week Ending																														
Week Ending																														

Wage Rate Interview? ☐ Date: _____

Date of Notice	Date CPR Due	Date CPR Received	Follow Up Action Taken / Comments

Date of Notice	Date Revised CPR Due	Date Revised CPR Received	Follow Up Action Taken / Comments

KEY: W = Contractor Worked R = Certified Payroll Received A = Certified Payroll Accepted CPR = Certified Payroll
 Note: A date fillable excel spreadsheet version is available on the MDOT website under Maps and Publications - Manual & Guides.

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PW Oversight Procedures

Restitution Notice

- If restitution is required in a PW violation, the Construction Field Services Division, PW Compliance Specialist is to be notified.
- The Prime Contractor will be notified along with any involved subcontractor of the violation and restitution amount:
 - Let them know what the noncompliance is for.
 - What needs to occur to correct the noncompliance.
 - What will happen if they do not comply within the time frames issued in the notification.

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PW Oversight Procedures

Restitution Notice

- Intent of the first notice of violation and restitution:
 - Immediately withholding the amount of the violation, if known.
 - 60 days to resolve the violation or the intent will be to withhold payment for the offending contractor's items.
 - This may be extended if Engineer and Contractor agree in writing.

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PW Oversight Procedures

Restitution Notice

Intent of the second notice of violation and restitution:

- Begin to withhold payment for the offending contractor's items.
- If not resolved within 30 days of the second notice, NON-COMPLIANCE damages will be assessed back to the date of the first notice. The damages will continue until the violation is resolved.

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PW Oversight Procedures

Contractor Performance Evaluation (CPE)

- When a contractor fails to take necessary actions to become compliant the engineer is to document the non-compliance through the CPE process.
- Interim CPE can aid in the compliance process.
- Contractor performance considered when prequalification is reviewed.

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Contract Provisions for PW

- Notice to Bidders
 - Fraud and Abuse Hotline (12NB17 or 20NB03)
 - Multiple Wage Decisions(NB13 or 20NB01)
 - Clarifies the proper use of wage decisions (Highway vs. Heavy)
- Special Provisions
 - Labor Compliance
 - Jobsite Poster Deficiencies
 - PW and Labor Compliance System

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Notice to Bidders

Multiple Wage Decisions

12NB-13-03

MICHIGAN
DEPARTMENT OF TRANSPORTATION

NOTICE TO BIDDERS
FOR
MULTIPLE DAVIS-BACON WAGE DECISIONS

CSD:JDM1 of 1APPR:MAS:11-21-14

This proposal may contain multiple Davis-Bacon Wage Decisions. In order to clarify the work covered by each decision, the following explanations are offered:

General Decision MI_0001 covers all airport construction, bridge construction, highway construction, and sewer and watermain work that are incidental to highway projects. **The construction type indicated on this decision is "HIGHWAY (HIGHWAY, AIRPORT & BRIDGE xxxxx and SEWER/INCID. TO HWY.)".** This wage decision is the most commonly used wage decision in MDOT's federally funded projects.

In accordance with the U.S. Department of Labor's All Agency Memorandums No. 130 and No. 131, multiple wage decisions will be included in those projects in which a second category of work is substantial in relation to project cost -- more than approximately 20% or \$1,000,000. Sewer and watermain work is considered to fall under the Heavy Construction work classification by the DOL, therefore when that work type is more than 20% of the engineer's estimate or \$1,000,000, the wage decision with the construction type **"HEAVY CONSTRUCTION PROJECTS"** will also be included in the proposal and is to be used for the sewer and watermain work in the proposal. All other work performed on the project will be covered by the **"HIGHWAY (HIGHWAY, AIRPORT & BRIDGE xxxxx and SEWER/INCID. TO HWY.)"** wage decision.

Also, when the landscape work is more than 20% of the project cost or \$1,000,000, the **"HEAVY CONSTRUCTION PROJECTS"** wage decision will be included in the proposal to cover all landscape work. All other work performed on the project will be covered by the **"HIGHWAY (HIGHWAY, AIRPORT & BRIDGE xxxxx and SEWER/INCID. TO HWY.)"** wage decision. If the project is a total landscape project, only the **"HEAVY CONSTRUCTION PROJECTS"** wage decision will be in the proposal.

Rest area building projects will include the construction type "BUILDING" wage decision when the building portion of the work is more than 20% of the project cost or \$1,000,000. The other work performed on the project will be covered by the **"HIGHWAY (HIGHWAY, AIRPORT & BRIDGE xxxxx and SEWER/INCID. TO HWY.)"** wage decision and/or the **"HEAVY CONSTRUCTION PROJECTS"** wage decision (landscape and/or sewer and watermain work) if either or both are greater than 20% or \$1,000,000.

Although there is only one wage decision for **"HIGHWAY (HIGHWAY, AIRPORT & BRIDGE xxxxx and SEWER/INCID. TO HWY.)"**, work (MI_0001), **the "HEAVY CONSTRUCTION PROJECTS" and "BUILDING" wage decisions vary from county to county.**

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Special Provision

Labor Compliance pg. 1

(20SP-107D-01)

12SP-107G-03

MICHIGAN
DEPARTMENT OF TRANSPORTATION

SPECIAL PROVISION
FOR
LABOR COMPLIANCE

CFS:AS1 of 3APPR:JJG:RJC:06-27-18
FHWA:APPR:06-28-18

a. Description. Ensure all levels of contracting (prime, sub, sub-sub, etc.) comply with all labor compliance requirements in this contract. **The Contractor is responsible for subcontractors and lower tier subcontractor labor compliance. Job site poster requirements apply to state and federally funded projects.** All Contractors must insert this special provision in each subcontract and further require its inclusion in lower tier subcontracts for federal prevailing wage projects.

b. Requirements.

1. **Jobsite Posters.** All jobsite posters and employment notices required by State and Federal regulations and the contract documents are to be posted on the jobsite in a conspicuous area prior to the commencement of work. Ensure jobsite postings are accessible at all times.

2. **Federal Prevailing Wage Projects.** The Davis-Bacon Related Acts apply to all Contractors, and subcontractors (all tiers) performing work on federally funded or assisted construction contracts where the total construction contract price is in excess of \$2,000. Contractors and subcontractors are required to comply with *29 Code of Federal Regulations Parts 1, 3, and 5.*

The Contractor must advise subcontractors of the requirement to pay the prevailing wage rates prior to commencement of work, and that all employees must cooperate during wage rate interviews.

A. Certified Payroll Submittal Requirements. Contractors (all tiers) must submit their certified payrolls to the prime Contractor. The submitted payrolls must accurately and completely include all information required on MDOT Form CP-347, Certified Payroll. The required weekly payroll information may be submitted on a contractor generated form but must contain all information required on Form CP-347. The first certified payroll is to be received by the Engineer within 3 weeks from the week ending in which work is performed. The 3 week period is to allow for the processing and review of the certified payrolls by the prime Contractor. The review must ensure the certified payroll is complete and contains all information required on Form CP-347. Form CP-347 is available on the MDOT forms webpage. **Certified payroll information must meet the requirements of this special provision unless the contract requires payroll to be submitted through the prevailing wage and labor compliance (PWLC) system. Payroll submitted via the PWLC system must be entered into the system, certified, and approved by the prime Contractor to be considered received by the Department.**

Labor compliance issues must be resolved within 60 calendar days of receiving the Department's first documented notice. The 60-day requirement may be extended based

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Special Provision

Labor Compliance pg. 2

(20SP-107D-01)

CFS:AS 2 of 3 12SP-107G-03 06-27-18

on documented mutual agreement between the Department and the Contractor.

(1) Fringe Benefit Statements. Contractors making payments or incurring cost to provide bona fide benefits must submit an hourly breakdown of fringe benefits paid each worker, or work classification where applicable, that must accompany the first certified payroll where fringe benefits are credited towards the prevailing wage. The Contractor must update these documents as necessary to ensure they are current throughout the working life of the contract. Failure to submit or maintain the required fringe benefit statement will constitute a payroll deficiency.

(2) Delinquent Payroll. Certified payrolls not submitted per subsection b.2.A of this special provision will be considered delinquent.

(3) Deficient Payroll. Certified payrolls that are found to be incomplete, inaccurate, or inconsistent with other project records are considered deficient.

(4) Non-compliance Damages. A Contractor found to be in non-compliance with the requirements of this special provision will be assessed non-compliance damages listed in Table 1, proportional to the value of their work on the contract (including subcontract, purchase order (P.O.) or invoice amount).

Table 1: Schedule of Non-Compliance Damages

Contract/Subcontract/P.O./Invoice Amount (a)	Non-compliance damages per calendar day
\$0 to 49,999	\$200
50,000 to 99,999	400
100,000 to 499,999	600
500,000 to 999,999	900
1,000,000 to 1,999,999	1,300
2,000,000 to 4,999,999	1,550
5,000,000 to 9,999,999	2,650
10,000,000 and above	3,000
Trucker	\$200
a. "Contract" amount if offending contractor is the prime contractor; "Subcontract/P.O./Invoice" amount if offending contractor is a subcontractor/vendor.	

B. Record Keeping. Maintain payrolls and basic records relating thereto (i.e. employee names, occupation, hours worked, W2, canceled checks, bank statements, etc.) by all levels of contractors during the course of work and retain for a 3-year period from the date of final estimate for all employees working on the site of work. Make these records available for inspection, copying, or transcription by the Department or its representative.

C. Short Duration Projects. The following modifications apply if the project is less than 75 calendar days in duration.

(1) Submittal Requirements. On short duration projects the first certified payroll is

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Special Provision

Labor Compliance pg. 3

(20SP-107D-01)

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to be received by the Engineer within 2 weeks from the week ending in which work is performed. The 2-week period is to allow for the processing and review of the certified payrolls by the Contractor. The 2-week period allows the first estimate to be paid assuming the Contractor will submit certified payrolls in a timely manner. Ensure subsequent certified payroll submissions are made weekly. Payroll submissions failing to meet the above requirements will be considered delinquent.

Labor compliance issues are to be resolved within 30 days after receiving the Department's first documented notice. The 30-day requirement may be extended based on documented mutual agreement between the Department and the Contractor.

c. **Materials.** None specified.

d. **Construction.** None specified.

e. **Measurement and Payment.** Payment for compliance with this special provision will not be made separately. Payment will be considered as part of all other contract pay items.

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Special Provision

Jobsite Poster Deficiencies

2020 Spec Book
Sec. 110 Mobilization

12SP-150A-02

MICHIGAN
DEPARTMENT OF TRANSPORTATION
SPECIAL PROVISION
FOR
JOBSITE POSTER DEFICIENCIES AND INITIAL MOBILIZATION PAYMENT

CFS:JJG 1 of 1 APPR:AS:RJC:05-27-16
FHWA:APPR:06-07-16

Delete the subsection 150.03, on page 107 of the Standard Specifications for Construction, in its entirety and replace with the following:

150.03. Construction. All jobsite posters and employment notices required by State and Federal regulations and the contract documents are to be posted as instructed in the Special Provision for Labor Compliance.

If at any time during the project the Engineer documents that the required jobsite posters and employment notices are not posted appropriately, the Engineer will provide documented instructions to the Contractor that corrective action is required. Posting of jobsite posters and employment notices (posted display, foreman vehicle binder, etc.) for short term or mobile operations will be as approved by the Engineer. Upon receipt of the notification of corrective action, the Contractor has 24 hours to correct the deficiency. If the issue cannot be corrected within the 24 hour time period, the Contractor will develop a documented implementation schedule for the corrective action and submit the schedule to the Engineer for approval within 24 hours of receiving the original documented notification. If the schedule is not approved, or if the schedule is approved, but is not followed, the Engineer will adjust the contract according to this special provision. If the implementation schedule is not followed, the Engineer will document notification to the Contractor that they are in violation of this special provision.

The Engineer will give documented notification to the Contractor as identified above. Failure to make corrections within the timeframe required will result in the following actions by the Engineer:

A. The Engineer may stop work on the project until the Contractor completes corrective action.

B. The Engineer will process a contract price adjustment in the amount of \$1,000 per calendar day or portion thereof that the corrective action remains incomplete or the implementation schedule is not followed. The contract price adjustment will continue to be assessed until jobsite posters and employment notices are posted appropriately, the Engineer has been notified of the corrective action and the Engineer has verified the correction.

Add the following paragraph after the third paragraph of subsection 150.04, on page 108 of the Standard Specifications for Construction:

The first scheduled payment for Mobilization, Max (dollar) will not occur until the Engineer has verified and documented the posting of required labor compliance posters and the project specific prevailing wage rates.

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Jobsite Posters

- Contractor must post in a conspicuous location prior to the commencement of work.
- Must be always accessible to employees and the public
- Verified by the agency via MDOT Form 1967.
- Poster guidance provided on the MDOT Construction Wiki:
 - Division 1, Section 107, Subsection 1.20 “Jobsite Posting”

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MDOT Form 1967

Updated 08/19

Michigan Department of Transportation 1967 (08/19)		JOBSITE POSTER INSPECTION CHECKLIST	File: 401
ENGINEER / INSPECTOR		COMPLETED BY	
CONTROL SECTION / JOB NUMBER		DATE / TIME	
PROJECT DESCRIPTION		LOCATION OF JOBSITE POSTERS	
A) FEDERAL JOBSITE POSTERS			
Yes / NA			
<input type="checkbox"/>	<input type="checkbox"/>	1. MIOSHA – Michigan Safety and Health Protection on the Job, MIOSHA/CET 2010 (09/15)	
<input type="checkbox"/>	<input type="checkbox"/>	2. OFCCP 1420 – Equal Employment Opportunity is the Law (Rev 11/09)	
<input type="checkbox"/>	<input type="checkbox"/>	3. WH 1420 – Employee Rights Under the Family Medical Leave Act (04/16)	
<input type="checkbox"/>	<input type="checkbox"/>	4. WH 1321 – Employee Rights Under the Davis-Bacon Act (10/17) ** Including required text field	
<input type="checkbox"/>	<input type="checkbox"/>	5. WH 1321 – Employee Rights Under the Davis-Bacon Act (10/17) - Spanish Optional **	
<input type="checkbox"/>	<input type="checkbox"/>	6. FHWA 1022 – Notice: Federal Aid Projects (05/15) ** Including both required text fields	
<input type="checkbox"/>	<input type="checkbox"/>	7. WH 1462 – Notice: Employee Polygraph Protection Act (07/16)	
<input type="checkbox"/>	<input type="checkbox"/>	8. WH 1088 – Employee Rights Under the Fair Labor Standards Act (07/16)	
<input type="checkbox"/>	<input type="checkbox"/>	9. WH 1284 – Employee Rights for Workers with Disabilities Paid at Subminimum Wages (01/18)	
<input type="checkbox"/>	<input type="checkbox"/>	10. USERRA – Your Rights Under USERRA (04/17)	
B) STATE JOBSITE POSTERS			
Yes / NA			
<input type="checkbox"/>	<input type="checkbox"/>	11. State of Michigan Civil Rights Poster (02/17)	
<input type="checkbox"/>	<input type="checkbox"/>	12. State of Michigan Title VI Poster	
<input type="checkbox"/>	<input type="checkbox"/>	13. State of Michigan Fraud and Abuse Hotline Poster	
C) ADDITIONAL REQUIRED POSTERS/DOCUMENTS			
Yes / NA			
<input type="checkbox"/>	<input type="checkbox"/>	14. Prevailing Wage Rates from the Contract **	
<input type="checkbox"/>	<input type="checkbox"/>	15. Equal Employment Opportunity (EEO) Policy Statement	
<input type="checkbox"/>	<input type="checkbox"/>	16. Letter Appointing an EEO Officer for the Contract	
<input type="checkbox"/>	<input type="checkbox"/>	17. Emergency telephone numbers	
<input type="checkbox"/>	<input type="checkbox"/>	18. Permits (MI Department of Natural Resources & Environmental and/or US Army Corps of Engineers)	
COMMENTS ** Not Applicable to State Only Funded Contracts.			

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Jobsite Posters

01 - MIOSHA
Michigan Safety and Health Protection on the Job

02 - OFCCP 1420
Equal Employment Opportunity is the Law

03 - WH 1420 FMLA
Employee Rights Under the Family Medical Leave Act

04 - WH 1321 Davis Bacon (English)
Employee Rights Under the Davis-Bacon Act for Laborers and Mechanics Employed on Federal or Federally Assisted Construction Projects

05 - USERRA
Your Rights Under USERRA

06 - FHWA 1022 Fed Aid Projects
Notice: Federal Aid Projects

07 - WH 1462
Employee Polygraph Protection Act

08 - WH 1088
Federal Min. Wage

09 - WH 1284
Disab. Paid Min. Wage

10 - Michigan Civil Rights
Michigan Law Prohibits Discrimination

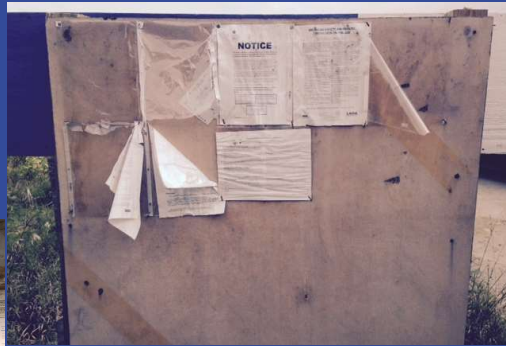
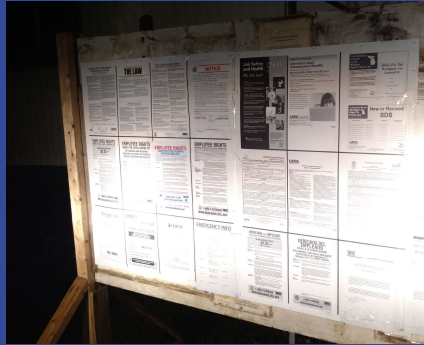
11 - Michigan Title VI Compliance
Contract Notice

12 - Michigan Fraud and Abuse Hotline
MDOT Hotline

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Jobsite Posters

GOOD BOARD



BAD BOARD

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Special Provision Prevailing Wage Compliance System

(20SP-104D-01)

12SP-104F-03

MICHIGAN
DEPARTMENT OF TRANSPORTATION

SPECIAL PROVISION
FOR
PREVAILING WAGE AND LABOR COMPLIANCE SYSTEM

CFSAS

1 of 2

APPR/RJC-MB-06-28-18
FHWA-APPR-06-29-18

a. Description. This work consists of the required use of a prevailing wage and labor compliance (PWLC) system for all prevailing wage documentation as directed by the Engineer. Input all required certified payroll documentation into the PWLC system (LCPTracker) and update this documentation throughout the execution of the contract. Certified payroll information is to be submitted in the PWLC system per the time requirements in the 12SP-107G - Labor Compliance.

b. Contractor Responsibility. Coordinate all electronic document submittals including documentation supplied by other companies (e.g. subcontractors, suppliers, fabricators, etc.) as detailed in this special provision. All companies will directly submit their certified payroll information into the PWLC system.

c. General Requirements. Submit all certified payroll information as required in this special provision and the 12SP-107G - Labor Compliance. Provide employee zip codes as part of the certified payroll submission. This information will be redacted from any certified payroll reports to protect worker anonymity. Zip code information will be anonymized and used for federal, state, and legislative prevailing wage and labor reporting.

All data entry will be submitted through the following program and website:

Program: LCPTracker
Login Website: <http://www.lcptracker.net>
General Information website: www.lcptracker.com

A tutorial for this system can be found through the website provided.

d. Condition of Payment. Post all documents electronically into the PWLC system. Electronic posting and submittal of documents is a condition of payment for this contract. Documents submitted in any other manner, unless required otherwise in this special provision or directed by the Engineer, will not be accepted and will delay payment.

e. Digitally Encrypted Electronic Signatures. Ensure all documents that require signature authorizations are signed using a digitally encrypted electronic signature. Further information regarding how to obtain a digital signature can be found at the following website:

www.michigan.gov/mdot-esign

f. Contractor Preparation for Tracking Software:

1. Information about LCPTracker is available to the Contractor and other project companies (e.g. subcontractors, suppliers, etc.) at the following website:

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Special Provision

Prevailing Wage Compliance System pg. 2

(20SP-104D-01)

CFSAS

2 of 2

12SP-104F-03
06-28-18

www.lcptracker.com

2. Access to the PWLC system is provided at no cost to the Contractor. The project office will setup the project in LCPTracker and assign the Contractor. The Contractor will setup other project companies to submit certified payrolls and prevailing wage/labor compliance documents. Once setup in the system the Contractor and other project companies may access the software at the following website:

www.lcptracker.net

3. Use Internet Explorer to access the PWLC system. The Department has tested and will support Internet Explorer versions 8, 9, 10 and 11.

g. Document Format. The Engineer reserves the right to electronically reject documents that are deemed to be unsuitable. This may include documents submitted that are illegible or unreadable or contain inappropriate information. The submitting company must re-submit the corrected documents into the PWLC system. Failure to do so will be considered noncompliance and may delay progress payments.

h. Training. LCPTracker offers biweekly contractor training sessions, user support manuals, quick start guides, e-Training videos, and a software support staff available Monday thru Friday 8 am to 8 pm EST accessible through the online interface.

i. File/Document Retention. The electronic files submitted in the PWLC system are the official contract documents and must follow all Department document retention schedules.

j. Technical Issue Resolution. Upon discovery, the Contractor (designated subcontractors, suppliers, etc. must go through prime Contractor) must immediately contact the Engineer through documented correspondence concerning software issues.

k. Measurement and Payment. The work included in this special provision will not be paid for separately and is considered to be included in other items of work.

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Prevailing Wage Compliance 2021

Prevailing Wage Components
Contract Documents

Wage Decisions

Wage Rate Interviews

Overtime

Certified Payrolls

Truck Drivers

Adam Strong
Prevailing Wage Compliance Specialist
(517) 719-7344
stronga1@michigan.gov



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Wage Decisions

- There are four basic categories of wage decisions based on type of construction
 - **Highway**: Alteration of roads, streets, highways, runway, paths, parking areas, etc.
 - **Heavy**: Catch-all category. Includes all projects not classified as highway, building or residential.
 - **Building**: Sheltered enclosures with walk-in access i.e. rest area, welcome center, etc.
 - **Residential**: Dwelling of less than four stories.

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Wage Decision

- The wage decision contain a workers:
 - Classification Identifier (example CARP004-005)
 - Corresponding wage rate
 - Geographical area where that rate has been found to prevailing

CARP0004-005 06/01/2018		
LIVINGSTON (Townships of Brighton, Deerfield, Genoa, Hartland, Oceola & Tyrone), MACOMB, MONROE, OAKLAND, SANILAC, ST. CLAIR AND WAYNE COUNTIES		
	Rates	Fringes
CARPENTER (Piledriver).....	\$ 30.50	27.28

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Wage Decisions

Davis-Bacon

The body of each wage determination lists the classification and wage rates that have been found to be prevailing for the 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).

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Wage Decisions

Davis-Bacon

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.

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Wage Decisions

Davis-Bacon

WELDERS - Receive rate prescribed for craft performing
operation to which welding is incidental.
=====

Unlisted classifications needed for work not included within
the scope of the classifications listed may be added after
award only as provided in the labor standards contract clauses
(29CFR 5.5 (a) (1) (ii)).

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Worker Classification

- Worker classifications are based on the type of work *actually* performed without regard for skill. This may be different than a worker's classification on private work.
- Worker's may be classified as "apprentices" and/or "trainees" and are permitted to work at less than the predetermined rate if employed pursuant to and individually registered in a bona fide program recognized by the U.S. Dept. of Labor, Office of Apprenticeship (OA) or MDOT OJT program
 - Proof of apprentice or trainee status must be uploaded to LCPtracker and kept current throughout the time the apprentice or trainee is on the project

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Worker Classification

- Some workers may have multiple duties. They may use a hand rake for several hours a day and a front-end loader for the remainder of the day.
 - In this instance the employer must split up the employee's time into two work categories (laborer and operator). Each category has its own hourly rate and benefit requirement that must be met. The CPR records should reflect both classifications and time spent performing each, within reason.
- An employee must be paid for all 'principal' activities as well as 'activities' which are an integral part of a 'principal activity'.
 - For example, these include wait time and standby time while sitting "idle" until the next gravel truck arrives for a reload.

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Wage Changes

POWER EQUIPMENT OPERATOR CLASSIFICATIONS

2019

GROUP 1: Asphalt plant operator; Crane operator (does not include work on bridge construction projects when the crane operator is erecting structural components); Dragline operator; Shovel operator; Locomotive operator; Paver operator (5 bags or more); Elevating grader operator; Pile driving operator; Roller operator (asphalt); Blade grader operator; Trenching machine operator (ladder or wheel type); Auto-grader; Slip form paver; Self-propelled or tractor-drawn scraper; Conveyor loader operator (Euclid type); Endloader operator (1 yd. capacity and over); Bulldozer; Hoisting engineer; Tractor operator; Finishing machine operator (asphalt); Mechanic; Pump operator (6-in. discharge or over, gas, diesel powered or generator of 300 amp. or larger); Shouldering or gravel distributing machine operator (self-propelled); Backhoe (with over 3/8 yd. bucket); Side boom tractor (type D-4 or equivalent or larger); Tube finisher (slip form paving); Gradall (and similar type machine); Asphalt paver (self-propelled); Asphalt planer (self-propelled); Batch plant (concrete-central mix); Slurry machine (asphalt); Concrete pump (3 in. and over); Roto-mill; Swinging boom truck (over 12 ton capacity); Hydro demolisher (water blaster); Farm-type tractor with attached pan; Vacuum truck operator; Batch Plant (concrete dry batch); Concrete Saw Operator (40h.p. or over; Tractor Operator (farm type); Finishing Machine Operator (concrete); Grader Operator (self-propelled fine grade or form (concrete)).

GROUP 2: Screening plant operator; Washing plant operator; Crusher operator; Backhoe (with 3/8 yd. bucket or less); Side boom tractor (smaller than D-4 type or equivalent); Sweeper (Wayne type and similar equipment); Grease Truck; Air Compressor Operator (600 cu.ft. per min or more); Air Compressor Operator (two or more, less than 600 cfm);

GROUP 3: Boiler fire tender; Tractor operator (farm type with attachment); Concrete Breaker; Wagon Drill Operator;

GROUP 4: Oiler; Fire tender; Trencher (service); Flexplane operator; Cleftplane operator; Boom or winch hoist truck operator; Endloader operator (under 1 yd. capacity); Roller Operator (other than asphalt); Curing equipment operator (self-propelled); Power bin operator; Plant drier (6 ft. wide or over); Guard post driver operator (power driven); All mulching equipment; Stump remover; Concrete pump (under 3-in.); Mesh installer (self-propelled); End dump; Skid Steer.

POWER EQUIPMENT OPERATOR CLASSIFICATIONS

2018

GROUP 1: Asphalt plant operator; Crane operator (does not include work on bridge construction projects when the crane operator is erecting structural components); Dragline operator; Shovel operator; Locomotive operator; Paver operator (5 bags or more); Elevating grader operator; Pile driving operator; Roller operator (asphalt); Blade grader operator; Trenching machine operator (ladder or wheel type); Auto-grader; Slip form paver; Self-propelled or tractor-drawn scraper; Conveyor loader operator (Euclid type); Endloader operator (1 yd. capacity and over); Bulldozer; Hoisting engineer; Tractor operator; Finishing machine operator (asphalt); Mechanic; Pump operator (6-in. discharge or over, gas, diesel powered or generator of 300 amp. or larger); Shouldering or gravel distributing machine operator (self-propelled); Backhoe (with over 3/8 yd. bucket); Side boom tractor (type D-4 or equivalent or larger); Tube finisher (slip form paving); Gradall (and similar type machine); Asphalt paver (self-propelled); Asphalt planer (self-propelled); Batch plant (concrete-central mix); Slurry machine (asphalt); Concrete pump (3 in. and over); Roto-mill; Swinging boom truck (over 12 ton capacity); Hydro demolisher (water blaster); Farm-type tractor with attached pan

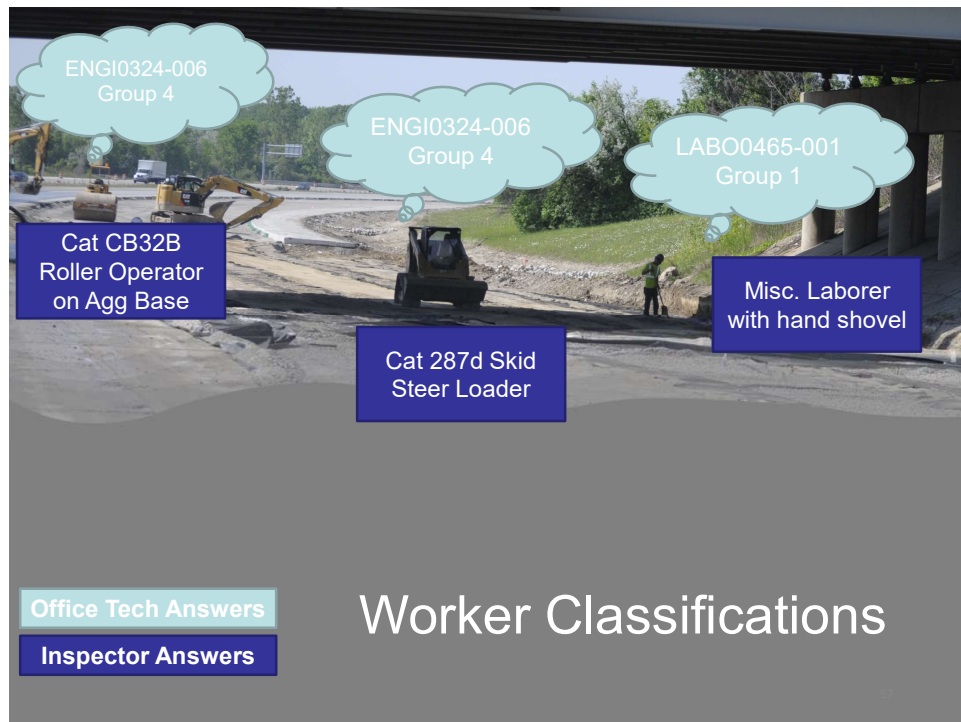
GROUP 2: Screening plant operator; Washing plant operator; Crusher operator; Backhoe (with 3/8 yd. bucket or less); Side boom tractor (smaller than D-4 type or equivalent); Sweeper (Wayne type and similar equipment); Vacuum truck operator; Batch plant (concrete dry batch)

GROUP 3: Grease Truck

GROUP 4: Air compressor operator (600 cu. ft. per min or more); Air compressor operator (two or more, less than 600 cfm); Wagon drill operator; Concrete breaker; Tractor operator (farm type with attachment)

GROUP 5: Boiler fire tender; Oiler; Fire tender; Trencher (service); Flexplane operator; Cleftplane operator; Grease operator (self-propelled fine grade or form (concrete)); Finishing machine operator (concrete); Boom or winch hoist truck operator; Endloader operator (under 1 yd. capacity); Roller operator (other than asphalt); Curing equipment operator (self-propelled); Concrete saw operator (46-h.p. or over); Power bin operator; Plant drier operator (asphalt); Vibratory compaction equipment operator (6 ft. wide or over); Guard post driver operator (power driven); All mulching equipment; Stump remover; Concrete pump (under 3-in.); Mesh installer (self-propelled); Tractor operator (farm type); End dump; Skid steer

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Worker Classification

- **Working Foreman**
 - Foremen or supervisors who regularly spend more than 20% of their time performing construction work are covered under prevailing wage for the time spent performing construction work.
- **Exclusions**
 - Individuals whose duties are primarily administrative, executive, or clerical are not laborers or mechanics. Examples include superintendents, office staff, timekeepers, inspectors, engineers, etc.

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Multiple Wage Decision

Davis-Bacon

Why is there more than one decision in a contract?

- The USDOL requires multiple wage decisions be placed into contracts when the following occurs:
 - When items are substantial in relation to the project cost – more than approximately 20% of the Engineer Estimate.
 - When a project is very large, items of work of a different character may be sufficiently substantial to warrant a separate decision even though these items of work do not specifically amount to 20% of the total project cost (\$1,000,000 or more).

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Multiple Wage Decision

Davis-Bacon

- Most frequently for MDOT work, the Heavy Decision applies to:

sewer and watermain work

- All other work performed on the project will be covered by the 'AIRPORT & BRIDGE, HIGHWAY, SEWER/INCID. TO HWY' wage decision (MI1 Highway).

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Highway

"General Decision Number: **MI20200001** 11/06/2020

Superseded General Decision Number: MI20190001

State: Michigan

Construction Types: Highway (Highway, Airport & Bridge xxxxx and Sewer/Incid. to Hwy.)

Counties: Michigan Statewide.

Note: Under Executive Order (EO) 13658, an hourly minimum wage of \$10.80 for calendar year 2020 applies to all contracts subject to the Davis-Bacon Act for which the contract is awarded (and any solicitation was issued) on or after January 1, 2015. If this contract is covered by the EO, the contractor must pay all workers in any classification listed on this wage determination at least \$10.80 per hour (or the applicable wage rate listed on this wage determination, if it is higher) for all hours spent performing on the contract in calendar year 2020. If this contract is covered by the EO and a classification considered necessary for performance of work on the contract does not appear on this wage determination, the contractor must pay workers in that classification at least the wage rate determined through the conformance process set forth in 29 CFR 5.5(a)(1)(ii) (or the EO minimum wage rate, if it is higher than the conformed wage rate). The EO minimum wage rate will be adjusted annually. Please note that this EO applies to the above-mentioned types of contracts entered into by the federal government that are subject to the Davis-Bacon Act itself, but it does not apply to contracts subject only to the Davis-Bacon Related Acts, including those set forth at 29 CFR 5.1(a)(2)-(60). Additional information on contractor requirements and worker protections under the EO is available at www.dol.gov/whd/govcontracts.

Modification Number	Publication Date
0	01/03/2020
1	01/24/2020
2	02/07/2020
3	05/08/2020
4	05/29/2020
5	06/12/2020
6	06/26/2020

Heavy

"General Decision Number: **MI20200064** 12/04/2020

Superseded General Decision Number: MI20190064

State: Michigan

Construction Type: Heavy

County: Livingston County in Michigan.

Heavy, Includes Water, Sewer Lines and Excavation (Excludes Hazardous Waste Removal; Coal, Oil, Gas, Duct and other similar Pipeline Construction)

Note: Under Executive Order (EO) 13658, an hourly minimum wage of \$10.80 for calendar year 2020 applies to all contracts subject to the Davis-Bacon Act for which the contract is awarded (and any solicitation was issued) on or after January 1, 2015. If this contract is covered by the EO, the contractor must pay all workers in any classification listed on this wage determination at least \$10.80 per hour (or the applicable wage rate listed on this wage determination if it is higher) for all hours spent performing on the contract in calendar year 2020. If this contract is covered by the EO and a classification considered necessary for performance of work on the contract does not appear on this wage determination, the contractor must pay workers in that classification at least the wage rate determined through the conformance process set forth in 29 CFR 5.5(a)(1)(ii) (or the EO minimum wage rate, if it is higher than the conformed wage rate). The EO minimum wage rate will be adjusted annually. Please note that this EO applies to the above-mentioned types of contracts entered by the federal government that are subject to the Davis-Bacon Act itself, but it does not apply to contracts subject only to the Davis-Bacon Related Acts, including those set forth at 29 CFR 5.1(a)(2)-(60). Additional information on contractor requirements and worker protections under the EO is available at www.dol.gov/whd/govcontracts.

Modification Number	Publication Date
0	01/03/2020
1	01/24/2020
2	05/08/2020
3	06/12/2020
4	07/10/2020
5	08/07/2020
6	09/04/2020
7	09/11/2020
8	10/02/2020
9	12/04/2020

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Sewer/Incid. To Hwy???

"General Decision Number: **MI20200001** 11/06/2020

Superseded General Decision Number: MI20190001

State: Michigan

Construction Types: Highway (Highway, Airport & Bridge xxxxx and Sewer/Incid. to Hwy.)

Counties: Michigan Statewide.

Example: Water or sewer line work which is a part of a highway project would not generally be separately classified where construction is "incidental in function", 20-percent of project cost per engineer estimate is used as a rough guide for determining

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Classification Locations

OPEN CUT



HIGHWAY



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Notice to Bidders

Multiple Wage Decisions

12NB-13-03

MICHIGAN
DEPARTMENT OF TRANSPORTATION

NOTICE TO BIDDERS
FOR
MULTIPLE DAVIS-BACON WAGE DECISIONS

CSD:JDM

1 of 1

APPR.MAS:11-21-14

This proposal may contain multiple Davis-Bacon Wage Decisions. In order to clarify the work covered by each decision, the following explanations are offered:

General Decision MI_0001 covers all airport construction, bridge construction, highway construction, and sewer and watermain work that are incidental to highway projects. The construction type indicated on this decision is "HIGHWAY (HIGHWAY, AIRPORT & BRIDGE xxxxx and SEWER/INCID. TO HWY.)". This wage decision is the most commonly used wage decision in MDOT's federally funded projects.

In accordance with the U.S. Department of Labor's All Agency Memorandums No. 130 and No. 131, multiple wage decisions will be included in those projects in which a second category of work is substantial in relation to project cost – more than approximately 20% or \$1,000,000. Sewer and watermain work is considered to fall under the Heavy Construction work classification by the DOL, therefore when that work type is more than 20% of the engineer's estimate or \$1,000,000, the wage decision with the construction type "HEAVY CONSTRUCTION PROJECTS" will also be included in the proposal and is to be used for the sewer and watermain work in the proposal. All other work performed on the project will be covered by the "HIGHWAY (HIGHWAY, AIRPORT & BRIDGE xxxxx and SEWER/INCID. TO HWY.)" wage decision.

Also, when the landscape work is more than 20% of the project cost or \$1,000,000, the "HEAVY CONSTRUCTION PROJECTS" wage decision will be included in the proposal to cover all landscape work. All other work performed on the project will be covered by the "HIGHWAY (HIGHWAY, AIRPORT & BRIDGE xxxxx and SEWER/INCID. TO HWY.)" wage decision. If the project is a total landscape project, only the "HEAVY CONSTRUCTION PROJECTS" wage decision will be in the proposal.

Rest area building projects will include the construction type "BUILDING" wage decision when the building portion of the work is more than 20% of the project cost or \$1,000,000. The other work performed on the project will be covered by the "HIGHWAY (HIGHWAY, AIRPORT & BRIDGE xxxxx and SEWER/INCID. TO HWY.)" wage decision and/or the "HEAVY CONSTRUCTION PROJECTS" wage decision (landscape and/or sewer and watermain work) if either or both are greater than 20% or \$1,000,000.

Although there is only one wage decision for "HIGHWAY (HIGHWAY, AIRPORT & BRIDGE xxxxx and SEWER/INCID. TO HWY.)" work (MI_0001), the "HEAVY CONSTRUCTION PROJECTS" and "BUILDING" wage decisions vary from county to county.

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Multiple Wage Decision

- When landscape work is more than 20% of the project per engineer estimate, the 'Heavy' wage decision will be included in the proposal to cover that work.
 - Standard Spec. 815.01: Landscaping consists of providing and planting trees, shrubs, and other plants including replacements, classified as nursery stock.
- All other work performed on the project will be covered by the 'AIRPORT & BRIDGE, HIGHWAY, SEWER/INCID. TO HWY' wage decision.

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Building Decision

Davis-Bacon

- Rest areas and welcome center building projects will include the construction type 'BUILDING' wage decision when that portion of the work is more than 20% of the project cost or \$1,000,000
- The building decision will include crafts necessary to complete building work.

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Prevailing Wage Compliance 2021

Prevailing Wage Components Contract Documents Wage Decisions Wage Rate Interviews

Overtime
Certified Payrolls
Truck Drivers

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Form 1156-T1

MINIMUM WAGE RATE INTERVIEW SHEET		TIER 1		F1156-T1	
CONTRACTOR NAME		PAIDROLL PERIOD ENDING		DISTRIBUTION: ORIGINAL: Project File	
<input type="checkbox"/> Prime Contractor <input type="checkbox"/> Subcontractor				Page 1 of 2	
CONTRACT ID		REGION/TSC		INTERVIEW DATE	
PROJECT ENGINEER		PROJECT LOCATION		POSTINGS AND WAGE RATES POSTED IN CON- SPICUOUS PLACE ON JOB <input type="checkbox"/> YES <input type="checkbox"/> NO	
EMPLOYEE		EMPLOYEE REPLY		BASE HOURLY RATE PER CONTRACT	
NAME		WHO PAYS YOU?		WAGE RATE DECISION # AND DATE	
SS # (LAST FOUR DIGITS)				PAID BY:	
CONTACT INFORMATION: (needed for follow up information)		HOURLY RATE		HOURLY RATE	
CELL		Reg \$		Reg \$	
HOME		O.T. \$		F.B. \$	
ARE YOU A UNION EMPLOYEE <input type="checkbox"/> YES <input type="checkbox"/> NO				F.B. \$	
PAYMENT OF FRINGES: As Wages <input type="checkbox"/>				Total \$	
Approved Prog <input type="checkbox"/> None <input type="checkbox"/>				Total \$	
O.T. \$				O.T. \$	
WORK DESCRIPTION					
DEDUCTIONS (Vacations, Savings, Personal Notes, Etc.)					
COMMENTS					
DATE CERTIFIED PAYROLL EXAMINED & COMPARED BY					
DATE					
APPROVED BY (Project Engineer Signature)					
DATE					

Employees of the contractor are not to assist in language interpreting. MDOT has contracted over the phone interpretation services from Bromberg & Associates for these situations. A call phone with speaker will be needed in order to use these services. Instructions: Turn call phone speaker on and dial 1-866-908-6137. When the operator answers, tell them you are calling from MDOT. Give them this customer code - MDOTHDY and tell them the language that you need interpreted. Give them your name, phone number, and the name of your TSC, local agency, or consulting firm. The operator will connect you with an interpreter promptly.

MDOT 1156-T1 (05/18) Instructions for MDOT form 1156 Page 2 of 2

The form is to be filled out completely. The following procedures are to be used when conducting wage rate interviews.

- The interviewer will complete form 1156, not the worker.
- Complete wage rate interviews each season for multi-season projects.
- Interview a representative sample of the work force for each contractor and subcontractor on the project during each construction season.
- Include each classification and group in the interview process. Operators of equipment and trucks whose ownership is not clearly identified should be interviewed.
- To ensure the privacy of the workers, coworkers and supervisors are not allowed to be present during the interview or allowed to hear the interview.
- Give the worker a business card with contact information or the FRAUD AND ABUSE HOTLINE toll free number in the event that they would like to discuss the interview issues further, supply additional documentation or information, or to continue the interview in a more private and confidential setting.
- Conduct interviews in the early part of the project to verify prevailing wage compliance. Check the certified payroll against the wage rate interview in a timely manner. If issues are found, deal with them immediately.

Consider the following when completing form 1156

WORK DESCRIPTION:
Work being performed at time of interview (e.g., laying pipe, raking asphalt, placing sod, operating backhoe, bulldozer, crane)

EMPLOYEE REPLY:
WHO PAYS YOU? The response should be the name of the contractor or sub contractor they work for.
HOURLY RATE: Ask the worker what their hourly rate of pay is, and what the overtime rate of pay is. If the worker does not know or says "I think I make \$???.??, but I'm not sure", be sure to include the response in the comments section of form 1156. Ask the worker if they know where the wage rates are posted. Also, ask them to provide a check stub so that you can confirm their wages.
BASE HOURLY RATES: When the certified payrolls indicate that fringe benefits are paid as part of the hourly rate, use like benefits in computing the base hourly rate.

Employees of the contractor are not to assist in language interpreting. MDOT has contracted telephonic interpretation services from Bromberg & Associates for these situations. A speaker phone (cell phone with speaker on) will be needed in order to use this service.
Note: Construction Field Services (CFS) will cover the cost of this service.
Bromberg and Associates will submit invoices directly to CFS.

Instructions for over the phone interpreting services

1. Dial 1-866-908-6137
2. When the operator answers, tell them:
 - a) That you are calling from MDOT
 - b) Your customer code is MDOTHDY
 - c) The language that you need interpreted
 - d) Your name & phone number
 - e) The name of your TSC, local agency or consulting engineer
3. The operator will connect you with an interpreter promptly

Federal-aid Project Only

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Form 1156-T1

MDOT 1156-T1 (06/18)

Instructions for MDOT form 1156

Page 2 of 2

The form is to be filled out completely. The following procedures are to be used when conducting wage rate interviews.

- The interviewer will complete form 1156, not the worker.
- Complete wage rate interviews each season for multi-season projects.
- Interview a representative sample of the work force for each contractor and subcontractor on the project during each construction season.
- Include each classification and group in the interview process. Operators of equipment and trucks whose ownership is not clearly identified should be interviewed.
- To ensure the privacy of the workers, coworkers and supervisors are not allowed to be present during the interview or allowed to hear the interview.
- Give the worker a business card with contact information or the FRAUD AND ABUSE HOTLINE toll free number in the event that they would like to discuss the interview issues further, supply additional documentation or information, or to continue the interview in a more private and confidential setting.
- Conduct interviews in the early part of the project to verify prevailing wage compliance. Check the certified payroll against the wage rate interview in a timely manner. If issues are found, deal with them immediately.

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Form 1156-T1

Consider the following when completing form 1156

WORK DESCRIPTION:

Work being performed at time of interview (e.g., laying pipe, raking asphalt, placing sod, operating backhoe, bulldozer, crane)

EMPLOYEE REPLY:

WHO PAYS YOU? The response should be the name of the contractor or sub contractor they work for.

HOURLY RATE: Ask the worker what their hourly rate of pay is, and what the overtime rate of pay is. If the worker does not know or says "I think I make \$??.??, but I'm not sure", be sure to include the response in the comments section of form 1156. Ask the worker if they know where the wage rates are posted. Also, ask them to provide a check stub so that you can confirm their wages.

BASE HOURLY RATES: When the certified payrolls indicate that fringe benefits are paid as part of the hourly rate, use like benefits in computing the base hourly rate.

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Questions to Ask

- Determine the classification of the worker:
 - What type of work have they performed on the project.
 - DO NOT classify as 'laborer' or 'operator' only.
- Determine the worker's pay rate:
 - Project rate of pay
 - 'Open Shop' rate of pay (private work)
 - If the worker does not know their rate of pay:
 - A comment on the wage rate interview is required.
 - The worker should be encouraged to review the required jobsite postings.
 - Additional concerns can be directed to the Fraud & Abuse hotline if the worker is uncomfortable discussing with project staff.

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Questions to Ask

- Determine the type of fringe benefits being paid to the worker:
 - Health, 401k, vacation, sick days, etc.
- Determine number of weekly hours worked:
 - Normal weekly hours paid on a weekly check from employer.
 - Are they paid overtime for hours worked after 40 weekly hours.
- Document contact information (cell or home phone):
 - This is not required.
 - It is encouraged to conduct a follow up interview if there are certified payroll discrepancies.

Information collected verifies the accuracy of the certified payroll.

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Wage Rate Interview

- Conduct interviews in the early stages of the project to verify PW compliance.
- For multi-year projects, wage rate interviews are to be conducted with all contractor/subcontractors each season that they perform work.
- Check the certified payroll against the wage rate interview in a timely manner so issues may be resolved quickly.

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Worker's Pay Rate

- **IT IS THE EMPLOYERS RESPONSIBILITY TO MAKE SURE THEIR EMPLOYEES ARE AWARE OF THE PROPER PW RATES.**
- Some workers are paid a salary rather than a hourly wage:
 - A WEEKLY SALARY IS **NOT** A WAY AROUND PAYING THE PROPER PW.
 - A worker must be paid a minimum hourly wage for all hours worked for the entire work week.

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Prevailing Wage Compliance 2021

Prevailing Wage Components
Contract Documents
Wage Decisions
Wage Rate Interviews
Overtime
Certified Payrolls
Truck Drivers

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(517) 719-7344
stronga1@michigan.gov



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Application of Overtime

- Time and one half (or premium pay) must be paid for all hours worked after 40 hours.
- Fringe benefits must be paid for **ALL** hours worked on the site of work, including the overtime hours.
- Overtime is calculated using the half time premium on the “base rate” only.
Fringe benefits amount whether paid in hourly wages or in bona fide benefits are not included in the half time premium.
- In general, with few exceptions, overtime should not be computed on any amount less than the published base hourly rate.

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Overtime and Fringe Benefits

- When computing overtime wages, the total wages paid must meet or exceed the combination stated in the contract: (Wage Decision)

$$(\$22.00 \times 1.5) + \$8.00 = \$41.00$$

- Regardless of what combination of fringes and hourly rate is used

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Overtime Examples

The published hourly rate is \$22.00, the fringe is \$8.00, and employee worked 44 hours.

The employer does not offer any benefits. The \$8.00 in fringes is paid as hourly wages. The worker would be due on his check (and shown on certified payroll):

44 hrs. x \$30 = \$1,320 (straight time pay)
4 hrs. x 1/2 (\$22) = \$ 44 (overtime premium)

\$1,364

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The published hourly rate is \$22.00, the fringe is \$8.00, and employee worked 44 hours.

The employer contributes \$8.00 per hour into the workers 401k plan to meet the fringe benefits requirement. The worker would be due on his check (and shown on certified payroll):

44 hrs. x \$22 = \$ 968 (straight time pay)

4 hrs. x $\frac{1}{2}$ (\$22) = \$ 44 (overtime premium)

\$1,012

*Note: In addition, the worker would be due \$352 (44 x \$8) in the workers 401k account. Note the total is the same in all examples (\$1,012 + \$352 = **\$1,364**)

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The published hourly rate is \$22.00, the FB is \$8.00, and employee worked 44 hours.

The employer contributes \$4.00 per hour into a 401k plan and pays \$26.00 per hour to the worker. The worker would be due on his/her check (and shown on certified payroll):

44 hrs. x \$26 = \$1,144 (straight time pay)

4 hrs. x $\frac{1}{2}$ (\$22) = \$ 44 (overtime premium)

\$1,188

*Note: In addition, the worker would be due \$176 (44 x \$4) in the workers 401k account. Note the total is the same in all examples (\$1,188 + \$176 = **\$1,364**)

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The published hourly rate is \$22.00, the FB is \$8.00, and employee worked 44 hours

The employer pays the worker \$19 per hour and contributes \$11 per hour into his/her 401k plan. The worker would be due on his/her check (and shown on certified payroll).

44 hrs. x \$19 =	\$836 (straight time pay)
4 hrs. x ½ (\$22) =	\$ 44 (overtime premium)

\$880

*Note: In addition, the worker would be due \$484 (44 x \$11) in his/her 401k account. Note the total is the same in all example (\$880 + \$484 = **\$1,364**)

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- Rates of pay for a worker working in different classifications during a week with overtime.
- Weighted average is allowed in calculating overtime:

\$15/hr. for 40 hrs. as a laborer = \$600
\$25/hr. for 10 hrs. as an operator = \$250
Average Rate = (Total Dollars)/(Total Hours)
\$850/50 hrs. = \$17
Premium Rate = \$17 X 1/2 = \$8.50
Premium Pay = \$8.50 X 10 hrs. = \$85.00

Total for the 50 hrs. worked:
\$600.00 + \$250.00 + \$85.00= \$935.00

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Weighted Average

Minimum Due Worker for the Work Week
(FB paid in cash are not included in premium (OT) calculation)

Week Ending: 1/28/2017

Employee: Bruce Wayne

	Hourly Rate	Su	M	Tu	W	Th	F	Sa	Total	Earned
Reg	\$15.00		4	6	7	7	6	6	36	\$540.00
PW BHR	\$24.90		2	2	4	4	3	3	18	\$448.20
PW FB	\$19.20		2	2	4	4	3	3	18	\$345.60
Premium (OT)	\$9.15						5	9	14	\$128.10
.5(Wages Earned / Hours)		0	6	8	11	11	9	9	54	
									Total	\$1,461.90
20% of work week		10.8								

Weighted Premium (OT)

$$.5 \times ((\$540.00 + \$448.20) / 54 \text{ hours})$$

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Prevailing Wage Compliance 2021

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Pre-con Meeting Minutes

Michigan Department of Transportation (MDOT)
Contract ID XXXXX-XXXXXX, Preconstruction Meeting Minutes
(Updated August 26, 2019)

ALL RED TEXT MUST BE EDITED OR REMOVED PRIOR TO DISTRIBUTION.
IN SOME CASES THE RED TEXT WILL DICTATE REMOVAL OF BLACK TEXT. BLACK
TEXT MAY BE DELETED IF IT IS NOT APPLICABLE TO YOUR PROJECT.

CERTIFIED PAYROLLS / PREVAILING WAGES:

This project is entirely state funded and does not have accompanying prevailing wage requirements. Everything in this section below does not apply.

This project involves federal funding and the Davis-Bacon Minimum Wage Rates apply for the site of work. The wage decision for this project is located on page XXX and is covered by the *Airport & Bridge, Highway, Sewer/Incid, to Hwy* wage decision.

OR

There are multiple wage decisions for this project as described in the Notice to Bidders on page XXX. The wage decisions included in this project are *Airport & Bridge, Highway, Sewer/Incid, to Hwy* wage decision on page XXX and the *Heavy* wage decision for underground items on page XXX.

PREVAILING WAGE AND LABOR COMPLIANCE SYSTEM:

Certified payroll and associated documents must be submitted in the PWLC system (LCPTracker). Documents must be submitted in accordance with the timeframe listed on the Compliance Special Provision. The Contractor is also responsible for coordinating all electronic document submittals from lower tier Subcontractors.

The MDOT project office will set up the contract and assign the Contractor. The Contractor's prime approver is XXXXXXXX.

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Certified Payrolls

- Certified weekly payrolls must be submitted to the Construction Engineer on all Federal-aid contracts in excess of \$2,000.00.
- Contractors are required to use LCPTracker for the submission of all prevailing wage documentation. (SP-104F)
- Payroll submitted via LCPTracker must be entered into the system, certified, and approved by the prime to be considered received by the Department. (SP-107G)

Certified payrolls will not be submitted on contracts funded entirely by the State of Michigan.

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Prevailing Wages & No Signed Subcontract

- Persons performing the duties of laborers and mechanics must be paid the PW rate regardless of any written contractual arrangement.
 - e.g. Pavement sweeping, flagging & concrete pumping
- Certified payrolls are required anytime employees are paid PW.
- It is the responsibility of the prime contractor to ensure that certified payrolls are submitted by any company with which they have a contractual arrangement.

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Project Delivery

Guidance in Construction Manual:
Division 1 > Section 107 > LCPtracker Supplemental Information

Prevailing Wage Procedures

Contract Setup and Assignment – Contract setup in LCPTracker as well as the assignment of the prime contractor and prime approver is the responsibility of the engineer (or their designee such as the office technician). Contract setup includes but is not limited to the entry of project specific information, identification of a project specific contact, and assignment of the appropriate prevailing wage schedule(s). Individual contracts where consultants are performing payroll oversight must be setup by the engineer or their designee and then assigned to the consultant.

Wage Determination Entry – Entry and maintenance of wage decisions is the responsibility of the MDOT LCPTracker administrator. If at any time a project office becomes aware that a wage determination required for their project is not available, the MDOT LCPTracker administrator must be notified. Wage entry requests must allow at least 2 business days for the information to be input into LCPTracker.

Contract Administration – The day-to-day administration of the contract is the responsibility of the engineer or their designee. This will include approving fringe benefit statements, receiving, reviewing, and accepting certified payroll submissions, approving apprenticeship documents, establishing project specific apprenticeship/OJT classification(s), and closing completed contracts.

Support Email: MDOT-LCPtracker@michigan.gov

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LCPtracker Contract Setup

- Basic information about the contract is required for setup
 - TSCs are responsible to setup their own projects including full CE
 - LAP projects must send contract ID, prime approver, and office tech's information to resource email for setup
- Active projects will be visible on contractor and agency side immediately after login to LCPtracker
- Once project is setup, contractor and prevailing wage schedule(s) are assigned payroll can be completed
- The resource email should be used to address any comments, questions, or concerns (including new accounts)

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System Login

Sign into LCPtracker

For Electronic Submission and Management of Certified Payroll Reports

Username

Password

SIGN IN

Forgot Password?

Infintum

Workforce & Compliance Database

Advanced Labor Analytics to Empower Data-Driven Decisions

Click Here to Learn More

www.lcptracker.net

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Active Projects List

MDOT - MICHIGAN DEPT. OF TRANSPORTATION

14 Admin Notices Sign up for No Charge Web Based Training Book Now

Project Code	Project Name	Start Date	End Date	Bid Ad Date
00000-000000	Test Project			
01141-130298A	130298A Mt Maria Road	05/24/2018	06/29/2018	
02021-113745	113745- M-94 Resurfacing, Alger, Marquette & Schoolcraft	04/23/2018	10/15/2018	04/06/2018
03000-129328	129328 ACRC Bridge work at multiple locations		11/09/2018	04/06/2018
03000-129336	129336 ACRC 56th Street over the south Branch of the Black River		10/26/2018	05/04/2018
03000-129668	129668 ACRC 18th Street from 142nd Avenue to Kent County Line.		09/21/2018	05/04/2018
03021-115752	115752 M-89 over Kalamazoo River Overflow		11/15/2018	02/02/2018
03072-118847	118847 M-40 from south of 134th Avenue north to 136th Avenue		11/15/2020	12/01/2017
03072-124085	124085 - M-40 and Cabill Dr Midpoint	05/14/2018	06/03/2019	12/01/2017
03111-115048	115048 US-131 south of 102nd Avenue north to the Grand Elk Railroad		11/15/2018	03/02/2018

Page 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 > >>

*Contract agency view

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Certifications Tab

Various filters Shows payroll Once payroll is reviewed it must be accepted Additional Info

MDOT - MICHIGAN DEPT. OF TRANSPORTATION

Project Certifications Violations Reports Admin eDocuments Set Up

Department: All Departments Project: Test Project Contractor: All Contractors Sub To/Contract ID: All Assignments

Load Data

From Date: To Date: Process Status: All Process Statuses Accept Status: All Accept Statuses

There are 1 certification records found for the above selection.

Delete	Contractor	Project	To ID	Contract Week	Payroll No	Performing?	Submitted	View CPR	Prime Approval	Approved	Process Status	Select	Accept Status	Accepted	Final	View Details
Delete	Test Contractor	Test Project		10/8/2016	1	YES	10/8/2016	PDF	Approved	9/10/2018	Certified	<input type="checkbox"/>	Submitted	<input type="checkbox"/>	No	Details

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*Contract agency view

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Prevailing Wage Documents

MDOT - MICHIGAN DEPT. OF TRANSPORTATION

Contract Compliance | User Portal | Training Materials | Support | Logout | Help Chat

Projects | Certifications | Violations | Reports | Admin | **eDocuments** | Set Up

eDocuments Main Menu

Upload Documents | Download Document Templates | View Documents

* Req'd: N = "No", Y = "Yes - Must be Uploaded before Final CPR Submission", R = "Required before CPR can be submitted". ** Access: U = "Upload", V = "View"

Document Name	Req'd	Submit Prior (Req'd)	Access	Description
Apprenticeship Documents	N	Y	V	Apprenticeship documentation must be submitted prior to the certification of any payroll where an apprentice is present. Contractors employing apprentices must also identify apprentice craft and level.
Submittal Letter	N	Y	V	This documentation must be submitted prior to the certification of any payroll where an apprentice is present. Contractors employing apprentices must also identify apprentice craft and level.
Fringe Benefit Statement	N	Y	V	Contractors paying fringe benefits as cash must upload fringe benefit statement stating that fringe benefits are paid as cash.
Overseer/Trucking Log	N	Y	V	Calculations to show how weighted average overtime was determined.
Proof of Payment	N	Y	V	Proof of payment will be in the form of cancelled checks or other form of acceptable proof as requested by the engineer or their representative.
Total Hours All Projects	N	Y	V	Union Agreements for wages and benefits.

MDOT - MICHIGAN DEPT. OF TRANSPORTATION

Contract Compliance | User Portal | Training Materials | Support | Logout | Help Chat

Projects | Certifications | Violations | Reports | Admin | **eDocuments** | Set Up

eDocuments Main Menu

Upload Documents | Download Document Templates | View Documents

* Req'd: N = "No", Y = "Yes - Must be Uploaded before Final CPR Submission", R = "Required before CPR can be submitted". ** Access: U = "Upload", V = "View"

Document Name	Req'd	Submit Prior (Req'd)	Access	Description
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Submittal Letter	N	Y	V	This documentation must be submitted prior to the certification of any payroll where an apprentice is present. Contractors employing apprentices must also identify apprentice craft and level.
Fringe Benefit Statement	N	Y	V	Contractors paying fringe benefits as cash must upload fringe benefit statement stating that fringe benefits are paid as cash.
Overseer/Trucking Log	N	Y	V	Calculations to show how weighted average overtime was determined.
Proof of Payment	N	Y	V	Proof of payment will be in the form of cancelled checks or other form of acceptable proof as requested by the engineer or their representative.
Total Hours All Projects	N	Y	V	Union Agreements for wages and benefits.

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*Contract agency view

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Prevailing Wage Documents

Various filters

Helpful with apprentices

MDOT - MICHIGAN DEPT. OF TRANSPORTATION

Contract Compliance | User Portal | Training Materials | Support | Logout | Help Chat

Projects | Certifications | Violations | Reports | Admin | **eDocuments** | Set Up

View Documents

Department: All Departments

Project: Test_Road Rehabilitation from I-74 North to Detroit

Include Closed Projects: ☐

Contractor: Test Contractor

Sub To | Contract ID: All Assignments

Document Type: Fringe Benefit Statement

Status: All Statuses

Document Date Filter: Submitted Date Filter: Employee Name: All Employees

Start Date: End Date: Load Data

Displaying 3 uploaded documents.

Project	Document Type	Document Date	Contractor	Sub To Contract ID	Submitted	Description	Status	Employee Name	Week End Date	View Details	View Document	Delete
Test_Road Rehabilitation from I-74 North to Detroit	Fringe Benefit Statement	12/12/2017	Test Contractor	Prime	04/05/2018					Details	View	Delete
Test_Road Rehabilitation from I-74 North to Detroit	Fringe Benefit Statement	08/20/2018	Test Contractor	Prime	08/20/2018					Details	View	Delete
Test_Road Rehabilitation from I-74 North to Detroit	Fringe Benefit Statement	10/13/2018	Test Contractor	Prime	10/13/2018		Accepted			Details	View	Delete

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*Contract agency view

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Prevailing Wage Documents

Record Review --- All data on this form is for this project only

Project: Test_Road Rehabilitation from I-74 North to Detroit Week End Date:

Contractor: Test Contractor Contractor Id: 5177197344

Document Type: Fringe Benefit Statement

Uploaded: 8/11/2015 Document Date: 8/8/2015 Expire Date: 1/1/2100

Employee Name:

Accept / Reject: ☒ Case Number: Description (50 characters max):

Contractor Notes:

Administrator Notices:

Add Admin Notice: [Add Admin Notice](#)

Confidential Administrator Notes:

Add Confidential Admin Note: [Add Confidential Admin Note](#)

Cancel Save

*Contract agency view

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MDOT CP-347 (04/10) Page 2 of 2

Date: _____

I, _____ (Name of Signatory Party) _____ (Title)

do hereby state:

(1) That I pay or supervise the payment of the persons employed by _____ on the _____ (Contractor or Subcontractor) _____ that during the payroll period commencing on the _____ (Building or Work) _____ and ending the _____ day of _____, all persons employed on said project have been paid the full weekly wages earned, that no rebates have been or will be made either directly or indirectly to or on behalf of said _____ from the full _____ (Contractor or Subcontractor) _____ weekly wages earned by any person and that no deductions have been made either directly or indirectly from the full wages earned by any person, other than permissible deductions as defined in Regulations, Part 3, (20 C.F.R. Subtitle A), issued by the Secretary of Labor under the Copeland Act, as amended (48 Stat. 948, 63 Stat. 108, 72 Stat. 967; 76 Stat. 357; 40 U.S.C. § 3145), and described below:

(2) That any payrolls otherwise under this contract required to be submitted for the above period are correct and complete; that the wage rates for laborers or mechanics contained therein are not less than the applicable wage rates contained in any wage determination incorporated into the contract; that the classifications set forth therein for each laborer or mechanic conform with the work he performed.

(3) That any apprentices employed in the above period are duly registered in a bona fide apprenticeship program registered with a State apprenticeship agency recognized by the Bureau of Apprenticeship and Training, United States Department of Labor, or if no such recognized agency exists in a State, are registered with the Bureau of Apprenticeship and Training, United States Department of Labor.

(4) That:

(a) WHERE FRINGE BENEFITS ARE PAID TO APPROVED PLANS, FUNDS, OR PROGRAMS

☐ - In addition to the basic hourly wage rates paid to each laborer or mechanic listed in the above referenced payroll, payments of fringe benefits as listed in the contract have been or will be made to appropriate programs for the benefit of such employees, except as noted in section 4(c) below.

(b) WHERE FRINGE BENEFITS ARE PAID IN CASH

☐ - Each laborer or mechanic listed in the above referenced payroll has been paid, as indicated on the payroll, an amount not less than the sum of the applicable basic hourly wage rate plus the amount of the required fringe benefits as listed in the contract, except as noted in section 4(c) below.

(c) EXCEPTIONS

EXCEPTION (CRAFT)	EXPLANATION

REMARKS: _____

NAME AND TITLE: _____ SIGNATURE: _____

THE WILLFUL FALSIFICATION OF ANY OF THE ABOVE STATEMENTS MAY SUBJECT THE CONTRACTOR OR SUBCONTRACTOR TO CIVIL OR CRIMINAL PROSECUTION. SEE SECTION 1001 OF TITLE 18 AND SECTION 231 OF TITLE 31 OF THE UNITED STATES CODE.

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Payroll Review

January 09, 2020
Page 1 of 1

MDOT
Michigan Department of Transportation

WEEKLY CERTIFIED PAYROLL REPORTING FORM

NAME OF CONTRACTOR (Test Contractor) Prime		CONTRACTOR'S LICENSE No. 517797344 SPECIALTY LICENSE No.		ADDRESS: 1800 Rick's Rd., Lansing, MI 48909 PHONE: 517797344 EMAIL: oncampus@mdot.com		PROJECT LOCATION CODE / NAME: Multiple Locations / AD-1254 / Test_Road Rehabilitation from I-74 North to Detroit																																																																																																	
PAYROLL No. 1		FOR WEEK ENDING: 01/04/2020 SUBMITTED ON: January 09, 2020		MOTOR CARRIER PERMIT No.		UNION Non-Union																																																																																																	
NAME, ADDRESS, SSN, DRIVER'S LICENSE, ETHNICITY, GENDER		WORK CLASSIFICATION, LOCATION AND TYPE		HOURS WORKED EACH DAY		GROSS AMOUNT EARNED																																																																																																	
BRYANT, ROBE Emp. # 1212 Owner/Operator XXX-XX-1212 AFRICAN AMERICAN Male		Carpenter/Driver / Carpenter (Pickup/Drop) / Type: Highway		<table border="1"> <thead> <tr> <th>DATE</th> <th>12/29/19</th> <th>12/30/19</th> <th>12/31/19</th> <th>1/1/20</th> <th>1/2/20</th> <th>1/3/20</th> <th>1/4/20</th> <th>TOTAL HOURS THIS WEEK</th> <th>TOTAL HOURS OF PAY</th> <th>BASE RATE</th> <th>GROSS AMOUNT EARNED</th> </tr> </thead> <tbody> <tr> <td>S</td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td>42.00</td> <td>42.00</td> <td>30.50</td> <td>1,281.00</td> </tr> <tr> <td>M</td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td>T</td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td>W</td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td>TH</td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td>F</td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td>S</td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> </tbody> </table>		DATE	12/29/19	12/30/19	12/31/19	1/1/20	1/2/20	1/3/20	1/4/20	TOTAL HOURS THIS WEEK	TOTAL HOURS OF PAY	BASE RATE	GROSS AMOUNT EARNED	S								42.00	42.00	30.50	1,281.00	M												T												W												TH												F												S												DEDUCTION CONTRIBUTION AND PAYMENTS	
DATE	12/29/19	12/30/19	12/31/19	1/1/20	1/2/20	1/3/20	1/4/20	TOTAL HOURS THIS WEEK	TOTAL HOURS OF PAY	BASE RATE	GROSS AMOUNT EARNED																																																																																												
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AT or Part of Fringe Paid to Employees: YES		* Vacation, Holiday and Days in Gross Pay: YES Voluntary Contributions in Gross Pay: NO				<table border="1"> <thead> <tr> <th>Voluntary Pension</th> <th>Voluntary Medical</th> <th>Health & Welfare</th> <th>Pension</th> <th>Vacation (Other)</th> <th>Training</th> <th>All Other</th> <th>Total Fringe Paid to Ind.</th> <th>Net Paid Week</th> </tr> </thead> <tbody> <tr> <td>0.00</td> <td>0.00</td> <td>0.00</td> <td>0.00</td> <td>0.00</td> <td>0.00</td> <td>0.00</td> <td>0.00</td> <td>0.00</td> </tr> </tbody> </table>		Voluntary Pension	Voluntary Medical	Health & Welfare	Pension	Vacation (Other)	Training	All Other	Total Fringe Paid to Ind.	Net Paid Week	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00																																																																														
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27.29	1,348.76	67.76	0.00	0.00	0.00	0.00	0.00	0.00	0.00																																																																																														

Things to look for:

- Classification and location correct?
- Number of hours and employees look appropriate?
- Fringes match fringe benefit statement?

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Certified Payrolls

(a)	(b)	(c)	(d) DAY AND DATE	(e)	(f)	(g)	(h)
EMPLOYEE INFORMATION	WORK CLASSIFICATION	Hour Type	HOURS WORKED ON PROJECT	TOTAL HOURS ON PROJECT	PROJECT RATE OF PAY	PROJECT RATE OF FRINGE PAY	GROSS PROJECT EARNED
NAME:				0			\$0.00
ETH/GEN:	ID #:	GROUP/CLASS #:	S	0			

(h)	(i)	(j) DEDUCTIONS					(k)
GROSS PROJECT EARNED	TOTAL WEEKLY HOURS WORKED ALL JOBS	FICA	FEDERAL	STATE	OTHER	TOTAL DEDUCT	TOTAL WEEKLY WAGES PAID FOR ALL JOBS
\$0.00						\$0.00	\$0.00

100

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Certified Payrolls

- If fringe benefits are paid into approved programs and plans, a detailed breakdown of the type of benefits and hourly dollar value **must** accompany the first payroll.
- Contractors paying fringe benefits on the check must submit a document under the designation “fringe benefit statement” stating fringes are paid on check.
- Contact information for the fringe benefit plan administrator must also be provided.
 - This document must be maintained during the construction phase of the contract.

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Union Fringe Breakdown



Michigan Regional Council of Carpenters • U.B.C.J.A.

JUNE 1ST, 2020

TO: ALL MICHIGAN INFRASTRUCTURE AND TRANSPORTATION CONTRACTORS (SECTION D2)

The 2013-2021 labor contract with the Michigan Regional Council of Carpenters provides for a June 1, 2020 Gross Wage increase for Southeast Michigan of \$1.00/hr. effective June 1, 2020. The increase has been allocated as follows:
Base Wage \$1.00.

EFFECTIVE THE FIRST FULL PAYROLL PERIOD
COMMENCING ON OR AFTER JUNE 1, 2020 THROUGH MAY 31, 2021

The 2020 wage and fringe benefit contributions for the Collective Bargaining Agreement with the Michigan Regional Council of Carpenters that covers Wayne, Oakland, Macomb, Sanilac, St. Clair, Monroe and part of Livingston County (the Townships of Deerfield, Tyrone, Oceola, Hartland, Genoa and Brighton) are listed below and are effective the first full payroll period on or after June 1, 2020.

MITA CARPENTER JOURNEYMAN RATES - SOUTHEASTERN MI

	Day Shift Per Hour	2nd Shift Per Hour	3rd Shift Per Hour
*Base Wage	\$ 32.20	\$ 32.70	\$ 32.70
*Special Assessment Fund (taxed)	0.20	0.20	0.20
*Special Assessment Building Fund (taxed)	0.20	0.20	0.20
*U.B.C. Per Cap (taxed)	0.05	0.05	0.05
U.B.C. Training (funded)	0.10	0.10	0.10
Health & Welfare Insurance (funded)	7.05	7.05	7.05
Health & Welfare Supplemental (funded)	0.75	0.75	0.75
Pension - 40.41% of base wage (funded)	15.91	16.16	16.16
Annuity Fund - 8.6% of base wage (funded)	2.77	2.81	2.81
GROSS WAGE	\$ 69.23	\$ 69.97	\$ 69.97
Apprenticeship (funded)	1.00	1.00	1.00
Labor Management Partnership Team (funded)	0.07	0.07	0.07
Industry Advancement Fund (funded)	0.12	0.12	0.12
TOTAL	\$ 80.42	\$ 81.21	\$ 81.21

Dues Deduction - Per the Michigan Regional Council By-Laws, dues shall be deducted from the employee's Base Wage. The amount of the dues is included in the Base Wage as stated above (currently 4.00%) and deducted on all premium and overtime pay.

*Taxable

400 Renaissance Center, Ste. 1010
Detroit, MI 48224
Phone: (313) 485-5500
Fax: (313) 812-1578

23401 Mound Road, Ste. 101
Warren, MI 48091
Phone: (313) 632-3887
Fax: (586) 779-5982

888-HAMMER-9
www.hammer9.com

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Fringe Benefit Breakdown

Fringe-2018								
Employee	Classification	Hire Date	Vacation pay	Health Insurance	Life Insurance	Total	Fringe	Paid Into 401K
Leonard Hofstadter	Operator	04/11/2011	\$ 0.38	\$ 4.0375	\$ 0.0144	\$ 4.43		\$ (4.43)
Sheldon Cooper	Truck Driver	05/14/2001	\$ 0.81	\$ 4.0709	\$ 0.0092	\$ 4.89		\$ (4.89)
Howard Wolowitz	Labor	04/15/1996	\$ 0.80	\$ 5.8468	\$ 0.0098	\$ 6.66		\$ (6.66)
Raj Koothrappali	Labor	05/14/2008	\$ 0.73	\$ 1.8726	\$ 0.0126	\$ 2.62		\$ (2.62)
Bernadette Rostenkowski	Operator	08/20/2014	\$ 0.53	\$ 8.8354	\$ 0.0126	\$ 9.38		\$ (9.38)
Amy Farrah Fowler	Pipe Layer	04/30/2008	\$ 0.82	\$ 1.7078	\$ 0.0126	\$ 2.54		\$ (2.54)
Stuart Bloom	Labor	05/18/2016	\$ 0.35	\$ -	\$ 0.0126	\$ 0.36		\$ (0.36)
Debbie Wolowitz	Labor	08/06/2014	\$ 0.35	\$ -	\$ 0.0126	\$ 0.36		\$ (0.36)
Will Wheaton	Pipe Layer	08/06/2014	\$ 0.35	\$ -	\$ 0.0126	\$ 0.36		\$ (0.36)
***The balance of fringe rates are paid into an approved 401K account.								
Health Ins.		Life Ins						
Good Health Network		Live Long Insurance						
PO Box 411		PO Box 8500-3690						
Detroit, MI 48232		Philadelphia, PA 19178-3690						
Dental Ins		401K/Profit Sharing						
Brite Smile Dental		Retire Rich Funds						
Po Box 230		PO Box 1167						
Kansas City, MO 64121		South Bend, IN 61130						
		1-620-793-8473						

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Apprentices

- Only document allowed to be submitted to “all contracts”
- Once one office technician has approved the document all other copies will show as approved
- Apprentices certs are valid for 90 days from issue date
- Enhanced eDocument search function by employee name
- Three step process including approving the document, approving the apprentice and providing a classification

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Valid Apprentice Certification


**U.S. DEPARTMENT OF LABOR - OFFICE OF APPRENTICESHIP
APPRENTICESHIP CERTIFICATION**

Company name and address

The following individuals are apprentices registered with the U.S. Department of Labor, Office of Apprenticeship, under the sponsorship of program **MI011780020 - Michigan Statewide Carpenters & Millwrights JATF**:

Michigan Statewide Carpenters & Millwrights JATF
1401 FARROW AVENUE
FERNDALE, MI 48220

Apprentice ID	SSN	Apprentice Name	Occupation	Date Apprenticeship Began	Date Cancelled	Date Completed
MI2317838		Bryant, Kobe	CARPENTER (0067 VI) Time-Based	5/13/2020		

 **Certified by the U.S. Department of Labor**
Date Issued: 12/17/2020

****VOID 90 DAYS FROM ISSUE DATE****

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Admin > add/edit employees

Apprentices

Projects Certifications Violations Reports Admin eDocuments Set Up

Select Employee To Edit

Filter Employee Selection

Select a Project
-- All Projects --

Select a Contractor
Test Contractor x

Select a City
-- All Cities -- -- Or -- Select a ZIP Code
-- All ZIP Codes --

Last Name - Full or Partial (optional)

☐ Show Unapproved Apprentices and Expired Approvals
☐ Show Apprentices

Load Employees

Select an Employee
Select an employee to e... Help

Add / Edit Employee Information

Demographic Classifications

HUD Section 3 Information

Apprentice Information

Apprentice ID Apprenticeship Rate Percentage Apprenticeship Period/Level Apprenticeship/Training Program

Apprentice Approval Apprenticeship Approved Date Approval Expire Date

Apprenticeship Registration Date Apprenticeship Approved B...

Only select contractor

Select load employees

Locate employee

Expire date = 90 days from date issued on cert

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*Contract agency view

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Apprentices

Projects | Certifications | Violations | Reports | Admin | eDocuments | Set Up

Edit Project Wage Data

Project: Test_Road Rehabilitation from I-74 North to Detroit

Craft:

Items Per Page: 200

Delete selected Add Classification

213 Records
Page 11 of 2

	Jurisdiction	Location	General Decision	Type	Craft	Classification	Basic Rate	Fringes	Total Rate	Overtime Total	Doubletime Total	Standard Hours	Issue Date	Expire Date	
<input type="checkbox"/>	MDOT - Federal Waives	Statewide	MI20190001	Highway	CARP0004-004	Carpenter (Piledriver)	\$27.620	\$20.590	\$48.210	\$62.020	\$75.830	0.00	12/27/2019	01/01/2100	Copy Edit Delete
<input type="checkbox"/>	MDOT - Federal Waives	Statewide	MI20190001	Highway	CARP0004-005	Carpenter (Piledriver)	\$30.500	\$27.280	\$57.780	\$73.030	\$88.280	0.00	12/27/2019	01/01/2100	Copy Edit Delete

Set Up > Prevailing Wage Setup > Add/Edit Project Wage Data

*Contract agency view

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Must say apprentice

Reduce basic rate & carry math through

*Contractor's program may reduce fringe contributions also

Add Classification

Wage Decision

Jurisdiction * MDOT - Federal Wa... Location * Statewide Construction Type * Highway

General Decision * MI20190001 Modification * 11

Publication Date * 12/27/2019 Issue Date * 12/27/2019 Expire Date * 1/1/2100

Craft / Classification Details

Craft * CARP0004-005

Classification * Carpenter (Piledriver) Apprentice 60%

Standard Hours Day 0.00

Basic Rate 18.300 Fringes 27.280 Total Hourly Rate 45.580 Training 0.000

Total Overtime Rate 54.730

Total Doubletime Rate

Cancel Reset Save

*Contract agency view

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Certified Payrolls

Certified payrolls are required to identify trainees and apprentices, and program levels.

PAYROLL No. 1		FOR WEEK ENDING: 01/04/2020 SUBMITTED ON: January 08, 2020		MOTOR CARRIER PERMIT No.		UNION Non-Union		SELF-INSU WORKERS					
NAME, ADDRESS, SSN, DRIVER'S LICENSE, ETHNICITY, GENDER		WORK CLASSIFICATION, LOCATION AND TYPE		HOURS WORKED EACH DAY						TOTAL HOURS	BASE HOURLY RATE		
BRYANT, KOBE Emp. Id: 1212 XXX-XX-1212 AFRICAN AMERICAN Male		CARP0004.005 / Carpenter (Piledriver) Apprentice 60% / Type: Highway		12/29/19	12/30/19	12/31/19	1/1/20	1/2/20	1/3/20	1/4/20	TOTAL HOURS THIS PROJECT	BASE HOURLY RATE OF PAY	
		EXEMPT		S	M	T	W	TH	F	S	40.00	18.30	
				S	8.00	8.00	8.00	8.00	8.00		2.00	27.45	
		0 Statewide		O					2.00			0.00	
		WD: MI20190001		D								0.00	
All or Part of Fringes Paid to Employee: YES				Vacation, Holiday and Dues in Gross Pay: NO				Voluntary Contributions in Gross Pay: NO				Rate in Lieu of Fringes: 27.28	

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Certified Payrolls

"Owners"

The salary reporting requirements do not apply to bona fide owners if:

- They are at least 20% EQUITY owner, AND
- They are actively engaged in the management of the enterprise

NAME, ADDRESS, SSN, DRIVER'S LICENSE, ETHNICITY, GENDER		WORK CLASSIFICATION, LOCATION AND TYPE		HOURS WORKED EACH DAY						TOTAL HOURS	BASE HOURLY RATE		
BRYANT, KOBE Emp. Id: 1212 XXX-XX-1212 AFRICAN AMERICAN Male		Owner/Operators		12/29/19	12/30/19	12/31/19	1/1/20	1/2/20	1/3/20	1/4/20	TOTAL HOURS THIS PROJECT	BASE HOURLY RATE OF PAY	
		EXEMPT		S	M	T	W	TH	F	S	40.00	0.00	
				S	8.00	8.00	8.00	8.00	8.00		2.00	0.00	
		0 Statewide		O					2.00			0.00	
		WD: MI20190001		D								0.00	
All or Part of Fringes Paid to Employee: NO				Vacation, Holiday and Dues in Gross Pay: NO				Voluntary Contributions in Gross Pay: NO				Rate in Lieu of Fringes: 0.00	

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Additional Information

- If you've got new subcontractors send them to the resource email to obtain an account.
- Contractors should only have ONE account setup per company. Access may then be shared via set up > add/edit additional users.
- Contractors using weighted average overtime will need special exceptions but method is allowable.
 - Remarks on payroll should state weighted average is being used.
- Please include project number and other relevant information when contacting the resource email.

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Set up > Add/Edit Projects

Contract Closeout

Add/Edit Project

To add a new project enter information and save. To edit an existing project, select it from the list first.

Filter Project Selection

Test_Road Rehabilitation from I-74 North to Detroit

Project Name *

Test_Road Rehabilitation from I-74 North to Detroit

Project Code *

AB-1234

Status **Active**

Federal-aid Project ID

Department *

Default Department

Group

Select

Project Description / Scope of Work

Percentage of funds attributable to ARRA

1.00

Narrative Description of Jobs Created or Saved

0.00

Revised Contract Amount

0.00

General Wage Decision

MI130001 Highway Mod 1

New Hire Days

Forecasted/Projected H

0.00

Address 1

Address 2

City

State

MI - MICHIGAN

Zip Code

Jurisdictions *

MDOT - Federal Wages

Locations *

2 of 7 selected

HUD Section

Dates

Prevailing Wage Lock-in Date *

1/1/2014

Estimated Completion Date

Bid Advertisement Date

Estimated Start Date

Pre Bid Date

Notice to Proceed Date

Pre Construction Date

Pre Job Date

Award Date

*Contract agency view

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Additional Info

Prevailing Wage Forms

1952 ☐ – Certified Payroll Review Checklist: This form is not required when utilizing LCPTracker. The engineer will review the certified payrolls from the prime contractor and subcontractor(s) to ensure consistency with work performed. The background validation settings in the software are configured to:

- Disallow certification and submission of incomplete or inaccurate payroll information.
- Require submission of fringe benefit information prior to certifying a payroll.
- Require submission of Apprentice/On the Job Training (OJT) documentation prior to certifying payrolls on which Apprentices/OJTs are included.
- Verify that wages paid meet or exceed required wages based on classification selected.

1954 ☐ – Certified Payroll Status Log: This form is required and will be stored in the project specific construction folder of ProjectWise under 400 – Internal Use Only.

1955 ☐ – Contractor's Certified Payroll: This form is not required when utilizing LCPTracker. The intent of MDOT form 1955 is to accompany the prime contractor's submittals of subcontractors certified payrolls to the engineer verifying that certified payrolls are complete as required by the prevailing wage oversight procedures located in the MDOT Construction Manual (Division 1 Section 107). The background validation settings in the software are configured to disallow certification of incomplete certified payroll. The prime approver functionality within LCPTracker will take the place of this form.

1967 ☐ – Jobsite Poster Inspection Checklist: This form is required and will be stored in the project specific construction folder of ProjectWise under 400 – Internal Use Only.

1156-T1 ☐ – Wage Rate Interview Sheet Tier 1: This form is required and will be stored in the project specific folder of ProjectWise under 400 – Internal Use Only.

CP-347 ☐ – Certified Payroll: Weekly certified payrolls covering the contractor's and subcontractor's workforce must be submitted via LCPTracker. The submitted payrolls must set out accurately all information required by MDOT form CP-347 with the exception of total hours worked on all projects. Total hours for all projects will not be required as LCPTracker will identify if/when a worker has been shown on a payroll in excess of 40 hours in a week, and certification will not occur without paying a premium rate of pay.

- Documents submitted in LCP will be maintained in the system until they've met their retention.

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Prevailing Wage Compliance 2021

Prevailing Wage Components
Contract Documents
Wage Decisions
Wage Rate Interviews
Overtime
Certified Payrolls
Truck Drivers

Adam Strong
Prevailing Wage Compliance Specialist
(517) 719-7344
stronga1@michigan.gov



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Trucking

There are two scenarios that trucking can fall under DBRA requirements and Certified Payroll may be required:

- Material Delivery (subject to *de minimis*).
- Construction Site (construction influence area).

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Truck Drivers

Court of Appeals Ruling:

Drivers of a contractor or subcontractor who come onto the site for a few minutes at a time merely to drop off or pick up construction materials are not covered by the PW Laws if the time spent on the site of work is not more than *de minimis*.

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De Minimis

De minimis means “of minimum importance”. It refers to something that is so small or trivial that law does not consider it.

In material supply trucking, time on site is considered de minimis when it is too minor or insignificant to be practically accounted for.

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De Minimis Rule

If the driver is not working exclusively on the site of work, to be covered by Davis-Bacon, the time spent working on site must be more than *de minimis* (20% or more of the work week).

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Material Delivery

(subject to the *de minimis*)

- Sand
- Gravel
- HMA
- Pipe/Manholes/Catch Basins
- Traffic Control
- Other 'Off Site' Originating Material

More than likely will not exceed the *de minimis*.

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Bona Fide Material Suppliers

- The manufacture and delivery of supply items such as sand, gravel, and ready-mix concrete, when accomplished by bona fide material suppliers operating facilities serving the public in general, are not activities covered by prevailing wage. Such bona fide material suppliers are not considered contractors under the Davis Bacon Act.
- If a supplier undertakes to perform part of a construction contract as a subcontractor, its laborers and mechanics employed at the site of work are covered.

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Material Supply 'Sand/Gravel Delivery'

Stockpiling alone more than likely will NOT exceed *de minimis*



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Material Supply 'Sand/Gravel Delivery'

Tail gating alone more than likely will NOT exceed *de minimis*



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Material Supply 'HMA Delivery'

Larger jobs with consecutive paving may exceed the *de minimis*



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Material Supply 'Traffic Control'

Placement of barricades along shoulder more than likely will not exceed the *de minimis*



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Material Supply 'Concrete Barrier Delivery'

May exceed the *de minimis* depending on the length of closure



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Construction Site Concrete Delivery (Batch Plant)

This type of work is covered by PW while on the 'site of work'



N. Puroll - GLEG

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Construction Site Trucks 'lined up' waiting to be loaded

This time on the "site of work" can exceed the de minimis



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Construction Site 'Traffic Control placed in Roadway'

If 'supplier' is placing barricades in roadway this work is covered by PW



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Trucking Summary

- Truck drivers are covered by Davis Bacon in the following circumstances:
 - Drivers of a contractor or subcontractor for time spent working on the site of work.
 - Drivers of a contractor or subcontractor for time spent loading and/or unloading materials and supplies on the site of work, if such time is not *de minimis*.
 - Truck drivers transporting materials or supplies between a facility that is deemed part of the site of the work and the actual construction site

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Trucking Summary

Sites external to the construction influence area may be considered part of the site of work if:

- Dedicated exclusively or nearly so to the contract.
- Adjacent or virtually adjacent to the site of work.



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Trucking Summary

- Truck drivers **are not** covered in the following instances:
 - While off of the “site of work.”
 - While transporting material, tools, supplies, etc., unless such site is dedicated and adjacent.
 - When time spent on the “site of work” is de minimis for pick-up or delivery.
 - The travel time between two Davis-Bacon projects.

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Owner Operator Trucking

- The USDOL has the following enforcement position with respect of bona fide owner-operators of trucks who own and drive their own trucks:
 - The certified payrolls including the names of such owner-operators need not show hours worked nor rates paid, but only the notation “owner-operator”.
 - Employees hired by owner-operators are subject to DBRA in the usual manner.
 - **This does not apply to owner-operators of other equipment such as bulldozers, backhoes, etc.**

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Example of Truck Driver Wage Determination

* TEAM0007-004 06/01/2016

AREA 1: ALCONA, ALGER, ALLEGAN, ALPENA, ANTRIM, ARENAC, BARAGA, BARRY, BAY, BENZIE, BERRIEN, BRANCH, CALHOUN, CASS, CHARLEVOIX, CHEBOYGAN, CHIPPEWA, CLARE, CLINTON, CRAWFORD, DELTA, DICKINSON, EATON, EMMET, GLADWIN, GOGEBIC, GRAND TRAVERSE, GRATIOT, HILLSDALE, HOUGHTON, HURON, INGHAM, IONIA, IOSCO, IRON, ISABELLA, JACKSON, KALAMAZOO, KALKASKA, KENT, KEWEENAW, LAKE, LAPEER, LEELANAU, LENAWEE, LUCE, MACKINAC, MANISTEE, MARQUETTE, MASON, MECOSTA, MENOMINEE, MIDLAND, MISSAUKEE, MONTCALM, MONTMORENCY, MUSKEGON, NEWAYGO, OCEANA, OGEMAW, ONTONAGON, OSCEOLA, OSCODA, OTSEGO, OTTAWA, PRESQUE ISLE, ROSCOMMON, SAGINAW, SANILAC, SCHOOLCRAFT, SHIAWASSEE, ST. CLAIR, ST. JOSEPH, TUSCOLA, VAN BUREN AND WEXFORD COUNTIES

AREA 2: GENESEE, LIVINGSTON, MACOMB, MONROE, OAKLAND, WASHTENAW AND WAYNE COUNTIES

	Rates	Fringes
TRUCK DRIVER		
AREA 1		
Euclids, double bottoms		
and lowboys.....	\$ 25.05	.50 + a+b
Trucks under 8 cu. yds.....	\$ 24.80	.50 + a+b
Trucks, 8 cu. yds. and		
over.....	\$ 24.90	.50 + a+b
AREA 2		
Euclids, double bottoms		
and lowboys.....	\$ 24.895	.50 + a+b
Euclids, double bottoms		
and lowboys.....	\$ 25.15	.50 + a+b
Trucks under 8 cu. yds.....	\$ 24.90	.50 + a+b
Trucks, 8 cu. yds. and		
over.....	\$ 25.00	.50 + a+b

Footnote:
a. \$438.45 per week
b. \$61.90 daily

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Truck Driver Example

	Rates	Fringes
TRUCK DRIVER		
AREA 1		
Euclids, double bottoms		
and lowboys.....	\$ 25.05	.50 + a+b
Trucks under 8 cu. yds.....	\$ 24.80	.50 + a+b
Trucks, 8 cu. yds. and		
over.....	\$ 24.90	.50 + a+b
AREA 2		
Euclids, double bottoms		
and lowboys.....	\$ 24.895	.50 + a+b
Euclids, double bottoms		
and lowboys.....	\$ 25.15	.50 + a+b
Trucks under 8 cu. yds.....	\$ 24.90	.50 + a+b
Trucks, 8 cu. yds. and		
over.....	\$ 25.00	.50 + a+b

Footnote:
a. \$438.45 per week
b. \$61.90 daily

FB Hourly Credit:

a. \$438.45 / 40 hours = \$10.96

b. \$61.90 / 8 hours = \$7.74

FB Hourly Credit = \$0.50 + \$10.96 + \$7.74 = \$19.20

Total Package = \$24.90 + \$19.20 = \$44.10

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DBRA

Work Week #1 Example for a Typical Truck Driver

Truck is parked at the company yard every night normal rate of \$15.00/hr.

Mon.: 12 hrs.: ½ hr. travel, 11 hr. project (3 hrs. on the "site of work"), ½ travel

Tue.:

Wed.: 11 hrs.: ½ hr. travel, 10 hr. project (3.5 hrs. on the "site of work"), ½ travel

Thur.: 11 hrs.: ½ hr. travel, 10 hr. project (2 hrs. on the "site of work"), ½ travel

Fri.:

Sat.:

Total hrs. for the week = 34 hrs. (34 x 0.20 = 6.8)

Reg. = 9 + 7.5 + 9 = 25.5

PW = 3 + 3.5 + 2 = 8.5

Premium = 34 - 40 = -6 (0)

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DBRA

Work Week #1 Example for a Typical Truck Driver

Week Ending: 1/28/2017										
Employee: Bruce Wayne										
	Hourly Rate	Su	M	Tu	W	Th	F	Sa	Total	Earned
Reg	\$15.00		9		7.5	9			25.5	\$382.50
PW BHR	\$24.90		3		3.5	2			8.5	\$211.65
PW FB	\$19.20		3		3.5	2			8.5	\$163.20
Premium (OT)	-									
		0	12	0	11	11	0	0	34	
									Total	\$757.35
20% of work week		6.8								

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DBRA

Work Week #1 Example for a Typical Truck Driver

(1) NAME OF CONTRACTOR / SUBCONTRACTOR (CIRCLE ONE)		(2) ADDRESS	
Batman Trucking		1007 Mountain Dr.	
(3) PAYROLL NO.		(4) FOR WEEK ENDING	
1		1/28/17	
(5) PROJECT AND LOCATION			
US-131 Interchange Improvements			

(a) EMPLOYEE INFORMATION	(b) WORK CLASSIFICATION	(c) Hour Type	(d) DAY AND DATE							(e) TOTAL HOURS ON PROJECT	(f) PROJECT RATE OF PAY	(g) PROJECT RATE OF FRINGE PAY	(h) GROSS PROJECT EARNED	(i) TOTAL WEEKLY HOURS WORKED ALL JOBS
			Su	M	Tu	W	Th	F	Sa					
NAME: Bruce Wayne	TEAM0007-004		22	23	24	25	26	27	28	0			\$374.85	34
ETH/GEN: W/M	ID #: 1234				3		3.5	2		8.5	\$24.90	\$19.20	\$757.35	
	Truck Driver 8+													
	GROUP/CLASS #: A1													

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DBRA

Work Week #2 Example for a Typical Truck Driver

Truck is parked at the company yard every night normal rate of \$15.00/hr.

Mon.: 6 hrs.: ½ hr. travel, 5 hrs. project (2 hrs. on the "site of work"), ½ travel
 Tue.: 8 hrs.: ½ hr. travel, 7 hrs. project (2 hrs. on the "site of work"), ½ travel
 Wed.: 11 hrs.: ½ hr. travel, 10 hrs. project (4 hrs. on the "site of work"), ½ travel
 Thur.: 11 hrs.: ½ hr. travel, 10 hrs. project (4 hrs. on the "site of work"), ½ travel
 Fri.: 9 hrs.: ½ hr. travel, 8 hrs. project (3 hrs. on the "site of work"), ½ travel
 Sat.: 9 hrs.: ½ hr. travel, 8 hrs. project (3 hrs. on the "site of work"), ½ travel

Total hrs. for the week = 54 hrs. (54 x 0.20 = 10.8)
 Reg. = 4 + 6 + 7 + 7 + 6 + 6 = 36
 PW = 2 + 2 + 4 + 4 + 3 + 3 = 18
 Premium = 54 - 40 = 14

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DBRA

Work Week #2 Example for a Typical Truck Driver (Fringe Benefits are not included in overtime calculations)

Week Ending: 1/28/2017
Employee: Bruce Wayne

	Hourly Rate	Su	M	Tu	W	Th	F	Sa	Total	Earned
Reg	\$15.00		4	6	7	7	6	6	36	\$540.00
PW BHR	\$24.90		2	2	4	4	3	3	18	\$448.20
PW FB	\$19.20		2	2	4	4	3	3	18	\$345.60
Premium (OT)	\$9.15						5	9	14	\$128.10
.5(Wages Earned / Hours)		0	6	8	11	11	9	9	54	
									Total	\$1,461.90

20% of work week 10.8

Weighted Average Calculation: $(\$540.00 + \$448.20) / 54 \text{ hours} / 2 = \9.15

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DBRA

Work Week #2 Example for a Typical Truck Driver

Michigan Department
Of Transportation
CP-347 (04/10)

**MICHIGAN DEPARTMENT OF TRANSPORTATION
CERTIFIED PAYROLL**
COMPLETION OF CERTIFIED PAYROLL FORM FULFILLS THE MINIMUM MDOT PREVAIL

Instructions

(1) NAME OF CONTRACTOR / SUBCONTRACTOR (CIRCLE ONE) **Batman Trucking** (2) ADDRESS **1007 Mountain Dr.**

(3) PAYROLL NO. **1** (4) FOR WEEK ENDING **1/28/17** (5) PROJECT AND LOCATION **US-131 Interchange Improvements**

(a)	(b)	(c)	(d) DAY AND DATE	(e)	(f)	(g)	(h)	(i)
			Su M Tu W Th F Sa	TOTAL HOURS ON PROJECT	PROJECT RATE OF PAY	PROJECT RATE OF FRINGE PAY	GROSS PROJECT EARNED	TOTAL WEEKLY HOURS WORKED ALL JOBS
EMPLOYEE INFORMATION	WORK CLASSIFICATION	Hour Type	22 23 24 25 26 27 28					
NAME: Bruce Wayne	TEAM0007-004	P		6	\$9.15		\$848.70	54
	Truck Driver 8+							
ETH/GEN: W/M ID #: 1234 GROUP/CLASS #: A1		S	2 2 4 4 3 3	18	\$24.90	\$19.20	\$1,461.90	

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Questions?

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MDOT-LCPtracker@Michigan.gov



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