Procedures Manual Appendix C

Washburn University Office of Sponsored Projects
Davis Bacon Act Procedure for Federal Awards

Effective Date: 7/1/2013
Last Updated: 1/20/15
Responsible Office: Office of Sponsored Projects, Purchasing, Facilities

Purpose:
To provide guidance for the maintenance of grant funded construction or renovation projects for Washburn University and Washburn Institute of Technology (collectively referred to below as “Washburn”).

Policy:
It is the policy of Washburn University and Washburn Institute of Technology to comply with federal requirements regarding the Davis-Bacon Act for federal awards. Each office is responsible for maintaining the documents relating to their scope of responsibilities. In instances of shared responsibilities, all offices maintain documents related to these shared responsibilities.

OMB Circular A-110 Appendix A.3 outlines the Davis-Bacon Act requirements. Appendix A.3 states:

**Davis-Bacon Act, as amended (40 U.S.C. 276a to a-7)**
When required by Federal program legislation, all construction contracts awarded by the recipients and subrecipients of more than $2000 shall include a provision for compliance with the Davis-Bacon Act (40 U.S.C. 276a to a-7) and as supplemented by Department of Labor regulations (29 CFR part 5, “Labor Standards Provisions Applicable to Contracts Governing Federally Financed and Assisted Construction”). Under this Act, contractors shall be required to pay wages to laborers and mechanics at a rate not less than the minimum wages specified in a wage determination made by the Secretary of Labor. In addition, contractors shall be required to pay wages not less than once a week. The recipient shall place a copy of the current prevailing wage determination issued by the Department of Labor in each solicitation and the award of a contract shall be conditioned upon the acceptance of the wage determination. The recipient shall report all suspected or reported violations to the Federal awarding agency.

To fulfill the requirements of the Davis-Bacon Act the following steps must be completed:
1. The requirement to follow the Davis-Bacon Act must be listed in all bid solicitations and flowed down in contracts. - Purchasing
2. Contractors submitting bids must know the specific requirements to be placed upon them should they be selected. - Purchasing
3. Contractors must pay locally prevailing wages to workers on federally funded construction projects. – Office of Sponsored Projects
4. Contractors must pay employees weekly. – Office of Sponsored Projects

5. Contractors must submit certified payroll records weekly. - Facilities

6. Washburn must post wage rate determination and the Davis-Bacon poster (WH-1321) on the job site for workers to see. - Facilities

7. Washburn must check the weekly certified payroll records to verify the prevailing wage was paid weekly and timestamps on submitted subcontractor payrolls are within the week allowed. Washburn must also initial and date that the certified payroll records where checked weekly. –Office of Sponsored Projects
   a. A second staff member from the Office of Sponsored Projects will verify that this weekly verification has taken place. This second review will be noted in the grant file.

8. Washburn must conduct employee interviews and spot checks at the worksite. (Davis Bacon Site Visit Summary sheet and Employee Interview Sheets are attached). - Facilities

The individual/area responsible for a specific part of the requirement is responsible for maintaining appropriate documentation relative to this requirement. The Office of Sponsored Projects will work closely with Purchasing and Facilities in completing the above requirements.

Roles and Responsibilities:

Purchasing: The Purchasing office will list the requirement in all bid solicitations that will use federal grant funds for any part of the project that exceeds $2,000.00. Purchasing will verify with those submitting bids that they understand the requirements that would be placed on them if they are selected.

Facilities: The Facilities department will make sure the Davis-Bacon poster is posted in appropriate work site’s and work with the contractor to obtain the weekly certified payroll reports. During the contract, facilities will also complete spot checks of the site and interview contractor employees as required.

Office of Sponsored Projects: The Office of Sponsored Projects will help facilitate any questions from Purchasing and Facilities on the requirements above. This office will also perform weekly checks verifying that the prevailing wage was paid to employees and that the payroll reports are turned in timely. All reports will be initialed and dated as they are checked and all certified payrolls and documentation of that will be stored in the grant file. A second staff member from the Office of Sponsored Projects will verify the weekly review has been completed. Sponsored Projects employees will also work with Facilities to make sure the spot checks and contractor employee interviews are conducted. Documentation of these spot checks and interviews will be stored in the Office of Sponsored Projects grant files.