

DAVIS-BACON
REQUIRED DOCUMENTS SUBMISSION
SAMPLE GUIDE

FOR USE BY DOE SUBCONTRACTORS AND SUB-TIERS
SUBJECT TO THE DAVIS-BACON AND RELATED ACTS

February 10, 2015



MSA



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DAVIS-BACON CERTIFIED PAYROLL COORDINATORS

MISSION SUPPORT ALLIANCE

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Note: In order to view, fill out, and print the referenced PDF forms, you need Adobe® Acrobat® Reader® version 5 or later, which you may download for free at the following location: <http://get.adobe.com/reader/>. To save the completed forms on your workstation, you need to use the "Save As" method to save the file.



Background

The Davis Bacon and Related Acts (DBRA) requires all contractors and subcontractors performing work on federal or District of Columbia construction contracts or federally assisted contracts in excess of \$2,000 to pay their laborers and mechanics not less than the prevailing wage rates and fringe benefits for corresponding classes of laborers and mechanics employed on similar projects in the area. The prevailing wage rates and fringe benefits are determined by the Secretary of Labor for inclusion in covered contracts.

The U.S. Department of Labor (DOL) has oversight responsibilities to assure coordination of administration and consistency of enforcement of the labor standards provisions of the Davis Bacon and Related Acts. Under this authority, DOL has issued regulations establishing standards and procedures for the administration and enforcement of the Davis-Bacon labor standards provisions. Federal contracting agencies have day-to-day responsibility for administration and enforcement of the Davis-Bacon labor standards provisions in covered contracts for which they are responsible or to which they provide federal assistance under laws they administer.

Within DOL, the Wage and Hour Division (WHD) is responsible for administration and enforcement of the DBRA. See [Fact Sheet #66: The Davis-Bacon and Related Acts \(DBRA\)](#)

Recordkeeping

- Under the Davis-Bacon and Related Acts, covered contractors must maintain payroll and basic records for all laborers and mechanics during the course of the work and for a period of three years thereafter. Records to be maintained include (but are not limited to):
 - Name, address, and Social Security number of each employee;
 - Each employee's work classification(s);
 - Hourly rate(s) of pay (including rates of contributions or costs anticipated for fringe benefits or their cash equivalents);
 - Daily and weekly numbers of hours worked;
 - Deductions made;
 - Actual wages paid;
 - If applicable, detailed information regarding various fringe benefit plans and programs, including records that show that the plan or program has been communicated in writing to the laborers and mechanics affected;
 - If applicable, detailed information regarding approved apprenticeship or trainee programs. See [29 CFR 5.5\(a\)\(3\)](#) for further information.
- Some of the records required to be kept under the law are also required under the Fair Labor Standards Act. See Wage and Hour Division *Fact Sheet #21: Recordkeeping Requirements under the Fair Labor Standards Act (FLSA)* (<http://www.dol.gov/whd/regs/compliance/whdfs21.pdf>).
- These records contain Personally Identifiable Information (PII) and must be protected accordingly.



Reporting

- Davis Bacon workers are required to be paid on a weekly basis.
- Each covered contractor and subcontractor must, on a weekly basis, provide the federal agency a copy of all payrolls providing the information listed above under “Recordkeeping” for the preceding weekly payroll period.
 - With the exception that PII (Address and full Social Security Number) should not be included on the certified payroll.
- Each payroll submitted must be accompanied by a “Statement of Compliance.” The contractor, subcontractor, or the authorized officer or employee of the contractor or subcontractor who supervises the payment of wages, must sign the weekly statement. Statements of Compliance are to be made on the form *WH-347 “Payroll (For Contractors Optional Use)”* (<http://www.dol.gov/whd/forms/wh347instr.htm>) or on any form with *identical* wording. The certified payrolls must be submitted by MSA to DOE within 7 days of the date the workers are paid.

FAQ: Am I required to use the WH-347 from the U.S. Department of Labor?

“The payrolls submitted shall set out accurately and completely all of the information required to be maintained under paragraph (a) of this clause, except that full social security numbers and home addresses shall not be included on weekly transmittals. Instead the payrolls shall only need to include an individually identifying number for each employee (e.g., the last four digits of the employee’s social security number). The required weekly payroll information may be submitted in any form desired.”

Federal Acquisition Regulation, 52.222-8, (b)(1), Payrolls and Basic Records (June 2010)

“Each payroll submitted shall be accompanied by a “Statement of Compliance.”

Federal Acquisition Regulation, 52.222-8, (b)(2), Payrolls and Basic Records (June 2010)

“The weekly submission of a properly executed certification set forth on the reverse side of Optional Form WH-347 shall satisfy the requirement for submission of the “Statement of Compliance required by paragraph (b)(2) of this clause.”

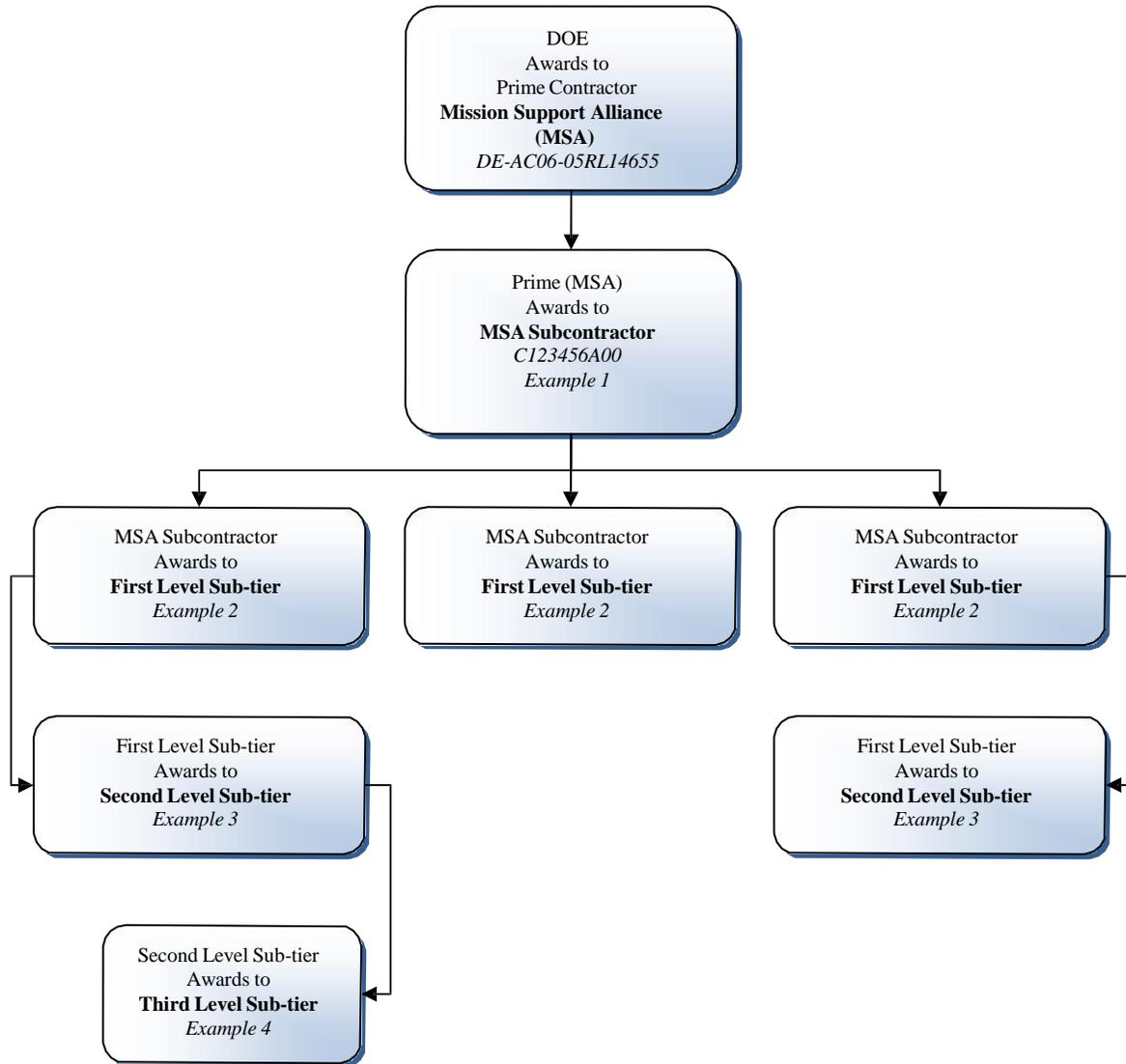
Federal Acquisition Regulation, 52.222-8, (b)(3), Payrolls and Basic Records (June 2010)

No, you do not have to use the WH-347 form, but the form you do use must contain all of the exact same wording and language as the WH-347 form.



Chart 1.

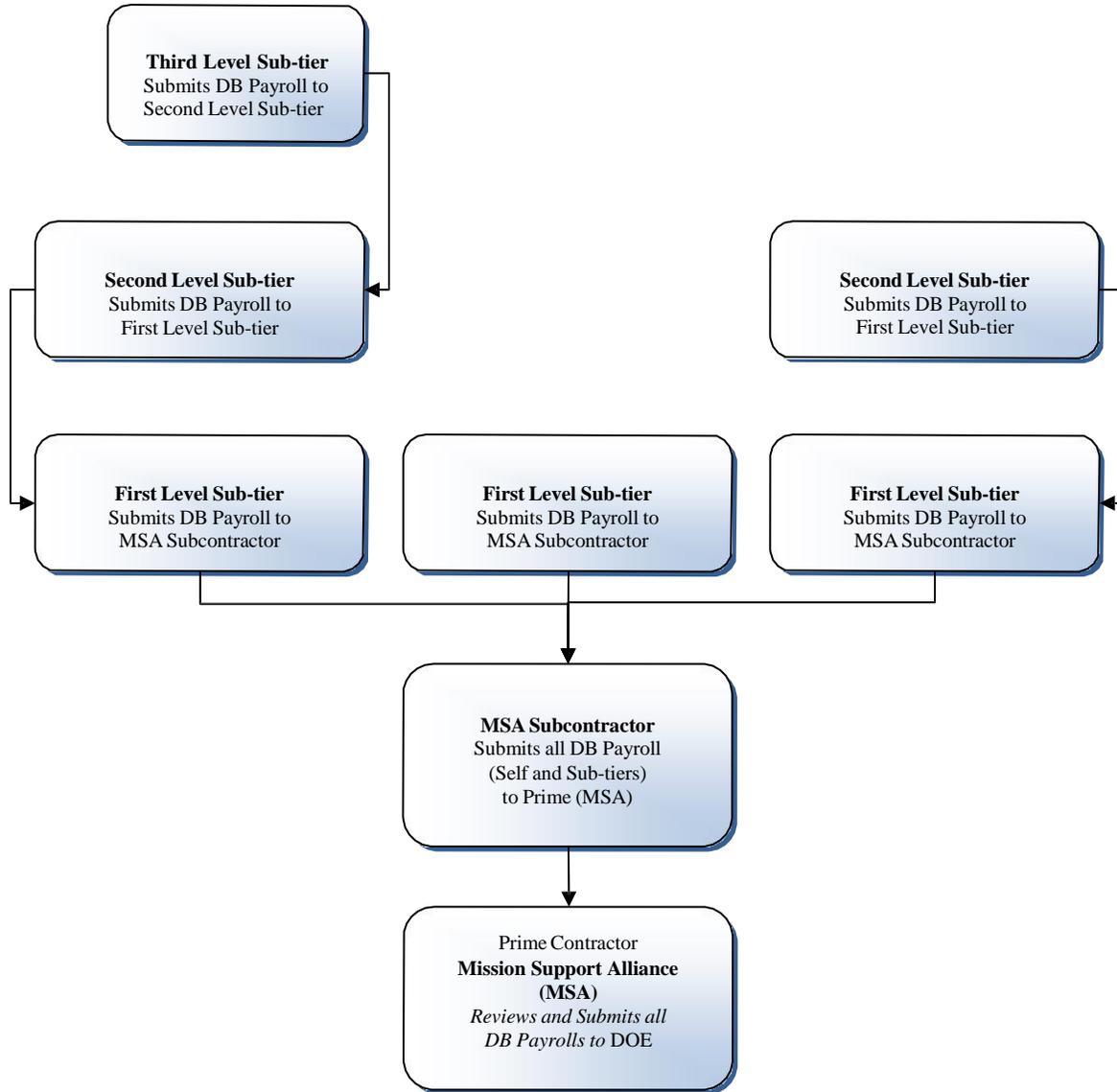
Prime Contractor, Subcontractor, and Sub-tier Relationships for SF1413 Statement and Acknowledgement



This chart represents a simplistic version of the Prime, MSA Subcontractor, and sub-tier contractor relationships. This should be used only to determine appropriate placement of contractor information on the SF1413 Statement and Acknowledgement.

Chart 2.

Davis-Bacon Certified Payroll Documents Submission Flow from Sub-tiers to Prime Contractor



ALL certified payroll documents must be submitted by the Prime Contractor (MSA) to the Department of Energy, Richland Operations Office (DOE) within 7 days of the date wages are paid to the worker.



Completing the SF1413 Accurately

FAQ: What is an SF1413?

The SF1413 is the Statement and Acknowledgement that is required to be submitted by the prime contractor to DOE. It identifies the subcontractor and its sub-tiers who will be working on the awarded project work and flows down the labor requirements.

“Many contracts and financial assistance agreements will require the prime contractor to report all subcontracts awarded by the prime contractor. The prime contractor must submit to the contracting officer a completed SF-1413 Statement and Acknowledgment for each subcontract on covered projects within 14 days of the subcontract award. The prime contractor must execute a statement on this form that it has inserted all appropriate labor requirements into its subcontracts, and must include a statement signed by the subcontractor acknowledging that the appropriate clauses have been included in its subcontract.”

DOE, A Desk Guide to the Davis-Bacon Act, Section 1-3, b(3), Responsibilities

There must be an SF1413 between each subcontractor and sub-tier who will perform Davis-Bacon work. In addition to acknowledging that all the appropriate labor requirements are included in the subcontracts, it also provides notification that DOE will be receiving certified payroll reports.

The SF1413 must be completed and returned to MSA within 14 days of the execution of each subcontract release awarded as stated in the [Federal Acquisition Regulations, Section 52.222-11\(d\)\(1\) and \(2\), Subcontracts \(Labor Standards\)](#)

“Within 14 days after award of the contract, the Contractor shall deliver to the Contracting Officer a completed Standard Form (SF) 1413, Statement and Acknowledgement, for each subcontract for construction within the United States, including the subcontractor’s signed and dated acknowledgement that the clauses set forth in paragraph (b) of this clause have been included in the subcontract.

(2) Within 14 days after the award of any subsequently awarded subcontract the Contractor shall deliver to the Contracting Officer an updated completed SF 1413 for such additional subcontract.”

Use the following examples for guidance in completing the required SF1413 Statement and Acknowledgement for the MSA Subcontractor and all sub-tier contractors. Make sure all documentation is complete and accurate. If a signature or other vital information is missing, it is considered invalid and the form will be returned to the subcontractor for resubmittal.

Please use the links in this Sample Guide to download the forms for your use. A blank form is also provided for your convenience.

[SF1413 Statement and Acknowledgment \(OMB No.: 9000-0014; Expires 12/31/2017\)](#)

- Example 1: Prime to MSA Subcontractor
- Example 2: MSA Subcontractor to First Level Sub-tier



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Example 1. Completing the SF1413 Accurately MSA to MSA Subcontractor

STATEMENT AND ACKNOWLEDGMENT					OMB No.: 9000-0014 Expires: 5/31/2011	
Public reporting burden for this collection of information is estimated to average 30 minutes per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to the FAR Secretariat, (VIR), Regulatory and Federal Assistance Division, GSA, Washington, DC 20405; and to the Office of Management and Budget, Paperwork Reduction Project (9000-0014), Washington, DC 20503.						
PART I - STATEMENT OF PRIME CONTRACTOR						
1. PRIME CONTRACT NO.		2. DATE SUBCONTRACT AWARDED		3. SUBCONTRACT NUMBER		
DE-AC06-09RL14728 (DOE/MSA)		MM/DD/YYYY		XXXXX-XX (MSA/MSA Sub)		
4. PRIME CONTRACTOR				5. SUBCONTRACTOR		
a. NAME Mission Support Alliance LLC (MSA)				a. NAME MSA Subcontractor Name		
b. STREET ADDRESS MSIN: G1-80, PO Box 650				b. STREET ADDRESS MSA Subcontractor Address		
c. CITY Richland		d. STATE WA	e. ZIP CODE 99354	c. CITY MSA Subcontractor City		d. STATE ST
						e. ZIP CODE Zip Code
6. The prime contract <input checked="" type="checkbox"/> does, <input type="checkbox"/> does not contain the clause entitled "Contract Work Hours and Safety Standards Act -- Overtime Compensation."						
7. The prime contractor states that under the contract shown in Item 1, a subcontract was awarded on the date shown in Item 2 to the subcontractor identified in item 5 by the following firm:						
a. NAME OF AWARDING FIRM Mission Support Alliance LLC						
b. DESCRIPTION OF WORK BY SUBCONTRACTOR Provide a brief concise description of the subcontracted work to be performed BY the MSA Subcontractor (5a) FOR MSA (4a)						
8. PROJECT Use original MSA subcontract number and project here				9. LOCATION Site location, i.e., 200 East, Hammer, 300 area, 100 K (Do Not use Hanford or Richland)		
10a. NAME OF PERSON SIGNING Name of MSA Subcontract Specialist		11. BY (Signature)		12. DATE SIGNED		
10b. TITLE OF PERSON SIGNING Subcontract Specialist		Signature of person in Box 10a for Subcontractor in Box 4a		MM/DD/YYYY		
PART II - ACKNOWLEDGMENT OF SUBCONTRACTOR						
13. The subcontractor acknowledges that the following clauses of the contract shown in Item 1 are included in this subcontract:						
Contract Work Hours and Safety Standards Act - Overtime Compensation - (If included in prime contract see Block 6) Payrolls and Basic Records Withholding of Funds Disputes Concerning Labor Standards Compliance with Davis-Bacon and Related Act Regulations				Davis-Bacon Act Apprentices and Trainees Compliance with Copeland Act Requirements Subcontracts (Labor Standards) Contract Termination - Debarment Certification of Eligibility		
14. NAME(S) OF ANY INTERMEDIATE SUBCONTRACTORS, IF ANY						
A First Level Sub-tier		C First Level Sub-tier				
B First Level Sub-tier		D				
15a. NAME OF PERSON SIGNING Name of MSA Subcontractor Official		16. BY (Signature)		17. DATE SIGNED		
15b. TITLE OF PERSON SIGNING Title of MSA Subcontractor Official		Signature of person in Box 15a for Subcontractor in Box 5a		MM/DD/YYYY		

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PREVIOUS EDITION IS NOT USABLE

STANDARD FORM 1413 (REV. 7/2005)
Prescribed by GSA/FAR (48 CFR) 53.222(e)



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Example 2. Completing the SF1413 Accurately MSA Subcontractor to First Level Sub-tier

STATEMENT AND ACKNOWLEDGMENT					OMB No.: 9000-0014 Expires: 5/31/2011	
Public reporting burden for this collection of information is estimated to average 30 minutes per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to the FAR Secretariat, (VIR), Regulatory and Federal Assistance Division, GSA, Washington, DC 20405; and to the Office of Management and Budget, Paperwork Reduction Project (9000-0014), Washington, DC 20503.						
PART I - STATEMENT OF PRIME CONTRACTOR						
1. PRIME CONTRACT NO. XXXXX-XX (MSA/MSA Sub)		2. DATE SUBCONTRACT AWARDED MM/DD/YYYY		3. SUBCONTRACT NUMBER XXXXX-XXX-XX (MSA Sub/1st Sub)		
4. PRIME CONTRACTOR				5. SUBCONTRACTOR		
a. NAME MSA Subcontractor Name				a. NAME First Level Sub-tier Name		
b. STREET ADDRESS MSA Subcontractor Address				b. STREET ADDRESS First Level Sub-tier Address		
c. CITY MSA Subcontractor City		d. STATE ST	e. ZIP CODE Zip Code	c. CITY First Level Sub-tier City		d. STATE ST
				e. ZIP CODE Zip Code		
6. The prime contract <input checked="" type="checkbox"/> does, <input type="checkbox"/> does not contain the clause entitled "Contract Work Hours and Safety Standards Act -- Overtime Compensation."						
7. The prime contractor states that under the contract shown in Item 1, a subcontract was awarded on the date shown in Item 2 to the subcontractor identified in item 5 by the following firm:						
a. NAME OF AWARDING FIRM MSA Subcontractor Name						
b. DESCRIPTION OF WORK BY SUBCONTRACTOR Provide a brief concise description of the subcontracted work to be performed BY the First Level Sub-tier (5a) FOR the MSA Subcontractor (4a)						
8. PROJECT Use original MSA subcontract number and project here				9. LOCATION Site location, i.e., 200 East, Hammer, 300 area, 100 K (Do Not use Hanford or Richland)		
10a. NAME OF PERSON SIGNING Name of MSA Subcontractor Official		11. BY (Signature)			12. DATE SIGNED MM/DD/YYYY	
10b. TITLE OF PERSON SIGNING Title of MSA Subcontractor Official						
PART II - ACKNOWLEDGMENT OF SUBCONTRACTOR						
13. The subcontractor acknowledges that the following clauses of the contract shown in Item 1 are included in this subcontract:						
Contract Work Hours and Safety Standards Act - Overtime			Davis-Bacon Act			
Compensation - (If included in prime contract see Block 6)			Apprentices and Trainees			
Payrolls and Basic Records			Compliance with Copeland Act Requirements			
Withholding of Funds			Subcontracts (Labor Standards)			
Disputes Concerning Labor Standards			Contract Termination - Debarment			
Compliance with Davis-Bacon and Related Act Regulations			Certification of Eligibility			
14. NAME(S) OF ANY INTERMEDIATE SUBCONTRACTORS, IF ANY						
A Second Level Sub-tier		C Second Level Sub-tier				
B Second Level Sub-tier		D				
15a. NAME OF PERSON SIGNING Name of First Level Sub Official		16. BY (Signature)			17. DATE SIGNED MM/DD/YYYY	
15b. TITLE OF PERSON SIGNING Title of First Level Sub Official						
AUTHORIZED FOR LOCAL REPRODUCTION PREVIOUS EDITION IS NOT USABLE						

STANDARD FORM 1413 (REV. 7/2005)
Prescribed by GSA/FAR (48 CFR) 53.222(e)



Frequently Asked Questions about the SF1413

Completing or modifying the SF1413

FAQ: Is it appropriate for the prime contractor (or subcontractor) to complete boxes, such as date signed, date awarded, title of person signing, when it has been omitted by the subcontractor (or the sub-tier)?

Date signed: No, the subcontractor is responsible for completing Part II of the SF1413. If the prime contractor makes changes without the knowledge of the subcontractor, there could be a liability concern; consult with your company attorney for any liability concerns.

Award date: If you know the award date and have documentation to support the date, add the information with your initials and attach supporting documentation.

Title of person signing: If you know the title and can substantiate the information, add it with your initials and any supporting documentation (emails, etc.)

Location: For example, if the identified "Location" is the Patrol Academy Training and you know it to be located at the HAMMER Facility, make note of the exact location and be sure to initial the change.

Project Location on the SF1413:

FAQ: Why is the Location important on the SF1413 and Certified Payroll document?

Travel Pay is determined by the location (100, 300, 600 area) of the work performed for the project. If there is any question about the location of the work performed, consider making a note in the "Remarks" box on the Compliance Form or on the payroll report to clarify how Travel Pay was calculated.

Signature on SF1413:

FAQ: Does the signature in Box 11 or Box 16 have to be an original signature, or can an electronic or signature stamp be used?

A scanned signature (a scanned or pdf of an original signature) is acceptable but signature stamps are not.

NOTE: Proper use of electronic signatures on certified payrolls and related compliance statements is permitted, and carries the same legal effect as handwritten signatures.

Commonly Noted Issues with the SF1413

1. Make sure "does" is checked under section 6.
2. Make sure that the company in section 7a matches the company in section 4a
3. Be sure the location in box 9 is specific to the site location work will be performed (do not just use Hanford or Richland).



Completing Form WH-347 Accurately

The complete instructions can be found on the DOL website at the following link:
<http://www.dol.gov/whd/forms/wh347instr.htm>

Please follow these instructions for the form WH-347, with specific attention to the areas noted below.

NOTE: When reviewing submitted payrolls, the MSA Davis-Bacon Certified Payroll Coordinator will use the checklist found at the end of this document to check for compliance. The checklist is included for your reference and can be used as a guide to make sure your WH-347 form (or equivalent) is filled out correctly.

Page 1 - Payroll

Name of Contractor or Subcontractor: Fill in your company's name and check the Subcontractor box.

Address: Fill in your company's complete address.

Payroll No.: Beginning with the number "1" (for the first payroll under the release), list the payroll number for the submission, i. e., 1, 2, 3, etc., ending with FINAL for the last payroll paid under the release.

NOTE: Be sure to put "FINAL" on the last payroll to be submitted

For Week Ending: List the work week ending date (NOT the date the payroll was paid).

Project and Location: Please identify the original project number and title here (Box 8 from the SF1413). Location must also be listed and should match the location listed on the SF1413. Including your project location will support Travel Pay entries on the Payroll Report.

Project or Contract No.: Please use the Subcontract number awarded to the MSA Subcontractor in this box for every sub-tier as a master subcontract number to tie all sub-tiers back to the original subcontract awarded.

Work Classification: List the Category and Level of each worker (e.g. Laborer Group II). This classification must match *exactly* with a classification from the HSSA. (A copy of the HSSA Wage Schedule can be found at the following site: <http://www.hanfordvitplant.com/hanford-site-stabilization-agreement> under the link for "Schedule of Wages")

Page 2 - "statement of compliance"

Date: Date Payroll forms prepared.

Name of Signatory Party: Name of the party signing this statement who has knowledge of the facts represented as true.

Title of Signatory Party: Title of person signing the compliance form (must be a person who has authority to direct payment and whose signature will legally bind the company).



FAQ: Who should sign the Statement of Compliance?

"Each payroll submitted shall be accompanied by a 'Statement of Compliance,' signed by the Contractor or subcontractor or his or her agent who pays or supervises the payment of the persons employed under the contract and shall certify—"

Federal Acquisition Regulation, 52.222-8, (b)(2), Payrolls and Basic Records (June 2010)

FAQ: Is a scanned signature okay?

A scanned signature (a scanned or pdf of an original signature) is acceptable but signature stamps are not.

NOTE: Proper use of electronic signatures on certified payrolls and related compliance statements is permitted, and carries the same legal effect as handwritten signatures

Contractor or Subcontractor: Same as the company name from Page 1 – Payroll.

Building or Work: Please use **Project or Contract No.** from Page 1 (see above).

Note: Be sure to include the Contract Number, Payroll Number, and Work Location on the Compliance form.

While the WH-347 is an optional form, we encourage you to use the most recently revised form, or to make sure whatever format you use includes *all* information asked for on the WH-347. The WH-347 and the Statement of Compliance forms are included for your convenience, or you may download them from the links in this Sample Guide. They are also available in Subcontractor Forms/Construction on the [Mission Support Alliance LLC](#) Web site.

FAQ: Am I required to use the WH-347 from the U.S. Department of Labor?

"The payrolls submitted shall set out accurately and completely all of the information required to be maintained under 29 CFR 5.5(a)(3)(i), except that full social security numbers and home addresses shall not be included on weekly transmittals. Instead the payrolls shall only need to include an individually identifying number for each employee (e.g., the last four digits of the employee's social security number). The required weekly payroll information may be submitted in any form desired."

Federal Acquisition Regulation, 52.222-8, (b)(1), Payrolls and Basic Records (June 2010)

"Each payroll submitted shall be accompanied by a "Statement of Compliance."

Federal Acquisition Regulation, 52.222-8, (b)(2), Payrolls and Basic Records (June 2010)

"The weekly submission of a properly executed certification set forth on the reverse side of Optional Form WH-347 shall satisfy the requirement for submission of the "Statement of Compliance."

Federal Acquisition Regulation, 52.222-8, (b)(3), Payrolls and Basic Records (June 2010)

The following examples are provided to assist you in preparing the WH-347.

[WH-347 U.S. Department of Labor Payroll form \(OMB No. 12315-0008; Expires 2/28/2018\)](#)

- Example 3: MSA Subcontractor



Frequently Asked Questions about the Certified Payroll (WH-347)

Owner-operators

FAQ: Does an Owner-operator need to submit certified payroll reports?

“(7) **Owner/Operators of Construction Equipment.** Except as noted below, owner-operators of equipment employed on the site of the work by covered construction contractors or subcontractors must be recognized as DBA-covered laborers or mechanics and must be paid in accordance with the applicable DBA wage determination for the hours worked on the job site.

(a) The exception to this rule is DOL’s administrative policy that DBA and CWHSSA do NOT apply to bona fide owner-operators of trucks or other hauling equipment who are employed as independent contractors performing such activity on the site of the work. DOL policy requires contractors and subcontractors to note these individuals on the certified payrolls by name, dates of work, and the notation, “Owner-Operator.” It will not be necessary to record the owner-operator’s hours or wages.”

DOE, A Desk Guide to the Davis-Bacon Act, Section 3-1, (7), Worker Classifications under DBA Wage Determinations

“DOL has an **enforcement position** with respect to bona fide owner-operators of trucks who own and drive their own trucks. Certified payrolls including the names of such owner-operators do not need to show the hours worked or rates paid, only the notation “owner-operator”. This position does not apply to owner-operators of other equipment such as bulldozers, backhoes, cranes, welding machines, etc.

Prevailing Wage Resource Book 2010, p. 7, DBA/DBRA Compliance Principles, U.S. Department of Labor

“As a matter of administrative policy, the provisions of DBRA/CWHSSA are not applied to bona fide owner-operators of trucks who are independent contractors. For purposes of these Acts, the certified payrolls including the names of such owner-operators need not show hours worked nor rates paid, but only the notation “Owner-operator.” This position does not pertain to owner-operators of other equipment such as bulldozers, scrapers, backhoes, cranes, drilling rigs, welding machines, and the like. Moreover, employees hired by owner-operators are subject to DBRA in the usual manner.”

Field Operations Handbook – 10/25/2010, Rev. 660, Ch. 15, 15e17, Owner-operators of trucks and other hauling equipment.

Service Contract Act

FAQ: Can an Owner-operator on a construction project be awarded as a Service Contract Act subcontract?

“The SCA applies to contracts entered into by the United States or the District of Columbia, the principal purpose of which is to furnish services in the United States through the use of service employees. (See 29 C.F.R. 4.107-4.114.)

Field Operations Handbook – 10/25/2010, Rev. 660, Ch. 14, 14b01, Coverage—general.

“No, the SCA does not apply to: 1) contracts for construction, alteration and/or repair, including painting and decorating of public buildings or public works;...

http://www.dol.gov/whd/regs/compliance/web/SCA_FAQ.htm
Field Operations Handbook – 10/25/2010, Rev. 660, Ch. 14, 14c00(a), Statutory exemptions.



Payment of Overtime

FAQ: Can a payroll report contain ONLY overtime for the week (where no straight time is identified) for a worker?

Yes, it could, if the worker worked on the Hanford site on another job/contract. In this case, it should be noted on the certified payroll submittal of this fact. The only time a person is paid overtime on a specific job is if they have exceeded the daily hours of work.

Payroll Numbering

FAQ: Should every week, including weeks where there is no work performed, be numbered sequentially (beginning with 1) until the Final payroll?

"Each payroll report must be numbered, beginning with "#1" as the first payroll submitted by the reporting contractor for the first week in which it employs covered workers on the site."

**DOE, A Desk Guide to the Davis-Bacon Act, Section 4-1 (g),
Reporting Fringe Benefit Payments on Form WH-347**

"Each separate page and attachment to a report must include the contractor's name, the project number, the week-ending date for the report, and the sequential payroll number."

**DOE, A Desk Guide to the Davis-Bacon Act, Section 4-2 (b),
Reporting Fringe Benefit Payments on Form WH-347**

Consider making a note in the "Remarks" box on the Compliance Form stating "No Work Performed" if no work is performed in any given payroll period.

Revised Payrolls

FAQ: When must I submit a Revised Payroll document?

The subcontractor need not submit a revised certified payroll unless there is an error in the information that affects the wages paid to the worker, such as hours of work, rate of pay, missing deduction, etc. In the event information is omitted from the report, but it does not change the amount of wages paid to the worker, the next payroll report submitted should contain all information requested on the WH-347, including any remarks that explain or clarify the information submitted.

Commonly Noted Issues with Certified Payrolls

1. If not using form WH-347, make sure you include ALL language found on WH-347 on the form you are using. This includes ALL language found on the compliance page.
2. On the compliance page, make sure to check the appropriate box for how fringe is being paid (4a for approve plans, 4b for cash).
3. Travel pay must be listed on the certified payroll. If travel is not paid, please note why in the Remarks section of the compliance form
4. Please explain any "other" deductions in the Remarks section of the compliance form.



5. Do NOT list Personally Identifiable Information (PII) (address and full SSN) on the Certified Payroll. Payrolls submitted with PII will be returned to the subcontractor and required to be resubmitted to MSA with the PII removed.
6. Worker classifications must match an approved category on the HSSA Schedule of Wages.
7. Any deductions listed as “Other” on the Certified Payroll must be explained on the Statement of Compliance form.

Subcontractor Instructions for Naming Certified Payroll Documents

Davis-Bacon payrolls must be **submitted by MSA to DOE within 7 calendar days** of the date wages are paid by the subcontractor and/or its sub-tier. Please submit your payroll documents promptly to the MSA subcontract specialist. Hand-deliver hard copies of certified payrolls OR e-mail payroll documents to: MSADBA@rl.gov. If no work was performed during a calendar week, please submit the statement of compliance with “No Work Performed.”

Certified Payrolls MUST be identified by, at least, the following information:

NAME OF SUBCONTRACTOR OR SUB-TIER
SUBCONTRACT NO.
WEEK ENDING DATE (*NOT DATE PAID*)
PAYROLL NO.

Recommendation:

Please use the **Subcontractor, Subcontract Number, and Payroll Week Ending Date in the Subject Line** of e-mail submittals.



References

- Federal Acquisition Regulations, Section 52.222-11(d)(1) and (2), Subcontracts (Labor Standards). Retrieved April 9, 2013 from http://acquisition.gov/far/current/html/52_222.html.
- U.S. Department of Labor, Wage and Hour Division. "Fact sheet #21: Recordkeeping Requirements under the Fair Labor Standards Act (FLSA)." Revised July 2008. Retrieved January 16, 2013 from <http://www.dol.gov/whd/regs/compliance/whdfs21.pdf>.
- U.S. Department of Labor, Wage and Hour Division. "Fact sheet #66: The Davis-Bacon and Related Acts (DBRA)." April 2009. Retrieved January 16, 2013 from <http://www.dol.gov/whd/regs/compliance/whdfs66.pdf>.
- U.S. Department of Labor, Wage and Hour Division, "The Davis-Bacon Act, as Amended." WH Publication 1246. Revised April 2009. Retrieved January 16, 2013 from <http://www.dol.gov/whd/regs/statutes/dbra.pdf>.
- U.S. Department of Labor, Wage and Hour Division, "Instructions for Completing Payroll Form WH-347." Expires 1/31/2015. Retrieved January 16, 2013 from <http://www.dol.gov/whd/forms/wh347instr.htm>.
- U.S. Department of Labor, Wage and Hour Division. WH-347 "Payroll (For Contractors Optional Use)." Revised December 2008. Retrieved January 16, 2013 from <http://www.dol.gov/whd/forms/wh347instr.htm>.
- U.S. General Services Administration. Standard Form 1413 "Statement and Acknowledgment." Revised July 2005. Retrieved January 16, 2013 from <http://www.gsa.gov/portal/forms/download/115794>.

Other Resources

- Bechtel Hanford Vit Plant, "Hanford Site Stabilization Agreement." Retrieved January 1, 2015 from <http://www.hanfordvitplant.com/page/hanford-site-stabilization-agreement/>.
- U.S. Department of Energy, Office of the General Counsel, "A Desk Guide to the Davis-Bacon Act." DOE DBA Desk Guide 06-16-2010. Retrieved April 9, 2013 from <http://energy.gov/gc/downloads/desk-guide-davis-bacon-act>.
- U.S. Department of Housing and Urban Development, Homes and Communities, "A Contractor's Guide to Prevailing Wage Requirements for Federally-Assisted Construction Projects." June 2006. Retrieved April 9, 2013 from <http://www.hud.gov/offices/adm/hudclips/guidebooks/HUD-LR-4812/index.cfm>
- U.S. Department of Labor, Office of the Assistant Secretary for Policy, "Employment Law Guide. Federal Contracts – Working Conditions: Prevailing Wages in Construction Contracts." Retrieved April 9, 2013 from <http://www.dol.gov/compliance/guide/dbra.htm>.
- U.S. Department of Labor, Wage and Hour Division, "Compliance Assistance – Laws of the Wage and Hour Division." Retrieved April 9, 2013 from http://www.dol.gov/whd/regs/compliance/ca_main.htm.



Davis Bacon Submittal Checklist

DAVIS-BACON SUBMITTAL CHECKLIST			
Subcontractor: _____	SC N: _____	Type: _____	Received: _____ Submitted: _____
SF1413	<input type="checkbox"/> On/Ime	<input type="checkbox"/> Late	<input type="checkbox"/> Correction(s) Needed: _____
Payroll Report			
	<input type="checkbox"/> On/Ime	<input type="checkbox"/> Late	
<input type="checkbox"/> Name of Subcontractor or Sub-tier (Appropriate Box Checked.) <input type="checkbox"/> Address of Subcontractor or Sub-tier (Street, City, State, Zip.) <input type="checkbox"/> Payroll Number (Beginning with 1 and ending with FINAL.) <input type="checkbox"/> Week Ending Date <input type="checkbox"/> Project and Location (Location used to determine Travel Pay Rate.) <input type="checkbox"/> Project or Contract No. (MSA Subcontract Number AND Subcontract Number awarded to Sub-tier, if any.) <input type="checkbox"/> Correction(s) Needed: _____			
<input type="checkbox"/> Col. 1 - Name and Identifying Number of Worker (if SSN used, return to Subcontractor for removal of PII*.) <input type="checkbox"/> Col. 2 - # of Withholding (Not required.) <input type="checkbox"/> Col. 3 - Work Classification and Group Number (MUST match HSSA Agreement.) <input type="checkbox"/> Col. 4 - Day and Date Included AND Hours Worked Each Day (S - Straight Time, 0 - Overtime) <input type="checkbox"/> Col. 5 - Total Hours <input type="checkbox"/> Col. 6 - Rate of Pay (Must equal, at least, minimum HSSA Rate, plus fringe, if paid cash; see 4a, Statement of Compliance.) <input type="checkbox"/> Col. 7 - Gross Amount Earned (Hours times Rates.) <input type="checkbox"/> Col. 8 - Deductions and Identification of Deductions <input type="checkbox"/> Col. 9 - Net Wages Paid for Week (Gross minus Deductions.) <input type="checkbox"/> Correction(s) Needed: _____			
Statement of Compliance			
<input type="checkbox"/> Date of Compliance Statement <input type="checkbox"/> Name and Title of Subcontractor Representative <input type="checkbox"/> Name of Subcontractor or Sub-tier <input type="checkbox"/> Building or Work (Use MSA Subcontract Number AND Subcontract Number of Sub-tier.) <input type="checkbox"/> Pay Period Start and End Date <input type="checkbox"/> Name of Subcontractor or Sub-tier (This line appears twice on the SOC; should match the line above.) <input type="checkbox"/> Fringe Benefit Box Checked (4a, 4b, 4c. If 4c, are exceptions identified and explained.) <input type="checkbox"/> Remarks: Travel Pay can be indicated here (Must match HSSA Travel Pay Rate for Location, i.e., 300, 600, 100 area) <input type="checkbox"/> Name, Title, and Signature of Subcontractor Representative <input type="checkbox"/> Correction(s) Needed: -----			
Statement of No Work Performed (Submitted to identify weeks where no work is performed on the Project.)			
<small>("Personally Identifying Information")</small> <small>08/2812013 REV 0</small>			