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## INVITATION TO BID

**Head Start Playground  
1169 Winburn Drive  
Lexington, KY 40511**

Community Action Council for Lexington-Fayette, Bourbon, Harrison and Nicholas Counties, Inc. nonprofit corporation and special district of the Commonwealth of Kentucky in accordance with KRS 273.405 et sequens, is seeking a Request for Proposal for the construction and installation of a playgrounds described on pages(s)\_6-7\_ of this INVITATION TO BID (ITB). Based upon an evaluation of the bids submitted, the Council will select a single vendor for the specified and related services.

### Submission Requirements

Acceptable bids must meet the following requirements:

1. Your bid must be sealed and delivered by U.S. Mail, private courier or in person no later than  
5:00 p.m., Eastern Time, **April 30, 2018**:

April Mullins-Datko  
Assistant Director of Child Development  
Community Action Council  
710 W. High Street  
P.O. Box 11610  
Lexington, KY 40576

2. The sealed outside envelope must be Marked:

**Sealed Bid, Playgrounds, April 30, 2018.**

3. In submitting a bid in response to this ITB, you are certifying that it is firm and will be honored if accepted within 90 days of the date in requirement 2, above.

### **Applicable Terms and Conditions:**

- 1) The items or services listed on page(s)\_6-7 of this ITB represent the Council's projected requirements. The Council reserves the right to adjust these projections. Additionally, the actual items or services are also a projection. They are representative of the kinds of goods or services that will be purchased from the selected vendor.
- 2) The Council reserves the right to cancel the approved Bid should it determine that the vendor is unable to meet its standards for quality or timeliness of delivery or that another vendor is available at significantly lower prices.
- 3) Community Action Council reserves the right to reject any bids which do not conform to the terms of this request and its current purchasing policies and administrative procedures.
- 4) Community Action Council reserves the right to cancel this procurement action prior to the designation of a vendor.
- 5) Community Action Council reserves the right to negotiate final terms, items, quantities, etc. with the vendor that is designated as a result of this invitation.
- 6) Community Action Council is tax exempt. The approved vendor shall be provided with certificate of exemption or other suitable documentation.
- 7) Once a vendor has been approved, actual purchases shall be made through authorized Purchase Orders as the Council's actual requirements dictate.
- 8) Community Action Council is authorized to purchase under the Commonwealth of Kentucky's State Price Contracts or General Services Administration (GSA) pricing. Bidders with a Kentucky State Price Contract or GSA pricing must quote prices that are equal to or below their current Kentucky Price Contract or GSA pricing, whichever is lowest. By submitting a bid, you agree that if approved, you will furnish all purchased goods or services during the period of designation at or below your State Price Contract or GSA pricing, as applicable.
- 9) Payment terms are net 30 days of receipt of invoice unless otherwise agreed in writing by Community Action Council.
- 10) Bidders must abide by the Davis-Bacon Act. Payroll records must be submitted to Community Action Council with each payroll to verify that payroll meets Davis-Bacon requirements. Bidders must also provide proof of liability and workers' compensation insurance. Attention of bidders is particularly called to the requirements as to conditions of employment to be observed and minimum wage rates to be paid under the contract.

Requested by:

April Mullins-Datko  
(Signature)

April Mullins-Datko  
(Name)

3-21-18

(Date)

Assistant Director of Child Development  
(Title)

Approval, Director:

Sharon Price  
(Signature)

Sharon Price  
(Name)

3.21.18

(Date)

Director of Child Development  
(Title)

Approval, Executive Director:

Burdett Lee  
Signature

3/22/18  
(Date)

Approval, Chief Financial Officer:

Elin Henchy  
Signature

3/22/18  
(Date)

**COMMUNITY ACTION COUNCIL FOR LEXINGTON-FAYETTE, BOURBON,  
HARRISON, AND NICHOLAS COUNTIES**

**Invitation to Bid**

**Head Start Playground  
1169 Winburn Drive  
Lexington, KY 40511**

The Community Action Council of Lexington-Fayette, Bourbon, Harrison and Nicholas Counties, will receive bids for the contract work to install a new playground facility located at 1589 Hill Rise Drive Lexington, KY 40504.

There will be a voluntary meeting held Monday, April 16, 2018 at 10AM at the 1169 Winburn Drive location. Potential contractors are eligible to attend this meeting in order to submit a bid. Contractors will be given the opportunity to inspect proposed spaces, review existing location and organize/propose implementation plans for installation of new playgrounds. Please email [april.mullinsdatko@commaction.org](mailto:april.mullinsdatko@commaction.org) to confirm attendance at this voluntary meeting.

Work under this invitation will include in general;

The construction and installation of one playground and must include equipment, surfacing, and shade structures.

Upon inspection and acceptance of work performed, payment terms are net 30 days or receipt of invoice unless otherwise agreed in writing by Community Action Council.

Sealed bids will be accepted in our office, located at 710 West High Street, Lexington, KY 40508. Bids must be received on or before April 30, 2018

If you have questions, please feel free to contact me @ (859) 233-4600 ext.1424 or by e-mail @ [april.mullinsdatko@commaction.org](mailto:april.mullinsdatko@commaction.org).

Please send all sealed bids to:

Community Action Council for Lexington-Fayette, Bourbon, Harrison and Nicholas  
Counties  
710 W. High Street  
Lexington, KY 40508  
Attn: April Mullins-Datko  
Assistant Director of Child Development

Community Action Council reserves the right to accept any bid, or portion thereof, reject any or all bids, to waive any informalities in bids received where such acceptance, rejection, or waiver is considered to be in the best interest of Community Action Council and to reject any bid where evidence or information submitted by the bidder does not satisfy the Community Action Council or is in any manner unresponsive in the preparation of its request.

Operations Memorandum B-2000-F  
Change 6, Appendix D

**Community Action Council for Lexington-Fayette, Bourbon,  
Harrison and Nicholas, Inc.**

**INVITATION TO BID FOR CONSTRUCTION AND INSTALLATION OF  
PLAYGROUND**

Item	Description	Projected Quantity	Unit Price
	<p><b>Head Start Playground 1169 Winburn Drive Lexington, KY 40511</b></p> <p><b><u>Scope of Work</u></b></p> <p>Remove and dispose of existing barriers to installation in designated spaces.</p> <p>Remove and dispose of old playground equipment at 1169 Winburn Drive.</p> <p>Design and install new playgrounds that meet the guidelines set by the National Recreation and Parks Association and inspected by a Certified Playground Safety Inspector.</p>		

	<p><b>Installation:</b></p> <p>Installer is to provide all permits and inspections required for work</p> <p><b>Testing and balancing</b></p> <p>Adjust all equipment to operate as intended by the specifications.</p> <p><b>Submittals:</b></p> <p>Provide operation manuals, maintenance instructions, and warranty to Community Action Council Assistant Director of Child Development.</p> <p><b>Bidders must abide by the Davis-Bacon Act. Payroll records must be submitted to Community Action Council with each payroll to verify that payroll meets Davis-Bacon Requirements. Bidders must also provide proof of liability and workers' compensation insurance. Attention of bidders is particularly called to the requirements as to conditions of employment to be observed and minimum wage rates to be paid under the contract.</b></p>		
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Appendix D

Bidder Information:

Name: \_\_\_\_\_

Address  
: \_\_\_\_\_

City/State/Zip \_\_\_\_\_

Telephone:(\_\_\_\_\_) \_\_\_\_\_

Contact Person: \_\_\_\_\_  
(Name) (Title)

State Price Contract Number (s) (if  
applicable): \_\_\_\_\_

\_\_\_\_\_

**CONTRACTOR'S CERTIFICATION CONCERNING LABOR STANDARDS AND  
PREVAILING WAGE REQUIREMENTS**

DATE: \_\_\_\_\_

PROJECT # : \_\_\_\_\_

PROJECT NAME: \_\_\_\_\_

TO: Community Action Council for Lexington-Fayette, Bourbon,  
Harrison and Nicholas Counties, Inc.  
710 West High Street, P.O. Box 11610, Lexington, KY 40576

1. The undersigned, having executed a contract with Community Action Council for Lexington-Fayette, Bourbon, Harrison and Nicholas Counties, Inc. for the construction of the above identified project, acknowledges that:

- (a) The Labor Standards provisions are included in the aforesaid contract;
- (b) Prevailing wage requirements are followed, including paying the applicable Federal wage rate by labor classification.
- (c) Correction of any infractions of the aforesaid conditions, including infractions by any of his subcontractors and any lower tier subcontractors, is his responsibility.

2. He certifies that:

- (a) Neither he nor any firm, partnership or association in which he has substantial interest is designated as an ineligible contractor by the Comptroller of the United States pursuant to Section 3(a) of the Davis-Bacon Act, as amended (40 U.S. C. 276a-2(a)).
- (b) No part of the aforementioned contract has been or will be subcontracted to any subcontractor if such subcontractor or any firm, corporation, partnership or association in which such subcontractor has a substantial interest is designed as an ineligible contractor pursuant to any of the aforementioned regulatory or statutory provisions.

3. He agrees to obtain and forward to the aforementioned recipient within ten days after the execution of any subcontract, including those executed by his subcontractors and any lower tier subcontractors, a Subcontractor's Certification Concerning Labor Standards and Prevailing Wage Requirements executed by the subcontractors.

4. He certifies that:

- (a) The legal name and the business address of the undersigned are:

LEGAL NAME: \_\_\_\_\_

ADDRESS: \_\_\_\_\_



(b) The undersigned is:

\_\_\_\_\_ A SINGLE PROPRIETORSHIP  
\_\_\_\_\_ A PARTNERSHIP  
\_\_\_\_\_ A CORPORATION ORGANIZED IN THE STATE OF: \_\_\_\_\_  
\_\_\_\_\_ OTHER ORGANIZATION (Describe) \_\_\_\_\_

(c) The name, title and address of the owner, partners, or officers of the undersigned are:

NAME	TITLE	ADDRESS
_____	_____	_____
_____	_____	_____
_____	_____	_____

(d) The names and addresses of all other persons, both natural and corporate, having a substantial interest in the undersigned, and the nature of the interest are (if none, so state)

NAME	ADDRESS	NATURE OF INTENT
_____	_____	_____
_____	_____	_____
_____	_____	_____

(e) The names, addresses and trade classifications of all other building construction contractors in which undersigned has a substantial interest (if none, so state):

NAME	ADDRESS	TRADE CLASSIFICATION
_____	_____	_____
_____	_____	_____
_____	_____	_____

DATE: \_\_\_\_\_

\_\_\_\_\_ CONTRACTOR

BY: \_\_\_\_\_

**CERTIFICATION OF BIDDER REGARDING EQUAL EMPLOYMENT  
OPPORTUNITY**

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**Instructions**

This certification is required pursuant to Executive Order 11246 (30 F.R. 12319-25). The Implementing rules and regulations provide that any bidder or prospective contractor, or any of their proposed subcontractors, shall state as an initial part of the bid or negotiations of the contract whether it has participated in any previous contract or subcontract subject to the equal opportunity clause, and if so, whether it has filed all compliance reports due under applicable instructions.

Where the certification indicates that the bidder has not filed a compliance report due under applicable instructions, such bidder shall be required to submit a compliance report within seven calendar days after bid opening. No contract shall be awarded unless such report is submitted.

For contracts over \$10,000, the Contractor agrees that it does not and will not maintain or provide for its employees any segregated facilities at any of its establishments, and that it does not and will not permit its employees to perform their services at any location under its control where segregated facilities are maintained. "Segregated facilities," as used in this clause, means any waiting rooms, work areas, rest rooms and wash rooms, restaurants and other eating areas, time clocks, locker rooms and other storage or dressing areas, parking lots, drinking fountains, recreation or entertainment areas, transportation, and housing facilities provided for employees, that are segregated by explicit directive or are in fact segregated on the basis of race, color, religion, sex, sexual orientation, gender identity or national origin because of written or oral policies or employee custom. The term does not include separate or single-user rest rooms or necessary dressing or sleeping areas provided to assure privacy between the sexes. The Contractor agrees that a breach of this clause is a violation of the Equal Opportunity clause in this contract. The Contractor shall include this clause in every subcontract and purchase order that is subject to the Equal Opportunity clause of this contract.

*Gender identity* and *Sexual Orientation* have the meanings given by the Department of Labor's Office of Federal Contract Compliance Programs, and are found at [www.dol.gov/ofccp/LGBT/LGBT\\_Faq's.html](http://www.dol.gov/ofccp/LGBT/LGBT_Faq's.html).

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**Certification by Bidder**

Name and Address of Bidder (include zip code):

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**Certification of Bidder Regarding Equal Employment Opportunity**

1. Bidder has participated in a previous contract or subcontract subject to the Equal Opportunity Clause.

\_\_\_\_\_ YES                      \_\_\_\_\_ NO

2. All required compliance reports were filed in connection with such contract or subcontract.

\_\_\_\_\_ YES                      \_\_\_\_\_ NO

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3. Bidder has filed all compliance reports due under applicable instructions, including Monthly Employment Utilization Report (257)

\_\_\_\_\_ YES                      \_\_\_\_\_ NO                      \_\_\_\_\_ NONE REQUIRED

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4. Have you ever been or are you being considered for sanction due to violation of Executive Order 11246, as amended?

\_\_\_\_\_ YES                      \_\_\_\_\_ NO

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5. Bidder certifies that it does not and will not maintain or provide for its employees any segregated facilities at any of its establishments, and that it does not and will not permit its employees to perform their services at any location under its control where segregated facilities are maintained.

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Name and Title of Signer (please type):

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SIGNATURE: \_\_\_\_\_

DATE: \_\_\_\_\_

**CERTIFICATON BY PROPOSED SUBCONTRACTOR REGARDING EQUAL  
EMPLOYMENT OPPORTUNITY**

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Prime Contractor

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Project Number:

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**Instructions**

This certification is required pursuant to Executive Order 11246 (30 F.R. 12319-25). The Implementing rules and regulations provide that any bidder or prospective contractor, or any of their proposed subcontractors, shall state as an initial part of the bid or negotiations of the contract whether it has participated in any previous contract or subcontract subject to the equal opportunity clause, and if so, whether it has filed all compliance reports due under applicable instructions.

Where the certification indicates that the subcontractor has not filed a compliance report due under applicable instructions, such subcontractor shall be required to submit a compliance report before the owner approves the subcontract or permits work to begin under the subcontract.

For subcontracts over \$10,000, the Subcontractor agrees that it does not and will not maintain or provide for its employees any segregated facilities at any of its establishments, and that it does not and will not permit its employees to perform their services at any location under its control where segregated facilities are maintained. "Segregated facilities," as used in this clause, means any waiting rooms, work areas, rest rooms and wash rooms, restaurants and other eating areas, time clocks, locker rooms and other storage or dressing areas, parking lots, drinking fountains, recreation or entertainment areas, transportation, and housing facilities provided for employees, that are segregated by explicit directive or are in fact segregated on the basis of race, color, religion, sex, sexual orientation, gender identity or national origin because of written or oral policies or employee custom. The term does not include separate or single-user rest rooms or necessary dressing or sleeping areas provided to assure privacy between the sexes. The Subcontractor agrees that a breach of this clause is a violation of the Equal Opportunity clause in this contract. The Subcontractor shall include this clause in every subcontract and purchase order that is subject to the Equal Opportunity clause of this contract.

*Gender identity* and *Sexual Orientation* have the meaning given by the Department of Labor's Office of Federal Contract Compliance Programs, and are found at [www.dol.gov/ofccp/LGBT/LGBT\\_Faq's.html](http://www.dol.gov/ofccp/LGBT/LGBT_Faq's.html).

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**Subcontractor's Certification**

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Name and Address of Subcontractor (include zip code)

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1. Subcontractor has participated in a previous contract or subcontract subject to the Equal Opportunity Claus.

\_\_\_\_\_ YES

\_\_\_\_\_ NO

2. All required Compliance reports were filed in connection with such contract or subcontract  
\_\_\_\_\_YES \_\_\_\_\_NO

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3. Subcontractor has filed all compliance reports due under applicable instructions, including Monthly Employment Utilization Report (257)

\_\_\_\_\_YES \_\_\_\_\_NO \_\_\_\_\_NONE REQUIRED

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4. Have you ever been or are you being considered for sanction due to violation of Executive Order 11246, as amended?

\_\_\_\_\_YES \_\_\_\_\_NO

---

5. Bidder certifies that it does not and will not maintain or provide for its employees any segregated facilities at any of its establishments, and that it does not and will not permit its employees to perform their services at any location under its control where segregated facilities are maintained.

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Name and Title of Signer (please type):

  
  

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SIGNATURE: \_\_\_\_\_

DATE: \_\_\_\_\_

General Decision Number: KY180161 01/05/2018 KY161

Superseded General Decision Number: KY20170161

State: Kentucky

Construction Type: Heavy

Counties: Bourbon, Clark, Fayette, Jessamine, Scott and Woodford Counties in Kentucky.

HEAVY CONSTRUCTION PROJECTS (including sewer/water construction).

Note: Under Executive Order (EO) 13658, an hourly minimum wage of \$10.35 for calendar year 2018 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 \$10.35 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 2018. 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](http://www.dol.gov/whd/govcontracts).

Modification Number	Publication Date
0	01/05/2018

ELEC0369-004 09/05/2016

	Rates	Fringes
LINE CONSTRUCTION		
Equipment Operator.....	\$ 32.27	20%+5.46
Groundman.....	\$ 21.29	20%+5.46
Lineman.....	\$ 36.12	20%+5.46

\* ELEC0369-008 05/31/2017

	Rates	Fringes
ELECTRICIAN.....	\$ 31.07	16.60

ENGI0181-016 07/01/2016

	Rates	Fringes
POWER EQUIPMENT OPERATOR		
GROUP 1.....	\$ 31.05	14.65

OPERATING ENGINEER CLASSIFICATIONS

GROUP 1 - Crane; Forklift

Operators on cranes with boom 150 feet and over, including jib, shall receive \$0.75 above Group 1. All cranes with piling leads will receive \$0.50 above Group 1 rate regardless of boom length. Combination rate shall mean \$0.50 per hour above the basic hourly rate of pay.

Employees assigned to work below ground level are to be paid 10% above basic wage rate. This does not apply to open cut work.

-----	Rates	Fringes
ENGI0181-051 07/01/2016		
POWER EQUIPMENT OPERATOR		
GROUP 1.....	\$ 31.05	14.65
GROUP 2.....	\$ 28.28	14.65
GROUP 4.....	\$ 27.97	14.65

OPERATING ENGINEER CLASSIFICATIONS

GROUP 1 - Drill; Pumpcrete; Roller (Bituminous)

GROUP 2 - Bobcat/Skid Steer/Skid Loader; Concrete Pump; Roller (Rock)

GROUP 4 - Pump; Roller (Earth) Operators on cranes with booms 150 feet and over (including jib) shall receive \$1.00 above Group 1 rate; 250 feet and over including jib shall receive \$1.50 above Class 1 rate. Combination Rate: All crane operators operating cranes, where the length of the boom in combination with the length of the piling leads equal or exceeds 150 feet, shall receive \$1.00 above the Group 1 rate.

Employees assigned to work below ground level are to be paid 10% above basic wage rate. This does not apply to open cut work.

-----	Rates	Fringes
IRON0044-005 06/01/2017		
IRONWORKER (STRUCTURAL AND REINFORCING).....	\$ 27.60	20.10

-----	Rates	Fringes
IRON0070-011 06/01/2017		
IRONWORKER, ORNAMENTAL.....	\$ 28.30	21.85

-----	Rates	Fringes
LABO0189-020 07/01/2015		
LABORER		
Concrete Worker.....	\$ 22.30	12.46

-----	Rates	Fringes
LABO0265-014 05/01/2015		
LABORER		
Concrete Saw (Hand Held/Walk Behind).....	\$ 28.89	9.85
Flagger.....	\$ 28.72	9.85

-----	Rates	Fringes
SUKY2011-038 06/25/2014		

CARPENTER (Form Work Only) .....	\$ 24.80	8.76
LABORER: Common or General.....	\$ 22.17	9.64
LABORER: Concrete Finishing.....	\$ 25.75	8.60
LABORER: Pipelayer.....	\$ 19.66	10.85
OPERATOR: Backhoe/Excavator/Trackhoe.....	\$ 22.56	12.10
OPERATOR: Bulldozer.....	\$ 27.90	13.00
OPERATOR: Loader.....	\$ 26.68	13.00
OPERATOR: Mechanic.....	\$ 28.60	11.83
OPERATOR: Oiler.....	\$ 24.34	13.00
OPERATOR: Trencher.....	\$ 26.27	12.37
TRUCK DRIVER: Dump Truck.....	\$ 17.82	3.26

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WELDERS - Receive rate prescribed for craft performing operation to which welding is incidental.  
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Note: Executive Order (EO) 13706, Establishing Paid Sick Leave for Federal Contractors 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, 2017. If this contract is covered by the EO, the contractor must provide employees with 1 hour of paid sick leave for every 30 hours they work, up to 56 hours of paid sick leave each year.

Employees must be permitted to use paid sick leave for their own illness, injury or other health-related needs, including preventive care; to assist a family member (or person who is like family to the employee) who is ill, injured, or has other health-related needs, including preventive care; or for reasons resulting from, or to assist a family member (or person who is like family to the employee) who is a victim of, domestic violence, sexual assault, or stalking. Additional information on contractor requirements and worker protections under the EO is available at [www.dol.gov/whd/govcontracts](http://www.dol.gov/whd/govcontracts).

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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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).

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.

#### Survey Rate Identifiers

Classifications listed under the "SU" identifier indicate that no one rate prevailed for this classification in the survey and the published rate is derived by computing a weighted average rate based on all the rates reported in the survey for that classification. As this weighted average rate includes all rates reported in the survey, it may include both union and non-union rates. Example: SULA2012-007 5/13/2014. SU indicates the rates are survey rates based on a weighted average calculation of rates and are not majority rates. LA indicates the State of Louisiana. 2012 is the year of survey on which these classifications and rates are based. The next number, 007 in the example, is an internal number used in producing the wage determination. 5/13/2014 indicates the survey completion date for the classifications and rates under that identifier.

Survey wage rates are not updated and remain in effect until a new survey is conducted.

#### Union Average Rate Identifiers

Classification(s) listed under the UAVG identifier indicate that no single majority rate prevailed for those classifications; however, 100% of the data reported for the classifications was union data. EXAMPLE: UAVG-OH-0010 08/29/2014. UAVG indicates that the rate is a weighted union average rate. OH indicates the state. The next number, 0010 in the example, is an internal number used in producing the wage determination. 08/29/2014 indicates the survey completion date for the classifications and rates under that identifier.

A UAVG rate will be updated once a year, usually in January of each year, to reflect a weighted average of the current negotiated/CBA rate of the union locals from which the rate is based.

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#### WAGE DETERMINATION APPEALS PROCESS

1.) Has there been an initial decision in the matter? This can be:

- \* an existing published wage determination
- \* a survey underlying a wage determination
- \* a Wage and Hour Division letter setting forth a position on a wage determination matter
- \* a conformance (additional classification and rate) ruling

On survey related matters, initial contact, including requests for summaries of surveys, should be with the Wage and Hour Regional Office for the area in which the survey was conducted because those Regional Offices have responsibility for the Davis-Bacon survey program. If the response from this initial contact is not satisfactory, then the process described in 2.) and 3.) should be followed.

With regard to any other matter not yet ripe for the formal process described here, initial contact should be with the Branch of Construction Wage Determinations. Write to:

Branch of Construction Wage Determinations  
Wage and Hour Division  
U.S. Department of Labor  
200 Constitution Avenue, N.W.  
Washington, DC 20210

2.) If the answer to the question in 1.) is yes, then an interested party (those affected by the action) can request review and reconsideration from the Wage and Hour Administrator (See 29 CFR Part 1.8 and 29 CFR Part 7). Write to:

Wage and Hour Administrator  
U.S. Department of Labor  
200 Constitution Avenue, N.W.  
Washington, DC 20210

The request should be accompanied by a full statement of the interested party's position and by any information (wage payment data, project description, area practice material, etc.) that the requestor considers relevant to the issue.

3.) If the decision of the Administrator is not favorable, an interested party may appeal directly to the Administrative Review Board (formerly the Wage Appeals Board). Write to:

Administrative Review Board  
U.S. Department of Labor  
200 Constitution Avenue, N.W.  
Washington, DC 20210

4.) All decisions by the Administrative Review Board are final.

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END OF GENERAL DECISION