



DWSRF CONTRACT TRAINING

Office of Financial Services,
Washington State Department of Health

Agenda

- Contract Requirements
- **Davis-Bacon Requirements**
- Procuring a Contractor
- Invoicing
- Completion and Closeout
- D.H.A.P. / A.P.E. Map
- Reference Table
- **Questions & Answers**

Contract Requirements Overview

- You have 4 years to complete your project and 18 months to start construction
- Repayment of your loan will start October 1 after contract signing (principal & interest)
- Davis-Bacon Requirements are mandatory
- (A.I.S.) American Iron and Steel is also required on your project and may be inspected
- Must be current in the BETA.SAM.GOV database
- Section 106/SERP must be complete before any ground Disturbance can occur (Submit copy of approval letter)
- Borrowers must maintain a dedicated repayment account for the life of the loan
- Build America, Buy America Act (BABA)

BABA

APPENDIX 1

Example Build America, Buy America (BABA) Act Construction Contract Language ALL CONSTRUCTION CONTRACTS MUST HAVE A CLAUSE REQUIRING COMPLIANCE WITH THE BABA REQUIREMENTS. THIS IS AN EXAMPLE OF WHAT COULD BE INCLUDED IN A PROJECT'S CONSTRUCTION CONTRACT. EPA MAKES NO CLAIMS REGARDING THE LEGALITY OF THIS CLAUSE WITH RESPECT TO STATE OR LOCAL LAW:

The Contractor acknowledges to and for the benefit of the ("Owner") and the (the "Funding Authority") that it understands the goods and services under this Agreement are being funded with federal monies and have statutory requirements commonly known as "Build America, Buy America;" that requires all of the iron and steel, manufactured products, and construction materials used in the project to be produced in the United States ("Build America, Buy America Requirements") including iron and steel, manufactured products, and construction materials provided by the Contactor pursuant to this Agreement. The Contractor hereby represents and warrants to and for the benefit of the Owner and Funding Authority (a) the Contractor has reviewed and understands the Build America, Buy America Requirements, (b) all of the iron and steel, manufactured products, and construction materials used in the project will be and/or have been produced in the United States in a manner that complies with the Build America, Buy America Requirements, unless a waiver of the requirements is approved, and (c) the Contractor will provide any further verified information, certification or assurance of compliance with this paragraph, or information necessary to support a waiver of the Build America, Buy America Requirements, as may be requested by the Owner or the Funding Authority. Notwithstanding any other provision of this Agreement, any failure to comply with this paragraph by the Contractor shall permit the Owner or Funding Authority to recover as damages against the Contractor any loss, expense, or cost (including without limitation attorney's fees) incurred by the Owner or Funding Authority resulting from any such failure (including without limitation any impairment or loss of funding, whether in whole or in part, from the Funding Authority or any damages owed to the Funding Authority by the Owner). If the Contractor has no direct contractual privity with the Funding Authority, as a lender or awardee to the Owner for the funding of its project, the Owner and the Contractor agree that the Funding Authority is a third-party beneficiary and neither this paragraph (nor any other provision of this Agreement necessary to give this paragraph force or effect) shall be amended or waived without the prior written consent of the Funding Authority.

Davis-Bacon Requirements

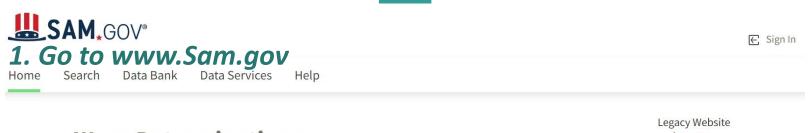
Roles and Responsibilities: Wage Determinations (WD's)

Find the correct WD and include in Bid order	Use WD in bid specs to develop bid proposal	Confirm that the correct WD is included in Bid
Submit the WD to SRF Project Manager for approval (private entities)	Initiate the conformance process for missing WD (if necessary)	Approve WD for Private entities.
Monitor <u>www.beta.sam.gov</u> during bid period for changes	Require all subcontractors to follow WD included in the prime contract	Provide EPA Davis-Bacon contract language to recipients to include in bids
Award the contract within 90 days of bid opening to "lock in" the WD	Include EPA Davis-Bacon contract language in all sub-contracts	
Include EPA Davis-Bacon contract language in contracts and bid specs	Check <u>www.beta.sam.gov</u> to ensure subs are not excluded form federal contracts	
Check <u>www.bea.sam.gov</u> to ensure winning bidder is not excluded from federal contracts		

Davis-Bacon Wage Decisions

- You must insert the applicable federal wage decision in your bid specs
- Which Wage Determination Schedule is the "Right one?"
 - Building Other enclosed structures
 - Highway Almost anything paved
 - Heavy Everything Else (typical DWSRF projects)
- Additional guidance on BETA.SAM.gov. Your DOH project manager can assist you in obtaining your wage decision. For nonmunicipalities, your DOH project manager must pull your wage decision

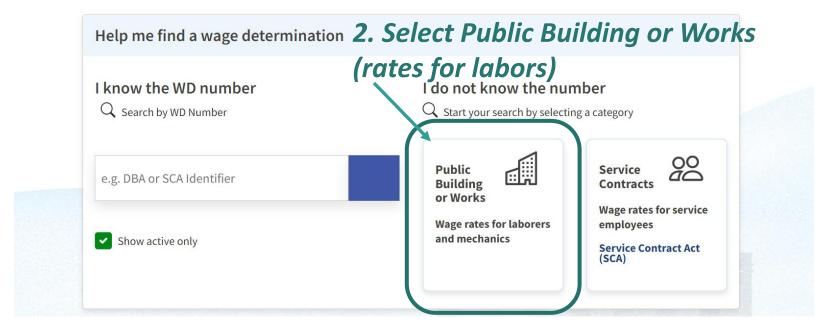
Finding A Wage Determination



Wage Determinations



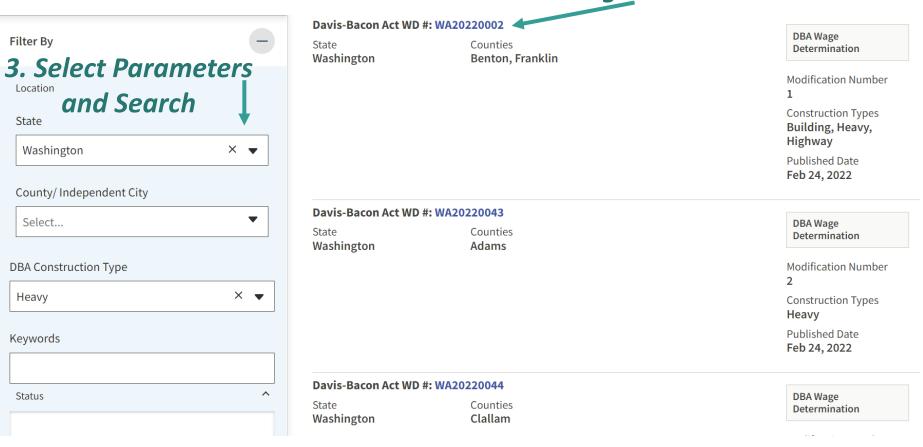
A wage determination (WD) is a set of wages, fringe benefits, and work rules that the U.S. Department of Labor has ruled to be prevailing for a given labor category in a given locality.



Finding A Wage Determination

Continued...

4. Click on the Wage Determination



Finding A Wage Determination

Continued...

5. Then you will get a form that looks like this.

Modification Number	Publication Date
0	01/07/2022
1	02/18/2022
2	02/25/2022

CARP0030-001 06/01/2020

	Rates	Fringes
CARPENTER	\$ 46.92	18.02

(HOURLY ZONE PAY: WESTERN AND CENTRAL WASHINGTON - ALL CLASSIFICATIONS EXCEPT MILLWRIGHTS AND PILEDRIVERS

Hourly Zone Pay shall be paid on jobs located outside of the free zone computed from the city center of the following listed cities:

Seattle	Olympia	Bellingham
Auburn	Bremerton	Anacortes
Renton	Shelton	Yakima
Aberdeen-Hoquiam	Tacoma	Wenatchee
Ellensburg	Everett	Port Angeles
Centralia	Mount Vernon	Sunnvside

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Zone Pay:
0 -25 radius miles
                      Free
26-35 radius miles
                    $1.00/hour
36-45 radius miles
                    $1.15/hour
                    $1.35/hour
46-55 radius miles
Over 55 radius miles $1.55/hour
 (HOURLY ZONE PAY: WESTERN AND CENTRAL WASHINGTON - MILLWRIGHT
 AND PILEDRIVER ONLY)
 Hourly Zone Pay shall be computed from Seattle Union Hall,
 Tacoma City center, and Everett City center
Zone Pay:
0 -25 radius miles
                      Free
26-45 radius miles
                       $ .70/hour
Over 45 radius miles $1.50/hour
ELEC0046-006 01/01/2022
                                 Rates
                                               Fringes
ELECTRICIAN.....$ 64.31
                                                  26.28
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U.S. Department of Labor Payroll Form

Page 1

	U.S. Department of Labor Wage and Hour Division		(For Contract	7			e Instru		at www.d				0.150 (0.15)	U.S.	Wage and Hos Rev. Dec.	
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	PAYROLL NO.		FOR WEEK ENDIN	10				PROJE	T AND LOCAT	1081			PROJECT	OR CONTRAC	T NO.	- 2
	(1)	(2)	(3)	15	(4) D	AY AND DAT	E	(5)	(6)	(7)			(8) DEDUCTIONS			(2)
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While completion of Form WH-347 is optional, it is mandatory for covered contractors and subcontractors performing work on Federally financed or assisted construction contracts to respond to the information collection contractors and subcontractors performing work on Federally financed or assisted construction contracts to "burnter with respect to the ways paid each employee during the preceding week". U.S. Department of Lation (DOL), regulations at 20 C.F.R. § 5.5(a)(3)(ii) require contractors to submit weekly a copy of all payorills to the Federal agency contracting for of financing the construction project, accompanied by a signed "Statement of Compliance" in the project payorills are correct and complete and that each before or mechanic has been paid not less than the proper Davis-Bacon prevailing wage rate for the work performance. DOL and Search contracting agencies receiving this information review the information to determine the proper Davis-Bacon prevailing wage rate for the work performance.

U.S. Department of Labor Payroll Form

Page 2

Date			(b) WHER E FRINGE BENEFITS ARE PAI	D IN CASH
I, (Nam do hereby state:	e of Signatory Party)	(Title)	as indicated on the payı basic hourly wage rate p	ic listed in the above referenced payroll has been paid, roll, an amount not less than the sum of the applicable lus the amount of the required fringe benefits as listed s noted in section 4(c) below.
(1) That I pay o	or supervise the payment of the persons employed	i by	(c) EXCEPTIONS	
	(Contractor or subcontractor)		EXCEPTION (CRAFT)	EXPLANATION
		g the payroll period commencing on the		
*	lding or Work)			
day of	and ending the	day of		
	d on said project have been paid the full weekly the either directly or indirectly to or on behalf of sai			
	(Contractor or Subcontractor)	f r o m the full		
the fullwages earne	ed by any person and that no deductions have be d by any person, other than permissible deduction A), issued by the Secretary of Labor under the (at 967; 76 Stat. 357; 40 U.S.C. § 3145), and des	ins as defined in Regulations Part		
			REMARKS:	
complete; that the w rates contained in a for each laborer or m	Is otherwise under this contract required to be sul age rates for laborers or mechanics contained th ny wage determination incorporated into the contr lechanic conform with the work he performed.	erein are not less than the applicable wage act; that the classifications set forth therein	eed a wet signo	ature. or
program registered v Training, United Sta	ntices employed in the above period are duly regi with a State apprenticeship agency recognized by tes Department of Labor, or if no such recognizer pprenticeship and Training, United States Depar	the Bureau of Apprenticeship and		d electronic signature
	RE FRINGE BENEFITS ARE PAID TO APPROVE		NAMEANOTITLE	SIGNATURE
D	in addition to the basic hourly wage rates paid	to each laborer or mechanic listed in		
	the above referenced payroll, payments of fi have been or will be made to appropriate pro- except as noted in section 4(c) below.	inge bene fits as listed in t he contract	THE WILLFUL FALSHICATION OF ANY OF THE ABOV SUBCONT RACTOR TO CIVIL OR CRIMINAL PROSECUTI 31 OF THE UNITED STATES CODE.	E STATEMENTS MAY SOBJECT THE CONTRACTOR OR ON, SEE SECTION 1001 OF TITLE 18 AND SECTION 231 OF TITLE

What if a Classification is not on my determination?

- Generally, try to use the existing classifications
 - Can an existing classification perform the work?
- Additional wage rate classifications can be requested from DOL.
 Requested rates may take 60 days or more
 - Use Form Standard Form 1444
- Try to get agreement on the wage determination before hand.
 - Contractor
 - Laborer
- "Reasonable" compared to other wage rates already in the determination

Contractor Requirements

- Pay workers at least the prevailing wage (highest rate of state and federal)
- Pay weekly
- Post wages on job site
- Post information posters on job site
- Provide certified payrolls to you (WHD-347)
- **Document Fringe Benefits**

Monitor for Labor Standards Requirements

- **Review Certified Payrolls**
 - Weekly Submission (including Subcontractors)
 - Contractor responsible for review of subs payrolls
 - Fringe Benefits/Zone Pay
 - Verify apprentices
- Conduct onsite review
 - Davis Bacon Poster
 - Federal Wage Decision
 - A.I.S. Site Visit

Monitor for Labor Standards Requirements Continued...

- Conduct Employee Interviews:
 - One per contractor per trade
 - Use Interview form
- Submit 21-day Labor Package to DOH for Approval, this package includes the following:
 - Statement of Intent
 - First 2 weeks of Certified Payroll
 - Employee Interviews

Procuring A Contractor For Professional Services

- For Professional Services, Municipalities who participate with MSRC (Loans under \$350,000) may use the Consultant Roster found on their website
- All others must follow a competitive process by advertising a Request for Professional Services in a newspaper of general circulation
- Borrowers must have a documented process for reviewing proposals and statements
- Check SAM.GOV for federal exclusion and print out your finding to keep in your records

Procuring Contractor for Construction

- **Bidding Your Project**
 - Federal wage decisions must be placed in your bid specs
 - DOH must review your bid specs (front end specs) to assure all federal requirements are included
 - DOH must approve your bid advertisement before publishing in the newspaper
 - Ad must run once a week for two weeks with there being 14 days between last publication and bid opening
 - Check with DOH ten days prior to your bid opening for modifications to the wage decision (10-day wage check)
 - Contact DOH when less than two bids are received

Procuring a Contractor for Construction Continued...

- After your Bid Opening
 - Check SAM.GOV for federal exclusion on Contractor selected and any Sub-Contractors performing work on this project. Print out your findings and submit them with your Notice to Proceed
 - Conduct a pre-construction conference and retain minutes of this conference in your files (Send copy of minutes to DOH)
 - Issue a Notice To Proceed (18 months) on the form provided and send a copy to your DOH project manager with an affidavit of bid solicitation and advertisement

Submitting an A-19 Invoice Voucher

- Use the A19 provided
- Project Status Report must be submitted with each invoice
- Copies of invoices supporting the request must be included
- A Summary Sheet of invoices <u>is required</u> for the review process
- Must be current in Beta.SAM.GOV
- Must have an active account with State Treasurer
- **Construction Draw Requests**
 - Environmental process must be complete
 - Approval of construction documents from DOH engineer
 - Must issue a Notice To Proceed to construction within 18 months of contract execution
 - 21-day Labor package must be submitted and approved by your project manager
 - Labor Standards Certification must be included

A-19 Invoice Voucher

Form	St	ate of Washington		1				AGENCY U	SE ONLY	
A19-1A (Rev.5/91	II.	VOICE VOUCHER				AGENC	Y NO.	Location	n Code	P.O. OR AUTH.NO.
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	AGENCY NAME]					P. CLAIMAN	
	IGTON STATE DEPARTM								r materials, i letail for eac	merchandise sh item.
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				l				(SIGN IN INK)	
				l				(TITLE)		(DATE)
Federal ID No. or Social Security 27-3506839	No. (For Reporting Personal Service	s Contract Payments to I.R.S	9			Received 8	Ву		Date F	Received
Date	DESCRIPT	TION		Budg	jet	Previou: Reques		Amount o	fthis Awar	d Remaining
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		Tota	als			0	0.0	0	0.00	0.00
Prepared by	Telephone Num	ber	Date		^	gency Appro	ral		Dat	•
Doc. Date	Past Due Date Cu	rrent Doc Ref. Do	oc No.	Ven	dor Number	,	Ves	dor Message	Use Tax	UBI Number
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Accounting Approval for	Payment				Date			Warrant To	tal lave	oice No

DWSRF Progress Report Form



DWSRF Project Status Report

DOH Agreement No.:	
Loan Recipient:	
Project Title:	
Contract Manager:	
Contract Manager's Email Address:	
Reporting Period:	
Approx. project completion %:	%
Scheduled completion date:	
Draw/ Progress report No.:	
Please describe the progress you have	e made on your projects scope of work.
Identify below, and attach copies of,	any relevant deliverables being submitted for this reporting period
Identify below, and attach copies of, (e.g., reports, permits, meeting minu	
(e.g., reports, permits, meeting minu	
(e.g., reports, permits, meeting minu	tes, etc.)
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Project Completion

- Submit the Construction Completion Report to your DOH Engineer; send copy to DOH project manager
- Submit project completion request by email to your contract manger.
- DOH Project Manager will:
 - Provide a Project Completion Amendment for signature if needed.
 - Process your final A19 request

Project Completion Report



In accordance with WAC 246-290-120 (5), a Construction Completion Report is required for all approved construction projects. Operators must submit a Construction Completion Report to us within sixty (60) days of completion and before use of any water system facility. This includes any source, water quality treatment, storage tanks, booster pump facilities, and distribution projects.

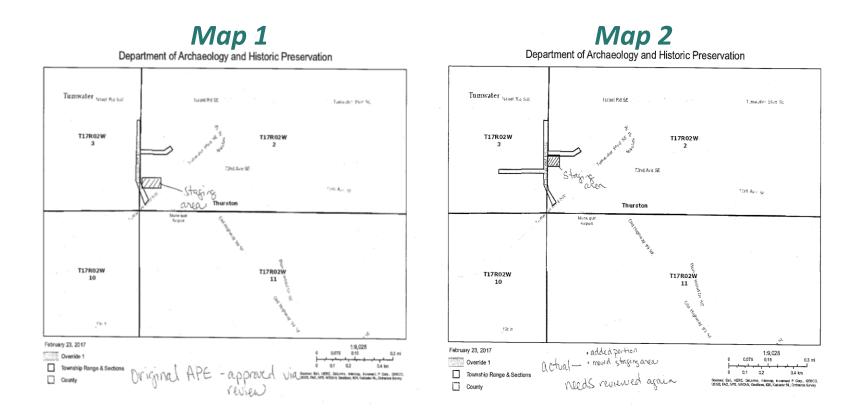
		DOH System ID No	D.:
Name of Water System			
Name of Purveyor (Owner or System Contact)		DOH Project No.:	(if applicable)
		Date Construction I	Occuments
Mailing Address		Approved by DOH	(IC 11 11)
City State	Zip		(If applicable)
PROJECT NAME AND DESCRI	PTIVE TITLE:		
CHECK ONE: Entire Project Cor	npleted. Description	on of Portions Complete	ed.
PROFESSIONAL ENGINEER'S	ACKNOWLEDGMEN	T (Complete items below-A	ttach additional sheets as needed)
substantially completed in accordance v Department of Health. In the opinion of and disinfection practices were carried	f the undersigned engineer, t out in accordance with state	he installation, physical regulations and princip	testing procedures, water quality tests, les of standard engineering practice.
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The operator must attach a completed Water Facilities Inventory (WFI) form in accordance with WAC 246-290-120(6), if applicable. Contact your regional office for WFI forms or additional Construction Completion Report forms.

Please type or print legibly in ink:

Department of Archeology and Historic Preservation (DAHP) Map

Map 1 is project as approved; Map 2 is actual completed construction.



SAM.GOV



You have reached SAM.gov, an official website of the U.S. government. There is no cost to use this site.

The unique entity identifier used in SAM.gov has changed.

On April 4, 2022, the unique entity identifier used across the federal government changed from the DUNS Number to the Unique Entity ID (generated by SAM.gov).

- The Unique Entity ID is a 12-character alphanumeric ID assigned to an entity by SAM.gov.
- As part of this transition, the DUNS Number has been removed. from SAM.gov.
- · Entity registration, searching, and data entry in SAM.gov now require use of the new Unique Entity ID.
- . Existing registered entities can find their Unique Entity ID by following the steps here.
- · New entities can get their Unique Entity ID at SAM.gov and, if required, complete an entity registration.

(?) I manage an entity. What do I need to do?

For more information about this transition, visit SAM.gov or the Federal Service Desk, FSD.gov. You can search for help at FSD any time or request help from an FSD agent Monday-Friday 8 a.m. to 8 p.m. ET.

Do not show this message again

Quick References for DWSRF Loans

Federal Wage Decision <u>wwwbeta.sam.gov</u>

Washington State Labor & Industries Prevailing Wage <u>www.ini.wa.gov</u>

Office of Minority and Women's Businesses <u>www.omwbe.wa.gov</u>

Municipal Research and Services Center (MSRC) <u>www.msrc.org</u>

Washington Small Business Development <u>www.wsbdc.org</u>

Washington Society of CPA's www.wscpa.org

Washington State DOH/ODW <u>www.doh.wa.gov/eph/dw</u>

Federal Excluded Parties List www.SAM.gov

QUESTIONS? PLEASE CONTACT YOUR DWSRF CONTRACT MANAGER





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To request this document in another format, call 1-800-525-0127. Deaf or hard of hearing customers, please call 711 (Washington Relay) or email civil.rights@doh.wa.gov.