

Memorandum

To: Representative Helen Head

From: Annie Noonan, VDOL Commissioner

Re: Prevailing Wage reporting requirements

Date: 2-25-14

I apologize for not being available this morning as you continued your review of the Prevailing Wage proposal.

It is correct that neither VDOL nor BGS are seeking to change the statute or protocols to require a contractor to file the Davis Bacon paperwork under a State Capital Construction project, but simply to use the Davis Bacon Wage Rate sheet.

In some cases, states have adopted their own reporting requirements for state contracts, but they do not have to follow federal reporting requirements when using state funds that fall are under their own prevailing wage statutes. In Rhode Island, for example, they follow the Davis-Bacon wage determinations and they simply reference: "prevailing wage rate determinations as have been made by the secretary of labor of the United States of America in accordance with the Davis-Bacon Act, as amended, [40 U.S.C. § 276a](#)." (This is the "wage rate requirements" section of the Davis-Bacon Act). I would suggest that we adopt this same language