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Recommended Citation

MTAS, "Technical Bulletins: Davis-Bacon Requirements for Revenue Sharing Projects" (1974). *MTAS Publications: Technical Bulletins*.
https://trace.tennessee.edu/utk_mtastech/144

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technical bulletin

Municipal Technical Advisory Service
Institute for Public Service, The University of Tennessee
In cooperation with the Tennessee Municipal League

April, 1974

DAVIS-BACON REQUIREMENTS FOR REVENUE SHARING PROJECTS

In the spending of revenue sharing monies by local government, it is the responsibility of city officials to insure that revenue sharing funds, in excess of 25% of the total project cost spent for contractual work, meet the requirements of the Davis-Bacon Act. This requirement means that if Davis-Bacon applies, total project costs must include prevailing wages for the construction employees. This bulletin is an update of the July 3, 1973, "Revenue Sharing: Wage Requirements" by MTAS, providing cities with the current wage determinations for street construction work statewide as published in the Federal Register. The prevailing wages for street and highway construction in Tennessee given below should hold for the rest of 1974.

U.S. DEPARTMENT OF LABOR--STATE: TENNESSEE

DESCRIPTION OF WORK	BASIC HOURLY RATES	DESCRIPTION OF WORK	BASIC HOURLY RATES
<u>HIGHWAY CONSTRUCTION:</u>		<u>OPERATING ENGINEERS:</u>	
Bricklayers	\$5.51	Dragline op., shovel op., crane op., end loader 5 yds. & over, pile driver op., motor patrol finish, mechanic (class I)	\$4.65
Carpenters	4.65	Backhoe operator, concrete paver op.	4.53
Cement masonry	4.63	End loader under 5 yds., mechanic (class II), motor patrol (rough), central mixing (asphalt or concrete), concrete finishing machine, soil cement machine, asphalt paver	4.02
Ironworkers, reinforcing	4.39	Bulldozer or push dozer op., scraper op., trenching machines, tractor (boom and hoist)	4.14
Ironworkers, structural	4.91	Roller (high type)	4.06
Painter or sand blaster	4.23	Spreader (self-propelled)	3.83
Laborers:		Distributor (bituminous)	3.72
Laborers, unskilled	2.75	Roller, other than finish, dozer or loader--stock pile only	3.57
Air tool operator	3.05	Tractor, crawler, utility	3.79
Mortar mixer, chain saw, pipelayer, concrete rubber	2.98	Concrete mixer, less than 1 yd., earthdrill	3.33
Concrete saw op., guard rail erect- or, sign erector	3.14	Mulcher or seeder, scale op., motor crane driver & oiler	3.24
Firemen	3.05	Tractor, farm	3.01
Asphalt raker	3.28	Curb machine	3.12
Concrete edger	3.13	Ditch paver, mechanic helpers	3.02
Powderman	3.66	Pump operator, welder helper	2.93
Form setter, steel road	3.21	Track drill operator	3.19
Nozzelman or gunman (gunite)	4.63	Oiler	3.12
Flagman	2.75		
Fence Erector	3.14		
<u>TRUCK DRIVERS:</u>			
2 axles	3.06		
3 axles	3.11		
4 axles	3.34		
5 axles or more or heavy off the road trucks or haulers	3.64		

For non-highway construction projects, a wage determination request must be made thirty days before advertising for bids. This request is made on Department of Labor standard form 308. This form can be obtained, as well as the wage determination request, from James E. Patching, Regional Administrator, Employment Standards Administration, U. S. Department of Labor, 1371 Peachtree St., N.E., Room 331, Atlanta, GA 30309. Further information by phone can be obtained from Gerald M. Parks at 404/526-5801.

Several points should be mentioned in relation to applications of the Davis-Bacon Act to Revenue Sharing Funds:

- Projects costing less than \$2,000 are not subject to Davis-Bacon Act provisions.
- If Davis-Bacon is applicable, the announcement of the project and the invitation for bids should make clear that prevailing wages are required.
- The government receiving revenue sharing funds is responsible for insuring that the contractor is indeed paying wages to the employees required by the Davis-Bacon Act.
- Only employees of a private contractor are covered by Davis-Bacon; does not apply to local government employees utilized in the construction project.
- Land acquisition costs should not be considered when computing the cost of a construction project for purposes of determining the twenty-five per cent revenue sharing threshold. Any work done to land, trees, or existing structures, including engineering fees, would be included as part of the total cost of the construction project for revenue sharing purposes.
- If revenue sharing funds are being used to retire debt, the recipient government must be sure that the expenditure of the debt does not violate, where applicable, the provisions of the Davis-Bacon Act.
- Cities with legal questions concerning the Davis-Bacon Act should contact:

Mr. George Rivers, Counsel for Contract Wage Standards
Solicitor's Office, Room 4331, U.S. Department of Labor
14th and Constitution Avenue, N.W.
Washington, D. C. 20510

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