



**ADDENDUM # 4**  
**BID # FY 2014-2015-018**  
**40<sup>TH</sup> YEAR COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PUBLIC WORKS IMPROVEMENTS**  
**PROJECT**

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BELOW PLEASE FIND CLARIFICATION TO BROWARD COUNTY REQUIREMENTS AND CHANGE IN BID RESPONSE DUE DATE.

**CHANGE FROM SUBMITTAL DUE DATE:**

**RESPONSES ARE DUE: OCTOBER 16, 2015 BY NO LATER THAN 11:00 A.M.**

**CHANGE TO SUBMITTAL DUE DATE:**

**RESPONSES ARE DUE: OCTOBER 21, 2015 BY NO LATER THAN 11:00 A.M.**

**BROWARD COUNTY CLARIFICATION REQUIREMENTS:**

Davis-Bacon is a Federal Act requires that all laborers and mechanics that are employed by a contractor or sub-contractor on construction work in excess of \$2,000 and financed in whole or in part with CDBG funds must be paid **prevailing wages** that have been determined by the Department of Labor as prevailing for the corresponding classes of laborers and mechanics. Construction includes alterations, repairs, painting and decorating of public buildings or public works projects.

Projects subject to Davis-Bacon must go through a competitive open bid process in order to hire a contractor.

It is important that the actual wage determination(s) be physically included in the bid specifications/contracts as contractors need to see the minimum wages they will be required to pay while they develop their cost estimates.

The wage determination for federally funded projects must be issued from Broward County Housing Finance and Community Development Division. It is encouraged that you review the wage determinations and raise any questions you may have, because after bid opening wage determinations will not be modified for that particular project unless there was an error on the part of Community Development Division

There are four General types of construction for the purpose of making prevailing wage determinations:

**Building Construction;** includes the construction, rehab and repair of sheltered enclosures with walk-in access for the purpose of housing persons, machinery, equipment or supplies.

**Residential Construction:** Includes the construction, rehab, and repair of single family houses, townhouses, and apartment buildings of no more than four stories in height.

**Highway Construction:** includes the construction, alteration, or repair of roads streets, highways, runways, parking areas and most other paving work not incidental to building or heavy construction.

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**Heavy Construction:** Is a “catch all” category which includes those projects which cannot be classified as Building, Residential or Highway. Heavy construction is often further distinguished on the basis of characteristics of particular projects, such as dredging, water and sewer lines, dams, major bridges and flood control projects.

**Boiler Plate Forms:** Per page 3 of the boiler plate, you MUST submit with your bid page 12 and either page 15 or 16. Failure to include these will make your bid non-responsive therefore you will lose the bid.

Along with Davis-Bacon there are related Acts or Clauses.

**Copeland Anti-Kickback Act:** Provides that each contractor or sub-grantee shall be prohibited from inducing by any means, any person employed in the construction, completion, or repair of public work, to give up any part of the compensation to which he is otherwise entitled. In other words, the workers are not to give back any part of their pay back to the contractors to work.

**Contract Work Hours and safety Standards Act:** Provides for work in excess of the standard 40 hour work week shall be entitled to overtime at 1 ½ times the basic rate.

**Proper Designation of Trade:** You must select a work classification from the wage decision provided for the actual type of work being performed. For example if an employee is doing carpentry work, they must be paid carpenter wages even if they are not fully trained as a carpenter. The only people who can be paid less than the rate for their craft are apprentices and trainees who are registered in approved programs. If there are employees performing work in more than one classification you have to provide accurate time records showing the time spent in each classification and the worker must be paid accordingly. If accurate records are not kept then they must be paid the highest wage of all the classifications of work being performed by this individual.

**Nondiscrimination clause:** No person in the United States shall on the ground of race, color, national origin or sex be excluded from participation in or be denied the benefits or be subject to discrimination under any program or activity funded in whole or in part with funds available under this title.

**Age discrimination Act:** NO qualified person shall on the basis of age be excluded from participation in or be denied the benefits of, or otherwise be subjected to discrimination under any program or activity which receives or benefits from federal financial assistance.

**Non-discrimination on the Basis of Handicap:** No qualified handicapped person shall, on the basis of handicap be excluded from participation in or be denied the benefits of, or otherwise be subjected to discrimination under any program or activity which receives or benefits from federal financial assistance.

**Legal Remedies Provision:** Contracts shall contain provisions or conditions which allow for administrative, contractual or legal remedies in instances where contractors violate or breach contract terms, and provide for such sanctions and penalties as may be appropriate. In other words, we can recommend debarment from federal, state, and local city work for the violating contractor.

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**Book Davis Bacon Labor Standards A Contractors Guide:** Is a step by step guide to the laws, regulations, and paperwork and contractor responsibilities for federally assisted construction projects. The book is issued to the awarded contractor at the Pre-construction meeting.

**Payrolls:** Should be supplied weekly from the general contractor and all subcontractors. Payrolls should start the week that the Notice to Proceed is issued. Although no work would have been performed by that time the payroll will simply state 'NO WORK' and will start as #1.

**Statement of Compliance:** Must be attached to each weekly payroll from the general contractor and all subcontractors. The name, title and signature in original ink for each week submitted. The prime contractor is responsible for making sure all the subs comply.

**Base Wage and Fringe Benefits:** for most work classifications the wage consists of a base wage and fringe benefits. Fringe benefits can include health insurance premiums paid by the employer, retirement contributions, life insurance, vacation and other paid leave, as well as some contributions to training funds. Fringe benefits do not include employer payments or contributions required by other Federal, State or local laws, such as the employer's contribution to Social Security or some disability insurance payments. The total hourly wage rate paid must not be less than the basic wage plus fringes if they apply to that particular classification.

**Payroll Errors:** Typical payroll errors are some of the following;

Employees name, address and social security # missing  
# of exemptions  
Rate of pay incorrect  
Work Classification  
Math errors (rate of pay X # of hours)  
Overtime pay (base rate + ½ X # hours)  
Total hours for the week  
Net wages paid for the week

**Apprentices:** - Must have appropriate documentation indicating that they are in training and once out of training, their salary must be brought up to at least the minimum stated on the wage decision of the job they are performing

**Postings:** The following must be posted visibly for the workers and any interested party.

**Job Safety & Health Protection** - OSHA safety requirements poster

**Notice to all Employees working on federal financed projects** – Informs employees of their right to be paid not less than the rate supplied in the wage decision provided for the particular project and their specific job.

**Wage Decision in the bid package** – The decision must be posted along with the other two documents

**Employee Interviews:** Site visits will be done to confidentially speak with workers regarding their labor relations. Notice is not required to be given the general contractor prior to our arrival as a result we shall have unlimited access to the project site to inspect for the required posted information. If the workers are non-English speaking, please have a person on site to act as translator to translate from English to their language. The original records of employee

interviews will be retained by Broward County with copies to be forwarded to the project manager of the respective City.

**Project sign (last page of the Boiler Plate):** Contractor must erect a public sign at the project site as designed on the last page of the Federal Grant Boiler Plate.

**HUD Boiler Plate:** Read through the Boiler Plate carefully, complete all pages even if not applicable, sign and date then where applicable. Incomplete paperwork will make the bid non-responsive even though you may be the lowest bidder. Non-responsive means they cannot accept the bid. If you are unclear of the contents of a page please call.

**Section 3:** HUD encourages wherever possible if an opportunity for training or employment arises that the position(s) be given to low and very low income people within the metropolitan area, where feasible priority should be given low and very low income persons within the service area of the project or neighborhood in which project is located. Or if there is an opportunity to provide a business an economic opportunity within the metropolitan area, that business should be given priority especially when the project is funded with CDBG dollars. If there is a job that becomes available at any time during the project please contact Workforce One, 2610 W. Oakland Park Blvd., (954)677-5627. Should a "walk-up" needing a job, notify Workforce One to determine their eligibility.

**PLEASE NOTE RECEIPT OF ADDENDUM #4 BY SIGNING BELOW AND INCLUDE WITH YOUR FIRM'S SUBMISSION.  
I ACKNOWLEDGE RECEIPT OF ADDENDUM #4:**

Company	
Name	
Title	
Signature	
Date	

Sincerely,



Andrea Lues, Director, Procurement Department