



Expires – When LPP is issued

Revisions (in italics) to Chapter 12 of the Local Assistance Procedures Manual (LAPM)

A. SECTION 12.9 OF THE LAPM IS REVISED TO READ:

FEDERAL WAGE RATES

The payment of predetermined minimum wages on federal-aid contracts is derived from the Davis-Bacon Act of 1931 and is prescribed by 23 USC 113. The applicable wage rates must be *physically* inserted in the special provisions *of the final contract* on all federal-aid highway construction projects exceeding \$2,000 and all related subcontracts, except for projects located on roadways classified as local roads or rural minor collectors, which are exempted. *Note: Federal wage rates are applicable to all Recovery Act (ARRA) funded projects even if they are located on local roads or rural minor collectors.*

The federal minimum wage rates are available directly from Department of Labor Home Page under www.gpo.gov/davisbacon. Click on “Browse All Determinations By State” then click on “California”. For local agencies in California to be in conformance with the federal “10-day rule,” local agencies are to access the “Federal Wage Rates” ten days prior to bid opening to see if updated federal wage rates have been posted. If updated wage rates have been posted, local agencies are required to issue an addendum and to insert the updated wage rates in their *final contract package*.

Federal wages rates are not required to be physically included in the contract advertising package provided they are referenced to an Internet Website address where they can be found. However, it must be emphasized that if a Internet website address is used in the advertising package, the final contract package signed by the local agency and the contractor must physically contain the federal wage rates as revised by addendums, if any addendums were issued.

Local agencies that do not have Internet access, please contact your District Local Assistance Engineer to receive federal wage rates.

B. EXHIBIT 12-D, PS&E CHECKLIST SUBPARAGRAPH “H.” UNDER “XII. REQUIRED FEDERAL CONTRACT PROVISIONS” IS REVISED TO READ:

H. Federal Wage Rates (Check appropriate box and indicate page number if Federal Wages Rates are included)

Page No. _____

- Federal Wages Rates are physically incorporated into this contract advertising package.
Note: By checking the above box, the local agency is indicating that they are aware of the Federal-aid “10-day rule” requirement.
- Federal Wages Rates are not physically incorporated in the contract advertising package but are referenced to an Internet Website address on page number _____ of the Special Provisions where the applicable Federal Wage Rates can be found. Revisions to the applicable Federal Wage Rates, up to 10 days before bid opening, shall be identified by the issuance of an addendum with the corresponding Internet Website address of where the revisions can be found. The final contract documents signed by the local agency and the contractor, will physically include the Federal Wage Rates, or the Federal Wage Rates as revised by addendums, if any such addendums have been issued.*



- This project is not located on a Federal-aid Route. Federal Wage Rates are not required. (*Note: Federal wage rates are applicable to all Recovery Act (ARRA) funded projects even if they are located on local roads or rural minor collectors.*)

C. EXHIBIT 12-E, PS&E CHECKLIST INSTRUCTIONS (PARAGRAPH “H. FEDERAL WAGE RATES” UNDER SECTION “XII. REQUIRED FEDERAL CONTRACT PROVISIONS”) IS AMENDED TO READ:

H. FEDERAL WAGE RATES

If payment of federal predetermined wages are required per instructions in *Subparagraph B.2.a.* “Section IV. Payment of Predetermined Wages,” they shall be physically incorporated into the *final contract documents* and in all related subcontracts *signed by the local agency and the contractor.*

Check appropriate box (i.e. Federal Wages Rates are included *in the contract advertising package, referenced by Internet Website address,* or not required) and indicate page number if *applicable.*

It must be emphasized that if the Internet Website address is used in the advertising package, the final contract package upon being signed by the local agency and the contractor, must physically contain the Federal Wage Rates or the Federal Wage Rates as revised by addendums, if any addendums were issued.

By checking the box, the local agency is indicating that they are aware of the federal-aid “10-day rule” for federal wage rates. See section 12.9 Required Federal Contract Provisions – Federal Wage Rates for local agency requirements under the “10-day rule.”