

Frequently Asked Questions

Question:

Once construction has begun, are the workers' wage rates affected when the wage determination for the area in which the project is located is changed?

Answer:

As a general rule, the wage determination incorporated into a bid solicitation and related contract award establishes the minimum wage rates and fringe benefits which must be paid for the entire term of the contract.

Where the proper wage determination is incorporated into a contract prior to award of the contract, wage determination modifications issued after bid opening are not applicable to the contract -- except in the case of a general wage determination in a contract that has not been awarded within 90 days after the bid opening and an extension of the 90-day limit has not been granted.

Question:

What wage rates must be paid to supervisory employees (foremen, superintendents, etc.) employed on a covered project?

Answer:

The wage rates for bona fide supervisory employees are not regulated under the Davis-Bacon and related Acts because their duties are primarily administrative or executive in nature rather than those of laborers or mechanics. However, such employees who devote more than 20 percent of their time during a workweek to mechanic or laborer duties are laborers and mechanics for the time so spent, and must be paid at least the appropriate wage rates specified in the wage determination.

Employees who are bona fide executive, administrative, or professional employees as defined under the [Fair Labor Standards Act at 29 CFR Part 541](#) are not covered by the Davis-Bacon Act.

Question:

As the contracting officer/Federal agency representative, what is my obligation when the wage determination(s) applicable to a construction project contains multiple wage schedules (for different counties and/or types of construction)?

Answer:

It is the responsibility of the contracting officer/Federal agency representative to advise contractors which schedule of prevailing wages shall be applied to the various construction items in the bid

specifications. Because of the complexities in the application of multiple schedules, the contracting officer should consult with the Wage and Hour Division to resolve any questions.

Question:

Where can I locate federal contracting DBA wage determinations and guidance?

Answer:

<http://www.wdol.gov/>

Question:

How can I obtain more information regarding the Davis-Bacon Act?

Answer:

You may contact the Department of Labor Wage and Hour Division at 1-866-487-9243.