Brothers Redevelopment, Inc. RFP for CM/GC For

7900 E. Colfax, Denver, CO 80220

The undersigned responder agrees, if this proposal is accepted, to enter into an agreement with owner, in the form included in the RFP documents, to perform and furnish the work as specified or indicated in the RFP documents for the costs indicated in accordance with the other terms and conditions of the contract documents.

COST PROPOSAL FEE FOR SERVICES and FEES

General Requirements & General Conditions $________________

General Contractor Profit ____________%
Overhead ____________%
Other Fees ____________%
Change Order Fees ____________%
Insurance ____________%
Contractor Contingency ____________%
P&P Bond ____________%

Signature

___________________________

Printed Name

___________________________

Title

___________________________

Date
Brothers Redevelopment, Inc. RFP for CM/GC For

7900 E. Colfax, Denver County, CO 80220

ACKNOWLEDGEMENT:

By submitting this form, the Officer certifies that the Officer understands that this is a federally funded project that will trigger Davis Bacon as well as other federal labor standards and all work must be permitted with the municipality and completed according to its rules and regulations.

_____________________________, 2019
Date

______________________________
Signature

______________________________
Printed Name

______________________________
Title

______________________________
Address
Brothers Redevelopment, Inc. RFP for CM/GC For

7900 E. Colfax, Denver, CO 80220

CERTIFICATION BY THE PROSPECTIVE CONTRACTOR (8-17.5-102(1)) Prior to executing a contract for services, each prospective contractor shall certify that, at the time of the certification: 1) It does not knowingly employ or contract with an illegal alien who will perform work under the public contract for services; and 2) That the contractor will participate in the E-Verify Program or department program in order to confirm the employment eligibility of all employees who are newly hired for employment to perform work under the public contract for services.

Contractor: 

Company Name: 

Signature: ___________________________ Date: _______________

Title: ________________________________
## General Instructions

Section references are to the Internal Revenue Code unless otherwise noted.

### Future developments

For the latest information about developments related to Form W-9 and its instructions, such as legislation enacted after they were published, go to [www.irs.gov/FormW9](http://www.irs.gov/FormW9).

### Purpose of Form

An individual or entity (Form W-9 requester) who is required to file an information return with the IRS must obtain your correct taxpayer identification number (TIN) which may be your social security number (SSN), individual taxpayer identification number (ITIN), adoption taxpayer identification number (ATIN), or employer identification number (EIN), to report on an information return the amount paid to you, or other amount reportable on an information return. Examples of information returns include, but are not limited to, the following:

- Form 1099-INT (interest earned or paid)
- Form 1099-DIV (dividends, including those from stocks or mutual funds)
- Form 1099-MISC (various types of income, prizes, awards, or gross proceeds)
- Form 1099-B (stock or mutual fund sales and certain other transactions by brokers)
- Form 1099-S (proceeds from real estate transactions)
- Form 1099-K (merchant card and third party network transactions)
- Form 1098 (home mortgage interest), 1098-E (student loan interest), 1098-T (tuition)
- Form 1099-C (canceled debt)
- Form 1099-A (acquisition or abandonment of secured property)

Use Form W-9 only if you are a U.S. person (including a resident alien), to provide your correct TIN.

If you do not return Form W-9 to the requester with a TIN, you might be subject to backup withholding. See [What is backup withholding](#).
The following certifications are self-identified, but Brothers Redevelopment, Inc. reserves to right to require additional information for further verification of status.

SELF-CERTIFICATION

A Minority Business Enterprise (MBE) is an independent business concern that is at least 51% owned and controlled by one or more minority persons who are U.S. citizens or Legal Resident Aliens; whose business formation and principal place of business are in the US or its territories; and whose management and daily operation is controlled by one or more of the minority owners. (Minority Eligibility: A person who is Black or African-American, American Indian or Alaska Native, Asian, and/or Hispanic.)*

A Women's Business Enterprise (WBE) is an independent business concern that is at least 51% owned and controlled by one or more women who are U.S. citizens or Legal Resident Aliens; whose business formation and principal place of business are in the US or its territories; and whose management and daily operation is controlled by one or more of the women owners.*

Please identify the status of your firm based on the definitions above:

(CHECK ONE)

☐ Minority-owned business

☐ Woman-owned business

☐ Not a MBE or WBE

*NOTE: If your firm qualifies under both categories, please check Woman-owned business only

A Section 3 Business Concern is one:

- That is at least 51 percent or more owned by Section 3 residents,
- Whose permanent, full-time employees include persons, at least 30 percent of whom are currently Section 3 residents, or within three years of the date of first employment with the business concern were Section 3 residents, or
- That provides evidence of a commitment to subcontract in excess of 25 percent of the dollar award of all subcontracts to be awarded to a Section 3 business concern.

Section 3 Residents are:

- Residents of Public Housing in the Denver/Boulder-Metro Area
- Low and very-low income persons who live in the metropolitan area where a HUD-assisted project for housing or community development is located, i.e. the Denver/Boulder - Metropolitan Statistical Area (Denver/Boulder-Metro region).
Please identify the status of your firm based on the definitions above:

☐ Meets ownership criteria
☐ Meets employment criteria
☐ Meets subcontracting criteria
☐ Not a Section 3 Concern

I certify that to the best of my knowledge, all statements made on this document are true and correct. I understand that it may be a federal crime to knowingly make any false statements concerning any of the above facts as applicable under the provisions of the United States Criminal Code.

Business Name: __________________________________________________________

Owner: _______________________________ EIN: _______________________

Name (Print): __________________________________________________________

Title: __________________________________________________________________

Signature: ___________________________ Date: __________________________
ATTACHMENT
Section 3 Opportunities Plan

All vendors, upon submitting a bid/proposal to Brothers Redevelopment, Inc., acknowledge that a Section 3 Opportunities Plan is to be submitted. In response to that requirement, the below named company or firm is submitting the following plan:

Company Name: _______________________________________

Mailing Address: _______________________________________

City: _________________________   State: _____   Zip: __________

1. Contact person responsible for hiring, planning, implementing and tracking the projects’ Section 3 training and employment goals under this contract:

   _______________________________________________________

   Title: _______________________________________________

   Telephone: __________________________________________

   Anticipated Date Work will begin: _________________________

   Describe prior experience with Section 3:

   _______________________________________________________

   Anticipated Date Work will begin: _________________________

2. Attach a list of current employees by trade.

3. Position Openings Expected during term of contract:

<table>
<thead>
<tr>
<th>Labor/Trade Classification</th>
<th>Total New Hires</th>
<th>Qualifications/Skills</th>
<th>Anticipated Date Hire</th>
</tr>
</thead>
</table>

1
Will there be any apprenticeship or training positions for the above jobs?

Yes: ____________________  No: ____________________

If YES, please list the number of positions, trade group and craft.

4. Are you a signatory to a labor agreement for this contract:

Yes: ____________________  No: ____________________

If YES, please attach a copy of the notice that has been sent to the labor organizations or representative of the workers with which the company has a collective bargaining agreement or other understanding, advising the organization or representative of the company’s commitments under this Section 3 clause.

5. To recruit, solicit, encourage, facilitate, and hire public housing and other low- or very-low income persons to meet the goal of (30%) of the aggregate of new hires the company agrees to post copies of the notice in conspicuous places at the work site where both employees and applicants for training and employment positions can see the notice. This notice shall set forth the minimum number of and job titles subject to hire; availability of apprenticeship and training positions; the qualifications for each category; the name and location of the person taking applications for each of the positions; and the anticipated date the work shall begin.

6. To structure project activities in ways that create opportunities for Section 3 firms’ participation, where applicable contractor will make every effort to structure project activities to increase opportunities for Section 3 businesses. This will be accomplished by sub-dividing the work into smaller amounts, or by using multiple firms to complete similar types of work.

7. The company plans to structure project activities in ways that create opportunities for Section 3 firms’ participation, where applicable, by signing this plan, certifies that any vacant employment positions, including training positions that are filled:

   (a) after the bidder is selected, but before the contract is executed, and
   (b) with persons other than those to whom the regulations of 24 CFR Part 135 require employment opportunities to be directed, were not filled to circumvent the company’s obligations under 24 CFR Part 135.
8. In an effort to identify applicants and fire Section 3 residents for all training and/or employee positions, the company has taken and will continue to take the following steps: (Please check all that apply.)

___ Advertising using local advertising media.

___ Distributing flyers on training and job opportunities to city, county, public housing authority, and workforce center.

___ Asking resident bodies to help promote resident participation and asking similar help from community organizations.

___ Placing signs at the construction site and informing community organizations and public and private institutions operating within or serving the project area of potential jobs and contract opportunities.

___ When feasible, holding job information meetings and workshops to help Section 3 residents complete applications and learn interviewing techniques.

___ Arranging for a place within the housing community for residents to drop application forms and hold interviews.

___ Other efforts: Please describe.
2015 Enterprise Green Communities
Criteria Checklist

This checklist provides an overview of the technical requirements within the Enterprise Green Communities Criteria. To achieve Enterprise Green Communities Certification, all projects must achieve compliance with the Criteria mandatory measures applicable to that construction type. Additionally, New Construction projects must achieve 35 optional points, Substantial Rehab projects must achieve 30 optional points, and Moderate Rehab projects must also achieve 30 optional points.

1. INTEGRATIVE DESIGN

1.1a Goal Setting
Develop an integrative design process that works best for your project team and intentions. At minimum, document:
1. A statement of the overall green development goals of the project and the expected intended outcomes from addressing those goals.
2. A summary of the integrative process that was used to select the green building strategies, systems and materials that will be incorporated into the project.
3. A description of how progress and success against these goals will be measured throughout the completion of design, construction and operation to ensure that the green features are included and correctly installed.

1.1b Criteria Documentation
Create design and construction documentation to include information on implementation of appropriate Enterprise Green Communities Criteria.

1.1c Designing for Project Performance
Identify how the expected performance of your project compares to the actual performance of other projects in your portfolio and/or community.

1.2a Resident Health and Well-Being: Design for Health
Identify potential resident health factors and design your project to address resident health and well-being by using the matrix provided on pages 22 and 23.

1.2b Resident Health and Well-Being: Health Action Plan
At pre-design and continuing throughout the project life cycle, collaborate with public health professionals and community stakeholders to assess, identify, implement and monitor achievable actions to enhance health-promoting features of the project and minimize features that could present health risks. Specifically, create a Health Action Plan and integrate the selected interventions and a plan for monitoring and evaluating progress per the full criterion.

1.3a Resilient Communities: Design for Resilience (New Construction and Substantial Rehab only)
Given your project building type, location and expected resident population, identify a project characteristic that would most likely impact your project’s ability to withstand an unexpected weather event or loss of power. Select at least one criterion from the given list that would help mitigate that impact, and incorporate this within your project plans and design. Include a short narrative providing your rationale for selecting this criterion above the others.
INTEGRATIVE DESIGN (continued)

1.3b Resilient Communities: Multi-Hazard Risk / Vulnerability Assessment
Carry out a Vulnerabilities Assessment and implement building elements designed to enable the project to adapt to, and mitigate, climate impacts given the project location, building/construction type and resident population.

SUBTOTAL OPTIONAL POINTS

2. LOCATION + NEIGHBORHOOD FABRIC

New Construction: All new construction projects must earn optional points under Criterion 2.8 Access to Public Transportation, OR earn 8 optional points through selecting one or more of the following:

- 2.7 Preservation of and Access to Open Space
- 2.9 Improving Connectivity to the Community
- 2.12 Access to Fresh, Local Foods
- 2.13 LEED for Neighborhood Development Certification
- 2.14 Local Economic Development and Community Wealth Creation

2.1 Sensitive Site Protection
Do not locate new projects, including buildings, built structures, roads or parking areas, on portions of sites that meet any of the following provisions:
1. Land within 100 feet of wetlands, including isolated wetlands or streams. Maintain or establish riparian buffer using native vegetation where possible. Bike and foot paths are allowed if at least 25 feet from the wetlands boundary.
2. Land on slope greater than 15%.
3. Land with prime soils, unique soils or soils of state significance per USDA designations.
4. Public parkland.
5. Land that is specifically identified as an existing habitat for any species on federal or state threatened or endangered lists.
6. Land that is within the Special Flood Hazard Areas (SFHA) as identified by FEMA on the Flood Insurance Rate Map.

2.2 Connections to Existing Development and Infrastructure (Except for projects located on rural tribal lands, in colonias communities, or in communities with populations of less than 10,000)
Locate the project on a site with access to existing roads, water, sewers and other infrastructure within or contiguous to (having at least 25% of the perimeter bordering) existing development. Connect the project to the pedestrian grid.

2.3 Compact Development
At a minimum, build to the residential density (dwelling units/acre) of the census block group in which your project is located.

2.4 Compact Development
Exceed the residential density (dwelling units/acre) of the census block group in which your project is located. Exceed by 2x for [5 points]; exceed by 3x for [7 points].
2015 ENTERPRISE GREEN COMMUNITIES CRITERIA CHECKLIST

LOCATION + NEIGHBORHOOD FABRIC (continued)

2.5 Proximity to Services
Locate the project within a 0.5-mile walk distance of at least four, or a 1-mile walk distance of at least seven, of the listed services. For projects that qualify as Rural/Tribal/Small Town, locate the project within 5 miles of at least four of the listed services.

2.6 Preservation of and Access to Open Space for Rural/Tribal/Small Towns
Set aside a minimum of 10% (minimum of 0.25 acre) of the total project acreage as non-paved open space for use by all residents OR locate the project within a 0.25-mile walk distance of dedicated public non-paved open space that is a minimum of 0.75 acres.

2.7 Preservation of and Access to Open Space
Set aside a percentage of non-paved open space for use by all residents. 20% [2 points]; 30% [4 points]; 40% + written statement of preservation/conservation policy for set-aside land [6 points].

2.8 Access to Public Transportation
Locate projects within a 0.5-mile walk distance of transit services combined (bus, rail and/or ferry), constituting at least 60 or more transit rides per weekday, with some type of weekend ride option. [8 points]

For projects that qualify as Rural/Tribal/Small Town, locate the project within a 5-mile distance of at least one of the following transit options: 1) vehicle share program; 2) dial-a-ride program; 3) employer vanpool; 4) park-and-ride; or 5) public–private regional transportation. [8 points]

For an additional 2 points: Locate the project along dedicated bike trails or lanes that lead to transit services or stations (bus, rail and ferry) within 3 miles.

2.9 Improving Connectivity to the Community
Improve access to community amenities through at least one of the transit, auto or biking mobility measures listed.

2.10 Passive Solar Heating/Cooling
Design and build with passive solar design, orientation and shading that meet specified guidelines.

2.11 Brownfield Site or Adaptive Reuse Building
Rehabilitate an existing structure that was not previously used as housing or locate the project on a brownfield site.

2.12 Access to Fresh, Local Foods
Pursue one of three options to provide residents and staff with access to fresh, local foods, including neighborhood farms and gardens, community-supported agriculture, or proximity to farmers markets.

2.13 LEED for Neighborhood Development Certification
Locate building(s) in a Stage 2 Pre-Certified or Stage 3 Certified Neighborhood Development.

2.14 Local Economic Development and Community Wealth Creation
Demonstrate that local preference for construction employment and subcontractor hiring was part of your bidding process [2 points] OR demonstrate that you achieved at least 20% local employment [3 points] OR provide physical space for small business, nonprofits, and/or skills and workforce education [3 points].

SUBTOTAL OPTIONAL POINTS
3. SITE IMPROVEMENTS

### 3.1 Environmental Remediation
Conduct an environmental site assessment to determine whether any hazardous materials are present on-site; mitigate any found.

### 3.2 Erosion and Sedimentation Control (Except for infill sites with buildable area smaller than one acre)
Implement EPA’s Best Management Practices for Construction Site Stormwater Runoff Control, or local requirements, whichever is more stringent.

### 3.3 Low-Impact Development
Projects located on greenfields must meet the list of low-impact development criteria.

### 3.4 Landscaping
If providing plantings, all should be native or adapted to the region, appropriate to the site’s soil and microclimate, and none of the new plants is an invasive species. Reseed or xeriscape all disturbed areas.

### 3.5a Efficient Irrigation and Water Reuse
If irrigation is used, install an efficient irrigation or water reuse system per the guidelines.

### 3.5b Efficient Irrigation and Water Reuse
Install an efficient irrigation system equipped with a WaterSense-labeled weather-based irrigation controller (WBIC) OR at least 50% of the site’s irrigation should be satisfied by reusing water.

### 3.6 Surface Stormwater Management
Retain, infiltrate and/or harvest the first 1.0 inch of rain that falls [4 points] OR as calculated for a 24-hour period of a one-year (1) storm event, so that no stormwater is discharged to drains/inlets. [8 points] For both options, permanently label all storm drains and inlets.

### 3.7 Reducing Heat-Island Effect: Paving
Use light-colored, high-albedo materials and/or an open-grid pavement, with a minimum solar reflectance of 0.3, over at least 50% of the site’s hardscaped area.

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4. WATER CONSERVATION

### 4.1 Water-Conserving Fixtures
Install water-conserving fixtures in all units and any common facilities with the following specifications. **Toilets:** WaterSense-labeled and 1.28 gpf; **Urinals:** WaterSense-labeled and 0.5 gpf; **Showerheads:** WaterSense-labeled and 2.0 gpm; **Kitchen faucets:** 2.0 gpm; **Lav faucets:** WaterSense-labeled and 1.5 gpm

**AND** for all single-family homes and all dwelling units in buildings three stories or fewer, the static service pressure must not exceed 60 psi.
2015 ENTERPRISE GREEN COMMUNITIES CRITERIA CHECKLIST

M = MANDATORY
# = OPTIONAL POINTS

WATER CONSERVATION (continued)

4.2 Advanced Water Conservation
Reduce water consumption either by installing water-conserving fixtures in all units and all common space bathrooms with the following specifications:
Toilets: WaterSense-labeled and 1.1 gpf [1 point];
Showerheads: WaterSense-labeled and 1.5 gpm [1 point];
Kitchen faucets: 1.5 gpm and lav faucets: WaterSense-labeled and 1.0 gpm [1 point]
OR
Reduce total indoor water consumption by at least 30% compared to the baseline indoor water consumption chart, through a combination of your choosing. [6 points maximum]

4.3 Leaks and Water Metering
Conduct pressure-loss tests and visual inspections to determine if there are any leaks; fix any leaks found; and meter or submeter each dwelling unit with a technology capable of tracking water use. Separately meter outdoor water consumption.

4.4 Efficient Plumbing Layout and Design
To minimize water loss from delivering hot water, the hot water delivery system shall store no more than 0.5 gallons of water in any piping/manifold between the hot water source and any hot water fixture.

4.5 Water Reuse
Harvest, treat, and reuse rainwater and/or greywater to meet a portion of the project’s total water needs: 10% reuse [3 points]; 20% reuse [4 points]; 30% reuse [5 points]; 40% reuse [6 points]

4.6 Access to Potable Water During Emergencies
Provide residents with access to potable water in the event of an emergency that disrupts normal access to potable water, including disruptions related to power outages that prevent pumping water to upper floors of multifamily buildings or pumping of water from on-site wells, per one of the three options.

SUBTOTAL OPTIONAL POINTS

5. ENERGY EFFICIENCY

5.1a Building Performance Standard
(Criterion for New Construction: single-family and low-rise multifamily)
Certify each dwelling unit in the project through the ENERGY STAR New Homes program.

5.1b Building Performance Standard
(Criterion for New Construction: mid-rise and high-rise multifamily, with some exceptions)
Certify the project through the ENERGY STAR Multifamily High-Rise program (MFHR) OR follow the combined MFHR and LEED Commissioning Path outlined in the criterion.

Exception: Multifamily buildings that are four or five stories, in which all dwelling units have their own heating, cooling and hot water systems, should comply with Criterion 5.1a and certify each dwelling unit per ENERGY STAR Certified New Homes.
<table>
<thead>
<tr>
<th></th>
<th>YES</th>
<th>NO</th>
<th>MAYBE</th>
<th>M</th>
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<tr>
<td><strong>ENERGY EFFICIENCY (continued)</strong></td>
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<td>5.1c  Building Performance Standard</td>
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<td><strong>(Substantial and Moderate Rehab: single-family and low-rise multifamily)</strong></td>
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<td>For each dwelling unit, achieve a HERS Index score of 85 or less.</td>
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<td><strong>Exception:</strong> Substantial rehabs of buildings with walls made only of brick/masonry that are three stories or fewer and built before 1980, as well as moderate rehabs of buildings that are three stories or fewer and built before 1980, are permitted to instead achieve a HERS Index score of 100 or less for each dwelling unit.</td>
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<td>5.1d  Building Performance Standard</td>
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<td><strong>(Substantial and Moderate Rehab: mid-rise and high-rise)</strong></td>
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<td>Demonstrate that the energy performance of the completed building will be equivalent to ASHRAE 90.1-2010 using an energy model created by a qualified energy services provider per Appendix G.</td>
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<td>5.2a  Additional Reductions in Energy Use</td>
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<tr>
<td>Design and construct a building that is projected to be at least 5% more efficient than what is required of the project by Criteria 5.1a–d. (Projects receiving points in Criterion 5.2a may not receive points per Criterion 5.2b)</td>
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<td>5.2b  Advanced Certification: Nearing Net Zero</td>
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<td>Certify the project in a program that requires advanced levels of building envelope performance such as PHIUS, Living Building Challenge and/or DOE Zero Energy Ready Home. (Projects receiving points in Criterion 5.2b may not receive points per Criterion 5.2a)</td>
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<td>5.3  Sizing of Heating and Cooling Equipment</td>
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<td>Size and select heating and cooling equipment in accordance with the Air Conditioning Contractors of America (ACCA) Manuals J and S or ASHRAE handbooks.</td>
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<td>5.4  ENERGY STAR Appliances</td>
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<td>If providing appliances, install ENERGY STAR clothes washers, dishwashers and refrigerators. If appliances will not be installed or replaced at this time, specify that, at the time of installation or replacement, ENERGY STAR models must be used.</td>
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<td>5.5  Lighting</td>
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<td>Follow the guidance for high-efficacy lighting controls and other characteristics for all permanently installed lighting fixtures in project dwelling units, common spaces and exterior.</td>
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<td>5.6  Electricity Meter</td>
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<tr>
<td><strong>New Construction and Substantial Rehab</strong></td>
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<tr>
<td><strong>Moderate Rehab (Except for single-room occupancy and designated supportive housing dwelling units)</strong></td>
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<td>Install individual or submetered electric meters for all dwelling units.</td>
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<td>5.7  Photovoltaic/Solar Hot Water Ready</td>
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<td>Orient, design, engineer, wire and/or plumb the development to accommodate installation of photovoltaic (PV) or solar hot water system in the future.</td>
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</table>
ENERGY EFFICIENCY (continued)

5.7b Renewable Energy
Install photovoltaic (PV) panels or other electric-generating renewable energy source to provide a specified percentage of the project’s estimated total energy demand or water heating energy demand. *(Projects may earn points through Criterion 5.7b or 5.8b, but not both.)*

<table>
<thead>
<tr>
<th></th>
<th>5%</th>
<th>10%</th>
<th>20%</th>
<th>30%</th>
<th>40%</th>
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</thead>
<tbody>
<tr>
<td>Single-story / Single-family</td>
<td>–</td>
<td>–</td>
<td>6</td>
<td>8</td>
<td>10</td>
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<tr>
<td>2 to 3 stories</td>
<td>–</td>
<td>6</td>
<td>8</td>
<td>10</td>
<td>–</td>
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<tr>
<td>4 stories or more</td>
<td>6</td>
<td>8</td>
<td>10</td>
<td>–</td>
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</tbody>
</table>

5.8a Resilient Energy Systems: Floodproofing
Conduct floodproofing, including perimeter floodproofing (barriers/shields), of lower floors. Design and install building systems as specified by the full criterion so that the operation of those systems will not be grossly affected in case of a flood.

5.8b Resilient Energy Systems: Islandable Power
Provide emergency power through an islandable photovoltaic (PV) system or an efficient and portable generator that will offer at least limited electricity for critical circuits during power outages per one of the three options listed. *(Projects may earn points through Criterion 5.7b or 5.8b, but not both.)*

6. MATERIALS

6.1 Low/No VOC Paints, Coatings and Primers
All interior paints and primers must have VOC levels, in grams per liter, less than or equal to the thresholds established by South Coast Air Quality Management District (SCAQMD) Rule 1113.

6.2 Low/No VOC Adhesives and Sealants
All adhesives and sealants (including caulks) must have VOC levels, in grams per liter, less than or equal to the thresholds established by the South Coast Air Quality Management District Rule 1168.

6.3 Recycled Content Material
Incorporate building materials that are composed of at least 25% post-consumer recycled content or at least 50% post-industrial recycled content. *[1 point]*

Building materials that make up at least 75% of their project component each receive 1 point.

6.4 Regional Materials
Use products that were extracted, processed and manufactured within 500 miles of the project for a minimum of 50%, based on cost, of the building materials’ value.

Select any or all of these options (each material can qualify for 1 point):
- Framing materials
- Exterior materials (e.g., siding, masonry, roofing)
- Flooring materials
- Concrete/cement and aggregate material
- Drywall/interior sheathing materials
MATERIALS (continued)

6.5 Certified, Salvaged and Engineered Wood Products
For at least 25% of all structural wood products, by cost or value, commit to using either FSC-certified, salvaged products or engineered framing materials without urea formaldehyde.

6.6 Composite Wood Products that Emit Low/No Formaldehyde
All composite wood products must be certified as compliant with California 93120 Phase 2 OR, if using a composite wood product that does not comply with California 93120 Phase 2, all exposed edges and sides must be sealed with low-VOC sealants, per Criterion 6.2.

6.7a Environmentally Preferable Flooring
Do not install carpets in building entryways, laundry rooms, bathrooms, kitchens/kitchenettes, utility rooms or any rooms built on foundation slabs. Where installed, all carpet products must meet the Carpet and Rug Institute’s Green Label or Green Label Plus certification for carpet, pad and carpet adhesives. Any hard surface flooring products must be either ceramic tile or solid unfinished hardwood floors, or meet the Scientific Certification System’s FloorScore program criteria (including pre-finished hardwood flooring).

6.7b Environmentally Preferable Flooring: Throughout Building
Use non-vinyl, non-carpet floor coverings throughout each building in the project.

6.8 Mold Prevention: Surfaces
Use materials that have durable, cleanable surfaces throughout bathrooms, kitchens and laundry rooms. Materials installed in these rooms should not be prone to deterioration due to moisture intrusion or encourage the growth of mold.

6.9 Mold Prevention: Tub and Shower Enclosures
Use moisture-resistant backing materials such as cement board, fiber cement board or equivalent per ASTM #D3273 behind tub/shower enclosures. Projects using a one-piece fiberglass tub/shower enclosure are exempt from this requirement.

6.10 Asthmagen-Free materials
Do not install products that contain ingredients that are known to cause or trigger asthma. Key products to avoid are:
- **Insulation:** Do not use spray polyurethane foam (SPF) or formaldehyde-containing fiberglass batts. [4 points]
- **Flooring:** Do not use flexible vinyl (PVC) roll or sheet flooring or carpet-backed with vinyl with phthalates. Do not use fluid applied finish floors. [4 points]
- **Wall coverings:** Do not use wallpaper made from vinyl (PVC) with phthalates or site-applied high-performance coatings that are epoxy or polyurethane based. [4 points]
- **Composite wood:** Use only ULEF products for cabinetry, subflooring and other interior composite wood uses. [4 points]

6.11 Reduced Heat-Island Effect: Roofing
Use an ENERGY STAR–certified roofing product for 100% of the roof area OR install a “green” (vegetated) roof for at least 50% of the roof area and ENERGY STAR–certified roofing product for the remainder of the roof area.
M = MANDATORY
# = OPTIONAL POINTS

MATERIALS (continued)

6.12 Construction Waste Management
Commit to following a waste management plan that reduces non-hazardous construction and demolition waste through recycling, salvaging or diversion strategies through one of the three options. Achieve optional points by going above and beyond the requirement.

6.13 Recycling Storage
Provide separate bins for the collection of trash and recycling for each dwelling unit and all shared community rooms (if applicable).

Additionally, in multifamily buildings, provide at least one easily accessible, permanent and dedicated indoor area for the collection and storage of materials for recycling. In single-family homes, points will be accrued only if curb-side recycling pickup is available.

Collected materials should include, at a minimum, paper, cardboard, glass, metals and plastics.

SUBTOTAL OPTIONAL POINTS

7. HEALTHY LIVING ENVIRONMENT

7.1 Ventilation

New Construction and Substantial Rehab

Moderate Rehab

For each dwelling unit, in full accordance with ASHRAE 62.2-2010, install a local mechanical exhaust system in each bathroom [4 points], a local mechanical exhaust system in each kitchen [4 points], and a whole-house mechanical ventilation system [4 points].

For each multifamily building of four stories and more, in full accordance with ASHRAE 62.1-2010, install a mechanical ventilation system for all hallways and common spaces [3 points].

For all project types, in addition to the above requirements:

• All systems and associated ductwork must be installed per manufacturer’s recommendations.

• All individual bathroom fans must be ENERGY STAR labeled, wired to turn on with the light switch, and equipped with a humidistat sensor, timer or other control (e.g., occupancy sensor, delay off switch, ventilation controller).

• If using central ventilation systems with rooftop fans, each rooftop fan must be direct-drive and variable-speed with speed controller mounted near the fan. Fans with design CFM 300-2000 must also have an ECM motor.

7.2 Clothes Dryer Exhaust

Clothes dryers must be exhausted directly to the outdoors using rigid-type ductwork (except for condensing dryers, which must be plumbed to a drain).
HEALTHY LIVING ENVIRONMENT (continued)

7.3 Combustion Equipment
For new construction and rehab projects, specify power-vented or direct vent equipment when installing any new combustion appliance for space or water heating that will be located within the conditioned space.

In Substantial and Moderate Rehabs, if there is any combustion equipment located within the conditioned space for space or water heating that is not power-vented or direct vent and that is not scheduled for replacement, conduct initial combustion safety testing per the given guidelines.

Install one hard-wired carbon monoxide (CO) alarm with battery backup function for each sleeping zone, placed per National Fire Protection Association (NFPA) 720.

7.4 Elimination of Combustion Within the Conditioned Space
No combustion equipment may be used for cooking (to include, but not limited to ranges, cooktops, stoves, ovens) as part of the building project [9 points] OR no combustion equipment may be used as part of the building project [11 points].

7.5 Vapor Retarder Strategies
Install vapor barriers that meet specified criteria appropriate for the foundation type.

7.6 Water Drainage (For all New Construction projects and those Rehab projects that include replacing particular assemblies called out below)
Provide drainage of water away from walls, windows and roofs by implementing the list of techniques.

7.7 Mold Prevention: Water Heaters
Provide adequate drainage for water heaters that includes drains or catch pans with drains piped to the exterior of the dwelling.

7.8 Radon Mitigation
For New Construction in EPA Zone 1 areas, install passive radon-resistant features below the slab and a vertical vent pipe with junction box within 10 feet of an electrical outlet in case an active system should prove necessary in the future. For Substantial Rehab projects in EPA Zone 1, test and mitigate per the specified protocols.

7.9 Garage Isolation
- Provide a continuous air barrier between the conditioned space and any garage space to prevent the migration of any contaminants into the living space. Visually inspect common walls and ceilings between attached garages and living spaces to ensure that they are air-sealed before insulation is installed.
- Do not install ductwork or air handling equipment in a garage.
- Fix all connecting doors between conditioned space and garage with gaskets or otherwise make substantially airtight with weather stripping.
- Install one hard-wired carbon monoxide (CO) alarm with battery backup function for each sleeping zone of the project, placed per National Fire Protection Association (NFPA) 720.

7.10 Integrated Pest Management
Seal all wall, floor, and joint penetrations with low-VOC caulking or other appropriate nontoxic sealing methods to prevent pest entry.
## HEALTHY LIVING ENVIRONMENT (continued)

### 7.11a Beyond ADA: Universal Design (New Construction)
Design a minimum of 15% of the dwelling units (no fewer than one) in accordance with ICC/ANSI A117.1, Type A, Fully Accessible guidelines. Design the remainder of the ground-floor units and elevator-reachable units in accordance with ICC/ANSI A117.1, Type B.

### 7.11b Beyond ADA: Universal Design (Substantial and Moderate Rehab)
Design a minimum of 10% of the dwelling units (one, at minimum) in accordance with ICC/ANSI A117.1, Type A, Fully Accessible guidelines. [7 points]

*For an additional 2 points:* Design the remainder of the ground-floor units and elevator-reachable units with accessible unit entrances designed to accommodate people who use a wheelchair.

### 7.12 Active Design: Promoting Physical Activity Within the Building
Sitatue at least one building stairway per the criterion to encourage use OR emphasize at least one strategy inside the building designed to increase frequency and duration of physical activity per the criterion.

### 7.13 Active Design: Staircases and Building Circulation
A staircase must be accessible and visible from the main lobby as well as visible within a 25-foot walking distance from any edge of lobby. Ensure that no turns or obstacles prevent visibility of or accessibility to the qualifying staircase from the lobby, and that the staircase is encountered before or at the same time as the elevators.

From the corridor, accessible staircases should be made visible by: Providing transparent glazing of at least 10 square feet (1 square meter) at all stair doors or at a side light OR providing magnetic door holds on all doors leading to the stairs OR removing door enclosures/vestibules.

### 7.14 Interior and Outdoor Activity Spaces for Children and Adults
Provide an on-site dedicated recreation space with exercise or play opportunities for adults and/or children that is open and accessible to all residents; see criterion for specifics.

### 7.15 Reduce Lead Hazards in Pre-1978 Buildings (Substantial Rehab)
Conduct lead risk assessment or inspection to identify lead hazards, then control for these per EPA or state/local laws and requirements.

### 7.16 Smoke-Free Building
Implement and enforce a no-smoking policy in all common and individual living areas, and within a 25-foot perimeter around the exterior of all residential projects.
### 8. OPERATIONS, MAINTENANCE + RESIDENT ENGAGEMENT

<table>
<thead>
<tr>
<th>Criteria</th>
<th>YES</th>
<th>NO</th>
<th>MAYBE</th>
<th>M</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>8.1 Building Operations &amp; Maintenance (O&amp;M) Manual and Plan</strong>&lt;br&gt;<em>(For all multifamily projects)</em>&lt;br&gt;Develop a manual with thorough building operations and maintenance guidance and a complementary plan. The manual and plan should be developed over the course of the project design, development and construction stages, and should include sections/chapters addressing the list of topics.</td>
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<tr>
<td><strong>8.2 Emergency Management Manual</strong>&lt;br&gt;<em>(For all multifamily projects)</em>&lt;br&gt;Provide a manual on emergency operations targeted toward operations and maintenance staff and other building-level personnel. The manual should address responses to various types of emergencies, leading with those that have the greatest probability of negatively affecting the project. The manual should provide guidance as to how to sustain the delivery of adequate housing throughout an emergency and cover a range of topics, including but not limited to:</td>
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<tr>
<td>• communication plans for staff and residents</td>
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<td></td>
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<td></td>
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<tr>
<td>• useful contact information for public utility and other service providers</td>
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<td></td>
<td></td>
</tr>
<tr>
<td>• infrastructure and building “shutdown” procedures</td>
<td></td>
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<tr>
<td><strong>8.3 Resident Manual</strong>&lt;br&gt;Provide a guide for homeowners and renters that explains the intent, benefits, use and maintenance of their home’s green features and practices. The Resident Manual should encourage green and healthy activities per the list of topics.</td>
<td></td>
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<tr>
<td><strong>8.4 Resident and Property Staff Orientation</strong>&lt;br&gt;Provide a comprehensive walk-through and orientation for all residents, property manager(s) and buildings operations staff. Use the appropriate manuals (see Criteria 8.1, 8.2, 8.3) as the base of the curriculum, and review the project’s green features, operations and maintenance procedures, and emergency protocols.</td>
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<td></td>
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<tr>
<td><strong>8.5 Project Data Collection and Monitoring System: 100% Owner-Paid Utility Accounts; 15% Tenant-Paid Utility Accounts</strong>&lt;br&gt;<em>For rental properties:</em> Collect and monitor project energy and water performance data for 100% of owner-paid utilities and 15% of tenant-paid utilities for at least 5 years. This data must be maintained in a manner that allows staff to easily access and monitor it, enabling them to make informed operations and capital planning decisions. Also allow Enterprise access to this data.</td>
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<tr>
<td><em>For owner-occupied units:</em> Collect and monitor energy and water performance data in a manner that allows for easy access and review and provides the ability to influence home operations. Also allow Enterprise access to this data.</td>
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<tr>
<td><strong>8.6 Project Data Collection and Monitoring System: Greater than 15% Tenant-Paid Utility Accounts</strong>&lt;br&gt;Collect and monitor project energy and water performance data for at least 5 years. This data must be maintained in a manner that allows staff to easily access and monitor it, enabling them to make informed operations and capital planning decisions. Also allow Enterprise access to this data.</td>
<td>7 or 11</td>
<td></td>
<td></td>
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</tr>
</tbody>
</table>

**SUBTOTAL OPTIONAL POINTS**

**TOTAL OPTIONAL POINTS**
### Conceptual Program

<table>
<thead>
<tr>
<th>PERCENT of TTL</th>
<th>Bed / Bath</th>
<th>Name</th>
<th>Av NLA</th>
<th>QTY</th>
<th>TTL</th>
<th>Balcony</th>
<th>TTL</th>
<th>NOTES</th>
</tr>
</thead>
<tbody>
<tr>
<td>65.3%</td>
<td>1 / 1</td>
<td>1A</td>
<td>525</td>
<td>47</td>
<td>24,675</td>
<td>0</td>
<td>0</td>
<td>Multi-Family Flats</td>
</tr>
<tr>
<td>26.4%</td>
<td>2 / 1</td>
<td>2A</td>
<td>820</td>
<td>19</td>
<td>15,580</td>
<td>0</td>
<td>0</td>
<td></td>
</tr>
<tr>
<td>8.3%</td>
<td>3 / 2</td>
<td>3A</td>
<td>1090</td>
<td>6</td>
<td>6,540</td>
<td>0</td>
<td>0</td>
<td></td>
</tr>
<tr>
<td>100.0%</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>649.93</td>
<td>72</td>
<td>46,795</td>
<td></td>
</tr>
</tbody>
</table>

**Multi-Family** 649.93  72  46,795  0  0  Total

- **Residential RSF** 46,795  77.27%  Floorplate Efficiency
- **Core / Circulation** Lvl 1-4  9,360
- **Leasing / Amenity** Lvl 1-2  4,403
- **Brain Injury Alliance** Lvl 1  2,398
- **Brothers Office** Lvl 1  1,670
- **Rooftop Patio** Lvl 2  5,949
- **Structured Parking** Lvl 1  15,382

**GLA** 64,626  Parking & Patio not included

- **Balconies** 0
- **GSF** 80,008  Patio not included
- **GBA** 85,957  Parking & Patio included

### On-Site Parking

<table>
<thead>
<tr>
<th>Zone District</th>
<th>E-MS-5</th>
<th>Parking</th>
<th>Zoning</th>
<th>W/Red.*</th>
<th>Provided</th>
</tr>
</thead>
<tbody>
<tr>
<td>Dwelling - Multi Unit</td>
<td>1.0 / DU</td>
<td>Multi-Family Flats</td>
<td>72 Units</td>
<td>72</td>
<td>37</td>
</tr>
<tr>
<td>Brain Injury Alliance</td>
<td>2.5 / 1,000</td>
<td>Retail</td>
<td>2,398 SF</td>
<td>6</td>
<td>6</td>
</tr>
<tr>
<td>Brothers Office</td>
<td>2.0 / 1,000</td>
<td>Office</td>
<td>1,670 SF</td>
<td>3</td>
<td>3</td>
</tr>
</tbody>
</table>

| Total | 81 | 46 | 54 |

*47 units are 550 GSF or less - Alternative minimum vehicle parking ratio of 0.25 vehicle parking spaces per unit, Zoning Code 10.4.5.2.B Table

U.S. Department of Housing and Urban Development
Office of Labor Relations

Applicability

The Project or Program to which the construction work covered by this contract pertains is being assisted by the United States of America and the following Federal Labor Standards Provisions are included in this Contract pursuant to the provisions applicable to such Federal assistance.

A. 1. (i) Minimum Wages. All laborers and mechanics employed or working upon the site of the work, will be paid unconditionally and not less often than once a week, and without subsequent deduction or rebate on any account (except such payroll deductions as are permitted by regulations issued by the Secretary of Labor under the Copeland Act (29 CFR Part 3), the full amount of wages and bona fide fringe benefits (or cash equivalents thereof) due at time of payment computed at rates not less than those contained in the wage determination of the Secretary of Labor which is attached hereto and made a part hereof, regardless of any contractual relationship which may be alleged to exist between the contractor and such laborers and mechanics. Contributions made or costs reasonably anticipated for bona fide fringe benefits under Section 29 CFR 5.5(a)(1)(ii) of the Davis-Bacon Act on behalf of laborers or mechanics are considered wages paid to such laborers or mechanics, subject to the provisions of 29 CFR 5.5(a)(1)(iv); also, regular contributions made or costs incurred for more than a weekly period (but not less often than quarterly) under plans, funds, or programs, which cover the particular weekly period, are deemed to be constructively made or incurred during such weekly period.

Such laborers and mechanics shall be paid the appropriate wage rate and fringe benefits on the wage determination for the classification of work actually performed, without regard to skill, except as provided in 29 CFR 5.5(a)(4). Laborers or mechanics performing work in more than one classification may be compensated at the rate specified for the classification or their subcontracts at the site of the work in a prominent and accessible, place where it can be easily seen by the workers.

(ii) (a) Any class of laborers or mechanics which is not listed in the wage determination and which is to be employed under the contract shall be classified in conformance with the wage determination. HUD shall approve an additional classification and wage rate and fringe benefits therefor only when the following criteria have been met:

(1) The work to be performed by the classification requested is not performed by a classification in the wage determination; and

(2) The classification is utilized in the area by the construction industry; and

(3) The proposed wage rate, including any bona fide fringe benefits, bears a reasonable relationship to the wage rates contained in the wage determination.

(b) If the contractor and the laborers and mechanics to be employed in the classification (if known), or their representatives, and HUD or its designee agree on the classification and wage rate (including the amount designated for fringe benefits where appropriate), a report of the action taken shall be sent by HUD or its designee to the Administrator of the Wage and Hour Division, Employment Standards Administration, U.S. Department of Labor, Washington, D.C. 20210. The Administrator, or an authorized representative, will approve, modify, or disapprove every additional classification action within 30 days of receipt and so advise HUD or its designee or will notify HUD or its designee within the 30-day period that additional time is necessary. (Approved by the Office of Management and Budget under OMB control number 1215-0140.)

(c) In the event the contractor, the laborers or mechanics to be employed in the classification or their representatives, and HUD or its designee do not agree on the proposed classification and wage rate (including the amount designated for fringe benefits, where appropriate), HUD or its designee shall refer the questions, including the views of all interested parties and the recommendation of HUD or its designee, to the Administrator for determination. The Administrator, or an authorized representative, will issue a determination within 30 days of receipt and so advise HUD or its designee or will notify HUD or its designee within the 30-day period that additional time is necessary. (Approved by the Office of Management and Budget under OMB Control Number 1215-0140.)

(d) The wage rate (including fringe benefits where appropriate) determined pursuant to subparagraphs (1)(ii)(b) or (c) of this paragraph, shall be paid to all workers performing work in the classification under this contract from the first day on which work is performed in the classification.

(iii) Whenever the minimum wage rate prescribed in the contract for a class of laborers or mechanics includes a fringe benefit which is not expressed as an hourly rate, the contractor shall either pay the benefit as stated in the wage determination or shall pay another bona fide fringe benefit or an hourly cash equivalent thereof.

(iv) If the contractor does not make payments to a trustee or other third person, the contractor may consider as part
of the wages of any laborer or mechanic the amount of any costs reasonably anticipated in providing bona fide fringe benefits under a plan or program. Provided, That the Secretary of Labor has found, upon the written request of the contractor, that the applicable standards of the Davis-Bacon Act have been met. The Secretary of Labor may require the contractor to set aside in a separate account assets for the meeting of obligations under the plan or program. (Approved by the Office of Management and Budget under OMB Control Number 1215-0140.)

2. Withholding. HUD or its designee shall upon its own action or upon written request of an authorized representative of the Department of Labor withhold or cause to be withheld from the contractor under this contract or any other Federal contract with the same prime contractor, or any other Federally-assisted contract subject to Davis-Bacon prevailing wage requirements, which is held by the same prime contractor so much of the accrued payments or advances as may be considered necessary to pay laborers and mechanics, including apprentices, trainees and helpers, employed by the contractor or any subcontractor the full amount of wages required by the contract. In the event of failure to pay any laborer or mechanic, including any apprentice, trainee or helper, employed or working on the site of the work, all or part of the wages required by the contract, HUD or its designee may, after written notice to the contractor, disburse such amounts withheld for and on account of the contractor or subcontractor to the respective employees to whom they are due. The Comptroller General shall make such disbursements in the case of direct Davis-Bacon Act contracts.

3. (i) Payrolls and basic records. Payrolls and basic records relating thereto shall be maintained by the contractor during the course of the work preserved for a period of three years thereafter for all laborers and mechanics working at the site of the work. Such records shall contain the name, address, and social security number of each such worker, his or her correct classification, hourly rates of wages paid (including rates of contributions or costs anticipated for bona fide fringe benefits or cash equivalents thereof of the types described in Section 1(b)(2)(B) of the Davis-bacon Act), daily and weekly number of hours worked, deductions made and actual wages paid. Whenever the Secretary of Labor has found under 29 CFR 5.5 (a)(1)(iv) that the wages of any laborer or mechanic include the amount of any costs reasonably anticipated in providing benefits under a plan or program described in Section 1(b)(2)(B) of the Davis-Bacon Act, the contractor shall maintain records which show that the commitment to provide such benefits is enforceable, that the plan or program is financially responsible, and that the plan or program has been communicated in writing to the laborers or mechanics affected, and records which show the costs anticipated or the actual cost incurred in providing such benefits. Contractors employing apprentices or trainees under approved programs shall maintain written evidence of the registration of apprenticeship programs and certification of trainee programs, the registration of the apprentices and trainees, and the ratios and wage rates prescribed in the applicable programs. (Approved by the Office of Management and Budget under OMB Control Numbers 1215-0140 and 1215-0017.)

(ii) (a) The contractor shall submit weekly for each week in which any contract work is performed a copy of all payrolls to HUD or its designee if the agency is a party to the contract, but if the agency is not such a party, the contractor will submit the payrolls to the applicant sponsor, or owner, as the case may be, for transmission to HUD or its designee. The payrolls submitted shall set out accurately and completely all of the information required to be maintained under 29 CFR 5.5(a)(3)(i) except that full social security numbers and home addresses shall not be included on weekly transmittals. Instead the payrolls shall only need to include an individually identifying number for each employee (e.g., the last four digits of the employee’s social security number). The required weekly payroll information may be submitted in any form desired. Optional Form WH-347 is available for this purpose from the Wage and Hour Division Web site at http://www.dol.gov/esa/whd/forms/wh347instr.htm or its successor site. The prime contractor is responsible for the submission of copies of payrolls by all subcontractors. Contractors and subcontractors shall maintain the full social security number and current address of each covered worker, and shall provide them upon request to HUD or its designee if the agency is a party to the contract, but if the agency is not such a party, the contractor will submit the payrolls to the applicant sponsor, or owner, as the case may be, for transmission to HUD or its designee, the contractor, or the Wage and Hour Division of the Department of Labor for purposes of an investigation or audit of compliance with prevailing wage requirements. It is not a violation of this subparagraph for a prime contractor to require a subcontractor to provide addresses and social security numbers to the prime contractor for its own records, without weekly submission to HUD or its designee. (Approved by the Office of Management and Budget under OMB Control Number 1215-0149.)

(b) Each payroll submitted shall be accompanied by a “Statement of Compliance,” signed by the contractor or subcontractor or his or her agent who pays or supervises the payment of the persons employed under the contract and shall certify the following:

(1) That the payroll for the payroll period contains the information required to be provided under 29 CFR 5.5 (a)(3)(ii), the appropriate information is being maintained under 29 CFR 5.5(a)(3)(i), and that such information is correct and complete;
(2) That each laborer or mechanic (including each helper, apprentice, and trainee) employed on the contract during the payroll period has been paid the full weekly wages earned, without rebate, either directly or indirectly, and that no deductions have been made either directly or indirectly from the full wages earned, other than permissible deductions as set forth in 29 CFR Part 3;

(3) That each laborer or mechanic has been paid not less than the applicable wage rates and fringe benefits or cash equivalents for the classification of work performed, as specified in the applicable wage determination incorporated into the contract.

(c) The weekly submission of a properly executed certification set forth on the reverse side of Optional Form WH-347 shall satisfy the requirement for submission of the “Statement of Compliance” required by subparagraph A.3.(ii)(b).

(d) The falsification of any of the above certifications may subject the contractor or subcontractor to civil or criminal prosecution under Section 1001 of Title 18 and Section 231 of Title 31 of the United States Code.

(iii) The contractor or subcontractor shall make the records required under subparagraph A.3.(i) available for inspection, copying, or transcription by authorized representatives of HUD or its designee or the Department of Labor, and shall permit such representatives to interview employees during working hours on the job. If the contractor or subcontractor fails to submit the required records or to make them available, HUD or its designee may, after written notice to the contractor, sponsor, applicant or owner, take such action as may be necessary to cause the suspension of any further payment, advance, or guarantee of funds. Furthermore, failure to submit the required records upon request or to make such records available may be grounds for debarment action pursuant to 29 CFR 5.12.

4. Apprentices and Trainees.

(i) Apprentices. Apprentices will be permitted to work at least the predetermined rate for the work they performed when they are employed pursuant to and individually registered in a bona fide apprenticeship program registered with the U.S. Department of Labor, Employment and Training Administration, Office of Apprenticeship Training, Employer and Labor Services, or with a State Apprenticeship Agency recognized by the Office, or if a person is employed in his or her first 90 days of probationary employment as an apprentice in such an apprenticeship program, who is not individually registered in the program, but who has been certified by the Office of Apprenticeship Training, Employer and Labor Services or a State Apprenticeship Agency (where appropriate) to be eligible for probationary employment as an apprentice. The allowable ratio of apprentices to journeymen on the job site in any craft classification shall not be greater than the ratio permitted to the contractor as to the entire work force under the registered program. Any worker listed on a payroll at an apprentice wage rate, who is not registered or otherwise employed as stated above, shall be paid not less than the applicable wage rate on the wage determination for the classification of work actually performed. In addition, any apprentice performing work on the job site in excess of the ratio permitted under the registered program shall be paid not less than the applicable wage rate on the wage determination for the work actually performed. Where a contractor is performing construction on a project in a locality other than that in which its program is registered, the ratios and wage rates (expressed in percentages of the journeyman’s hourly rate) specified in the contractor’s or subcontractor’s registered program shall be observed. Every apprentice must be paid at not less than the rate specified in the registered program for the apprentice’s level of progress, expressed as a percentage of the journeymen hourly rate specified in the applicable wage determination. Apprentices shall be paid fringe benefits in accordance with the provisions of the apprenticeship program. If the apprenticeship program does not specify fringe benefits, apprentices must be paid the full amount of fringe benefits listed on the wage determination for the applicable classification. If the Administrator determines that a different practice prevails for the applicable apprentice classification, fringes shall be paid in accordance with that determination. In the event the Office of Apprenticeship Training, Employer and Labor Services, or a State Apprenticeship Agency recognized by the Office, withdrawing approval of an apprenticeship program, the contractor will no longer be permitted to utilize apprentices at less than the applicable predetermined rate for the work performed until an acceptable program is approved.

(ii) Trainees. Except as provided in 29 CFR 5.16, trainees will not be permitted to work at less than the predetermined rate for the work performed unless they are employed pursuant to and individually registered in a program which has received prior approval, evidenced by formal certification by the U.S. Department of Labor, Employment and Training Administration. The ratio of trainees to journeymen on the job site shall not be greater than permitted under the plan approved by the Employment and Training Administration. Every trainee must be paid at not less than the rate specified in the approved program for the trainee’s level of progress, expressed as a percentage of the journeyman hourly rate specified in the applicable wage determination. Trainees shall be paid fringe benefits in accordance with the provisions of the trainee program. If the trainee program does not mention fringe benefits, trainees shall be paid the full amount of fringe benefits listed on the wage determination unless the Administrator of the Wage and Hour Division determines that there is an apprenticeship program associated with the corresponding journeyman wage rate on the wage determination which provides for less than full fringe benefits for apprentices. Any employee listed on the payroll at a trainee rate who is not registered and participating in a training plan approved by
the Employment and Training Administration shall be paid not less than the applicable wage rate on the wage determination for the work actually performed. In addition, any trainee performing work on the job site in excess of the ratio permitted under the registered program shall be paid not less than the applicable wage rate on the wage determination for the work actually performed. In the event the Employment and Training Administration withdraws approval of a training program, the contractor will no longer be permitted to utilize trainees at less than the applicable predetermined rate for the work performed until an acceptable program is approved.

(iii) Equal employment opportunity. The utilization of apprentices, trainees and journeymen under 29 CFR Part 5 shall be in conformity with the equal employment opportunity requirements of Executive Order 11246, as amended, and 29 CFR Part 30.

5. Compliance with Copeland Act requirements. The contractor shall comply with the requirements of 29 CFR Part 5.12.

6. Subcontracts. The contractor or subcontractor will insert in any subcontracts the clauses contained in subparagraphs 1 through 11 in this paragraph A and such other clauses as HUD or its designee may by appropriate instructions require, and a copy of the applicable prevailing wage decision, and also a clause requiring the subcontractors to include these clauses in any lower tier subcontracts. The prime contractor shall be responsible for the compliance by any subcontractor or lower tier subcontractor with all the contract clauses in this paragraph.

7. Contract termination; debarment. A breach of the contract clauses in 29 CFR 5.5 may be grounds for termination of the contract and for debarment as a contractor and a subcontractor as provided in 29 CFR 5.12.

8. Compliance with Davis-Bacon and Related Act Requirements. All rulings and interpretations of the Davis-Bacon and Related Acts contained in 29 CFR Parts 1, 3, and 5 are herein incorporated by reference in this contract.

9. Disputes concerning labor standards. Disputes arising out of the labor standards provisions of this contract shall not be subject to the general disputes clause of this contract. Such disputes shall be resolved in accordance with the procedures of the Department of Labor set forth in 29 CFR Parts 5, 6, and 7. Disputes within the meaning of this clause include disputes between the contractor (or any of its subcontractors) and HUD or its designee, the U.S. Department of Labor, or the employees or their representatives.

10. (i) Certification of Eligibility. By entering into this contract the contractor certifies that neither it (nor he or she) nor any person or firm who has an interest in the contractor’s firm is a person or firm ineligible to be awarded Government contracts by virtue of Section 3(a) of the Davis-Bacon Act or 29 CFR 5.12(a)(1) or to be awarded HUD contracts or participate in HUD programs pursuant to 24 CFR Part 24.

(ii) No part of this contract shall be subcontracted to any person or firm ineligible for award of a Government contract by virtue of Section 3(a) of the Davis-Bacon Act or 29 CFR 5.12(a)(1) to be awarded HUD contracts or participate in HUD programs pursuant to 24 CFR Part 24.

(iii) The penalty for making false statements is prescribed in the U.S. Criminal Code, 18 U.S.C. 1001. Additionally, U.S. Criminal Code, Section 1 01 0, Title 18, U.S.C., “Federal Housing Administration transactions”, provides in part: “Whoever, for the purpose of . . . influencing in any way the action of such Administration..... makes, utteris or publishes any statement knowing the same to be false..... shall be fined not more than $5,000 or imprisoned not more than two years, or both.”

11. Complaints, Proceedings, or Testimony by Employees. No laborer or mechanic to whom the wage, salary, or other labor standards provisions of this Contract are applicable shall be discharged or in any other manner discriminated against by the Contractor or any subcontractor because such employee has filed any complaint or instituted or caused to be instituted any proceeding or has testified or is about to testify in any proceeding under or relating to the labor standards applicable under this Contract to his employer.

B. Contract Work Hours and Safety Standards Act. The provisions of this paragraph B are applicable where the amount of the prime contract exceeds $100,000. As used in this paragraph, the terms “laborers” and “mechanics” include watchmen and guards.

(1) Overtime requirements. No contractor or subcontractor contracting for any part of the contract work which may require or involve the employment of laborers or mechanics shall require or permit any such laborer or mechanic in any workweek in which the individual is employed on such work to work in excess of 40 hours in such workweek unless such laborer or mechanic receives compensation at a rate not less than one and one-half times the basic rate of pay for all hours worked in excess of 40 hours in such workweek.

(2) Violation; liability for unpaid wages; liquidated damages. In the event of any violation of the clause set forth in subparagraph (1) of this paragraph, the contractor and any subcontractor responsible therefor shall be liable for the unpaid wages. In addition, such contractor and subcontractor shall be liable to the United States (in the case of work done under contract for the District of Columbia or a territory, to such District or to such territory), for liquidated damages. Such liquidated damages shall be computed with respect to each individual laborer or mechanic, including watchmen and guards, employed in violation of the clause set forth in subparagraph (1) of this paragraph, in the sum of $10 for each calendar day on which such individual was required or permitted to work in excess of the standard workweek of 40 hours without payment of the overtime wages required by the clause set forth in subparagraph (1) of this paragraph.
(3) **Withholding for unpaid wages and liquidated damages.** HUD or its designee shall upon its own action or upon written request of an authorized representative of the Department of Labor withhold or cause to be withheld, from any moneys payable on account of work performed by the contractor or subcontractor under any such contract or any other Federal contract with the same prime contract, or any other Federally-assisted contract subject to the Contract Work Hours and Safety Standards Act which is held by the same prime contractor such sums as may be determined to be necessary to satisfy any liabilities of such contractor or subcontractor for unpaid wages and liquidated damages as provided in the clause set forth in subparagraph (2) of this paragraph.

(4) **Subcontracts.** The contractor or subcontractor shall insert in any subcontracts the clauses set forth in subparagraph (1) through (4) of this paragraph and also a clause requiring the subcontractors to include these clauses in any lower tier subcontracts. The prime contractor shall be responsible for compliance by any subcontractor or lower tier subcontractor with the clauses set forth in subparagraphs (1) through (4) of this paragraph.

**C. Health and Safety.** The provisions of this paragraph C are applicable where the amount of the prime contract exceeds $100,000.

(1) No laborer or mechanic shall be required to work in surroundings or under working conditions which are unsanitary, hazardous, or dangerous to his health and safety as determined under construction safety and health standards promulgated by the Secretary of Labor by regulation.

(2) The Contractor shall comply with all regulations issued by the Secretary of Labor pursuant to Title 29 Part 1926 and failure to comply may result in imposition of sanctions pursuant to the Contract Work Hours and Safety Standards Act, (Public Law 91-54, 83 Stat 96). 40 USC 3701 et seq.

(3) The contractor shall include the provisions of this paragraph in every subcontract so that such provisions will be binding on each subcontractor. The contractor shall take such action with respect to any subcontractor as the Secretary of Housing and Urban Development or the Secretary of Labor shall direct as a means of enforcing such provisions.
General Decision Number: CO20190004 05/10/2019

Superseded General Decision Number: CO20180014

State: Colorado

Construction Type: Residential


RESIDENTIAL CONSTRUCTION PROJECTS (consisting of single family homes and apartments up to and including 4 stories)

Note: Under Executive Order (EO) 13658, an hourly minimum wage of $10.60 for calendar year 2019 applies to all contracts subject to the Davis-Bacon Act for which the contract is awarded (and any solicitation was issued) on or after January 1, 2015. If this contract is covered by the EO, the contractor must pay all workers in any classification listed on this wage determination at least $10.60 per hour (or the applicable wage rate listed on this wage determination, if it is higher) for all hours spent performing on the contract in calendar year 2019. If this contract is covered by the EO and a classification considered necessary for performance of work on the contract does not appear on this wage determination, the contractor must pay workers in that classification at least the wage rate determined through the conformance process set forth in 29 CFR 5.5(a)(1)(ii) (or the EO minimum wage rate, if it is higher than the conformed wage rate). The EO minimum wage rate will be adjusted annually. Please note that this EO applies to the above-mentioned types of contracts entered into by the federal government that are subject to the Davis-Bacon Act itself, but it does not apply to contracts subject only to the Davis-Bacon Related Acts, including those set forth at 29 CFR...
5.1(a)(2)-(60). Additional information on contractor requirements and worker protections under the EO is available at www.dol.gov/whd/govcontracts.

Modification Number  Publication Date
0  01/04/2019
1  02/01/2019
2  02/22/2019
3  05/10/2019

BRC00007-007 01/01/2019

ADAMS, ARAPAHOE, BOULDER, BROOMFIELD, DENVER, DOUGLAS AND JEFFERSON COUNTIES

Rates Fringes

BRICKLAYER.......................$ 28.59  8.29

ELEC0012-007 09/01/2018

PUEBLO COUNTY

Rates Fringes

ELECTRICIAN (Including Low Voltage Wiring and Installation of Fire Alarms, Security Systems and Communications Systems)

Electrical contract over
$1,000,000.........................$ 27.70  12.30+3%

Electrical contract under
$1,000,000.........................$ 24.85  12.30+3%

ELEC0068-014 12/01/2018

ADAMS, ARAPAHOE, BOULDER, BROOMFIELD, DENVER, DOUGLAS,
JEFFERSON, LARIMER, AND WELD COUNTIES

<table>
<thead>
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<th>Fringes</th>
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EL PASO COUNTY

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MESA COUNTY

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<th>Power equipment operators:</th>
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<td>Bulldozer...............$ 28.25</td>
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<td>10.70</td>
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<tr>
<td>Motor Grader: Blade-finish..$ 28.57</td>
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<tr>
<td>Motor Grader: Blade-rough...$ 28.25</td>
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<td>10.70</td>
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<tr>
<td>Roller: Self-propelled all types over 5 tons.$ 28.25</td>
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<td>10.70</td>
</tr>
<tr>
<td>Roller: Self-propelled rubber tires under 5 tons.$ 27.87</td>
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<tr>
<td>Scraper: Single bowl including pups 40 cubic yards and tandem bowls and over. $ 28.57</td>
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<tr>
<td>Single bowl including pups 40 cubic yards and tandem bowls and over. $ 28.57</td>
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<tr>
<td>Scraper: Single bowl under 40 cubic yards.$ 28.40</td>
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<tr>
<td>Water Wagon.................$ 28.25</td>
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| IRONWORKER, STRUCTURAL...........$ 29.85                        |             | 11.42   |

| GLAZIER.........................$ 31.52                         |             | 10.13   |

<table>
<thead>
<tr>
<th>ADAMS, ARAPAHOE, BOULDER, BROOKMFIELD, DENVER, DOUGLAS, JEFFERSON, LARIMER AND WELD COUNTIES</th>
<th>Rates</th>
<th>Fringes</th>
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</table>
PLUMBER

(Including HVAC Pipe).......$ 23.24             5.35

PLUM0058-011  07/01/2018

EL PASO AND PUEBLO COUNTIES

Rates Fringes

PLUMBER/PIPEFITTER

(Plumbers include HVAC pipe)

(Pipefitters exclude HVAC pipe)...............$ 32.75            14.85

Zone 1 - 40 miles and over: $19.85 per hour + $32.00 per day per diem will be paid on projects over 40 miles (Zone 1) measured in practical driving miles by the shortest route, beginning at 5th and Main Streets in Pueblo, Colorado, when the employee stays overnight or drives their own vehicle.

Hazardous Pay: Add $2.20 per hour to $19.85 base rate. Hazardous pay applies to projects at chemical plants, steel mills, cement plants, power generator plants, process piping at manufacturing plants, food processing plants, and all projects which may present a health hazard or serious personal injury.

PLUM0145-005  08/01/2016

MESA COUNTY

Rates Fringes

PLUMBER

(Plumbers include HVAC pipe) & PIPEFITTERS
<table>
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<tr>
<th>Date</th>
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<th>Fringes</th>
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<td>PLUM0208-002</td>
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<td>Cement Mason/Concrete Finisher...</td>
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<td>Drywall Finisher/Taper...........</td>
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<td></td>
<td>Drywall Hanger/Framer</td>
<td>$17.13</td>
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<tr>
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<td>Formbuilder/Formsetter............</td>
<td>$12.78</td>
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(exclude HVAC pipe) $26.18

Rates Fringes

PLUM0208-002 06/01/2018

ADAMS, ARAPAHOE, BOULDER, BROOMFIELD, DENVER, DOUGLAS, JEFFERSON, LARIMER AND WELD COUNTIES

-----

Rates Fringes

Pipefitter

(excluding HVAC pipe) $37.55

-----

SHEE0009-003 07/01/2018

Rates Fringes

Sheet metal worker

HVAC Duct and Installation

of HVAC Systems $34.02

-----

SUCO2001-002 12/20/2001

Rates Fringes

Carpenter

(excluding drywall hanging/framing, metal stud work and form building/setting) $16.36

-----

Drywall Hanger/Framer

(including metal stud work) $17.13

-----

Formbuilder/Formsetter $12.78
Laborers:

- Brick Finishers/Tenders.....$ 11.25
- Common......................$  8.86
- Concrete/Mason Tenders......$ 10.00

PAINTER

(Excludes drywall finishing and taping):

- Brush, Roller and Spray.....$ 13.62  3.39

Power equipment operators:

- Backhoe.....................$ 12.98  3.31
- Front End Loader............$ 16.50

ROOFER.........................$ 14.73

Sheet Metal Worker

- All Other Work.............$ 17.30  4.05

SPRINKLER FITTER..............$ 18.47  3.74

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WELDERS - Receive rate prescribed for craft performing operation to which welding is incidental.

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Note: Executive Order (EO) 13706, Establishing Paid Sick Leave for Federal Contractors applies to all contracts subject to the Davis-Bacon Act for which the contract is awarded (and any solicitation was issued) on or after January 1, 2017. If this contract is covered by the EO, the contractor must provide employees with 1 hour of paid sick leave for every 30 hours they work, up to 56 hours of paid sick leave each year. Employees must be permitted to use paid sick leave for their own illness, injury or other health-related needs, including preventive care; to assist a family member (or person who is like family to the employee) who is ill, injured, or has other health-related needs, including preventive care; or for reasons resulting from, or to assist a family member (or person who is
like family to the employee) who is a victim of, domestic
violence, sexual assault, or stalking. Additional information
on contractor requirements and worker protections under the EO
is available at www.dol.gov/whd/govcontracts.

Unlisted classifications needed for work not included within
the scope of the classifications listed may be added after
award only as provided in the labor standards contract clauses
(29CFR 5.5 (a) (1) (ii)).

The body of each wage determination lists the classification
and wage rates that have been found to be prevailing for the
cited type(s) of construction in the area covered by the wage
determination. The classifications are listed in alphabetical
order of "identifiers" that indicate whether the particular
rate is a union rate (current union negotiated rate for local),
a survey rate (weighted average rate) or a union average rate
(weighted union average rate).

Union Rate Identifiers

A four letter classification abbreviation identifier enclosed
in dotted lines beginning with characters other than "SU" or
"UAVG" denotes that the union classification and rate were
prevailing for that classification in the survey. Example:
PLUM0198-005 07/01/2014. PLUM is an abbreviation identifier of
the union which prevailed in the survey for this
classification, which in this example would be Plumbers. 0198
indicates the local union number or district council number
where applicable, i.e., Plumbers Local 0198. The next number,
005 in the example, is an internal number used in processing
the wage determination. 07/01/2014 is the effective date of the
most current negotiated rate, which in this example is July 1,
2014.

Union prevailing wage rates are updated to reflect all rate
changes in the collective bargaining agreement (CBA) governing this classification and rate.

Survey Rate Identifiers

Classifications listed under the "SU" identifier indicate that no one rate prevailed for this classification in the survey and the published rate is derived by computing a weighted average rate based on all the rates reported in the survey for that classification. As this weighted average rate includes all rates reported in the survey, it may include both union and non-union rates. Example: SULA2012-007 5/13/2014. SU indicates the rates are survey rates based on a weighted average calculation of rates and are not majority rates. LA indicates the State of Louisiana. 2012 is the year of survey on which these classifications and rates are based. The next number, 007 in the example, is an internal number used in producing the wage determination. 5/13/2014 indicates the survey completion date for the classifications and rates under that identifier.

Survey wage rates are not updated and remain in effect until a new survey is conducted.

Union Average Rate Identifiers

Classification(s) listed under the UAVG identifier indicate that no single majority rate prevailed for those classifications; however, 100% of the data reported for the classifications was union data. EXAMPLE: UAVG-OH-0010 08/29/2014. UAVG indicates that the rate is a weighted union average rate. OH indicates the state. The next number, 0010 in the example, is an internal number used in producing the wage determination. 08/29/2014 indicates the survey completion date for the classifications and rates under that identifier.

A UAVG rate will be updated once a year, usually in January of each year, to reflect a weighted average of the current negotiated/CBA rate of the union locals from which the rate is based.
WAGE DETERMINATION APPEALS PROCESS

1.) Has there been an initial decision in the matter? This can be:

* an existing published wage determination
* a survey underlying a wage determination
* a Wage and Hour Division letter setting forth a position on a wage determination matter
* a conformance (additional classification and rate) ruling

On survey related matters, initial contact, including requests for summaries of surveys, should be with the Wage and Hour Regional Office for the area in which the survey was conducted because those Regional Offices have responsibility for the Davis-Bacon survey program. If the response from this initial contact is not satisfactory, then the process described in 2.) and 3.) should be followed.

With regard to any other matter not yet ripe for the formal process described here, initial contact should be with the Branch of Construction Wage Determinations. Write to:

   Branch of Construction Wage Determinations
   Wage and Hour Division
   U.S. Department of Labor
   200 Constitution Avenue, N.W.
   Washington, DC 20210

2.) If the answer to the question in 1.) is yes, then an interested party (those affected by the action) can request review and reconsideration from the Wage and Hour Administrator (See 29 CFR Part 1.8 and 29 CFR Part 7). Write to:

   Wage and Hour Administrator
   U.S. Department of Labor
The request should be accompanied by a full statement of the interested party's position and by any information (wage payment data, project description, area practice material, etc.) that the requestor considers relevant to the issue.

3.) If the decision of the Administrator is not favorable, an interested party may appeal directly to the Administrative Review Board (formerly the Wage Appeals Board). Write to:

Administrative Review Board
U.S. Department of Labor
200 Constitution Avenue, N.W.
Washington, DC 20210

4.) All decisions by the Administrative Review Board are final.

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END OF GENERAL DECISION