

HAMILTON COUNTY DEPARTMENT OF EDUCATION
3074 Hickory Valley Road
Chattanooga, TN 37421
Main Line: (423) 498-7030
Email: doe_purchasing@hcde.org

Posted Date: April 11, 2024

Solicitation No.: Bid 24-40

Solicitation Name: Furnish & Install Fencing Materials & Supplies

Subject: ADDENDUM NUMBER 2
TO THE SOLICITATION DOCUMENTS of **Bid 24-40 Furnish & Install Fencing Materials & Supplies**

To All Prospective Bidders:

The following represents clarification, additions, deletions, and/or modifications to the above referenced bid. This addendum shall hereafter be regarded as part of the solicitation. Items not referenced herein remain unchanged, including the response date. Words, phrases, or sentences with a strikethrough represent deletions to the original solicitation. Underlined words and bolded phrases or sentences represent additions to the original solicitation.

CLARIFICATION

- A. Addendum 2 is providing clarification of a typographical error on Addendum 1.
Addendum 1 and Addendum 2 reference **Bid 24-40 Furnish & Install Fencing Materials & Supplies** and no other solicitations.

TECHNICAL SPECIFICATIONS

- A. Replace the wage rate table on Page 57, "Construction Wage Determinations For Hamilton County" with the updated Wage Rates named "General Decision Number: TN20240195 03/22/2024".

1. ATTACHMENT: A

BIDDER/PROPOSER IS ADVISED, YOU ARE REQUIRED TO ACKNOWLEDGE RECEIPT OF THIS ADDENDUM WHEN SUBMITTING A BID/PROPOSAL. FAILURE TO COMPLY WITH THIS REQUIREMENT MAY RESULT IN THE BIDDER/PROPOSER BEING CONSIDERED NON-RESPONSIVE.

ALL OTHER TERMS AND CONDITIONS OF THE SOLICITATION DOCUMENTS ARE AND SHALL REMAIN THE SAME.

Debbie Jackson

Procurement Specialist III
Procurement Specialist Phone: 423-498-7030
Hamilton County Department of Education
doe_purchasing@hcde.org

ATTACHMENT A

"General Decision Number: TN20240180 03/22/2024

Superseded General Decision Number: TN20230180

State: Tennessee

Construction Type: Building

BUILDING CONSTRUCTION PROJECTS (does not include single family homes or apartments up to and including 4 stories)

County: Hamilton County in Tennessee.

BUILDING CONSTRUCTION PROJECTS (does not include single family homes or apartments up to and including 4 stories).

Note: Contracts subject to the Davis-Bacon Act are generally required to pay at least the applicable minimum wage rate required under Executive Order 14026 or Executive Order 13658. Please note that these Executive Orders apply to covered contracts entered into by the federal government that are subject to the Davis-Bacon Act itself, but do not apply to contracts subject only to the Davis-Bacon Related Acts, including those set forth at 29 CFR 5.1(a)(1).

If the contract is entered	. Executive Order 14026	
into on or after January 30,	generally applies to the	
2022, or the contract is	contract.	
renewed or extended (e.g., an	. The contractor must pay	
option is exercised) on or	all covered workers at	
after January 30, 2022:	least \$17.20 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 2024.	

If the contract was awarded on	. Executive Order 13658	
or between January 1, 2015 and	generally applies to the	
January 29, 2022, and the	contract.	
contract is not renewed or	. The contractor must pay all	
extended on or after January	covered workers at least	
30, 2022:	\$12.90 per hour (or the	
	applicable wage rate listed	
	on this wage determination,	
	if it is higher) for all	
	hours spent performing on	
	that contract in 2024.	

The applicable Executive Order minimum wage rate will be adjusted annually. If this contract is covered by one of the Executive Orders and a classification considered necessary for performance of work on the contract does not appear on this wage determination, the contractor must still submit a conformance request.

Additional information on contractor requirements and worker protections under the Executive Orders is available at <http://www.dol.gov/whd/govcontracts>.

Modification Number	Publication Date
0	01/05/2024
1	03/22/2024

ASBE0086-002 03/01/2023

	Rates	Fringes
ASBESTOS WORKER/HEAT & FROST INSULATOR.....	\$ 35.27	17.72

ELEC0175-005 01/01/2022

	Rates	Fringes
ELECTRICIAN.....	\$ 32.77	14.5%+8.25

ENGI0917-004 05/01/2017

	Rates	Fringes
POWER EQUIPMENT OPERATOR		

(Crane).....\$ 28.26 10.10

IRON0492-002 05/01/2023

Rates Fringes

IRONWORKER, ORNAMENTAL.....\$ 32.53 17.40
IRONWORKER, REINFORCING.....\$ 32.53 17.40
IRONWORKER, STRUCTURAL.....\$ 32.53 17.40

* SHEE0004-009 01/01/2024

Rates Fringes

SHEET METAL WORKER (Excludes
HVAC Duct Installation).....\$ 34.95 16.66

* SHEE0005-003 05/01/2023

Rates Fringes

SHEET METAL WORKER (HVAC Duct
Installation Only).....\$ 34.37 13.33

* SUTN2017-033 04/16/2021

Rates Fringes

BRICKLAYER.....\$ 20.00 0.00
CARPENTER.....\$ 18.00 0.00
CEMENT MASON/CONCRETE FINISHER...\$ 20.25 0.00
LABORER DEMOLITION.....\$ 16.74 ** 0.00
LABORER GRADE CHECKER.....\$ 13.01 ** 0.00
LABORER: Common or General.....\$ 14.11 ** 2.30
LABORER: Mason Tender - Brick...\$ 13.54 ** 0.00
LABORER: Mason Tender -
Cement/Concrete.....\$ 15.33 ** 0.00
LABORER: Pipelayer.....\$ 14.99 ** 2.41

OPERATOR:		
Backhoe/Excavator/Trackhoe.....	\$ 23.94	0.00
OPERATOR: Bobcat/Skid		
Steer/Skid Loader.....	\$ 16.84 **	0.00
OPERATOR: Bulldozer.....	\$ 28.19	9.65
OPERATOR: Drill.....	\$ 26.50	4.09
OPERATOR: Forklift.....	\$ 15.00 **	0.00
OPERATOR: Paver (Asphalt, Aggregate, and Concrete).....	\$ 14.70 **	0.00
OPERATOR: Roller.....	\$ 14.35 **	0.00
PAINTER (Brush and Roller).....	\$ 15.48 **	0.00
PIPEFITTER.....	\$ 29.54	12.41
PLUMBER.....	\$ 26.86	10.40
ROOFER.....	\$ 16.29 **	0.00
TILE FINISHER.....	\$ 14.00 **	0.00
TILE SETTER.....	\$ 19.65	0.00
TRUCK DRIVER: Dump Truck.....	\$ 15.28 **	0.00

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

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** Workers in this classification may be entitled to a higher minimum wage under Executive Order 14026 (\$17.20) or 13658 (\$12.90). Please see the Note at the top of the wage determination for more information. Please also note that the minimum wage requirements of Executive Order 14026 are not currently being enforced as to any contract or subcontract to which the states of Texas, Louisiana, or Mississippi, including their agencies, are a party.

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 <https://www.dol.gov/agencies/whd/government-contracts>.

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) (iii)).

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 National Office because National Office has 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
200 Constitution Avenue, N.W.
Washington, DC 20210

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"

Other Sources:

General Guidance: <https://www.dol.gov/agencies/whd/government-contracts/construction/guidance>

Forms: <https://www.dol.gov/agencies/whd/government-contracts/construction/forms>

Relevant Federal Authorities:
<https://www.dol.gov/agencies/whd/government-contracts/construction/laws>

Interpretive Guidance: <https://www.dol.gov/agencies/whd/government-contracts/construction/interpretive>

Fact Sheets: <https://www.dol.gov/agencies/whd/government-contracts/construction/fact-sheets>



Davis- Bacon Act Guidance

Davis-Bacon Act (DBA) Overview

Enacted in 1931, the DBA is intended to protect communities and workers from economic disruption caused by competition arising from non-local contractors obtaining federal construction contracts by underbidding local wage levels.

Applicability

The DBA requires payment of prevailing wages and fringe benefits for all construction contracts exceeding \$2,000 funded in whole or in part with Federal funds (AIP, USDA, ARC, etc.). This requirement extends to all subcontractors employed under the prime Contractor. This requirement is included in the grant assurances, and is considered a condition of grant acceptance.

Wage Determinations (WD)

WD's are issued based on project location and construction type:

Highway, Building, Heavy, and Residential.

- **Highway**- Appropriate for most airfield projects
- **Building** - Non-residential sheltered enclosures
- **Residential** - Not applicable to airport work
- **Heavy**- Projects not classified as any of the above

A current wage rate determination and DBA contract provision must be physically included in the project bid solicitation. WD's must also be posted at the job site.



Resources

Guide to Compliance

Sponsor

- Incorporate a current WD and required contract clause into the bid solicitation
- Do not award contract to a debarred contractor
- Review weekly payroll records
- Conduct labor standards interviews
 - No mandated frequency; however, *29 CFR Part 5.6* requires interviews to be conducted "with such frequency as may be necessary to assure compliance."

Contractor:

- Pay wages and fringe benefits per appropriate WD
- Post WD and Davis-Bacon Poster (*WH-1321*) in a prominent and conspicuous location on the job site
- Submit copies of payroll to Sponsor weekly
 - Shall **NOT** include Social Security Numbers or home addresses (*29 CFR 5.5(o)(3)(ii)(A)*)
 - **Must** be accompanied with a "Statement of Compliance" which satisfies *OMB No. 1235-0008*
 - *Optional Form WH-347* satisfies DBA requirements, but is not mandated

TDOT Aeronautics Division:

Before approving a reimbursement request, TDOT should receive and review all Certified Payrolls applicable to the dates of service for compliance

[Davis-Bacon Act — 40 U.S.C. 3141 et. seq.](#)

[29 CFR — Labor](#)

[Department of Labor Resources](#)

[Federal Contract Provisions](#)

[Davis-Bacon Poster \(WH-1321\)](#)

[SF 1445 — Labor Standards Interview / TDOT Local Programs Form C-27](#)