

DBRA Quick Start GUIDE



1 Initial Project Setup



- **Identify Covered Projects:** Confirm that the project falls under Davis-Bacon and Related Acts (DBRA) by verifying federal funding or requirements.
- **Determine Wage Decisions:** Obtain applicable wage determinations for the project based on location and type of work.
- **Designate Compliance Officers or Personnel:** Assign individuals who will be responsible for monitoring and enforcing compliance with Davis-Bacon requirements throughout the project, such as a project compliance officer.
- **Notify Contractors:** Identify all subcontractors who will be involved in the project. Introduce the designated Compliance Officer and inform them of the Davis-Bacon requirements and provide wage decision documents.
- **Set Up Compliance Documentation Systems:** Implement a system for tracking and storing compliance-related documents, including payroll reports, interviews, and any communications regarding wage disputes or corrections.
- **Choose a Payroll System:** Implement a payroll system specifically designed for DBRA projects to streamline certified payroll reporting.



Questions to keep in mind when looking for an electronic payroll system

- ✓ Does it provide automated alerts for wage misclassification or missing documentation?
- ✓ Can it track authorized payroll deductions and ensure compliance with DBRA guidelines?
- ✓ How long is payroll data stored, and does it meet federal recordkeeping requirements?
- ✓ What kind of technical support is available for troubleshooting compliance-related issues?
- ✓ Is there an existing payroll compliance system currently in use by a related agency that could be adopted for consistency, ensuring contractors are already familiar with the platform?

2 Pre-Construction Activities



- **Implement a Compliance Packet for Subcontractors:**
 - **Start of Work Notice:** Require subcontractors to submit a formal notice before beginning work, confirming their understanding and agreement to DBRA requirements.
 - **Termination of Work Notice:** Have subcontractors provide a notification when their work is completed, ensuring all necessary payroll and documentation have been submitted.
 - **Certificate of Appointing Officer:** Include a certificate designating a compliance officer within the subcontractor's organization responsible for adhering to DBRA requirements and submitting necessary documents.
 - **Basic DBRA Guidelines:** Provide a set of clear guidelines outlining the key DBRA requirements, including wage determinations, certified payroll reporting, worker classifications, and the obligation to comply with prevailing wage rates.
- **Conduct Pre-Construction Meeting:**
 - Review Davis-Bacon compliance requirements with contractors.
 - Distribute wage determination and discuss key compliance obligations.
- **Ensure Contract Inclusion:** Review and ensure all necessary Davis-Bacon clauses and provisions are included in the contract documents, including wage rates and job classifications.



3 Weekly Payroll Monitoring



- Collect Certified Payroll Reports (CPRs):
 - Require contractors to submit CPRs weekly
- Review CPRs:
 - Verify that wages and fringe benefits align with the wage determination.
- Conduct On-Site Interviews:
 - Use a template like HUD Form-11 to compare worker-reported wages and classifications with payroll records.
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- Conduct Regular Compliance Audits: Perform periodic audits to assess overall compliance with DBRA requirements and identify any potential issues before they become significant.
- Document Findings: Note discrepancies or potential violations for follow-up.



Certified Payroll Red Flags

- ▶ The same number of hours are reported for each worker every week, with no variations, even though the actual work schedule may have fluctuated.
- ▶ Reports from site visits do not align with the work hours or classifications documented in the certified payroll.
- ▶ Missing or late submissions.
- ▶ Misclassifying workers.
- ▶ Frequent resubmissions to correct mistakes.
- ▶ Missing required documentation (apprentice certificates, proof of payment, timesheets or payroll deduction authorizations).

4 Compliance Enforcement



- Address Discrepancies:
 - Notify contractors of any issues or violations identified during payroll reviews or interviews.
 - Require corrections (e.g., restitution for underpayments) and updated payroll submissions.
 - Notify the EPA Project Officer of any instances of non-compliance or potential non-compliance identified during a project site visit, audit, or routine communication.
- Maintain Records:
 - Keep all payroll records, correspondence, and interview documentation for the entire length of the project and 3 years after the termination of the project.

5 Reporting and Closeout



- Final Compliance Review:
 - Conduct a final audit of payrolls, worker interviews and documentation to ensure all compliance obligations were met.
- Close Out:
 - Issue certifications or closeout documentation as appropriate.
- Submit Reports:
 - Provide compliance documentation as required to the funding agency or oversight body.

Davis-Bacon rules and guidance have applied to federal construction projects over \$2,000 for the past 90+ years. The application of these guidelines to clean energy projects—particularly those managed by the EPA—is relatively new, and the associated compliance guidance is still evolving.

To ensure your program remains fully compliant with all applicable laws and statutes, we recommend consulting the following key resources as part of your compliance monitoring process.

[DOL Field Operation Handbook](#)
[State Labor Offices](#)
[Local DOL Wage and Hour Offices](#)

[Prevailing Wage Seminars](#)
[IRA Explainers and Guides Series for States](#)
[DOL - General Guidance](#)