#### **February 25, 2022**

### U.S. DEPT. OF LABOR DAVIS BACON MINIMUM WAGES COLORADO HIGHWAY CONSTRUCTION

**GENERAL DECISION NUMBER – CO20220010**

**NOTICE**

This is a standard special provision that revises or modifies CDOT’s *Standard Specifications for Road and Bridge Construction*. It has gone through a formal review and approval process and has been issued by CDOT’s Construction Engineering Services with formal instructions for its use on CDOT construction projects. It is to be used as written without change. Do not use modified versions of this special provision on CDOT construction projects, and do not use this special provision on CDOT projects in a manner other than that specified in the instructions, unless such use is first approved by the Standards and Specification Unit of the Project Development Branch. The instructions for use on CDOT construction projects appear below.

Other agencies which use the *Standard Specifications for Road and Bridge Construction* to administer construction projects may use this special provision as appropriate and at their own risk.

**Instructions for use on CDOT construction projects:**

Use this standard special provision on all federal-aid projects with contracts exceeding $2000, except for non-ARRA projects on roadways classified as local roads or rural minor collectors, which are exempt. Projects on local roads, rural minor collectors, and enhancement projects funded with ARRA funds are not exempt.

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| **Decision Nos. CO20220010** dated January 7, 2022 supersedes **Decision Nos. CO20210010** dated January 1, 2021. | | **Modifications** | | | | | | **ID** |
| **MOD Number**  **1**  **2** | | **Date**  **2/18/22**  **2/25/22** | | **Page Number(s)**  **1**  **2 and 4** | | **1**  **2** |
| When work within a project is located in two or more counties and the minimum wages and fringe benefits are different for one or more job classifications, the higher minimum wages and fringe benefits shall apply throughout the project. | |
| General Decision No. CO20220010 applies to the following counties: Baca, Bent, Costilla, Crowley, Huerfano, Kiowa, Las Animas, Otero, and Prowers counties. | | | | | | | |  |
| General Decision No. CO20220010  **The wage and fringe benefits listed below reflect collectively bargained rates.** | | | | | | | | |
| Code | Classification | | **Basic Hourly Rate** | | **Fringe Benefits** | | **Last**  **Mod** | |
|  | **CARPENTER** (Form Work Only) | | 26.50 | | 10.32 | |  | |
| 1814 | **ELECTRICIAN** | | 26.45 | | 12.09 | | **1** | |
|  | **POWER EQUIPMENT OPERATOR:** | |  | |  | |  | |
|  | **Power Broom/Sweeper** | |  | |  | |  | |
|  | Under 70 hp | | 30.29 | | 12.35 | |  | |
|  | 70 hp and over | | 31.05 | | 12.35 | |  | |
|  | **Drill Rig Caisson** | |  | |  | |  | |
|  | Smaller than Watson 2500 and similar | | 31.05 | | 12.35 | |  | |
|  | Watson 2500 similar or larger | | 31.37 | | 12.35 | |  | |
|  | **Crane** | |  | |  | |  | |
|  | 50 tons and under | | 31.70 | | 12.35 | |  | |
|  | 51 - 90 tons | | 31.37 | | 12.35 | |  | |
|  | 91 - 140 tons | | 33.05 | | 12.35 | |  | |
| General Decision No. CO20220010  **The wage and fringe benefits listed below do not reflect collectively bargained rates.** | | | | | | | | |
|  | **CARPENTER** (Excludes Form Work) | | 18.96 | | 3.18 | |  | |
|  | **CEMENT MASON/CONCRETE FINISHER:** | |  | |  | |  | |
|  | Baca, Bent, Costilla, Crowley, Huerfano, Kiowa, Otero,  Prowers | | 17.70 | | 2.53 | |  | |
|  | Las Animas | | 17.24 | | 2.85 | |  | |
|  | **ELECTRICIAN** | | 28.06 | | 8.76 | |  | |

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| General Decision No. CO20220010  **The wage and fringe benefits listed below do not reflect collectively bargained rates.** | | | | |
| Code | Classification | **Basic Hourly Rate** | **Fringe Benefits** | **Last**  **Mod** |
|  | **HIGHWAY/PARKING LOT STRIPING:** |  |  |  |
|  | Truck Driver (Line Striping Truck) | 14.60 **\*\*** | 3.49 | **2** |
|  | Painter | 13.92 **\*\*** | 3.07 | **2** |
|  | **IRONWORKER:** |  |  |  |
|  | Reinforcing | 16.94 | 6.77 |  |
|  | Structural | 16.76 | 6.01 |  |
|  | **LABORER:** |  |  |  |
|  | **Common or General** |  |  |  |
|  | Baca, Bent, Costilla, Crowley, Huerfano, Kiowa, Otero,  Prowers | 14.48 **\*\*** | 3.53 | **2** |
|  | Las Animas | 14.52 **\*\*** | 3.53 | **2** |
|  | **Concrete Saw** (Hand Held) | 16.00 | 6.14 |  |
|  | Landscape and Irrigation | 15.37 | 3.16 |  |
|  | Mason Tender - Cement/Concrete | 12.44 **\*\*** | 3.10 | **2** |
|  | **Traffic Control** (Flagger) | 9.42 **\*\*** | 3.21 | **2** |
|  | **Traffic Control** (Sets Up/Moves Barrels, Cones, Installs  signs, Arrow Boards and Place Stationary Flags),  (Excludes Flaggers) | 12.39 **\*\*** | 3.20 | **2** |
|  | **PAINTER** (Spray Only) | 17.54 | 3.52 |  |
|  | **POWER EQUIPMENT OPERATOR:** |  |  |  |
|  | Asphalt Laydown | 24.17 | 6.73 |  |
|  | Asphalt Paver | 22.67 | 8.72 |  |
|  | Asphalt Plant | 21.13 | 2.16 |  |
|  | Asphalt Roller | 23.14 | 7.51 |  |
|  | Asphalt Spreader | 23.19 | 7.66 |  |
|  | **Backhoe/Trackhoe** |  |  |  |
|  | Baca, Bent, Costilla, Crowley, Huerfano, Kiowa, Otero,  Prowers | 23.19 | 4.18 |  |
|  | Las Animas | 24.70 | 3.40 |  |

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| General Decision No. CO20220010  **The wage and fringe benefits listed below do not reflect collectively bargained rates.** | | | | |
| Code | Classification | **Basic Hourly Rate** | **Fringe Benefits** | **Last**  **Mod** |
|  | **POWER EQUIPMENT OPERATOR (con’t):** |  |  |  |
|  | Bobcat/Skid Loader | 18.43 | 3.12 |  |
|  | Bulldozer | 26.65 | 4.46 |  |
|  | Chipper | 22.04 | 8.26 |  |
|  | Drill | 20.49 | 2.66 |  |
|  | Forklift | 18.30 | 5.01 |  |
|  | **Grader/Blade** |  |  |  |
|  | Baca, Bent, Costilla, Crowley, Huerfano, Kiowa, Otero,  Prowers | 18.40 | 4.20 |  |
|  | Las Animas | 18.88 | 3.14 |  |
|  | Guardrail/Post Driver | 16.07 | 4.41 |  |
|  | **Loader** (Front End) |  |  |  |
|  | Baca, Bent, Costilla, Crowley, Huerfano, Kiowa, Otero,  Prowers | 23.58 | 6.66 |  |
|  | Las Animas | 23.56 | 5.93 |  |
|  | Mechanic | 18.91 | 4.20 |  |
|  | Oiler | 22.54 | 9.22 |  |
|  | **Roller/Compactor** (Dirt and Grade Compaction) | 17.78 | 2.83 |  |
|  | Scraper | 19.93 | 5.38 |  |
|  | Screed | 16.21 | 3.76 |  |
|  | Tractor | 16.83 | 2.95 |  |
|  | **TRUCK DRIVER:** |  |  |  |
|  | Distributor | 17.98 | 5.27 |  |
|  | Dump Truck | 17.61 | 2.69 |  |
|  | **Lowboy Truck** |  |  |  |
|  | Baca, Bent, Costilla, Crowley, Huerfano, Kiowa, Otero,  Prowers | 19.95 | 3.36 |  |
|  | Las Animas | 19.77 | 3.25 |  |

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| General Decision No. CO20220010  **The wage and fringe benefits listed below do not reflect collectively bargained rates.** | | | | |
| Code | Classification | **Basic Hourly Rate** | **Fringe Benefits** | **Last**  **Mod** |
|  | **TRUCK DRIVER, (con’t):** |  |  |  |
|  | Mechanic | 17.79 | 3.51 |  |
|  | Multi-Purpose Specialty & Hoisting Truck | 18.89 | 3.49 |  |
|  | Pickup and Pilot Car | 14.04 **\*\*** | 3.49 | **2** |
|  | Semi Truck | 17.58 | 4.67 |  |
|  | Water Truck | 14.88 **\*\*** | 2.07 | **2** |

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

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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 (29 CFR 5.5(a)(1)(ii)).

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In the listing above, the "SU" designation means that rates listed under the identifier do not reflect collectively bargained wage and fringe benefit rates. Other designations indicate unions whose rates have been determined to be prevailing.

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**MINIMUM WAGE RATES**

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| --- | --- |
| 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)(2)-(60). | |
| If the contract is entered into on or after January 30, 2022, or the contract is contract is renewed or extended (e.g., an option is exercised) on or after January 30, 2022: | Executive Order 14026 generally applies to the contract. The contractor must pay all covered workers at least $15.00 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 2022. |
| If the contract was awarded on or between January 1, 2015 and January 29, 2022, and the contract is not renewed or extended on or after January 30, 2022: | Executive Order 13658 generally applies to the contract. The contractor must pay all covered workers at least $11.25 per hour (or applicable wage rate listed on this wage determination, if it is higher) for all hours spent performing on that contract in 2022. |
| 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. | |
| **\*\* Workers in this classification may be entitled to a higher minimum wage under Executive Order 14026 ($15.00) or 13658 ($11.25). Please see the Note at the top of this table for more information.** | |
| For further information, please click on this link: <https://www.dol.gov/agencies/whd/government-contracts/eo14026> | |

**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

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.

**END OF GENERAL DECISION NO. CO20220010**