

## State Revolving Fund Programs Affected

# New EPA Requirement for Davis-Bacon Wage Provisions

EPA has recently announced that compliance with the Davis-Bacon Act, which requires payment of "prevailing wages" on public works projects, will be required on all Drinking Water and Clean Water State Revolving Fund (SRF) Programs through October 1, 2010.

Previously, only projects funded by the American Recovery and Reinvestment Act of 2009 (ARRA) have been required to comply with the Davis-Bacon Act provisions.

This Act applies to contractors and subcontractors performing on federally-funded or federally-assisted contracts in excess of \$2,000 for the construction, alteration, or repair of public buildings or public works. Local governments with projects funded through the SRF programs that will be impacted by this will need to follow the Davis-Bacon Act requirements when bidding a construction project and will be required to adhere to other federal reporting requirements for the duration of the project construction.

It is important to note that the key trigger date for this new requirement is the date of execution of the SRF assistance agreement, rather than the project's construction contract execution date. A memorandum, issued by the Environmental Protection Agency (EPA) in November, requires states to include Davis-Bacon provisions in all SRF assistance agreements executed on or after October 30, 2009 and prior to October 1, 2010.

For more information go to <http://www.daa.com/portfolio/specialized-funding.htm> or contact one of our Community Resource Specialists.



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