

DAVIS BACON ACT EXEMPTION CERTIFICATION FORM – ATTACHMENT VIII
(For Construction/Rehabilitation Applications)

The Davis Bacon Act requires the payment of prevailing wage rates (which are determined by the U.S. Department of Labor) to all laborers and mechanics on Federal government construction projects in excess of \$2,000. Construction includes alteration and/or rehabilitation of public buildings or public works.

_____ (*Applicant name*) affirms that (part or all) of its CDBG project is exempted from Davis Bacon prevailing wage provisions because:
(*Check all that apply*)

- 1. The CDBG funds are to be used for acquisition only and there is no construction
or
- 2. CDBG funds will be used for constructing or rehabilitating a property that was designed for fewer than eight units.*
or
- 3. The prime construction contract funded in whole or in part with funds is less than \$2,000.
or
- 4. The project consists solely of delivery of goods or services (No construction activity) *If this is the case you must apply as a public service applicant, using the public service application.*
or
- 5. Part or all of the project will be done through a force account. For example, the grantee uses persons employed by the city to perform the work.**
or
- 6. There are no federal funds in the construction contract.
or
- 7. All or a portion of the CDBG funds shall be used for the purchase of equipment:
(*Check one*)
 - Installation of equipment is incidental (less than 13%) of the total cost (equipment PLUS installation) – this requires a separate quote for equipment and the installation)
or
 - No installation costs are included in the purchase of the equipment
or
- 8. Proceeds of the CDBG loan shall be used for working capital only

Signature: _____

Typed Name: _____

Title: _____

Date: _____

Applicant should confirm with Neighborhood Services Staff member regarding this option.

*Clarification is necessary because some housing projects will qualify as public facilities and not housing.

**A force account is when a City receives funds and completes the project using their own employees. All employees in this case would be on the local government payroll.