

Davis-Bacon and Relocation



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MISSOURI HOUSING

DEVELOPMENT COMMISSION





Introduction and Agenda

- Davis-Bacon
- Relocation
- Questions

Davis-Bacon

- Applies to any federally required project
- What is a federally required project?
 - HOME - 12 or more HOME assisted units
 - CDBG - 8 or more total units
 - RAD (Rental Assistance Demonstration)
 - Project approval letter dated after 12/31/2014
 - CHOICE or Housing Choice Vouchers
 - HUD
 - Elation System

(please note this is not a complete list)



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- All developers need to check with all other funding sources to verify that they don't require Davis-Bacon.

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- The Wage Decision
 - MHDC issues final wage decision within 10 days of construction closing
 - Federal Department of Labor
 - Department of Labor: <http://www.wdol.gov/>
 - MHDC website: http://www.mhdc.com/rental_production/pwr/index.htm
 - The Wage Decision is used throughout the entire construction period
 - Each Wage Decision is unique to that project

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MO130061 MOD 1 REVISED 07/26/13 MO61
***** THIS WAGE DETERMINATION WAS REPLACED ON 07/26/13*****
General Decision Number: MO130061 04/05/2013

Superseded General Decision Number: MO20120061

State: Missouri

Construction Type: Residential

Counties: Camden, Cooper, Dent, Gasconade, Maries, Miller,
Montgomery, Morgan, Phelps and Pulaski Counties in Missouri.

RESIDENTIAL CONSTRUCTION PROJECTS (consisting of single family
homes and apartments up to and including 4 stories).

Modification Number	Publication Date
0	01/04/2013
1	04/05/2013

BRMO0015-019 03/01/2012

	Rates	Fringes
BRICKLAYER.....	\$ 28.20	14.35

* PAIN1185-006 04/01/2013

COOPER, GASCONADE, MONTGOMERY, AND MORGAN COUNTIES

	Rates	Fringes
PAINTER		
Brush, Drywall		
Finishing/Taping, and		
Roller.....	\$ 21.35	11.67

PAIN1265-010 07/01/2012

CAMDEN, DENT, MARIES, MILLER, PHELPS, AND PULASKI COUNTIES

	Rates	Fringes
Painters:		
Brush and Roller.....	\$ 25.64	11.77

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- Multiple wage decisions may apply
 - Demolition
 - Even if not included in construction contract
 - Multi-use project



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- Documentation Requirements for All Projects
 - E-Verify MOU
 - Print out from website with company name and number
 - No hand written information
 - Affidavit of Workforce Eligibility
 - Notarized
 - Must have on file for every subcontractor, lower tier subcontractor and general contractor

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Workforce Eligibility Affidavit

Development Name:
MHDC Development Number:

State of Missouri)
) ss
County of _____)

The undersigned does, by his/her oath solemnly swear and affirm that he/she is the _____ [title] of _____ [company name] and as such officer or agent of such entity I am duly authorized to make this affidavit on behalf of said entity. On behalf of such entity and pursuant to the authority recited herein, the undersigned does further solemnly swear and affirm and that said entity:

CHECK ONE

1. Is enrolled and actively using the E-Verify system,
2. Does not knowingly employ any person who is an unauthorized alien, and
3. Certifies that all its employees are lawfully present in the United States;

OR

1. Is not an employer and does not have any employees,
2. Certifies that any independent contractor and subcontractors of such independent contractor paid for labor performed in connection with the above named MHDC development are properly classified as independent contractors and should not be classified as employees,
3. Certifies that any independent contractor and subcontractors of such independent contractor paid for labor performed in connection with the above named MHDC development are not unauthorized aliens and are lawfully present in the United States,
4. Certifies that if, at any time, it does employ any employees, it will immediately enroll and begin actively using the E-Verify system and will not knowingly employ any person who is an unauthorized alien and that all such employees it does hire will be lawfully present in the United States.

The undersigned affirms, under penalty of perjury, that all statements made herein are true and correct.

Signature _____ Printed Name _____

Subscribed and sworn to before me this ____ day of _____, ____.

Notary Public

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Company ID Number: 331834

To be accepted as a participant in E-Verify, you should only sign the Employer's Section of the **signature page**. If you have any questions, contact E-Verify at 888-464-4218.

Employer **ABC Company**

Carol Sifford

Name (Please Type or Print)

Title

Electronically Signed

Signature

05/14/2014

Date

Department of Homeland Security – Verification Division

USCIS Verification Division

Name (Please Type or Print)

Title

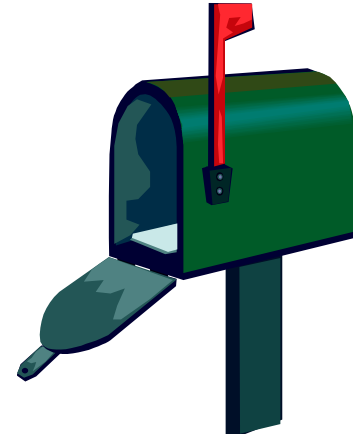
Electronically Signed

Signature

05/14/2014

Date

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- Weekly Payrolls Submitted to MHDC
 - All workers should be paid weekly at least the amount of the wage plus fringe on the wage determination
 - One original copy with an original signature
 - Submission process coordinated by General Contractor
 - Prevailing Wage Guide document available

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- Common Payroll Issues
 - E-Verify MOU and Affidavit of Worker Eligibility forms missing
 - Job Classifications not listed correctly
 - Fringe/Other Deduction additional documentation missing
 - Use of apprentices
 - Apprentice Ratios
 - Proper Certifications
 - Authorized Signatures

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- Issues and Resolution
 - MHDC review all certified payrolls
 - Pamela Sanders (816) 759-6684 or psanders@mhdc.com
- MHDC will email a list of issues discovered to payroll contact
 - 30 days to resolve issues
 - After 30 days, monthly disbursements or draws may be held for the ENTIRE project due to one sub's compliance issues
 - Be sure to address concerns with MHDC staff

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- MHDC Form 2502 - Master Subcontractor List
 - Due to MHDC monthly (Pamela Sanders and Sheryl Butler)
 - Contract type and subcontractor company name
 - Indicate if the contract falls under Section 3, WBE or MBE
 - Amount of contract and the amount expended
 - Reporting if the subcontractor or their subs are active during the applicable time period

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- MHDC On-Site Interviews
- Project Closing
 - All issues must be resolved before MHDC
 - conversion can occur
 - Outstanding restitution issues could be placed in escrow

Relocation Requirements

- Policy guides and sample forms are available on the MHDC website at:
http://www.mhdc.com/rental_production/relocation_docs/index.htm
 - Four stages of relocation process
 - Proper and timely notices to all residents





Relocation Requirements

- Stage 1 (Application Phase)
 - Required Documentation
 - Seller Certification
 - Acceptance of MHDC Relocation Policy
 - Relocation Plan
 - Tenant list
 - Sample notices

Relocation Requirements

- Stage 2 (Firm Commitment Phase)
 - Required Documentation
 - Updated plans and forms
 - Proof that General Information Notices (GIN) has been delivered to ALL residents
 - Tenant Notices
 - Evictions and voluntary move outs with supporting documentation
 - List of over-income or rent-burdened tenants, if any
 - If applicable - permanently displaced households
 - Notice of Eligibility
 - Supporting Documentation
 - Copies of notices with proof of delivery

Relocation Requirements

- Stage 3 (Construction Phase)
 - Required Documentation
 - Supporting documentation that all residents were reimbursed for moving expenses
 - Notices to move to temporary and permanent units
 - Proof of HQS standards have been met for temporary and permanent units
 - Voluntary move out documentation
 - Permanently displaced household documentation



Relocation Requirements

- Stage 4 (Project Completion Phase)
 - Required Documentation
 - Final list of tenants
 - Final list of permanently displaced households



Questions?



Contact Information:

Pamela Sanders

HOME Coordinator

psanders@mhdc.com

Direct: (816)759-6684



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