

## APPENDIX W - PREVAILING WAGE RATE

1. It is the policy of the University of Minnesota that all contracted labor for projects complies with the prevailing wage requirements of Minnesota Statutes subsections 177.41 through 177.43. This requirement shall apply regardless of the source of funding.

2. In accordance with Minnesota Statutes subsection 177.43 subdivision 7, the university is not required to pay prevailing wages on projects if:

A. The estimated total cost of completing the project is less than \$2,500 and only one trade or occupation is required to complete it or

B. The estimated total cost of completing the project is less than \$25,000 and more than one trade or occupation is required to complete it.

**3. Definition:** Prevailing wage rate shall mean the wage rate paid to the largest number of those employed in the same class of labor in the labor market area as determined and certified by the Minnesota Department of Labor and Industry.

4. All contracts that are subject to the limitations expressed in Minnesota Statutes subsection 177.43, subdivision 7, shall require the vendor/contractor (and all subvendors/contractors employed by the vendor/contractor) to pay their respective laborers, workers, and mechanics employed on the work site at least the prevailing wage in the county in which the project is located. Subdivision 7 calls for (1) the construction, alteration or repairing of a building or other major structures or (2) the installation, alteration or repairing of furnishings, fixtures and equipment.

5. All contracts that are subject to the limitations expressed in Minnesota Statutes subsection 177.43, subdivision 7, shall require the vendor/contractor (and all subvendors/contractors employed by the vendor/contractor) to pay their respective laborers, workers, and mechanics employed directly on the job site at least the prevailing wage in the county in which the project is located.. The nature of such contracts applies to:

A. The construction, alteration or repair of a building or other major structures

B. The installation, alteration or repair of furnishings, fixtures and equipment

6. The A/E shall contact the Minnesota Department of Labor and Industry to determine the prevailing wages for the area in which the project is located. This information shall be included in the project manual.

7. If the vendor/contractor and/or any subvendor/contractor of any tier fail to pay its laborers, workers, and mechanics the prevailing wage, such vendor/contractor shall:

A. Immediately make payment of such prevailing wages to the laborers, workers, or mechanics that were underpaid.

B. Hold the university harmless for all claims, demands and cause of action, including reasonable attorneys' fees and costs, arising from such failure of the vendor/contractor to pay the prevailing wage rates to the laborers or mechanics.

8. The vendor/contractor shall be required to post the wage rate determination as certified by the Minnesota Department of Labor and Industry in a conspicuous place on the job site. It shall be available to all employees and subvendors/contractors and shall be the same throughout the course of the work.

Minnesota Department of Labor and Industry  
Phone: (651) 296-6452  
Web site: [www.doli.state.mn.us](http://www.doli.state.mn.us)

9. At the University's request, the vendor/contractor shall furnish copies of certified payroll records for all laborers, workers, and mechanics performing work at the project site to the University. The certified payroll records shall be submitted to the University within 7 business days of the date of the request. If the request covers future pay periods, the records shall be submitted to the University within 7 days of the last day of each pay period covered by the request.

10. "Certified Payroll" refers to payroll records properly completed and submitted on U.S. Department of Labor form WH-347. A current copy of the form can be found on the U.S. Department of Labor's website at <http://www.dol.gov/esa/forms/whd/wh347.pdf>

**End of Appendix W - Prevailing Wage Rate**  
**University of Minnesota Facilities Management**  
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