

# SUPPLEMENTARY CONDITIONS

## Regarding Tennessee state wage rate requirements

Intended for use with TN Higher Education Conditions for General Work

### **MODIFICATIONS TO 00 72 13 for General Work GENERAL CONDITIONS OF THE CONTRACT FOR CONSTRUCTION**

The following supplements modify, change, delete from or add to 00 72 13 General Conditions of the Contract for Construction (a modified AIA Document A201-2007) and any other Conditions preceding these by section number for this Contract. Where a portion of Conditions is altered by these Conditions, the unaltered portion shall remain in effect.

#### **ADD THE FOLLOWING:**

#### **3.4.7.1 STATE PREVAILING WAGE**

**3.4.7.1.1** On contracts determined by the Department of Labor and Workforce Development to be “Highway Construction”, Contractor is required to comply with policies, conditions and rules of the Tennessee Department of Labor pursuant to TCA §12-4-401, et. seq., and pay prevailing highway wage scale to laborers and mechanics employed on the Work or designated portion thereof, as set forth in said rules, policies, and statute, and to furnish weekly payrolls with the decision number noted on each to the Tennessee Department of Labor and Workforce Development.

**3.4.7.1.2** Owner and Designer shall have endeavored to provide current state highway prevailing wage decision and rate scale as an attachment to this section; however, their failure to do so shall not relieve Contractor of responsibility to comply with the requirement. If state highway prevailing wage decision and rate scale applicable to Project changes during the

course of Project, or differs from rate scale provided in Contract Documents, there shall be an equitable adjustment of Contract Sum.

**3.4.7.1.3** When a federal wage scale applies to the Project, it will also be included in the Contract Documents, and the Contractor shall pay not less than the rates set forth therein; and so, shall pay the higher of the state rate and the federal rate if a labor classification exists in both wage scales applicable to the same worker.

#### **3.4.7.1.4 PAYROLLS AND BASIC RECORDS:**

**3.4.7.1.4.1** Contractor and its subcontractors shall maintain payrolls and basic payroll records for all laborers and mechanics working on the contract during the contract and shall make them available to the government until 3 years after contract completion. Records shall contain the name and address of each employee, social security number, labor classifications, hourly rates of wages paid, daily and weekly number of hours worked, deductions made, and actual wages paid. If federal wage rates and record-keeping apply, the records need not duplicate those required for federal compliance.

**3.4.7.1.4.2** Contractor and its subcontractors shall allow authorized representatives of the government to inspect, copy, or transcribe records maintained these requirements, and shall allow authorized representatives of the government to interview employees in the workplace during working hours.

#### **3.4.7.1.5 SUBCONTRACTS**

Contractor shall insert these provisions in subcontracts and require subcontractors to include these provisions in any lower tier subcontracts. Contractor shall be

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responsible for compliance with the provisions set forth herein by direct

subcontractors and lower tier subcontractors.

**END OF SECTION**