

SUMMARY OF LABOR LAW REQUIREMENTS AND DOCUMENTS FOR CITY OF ROCHESTER PUBLIC WORK CONTRACTS

Submit all required documentation by email to compliance@cityofrochester.gov

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NEW YORK STATE DEPARTMENT OF LABOR



The Labor Department's Role

Public Work Projects in New York State

The New York State Department of Labor protects the rights of workers on public work projects. The Department's Bureau of Public Work inspects projects to make sure that contractors comply with requirements covering wages, fringe benefits, and hours of work.

Without the services of the Bureau, workers and the community at large would suffer. Contractors would find themselves falling victim to undercutting tactics by an unscrupulous minority of construction companies, and -- inevitably -- the quality of many public work projects would suffer.

The Bureau is responsible for the administration of Articles 8 and 9 of the State Labor Law. Article 8 covers public construction and Article 9 covers building service contracts. The Bureau has jurisdiction throughout the state except on projects let by the City of New York.

Public Work

A public work project is based on a contractual agreement between a state or local *governmental entity* and a private contractor. Governmental entities include the state; cities; counties; towns; villages; school districts; water districts; fire districts; and any agency, commission, or authority created under state law.

A project can involve construction of new facilities or the renovation or repair of existing facilities. Examples of facilities include office buildings, highways, colleges, schools, bridges, prisons, and water and sewer system.

The Prevailing Wage

Public work wages in New York State differ from area to area and from craft to craft. State law requires that wage rates for public work projects are those established by collective bargaining agreements between trade unions and employers where the project is located. Required wage levels, *supplements* (fringe benefits), and hours of work are referred to collectively as the *prevailing wage*.

The Workers

Examples of work classifications on public work construction projects are asbestos worker, boilermaker, carpenter, electrician, elevator constructor, equipment operator, glazier, ironworker, laborer, mason, painter, plumber, roofer, sheet metal worker, sprinkler fitter, surveyor, and teamster.

Service Employees

Some service employees are also covered by the prevailing wage if they work for a private employer under contract with a public agency. Examples of workers covered are building cleaners, guards, porters, elevator operators, garbage collectors, and employees who transport office furniture and equipment. Article 9 of the State Labor Law requires that a contract must exceed \$1,500 for its provisions to apply.

Wages

The Labor Department issues *wage schedules* on a county-by-county basis that contain minimum rates of pay for different work classifications. State law requires that these schedules be made part of all contracts between a government entity and a contractor. A sample wage schedule covering the mason-building trade is in this ***FYI***.

Wage schedules are an integral part of the tools used to protect worker rights. The appropriate schedule must become part of the advertised specification for each job so that contractors who bid are aware of their legal responsibilities. After a contract is awarded and construction is ready to begin, applicable wage schedules must be posted at the job site.

The Process

Basically, the process has five steps:

- A state or local agency decides to let a contract for a public work project.
- The contracting agency must send a written request to the Labor Department's Bureau of Public Work for an appropriate wage schedule.
- The contracting agency then must attach the wage schedule to the bid specifications.
- When awarding a contract, the agency must attach the wage schedule to the contract and notify the Bureau of Public Work that the contract has been awarded. Legally, the wage schedule is part of the contract.
- Before work begins, the contractor and subcontractors must post wage schedules at the construction site so that workers know what they are entitled to.

Annual Updates

The State Labor Department updates prevailing wage rates annually. The Department publishes new wage schedules on May 31st of each year, and they are in effect from July 1st of the year issued through June 30th of the next year. The new annual rates supersede all earlier rates. ***Upon receipt of the new schedules, all public contracting agencies must provide them to their private contractors. All prime contractors must provide them to their subcontractors, and all subcontractors must provide them to their subcontractors.***

Overtime Pay

Overtime requirements are listed for each trade in the wage schedule. Overtime wages vary from community to community and from trade to trade. At a minimum, any work performed beyond eight hours a day or five days a week is overtime, and requires payment that matches the rate prevailing in the area.

Holidays

Any employee who performs labor under a public work contract is entitled to holiday pay when this benefit is specified in the prevailing wage schedule.

Worker Awareness

Workers can determine whether they are being paid the prevailing wage by checking the Labor Department wage schedules that a contractor must post at the job site. If no schedule is posted, workers should contact a field office of the Department's Bureau of Public Work. A list of Bureau addresses and telephone numbers is in this ***FYI***.

Filing a Claim

Workers who believe they have not been paid the prevailing wage rate on a public work project should file a claim with a Bureau of Public Work field office and request an investigation. The law allows the Department to investigate two years back from the day a claim is filed.

Bureau Investigations

Bureau of Public Work investigators spend substantial time in the field to determine whether legal requirements that protect workers are being met by contractors.

Basically, investigators find out whether workers are being paid the prevailing wage, and whether they are being paid promptly (not more than seven calendar days after the week in which the money is earned).

Contractors must keep payroll records and furnish them to Bureau investigators for inspection. The records must show each worker's occupation, the hours and days worked, and the wages and benefits paid or provided.

Benefit to Workers

If a worker is not being paid the prevailing wage, the Labor Department will collect back wages, and furnish them to the worker without charge. Only regular deductions will be taken out, such as state, Federal, and Social Security taxes, and applicable fringe benefits. There is no fee for this service. ***The Labor Department collects millions of dollars annually in back wages and benefits owed workers on public work projects.***

Repeated Violations

Contractors that willfully violate the law by failing to pay the prevailing wage twice in six years are barred from bidding on future public work contracts in New York State for five years.

Contractors that willfully violate the law and whose violation includes falsification of payroll records or a kickback of wages will be debarred after one violation.

SAMPLE WAGE SCHEDULE

Mason-Building

<u>Wages (per hour)</u>	<u>07/01/2006</u>	<u>05/17/2007</u>
Bricklayer	\$25.09	Additional
Cement Finisher	25.09	\$1.40
Plasterer	25.09	1.40
Tuck Pointer	25.09	1.40
Stone Mason	25.09	1.40

Additional \$0.50 per hour for using asphalt- or tar-based material.

Additional \$0.50 per hour for swing scaffold (two-man) and bosun's chair work.

SUPPLEMENTAL BENEFITS, per hour worked

Journey Level \$13.91

OVERTIME PAY: See (B, E, E2, Q) on OVERTIME PAGE.

HOLIDAYS:

Paid: See (1) on HOLIDAY PAGE.

Overtime: See (5, 6) on HOLIDAY PAGE.

REGISTERED APPRENTICES: (1) year terms at the following percentages of journey level wage:

<u>1st</u>	<u>2nd</u>	<u>3rd</u>	<u>4th</u>
45%	55%	65%	80%

SUPPLEMENTAL BENEFITS, per hour worked

1st year	\$5.23
2nd year	8.48
3rd year	9.08
4th year	9.93

Bureau of Public Work Offices

Headquarters

NYS Department of Labor
Bureau of Public Work
State Office Building Campus
Building 12, Room 130
Albany, NY 12240
(518) 457-5589

Website: www.labor.state.ny.us

Field Offices

Albany

State Office Building Campus
Building 12, Room 134-B
Albany, NY 12240
(518) 457-2744

Binghamton

44 Hawley Street, Room 908
Binghamton, NY 13901
(607) 721-8005

Buffalo

65 Court Street, Room 201
Buffalo, NY 14202
(716) 847-7159

Garden City

400 Oak Street, Suite 101
Garden City, NY 11530
(516) 228-3915

New York City

247 West 54th Street
New York, NY 10019
(212) 621-0835

Rochester

109 S. Union Street, Room 312
Rochester, NY 14607
(585) 258-4505

Syracuse

333 East Washington Street, Room 419
Syracuse, NY 13202
(315) 428-4056

Utica

207 Genesee Street, Room 603-B
Utica, NY 13501
(315) 793-2314

White Plains

120 Bloomingdale Road, Room 204
White Plains, NY 10605
(914) 997-9507

**Public Information Office
of the New York State Department of Labor**

Albany

NYS Department of Labor
Communications Office
Building 12, Room 511
State Office Building Campus
Albany, NY 12240
(518) 457-5519

TO: PROSPECTIVE BIDDERS, CONTRACTORS, AND SUBCONTRACTORS

RE: LABOR STANDARDS REQUIREMENTS

Below are the major labor standards provisions applicable to non-Federal public work projects sponsored by the City of Rochester, New York:

HOURS:

No laborer, worker, or mechanic in the employ of the contractor, subcontractor, or other person doing or contracting to do the whole or a part of the work contemplated by the contract shall be permitted or required to work more than eight hours in any one calendar day or more than five days in any one week except in the extraordinary emergencies set forth in the Labor Law or where a Dispensation is granted by the Commissioner of Labor.

WAGES AND SUPPLEMENTS:

The wages and supplements to be paid and provided for laborers, workers, and mechanics employed on a public work project shall be not less than those listed in the current prevailing rate schedule for the locality where the work is to be performed. The applicable prevailing rate schedule for the project has been incorporated in the specifications book for the project. The prime contractor is responsible for any underpayments of prevailing wages or supplements, and also for any underpayments by its subcontractors.

POSTING:

The current prevailing rate schedule must be posted by the prime contractors and by all subcontractors in a prominent and accessible place on the site of the project.

POSTING OF OTHER NOTICES:

Every employer providing Workers' Compensation Insurance and Disability Benefits Insurance must post in a conspicuous place notices of such coverage in form prescribed by the Workers' Compensation Board. Employers liable for contributions under the Unemployment Insurance Law must conspicuously post notices furnished by the New York State Department of Labor.

All employers must post in a prominent place a sign informing workers of their right to know about toxic substances found in their workplace.

APPRENTICES:

No employee shall be deemed to be an apprentice unless individually enrolled in a program that is registered with the New York State Department of Labor. The allowable ratio of apprentices to journey persons in any craft classification shall not be greater than the ratio permitted to the contractor as to its workforce on any job under the registered program. Any employee who is not registered as above shall be paid the prevailing wage rate for the journey level classification of work actually performed. The contractor or subcontractor will be required to furnish written evidence of the registration of its apprentices with the New York State Department of Labor prior to using any apprentices on the contract work.

PAYROLL RECORDS:

Every contractor and subcontractor must keep originals or transcripts of payroll records, showing for each person employed on the public work: 1) name; 2) address; 3) coded Social Security Number (e.g., xxx-xx-1234); 4) occupational classification(s) in which worked; 5) hourly wage rate paid; 6) supplements provided; 7) daily and weekly number of hours worked in each classification; 8) deductions made; and 9) actual wages paid. Such payroll originals or transcripts must be kept on the site of the work when the contractor or subcontractor does not maintain a regular place of business in New York State and the amount of the contract exceeds \$25,000. The original payrolls must be preserved for three years from the date of completion of the project.

SUBMISSION OF CERTIFIED PAYROLLS:

All contractors and subcontractors are required to submit to the Project Manager for transmission to the City's Director of Finance or his designee weekly certified payroll records covering work performed during the life of the contract. Contractors are responsible for the submission of certified payroll records of all subcontractors. Contractors are advised that progress payments will be withheld if they fail to comply with this requirement.

DISCRIMINATION:

No contractor, subcontractor, nor any person acting on its behalf shall by reason of race, creed, color, disability, sex, or national origin, discriminate against any citizen of the State of New York who is qualified and available to perform the work to which the employment relates.

No contractor, subcontractor, nor any person acting on its behalf shall in any manner discriminate against or intimidate any employee on account of race, creed, color, disability, sex, or national origin.

NOTE: The Human Rights Law also prohibits discrimination in employment because of age, marital status, or religion.

There may be deducted from the amount payable to the contractor under the contract a penalty of five dollars for each calendar day during which such person was discriminated against or intimidated in violation of the provisions of the contract.

The contract may be canceled or terminated by the State of New York or the City of Rochester, and all moneys due or to become due thereunder may be forfeited, for a second or any subsequent violation of the terms or conditions of the anti-discrimination section of the contract.

DISCRIMINATION BECAUSE OF CERTAIN LABOR MATTERS:

No person employed on the work covered by the contract shall be discharged or in any way discriminated against because the person has filed any complaint or instituted or caused to be instituted any proceeding or has testified or is about to testify at any proceeding relating to the labor standards applicable to that person's employer.

CHILD LABOR:

The contractor shall comply with Resolution No. 37-38 of the City of Rochester regarding the use of child labor.

WITHHOLDING OF PAYMENTS DUE THE CONTRACTOR:

When a complaint is filed with the City of Rochester alleging the failure of a contractor or subcontractor to pay or provide the prevailing wages or supplements, or when the City of Rochester has reason to believe that unpaid wages or supplements may be due, payments on the public work contract may be withheld from the prime contractor in sufficient amount to satisfy the alleged unpaid wages and supplements, including interest and civil penalty which may be imposed. The amounts withheld may be disbursed by the City of Rochester for and on account of the contractor or subcontractor to respective employees to whom they are due.

STATEMENT OF COMPLIANCE

Date _____

I, _____, _____
 (Name of signatory party) (Title)

do hereby state:

(1) That I pay or supervise the payment of the persons employed by _____
 (Name of Contractor or Subcontractor)

on the _____
 (Name and Location of Project)

that during the payroll period commencing on the _____ day of _____, 20____ and ending on the _____ day of _____
 20____, all persons employed on said project have been paid the full weekly wages earned; that no rebates have been or will be made either directly
 or indirectly to or on behalf of said _____
 (Name of Contractor or Subcontractor)

from the full weekly wages earned by any person; and that no deductions have been made either directly or indirectly from the full wages earned by
 any person, other than permissible deductions as defined in Article 6, Section 193 of the New York State Labor Law, and described below:

(2) That any payrolls otherwise under this contract required to be submitted for the above period are correct and complete; that the wage rates
 for laborers or mechanics contained therein are not less than the applicable wage rates contained in any wage determination incorporated into the
 contract; that the classifications set forth therein for each laborer or mechanic conform with the work he/she performed.

(3) That any apprentices employed in the above period are duly registered in a bona fide apprenticeship program registered with a State
 apprenticeship agency recognized by the Bureau of Apprenticeship and Training, United States Department of Labor, or if no such recognized
 agency exists in a State, are registered with the Bureau of Apprenticeship and Training, United States Department of Labor.

(4) That:

(a) WHERE FRINGE BENEFITS ARE PAID TO APPROVED PLANS, FUNDS, OR PROGRAMS

In addition to the basic hourly wage rates paid to each laborer or mechanic listed in the above-referenced payroll, payments of fringe
 benefits as listed in the contract have been or will be made to appropriate programs for the benefit of such employees, except as noted
 in Section 4(c) below.

(b) WHERE FRINGE BENEFITS ARE PAID IN CASH

Each laborer or mechanic listed in the above-referenced payroll has been paid as indicated on the payroll, an amount not less than the
 sum of the applicable basic hourly wage rate plus the amount of the required fringe benefits as listed in the contract, except as noted in
 section 4(c) below.

(c) EXCEPTIONS	
EXCEPTIONS (CRAFT)	
Remarks	
Name and Title	Signature

The willful falsification of any of the above statements may subject the contractor or subcontractor to civil or criminal prosecution.

CITY OF ROCHESTER
DEPARTMENT OF FINANCE
CONTRACT ADMINISTRATION AND COMPLIANCE OFFICE
INSTRUCTIONS FOR COMPLETING PAYROLL FORM, WH-347

General: The use of WH-347, payroll form, is not mandatory. This form has been made available for the convenience of contractors and subcontractors required to submit weekly payrolls. Properly filled out, this form will satisfy the requirements of the City of Rochester for submission of certified payrolls.

This form meets the need to report the payment or provision of fringe benefits. The contractor is required to pay not less than fringe benefits as predetermined by the Department of Labor, in addition to payment of not less than the predetermined wage rates. The contractor's obligation to pay fringe benefits may be met by payment of the fringes to the various plans, funds, or programs; by making these payments to the employees in lieu of fringes, or by a combination of the two methods.

This payroll provides for the contractor's showing on the face of the payroll all monies paid to the employees, whether as basic rates or as money in lieu of fringes, and provides for the contractors' representation in the statement of compliance on the rear of the payroll that he/she is paying to others fringes required by the contract and not paid in lieu of fringes. Detailed instructions concerning the preparation of the payroll follow:

Contractor or Subcontractor: Enter firm's name and check appropriate box.

Address: Enter firm's address.

Column 1 – Name and Address of Employee: The employee's full name, address and coded Social Security Number (last 4 digits or as follows: "xxx-xx-1234") must be shown on each weekly payroll submitted. This will enable the Compliance Office to speed the payment process.

Column 2 - Withholding Exemptions: This column is merely inserted for the employer's convenience and is not a requirement.

Column 3 - Work Classifications: List classification descriptive of work actually performed by employees. Consult classifications and wage schedule set forth in contract specifications. If additional classifications are deemed necessary, see Contracting Officer or Agency representative. Employee may be shown as having worked in more than one classification provided accurate breakdown of hours so worked is maintained and shown on submitted payroll by use of separate line entries.

Column 4 - Hours Worked: Enter as overtime hours all hours worked in excess of 8 hours per day and, if specified in the wage schedule, hours worked on Saturdays, Sundays, and/or holidays.

Column 5 - Total: Self-explanatory.

Column 6 - Rate of Pay, including Fringe Benefits: In straight time box, list actual hourly rate paid the employee for straight time worked plus any cash in lieu of fringes paid the employee. When recording the straight time hourly rate, any money paid in lieu of fringes may be shown separately from the basic rate, thus \$3.25/.40. This is of assistance in correctly computing overtime. See "Fringe Benefits" below. In overtime box, show overtime hourly rate paid, plus any money in lieu of fringes paid the employee. See "Fringe Benefits" below. Payment of not less than time and one-half the basic or regular rate paid is required for overtime. In addition to paying not less than the predetermined rate for the classification in which the employee works, the contractor shall pay to approved plans, funds, or programs, or shall pay to employees in lieu of fringe amounts predetermined as fringe benefits in the wage schedule made part of the contract. See "Fringe Benefits" below.

FRINGE BENEFITS - Contractors who pay all required fringe benefits: A contractor who pays fringe benefits to approved plans, funds or programs in amounts not less than were determined in the applicable wage

schedule of the Department of Labor shall continue to show on the face of the payroll the basic such hourly rate and overtime rate paid to his/her employees, just as he/she has always done. Such a contractor shall check paragraph 4(a) of the statement on the reverse of the payroll to indicate that he/she is also paying to approved plans, funds, or programs not less than the amount predetermined as fringe benefits for each craft. Any exceptions shall be noted in Section 4(c).

Contractors who pay no fringe benefits: A contractor who pays no fringe benefits shall pay to the employee, and insert in the straight time hourly rate column of the payroll, an amount not less than the predetermined rate for each classification plus the amount of fringe benefits determined for each classification in the applicable wage schedule. Inasmuch as it normally is not necessary to pay overtime on cash paid in lieu of fringes, the overtime rate shall be not less than the sum of the basic predetermined rate, plus the premium on the basic or regular rate, plus the required payments in lieu of fringes at the straight time rate. In addition, the contractor shall check paragraph 4(b) of the statement on the reverse of the payroll to indicate that he/she is paying fringe benefits in cash directly to his/her employees. Any exceptions shall be noted in Section 4(c).

Use of Section 4(c), Exceptions:

Any contractor who is making payment to approved plans, funds, or programs in amount less than the wage schedule requires is obliged to pay the deficiency directly to the employees in lieu of fringes. Any exceptions to Section 4(a) or 4(b), whichever the contractor may check, shall be entered in Section 4(c). Enter in the Exception column the craft, and enter in the Explanation column the hourly amount paid the employee in lieu of fringes and the hourly amount paid to plans, funds, or programs, as fringes. The contractor shall pay, and shall show that he/she is paying to each such employee for all hours (unless otherwise provided by applicable determination) worked on the City of Rochester project an amount not less than the predetermined rate plus money in lieu of fringes as shown in Section 4(c). The rate paid and amount paid in lieu of fringe benefits per hour should be entered in column 6 on the payroll. See paragraph on "Contractors who pay no fringe benefits" for computation of overtime rate.

Column 7 - Gross Amount Earned: Enter gross amount earned on this project. If part of the employee's weekly wage was earned on projects other than the project described on this payroll, enter in column 7 first the amount earned on the City of Rochester project and then the gross amount earned during the week on all projects, thus \$63.00/120.00.

Column 9 - Net Wages Paid for Week: Self - explanatory.

Totals: Space has been left at the bottom of the columns so that totals may be shown if the contractor so desires.

Statement Required: While this form need not be notarized, the statement on the back of the payroll is subject to penalties provided by law, namely, possible imprisonment, fine, or both. Accordingly, the party signing this required statement should have knowledge of the facts represented as true.

Space has been provided between items (1) and (2) of the statement for describing any deductions made. If all deductions made are adequately described in the "Deductions" column above, state "See Deductions column in this payroll." See paragraph entitled "FRINGE BENEFITS" above for instructions concerning filling out paragraph 4 of the statement.

Form WH-347, Instr.

City of Rochester

ATTACHMENT NO. 5

Department of Finance
Contract Administration
and Compliance Office
City Hall, Room 106-A
30 Church Street

Rochester, New York, 14614-1282

New York State Labor Law, Article 8, Section 220-a

Prime Contractor's Certification

1. That I am an officer of _____
and am duly authorized to make this affidavit on behalf of the prime contractor on City of
Rochester public Contract No. _____.
2. That I fully comprehend the terms and provisions of Section 220-a of the New York State Labor
Law.
3. That, except as herein stated, there are no amounts due and owing to or on behalf of laborers
employed on the project by the contractor. (Set forth any unpaid wages and/or supplements;
if none, so state).

Name

Amount

4. That the contractor hereby files every verified statement required to be obtained by the
contractor from the subcontractor(s).
5. That upon information and belief, except as stated herein, all laborers (exclusive of executive
or supervisory employees) employed on the project have been paid the prevailing wages and
paid or provided the prevailing supplements for their services through _____
the last day worked on the project by their subcontractor(s). (Set forth any unpaid wages
and/or supplements; if none, so state) (or 5.a).

Name

Amount

- 5.a. That the contractor has no knowledge of amounts owing to or on behalf of any laborers of any
of its subcontractors.

City of Rochester

ATTACHMENT NO. 5

Department of Finance
Contract Administration
and Compliance Office
City Hall, Room 106-A
30 Church Street

Rochester, New York, 14614-1282

New York State Labor Law, Article 8, Section 220-a
Prime Contractor's Certification, page 2 of 2

- 6. In the event that it is determined by the Commissioner of Labor that the wages or supplements or both of any such subcontractors have not been paid or provided pursuant to the appropriate schedule of wages and supplements, then the contractor shall be responsible for payment of such wages and supplements pursuant to the provision of Section 223 of the New York State Labor Law.

Signature

Print Name

Print Title

ACKNOWLEDGMENT:

STATE OF NEW YORK
COUNTY OF _____ : SS.:

On this _____ day of _____, 20____, before me personally came _____ to me known and known to me to be the person described who executed the foregoing instrument and acknowledged that he executed the same:

NOTARY PUBLIC

County

If this affidavit is verified by an oath administered by a notary public in a foreign country other than Canada, it must be accompanied by a certificate authenticating the authority of the notary who administers the oath. (See CPLR § 2309(c); Real Property Law, §311, 312).

City of Rochester

ATTACHMENT NO. 6

Department of Finance
Contract Administration
and Compliance Office
City Hall, Room 106 A
30 Church Street

Rochester, New York, 14614-1282

New York State Labor Law, Article 8, Section 220-a
Subcontractor's Certification

1. That I am an officer of _____, a subcontractor on City of Rochester public Contract No. _____, and I am duly authorized to make this affidavit on behalf of the firm.
2. That I make this affidavit in order to comply with the provisions of Article 8, Section 220-a of the New York State Labor Law.
3. That on _____, we received from _____, the prime contractor, a copy of the initial/revised schedule of wages and supplements for Prevailing Rate Case (PRC #) _____ specified in the public improvement contract.
4. That I have reviewed such schedule(s), and agree to pay the applicable prevailing wages and to pay or provide the supplements specified therein.

SIGNATURE

PRINT NAME

PRINT TITLE

ACKNOWLEDGMENT:
STATE OF NEW YORK
COUNTY OF _____ : SS.:

On this _____ day of _____, 20 _____, before me personally came _____ to me known and known to me to be the person described who executed the foregoing instrument and acknowledged that he executed the same:

NOTARY PUBLIC

County

If this affidavit is verified by an oath administered by a notary public in a foreign country other than Canada, it must be accompanied by a certificate authenticating the authority of the notary who administers the oath. (See CPLR § 2309(c); Real Property Law, §311, 312).



STATE OF NEW YORK
DEPARTMENT OF LABOR
BUREAU OF PUBLIC WORK
THE GOV. W. AVERELL HARRIMAN
STATE OFFICE BUILDING CAMPUS
ALBANY, N.Y. 12240

FOR OFFICIAL USE ONLY
Control No: _____

APPLICATION FOR DISPENSATION FOR HOURS

Applicant must COMPLETE BOTH PAGES. Phone: (518) 457-5589 Fax: (518) 485-1870
A representative of the Department of Jurisdiction (contracting agency) must COMPLETE CERTIFICATION AT BOTTOM.

APPLICANT: NAME AND ADDRESS

FEDERAL EMPLOYER IDENTIFICATION NUMBER

TELEPHONE NO:

Prevailing Rate Case / PRC #
(found on wage schedule)

COUNTY:

Project Description:

DESCRIPTION OF LOCATION: (City, town, intersection, street or route, etc.)

NATURE OF PROJECT: (Check one)

- 1. NEW BUILDING
- 2. ADDITION TO EXISTING STRUCTURE
- 3. HEAVY AND HIGHWAY CONSTRUCTION (NEW AND REPAIR)
- 4. NEW SEWER OR WATERLINE
- 5. OTHER NEW CONSTRUCTION
- 6. OTHER RECONSTRUCTION, MAINTENANCE REPAIR OR ALTERATION
- 7. DEMOLITION

REASON FOR REQUESTING DISPENSATION:

DISPENSATION REQUIRED: (Complete statement below)

THIS MUST BE SIGNED

Application is made for a period beginning _____ and ending _____ to permit
(DATE) (DATE)
operations _____ hours per day, _____ days per week.

(Date)

(Signature of Contractor or Authorized Representative)

(PRINT NAME AND TITLE)

This Section to be Certified by an Officer of the Department of Jurisdiction

THIS MUST BE SIGNED

IT IS HEREBY CERTIFIED THAT THE ABOVE DESCRIBED PUBLIC WORK PROJECT IS OF AN IMPORTANT NATURE AND THAT A DELAY IN CARRYING IT TO COMPLETION WOULD RESULT IN SERIOUS DISADVANTAGE TO THE PUBLIC.

(DEPARTMENT OF JURISDICTION)

(AUTHORIZED SIGNATURE)

(STREET ADDRESS)

(PRINT NAME AND TITLE)

DATE

(TOWN, CITY, STATE)

(ZIP CODE)

TELEPHONE NO.: ()

**CITY OF ROCHESTER
REPORT OF MWBE UTILIZATION (FORM F)**

TO: DAVID CROCKER, CONTRACT COMPLIANCE ADMINISTRATOR
 Department of Finance
 City Hall Room 106A
 30 Church Street
 Rochester, NY 14614

* Stage of Project Completion:
 * ___ 30% ___ 50% ___ 80% ___ 100%**
 ___ Final

**** If any retainage is due a final Form F must be submitted upon completion of payments. Mark paid to date as 100% once paid in full**

Contract No: _____ **Contract Title:** _____

Contractor Name	Status MBE/WBE	Scope of Work	Start/End Dates	Amount of Contract and Amendments	Amount Paid to Date	Percentage of Contract Paid to Date	Retainage due as of 100% completion mark

PRIME CONTRACTOR COMPANY NAME: _____

Authorized Signature: _____ **Date:** _____

Print Name: _____

J - Journeyman
 A - Apprentice

MONTHLY WORKFORCE UTILIZATION REPORT - PUBLIC WORKS												
		Prime		Sub		Composite	MINORITY GOAL	FEMALE GOAL	DATE LAST UPDATED:			
							20.00%	6.90%				
TRADE	WORK HOURS OF EMPLOYMENT						MINORITY %	FEMALE %	TRAINEE %	EST. TOTAL WORK HOURS	EST. % COMPLETE	
	TOTAL		MINORITY		NON-MINORITY							
	M	F	M	F	M	F						
Laborers	J											
	A											
Equipment Operators/ Surveyors	J											
	A											
Truck Drivers	J											
	A											
Sheet Metal	J											
	A											
Carpenters	J											
	A											
Masons	J											
	A											
Plumbers	J											
	A											
Electricians	J											
	A											
Sprinkler Pipe Fitter	J											
	A											
Other (Specify)	J											
	A											
Total - Workforce	J											
	A											
	TOT											
All Hours Worked												

CUMULATIVE WORKFORCE UTILIZATION REPORT - PUBLIC WORKS												
		Prime		Sub		Composite	MINORITY GOAL 20.00%	FEMALE GOAL 6.90%	DATE LAST UPDATED:			
TRADE	WORK HOURS OF EMPLOYMENT						MINORITY %	FEMALE %	TRAINEE %	EST. TOTAL WORK HOURS	EST. % COMPLETE	
	TOTAL		MINORITY		NON-MINORITY							
	M	F	M	F	M	F						
Laborers	J											
	A											
Equipment Operators/ Surveyors	J											
	A											
Truck Drivers	J											
	A											
Sheet Metal	J											
	A											
Carpenters	J											
	A											
Masons	J											
	A											
Plumbers	J											
	A											
Electricians	J											
	A											
Sprinkler Pipe Fitter	J											
	A											
Other (Specify)	J											
	A											
Total - Workforce	J											
	A											
	TOT											
All Hours Worked												