FORM 5-5: INSTRUCTIONS FOR REQUEST FOR ADDITIONAL CLASSIFICATION

Request for Authorization of Additional Classification and Rate Info and Instructions

The U.S. Department of Labor (DOL) issues wage determinations under the Davis-Bacon Act (DBA) using available statistical data on prevailing wages and benefits paid in a specific locality. On occasion, the data does not contain sufficient information to issue rates for a particular classification of worker needed in the performance of the contract. Because of this, DBA provisions contain a conformance procedure for the purpose of establishing an enforceable wage and benefit rate for the missing classification.

If a classification considered necessary by the contractor for performance of the work is not listed on the applicable wage determination, the contractor must initiate a request for approval of additional classification along with the proposed wage and benefit rates for that classification. The Prime Contractor initiates the request by preparing an SF-1444, Request for Authorization of Additional Classification and Rate. The Contractor completes blocks 2 through 15 on the form.

The Contractor submits the request to the local government Grantee. The Labor Standards Officer (LSO) will review the form and the required documentation. The LSO then submits the proposal with all the attachments to DOL for approval. This process can take up to 30 days.

DBA Facts

- The classification must be appropriate for the contract work and must be a classification that is utilized in the locality by the construction industry.
- The contractor cannot propose a new classification by combining job duties from two or more existing classifications on the wage determination or propose a new classification that performs only part of the duties of an existing classification.
- The proposed wage rate for the new classification should generally be no lower than the wage rate of the lowest skilled classification on the determination.
- Conformance requests should not be submitted for exempt classifications (project managers, full-time supervisors, professionals such as engineers), nor for classifications other than “laborers or mechanics” employed on the site of work, as covered by DBA.
- The proposed rate should bear a reasonable relationship to the wage rates listed on the wage determination.

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SF-1444 Form Instructions

The following are instructions on how to complete the SF-1444 Form. Each number below coordinates with each box number on the form.

1. Check "Construction Contract" in the upper right-hand corner of the form.
2. Insert Grantee Information.
   Contact Name
   Name of Grantee
   Address
   City, State, Zip
3. Prime Contractors name.
4. Date the prime contractor is requesting authorization of additional classification.
5. Contract ID number. (Grantee/Contractor Contract #)
6. Date of Bid Opening.
7. The date the contract was awarded.
8. The actual date the contractor started work or will start work.
9. This section is not applicable.
10. List subcontractor's name if a subcontractor is requesting authorization of additional classification.
11. List the project number (e.g. 2324-101) and a description of the work that is being performed on the job.
12. Location of the project (city, county, and state).
13. The information for the following is noted on the front page of the federal general decision.
    - Number: "General Decision Number" (e.g. SD20240032 Mod#2)
    - Dated: General Decisions – The date is the latest "Publication date" listed above where the wage rates start

13a – 13c. List all classifications <u>not covered</u> by the wage determination, which are utilized by either the prime or the subcontractors. Provide information for the job description. The wage rate portion (13b, 13c) of the form should bear a reasonable relationship to the to the category classification wage rates (equipment operators, laborers, truck drivers, etc.) listed in the federal wage determination.

14. If there is a subcontractor listed on line 10, they must sign and list their title on this line.
15. The prime contractor's representative must sign on this line.
16. An employee who will be performing the work of the requested classification may sign and list their title/classification (THIS IS OPTIONAL).
    - The "Agree or Disagree" box is checked by anyone signing lines 14, 15, and 16.
    - The LSO will fill out everything else below the "to be completed by contracting officer" section.
    - The Contractor must provide a copy of the wage determination within the contract.