

## **AGREEMENT ADDENDUM**

### **RHODE ISLAND DEPARTMENT OF REVENUE, through its DIVISION OF TAXATION**

#### **PREVAILING WAGE REQUIREMENTS (R.I. Gen. Laws § 37-13-1 *et seq.*)**

Per R.I. Gen. Laws § 44-33.6-3, Historic Preservation Tax Credits 2013 projects in excess of \$10,000,000 are subject to the prevailing wage requirements beginning January 1, 2023. Projects in excess of \$10,000,000 are those projects whose estimated qualified rehabilitation expenses as reported in the Historic Preservation Tax Credits 2013 agreement are greater than \$10,000,000 or whose actual qualified rehabilitation expenses expended are greater than ten million dollars \$10,000,000. The prevailing wage requirements are generally set forth in R.I. Gen. Laws § 37-13-1 *et seq.* These requirements refer to the prevailing rate of pay for regular, holiday, and overtime wages to be paid to construction workers as defined in R.I. Gen. Laws § 44-33.6-2(5).

As of the date of this Agreement Addendum, all contractors and subcontractors engaged in a Historic Preservation Tax Credits 2013 project in excess of \$10,000,000 are required to:

1. Submit to the Division of Taxation a list of the contractor's subcontractors for any part or all of the prevailing wage work in accordance with R.I. Gen. Laws § 37-13-4;
2. Pay all prevailing wage employees at least once per week and in accordance with R.I. Gen. Laws § 37-13-7;
3. Post the prevailing wage rate scale and the Department of Labor and Training's prevailing wage poster in a prominent and easily accessible place on the work site in accordance with R.I. Gen. Laws § 37-13-11; posters may be downloaded at <https://dlt.ri.gov/requiredposters/> or obtained from the Department of Labor and Training, Center General Complex, 1511 Pontiac Avenue, Cranston, Rhode Island;
4. Access the Department of Labor and Training website at <https://dlt.ri.gov> on or before July 1st of each year, until such time as the project is completed, to ascertain the current prevailing wage rates and the amount of payment or contributions for each covered prevailing wage employee and make any necessary adjustments to the covered employee's prevailing wage rates effective July 1st of each year in compliance with R.I. Gen. Laws § 37-13-8;

5. Attach a copy of this Agreement Addendum and its attachments as a binding obligation to any and all contracts between the contractor and any subcontractors and their assignees for prevailing wage work performed pursuant to this contract;
6. Provide for the payment of overtime for prevailing wage employees who work in excess of eight (8) hours in any one day or forty (40) hours in any one week as provided by R.I. Gen. Laws § 37-13-10;
7. Maintain accurate prevailing wage employee payroll records on a Rhode Island Certified Weekly Payroll form available for download at <https://dlt.ri.gov/wrs/prevailingwage/> as required by R.I. Gen. Laws § 37-13-13, and make those records available to the Department of Labor and Training upon request;
8. Furnish the fully executed Rhode Island Certified Weekly Payroll Form to the Division of Taxation on a monthly basis for all work completed in the preceding month.
9. Maintain on the work site a fully executed Rhode Island Certified Prevailing Wage Daily Log listing the employees of each contractor, subcontractor, and their assignees employed each day on the project site; the Rhode Island Certified Prevailing Wage Daily Log shall be available for inspection on the project site at all times. Where applicable, furnish both the Rhode Island Certified Prevailing Wage Daily Log together with the Rhode Island Weekly Certified Payroll to the Division of Taxation.
10. Any violation of the requirements under R.I. Gen. Laws § 37-13-13 for Rhode Island Certified Weekly Payroll Forms and Daily Logs will result in the Department of Labor and Training imposing a penalty on the contractor, subcontractor, and/or assignee of a minimum of one hundred dollars (\$100) for each calendar day of noncompliance.
11. Assure that all covered prevailing wage employees on construction projects have an OSHA ten (10) hour construction safety certification in compliance with R.I. Gen. Laws § 37-23-1;
12. Employ apprentices for the performance of the awarded contract and comply with the apprentice to journey-person ratio for each trade approved by the apprenticeship council of the Department of Labor and Training in compliance with R.I. Gen. Laws §37-13-3.1;
13. Assure that all prevailing wage employees who perform work which requires a Rhode Island trade license possess the appropriate Rhode Island trade license in compliance with Rhode Island law; and
14. Comply with all applicable provisions of R.I. Gen. Laws §37-13-1, *et seq.*

Any questions or concerns regarding this Agreement Addendum should be addressed to the attorney of the contractor, subcontractor, or assignee. Additional Prevailing Wage information may be obtained from the Department of Labor and Training at <https://dlt.ri.gov/wrs/prevailingwage/>.

### CERTIFICATION

I hereby certify that I have reviewed this Agreement Addendum and understand my obligations as stated above.

By: \_\_\_\_\_

Title: \_\_\_\_\_

Subscribed and sworn before me this \_\_\_\_ day of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_  
Notary Public

My commission expires: \_\_\_\_\_