

**CERTIFICATION OF BIDDER  
ENERGY RESILIENCE BANK (ERB)  
FEDERAL LABOR STANDARDS PROVISIONS - DAVIS-BACON ACT and "RELATED ACTS"  
INSTRUCTIONS**

**Bidder**

This certification is required to insure that the proposed Bidder understands that the Project or Program to which the construction work covered by any construction greater than \$2,000, is being assigned by the United States of America and that the various Federal Labor Standards Provisions, summarized in the form HUD-4010, "Federal Labor Standards Provisions" are included in any such contract, pursuant to the provisions applicable to such Federal assistance. In addition, the Subrecipient also understands that they are also subject to the New Jersey State Prevailing Wage Act and Regulations (N.J.S.A. 34:11 - 56.25). The higher of the two wage rates shall be the wage rate used. Nothing, however, shall prohibit the payment of more than the prevailing wage rate to any construction worker employed on the construction project.

Furthermore, the proposed Bidder understands and agrees that form HUD-4010, "Federal Labor Standards Provisions", must be included and attached to each and every construction bid document and/or construction contract greater than \$2,000, that is subject to the Davis-Bacon Act and "Related Acts" and the New Jersey State Prevailing Wage Act and Regulations (N.J.S.A. 34:11 - 56.25).

**Wage Determinations** - Federal prevailing wage rates for construction labor cost estimates can be obtained from the Wage Determinations Online system:

<http://www.wdol.gov/>

State of New Jersey prevailing wage rates may be obtained from the New Jersey Department of Labor and Workforce Development, Office of Wage and Hour Compliance at:

[http://lwd.dol.state.nj.us/labor/wagehour/wagerate/prevailing\\_wage\\_determinations.html](http://lwd.dol.state.nj.us/labor/wagehour/wagerate/prevailing_wage_determinations.html)

**Wage Determination Posting** - Contractors and sub-contractors shall post the prevailing wage rates for each craft and classification in a prominent and easily accessible place at the site of the work, or at such places as are used by them to pay workers.

The undersigned is required to ensure that all specifications and/or contracts include all applicable Federal and State of New Jersey wage rate determinations and the required labor standards provisions summarized by **form HUD-4010, "Federal Labor Standards Provisions."**

**Weekly Certified Payrolls** - It is the responsibility of each contractor and sub-contractor to submit weekly certified payrolls for project work (<http://www.dol.gov/whd/forms/wh347.pdf>)

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**CERTIFICATION BY Bidder**

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NAME AND ADDRESS OF Bidder (Include ZIP Code):

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NAME AND TITLE OF SIGNER (Please print or type below:)

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SIGNATURE

DATE

SUBMIT TO: [lyoung@njeda.com](mailto:lyoung@njeda.com) - or: to NJEDA - PO Pox 990 Trenton, NJ 08625-0990 Attn: Labor Compliance Officer