



Purchasing Division
Finance Department
Room 120
411 West First Street
Duluth, Minnesota 55802

218-730-5340
purchasing@duluthmn.gov

Addendum 2
Solicitation 22-99501
Marten Trail and Shoreline Rehabilitation near Spirit Cove

This addendum serves to notify all bidders of the following changes to the solicitation documents:

1. The solicitation title has been updated to more accurately reflect that there is both trail and shoreline work.
2. Construction will include stabilization of the heavily-eroded shoreline, trail restoration, stormwater improvements, and revegetation of restored shoreline. This is part of a larger project that has been approved for state and federal disaster recovery reimbursement.
3. A revised labor cost bidding form and current prevailing wage decisions are attached. The original versions of these forms have been removed from the solicitation.
4. The truck rental rates are attached.
5. The DNR Permit is attached.
6. Questions asked and answered are included in the attached memo from AMI.

Please acknowledge receipt of this Addendum by checking the acknowledgment box within the www.bidexpress.com solicitation.

Posted: **June 30, 2022.**



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LABOR COST BIDDING DATA

Solicitation No.: 22-99501
Project Title: Marten Trail and Shoreline Rehab near Spirit Cove

Funding sources for City of Duluth projects determine what wages and work hours are required. The project identified above includes the funding sources checked below.

- ☒ Federal funds - FEMA
- ☒ State funds
- ☐ City funds
- ☐ Other:

Per the Duluth City Code, prevailing wages must be paid on projects over \$2,000. The prevailing wage decisions included in this project are listed below. If multiple wage decisions cover the work, bidders are required to pay the higher wage:

1. Federal Heavy Wage Decision MN20220040, effective 6/10/22
2. Federal Highway Wage Decision MN20220056, effective 5/27/2022
3. State Highway and Heavy, Region 1, effective 11/15/2021

This project will include a project labor agreement (PLA) if over \$150,000. Please note that union scale wages are not always higher than the prevailing wages required.

Overtime rate to be paid at no less than 1 ½ times the rate of pay, plus fringe, as established in the project's wage decision OR 1 ½ times the base rate the employee is being paid, plus fringe; whichever is higher. Overtime must be paid on:

- ☒ hours worked in excess of 8 hours per day (even if less than 40 hours worked in a week) and hours worked in excess of 40 hours per week
- ☐ hours worked in excess of 40 hours per week
- ☐ hours worked in excess of 8 hours per day and 40 hours per week, unless the bidder has an existing union labor agreement allowing different hours as prescribed in section 2-26 of the City Code.

"General Decision Number: MN20220040 06/10/2022

Superseded General Decision Number: MN20210040

State: Minnesota

Construction Type: Heavy

County: St Louis County in Minnesota.

HEAVY CONSTRUCTION PROJECTS

Note: Contracts subject to the Davis-Bacon Act are generally required to pay at least the applicable minimum wage rate required under Executive Order 14026 or Executive Order 13658. Please note that these Executive Orders apply to covered contracts entered into by the federal government that are subject to the Davis-Bacon Act itself, but do not apply to contracts subject only to the Davis-Bacon Related Acts, including those set forth at 29 CFR 5.1(a)(2)-(60).

If the contract is entered into on or after January 30, 2022, or the contract is renewed or extended (e.g., an option is exercised) on or after January 30, 2022:	<ul style="list-style-type: none"> . Executive Order 14026 generally applies to the contract. . The contractor must pay all covered workers at least \$15.00 per hour (or the applicable wage rate listed on this wage determination, if it is higher) for all hours spent performing on the contract in 2022.
If the contract was awarded on or between January 1, 2015 and January 29, 2022, and the contract is not renewed or extended on or after January 30, 2022:	<ul style="list-style-type: none"> . Executive Order 13658 generally applies to the contract. . The contractor must pay all covered workers at least \$11.25 per hour (or the applicable wage rate listed on this wage determination, if it is higher) for all hours spent performing on that contract in 2022.

The applicable Executive Order minimum wage rate will be adjusted annually. If this contract is covered by one of the Executive Orders and a classification considered necessary for performance of work on the contract does not appear on this wage determination, the contractor must still submit a conformance request.

Additional information on contractor requirements and worker protections under the Executive Orders is available at <https://www.dol.gov/agencies/whd/government-contracts>.

Modification Number	Publication Date
0	01/07/2022
1	02/25/2022
2	05/27/2022

3

06/10/2022

BOIL0647-004 04/01/2021

	Rates	Fringes
BOILERMAKER.....	\$ 40.94	28.44

CARP0361-020 05/01/2019		

ST LOUIS COUNTY (Southern 1/3 including Cotton, Floodwood, Fond Du Lac, and Proctor)

	Rates	Fringes
CARPENTER (Including Form Work).....	\$ 36.35	22.08

CARP0361-021 05/01/2019		

ST LOUIS (Duluth)

	Rates	Fringes
CARPENTER (Including Form Work).....	\$ 36.35	22.08

CARP0606-010 05/01/2019		

ST LOUIS COUNTY (Northeast 2/3 including Cook, Cusson, Ely; and Western part including Chisholm, Greaney, and Orr)

	Rates	Fringes
CARPENTER (Including Form Work).....	\$ 36.35	22.08

ELEC0242-012 05/31/2021		

ST. LOUIS (South part bounded on the north by the north line of Kelsey Township extended east & west)

	Rates	Fringes
ELECTRICIAN.....	\$ 41.37	28.81

* ELEC0294-006 05/29/2022		

ST. LOUIS (North part bounded on the south by the south line of Ellsburg Township, extended east & west)

	Rates	Fringes
ELECTRICIAN.....	\$ 41.89	29.54

ENGI0049-064 05/01/2022		

	Rates	Fringes
OPERATOR: Power Equipment Group 2.....	\$ 42.14	23.45

Group 3.....	\$ 41.59	23.45
Group 4.....	\$ 41.29	23.45
Group 5.....	\$ 38.25	23.45
Group 6.....	\$ 37.04	23.45

POWER EQUIPMENT OPERATOR CLASSIFICATIONS

GROUP 2: Crane with over 135' Boom, excluding jib; Dragline & Hydraulic Backhoe with shovel-type controls, 3 cubic yards and over; Grader/Blade finishing earthwork and bituminous.

GROUP 3: Dragline & Hydraulic Backhoe with shovel-type controls up to 3 cubic yards; Loader 5 cu yd and over; Mechanic; Tandem Scraper; Truck Crane; Crawler Crane

GROUP 4: Bituminous Roller 8 tons & over; Crusher/Crushing Plant; Drill Rig; Elevating Grader; Loader over 1 cu yd; Grader; Pump; Scraper up to 32 cu yd; Farm Tractor with Backhoe attachment; Skid Steer Loader over 1 cu yd with Backhoe attachment; Bulldozer over 50 hp.

GROUP 5: Bituminous Roller under 8 tons; Bituminous Rubber Tire Roller; Loader up to 1 cu yd; Bulldozer 50 hp or less.

GROUP 6: Oiler; Self-Propelled Vibrating Packer 35 hp and over.

CRANE OVER 135' BOOM, EXCLUDING JIB - \$.25 PREMIUM;
CRANE OVER 200' BOOM, EXCLUDING JIB - \$.50 PREMIUM

UNDERGROUND WORK:

UNNELS, SHAFTS, ETC. - \$.25 PREMIUM
UNDER AIR PRESSURE - \$.50 PREMIUM

HAZARDOUS WASTE PROJECTS (PPE Required):

LEVEL A - \$1.25 PREMIUM
LEVEL B - \$.90 PREMIUM
LEVEL C - \$.60 PREMIUM

IRON0512-028 05/03/2021

	Rates	Fringes
IRONWORKER, STRUCTURAL AND REINFORCING.....	\$ 35.09	31.80

LAB01091-006 05/01/2019

ST LOUIS (South of T. 55 N)

	Rates	Fringes
LABORERS		
(1) Common or General.....	\$ 34.28	17.77
(2) Mason Tender		
Cement/Concrete.....	\$ 34.48	17.77
(6) Pipe Layer.....	\$ 36.78	17.77

LAB01091-007 05/01/2019

SOUTHERN ST. LOUIS COUNTY

	Rates	Fringes
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LABORER

Common or General (Natural
Gas Pipeline only).....\$ 34.28 17.77

LAB01097-002 05/01/2018

NORTHERN ST. LOUIS COUNTY

Rates Fringes

LABORER

Common or General (Natural
Gas Pipeline only).....\$ 32.09 18.01

LAB01097-005 05/01/2018

ST LOUIS (North of T. 55 N)

Rates Fringes

LABORERS

(1) Common or General.....\$ 32.09 18.01
(2) Mason Tender
Cement/Concrete.....\$ 32.29 18.01
(6) Pipe Layer.....\$ 34.59 18.01

PLAS0633-036 05/01/2021

ST. LOUIS COUNTY (North of T 55N)

Rates Fringes

CEMENT MASON/CONCRETE FINISHER...\$ 34.83 19.25

PLAS0633-039 05/01/2021

ST. LOUIS COUNTY (South of T 55N)

Rates Fringes

CEMENT MASON/CONCRETE FINISHER...\$ 38.55 21.38

TEAM0160-018 05/01/2022

Rates Fringes

TRUCK DRIVER (DUMP)

(1) Articulated Dump Truck..\$ 35.25 21.45
(2) 3 Axles/4 Axles; 5
Axles receive \$0.30
additional per hour.....\$ 34.70 21.45
(3) Tandem Axles; & Single
Axles.....\$ 34.60 21.45

* SUMN2009-072 09/28/2009

Rates Fringes

LABORER: Landscape.....\$ 12.88 ** 4.61

WELDERS - Receive rate prescribed for craft performing
operation to which welding is incidental.

** Workers in this classification may be entitled to a higher minimum wage under Executive Order 14026 (\$15.00) or 13658 (\$11.25). Please see the Note at the top of the wage determination for more information.

Note: Executive Order (EO) 13706, Establishing Paid Sick Leave for Federal Contractors applies to all contracts subject to the Davis-Bacon Act for which the contract is awarded (and any solicitation was issued) on or after January 1, 2017. If this contract is covered by the EO, the contractor must provide employees with 1 hour of paid sick leave for every 30 hours they work, up to 56 hours of paid sick leave each year. Employees must be permitted to use paid sick leave for their own illness, injury or other health-related needs, including preventive care; to assist a family member (or person who is like family to the employee) who is ill, injured, or has other health-related needs, including preventive care; or for reasons resulting from, or to assist a family member (or person who is like family to the employee) who is a victim of, domestic violence, sexual assault, or stalking. Additional information on contractor requirements and worker protections under the EO is available at <https://www.dol.gov/agencies/whd/government-contracts>.

Unlisted classifications needed for work not included within the scope of the classifications listed may be added after award only as provided in the labor standards contract clauses (29CFR 5.5 (a) (1) (ii)).

The body of each wage determination lists the classification and wage rates that have been found to be prevailing for the cited type(s) of construction in the area covered by the wage determination. The classifications are listed in alphabetical order of ""identifiers"" that indicate whether the particular rate is a union rate (current union negotiated rate for local), a survey rate (weighted average rate) or a union average rate (weighted union average rate).

Union Rate Identifiers

A four letter classification abbreviation identifier enclosed in dotted lines beginning with characters other than ""SU"" or ""UAVG"" denotes that the union classification and rate were prevailing for that classification in the survey. Example: PLUM0198-005 07/01/2014. PLUM is an abbreviation identifier of the union which prevailed in the survey for this classification, which in this example would be Plumbers. 0198 indicates the local union number or district council number where applicable, i.e., Plumbers Local 0198. The next number, 005 in the example, is an internal number used in processing the wage determination. 07/01/2014 is the effective date of the most current negotiated rate, which in this example is July 1, 2014.

Union prevailing wage rates are updated to reflect all rate changes in the collective bargaining agreement (CBA) governing this classification and rate.

Survey Rate Identifiers

Classifications listed under the ""SU"" identifier indicate that no one rate prevailed for this classification in the survey and the published rate is derived by computing a weighted average rate based on all the rates reported in the survey for that classification. As this weighted average rate includes all rates reported in the survey, it may include both union and non-union rates. Example: SULA2012-007 5/13/2014. SU indicates the rates are survey rates based on a weighted average calculation of rates and are not majority rates. LA indicates the State of Louisiana. 2012 is the year of survey on which these classifications and rates are based. The next number, 007 in the example, is an internal number used in producing the wage determination. 5/13/2014 indicates the survey completion date for the classifications and rates under that identifier.

Survey wage rates are not updated and remain in effect until a new survey is conducted.

Union Average Rate Identifiers

Classification(s) listed under the UAVG identifier indicate that no single majority rate prevailed for those classifications; however, 100% of the data reported for the classifications was union data. EXAMPLE: UAVG-OH-0010 08/29/2014. UAVG indicates that the rate is a weighted union average rate. OH indicates the state. The next number, 0010 in the example, is an internal number used in producing the wage determination. 08/29/2014 indicates the survey completion date for the classifications and rates under that identifier.

A UAVG rate will be updated once a year, usually in January of each year, to reflect a weighted average of the current negotiated/CBA rate of the union locals from which the rate is based.

WAGE DETERMINATION APPEALS PROCESS

1.) Has there been an initial decision in the matter? This can be:

- * an existing published wage determination
- * a survey underlying a wage determination
- * a Wage and Hour Division letter setting forth a position on a wage determination matter
- * a conformance (additional classification and rate) ruling

On survey related matters, initial contact, including requests for summaries of surveys, should be with the Wage and Hour National Office because National Office has responsibility for the Davis-Bacon survey program. If the response from this initial contact is not satisfactory, then the process described in 2.) and 3.) should be followed.

With regard to any other matter not yet ripe for the formal process described here, initial contact should be with the Branch of Construction Wage Determinations. Write to:

Branch of Construction Wage Determinations
Wage and Hour Division
U.S. Department of Labor

200 Constitution Avenue, N.W.
Washington, DC 20210

2.) If the answer to the question in 1.) is yes, then an interested party (those affected by the action) can request review and reconsideration from the Wage and Hour Administrator (See 29 CFR Part 1.8 and 29 CFR Part 7). Write to:

Wage and Hour Administrator
U.S. Department of Labor
200 Constitution Avenue, N.W.
Washington, DC 20210

The request should be accompanied by a full statement of the interested party's position and by any information (wage payment data, project description, area practice material, etc.) that the requestor considers relevant to the issue.

3.) If the decision of the Administrator is not favorable, an interested party may appeal directly to the Administrative Review Board (formerly the Wage Appeals Board). Write to:

Administrative Review Board
U.S. Department of Labor
200 Constitution Avenue, N.W.
Washington, DC 20210

4.) All decisions by the Administrative Review Board are final.

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END OF GENERAL DECISION"

"General Decision Number: MN20220056 05/27/2022

State: Minnesota

Construction Type: Highway

Counties: Carlton, Cook, Itasca, Koochiching, Lake, Pine and St Louis Counties in Minnesota.

HIGHWAY CONSTRUCTION PROJECTS

Note: Contracts subject to the Davis-Bacon Act are generally required to pay at least the applicable minimum wage rate required under Executive Order 14026 or Executive Order 13658. Please note that these Executive Orders apply to covered contracts entered into by the federal government that are subject to the Davis-Bacon Act itself, but do not apply to contracts subject only to the Davis-Bacon Related Acts, including those set forth at 29 CFR 5.1(a)(2)-(60).

If the contract is entered into on or after January 30, 2022, or the contract is renewed or extended (e.g., an option is exercised) on or after January 30, 2022:	<ul style="list-style-type: none"> ◆ Executive Order 14026 generally applies to the contract. ◆ The contractor must pay all covered workers at least \$15.00 per hour (or the applicable wage rate listed on this wage determination, if it is higher) for all hours spent performing on the contract in 2022.
If the contract was awarded on or between January 1, 2015 and January 29, 2022, and the contract is not renewed or extended on or after January 30, 2022:	<ul style="list-style-type: none"> ◆ Executive Order 13658 generally applies to the contract. ◆ The contractor must pay all covered workers at least \$11.25 per hour (or the applicable wage rate listed on this wage determination, if it is higher) for all hours performing on that contract in 2022.

The applicable Executive Order minimum wage rate will be adjusted annually. If this contract is covered by one of the Executive Orders and a classification considered necessary for performance of work on the contract does not appear on this wage determination, the contractor must still submit a conformance request.

Additional information on contractor requirements and worker protections under the Executive Orders is available at <https://www.dol.gov/agencies/whd/government-contracts>.

Modification Number Publication Date
0 05/27/2022

SUMN2022-001 02/26/2020

	Rates	Fringes
BOILERMAKER.....	\$ 42.64	29.28
BRICKLAYER.....	\$ 38.44	28.45
CARPENTER.....	\$ 39.22	25.46
CEMENT MASON.....	\$ 40.60	21.38
ELECTRICIAN		
Electrician.....	\$ 40.55	28.79
Ground Person.....	\$ 33.40	16.30
Lineman.....	\$ 47.71	20.31
Wiring System Installer.....	\$ 29.75	16.08
Wiring System Technician....	\$ 41.42	18.16
IRONWORKER.....	\$ 35.09	31.80
LABORER		
Blaster.....	\$ 32.62	22.43
Common or General.....	\$ 35.53	22.67
Flag Person.....	\$ 35.53	22.67
Landscaping, (Gardener, Sod Layer and Nursery Operator).....	\$ 25.75	18.70
Pipelayer (Water, Sewer and Gas).....	\$ 39.03	22.67
Skilled (Assisting Skilled Craft Journeyman).....	\$ 35.53	22.67
Underground & Open Ditch Laborer (8 ft below starting grade).....	\$ 37.03	22.67
MILLWRIGHT.....	\$ 41.29	23.67
PAINTER (Including Hand Brushed, Hand Sprayed, and the Taping of Pavement Markings).....	\$ 31.39	19.99
PILEDRIVERMAN (Including vibratory driver or extractor for piling and sheeting operations).....	\$ 40.00	26.04
PLUMBER.....	\$ 41.02	22.03
POWER EQUIPMENT OPERATOR:		
GROUP 2.....	\$ 42.14	23.45
GROUP 3.....	\$ 41.59	23.45
GROUP 4.....	\$ 41.29	23.45
GROUP 5.....	\$ 38.25	23.45
GROUP 6.....	\$ 37.04	23.45
Special Equipment		
Articulated Hauler.....	\$ 41.29	23.45
Boom Truck.....	\$ 41.29	23.45
Landscaping Equipment- Includes Hydro Seeder or Mulcher, Sod Roller, Farm Tractor with Attachment Speciafically Seeding, Sodding, or Plant, and Two-Framed Forklift		

(Excluding Front, Posit-
Track, and Skid Steer
Loaders), No Earthwork or
Grading for Elevations.....\$ 24.00 16.96
Off-Road Truck.....\$ 41.29 23.45
Pavement Marking or
Marking Removal Equipment
Operator (one or two
person operators), Self-
Propelled Truck or
Trailer Mounted Units.....\$ 35.18 20.50

OPERATING ENGINEER CLASSIFICATIONS

GROUP 2: Helicopter Pilot; Concrete Pump; Cranes over 135 ft boom excluding jib; Dragline, Crawler, Hydraulic Backhoe (track or wheel mounted) and other similar equipment with shovel-type controls 3 cu yd & over manufacturers rated capacity including all attachments; Grader or Motor Patrol; Pile Driving; Tugboat 100 H.P and over when license required

GROUP 3: Asphalt Bituminous Stabilizer Plant; Cableway; Concrete Mixer, Stationary Plant; Derrick (guy or stiff leg)(power)(skids or stationary); Dragline, Crawler, Hydraulic Backhoe (track or wheel mounted) and other similar equipment with shovel-type controls up to 3 cu yd manufacturer's rated capacity including all attachments; Dredge or Engineers Dredge (Power); Front end loader 5 cu yd & over including attachments; Locomotive Crane Operator; Mixer (paving) concrete paving, Road Mole including Mucking operations, Conway or similar type; Mechanic, Welder on power equipment; Tractor, Boom type. Tandem Scraper; Truck Crane, Crawler Crane; Tugboat 100 H.P and over

GROUP 4: Air Track Rock Drill; Automatic Road Machine CMI or similar; Backfiller Operator; Concrete Batch Plant Operator; Bituminous Roller, Rubber Tire or Steel Drum 8 tons & over; Bituminous Spreader & Finishing Machine (power), including pavers, Macro Surfacing & Micro Surfacing or similar types (operator & Screed person); Brokk or RTC remote control or similar type with attachments; Cat Challenger Tractor or similar types pulling Rock Wagons; Bulldozer & Scraper; Chip Harvester & Tree Cutter; Concrete Distributor & Spreader Finishing Machine, Longitudinal Float Joint Machine, Spray Machine; Concrete Mixer on jobsite; Concrete Mobil; Crushing Plant (gravel, stone) or Gravel Washing, Crushing & Screening Plant; Curb Machine; Directional Boring Machine; Dope Machine; Drill Rigs, Heavy Rotary or Churn or Cable Drill, Dual Tractor; Elevating Grader; Fork Lift or Straddle Carrier; Forklift or Lumber Stacker; Front End, Skid Steer 1 to 5 cu yd; GPS Remote Operating of equipment; Hoist Engineer (power); Hydraulic Tree Planter; Launcher Person (Tanker person or Pilot license); Locomotive; Milling, Grinding, Planing, Fine Grade, or Trimmer Machine; Multiple Machines such as Air Compressors, Welding Machines, Generators, Pumps; Pavement Breaker or Tamping Machine(power driven), Mighty Mite or similar type; Pickup Sweeper 1 cu yd & over hopper capacity; Pipeline Wrapping, cleanign or bending machine;Power Actuated Horizontal Boring Machine, over 6 inches; Pugmill; Pumpcrete; Rubber Tired Farm Tractor with Backhoe attachment; Scraper; Self-Propelled Soil Stabilizer; Slip Form (power driven) paving; Tie Tamper and Ballast machine; Tractor, Bulldozer; Wheel type Tractor over 50 hp with PTO unrelated to landscaping; Trenching Machine excludes walk behind Trencher; Tub Grinder, Morbark or similar type; Well Point installation or Dismantling.

GROUP 5: Air Compressor 600 cfm or over; Bituminous Roller under 8 tons; Concrete Saw multiple blade; Form Tench Digger (power); Front End Skid Steer up to 1 cu yd; Gunite Gunall;

Hydraulic Log Splitter; Loader, Barber Greene or similar; Post Hole Driving Machine/Post Hole Auger; Power Actuated Auger & Boring Machine; Power Actuated Jack; Pump; Self-Propelled Chip Spreader (Flaherty or similar); Sheep Foot Compactor with blade 200 hp & over; Shouldering Machine (Power) APSCO or similar type including self-propelled Sand and Chip Spreader; Stump Chipper and Tree Chipper; Tree Farmer (Machine).

GROUP 6: Cat, Challenger or similar tractor when pulling Disk or Roller; Conveyor; Dredge Deck Hand; Fire Person or Tank Car Heater; Gravel Screening Plant (portable, not crushing or washing); Greaser (tractor); Lever Person; Oiler (Power Shovel, Crane, Truck Crane, Dragline, Crusher and Milling Machine, or other similar heavy equipment); Power Sweeper; Sheep Foot Roller & Rollers on Gravel Compaction including vibrating rollers; Wheel type Tractor over 50 hp., unrelated to landscaping

SHEET METAL WORKER.....	\$ 44.46	29.17
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STEAMFITTER/PIPEFITTER.....	\$ 44.00	22.90
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Survey Field Technician (Operate total station, GPS receiver, Level, Rod or Range Poles, Steel Tape Measurement; Mark and Drive Stakes; Hand or Power Digging for and Identification of Markers or Monuments; Perform and Check Calculations; Review and Understand Construction Plans and Land Survey Materials).....	\$ 35.53	22.67
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TRAFFIC CONTROL (Temporary Signage).....	\$ 35.53	22.67
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TRUCK DRIVER		
GROUP 1.....	\$ 34.85	21.75
GROUP 2.....	\$ 22.85	6.91
GROUP 3.....	\$ 34.20	21.75
GROUP 4.....	\$ 33.00	21.75

TRUCK DRIVER CLASSIFICATIONS:

GROUP 1: Mechanic, Welder; Tractor Trailer; Truck hauling machinery including operation of hand and power operated winches.

GROUP 2: Four or more axle unit straight body truck.

GROUP 3: Bituminous Distributor driver; Bituminous Distributor (one person operation); Three Axle units.

GROUP 4: Bituminous Distributor Spray operator (rear and oiler); Dump Person; Greaser; Pilot Car; Rubber Tire self-propelled Packer under 8 tons; Two Axle unit; Slurry Operator; Tank Truck Tender (gas, oil, road oil, water); Tractor under 50 hp.

Tunnel Miner.....	\$ 35.63	22.02
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WELDERS - Receive rate prescribed for craft performing operation to which welding is incidental.

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Davis-Bacon Act for which the contract is awarded (and any solicitation was issued) on or after January 1, 2017. If this contract is covered by the EO, the contractor must provide employees with 1 hour of paid sick leave for every 30 hours they work, up to 56 hours of paid sick leave each year. Employees must be permitted to use paid sick leave for their own illness, injury or other health-related needs, including preventive care; to assist a family member (or person who is like family to the employee) who is ill, injured, or has other health-related needs, including preventive care; or for reasons resulting from, or to assist a family member (or person who is like family to the employee) who is a victim of, domestic violence, sexual assault, or stalking. Additional information on contractor requirements and worker protections under the EO is available at <https://www.dol.gov/agencies/whd/government-contracts>.

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Union prevailing wage rates are updated to reflect all rate changes in the collective bargaining agreement (CBA) governing this classification and rate.

Survey Rate Identifiers

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calculation of rates and are not majority rates. LA indicates the State of Louisiana. 2012 is the year of survey on which these classifications and rates are based. The next number, 007 in the example, is an internal number used in producing the wage determination. 5/13/2014 indicates the survey completion date for the classifications and rates under that identifier.

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A UAVG rate will be updated once a year, usually in January of each year, to reflect a weighted average of the current negotiated/CBA rate of the union locals from which the rate is based.

WAGE DETERMINATION APPEALS PROCESS

1.) Has there been an initial decision in the matter? This can be:

- * an existing published wage determination
- * a survey underlying a wage determination
- * a Wage and Hour Division letter setting forth a position on a wage determination matter
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2.) If the answer to the question in 1.) is yes, then an interested party (those affected by the action) can request review and reconsideration from the Wage and Hour Administrator (See 29 CFR Part 1.8 and 29 CFR Part 7). Write to:

Wage and Hour Administrator

U.S. Department of Labor
200 Constitution Avenue, N.W.
Washington, DC 20210

The request should be accompanied by a full statement of the interested party's position and by any information (wage payment data, project description, area practice material, etc.) that the requestor considers relevant to the issue.

3.) If the decision of the Administrator is not favorable, an interested party may appeal directly to the Administrative Review Board (formerly the Wage Appeals Board). Write to:

Administrative Review Board
U.S. Department of Labor
200 Constitution Avenue, N.W.
Washington, DC 20210

4.) All decisions by the Administrative Review Board are final.

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END OF GENERAL DECISIO"

MINNESOTA DEPARTMENT OF LABOR AND INDUSTRY PREVAILING WAGES FOR STATE FUNDED CONSTRUCTION PROJECTS



THIS NOTICE MUST BE POSTED ON THE JOBSITE IN A CONSPICUOUS PLACE

Construction Type: Highway and Heavy

Region Number: 01

Counties within region:

- CARLTON-09
- COOK-16
- ITASCA-31
- KOOCHICHING-36
- LAKE-38
- PINE-58
- ST. LOUIS-69

Effective: 2021-11-01 Revised: 2021-11-15

This project is covered by Minnesota prevailing wage statutes. Wage rates listed below are the minimum hourly rates to be paid on this project.

All hours worked in excess of eight (8) hours per day or forty (40) hours per week shall be paid at a rate of one and one half (1 1/2) times the basic hourly rate. *Note: Overtime pay after eight (8) hours on the project must be paid even if the worker does not exceed forty (40) hours in the work week.*

Violations on MnDOT highways and road projects should be reported to:

Department of Transportation
Office of Construction
Transportation Building MS650
John Ireland Blvd
St. Paul, MN 55155
(651) 366-4209

All other prevailing wage violations and questions should be sent to:

Department of Labor and Industry
Prevailing Wage Section
443 Lafayette Road N
St Paul, MN 55155
(651) 284-5091
DLI.PrevWage@state.mn.us

LABOR CODE AND CLASS		EFFECT DATE	BASIC RATE	FRINGE RATE	TOTAL RATE
LABORERS (101 - 112) (SPECIAL CRAFTS 701 - 730)					
101	LABORER, COMMON (GENERAL LABOR WORK)	2021-11-01	34.13	22.02	56.15
		2022-05-01	35.53	22.67	58.20
102	LABORER, SKILLED (ASSISTING SKILLED CRAFT JOURNEYMAN)	2021-11-01	34.13	22.02	56.15
		2022-05-01	35.53	22.67	58.20

LABOR CODE AND CLASS		EFFECT DATE	BASIC RATE	FRINGE RATE	TOTAL RATE
103	LABORER, LANDSCAPING (GARDENER, SOD LAYER AND NURSERY OPERATOR)	2021-11-01	25.75	18.70	44.45
		2022-05-01	26.89	19.31	46.20
104	FLAG PERSON	2021-11-01	34.13	22.02	56.15
		2022-05-01	35.53	22.67	58.20
105	WATCH PERSON	2021-11-01	30.58	21.77	52.35
106	BLASTER	2021-11-01	32.62	22.43	55.05
107	PIPELAYER (WATER, SEWER AND GAS)	2021-11-01	37.63	22.02	59.65
		2022-05-01	39.03	22.67	61.70
108	TUNNEL MINER	2021-11-01	35.63	22.02	57.65
109	UNDERGROUND AND OPEN DITCH LABORER (EIGHT FEET BELOW STARTING GRADE LEVEL)	2021-11-01	35.63	22.02	57.65
		2022-05-01	37.03	22.67	59.70
110	SURVEY FIELD TECHNICIAN (OPERATE TOTAL STATION, GPS RECEIVER, LEVEL, ROD OR RANGE POLES, STEEL TAPE MEASUREMENT; MARK AND DRIVE STAKES; HAND OR POWER DIGGING FOR AND IDENTIFICATION OF MARKERS OR MONUMENTS; PERFORM AND CHECK CALCULATIONS; REVIEW AND UNDERSTAND CONSTRUCTION PLANS AND LAND SURVEY MATERIALS). THIS CLASSIFICATION DOES NOT APPLY TO THE WORK PERFORMED ON A PREVAILING WAGE PROJECT BY A LAND SURVEYOR WHO IS LICENSED PURSUANT TO MINNESOTA STATUTES, SECTIONS 326.02 TO 326.15.	2021-11-01	34.13	22.02	56.15
		2022-05-01	35.53	22.67	58.20
111	TRAFFIC CONTROL PERSON (TEMPORARY SIGNAGE)	2021-11-01	34.13	22.02	56.15
		2022-05-01	35.53	22.67	58.20
112		2021-11-01	25.50	13.30	38.80

LABOR CODE AND CLASS		EFFECT DATE	BASIC RATE	FRINGE RATE	TOTAL RATE
	QUALITY CONTROL TESTER (FIELD AND COVERED OFF-SITE FACILITIES; TESTING OF AGGREGATE, ASPHALT, AND CONCRETE MATERIALS); LIMITED TO MN DOT HIGHWAY AND HEAVY CONSTRUCTION PROJECTS WHERE THE MN DOT HAS RETAINED QUALITY ASSURANCE PROFESSIONALS TO REVIEW AND INTERPRET THE RESULTS OF QUALITY CONTROL TESTERS. SERVICES PROVIDED BY THE CONTRACTOR.				
SPECIAL EQUIPMENT (201 - 204)					
201	ARTICULATED HAULER	2021-11-01	40.04	22.55	62.59
		2022-05-02	41.29	23.45	64.74
202	BOOM TRUCK	2021-11-01	40.04	22.55	62.59
		2022-05-02	41.29	23.45	64.74
203	LANDSCAPING EQUIPMENT, INCLUDES HYDRO SEEDER OR MULCHER, SOD ROLLER, FARM TRACTOR WITH ATTACHMENT SPECIFICALLY SEEDING, SODDING, OR PLANT, AND TWO-FRAMED FORKLIFT (EXCLUDING FRONT, POSIT-TRACK, AND SKID STEER LOADERS), NO EARTHWORK OR GRADING FOR ELEVATIONS	2021-11-01	24.00	16.96	40.96
204	OFF-ROAD TRUCK	2021-11-01	40.04	22.55	62.59
		2022-05-02	41.29	23.45	64.74
205	PAVEMENT MARKING OR MARKING REMOVAL EQUIPMENT (ONE OR TWO PERSON OPERATORS); SELF-PROPELLED TRUCK OR TRAILER MOUNTED UNITS.	2021-11-01	35.18	20.50	55.68
HIGHWAY/HEAVY POWER EQUIPMENT OPERATOR					
GROUP 2		2021-11-01	40.89	22.55	63.44
		2022-05-02	42.14	23.45	65.59
302	HELICOPTER PILOT (HIGHWAY AND HEAVY ONLY)				

LABOR CODE AND CLASS	EFFECT DATE	BASIC RATE	FRINGE RATE	TOTAL RATE
303	CONCRETE PUMP (HIGHWAY AND HEAVY ONLY)			
304	ALL CRANES WITH OVER 135-FOOT BOOM, EXCLUDING JIB (HIGHWAY AND HEAVY ONLY)			
305	DRAGLINE, CRAWLER, HYDRAULIC BACKHOE (TRACK OR WHEEL MOUNTED) AND/OR OTHER SIMILAR EQUIPMENT WITH SHOVEL-TYPE CONTROLS THREE CUBIC YARDS AND OVER MANUFACTURER'S RATED CAPACITY INCLUDING ALL ATTACHMENTS. (HIGHWAY AND HEAVY ONLY)			
306	GRADER OR MOTOR PATROL			
307	PILE DRIVING (HIGHWAY AND HEAVY ONLY)			
308	TUGBOAT 100 H.P. AND OVER WHEN LICENSE REQUIRED (HIGHWAY AND HEAVY ONLY)			
GROUP 3	2021-11-01	40.34	22.55	62.89
	2022-05-02	41.59	23.45	65.04
309	ASPHALT BITUMINOUS STABILIZER PLANT			
310	CABLEWAY			
311	CONCRETE MIXER, STATIONARY PLANT (HIGHWAY AND HEAVY ONLY)			
312	DERRICK (GUY OR STIFFLEG)(POWER)(SKIDS OR STATIONARY) (HIGHWAY AND HEAVY ONLY)			
313	DRAGLINE, CRAWLER, HYDRAULIC BACKHOE (TRACK OR WHEEL MOUNTED) AND/OR SIMILAR EQUIPMENT WITH SHOVEL-TYPE CONTROLS, UP TO THREE CUBIC YARDS MANUFACTURER'S RATED CAPACITY INCLUDING ALL ATTACHMENTS (HIGHWAY AND HEAVY ONLY)			
314	DREDGE OR ENGINEERS, DREDGE (POWER) AND ENGINEER			
315	FRONT END LOADER, FIVE CUBIC YARDS AND OVER INCLUDING ATTACHMENTS. (HIGHWAY AND HEAVY ONLY)			
316	LOCOMOTIVE CRANE OPERATOR			
317	MIXER (PAVING) CONCRETE PAVING, ROAD MOLE, INCLUDING MUCKING OPERATIONS, CONWAY OR SIMILAR TYPE			
318	MECHANIC . WELDER ON POWER EQUIPMENT (HIGHWAY AND HEAVY ONLY)			
319	TRACTOR . BOOM TYPE (HIGHWAY AND HEAVY ONLY)			
320	TANDEM SCRAPER			
321	TRUCK CRANE . CRAWLER CRANE (HIGHWAY AND HEAVY ONLY)			
322	TUGBOAT 100 H.P AND OVER (HIGHWAY AND HEAVY ONLY)			
GROUP 4	2021-11-01	40.04	22.55	62.59
	2022-05-02	41.29	23.45	64.74
323	AIR TRACK ROCK DRILL			
324	AUTOMATIC ROAD MACHINE (CMI OR SIMILAR) (HIGHWAY AND HEAVY ONLY)			
325	BACKFILLER OPERATOR			
326	CONCRETE BATCH PLANT OPERATOR (HIGHWAY AND HEAVY ONLY)			
327	BITUMINOUS ROLLERS, RUBBER Tired OR STEEL DRUMMED (EIGHT TONS AND OVER)			
328	BITUMINOUS SPREADER AND FINISHING MACHINES (POWER), INCLUDING PAVERS, MACRO SURFACING AND MICRO SURFACING, OR SIMILAR TYPES (OPERATOR AND SCREED PERSON)			
329	BROKK OR R.T.C. REMOTE CONTROL OR SIMILAR TYPE WITH ALL ATTACHMENTS			
330	CAT CHALLENGER TRACTORS OR SIMILAR TYPES PULLING ROCK WAGONS, BULLDOZERS AND SCRAPERS			
331	CHIP HARVESTER AND TREE CUTTER			

LABOR CODE AND CLASS	EFFECT DATE	BASIC RATE	FRINGE RATE	TOTAL RATE
332		CONCRETE DISTRIBUTOR AND SPREADER FINISHING MACHINE, LONGITUDINAL FLOAT, JOINT MACHINE, AND SPRAY MACHINE		
333		CONCRETE MIXER ON JOBSITE (HIGHWAY AND HEAVY ONLY)		
334		CONCRETE MOBIL (HIGHWAY AND HEAVY ONLY)		
335		CRUSHING PLANT (GRAVEL AND STONE) OR GRAVEL WASHING, CRUSHING AND SCREENING PLANT		
336		CURB MACHINE		
337		DIRECTIONAL BORING MACHINE		
338		DOPE MACHINE (PIPELINE)		
339		DRILL RIGS, HEAVY ROTARY OR CHURN OR CABLE DRILL (HIGHWAY AND HEAVY ONLY)		
340		DUAL TRACTOR		
341		ELEVATING GRADER		
342		FORK LIFT OR STRADDLE CARRIER (HIGHWAY AND HEAVY ONLY)		
343		FORK LIFT OR LUMBER STACKER (HIGHWAY AND HEAVY ONLY)		
344		FRONT END, SKID STEER OVER 1 TO 5 C YD		
345		GPS REMOTE OPERATING OF EQUIPMENT		
346		HOIST ENGINEER (POWER) (HIGHWAY AND HEAVY ONLY)		
347		HYDRAULIC TREE PLANTER		
348		LAUNCHER PERSON (TANKER PERSON OR PILOT LICENSE)		
349		LOCOMOTIVE (HIGHWAY AND HEAVY ONLY)		
350		MILLING, GRINDING, PLANNING, FINE GRADE, OR TRIMMER MACHINE		
351		MULTIPLE MACHINES, SUCH AS AIR COMPRESSORS, WELDING MACHINES, GENERATORS, PUMPS (HIGHWAY AND HEAVY ONLY)		
352		PAVEMENT BREAKER OR TAMPING MACHINE (POWER DRIVEN) MIGHTY MITE OR SIMILAR TYPE		
353		PICKUP SWEEPER, ONE CUBIC YARD AND OVER HOPPER CAPACITY(HIGHWAY AND HEAVY ONLY)		
354		PIPELINE WRAPPING, CLEANING OR BENDING MACHINE		
355		POWER PLANT ENGINEER, 100 KWH AND OVER (HIGHWAY AND HEAVY ONLY)		
356		POWER ACTUATED HORIZONTAL BORING MACHINE, OVER SIX INCHES		
357		PUGMILL		
358		PUMPCRETE (HIGHWAY AND HEAVY ONLY)		
359		RUBBER-TIRED FARM TRACTOR WITH BACKHOE INCLUDING ATTACHMENTS (HIGHWAY AND HEAVY ONLY)		
360		SCRAPER		
361		SELF-PROPELLED SOIL STABILIZER		
362		SLIP FORM (POWER DRIVEN) (PAVING)		
363		TIE TAMPER AND BALLAST MACHINE		
364		TRACTOR, BULLDOZER (HIGHWAY AND HEAVY ONLY)		
365		TRACTOR, WHEEL TYPE, OVER 50 H.P. WITH PTO UNRELATED TO LANDSCAPING (HIGHWAY AND HEAVY ONLY)		
366		TRENCHING MACHINE (SEWER, WATER, GAS) EXCLUDES WALK BEHIND TRENCHER (HIGHWAY AND HEAVY ONLY)		
367		TUB GRINDER, MORBARK, OR SIMILAR TYPE		
368		WELL POINT DISMANTLING OR INSTALLATION (HIGHWAY AND HEAVY ONLY)		

LABOR CODE AND CLASS		EFFECT DATE	BASIC RATE	FRINGE RATE	TOTAL RATE
GROUP 5		2021-11-01	37.00	22.55	59.55
		2022-05-02	38.25	23.45	61.70
369	AIR COMPRESSOR, 600 CFM OR OVER (HIGHWAY AND HEAVY ONLY)				
370	BITUMINOUS ROLLER (UNDER EIGHT TONS)				
371	CONCRETE SAW (MULTIPLE BLADE) (POWER OPERATED)				
372	FORM TRENCH DIGGER (POWER)				
373	FRONT END, SKID STEER UP TO 1C YD				
374	GUNITE GUNALL (HIGHWAY AND HEAVY ONLY)				
375	HYDRAULIC LOG SPLITTER				
376	LOADER (BARBER GREENE OR SIMILAR TYPE)				
377	POST HOLE DRIVING MACHINE/POST HOLE AUGER				
378	POWER ACTUATED AUGER AND BORING MACHINE				
379	POWER ACTUATED JACK				
380	PUMP (HIGHWAY AND HEAVY ONLY)				
381	SELF-PROPELLED CHIP SPREADER (FLAHERTY OR SIMILAR)				
382	SHEEP FOOT COMPACTOR WITH BLADE . 200 H.P. AND OVER				
383	SHOULDERING MACHINE (POWER) APSCO OR SIMILAR TYPE INCLUDING SELF-PROPELLED SAND AND CHIP SPREADER				
384	STUMP CHIPPER AND TREE CHIPPER				
385	TREE FARMER (MACHINE)				
GROUP 6		2021-11-01	35.79	22.55	58.34
		2022-05-02	37.04	23.45	60.49
387	CAT, CHALLENGER, OR SIMILAR TYPE OF TRACTORS, WHEN PULLING DISK OR ROLLER				
388	CONVEYOR (HIGHWAY AND HEAVY ONLY)				
389	DREDGE DECK HAND				
390	FIRE PERSON OR TANK CAR HEATER (HIGHWAY AND HEAVY ONLY)				
391	GRAVEL SCREENING PLANT (PORTABLE NOT CRUSHING OR WASHING)				
392	GREASER (TRACTOR) (HIGHWAY AND HEAVY ONLY)				
393	LEVER PERSON				
394	OILER (POWER SHOVEL, CRANE, TRUCK CRANE, DRAGLINE, CRUSHERS, AND MILLING MACHINES, OR OTHER SIMILAR HEAVY EQUIPMENT) (HIGHWAY AND HEAVY ONLY)				
395	POWER SWEEPER				
396	SHEEP FOOT ROLLER AND ROLLERS ON GRAVEL COMPACTION, INCLUDING VIBRATING ROLLERS				
397	TRACTOR, WHEEL TYPE, OVER 50 H.P., UNRELATED TO LANDSCAPING				
TRUCK DRIVERS					
GROUP 1		2021-11-01	34.10	21.00	55.10
		2022-05-01	34.85	21.75	56.60

LABOR CODE AND CLASS		EFFECT DATE	BASIC RATE	FRINGE RATE	TOTAL RATE
601	MECHANIC . WELDER				
602	TRACTOR TRAILER DRIVER				
603	TRUCK DRIVER (HAULING MACHINERY INCLUDING OPERATION OF HAND AND POWER OPERATED WINCHES)				
GROUP 2		2021-11-01	22.85	6.91	29.76
604	FOUR OR MORE AXLE UNIT, STRAIGHT BODY TRUCK				
GROUP 3		2021-11-01	33.45	21.00	54.45
		2022-05-01	34.20	21.75	55.95
605	BITUMINOUS DISTRIBUTOR DRIVER				
606	BITUMINOUS DISTRIBUTOR (ONE PERSON OPERATION)				
607	THREE AXLE UNITS				
GROUP 4		2021-11-01	32.25	21.00	53.25
		2022-05-01	33.00	21.75	54.75
608	BITUMINOUS DISTRIBUTOR SPRAY OPERATOR (REAR AND OILER)				
609	DUMP PERSON				
610	GREASER				
611	PILOT CAR DRIVER				
612	RUBBER-TIRED, SELF-PROPELLED PACKER UNDER 8 TONS				
613	TWO AXLE UNIT				
614	SLURRY OPERATOR				
615	TANK TRUCK HELPER (GAS, OIL, ROAD OIL, AND WATER)				
616	TRACTOR OPERATOR, UNDER 50 H.P.				
SPECIAL CRAFTS					
701	HEATING AND FROST INSULATORS	2021-11-01	45.56	20.20	65.76
702	BOILERMAKERS	2021-11-01	40.94	29.28	70.22
		2022-01-01	42.64	29.28	71.92
703	BRICKLAYERS	2021-11-01	38.44	28.45	66.89
704	CARPENTERS	2021-11-01	37.07	25.46	62.53
		2022-05-03	39.22	25.46	64.68
705	CARPET LAYERS (LINOLEUM)	2021-11-01	32.13	12.85	44.98
706	CEMENT MASONS	2021-11-01	38.55	21.38	59.93

LABOR CODE AND CLASS		EFFECT DATE	BASIC RATE	FRINGE RATE	TOTAL RATE
		2022-05-01	40.60	21.38	61.98
707	ELECTRICIANS	2021-11-01	40.55	28.79	69.34
		2022-05-29	41.99	29.43	71.42
711	GROUND PERSON	2021-11-01	33.40	16.30	49.70
712	IRONWORKERS	2021-11-01	35.09	31.80	66.89
713	LINEMAN	2021-11-01	47.71	20.31	68.02
714	MILLWRIGHT	2021-11-01	39.14	23.67	62.81
		2022-05-02	41.29	23.67	64.96
715	PAINTERS (INCLUDING HAND BRUSHED, HAND SPRAYED, AND THE TAPING OF PAVEMENT MARKINGS)	2021-11-01	31.39	19.99	51.38
716	PILEDRIIVER (INCLUDING VIBRATORY DRIVER OR EXTRACTOR FOR PILING AND SHEETING OPERATIONS)	2021-11-01	40.00	26.04	66.04
		2022-05-02	42.15	26.04	68.19
717	PIPEFITTERS . STEAMFITTERS	2021-11-01	44.00	22.90	66.90
719	PLUMBERS	2021-11-01	41.02	22.03	63.05
721	SHEET METAL WORKERS	2021-11-01	44.46	29.17	73.63
723	TERRAZZO WORKERS	FOR RATE CALL 651-284-5091 OR EMAIL DLI.PREVVAGE@STATE.MN.US			
724	TILE SETTERS	FOR RATE CALL 651-284-5091 OR EMAIL DLI.PREVVAGE@STATE.MN.US			
725	TILE FINISHERS	FOR RATE CALL 651-284-5091 OR EMAIL DLI.PREVVAGE@STATE.MN.US			
727	WIRING SYSTEM TECHNICIAN	2021-11-01	41.42	18.16	59.58
728	WIRING SYSTEMS INSTALLER	2021-11-01	29.75	16.08	45.83

LABOR CODE AND CLASS		EFFECT DATE	BASIC RATE	FRINGE RATE	TOTAL RATE
		2022-07-01	30.49	16.08	46.57
729	ASBESTOS ABATEMENT WORKER	2021-11-01	33.98	20.75	54.73
		2022-01-01	35.13	21.55	56.68
730	SIGN ERECTOR	FOR RATE CALL 651-284-5091 OR EMAIL <u>DL.PREVVAGE@STATE.MN.US</u>			

COVID-19 resources here. | DLI offices are closed to walk-in customers.

PREVAILING WAGE: REGION 1 MINIMUM TRUCK RENTAL RATES

The operating costs were determined by survey on a statewide basis. The operating cost for “four or more axle units, straight-body trucks” is determined to be \$51.50 an hour. The operating cost for “three-axle units” is determined to be \$37.35 an hour. The operating cost for “tractor only” is determined to be \$54.96 an hour. The operating cost for “tractor trailers” is determined to be \$66.42 an hour.

Based on surveys reported to the department, the average broker fee paid in 2018 for a tractor was \$10.27 an hour and for a four or more axle unit, straight-body truck was \$6.81 an hour. The Department of Labor and Industry did not receive sufficient surveys for a three-axle unit or trailer and therefore, no broker fees were reported.

Adding the prevailing wage for drivers of these four types of trucks from each of the state’s 10 highway and heavy construction areas to the operating costs, the minimum hourly truck rental rate for the four types of trucks in each area is certified as follows:

Region 1 minimum hourly truck rental rates

Effective date	Tractor trailer	Four or more axle	Three axle	Tractor only
Dec. 27, 2021	\$121.52	\$81.26	\$91.80	\$110.06
Increase May 1, 2022	\$123.02	--	\$93.30	\$111.56

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[MAIN TRUCK RENTAL RATES PAGE ►](#)

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Public Waters Work Permit

Expiration Date: 06/23/2027

Pursuant to Minnesota Statutes, Chapter 103G, and on the basis of statements and information contained in the permit application, letters, maps, and plans submitted by the applicant and other supporting data, all of which are made part hereof by reference, **PERMISSION IS HEREBY GRANTED** to the applicant to perform actions as authorized below.

Project Name: Marten Trail	County: St. Louis	Watershed: St. Louis River	Resource: Stream/River: St. Louis River Estuary - St. Louis Bay ; Stream/River: St. Louis River Estuary (WI) ; Stream/River: St. Louis River Estuary ; Lake: St. Louis River Estuary (69129100)
Purpose of Permit: Riprap (Natural Rock), Recovery of Shoreline Lost by Erosion		Authorized Action: Rehabilitate and stabilize approximately 660 lineal feet of shoreline by installing armor stones at elevation 600' (Datum NAVD 88) to 605'-606' (Datum NAVD 88) to reinforce the slope toe, placing riprap integrated with vegetation along the mid elevations of the slope to the calculated wave runup height, and planting vegetation along the upper elevations of the slope. Rehabilitate and stabilize approximately 410 lineal feet of shoreline by installing armor stones at elevation 600' (Datum NAVD 88) to 605' (Datum NAVD 88) to reinforce the slope toe, placing coir logs with live staking above the armor stone, and planting vegetation along the upper elevations of the slope. At the ends of the identified shoreline length, the toe and armor stones will return back into the slope; all construction shall be in accordance with all documents and plans on file. Note: OHWL is 603.00 (Datum NAVD 88)	
Permittee: CITY OF DULUTH - PARKS AND RECREATION CONTACT: SHOBERG, JAMES, (218) 730-4415 411 WEST FIRST STREET DULUTH, MN 55802 (218) 730-4316		Authorized Agent: AMI CONSULTING ENGINEERS, PA CONTACT: DAGGER, RYAN 91 MAIN STREET SUPERIOR, WI 54880 (715) 718-5722	
Property Description (land owned or leased or where work will be conducted): UTM zone 15N, 561737m east, 5174091m north (centroid), Section 24, T49N, R15E, UTM zone 15N, 561738m east, 5174062m north, Section 24, T49N, R15E			
Issued Date: 06/23/2022	Effective Date: 06/23/2022	Expiration Date: 06/23/2027	

Authorized Issuer: Kim Boland	Title: Area Hydrologist	Email Address: kim.boland@state.mn.us	Phone Number: 218-735-3963
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This permit is granted **subject to** the following **CONDITIONS**:

APPLICABLE FEDERAL, STATE, OR LOCAL REGULATIONS: The permittee is not released from any rules, regulations, requirements, or standards of any applicable federal, state, or local agencies; including, but not limited to, the U.S. Army Corps of Engineers, Board of Water and Soil Resources, MN Pollution Control Agency, watershed districts, water management organizations, county, city and township zoning.

NOT ASSIGNABLE: This permit is not assignable by the permittee except with the written consent of the Commissioner of Natural Resources.

NO CHANGES: The permittee shall make no changes, without written permission or amendment previously obtained from the Commissioner of Natural Resources, in the dimensions, capacity or location of any items of work authorized hereunder.

SITE ACCESS: The permittee shall grant access to the site at all reasonable times during and after construction to authorized representatives of the Commissioner of Natural Resources for inspection of the work authorized hereunder.

TERMINATION: This permit may be terminated by the Commissioner of Natural Resources at any time deemed necessary for the conservation of water resources of the state, or in the interest of public health and welfare, or for violation of any of the conditions or applicable laws, unless otherwise provided in the permit.

COMPLETION DATE: Construction work authorized under this permit shall be completed on or before the date specified above. The permittee may request an extension of the time to complete the project by submitting a written request, stating the reason thereof, to the Commissioner of Natural Resources.

WRITTEN CONSENT: In all cases where the permittee by performing the work authorized by this permit shall involve the taking, using, or damaging of any property rights or interests of any other person or persons, or of any publicly owned lands or improvements thereon or interests therein, the permittee, before proceeding, shall obtain the written consent of all persons, agencies, or authorities concerned, and shall acquire all property, rights, and interests needed for the work.

PERMISSIVE ONLY / NO LIABILITY: This permit is permissive only. No liability shall be imposed by the State of Minnesota or any of its officers, agents or employees, officially or personally, on account of the granting hereof or on account of any damage to any person or property resulting from any act or omission of the permittee or any of its agents, employees, or contractors. This permit shall not be construed as estopping or limiting any legal claims or right of action of any person other than the state against the permittee, its agents, employees, or contractors, for any damage or injury resulting from any such act or omission, or as estopping or limiting any legal claim or right of action of the state against the permittee, its agents, employees, or contractors for violation of or failure to comply with the permit or applicable conditions.

EXTENSION OF PUBLIC WATERS: Any extension of the surface of public waters from work authorized by this permit shall become public waters and left open and unobstructed for use by the public.

WETLAND CONSERVATION ACT: Where the work authorized by this permit involves the draining or filling of wetlands not subject to DNR regulations, the permittee shall not initiate any work under this permit until the permittee has obtained official approval from the responsible local government unit as required by the Minnesota Wetland Conservation Act.

CONTRACTOR RESPONSIBILITY: The permittee shall ensure the contractor has received and thoroughly understands all conditions of this permit. Contractors must obtain a signed statement from the property owner stating that permits required for work have been obtained or that a permit is not required, and mail a copy of the statement to the regional DNR Enforcement office where the proposed work is located. The Landowner Statement and Contractor Responsibility Form can be found at: https://bwsr.state.mn.us/sites/default/files/2019-01/Wetland_WCA_Contractor_Responsibility_Form.doc

INVASIVE SPECIES - EQUIPMENT DECONTAMINATION: All equipment intended for use at a project site must be free of prohibited invasive species and aquatic plants prior to being transported into or within the state and placed into state waters. All equipment used in designated infested waters, shall be inspected by the Permittee or their authorized agent and adequately decontaminated prior to being transported from the worksite. The DNR is available to train inspectors and/or assist in these inspections. For more information refer to the "Best Practices for Preventing the Spread of Aquatic Invasive Species" at http://files.dnr.state.mn.us/publications/ewr/invasives/ais/best_practices_for_prevention_ais.pdf. Contact your regional Invasive Species Specialist for assistance at www.mndnr.gov/invasives/contacts.html. A list of

CONDITIONS *(Continued from previous page)*

designated infested waters is available at www.mndnr.gov/invasives/ais/infested.html. A list of prohibited invasive species is available at www.mndnr.gov/invasives/laws.html#prohibited.

EROSION AND SEDIMENT CONTROL: In all cases, methods that have been determined to be the most effective and practical means of preventing or reducing sediment from leaving the worksite shall be installed in areas that slope to the water and on worksite areas that have the potential for direct discharge due to pumping or draining of areas from within the worksite (e.g., coffer dams, temporary ponds, stormwater inlets). These methods, such as mulches, erosion control blankets, temporary coverings, silt fence, silt curtains or barriers, vegetation preservation, redundant methods, isolation of flow, or other engineering practices, shall be installed concurrently or within 24 hours after the start of the project, and will be maintained for the duration of the project in order to prevent sediment from leaving the worksite. DNR requirements may be waived in writing by the authorized DNR staff based on site conditions, expected weather conditions, or project completion timelines.

EROSION AND SEDIMENT CONTROL - SILT CURTAIN: Any work below the water level shall be encircled by a flotation sediment curtain to prevent sediment from being transported beyond the construction site. An example of an appropriately constructed silt curtain is illustrated in Chapter 6.32 Treatment Measures: Flotation Silt Curtains, found in the document Protecting Water Quality in Urban Areas (2000), at www.pca.state.mn.us/index.php/view-document.html?gid=7157. Curtain should be held close to shoreline, encircling the work area, and not interfere with main flows in channels. The barrier shall be removed upon completion of the work after the silt has settled.

FISHERY PROTECTION - EXCLUSION DATES: No activity affecting the bed of the protected water may be conducted between April 1 and June 30, to minimize impacts on fish spawning and migration. If work during this time is essential, it shall be done only upon written approval of the Area Fisheries Manager. See contact list at: http://files.dnr.state.mn.us/fisheries/management/dnr_fisheries_managers.pdf. Should work begin elsewhere in the project area within these dates, all exposed soils that are within 200 feet of Public Waters and drain to those waters must complete erosion control measures within 24 hours of its disturbance to prevent sediment from entering Public Waters.

AQUATIC PLANT MANAGEMENT: For projects where vegetation is placed waterward of the ordinary high water level, a separate Aquatic Plant Management (APM) permit is needed from the DNR Regional APM Specialist. See contact list at: <http://www.dnr.state.mn.us/apm/index.html>. A permit shall be obtained (no fee required) for each site in order to monitor plant source, species, and planting location. Vegetation must be appropriate for the site and free of invasive species. This condition does not apply when only woody vegetation is used, such as willow and dogwood.

SMOOTH TRANSITION / MINIMUM ENCROACHMENT: At each end of the stabilized shoreline, the finished slope of the riprap shall be varied in a fashion to produce a smooth transition with the natural shoreline. Also, riprap encroachment into the water is to be limited to the minimum amount necessary and shall not create an obstruction to normal flows.

cc: Cliff Bentley, EWR District Manager
Jacob Willis, Conservation Officers, Brookston
Erin Loeffler, BWSR Wetland Specialists, St. Louis
David Demmer, BWSR Wetland Specialists, St. Louis
Andrew Herberg, DNR Regional Nongame Specialists, Region 2
Gaea Crozier, DNR Regional Nongame Specialists, Region 2
Jessica Parson, DNR Regional Environmental Assessment Ecologist, Region 2
Chris Balzer, DNR Wildlife, Cloquet
Deserae Hendrickson, DNR Fisheries, Duluth Area
Mark Lindhorst, County, St. Louis
Corps of Engineers, Corps of Engineers, St. Louis (South)
R.C. Boheim, SWCD, St. Louis SWCD - South
Cindy Voigt, City, Duluth
Noah Schuchman, City, Duluth
Cari Pedersen, P.E., City, Duluth
Tom Johnson, City, Duluth
Adam Fulton, City, Duluth
Jim Filby Williams, City, Duluth
Kyle Deming, City, Duluth



Consulting Engineers P.A.

June 23, 2022

Re: Marten Trail Spirit Cove Trail Rehabilitation

AMI Project # 212079

Participants: Ryan Dagger – AMI, Rober Hurd – City of Duluth, Wren Works, KTM, Prairie Restorations, Veit

Contractor Questions:

1. Can the trail be closed off? Can it be widened?
 - a. The trail can be closed off as long as it does not violate the terms set up in the specifications. The trail can be widened to match the restored trail detail. Contractor must still remain inside the construction limits at all times and follow the construction drawings and specifications.
2. How do salvaged stone prices work into the strict budget for this project?
 - a. This project is FEMA funded with a strict cap on budget. If bids are over allowable budget, then the work will be completed per lineal foot of shoreline starting from Sta. 17+30 and working south to southwest along the shoreline.
3. What requirements or tests must new stones pass? Salvage stones?
 - a. New armor stones must pass the quality requirements in Specification 31 37 16.13 Stone Placement - Part 2.3. Salvaged stones must still comply with the quality requirements. Lot D stones will only require a total of 5 drop tests at the beginning of the project. If any field stones are approved for the project, they will be classified as “new stones” as must pass the quality requirements in Specification 31 37 16.13.
4. What is the overall schedule? Notice of award? Notice to proceed?
 - a. See Addendum 1 posted by the City of Duluth on June 22.
5. Are contractors required to use quarry rock?
 - a. Angular quarry rock is required for this project.
 - b. Both piles of stone at Lot D are allowed to be used.
6. Will everything on the water-side of the trail be seeded?
 - a. Any area along the shoreline that is disturbed during construction must be restored per the construction drawings. The restoration will require new topsoil, seed, plugs, whips, and shrubs. If the land between the installed armor stones and trail is not disturbed **and** does not require additional fill and vegetation to stabilize the slope (example grades along the slope exceeding 3H:1V slopes must be adjusted no exceptions) no additional work is required.
7. If contractor were to barge in, could they stay off-land completely, depending on where on the shore the work is being done? (As long as they aren't touching the native vegetation)
 - a. Barge work is desired for this project, but the contractor should be aware of the

- shallow depths near shore and ability to work from the barge.
 - b. The Contractor should note the wetland on Sheet C2.1.
 - c. The Contractor shall not unload equipment from the barge into the water and must comply with the requirements in the DNR permit.
 - d. The Contractor is still required to work with a silt fence installed if working from a barge.
8. Should the trail still be restored if it is not touched?
- a. The trail does not need to be restored per the construction drawings if no disturbance has occurred to it. If equipment is brought down the trail, then assume the trail should be restored as per the construction drawings.
9. Specify T-Turnaround location and how to notify local residents.
- a. Local residents have already been informed of this turn around location, but the contractor should have workers reminding people to not crowd near the site while construction is going on.
10. Another clarification requested of what to do with vegetation if it is disturbed.
- a. Any pruning, slope excavation, vegetation removal or shoreline debris removal shall be remove from the site and disposed of.
 - b. Disturbed areas shall be restored with new seed and vegetation per the construction drawings.
11. Who should contractors speak with regarding trees?
- a. Jim Shoberg is the point of contact for this project from the City. As of now there are a total of 32 trees assumed on the bid form (Item 23). Approved tree species can be found on Sheet C3.3. Contractor is required to stake the locations of each tree and inform the City and Engineer to approve of the locations. Approximate locations of new trees can be found on Sheets C3.1 and C3.2.