



**Purchasing Division**  
*Finance Department*  
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**Addendum 1**  
**Solicitation 23-99150**  
**Spirit Mountain Legacy – Phase I – Mountain Bike Trails**

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

1. The selected contractor will be issued a construction contract (**updated** draft included in the Standard City Contracting Forms in the BidExpress solicitation). Notice to Proceed will be issued once the agreement is fully executed.
2. The Federal Heavy Wage Decision MN20230040, effective 6.30.23 is attached and replaces the Federal Heavy Wage Decision MN20230040, effective 6.16.23 that was included in the Bid Package.
3. Due to the funding source on this project, a Project Labor Agreement will NOT be required. Prevailing wage rules still apply and not less than the minimum salaries and prevailing wages as set forth in the contract documents must be paid on this project.
4. Prequalification Worksheet B for the downhill and jump line trails, will continue to be accepted by email until end of business on Wednesday, July 26, 2023. Bidders will be notified of their qualification status at the earliest opportunity, and downhill and jump line trail bids from non-qualified bidders will not be made public.

Please acknowledge receipt of this Addendum by checking the acknowledgment box within the [www.bidexpress.com](http://www.bidexpress.com) solicitation.

Posted: **July 19, 2023**



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## LABOR COST BIDDING DATA

Solicitation No.: 23-99150  
Project Title: Spirit Mountain Legacy – Phase 1 – Mountain Bike Trails

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
- State funds
- City funds
- Other:

Per the Duluth City Code, prevailing wages must be paid on projects of \$2,000 or more. 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. MN State Highway-Heavy Wage Decision for Region 01, effective 11.14.2022
2. MN State Truck Rental Rates, effective 12.19.2022
3. Federal Heavy Wage Decision MN20230040, effective 6.30.23

This project will not include a project labor agreement (PLA).

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 per state statute
- hours worked in excess of 40 hours per week per federal regulation
- 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: MN20230040 06/30/2023

Superseded General Decision Number: MN20220040

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).

<p>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:</p>	<ul style="list-style-type: none"> <li>. Executive Order 14026 generally applies to the contract.</li> <li>. The contractor must pay all covered workers at least \$16.20 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 2023.</li> </ul>
<p>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:</p>	<ul style="list-style-type: none"> <li>. Executive Order 13658 generally applies to the contract.</li> <li>. The contractor must pay all covered workers at least \$12.15 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 2023.</li> </ul>

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 <http://www.dol.gov/whd/govcontracts>.

Modification Number	Publication Date
0	01/06/2023
1	05/19/2023
2	06/16/2023

3

06/30/2023

BOIL0647-004 04/01/2021

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

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CARP0361-020 05/02/2022

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

	Rates	Fringes
CARPENTER (Including Form Work).....	\$ 38.21	27.58

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CARP0361-021 05/02/2022

ST LOUIS (Duluth)

	Rates	Fringes
CARPENTER (Including Form Work).....	\$ 38.21	27.58

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CARP0606-010 05/02/2022

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

	Rates	Fringes
CARPENTER (Including Form Work).....	\$ 38.21	27.58

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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

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\* ELEC0294-006 05/28/2023

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

	Rates	Fringes
ELECTRICIAN.....	\$ 43.31	30.47

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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

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 IRON0512-028 05/01/2022

	Rates	Fringes
IRONWORKER, STRUCTURAL AND REINFORCING.....	\$ 36.94	33.11

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 LAB01091-006 05/01/2023

ST LOUIS (South of T. 55 N)

	Rates	Fringes
LABORERS		
(1) Common or General.....	\$ 37.53	23.67
(2) Mason Tender		
Cement/Concrete.....	\$ 37.73	23.67
(6) Pipe Layer.....	\$ 41.03	23.67

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 LAB01091-007 05/01/2023

SOUTHERN ST. LOUIS COUNTY

	Rates	Fringes
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LABORER

Common or General (Natural Gas Pipeline only).....\$ 37.53                    23.67

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LAB01097-002 05/01/2023

NORTHERN ST. LOUIS COUNTY

Rates                    Fringes

LABORER

Common or General (Natural Gas Pipeline only).....\$ 35.62                    25.58

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LAB01097-005 05/01/2023

ST LOUIS (North of T. 55 N)

Rates                    Fringes

LABORERS

(1) Common or General.....\$ 35.62                    25.58  
(2) Mason Tender  
Cement/Concrete.....\$ 35.82                    25.58  
(6) Pipe Layer.....\$ 39.12                    25.58

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PLAS0633-036 05/01/2021

ST. LOUIS COUNTY (North of T 55N)

Rates                    Fringes

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

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PLAS0633-039 05/01/2021

ST. LOUIS COUNTY (South of T 55N)

Rates                    Fringes

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

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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

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\* SUMN2009-072 09/28/2009

Rates                    Fringes

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

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

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 \*\* Workers in this classification may be entitled to a higher minimum wage under Executive Order 14026 (\$16.20) or 13658 (\$12.15). 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)).

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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.

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#### 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 DECISIO"