Enforcement for CWASSA is Complete

Prime contractor submits sub payrolls and copies of its own payroll to consultant for review--weekly.

Three possible scenarios:

Scenario One: Consultant or MEDC staff finds error involving restitution

Option 1
Pay Liquidated Damages

Contractor pays Liquidated Damages by electronic wire transfer and notifies consultant, by traceable communication of payment made

Option 2
Request Waiver of Liquidated Damages (LD)

E-mail or letter from Contractor to consultant requesting waiver of Liquidated Damages. Include the reason for request

Consultant communicates Contractor’s request to MEDC & expresses opinion about request

MEDC opinion is attached to waiver request and sent to HUD. HUD’s responds with “Pay” or “Waive” or

Response to Consultant then to Contractor

Two:
Consultant or MEDC staff finds error but error does not involve restitution

Notification of need for Certified Correction Payroll

Contractor prepares a Certified Correction Payroll, pays restitution and provides documentation of such actions to Consultant

Corrected payroll prepared by contractor or minor inaccuracy can be corrected by Consultant with Contractor approval.

Three:
There is no error detected

Notification by Consultant to Prime of the need for corrected payroll(s)

Reporting Requirements

Is restitution from Davis-Bacon Or CWSSA at least $1,000 for any contractor?

No

A Labor Standards Enforcement Report must be prepared by the consultant and sent to MEDC. This is done when most or all of the corrective action has been completed.

Yes

A Final Wage Compliance Report is sent with the closeout documents. It will also indicate all restitution amounts.

Definitions:
Consultant: The Labor Compliance Officer for grant recipient
CWSSA: Contract Work Hours & Safety Standards Act
HUD: U. S. Dept of Housing and Urban Development
MEDC: __________________________