



**Department of Energy**  
Washington, DC 20585

**STATE ENERGY PROGRAM  
PROGRAM NOTICE 10-009  
EFFECTIVE DATE: May 4, 2010**

**SUBJECT:** DAVIS-BACON ACT WAGE RATES FOR ARRA-FUNDED STATE ENERGY PROGRAM (SEP) PROJECTS INCLUDING RESIDENTIAL WEATHERIZATION WORK

**PURPOSE:** Provides guidance on using appropriate prevailing wage rates for all Davis-Bacon Act (DBA) covered-work, including weatherization work, performed under the State Energy (SEP) Program using American Recovery and Reinvestment Act of 2009 (ARRA) funds to ensure compliance with DBA requirements.

**SCOPE:** The provisions of this guidance apply to Recipients of SEP funds, as named in a Notification of Grant Award (Grant Award) from DOE under the SEP and their sub-recipients. This guidance does not apply to U.S. Territories. Tribal governments are only exempt from DBA provisions when the Tribal government performs work using its own employees. The DBA applies to all contractors and subcontractors that employ laborers and/or mechanics performing work under a Grant Award.

**GUIDANCE:** DBA-covered work performed by laborers and mechanics employed by contractors and subcontractors on SEP ARRA-funded projects, including residential weatherization work, **must** use the existing residential construction prevailing wage rates as published by the Department of Labor (DOL) at <http://www.wdol.gov> and provided in the spreadsheet tables found at: [http://eere.energy.gov/wip/davis-bacon\\_act.html](http://eere.energy.gov/wip/davis-bacon_act.html). These look-up tables are ordered by state and county and each spreadsheet lists the relevant work categories for that jurisdiction. For additional assistance, please contact the Department of Labor's Wage and Hour Division at 1-866-487-9243 with your inquiry.

Please note that the specially-developed "Weatherization" wage rates must **not** be applied for SEP program expenditures (note: DOL has determined that the Weatherization wage rates may only be applied to funds provided specifically under the Weatherization Assistance Program).

**CONCLUSION:** Questions regarding this guidance should be directed to a Recipient's Project Officer. In addition, the DOE website listed above provides updated information on many DBA-related subjects as well as other ARRA-related information.

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