

ADDENDUM NO. 1

ALLEGAN COUNTY ROAD COMMISSION

2023 PRIMARY HOT MIX ASPHALT PAVING

MARCH 15, 2023

Addendum No. 1 to the Proposal and Specifications for 2023 Primary Hot Mix Asphalt Paving for the Allegan County Road Commission, as prepared by the Allegan County Road Commission for the March 15, 2023, bid letting. The purpose of this addendum is to revise the following projects:

1. **PH 300040 -ALLEGAN & TROWBRIDGE TOWNSHIPS – 26<sup>th</sup> Street, M-89 to 114<sup>th</sup> Avenue – 1.26 miles**

The specifications did not include the Michigan Local Road Agency Special Provision for Prevailing Wage and Labor Compliance System and the Michigan Local Road Agency Special Provision for Labor Compliance.

2. **PH 3554 –GUN PLAIN TOWNSHIP–106<sup>th</sup> Avenue & Marsh Road, 10<sup>th</sup> Street to County Line – 6.68 miles**

The specifications did not include Michigan Local Road Agency Special Provision for Prevailing Wage and Labor Compliance System and the Michigan Local Road Agency Special Provision for Labor Compliance.

The Contractor hereby acknowledges receipt of this Addendum No. 1 and shall include a signed copy with his bid.

Contractor: \_\_\_\_\_

Signature: \_\_\_\_\_

Printed Name: \_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_

MICHIGAN  
LOCAL ROAD AGENCY

SPECIAL PROVISION  
FOR  
**PREVAILING WAGE AND LABOR COMPLIANCE SYSTEM**

1 of 2

CRA APPR: 12-20-22

**a. Description.** This work consists of the required use of a prevailing wage and labor compliance (PWLC) system for all prevailing wage documentation as directed by the Engineer. Input all required certified payroll documentation into the Track CTC Site (LCPtracker) and update this documentation throughout the execution of the contract. Certified payroll information is to be submitted in the Track CTC site per the time requirements in the 20SP-107D - Labor Compliance.

**b. Contractor Responsibility.** Coordinate all electronic document submittals including documentation supplied by other companies (e.g. subcontractors, suppliers, fabricators, etc.) as detailed in this special provision. All companies will directly submit their certified payroll information into the Track CTC Site.

**c. General Requirements.** Submit all certified payroll information as required in this special provision and the Labor Compliance special provision. Provide employee zip codes as part of the certified payroll submission. This information will be redacted from any certified payroll reports to protect worker anonymity. Zip code information will be anonymized and used for federal, state, and legislative prevailing wage and labor reporting.

All data entry will be submitted through the following program and website:

Program: LCPtracker

Login Website: <http://www.lcptracker.com>

General Information website: [www.lcptracker.com](http://www.lcptracker.com)

A tutorial for this system can be found through the website provided.

**d. Condition of Payment.** Post all documents electronically into the Track CTC Site. Electronic posting and submittal of documents is a condition of payment for this contract. Documents submitted in any other manner, unless required otherwise in this special provision or directed by the Engineer, will not be accepted and will delay payment.

**e. Digitally Encrypted Electronic Signatures.** Ensure all documents that require signature authorizations are signed using a digitally encrypted electronic signature. Further information regarding how to obtain a digital signature can be found at the following website:

[www.trackctc.com](http://www.trackctc.com)

**f. Contractor Preparation for Tracking Software:**

1. Information about LCPtracker is available to the Contractor and other project companies (e.g. subcontractors, suppliers, etc.) at the following website:

[www.lcptracker.com](http://www.lcptracker.com).

2. Access to the ViaA/VIA is provided at cost to the Contractor. The road agency will coordinate with Track CTC to setup the project in LCPtracker and assign the Contractor. Once setup in the system the Contractor may access the software at the following website: [www.trackctc.com/pricing](http://www.trackctc.com/pricing)

3. Use Internet Explorer to access the Track CTC system. The Department has tested and will support Internet Explorer versions 8, 9, 10 and 11.

**g. Document Format.** The Engineer reserves the right to electronically reject documents that are deemed to be unsuitable. This may include documents submitted that are illegible or unreadable or contain inappropriate information. The submitting company must re-submit the corrected documents into the PWLC system. Failure to do so will be considered noncompliance and may delay progress payments.

**h. Training.** LCPtracker offers biweekly contractor training sessions, user support manuals, quick start guides, e-Training videos, and a software support staff available Monday thru Friday 8 a.m. to 8 p.m. EST accessible through the online interface.

**i. File/Document Retention.** The electronic files submitted in the PWLC system are the official contract documents and must follow all road agency document retention schedules.

**j. Technical Issue Resolution.** Upon discovery of an LCPtracker issue immediately notify the Engineer with a copy sent to the following e-mail resource:

[info@trackctc.com](mailto:info@trackctc.com)

**k. Measurement and Payment.** The work included in this special provision will not be paid for separately and is considered to be included in other items of work in the contract.

MICHIGAN  
LOCAL ROAD AGENCY

SPECIAL PROVISION  
FOR  
**LABOR COMPLIANCE**

1 of 3

CRA APPR: 12-20-22

**a. Description.** Ensure all levels of contracting (prime, sub, sub-sub, etc.) comply with all labor compliance requirements in this contract. The Contractor is responsible for subcontractors and lower tier subcontractor labor compliance. All Contractors must insert this special provision in each subcontract and further require its inclusion in lower tier subcontracts for federal prevailing wage projects.

**b. Requirements.**

1. Jobsite Posters. All jobsite posters and employment notices required by State and Federal regulations and the contract are to be posted on the jobsite in a conspicuous area prior to the commencement of work. Ensure jobsite postings are accessible at all times.

2. Federal Prevailing Wage Projects. The Davis-Bacon Related Acts apply to all Contractors, and subcontractors (all tiers) performing work on MDOT buyout construction contracts where the total construction contract price is in excess of \$2,000. Contractors and subcontractors are required to comply with *29 Code of Federal Regulations Parts 1 and 3*.

The Contractor must advise subcontractors of the requirement to pay the prevailing wage rates prior to commencement of work and that all employees must cooperate during wage rate interviews.

A. Certified Payroll Submittal Requirements. Contractors (all tiers) must submit their certified payrolls to the prime Contractor. The submitted payrolls must accurately and completely include all information required on MDOT Form CP-347, Certified Payroll. The required weekly payroll information may be submitted on a contractor generated form but must contain all information required on Form CP-347. The first certified payroll is to be received by the Engineer within 3 weeks from the week ending in which work is performed. The 3 week period is to allow for the processing and review of the certified payrolls by the prime Contractor. The review must ensure the certified payroll is complete and contains all information required on Form CP-347. Form CP-347 is available on the MDOT forms webpage. Certified payroll information must meet the requirements of this special provision unless the contract requires payroll to be submitted through the prevailing wage and labor compliance (PWLC) system. Payroll submitted via the PWLC system must be entered into the system, certified, and approved by the prime Contractor to be considered received by the road agency.

Labor compliance issues must be resolved within 60 calendar days of receiving the road agency's first documented notice. The 60-day requirement may be extended based on documented mutual agreement between the road agency and the Contractor.

(1) Fringe Benefit Statements. Contractors making payments or incurring cost to provide bona fide benefits must submit an hourly breakdown of fringe benefits paid each worker, or work classification where applicable, that must accompany the first certified payroll where fringe benefits are credited towards the prevailing wage. The Contractor must update these documents as necessary to ensure they are current throughout the working life of the contract. Failure to submit or maintain the required fringe benefit statement will constitute a payroll deficiency.

(2) Delinquent Payroll. Certified payrolls not submitted per subsection b.2.A of this special provision will be considered delinquent.

(3) Deficient Payroll. Certified payrolls that are found to be incomplete, inaccurate, or inconsistent with other project records are considered deficient.

(4) Non-compliance Damages. A Contractor found to be in non-compliance with the requirements of this special provision will be assessed non-compliance damages listed in Table 1, proportional to the value of their work on the contract (including subcontract, purchase order (P.O.) or invoice amount).

**Table 1: Schedule of Non-Compliance Damages**

Contract/Subcontract/P.O./Invoice Amount (a)	Non-compliance damages per calendar day
\$0 to 49,999	\$200
50,000 to 99,999	400
100,000 to 499,999	600
500,000 to 999,999	900
1,000,000 to 1,999,999	1,300
2,000,000 to 4,999,999	1,550
5,000,000 to 9,999,999	2,650
10,000,000 and above	3,000
Trucker	\$200
a. "Contract" amount if offending contractor is the prime contractor. "Subcontract/P.O./Invoice" amount if offending contractor is a subcontractor/vendor.	

B. Record Keeping. Maintain payrolls and basic records relating thereto (i.e. employee names, occupation, hours worked, W2, canceled checks, bank statements, etc.) by all levels of contractors during the course of work and retain for a 3-year period from the date of final estimate for all employees working on the site of work. Make these records available for inspection, copying, or transcription by the road agency or its representative.

C. Short Duration Projects. The following modifications apply if the project is less than 75 calendar days in duration.

(1) Submittal Requirements. On short duration projects the first certified payroll is to be received by the Engineer within 2 weeks from the week ending in which work is

performed. The 2-week period is to allow for the processing and review of the certified payrolls by the Contractor. The 2-week period allows the first estimate to be paid assuming the Contractor will submit certified payrolls in a timely manner. Ensure subsequent certified payroll submissions are made weekly. Payroll submissions failing to meet the above requirements will be considered delinquent.

Labor compliance issues are to be resolved within 30 days after receiving the Department's first documented notice. The 30-day requirement may be extended based on documented mutual agreement between the road agency and the Contractor.

- c. Materials.** None specified.
- d. Construction.** None specified.
- e. Measurement and Payment.** Payment for compliance with this special provision will not be made separately. Payment will be considered as part of all other pay items in the contract.