



CITY OF PROVIDENCE, RHODE ISLAND

**Department: Public Property**

**RFP Title: TENNIS AND PICKLEBALL COURT RENOVATIONS AT NATHAN BISHOP MIDDLE SCHOOL**

**Opening Date: 06/02/2025**

**Addendum #: 6**

**Issue Date: 05/27/2025**

The purpose of this addendum is to respond to one outstanding question on the project and to provide a reminder on basic City project requirements such as prevailing wage.

The City received the following question: Drawing C-100 shows plantings inside the Bio Retention area. Is there a plant list?

City Response:

The Bio Retention Area shall be planted with NE Wetland Seed Mix. The plantings on sheet C-100 were for presentation only and plants are not required.

Additionally, find attached a recent newsletter from the state's Department of Labor and Training on the requirements for prevailing wage on all public works projects which we are including in all RFPs going forward.

# Newsletter

ADDRESSING THE NEEDS OF AWARDING AUTHORITIES AND CONTRACTORS ON RI PREVAILING WAGE PROJECTS



Our office is a strong advocate of educating contractors and awarding authorities on the Laws and Regulations that govern RI Prevailing Wage projects. We encourage contractors, purchasing agents and employees to visit our website at [www.dlt.ri.gov/pw](http://www.dlt.ri.gov/pw) for forms, tools and resources on Prevailing Wage. If you would like to schedule an appointment, please contact Prevailing Wage at (401) 462-8580, Option-7.

- The awarding authority for every public works contract in excess of one thousand dollars (\$1,000), to which the state of Rhode Island, Municipality, or Quasi Agency is a party, **shall** contain a provision in the bid and contract pursuant to RIGL § 37-13-6 & 37-13-7 that the **RI Prevailing Wage** listed on the RI Department of Labor & Training website <https://dlt.ri.gov/regulation-and-safety/prevailing-wage> shall be paid on this project.
- The awarding authority shall insert a copy of RIGL § 37-13-5, 37-13-6, and 37-13-7 in all contracts for public works or school transportation services awarded by the state, city, or town, in which state or municipal funds are used if the contract price is in excess of one thousand dollars (\$1,000).
- The awarding authority shall require the contractor awarded a RIGL 37-13 public works contract in excess of \$50,000 to furnish a **bond** in a sum not less than fifty percent (50%) and not more than one hundred percent (100%) of the contract price. The contractor shall also promptly pay for all such labor performed or furnished, together with penalties assessed pursuant to RIGL § 37-13-14.1(b).
- The awarding authority shall receive the RI DLT Certified Weekly Payroll forms on the project from every contractor, or subcontractor awarded a contract for public works or school transportation services on a monthly basis for all work completed in the preceding month.
- The awarding authority must withhold the next scheduled payment from any contractor, subcontractor, vendor, or provider that fails to comply with the Rhode Island Certified Payroll provisions. If a subcontractor is the party in violation, the amount withheld must be proportionate to the amount owed to that subcontractor, as determined by the awarding authority.

## PREVAILING WAGE VOLUNTARY ADDENDUM

The Department created a voluntary Prevailing Wage Addendum for Municipalities that can be inserted into the contract for the General Contractor to sign. It fulfills the notice requirements for Awarding Authorities.

# PREVAILING WAGE

## Q & A Section

### **Are Awarding Authorities required to retain RI Certified Weekly Payroll Forms?**

Yes, RIGL 37-13-13 requires that every contractor and subcontractor awarded a public works contract, as defined by this chapter, must submit a certified copy of their employees' payroll records to the awarding authority each month. The records must cover all work completed in the previous month and be submitted using a Rhode Island Certified Weekly Payroll form. These forms must also be made available to the Rhode Island Department of Labor and Training (RI DLT) within 10 days of a request. The RI Certified Weekly Payroll form is available for download at [www.dlt.ri.gov/pw/pw-FormsPubs.htm](http://www.dlt.ri.gov/pw/pw-FormsPubs.htm).

### **Should Awarding Authorities be notified of subcontractors working on prevailing wage projects?**

Yes! RIGL 37-13-4 states that after being awarded a public works contract, each contractor must submit a list of their subcontractors—covering any portion of the work—to the appropriate authority. The list must be submitted in the format or manner uniformly required of all contractors on public works projects.

### **Is a contract required on all P.W. projects?**

Yes, all prevailing wage work must be done by contract. This is true for both the contract between the awarding authority and the general contractor and the general contractor and subcontractor and between subcontractors.

### **Are there any apprenticeship requirements for public works projects?**

Yes! RIGL 37-13-3.1 states that all general contractors and subcontractors who perform work on any state-awarded public works projects valued at \$1,000,000 or more shall employ apprentices required for the performance of the awarded contract. Awarding authorities may verify if a contractor has a registered apprenticeship program at [www.dlt.ri.gov/apprenticeship](http://www.dlt.ri.gov/apprenticeship).



## PREVAILING WAGE

Posters and Rate Schedules  
[www.dlt.ri.gov/pw/pwFormsPubs.htm](http://www.dlt.ri.gov/pw/pwFormsPubs.htm)

### **Bond Requirement**

RIGL 37-13-14 states: "Contractor's bond - The state or any city, town, agency, or committee therein awarding contracts for public works shall require the contractor awarded a contract with a contract price in excess of fifty thousand dollars (\$50,000) for public works to file with the proper authority good and sufficient bond with surety furnished by any surety company authorized to do business in the state, conditioned upon the faithful performance of the contract and upon the payment for labor performed and material furnished in connection therewith, a bond to contain the terms and conditions set forth in chapter 12 of this title, and to be subject to the provisions of that chapter. Waiver of the bonding requirements of this section is expressly prohibited."

\*Note: see RIGL 37-12: <https://webserver.rilegislature.gov/Statutes/TITLE37/37-12/INDEX.htm>

**MUNICIPAL CONTRACT ADDENDUM**  
**RHODE ISLAND DEPARTMENT OF LABOR AND TRAINING**  
**PREVAILING WAGE REQUIREMENTS**  
**(37-13-1 ET SEQ.)**

The prevailing wage requirements are generally set forth in RIGL 37-13-1 et seq. These requirements refer to the prevailing rate of pay for regular, holiday, and overtime wages to be paid to each craftsman, mechanic, teamster, laborer, or other type of worker performing work on public works projects when state or municipal funds exceed one thousand dollars (\$1,000).

All Prevailing Wage Contractors and Subcontractors are required to:

1. Submit to the Awarding Authority a list of the contractor's subcontractors for any part or all of the prevailing wage work in accordance with RIGL § 37-13-4;
2. Pay all prevailing wage employees at least once per week and in accordance with RIGL §37-13-7;
3. Post the prevailing wage rate scale and the Department of Labor and Training's prevailing wage poster in a prominent and easily accessible place on the work site in accordance with RIGL §37-13-11; posters may be downloaded at <https://dlt.ri.gov/requiredposters/> or obtained from the Department of Labor and Training, Center General Complex, 1511 Pontiac Avenue, Cranston, Rhode Island;
4. Visit [Sam.Gov](https://sam.gov) or scan the QR Code below on or before July 1<sup>st</sup> of each year, until such time as the contract is completed, to ascertain the current prevailing wage rates and the amount of payment or contributions for each covered prevailing wage employee and make any necessary adjustments to the covered employee's prevailing wage rates effective July 1<sup>st</sup> of each year in compliance with RIGL §37-13-8;
5. Attach a copy of this CONTRACT ADDENDUM and its attachments as a binding obligation to any and all contracts between the contractor and any subcontractors and their assignees for prevailing wage work performed pursuant to this contract;
6. Provide for the payment of overtime for prevailing wage employees who work in excess of eight (8) hours in any one day or forty (40) hours in any one week as provided by RIGL §37-13-10;
7. Maintain accurate prevailing wage employee payroll records on a Rhode Island Certified Weekly Payroll form available for download at <https://dlt.ri.gov/wrs/prevailingwage/> as required by RIGL §37-13-13, and make those records available to the Department of Labor and Training upon request;
8. Furnish the fully executed RI Certified Weekly Payroll Form to the awarding authority on a monthly basis for all work completed in the preceding month.



Scan with Phone for  
Prevailing Wage Rates

9. For general or primary contracts one million dollars (\$1,000,000) or more, shall maintain on the work site a fully executed RI Certified Prevailing Wage Daily Log listing the contractor's employees employed each day on the public works site; the RI Certified Prevailing Wage Daily Log shall be available for inspection on the public works site at all times; this rule shall not apply to road, highway, or bridge public works projects. Where applicable, furnish both the Rhode Island Certified Prevailing Wage Daily Log together with the Rhode Island Weekly Certified Payroll to the awarding authority.
10. Any violation of RIGL 37-13-13 of Certified Weekly Payroll Forms and Daily Logs will result in the department imposing a penalty on the contractor of a minimum of one hundred dollars (\$100) for each calendar day of noncompliance.
11. Assure that all covered prevailing wage employees on construction projects with a total project cost of one hundred thousand dollars (\$100,000) or more have an OSHA ten (10) hour construction safety certification in compliance with RIGL § 37-23-1;
12. Provide a healthcare benefit for the prevailing wage employee(s) for the covered period of time from a licensed third-party healthcare provider. Employees exempt from this requirement would be any employee currently receiving a healthcare benefit because of their relationship as a child, spouse, or domestic partner of a covered person, any employee that is the recipient of healthcare coverage in connection with active military service or through Veterans Affairs, and any employee who is employed on a "short term basis," which, for purposes of this section shall mean a period of ninety (90) days or less.
13. Assure that all prevailing wage employees who perform work which requires a Rhode Island trade license possess the appropriate Rhode Island trade license in compliance with Rhode Island law; and
14. Comply with all applicable provisions of RIGL §37-13-1, et. seq;

Any questions or concerns regarding this CONTRACT ADDENDUM should be addressed to the contractor or subcontractor's attorney. Additional Prevailing Wage information may be obtained from the Department of Labor and Training at <https://dlt.ri.gov/wrs/prevailingwage/>.

**MUNICIPAL CONTRACT ADDENDUM**  
**RHODE ISLAND DEPARTMENT OF LABOR AND TRAINING**  
**PREVAILING WAGE REQUIREMENTS**  
**(37-13-1 ET SEQ.)**

**CERTIFICATION**

I hereby certify that I have reviewed this CONTRACT ADDENDUM and understand my obligations as stated above.

By: \_\_\_\_\_

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

Subscribed and sworn before me this \_\_\_\_ day of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_  
Notary Public  
My commission expires: \_\_\_\_\_

# **Title 37**

## **Public Property and Works**

### **Chapter 13**

#### **Labor and Payment of Debts by Contractors**

##### **R.I. Gen. Laws § 37-13-9**

###### **§ 37-13-9. Statutory provisions included in contracts.**

A copy of §§ 37-13-5, 37-13-6, and 37-13-7 shall be inserted in all contracts for public works or school transportation services awarded by the state, any city, town, committee, an authorized agency, or awarding authority thereof, or any person or persons in their behalf in which state or municipal funds are used if the contract price is in excess of one thousand dollars (\$1,000).

###### **History of Section.**

P.L. 1936, ch. 2361, § 4; G.L. 1938, ch. 290, § 4; G.L. 1938, ch. 290, § 7; P.L. 1955, ch. 3580, § 1; G.L. 1956, § 37-13-8; P.L. 1965, ch. 77, § 1; P.L. 1974, ch. 237, § 1; P.L. 2021, ch. 292, § 3, effective July 9, 2021; P.L. 2021, ch. 293, § 3, effective July 9, 2021.

# **Title 37**

## **Public Property and Works**

### **Chapter 13**

#### **Labor and Payment of Debts by Contractors**

##### **R.I. Gen. Laws § 37-13-5**

###### **§ 37-13-5. Payment for trucking or materials furnished — Withholding of sums due.**

A contractor or subcontractor on public works authorized by a proper authority shall pay any obligation or charge for trucking and material which have been furnished for the use of the contractor or subcontractor, in connection with the public works being performed by him or her, within ninety (90) days after the obligation or charge is incurred or the trucking service has been performed or the material has been delivered to the site of the work, whichever is later. When it is brought to the notice of the proper authority in a city or town, or the proper authority in the state having supervision of the contract, that the obligation or charge has not been paid by the contractor or subcontractor, the proper authority may deduct and hold for a period not exceeding sixty (60) days, from sums of money due to the contractor or subcontractor, the equivalent amount of such sums certified by a trucker or materialman creditor as due him or her, as provided in this section, and which the proper authority determines is reasonable for trucking performed or materials furnished for the public works.

###### **History of Section.**

P.L. 1936, ch. 2361, §§ 2, 3; G.L. 1938, ch. 290, §§ 2, 3; G.L. 1938, ch. 290, § 4; P.L. 1955, ch. 3580, § 1; G.L. 1956, § 37-13-5; P.L. 1965, ch. 77, § 1.

# **Title 37**

## **Public Property and Works**

### **Chapter 13**

#### **Labor and Payment of Debts by Contractors**

##### **R.I. Gen. Laws § 37-13-6**

###### **§ 37-13-6. Ascertainment of prevailing rate of wages and other payments — Specification of rate in call for bids and in contract.**

Before awarding any contract for public works or school transportation services to be done, the proper authority shall ascertain from the director of labor and training the general prevailing rate of the regular, holiday, and overtime wages paid and the general prevailing payments on behalf of employees only, to lawful welfare, pension, vacation, apprentice training, and educational funds (payments to the funds must constitute an ordinary business expense deduction for federal income tax purposes by contractors) in the city, town, village, or other appropriate political subdivision of the state in which the work is to be performed, for each craft, mechanic, teamster, laborer, or type of worker needed to execute the contract for the public works or school transportation services. The proper authority shall, also, specify in the call for bids for the contract and in the contract itself the general prevailing rate of the regular, holiday, and overtime wages paid and the payments on behalf of employees only, to the welfare, pension, vacation, apprentice training, and education funds existing in the locality for each craft, mechanic, teamster, laborer, or type of worker needed to execute the contract or work.

###### **History of Section.**

P.L. 1931, ch. 1752, § 2; P.L. 1935, ch. 2201, § 1; G.L. 1938, ch. 290, § 5; P.L. 1955, ch. 3580, § 1; G.L. 1956, § 37-13-6; P.L. 1965, ch. 77, § 1; P.L. 1974, ch. 237, § 1; P.L. 1997, ch. 326, § 162; P.L. 2021, ch. 292, § 3, effective July 9, 2021; P.L. 2021, ch. 293, § 3, effective July 9, 2021.

# Title 37

## Public Property and Works

### Chapter 13

#### Labor and Payment of Debts by Contractors

##### R.I. Gen. Laws § 37-13-7

###### § 37-13-7. Specification in contract of amount and frequency of payment of wages.

**(a)** Every call for bids for every contract in excess of one thousand dollars (\$1,000), to which the state of Rhode Island or any political subdivision thereof or any public agency or quasi-public agency is a party, for the transportation of public and private school pupils pursuant to §§ 16-21-1 and 16-21.1-8, or for construction, alteration, and/or repair, including painting and decorating, of public buildings or public works of the state of Rhode Island or any political subdivision thereof, or any public agency or quasi-public agency and that requires or involves the employment of employees, shall contain a provision stating the minimum wages to be paid various types of employees which shall be based upon the wages that will be determined by the director of labor and training to be prevailing for the corresponding types of employees employed on projects of a character similar to the contract work in the city, town, village, or other appropriate political subdivision of the state of Rhode Island in which the work is to be performed. Every contract shall contain a stipulation that the contractor or his or her subcontractor shall pay all the employees employed directly upon the site of the work, unconditionally and not less often than once a week, and without subsequent deduction or rebate on any account, the full amounts accrued at time of payment computed at wage rates not less than those stated in the call for bids, regardless of any contractual relationships that may be alleged to exist between the contractor or subcontractor and the employees, and that the scale of wages to be paid shall be posted by the contractor in a prominent and easily accessible place at the site of the work; and the further stipulation that there may be withheld from the contractor so much of the accrued payments as may be considered necessary to pay to the employees employed by the contractor, or any subcontractor on the work, the difference between the rates of wages required by the contract to be paid the employees on the work and the rates of wages received by the employees and not refunded to the contractor, subcontractors, or their agents.

**(b)** The terms “wages,” “scale of wages,” “wage rates,” “minimum wages,” and “prevailing wages” shall include:

**(1)** The basic hourly rate of pay; and

**(2)** The amount of:

**(i)** The rate of contribution made by a contractor or subcontractor to a trustee or to a third person pursuant to a fund, plan, or program; and

**(ii)** The rate of costs to the contractor, subcontractor, vendor, or provider that may be reasonably anticipated in providing benefits to employees pursuant to an enforceable commitment to carry out a financially responsible plan or program that was communicated in writing to the employees affected, for medical or hospital care, pensions on retirement or death, compensation for injuries or illness resulting from occupational activity, or insurance to provide any of the foregoing, for unemployment benefits, life insurance, disability and sickness insurance, or accident insurance, for vacation and holiday pay, for defraying costs of apprenticeship or other similar programs, or for other bona fide fringe benefits, but only where the contractor or subcontractor is not required by other federal, state, or local law to provide any of the benefits; provided, that the obligation of a contractor or subcontractor to make payment in accordance with the prevailing wage determinations of the director of labor and

training insofar as this chapter of this title and other acts incorporating this chapter of this title by reference are concerned may be discharged by the making of payments in cash, by the making of contributions of a type referred to in subsection (b)(2), or by the assumption of an enforceable commitment to bear the costs of a plan or program of a type referred to in this subdivision, or any combination thereof, where the aggregate of any payments, contributions, and costs is not less than the rate of pay described in subsection (b)(1) plus the amount referred to in subsection (b)(2).

**(A)** Notwithstanding any other law, rule, regulation, agreement, or practice to the contrary, commencing on July 1, 2024, a contractor or subcontractor is not permitted to make a payment of the cash equivalent of any applicable healthcare benefit, as predetermined per each classification by the director of labor and training, directly to the employee in lieu of actually purchasing the healthcare benefit for said employee for the applicable time period. The contractor or subcontractor shall actually purchase the healthcare benefit for the employee for the covered period of time from a licensed third-party healthcare provider. Provided, however, exempt from the provisions of this subsection (b)(2)(ii)(A) shall be:

**(I)** Any employee currently receiving a healthcare benefit because of their relationship as a child, spouse, or domestic partner of a covered person or any employee who is the recipient of healthcare coverage in connection with active military service or through Veterans Affairs; and

**(II)** Any employee who is employed on a “short-term basis,” which, for purposes of this section, shall mean a period of ninety (90) days or less.

**(B)** The contractor or subcontractor shall provide a proof of purchase of the healthcare benefit to the employee and the employee’s bargaining agent, if applicable. “Proof of purchase” means documents substantially similar to declaration pages in an insurance policy indicating the entity providing the healthcare benefit coverage or insurance therefor; the identity of the individual covered; the type and amount of coverage; and the coverage period.

**(C)** Any contractor or subcontractor who or that fails to comply with the requirements of this section shall be required to pay a civil penalty to the director of labor and training in an amount of not less than one thousand dollars (\$1,000) and not greater than three thousand dollars (\$3,000) per violation. Penalties shall be recoverable in a civil action pursuant to this section by the director of labor and training.

**(D)** The director of labor and training is authorized to obtain injunctive relief against continuing violations of the provisions of this section.

**(E)** Any employee or bargaining agent who has been aggrieved by the failure of a contractor or subcontractor to actually purchase the healthcare benefit for employees and provide the employee and/or their bargaining agent with proof of purchase under this section may pursue a private right of action under the terms of § 37-13-17.

**(c)** The term “employees,” as used in this section, shall include:

**(1)** Employees of contractors or subcontractors performing jobs on various types of public works including mechanics, apprentices, teamsters, chauffeurs, and laborers engaged in the transportation of gravel or fill to the site of public works, the removal and/or delivery of gravel or fill or ready-mix concrete, sand, bituminous stone, or asphalt flowable fill from the site of public works, or the transportation or removal of gravel or fill from one location to another on the site of public works, and the employment of the employees shall be subject to the provisions of subsections (a) and (b); and

**(2)** Persons employed by a provider contracted for the purpose of transporting public and private school pupils pursuant to §§ 16-21-1 and 16-21.1-8 shall be subject to the provisions of subsections (a) and (b) of

this section. For the purposes of this subsection the term employee includes school bus drivers, aides, and monitors who are directly providing transportation services; the term employee does not include mechanics, dispatchers, or other personnel employed by the vendor whose duties are normally performed at a fixed location.

**(d)** The terms “public agency” and “quasi-public agency” shall include, but not be limited to: the Rhode Island industrial recreational building authority, the Rhode Island commerce corporation, the Rhode Island airport corporation, the Rhode Island industrial facilities corporation, the Rhode Island refunding bond authority, the Rhode Island housing and mortgage finance corporation, the Rhode Island resource recovery corporation, the Rhode Island public transit authority, the Rhode Island student loan authority, the water resources board corporate, the Rhode Island health and education building corporation, the Rhode Island turnpike and bridge authority, the Narragansett Bay water quality management district commission, the Rhode Island telecommunications authority, the convention center authority, the council on postsecondary education, the council on elementary and secondary education, the capital center commission, the housing resources commission, the Quonset Point-Davisville management corporation, the Rhode Island children’s crusade for higher education, the Rhode Island depositors economic protection corporation, the Rhode Island lottery commission, the Rhode Island partnership for science and technology, the Rhode Island public building authority, and the Rhode Island underground storage tank board.

**(e)** If any one or more subsections of this section shall for any reason be adjudged unconstitutional or otherwise invalid, the judgment shall not affect, impair, or invalidate the remaining subsections.

**History of Section.**

P.L. 1974, ch. 237, § 3; P.L. 1976, ch. 193, § 1; P.L. 1999, ch. 75, § 1; P.L. 2001, ch. 321, § 1; P.L. 2015, ch. 141, art. 7, § 16; P.L. 2021, ch. 292, § 3, effective July 9, 2021; P.L. 2021, ch. 293, § 3, effective July 9, 2021; P.L. 2024, ch. 59, § 1, effective June 10, 2024; P.L. 2024, ch. 60, § 1, effective June 10, 2024.