



SECTION 110

STATE AND FEDERAL WAGE RATES AND OTHER REQUIREMENTS

110.1 Wage Rates. The contractor will be required to pay either the state or federal prevailing hourly wage rate for any craft or type of worker required to perform the work, except when expressly provided by the contract documents. State wage rates, information on the required federal aid provisions, and the current federal wage rates are available on MoDOT's web site. Applicable federal wage rates will be posted on MoDOT's web site ten days before the bid opening. These supplemental bidding documents have important legal consequences. It shall be conclusively presumed that the documents applicable to the contract are in the bidder's possession and have been reviewed and used by the bidder in the preparation of any bid submitted on a project.

110.2 Federal-Aid Projects. If the federal government is participating in the cost of construction of the project, all applicable federal laws, and the regulations made pursuant to such laws, will be applicable to and become part of the contract, shall be observed by the contractor, and the work will be subject to the inspection of the appropriate federal agency in accordance with [Sec 105.10](#). Contracts with federal-aid will require payment of the prevailing hourly wage rate for each craft or type of work required to execute the contract as determined by the Missouri Department of Labor and Industrial Relations, and will require adherence to a schedule of minimum wages as determined by the U.S. Department of Labor. For work performed anywhere on the project, the contractor and the subcontractors shall pay the higher of these two applicable wage rates.

110.3 Prevailing Wages and Records. The prevailing state wage rate, overtime and fringe benefits for the locality of the work as determined by the Missouri Department of Labor and Industrial Relations, or by a court decision on appeal, will be contained in the contract. The effective date for the current wage rate, overtime and fringe benefits, for bidding purposes, will be in the bid documents by special provision. The contractor and all subcontractors shall pay no less than the prevailing wage rate, overtime and fringe benefits as specified or as same may be changed by a court decision on appeal, for all work performed under the contract.

110.3.1 The contractor is advised that the prevailing wage rate, overtime and fringe benefits are subject to change during the life of the contract by court decision. No such change shall be the basis for adjustment in the contract price.

110.3.2 The contractor and each subcontractor shall keep an accurate record showing the names and occupation of all workers employed by the contractor, including the actual wages, overtime and fringe benefits paid to each worker. The record shall be open to inspection at all reasonable hours by the representatives of the Department of Labor and Industrial Relations of Missouri or the Commission. The contractor shall submit certified copies of payrolls to the engineer each week.

110.4 Work Performed in Adjoining States. When a project requires work to be performed in both the State of Missouri and a bordering state, the contractor will be required to pay the applicable prevailing hourly rate of wage for the site of the work. The contractor shall determine which rates are applicable, and shall pay the greater of any conflicting wage rates. Additional information on obtaining wage rates and federal wage rates for the bordering state will be contained in the contract.