SUPPLEMENTARY CONDITIONS
regarding Tennessee state wage rate requirements
Intended for use with OFD Conditions for General or Limited Work.

MODIFICATIONS TO
OFD s007213 for General Work
or OFD s007214 for Limited Work

GENERAL CONDITIONS
OF THE CONTRACT FOR CONSTRUCTION

The following supplements modify, change, delete
from or add to "General Conditions of the Contract for
Construction", either OFD 007213 (a modified AIA
Document A201-2007), or OFD s007214, whichever
is provided for the Contract, and any other Conditions
preceding these by section number for this Contract.
Where a portion of Conditions is altered by these
Conditions, the unaltered portion shall remain in
effect.

ADD THE FOLLOWING:

3.4.7.1 STATE PREVAILING WAGE

3.4.7.1.1 On contracts determined by the
Department of Labor and Workforce
Development to be “Highway Construction”,
Contractor is required to comply with
policies, conditions and rules of the
Tennessee Department of Labor pursuant to
TCA §12-4-401, et. seq., and pay prevailing
highway wage scale to laborers and
mechanics employed on the Work or
designated portion thereof, as set forth in
said rules, policies, and statute, and to
furnish weekly payrolls with the decision
number noted on each to the Tennessee
Department of Labor and Workforce
Development.

3.4.7.1.2 Owner and Designer shall have
endeavored to provide current State
highway prevailing wage decision and rate
scale as an attachment to this section;
however, their failure to do so shall not
relieve Contractor of responsibility to comply
with the requirement. If State highway
prevailing wage decision and rate scale
applicable to Project changes during the
course of Project, or differs from rate scale
provided in Contract Documents, there shall
be an equitable adjustment of Contract Sum.

3.4.7.1.3 When a federal wage scale
applies to the Project, it will also be included
in the Contract Documents, and the
Contractor shall pay not less than the rates
set forth therein; and so, shall pay the higher
of the State rate and the federal rate if a
labor classification exists in both wage
scales applicable to the same worker.

3.4.7.1.4 PAYROLLS AND BASIC RECORDS:

3.4.7.1.4.1 Contractor and its
subcontractors shall maintain payrolls and
basic payroll records for all laborers and
mechanics working on the contract during
the contract and shall make them available
to the government until 3 years after
contract completion. Records shall contain
the name and address of each employee,
social security number, labor classifications,
hourly rates of wages paid, daily and weekly
number of hours worked, deductions made,
and actual wages paid. If federal wage
rates and record-keeping apply, the records
need not duplicate those required for federal
compliance.

3.4.7.1.4.2 Contractor and its
subcontractors shall allow authorized
representatives of the government to
inspect, copy, or transcribe records
maintained these requirements, and shall
allow authorized representatives of the
government to interview employees in the
workplace during working hours.

3.4.7.1.5 SUBCONTRACTS
Contractor shall insert these provisions in
subcontracts and require subcontractors to
include these provisions in any lower tier
subcontracts. Contractor shall be
responsible for compliance with the
provisions set forth herein by direct
subcontractors and lower tier
subcontractors.

END OF SECTION