



2015 Purchasing Forum & Trade Show

Key Components on Contracting

User Question

Opportunities on the Horizon

May 20 & 21, 2015



Questions for Workers Compensation Board



Worker Compensation

- I know for goods that are purchased from an out of state company and shipped to an agency in NY state via UPS or FedEx workers comp and disability coverage is not required, however we are supposed to get a workers comp and disability exemption form. What are you supposed to do when you are ordering items online and the customer service rep you are speaking with does not know who you need to contact to get this information. Why do we need to get this exemption? The company has no workers in NYS and none of their workers are coming into NYS.



Worker Compensation

- Why do we need to get proof of workers comp and disability coverage for a company based in NYS when you are only purchasing items from them and they are shipping the items to you via UPS or FedEx. None of their employees are coming to your agency and no services are being provided. Is that not Workers Compensation responsibility to ensure that a company doing business in NY has workers comp and disability coverage, why does the agency need get this information?



Questions for Office of the State Comptroller



Office of the State Comptroller

- Why is price justification requested if the previous contract number is provided and the new contract's cost is lower?



Office of the State Comptroller

- Why are agencies inconsistently notified (letter, email, no notice) when a contract has been non-approved and how does this best serve the state and its agencies?



Office of the State Comptroller

- OSC Bulletin 226 used to require a form for consulting companies to fill out and return to Civil Service. Now the Bulletins have been removed from the OGS system. Are these forms still required? Do we still need to do a T contract at \$15,000 for consulting if the discretionary limit is \$50,000? What does OSC/Civil Service do with the Form A information?



Questions for Department of Labor



Dept. of Labor – Bureau of Public Work

- What are prevailing wages?

These are the wages and supplemental benefits that must be paid to workers on public work projects. They are published as a prevailing wage rate schedule, listing the wages and supplemental benefits by job classification. The prevailing wage rates are determined by the Commissioner of Labor and updated every year on July 1st.



Dept. of Labor – Bureau of Public Work

- How are they used?

The prevailing wage schedule becomes part of a public work contract (a construction, reconstruction, maintenance contract or a building service contract) let by a state or local government entity (state agency, town or village, school district, etc).



Dept. of Labor – Bureau of Public Work

- What are my responsibilities regarding a public work contract ?

As the Contracting Agency you must: request a prevailing wage schedule for each public work contract; make the schedule a part of the awarded contract; complete the 'Notice of Contract Award' (PW16) when contract is awarded; complete the 'Notice of Completion/Cancelation of Project' (PW200) when project is finished or is cancelled; collect certified payrolls from contractor(s) every 30 days; maintain the records for 5 years after completion of the project; appoint an agency employee to collect and review the certified payrolls.



Dept. of Labor – Bureau of Public Work

- As a contracting agency how do I insure prevailing wage rates paid to employees of the contract vendor are accurate?

As the Contracting Agency (Department of Jurisdiction) you must collect payroll records from the contractor every 30 days, maintain these records for five years from the date of completion of the work, and designate an individual in your employ to be responsible for the certified payrolls, review them for facial validity, and post their name in a conspicuous location at the project site.



Dept. of Labor – Bureau of Public Work

The requirement to ‘review [payroll records] for facial validity’ means to check the records for completeness and accuracy. For example, the designated reviewer should determine if the number of employees listed on the records match the number of employees on the jobsite; check that there is an address, last 4 digits of SS#, number of hours worked per day, classification of work (i.e. carpenter, electrician, etc.), wage and supplemental benefit rate per hour listed for each employee. The local Public Work District Office can always help with any questions.



Dept. of Labor – Bureau of Public Work

- What dollar amount of a project constitutes the necessity to obtain a PRC number?

For Article 8 (Construction/Reconstruction) public work projects, regardless of the dollar amount of the contract, a prevailing wage rate schedule with assigned PRC number is always required.

For Article 9 (Building Services) public work projects, a prevailing wage rate schedule with assigned PRC number is required when the contract amount is over \$1500.

