



Federal Publications Seminars

A special one-day program for those involved with Government contract labor and wage requirements — personnel professionals, contract managers, compliance officials, legal counsel and financial personnel.

A two-day program on the Service Contract Act follows this class. Please call for more information.

EARN CREDITS

CLE 5.5* / CPE 6.0**

A Practical Guide to the Davis-Bacon Act

For those who perform construction, alteration or repair for the Federal Government:

- In-depth analysis of the Act's requirements regarding wage rates and their impact on your daily activities
- Dispute and problem resolution
- Analyses of pending and proposed legislative initiatives
- Effective compliance procedures

March 11, 2009 • Washington, DC
September 22, 2009 • Washington, DC

Presented by Federal Publications Seminars www.fedpubseminars.com

THOMSON
WEST

A Practical Guide to the Davis-Bacon Act

Government contractors are required to comply with a wide range of labor standards imposed under various Federal statutes. For anyone involved in Government contracts of more than \$2,000 for the *construction, alteration, or repair* of public buildings or public works, some of the key requirements that must be met are those posed by the Davis-Bacon Act.

Many problems can arise in the Act's interpretation, administration and enforcement including:

- The classification of workers
- How an area's "prevailing" rates are determined
- What constitutes the work site
- Bona fide employee fringe benefits plans
- Service and supply contracts vs. construction contracts
- Sanctions for violations and non-compliance
- Debarment
- Payment schedule and record keeping requirements . . . and much more

This program is a step-by-step analysis of the information contractors and their personnel — contract managers, personnel professionals, financial professionals, legal counsel, project managers and others — need to know regarding the Davis-Bacon Act.

Government Contract Guidebook, 4th, 2008-2009 ed

by Steven W. Feldman

Turn to this clearly written volume that has been a respected reference for over 20 years. It takes you chronologically through every step of the contracting process, from landing the contract to final payment and dispute resolution.

Topics include:

- Institutional framework of procurement
- Purchasing offices and representatives
- Acquisition planning



One softbound volume, updated as needed.

\$214.00

To order call (800) 344-5009
or go to west.thomson.com

Please provide offer code 550595 when ordering

Course Director

Daniel B. Abrahams

is a partner in the Washington, D.C. office of Brown Rudnick Berlack Israels LLP. He has concentrated on Government contracts, construction and labor standards law. Mr. Abrahams handles bid protests, construction disputes, litigation, contract claims, grant disputes and compliance counseling. Mr. Abrahams represents clients before Federal and State courts and various boards of contract appeals.

Mr. Abrahams is a former adjunct assistant professor at George Washington University Law School where he taught a course entitled Federal Labor Standards. He is co-author of five books — *Government Contracts Compliance Guide*, *the Fair Labor Standards Handbook for States, Local Governments and Schools*, *Employer's Guide to the Fair Labor Standards Act*, *FLSA Employer Exemption Handbook*, and *Public Employer's Guide to Payroll Administration*. He is co-author of a Briefing Paper entitled *The Service Contract Act*. He has lectured widely on Government contracts, construction and labor standards topics for private groups, the Small Business Administration, Federal Publications Inc. and the George Washington University Government Contracts Program.

Mr. Abrahams has a Bachelor of Arts degree with high honors from Hobart College and a Master of Arts degree from Washington University. Mr. Abrahams graduated with honors from the George Washington University Law School where he studied Government procurement. He is a member of the Order of the Coif and was Notes Editor of the George Washington Law Review.

In-House Programs

Bring any seminar or course directly to your staff through the Federal Publications' In-House Presentations Program.

Unparalleled Benefits:

- Cost Effective
- Convenience
- Special Focus
- Impact
- Confidentiality

For More Information
Call Mike Joseph at 651-848-8655

A Practical Guide to the Davis-Bacon Act Course Curriculum

1. History and Purpose of the Act

- a. Background
 - b. Remedial Purpose
 - c. Relationship to Other Labor Laws
 - d. Statistical Data on Department of Labor Enforcement Actions
-

2. Requirements of the Act

- a. Construction, Alteration or Repair of Public Works
 1. What is construction?
 2. What is a public work?
 3. What is the site of the work?
 - b. Federally Assisted Construction
 - c. Prevailing Wages
 1. General rule
 2. Credits allowed
 - d. Bona Fide Fringe Benefits
 1. Types of acceptable fringes
 2. Application to noncovered work
 3. Self-insurance program
 - e. Health and Safety
 - f. Recordkeeping and Certified Payroll
-

3. Wage Determinations

- a. Federal Register Notice
 - b. Available by Subscription
 - c. Defining Locality
 - d. Project and Area Decisions
 1. Geographical boundaries
 2. Apprentices
 3. Helpers
 4. Expiration prior to contract award
 5. Wage decision not a representation
-

4. Special Problems

- a. Service vs. Construction Contracts
 - b. Supply vs. Construction Contracts
 - c. Maintenance and Operation Contracts
 - d. Task Order Contracts
 - e. Adding Requirements Beyond the Act
 - f. Access to Information
 - g. Government Superior Knowledge
 - h. Classification Problems
 - i. Finality of Classifications
 - j. Conformances
-

5. Authority to Interpret the Act

- a. Department of Labor Authority — All Disputes Clauses
- b. GAO Authority — Bid Protests
- c. Department of Justice Authority — UDAG and Lease Agreements
- d. Procuring Agency Authority

6. Other State and Federal Law Requirements

- a. Little Davis-Bacon Acts
 - b. Preemption
 - c. Christian Doctrine
 - d. NLRB Overlap
-

7. Sanctions for Violations

- a. Withholding
 1. Procedure
 2. Priority to withhold funds
 - b. Court Actions for Underpayment
 1. Standing
 2. Statute of limitations
 3. Sureties
 4. Interest
 - c. Ineligibility Listings/Debarment
 1. Standard for debarment
 2. Procedure
 3. Judicial review
 4. Contract Work Hours and Safety Standards Act (CWHSSA) Debarment
 - d. Termination for Default
 - e. Criminal Prosecution
 - f. Appellate Rights
 1. Wage Appeals Board procedures
 2. Wage Appeals Board rulings
 3. Judicial review
 - g. Employee Private Cause of Action
 - h. Suits by Subcontractors
-

8. Overtime

- a. CWHSSA Requirements
 - b. Fair Labor Standards Act Requirements
 - c. Calculating Overtime
-

9. Future Developments

- a. Regulatory Developments and Proposals
 1. The FAR
 2. Proposed abolition of certified payroll requirement
- b. Legislative Proposals
 1. Proposed abolition of the Davis-Bacon Act
 2. Changes in dollar threshold
 3. The Kennedy Bill

Detach and mail to the exact address stated below.

A Practical Guide to the Davis-Bacon Act

Federal Publications Seminars

195 Broadway, 9th Floor

New York, NY 10007

or register online at: www.fedpubseminars.com

REGISTRATION APPLICATION

Enclosed is my check for the \$595 registration fee which includes applicable taxes. (Please make check payable to West.)

March 11, 2009
Washington, DC • Marvin/Cafritz Conference Center

September 22, 2009
Washington, DC • Marvin/Cafritz Conference Center

I understand that (a) an acknowledgement of this registration will be sent to me, and (b) this registration may not be cancelled later than two weeks before the session begins (but I may name a substitute registrant at any time).

CREDIT CARD PAYMENT FOR COURSE

Visa MasterCard American Express

Card # _____

Expiration Date _____ CVC Code _____

Signature _____

Print Name _____

Name _____

Title _____

Organization _____

Mailing Address _____

City/State/Zip _____

E-mail _____

Telephone _____

200-404-OL/M-80



AIA/CES: Continuing Education: Federal Publications Seminars is a Registered Provider with the AIA Continuing Education System (AIA/CES). We offer several construction related programs that are registered for AIA Learning Unit Hours.

DATES AND LOCATION • 2009

March 11, 2009

Marvin/Cafritz Conference Center, The George Washington University, 800 21st Street, NW, Washington, DC 20052 • (202) 994-7470
<http://gwired.gwu.edu/marvincenter/cafritz>

September 22, 2009

Marvin/Cafritz Conference Center, The George Washington University, 800 21st Street, NW, Washington, DC 20052 • (202) 994-7470
<http://gwired.gwu.edu/marvincenter/cafritz>

DAILY SCHEDULE

Registration: 8:45 am on the First Day,

Meetings: 9:00 am – 12:00 pm and 1:00 pm – 4:00 pm

To Register:

- **Registration Fee \$595.** The Registration fee of \$595 includes the price of a course manual which is valued at \$125 plus applicable taxes. Applicable taxes include sales, use, gross receipts, excise, value added tax (VAT) or equivalent, *ad valorem* and other taxes.
- Register online at www.fedpubseminars.com
- Call (888) 494-3696
- Fax the completed registration application information to: 202-772-8298 or mail to Federal Publications Seminars, 195 Broadway, 9th Floor, New York, NY 10007

FOR FURTHER INFORMATION:

Telephone: (888) 494-3696

COURSE MANUAL — An extensive *Manual* of original materials (available from no other source) has been specially prepared for distribution to attendees at this program. Its purpose: to relieve you of the burden of taking voluminous notes and to provide you with a source book of continuing value.

TEAM DISCOUNT — A discount is available for three or more registrations from the same organization for this seminar. The discount – a \$200 per person reduction in the seminar fee – can be taken when three (or more) registrations are sent together. The discount cannot be transferred to other sessions of this program or to other seminars. To receive the team discount, please phone, fax or mail your registration.

***CLE: Continuing Education Credit** — This course is eligible for 5.5 continuing education credit hours. States have widely varying regulations regarding CLE Credit. Please contact us with inquiries about the availability of CLE credit in your state. West Legalworks is an approved CLE provider in New York, California and Illinois. Financial assistance is available for hardship. Call 1-800-308-1700 for details.

****CPE: Continuing Professional Education** — This course is eligible for 6 CPE credit hours. West Legalworks is registered with the National Association of State Boards of Accountancy (NASBA) as a sponsor of continuing professional education on the National Registry of CPE Sponsors. State boards of accountancy have final authority on the acceptance of individual courses for CPE credit. Complaints regarding registered sponsors may be addressed to the National Registry of CPE Sponsors, 150 Fourth Avenue North, Suite 700, Nashville, Tennessee 37219-2417 or by visiting the web site: www.nasba.org. NASBA Program Level: Basic, NASBA Program Prerequisites: None, NASBA Advance Preparation: None. For more information about administrative policies such as complaints and refunds, please call our offices at 1-800-308-1700.

HOTELS — The course registration fee does not include hotel accommodations. For hotel information please go to our website www.fedpubseminars.com. Sound recordings are prohibited. Please note that registrations may not be cancelled later than two weeks before the session starts, but a substitute registrant may be named at any time.