

## SPECIAL NOTICE TO BIDDERS

### USDOL Davis-Bacon and Related Acts Final Rule

On August 23, 2023 the United States Department of Labor (USDOL) published the final rule updating regulations issued under the Davis-Bacon and Related Acts. Contractors will be required to comply with the requirements of the USDOL final rule for contracts awarded after October 22, 2023.

The USDOL final rule modified the language that must be included in any contract financed with Federal funds (29 CFR Part V, §5.5). FHWA, FAA, and FTA have yet to update their required contract provisions. When the federal agencies have updated their required contract provisions, the Department will update the respective Form 25D-55 and mandate its use in advertised contracts to comply with the final rule. A no cost change order will be issued to incorporate the revised Form 25D-55 in any contracts with a bid opening prior to the Form 25D-55 update and awarded after October 22, 2023.

The USDOL has a website containing the final rule, frequently asked questions, and a comparison chart of changes at <https://www.dol.gov/agencies/whd/government-contracts/construction/rulemaking-davis-bacon>