



## Agreement Confirming the Payment of Prevailing Wages

For Compliance with NYS Labor Law § 224-f(2)

No permit shall be issued for a covered excavation project until an agreement has been entered into between the utility company and contractor, which contractually mandates the payment of prevailing wages, as required by Labor Law § 224-f, and has been filed with the department of jurisdiction.

Submit this form to either the department of the state, officer, or board of the state or municipal corporation, or the board appointed pursuant to law, whose duty it is to issue a permit to a utility company, or to a utility company's contractors or subcontractors, for a covered excavation project.

I, \_\_\_\_\_, am the \_\_\_\_\_  
(Name) (Title)

for \_\_\_\_\_, whose principal place of business or headquarters is located at:  
(Utility Company)

\_\_\_\_\_  
(Address)

I affirm, under penalty of perjury, that a contract has been entered into between the above-named utility company and

\_\_\_\_\_, to perform \_\_\_\_\_  
(Contractor Name) (Type of Work)

at \_\_\_\_\_  
(Location of Work to be Performed)

The work is anticipated to take place on or about and between \_\_\_\_\_ and \_\_\_\_\_.

**Contained in the terms and conditions of said contract is a requirement that the laborers, workers, and mechanics employed by the contractor, and any subcontractors, shall be paid the applicable prevailing rate of wages and supplemental benefits, as determined by the New York State Department of Labor's Bureau of Public Work per the applicable prevailing wage schedule, for any and all work subject to Article 8 of the Labor Law.**

Check all that apply:

- PRC Number \_\_\_\_\_ has already been obtained from the Bureau of Public Work.
- A PRC Number has not yet been obtained from the Bureau of Public Work.
- A copy of the prevailing wage schedule has been provided to the contractor/included in the contract.
- A copy of the prevailing wage schedule has not yet been provided to the contractor.

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

**The affirmation should be signed by a member of management who is responsible for and knowledgeable, either directly or indirectly through others in the utility company, about the covered excavation project referenced above, and any related matters covered by this agreement.**

**This form is provided by the Bureau of Public Work to facilitate compliance with the requirements of Labor Law § 224-f. The Department of Labor does not confirm or endorse as true any statements made herein, and is not a party to this agreement or any contract referenced herein. Compliance with the prevailing wage requirements of Article 8 shall be determined by the Department on a case-by-case basis and in accordance with the Bureau's standard procedure for conducting compliance investigations.**

Guidance Regarding the Roadway Excavation Quality Assurance Act (LL § 224-f) can be found at:

<https://dol.ny.gov/system/files/documents/2023/12/enforcement-guidance-roadway-excavation-quality-assurance-act-update-3.pdf>