

EXHIBIT G

FEDERAL COMPLIANCE REQUIREMENTS

Contractors will be required to comply with all applicable federal laws. The following provides additional background on construction and labor-related federal legal requirements. Additional details on these and other applicable federal requirements are provided in Schedule #22 and Schedule #23 to the EPC Agreement.

1. Davis-Bacon and Related Acts

The Davis-Bacon and Related Acts (DBRA) requires contractors and their subcontractors pay their laborers and mechanics employed under the contract no less than the locally prevailing wages and fringe benefits for corresponding work on similar projects in the area. Contracts in excess of \$100,000 that involve the employment of mechanics or laborers require contractors and subcontractors to comply with the overtime provisions of the Contract Wage Hours and Safety Standards Act (CWHSSA) at 40 U.S.C. 3702 and 3704, as supplemented by Department of Labor regulations in [29 CFR Part 5](#) and [2 CFR 200 Appendix II\(E\)](#). In addition, contractors and their subcontractors are prohibited from inducing an employee into giving up any part of the compensation to which he or she is entitled.

Table 1 includes federal wage determination rates and fringes for a range of classifications for projects located in New Haven and Tolland counties. Bidders electing to submit secondary pricing for one or more of the five (5) projects outlined in the RFP must incorporate this information into their bids.

Table 1: SAM General Wage Determinations for DBRA Compliance¹

Construction Type²	Classification	Rates	Fringes	County
Residential	Electrician	\$45.40	3%+\$33.57	New Haven
Residential	Laborer (common or general)	\$17.20	\$1.63	New Haven
Residential	Laborer (landscape)	\$17.20	\$4.63	New Haven
Residential	Power Equipment Operator - Backhoe/Excavator 2 cubic yards and over	\$45.71	\$26.80	New Haven

¹ Source: SAM General Wage Determinations for [New Haven](#) and [Tolland](#) counties.

² Residential projects consist of single-family homes and apartments up to and including 4 stories.

Residential	Power Equipment Operator - Backhoe/Excavator under 2 cubic yards; Rubber Tire Backhoe/Excavator	\$44.86	\$26.80	New Haven
Residential	Roofer - Slate and Tile	\$43.00	\$23.30	New Haven
Residential	Electrician	\$19.99	\$2.00	Tolland
Residential	Laborer (common or general)	\$17.20	\$1.63	Tolland
Residential	Laborer (landscape)	\$17.20	\$4.63	Tolland
Residential	Power Equipment Operator - Backhoe/Excavator 2 cubic yards and over	\$45.71	\$26.80	Tolland
Residential	Power Equipment Operator - Backhoe/Excavator under 2 cubic yards; Rubber Tire Backhoe/Excavator	\$44.86	\$26.80	Tolland
Residential	Roofer - Composition	\$42.50	\$21.59	Tolland
Residential	Roofer - Slate and Tile	\$43.00	\$21.59	Tolland

DBRA requires contractors pay their laborers and mechanics employed under the contract on a weekly basis while construction work is ongoing. Fringe benefits contributions must be made regularly, and no less often than quarterly.

The prime contractor must submit a weekly certified payroll report, including certified payrolls completed by their subcontractors, to the Green Bank covering activities conducted in the preceding week. The information contained in the certified payroll reports must include information contained in the [WH-347](#) form, though contractors are not required to use this specific template. The prime contractor is responsible for the DBRA compliance of any subcontractor. The prime contractor must ensure that the DBRA poster ([WH-1321](#)) is posted and is visible for all workers at the project site.

Selected contractors must abide by the terms provided in the [DBRA Requirements for Contractors and Subcontractors Under EPA Grants](#).

DBRA Additional Resources:

- [EPA, Davis-Bacon and Related Acts \(DBRA\)](#)
- [Federal Wage Determinations](#)
- [U.S. Department of Labor DBRA Frequently Asked Questions](#)
- [Clean Energy States Alliance \(CESA\) Davis-Bacon Primer for States Implementing the Greenhouse Gas Reduction Fund Solar for All Program](#) (January 2024)

2. Build America, Buy America – Required Use of American Iron, Steel, Manufactured Products, and Construction Materials (effective October 23, 2023, and forward)

The Build America, Buy America Act (“BABA”) requires iron and steel, manufactured products, and construction materials to meet certain made-in-America requirements. Funds provided under this award may be used only for projects meeting BABA requirements.

Basic BABA Requirements:

BABA requires:

(1) All iron and steel used in the project are produced in the United States—this means all manufacturing processes, from the initial melting stage through the application of coatings, occurred in the United States;

(2) All manufactured products used in the project are produced in the United States— this means the manufactured product was manufactured in the United States; and the cost of the components of the manufactured product that are mined, produced, or manufactured in the United States is greater than 55 percent of the total cost of all components of the manufactured product, unless another standard that meets or exceeds this standard has been established under applicable law or regulation for determining the minimum amount of domestic content of the manufactured product; and

(3) All construction materials are manufactured in the United States—this means that all manufacturing processes for the construction material occurred in the United States. The construction material standards are listed below.

BABA *does not* require:

BABA applies to articles, materials, and supplies that are consumed in, incorporated into, or affixed to an infrastructure project. BABA does not apply to tools, equipment, and supplies, such as temporary scaffolding, brought to the construction site and removed at or before the completion of the infrastructure project. Nor does BABA apply to equipment and furnishings, such as movable chairs, desks, and portable computer equipment, that are used at or within the finished infrastructure project but are not an integral part of the structure or permanently affixed to the infrastructure project.

Application of the BABA by category:

An article, material, or supply incorporated into an infrastructure project must meet the Buy America Preference for only the single category in which it is classified. That is, it should only be classified as iron or steel, manufactured products, or construction materials, and should not be placed in more than one of these categories.

Determining the cost of components for manufactured products:

In determining whether the cost of components for manufactured products is greater than 55 percent of the total cost of all components, use the following instructions:

(a) For components purchased by the manufacturer, the acquisition cost, including transportation costs to the place of incorporation into the manufactured product (whether or not such costs are paid to a domestic firm), and any applicable duty (whether or not a duty-free entry certificate is issued); or

(b) For components manufactured by the manufacturer, all costs associated with the manufacture of the component, including transportation costs as described in paragraph (a), plus allocable overhead costs, but excluding profit. Cost of components does not include any costs associated with the manufacture of the manufactured product. Construction material standards.

Application of BABA to building materials:

BABA applies to the following construction materials incorporated into infrastructure projects. Except as specifically provided, only a single standard should be applied to a single construction material.

(1) Non-ferrous metals. All manufacturing processes, from initial smelting or melting through final shaping, coating, and assembly, occurred in the United States.

(2) Plastic and polymer-based products. All manufacturing processes, from initial combination of constituent plastic or polymer-based inputs, or, where applicable, constituent composite materials, until the item is in its final form, occurred in the United States.

(3) Glass. All manufacturing processes, from initial batching and melting of raw materials through annealing, cooling, and cutting, occurred in the United States.

(4) Fiber optic cable (including drop cable). All manufacturing processes, from the initial ribboning (if applicable), through buffering, fiber stranding and jacketing, occurred in the United States. All manufacturing processes also include the standards for glass and optical fiber, but not for nonferrous metals, plastic and polymer-based products, or any others.

(5) Optical fiber. All manufacturing processes, from the initial preform fabrication stage through the completion of the draw, occurred in the United States.

(6) Lumber. All manufacturing processes, from initial debarking through treatment and planning, occurred in the United States.

(7) Drywall. All manufacturing processes, from initial blending of mined or synthetic gypsum plaster and additives through cutting and drying of sandwiched panels, occurred in the United States.

(8) Engineered wood. All manufacturing processes from the initial combination of constituent materials until the wood product is in its final form, occurred in the United States.

BABA Additional Resources:

- Solar World's List of U.S. Solar Panel Manufacturers
<https://www.solarpowerworldonline.com/u-s-solar-panel-manufacturers/>
- List of U.S. solar inverter manufacturers, <https://www.solarpowerworldonline.com/u-s-solar-inverter-manufacturers/>
- List of U.S. solar mounting manufacturers, <https://www.solarpowerworldonline.com/u-s-solar-mounting-manufacturers/>

- 3. Utilization of Disadvantaged Business Enterprises (DBEs)** – The prime contractor under an EPA assistance agreement must adhere to the requirements located in [40 CFR Part 33](#) (Participation by Disadvantaged Business Enterprises (“DBEs”) in United States Environmental Protection Agency Programs).

Pursuant to 40 CFR Section 33.301, the prime contractor must make good faith efforts whenever procuring construction, equipment, services and supplies. Records documenting compliance with the six good faith efforts shall be retained. The specific six good faith efforts can be found at: 40 CFR Section 33.301 (a)-(f):

- (a) Ensure DBEs are made aware of contracting opportunities to the fullest extent practicable through outreach and recruitment activities. For Indian Tribal, State and Local and Government recipients, this will include placing DBEs on solicitation lists and soliciting them whenever they are potential sources.
- (b) Make information on forthcoming opportunities available to DBEs and arrange time frames for contracts and establish delivery schedules, where the requirements permit, in a way that encourages and facilitates participation by DBEs in the competitive process. This includes, whenever possible, posting solicitations for bids or proposals for a minimum of 30 calendar days before the bid or proposal closing date.
- (c) Consider in the contracting process whether firms competing for large contracts could subcontract with DBEs. For Indian Tribal, State and local Government recipients, this will include dividing total requirements when economically feasible into smaller tasks or quantities to permit maximum participation by DBEs in the competitive process.
- (d) Encourage contracting with a consortium of DBEs when a contract is too large for one of these firms to handle individually.

(e) Use the services and assistance of the SBA and the Minority Business Development Agency of the Department of Commerce.

(f) If the prime contractor awards subcontracts, require the prime contractor to take the steps in [paragraphs \(a\)](#) through [\(e\)](#) of this section.

The prime contractor will be required to agree to the term and condition specified in Appendix A to this 40 CFR Part 33 concerning compliance:

The contractor shall not discriminate on the basis of race, color, national origin or sex in the performance of this contract. The contractor shall carry out applicable requirements of [40 CFR part 33](#) in the award and administration of contracts awarded under EPA financial assistance agreements. Failure by the contractor to carry out these requirements is a material breach of this contract which may result in the termination of this contract or other legally available remedies.