



The Commonwealth of Massachusetts
DEPARTMENT OF LABOR AND INDUSTRIES

DIVISION OF OCCUPATIONAL STATISTICS

100 CAMBRIDGE STREET, 11TH FLOOR

BOSTON, MASSACHUSETTS 02202-0003

ROBERT J. PREZIOSO

Director

July 21, 1994

TEL: (617) 727-3593

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Charles E. White
City of Lynn
City Hall, Room 205
Lynn, MA 01901

Dear Mr. White:

This letter is in response to your request of July 18, 1994 for a confirmation that upcoming work to the Lynn City Hall roof by the manufacturer of the roofing products used several years ago will not be subject to the prevailing wage requirements of M.G.L c149, §§ 26 and 27.

The following facts were conveyed to me in our telephone conversation preceding your letter:

- 1.) The roofing materials to be fixed or replaced were applied "several" years ago by a contractor who complied with the prevailing wage law.
- 2.) The manufacturer of the roofing materials warranted the product(s) for some specified duration when the materials were purchased or applied.
- 3.) Said roofing materials under warranty have failed, and the manufacturer will be repairing/replacing them at no cost to the city of Lynn in order to restore the roof to its proper condition.

Based on the above facts, it is the determination of the Department of Labor and Industries that the "warranty work" to be completed on the Lynn City Hall roof is not subject to the prevailing wage requirements of M.G.L. c149, §§ 26 and 27.

If you have any questions regarding this matter, please do not hesitate to call me.

Sincerely,

A handwritten signature in dark ink, appearing to read "Robert J. Prezioso".

Robert J. Prezioso

cc: Spencer Demetros