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

TEL: (617) 727-3593
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January 25, 1996

Norman Pacun, Director
Count Me In
P.O. Box 752
West Chatham, MA 02669

Re: Rehabilitation of the Capt. David T. Basset House, Chatham, MA.

Dear Mr. Pacun:

In response to your letter of January 13, 1996 requesting the Department of Labor and Industries ("DLI") to determine whether the prevailing wage requirements of M.G.L. c. 149, §§ 26 - 27H apply to the rehabilitation of the Captain David T. Bassett House (the "Bassett House") located at 2377 Main St., Chatham, MA, I offer the following determination:

The Captain David T. Basset House is a public building owned by the Town of Chatham (the "Town") that is in need of repair and will be used as a "Welcome and Information Center" for the Town. The total cost of the project is estimated to be approximately $60,000; one-third of which has been granted to the Town by the Massachusetts Historical Commission (an agency of the Commonwealth in the department of the Secretary of State as established by M.G.L. c. 9, § 26) and two-thirds of which have been raised by private contributions solicited by "Count Me In," a nonprofit citizen's organization.

According to the bid documents provided to me and our telephone conversations of January 23, 1996, the money received from the Massachusetts Historical Commission (approximately $20,000) will be combined with $20,000 of the privately-raised money to hire a contractor to perform various structural and cosmetic renovations to the Bassett House. This portion of the work has been termed the "Major Contract" by Schedule III of the bid documents. The contractor who wins the bid for the "Major Contract" will enter into a standard public agreement with the Town and be subject to oversight and evaluation by town officials. Since public money will be used for this portion of the renovations to the Bassett House and the contractor will be under the direction of the Town, it is hereby determined that the prevailing wage requirements of M.G.L. c. 149, § 26 - 27E apply to this contract. Thomas Groux, Chatham Town Manager, will be notified that the Town should request a prevailing wage schedule which must be made available to all bidders.

In addition to the aforementioned contract, the bid documents also call for "Minor Contracts" to be performed by several local contractors who will be paid from the remaining $20,000 of privately-raised money to complete the renovations to the Bassett House. Many local contractors have already pledged to provide building materials at their wholesale costs along with free labor. Since this portion of the work will involve no public money and the contractors will be donating as much material and labor as possible, it is hereby determined that the prevailing wage requirements of M.G.L. c. 149, §§ 26 - 27H do not apply to the "Minor Contracts."

If any of the underlying terms and conditions change, please notify me immediately.

Sincerely,

Robert J. Prezioso

cc: Thomas Groux, Chatham Town Manager
Spencer Demetros, DLI General Counsel
Brian E. Burke, Attorney General's Office