



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
FAX: (617) 727-0726

April 17, 1996

Judith L. Truax, Asst. Contract Manager
Massachusetts Water Resources Authority
100 First Avenue
Boston, MA 02129

Re: Fuel Supply Contract, Deer Island Project, Prevailing Wage Rates

Dear Ms. Truax:

This letter responds to your question of whether the provisions of the Massachusetts prevailing wage law, M.G.L. c. 149, §§ 26 - 27F, apply to the upcoming contract for the delivery of diesel fuel and unleaded gasoline to the Deer Island Project, along with the removal of waste oil (Contract # 6121).

A review of the technical specifications for this contract reveals that the work involved is not "construction" for purposes of M.G.L. c. 149, § 27D. Additionally, a significant nexus does not exist between the work of this contract and the public works project. Therefore, the provisions of M.G.L. c. 149, §§ 26 - 27F do not apply.

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

Sincerely,

A handwritten signature in cursive script that reads "Robert J. Prezioso".

Robert J. Prezioso

cc: Spencer Demetros, Esq., DLI General Counsel
Paula Niziak, Esq., Office of the Attorney General
Anthony Penski, Esq., Office of the Attorney General