

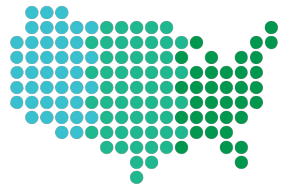
**CLIMATE
UNITED**

AGENDA

- **Who We Are**
- **The GGRF**
- **Davis-Bacon & Related Acts**
- **How We're Helping**
- **Next steps**

Who We Are

Introducing Climate United, a collaboration of experienced mission-driven lenders and investors dedicated to bringing clean energy solutions to Justice40 communities across the country.



**CLIMATE
UNITED**

A PARTNERSHIP OF:



**Calvert
Impact™**



**Community
Preservation
Corporation**



Self-Help®

Greenhouse Gas Reduction Fund

REQUIREMENTS AND GOALS

PROGRAM REQUIREMENTS

- At least 40 percent of the award must be made in LIDAC
- All dollars must be used to support or finance Qualified Projects
- Financing can be direct to project or through or alongside a Community Lender

DEPLOYMENT GOALS

- **10%** Indigenous Communities
- **20%** Rural
- **60%** LIDAC

THE PROGRAM IS DESIGNED TO INVEST IN QUALIFIED PROJECTS ACROSS THREE PRIORITY CATEGORIES

QUALIFIED PROJECTS

- ✓ Reduces GHG emissions
- ✓ Reduces or avoids emissions of other air pollutants
- ✓ Delivers additional benefits to American communities
- ✓ Finances a project that may not otherwise have been financed
- ✓ Mobilizes private capital
- ✓ Supports only commercial technologies

PRIORITY CATEGORIES

- ✓ Distributed energy generation and storage (typically from 1 kW to 10,000 kW)
- ✓ Net-zero emissions buildings
- ✓ Zero-emissions transportation



CLIMATE UNITED

Investing in people and communities to build a clean energy economy that works for every American

FOCUS AREAS



3 GREEN SECTORS

- Green Homes & Buildings
- Distributed Energy Generation & Storage
- Electric Vehicles



7 INITIAL MARKET SEGMENTS

- Consumer & single-family
- Multifamily housing
- Community facilities
- Small businesses and farms
- Schools
- Community & Community-based solar
- EVs and infrastructure



3 PRIMARY DEPLOYMENT APPROACHES

- Loan to community lenders
- Direct investments into Qualified Projects
- Standardized products

Davis-Bacon and Related Acts

GREENHOUSE GAS REDUCTION FUND STATUTORY REQUIREMENTS (CLEAN AIR ACT): DAVIS-BACON AND RELATED ACTS

PURPOSE

- The overall purpose of DBRA is to protect laborers and mechanics on projects that are funded in whole or in part with Federal funds.
- Laborers and mechanics are defined as workers whose duties are manual and physical in nature.
 - This includes Apprentices, Trainees, and Helpers
 - This does not include clerical roles, supervisory roles where less than 20% of time is spent in skilled labor, and professional roles such as engineers.

GREENHOUSE GAS REDUCTION FUND STATUTORY REQUIREMENTS (CLEAN AIR ACT): DAVIS-BACON AND RELATED ACTS

Related Acts

Copeland “Anti-Kickback” Act

- Prohibits inducing an employee to give up part of the compensation they are entitled to

Contract Work Hours and Safety Standards Act

- For contracts over \$100,000 requires overtime wages to be paid for work over 40 hours per week

GREENHOUSE GAS REDUCTION FUND STATUTORY REQUIREMENTS (CLEAN AIR ACT): DAVIS-BACON AND RELATED ACTS

WHAT WE KNOW TODAY

- Contractors must pay and document the payment of prevailing wage for laborers on construction contracts over \$2,000.
- If there is a discrepancy between prevailing wages at the Federal and State level, the higher of the two must be paid.
- Applies to loan purchases when construction was not completed prior to execution of the documentation governing the use of the GGRF Financial Assistance

GREENHOUSE GAS REDUCTION FUND STATUTORY REQUIREMENTS (CLEAN AIR ACT):

DAVIS-BACON AND RELATED ACTS

Is DBRA Applicable

- Alteration, repair, and remodeling such as retrofits of buildings for energy efficiency
- Construction preparation activities such as demolition of new buildings, asbestos abatement
- Site preparation, removal, installation of equipment including:
 - solar panels,
 - heat pumps,
 - electric vehicle chargers

Is NOT DBRA Applicable

- Pre-development activities such as site selection, land acquisition, permit applications, environmental and other assessments and studies
- Ongoing building maintenance
- Loans for electric vehicles
- Loans where construction was completed prior execution of the document governing the use of the GGRF Financial Assistance

GREENHOUSE GAS REDUCTION FUND STATUTORY REQUIREMENTS (CLEAN AIR ACT):

ROLES AND RESPONSIBILITIES BREAKDOWN

DBRA Applicability for GGRF Projects

Subrecipient: Work with in house DBRA specialists, counsel, and contracting officer to make initial determination; Vet determination with EPA

EPA: Assist Subrecipient with applicability determinations.

DBRA Terms & Conditions

Subrecipient: Flow down required clauses to all subawards that may finance construction; Ensure required clauses are included in prime contract for construction (and ensure contractor flow-downs to subcontractors); Include required clauses in PSC agreements.

Contractor: Flow down required clauses to all subcontractor agreements.

EPA: Own, maintain, and update DBRA T&C; Field questions and provide guidance to program participants.

Solicitation/Bid Documents

Subrecipient: Properly scope and post RFPs for construction contracts; Include current and correct wage determinations in RFPs.

Contractor: Respond to bid and communicate any wage determination issues with Subrecipient up front.



Weekly Certified Payrolls

Subrecipient: Obtain and spot-check weekly payrolls (ensure payrolls contain all required elements of WH-347, no computation errors).

Contractor: Pay all covered workers weekly; submit weekly payrolls on behalf of subs.

EPA: May ask for records of weekly payrolls to conduct reporting and/or investigations.

DOL: May ask for records of weekly payrolls to conduct investigations.

GREENHOUSE GAS REDUCTION FUND STATUTORY REQUIREMENTS (CLEAN AIR ACT): DAVIS-BACON AND RELATED ACTS

Subrecipient Responsibilities

Wage
Determination

Include
required
language in
solicitations

Confirm
contractors
can apply

Include
required
language in
contracts

Obtain weekly
payroll
certification

Report to CUF

GREENHOUSE GAS REDUCTION FUND STATUTORY REQUIREMENTS (CLEAN AIR ACT):

DAVIS-BACON AND RELATED ACTS

WAGE DETERMINATION

- Basic hourly and fringe benefits that are no less than wages paid for similar work in same location, paid weekly
- Under GGRF the construction type and prevailing classifications would be “Building” or “Residential”
- Wage determinations can be found at:
<https://sam.gov/content/wage-determinations>
- Obtain the wage determination prior to issuing requests for bids, proposals, quotes, or other methods for soliciting contracts for activities subject to Davis-Bacon.

Locality



Worker
Classification



Construction
Type



Wage
Determination

GREENHOUSE GAS REDUCTION FUND STATUTORY REQUIREMENTS (CLEAN AIR ACT):

DAVIS-BACON AND RELATED ACTS

SOLICITATIONS

- Communicate Davis-Bacon requirements to contractors and ensure contractors are relaying the requirements to their subcontractors.
- Solicitations must include:
 - Required DBRA terms
 - proper wage rates
- These wages are updated regularly on their website. If state prevailing wages also apply, show evidence that a comparison of labor wage rates and categories have been conducted and that the higher of the wages apply to the contract.
- Award contracts within 90 days of bid close to “lock” the wage determinations included in the advertisement. Otherwise, an updated wage determination is required.

GREENHOUSE GAS REDUCTION FUND STATUTORY REQUIREMENTS (CLEAN AIR ACT): DAVIS-BACON AND RELATED ACTS

CONFIRM CONTRACTORS CAN COMPLY

- Contractor selection process should include ensuring contractor will pay prevailing wages and is able to provide required payroll certifications
- CUF will be providing support including training and onboarding for contractors and systems to enable the required reporting

GREENHOUSE GAS REDUCTION FUND STATUTORY REQUIREMENTS (CLEAN AIR ACT): DAVIS-BACON AND RELATED ACTS

CONTRACTS

- Execute contracts with required DBRA Terms & Conditions
- Executed construction contracts (active and completed) must include relevant wage determinations.
- Ensure the prime contractor includes the same language in all associated solicitations and subcontracts

GREENHOUSE GAS REDUCTION FUND STATUTORY REQUIREMENTS (CLEAN AIR ACT): DAVIS-BACON AND RELATED ACTS

OBTAIN WEEKLY PAYROLL CERTIFICATION

- Collect weekly certified payroll data from contractor
- Ensure contractors are receiving overtime pay for work in excess of forty hours for all contracts above the \$100,000 threshold.
- If the project includes previously incurred costs for construction activities, have additional documentation to demonstrate that incurred costs are compliant with this requirement.
- CUF monitoring will include periodic personnel interviews to verify proper wages are being paid

GREENHOUSE GAS REDUCTION FUND STATUTORY REQUIREMENTS (CLEAN AIR ACT): DAVIS-BACON AND RELATED ACTS

CONTRACTS

- In addition to incorporating DBRA language into contracts, two posters must be visible, accessible, and protected from the elements at all job sites:
 - Workers Rights under the Davis-Bacon Act
 - The prevailing wages for different job types



GREENHOUSE GAS REDUCTION FUND STATUTORY REQUIREMENTS (CLEAN AIR ACT): DAVIS-BACON AND RELATED ACTS

REPORT TO CUF

- Lenders using funds to finance construction would be responsible for providing certified payroll records to Climate United, Self-Help or CPC
- Maintain up-to-date records for at least three years after project completion and provide them upon request.
- Records include:
 - Certified payroll
 - Personnel interviews
 - Apprenticeship and trainee programs

How We're Helping

GREENHOUSE GAS REDUCTION FUND STATUTORY REQUIREMENTS (CLEAN AIR ACT):

DAVIS-BACON AND RELATED ACTS

Happening Now

Building relationships with unions, workforce organizations and programs, minority serving institutions, and other stakeholders.

Building relationships with lenders, developers, contractors.

Q1 2025

Determining job categories and prevailing wage information

Reporting DBRA information to EPA

Q2 2025

Market Research and data collection

Workforce development activities

Evaluating and purchasing a software solution to make payroll reporting easy for lenders, prime contractors and subcontractors

Providing onboarding training, tools, and technical assistance to lenders, developers, and prime contractors

Conduct QA and compliance audits on payroll data

NEXT STEPS

We will be hosting a **specific webinar covering Build America Buy America** on **November 19 from 1pm-2pm ET.**

If you don't know where to start, submit intake form to join our newsletter and learn more:

<https://weareclimateunited.org/work-with-us>

You can also reach us by email at community@climateunited.org.