



Deborah A. Burke
Executive Director

Malden Redevelopment Authority

Main Office and Healthy Homes/Rehab Office

Address: 215 Pleasant Street, 3rd Floor, Malden, MA 02148

Phone: 781-324-5720 • Fax: 781-322-3734

MEMORANDUM

TO: Malden Community Preservation Committee

FROM: Alexander Pratt, Community Development Director *A. Pratt*

COPY: Deborah Burke, Executive Director
Chuck Ranaghan, Controller, City of Malden

DATE: September 29, 2020

RE: Trafton Park – J.J. Phelan & Son Pay Application 1

Please see the attached Pay Application 1 for Trafton Park construction work performed by general contractor J.J. Phelan & Son between August 7 and September 18, 2020. The Pay Application was reviewed and recommended by landscape architects Shadley Associates. Subsequently, I have reviewed the Pay Application and recommend that it be paid in the amount of \$117,648.00 from Community Preservation Act (CPA) funds.

Please let me know if you have any questions.

Board of Directors

Robert K. Foley, Chairman | Robert D. Rotondi | Albert N. Spadafora | Michael Williams | Sharon B. Santillo

Shadley Associates, P.C.

*Landscape Architects and Site Planning Consultants
1730 Massachusetts Ave.
Lexington, Massachusetts 02420*

*T. 781 - 652 - 8809
F. 781 - 862 - 2687*

September 25, 2020

Ms. Debra Burke
Malden Redevelopment Authority
215 Pleasant St., Third Floor
Malden, MA 02148

Re: **Trafton Park Improvements – Payment Application 1**

Dear Debbie,

Please find attached Payment Application 1 from J.J. Phelan & Son, Co., Inc. for the Trafton Park Improvements construction project. This request includes work performed by the general contractor, J.J. Phelan & Son between August 7th and September 18th, 2020.

We have reviewed the Payment Application and find that the amount of \$117,648.00 represents the work that has been completed to date with a 5% retainage. We recommend the MRA process payment directly to J.J. Phelan & Son. We have received the Certified Payrolls and they are in compliance; we have confirmed with the workers the amounts they were paid and have attached the results for your review.

Please call if you have any questions regarding this package.

Sincerely,



Pamela F. Shadley, ASLA
Principal

Attachments:
Certified Payrolls
Worker's pay confirmation results

Shadley Associates, P.C.

*Landscape Architects and Site Planning Consultants
1730 Massachusetts Ave.
Lexington, Massachusetts 02420*

*T. 781 - 652 - 8809
F. 781 - 862 - 2687*

September 29, 2020

Ms. Debra Burke
Malden Redevelopment Authority
215 Pleasant St., Third Floor
Malden, MA 02148

Re: Trafton Park Improvements – State Wage Compliance

Dear Debbie,

We have reviewed the certified payrolls for work performed during the period included in Pay Application 1. We find the wages reported to be consistent with State Law. To verify the payroll information, I interviewed the following employees from J.J. Phelan via the telephone, to confirm that State Prevailing Wages have been paid:

- John Lemelin
- Mark Martel
- Walter Greenwood
- Robert Mantalto

I confirmed that each of the above listed employees has been paid the required minimum wage rates for their position as listed in the State Prevailing Wage chart included within the Project Manual for the work performed on this project for the period included in Pay Application 1.

Please call if you have any questions.

Sincerely,



Kathleen Ogden Fasser, PLA, ASLA
Senior Associate

Copy: Alex Pratt/MRA

W:\Projects\Malden Projects\Trafton Park Phase I.20118\1 Administration\8 Bid & Construction\9 Schedule of Values
- Pay Reqs\Pay Reqs\Pay Req #1\092220_Trafton_DB_Payrolls.doc

APPLICATION AND CERTIFICATE FOR PAYMENT

AIA DOCUMENT G702

(Instructions on reverse side) Page 1 of 2

TO (OWNER): Malden Redevelopment Authority
 215 Pleasant St, 3rd Floor
 Malden, MA 02148

FROM (CONTRACTOR): J.J. Phelan & Son Co., Inc.
 120 Lumber Lane
 Tewksbury, MA 01876

PROJECT: Trafton Park Improvements

DESIGNER: Shadley Associates, P.C.
 1730 Massachusetts Avenue
 Lexington, MA 02420

APPLICATION NO: 1

PERIOD TO: 8/7 - 9/18

DESIGNER'S PROJECT NO: 0

CONTRACT DATE: July 23, 2020

Distribution to:

OWNER

DESIGNER

CONTRACTOR

Application is made for Payment, as shown below, in connection with the Contract.

CONTRACTOR'S APPLICATION FOR PAYMENT

CHANGE ORDER SUMMARY		
Change orders approved in previous periods by Owner	ADDITIONS	DEDUCTIONS
Total		
Approved this Period		
Number	Date Approved	
TOTALS	\$0.00	\$0.00
Net change by Change Orders	\$0.00	

The undersigned Contractor certifies that to the best of the Contractor's knowledge, information and belief the Work covered by this Application for payment has been completed in accordance with the Contract Documents, that all amounts have been paid by the Contractor for Work for which previous Certificates for Payment were issued and payments received from the Owner, and that current payment shown herein is now due.

CONTRACTOR:

By: Joseph J. Phelan III, President

Date: 9/22/20

DESIGNER'S CERTIFICATE FOR PAYMENT

In accordance with the contract Documents, based on on-site observations and the data comprising the above application, the Designer certifies to the owner that to the best of the Designer's knowledge, information and belief the Work has progressed as indicated, the quality of the Work is in accordance with the Contract Documents, and the Contractor is entitled to payment of the AMOUNT CERTIFIED.

AUTHORIZATIONS

Superintendent _____

Accountant _____

Date _____

Continuation Sheet, AIA Document G703, is attached.

1. ORIGINAL CONTRACT SUM.....	\$516,800.00
2. Net change by Change Orders.....	\$0.00
3. CONTRACT SUM TO DATE (Line 1+2).....	\$516,800.00
4. TOTAL COMPLETED & STORED TO DATE.....	\$123,840.00

(Column G on G703)

5. RETAINAGE:

a. <u>5</u> % of Completed Work	\$6,192.00
(Column D+E on G703)	
b. <u>na</u> % of Stored Material	\$0.00
(Column F on G703)	

Total Retainage (Line 5a+5b or

Total in Column I of G703)..... \$6,192.00

6. TOTAL EARNED LESS RETAINAGE.....	\$117,648.00
(Line 4 less Line 5 Total)	

7. LESS PREVIOUS CERTIFICATES FOR PAYMENT (Line 6 from prior certificate).....	\$0.00
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8. CURRENT PAYMENT DUE.....	\$117,648.00
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9. BALANCE TO FINISH, PLUS RETAINAGE.....	\$399,152.00
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(Line 3 Less Line 6)

State of: MA County of MIDDLESEX
 Subscribed and sworn to before me this 22ND day of SEPTEMBER, 2020

Notary Public:
 My Commission expires:

AUGUST 2, 2024

Ryan W. Elliott



RYAN W. ELLIOTT
 Notary Public
 Commonwealth of Massachusetts
 My Commission Expires
August 2, 2024

AMOUNT CERTIFIED..... \$117,648.00

(Attach explanation if amount certified differs from the amount applied for.)

DESIGNER:

By: Samela F. Shadley Date: 9/29/2020

This certificate is not negotiable. The AMOUNT CERTIFIED is payable only to the

Contractor named herein. Issuance, payment and acceptance of payment are without

prejudice to any rights of the Owner or Contractor under this Contract.

AIA Document G702, APPLICATION AND CERTIFICATE FOR PAYMENT, containing Contractor's signed Certification is attached.

In tabulations below, amounts are stated to the nearest dollar.

Use Column I on Contracts where variable retainage for line items may apply.

APPLICATION NUMBER: 1

APPLICATION DATE: 18-Sep-20

PERIOD: 8/7 - 9/18

DESIGNER'S PROJECT NO:

A	B				C			D		E	F	G	H	I
ITEM NO.	DESCRIPTION OF WORK	TOTAL QTY	UNIT	CONTRACT UNIT PRICE	SCHEDULED VALUE	PREV. APPLIC.	WORK COMPLETED		CONTRACT COSTS THIS PERIOD	MATERIALS PRESENTLY STORED (NOT IN D OR E)	TOTAL COMPLETED AND STORED TO DATE (D+E+F)	%(G+C)	BALANCE TO FINISH (C-G)	RETAINAGE 5%
							FROM PREVIOUS APPLICATION (D+E)	QUANTITIES THIS PERIOD						
1.00	SITE PREP AND DEMOLITION	1	LS	\$ 105,000.00	\$105,000.00	0.00	\$0.00	0.75	\$78,750.00	\$0.00	\$78,750.00	75%	\$26,250.00	\$3,937.50
2.00	DRAINAGE	1	LS	\$ 40,000.00	\$40,000.00	0.00	\$0.00	0.50	\$20,000.00	\$0.00	\$20,000.00	50%	\$20,000.00	\$1,000.00
3.00	DUG OUT SHELTERS	1	LS	\$ 40,000.00	\$40,000.00	0.00	\$0.00		\$0.00	\$0.00	\$0.00	0%	\$40,000.00	\$0.00
4.00	PEDESTRIAN WALKWAYS	1	LS	\$ 55,000.00	\$55,000.00	0.00	\$0.00	0.25	\$13,750.00	\$0.00	\$13,750.00	25%	\$41,250.00	\$687.50
5.00	PLAYGROUND EQUIPMENT AND PIP SURFACING	1	LS	\$ 162,000.00	\$162,000.00	0.00	\$0.00	0.07	\$11,340.00	\$0.00	\$11,340.00	7%	\$150,660.00	\$567.00
6.00	CURBING AND EDGING	1	LS	\$ 20,000.00	\$20,000.00	0.00	\$0.00		\$0.00	\$0.00	\$0.00	0%	\$20,000.00	\$0.00
7.00	FENCING	1	LS	\$ 25,000.00	\$25,000.00	0.00	\$0.00		\$0.00	\$0.00	\$0.00	0%	\$25,000.00	\$0.00
8.00	SITE FURNISHINGS AND SIGNAGE	1	LS	\$ 29,800.00	\$29,800.00	0.00	\$0.00		\$0.00	\$0.00	\$0.00	0%	\$29,800.00	\$0.00
9.00	LANDSCAPING	1	LS	\$ 40,000.00	\$40,000.00	0.00	\$0.00		\$0.00	\$0.00	\$0.00	0%	\$40,000.00	\$0.00
	TOTAL ALL PAGES				\$516,800.00		\$0.00		\$123,840.00	\$0.00	\$123,840.00	23.96%	\$392,960.00	\$6,192.00

PAYROLL

(For Contractor's Optional Use; See Instructions at www.dol.gov/whd/forms/wh347instr.htm)



Persons are not required to respond to the collection of information unless it displays a currently valid OMB control number.

NAME OF CONTRACTOR <input checked="" type="checkbox"/> OR SUBCONTRACTOR <input type="checkbox"/>	ADDRESS	OMB No.:1235-0008 Expires: 04/30/2021
J.J. Phelan & Son Co., Inc.	120 Lumber Lane, Tewksbury, MA 01876	

PAYROLL NO. 1	FOR WEEK ENDING 08/29/2020	PROJECT AND LOCATION TRAFTON PARK IMPROVEMENTS CITY OF MALDEN	PROJECT OR CONTRACT NO. 20118
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(1) NAME AND INDIVIDUAL IDENTIFYING NUMBER (e.g., LAST FOUR DIGITS OF SOCIAL SECURITY NUMBER) OF WORKER	(2) NO. OF WITHHOLDING EXEMPTIONS	(3) WORK CLASSIFICATION	OT. OR ST.	(4) DAY AND DATE							(5) TOTAL HOURS	(6) RATE OF PAY	(7) GROSS AMOUNT EARNED	(8) DEDUCTIONS					(9) NET WAGES PAID FOR WEEK	
				S	M	T	W	T	F	S				FICA	WITH-HOLDING TAX	State	Medical	OTHER		TOTAL DEDUCTIONS
				23	24	25	26	27	28	29										
HOURS WORKED EACH DAY																				
John Lemelin -4895		Laborer	O	0.00	0.00	0.00	0.00	0.00	2.00	0.00	2.00	\$87.47	\$1,050.28							
			S	0.00	0.00	0.00	8.00	4.00	1.50	0.00	13.50	64.84								
John Lemelin -4895		Operator	O	0.00	0.00	0.00	0.00	0.00	0.00	0.00			\$585.23							
			S	0.00	0.00	0.00	0.00	3.50	4.00	0.00	7.50	78.03		\$237.42	\$419.13	\$152.42	\$0.00	\$248.27	\$1,057.24	\$2,046.22
Mark Martel -4056		Labor	O	0.00	0.00	0.00	0.00	0.00	2.00	0.00	2.00	\$81.78	\$909.22							
			S	0.00	0.00	0.00	8.00	0.00	3.50	0.00	11.50	64.84								
Mark Martel -4056		Operator	O	0.00	0.00	0.00	0.00	0.00	0.00	0.00			\$156.06							
			S	0.00	0.00	0.00	0.00	0.00	2.00	0.00	2.00	78.03		\$174.12	\$195.46	\$113.59	\$311.59	\$35.11	\$829.87	\$1,793.05
Robert Montalto -7331		Laborer	O	0.00	0.00	0.00	0.00	0.00	4.00	0.00	4.00	\$80.16	\$320.64							
			S	0.00	0.00	0.00	0.00	0.00	0.00	0.00		63.07								
Robert Montalto -7331		Driver	O	0.00	0.00	0.00	0.00	0.00	3.00	0.00	3.00	\$81.93	\$245.79							
			S	0.00	0.00	0.00	0.00	0.00	0.00	0.00		64.84		\$203.17	\$377.89	\$129.79	\$0.00	\$132.79	\$843.64	\$1,812.23
Joseph Phelan -9202		Laborer	O	0.00	0.00	0.00	0.00	0.00	0.00	0.00			\$194.52							
			S	0.00	0.00	0.00	0.00	0.00	3.00	0.00	3.00	64.84		\$144.90	\$283.52	\$97.64	\$0.00	\$186.22	\$712.28	\$1,202.12
			O																	
			S																	

While completion of Form WH-347 is optional, it is mandatory for covered contractors and subcontractors performing work on Federally financed or assisted construction contracts to respond to the information collection contained in 29 C.F.R. §§ 3.3, 5.5(a). The Copeland Act (40 U.S.C. § 3145) contractors and subcontractors performing work on Federally financed or assisted construction contracts to "furnish weekly a statement with respect to the wages paid each employee during the preceding week." U.S. Department of Labor (DOL) regulations at 29 C.F.R. § 5.5(a)(3)(ii) require contractors to submit weekly a copy of all payrolls to the Federal agency contracting for or financing the construction project, accompanied by a signed "Statement of Compliance" indicating that the payrolls are correct and complete and that each laborer or mechanic has been paid not less than the proper Davis-Bacon prevailing wage rate for the work performed. DOL and federal contracting agencies receiving this information review the information to determine that employees have received legally required wages and fringe benefits.

Public Burden Statement

We estimate that it will take an average of 55 minutes to complete this collection, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. If you have any comments regarding these estimates or any other aspect of this collection, including suggestions for reducing this burden, send them to the Administrator, Wage and Hour Division, U.S. Department of Labor, Room S3502, 200 Constitution Avenue, N.W. Washington, D.C. 20210

Date September 4, 2020

I, Joseph J. Phelan III President
(Name of Signatory Party) (Title)

do hereby state:

(1) That I pay or supervise the payment of the persons employed by

J.J. Phelan & Son Co., Inc. on the
(Contractor or Subcontractor)

TRAFTON PARK IMPROVEMENTS; that during the payroll period commencing on the
(Building or Work)

23 day of August, 2020, and ending the 29 day of August, 2020,

all persons employed on said project have been paid the full weekly wages earned, that no rebates have been or will be made either directly or indirectly to or on behalf of said

J.J. Phelan & Son Co., Inc. from the full
(Contractor or Subcontractor)

weekly wages earned by any person and that no deductions have been made either directly or indirectly from the full wages earned by any person, other than permissible deductions as defined in Regulations, Part 3 (29 C.F.R. Subtitle A), issued by the Secretary of Labor under the Copeland Act, as amended (48 Stat. 948, 63 Stat. 108, 72 Stat. 967; 76 Stat. 357; 40 U.S.C. § 3145), and described below:

Medical _____

Pension _____

(2) That any payrolls otherwise under this contract required to be submitted for the above period are correct and complete; that the wage rates for laborers or mechanics contained therein are not less than the applicable wage rates contained in any wage determination incorporated into the contract; that the classifications set forth therein for each laborer or mechanic conform with the work he performed.

(3) That any apprentices employed in the above period are duly registered in a bona fide apprenticeship program registered with a State apprenticeship agency recognized by the Bureau of Apprenticeship and Training, United States Department of Labor, or if no such recognized agency exists in a State, are registered with the Bureau of Apprenticeship and Training, United States Department of Labor.

(4) That:

(a) WHERE FRINGE BENEFITS ARE PAID TO APPROVED PLANS, FUNDS, OR PROGRAMS

— in addition to the basic hourly wage rates paid to each laborer or mechanic listed in the above referenced payroll, payments of fringe benefits as listed in the contract have been or will be made to appropriate programs for the benefit of such employees, except as noted in section 4(c) below.

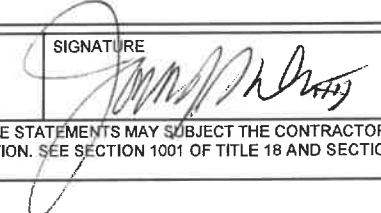
(b) WHERE FRINGE BENEFITS ARE PAID IN CASH

— Each laborer or mechanic listed in the above referenced payroll has been paid, as indicated on the payroll, an amount not less than the sum of the applicable basic hourly wage rate plus the amount of the required fringe benefits as listed in the contract, except as noted in section 4(c) below.

(c) EXCEPTIONS

EXCEPTION (CRAFT)	EXPLANATION

REMARKS:

NAME AND TITLE Joseph J. Phelan III, President	SIGNATURE 
THE WILLFUL FALSIFICATION OF ANY OF THE ABOVE STATEMENTS MAY SUBJECT THE CONTRACTOR OR SUBCONTRACTOR TO CIVIL OR CRIMINAL PROSECUTION. SEE SECTION 1001 OF TITLE 18 AND SECTION 231 OF TITLE 31 OF THE UNITED STATES CODE.	

PAYROLL

(For Contractor's Optional Use; See Instructions at www.dol.gov/whd/forms/wh347instr.htm)



Persons are not required to respond to the collection of information unless it displays a currently valid OMB control number.

NAME OF CONTRACTOR <input checked="" type="checkbox"/> OR SUBCONTRACTOR <input type="checkbox"/>	ADDRESS	OMB No.:
J.J. Phelan & Son Co., Inc.	120 Lumber Lane, Tewksbury, MA 01876	1235-0008
		Expires: 04/30/2021

PAYROLL NO. 2	FOR WEEK ENDING 09/05/2020	PROJECT AND LOCATION TRAFTON PARK IMPROVEMENTS CITY OF MALDEN	PROJECT OR CONTRACT NO. 20118
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(1) NAME AND INDIVIDUAL IDENTIFYING NUMBER (e.g., LAST FOUR DIGITS OF SOCIAL SECURITY NUMBER) OF WORKER	(2) NO. OF WITHHOLDING EXEMPTIONS	(3) WORK CLASSIFICATION	OT. OR ST.	(4) DAY AND DATE							(5) TOTAL HOURS	(6) RATE OF PAY	(7) GROSS AMOUNT EARNED	(8) DEDUCTIONS					(9) NET WAGES PAID FOR WEEK		
				S	M	T	W	T	F	S				FICA	WITH-HOLDING TAX	State	Medical	OTHER		TOTAL DEDUCTIONS	
				30	31	1	2	3	4	5											
				HOURS WORKED EACH DAY																	
John Lemelin -4895		Laborer	O	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	9.00	64.84	\$583.56							
			S	0.00	3.50	0.00	0.50	1.50	3.50	0.00											
John Lemelin -4895		Operator	O	0.00	0.00	0.00	0.00	0.00	0.00	0.00	20.00	78.03	\$1,560.60	\$227.22	\$389.73	\$145.78	\$0.00	\$237.62	\$1,000.35	\$1,969.96	
			S	0.00	5.00	0.00	5.00	7.00	3.00	0.00											
Mark Martel -4056		Labor	O	0.00	0.00	0.00	0.00	0.00	0.00	0.00	19.00	64.84	\$1,231.96								
			S	0.00	7.00	0.00	2.50	4.00	5.50	0.00											
Mark Martel -4056		Operator	O	0.00	0.00	0.00	0.00	0.00	0.00	0.00	10.00	78.03	\$780.30	\$175.30	\$198.79	\$114.41	\$311.59	\$75.40	\$875.49	\$1,802.87	
			S	0.00	1.50	0.00	3.00	4.50	1.00	0.00											
Walter Greenwood -4344		Driver	O	0.00	0.00	0.00	0.00	0.00	0.00	0.00	10.50	63.07	\$662.24								
			S	0.00	0.00	0.00	4.50	6.00	0.00	0.00											
Walter Greenwood -4344		Operator	O	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.50	78.03	\$39.02	\$116.07	\$236.76	\$75.79	\$0.00	\$0.00	\$428.62	\$1,088.64	
			S	0.00	0.00	0.00	0.00	0.50	0.00	0.00											
Joseph Phelan -9202		Laborer	O	0.00	0.00	0.00	0.00	0.00	0.00	0.00	6.00	64.84	\$389.04	\$147.83	\$292.69	\$99.69	\$0.00	\$206.44	\$746.65	\$1,226.21	
			S	0.00	2.50	0.00	0.00	2.00	1.50	0.00											
			O																		
			S																		

While completion of Form WH-347 is optional, it is mandatory for covered contractors and subcontractors performing work on Federally financed or assisted construction contracts to respond to the information collection contained in 29 C.F.R. §§ 3.3, 5.5(a). The Copeland Act (40 U.S.C. § 3145) contractors and subcontractors performing work on Federally financed or assisted construction contracts to "furnish weekly a statement with respect to the wages paid each employee during the preceding week." U.S. Department of Labor (DOL) regulations at 29 C.F.R. § 5.5(a)(3)(ii) require contractors to submit weekly a copy of all payrolls to the Federal agency contracting for or financing the construction project, accompanied by a signed "Statement of Compliance" indicating that the payrolls are correct and complete and that each laborer or mechanic has been paid not less than the proper Davis-Bacon prevailing wage rate for the work performed. DOL and federal contracting agencies receiving this information review the information to determine that employees have received legally required wages and fringe benefits.

Public Burden Statement

We estimate that it will take an average of 55 minutes to complete this collection, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. If you have any comments regarding these estimates or any other aspect of this collection, including suggestions for reducing this burden, send them to the Administrator, Wage and Hour Division, U.S. Department of Labor, Room S3502, 200 Constitution Avenue, N.W. Washington, D.C. 20210

Date September 11, 2020

I, Joseph J. Phelan III President
(Name of Signatory Party) (Title)

do hereby state:

(1) That I pay or supervise the payment of the persons employed by

J.J. Phelan & Son Co., Inc. on the
(Contractor or Subcontractor)

TRAFTON PARK IMPROVEMENTS; that during the payroll period commencing on the
(Building or Work)

30 day of August, 2020, and ending the 5 day of September, 2020.

all persons employed on said project have been paid the full weekly wages earned, that no rebates have been or will be made either directly or indirectly to or on behalf of said

J.J. Phelan & Son Co., Inc. from the full
(Contractor or Subcontractor)

weekly wages earned by any person and that no deductions have been made either directly or indirectly from the full wages earned by any person, other than permissible deductions as defined in Regulations, Part 3 (29 C.F.R. Subtitle A), issued by the Secretary of Labor under the Copeland Act, as amended (48 Stat. 948, 63 Stat. 108, 72 Stat. 967; 76 Stat. 357; 40 U.S.C. § 3145), and described below:

Medical _____

Pension _____

(2) That any payrolls otherwise under this contract required to be submitted for the above period are correct and complete; that the wage rates for laborers or mechanics contained therein are not less than the applicable wage rates contained in any wage determination incorporated into the contract; that the classifications set forth therein for each laborer or mechanic conform with the work he performed.

(3) That any apprentices employed in the above period are duly registered in a bona fide apprenticeship program registered with a State apprenticeship agency recognized by the Bureau of Apprenticeship and Training, United States Department of Labor, or if no such recognized agency exists in a State, are registered with the Bureau of Apprenticeship and Training, United States Department of Labor.

(4) That:

(a) WHERE FRINGE BENEFITS ARE PAID TO APPROVED PLANS, FUNDS, OR PROGRAMS

— in addition to the basic hourly wage rates paid to each laborer or mechanic listed in the above referenced payroll, payments of fringe benefits as listed in the contract have been or will be made to appropriate programs for the benefit of such employees, except as noted in section 4(c) below.

(b) WHERE FRINGE BENEFITS ARE PAID IN CASH

— Each laborer or mechanic listed in the above referenced payroll has been paid, as indicated on the payroll, an amount not less than the sum of the applicable basic hourly wage rate plus the amount of the required fringe benefits as listed in the contract, except as noted in section 4(c) below.

(c) EXCEPTIONS

EXCEPTION (CRAFT)	EXPLANATION

REMARKS:

NAME AND TITLE Joseph J. Phelan III, President	SIGNATURE 
THE WILLFUL FALSIFICATION OF ANY OF THE ABOVE STATEMENTS MAY SUBJECT THE CONTRACTOR OR SUBCONTRACTOR TO CIVIL OR CRIMINAL PROSECUTION. SEE SECTION 1001 OF TITLE 18 AND SECTION 231 OF TITLE 31 OF THE UNITED STATES CODE.	

U.S. Department of Labor
Wage and Hour Division

PAYROLL

(For Contractor's Optional Use; See Instructions at www.dol.gov/whd/forms/wh347instr.htm)



U.S. Wage and Hour Division

Rev. Dec. 2008

Persons are not required to respond to the collection of information unless it displays a currently valid OMB control number.

NAME OF CONTRACTOR <input checked="" type="checkbox"/> OR SUBCONTRACTOR <input type="checkbox"/>	ADDRESS	OMB No.:1235-0008 Expires: 04/30/2021
J.J. Phelan & Son Co., Inc.	120 Lumber Lane, Tewksbury, MA 01876	
PAYROLL NO. 3	FOR WEEK ENDING 09/12/2020	PROJECT AND LOCATION TRAFTON PARK IMPROVEMENTS CITY OF MALDEN
		PROJECT OR CONTRACT NO. 20118

(1) NAME AND INDIVIDUAL IDENTIFYING NUMBER (e.g., LAST FOUR DIGITS OF SOCIAL SECURITY NUMBER) OF WORKER	(2) NO. OF WITHHOLDING EXEMPTIONS	(3) WORK CLASSIFICATION	OT. OR ST.	(4) DAY AND DATE							(5) TOTAL HOURS	(6) RATE OF PAY	(7) GROSS AMOUNT EARNED	(8) DEDUCTIONS					(9) NET WAGES PAID FOR WEEK		
				S	M	T	W	T	F	S				FICA	WITH- HOLDING TAX	State	Medical	OTHER		TOTAL DEDUCTIONS	
				6	7	8	9	10	11	12											
				HOURS WORKED EACH DAY																	
John Lemelin -4895		Laborer	O	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	1.50	64.84	\$97.26 \$2,169.31	\$165.95	\$213.01	\$105.85	\$0.00	\$173.54	\$658.35	\$1,510.96
			S	0.00	0.00	0.00	0.00	1.50	0.00	0.00											
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While completion of Form WH-347 is optional, it is mandatory for covered contractors and subcontractors performing work on Federally financed or assisted construction contracts to respond to the information collection contained in 29 C.F.R. §§ 3.3, 5.5(a). The Copeland Act (40 U.S.C. § 3145) contractors and subcontractors performing work on Federally financed or assisted construction contracts to "furnish weekly a statement with respect to the wages paid each employee during the preceding week." U.S. Department of Labor (DOL) regulations at 29 C.F.R. § 5.5(a)(3)(ii) require contractors to submit weekly a copy of all payrolls to the Federal agency contracting for or financing the construction project, accompanied by a signed "Statement of Compliance" indicating that the payrolls are correct and complete and that each laborer or mechanic has been paid not less than the proper Davis-Bacon prevailing wage rate for the work performed. DOL and federal contracting agencies receiving this information review the information to determine that employees have received legally required wages and fringe benefits.

Public Burden Statement

We estimate that it will take an average of 55 minutes to complete this collection, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. If you have any comments regarding these estimates or any other aspect of this collection, including suggestions for reducing this burden, send them to the Administrator, Wage and Hour Division, U.S. Department of Labor, Room S3502, 200 Constitution Avenue, N.W. Washington, D.C. 20210

Date September 18, 2020

I, Joseph J. Phelan III President
(Name of Signatory Party) (Title)

do hereby state:

(1) That I pay or supervise the payment of the persons employed by

J.J. Phelan & Son Co., Inc. on the
(Contractor or Subcontractor)

TRAFTON PARK IMPROVEMENTS; that during the payroll period commencing on the
(Building or Work)

6 day of September, 2020, and ending the 12 day of September, 2020,

all persons employed on said project have been paid the full weekly wages earned, that no rebates have been or will be made either directly or indirectly to or on behalf of said

J.J. Phelan & Son Co., Inc. from the full
(Contractor or Subcontractor)

weekly wages earned by any person and that no deductions have been made either directly or indirectly from the full wages earned by any person, other than permissible deductions as defined in Regulations, Part 3 (29 C.F.R. Subtitle A), issued by the Secretary of Labor under the Copeland Act, as amended (48 Stat. 948, 63 Stat. 108, 72 Stat. 967; 76 Stat. 357; 40 U.S.C. § 3145), and described below:

Medical _____

Pension _____

(2) That any payrolls otherwise under this contract required to be submitted for the above period are correct and complete; that the wage rates for laborers or mechanics contained therein are not less than the applicable wage rates contained in any wage determination incorporated into the contract; that the classifications set forth therein for each laborer or mechanic conform with the work he performed.

(3) That any apprentices employed in the above period are duly registered in a bona fide apprenticeship program registered with a State apprenticeship agency recognized by the Bureau of Apprenticeship and Training, United States Department of Labor, or if no such recognized agency exists in a State, are registered with the Bureau of Apprenticeship and Training, United States Department of Labor.

(4) That:

(a) WHERE FRINGE BENEFITS ARE PAID TO APPROVED PLANS, FUNDS, OR PROGRAMS

— in addition to the basic hourly wage rates paid to each laborer or mechanic listed in the above referenced payroll, payments of fringe benefits as listed in the contract have been or will be made to appropriate programs for the benefit of such employees, except as noted in section 4(c) below.


(b) WHERE FRINGE BENEFITS ARE PAID IN CASH

— Each laborer or mechanic listed in the above referenced payroll has been paid, as indicated on the payroll, an amount not less than the sum of the applicable basic hourly wage rate plus the amount of the required fringe benefits as listed in the contract, except as noted in section 4(c) below.

(c) EXCEPTIONS

EXCEPTION (CRAFT)	EXPLANATION

REMARKS:

NAME AND TITLE: Joseph J. Phelan III, President SIGNATURE: 

THE WILLFUL FALSIFICATION OF ANY OF THE ABOVE STATEMENTS MAY SUBJECT THE CONTRACTOR OR SUBCONTRACTOR TO CIVIL OR CRIMINAL PROSECUTION. SEE SECTION 1001 OF TITLE 18 AND SECTION 231 OF TITLE 31 OF THE UNITED STATES CODE.