

*****DRAFT - NOT FOR FILING*****

4101:9-4-12 Duty of public authority to appoint prevailing wage coordinator.

- (A) In addition to the duties delineated in section 4115.071 of the Revised Code, duties of the prevailing coordinator shall include:
- (1) Reporting any delinquency in the filing of the certified copy of the payroll or related documentation or affidavits to the chief officer of the contracting public authority and the administrator within two weeks of the date such reporting was required; and
 - (2) Receiving and maintaining from each contractor or subcontractor all forms and/or evidence required pursuant to division 4101:9 of the Administrative Code.
- (B) Pursuant to section 4115.07 of the Revised Code no public authority shall make final payment to any contractor or subcontractor unless an affidavit has been filed with the director by the respective contractor or subcontractor. The affidavits shall be sworn to and notarized.
- (C) On bond or other similarly financed projects, the issuer of bonds or provider of other similar financing shall arrange for the appointment of a prevailing wage coordinator, except where the identity of said coordinator is provided by law.
- (D) In the event that the public authority does not appoint a prevailing wage coordinator, commerce may appoint a coordinator. The public authority shall reimburse commerce for the cost of such prevailing wage coordinator appointed. Contractors and subcontractors are not relieved of any obligation to prepare the certified payrolls, or otherwise comply with these rules by the failure of the appropriate public authority to appoint a prevailing wage coordinator. In the event a prevailing wage coordinator is subsequently appointed, the contractor or subcontractor must submit the information required by Chapter 4101:9-4 of the Administrative Code at that time.
- (E) On bond or other similarly financed projects subject to the prevailing wage law where financing is provided before, during or at the expiration of the project, the public authority must ensure that compliance with sections 4115.03 to 4115.16 of the Revised Code and these rules has been achieved before the issuance of bonds or commencement of other similar financing. The public authority shall require submission of the certified payrolls, affidavits and other records, and compliance with the requirements of this rule for that purpose.