

2.1 (1) the rate of contribution irrevocably made by a contractor or subcontractor to a
2.2 trustee or to a third person under a fund, plan, or program; and

2.3 (2) the rate of costs to the contractor or subcontractor that may be reasonably
2.4 anticipated in providing benefits to laborers and mechanics pursuant to an enforceable
2.5 commitment to carry out a financially responsible plan or program which was
2.6 communicated in writing to the laborers and mechanics affected.

2.7 "Prevailing wage rate" includes, for the purposes of section 177.44, rental rates for
2.8 truck hire paid to those who own and operate the truck.

2.9 The prevailing wage rate may not be less than a reasonable and living wage.

2.10 Sec. 3. **[177.421] PREVAILING WAGE DETERMINATIONS.**

2.11 **Subdivision 1. Highway and heavy construction.** The department shall, at least
2.12 once every two calendar years, determine and certify prevailing wage rates applicable
2.13 to state projects that are similar in nature to public and private highway and heavy
2.14 construction projects where the estimated total cost of completing the project is \$25,000
2.15 or more.

2.16 **Subd. 2. Commercial type construction.** The department shall, at least once every
2.17 two calendar years, determine and certify prevailing wage rates applicable to state projects
2.18 that are similar in nature to public and private commercial projects where the estimated
2.19 total cost of completing the project is \$2,500 or more.

2.20 **Subd. 3. Survey data.** Each wage survey shall be based upon work performed
2.21 in the 24 months preceding the date the survey is commenced and the resulting wage
2.22 determinations certified following the close of the survey.