

**CITY OF BALTIMORE
COUNCIL BILL 20-0629
(First Reader)**

Introduced by: Councilmembers Henry, Clarke, Bullock, Dorsey, Burnett, Sneed, Middleton,
President Scott, Councilmembers Reisinger, Cohen

Introduced and read first time: October 5, 2020

Assigned to: Labor Committee

REFERRED TO THE FOLLOWING AGENCIES: City Solicitor, Baltimore Development Corporation,
Department of Housing and Community Development, Wage Commission, Department of
Finance

A BILL ENTITLED

1 AN ORDINANCE concerning

2 style="text-align:center">**Prevailing Wage – Determination**

3 FOR the purpose of simplifying the manner by which the City determines its prevailing wage for
4 construction contracts by indexing with the prevailing hour wage established under State law
5 for State-financed construction work performed in the City; and providing for a rate review
6 procedure after the initial rate establishment.

7 BY repealing and re-ordaining, with amendments

8 Article 5 - Finance, Property, and Procurement

9 Section(s) 25-16

10 Baltimore City Code

11 (Edition 2000)

12 **SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE,** That the
13 Laws of Baltimore City read as follows:

14 style="text-align:center">**Baltimore City Code**

15 style="text-align:center">**Article 5. Finance, Property, and Procurement**

16 style="text-align:center">**Subtitle 25. Prevailing Wages for Work under Construction Contracts**

17 **§ 25-16. [Schedules of prevailing] PREVAILING wage [rates] DETERMINATION.**

18 (a) *[Board of Estimates to adopt, review, and revise.] IN GENERAL.*

19 THE PREVAILING HOURLY WAGE RATE IS THE PREVAILING WAGE RATE ESTABLISHED
20 ANNUALLY BY THE MARYLAND STATE COMMISSIONER OF LABOR AND INDUSTRY FOR THE
21 CITY UNDER § 17-201 *ET SEQ.* OF THE STATE FINANCE AND PROCUREMENT ARTICLE.

22 [(1) The Board of Estimates may adopt, establish, repeal, modify, change, or amend, from
23 time to time, schedules of prevailing hourly wage rates to be paid to all classes of

EXPLANATION: CAPITALS indicate matter added to existing law.
[Brackets] indicate matter deleted from existing law.

Council Bill 20-0629

1 laborers, mechanics, or apprentices directly employed by any contractor or any
2 subcontractor on the site in any of the various types of work or projects mentioned in
3 or contemplated by this subtitle.]

4 [(2) These schedules of prevailing hourly wage rates shall be reviewed and revised by the
5 Board of Estimates at least once every year to conform to the area prevailing hourly
6 wage rates.]

7 (b) [*Basis of revision.*] *REVISIONS.*

8 (1) *IN GENERAL.*

9 ON PETITION, THE BOARD OF ESTIMATES MAY REVIEW AND REVISE ANY PREVAILING
10 HOURLY WAGE RATE ESTABLISHED UNDER SUBSECTION (A) OF THIS SECTION.

11 (2) *TIMELINESS OF REQUEST.*

12 ANY PETITION FOR RATE REVIEW UNDER THIS SECTION SHALL BE SUBMITTED TO THE
13 BOARD WITHIN 21 DAYS AFTER A CONTRACTING AGENCY PUBLISHES A REQUEST FOR
14 BIDS OR PROPOSALS FOR A PROJECT FOR WHICH THE PREVAILING HOURLY WAGE RATE
15 WOULD BE USED FOR THE FIRST TIME FOLLOWING ITS INITIAL ESTABLISHMENT.

16 [(1) The revision may be based on recommendations by the prevailing wage section of
17 the Wage Commission.]

18 [(2) The schedules of prevailing hourly wage rates, including overtime rates for all hours
19 worked on Saturdays and Sundays, and all hours worked in excess of 8 hours per day
20 on Monday through Friday, and all hours worked on legal holidays designated as
21 overtime holidays by the Board of Estimates may not be less in amount than the
22 general prevailing hourly wage rates being paid to laborers, mechanics, and
23 apprentices for doing work of a similar character in the locality in which the project is
24 located.]

25 [(3) These general prevailing hourly wage rates shall be determined by the Board of
26 Estimates whose decision in the matter is final.]

27 [(c) *Authority of Board not restricted.*]

28 [Nothing in this Ordinance limits or restricts in any way the power and authority of the
29 Board of Estimates to classify the type of work to be done for the Mayor and City Council
30 of Baltimore and to establish schedules of prevailing hourly wage rates for these
31 classifications.]

32 **SECTION 2. AND BE IT FURTHER ORDAINED,** That the catchlines contained in this Ordinance
33 are not law and may not be considered to have been enacted as a part of this or any prior
34 Ordinance.

35 **SECTION 3. AND BE IT FURTHER ORDAINED,** That this Ordinance takes effect on the 30th day
36 after the date it is enacted.