

**CITY OF BALTIMORE  
COUNCIL BILL 22-0249  
(First Reader)**

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Introduced by: Councilmember Burnett, Bullock, Middleton, Dorsey, Ramos, Porter, Cohen,  
Torrence, Stokes

Introduced and read first time: June 21, 2022

Assigned to: Ways and Means Committee

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REFERRED TO THE FOLLOWING AGENCIES: City Solicitor, Department of Finance, Office of the  
Comptroller, Board of Estimates, Office of the Labor Commissioner

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A BILL ENTITLED

1 AN ORDINANCE concerning

2 **Prevailing Wage – Revisions and Petitions**

3 FOR the purpose of simplifying the manner by which the City revises its prevailing wage for  
4 construction contracts and providing for a rate review procedure after the initial rate  
5 establishment.

6 BY repealing and re-ordaining, with amendments

7 Article 5 - Finance, Property, and Procurement

8 Section 25-16

9 Baltimore City Code

10 (Edition 2000)

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

13 **Baltimore City Code**

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**Article 5. Finance, Property, and Procurement**

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**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.*

19

(1) The Board of Estimates may adopt, establish, repeal, modify, change, or amend, from  
20 time to time, schedules of prevailing hourly wage rates to be paid to all classes of  
21 laborers, mechanics, or apprentices directly employed by any contractor or any  
22 subcontractor on the site in any of the various types of work or projects mentioned in  
23 or contemplated by this subtitle.

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

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

4 (b) *Basis of revision.*

5 (1) The revision may be based [on recommendations by the prevailing wage section of  
6 the Wage Commission] ON:

7 (I) THE PREVAILING WAGE RATE ESTABLISHED ANNUALLY FOR THE CITY BY THE  
8 MARYLAND STATE COMMISSIONER OF LABOR AND INDUSTRY; OR

9 (II) A PETITION FILED UNDER SUBSECTION (C) OF THIS SECTION.

10 (2) The schedules of prevailing hourly wage rates, including overtime rates for all hours  
11 worked on Saturdays and Sundays, and all hours worked in excess of 8 hours per day  
12 on Monday through Friday, and all hours worked on legal holidays designated as  
13 overtime holidays by the Board of Estimates may not be less in amount than the  
14 general prevailing hourly wage rates being paid to laborers, mechanics, and  
15 apprentices for doing work of a similar character in the locality in which the project is  
16 located.

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

19 (C) *PETITIONS.*

20 (1) *IN GENERAL.*

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

23 (2) *TIMELINESS OF REQUEST.*

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

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

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

33 **SECTION 2. AND BE IT FURTHER ORDAINED,** That this Ordinance takes effect on the 30<sup>th</sup> day  
34 after the date it is enacted.