CITY OF BALTIMORE **ORDINANCE** Council Bill 18-0297

Introduced by: Councilmembers Henry, Pinkett, Bullock, President Young, Councilmembers Middleton, Scott, Dorsey, Burnett, Cohen, Stokes, Sneed, Clarke, Reisinger, Costello, Schleifer

Introduced and read first time: October 15, 2018

Assigned to: Taxation, Finance and Economic Development Committee

Committee Report: Favorable with amendments

Council action: Adopted

Read second time: January 28, 2019

AN ORDINANCE CONCERNING

1	Prevailing Wages – Tax Increment Financing Projects
2 3	FOR the purpose of extending the existing prevailing wage requirement to projects receiving funds from tax increment financing in excess of a certain amount; and clarifying and
4	conforming related provisions; and providing for a special effective date.
5	By authority of
6	State Finance and Procurement Article
7	Section 17-202(d)
8	Annotated Code of Maryland
9	(As added by Chapter 817, 2018 Acts of Maryland)
10	By repealing and reordaining with amendments
11	Article 5 - Finance, Property, and Procurement
12	Section(s) 25-1, 25-2
13	Baltimore City Code
14	(Edition 2000)
15	SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That the
16	Laws of Baltimore City read as follows:
17	Baltimore City Code
18	Article 5. Finance, Property, and Procurement
19	Subtitle 25. Prevailing Wages for Work Under Construction Contracts

EXPLANATION: CAPITALS indicate matter added to existing law. [Brackets] indicate matter deleted from existing law. Underlining indicates matter added to the bill by amendment. Strike out indicates matter stricken from the bill by amendment or deleted from existing law by amendment.

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§ 25-1. Definitions.

2 (a) Apprentice.

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- 1) The term "apprentice" as used in this subtitle means a person at least 16 years of age who has entered into a written agreement with an employer or his agent, an association of employers, or an organization of employers, or a joint committee representing both, and which shall state the trade, craft, or occupation which the apprentice is to be taught, and the time at which the apprenticeship will begin and end.
 - (2) All such apprenticeship agreements shall be approved by the Maryland Apprenticeship and Training Council, and certification of such approval shall be furnished to the Wage Commission.
- 11 (b) Contractor.
- "Contractor", as used herein, shall mean the person, firm or corporation awarded a City contract OR ENGAGED IN A PROJECT RECEIVING FUNDS FROM TAX INCREMENT FINANCING IN EXCESS OF \$10,000,000.
- 15 (c) Subcontractor.
- 16 "Subcontractor", as used herein, shall mean any person, firm or corporation, other than 17 the contractor, performing any work upon the site of the project, whether subcontractor or 18 lower tier contractor

§ 25-2. Scope of Subtitle.

(A) CITY CONTRACTS OVER \$5,000.

THIS SUBTITLE APPLIES TO EACH [Each] and every contract in excess of \$5,000 [(hereinafter referred to the "the contract")] made by the Board of Estimates (hereinafter referred to as "the City"), or on its behalf, with any person, firm or corporation for the construction, reconstruction, erection, conversion, installation, alteration, repair, maintenance, renovation, razing, demolition, moving, removing, grading, paving, repaving, curbing, filling, excavation, or any other operation or work to be done or performed in, on, upon, or in connection with any building, bridge, viaduct, tunnel, tower, stack, or other structure, airport, land, highway, pier, wharf, sewer, drain, main, conduit, machinery, or mechanical, electrical, or other equipment [for said municipality shall contain the following provisions].

(B) TAX INCREMENT FINANCING PROJECTS OVER \$10,000,000.

THIS SUBTITLE APPLIES TO EACH AND EVERY PROJECT <u>APPROVED BY THE MAYOR AND CITY COUNCIL ON OR AFTER JANUARY 1, 2019</u> RECEIVING FUNDS FROM TAX INCREMENT FINANCING IN EXCESS OF \$10,000,000 IN THE AGGREGATE TO THE EXTENT THOSE FUNDS ARE USED IN WHOLE OR IN PART FOR THE CONSTRUCTION, RECONSTRUCTION, ERECTION, CONVERSION, INSTALLATION, ALTERATION, REPAIR, MAINTENANCE, RENOVATION, RAZING, DEMOLITION, MOVING, REMOVING, GRADING, PAVING, REPAVING, CURBING, FILLING, EXCAVATION, OR ANY OTHER OPERATION OR WORK TO BE DONE OR PERFORMED IN, ON,

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UPON, OR IN CONNECTION WITH ANY BUILDING STACK, OR OTHER STRUCTURE, AIRPORT, LAND MAIN, CONDUIT, MACHINERY, OR MECHANICAL	, HIGHWAY, PIER, WHARF, SEWER, DRAIN
SECTION 2. AND BE IT FURTHER ORDAINED , Tha after the date it is enacted.	t this Ordinance takes effect on the 30th (
Certified as duly passed this day of	, 20
_	President, Baltimore City Council
Certified as duly delivered to Her Honor, the Mayor,	
this, 20	
	Chief Clerk
Approved this day of, 20	
	Mayor, Baltimore City