

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

AN ORDINANCE concerning

Prevailing Wage – Determination

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

BY repealing and re-ordaining, with amendments
Article 5 - Finance, Property, and Procurement
Section(s) 25-16
Baltimore City Code
(Edition 2000)

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

Baltimore City Code

Article 5. Finance, Property, and Procurement

Subtitle 25. Prevailing Wages for Work under Construction Contracts

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

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

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

[(1) The Board of Estimates may adopt, establish, repeal, modify, change, or amend, from 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.

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

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

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

(1) *IN GENERAL.*

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

(2) *TIMELINESS OF REQUEST.*

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

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

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

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

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

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

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

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