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H.878

Introduced by Committee on General, Housing and Military Affairs

Date:

Subject: Public property and supplies; Department of Buildings and General
Services; requirements on State construction projects

Statement of purpose of bill as introduced: This bill proposes to change the
requirements needed for State construction projects and increase the wage and
benefits for the construction employees.

An act relating to prevailing wages

It is hereby enacted by the General Assembly of the State of Vermont:

Sec. 1. 29 V.S.A. § 161 is amended to read:

§ 161. REQUIREMENTS ON STATE CONSTRUCTION PROJECTS

* * *

(b) Each contract awarded under this section for ~~any State project with a~~
~~construction cost exceeding \$100,000.00 and~~ construction projects which ~~is~~ are
authorized or funded in whole or in part by a capital construction act pursuant
to 32 V.S.A. § 701a, including such a project of the University of Vermont and
State Agricultural College and of the Vermont State Colleges, shall provide
that all construction employees working on the project shall be paid no less
than the ~~mean~~ prevailing wage ~~published periodically by the Department of~~

1 Labor in its occupational employment and wage survey determinations as have
2 been made by the Secretary of the U.S. Department of Labor in accordance
3 with the Davis-Bacon Act, 40 U.S.C. § 276a, as may be amended. The
4 Commissioner of Labor, in consultation with the Commissioner of Buildings
5 and General Services, may adopt rules as necessary, pursuant to 3 V.S.A.
6 chapter 25, to implement this subsection. This section does not require that the
7 federal Davis-Bacon Act reporting requirements be applied to State
8 construction projects.

9 * * *

*Sec. 2. STATE CONSTRUCTION PROJECTS; CONTRACTS SUBJECT
TO STATE PREVAILING WAGE*

*(a) It is the intent of the General Assembly that the transition to the use of
the prevailing wage determinations as have been made by the Secretary of the
U.S. Department of Labor in accordance with the Davis-Bacon Act, 40 U.S.C.
§ 276a, as may be amended, in State construction projects shall not change the
scope of State construction projects that are subject to the requirements of 29
V.S.A. § 161(b).*

*(b) Notwithstanding Sec. 1 of this act, the following contracts shall remain
subject to the mean prevailing wage published periodically by the Vermont
Department of Labor in its occupational employment and wage survey:*

(1) contracts for State construction projects executed prior to July 1, 2015;

(2) any change orders or amendments to contracts for State construction projects executed prior to July 1, 2015; and

(3) contracts for State construction projects that result from instructions to bidders posted by the State of Vermont prior to July 1, 2015.

Sec. 3. PREVAILING WAGE; UNIVERSITY OF VERMONT AND VERMONT STATE COLLEGES

The University of Vermont and State Agricultural College and the Vermont State Colleges shall pay no less than the prevailing wage determinations as have been made by the Secretary of the U.S. Department of Labor in accordance with the Davis-Bacon Act, 40 U.S.C. § 276a, as may be amended, for any new construction or major renovation project that receives funding in any capital construction act.

1 **Sec. ~~2~~4. EFFECTIVE DATE**

2 This act shall take effect on July 1, 2015.