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H.492

Senators Balint, Flory, Mazza, and Rodgers move that the Senate propose to the House that the bill be amended as follows:

First: By inserting Secs. 24a through 24f to read as follows:

Sec. 24a. 29 V.S.A. § 161(b) is amended to read:

(b) Each contract awarded under this section for any State project with a construction cost exceeding \$100,000.00 and which is 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 Vermont Department of Labor in its occupational employment and wage survey plus an additional fringe benefit of 42 and one-half percent of wage, as calculated by the current Vermont prevailing wage survey. As used in this section, “fringe benefits” means benefits, including paid vacations and holidays, sick leave, employer contributions and reimbursements to health insurance and retirement benefits, and similar benefits that are incidents of employment.

Sec. 24b. 29 V.S.A. § 161(b) is amended to read:

(b) Each contract awarded under this section for any State project with a construction cost exceeding \$100,000.00 ~~and~~ or a construction project with a

1 construction cost exceeding \$200,000.00 which is authorized ~~or~~ and is at least  
2 50 percent funded ~~in whole or in part~~ by a capital construction act pursuant to  
3 32 V.S.A. § 701a shall provide that all construction employees working on the  
4 project shall be paid no less than the mean prevailing wage published  
5 periodically by the Vermont Department of Labor in its occupational  
6 employment and wage survey plus an additional fringe benefit of 42 and one-  
7 half percent of wage, as calculated by the current Vermont prevailing wage  
8 survey. As used in this section, “fringe benefits” means benefits, including  
9 paid vacations and holidays, sick leave, employer contributions and  
10 reimbursements to health insurance and retirement benefits, and similar  
11 benefits that are incidents of employment.

12 Sec. 24c. STATE CONSTRUCTION PROJECTS; CONTRACTS SUBJECT  
13 TO STATE PREVAILING WAGE;

14 (a) Notwithstanding Sec. 24a of this act, the following contracts shall  
15 remain subject to the mean prevailing wage published periodically by the  
16 Vermont Department of Labor in its occupational employment and wage  
17 survey:

18 (1) contracts for State construction projects executed prior to July 1,  
19 2016;

20 (2) any change orders or amendments to contracts for State construction  
21 projects executed prior to July 1, 2016; and

1           (3) contracts for State construction projects that result from instructions  
2           to bidders posted by the State of Vermont prior to July 1, 2016.

3           (b) On or before July 1, 2016, the Department of Buildings and General  
4           Services shall amend all bid packets and contracts to include mean prevailing  
5           wage rates published periodically by the Vermont Department of Labor in its  
6           occupational employment and wage survey plus an additional fringe benefit of  
7           42 and one-half percent of wage, as calculated by the current Vermont  
8           prevailing wage survey.

9           Sec. 24d. PREVAILING WAGE; UNIVERSITY OF VERMONT AND

10                           VERMONT STATE COLLEGES

11           Notwithstanding any other provision of law, the University of Vermont and  
12           State Agricultural College and the Vermont State Colleges shall pay no less  
13           than the prevailing wage determinations in accordance with the requirements  
14           of 29 V.S.A. § 161(b) for any new construction or major renovation project  
15           that receives funding in any capital construction act.

16           Sec. 24e. PREVAILING WAGE; AGENCY OF AGRICULTURE, FOOD

17                           AND MARKETS AND AGENCY OF NATURAL RESOURCES

18                           LABORATORY

19           Notwithstanding any other provision of law, prevailing wage determinations  
20           for the construction of the Agency of Agriculture, Food and Markets and the

1 Agency of Natural Resources laboratory shall be made in accordance with the  
2 requirements of 29 V.S.A. § 161(b).

3 Sec. 24f. PREVAILING WAGE; AUDITS

4 The Commissioner of Labor, in consultation with the Commissioner of  
5 Buildings and General Services, shall conduct random audits of any contractor  
6 subject to 29 V.S.A. § 161(b) in sufficient number to ensure compliance with  
7 statutory requirements.

8 Second: By striking out Sec. 47, Effective Date, and the Effective Date  
9 reader assistance heading, and inserting in lieu thereof the following:

10 \* \* \* Effective Dates \* \* \*

11 Sec. 47. EFFECTIVE DATES

12 This act shall take effect on passage, except that:

13 (1) Sec. 24b shall take effect on July 1, 2017; and

14 (2) Sec. 24c shall take effect on July 1, 2016.