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S.249

Introduced by Senators Pearson, Clarkson, Lyons and Sirotkin

Referred to Committee on

Date:

Subject: State construction; contracts; Davis-Bacon wages

Statement of purpose of bill as introduced: This bill proposes to require a contractor that is awarded a State construction project to submit proof to the State of completing the Davis-Bacon wage survey prior to execution of the contract.

An act relating to Davis-Bacon wage survey requirements for State construction projects

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

(a) Bids; selection.

* * *

(b) Contracts awarded.

(1) Each contract awarded under this section for any State project with a construction cost exceeding \$100,000.00 or a construction project with a construction cost exceeding \$200,000.00 ~~which~~ that is authorized and is at

1 least 50 percent funded by a capital construction act pursuant to 32 V.S.A.
2 § 701a shall provide that all construction employees working on the project
3 shall be paid ~~no~~ not less than the mean prevailing wage published periodically
4 by the Vermont Department of Labor in its occupational employment and
5 wage survey plus an additional fringe benefit of 42 and one-half percent of
6 wage, as calculated by the current Vermont prevailing wage survey. As used
7 in this section, “fringe benefits” means benefits, including paid vacations and
8 holidays, sick leave, employer contributions and reimbursements to health
9 insurance and retirement benefits, and similar benefits that are incidents of
10 employment.

11 (2) For any Davis-Bacon wage survey conducted on or after July 1,
12 2020, any contractor awarded a contract for a State construction project shall
13 submit proof to the State that he or she has completed the wage survey prior to
14 the State executing the contract.

15 (c) In the construction of any State project, local capable labor shall be
16 utilized whenever practicable, but this section shall not be construed to compel
17 any person to discharge or lay off any regular employee.

18 * * *

19 Sec. 2. EFFECTIVE DATE

20 This act shall take effect on July 1, 2020.