

COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND
1998 Legislative Session

Bill No. CB-99-1998

Chapter No. _____

Proposed and Presented by Council Members Hendershot and Estepp

Introduced by _____

Co-Sponsors _____

Date of Introduction _____

BILL

1 AN ACT concerning

2 Prince George's County Prevailing Wage for Public School Construction

3 For the purpose of providing that public school construction in the County be subject to the State
 4 Prevailing Wage law under certain circumstances.

5 WHEREAS, Section 1009 of the Charter of Prince George's County, Maryland requires that
 6 the County Council provide by law for a system of establishing prevailing hours and wages for
 7 all contractors and subcontractors performing work for the County government; and

8 WHEREAS, the County has enacted laws to borrow money and incur indebtedness upon its
 9 full faith and credit to finance the construction of public school buildings in the County;

10 WHEREAS, the State of Maryland has enacted laws to fund a portion of the costs of
 11 constructing public school buildings in the County and to provide that prevailing wage rates be
 12 paid to employees performing work on a public school construction project under certain
 13 circumstances; and

14 WHEREAS, it is the public policy of the County and the State that locally prevailing wages
 15 shall be paid to employees performing work on public works projects to provide for wage
 16 stabilization and to protect local contractors and workers from unfair and predatory competition
 17 from outside contractors which, by using cheap, imported migratory labor, obtain important
 18 public works contracts by underbidding contractors located in the community where the projects
 19 are to be constructed; and

20 WHEREAS, Section 17-201 of the State Finance and Procurement Article of the Annotated
 21 Code of Maryland provides that the governing body of a political subdivision of the State may

1 provide by ordinance that the political subdivision is covered by the provisions of Title 17,
2 Subtitle 2 and gives notice of such ordinance to the Commission of Labor and Industry; and

3 WHEREAS, it is the desire of the County to provide for the coverage of the State
4 Prevailing Wage law for public school construction projects located within the County that are
5 constructed, in whole or in part, with County and State funds under certain circumstances.

6 SECTION 1. BE IT ENACTED by the County Council of Prince George's County,
7 Maryland, that Prince George's County, Maryland (the "County") that, pursuant to the provisions
8 of Section 17-201 of the State Finance and Procurement Article of the Annotated Code of
9 Maryland, the construction, including the reconstruction, extension, acquisition, improvement,
10 enlargement, alteration, renovation, relocation, rehabilitation, repair or modernization, of
11 elementary and secondary public school buildings in the County shall be subject to the
12 provisions of Title 17, Subtitle 2, of the State Finance and Procurement Article of the Annotated
13 Code of Maryland, as amended, replaced, or recodified from time to time under certain
14 circumstances.

15 SECTION 2. BE IT FURTHER ENACTED that this Act shall apply to all contracts for the
16 construction, including the reconstruction, extension, acquisition, improvement, enlargement,
17 alteration, renovation, relocation, rehabilitation, repair or modernization, of an elementary or
18 secondary school building where the cost of such construction is in excess of Five Hundred
19 Thousand Dollars (\$500,000) and where at least twenty-five percent (25%) of the cost of
20 construction is paid using funds provided by the County.

21 SECTION 3. BE IT FURTHER ENACTED that a copy of this Act shall be provided to the
22 Maryland Commissioner of Labor and Industry in accordance with Section 17-201(i).

23 SECTION 4. BE IT FURTHER ENACTED that prior to the advertisement for bids for the
24 construction, including the reconstruction, extension, acquisition, improvement, enlargement,
25 alteration, renovation, relocation, rehabilitation, repair or modernization, of a covered elementary
26 or secondary school building, the Board of Education of Prince George's County shall obtain
27 from the Maryland Commissioner of Labor and Industry a copy of the schedule of prevailing
28 wages and shall require, as a condition precedent to the award of a bid, that such wages be paid
29 to employees performing work for the contractor.

30 SECTION 5. BE IT FURTHER ENACTED that this Act shall take effect forty-five (45)
31 calendar days after it becomes law.

Adopted this _____ day of _____, 1998.

COUNTY COUNCIL OF PRINCE
GEORGE'S COUNTY, MARYLAND

BY: _____
Ronald V. Russell
Chairman

ATTEST:

Joyce T. Sweeney
Clerk of the Council

APPROVED:

DATE: _____ BY: _____
Wayne K. Curry
County Executive