



Legislation Details (With Text)

File #: 16759 **Version:** 1 **Name:** Application of Wage Standards to Public Works Projects

Type: Charter Ordinance **Status:** Passed

File created: 11/30/2009 **In control:** PUBLIC SAFETY REVIEW COMMITTEE

On agenda: **Final action:** 1/19/2010

Enactment date: 5/14/2010 **Enactment #:** CHA-10-00001

Title: CHARTER ORDINANCE Amending Section 23.01(1)(a). of the Madison General Ordinances to clarify the application of prevailing wage standards to certain public works projects.

Sponsors: Joseph R. Clausius, Larry Palm

Indexes:

Code sections:

Attachments:

Date	Ver.	Action By	Action	Result
1/19/2010	1	COMMON COUNCIL	Adopt	Pass
1/6/2010	1	BOARD OF PUBLIC WORKS	RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER	Pass
12/15/2009	1	COMMON COUNCIL	Referred	
11/30/2009	1	Attorney's Office/Approval Group	Referred for Introduction	

Fiscal Note

No appropriation is required.

Title

CHARTER ORDINANCE Amending Section 23.01(1)(a). of the Madison General Ordinances to clarify the application of prevailing wage standards to certain public works projects.

Body

DRAFTER'S ANALYSIS: This amendment clarifies the application of prevailing wage standards to certain public works projects.

Subdivision (a) entitled "General and Authorization" of Subsection (1) entitled "Wage Rates for Employees of Public Works Contractors" of Section 23.01 entitled "Regulating of Public Work" of the Madison General Ordinances is amended to read as follows:

"(a) General and Authorization. Every contract for public works issued by the City of Madison shall contain Section 23.01(1) of these Ordinances and shall require the contractor to compensate its employees at the prevailing wage rate in accordance with Section Wis. Stat. § 66.0903, Wis. Stats., DWD 290 of the Wisconsin Administrative Code and as hereinafter provided.

This provision ordinance shall apply to all contracts for public works regardless of any exclusions contained in Wisconsin Statutes, including Sec. 66.0903(5), based on the value of the contract, number of trades involved, or type of work. This ordinance shall not apply to: a project of public works in which the labor for the project is provided by unpaid volunteers; warranty work; or work under a supply or installation contract. Notwithstanding Wis. Stat. § 66.0903(5), this ordinance shall apply to bid public works contracts for minor services and maintenance work, as defined in such statute.

"Public works" shall include building or work involving the erection, construction, remodeling, repairing or demolition of buildings, parking lots, highways, streets, bridges, sidewalks, street lighting, traffic signals, sanitary sewers, water mains and appurtenances, storm sewers, and the grading and

landscaping of public lands.

“Building or work” includes construction activity as distinguished from manufacturing, furnishing of materials, or servicing and maintenance work, except for the delivery of mineral aggregate such as sand, gravel, bituminous asphaltic concrete or stone which is incorporated into the work under contract with the City by depositing the material substantially in place, directly or through spreaders, from the transporting vehicle. “Erection, construction, remodeling, repairing” means all types of work done on a particular building or work at the site thereof in the construction or development of the project, including without limitation, erecting, construction, remodeling repairing, altering, painting, and decorating, the transporting of materials and supplies to or from the building or work done by the employees of the contractor, subcontractor, or agent thereof, and the manufacturing or furnishing of materials, articles, supplies or equipment on the site of the building or work, by persons employed by the contractor, subcontractor, or agent thereof.

“Employees working on the project” means laborers, workers, and mechanics employed directly upon the site of the work.

“Laborers, workers, mechanics and truck drivers” includes subjourneypersons and properly registered and indentured apprentices but excludes clerical, supervisory, and other personnel not performing manual labor.

This is a Charter Ordinance and shall be effective upon sixty (60) days from passage and publication subject, however, to the referendum procedures of Sec. 66.0101(5), Wis. Stats.