

## **PREVAILING WAGE RATE COMPLIANCE PROCEDURES**

### **Applicability:**

These procedures shall apply to the construction of a public work, including a building, highway, road, excavation, and repair work or other project development or improvement, paid for in whole or in part from public funds, without regard to whether the work is done under public supervision or direction. §2258.002

### **Specifications:**

In all notices to the public soliciting Bids or proposals for public works projects, the following language shall be included:

"The successful Bidder/proposer must comply with Tex. Gov't Code Ann. §§2258.001-2258.058 (Vernon 1997 Supp.) and the prevailing wage rates adopted by the El Paso Hospital District Hospital District Board of Managers for Building Construction Trades on June 13, 2017."

In all specifications prepared for competitive Bidding or requests for proposals for public works projects, the Prevailing Wage Rate Addendum attached hereto as Attachment 1 shall be included and made a part thereof.

### **Contractual Language:**

In all contracts for public works, including building construction, site and utility work, the following language set forth on Attachment 2 shall be included in the Contract either within the body of the Contract or as an addendum thereto.

### **Monitoring/Enforcement:**

The Director of Engineering at Thomason Hospital shall be the primary Hospital District contact for monitoring and enforcement of the Prevailing Wage Act. The Director shall receive and timely investigate all complaints regarding alleged violations of the prevailing wage rates. The Director may interview workers on-site to determine whether there has been compliance with the prevailing wage rates. The Director shall also receive and review the payrolls records submitted with requests for progress payment and shall review the same prior to approval of payment. The Office of the County Attorney is available to advise and assist the Director of Engineering in the monitoring and enforcement of the Act.

### **Prevailing Wage Rate Add-on to Specifications**

- A. Pursuant to Tex. Gov't Code Ann. §§2258.001-2258.058 (Vernon 1999 Pamphlet), the El Paso County Hospital District Board of Managers has duly adopted prevailing wage rates for Building Construction Trades on June 13, 2017. Said prevailing wage rates are attached hereto and incorporated herein by reference.
- B. Pursuant to Tex. Gov't Code Ann. §2258.023 (Vernon 1999 Pamphlet), each Contractor who is awarded a public works contract by the Hospital District, or a subcontractor of the Contractor, shall pay each worker employed on a public work not less than the general prevailing wage rate for each craft or type of worker as determined by Hospital District.
- C. Pursuant to Tex. Gov't Code Ann. §2258.023 (Vernon 1999 Pamphlet), a Contractor or subcontractor who violates §2258.023 shall pay to the Hospital District the sum of \$60.00 for each worker employed for each calendar day or part of the day that the worker is paid less than the wages stipulated in the Contract, and the Contract between the Hospital District and the Contractor shall set forth this penalty provision.
- D. In preparing Bids, the Bidder should use only those job classifications listed on the attached prevailing wage rate schedules, and should base its Bid on wage rates no less than those set forth on the schedules. In the event the Bidder determines that it will utilize classes of workers for which no wage rate has been determined the Bidder shall inform the Director of Materials Management prior to the deadline for submission of Bids, who shall consult with the Director of Engineering to determine whether the Bid may be based on any of the job classifications for which a rate has been set, or whether the Hospital District will need to make a new prevailing wage rate determination for the classification at issue. In the event the Hospital District makes a prevailing wage rate determination for such classification, all Bidders will be given notice and an opportunity to revise their Bids based on the new prevailing wage rate determination.

### **Prevailing Wage Rate Add-on to Contract**

- A. The Contractor is aware that and hereby agrees that not less than the prevailing wage rates adopted by the El Paso County Hospital District Board of Managers for Building Construction Trades on June 13, 2017 shall be paid to all workers on the Project. A copy of the prevailing wage rates is on the following page, and by this reference is incorporated herein as part of this Contract.
- B. Contractor agrees to comply with Tex. Gov't Code Sections 2258.001 through 2258.058 and acknowledges that it understands that it will pay to the Owner the sum of \$60.00 per day or part of a day, per worker, that a worker is paid less than said prevailing wage rates set forth in this Contract.
- C. The Contractor agrees to keep records showing the name and occupation of each worker employed by the Contractor or subcontractor in the construction of the public work and the actual per diem wages paid to each worker. The Contractor further agrees that such records shall be open at all reasonable hours to inspection by the Hospital District through its officers and agents.
- D. The Contractor shall post the prevailing wage rate schedules made part of this Contract at each work site in a prominent location readily accessible to the workers through the duration of the project. In addition, the Contractor shall post a notice to be provided by the Director of Engineering regarding Prevailing Wage Rates and the Hospital District Apprenticeship Program, in English and Spanish, which shall be posted nearby the prevailing wage rate schedules.
- E. Upon a determination by the Hospital District that there is good cause to believe that a Contractor has violated Chapter 2258 of the Texas Local Government Code, the Hospital District shall withhold any amount due under the Contract, up to and including the entire Contract price, which the Hospital District or its agent, in the exercise of reasonable discretion, determines is sufficient to 1) cover the costs to pay the worker the difference between the amount the worker received in wages for labor on the public work at the rate paid by the Contractor or subcontractor and the amount the worker would have received at the prevailing wage rate and 2) cover the costs of penalties under Section 2258.023 and 3) to ensure compliance with Chapter 2258 for the duration of the project.
- F. Payroll Records, At the time the Contractor submits its applications for progress payments to the project architect, the Contractor shall provide a certified payroll for all employees during the period of that pay request.
- G. No worker shall be discharged by the Contractor or Subcontractor or in any other manner discriminated against because such worker has filed an inquiry or complaint or instituted or caused to be instituted any legal or equitable proceeding or has testified or is about to testify in any such proceeding under or relating to the prevailing wage rate laws or the provisions of this Contract.
- H. The Contractor and subcontractors shall allow expeditious jobsite entry by the Director of Engineering and his/her agents and representatives displaying and presenting proper identification credentials to the jobsite superintendent or his/her representative. While on the jobsite the Director and his/her agents and representatives shall observe all jobsite rules and regulations concerning safety, internal security and fire prevention. The Contractor and subcontractors shall allow project employees to be interviewed at random for a reasonable duration by the Director and his/her agents and representatives to facilitate compliance determinations regarding the prevailing wage rate payment provisions and apprenticeship provisions of this Contract.

- I. In the event a particular work element of the project calls for a certain employee classification and skill that is not listed in the prevailing wage rate schedules in the Contract, the Contractor shall notify the Director who shall investigate the matter and make a recommendation to the Hospital District to make a special wage rate determination as required.
- J. The Hospital District reserves the right to terminate this Contract for cause if the Contractor and/or subcontractors shall breach any of these provisions regarding the payment of prevailing wages.
- K. The Contractor shall cause these and any other appropriate prevailing wage rate provisions to be inserted in all subcontracts relative to the work to bind the subcontractors to the same prevailing wage rate provisions as are applicable to the Contractor.



UNIVERSITY MEDICAL CENTER  
OF EL PASO

**El Paso County Hospital District**  
**2016 Prevailing Wage Rates**

Adopted June 13, 2017

**2016 Prevailing Wage Rates Building**

CLASSIFICATION	BASE WAGE PER HOUR	BENEFITS	HOURLY PREVAILING WAGE RATE	(8 HOURS) PER DIEM WAGE RATE
Automatic Fire Sprinkler Fitter, Certified	26.85	0.00	26.85	214.80
Block, Brick, and Stone Mason	17.97	0.00	17.97	143.76
Carpenters – Acoustical Ceiling Installation	15.17	0.00	15.17	121.36
Carpenter – Rough	16.55	0.00	16.55	132.40
Carpenter – All Other Work	14.98	0.00	14.98	119.84
Caulker / Sealers	11.29	0.00	11.29	90.32
Cement and Concrete Finishers	14.90	0.00	14.90	119.20
Commercial Truck Driver	14.75	0.00	14.75	118.00
Communication/Security Technician	16.50	2.12	18.62	148.96
Crane and Heavy Equipment Operator	24.19	3.43	27.62	220.96
Door & Hardware Specialist	12.00	1.35	13.35	106.80
Drywall and Ceiling Tile Installers	12.64	0.00	12.64	101.12
Drywall Finishers & Tapers	14.00	0.00	14.00	112.00
Electrician	23.36	3.40	26.75	214.00
Elevator Installers and Repairs	31.35	15.10	46.45	371.60
Fence Erectors – Include with Skilled Labor	10.00	0.00	10.00	80.00
Floor Layers – Carpet and Resilient	12.87	0.00	12.87	102.96
Floor layers- Specialty	13.00	0.00	13.00	104.00

Floor Layers - Wood	11.50	0.00	11.50	92.00
Glaziers	15.86	1.00	16.86	134.88
Hazardous Materials Removal Workers	10.00	0.00	10.00	80.00
Heating, Air Conditioning and Refrigeration Service Technician	31.14	12.43	43.57	348.56
Insulation Workers – Mechanical	31.26	11.96	43.22	345.76
Irrigator – Landscape, Certified	15.28	0.00	15.28	122.24
Laborer	11.88	0.01	11.89	95.12
Locksmith	12.00	1.35	13.35	106.80
Mechanic	17.00	0.00	17.00	136.00
Painters - Building	11.77	0.00	11.77	94.16
Paper Hanger	14.00	0.00	14.00	112.00
Pipelayers	15.00	0.00	15.00	120.00
Pipe Fitters and Steamfitters	23.53	9.02	32.55	260.40
Plaster, Stucco, Lather and EIFS Applicator	14.21	0.01	14.22	113.76
Plumber/ Medical Gas Installer	25.72	7.23	32.95	263.60
Reinforcing Iron and Rebar Workers	19.62	1.60	21.22	169.76
Roofers	16.00	0.00	16.00	128.00
Sheet Metal Workers	27.16	0.00	27.16	217.28
Structural Iron and Steel Workers / Metal Building Erector	25.57	13.24	38.81	310.48
Tile Setters	13.86	0.00	13.86	110.88

All persons required to be licensed or certified must meet those qualifications to be paid the associated rate.