

State of Colorado Prevailing Wage Program

LCPtracker Regional Seminar 2022

Introductions

- Tana Lane
 - State Buildings Manager
- Kathleen Miller
 - Apprenticeship and Prevailing Wage Analyst
- Paulette M. Horn
 - Payroll Specialist



Office of the State Architect (OSA) Overview

- OSA has statutory authority over *State owned* property with a number of exceptions including the Dept. of Law, Dept. of Natural Resources (State Land Board, Mining and Parks & Wildlife) and CDOT horizontal construction.
- Our office has 4 Programs:
 - Statewide Planning
 - Energy & Environment
 - Real Estate
 - State Buildings Program



State Buildings Program (SBP)

- SBP is responsible for the administration and tracking of the construction process for State Agencies and Institutions of Higher Education (IHE's)
- Establish standard solicitation and contract language for professional services and construction
- State Building Code Compliance
- Administer the State Emergency Controlled Maintenance fund

SBP - Organization

- Decentralized Government
 - 43 diverse agencies and institutions with unique building types:
 - ◆ Universities, Colleges and Trade Schools
 - ◆ Prisons
 - ◆ Medical/Behavioral Health
 - ◆ K-12
 - ◆ Office
 - ◆ Museums



SBP - Organization

- Unlike most states, where all construction is run by a central department, in Colorado, each agency has their own delegate so they can become subject matter experts on their unique building type.
 - SBP provides the policies and resources to be consistent from agency to agency.



State Funding

- SBP oversees \$2 billion dollars in design and construction
 - \$5 million in this upcoming fiscal year
- While the construction industry is a little crazy right now, industry leaders maintain that with the implementation of a prevailing wage program, the state projects may see a slight increase in costs. As the labor market starts receiving these wages, the private market will trend up, leveling out throughout the construction market.

State of Colorado Prevailing Wage

- SB19-196 was signed in 2019 and fully implemented on January 1, 2022
- Applies to State Public Projects of \$500,000 or more
- Federally Funded projects are exempt
- Labor poster must be posted with Prevailing Wage rates on all Public Projects
- Daily Log is required on site at all Public Projects

State of Colorado Prevailing Wage

- LCPtracker required for submitting and monitoring payrolls
- Uses Federal Davis Bacon as a guide
- Wages updated 2x a year based on Davis Bacon Wages
- Colorado Department of Labor and Employment (CDLE) handles wage violations



Prevailing Wage Program Differences

State of Colorado	Davis Bacon and Related Acts	City/County of Denver
Specific apprenticeship requirements on projects 1 Million or more	No requirement to use apprentices	No requirement to use apprentices
For construction of \$500,000 or more	For construction of \$2,000 or more	For construction of \$2,000 or more
Wage determinations updated twice a year along with ACR rates	Updated throughout the year/can be several times a year	At least annually, and as frequently as may be considered necessary.
Employees paid weekly/payrolls reported monthly	Employees paid weekly/payrolls reported weekly	Employees paid weekly/wages reported weekly
Does not apply to contracts for Public Projects that receive Federal funding	Applies only to Federally Funded Projects	Does not apply to Federally funded projects
CDLE handles Prevailing Wage Violations	Violations handled by Federal Wage and Hour Division	The Prevailing Wage Division, Office of the Auditor handles violations

Differences - State

- Specific apprenticeship requirements on projects \$1 million or more
- For construction of \$500,000 or more
- Wage determinations updated twice a year along with Apprentice Contribution Rates
- Wages are based on Davis Bacon wages - not all things are based on Davis Bacon
- Does not apply to contracts for Public Projects that receive Federal funding
- Colorado Department of Labor and Employment (CDLE) handles Prevailing Wage violations

Differences - State

- Employees paid weekly
- Payrolls reported monthly



Differences - Federal

- No requirement to use apprentices
- For construction of \$2,000 or more
- Updated throughout the year - can be several times a year
- Employees paid weekly - payrolls reported weekly
- Applies only to Federal Funded Projects
- Violations handled by Federal Wage and Hour Division

Differences - Denver

- No requirement to use apprentices
- For construction of \$2,000 or more
- Updated at least annually, and as frequently as may be considered necessary
- Employees paid weekly - wages reported weekly
- Does not apply to Federally funded projects
- The Prevailing Wage Division, Office of the Auditor handles payroll violations

Solicitation Process

- Prevailing Wage rates to be included in Solicitation package.
- Wages locked at the time of solicitation
 - For the life of the project
- Due to industry trends, include Prevailing Wage rates on projects estimated to be \$400,000 and above.
- If in doubt, ASK



Solicitation Process

- Apprentice Contribution Rates (ACR) must be included in solicitation packages estimated to be \$1 million or more
- Due to industry trends, include ACR rates on projects estimated to be \$900,000 and above
- If in doubt, ASK

APPRENTICE

Apprenticeship Program

- Public projects where the construction contract is \$1 million or more
- Does not receive Federal funds
- Requires Certification for mechanical, sheet metal, fire suppression, sprinkler fitting, electrical, and plumbing firms
- Requires that they participate in apprenticeship programs registered with the US Department of Labor's Employment and Training Administration, or State Apprenticeship Councils

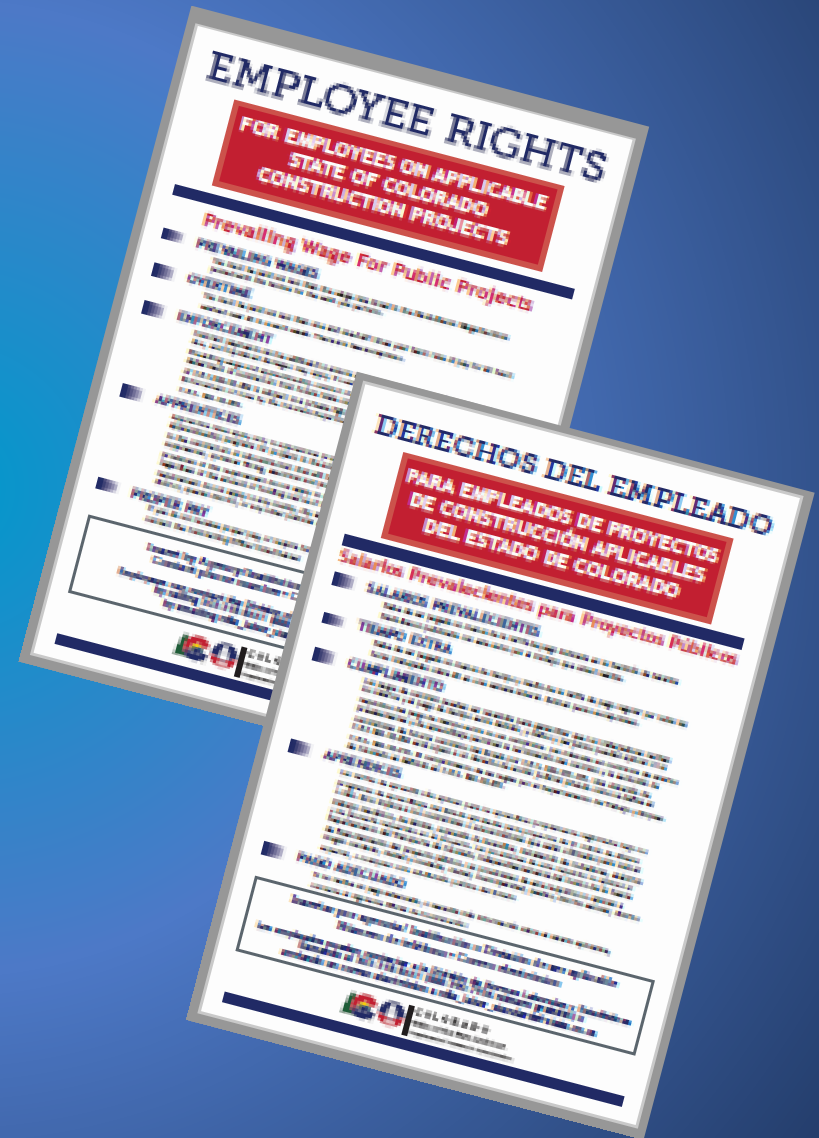
Apprenticeship Program

- Waiver Eligibility
 - Substantial evidence of no responsive, eligible subcontractors available
 - No responsive, eligible Apprenticeship Program within 50 miles one way from project



Contractor Requirements

- Utilize LCPtracker
- Request missing classifications
- Pay employees weekly
- Report wages monthly
- Post Labor Compliance Poster on Jobsite



Contractor Requirements

- Utilize a daily log sheet on the jobsite
- Payment will be withheld for incorrectly paid employees or non-submitted payroll reports
- Any complaints regarding employee pay will be handled by Colorado Department of Labor and Employment (CDLE)



Q & A Session

