

# 10-A

**MOTION:**

**May 10, 2022  
Regular Meeting  
Res. No. 22-**

**SECOND:**

**RE: AMEND THE PRINCE WILLIAM COUNTY PURCHASING REGULATIONS TO IMPLEMENT THE PREVAILING WAGE ORDINANCE (ORD. NO. 22-\_\_)**

**ACTION:**

**WHEREAS**, in 2020, the Virginia General Assembly amended Code of Virginia Section 2.2-4321.3 to authorize localities to adopt an ordinance requiring that, when letting contracts for public works paid in whole or in part by funds of the locality, or when overseeing or administering a public contract, its bid specification, project agreements, or other public contracts applicable to the public works shall require bidders, offerors, contractors, and subcontractors to pay wages, salaries, benefits, and other remuneration to any mechanic, laborer, or worker employed, retained, or otherwise hired to perform services in connection with the public contract at the prevailing wage rate; and

**WHEREAS**, after proper notice a public hearing on a proposed prevailing wage ordinance was held on May 10, 2022, and thereafter the Prince William Board of County Supervisors (Board) adopted the prevailing wage ordinance, Ord. No. 22-\_\_\_\_; and

**WHEREAS**, the prevailing wage ordinance requires the payment of prevailing wages for work performed on public works contracts of \$250,000 or greater, as authorized by Section 2.2-4321.3(C) of the Code of Virginia, and further directs the Department of Finance to bring forth amendments to the Prince William County Procurement Regulations implementing those requirements; and

**WHEREAS**, the Department of Finance has drafted amended Purchasing Regulations to implement the prevailing wage ordinance;

**NOW, THEREFORE, BE IT RESOLVED** that the Prince William Board of County Supervisors hereby amends the Purchasing Regulations to require the payment of prevailing wages for work performed on public works contracts of \$250,000 or greater, as authorized by Section 2.2-4321.3(C) of the Code of Virginia;

**BE IT FURTHER RESOLVED** that the amendment to the Prince William County Purchasing Regulations shall take effect on 12:01 a.m. on \_\_\_\_\_.

**ATTACHMENT:** Proposed Changes To The Prince William County Purchasing Regulations

**Votes:**

**Ayes:** Angry, Bailey, Boddye, Candland, Franklin, Lawson, Vega, Wheeler

**Nays:** None

**Absent from Vote:** None

**Absent from Meeting:** None

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**Regular Meeting**  
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**For Information:**  
Director of Finance  
County Attorney

**ATTEST:** \_\_\_\_\_

**Clerk to the Board**

## Prince William County Procurement Regulations

### 100.04(A).64 Definitions

#### Public Works:

The operation, erection, construction, alteration, improvement, maintenance, or repair of any public facility or immovable property owned, used, or leased by the state agency or locality.

### 100.12(M). Required Contract Provisions

In accordance with Virginia Code § 2.2-4321.3(C), the contractor shall include a clause that requires bidders, offerors, contractors, and subcontractors pay wages, salaries, benefits and other remuneration to any mechanic, laborer or worker employed, retained or otherwise hired to perform services in connection with the contract at the prevailing wage rate.

The “prevailing wage rate” means the rate, amount, or level of wages, salaries, benefits, and other remuneration prevailing for the corresponding classes of mechanics, laborers, or workers employed for the same work in the same trade or occupation in the locality in which the public facility or immovable property that is the subject of public works is located, as determined by the Commissioner of Labor and Industry on the basis of applicable prevailing wage rate determinations made by the U.S. Secretary of Labor under the provisions of the Davis-Bacon Act, 40 U.S.C. § 276 et seq., as amended.

The contractor shall include the prevailing wage rate requirement, above, in each of its subcontracts so that the provisions will be binding upon each subcontractor or vendor.



May 4, 2022

TO: Prince William Board of County Supervisors

FROM: Adam Manne  
Assistant Director of Finance for Procurement Services

RE: Amend the Prince William County Procurement Regulations to require the Payment of Prevailing Wages

MEETING  
DATE: May 10, 2022

PROPOSED AMENDED SECTIONS

Section 100.04(A).64 Definitions

Section 100.12(M). Required Contract Provisions

In 2020, the Virginia General Assembly amended Code of Virginia Section 2.2-4321.3 to authorize localities to adopt an ordinance requiring that, when letting contracts for public works paid in whole or in part by funds of the locality, or when overseeing or administering a public contract, its bid specification, project agreements, or other public contracts applicable to the public works shall require bidders, offerors, contractors, and subcontractors to pay wages, salaries, benefits, and other remuneration to any mechanic, laborer, or worker employed, retained, or otherwise hired to perform services in connection with the public contract at the prevailing wage rate.

A notice of a public hearing on this proposed ordinance was advertised in newspapers of general circulation in the County and a public hearing was authorized by the Board to be held on May 10, 2022.

In the event that the Board passes the ordinance, the Board is requested to amend the Prince William County Procurement Regulations to include the payment of Prevailing Wages to be consistent with Section 2.2-4300 et seq. of the Code of Virginia, Virginia Public Procurement Act (VPPA), as amended.