

IN THE COUNTY LEGISLATURE OF JACKSON COUNTY, MISSOURI

AN ORDINANCE repealing section 1072., Jackson County Code, 1984, relating to construction projects, and enacting, in lieu thereof, one new section relating to the same subject.

ORDINANCE #4418, June 4, 2012

INTRODUCED BY James D. Tindall, County Legislator

WHEREAS, the County has a strong commitment to Missouri's Prevailing Wage Law and, in support of this commitment, has undertaken a systematic review of the County ordinances and contracts relating to construction projects; and,

WHEREAS, the Legislature has determined that, section 1072. of the County Code, which governs prevailing wage enforcement on County construction projects, as currently written works a hardship on some small and minority and women-owned trucking companies; and,

WHEREAS, an amendment to section 1072. may ease this hardship, while remaining consistent with State law; and,

WHEREAS, this amendment is in the best interest of the health, welfare, and safety of the citizens of Jackson County; now therefore,

BE IT ORDAINED by the County Legislature of Jackson County, Missouri, as follows:

Section A. Enacting Clause. Section 1072., Jackson County Code, 1984, is hereby repealed and one new schedule enacted in lieu thereof, to be known as section 1072., to read as follows:

1072. Construction Projects - Requirements To Bid - Wages and Benefits - Certain Employers.

Jackson County reaffirms its long-standing policy that no less than the prevailing hourly rate of wages shall be paid to all workers performing work on construction projects on behalf of Jackson County. As a condition of eligibility to bid for or perform work on any Jackson County construction project funded in whole or in part by the County, producers or suppliers of dirt, sand, rock, asphalt, fly ash and/or concrete must pay their delivery employees no less than the prevailing rate of wages for work associated with the county construction project, as defined by section 290.210(5), RSMo, and the occupational titles listed in 8 CSR 30-3.060(Z). Wage rates for delivery employees shall be derived from the Missouri Annual Wage Order incorporated into the bid for the construction work. Delivery employees are covered under this section when delivering from an off-site location or a designated site location to the work site as outlined under 8 CSR-30-3.020(1) and (2). Notwithstanding the foregoing, and except as otherwise required by Missouri law or regulation, this section shall not apply to delivery drivers employed by any producer, supplier, or hauler of materials to any County construction project, if said producer, supplier, or hauler employs fifteen or fewer persons, including any owner-operator who makes deliveries of materials on his or her own behalf, and owns or leases, for a term

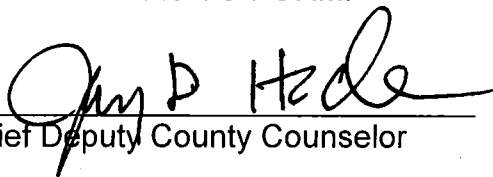
longer than one year, five or fewer delivery trucks.

1072.1 Compliance Review Officer.

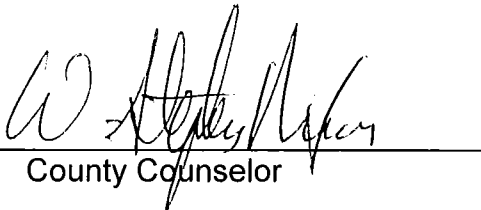
In addition to the duties set forth in chapter 6 of this code, it shall be the duty of the Compliance Review Officer to monitor the producers or suppliers of the commodities enumerated in this section awarded County contracts to insure compliance with the prevailing rate of wages.

Effective Date: This Ordinance shall be effective immediately upon its signature by the County Executive.

APPROVED AS TO FORM:



Chief Deputy County Counselor



County Counselor

I hereby certify that the attached Ordinance #4418 introduced on June 4, 2012 was duly ~~passed on~~ **WITHDRAWN JUN 25 2012**, 2012 by the Jackson County Legislature. The votes thereon were as follows:

Yeas _____

Nays _____

Abstaining _____

Absents _____

WITHDRAWN JUN 25 2012

This Ordinance is hereby transmitted to the County Executive for his signature.

Date

Mary Jo Spino, Clerk of Legislature

I hereby approve the attached Ordinance #4418.

Date

Michael D. Sanders, County Executive