



# Denver Prevailing Wage Pre-Bid



# Introduction

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## **Prevailing Wage**

- Denver city Ordinance (Section 20-76 of the Denver Revised Municipal Code), requires any contractor or subcontractor at any tier who performs construction, alteration, improvements, repairs, maintenance, or demolition of any city-owned or leased building or on any city-owned land, to pay its employees working on those city projects not less than the appropriate prevailing wage as determined by the Denver Office of Human Resources for the work performed.

## **Denver Wage Determinations**

- Building + Supplemental
- Heavy + Supplemental
- Highway + Supplemental
- Davis-Bacon Wages
- PW-Admin



# Introduction

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# Considerations

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# Rates and Classifications

- Employees are to be classified and paid properly for the classifications of work they are performing on site.
- Prevailing wage rates are a minimum and if you've established a higher wage rate you must continue to pay that wage rate.

Description	Base rate	Fringe rate
Prevailing wage rate	\$30.00	\$8.00
Contractor established rate	<b>\$40.00</b>	\$0.00



- Prevailing wage rates listed in the wage determination can't be less than Denver Citywide Minimum: **01/01/2024 - \$18.29**



# Fringe benefits

- Fringe benefits must be paid as part of prevailing wage.
- Contractor paid fringe benefits must have approval before being applied ([pwfringes@denvergov.org](mailto:pwfringes@denvergov.org)).
- Fringe approvals will be valid for 1 year.
- Fringe benefits not approved must be paid as cash directly to the employee.
- Fringe owed on standard-time and overtime.





# Overtime

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- Overtime is enforced after 40 hours and after 12 hours worked per day.
- Overtime is calculated at 1½ times the hourly base rate only.
- The overtime rate is the greater of a) the sum of one-and-a-half times the prevailing wage base pay rate and the required fringe benefit rate; or b) the sum of one-and-a-half times the established base pay rate and the required fringe benefit rate.
- Fringe must be paid for every hour worked but is not calculated at 1½ times.



# Apprentices

- Our office only recognizes apprentices with a current U.S. Department of Labor Office of Apprentice Certification.
- Our office enforces a 1 to 1 ratio. The maximum is one apprentice to one journeyman.
- **If you cannot provide a current Apprentice Certificate and/or an apprentice is working out-of-ratio the apprentice must be paid the applicable journeyman wage rate.**



U.S. DEPARTMENT OF LABOR - OFFICE OF APPRENTICESHIP  
APPRENTICESHIP CERTIFICATION

██████████  
Englewood, Co., CO 80112

The following individuals are apprentices registered with the U.S. Department of Labor, Office of Apprenticeship, under the sponsorship of program CO003010009 - ██████████:

██████████  
ENGLEWOOD, CO 80112

Apprentice ID	SSN	Apprentice Name	Occupation	Date Apprenticeship Began	Date Cancelled	Date Completed
CO ██████████	***-██-██	██████	ELECTRICIAN (Alternate Title: Interior Electrician) (0159 V1) Time-Based	7/10/2023		



Certified by the U.S. Department of Labor

Date Issued: 3/29/2024

\*\*\*\*VOID 90 DAYS FROM ISSUE DATE\*\*\*\*



# Salaried Personnel

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- Do NOT report salaried personnel if only supervising.
- **Salary Personnel Performing Work** must be converted to an hourly rate and must be at least the minimum prevailing wage rate (salary divided by 2080).
- Overtime applies to salaried personnel performing work after 40 hours.



# Owner-Operators

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- Self-performing owner-operators are required to submit certified payroll.
- All contractors who classify themselves as Owner-Operators must verify to our office that they are a legitimate business entity.
- Owner-operator payroll must include ONLY hours but not rates.



# Weekly Payment of Employees

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- Employees are to be paid on a weekly basis
- Cash payments are NOT allowed



# Changes in Wage Rates

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- Denver Prevailing Wage rates remain in effect for 12 months from the anniversary date and then are updated annually.
- The anniversary date is the contract bid issuance/advertisement/publication date or for Purchase Orders it is the issue date.
- On projects with federal funds, wage rates are frozen for the duration of the project.





# On-Site Inspections

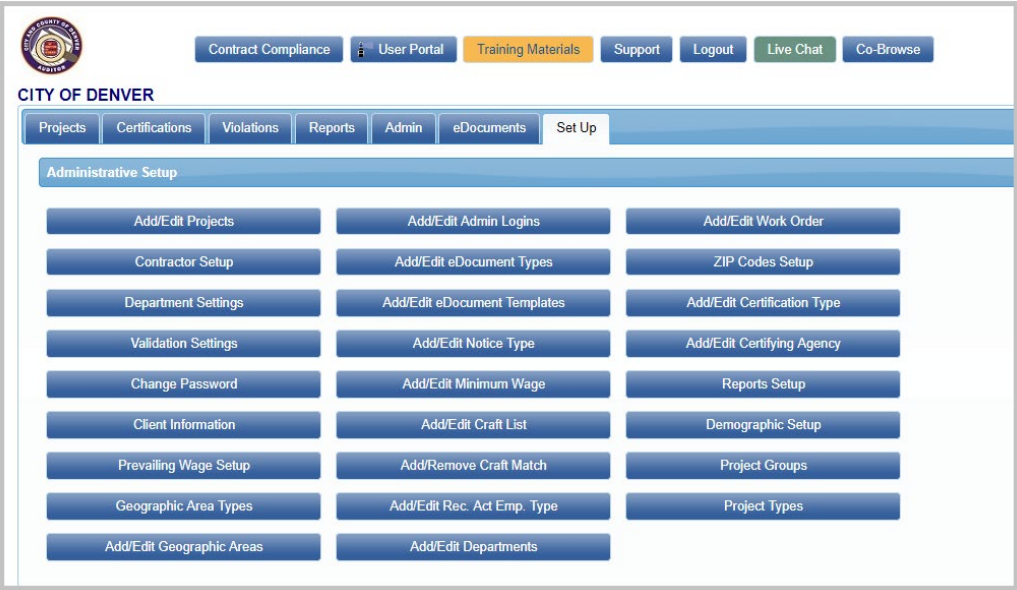
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- On-site inspections will be conducted.
- Please inform your employees that this is a prevailing wage project, and our office has the authority to observe work being performed, conduct employee interviews and take pictures.
- Wage Rate and Prevailing Wage posters must be displayed in an easily accessible place on the job site.





# Submittal of Certified Payroll Records



- All contractors (at any tier) that perform work on the project must enter certified payrolls.
- Certified payroll records must be submitted electronically via LCPtracker.
- Our office is available to assist with using LCPtracker.



# Other deductions

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- Other deduction documentation will be required by your Analyst/Technician in charge.
- Every Contractor, Subcontractor at any tier need to explain the amount entered in the "Other Deductions" cell in the employee(s) payroll record (Example: Life insurance \$5.00, Dental insurance \$6.00).



# General

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- Contractors are responsible for the entire project.
- Contractors need to provide a list of subcontractors at any tier.
- If 1099 employees are working on a City project, we have to verified their status, we can provide more information if that is the situation.





# Non-Compliance

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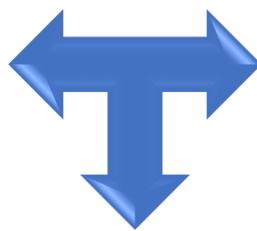
# Non-Compliance

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## Rejected payrolls

- Missing documentation
- Underpayments
- Fringes not approved

## Payrolls not submitted



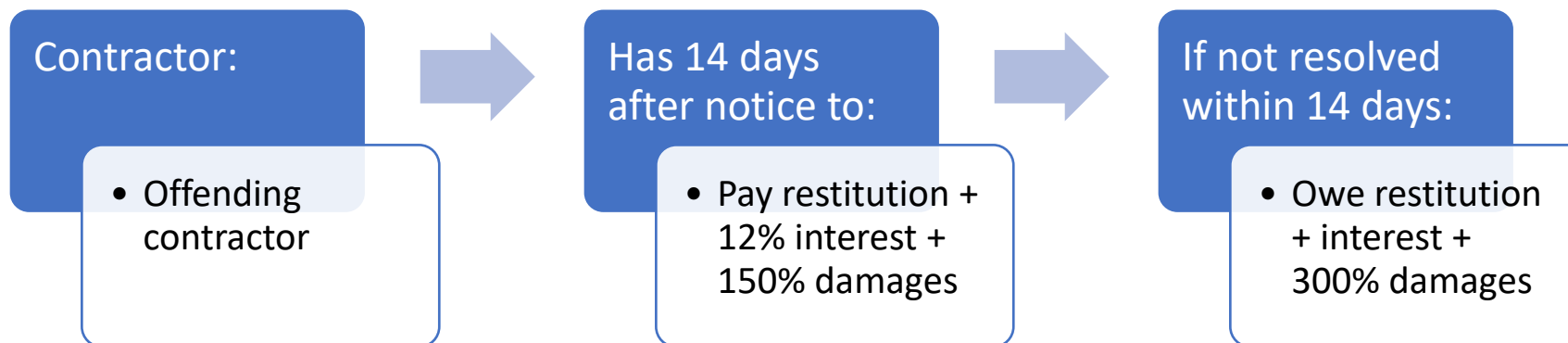
Invoices  
on hold



# Underpayment Penalties

Denver **Civil Wage Theft Ordinance** creates more significant penalties and remedies for wage theft, including failure to pay the correct prevailing wages. To that end, we now have new authority to impose penalties and damages from DCWTO on select prevailing wage restitution cases.

- Penalties are monetary sanctions for violations of the DCWTO that are imposed on an employer.
- Damages are also monetary sanctions for violations of the DCWTO that are imposed on an employer, when paid they go directly to affected workers.





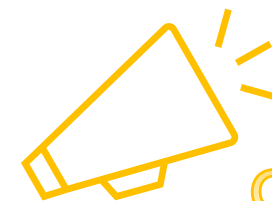
# Reporting Penalties

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The Prevailing Wage Division may assess the following fines:

- Five hundred dollars per week for each week during which a contractor or subcontractor at any tier fails to submit any certified payrolls where work was performed;
- Fifty dollars per week for each incident of false reporting on a certified payroll, not corrected within 15 days of the date the issue was brought to attention of the contractor or subcontractor at any tier.

This penalty shall be paid to the City and County of Denver. In addition to these fines, employers are still required to pay any underpaid wages.



Submit payrolls weekly

Correct observations



# Thank you

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Prevailing Wage

720-913-5000

<https://denvergov.org/Government/Agencies-Departments-Offices/Agencies-Departments-Offices-Directory/Auditors-Office/Denver-Labor/Prevailing-Wage>