

## ARTICLE II. - CONSTRUCTION CONTRACTS-MINIMUM WAGES AND BENEFITS

### Sec. 31-27. - Establishment of minimum wages.

Every construction contract in excess of \$1,000,000.00 to which the City of Miami Beach is a party shall include a provision that the rate of wages and fringe benefits, or cash equivalent, for all laborers, mechanics and apprentices employed by any contractor or subcontractor on the work covered by the contract, shall be not less than the prevailing rate of wages and fringe benefit payments or cash equivalence for similar skills or classifications of work as established by the Federal Register, in the City of Miami Beach, Florida.

Every three years commencing in 1997, the city manager shall present a report to the city commission regarding increases in the Construction Cost Index for South Florida, if any, and shall recommend to the city commission whether there should be an adjustment to the \$1,000,000.00 threshold. In the event that the city manager recommends an adjustment, the city commission shall hold a public hearing regarding an amendment to this article to provide for the adjustment.

(Ord. No. 86-2507, § 1, 7-9-86; Ord. No. 94-2960, § 1, 12-21-94)

### Sec. 31-28. - Implementation by the Federal Register.

The prevailing wage rate and fringe benefit payments to be used in implementation of this article shall be those last published by the United States Department of Labor in the Federal Register prior to the date of issuance of specifications by the City of Miami Beach in connection with its invitation for bid.

(Ord. No. 86-2507, § 1, 7-9-86; Ord. No. 94-2960, § 1, 12-21-94)

### Sec. 31-29. - Notice requirement.

On the date on which a laborer or mechanic commences work on a construction contract to which this article applies, the contractor shall be required to post a notice in a prominent place at the work site stating the requirements of this article.

(Ord. No. 86-2507, § 1, 7-9-86; Ord. No. 94-2960, § 1, 12-21-94)

### Sec 31-30. - Preemption by federal funding.

When construction contracts involve federal funding or are otherwise subject to the provisions of the Davis-Bacon Act [40 U.S.C. 276(a)], this article shall not apply, and the minimum wages to be paid the various classes of laborers, mechanics and apprentices shall be based upon the wages determined by the Secretary of Labor in accordance with the Davis-Bacon Act [40 U.S.C. 276(a)].

(Ord. No. 86-2507, § 1, 7-9-86; Ord. No. 94-2960, § 1, 12-21-94)

### Sec. 31-31. - Exceptions.

The provisions of section 31-27 shall not apply to the following City of Miami Beach projects:

- (a) Water, except water treatment facilities and lift stations.
- (b) Sewer, except sewage treatment facilities and lift stations.
- (c) Storm drainage.

- (d) Road construction, except bridges or structures requiring pilings.
- (e) Beautification projects which may include resurfacing new curbs, gutters, pavers, sidewalks, landscaping, new lighting, bus shelters, bus benches and signage.
- (f) Proposed parking garage projects located at Seventh Street and Collins Avenue, Tenth Street and Collins Avenue, Thirteenth Street and Collins Avenue, Twelfth Street and Washington Avenue and the Seventeenth Street garage renovation project; however future parking structures not specified herein and estimated to cost in excess of \$1,000,000.00 shall not be exempt.

In determining whether a construction project meets the \$1,000,000.00 estimated cost threshold in section 31-27, all segments of the project, except land acquisition, architectural/engineering design, and legal costs, shall be considered as one entirety. Construction projects for which the estimated cost exceeds \$1,000,000.00 shall not be bid in a manner which would avoid the requirements of section 31-27.

(Ord. No. 86-2507, § 1, 7-9-86; Ord. No. 94-2960, § 1, 12-21-94)

Secs. 31-32—31-39. - Reserved.