

RESOLUTION NO. 004-19
RESOLUTION ADOPTING PREVAILING WAGE RATE SCALE
FOR CONSTRUCTION PROJECTS

WHEREAS, The Woodlands Township (the "Township") has been heretofore duly created and organized as a political subdivision of the state; and

WHEREAS, Chapter 2258, Texas Government Code ("Chapter 2258"), requires the Township to determine the general prevailing rate of per diem wages for each craft or type of worker in the locality in which a construction project for the Township is to be performed and the general prevailing rate of per diem wages for legal holiday and overtime work; and

WHEREAS, Chapter 2258 provides that a worker employed on a construction project by or on behalf of the Township shall be paid not less than said general prevailing rates, as applicable; and

WHEREAS, Chapter 2258 provides that a contractor which is awarded a construction contract for the Township, or a subcontractor of the contractor, shall pay not less than the rates determined as set forth above to a worker employed in the execution of such contract for a construction project; and

WHEREAS, Chapter 2258 applies to construction projects paid for in whole or in part from funds of the Township, regardless of whether the work is done under the Township's supervision or direction; and

WHEREAS, the Board of Directors of the Township (the "Board") has determined the general prevailing rate of per diem wages by using the prevailing wage rate as determined by the United States Department of Labor in accordance with the Davis-Bacon Act (40 U.S.C. §276a *et seq.*), as amended, and has determined to adopt a Prevailing Wage Rate Scale for Construction Projects for the Township.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE WOODLANDS TOWNSHIP THAT:

Section 1: The Board has determined the general prevailing rate of per diem wages for each craft or type of worker in the locality in which a construction project for the Township is to be performed and the general prevailing rate of per diem wages for legal holiday and overtime work, by using the prevailing wage rate as determined by the United States Department of Labor, in accordance with the Davis-Bacon Act (40 U.S.C. Section 276a *et seq.*), as amended. Further, the Board has determined that the wage rates in the Prevailing Wage Rate Scale for Construction Projects (comprised of one or more United States Department of Labor wage determination scales for each project type) attached as Exhibit A (a copy of which is attached and incorporated for all purposes) are the general prevailing wage rates for construction projects by or on behalf of the Township.

Section 2: The Township hereby adopts the Prevailing Wage Rate Scale for Construction Projects attached hereto as Exhibit A, which establishes minimum rates for each project type that shall be used by all contractors and their subcontractors on construction projects by or on behalf of the Township.

Section 3: A contractor or subcontractor on a construction project by or on behalf of the Township shall maintain records as required by Chapter 2258 and shall be subject to the penalties, forfeitures, and withholding of money for failure to comply with this Resolution and/or pending a final determination of an alleged violation, as provided in Chapter 2258.

Section 4: The Township President/General Manager is hereby directed and authorized to specify the wage rates adopted hereunder for each project type in all specifications for bids and contracts for construction projects by or on behalf of the Township.

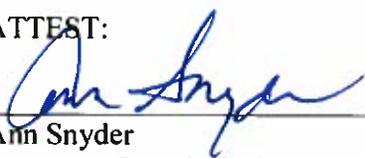
Section 5: Any prior Resolution Adopting Prevailing Wage Rate Scale for Construction Projects previously adopted by the Board is hereby revoked.

PASSED and ADOPTED this 21st day of February, 2019.



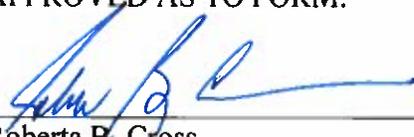
Gordy Bunch
Chairman, Board of Directors

ATTEST:



Ann Snyder
Secretary, Board of Directors

APPROVED AS TO FORM:



Roberta B. Cross
Township Attorney

Installation of Alarms).....\$ 32.25 9.14

ELEV0031-003 01/01/2018

Rates Fringes

ELEVATOR MECHANIC.....\$ 41.28 32.645+a+b

FOOTNOTES:

A. 6% under 5 years based on regular hourly rate for all hours worked. 8% over 5 years based on regular hourly rate for all hours worked.

B. Holidays: New Year's Day; Memorial Day; Independence Day; Labor Day; Thanksgiving Day; Friday after Thanksgiving Day; Christmas Day; and Veterans Day.

ENGI0450-002 04/01/2014

Rates Fringes

POWER EQUIPMENT OPERATOR
Cranes.....\$ 34.85 9.85

IRON0084-011 06/01/2018

Rates Fringes

IRONWORKER, ORNAMENTAL.....\$ 23.77 7.12

PLAS0079-004 01/01/2015

Rates Fringes

PLASTERER.....\$ 19.92 1.00

PLUM0068-002 10/01/2018

Rates Fringes

PLUMBER.....\$ 35.60 11.04

* PLUM0211-002 10/01/2018

Rates Fringes

PIPEFITTER (HVAC Pipe
Installation Only).....\$ 33.30 12.26

SHEE0054-003 07/01/2017

Rates Fringes

SHEET METAL WORKER (Excludes
HVAC Duct and Unit
Installation).....\$ 27.72 13.70

SUTX2014-038 07/21/2014

Rates Fringes

ACOUSTICAL CEILING MECHANIC.....\$ 16.41 3.98

BRICKLAYER.....\$ 19.86 0.00

CARPENTER (Batt Installation Only).....	\$ 14.87	0.73
CARPENTER, Excludes Acoustical Ceiling Installation, Batt Insulation, Drywall Hanging, Form Work, and Metal Stud Installation.....	\$ 18.81	2.10
CAULKER.....	\$ 15.36	0.00
CEMENT MASON/CONCRETE FINISHER...	\$ 13.37	0.00
DRYWALL FINISHER/TAPER.....	\$ 16.30	3.71
DRYWALL HANGER AND METAL STUD INSTALLER.....	\$ 17.45	3.96
ELECTRICIAN (Alarm Installation Only).....	\$ 17.97	3.37
ELECTRICIAN (Low Voltage Wiring Only).....	\$ 18.00	1.68
FLOOR LAYER: Carpet.....	\$ 20.00	0.00
FORM WORKER.....	\$ 13.13	0.00
GLAZIER.....	\$ 19.12	4.41
IRONWORKER, REINFORCING.....	\$ 12.10	0.00
IRONWORKER, STRUCTURAL.....	\$ 27.15	5.66
LABORER: Common or General.....	\$ 10.20	0.00
LABORER: Mason Tender - Brick...	\$ 13.37	0.00
LABORER: Mason Tender - Cement/Concrete.....	\$ 10.50	0.00
LABORER: Pipelayer.....	\$ 12.94	0.00
LABORER: Roof Tearoff.....	\$ 11.28	0.00
LABORER: Landscape and Irrigation.....	\$ 9.49	0.00
LATHER.....	\$ 19.73	0.00
OPERATOR: Backhoe/Excavator/Trackhoe.....	\$ 16.17	0.00
OPERATOR: Bobcat/Skid Steer/Skid Loader.....	\$ 13.93	0.00
OPERATOR: Bulldozer.....	\$ 20.77	0.00
OPERATOR: Drill.....	\$ 16.22	0.34
OPERATOR: Forklift.....	\$ 15.64	0.00
OPERATOR: Grader/Blade.....	\$ 13.37	0.00

OPERATOR: Loader.....	\$ 13.55	0.94
OPERATOR: Mechanic.....	\$ 17.52	3.33
OPERATOR: Paver (Asphalt, Aggregate, and Concrete).....	\$ 16.03	0.00
OPERATOR: Roller.....	\$ 16.00	0.00
PAINTER (Brush, Roller and Spray), Excludes Drywall Finishing/Taping.....	\$ 16.77	4.51
PIPEFITTER, Excludes HVAC Pipe Installation.....	\$ 26.73	11.13
ROOFER.....	\$ 15.40	0.00
SHEET METAL WORKER (HVAC Duct Installation Only).....	\$ 20.17	4.77
SHEET METAL WORKER (HVAC Unit Installation Only).....	\$ 19.67	2.24
SPRINKLER FITTER (Fire Sprinklers).....	\$ 22.17	9.70
TILE FINISHER.....	\$ 12.00	0.00
TILE SETTER.....	\$ 16.17	0.00
TRUCK DRIVER: 1/Single Axle Truck.....	\$ 14.95	5.23
TRUCK DRIVER: Dump Truck.....	\$ 12.39	1.18
TRUCK DRIVER: Flatbed Truck.....	\$ 19.65	8.57
TRUCK DRIVER: Semi-Trailer Truck.....	\$ 12.50	0.00
TRUCK DRIVER: Water Truck.....	\$ 12.00	4.11
WATERPROOFER.....	\$ 14.39	0.00

WELDERS - Receive rate prescribed for craft performing operation to which welding is incidental.

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Note: Executive Order (EO) 13706, Establishing Paid Sick Leave for Federal Contractors applies to all contracts subject to the Davis-Bacon Act for which the contract is awarded (and any solicitation was issued) on or after January 1, 2017. If this contract is covered by the EO, the contractor must provide employees with 1 hour of paid sick leave for every 30 hours they work, up to 56 hours of paid sick leave each year. Employees must be permitted to use paid sick leave for their own illness, injury or other health-related needs, including preventive care; to assist a family member (or person who is like family to the employee) who is ill, injured, or has other health-related needs, including preventive care; or for reasons resulting from, or to assist a family member (or person who is

like family to the employee) who is a victim of, domestic violence, sexual assault, or stalking. Additional information on contractor requirements and worker protections under the EO is available at www.dol.gov/whd/govcontracts.

Unlisted classifications needed for work not included within the scope of the classifications listed may be added after award only as provided in the labor standards contract clauses (29CFR 5.5 (a) (1) (ii)).

The body of each wage determination lists the classification and wage rates that have been found to be prevailing for the cited type(s) of construction in the area covered by the wage determination. The classifications are listed in alphabetical order of "identifiers" that indicate whether the particular rate is a union rate (current union negotiated rate for local), a survey rate (weighted average rate) or a union average rate (weighted union average rate).

Union Rate Identifiers

A four letter classification abbreviation identifier enclosed in dotted lines beginning with characters other than "SU" or "UAVG" denotes that the union classification and rate were prevailing for that classification in the survey. Example: PLUM0198-005 07/01/2014. PLUM is an abbreviation identifier of the union which prevailed in the survey for this classification, which in this example would be Plumbers. 0198 indicates the local union number or district council number where applicable, i.e., Plumbers Local 0198. The next number, 005 in the example, is an internal number used in processing the wage determination. 07/01/2014 is the effective date of the most current negotiated rate, which in this example is July 1, 2014.

Union prevailing wage rates are updated to reflect all rate changes in the collective bargaining agreement (CBA) governing this classification and rate.

Survey Rate Identifiers

Classifications listed under the "SU" identifier indicate that no one rate prevailed for this classification in the survey and the published rate is derived by computing a weighted average rate based on all the rates reported in the survey for that classification. As this weighted average rate includes all rates reported in the survey, it may include both union and non-union rates. Example: SULA2012-007 5/13/2014. SU indicates the rates are survey rates based on a weighted average calculation of rates and are not majority rates. LA indicates the State of Louisiana. 2012 is the year of survey on which these classifications and rates are based. The next number, 007 in the example, is an internal number used in producing the wage determination. 5/13/2014 indicates the survey completion date for the classifications and rates under that identifier.

Survey wage rates are not updated and remain in effect until a new survey is conducted.

Union Average Rate Identifiers

Classification(s) listed under the UAVG identifier indicate that no single majority rate prevailed for those classifications; however, 100% of the data reported for the classifications was union data. EXAMPLE: UAVG-OH-0010 08/29/2014. UAVG indicates that the rate is a weighted union average rate. OH indicates the state. The next number, 0010 in the example, is an internal number used in producing the wage determination. 08/29/2014 indicates the survey completion date for the classifications and rates under that identifier.

A UAVG rate will be updated once a year, usually in January of each year, to reflect a weighted average of the current negotiated/CBA rate of the union locals from which the rate is based.

WAGE DETERMINATION APPEALS PROCESS

1.) Has there been an initial decision in the matter? This can be:

- * an existing published wage determination
- * a survey underlying a wage determination
- * a Wage and Hour Division letter setting forth a position on a wage determination matter
- * a conformance (additional classification and rate) ruling

On survey related matters, initial contact, including requests for summaries of surveys, should be with the Wage and Hour Regional Office for the area in which the survey was conducted because those Regional Offices have responsibility for the Davis-Bacon survey program. If the response from this initial contact is not satisfactory, then the process described in 2.) and 3.) should be followed.

With regard to any other matter not yet ripe for the formal process described here, initial contact should be with the Branch of Construction Wage Determinations. Write to:

Branch of Construction Wage Determinations
Wage and Hour Division
U.S. Department of Labor
200 Constitution Avenue, N.W.
Washington, DC 20210

2.) If the answer to the question in 1.) is yes, then an interested party (those affected by the action) can request review and reconsideration from the Wage and Hour Administrator (See 29 CFR Part 1.8 and 29 CFR Part 7). Write to:

Wage and Hour Administrator
U.S. Department of Labor
200 Constitution Avenue, N.W.
Washington, DC 20210

The request should be accompanied by a full statement of the interested party's position and by any information (wage payment data, project description, area practice material, etc.) that the requestor considers relevant to the issue.

3.) If the decision of the Administrator is not favorable, an interested party may appeal directly to the Administrative

Review Board (formerly the Wage Appeals Board). Write to:

Administrative Review Board
U.S. Department of Labor
200 Constitution Avenue, N.W.
Washington, DC 20210

4.) All decisions by the Administrative Review Board are final.

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END OF GENERAL DECISION