

1 BY AUTHORITY

2 ORDINANCE NO. _____
3 SERIES OF 2026

COUNCIL BILL NO. _____
COMMITTEE OF REFERENCE:

4
5 A BILL
6

7 **For an ordinance amending Section 20-76, Division 3, Article IV, Chapter 20 of the**
8 **Denver Revised Municipal Code regarding prevailing wage paid to certain**
9 **workers.**
10

11 **BE IT ENACTED BY THE COUNCIL OF THE CITY AND COUNTY OF DENVER:**

12 **Section 1.** That chapter 20, article IV, division 3, of the Code shall be amended by deleting the
13 language stricken and adding the language underlined, to read as follows:

14 **Sec. 20-76. - Payment of prevailing wages.**

15 (a) *Required.* The following workers shall be paid not less than the wages and fringe
16 benefits prevailing for the same class and kind of work in the Denver metropolitan area as determined
17 by the auditor under subsection (c):

18 (1) Every worker, mechanic or other laborer employed by any contractor or subcontractor in
19 the work of drayage or of construction, alteration, improvement, repair, maintenance or demolition on:

20 a. Any city-owned or leased building or on any city-owned land;

21 b. Pursuant to a contract by or in behalf of the city;

22 c. For any agency of the city; or

23 d. Financed in whole or in part by the city, or any agency of the city;

24 (2) Every worker or other laborer employed by a contractor or subcontractor engaged in the
25 work of a doorkeeper, caretaker, cleaner, window washer, porter, keeper, janitor, or in similar custodial
26 or janitorial work;

27 a. in connection with the operation of any such city-owned or leased building;

28 b. By or in behalf of the city;

29 c. For any agency of the city; or

30 d. Financed in whole or in part by the city, or any agency of the city,

31 ~~shall be paid not less than the wages and fringe benefits prevailing for the same class and kind of work in~~
32 ~~the Denver metropolitan area as determined by the auditor under subsection (c).~~

33 The Denver metropolitan area shall be determined by the auditor. This section shall not apply to any
34 participant in a youth employment program certified by the city where the participant is employed in

1 non-construction work, including the work of materials furnishing, servicing and maintenance of any
2 city-owned or leased building or on city-owned land and the work of landscaping that is not performed
3 in connection with the construction or renovation of a city-owned or leased building; nor shall this
4 section apply to situations where there is no contract directly requiring or permitting the work described
5 above, or contracts that are neither a revenue or expenditure contract contemplating such work, such
6 as licenses or permits to use city-owned land.

7 (b) *Contract specifications.* Every contract with an aggregate value, including all change
8 orders, amendments or other alterations to the value, in excess of two thousand dollars (\$2,000.00) to
9 which the city or any of its agencies is a party which requires the performance of work involving
10 drayage or involving construction, alteration, improvements, repairs, maintenance or demolition
11 pursuant to a contract by or on behalf of the city or any agency of the city, that is financed in whole or
12 in part by the city or any agency of the city, or is performed on any city-owned or leased building or
13 on any city-owned land, or which requires the performance of the work of a doorkeeper, caretaker,
14 cleaner, window washer, porter, keeper, janitor, or similar custodial or janitorial work in connection with
15 the operation of any such city-owned or leased building, by or on behalf of the city or any agency of
16 the city, or financed in whole or in part by the city or any agency of the city, public building or the
17 ~~prosecution of any such public work,~~ shall contain a provision stating that the minimum wages to be
18 paid for every class of laborer, mechanic and worker shall be not less than the scale of wages from
19 time to time determined to be the prevailing wages under subsection (c). Every contract based upon
20 these specifications shall include the actual date of bid or proposal issuance, if applicable, or the date
21 of the written encumbrance if no bid/proposal issuance date is applicable. Contracts shall contain a
22 stipulation that the contractor or subcontractor shall pay mechanics, laborers and workers employed
23 directly upon the site of the work the full amounts accrued at time of payment, computed at wage rates
24 not less than those stated or referenced in the specifications, and any addenda thereto, on the actual
25 date of bid issuance, or on the date of the written encumbrance, as applicable, for contracts let by
26 informal procedure under D.R.M.C. section 20-63(b), regardless of any contractual relationship which
27 may be alleged to exist between the contractor or subcontractor and such laborers, mechanics and
28 workers. Increases in prevailing wages subsequent to the date of the contract for a period not to
29 exceed one (1) year shall not be mandatory on either the contractor or subcontractors. Future
30 changes in prevailing wages on contracts whose period of performance exceeds one (1) year shall be
31 mandatory for the contractor and subcontractors only on the yearly anniversary of the actual date of
32 bid or proposal issuance, if applicable, or the date of the written encumbrance if no bid/proposal
33 issuance date is applicable. Except as provided below, in no event shall any increases in prevailing
34 wages over the amounts thereof as stated in such specifications result in any increased liability on the

1 part of the city, and the possibility and risk of any such increase is assumed by all contractors entering
2 into any such contract with the city. Notwithstanding the foregoing, the city may determine and may
3 expressly provide in the context of specific agreements that the city will reimburse the contractor at the
4 increased prevailing wage rate(s). Decreases in prevailing wages subsequent to the date of the
5 contract for a period not to exceed one (1) year shall not be permitted. Decreases in prevailing wages
6 on contracts whose period of performance exceed one (1) year shall not be effective until the yearly
7 anniversary of the actual date of bid or proposal issuance, if applicable, or the date of the written
8 encumbrance if no bid/proposal issuance date is applicable.

9
10 COMMITTEE APPROVAL DATE: _____, 2026.

11 MAYOR-COUNCIL DATE: _____, 2026.

12 PASSED BY THE COUNCIL _____ 2026

13 _____ - PRESIDENT

14 APPROVED: _____ - MAYOR _____ 2026

15 ATTEST: _____ - CLERK AND RECORDER,
16 EX-OFFICIO CLERK OF THE
17 CITY AND COUNTY OF DENVER
18

19 NOTICE PUBLISHED IN THE DENVER POST _____ 2026; _____ 2026

20
21 PREPARED BY: _____; DATE: _____
22

23 Pursuant to section 13-9, D.R.M.C., this proposed ordinance has been reviewed by the office of the
24 City Attorney. We find no irregularity as to form and have no legal objection to the proposed
25 ordinance. The proposed ordinance is not submitted to the City Council for approval pursuant to §
26 3.2.6 of the Charter.
27

28 Miko Ando Brown, Denver City Attorney

29
30 BY: _____, _____ City Attorney DATE: _____