

1 BY AUTHORITY

2 ORDINANCE NO. _____
3 SERIES OF 2026
4 **AMENDED 5-11-2026**

COUNCIL BILL NO. 26-0542
COMMITTEE OF REFERENCE:
Governance and Intergovernmental Relations

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;

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

21 b. Pursuant to a contract by or on 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. Pursuant to a contract by or on 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 ~~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 (3) This section shall not apply:

1 a. Where the City transfers dedicated funds to a non-city governmental entity
2 including, without limitation, a metropolitan district, general improvement district, or business
3 improvement district; or

4 b. To development projects related to or funded in accordance with the authorization
5 provided by a downtown development authority established pursuant to section 31-25-801, C.R.S., et
6 seq.

7 The Denver metropolitan area shall be determined by the auditor. This section shall not apply to any
8 participant in a youth employment program certified by the city where the participant is employed in
9 non-construction work, including the work of materials furnishing, servicing and maintenance of any
10 city-owned or leased building or on city-owned land and the work of landscaping that is not performed
11 in connection with the construction or renovation of a city-owned or leased building; nor shall this
12 section apply to situations where there is no contract directly requiring or permitting the work described
13 above, or contracts that are neither a revenue or expenditure contract contemplating such work, such
14 as licenses or permits to use city-owned land.

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

1 may be alleged to exist between the contractor or subcontractor and such laborers, mechanics and
2 workers. Increases in prevailing wages subsequent to the date of the contract for a period not to
3 exceed one (1) year shall not be mandatory on either the contractor or subcontractors. Future
4 changes in prevailing wages on contracts whose period of performance exceeds one (1) year shall be
5 mandatory for the contractor and subcontractors only on the yearly anniversary of the actual date of
6 bid or proposal issuance, if applicable, or the date of the written encumbrance if no bid/proposal
7 issuance date is applicable. Except as provided below, in no event shall any increases in prevailing
8 wages over the amounts thereof as stated in such specifications result in any increased liability on the
9 part of the city, and the possibility and risk of any such increase is assumed by all contractors entering
10 into any such contract with the city. Notwithstanding the foregoing, the city may determine and may
11 expressly provide in the context of specific agreements that the city will reimburse the contractor at the
12 increased prevailing wage rate(s). Decreases in prevailing wages subsequent to the date of the
13 contract for a period not to exceed one (1) year shall not be permitted. Decreases in prevailing wages
14 on contracts whose period of performance exceed one (1) year shall not be effective until the yearly
15 anniversary of the actual date of bid or proposal issuance, if applicable, or the date of the written
16 encumbrance if no bid/proposal issuance date is applicable. If the city loans, grants, or otherwise
17 transfers money to a person to be used to finance, in whole or in part, a contract which requires the
18 performance of work involving drayage, construction, alteration, improvements, repairs, maintenance,
19 or demolition, or which requires the performance of the work of a doorkeeper, caretaker, cleaner,
20 window washer, porter, keeper, janitor, or similar custodial or janitorial work, the city's agreement shall
21 require the person to include the language required by this subsection and subsection (d) in any such
22 contract.

23 (d) *Mandatory contract provisions; enforcement.*

24 (8) If the city loans, grants, or otherwise transfers money to a person to be used to finance,
25 in whole or in part, a contract covered by this section, the city's contract shall state that the manager of
26 finance shall not approve a warrant or demand for payment under the loan, grant, or other transfer
27 unless the contractor and any subcontractors have complied with all requirements of this section.

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29 **Section 2. Applicability.** This ordinance shall not apply to any project that has received an
30 Award Letter from the Department of Housing Stability prior to June 1, 2026.

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32 **REMAINDER OF PAGE INTENTIONALLY BLANK**

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1 COMMITTEE APPROVAL DATE: April 21, 2026

2 MAYOR-COUNCIL DATE: April 28, 2026

3 PASSED BY THE COUNCIL _____

4 _____ - PRESIDENT

5 APPROVED: _____ - MAYOR _____

6 ATTEST: _____ - CLERK AND RECORDER,
7 EX-OFFICIO CLERK OF THE
8 CITY AND COUNTY OF DENVER
9

10 NOTICE PUBLISHED IN THE DENVER POST _____; _____

11

12 PREPARED BY: Brylan B. Droddy, Assistant City Attorney; DATE: April 30, 2026

13 Pursuant to section 13-9, D.R.M.C., this proposed ordinance has been reviewed by the office of the
14 City Attorney. We find no irregularity as to form and have no legal objection to the proposed
15 ordinance. The proposed ordinance is not submitted to the City Council for approval pursuant to §
16 3.2.6 of the Charter.
17

18 Miko Ando Brown, Denver City Attorney

19

20 BY: _____, Assistant City Attorney DATE: _____