

BY AUTHORITY

ORDINANCE NO. _____
SERIES OF 2012

COUNCIL BILL NO.CB12-0470
COMMITTEE OF REFERENCE:
Government & Finance

A BILL

For an Ordinance amending Section 20-84(b) of Division 3.5 of Article IV of Chapter 20, Treatment of Employees Associated with City Contracts.

WHEREAS, Division 3.5 of Article IV of Chapter 20 provides requirements for the payment of living wages to employees associated with certain City contracts; and,

WHEREAS, the City Council finds that Section 20-84(b) should be amended, to enable the City to assume responsibility for future increases in living wage rates in certain circumstances.

NOW, THEREFORE, BE IT ENACTED BY THE COUNCIL OF THE CITY AND COUNTY OF DENVER:

Section 1. Section 20-84(b) of the Denver Revised Municipal Code shall be amended by adding the language underlined, to read as follows:

(b) *Contract specifications.* The specifications for every direct service contract in excess of two thousand dollars (\$2,000.00) to which the city is a party which engages the work of covered workers shall contain a provision stating that the wages to be paid to covered workers shall be not less than the wage from time to time determined to be the living wage under subsection (c). Every contract based upon these specifications shall contain a stipulation that the contractor or subcontractor shall pay covered workers employed directly upon the site of the work the full amounts accrued at time of payment, computed at wage rates not less than those stated or referenced in the specifications, and any addenda thereto, on the date of the contract or the written purchase order for contract, regardless of any contractual relationship which may be alleged to exist between, the contractor or subcontractor and such workers. Increases in living wages subsequent to the date of the contract for a period not to exceed one (1) year shall not be mandatory on either the contractor or subcontractors. Future increases in living wages on contracts whose period of performance exceeds one (1) year shall be mandatory for the contractor and subcontractors only on the yearly anniversary date of the contract. Except as provided below, in no event shall any increases in living wages over the amounts thereof as stated in such specifications result in any increased liability on the part of the city, and the possibility and risk of any such increase is assumed by all contractors entering into any such contract with the city. Notwithstanding the foregoing, the city may determine and may expressly provide in the context of specific direct service contracts that the city will reimburse the contractor at the increased living wage rate(s). Decreases in living wages subsequent to the date of the contract shall not be permitted.

1 COMMITTEE APPROVAL DATE: July 11, 2012
2 MAYOR-COUNCIL DATE: July 17, 2012
3 PASSED BY THE COUNCIL _____, 2012
4 _____ - PRESIDENT
5 APPROVED: _____ - MAYOR _____, 2012
6 ATTEST: _____ - CLERK AND RECORDER,
7 EX-OFFICIO CLERK OF THE
8 CITY AND COUNTY OF DENVER
9 NOTICE PUBLISHED IN THE DAILY JOURNAL _____, 2012; _____, 2012
10 PREPARED BY: Lori B. Strand - Assistant City Attorney DATE: July 19, 2012
11 Pursuant to section 13-12, D.R.M.C., this proposed ordinance has been reviewed by the office of
12 the City Attorney. We find no irregularity as to form, and have no legal objection to the proposed
13 ordinance. The proposed ordinance is not submitted to the City Council for approval pursuant to
14 § 3.2.6 of the Charter.
15
16 Douglas J. Friednash, Denver City Attorney
17 BY: _____, Assistant City Attorney DATE: _____