

PREVAILING WAGE CONTRACTING AGENCY INFORMATION

This is a summary of prevailing wage contracting agencies' requirements. For further information please refer to Virginia Code 2-2-4321.3 or contact (804) 786-6613.

General Information

The Prevailing Wage law applies to contracts for public works paid for in whole or in part by state funds, valued at \$250,000 or more if either of the following criteria are met:

1. the contracting public body is a unit of State Government or an instrumentality of the State, and there is any State funding for the project; or
2. the contracting public body is a locality that has adopted an ordinance requiring the payment of the prevailing wage for public works paid for in whole or in part by funds of the locality.

Public works means the operation, erection, construction, alteration, improvement, maintenance, or repair of any public facility or immovable property owned, used, or leased by a state agency or locality.

Requirements

A. Ensure that its bid specifications or other public contracts applicable to the public works require bidders, offerors, contractors, and subcontractors to pay wages, salaries, benefits, and other remuneration to any mechanic, laborer, or worker employed, retained, or otherwise hired to perform services in connection with the public contract for public works at the prevailing wage rate.

B. Ensure that its public works contracts contain a provision requiring that the wages, salaries, benefits, and other remuneration to any individual performing the work of any mechanic, laborer, or worker on the work contracted to be done under the public contract shall be at a rate at least equal to the prevailing wage rate.

C. May contact the Commissioner of Labor and Industry, at least 10 but not more than 20 days prior to the date bids for such a public contract for public works will be advertised or solicited, to ascertain the proper prevailing wage rate for work to be performed under the public contract.

D. Upon request from the project contractor, contact the Department of Labor and Industry to request conformances for classifications not included on the general wage determination, along with the reason for the additional classification, the proposed rate, and any supporting documentation.

E. Contracting agencies, both state and local, should check the DGS site prior to accepting a contractor's bid to ensure the bidder has not been disqualified for a violation of the prevailing wage law.

Contractors disqualified from bidding on public contracts under § 2.2-4321.3.D are listed on the Department of General Services Website at the following address:

https://logi.cgieva.com/External/rdPage.aspx?rdReport=Public.Reports.Report9020_Data

When at the site, click the radio button "eVA status" in the upper left corner of the page, then select enjoined from the drop down menu and then click on search to pull up the list of contractors enjoined for violations under the prevailing wage law.