

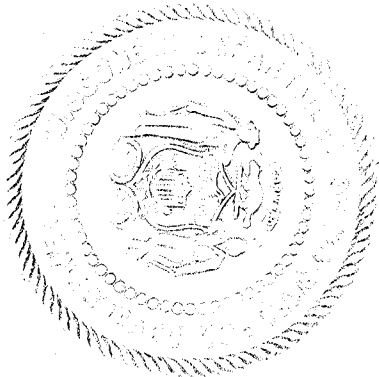
RULES CERTIFICATE

STATE OF WISCONSIN)
) SS
 DEPARTMENT OF)
 WORKFORCE DEVELOPMENT)

TO ALL TO WHOM THESE PRESENTS SHALL COME, GREETINGS:

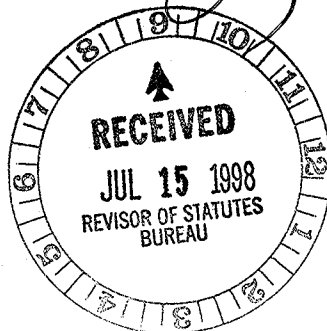
I, Linda Stewart, Secretary of the Department of Workforce Development, and custodian of the official records of said department, do hereby certify that the annexed rule(s) relating to Minimum Estimated Project Costs Relating to Prevailing Wage Rates for State or Local Public Works Projects. were duly approved and adopted by this department on July 14, 1998.

I further certify that said copy has been compared by me with the original on file in the department and that the same is a true copy thereof, and of the whole of such original.



IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the official seal of the department at 1 pm in the city of Madison, this 14th day of July A.D. 1998.

Linda Stewart
 Secretary



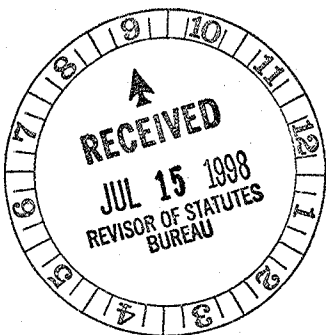
9-1-98

ORDER OF ADOPTION

Pursuant to authority vested in the Department of Workforce Development by section(s)

66.293(5) and 103.49(3g), Stats., the Department of Workforce Development creates;
amends; repeals and recreates; repeals and adopts rules of Wisconsin Administrative Code
chapter(s): DWD 292, DWD 290.155 and DWD 290.15 (Number) Minimum Estimated project Costs
Relating to Prevailing Wage Rates for State or Local Public Works Projects. (Title)

The attached rules shall take effect on the first day of the month following publication in the Wisconsin Register pursuant to section 227.22, Stats.



Adopted at Madison, Wisconsin this

date: July 14, 1998

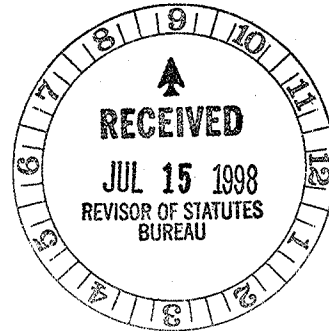
DEPARTMENT OF WORKFORCE DEVELOPMENT

Linda Stewart
Secretary



State of Wisconsin \ Department of Workforce Development

RULES in FINAL DRAFT FORM



Rule No.:

DWD 290.15 and 290.155

Relating to:

Minimum Estimated Project Costs Relating to Prevailing Wage
Rates for State or Local Public Works Projects

Date:

July 14, 1998

State of Wisconsin

Department of Workforce Development

MINIMUM ESTIMATED PROJECT COSTS RELATING TO PREVAILING WAGE RATES FOR STATE OR LOCAL PUBLIC WORKS PROJECTS

The Wisconsin Department of Workforce Development proposes an order to repeal ch. DWD 292, amend DWD 290.155, and repeal and recreate DWD 290.15, relating to the adjustment of the minimum estimated project costs for the application of the requirement to obtain a determination of prevailing wage rates for workers employed on state or local public works projects and the repeal of obsolete rules.

Analysis

Authority for rule. secs. 66.293(5) and 103.49(3g), Stats.

Statutes interpreted. secs. 66.293(5) and 103.49(3g), Stats.

The state prevailing wage laws require that, when a state agency or local governmental unit constructs a public works project, it must obtain a prevailing wage rate determination from the Department of Workforce Development and require that the contractors and subcontractors on the project pay their employees in accordance with those wage rates. Under secs. 66.293(5) and 103.49(3g), Stats., as affected by 1995 Wisconsin Act 215, the state prevailing wage laws do not apply to any "single-trade public works project" (a project involving the employment of only one trade) whose estimated cost is below \$30,000, and it does not apply to any "multi-trade public works project" whose estimated cost is below \$150,000.

Also under secs. 66.293(5) and 103.49(3g), Stats., the department is required to adjust the dollar amounts of the nonapplicability limits each year, in proportion to any change in construction costs since the limits were last determined.

Under this proposed rule, the department would use the construction cost index published in the Engineering News-Record, a weekly national publication, to determine the annual adjustment, if any, to the nonapplicability limits. In addition, the proposed rule changes the nonapplicability limits to \$32,000 for single-trade projects and \$160,000 for multi-trade projects, based on a 6.4% increase in the Construction Cost Index between April 1996 and November 1997.

This rule also repeals ch. 292, Wis. Adm. Code, which was rendered obsolete by amendments to ch. 290, Wis. Adm. Code, in 1997.

SECTION 1. DWD 290.15 is repealed and recreated to read:

DWD 290.15 ADJUSTING MINIMUM ESTIMATED PROJECT COST OF

COMPLETION. Every year, the department shall adjust the minimum estimated project cost of completion figures for both single-trade and multi-trade public works projects on the basis of the change in the construction cost index as published in the engineering news-record.

NOTE: The Engineering News-Record is a weekly publication of the McGraw-Hill Companies, 1221 Avenue of the Americas, New York, NY 10020. A construction cost index is published in the "Construction Economics" section of each issue.

[This note replaces the note in the current provision.]

SECTION 2. DWD 290.155 is amended to read:

DWD 290.155(title) **MINIMUM ESTIMATED PROJECT COSTS.** This chapter does not apply to any single-trade public works project for which the estimated cost of completion is below ~~\$30,000~~ \$32,000, and any multi-trade public works project for which the estimated cost of completion is below ~~\$150,000~~ \$160,000.

SECTION 3. Chapter DWD 292 is repealed.

EFFECTIVE DATE. This rule shall take effect on the first day of the month following publication in the Wisconsin administrative register as provided in s.227.22(2)(intro.), Stats.

(End)

Tommy G. Thompson
Governor

Linda Stewart
Secretary



State of Wisconsin

Department of Workforce Development

OFFICE OF THE SECRETARY
201 East Washington Avenue
P.O. Box 7946
Madison, WI 53707-7946
Telephone: (608) 266-7552
Fax: (608) 266-1784
<http://www.dwd.state.wi.us/>

July 14, 1998

Gary Poulson
Assistant Revisor of Statutes
Suite 800
131 W. Wilson St.
Madison, Wisconsin 53703-3233

Douglas LaFollette
Secretary of State
10th Floor
30 West Mifflin Street
Madison, Wisconsin 53703

Dear Messrs. Poulson and LaFollette:

TRANSMITTAL OF RULE ADOPTION

CLEARINGHOUSE RULE NO.: 98-032

RULE NO.: DWD 290.15 and 290.155

RELATING TO: Minimum Estimated Project Costs Relating to Prevailing Wage Rates for State or Local Public Works Projects

Pursuant to section 227.20, Stats., agencies are required to file a certified copy of every rule adopted by the agency with the offices of the Secretary of State and the Revisor of Statutes.

At this time, the following material is being submitted to you:

1. Order of Adoption.
2. Rules Certificate Form.
3. Rules in Final Draft Form.

Pursuant to section 227.114, Stats., a summary of the final regulatory flexibility analysis is included for permanent rules. A fiscal estimate and fiscal estimate worksheet is included with an emergency rule.

Respectfully submitted,

Linda Stewart
Secretary

