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DELAWARE STATE SENATE
150th GENERAL ASSEMBLY

SENATE BILL NO. 48

AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO PUBLIC WORKS CONTRACTING.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF DELAWARE:

1 Section 1. Amend § 6962, Title 29 of the Delaware Code by making deletions as shown by strike through and
2 insertions as shown by underline as follows:

3 § 6962. Large public works contract procedures.

4 (c) *Bidder prequalification requirements.* —

5 (13)a. If there is a craft training program under paragraph (c)(13)c. of this section for a craft in the project,
6 craft training for journeyman and apprentice levels must be provided as follows:

7 1. A contractor must provide craft training for journeyman and apprentice levels if all of the
8 following apply:

9 A. A project meets the prevailing wage requirement under § 6960 of this title.

10 B. The contractor employs 6 or more employees.

11 C. The aggregate contract for the project is \$250,000 or more.

12 D. The project is not a federal highway project, except for the project under paragraph (c)(11) of
13 this section.

14 2. A subcontractor must provide craft training for journeyman and apprentice levels if all of the
15 following apply:

16 A. A project meets the prevailing wage requirement under § 6960 of this title.

17 B. The subcontractor employs 6 or more employees.

18 C. The aggregate contract for the project is \$100,000 or more.

19 D. The project is not a federal highway project, except for the project under paragraph (c)(11) of
20 this section.

21 b. Craft training under paragraph (c)(13)a. of this section must be provided through a bona fide program
22 approved by and registered with the Department of Labor or the United States Department of Labor that is
23 provided by the contractor or subcontractor or through agreement with another organization.

24 c.1. The Secretary of the Department of Labor may promulgate and adopt regulations to implement this
25 paragraph (c)(13) of this section.

26 2. The Secretary of the Department of Labor shall maintain a list of crafts for which there are
27 approved and registered training programs.

28 Section 2. This Act is effective upon enactment and is to be implemented the earlier of the following:

29 (1) 1 year from the date of the Act's enactment.

30 (2) Upon promulgation of final regulations under this Act and the Secretary of the Department of Labor's
31 notice to the Registrar of Regulations, published in the Register of Regulations, that the contingency under this
32 paragraph (2) of this section has been fulfilled.

SYNOPSIS

 This Act requires that bidders for public works contracts that are above a minimum value and required to provide the prevailing wage include approved craft training programs for journeyman and apprentice levels if the contract is not for a federal highway project.

Author: Senator Walsh