

LAWS OF DELAWARE
VOLUME 83
CHAPTER 130
151st GENERAL ASSEMBLY
FORMERLY
SENATE BILL NO. 156

AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO THE CHARTER OF THE UNIVERSITY OF DELAWARE.

WHEREAS, the State of Delaware and the University of Delaware have a strong partnership, with the University providing higher education services and influencing the growth of the State's economy; and

WHEREAS, the University has not been subject to the State's Prevailing Wage Law, found in § 6960 in Title 29 of the Delaware Code; however, the University's policy requires the payment of prevailing wages on all capital projects funded, in whole or in part, by the State; and

WHEREAS, the University agrees on the positive impact that an extension of this policy would have if applied to all University capital projects, including those projects not funded in whole or in part, by the State; and

WHEREAS, the University is in support of the following legislation to amend its Charter.

NOW, THEREFORE:

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF DELAWARE (Two-thirds of all members elected to each house thereof concurring therein):

Section 1. Amend Chapter 51, Title 14 of the Delaware Code by making deletions as shown by strike through and insertions as shown by underline as follows:

§ 5106. Board of Trustees — Powers.

(b) Notwithstanding any provisions appearing elsewhere in the laws of this State which might suggest or provide the contrary, the entire control and management of the affairs of the University, which is conferred upon the Board of Trustees by the foregoing paragraph, shall be construed, in the area of fiscal and revenue matters, as including, but not as being limited to, the following powers and duties:

(5) Control of all matters having to do with the formulation of the terms of contracts for the construction of buildings or other University facilities, as well as the manner of awarding contracts or purchasing supplies and equipment; provided however, all contracts necessary for the construction of any building or other University facility that have a total cost in excess of \$500,000 for new construction (including painting and decorating) or \$45,000 for alteration, repair, renovation, rehabilitation, demolition, or reconstruction (including painting and decorating of buildings or works), and require or involve the employment of mechanics or laborers, shall contain a provision stating that the minimum wages to be paid to various classes of laborers and mechanics shall be based upon the wages determined by the Delaware Department of Labor, Division of Industrial Affairs, to be prevailing in the county where the work is performed.

Approved September 9, 2021

