

STATE OF DELAWARE



EXECUTIVE DEPARTMENT
DOVER

420
EXECUTIVE ORDER
NUMBER 31

TO: Heads of All State Departments and Agencies;
Heads of All Other Public Bodies or Agencies
expending State appropriated funds subject to
§6913, Title 29, Delaware Code Annotated.

SUBJECT: Implementation of the Administration of §6913,
Title 29, Delaware Code Annotated by requiring
that contractors submit detailed weekly payrolls
to contracting agencies.

WHEREAS, the said §6913, Title 29, Delaware Code Annotated, applies to every contract in excess of \$2,000 to which this State or any sub-division thereof is party and for which the State appropriated any part of the funds for construction, alterations and/or repair, including painting and decorating of special buildings or public works located within the geographical limits of this State; and which requires or involves the employment of mechanics and/or laborers; and

WHEREAS, the said §6913, Title 29, Delaware Code Annotated, further requires that the advertising specifications for every such contract shall contain a provision stating the minimum wages to be paid various classes of laborers and mechanics as determined by the Department of Labor and Industrial Relations to be prevailing wages in accordance with standards established by the said §6913; and

WHEREAS, by said §6913, it is required that each such contract contain a stipulation that there may be withheld from the contractor so much of accrued payments as may be considered necessary by the contracting officer to pay to laborers and mechanics employed by the contractor or any subcontractor on the work the difference between the rates of wages required by the contractor to be paid laborers and mechanics on the work and rates of wages received by such laborers and mechanics and not refunded to the contractor, sub-contractor, or their agents; and

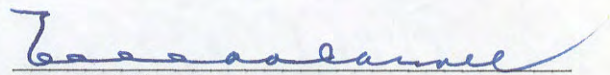
WHEREAS, it is therefore the public policy of this State that the wages so specified shall be the minimum wages actually paid to workers on the job and it therefore behooves all public parties to cooperate in the prevention of any deviation therefrom; and

WHEREAS, it has come to our attention that violations of contract requirements have occurred that are difficult to verify because contracting agencies have insufficient information available to them under existing procedures:


NOW, THEREFORE, by virtue of the authority vested in me as Governor of Delaware, it is hereby ordered as follows:

1. This order shall apply to every contract in excess of \$2,000 to which this State or any subdivision thereof is a party, and for which the State appropriated any part of the funds for construction, alteration and/or repair, including painting and decorating of public buildings or public works located within the geographical limits of this State, and which requires or involves the employment of mechanics and/or laborers.
2. All contracts, the conditions of which are within the purview of §6913, Title 29, Delaware Code Annotated, shall contain in addition to any stipulations specifically required by law, a stipulation that the following information shall be furnished weekly to the contracting agency by every contractor or sub-contractor in the form of sworn copies of payrolls:
 - A. Identification of the contract
 - B. Payroll period covered
 - C. For each worker listed on the payroll -
 - (1) Name of worker
 - (2) Job classification or classifications at which he was employed during the payroll period
 - (3) Hourly rate paid for work at such classification or classifications
 - (4) Number of hours worked at such classification or classifications.
3. This order shall be effective as to any contract for which specifications are advertised on and after the tenth day next after the date of approval of the order.

APPROVED: this 10th day of December, 1963.


By the Governor

ATTEST:


Secretary of State

