

This document is intended to provide general parameters to determine whether a project is subject to Prevailing Wage. Each project is unique and must be reviewed on its own. This document is not sufficient to provide a detailed analysis of complex Prevailing Wage questions.

References: RC 4115.03; OAC 4101:9-4-02

Prevailing Wage Threshold Levels in effect as of January 1, 2018

Reconstruction, enlargement, alterations, repair, remodeling renovation, or painting	\$75,000
New construction	\$250,000
Reconstruction, enlargement, alterations, repair, remodeling renovation, or painting that involves roads, streets, alleys, sewers, ditches and other works connected to road or bridge construction	\$27,309
New construction that involves roads, streets, alleys, sewers, ditches and other works connected to road or bridge construction	\$91,150

These thresholds are based on total project costs (construction and "soft costs") not purchase order amount.

4115.033 Subdividing public improvement projects.

No public authority shall subdivide a public improvement project into component parts or projects, the cost of which is fairly estimated to be less than the threshold levels set forth in division (B) of section [4115.03](#) of the Revised Code, unless the projects are:

- conceptually separate
- unrelated to each other
- encompass independent
- unrelated needs of the public authority

Amended by 129th General Assembly File No.28, HB 153, §101.01, eff. 9/29/2011.

Effective Date: 06-21-1994

NOTE - Federal Prevailing Wage (Davis-Bacon) applies if the project involve federal funds the terms of which require the payment of federal prevailing wage. Davis Bacon contract terms establish the threshold for federal prevailing wage at \$2,000.

For assistance with any Prevailing Wage questions, please contact Jody Stephens, Prevailing Wage Coordinator at prevailingwage@osu.edu

Furniture, Fixtures & Equipment (FF&E)

PW does not apply when FF&E has already been assembled prior to delivery, or is assembled on site.

PW does not apply when FF&E is **not** permanently connected to the building structure.

PW does apply when anything is permanently connected to an existing structure including walls, ceilings and floors, such as, but not limited to, window treatments, filing cabinets, bookshelves, and equipment, cubicles, Full Height Demountable Partitions, etc. FF&E is treated as being permanently connected to an existing structure if it is fixed in place by bolts or screws, even if the FF&E could be removed or relocated by removing the bolts or screws.

NOTE - there are exemptions such as specialized installation and/or proprietary trades that are exempt from PW. Please contact OSU Prevailing Wage Coordinator (PWC) at 2-0174 if a vendor states they have an exemption. PWC will contact the vendor to review the exemption.

Moving and Delivery

PW does apply when a vendor has to pack and/or unpack boxes to move items from one location to another.

Construction vs. Maintenance

Is the work Construction or Maintenance? Maintenance is not PW. See the discussion of Maintenance, below.

Construction

If the work is Construction, do any of the following apply:

1. Constructed using OSU money; or
2. Constructed by any other entity (other than a donor) for OSU's use, pursuant to a contract with OSU; or
3. Constructed pursuant to any statute of the Revised Code requiring payment of prevailing wage; or
4. Does OSU maintain a possessory or property interest in the completed project, or
5. Is the work being performed on a newly constructed structure to suit it for occupancy by OSU, and OSU will rent or lease the structure within six months after completion of the work.

If the work meets ANY of the criteria 1-5, above, AND the project meets or exceeds the state PW thresholds, then state PW applies.

Maintenance is not PW

Maintenance must be distinguished from "Repair." Repair falls explicitly within the definition of "Construction" and is PW.

Work done to preserve a public improvement in its original condition and prevent it from becoming out of repair is Maintenance. Work done to return the improvement to its original condition after it has become damaged constitutes a Repair and must be evaluated under the criteria for "Construction" above.

PREVAILING WAGE THRESHOLD LEVELS

IMPORTANT NOTICE

Before advertising for bids, contracting, or undertaking construction with its own forces, to construct a public improvement, the Public Authority shall have the Ohio Department of Commerce-Division of Industrial Compliance, Bureau of Wage and Hour Administration determine the prevailing rates of wages for workers employed on the public improvement. The wage determination must be included in the project specifications and printed on the bidding blanks where work is done by contract.

“New” construction threshold for <i>Building Construction</i>:	\$250,000
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“Reconstruction, enlargement, alteration, repair, remodeling, renovation, or painting” threshold level for <i>Building Construction</i>:	\$75,000
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As of January 1, 2018:

“New” construction that involves <i>roads, streets, alleys, sewers, ditches and other works connected to road or bridge construction</i> threshold level has been adjusted to:	\$91,150
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“Reconstruction, enlargement, alteration, repair, remodeling, renovation, or painting” that involves <i>roads, streets, alleys, sewers, ditches and other works connected to road or bridge construction</i> threshold level has been adjusted to:	\$27,309
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- A) Thresholds are to be adjusted biennially by the Director of the Ohio Department of Commerce.
- B) Biennial adjustments to threshold levels are made according to the Building Cost for Skilled Labor Index published by McGraw-Hill’s Engineering News-Record, but may not increase or decrease more than 3% for any year.

If there are questions concerning this notification, please contact:

Ohio Department of Commerce
Division of Industrial Compliance
Bureau of Wage and Hour Administration
6606 Tussing Road, PO Box 4009
Reynoldsburg, Ohio 43068-9009
Phone: 614-644-2239
Fax: 614-728-8639
www.com.ohio.gov