Agenda Item #:

4C-1

PALM BEACH COUNTY BOARD OF COUNTY COMMISSIONERS AGENDA ITEM SUMMARY

Meeting Date:

October 22, 2024

[] Consent

[] Regular

[] Ordinance

[X] Public Hearing

Department:

Office of Financial Management & Budget (OFMB)

I. EXECUTIVE BRIEF

Motion and Title: Staff recommends motion to adopt: AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, AMENDING SECTIONS 2-148 AND 2-149 OF THE LIVING WAGE ORDINANCE (CHAPTER 2, ARTICLE IV, DIVISION 3 OF THE PALM BEACH COUNTY CODE); PROVIDING FOR REPEAL OF LAWS IN CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR CAPTIONS; PROVIDING FOR A SAVINGS CLAUSE; PROVIDING FOR INCLUSION IN THE CODE OF LAWS AND ORDINANCES; AND PROVIDING FOR AN EFFECTIVE DATE

Summary: Section 2-148 of the County's Living Wage Ordinance (Living Wage Ordinance) is being amended to revise the definition of "Paratransit contract" due to recent changes to the County's Procurement Code which increased the mandatory bid or proposal amount from \$100,000 to \$150,000. Section 2-149 of the Living Wage Ordinance is being revised to provide that: (1) the Living Wage Ordinance will not apply to construction contracts entered into on or after July 1, 2024, due to recent legislative changes to section 255.0992, Florida Statutes, which now prohibits the County from imposing a minimum wage requirement (other than the state or federal minimum wage) on construction contracts entered into on or after July 1, 2024; and (2) the Living Wage Ordinance will not apply to paratransit contracts or other contracts entered into on or after September 30, 2026, due to recent legislative changes to section 218.077, Florida Statutes which prohibits the County from imposing a minimum wage requirement (other than the state or federal minimum wage) on any contracts entered into on or after September 30, 2026. (OFMB) Countywide (MWJ)

Background & Policy Issues: The Living Wage Ordinance provides the framework under which the County imposes its Living Wage on certain non-county employers who provide construction related services and paratransit transportation services to the County. Under the definition of "Paratransit contract" in the Living Wage Ordinance, the Living Wage applies only to such contracts that exceed \$100,000. The County's Purchasing Code was recently revised to increase the County's mandatory bid or proposal amount from \$100,000 to \$150,000, so a conforming change has been made to the definition of "Paratransit contract" in the Living Wage Ordinance. The Living Wage Ordinance was also amended to reflect recent legislative changes to sections 255.0992 and 218.077, Florida Statutes, which prohibit the County from imposing its own minimum wage (a minimum wage that is different from the state or federal minimum wage) on construction contracts entered into on or after July 1, 2024 and on all other contracts entered into on or after September 30, 2026, respectively.

Attachments:

- 1. Revised Living Wage Ordinance (Clean
- 2. Revised Living Wage Ordinance (redline)

II. FISCAL IMPACT ANALYSIS

2027	2028	2029
+ +		-
Yes	No	X
		X
Yes	No	X X X
Unit	_ Object	Program
1	1//1	
	lopment and C	ontrol
4		
	Unit Ary of Fiscal Important Comments:	Yes No No No Unit Object Ary of Fiscal Impact: COMMENTS The nent Comments: Contract Development and Comment an

ATTACHMENT 1 Revised Living Wage Ordinance (Clean)

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ORDINANCE NO. 2024-___

2 3 4 5 6 7 8 9 10 11 11 12	AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, AMENDING SECTIONS 2-148 AND 2-149 OF THE LIVING WAGE ORDINANCE (CHAPTER 2, ARTICLE IV, DIVISION 3 OF THE PALM BEACH COUNTY CODE); PROVIDING FOR REPEAL OF LAWS IN CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR CAPTIONS; PROVIDING FOR A SAVINGS CLAUSE; PROVIDING FOR INCLUSION IN THE CODE OF LAWS AND ORDINANCES; AND PROVIDING FOR AN EFFECTIVE DATE
14 15	WHEREAS, the Board of County Commissioners of Palm Beach County, Florida
16	("Board") adopted the "Palm Beach County Living Wage Ordinance" (the "Living Wage
17	Ordinance") on February 25, 2003, Ordinance No. 03-004; and
18	WHEREAS, the Board adopted Ordinance No. 04-002 on January 13, 2004,
19	Ordinance No. 2011-004 on March 15, 2011 and Ordinance No. 2014-018 on May 20,
20	2014 amending the Living Wage Ordinance; and
21	WHEREAS, the Board has deemed it necessary to amend the Living Wage
22	Ordinance again to revise Section 2-148 (Definitions) to update the definition of
23	"Paratransit contract" due to recent changes to the County's Purchasing Code; and
24	WHEREAS, the Board has deemed it necessary to further amend the Living
25	Wage Ordinance to revise Section 2-149 (Living Wage) to provide that the Living Wage
26	Ordinance shall not apply to any construction contracts entered into on or after July 1,
27	2024, due to recent changes to section 255.0992, Florida Statutes; and
28	WHEREAS, the Board has deemed it necessary to further amend the Living
29	Wage Ordinance to revise Section 2-149 (Living Wage) to provide that the Living Wage
30	Ordinance shall not apply to any paratransit contracts or other contracts entered into on or
31	after September 30, 2026, due to recent changes to section 218.077, Florida Statutes.
32	NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY

COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA that:

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ARTICLE 1. Section 2-148 of the Palm Beach County Code is hereby amended as follows:

Sec. 2-148 Definitions.

- For purposes of this division, the following definitions shall apply:
- Construction means the actual process of building, altering, improving, demolishing, or major repairing or renovating of any county road or county building. "Construction"
- does not include routine road maintenance or routine building maintenance.
- Construction contract means a deliberate verbal or written agreement between two
- 42 (2) or more competent parties to perform or not perform a specific act or acts or any type
- of agreement, regardless of what it is called, for the procurement of construction that is
- 44 solicited and purchased by the county, that has a total contract value exceeding one
- 45 hundred thousand dollars (\$100,000.00), and that is not subject to the Davis-Bacon Act or
- any related act or acts, as amended, that require the payment of Davis-Bacon Act wage
- 47 rates.
- 48 Construction department means the county department that solicits and procures
- 49 construction-related services from a non-county employer pursuant to a construction
- 50 contract.
- 51 Construction-related services means any service, other than a professional service as
- 52 defined by the county purchasing ordinance, consisting of work or labor performed
- directly upon the site of work and directly related to construction.
- County means the Board of County Commissioners of the county or any of its
- authorized representatives pursuant to ordinance, resolution, or administrative code.
- 56 County building means any county-owned structure or building that encloses space
- 57 used for sheltering any occupancy, as determined by the director of the purchasing
- 58 department.

- County employee means any person employed by the county as a regular full-time or regular part-time employee, who is under the county pay plan and drawing a salary or wages from the county.
- 62 County road means any street, road, highway, or other way dedicated to public use 63 and open to travel by the public generally, that is listed in the county road maintenance 64 inventory as compiled and updated by the right-of-way acquisition section of the county 65 engineering department.
- Covered services are any services that are subject to the requirements of this division. "Covered services" means:
- (1) Construction-related services performed by non-county employees.
- 69 (2) Paratransit transportation services performed by non-county employees.
- 70 (3) Any services performed by county employees within the scope of their county
 71 employment.
- General contractor means any non-county employer that enters into a construction contract directly with the county.
- Living wage means, as of October 1, 2024, a minimum wage of fifteen dollars and forty cents (\$15.40) per hour. The living wage shall be adjusted annually as provided for in this division.
- Non-county employee means all persons employed by a non-county employer, either full-time or part-time, in the performance of a paratransit contract or to provide construction-related services to the county.
- Non-county employer means any for-profit individual, business entity, corporation, partnership, limited liability company, joint venture, or similar business, that:
- (1) Provides paratransit transportation services or construction-related services
 directly for the benefit of the county pursuant to a contract or subcontract
 entered into through a competitive bid process, informal bids, requests for

proposals,	some	form	of	solicitation,	negotiation,	or	agreement,	or	any	other
decision to	enter	into a	COI	ntract: and						

(2) Is paid directly or indirectly, in whole or in part, from the county's general fund or one (1) or more of the county's capital project funds, special revenue funds, or any other funds.

Paratransit contract means a deliberate verbal or written agreement between two (2) or more competent parties to perform or not perform a specific act or acts or any type of agreement, regardless of what it is called, for the provision of paratransit transportation services that is solicited and purchased by the county, that has a total contract value exceeding one hundred fifty thousand dollars (\$150,000.00), and that is not subject to any Federal law that requires the payment of federally established wage rates.

Paratransit transportation services means shared ride, door-to-door transportation services provided to individuals with disabilities who are unable, as the result of their disability, to access the county's fixed route public transit system and who are qualified to receive paratransit services under the county's American with Disabilities Act (ADA) Program. The term also includes, for the purposes of the county's provision of paratransit services, shared ride, door to door transportation services provided to eligible individuals under the county's Division of Senior Services (DOSS) Program and shared ride, door to door transportation services provided by the county, as the designated community transportation coordinator, to individuals eligible for services under the Transportation Disadvantaged Program.

Prime contractor means the legal entity, be it a general contractor or contractor providing paratransit transportation services, which enters into a direct contract with the county for paratransit transportation services or construction-related services.

Purchasing department means the Palm Beach County Purchasing Department.

Routine building maintenance means minor tasks and associated repairs to county buildings necessary to maintain safe and efficient structures. "Routine building maintenance" includes but is not limited to: custodial services; cleaning and minor repairs

113	of any interior	or exterior	component;	and of	her s	similar	activities	as	determined	by the
114	director of the p	ourchasing o	department.							

Routine road maintenance means minor tasks and associated repairs to county roads necessary to maintain a safe and efficient transportation system. "Routine road maintenance" includes but is not limited to: pavement patching; shoulder repair; cleaning and repair of drainage ditches, traffic signs and traffic signals; mowing; pavement striping; litter cleanup; and other similar activities as determined by the director of the purchasing department.

Subcontractor means any non-county employer that enters into a paratransit contract or construction contract with an entity other than the county.

ARTICLE 2. Section 2-149 of the Palm Beach County Code is hereby amended as follows:

125 Sec. 2-149. Living wage.

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- 126 (a) Living wage paid. The county shall pay the living wage to all county employees

 127 providing any services within the scope of their county employment. Non-county

 128 employers shall pay the living wage to all non-county employees.
- (b) Annual living wage adjustment. The county shall adjust the living wage annually asfollows:
- 131 (1) The county shall adjust the living wage for county employees by using the same
 132 procedure used for the county's annual across-the-board wage adjustment. If a
 133 collective bargaining agreement with the county specifies an annual across-the134 board wage adjustment procedure, the county shall use that procedure to adjust
 135 the living wage for those county employees covered by the collective bargaining
 136 agreement.
 - (2) The county shall adjust the living wage for non-county employees by using the U.S. City Average Consumer Price Index for Urban Wage Earners and Clerical Workers (CPI-W) which is calculated and published monthly by the Bureau of

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Labor Statistics of the U.S. Department of Labor. Each annual living wage adjustment shall take effect on the first day of October. Inflation shall be calculated as the difference, expressed as a percentage, between the average monthly CPI-W for the current period, defined as the previous twelve-month calendar year ending December 31, and the average monthly CPI-W for the prior period, defined as the twelve-month calendar year preceding the current period. The difference shall be converted to a percentage of the average monthly CPI-W for the prior period, and this percentage shall be applied to the living wage to arrive at the living wage adjustment.

- (c) Certification required Before entering into any paratransit contract or construction contract, the prospective non-county employer must provide a certificate to the purchasing department, if the contractor is providing paratransit transportation services, or to the construction department if the non-county employer is a general contractor, or to the prime contractor if the non-county employer is a subcontractor, stating that if the prospective non-county employer is awarded the contract it will pay each non-county employee no less than the living wage. A copy of the certificate must be made available to the public upon request. The certificate must include the following:
 - (1) The name, address, and phone number of the prospective non-county employer, a local contact person, and the specific project for which the paratransit contract or construction contract is sought;
 - (2) The amount of the paratransit contract or construction contract;
- 162 (3) A brief description of the project or service provided under the paratransit 163 contract or construction contract;
 - (4) A statement of the wage levels for prospective non-county employees; and
- 165 (5) A commitment to pay each non-county employee a living wage if the prospective non-county employer is awarded the contract.

167	(d)	Observance of other laws. County and non-county employees shall be paid at least
168		every two (2) weeks, and without subsequent deduction or rebate on any account
169		(except as such payroll deductions as are directed or permitted by law or by a
170		collective bargaining agreement).

- (e) *Notice and posting*. Non-county employers shall post a copy of the following statement at the work site in a prominent place where it can easily be seen by the employees:
- "NOTICE TO EMPLOYEES: If you are employed to provide certain services to
 Palm Beach County, your employer may be required by Palm Beach County law to
 pay you at least [insert the living wage hourly pay rate, as adjusted] per hour. If you
 are not paid this hourly rate, contact your supervisor or Palm Beach County."
 - The preceding statement shall be printed in English, Spanish, and Creole, and shall be printed with black lettering on letter-size, white paper using a Times New Roman fourteen-point font, Courier New fourteen-point font, or Arial fourteen-point font. Posting requirements will not be required if the non-county employer attaches a copy of the preceding statement to the employee's first paycheck, and to subsequent paychecks at least every six (6) months thereafter. Non-county employers shall supply a copy of the preceding statement to any employee upon request within a reasonable time. Non-county employers shall forward a copy of the requirements of this division to any person or business submitting a bid for a subcontract on any contract covered by this division.
- 187 (f) Collective bargaining. Nothing in this division shall be read to require or authorize
 188 any employer to reduce wages set by a collective bargaining agreement or as
 189 required under any prevailing wage law.
- 190 (g) Construction contracts entered into on or after July 1, 2024. The provisions of the 191 Palm Beach County Living Wage Ordinance shall not apply to any construction contracts 192 entered into on or after July 1, 2024.

- (h) Paratransit contracts or other contracts entered into on or after September 30, 2026.
- The provisions of the Palm Beach County Living Wage Ordinance shall not apply to any
- paratransit contracts or other contracts entered into on or after September 30, 2026.

196 ARTICLE 3. REPEAL OF LAWS AND ORDINANCES IN

197 **CONFLICT**:

- All local laws and ordinances in conflict with any provision of this Living
- 199 Wage Ordinance are hereby repealed to the extent of any such conflict.

200 ARTICLE 4. SEVERABILITY:

- If any provision, article, paragraph, sentence, clause, phrase, or word of this
- Living Wage Ordinance is for any reason held by a court to be unconstitutional,
- 203 inoperative, or void, such holding shall not affect the remainder of this Living Wage
- 204 Ordinance.

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205 ARTICLE 5. CAPTIONS:

- The captions, section headings, and section designations used in this Living
- 207 Wage Ordinance are for convenience only and shall have no effect on the
- interpretation of the provisions of this Living Wage Ordinance.

ARTICLE 6. SAVINGS CLAUSE:

- Notwithstanding anything to the contrary, all provisions of Ordinance No. 03-004,
- Living Wage Ordinance, as amended by Ordinance No.s 04-002, 2011-004, and 2014-
- 212 018, which are codified in Sections 2-147 through 2-150.1 of the Palm Beach County
- 213 Code, are specifically preserved and remain in full force and effect for the limited
- 214 purpose of enforcing any alleged violations of said Code which occurred prior to its
- 215 amendment.

216 ARTICLE 7. INCLUSION IN THE CODE OF LAWS AND

217 ORDINANCES:

- The provisions of this Living Wage Ordinance shall become and be made a
- part of the Code of Laws and Ordinances of Palm Beach County, Florida. The
- 220 articles and sections of this Living Wage Ordinance may be renumbered or

221	relettered to accomplish such, and the word Ordinance may be changed to
222	"Section", "Article", or other appropriate word.
223	ARTICLE 8. EFFECTIVE DATE:
224	The provisions of this Living Wage Ordinance shall become effective
225	upon filing with the Department of State.
226	APPROVED and ADOPTED by the Board of County Commissioners of
227	Palm Beach County, Florida, on this the day of, 2024.
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229	JOSEPH ABRUZZO PALM BEACH COUNTY, FLORIDA, BY ITS
230	CLERK & COMPTROLLER BOARD OF COUNTY COMMISSIONERS
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232 233	By: By:, Mayor
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235	APPROVED AS TO
236	LEGAL SUFFICIENCY
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238 239	By: Assistant County Attorney
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241	EFFECTIVE DATE: Filed with the Department of State on the day of
242	
2/12	2024

ATTACHMENT 2

Revised Living Wage Ordinance (Redline)

ORDINANCE NO. 2024-___

2 3 4 5 6 7 8 9 10 11 12	AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, AMENDING SECTIONS 2-148 AND 2-149 OF THE LIVING WAGE ORDINANCE (CHAPTER 2, ARTICLE IV, DIVISION 3 OF THE PALM BEACH COUNTY CODE); PROVIDING FOR REPEAL OF LAWS IN CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR CAPTIONS; PROVIDING FOR A SAVINGS CLAUSE; PROVIDING FOR INCLUSION IN THE CODE OF LAWS AND ORDINANCES; AND PROVIDING FOR AN EFFECTIVE DATE
14 15	WHEREAS, the Board of County Commissioners of Palm Beach County, Florida
16	("Board") adopted the "Palm Beach County Living Wage Ordinance" (the "Living Wage
17	Ordinance") on February 25, 2003, Ordinance No. 03-004; and
18	WHEREAS, the Board adopted Ordinance No. 04-002 on January 13, 2004,
19	Ordinance No. 2011-004 on March 15, 2011 and Ordinance No. 2014-018 on May 20,
20	2014 amending the Living Wage Ordinance; and
21	WHEREAS, the Board has deemed it necessary to amend the Living Wage
22	Ordinance again to revise Section 2-148 (Definitions) to update the definition of
23	"Paratransit contract" due to recent changes to the County's Purchasing Code; and
24	WHEREAS, the Board has deemed it necessary to further amend the Living
25	Wage Ordinance to revise Section 2-149 (Living Wage) to provide that the Living Wage
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COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA that:

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Sec. 2-148 Definitions.

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- or major repairing or renovating of any county road or county building. "Construction"
- does not include routine road maintenance or routine building maintenance.
- 41 Construction contract means a deliberate verbal or written agreement between two
- 42 (2) or more competent parties to perform or not perform a specific act or acts or any type
- of agreement, regardless of what it is called, for the procurement of construction that is
- 44 solicited and purchased by the county, that has a total contract value exceeding one
- 45 hundred thousand dollars (\$100,000.00), and that is not subject to the Davis-Bacon Act or
- any related act or acts, as amended, that require the payment of Davis-Bacon Act wage
- 47 rates.
- 48 Construction department means the county department that solicits and procures
- 49 construction-related services from a non-county employer pursuant to a construction
- 50 contract.
- 51 Construction-related services means any service, other than a professional service as
- 52 defined by the county purchasing ordinance, consisting of work or labor performed
- directly upon the site of work and directly related to construction.
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- authorized representatives pursuant to ordinance, resolution, or administrative code.
- 56 County building means any county-owned structure or building that encloses space
- 57 used for sheltering any occupancy, as determined by the director of the purchasing
- 58 department.

- County employee means any person employed by the county as a regular full-time or regular part-time employee, who is under the county pay plan and drawing a salary or wages from the county.
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- (1) Construction-related services performed by non-county employees.
- 69 (2) Paratransit transportation services performed by non-county employees.
- 70 (3) Any services performed by county employees within the scope of their county employment.
- General contractor means any non-county employer that enters into a construction contract directly with the county.
- Living wage means, as of October 1, 20132024, a minimum wage of elevenfifteen dollars and sixty-fourforty cents (\$11.6415.40) per hour. The living wage shall be adjusted annually as provided for in this division.
- Non-county employee means all persons employed by a non-county employer, either full-time or part-time, in the performance of a paratransit contract or to provide construction-related services to the county.
- Non-county employer means any for-profit individual, business entity, corporation, partnership, limited liability company, joint venture, or similar business, that:
- (1) Provides paratransit transportation services or construction-related services
 directly for the benefit of the county pursuant to a contract or subcontract
 entered into through a competitive bid process, informal bids, requests for

85	proposals,	some	form	of	solicitation,	negotiation,	or	agreement,	or	any	other
86	decision to	enter	into a	COI	ntract: and						

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Paratransit contract means a deliberate verbal or written agreement between two (2) or more competent parties to perform or not perform a specific act or acts or any type of agreement, regardless of what it is called, for the provision of paratransit transportation services that is solicited and purchased by the county, that has a total contract value exceeding one hundred <u>fifty</u> thousand dollars (\$1050,000.00), and that is not subject to any Federal law that requires the payment of federally established wage rates.

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of any interior or exterior component; and other similar activities as determined by the director of the purchasing department. 114

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Subcontractor means any non-county employer that enters into a paratransit contract 121 or construction contract with an entity other than the county. 122

ARTICLE 2. Section 2-149 of the Palm Beach County Code is hereby amended 123 as follows: 124

125 Sec. 2-149. Living wage.

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- (a) Living wage paid. The county shall pay the living wage to all county employees 126 providing any services within the scope of their county employment. Non-county 127 employers shall pay the living wage to all non-county employees. 128
- (b) Annual living wage adjustment. The county shall adjust the living wage annually as 129 follows: 130
- (1) The county shall adjust the living wage for county employees by using the same 131 procedure used for the county's annual across-the-board wage adjustment. If a 132 collective bargaining agreement with the county specifies an annual across-the-133 board wage adjustment procedure, the county shall use that procedure to adjust 134 the living wage for those county employees covered by the collective bargaining 135 agreement. 136
 - (2) The county shall adjust the living wage for non-county employees by using the U.S. City Average Consumer Price Index for Urban Wage Earners and Clerical Workers (CPI-W) which is calculated and published monthly by the Bureau of

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Labor Statistics of the U.S. Department of Labor. Each annual living wage adjustment shall take effect on the first day of October. Inflation shall be calculated as the difference, expressed as a percentage, between the average monthly CPI-W for the current period, defined as the previous twelve-month calendar year ending December 31, and the average monthly CPI-W for the prior period, defined as the twelve-month calendar year preceding the current period. The difference shall be converted to a percentage of the average monthly CPI-W for the prior period, and this percentage shall be applied to the living wage to arrive at the living wage adjustment.

- (c) Certification required Before entering into any paratransit contract or construction contract, the prospective non-county employer must provide a certificate to the purchasing department, if the contractor is providing paratransit transportation services, or to the construction department if the non-county employer is a general contractor, or to the prime contractor if the non-county employer is a subcontractor, stating that if the prospective non-county employer is awarded the contract it will pay each non-county employee no less than the living wage. A copy of the certificate must be made available to the public upon request. The certificate must include the following:
 - (1) The name, address, and phone number of the prospective non-county employer, a local contact person, and the specific project for which the paratransit contract or construction contract is sought;
 - (2) The amount of the paratransit contract or construction contract;
- 162 (3) A brief description of the project or service provided under the paratransit 163 contract or construction contract;
 - (4) A statement of the wage levels for prospective non-county employees; and
- 165 (5) A commitment to pay each non-county employee a living wage if the prospective non-county employer is awarded the contract.

167	(d)	Observance of other laws. County and non-county employees shall b	e paid	at leas	st
168		every two (2) weeks, and without subsequent deduction or rebate or	1 any	accour	nt
169		(except as such payroll deductions as are directed or permitted by	law	or by	a
170		collective bargaining agreement).			

- (e) *Notice and posting*. Non-county employers shall post a copy of the following statement at the work site in a prominent place where it can easily be seen by the employees:
- "NOTICE TO EMPLOYEES: If you are employed to provide certain services to
 Palm Beach County, your employer may be required by Palm Beach County law to
 pay you at least [insert the living wage hourly pay rate, as adjusted] per hour. If you
 are not paid this hourly rate, contact your supervisor or Palm Beach County."
 - The preceding statement shall be printed in English, Spanish, and Creole, and shall be printed with black lettering on letter-size, white paper using a Times New Roman fourteen-point font, Courier New fourteen-point font, or Arial fourteen-point font. Posting requirements will not be required if the non-county employer attaches a copy of the preceding statement to the employee's first paycheck, and to subsequent paychecks at least every six (6) months thereafter. Non-county employers shall supply a copy of the preceding statement to any employee upon request within a reasonable time. Non-county employers shall forward a copy of the requirements of this division to any person or business submitting a bid for a subcontract on any contract covered by this division.
- 187 (f) Collective bargaining. Nothing in this division shall be read to require or authorize
 188 any employer to reduce wages set by a collective bargaining agreement or as
 189 required under any prevailing wage law.
- 190 (g) Construction contracts entered into on or after July 1, 2024. The provisions of the

 191 Palm Beach County Living Wage Ordinance shall not apply to any construction contracts

 192 entered into on or after July 1, 2024.

193	(h) Paratransit contracts or other contracts entered into on or after September 30, 2026.
194	The provisions of the Palm Beach County Living Wage Ordinance shall not apply to any
195	paratransit contracts or other contracts entered into on or after September 30, 2026.
196	ARTICLE 3. REPEAL OF LAWS AND ORDINANCES IN
197	CONFLICT:
198	All local laws and ordinances in conflict with any provision of this Living
199	Wage Ordinance are hereby repealed to the extent of any such conflict.
200	ARTICLE 4. SEVERABILITY:
201	If any provision, article, paragraph, sentence, clause, phrase, or word of this
202	Living Wage Ordinance is for any reason held by a court to be unconstitutional,
203	inoperative, or void, such holding shall not affect the remainder of this Living Wage
204	Ordinance.
205	ARTICLE 5. CAPTIONS:
206	The captions, section headings, and section designations used in this Living
207	Wage Ordinance are for convenience only and shall have no effect on the
208	interpretation of the provisions of this Living Wage Ordinance.
209	ARTICLE 6. SAVINGS CLAUSE:
210	Notwithstanding anything to the contrary, all provisions of Ordinance No. 03-004
211	Living Wage Ordinance, as amended by Ordinance No.s 04-002, 2011-004, and 2014
212	018, which are codified in Sections 2-147 through 2-150.1 of the Palm Beach County
213	Code, are specifically preserved and remain in full force and effect for the limited
214	purpose of enforcing any alleged violations of said Code which occurred prior to it
215	amendment.
216	ARTICLE 7. INCLUSION IN THE CODE OF LAWS AND
217	ORDINANCES:
218	The provisions of this Living Wage Ordinance shall become and be made a
219	part of the Code of Laws and Ordinances of Palm Beach County, Florida. The
220	articles and sections of this Living Wage Ordinance may be renumbered or

221	relettered to accomplish such, and the word "Ordinance" may be changed to
222	"Section", "Article", or other appropriate word.
223	ARTICLE 8. EFFECTIVE DATE:
224	The provisions of this Living Wage Ordinance shall become effective
225	upon filing with the Department of State.
226	APPROVED and ADOPTED by the Board of County Commissioners of
227	Palm Beach County, Florida, on this the day of, 2024.
228	
229	JOSEPH ABRUZZO PALM BEACH COUNTY, FLORIDA, BY ITS
230	CLERK & COMPTROLLER BOARD OF COUNTY COMMISSIONERS
231	
232 233	By: By:, Mayor
234	
235	APPROVED AS TO
236	LEGAL SUFFICIENCY
237	*
238 239	By: Assistant County Attorney
240	
241 242	EFFECTIVE DATE: Filed with the Department of State on the day of
2/12	2024