

EXECUTIVE ORDER
93-08

MAY 11 1993

WHEREAS, it is the policy of the State of Missouri as reflected in the Missouri prevailing wage law to pay the prevailing hourly rate of wages to workers employed by or on behalf of any public body engaged in public works as required by Section 290.220, Revised Statutes of Missouri; and

WHEREAS, the Missouri prevailing wage law at Section 290.210(7) defines "public works" to mean "all fixed works constructed for public use or benefit or paid for wholly or in part out of public funds;" and

WHEREAS, the Missouri Court of Appeals in State ex rel. Webster v. City of Camdenton, 779 S.W.2d 312 (Mo. App. 1989), concluded that the Missouri prevailing wage law applies to a lease or lease-purchase arrangement involving the construction of a facility for public use; and

WHEREAS, the State of Missouri may continue to contract for leased office space or other facilities which may involve new construction.

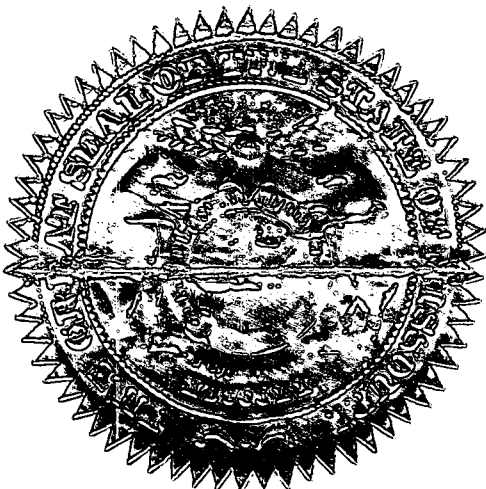
NOW, THEREFORE, I, Mel Carnahan, Governor of the State of Missouri, by virtue of the authority vested in me by the Constitution and laws of the State of Missouri, do hereby order that:

1. Leases or lease-purchase arrangements involving the State of Missouri, or any of its agencies, or any State funds, shall as a condition and prerequisite to such lease include in the specifications a requirement that the prevailing wage be paid for all crafts and occupational titles. This order shall apply to:
 - (a) lease-purchase arrangements in which the state contracts to lease office space or other facilities to be constructed to the state's specification and for which the state obtains an option to purchase the office space or other facilities; and
 - (b) lease contracts in which the state agrees to lease office space or other facilities and the lessor agrees to undertake construction or substantial modification of the office space or other facilities to accommodate the state's use of the office space or facilities.

For the purpose of this executive order, "substantial modification" shall include any construction work that exceeds \$25,000 in cost.

2. In pursuit of this goal, all such leases or lease-purchase arrangements shall contain in their specifications a requirement that a request for wage determination be filed and that the finally-determined prevailing wages be paid, all in accordance with the Missouri prevailing wage law at Chapter 290, Revised Statutes of Missouri.

IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Missouri, in the City of Jefferson, on this 11th day of May, 1993.



Mel Carnahan
GOVERNOR

ATTEST:

Judith K. Moriarty
SECRETARY OF STATE