

hospital care or benefits or pensions on retirement, disability, or death, including any profit sharing plan which provides benefits at or after retirement, compensation for injuries or illness resulting from occupational activity, or insurance to provide any of the foregoing; for unemployment benefits, life insurance or accident insurance; for vacation and holiday pay; for defraying costs of apprenticeship or other similar programs; or for other bona fide fringe benefits, but only if the contractor is not required by federal, State, or local law to provide any of such benefits; and

[(ii)] 2. The rate of costs to the contractor or subcontractor which may be reasonably anticipated in providing the fringe benefits specified in paragraph [(2)(i)] (II)1. to workmen and apprentices pursuant to an enforceable commitment to carry out a financially responsible plan or program which is communicated in writing to the workmen and apprentices affected.

(I) "WEIGHTED AVERAGE RATE" FOR EACH CLASSIFICATION IN A LOCALITY MEANS THE RATE OBTAINED BY

(1) ADDING THE PRODUCTS OBTAINED BY MULTIPLYING EACH HOURLY RATE PAID TO WORKERS IN THE CLASSIFICATION BY THE NUMBER OF WORKERS RECEIVING THAT RATE; AND

(2) DIVIDING THAT SUM BY THE TOTAL NUMBER OF WORKERS IN THE CLASSIFICATION.

(J) "LOCALITY" MEANS EITHER THE COUNTY OR BALTIMORE CITY IN WHICH THE WORK IS TO BE PERFORMED. IF THE PUBLIC WORK IS LOCATED WITHIN 2 OR MORE COUNTIES, OR A COUNTY AND BALTIMORE CITY, THE LOCALITY SHALL INCLUDE ALL SUBDIVISIONS IN WHICH THE PUBLIC WORK IS LOCATED.

8-504.

(a) Every public body authorized to contract for public works, before advertising for bids or proposals, shall request the Commissioner to determine the prevailing rates of wages for workmen and apprentices for the class or type of work called for by the public works, in the locality the work is to be performed. The Commissioner shall determine the prevailing hourly rate of wages, including the prevailing rate of wages for overtime work which shall in no event be less than time and a half the prevailing hourly rate of wages for straight time, for work of the same or a similar character in the locality in which the work is to be performed for the various classifications of workmen and apprentices required to execute the contemplated contract, and such determination or schedule of the prevailing hourly rate of wages shall be attached to and made a part of the specifications and the contract for the work. If there is not a substantial number of competent workmen engaged in work of the same or a similar character within the locality as established by the Commissioner, the Commissioner shall use the nearest established locality WITHIN THIS STATE WHICH MOST CLOSELY APPROXIMATES, IN