



Harris County Minimum Wage Policy for Contract Workers

SECTION I: FINDINGS

Whereas, Harris County has already established a minimum wage required for employees of contractors on vertical construction projects;

Whereas, raising the minimum wage is shown to attract workers with more and better skills, increasing the quantity and quality of work provided to the County¹;

Whereas, raising the minimum wage leads to increases in productivity and reductions in turnover, resulting in savings for employers and a more capable workforce²;

Whereas, raising the minimum wage will substantially improve the quality of Harris County projects and services by recruiting and retaining qualified workers for jobs performed for Harris County;

Whereas, raising the minimum wage will result in safer working conditions including one study which showed lower wages connected to a 15% increase in occupational injuries meaning less safe workplaces and more business expenses in connection with lost employee workdays³; and

Whereas, raising the minimum wage will result in higher quality work for Harris County.

NOW, THEREFORE, BE IT RESOLVED that Harris County hereby adopts the following Harris County Contractor Minimum Wage Policy.

SECTION II: PURPOSE

The Harris County Minimum Wage Policy for Contract Workers (the “Contractor Minimum Wage Policy”) is adopted by Harris County Commissioners Court to set a minimum wage for workers on contracts solicited by the County and applies to all work solicited to be performed on County property or County projects. The Contractor Minimum Wage Policy applies to all eligible contractors and subcontractors as described below. The Contractor Minimum Wage Policy is the result of a Harris County Commissioners Court Order, dated June

¹ Helper, Susan and Ryan Noonan. “Taking the High Road: New Data Show Higher Wages May Increase Productivity, Among Other Benefits” US Department of Commerce Economics and Statistics Administration. August 4, 2015. Accessed March 5, 2025. <https://www.commerce.gov/sites/default/files/migrated/reports/taking-the-high-road-new-data-show-higher-wages-may-increase-productivity-among-other-benefits.pdf>

² Northwestern University. (2023, February 9). What Happens to Worker Productivity after a Minimum Wage Increase? Accessed March 25, 2025. Kellogg Insight. <https://insight.kellogg.northwestern.edu/article/worker-productivity-minimum-wage-increase>

³ Peter Philips, Garth Magnum, Norm Waitzman, and Anne Yeagle. 1995. “Losing Ground: Lessons From the Repeal of ‘Little’ Davis-Bacon Acts,” University of Utah Department of Economics Working Paper. Accessed March 25, 2025: <https://faircontracting.org/wp-content/uploads/2022/03/2-losingground-Lessons-from-Repeal-of-9-Little-DB-Acts.pdf>.

4, 2024, requiring policy recommendations for the adoption and implementation of a Minimum Wage for all Harris County employees and workers directly assigned to work on County contracts.

SECTION III: POLICY

Harris County shall require a wage floor on eligible contracts awarded by the County requiring contractors to pay workers a minimum wage that is no less than \$21.65 per hour, adjusted annually through the use of the Massachusetts Institute of Technology (“MIT”) Living Wage Calculator’s hourly living wage for one working adult with no dependents, in order to obtain increased work quality and better services to the County on such County contracts. This Minimum Wage rate is only applicable to work under the contract with Harris County.

SECTION IV: DEFINITIONS

Contractor: “Contractor” or “Prime Contractor” means any individual, firm, or other entity contracted to provide services to the County under a County contract.

Contractor Staff: A full-time, part-time, temporary or seasonal personnel of the Prime Contractor or any Subcontractor who are Directly Assigned to the Contract.

County: The “County” means Harris County, Texas, a political subdivision organized and existing under the laws of the State of Texas.

Directly Assigned: A Contractor Staff who provides services to the County under a contract between a Contractor and the County.

Emergency Contracts: Contracts utilized by Commissioners Court at their discretion in response to various emergency situations related to natural disasters, declared disaster events, public health and safety, or other critical incidents impacting County business or County workers such that compliance with this policy would cause execution of these contracts to unreasonably be hampered or delayed.

Goods: Physical or digital items sold to the County by the Contractor, such as bricks paper, fuel, office supplies tools, software, clothing, food, etc.

Massachusetts Institute of Technology (MIT) Living Wage Calculation: An annually adjusted estimate of the Harris County wage rate that a single adult with no children requires to cover or support the costs of their family’s basic needs, according to the Massachusetts Institute of Technology.

Services: The furnishing of skilled or unskilled labor or professional work but does not include professional service or consulting services subject to Chapter 2254 of the Texas Government Code.

Subcontractor: Any individual, firm, or entity engaged by the Contractor (including Subcontractor to Sub-subcontractor regardless of tier) to perform any element of the contract between the County and the Contractor.

SECTION V: SCOPE AND APPLICABILITY

Following policy adoption, all applicable contracts solicited on or after July 1, 2025, will include the applicable minimum wage rate as of the solicitation date, and that rate will apply to the initial contract term. This policy does not apply to contracts that were executed prior to adoption, or extensions or renewals of contracts

or exercises of options on contracts in place prior to that date. This policy does not limit, or impact in any way, the County's ability to consider in the manner it deems appropriate any relevant factor specifically listed in any particular request for bids, proposals, or qualifications. The policy will apply to the contractor staff of the prime contractor and all tiers of subcontracting.

The following types of contracts are exempt from this policy:

- a) Interlocal Government Agreements;
- b) Cooperative Purchasing Agreements;
- c) Sole Source Contracts;
- d) Emergency Contracts;
- e) Contracts for purchases of goods and services considered to be ancillary to the purchases of goods. A business entity that only supplies goods (bricks, paper, fuel, office supplies, tools, clothing, food, etc.) and such transportation services as may be incident to delivering those goods to County Property (including the use of common carriers (e.g., truck drivers)) is considered a "Supplier" and Suppliers are not subject to the Contractor Minimum Wage Policy.
- f) Contracts for the sale of County Property or goods;
- g) Contracts with a total value of less than \$50,000 per year⁴;
- h) Contracts paid using funds where a condition of those funds is that application of this policy is prohibited⁵;
- i) Services procured under Texas Government Code § 2254 (Professional and Consulting Services);
- j) Contracts procured under the discretionary exemptions found in Texas Local Government Code § 262.024; or
- k) Contracts expressly waived by Harris County Commissioners Court if determined to be in the best interest of the county.

This policy sets a wage floor. If any law, rule, regulation, or policy requires a higher minimum wage rate for work subject to this policy, then the higher minimum wage rate applies. Nothing in this policy impacts in any way any bidder's ability to pay a wage rate higher than the wage rate set by this policy.

SECTION VI: ADMINISTRATION & COMPLIANCE

Administration. The Harris County Purchasing Department ("Purchasing") will administer all solicitation instructions, certifications, contract clauses, and compliance requirements before the award is made.

Adjustments to Minimum Wage. The County's adopted minimum wage will be adjusted annually based upon the MIT Living Wage Calculator amount at the start of each fiscal year (October 1). The Harris County Office of Management and Budget shall notify the Purchasing Agent by May 31st of each year what the applicable wage will be for the fiscal year beginning on October 1st. The Purchasing Department will adjust the updated minimum wage for eligible, newly initiated contracts and eligible renewal contracts per their renewal cycle upon the announcement of the County set wage rate. Accordingly, new solicitations for eligible contracts advertised annually will include the newly adjusted minimum wage requirement.

⁴ This value reflects the formal procurement threshold and shall reflect and align with any future updates to the Harris County Procurement Policy.

⁵ For example, contracts using federal funds are not an exemption on their own. Only laws that specifically prohibit the implementation of this policy are relevant.

Compliance. To be considered responsive, Contractors submitting an offer must self-certify that they will comply with the required minimum wage. Contractors must also self-certify that they will comply with the required minimum wage at the time of initiation or renewal of their contracts with the County.

Recordkeeping. Prime Contractors (not subcontractors) shall maintain all records, reports, and other documents or items that demonstrate compliance with the requirements of this Policy, including, but not limited to, times and payroll receipts that demonstrate that subcontractors meet the requirements of this policy. Contractors shall ensure Harris County has access to all records, including payroll records, reports and other documents or items of contractor and/or subcontractors that are maintained to demonstrate compliance with the requirements of this policy. Wage documentation should not include personally identifiable information but should clearly identify the roles of their workers, number of workers, and their wage rates.

Harris County may conduct compliance reviews before the award of contracts or whenever it deems it necessary after the award of the contract. Harris County Auditor's Office reserves the right to audit any eligible contracts for compliance with this policy.

Non-compliance and Enforcement. Anyone who believes a Contractor or Subcontractor may be in violation of this policy may report their concerns through the County's Fraud, Waste, and Abuse Hotline by calling 866-556-8181 or online at [HarrisCounty.ethicspoint.com](https://harriscounty.ethicspoint.com). Contractors or Subcontractors found to be in violation of their contracts pertaining to the County's Minimum Wage rates shall be subject to:

- Remedies set forth in their contract with the County, up to and including withholding payment under the contract or contract termination;
- Negative impact on submissions of future County solicitations and possibly denial of award of a contract;
- Probation, suspension, or debarment in accordance with applicable County policies;
- Damages, including compensating Contractor's Employees the amount(s) found to be owed to these individuals under the County Contract; and/or
- The County pursuing all options available under the law.

SECTION VII: MISCELLANEOUS

Nothing in this order shall be construed to impair or otherwise affect: (1) The authority granted by law to a Harris County Department, or the head thereof; or (2) The functions of the County Administrator or the Office of Budget Management relating to budgetary, administrative, or legislative proposals.

This policy shall be implemented consistent with applicable law and subject to the availability of appropriations.

This policy is not intended to, and does not, create any right or benefit, substantive or procedural, enforceable at law or in equity by any party against the County, its departments, agencies, or entities, its officers, employees, agents, or any other person.

The original version of this policy was adopted by Harris County Commissioners Court on March 27, 2025.

HARRIS COUNTY MINIMUM WAGE CERTIFICATION

Required for Prime Contractor

Project Title:

Name:

Title:

Business Name:

Business Address:

STATE OF TEXAS

I, _____, certify that:

1. I am the _____ (position) of _____ (“Contracting Entity”) and have the authority to execute this Certification on behalf of the Contracting Entity.
2. Harris County requires the Contracting Entity to pay, and to include in all contracts with subcontractors a binding provision that requires its subcontractors pay, to all workers performing under the particular contract awarded as part of this bid process (the “Contract”), at a minimum, the wage required by the Harris County Minimum Wage Policy for Contract Workers (the “Policy”). Currently, that wage rate is set at \$21.65 (the “Minimum Wage”). Please click on the following link to review the policy: [Item 462 Minimum Wage Policy for Contract Workers 3.27.2025.pdf](#)
3. By marking “Yes,” I certify that the Contracting Entity will pay, and will include a binding provision that requires subcontractors to pay, to all workers performing under the Contract, at a minimum, the Minimum Wage in effect on the date set forth below.

_____ YES _____ NO

4. I acknowledge and understand that the Contracting Entity will be disqualified from participating in this project if the Contracting Entity is unable to answer Certification No. 3 with “Yes.”
5. The Contracting Entity will provide access to all Policy-related records to Harris County, and will include in all contracting documents with subcontractors a binding provision that

requires subcontractors to provide access to all Policy-related records to Harris County, to allow Harris County to verify compliance with the Policy. Records to substantiate compliance shall be retained for six (6) years after the expiration of the Contract.

6. I am aware that the Contracting Entity's compliance with the Policy will be investigated, with my full permission, and that any misrepresentations, omissions, or failures to comply with the Policy or pay the Minimum Wage may cause my bid to be rejected or the County to pursue any of the remedies found in Section VI of the Policy under Non-compliance and Enforcement. If Contracting Entity includes required binding contractual provisions in contracts with subcontractors, and as long as those binding contractual provisions are fully applied to subcontractors, including, but not limited to, terminating subcontractor relationships for noncompliance, Contracting Entity will not be sanctioned for subcontractor noncompliance with the Policy.
7. The information provided in this Certification is true and correct.

Signature

Date