

CCS Administrative Procedure

5.30.05-D Prevailing Wage Practices

Implementing Board Policy [5.30.05](#)
Contact: Procurement Manager, 434-5325

1.0 Purpose

This procedure establishes guidelines to ensure compliance with the Washington State Public Works Act (RCW 39.12). Community Colleges of Spokane (CCS) shall make a determination as required by law whether each project is subject to the provisions of prevailing wage law (RCW 39.12.030). These requirements also follow 2 CFR §200.318 General procurement standards that state CCS as a non-Federal agency is to use its own documented procurement procedures which reflect applicable State, local, and tribal laws and regulations, provided that the procurements conform to the applicable Federal law and the standards identified in the Federal code.

2.0 Limitations and Requirements

2.1 Prevailing Wage requirements apply to:

- 2.1.1 Public work: all work, construction, alteration, repair or improvement that is executed at the cost of the state. This includes, but is not limited to, demolition, remodeling, renovation, road construction, building construction, and utilities construction (RCW 39.04.010);
- 2.1.2 All buildings and facilities maintenance performed by contract (RCW 39.12.010);
- 2.1.3 Public building service maintenance (janitorial) contracts (RCW 39.12.020; WAC 296-127-023);
- 2.1.4 Offsite fabrication of nonstandard items specifically for a public works project (RCW 39.12.020; WAC 296-127-010(5)(b));
- 2.1.5 Production and delivery of sand, gravel, crushed rock, concrete, asphalt and other similar materials when that work is executed under a public works contract (RCW 39.12.010; RCW 39.12.020; WAC 296-127-018);
- 2.1.6 Turnkey projects: any work, construction, alteration, repair or improvement, other than ordinary maintenance, that the state induces or compels to be performed by a private party through a contract to rent, lease, or purchase at least fifty percent of the project (RCW 39.04.260).
- 2.1.7 Such other circumstances as may arise where the Department of Labor & Industries shall have given guidance and interpretation regarding the applicability of statutes.

2.2 Prevailing Wage requirements *do not* apply to:

- 2.2.1 Work done by CCS employees, whether repair, maintenance or janitorial service;
- 2.2.2 Repairs or maintenance to personal property wherever located, such as copiers or vehicles;
- 2.2.3 Testing and certification of equipment and systems done without repairs or enhancements, such as annual fire hydrant certifications, elevator system inspections or overhead crane inspections.
- 2.2.4 Snow removal from parking lots;
- 2.2.5 Such other circumstances as may arise where the Department of Labor & Industries shall have given guidance and interpretation regarding the applicability of statutes.

3.0 Responsible Parties

- 3.1 The District Director of Facilities will take steps as necessary to comply with Prevailing Wage statutes regarding work done under her/his direction or authority of the Department of General Administration.

- 3.2 The Procurement Manager will take steps as necessary to comply with Prevailing wage statutes regarding work done under her/his direction or authority.

4.0 Processes

- 4.1 No payments shall be made for work subject to Prevailing Wage statutes until after receipt of a Statement of Intent to Pay Prevailing Wages, previously approved by the Department of Labor and Industries, has been provided to CCS by the contractor or has been made available for inspection on the Prevailing Wage website for such purposes (RCW 39.12.040).
- 4.2 No final payments or release of retainage shall be made for work subject to Prevailing Wage statutes until after receipt of an Affidavit of Wages Paid, previously certified by the Department of Labor and Industries, has been provided to CCS by the contractor or has been made available for inspection on the Prevailing Wage website for such purposes (RCW 39.12.040).
- 4.3 Due to the shift of liability for unpaid wages from the contractor to CCS, the alternate methods for filing combined forms for small contracts under \$2,500 or limited public works projects under \$35,000 as provided for in (RCW 39.12.040(2)) shall not be used for work done for CCS.
- 4.4 The Procurement Manager shall devise and manage a tracking system for each project to ensure that appropriate Prevailing Wage documentation has been filed and approved prior to the release of CCS payments to contractors.

5.0 Related Information

- 5.1 [Chapter 39.12 RCW](#) – Prevailing Wages on Public Works Act
- 5.2 [Chapter 296-127 WAC](#) – Prevailing Wage Rules
- 5.3 Department of Labor & Industries Web Site – [Prevailing Wage](#)