

## PREVAILING WAGE PROVISIONS

This document includes the following:

1. Prevailing Wage Template Certification for Exhibit A-1
2. Prevailing Wage Provision to be added to a Goods/Services Contract

### 1. Exhibit A-1 Provision for State Agency Contracts for Goods/Services

Prevailing Wage.

- **PREVAILING WAGE.** Bidder certifies as follows (*must check applicable box(es)*):

- KNOWLEDGEABLE & COMPLIANT WITH PREVAILING WAGE REQUIREMENTS.** Bidder understands Washington's Prevailing Wage on Public Works Act, RCW 39.12 (Act) and the rules promulgated by the Washington State Department of Labor and Industries (L&I Rules) and, if awarded a Contract pursuant to this Competitive Solicitation, unless exempt, Bidder (including any subcontractors) will pay all workers employed in the performance of any part of the work resulting from such Contract in accordance with the Act and the L&I Rules. Bidder has NOT been cited by the Washington State Department of Labor and Industries (L&I) for violations of the Act and/or L&I Rules within the five (5) years preceding the date of this Competitive Solicitation.

OR

- BIDDER VIOLATIONS OF PREVAILING WAGE REQUIREMENTS.** As detailed on the attached explanation (Bidder to provide), within the five (5) years preceding the date of this Competitive Solicitation, Bidder was cited by the Washington State Department of Labor and Industries (L&I) for violations of the Act and/or L&I Rules. Note: if Bidder was cited for a violation during such time period, Bidder must provide a complete, detailed explanation including the applicable project(s), the dates involved, the number of violations, any necessary corrective action, and any penalties incurred. Failure to do so will result in a nonresponsive bid.

OR

- NOT KNOWLEDGEABLE & COMPLIANT WITH PREVAILING WAGE REQUIREMENTS.** Bidder does NOT comply with the Act and/or L&I Rules.

## 2. Prevailing Wage Contract Provision for State Agency Contracts for Goods/Services

### PREVAILING WAGE

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#### PROVISION:

- PREVAILING WAGES.** This Contract is subject to Washington's Prevailing Wage on Public Works Act (RCW 39.12). Accordingly, for work pursuant to this Contract, Contractor (including any subcontractors), unless exempt, shall pay all workers employed in the performance of any part of the work in accordance with RCW 39.12 and the rules promulgated by the Washington State Department of Labor and Industries.
  - (a) **WAGE RATES.** Contractor, and any subcontractor or other person doing any portion of the work covered by this Contract, shall not pay any laborer, worker, or mechanic less than the applicable and most current prevailing hourly wage rates and fringe benefits for said worker's classification to all laborers workers or mechanics who perform any work pursuant to any resulting contract, in conformance with the scope or work description of the Industrial Statistician of the Washington State Department of Labor and Industries. Contractor shall have sole responsibility to ascertain the applicable prevailing rate of wage for such classification, as set forth by the State of Washington for the County in which the work is performed. The applicable prevailing wage rates are set forth on the [website](#) for the Washington State Department of Labor and Industries. Prevailing wage rates are updated twice a year, on the first business day in February and August, and take effect thirty (30) days after publication.
  - (b) **STATEMENT OF INTENT TO PAY PREVAILING WAGES.** Before commencing any work under this Contract, Contractor (and all subcontractors) shall file with the Washington State Department of Labor and Industries, for approval, a statement, under oath, certifying its Intent to Pay Prevailing Wages. Contractor also shall provide a copy of the Intent to Pay Prevailing Wages to [AGENCY].
  - (c) **INVOICES & CONTRACT PAYMENTS.** Contractor understands and agrees that each invoice for payment submitted to Purchaser shall state that prevailing wages have been paid in accordance with the pre-filed Statement(s) of Intent, as approved. Copies of the Intent to Pay Prevailing Wages shall be posted on the work site with the address and telephone number of the Industrial Statistician of the Washington State Department of Labor and Industries where a complaint or inquiry regarding prevailing wages may be made.
  - (d) **AFFIDAVIT OF WAGES PAID.** Upon completion of the work under this Contract, Contractor (and each subcontractor) shall file with the Washington State Department of Labor and Industries the approved Affidavit of Wages Paid. Purchaser shall condition final payment to Contractor on the submittal of such Affidavit of Wages Paid.
  - (e) **LABOR & INDUSTRIES FEES.** Contractor shall pay to the Washington State Department of Labor and Industries any applicable fees for the Statement of Intent and/or Affidavit of Wages Paid that are to be submitted to the Washington State Department of Labor and Industries for certification.