



Washington State
DEPARTMENT OF
ENTERPRISE SERVICES

PUBLIC WORKS 101

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WHAT ARE PUBLIC WORKS?

Construction, alteration, repair, or improvement of state/municipal facilities



More than ordinary maintenance



Applies regardless of funding source or project cost



Contracted maintenance = public works (requires prevailing wage)

ORDINARY VS. CONTRACTED MAINTENANCE

Ordinary maintenance:

- Performed by agency employees
- Does not trigger public works requirements

Contracted maintenance:

- Must follow public works rules
- Requires prevailing wages
- Must be competitively procured

KEY PUBLIC WORKS REQUIREMENTS

Competitive
bidding (RCW
39.04)

Award to lowest
responsive and
responsible bidder

Prevailing wage
requirements
(RCW 39.12)

Payment and
performance
bonds

Retainage (RCW
60.28)

Apprenticeship
requirements

DES PUBLIC WORKS AUTHORITY



DES must procure all non-maintenance work unless delegated



Includes design, construction, major repairs, and alterations



Capital-funded and other funded projects must go through DES FPS



Agencies cannot directly hire contractors, architectural engineering firms, or procure construction

WHY COMPLIANCE MATTERS

Project protests
can halt work

L&I enforcement
for wage
compliance

Audit findings and
financial penalties

Legal exposure for
misprocurement

Public transparency
and fairness
expectations

WHAT IS NOT PUBLIC WORKS

Goods and services (RCW 39.26):

- Purchased services
- Personal services
- Goods and supplies

These do NOT follow public works rules

EXAMPLES

Public works:

- Roof replacement
- HVAC upgrade
- Building remodel
- Parking lot resurfacing
- Generator installation

Not public works:

- Consulting studies
- IT support
- Training services
- Furniture purchases
- Routine janitorial (if in-house)

THANK YOU



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