

PORT TOWNSEND SCHOOL DISTRICT

Information for Vendors/Contractors -- MAINTENANCE, REPAIRS & PUBLIC WORKS

All contractors who perform Public Works for public entities in the State of Washington must comply with certain requirements stipulated in state law. Additionally, certain routine repair and maintenance work that is not classified as a "public work" is still subject to prevailing wage requirements. The following information is provided to vendors to ensure compliance with all regulations.

Prevailing Wage:

All work performed for the Port Townsend School District must be executed in compliance with RCW 39.12 (Washington State Public Works Act, also known as the Prevailing Wage Law). Prevailing Wage Law applies to Public Works projects, ordinary maintenance or repair contracts, and potentially some contracts for Purchased Services. These requirements include:

- File an "Intent to Pay Prevailing Wage" with the Department of Labor and Industries. The intent should be filed and a copy provided to Port Townsend School District prior to any work performed.
- File an "Affidavit of Wages Paid" with the Department of Labor and Industries at completion of project. The affidavit should be filed and a copy provided to Port Townsend School District prior to final payment for the work performed.
- Note that there is a Combined Intent and Affidavit form that can be used on projects below \$35,000; for projects below \$2,500 the filing fee is waived.
- Information regarding Intents and Affidavits may be found on the following L&I websites:
<http://www.lni.wa.gov/TradesLicensing/PrevWage/>
<http://www.lni.wa.gov/TradesLicensing/PrevWage/IntentAffidavits/default.asp>
<http://www.lni.wa.gov/TradesLicensing/PrevWage/IntentAffidavits/File/default.asp>
- Intent must be filed prior to start of work.

Public Works - Performance Bond and Retainage:

- Per RCW 60.28, the district must reserve, a contract retainage not to exceed five percent of the moneys earned by the contractor, until project completed and all releases have been received.
- Per RCW 39.08.010, contractors must provide a performance bond.
- On contracts of thirty-five thousand dollars or less, at the option of the contractor the respective public entity may, in lieu of the bond, retain fifty percent of the contract amount for a period of thirty days after date of final acceptance, or until receipt of all necessary releases and settlement of any liens filed under chapter 60.28 RCW, whichever is later.
- Per RCW 39.04.155 (3), if contract is let using a "Limited Public Works" process, the district may waive performance bond and/or retainage requirements.

Contractors must agree to abide by these and all other state, local and federal regulations in regard to performance of work for the Port Townsend School District, including but not limited to the Americans with Disabilities Act and Equal Employment Opportunity laws.