



## **PUBLIC WORKS & PREVAILING WAGES**

### **FREQUENTLY ASKED QUESTIONS**

Q: Can I start work before I have a purchase order from Sno-Isle Libraries?

A: No. A purchase order must be provided by Sno-Isle Libraries in order to start work on a project, to ensure expectations, terms and conditions are communicated and understood by both parties. This is for the protection of the vendor as well as Sno-Isle Libraries. The delivery of the purchase order also will include instructions and details of prevailing wage requirements, to assist the contractor in completing the necessary requirements to receive payment.

Q: Is general maintenance a public works?

A: Under Sno-Isle Libraries' procurement policy, maintenance performed by a non-employee and under a contract, is treated as a public works project. Sno-Isle Libraries' approach closely aligns with MRSC's approach to conservatively treat ordinary maintenance performed by an external party as requiring prevailing wage. Per the definition of a public work: *All work, construction, alteration, repair, or improvement, other than ordinary maintenance, executed at the cost of the state or of any municipality, or which by law a lien of charge on any property therein. All public works, included maintenance when performed by contract shall comply with chapter 39.12 RCW.*

Q: I am paying another public agency to perform the work. Do I still need to pay prevailing wage?

A: Yes! Any funds paid by a public agency for labor performed, regardless of who is performing the labor (e.g. not an internal employee), should be paid prevailing wage and subject to public works requirements.

Q: I submitted my invoice for payment but haven't received payment. Why?

A: If the activity performed falls under the categorization of a public works, an Intent to Pay Prevailing Wages and Affidavit of Wages Paid must be filed and approved by L&I before any payment can be made.

Q: My affidavit has been approved by L&I and I am still awaiting payment. Why?

A: If the project in question exceeded a total project cost of \$35,000, a Notice of Completion is required to be filed with the 3 WA state agencies (Department of Labor & Industries, Department of Revenue and Employment Security Department) and releases received before final payment or release of retainage can be performed.

Q: Why does the Notice of Completion take so long?

A: A Notice of Completion requires detailed information to be submitted to 3 WA state agencies (L&I, DOR, and ESD). These agencies require additional submissions by the vendor in the form of questionnaires or quarterly taxes before any releases are provided to Sno-Isle Libraries to pay funds.

Q: How do I log on or sign up for Sno-Isle Libraries' MRSC Roster?

A: Instructions to sign up for Sno-Isle Libraries Small Works Roster can be found at [https://www.sno-isle.org/assets/13145/13145\\_20180326034234.docx](https://www.sno-isle.org/assets/13145/13145_20180326034234.docx).

Q: I signed up on Sno-Isle Libraries' MRSC Roster but I received a message Sno-Isle Libraries does not see me. Why?

A: If Sno-Isle Libraries cannot find you, it could be: 1) your registration expired as it is only good for 1 year; or 2) your registration did not include all categories applicable to the services you provided and you need to expand the services selected under the Sno-Isle Libraries' roster.

Q: How do I file an Intent & Affidavit?

A: Instructions to file an Intent & Affidavit can be found at [https://www.sno-isle.org/assets/13145/13145\\_20180326034253.docx](https://www.sno-isle.org/assets/13145/13145_20180326034253.docx). Additional assistance can be found by contacting Department of Labor & Industries at <https://lni.wa.gov/Main/ContactInfo/TradesLicensing/PrevailingWage.asp>.

Q: I am a sole proprietor or owner of my company. I don't have any employees who performed the work. Do I have to file an intent and affidavit?

A: Yes, as either a sole proprietor or 30% or more owner of a company, you must still file an intent and affidavit with the Department of Labor & Industries as required by law. You will not have to pay the \$40 filing fee for the affidavit filing, only a \$40 fee for filing the intent.

Q: How can contractors find out about projects that are available to bid on?

A: A quarterly outlook will be posted at <https://www.sno-isle.org/vendor/current-projects>. You can also be informed about Sno-Isle Libraries' upcoming projects by making sure to register with Sno-Isle Libraries' MRSC Small Works Roster and check the Daily Journal of Commerce for any bid requests published.

Q: I use subcontractors to complete my projects. Is there anything I need to do when I use subcontractors?

A: Yes. Any and all subcontractors who work on any portion of a public works project must: 1) Have a valid WA state UBI number and an active license for the duration of the contract period; 2) Be in and remain in good standing with the Department of Labor & Industries and the Department of Revenue; 3) File Intents and Affidavits for the contract period, for the same milestones the contractor is required to file.

Q: What are Sno-Isle Libraries' bid thresholds?

A: Sno-Isle Libraries' annual project thresholds for quotes / formal bids are as follows:

- Annual purchase under \$2,500: 1 quote required
- Annual purchase between \$2,500 - \$34,999: 3 quotes required
- Annual purchase between \$35,000 - \$149,000: 5 quotes required
- Annual purchase between \$150,000 or more: formal sealed bids required
- Annual purchase of \$300,000 or more: Board of Trustees' approval required before initiating sealed bids

#### Glossary of Terms:

- Intent = *Intent to Pay Prevailing Wages*
- Affidavit = *Affidavit for Wages Paid*
- MRSC = *Municipal Research and Services Center*
- L&I = *WA Department of Labor & Industries*
- DOR = *WA Department of Revenue*
- ESD = *WA Employment Security Department*