

FINAL BILL REPORT

E2SHB 1673

C 243 L 18
Synopsis as Enacted

Brief Description: Adding training on public works and prevailing wage requirements to responsible bidder criteria.

Sponsors: House Committee on Labor & Workplace Standards (originally sponsored by Representatives Doglio, Sells, Gregerson, Ormsby, Macri, Goodman, Frame, Stonier, McBride, Cody, Senn, Ortiz-Self and Pollet).

House Committee on Labor & Workplace Standards
House Committee on Appropriations
Senate Committee on Commerce, Labor & Sports
Senate Committee on Labor & Commerce

Background:

Bidders for public works contracts must meet responsibility criteria to be qualified for a contract. To be a responsible bidder, the bidder must:

- be a registered contractor;
- have a current state Unified Business Identifier number;
- have, if applicable, industrial insurance coverage for employees, an Employment Security Department number, and a state excise tax registration number;
- not be disqualified from bidding due to certain violations on a previous contract;
- if the project is subject to apprenticeship utilization requirements, not have been found out of compliance with certain apprenticeship requirements; and
- not have willfully violated wage requirement.

Contractors must verify responsibility criteria for each first-tier subcontractor, and subcontractors must verify the criteria for each of their subcontractors.

In general terms, "public works" is all work, construction, alteration, repair or improvement that is executed at the cost of the state or any other local public agency. Prevailing wages must be paid on all public works. The prevailing wage is the hourly wage, usual benefits, and overtime paid in the largest city in each county to the majority of individuals in the same trade or occupation. A Prevailing Wage Advisory Committee (PWAC) reviews and makes recommendations on public works policy alternatives submitted to the Department.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

Contractor training classes offered by the Department of Labor and Industries (Department) include training on prevailing wages.

Summary:

To qualify as a responsible bidder, contractors and subcontractors must have received training from the Department or training by a provider whose curriculum is approved by the Department relating to the requirements associated with public works and prevailing wage. The Department must determine the length of the training in consultation with the PWAC. Bidders who have completed three or more public works projects and have had a valid Washington business license for three or more years are exempt. The bidder must designate a person or persons to be trained.

The Department must keep records of entities that have satisfied the training requirements or are exempt and post the records on its website. Responsible parties may rely on the records.

The provisions are null and void unless funded in the operating budget.

Votes on Final Passage:

House	59	38
House	63	35
Senate	31	17

Effective: July 1, 2019