

**Municipal Research and Services Center  
Statutory Checklist for Local Government  
Public Works Contracting in Washington State**

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**Disclaimer**

This checklist is intended solely for local governments in Washington State and for contracts utilizing the traditional design-bid build contracting method. Not every possible statute affecting public works contracting is listed herein. Use of this checklist is not a substitute for review of a public works contract and associated paperwork by an agency's legal staff.

**Public Works Or Other**

[39.04.010](#) Definitions.

(4) "Public work" means all work, construction, alteration, repair, or improvement other than ordinary maintenance, executed at the cost of the state or of any municipality, or which is by law a lien or charge on any property therein. All public works, including maintenance when performed by contract shall comply with chapter [39.12](#) RCW. "Public work" does not include work, construction, alteration, repair, or improvement performed under contracts entered into under RCW [36.102.060](#)(4) or under development agreements entered into under RCW [36.102.060](#)(7) or leases entered into under RCW [36.102.060](#)(8).

**Plans, Specifications and Estimates**

Yes N/A <input type="checkbox"/> <input type="checkbox"/>	<p><a href="#">39.04.020</a> Plans and specifications -- Estimates -- Publication -- Emergencies.</p> <p>1. Plans, specifications and estimates (PSE) to be done and filed with the governing body. As appropriate, PSE to be approved by the governing body.</p> <p>2. If project is over \$25K, then agency must advertise if it is doing work with its own forces or contracting w/o SPWR or competitive bids</p>
Yes N/A <input type="checkbox"/> <input type="checkbox"/>	<p><a href="#">39.04.040</a> Work to be executed according to plans -- Supplemental plans.</p> <p>PSE changes are to be filed as well.</p>
Yes N/A <input type="checkbox"/> <input type="checkbox"/>	<p><a href="#">39.04.050</a> Contents of original estimates.</p> <p>Original estimates shall show in detail the estimated cost of the work; the estimated quantities of each class of work; the estimated unit cost for each class; the estimated total cost for each class; the time limit, allowed for the completion of the work and the estimated dates of commencement and completion.</p>
Yes N/A <input type="checkbox"/> <input type="checkbox"/>	<p><a href="#">39.04.060</a> Supplemental estimates.</p> <p>Supplemental estimates shall show the estimated increase or decrease in the total quantities of each class, in the unit cost of each class, in the total cost for each class and in the total cost of the work as shown by the original estimate, together with any change in the time limit and in the estimated dates of commencing and completing the work.</p>
Yes N/A <input type="checkbox"/> <input type="checkbox"/>	<p><a href="#">39.04.070</a> Account and record of cost.</p> <p>Whenever the state or any municipality shall execute any public work by any means or method other than by contract or small works roster, it shall cause to be kept and preserved a full, true and accurate account and record of the costs of executing such work in accordance with the budgeting, accounting, and reporting system provisions prescribed by law for the municipality.</p>

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Yes <input type="checkbox"/>	N/A <input type="checkbox"/>	<a href="#">39.04.080</a> Certified copy to be filed -- Engineers' certificate. Engineer or project manager to certify actual costs; filed with plans and specifications within 60 days of completion of work
Yes <input type="checkbox"/>	N/A <input type="checkbox"/>	<a href="#">39.04.100</a> Records open to public inspection -- Certified copies. PSE are public records and certified copies must be provided on demand.
Yes <input type="checkbox"/>	N/A <input type="checkbox"/>	<a href="#">39.04.110</a> Penalty for false entries. False entries by agency staff are misdemeanors.

**Bonds and Retainage**

Yes <input type="checkbox"/>	N/A <input type="checkbox"/>	<a href="#">39.08.010</a> Bond required -- Conditions -- Retention of contract amount in lieu of bond -- Contracts of one hundred thousand dollars or less. <ol style="list-style-type: none"> <li>1. Performance and payment bond(s) required</li> <li>2. Licensed surety company</li> <li>3. Filed with clerk</li> <li>4. Contracts less than \$150K - contractor may opt for 10% retainage in lieu of bond</li> <li>5. Individual surely option for contracts less than \$150K</li> </ol>
Yes <input type="checkbox"/>	N/A <input type="checkbox"/>	<a href="#">39.08.015</a> Liability for failure to take bond. If no bond is "taken" by the governing body, then the agency is liable for unpaid debts of a contractor
Yes <input type="checkbox"/>	N/A <input type="checkbox"/>	<a href="#">39.08.030</a> Conditions of bond -- Notice of claim -- Action on bond -- Attorney's fees. <ol style="list-style-type: none"> <li>1. Bond to be for full contract price (with some possible reductions)</li> <li>2. Project to be accepted by board, council, commission, trustees, officer, or body</li> <li>3. Claims against the bond must be filed within 30 days of acceptance</li> <li>4. Format claim as described in statute</li> </ol>
Yes <input type="checkbox"/>	N/A <input type="checkbox"/>	<a href="#">39.08.065</a> Notice to contractor condition to suit on bond when supplies are furnished to subcontractor. Suppliers must file notice in writing to contractor, subcontractor within 10 days after deliveries have started
Yes <input type="checkbox"/>	N/A <input type="checkbox"/>	<a href="#">60.28.011 (1)</a> Retained percentage. a. Agencies must reserve contract retainage not to exceed five percent of the moneys earned by the contractor as a trust fund. (i) To pay claims of any person arising under the contract; and (ii) the state with respect to taxes imposed pursuant to Titles <a href="#">50</a> , <a href="#">51</a> , and <a href="#">82</a> RCW which may be due from such contractor.
Yes <input type="checkbox"/>	N/A <input type="checkbox"/>	<a href="#">60.28.011 (1)</a> Public transportation projects b. Public improvement contracts involving the construction, alteration, repair, or improvement of any highway, road, or street funded in whole or in part by federal transportation funds shall rely upon the contract bond as referred to in chapter <a href="#">39.08</a> RCW for the protection and payment of: (i) Claims of any person arising under the contract; and (ii) the state with respect to taxes imposed pursuant to Titles <a href="#">50</a> , <a href="#">51</a> , and <a href="#">82</a> RCW which may be due from such contractor.

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<p>Yes N/A <input type="checkbox"/> <input type="checkbox"/></p>	<p><a href="#">60.28.011 (2)</a> Labor and material lien created Every person performing labor or furnishing supplies toward the completion of a public improvement contract shall have a lien upon moneys reserved by a public body under the provisions of a public improvement contract. - Notice of the lien of the claimant shall be given within forty-five days of completion of the contract work, and in the manner provided in RCW <a href="#">39.08.030</a>.</p>
<p>Yes N/A <input type="checkbox"/> <input type="checkbox"/></p>	<p><a href="#">60.28.011 (3)</a> Reduction of retainage amount Contractor at any time may request the contract retainage be reduced to one hundred percent of the value of the work remaining on the project a. After completion of all contract work other than landscaping, the contractor may request that the public body release and pay in full the amounts retained during the performance of the contract, and sixty days thereafter the public body must release and pay in full the amounts retained (other than continuing retention of five percent of the moneys earned for landscaping) subject to the provisions of chapters <a href="#">39.12</a> and <a href="#">60.28</a> RCW. b. Sixty days after completion of all contract work the public body must release and pay in full the amounts retained during the performance of the contract subject to the provisions of chapters <a href="#">39.12</a> and <a href="#">60.28</a> RCW.</p>
<p>Yes N/A <input type="checkbox"/> <input type="checkbox"/></p>	<p><a href="#">60.28.011 (4)</a> Contractor's options for retainage a. Retained in a fund by the public body; b. Deposited by the public body in an interest bearing account in a bank, mutual savings bank, or savings and loan association. Interest on moneys reserved by a public body under the provision of a public improvement contract shall be paid to the contractor; c. Placed in escrow with a bank or trust company by the public body.</p>
<p>Yes N/A <input type="checkbox"/> <input type="checkbox"/></p>	<p><a href="#">60.28.011 (5)</a> Contractors and higher tier subcontractors may withhold no more than 5% retainage from any subs, sub-subcontractors, or supplies, and must pay the same rate of interest.</p>
<p>Yes N/A <input type="checkbox"/> <input type="checkbox"/></p>	<p><a href="#">60.28.011 (6)</a> Retainage bond A contractor may submit a bond for all or any portion of the contract retainage in a form acceptable to the public body and from a bonding company meeting standards established by the public body</p>
<p>Yes N/A <input type="checkbox"/> <input type="checkbox"/></p>	<p><a href="#">60.28.011 (10)</a> Projects of farmers home administration Contracts on projects funded in whole or in part by farmers home administration and subject to farmers home administration regulations are not subject to retainage requirements..</p>
<p>Yes N/A <input type="checkbox"/> <input type="checkbox"/></p>	<p><a href="#">60.28.040</a> Tax liens -- Priority of liens <i>(as amended by 2014 c 97)</i></p>

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	<p><i>Priority of Claims Against Retainage</i></p> <ol style="list-style-type: none"> <li>1. Workers not paid prevailing wages</li> <li>2. Dept. of Revenue – taxes due on public works project</li> <li>3. Dept. of Revenue – taxes due on other projects</li> <li>4. ESD and L&amp;I for taxes due on public works project</li> <li>5. Subcontractors and suppliers</li> <li>6. Other taxes due (ESD, L&amp;I for taxes due on other projects; other taxes)</li> <li>7. The Owner</li> </ol>
Yes N/A <input type="checkbox"/> <input type="checkbox"/>	<p><a href="#">60.28.051</a> Duties of disbursing officer upon completion of contract. Contracting officer is to notify DOR, ESD and L&amp;I Industrial Insurance of the completion of all contracts over \$35,000. And not release retainage until clearances have been received from all three State agencies.</p>
Yes N/A <input type="checkbox"/> <input type="checkbox"/>	<p><a href="#">60.28.060</a> Duties of disbursing officer upon final acceptance of contract -- Request of payment of taxes, increases, penalties, and claims. DOR, ESD and L&amp;I are to give contracting officer notice of any taxes due and amounts. Contracting officer to pay such amounts within ten days subject to priority of claims.</p>
	<p>Bid Bond Requirements – See Table A These requirements vary by agency and sometimes by agency size. Where specifically mentioned, the amount is 5% of the total bid.</p>

**Competitive Bidding and Award**

Yes N/A <input type="checkbox"/> <input type="checkbox"/>	<p><a href="#">39.30.060</a> Bids on public works -- Identification, substitution of subcontractors. For contracts estimated to cost over \$1,000,000, an agency must ask contractors to submit as part of the bid, or w\W/I one hour after the published bid submittal time a list of HVAC, plumbing, and electrical subcontractors. Subcontractors for the work of structural steel installation and rebar installation are due W/I 48 hours. Alternately the bidder must name itself for the work. Failure to do so will render the contractor's bid unresponsive.</p>
Yes N/A <input type="checkbox"/> <input type="checkbox"/>	<p><a href="#">39.04.105</a> Competitive bidding -- Written protests -- Notice of contract execution. If requested by any bidder, provide all bid copies within 2 business days. Must wait 2 days after providing to award the contract. If a written protest is received from a bidder, the agency is not to execute a contract with anyone other than the protesting bidder without at least two full business days' written notice of it's intent to execute a contract for the project; provided that the protesting bidder submits notice in writing of its protest no later than two full business days following bid opening.</p>
Yes N/A <input type="checkbox"/> <input type="checkbox"/>	<p><a href="#">39.04.107</a> Competitive bidding -- Bidder claiming error. A low bidder on a public works project who claims error and fails to enter into a contract is prohibited from bidding on the same project if a second or subsequent call for bids is made for the project</p>
Yes N/A <input type="checkbox"/> <input type="checkbox"/>	<p><a href="#">39.04.120</a> Change orders due to environmental protection requirements -- Costs -- Dispute resolution If new environmental regulations or amendments to existing regulations create work not anticipated in a contract, the contractor is entitled to compensation for that work.</p>

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<p>Yes N/A <input type="checkbox"/> <input type="checkbox"/></p>	<p><a href="#">39.04.180</a> Trench excavations -- Safety systems required If trench excavation will exceed a depth of four feet, the contract will require safety systems for said trench excavation. This requirement shall be included in the cost estimates and bidding forms as a separate item. The costs of trench safety systems shall not be considered as incidental to any other contract item and any attempt to include the trench safety systems as an incidental cost is prohibited.</p>
<p>Yes N/A <input type="checkbox"/> <input type="checkbox"/></p>	<p><a href="#">39.04.350</a>(1) Bidder responsibility criteria -- Mandatory criteria.</p> <ol style="list-style-type: none"> <li>1. be a registered contractor at the time of bid submittal (RCW 18.27.020), which includes having an active tax registration number and employment security department number;</li> <li>2. have a current Unified Business Identifier number;</li> <li>3. have industrial insurance coverage;</li> <li>4. have not been disqualified from bidding under RCW 39.06.010;</li> <li>5. have not been found out of compliance on apprenticeship standards of RCW 49.04 if bidding on a project subject to apprenticeship utilization;</li> <li>6. have received public works and prevailing wage training through L&amp;I, or meets exemption criteria</li> <li>7. have never been disqualified from bidding under RCW 39.06.010 or 39.12.065(3)</li> <li>8. has not willfully violated wage requirements, as defined in RCW 49.48.082, of RCW 49.46, 49.48, or 49.52</li> </ol>
<p>Yes N/A <input type="checkbox"/> <input type="checkbox"/></p>	<p><a href="#">39.04.350</a> (3-4) Bidder responsibility criteria -- Supplemental criteria. Allows agencies to adopt relevant supplemental bidder responsibility criteria for a particular project. The bidding documents must include the adopted supplemental criteria and:</p> <ul style="list-style-type: none"> <li>• a basis for evaluation;</li> <li>• a deadline for bidder to submit responsibility documentation; and</li> <li>• a deadline for bidder to appeal a “not responsible” determination.</li> </ul> <p>A potential bidder may request changes to the supplemental criteria, and the city is to evaluate the request. If it agrees to change the criteria, it must issue an addendum. If a bidder fails to supply information requested concerning responsibility within the time and manner specified in the bid documents, the city may base its determination of responsibility on any available information related to the supplemental criteria, or it may find the bidder not responsible.</p> <p>If the city determines a bidder to be not responsible, it must provide, in writing, the reasons for the determination. A bidder can appeal the determination within the time period specified in the bidding documents by presenting additional information to the city. The city must consider the additional information before issuing its final determination. If the final determination affirms that the bidder is not responsible, the city may not execute a contract with any other bidder until two business days after the bidder determined to be not responsible has received the final determination.</p>

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	<p>Advertising and Sealed Bid/Public Opening Requirements – See Table A These requirements vary by agency and sometimes by agency size.</p>
<p>Yes N/A <input type="checkbox"/> <input type="checkbox"/></p>	<p><a href="#">39.04.380</a> Preference for resident contractors. In any bidding process for public works in which a bid is received from a nonresident contractor from a state that provides a percentage bidding preference, a comparable percentage disadvantage must be applied to the bid of that nonresident contractor. This subsection does not apply until the *department of general administration has adopted the rules and procedures for reciprocity under subsection (2) of this section, or has determined and announced that rules are not necessary for implementation. A nonresident contractor from a state that provides a percentage bid preference means a contractor that: (a) Is from a state that provides a percentage bid preference to its resident contractors bidding on public works contracts; and (b) At the time of bidding on a public works project, does not have a physical office located in Washington. The state of residence for a nonresident contractor is the state in which the contractor was incorporated or, if not a corporation, the state where the contractor's business entity was formed. This section does not apply to public works procured pursuant to RCW <a href="#">39.04.155</a>, <a href="#">39.04.280</a>, or any other procurement exempt from competitive bidding.</p>
<p>Yes N/A <input type="checkbox"/> <input type="checkbox"/></p>	<p><a href="#">39.06.010</a> Contracts with unregistered or unlicensed contractors and with other violators prohibited. No agency of the state or any of its political subdivisions may execute a contract: (1) With any contractor who is not registered or licensed as may be required by the laws of this state other than contractors on highway projects who have been prequalified as required by RCW <a href="#">47.28.070</a>, with the department of transportation to perform highway construction, reconstruction, or maintenance; or (2) For two years from the date that a violation is finally determined, with any person or entity who has been determined by the respective administering agency to have violated RCW <a href="#">50.12.070</a>(1)(b), <a href="#">51.16.070</a>(1)(b), or <a href="#">*82.32.070</a>(1)(b). During this two-year period, the person or entity may not be permitted to bid, or have a bid considered, on any public works contract.</p>
<p>Yes N/A <input type="checkbox"/> <input type="checkbox"/></p>	<p><a href="#">39.06.020</a> Verification of subcontractor responsibility criteria. A public works contractor must verify responsibility criteria for each first tier subcontractor, and a subcontractor of any tier that hires other subcontractors must verify responsibility criteria for each of its subcontractors. Verification shall include that each subcontractor, at the time of subcontract execution, meets the responsibility criteria listed in RCW <a href="#">39.04.350</a>(1) and possesses an electrical contractor license, if required by chapter <a href="#">19.28</a> RCW, or an elevator contractor license, if required by chapter <a href="#">70.87</a> RCW. This verification requirement, as well as the responsibility criteria, must be included in every public works contract and subcontract of every tier.</p>
<p>Yes N/A <input type="checkbox"/> <input type="checkbox"/></p>	<p><a href="#">39.30.020</a> Contracts requiring competitive bidding or procurement of services -- Violations by municipal officer -- Penalties. any municipal officer by or through whom or under whose supervision, in whole or in part, any contract is made in willful and intentional violation of any law, municipal charter, ordinance, resolution or other enactment requiring competitive bidding or procurement procedures for consulting, architectural, engineering, or other services, upon such contract shall be held liable to a civil penalty of not less</p>

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	than three hundred dollars and may be held liable, jointly and severally with any other such municipal officer, for all consequential damages to the municipal corporation. If, as a result of a criminal action, the violation is found to have been intentional, the municipal officer shall immediately forfeit his or her office.
Yes N/A <input type="checkbox"/> <input type="checkbox"/>	<a href="#">39.04.320</a> Apprenticeship training programs -- Public works contracts -- Adjustment of specific projects -- Report and collection of agency data -- Apprenticeship utilization advisory committee created. For all public works estimated to cost one million dollars or more, all specifications shall require that no less than fifteen percent of the labor hours be performed by apprentices. Only applies to the state, school districts, and 4-year institutes of higher education.

**Small Public Works Roster (SPWR)**

Yes N/A <input type="checkbox"/> <input type="checkbox"/>	<a href="#">39.04.155</a> (1) Allows all authorized agencies to use SPWR process in lieu of competitive bids for contracts less than \$350K
Yes N/A <input type="checkbox"/> <input type="checkbox"/>	<a href="#">39.04.155</a> (2) a) The small works roster consists of all responsible contractors who have requested to be on the list b) A local government may require eligible contractors desiring to be placed on a roster or rosters to keep current records of any applicable licenses, certifications, registrations, bonding, insurance, or other appropriate matters on file c) At least once a year, the state agency or local government shall publish in a newspaper of general circulation within the jurisdiction a notice of the existence of the roster or rosters and solicit the names of contractors for such roster or rosters. d) In addition, responsible contractors shall be added to an appropriate roster or rosters at any time they submit a written request and necessary records. e) Master contracts may be required to be signed that become effective when a specific award is made using a small works roster.
See the MRSC <a href="#">Small Public Works Roster Manual for Local Governments</a>	

**Prevailing Wages**

Yes N/A <input type="checkbox"/> <input type="checkbox"/>	<a href="#">39.12.010</a> Definitions. <a href="#">39.12.015</a> Industrial statistician to make determinations of prevailing rate.
Yes N/A <input type="checkbox"/> <input type="checkbox"/>	<a href="#">39.12.020</a> Prevailing rate to be paid on public works and under public building service maintenance contracts -- Posting of statement of intent -- Exception.

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	<p>A) The hourly wages to be paid in all public works contracts and under all public building service maintenance contracts shall be not less than the prevailing rate of wage for an hour's work in the same trade or occupation in the locality within the state where such labor is performed.</p> <p>B) For a contract in excess of \$10K, a contractor must post in a location readily visible to workers at the job site: PROVIDED, That on road construction, sewer line, pipeline, transmission line, street, or alley improvement projects for which no field office is needed or established, a contractor may post the prevailing rate of wage statement at the contractor's local office, gravel crushing, concrete, or asphalt batch plant as long as the contractor provides a copy of the wage statement to any employee on request:</p> <p>(1) A copy of a statement of intent to pay prevailing wages approved by the industrial statistician of the department of labor and industries under RCW <a href="#">39.12.040</a>; and</p> <p>2) The address and telephone number of the industrial statistician of the department of labor and industries where a complaint or inquiry concerning prevailing wages may be made.</p>
<p>Yes N/A <input type="checkbox"/> <input type="checkbox"/></p>	<p><a href="#">39.12.030</a> Contract specifications must state minimum hourly rate -- Stipulation for payment -- Residential and commercial construction work.</p> <p>While the statute still requires prevailing wages to be included in the contract documents, L&amp;I allows agencies to provide a link to the prevailing wage listing on their web site. Practice tip: Download a copy of the prevailing wages in effect at the time of bid award for the project files.</p>
<p>Yes N/A <input type="checkbox"/> <input type="checkbox"/></p>	<p><a href="#">39.12.040</a> Statement of intent to pay prevailing wages, affidavit of wages paid -- Alternative procedure.</p> <ol style="list-style-type: none"> <li>1. Before payment is made by or on behalf of the state, or any county, municipality, or political subdivision created by its laws, of any sum or sums due on account of a public works contract, it shall be the duty of the officer or person charged with the custody and disbursement of public funds to require the contractor and each and every subcontractor from the contractor or a subcontractor to submit to such officer a "Statement of Intent to Pay Prevailing Wages".</li> <li>2. Each statement of intent to pay prevailing wages must be approved by the industrial statistician of the department of labor and industries before it is submitted to the disbursing officer.</li> <li>3. A compliance statement must appear on each progress payment billing from the contractor: "Unless otherwise authorized by the department of labor and industries, each voucher claim submitted by a contractor for payment on a project estimate must state that the prevailing wages have been paid in accordance with the prefiled statement or statements of intent to pay prevailing wages on file with the public agency." This requirement applies to any and all types of public contracts.</li> <li>4. Following the final acceptance of a public works project, it shall be the duty of the officer charged with the disbursement of public funds, to require the contractor and each and every subcontractor from the contractor or a subcontractor to submit to such officer an "Affidavit of Wages Paid" before the funds retained according to the provisions of RCW <a href="#">60.28.011</a> are released to the contractor.</li> </ol> <p>Two alternative, combined forms are authorized in the statutes. Effective January 2020 these forms are only available online. That means agencies must use their secure portals to access the online L&amp;I system to authorize, complete, and approve these combined forms.</p>



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Yes N/A <input type="checkbox"/> <input type="checkbox"/>	<p><a href="#">39.12.042</a> Compliance with RCW <a href="#">39.12.040</a> -- Liability of public agencies to workers, laborers, or mechanics. If any agency of the state, or any county, municipality, or political subdivision created by its laws shall knowingly fail to comply with the provisions of RCW <a href="#">39.12.040</a> as now or hereafter amended, such agency of the state, or county, municipality, or political subdivision created by its laws, shall be liable to all workers, laborers, or mechanics to the full extent and for the full amount of wages due, pursuant to the prevailing wage requirements of RCW <a href="#">39.12.020</a>.</p>
Yes N/A <input type="checkbox"/> <input type="checkbox"/>	<p><a href="#">39.12.050</a> False statement or failure to file -- Penalty -- Unpaid wages lien against bond and retainage -- Prohibitions on bidding on future contracts -- Hearing. To the extent that a contractor or subcontractor has not paid wages at the rate due pursuant to RCW <a href="#">39.12.020</a>, and a finding to that effect has been made as provided by this subsection, such unpaid wages shall constitute a lien against the bonds and retainage as provided in RCW <a href="#">18.27.040</a>, <a href="#">19.28.041</a>, <a href="#">39.08.010</a>, and <a href="#">60.28.011</a>.</p>
Yes N/A <input type="checkbox"/> <input type="checkbox"/>	<p><a href="#">39.12.055</a> Prohibitions on bidding on future contracts. A contractor shall not be allowed to bid on any public works contract for one year from the date of a final determination that the contractor has committed any combination of two of the following violations or infractions within a five-year period: (1) Violated RCW <a href="#">51.48.020</a>(1) or <a href="#">51.48.103</a>; (2) Committed an infraction or violation under chapter <a href="#">18.27</a> RCW for performing work as an unregistered contractor; or (3) Determined to be out of compliance by the Washington state apprenticeship and training council for working apprentices out of ratio, without appropriate supervision, or outside their approved work processes as outlined in their standards of apprenticeship under chapter <a href="#">49.04</a> RCW.</p>

**Contract Administration**

Yes N/A <input type="checkbox"/> <input type="checkbox"/>	<p><a href="#">39.76.011</a> Interest on unpaid public contracts -- When payment is considered to be made. <a href="#">39.76.020</a> Interest on unpaid public contracts -- Exceptions A public body shall pay interest at a rate of one percent per month, but at least one dollar per month, on amounts due on written contracts for public works, personal services, goods and services, equipment, and travel, whenever the public body fails to make timely payment. Generally, payment is to be made within 30 days after receipt of invoice or progress payment. As there may be many nuances, PLEASE read the entire RCWs.</p>
Yes N/A <input type="checkbox"/> <input type="checkbox"/>	<p><a href="#">39.76.040</a> Interest on unpaid public contracts -- Attorney fees. In any action brought to collect interest due under this chapter, the prevailing party is entitled to an award of reasonable attorney fees.</p>
Yes N/A <input type="checkbox"/> <input type="checkbox"/>	<p><a href="#">39.04.360</a> Payment of undisputed claims. No later than thirty days after satisfactory completion of any additional work or portion of any additional work by a contractor on a public works project, the state or municipality shall issue a change order to the contract for the full dollar amount of the work not in dispute between the state or municipality and the contractor. If the state or municipality does not issue such a change order within the thirty days, interest must accrue on the dollar amount of the additional work satisfactorily completed and not in dispute until a change order is issued. The state or municipality shall pay this interest at a rate of one percent per month. For the purposes of this section, additional work is work beyond the scope defined in the contract between the contractor and the state or municipality.</p>

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<b>Table A</b>					
<b>Public Works Competitive Bid Advertisement, Bid Bond, and Opening Requirements for Selected Agencies (9/2012)</b>					
Agency	Adv. Time	Publication Required	Public Reading?	Applicable RCWS	Bid Bond Requirements
<b>Cities</b>					
1 <sup>st</sup> Class City	n/a	“A first class city may have public works performed by contract pursuant to public notice and call for competitive bids. ...”	Policies set by Council	<a href="#">RCW 35.22.620</a>	Not Stated (NS)
Code City Other Cities and Towns	13 days	“notice shall be published in the official newspaper, or a newspaper of general circulation most likely to bring responsive bids”	“...let at public bidding upon publication of notice calling for sealed bids...”	<a href="#">RCW 35.23.352</a>	5%
<b>Counties</b>					
With population >400k and Purchasing Department	13 days	An advertisement shall be published in the county official newspaper stating the time and place where bids will be opened, the time after which bids will not be received, the character of the work to be done, the materials and equipment to be furnished, and that specifications therefor may be seen at the office of the clerk of the county legislative authority. An advertisement shall also be published in a legal newspaper of general circulation in or as near as possible to that part of the county in which such work is to be done. If the county official newspaper is a newspaper of general circulation covering at least forty percent of the residences in that part of the county in which such public works are to be done, then the publication of an advertisement of the applicable specifications in the county official newspaper is sufficient.	The bids shall be in writing, shall be filed with the clerk, shall be opened and read in public at the time and place named therefor in the advertisements , and after being opened, shall be filed for public inspection.	<a href="#">RCW 36.32.235</a>	5%

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<b>Table A</b>					
<b>Public Works Competitive Bid Advertisement, Bid Bond, and Opening Requirements for Selected Agencies (9/2012)</b>					
Agency	Adv. Time	Publication Required	Public Reading?	Applicable RCWS	Bid Bond Requirements
Other Counties	13 days	An advertisement shall be published in the county official newspaper stating the time and place where bids will be opened, the time after which bids will not be received, the character of the work to be done, the materials and equipment to be furnished, and that specifications therefor may be seen at the office of the clerk of the county legislative authority. An advertisement shall also be published in a legal newspaper of general circulation in or as near as possible to that part of the county in which such work is to be done. If the county official newspaper is a newspaper of general circulation covering at least forty percent of the residences in that part of the county in which such public works are to be done, then the publication of an advertisement of the applicable specifications in the county official newspaper shall be sufficient.	The bids shall be in writing, shall be filed with the clerk, shall be opened and read in public at the time and place named therefor in the advertisements , and after being opened, shall be filed for public inspection.	<a href="#">RCW 36.32.240</a> <a href="#">RCW 36.32.245</a> <a href="#">RCW 36.32.250</a>	5%
<b>Water &amp; Sewer Districts</b>					
	13 days	the board of commissioners shall publish a notice in a newspaper of general circulation where the district is located	inviting sealed proposals for such work, plans and specifications At the time and place named such bids shall be publicly opened and read	<a href="#">RCW 57.08.050</a>	5%

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Agency	Adv. Time	Publication Required	Public Reading?	Applicable RCWS	Bid Bond Requirements
<b>Fire Districts</b>					
	13 days	notice in a newspaper of general circulation	formal sealed bid procedure shall be used as standard procedure	<a href="#">RCW 52.14.110</a> <a href="#">RCW 51.14.120</a>	NS
<b>Port Districts</b>					
	13 days	notice published in a newspaper of general circulation in the district	at public bidding	<a href="#">RCW 53.08.120</a>	5%
<b>Public Utility Districts</b>					
	13 days	a newspaper of general circulation in the district	inviting sealed proposals	<a href="#">RCW 54.04.070</a>	5%
<b>Public Hospital Districts</b>					
	13 days	shall publish a notice	inviting sealed proposals	<a href="#">RCW 70.44.140</a>	5%
<b>School Districts</b>					
	Two weeks	in at least one newspaper of general circulation within the district, once each week for two consecutive weeks,	bids shall be in writing and shall be opened and read in public	<a href="#">RCW 28A.335.190</a>	NS
<b>Metropolitan Park Districts</b>					
	13 days	publish a notice in a newspaper of general circulation where the district is located	inviting sealed proposals such bids shall be publicly opened and read	<a href="#">RCW 35.31.135</a>	5%