
SENATE BILL 5903

State of Washington

61st Legislature

2009 Regular Session

By Senators Keiser, McAuliffe, and Hatfield; by request of Lieutenant Governor

Read first time 02/06/09. Referred to Committee on Labor, Commerce & Consumer Protection.

1 AN ACT Relating to public works contracts for residential
2 construction; and amending RCW 39.12.030.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4 **Sec. 1.** RCW 39.12.030 and 1989 c 12 s 9 are each amended to read
5 as follows:

6 (1) The specifications for every contract for the construction,
7 reconstruction, maintenance or repair of any public work to which the
8 state or any county, municipality, or political subdivision created by
9 its laws is a party, shall contain a provision stating the hourly
10 minimum rate of wage, not less than the prevailing rate of wage, which
11 may be paid to laborers, workers, or mechanics in each trade or
12 occupation required for such public work employed in the performance of
13 the contract either by the contractor, subcontractor or other person
14 doing or contracting to do the whole or any part of the work
15 contemplated by the contract, and the contract shall contain a
16 stipulation that such laborers, workers, or mechanics shall be paid not
17 less than such specified hourly minimum rate of wage. If the awarding
18 agency determines that the work contracted for meets the definition of
19 residential construction, the contract must include that information.

1 (2) If the hourly minimum rate of wage stated in the contract
2 specifies residential construction rates and it is later determined
3 that the work performed is commercial and subject to commercial
4 construction rates, the state, county, municipality, or political
5 subdivision that entered into the contract must pay the difference
6 between the residential rate stated and the actual commercial rate to
7 the contractor, subcontractor, or other person doing or contracting to
8 do the whole or any part of the work under the contract.

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