



STATE OF WASHINGTON
DEPARTMENT OF LABOR AND INDUSTRIES

Prevailing Wage
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August 12, 2008

Mike Leininger
Northwest Fair Contracting Association
Compliance Investigator
824 W. Lewis St., Suite 202
Pasco, WA 99301

Dear Mr. Leininger:

Re: Coyote Ridge Correctional Facility Project for Pre Cast Prison Cells

You have asked for a determination of the application of prevailing wages to the construction of pre-cast prison cells for the Coyote Ridge Correctional Facility.

The answer below is based on the information provided. References to the Revised Code of Washington (RCW) and the Washington Administrative Code (WAC) are included. If the facts differ, the answers may also be different.

In this instance, the cells were manufactured at facilities in Pasco and Spokane.

RCW 39.12.020 requires that "The hourly wages to be paid to laborers, workers or mechanics, upon all public works and under all public building service maintenance contracts of the state or any county, municipality, or political subdivision created by its laws, 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 work is performed."

The work described is public work. Payment of the prevailing rate of wage is required. Work performed at the site of the jail would be at the appropriate construction trade and occupation classifications. There is a difference, for certain factory work.

Public work performed to manufacture pre-cast prison cells that are built to pre-approved plans in an established pre-cast facility, when those cells are inspected by and bear the insignia of approval of the Department of Labor and Industries under the provisions of Chapter 43.22 RCW, may be performed at the prevailing wage rate for fabricated pre-cast concrete. Again, that is only for the work in the factory. On-site work is performed at construction rates.

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The department plans the development of a scope of work that will be adopted as rule for the fabricated pre-cast concrete trade and occupation classification. A wage survey to update the prevailing rates will be necessary.

Washington State prevailing wage information, including the WACs, are available on the Department's web site: <http://www.lni.wa.gov/TradesLicensing/PrevWage/default.asp>

I hope this answers your questions. If you need additional information or have questions, please contact me at (360) 902-5330 or email me at somd235@lni.wa.gov.

Sincerely,

David J. Soma
Industrial Statistician
Prevailing Wage Program Manager

cc: Dave Johnson, WSBCTC

Soma, David (LNI)

From: Lefty2MSL@aol.com
Sent: Monday, August 13, 2007 11:05 AM
To: Soma, David (LNI)
Cc: Herman, Laura E (LNI)
Subject: Written Determination Request.....
Attachments: o5lh4lkosc00010.pdf; o5lh4lkosc00021.pdf

Good Morning Dave and Laura.....

I have been asked by several Labor representatives as well as affected employees, to request a **written determination** from the Department on the following issue.

The Determination will involve two WA Public Works projects and here are links to the Statement of Intent's for each:

<https://fortress.wa.gov/lni/pwipub/IntentPrint.asp?ID=100529>

<https://fortress.wa.gov/lni/pwipub/IntentPrint.asp?ID=141032>

In February of 2006, I was able to get an email determination from Cindy Hanson that referenced the transporting of these prison cells from Central Pre Mix in Pasco to the Walla Walla prison. Attached to this email is a copy of this dialogue in PDF format for your review.

The actual precasting of these prison cells was Not a specialty or mass produced item of Central Pre Mix's before the Walla Walla prison project was advertised. Once it became an official project, Central Pre Mix decided to construct a prison cell pre cast area with overhead cranes and a large concrete work pad.

It has been already decided by the Department, that the work done after the casting process of these prison cells was covered PW wage work for each of the involved trades. I.E. - Painters, Electricians, Glaziers, Truck Drivers, Carpenters, Ironworkers, & Plumbers.

There has Not been any Determination or request there of that I am aware, that covers the precasting of the actual prison cells. These cells have rebar, electrical conduit, among other things, installed in them prior to casting of the concrete.

These cells are just like the Light rail segments that are being produced in Cashmere for Sound Transit. They are Not a mass produced items that will work in any standard or generic construction design.

These prison cells are a specialty item that is specific to both the Walla Walla Prison as well as the Coyote Ridge correction facility projects.

You cannot drive to a precast yard such as Bethlehem or Central Pre Mix and find a stockpile of standard prison cells for sale. You will find standard items such as Jersey Barriers, Bridge girders, Sewer, Septic vaults etc.

Workers that are involved in the manufacturing of these prison cells should be entitled to Prevailing Wages of the respected trades and Not be paid under a generic precast rate.

PLEASE issue a "Written Determination" to address this question. If you need anymore info, Bob Koshman and myself, have visited the Central Pre-Mix precast site in Pasco.

Sincerely,

8/13/2007

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