

Coverage and exemptions of workers involved in the production and delivery of gravel, concrete, asphalt, or similar materials.

(1) The materials covered under this section include but are not limited to: Sand, gravel, crushed rock, concrete, asphalt, or other similar materials.

(2) All workers, regardless of by whom employed, are subject to the provisions of chapter 39.12 RCW when they perform any or all of the following functions:

(a) They deliver or discharge any of the above-listed materials to a public works project site:

(i) At one or more point(s) directly upon the location where the material will be incorporated into the project; or

(ii) At multiple points at the project; or

(iii) Adjacent to the location and coordinated with the incorporation of those materials.

(b) They wait at or near a public works project site to perform any tasks subject to this section of the rule.

(c) They remove any materials from a public works construction site pursuant to contract requirements or specifications (e.g., excavated materials, materials from demolished structures, clean-up materials, etc.).

(d) They work in a materials production facility (e.g., batch plant, borrow pit, rock quarry, etc.) which is established for a public works project for the specific, but not necessarily exclusive, purpose of supplying materials for the project.

(e) They deliver concrete to a public works site regardless of the method of incorporation.

(f) They assist or participate in the incorporation of any materials into the public works project.

(3) All travel time that relates to the work covered under subsection (2) of this section requires the payment of prevailing wages. Travel time includes time spent waiting to load, loading, transporting, waiting to unload, and delivering materials. Travel time would include all time spent in travel in support of a public works project whether the vehicle is empty or full. For example, travel time spent returning to a supply source to obtain another load of material for use on a public works site or returning to the public works site to obtain another load of excavated material is time spent in travel that is subject to prevailing wage. Travel to a supply source, including travel from a public works site, to obtain materials for use on a private project would not be travel subject to the prevailing wage.

(4) Workers are not subject to the provisions of chapter 39.12 RCW when they deliver materials to a stockpile.

(a) A "stockpile" is defined as materials delivered to a pile located away from the site of incorporation such that the stockpiled materials must be physically moved from the stockpile and transported to another location on the project site in order to be incorporated into the project.

(b) A stockpile does not include any of the functions described in subsection (2)(a) through (f) of this section; nor does a stockpile include materials delivered or distributed to multiple locations upon the project site; nor does a stockpile include materials dumped at the place of incorporation, or adjacent to the location and coordinated with the incorporation.

(5) The applicable prevailing wage rate shall be determined by the locality in which the work is performed. Workers subject to subsection (2)(d) of this section, who produce such materials at an off-site facility shall be paid the applicable prevailing wage rates for the county in which the off-site facility is located. Workers subject to subsection (2) of this section, who deliver such materials to a public works project site shall be paid the applicable prevailing wage rates for the county in which the public works project is located.

[Statutory Authority: Chapter 39.12 RCW, RCW 43.22.051 and 43.22.270. 08-24-101, § 296-127-018, filed 12/2/08, effective 1/2/09. Statutory Authority: Chapters 39.04 and 39.12 RCW and RCW 43.22.270. 92-01-104 and 92-08-101, § 296-127-018, filed 12/18/91 and 4/1/92, effective 8/31/92.]

NOTE: COMPANY NAME MUST BE FILLED IN TO CERTIFY
ACKNOWLEDGEMENT
OF THIS ADDENDUM.

ADDENDUM #: _____

RECEIVED BY: _____ DATE: _____

COMPANY: _____

ALL PROPOSAL HOLDERS PLEASE SIGN AND RETURN THIS PAGE BY
RETURN
FAX AT 360-705-6810.

**NOTE !! SUBCONTRACTORS, MATERIALS SUPPLIERS AND
PLANCENTERS
NEED NOT ACKNOWLEDGE THIS ADDENDUM.**

**ALL PRIME CONTRACTORS MUST ACKNOWLEDGE THIS ADDENDUM.
Check the Project(s) below for which you are acknowledging**

ALL PROPOSAL HOLDERS PLEASE SIGN AND RETURN THIS PAGE BY
RETURN FAX AT 360-705-6810.

PS&E NUMBER

- 08A037 GUARDRAIL RETROFIT - SAFETY
- 08Y017 WEST SIDE WHITE PASS – STABILIZE SLOPES
- 08A024 BRITTON RD TO COAL CR BR VIC - PAVING
- 08A017 172ND ST NE (SR 531) INTERCHANGE MODIFICATION
- 08C506 HOODSPORT VICINITY SLOPE REPAIR
- 08X311 AVERY ROAD SOUTHBOUND OFF RAMP TURN POCKET
- 08A020 I-405 TO WLSP I/C - PAVING
- 08A026 SR 20 VIC TO SKAGIT RIVER & FREEWAY DRIVE TO RR
XING – PAVING
- 08C514 SPOT IMPROVEMENTS – SAFETY
- 08A804 MOUNTLAKE FREEWAY STATION
- 08A806 I-5 TO SR 169 STAGE 2 WIDENING & SR 515
INTERCHANGE DESIGN BUILD
- 08A015 W LAKE SAMMAMISH PKWY TO SR 202 HOV AND SR 202
INTERCHANGE
- 08Z018 CENTERLINE RUMBLE STRIPS
- 09B003 NCR SEAL 2009 AND SR 20 ROADSIDE SAFETY
IMPROVEMENTS
- 09B009 QUINCY AREA - PAVING