

State Construction Office Multimodal Development & Delivery Implementation of PWIA for WSDOT Projects: Apprenticeship Reporting, Certified Payrolls, Statement of Intent and Affidavit of Wages Paid Submittals

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UPDATED MARCH 2020

<u>Purpose</u>

Communicate upcoming changes affecting all WSDOT construction projects for the following processes:

- Apprenticeship reporting
- Certified payroll collection
- Statement of Intent and Affidavit of Wages Paid submittals

Background

RCW 39.12.120 requires every Contractor, Subcontractor, or employer to submit a copy of their certified payroll monthly to the Department of Labor and Industries (LNI) when working on a public works project.

The effective date for this new requirement is January 1, 2020, and will affect all WSDOT construction contracts.

LNI's online reporting system – Prevailing Wage Intents & Affidavits (PWIA), will be the repository for certified payroll collection for work performed after January 1, 2020. LNI has recently added apprenticeship tracking to PWIA that will calculate apprentice utilization using the journeymen and apprentice hours reported on certified payrolls.

PWIA system upgrades are complete to include incorporation of Federal Certified Payroll requirements. The system will retroactively include the Federal requirements to all payrolls that are submitted on federally funded projects. The project must be identified as federally funded on the Project Overview screen in PWIA.

Timely federal payroll submittal, federal wage verification and enforcement of all federal requirements will remain WSDOT's responsibility.

Guidance

Certified Payroll

Submitted to the Project Engineer using PWIA for all work performed after January 1, 2020, regardless of funding source or delivery method. Required for every week, including weeks that no work was performed, until Affidavits of Wages Paid are approved in PWIA, or the Contractor has identified the last certified payroll for the project has been submitted.



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HQ will enter initial contract data into PWIA for statewide consistency. Initial entry will include indicating apprenticeship requirements, and funding source (federal or state funding).

Project Office staff will use PWIA to request missing or late submittals. Penalties are outlined in Standard Specification 1-07.9(5) if payrolls are not received within the prescribed deadlines for federal funded contracts.

Certified Payrolls (CPR) or no work performed statements will be required from the date the contractor performs work on the project until they have identified a certified payroll as their last in the notes field of the CPR, or the affidavit is approved by LNI, whichever occurs first.

State Funded Projects:

- PWIA will verify the State prevailed wage based on the bid opening date entered when the contract is created in PWIA for design bid build contracts
 - o Design-build contracts will use the award date
- Certified payroll submission is required monthly, but will report for every week
- Must verify certified payrolls are submitted, however, Project Office staff are not required to verify wages for accuracy
- Statements are required for weeks when no work was performed

Federal Funded Projects:

- WSDOT contract language requires weekly certified payroll submission
- No leniency on late submittals
 - o If there are any issues with uploading or entering information into PWIA, the Contractor is required to submit timely by sending copies directly to the Project Office
- Federal wage rate will require verification using the specific Wage Determination included in the Contract, following guidance provided in the Construction Manual
- If federal labor classifications differ from those listed in PWIA, the contractor must note the labor classifications, including group numbers in the notes/comments field of the certified payrolls
 - Certified payrolls that were chosen for verification will need to be printed to a PDF, marked to show they were verified and stored with the temporary final records
 - Certified payrolls will automatically redact the first five digits of the social security number and employee home address



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- Federal Statement of Compliance is included automatically and is retroactive to include all payrolls submitted on the project
- Enforcement of all federal requirements remain WSDOT's responsibility
- Statements are required for weeks when no work was performed

Statement of Intents and Affidavits of Wages Paid

Copies of approved Statement of Intents and Affidavits of Wages Paid will no longer need to be sent to the Project Office. Project Office staff will use PWIA to verify LNI approval.

Apprenticeship Utilization

- Apprenticeship utilization for work performed after January 1, 2020 will be calculated using the information submitted on certified payrolls
- Monthly reporting will no longer be required in WSDOT's Apprenticeship Utilization Reporting (AUR) system for work performed after January 1,2020
 - Contractors will be allowed to enter or update apprentice/journeymen hours worked prior to January 1, 2020 until February 1, 2020
 - Project Office staff must approve all reports submitted prior to March 31,2020
 - o Effective April 1, 2020, the current AUR system will become read only
- Contracts that have apprenticeship hours in both systems will require a manual calculation to determine project utilization
- Monthly apprenticeship utilization monitoring still required
- Apprenticeship utilization plan and good faith effort documentation are still required and will be uploaded into PWIA
- Three strikes disciplinary actions remain in place as outlined in the Construction Manual
- When HQ creates contracts in PWIA, it will be determined if apprenticeship utilization is required
 - o This will activate the apprenticeship reports in PWIA

Implementation Plan

The changes outlined in this bulletin are effective on January 1, 2020.



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Resources

Construction Manual – update coming in April 2020 Standard Specification 1-07.9(3), 1-07.9(5) LNI Awarding Agency User Manual HQ Construction SharePoint Site

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