



**Whatcom Conservation District
Homesteader Creek
Riparian Restoration Project**

RFP #RGP-25-02

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Homesteader Creek Riparian Restoration Project

GENERAL INFORMATION

Whatcom Conservation District is seeking the services of a qualified restoration contractor to conduct maintenance on a riparian restoration project on 26 acres of land owned by Whatcom County near Acme WA.

PURPOSE

The purpose of this Request for Proposals (RFP) is to allow interested parties to submit to Whatcom Conservation District a proposal to complete the prescribed restoration work outlined in Attachment A and provide a statement of experience and qualifications to perform the work.

SCOPE OF SERVICES

The proposal shall include the respondent's method of how they propose to provide the restoration services as prescribed in Attachment A (Specifications and Planting Plan). The proposal shall address the applicable conditions listed below:

- *License.* Qualified contractor must have a Master Business License in Washington State.
- *Insurance.* Qualified contractor must be bonded and insured.
- *Prevailing Wage.* Qualified contractor must comply with the information provided and all information available from the Washington State Department of Labor and Industries.
- *Performance Bond.* Qualified contractor must post a performance bond for the full amount of the riparian planting (not including follow up establishment maintenance) prior to beginning work.
- Contractor shall comply with all local, county, and state laws and regulations including the Whatcom County Critical Areas Ordinance.

Interested parties can arrange a site visit with Project Planner Emily Hirsch by calling (360) 526-2376 or by email at ehirsch@whatcomcd.org

Re-plant must be completed by April 15th of 2026. Fence repairs will follow the attached elk/beaver fence specifications. All work prescribed in this RFP must be completed by June 15th, 2027, with final invoices submitted no later than June 20th, 2027.

PROPOSAL CONTENTS

Proposals must contain all the information requested. Any proposed deviations from the Planting Plan and Specifications must be clearly stated.

Clearly indicate on the attached RFP Response Form your identifying information and the proposed costs for each of the listed practices.

In addition to the completed RFP Response Form each proposal must include the following criteria in the same order as listed below.

1. A list of similar projects successfully completed by your company or members. List relevant references for each project.
2. A statement of your understanding of the scope of the project and the steps necessary to accomplish the work.

3. A list of key members/staff who will work on the project, their role, and a brief background statement.
4. A detailed description of your strategy to perform each of the prescribed practices including material sourcing (Site preparation, Plants, Planting, Tree protectors, and Maintenance including mowing, herbicide application, and hand weeding/tree protector repair).
5. A timeline for completing the prescribed work.

EVALUATION AND SELECTION

The selection of a contractor for this project will be made from the qualified firms responding to this Request for Proposals. All firms responding will be evaluated, scored and ranked. Responding firms will be evaluated and ranked based upon the following criteria.

1. Specific Work Plan
2. Schedule
3. Experience with riparian restoration
4. Qualifications of key staff
5. Customer references
6. Landowner Preference
7. Total Cost

SUBMITTALS

Responses must be received no later than 2:30 pm, Wednesday December 3, 2025.

Submit one (1) unbound original of your proposal, plainly marked on the outside as follows:

- Name and Address of Submitter
- RFP #RGP-25-02 Homesteader Creek Riparian Restoration Project

Deliver response to:

Whatcom Conservation District
Attn: Emily Hirsch
6975 Hannegan Rd
Lynden, WA 98264

Electronically transmitted responses may be sent in the form of a PDF document to:

ehirsch@whatcomcd.org.

Late submittals will not be considered. It is the submitter's responsibility to deliver the RFP to the proper address by the assigned time. Whatcom Conservation District accepts no responsibility for misdirected or lost submittals. All materials submitted in response to this RFP become the property of Whatcom Conservation District, are public record, and will not be returned. Information submitted will not be public information until after award of the contract to successful applicant.

SUBMITTAL REVIEWS

Whatcom Conservation District and Whatcom County will review and evaluate all submittals. Whatcom Conservation District reserves the right to reject any or all proposals and waive any irregularities.

QUESTIONS

Direct any questions regarding the proposal to Project Planner Emily Hirsch, Whatcom Conservation District, 6975 Hannegan Rd, Lynden WA, 98264, by telephone at (360) 526-2376 or by email at ehirsch@whatcomcd.org.

Whatcom Conservation District
RFP #RGP-25-02
Homesteader Creek Riparian Restoration Project
RFP RESPONSE FORM

PROPOSER IDENTIFICATION

Company Name _____

Address _____

Submitted by (print name and title) _____

Signature _____ Phone _____

Email _____

PROPOSED BUDGET

Practice	Unit	Number	Cost per unit	Cost
Maintenance - Spring 2026	Acres	26	\$	\$
Maintenance - Fall 2026	Acres	26	\$	\$
Replant- Spring 2026 - Plants	Each	750	\$	\$
Replant- Spring 2026 - Planting	Each	750	\$	\$
Wildlife Fence Maintenance	Feet	6,000	\$	\$
Maintenance - Spring 2027	Acres	26	\$	\$
Total Cost			\$	\$

APPENDIX A: Specifications and Planting Plan

Whatcom Conservation District Homesteader Creek Riparian Restoration Project

GENERAL SPECIFICATIONS

MAINTENANCE

1. Mechanical

- a. Mow all grass within the project.
- b. Cut back all Himalayan and evergreen blackberries growing in and/or over desirable plants so they can be sprayed later when they begin regrowing.

2. Chemical

- a. Treat with herbicide, competing vegetation growing within a 3 ft. diameter around plantings*.
- b. When operating within 25 feet of water (including streams, ponds, seeps, springs, bogs, wetlands, standing water, and riparian areas) applicators will conduct a special, site-specific evaluation and will select a pesticide that is least toxic to aquatic organisms and is consistent with the intended purpose of the applications.
- c. Pesticides will be applied at the lowest application rate consistent with the intended purpose.
- d. Use a low-pressure hand wand after mowing.
- e. Recommendations on the use of chemicals require a license and are subject to Washington State Department of Agriculture regulations. Chemicals must be applied according to label instructions and registered for specific uses.

*Areas of potential erosion including unstable stream banks require special consideration and modification of the treatments applied to the rest of the project. Cutting and mowing should be the primary means used to keep competing vegetation away from the planted seedlings. In these areas herbicide should be used on a limited basis to help control invasive non-native weeds and to control competing vegetation close to the planted seedling.

3. Plant Protectors

- a. Hand weed plant protectors (including blackberries). Repair plant protectors, ensuring that the tubes are buried at least 1 inch in the soil. Remove and dispose of loose tubes.

PLANT SPECIFICATIONS

1. **Disease and Insect Free.** Plants shall meet the specifications of federal, state, and local laws requiring inspection for plant disease and insect control.
2. **Seed Zones.** Native plant seedlings must be climatically adapted to Whatcom County. Seed zones 201, 202, 401, and the “Maritime” seed zone of British Columbia are preferred.
3. **Healthy Plants.** Plants must be healthy and vigorous with a well-formed fibrous root system.
4. **Deciduous Trees and Shrubs.** Bareroot plants must be 2-0 or older and minimum 12- 18 inches in height.
5. **Conifers.** P-1 or larger plugs are preferred. 2-0 bare root acceptable minimum 12 – 24 inches in height.
6. **Live Stakes.** Live stakes should be cut from dormant, healthy plants and have side branches removed. Stakes should be a minimum of ½ inch caliper and 36 inches in length. They should have a straight cut at the top and the lower rooting end should be cut at a 45-degree angle. Seedling Willows may be substituted.
7. **Damaged Stock.** Trees with damaged, crooked, multiple or broken leaders will be rejected unless labeled and priced as conservation grade material by prior agreement. Woody plants with abrasions

of the bark, sunscald, or fresh limb cuts over ½ inch, which have not completely callused over, will be rejected.

PLANT INSTALLATION

1. **Plant Root Moisture** - Seedling survival will be best when planting occurs on rainy, cool, cloudy days; avoid planting on dry, windy days when humidity drops below 32 percent. Roots of bareroot stock shall be kept moist during planting operations. Options for keeping roots moist include using a saturated slurry of compost, soil, super-absorbent (e.g., polyacrylamide) synthetic material, or other equivalent material until planted. Seedlings can also be rolled in wet burlap to keep them moist. Exposing the roots, even for short periods, to dry air may damage the plant.
2. **Plant Storage** - Refrigerate trees until planted. Nursery seedlings can be kept in sealed packages for up to 3 months if kept cool, moist, and refrigerated at 34°F. Seedlings kept longer can be “heeled in” to temporary transplant beds. Do not expose bags or boxes to direct sun.
3. **Plant Between Mid-November and Mid-April** - Trees should be planted while the trees are dormant, when the ground is exposed but not frozen, and soil moisture is good.
4. **Vegetative Competition** - Grass sod should be eliminated from a 2-3 foot diameter area around plants. Brush should be controlled where it has the potential to overtop the seedlings. Mechanical and chemical controls are both acceptable methods. Herbicide applications should always be done according to label directions.
5. **Proper Depth** - Rooted stock will be planted in a vertical position with the root collar positioned even with the soil surface/grade. Insert cuttings to the depth required to reach adequate soil moisture with at least 2-3 buds above ground. The planting trench or hole must be deep and wide enough to permit roots to spread out and down without J-rooting or L-rooting. After planting rooted stock or cuttings, firmly pack soil around each plant to eliminate air pockets. A color change at root collar indicates the proper depth. Roots should never be exposed nor should branches be buried.
6. **Root Disturbance** - Immediately before installation, plants with broken, damaged, and twisted roots must be pruned. Matted or circling roots of containerized planting must be pruned or straightened, and the sides of the root ball must be roughened from top to bottom to a depth of approximately 1/2 inch, in two to four places.
7. **Firm Soil** - Avoid leaving loose soil that can form air pockets around roots. After planting of rooted stock or cuttings, pack soil around each plant firmly to eliminate air pockets.
8. **Plant Protection** – All planted stock will receive 18-inch solid wall seedling protectors set at least 1 inch into the ground and anchored with a bamboo stake unless specified otherwise.

FENCE REPAIR/MAINTENANCE

1. **Beaver/Elk fence inspections/maintenance**- During any maintenance activity, the beaver and elk fencing will be inspected and if breaches are found, they will be repaired. **See attached Elk Exclusion and Beaver Fencing Construction Specifications for guidance on building standards.**
 - a. Elk Fence
 - i. Cut back all overhanging vegetation growing closer than 4 feet to the fence.
 - ii. Inspect hot wire on elk fence, repair as needed if damaged or non-functional. If the charger is damaged, report to project manager.
 - iii. Inspect wires to ensure appropriate tension, repair as needed
 - b. Beaver fence
 - i. Clear vegetation and flood deposited materials as needed.
 - ii. Inspect for tunneling under beaver fence. Fence must remain in contact with the ground. Repair as needed.

HOMESTEADER CREEK RIPARIAN RESTORATION PROJECT

PLANTING PLAN

SUMMARY

This project, owned by Whatcom County, will maintain 26 acres of riparian forest buffer along 4,936 linear feet of Homesteader Creek and two unnamed tributaries located in the South Fork Nooksack River watershed in Acme, WA. These buffers were originally planted in the spring of 2023. In addition to the planting, the project was protected from wildlife predation with elk exclusion fencing along the outer perimeter and beaver exclusion fencing along the streambanks.

This plan outlines RGP-funded maintenance activities planned for the 2026-2027 fiscal biennium (July 1st, 2025 -June 30th, 2027). Continued maintenance is essential to control invasive non-native vegetation, protect the plantings from wildlife browse, and to ensure successful establishment of the planted stock.

BACKGROUND AND GOALS

The South Fork Nooksack River is listed as impaired on the Washington Department of The South Fork Nooksack River watershed has been a top priority for habitat restoration and significant resources have already been invested to date including over \$10M from the Salmon Recovery Funding Board. Both the Nooksack Tribe and Lummi Nation have been leading this restoration effort having completed over 27 river restoration projects since 2001. Actions to restore functioning habitat in the watershed include the construction of engineered log jams to restore deep, complex, cool, pool habitat so important for early chinook and other salmonid species. In 2021 a mass mortality event took 2,500 fish prior to spawning due to diseases related to high water temperature. The South Fork Nooksack River is listed as impaired on Ecology's 303(d) list for temperature.

Additional recommended recovery actions include the restoration of riparian forests along the river and tributaries and increasing stream flow. This property is part of a larger 200-acre area of the Black Slough sub-basin referred to as the Black Slough Water Resources Recovery Project. The Black Slough is identified as a key watershed feature in the South Fork Nooksack River Valley that can contribute significantly to streamflow and support reduction of stream temperatures as well as improve habitat for aquatic and terrestrial species. This project has been identified in numerous planning documents as a high priority project and Whatcom County acquired the property in November of 2021 using local Conservation Futures Funds. The newly planted riparian buffers will lower water temperatures and stream flow as natural processes are allowed to evolve. The project area is comprised of 100 acres of marginal pastureland. Some of this land has been set aside for continued farming and much of the property is set aside for future wetland enhancement work that will benefit both stream flows and potential Oregon spotted frog populations. The original planting areas were agreed to after evaluation by USFWS biologists.

Whatcom Conservation District (WCD) has been awarded Climate Commitment Act funding through the State Conservation Commission's Riparian Grant Program to continue maintenance of the newly restored project areas. Work must be completed by June 30, 2027. WCD will work to secure funding for ongoing maintenance following the completion of this project if plantings are not fully established.

SITE DESCRIPTION

The property, owned by Whatcom County, is comprised of 3 parcels of land, just over 146 acres. It is located in the South Fork Nooksack River basin in Acme, WA. In 2023, riparian buffers were planted along Homesteader Creek and two unnamed tributaries. This project is part of the larger Black Slough Water Resources Recovery Project.

The planted buffers are wide and generally are or exceed 200 feet. Mortality has been low and elk and beaver fencing have been crucial in the success of the plantings, protecting them from damage and browse.

The site is generally low lying, and soils are marginal to wet. The soils in the project area are *Puget silt loam*.

BEST ACCESS

The site's primary access is a field access road off Homesteader Rd. The road extends about 500 feet north, where it terminates at a junction in the creek where a tributary enters Homesteader Creek. Vehicle access beyond this point is not possible in the winter. The northern planting area can be accessed from Clipper Rd. Three bridges have recently been constructed at various points along Homesteader Creek, which may be used to improve mobility throughout project areas.

RE-PLANTING

An additional 750 native plantings will be interplanted throughout project areas to account for an estimated 10% mortality during the most recent growing season. Seedling protectors from dead plantings will be re-installed. Replanting can take place during either the 2026 or 2027 planting season.

PLANT SUBSTITUTIONS

If the species listed above cannot be secured within the project's timeline, substitutions are allowed with approval from WCD Project Planner.

Homesteader Re-Plant Prescription (26.0 acres) RGP FY26-27

	Common Name	Scientific Name	Moisture	Exposure	Quantity
Conifers	Shore Pine	<i>Pinus contorta</i>	Dry-Moist	Partial-Sun	50
	Sitka Spruce	<i>Picea sitchensis</i>	Moist-Wet	Shade-Sun	50
	Western Hemlock	<i>Tsuga heterophylla</i>	Dry-Moist	Partial-Sun	50
	Western Red Cedar	<i>Thuja plicata</i>	Moist-Wet	Shade-Sun	100
Total					250
Hardwoods	Bigleaf Maple	<i>Acer macrophyllum</i>	Dry-Moist	Shade-Sun	150
	Cascara	<i>Rhamnus purshiana</i>	Dry-Moist	Shade-Sun	50
	Chokecherry	<i>Prunus virginiana L.</i>	Dry-Moist	Shade-Sun	50
Total					250
Shrubs	Oceanspray	<i>Holodiscus discolor</i>	Dry-Moist	Partial-Sun	50
	Osoberry/Indian Plum	<i>Oemleria cerasiformis</i>	Dry-Moist	Partial-Sun	100
	Red Elderberry	<i>Sambucus racemosa</i>	Moist-Wet	Shade-Sun	50
	Western Serviceberry	<i>Amelanchier alnifolia</i>	Moist	Partial-Sun	50
Total					250
Grand Total					750

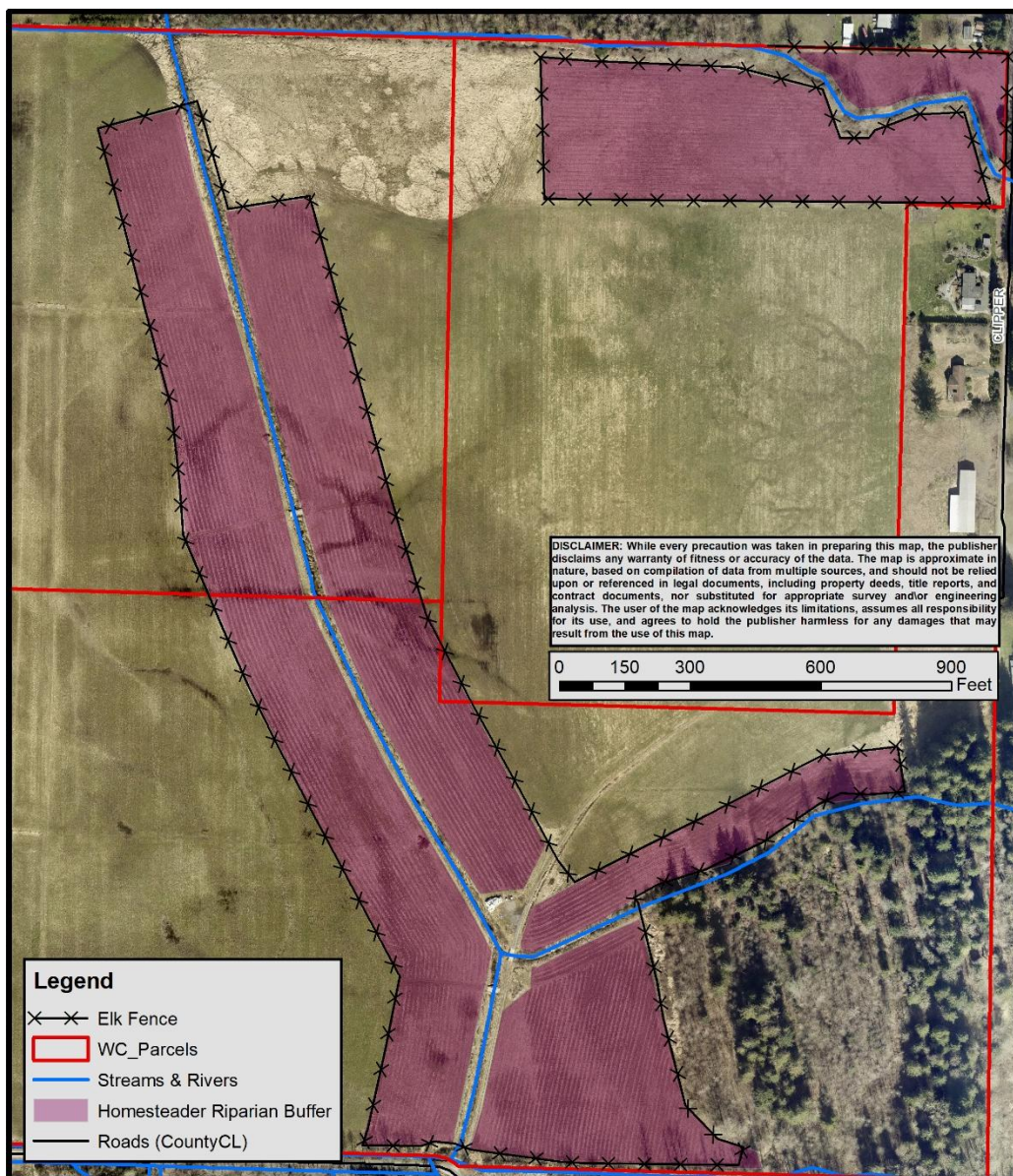


Figure 1: Site Map

MAINTENANCE

The goal of this project is to maintain the riparian plantings within 26 acres of project areas until the trees and shrubs are mature enough to outgrow competitive vegetation.

Three rounds of maintenance will take place prior to project completion (June 15, 2027). Maintenance will take place in all planting/management zones and will include:

1. **Mechanical/Mowing.** Open planting areas will be mowed in their entirety. A tractor mounted mower can be used to mow between rows of plants. Handheld brush-cutters should be used around each plant and all remaining vegetation. Care should be taken to avoid damaging volunteer native species whenever possible.
2. **Chemical treatment** of noxious weeds and competitive vegetation. A minimum 3-foot diameter area around each planting will be treated with herbicide. In addition, all non-native blackberry throughout the project will be treated with herbicide.

3. **Hand weeding and seedling protector repair.** Seedling protectors will be weeded and repaired or replaced where needed. Weeds in close proximity to conifers planted in the understory areas will also be hand weeded.

PROJECT TIMELINE

Maintenance

Spring 2026 (April/June)

- Mow/brush plantings
- Herbicide application - treat noxious weeds and competing vegetation.
- Repair and weed seedling protectors
- Inspect and repair elk and/or beaver fence as needed.

Fall 2026 (August/October)

- Mow/brush plantings
- Herbicide application - treat noxious weeds and competing vegetation.
- Repair and weed seedling protectors
- Inspect and repair elk and/or beaver fence as needed.

Replant

Winter/Spring 2026/2027 (November/March)

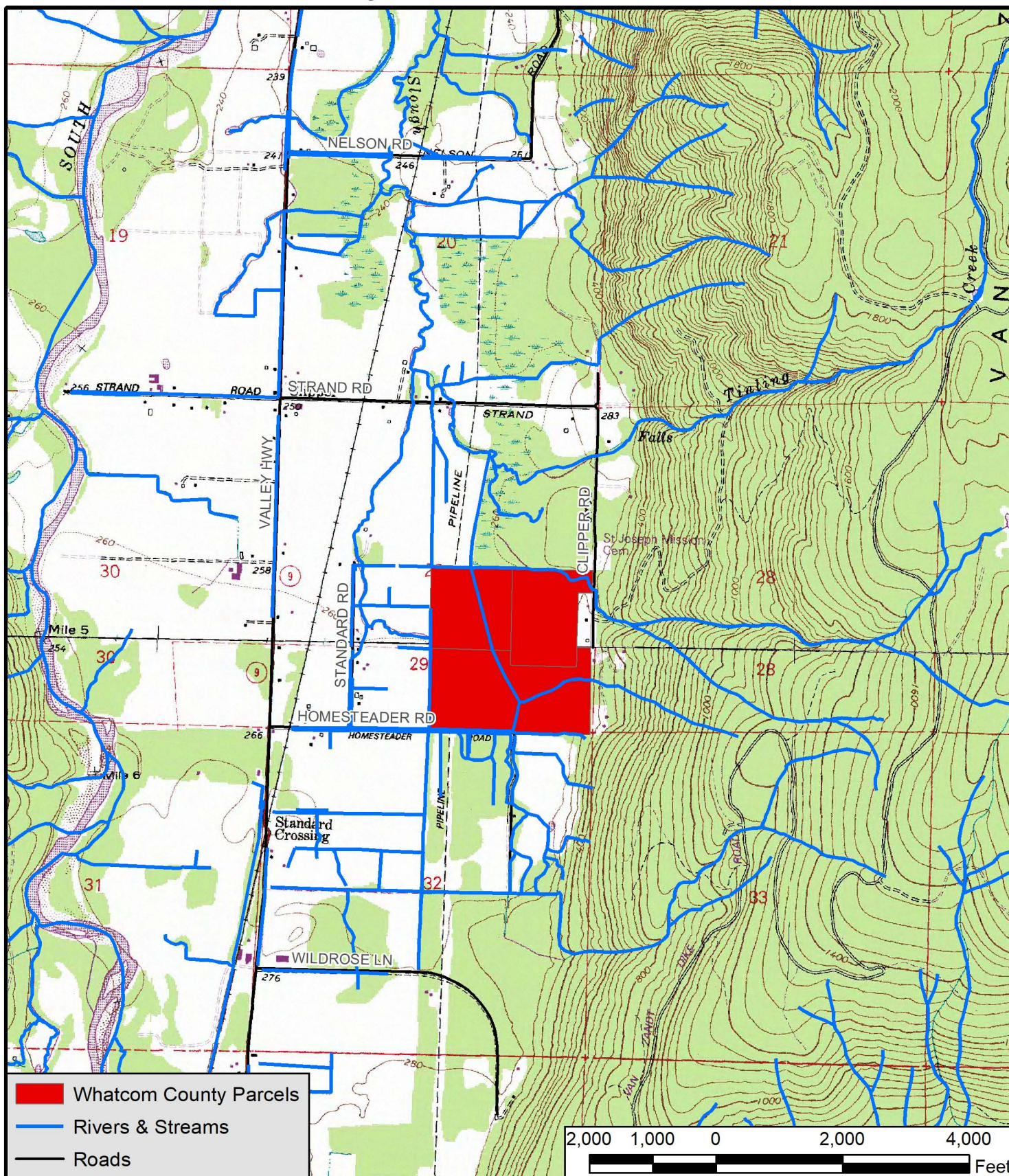
- Full mow/brush of replant area
- Planting and Seedling Protector Installation (may be reused)

Maintenance

Spring 2027 (April/June)

- Mow/brush plantings
- Herbicide application - treat noxious weeds and competing vegetation.
- Repair and weed seedling protectors
- Inspect and repair elk and/or beaver fence as needed.

Riparian Grant Program Washington State Conservation Commission



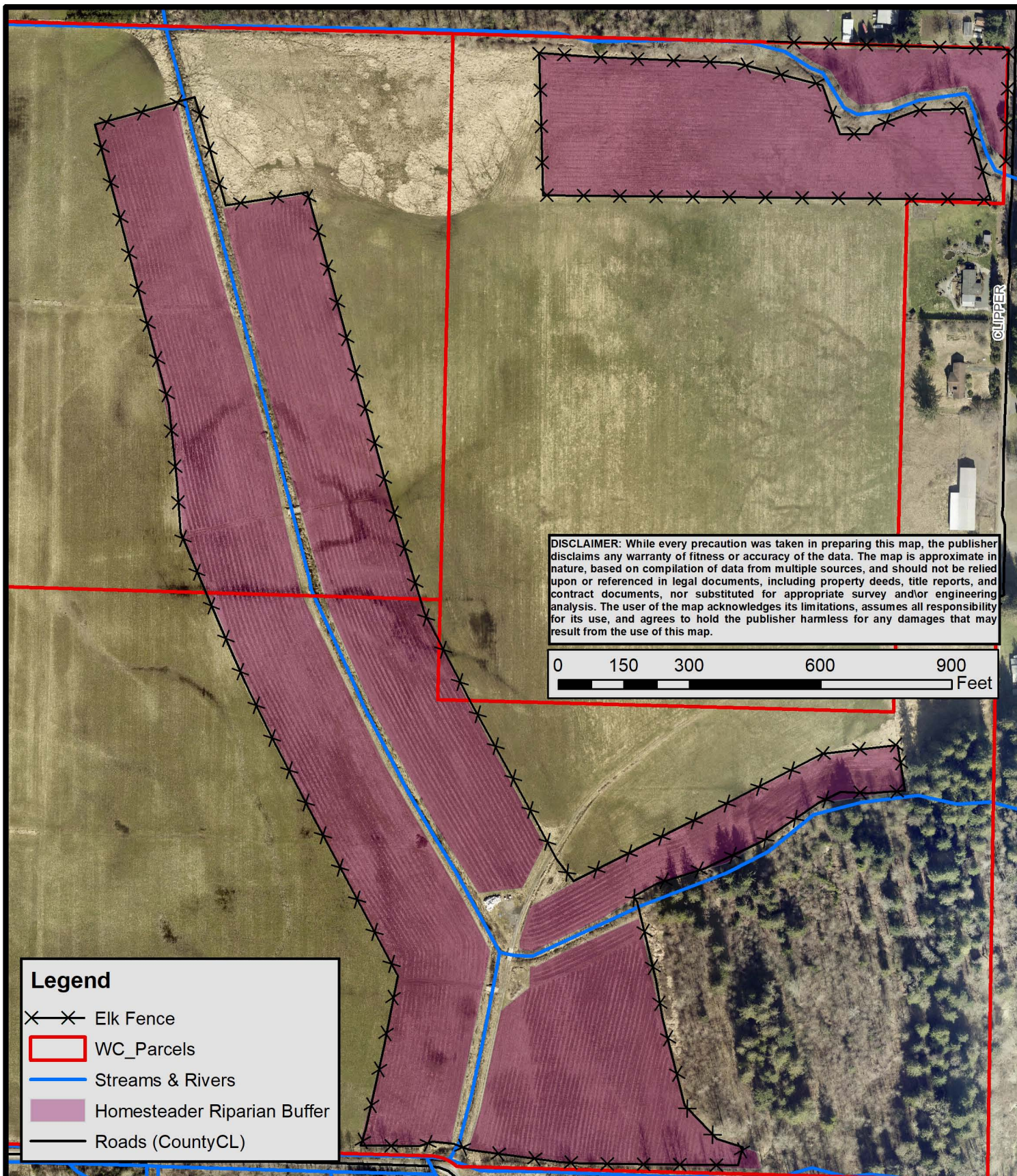
Project: Homesteader Riparian Project

Location: 5604 Homesteader Road, Deming, WA 98244

PLS: SE 1/4 of Section 29, Township 38N, Range 05E



Date: 10/25 **Cartographer:** E. Hirsch



**Riparian Grant Program
Habitat Restoration Project**



Project: Homesteader Riparian Restoration Project^{1:3,600}
Location: 5604 Homesteader Rd, Deming, WA 98244
PLS: Section 29, Township 38N, Range 05E
Date: 10/25 **Cartographer:** Emily Hirsch **Figure:** 1



Homesteader Creek Buffer - October 2025



Homesteader Creek Buffer - October 2025



Homesteader Creek Buffer - October 2025



Homesteader Creek - October 2025



Homesteader Creek channel - October 2025



Homesteader Creek access road - October 2025

Whatcom Conservation District
CONSTRUCTION SPECIFICATION
BEAVER FENCING

for

Riparian Restoration Projects

SCOPE

The work shall consist of constructing fencing along streams to limit beaver access to adjacent newly planted CREP buffer.

MATERIALS

Fence materials shall conform to the following requirements:

- Posts: 5 foot T-posts (medium or heavy duty)
- Woven Wire Field Fencing: 39" or 47" high, 12 - 1/2 gauge top and bottom 14 - 1/2 gauge filler wire.

CONSTRUCTION

- Posts: Maximum spacing of posts is 12 feet. Posts must be 24 inches in the ground.
- Field Fencing: 39" Fencing must be buried at least 6 inches in the ground. 47" fencing must have 12" folded toward the stream at ground level resulting in good contact with the ground.
- Perpendicular End Extensions: At each end of a stream segment where beaver fencing is to be installed an extension to the fencing will run 48 feet perpendicular to the stream.
- Fencing-Post Attachment: Welded wire fencing will be attached with at least 3 T-post clips at each post.
- Location: Fence will be constructed parallel to the stream, as close to the water as possible without undue risk of obstructing flow (generally at the top of the streambank).

Whatcom Conservation District
CONSTRUCTION SPECIFICATION
ELK EXCLUSION FENCING
FOR
RIPARIAN RESTORATION PROJECTS

SCOPE

The work shall consist of constructing fencing around riparian planting areas to limit elk access and prevent damage to trees and shrubs.

MATERIALS

Fence materials shall conform to the following requirements:

- Smooth Wire: Wire shall be 12 1/2 gauge high-tensile electric fence wire or heavier or a single strand of 9 gauge or heavier.
- Field Fence:
- Wood Line Posts: Posts must be treated and minimum 4" diameter and 10' long.
- Steel Line Posts: Posts must be standard "T" steel posts at least 10' long. Steel posts shall be rolled from high carbon steel and shall have a protective coating. The coating may be either galvanized using the hot dip process, or painted using one or more coats of high-grade, weather-resistant steel paint or enamel applied and baked. Steel posts shall be studded, embossed, or punched for the attachment of wire to the posts.
- Corner, Gate and Brace Posts: Posts must be treated and minimum 5"-6" diameter and 10' long.
- Electric Charger: Minimum 50 mile range and 2.2 Joule.

CONSTRUCTION

- Line Posts: Wood posts maximum spacing is 20 feet. Steel posts shall be placed maximum 10' spacing between wood posts. Posts must be 24 inches in the ground.
- Corner, Gate and Braces: Wood braces are required at all corners and gates. Braces also required at straight fence intervals not to exceed 1,320 linear feet. Braces must have a horizontal wood top post and diagonal brace wires.
- Wires: 5 wires total, 3 hot and 2 ground. Hot wires attached to posts with insulators. Ground wires attached to wood posts with staples and to T-posts with metal clips.
- Location: Fence will be constructed around the perimeter of the riparian planting area (see Figure 1).
- Charger: Electric source is in the barn near the SE corner of the property. Wires will be trenched unground from the barn to nearest fencing section.

APPENDIX B

PREVAILING WAGE LAW

Prevailing Wage

Defined

Prevailing Wage is the hourly wage, usual benefits and overtime, paid in the largest city in each county, to the majority of workers, laborers, and mechanics. Prevailing wages are established by the Department of Labor and Industries for each trade and occupation employed in the performance of public work. They are established separately for each county and are reflective of local wage conditions. [RCW 39.12.010](#) and [RCW 39.12.015](#).

Survey Methodology

The Industrial Statistician determines all prevailing wage rates. Surveys are conducted in which employers and labor unions are invited to submit wage and hour data to the Industrial Statistician. If the majority of workers in a trade or occupation in the largest city in a county are paid at the same wage rate, that wage becomes the prevailing wage. If not, an average wage is calculated. [WAC 296-127-019](#).

Fringe Benefits and Overtime

The prevailing rate of wage also includes usual benefits. Usual benefits include medical insurance, pensions, apprenticeship training programs, and vacation and holiday pay. Deductions from workers' paychecks are not usual benefits. Usual benefits are employer paid. Benefits that are required by law (industrial insurance, social security, etc.) do not qualify as usual benefits. Employers must pay a wage and usual benefit package that adds up to the prevailing rate of wage. If an employer does not provide usual fringe benefits, then the total prevailing wage rate must be paid as an hourly wage. Special overtime rates are also established for each trade and occupation. [RCW 39.12.010](#) and [WAC 296-127-014](#).

Intents and Affidavits

Requirement

Public works contracts require that each and every employer on the project file the Statement of Intent to Pay Prevailing Wages (Intent), and Affidavit of Wages Paid (Affidavit) forms. The forms are filed with the department and, once they are approved, are submitted by the employer to the agency administering the contract. There is no lower dollar limit. That is, Intent and Affidavit forms are required for every public works contract regardless of the size of the contract. [RCW 39.12.040](#).

Intents

The Intent form is filed immediately after the contract is awarded and before work begins, if that is possible. The agency administering the contract may not make any payments until contractors have submitted an Intent form that has been approved by the Industrial Statistician. [RCW 39.12.020](#), [RCW 39.12.040](#), and [RCW 39.12.042](#).

Affidavits

The Affidavit form is not filed until after all the work is completed. The agency administering the contract may not release final retainage until all contractors have submitted an Affidavit form that has been certified by the Industrial Statistician. [RCW 39.12.040](#) and [RCW 39.12.042](#).

(See Department Labor and Industries website @ www.lni.wa.gov for instructions to file Intents and Affidavits online.)
[More information here.](#)

Rights of Workers

Background

The Public Works Act is a worker protection law where the worker, not the employer, is the beneficiary. It provides for minimum wage rates that must be paid to workers on public works construction projects, so that any incentives to reduce wages to benefit the employer are removed.

Posting

Intent forms listing the labor classifications and wages used on the project are required to be posted for the employees' inspection at the job site, for projects over \$10,000. On road construction, sewer line, pipeline, transmission line, street or alley improvement projects, the employer may post this form at the nearest local office, gravel crushing, concrete or asphalt batch plant, as long as the employer provides a copy of the Intent form to the employee upon request. In the event that the Intent form has not been approved by the department before work begins, the complete listing of prevailing wage rates for that county may be posted and distributed in lieu of the approved Intent form. [RCW 39.12.020](#).

Check Stubs

Washington employment law requires the employer to provide, with each employee's paycheck, an itemized statement showing time worked, rates of pay, gross wages and listing all deductions. The employee should not have to ask for this; it should be provided with each paycheck. [WAC 296-126-040](#).

Other Records

The employer is required to keep other records in addition to the "check stub" information regarding employees' deductions. Payroll records must be kept showing the name, address, Social Security number, trade or occupation, straight time rate, hourly rate of usual benefits and overtime hours worked each day and week, including agreements to work up to 10-hour days, and the actual rate of wages. Certified copies of those payroll records must be submitted within ten days of receiving a written request from any interested party. [RCW 39.12.010 \(4\)](#) and [WAC 296-127-320](#).

Wage Claims

If an employee has not been paid the proper prevailing wage, the employee is entitled to file a wage claim with the department. This involves filling out a form and providing information showing work hours and rates of pay. In a wage claim investigation, the employer has the right to know the name of the claimant. [RCW 39.12.065](#). [Wage Claim Form](#).

Complaints

Anyone, not just a worker, may file a complaint. Complaints filed after retainage has been released may not be investigated by the department. Complaints are processed in much the same way as wage claims. While identities of persons filing wage claims are usually disclosed to the employer, identities of persons filing complaints are not. [RCW 39.12.065](#). [Complaint Report Form](#).

Responsibilities of Employers

Contractual Obligations

Employers must abide by the terms of their contracts. On public works projects, the contract will state that prevailing wages must be paid to the workers and will include a listing of the prevailing wage rates that apply to that contract. [RCW 39.12.030](#).

Intent and Affidavit Forms

Employers must submit the Intent and Affidavit forms (approved and certified by the department) to the agency administering the contract in order to receive payment. Intent forms must be filed prior to the start of work, if possible. Affidavits are filed after completion of the work. Approval and certification of those forms by the Industrial Statistician is based on the information provided on the forms and does not constitute approval of the classifications of labor reported. [RCW 39.12.040](#), [WAC 296-127.040](#) and [WAC 296-127-045](#). Forms may be accessed through the Washington State Prevailing Wage Intent & Affidavit System. [More information here](#).

Labor Classifications

All work performed under a public works contract must be classified into one or more of the many labor classifications for which prevailing wage rates have been established, so that the appropriate wage can be applied. For example, workers installing sheet metal ducts are classified as Sheet Metal Workers and should therefore receive the prevailing wage rate for that occupation. Employers are responsible for ensuring that the proper classifications of labor are reported and should take great care since this is where many mistakes are made. [Scope of work](#) descriptions are available as a guide in determining which labor classification is appropriate. Some awarding agencies are willing and prepared to offer advice regarding proper labor classifications. Any doubts or unresolved questions regarding the

appropriate classifications of labor should be directed to the Prevailing Wage office. [RCW 39.12.010](#), [RCW 39.12.020](#) and [RCW 39.12.060](#). [WAC 296-127-013](#), [WAC 296-127-019](#) and [WAC 296-127-060](#).

Posting

An approved copy of the Intent form for each employer must be posted at the job site prior to the commencement of work for contracts in excess of \$10,000. In the event that the Intent form is in the process of being approved by the Industrial Statistician, the complete listing of the prevailing wage rates for the county where the job site is located may be posted until the approved form is received. Failure to meet these posting requirements is a violation of Chapter 39.12 RCW. [RCW 39.12.020](#).

Payroll Records

Contractors must keep accurate payroll records for three years following the date of acceptance of the project by the awarding agency. Payroll records must show the name, address, Social Security number, trade or occupation, straight time rate, hourly rate of usual benefits and overtime hours worked each day and week, including agreements to work up to 10-hour days, and the actual rate of wages. Upon receiving a written request by any interested party, the contractor must, within ten days, submit Certified Project Payroll records to the awarding agency and the department. [RCW 39.12.010 \(4\)](#) and [WAC 296-127-320](#). Forms may be accessed through the Washington State Prevailing Wage Intent & Affidavit System. [More information here](#).

Fringe Benefits

The prevailing rate of wage also includes usual benefits. Usual benefits include medical insurance, pensions, apprenticeship training programs, and vacation and holiday pay. Deductions from workers' paychecks are not usual benefits. Usual benefits are employer paid. Benefits that are required by law (industrial insurance, social security, etc.) do not qualify as usual benefits. Employers must pay a wage and usual benefit package that adds up to the prevailing rate of wage. If an employer does not provide usual fringe benefits, then the total prevailing wage rate must be paid as an hourly wage. Special overtime rates are also established for each trade and occupation. [RCW 39.12.010](#) and [WAC 296-127-014](#).

Payment of Reduced Wage Rates

There are four circumstances in which a wage that is less than the journey level prevailing wage rate may be paid

Apprentices

Apprentices are defined as those workers for whom an apprenticeship agreement has been registered and approved by the Washington State Apprenticeship and Training Council. Under this law, any "helper" or other type of assistant who is not registered with the Washington State Apprenticeship and Training Council is to be considered to be a fully qualified journey level worker and must be paid the full journey level wage. Workers registered with the Washington State Apprenticeship and Training Council are entitled to the prevailing wage rates for an apprentice of that trade. [RCW 39.12.021](#).

Sole Proprietors, Partners, and Officer/Owners

- Sole owners of their own businesses who perform the actual work themselves are not required to pay themselves the prevailing wage rates.
- Partners in a partnership who own at least 30% of a company are likewise not required to pay themselves prevailing wage rates.
- The President, Vice President and Treasurer of a corporation are not required to pay themselves prevailing wage, as long as each owns at least 30% of the corporation.

These companies are not exempt from the remaining requirements of the statute, including the filing of Intent and Affidavit forms. Any worker who owns less than 30% of the company is not exempt and must be paid the prevailing wage rate. [WAC 296-127-026](#).

Public Employees

Workers regularly employed on a monthly or per diem salary by the state or any political subdivision created by its laws are exempt from the requirements of the prevailing wage law. [WAC 296-127-026](#)

For more information

- [The Washington State Prevailing Wage Law – L&I Booklet](#)
- [Prevailing Wage Intent & Affidavit System Instructions](#)
- [Laws and Rules - RCWs and WACs](#)
- [Forms and publications](#)
- [Prevailing wage rates](#)

You may [e-mail](#) a question or call the [Prevailing Wage](#) office at 360-902-5335.

Washington State Prevailing Wage

The PREVAILING WAGES listed here include both the hourly wage rate and the hourly rate of fringe benefits. On public works projects, worker's wage and benefit rates must add to not less than this total. A brief description of overtime calculation requirements are provided on the Benefit Code Key.

Journey Level Prevailing Wage Rates for the Effective Date: 9/19/2025

County	Trade	Job Classification	Wage	Holiday	Overtime	Notes
Whatcom	Landscape Construction	Landscape Construction/Landscaping Or Planting Laborers	\$52.73	15J	11P	8Y

[Benefit Code Key](#)