



STATE OF WASHINGTON
DEPARTMENT OF LABOR AND INDUSTRIES

Prevailing Wage
PO Box 44540 • Olympia, Washington 98504-4540
360/902-5335 Fax 360/902-5300

December 19, 2007

Ted Seaborn, President
Steve Brown, Vice President
Applied Professional Services, Inc.
43530 SE North Bend Way
North Bend, WA 98045

Re: Subsurface Utility Engineering (SUE) & Air/Vacuum Utility Potholing

Dear Mr. Seaborn and Mr. Brown:

This letter is a follow-up to our meeting we had concerning prevailing wage requirements and trade and occupation classifications for Subsurface Utility Engineering (SUE) and air/vacuum utility potholing.

The services you offer raise two separate and important questions: Do prevailing wages apply and if so, what prevailing wages? Neither of these questions are simple. Prevailing wages may apply, similar to drilling work by engineering studies. If so, a General Laborer wage is most likely to be applied absent the creation and surveying of a special occupational category for this type of utility locating.

The answer below is based on the information you provided. References to the Revised Code of Washington (RCW) and the Washington Administrative Code (WAC) are included. Again, this answer is based on your fact set. If the facts differ from those you provided, the answers may be different.

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.”

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The SUE process combines several disciplines including some professional/technical engineering work outside the definition of “laborer, worker, or mechanic” as those terms are used in Chapter 39.12 RCW and some site work that is the work of a laborer, worker or mechanic, and requires the payment of the prevailing rate of pay under RCW 39.12. This includes any pavement breaking and excavation work – That work will require the payment of the prevailing rate of pay. The Laborer category is correct for the air/vacuum excavation (WAC 296-127-01344).

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 call or email me at 360 902-5330 or somd235@lni.wa.gov.

Sincerely,

David J. Soma
Industrial Statistician
Prevailing Wage Program Manager

Nottingham, Reasa L (LNI)

From: Herman, Laura E (LNI)
Sent: Monday, October 29, 2007 4:45 PM
To: Soma, David (LNI); Nottingham, Reasa L (LNI); Herman, Laura E (LNI)
Subject: FW: Potholing invoice 46197

From: John Vicente [mailto:jvicente@ci.shoreline.wa.us]
Sent: Tuesday, September 04, 2007 9:44 AM
To: Steve Brown
Subject: FW: Potholing invoice 46197

Hi Steve

Don't hate me but L&I is being very specific on how the prevailing wage needs to be reported for the potholing.

Below is how they say it needs to be reported.

Thanks
John

John F. Vicente, P.E., P.M.P.
Capital Projects Manager

City of Shoreline
17544 Midvale Avenue N
Shoreline, WA 98133-4921

Phone (206) 546-8903
Fax (206) 546-2726

-----Original Message-----

From: Nottingham, Reasa L (LNI) [mailto:notr235@LNI.WA.GOV] **On Behalf Of** LNI RE Prevailing Wage Worker 1
Sent: Tuesday, September 04, 2007 8:38 AM
To: Purchasing
Subject: RE: Potholing

Cathy,

Thank you for your responses to my questions the answers are based on the information you have provided and should that information change then the answers could change as well:

1. Laborer (removing pavement)
- 2 & 3. Operating Engineers - either a Tractors (over 75 hp) or a Transfer Material Svc Machine (vactoring)
4. Laborer (taking depth measurements)

Thank you

Reasa Nottingham
Secretary Supervisor
Prevailing Wage
360-902-5331
notr235@lni.wa.gov

From: Purchasing [mailto:Purchasing@ci.shoreline.wa.us]
Sent: Thursday, August 23, 2007 9:16 AM
To: LNI RE Prevailing Wage Worker 1
Subject: RE: Potholing

Hi Reasa,
Here is the additional information:

1. The Asphalt chipper is a single person use tool and is a jackhammer device
2. A vactor type truck is used. Essentially a very large vacuum cleaner
3. yes, a vactor type truck
4. A single person uses a graduated rod and sets it in the hole and measures the depth of the hole.

Cathy Robinson, CPPB
Purchasing Division
City of Shoreline
17544 Midvale Ave N
Shoreline, WA 98133-4921
(206) 546-2188
Fax (206) 546-7870
email: purchasing@ci.shoreline.wa.us

-----Original Message-----

From: Nottingham, Reasa L (LNI) [mailto:notr235@LNI.WA.GOV] **On Behalf Of** LNI RE Prevailing Wage Worker 1
Sent: Tuesday, August 21, 2007 4:14 PM
To: Purchasing
Subject: RE: Potholing

Cathy,

Thank you for your further information. I do need to get a little more to provide you with a correct answer.

1. The "asphalt chipper." Is it a jackhammer type device that has one person using the tool? If so, please confirm and if not please describe in detail what

the tool is and how it is operated.

2. After the surface pavement is removed, what tools and methods are used for the excavation of the hole?
3. The "vacuum truck." Are you referring to a Vactor type truck?
4. How is the survey instrumentation used and operated? What is it?

Since each prevailing wage rate applies only to the performance of specific work tasks, the detail will help us provide your answer.

Thank you

Reasa Nottingham
Secretary Supervisor
Prevailing Wage
360-902-5331
notr235@lni.wa.gov

From: Purchasing [mailto:Purchasing@ci.shoreline.wa.us]

Sent: Tuesday, August 21, 2007 8:06 AM

To: LNI RE Prevailing Wage Worker 1

Subject: RE: Potholing

The work involved digging a narrow hole to determine the depth of underground utilities. The equipment involved includes an asphalt chipper (to remove surface pavement), a vacuum truck, and survey instrumentation.

Cathy Robinson, CPPB

Purchasing Division

City of Shoreline

17544 Midvale Ave N

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-----Original Message-----

From: Nottingham, Reasa L (LNI) [mailto:notr235@LNI.WA.GOV] **On Behalf Of** LNI RE Prevailing Wage Worker 1

Sent: Monday, August 20, 2007 4:49 PM

To: Purchasing

Subject: RE: Potholing

We are in receipt of your email but need a little more information on what exactly is being done - a job description or something of that nature would be most helpful - something to tell us type of equipment, tools etc.

Thank you

Reasa Nottingham
Secretary Supervisor
Prevailing Wage
360-902-5331
notr235@lni.wa.gov

From: Purchasing [mailto:Purchasing@ci.shoreline.wa.us]
Sent: Wednesday, August 15, 2007 10:51 AM
To: LNI RE Prevailing Wage Worker 1
Subject: Potholing

Is potholing subject to prevailing wages? If so, what category does it fall into?

Potholing is digging a hole to determine the location of underground facilities.

Thank you,

Cathy Robinson, CPPB
Purchasing Division
City of Shoreline
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WHAT IS SUE?

SUE is an engineering process for accurately locating and mapping underground utilities. It utilizes new and exciting technologies. Major components, are designating, locating, and data management. These components may be defined in terms of "quality levels." Quality levels may be thought of as degrees of risk, or how much information is really needed before designing and constructing a highway project.

Quality Level D is the most basic and unfortunately, the most commonly used level of information that comes from existing utility records. It is not always accurate. It may provide an overall "feel" for the congestion of utilities, but is often highly limited in terms of comprehensiveness and accuracy.

Quality Level C information is a little bit better. It involves supplementing existing utility records with above ground survey information depicting visible utility facilities, such as manholes, post, etc. Even so when using this information it is not unusual to find that 15 to 30 percent of the underground utilities are either omitted or are plotted two feet or more in error.

Quality Level B is the first level where SUE information is used. It basically involves "designating." **Designating** is the use of surface geophysical techniques to determine the existence and horizontal position of underground utilities. This two-dimensional horizontal mapping information is usually sufficient to accomplish preliminary engineering goals. Decisions can be made on where to place storm drainage systems and other design features in order to avoid conflicts with existing utilities. Slight adjustments in the design can produce substantial cost savings by eliminating utility relocations. Even so, the designer still does not know the vertical position of the underground utilities.

Quality Level A **Locating** is the use of nondestructive digging equipment at critical points along a subsurface utility's path to determine the precise **horizontal** and **vertical** position of buried utilities. It provides three dimensional horizontal and vertical mapping information. The use of nondestructive digging equipment, particularly vacuum excavation equipment, eliminates damage to underground utility facilities traditionally caused by backhoes.