

# Plumas Unified School District Invites Local Contractors to Prepare for Bidding on Public Works

## 1. What does public works mean?

Under the Labor Code, public works in general refers to:

- Construction, alteration, demolition, installation, maintenance, or repair work,
- Done under contract, and
- Paid for in whole or in part out of public funds
- It can include preconstruction and post-construction activities related to a public works project.

## 2. What are prevailing wages, and who must receive them?

All workers employed on public works projects must be paid the prevailing wage determined by the Director of the Department of Industrial Relations (DIR) according to the type of work and location of the project. The prevailing wage rates are usually, but not always, based on rates specified in collective bargaining agreements.

## NEW INFORMATION - Small Project Exemption

Small project exemption means that contractors who work exclusively on small projects are not required to register as public works contractors or file electronic certified payroll reports for those projects.

However, prevailing wages must still be paid on projects with small project exemption. Contractors are still required to maintain certified payroll records on a continuous basis, and provide those records to the Labor Commissioner's Office upon request.

Small project exemption is applied based on the amount of the entire project, not a contractor's subcontracted amount of the project. Small project exemption applies for all public works projects that do not exceed:

- \$25,000 for new construction, alteration, installation, demolition or repair
- \$15,000 for maintenance

## Contractors and Contractor Registration

### 1. Who is a public works contractor?

A public works contractor is anyone who bids on or enters into a contract to perform work that requires the payment of prevailing wages. It includes subcontractors who have entered into a contract with another contractor to perform a portion of the work on a public works project. It includes sole proprietors and brokers who are responsible for performing work on a public works project, even if they do not have employees or will not use their own employees to perform the work.

### 2. Who needs to register as a public works contractor?

Anyone who fits within the definition of public works contractor (above) is required to register with the DIR.

### 3. Are there any exceptions to the registration requirement?

The contractor registration requirement does not apply to contractors working solely on public works projects awarded prior to April 1, 2015. Some exceptions allow contractors to bid on federally funded projects or submit joint venture bids without first being registered, as long as the contractors that are parties to the joint venture and the joint venture are registered at the time the contract is awarded.

#### 4. Who is eligible to register?

Contractors must meet the following requirements to register:

- Have workers' compensation coverage for any employees and only use subcontractors who are registered public works contractors.
- Have a Contractors State License Board license if applicable to trade.
- Have no delinquent unpaid wage or penalty assessments owed to any employee or enforcement agency.
- Not be under federal or state debarment.
- Not be in prior violation of this registration requirement once it becomes effective. However, for the first violation in a 12-month period, a contractor may still qualify for registration by paying an additional penalty.

#### 5. How much does registration cost, and how long does it last?

Registration costs \$400 and covers one fiscal year (July 1–June 30), regardless of the date on which a contractor registers. Registration is renewable annually.

#### 6. What if I don't register (i.e., what are the consequences of noncompliance)?

Contractors who are required to register but fail to do so are ineligible to bid or work on a public works contract and can be removed from any public works project on which they currently are working. For a single violation in a 12-month period, a contractor who is otherwise eligible may still register by paying a \$2,000 penalty in addition to the \$400 registration fee. Registered contractors who inadvertently fail to renew by June 30, but continue to work on public works after that date, have a 90-day grace period to renew retroactively by paying a \$400 penalty in addition to the registration renewal fee.

#### 7. How long does it take for DIR to process contractor registrations, verify submitted information, and post contractor information in the registration list that is accessible online?

This process can take less than 24 hours if registration fees (including penalties, if applicable) are paid by credit card. Verification of payment by other means can take up to eight weeks.

#### 8. How can a list of all registered contractors be obtained?

The name and registration number of any contractor who has registered with the DIR can be found using the public works contractor search tool. An up-to-date list of all registered contractors can be obtained by entering the percentage symbol, %, in the "Contractor Legal Name" field.

#### For questions specific to PUSD projects, please contact:

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Sample bid packets are available in our district office located at 1446 East Main Street, Quincy, CA 95971 or on our website at [http://www.pcoe.k12.ca.us/pages/Plumas\\_Unified](http://www.pcoe.k12.ca.us/pages/Plumas_Unified).