

A rectangular stamp with a grey, textured background and a black border. The words "UNDER REVIEW" are written in bold, red, uppercase letters, centered within the stamp.

## RECOMMENDED DAY LABOR ADVERTISING

### NOTE:

**These documents are for your use, solely at your option, and are not a requirement.**

### Background

RCW 36.77.070 requires advertising of Day Labor projects over \$2,500 (does not allow you to exclude those under \$2,500 from your limits) before the project proceeds, and after it is completed. Remember that the foundation of the Day Labor law is that the contracting community believes, and has convinced the legislature, that not only is it good economic sense to leave as much work in the private sector as possible, but that they can also do the work at less overall cost than you can. I would also suggest that in this day of "accountability" that it also serves a good use in keeping your public aware of what it is you are doing, and how you adjust your crews.

Be aware that Day Labor is a state legislative definition, and may not be the same as other agencies, particularly federal resource agencies, may use in their regulatory processes. Be sure that your crews and accounting staff know those definitions in order that they may properly reflect your work in these ads and your annual reports. Our goal is to help you comply with that law as simply as possible.

### Before Project Advertising

The initial ad must contain "a brief description of the work" and "the county road engineer's estimate of the cost". It must be placed before work begins (we suggest at least two weeks) but there is no specific legal requirement for advance notice. You may lump projects together in a list, but each project must be identified separately so that the public can see what it is you are planning to do in the project(s).

We suggest in the initial ad that the project name be descriptive enough that the ordinary citizen could find the project, and that the work description contain just enough information in lay terms to the extent possible that they can reasonably know what the project impacts will be. Occasional commonly used and generally acronyms such as "chip seal" or "BST" are OK, but try to keep them to a minimum. The estimate is simply your required estimate of the total project construction cost, leaving out only PE and R/W costs.

Certainly you are free to use whatever format meets the requirements of law, however, we suggest one that is quite simple in the linked template, [Day Labor Project Ad](#).

### Project Completion Advertising

The completion ad must contain "a similar brief description of the work" and "an accurate statement of the true and complete cost". It must show the project(s) completed, and may be a single ad, after you close out the books for the year, that lists your projects. You should include any projects that carry over from the previous year as well. I recommend that you note those projects as "carry over from" the previous year so that it is clear what you are doing.

We suggest that the completion ad use the same names as the initial ads to avoid confusion about which project(s) you are referring to. The date that all work is done, and final acceptance of the project occurs, is your completion date, even though the books may not be closed for a short time after that date. Your "true and complete cost" is obviously all the funds, to the penny, that you spent on the project.

Again, we suggest a format that is quite simple, yet meets the requirements of law, in the linked template, [Day Labor Project Completion Ad.](#)

Contact [Al King](#), P.E., Intergovernmental Policy Manager, for assistance.

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