



BUREAU of LABOR & INDUSTRIES

December 11, 2025

Stephen A Webster
Siletz Boat Works, Inc.
5262 Yaquina Bay Road
Newport, OR 97365

Re: *Determination Whether Project is Subject to Prevailing Wage Rate Laws*
Project: Disposal of Abandoned and Derelict Vessels 2025
Ref: 25-8145
Requested by: Siletz Boat Works Inc.

Dear Stephen A Webster:

On October 14, 2025, the Bureau of Labor and Industries received the request you submitted asking if the Prevailing Wage Rate laws would apply to the Disposal of Abandoned and Derelict Vessels 2025 project. Sufficient information to make a determination was received on November 18, 2025, and therefore, the commissioner issues the following determination:

FINDINGS OF FACT

1. The Port of Newport (the “Port”), a public agency under ORS 279C.800(5), is intending to contract for the disposal of derelict and abandoned vessels located at the marinas of the Port of Newport, Oregon. The port issued a Request for Proposals (“RFP”) for this contract, with proposals due by October 24, 2025. According to the RFP, “[t]his project includes the transportation, dismantling, and disposal of up to 17 vessels of which the Port is in possession.” The scope of work includes that the “Contractor shall coordinate the transportation, dismantling, and disposal, including permitting and site usage. Contractor shall sample any suspected hazardous material, perform abatement of vessels, and ensure proper handling and disposal of any hazardous material.” For the purposes of this coverage determination, the work performed in the RFP is known as Disposal of Abandoned and Derelict Vessels 2025 project (the “Project”).
2. According to the Port, all the vessels but one are currently located in the water. These vessels will be towed upriver to another location, hoisted out of the water, and dismantled. One vessel located out of the water will be trucked to the location where it will be dismantled. The location for dismantling is not yet determined, but will likely be the Port of Toledo Boatyard.
3. The Port will contract for the work performed. It is anticipated that one contract will be awarded.
4. The Project is anticipated to cost approximately \$360,000. The Port expects to be reimbursed by the Oregon Department of State Lands Abandoned and Derelict Disposal Program. The Port anticipates entering into an inter-governmental agreement regarding the use of these grant funds, but no agreement has been drafted at this time.



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5. The Port indicates that at this time, no “hazardous waste,” as defined in OAR 839-025-0004(12), has been identified in any of the vessels.

CONCLUSIONS OF LAW

1. Under OAR 839-025-0004(7), “demolition” includes the dismantling, razing, destroying, wrecking, or removal of buildings or other structures. The common meaning of “structure” is “something constructed or built.” See WEBSTER’S THIRD NEW INTERNATIONAL DICTIONARY (Unabridged 2002). In this case, the derelict and abandoned vessels are structures as they are constructed and built. The Project includes the removal of derelict and abandoned vessels, or structures, from the marina, and as such, the Project will include demolition work. Additionally, the Project will be carried on and contracted for by a public agency to serve the public interest. Therefore, the Project meets the definition of “public works” under ORS 279C.800(6)(a)(A).
2. The Project cost will exceed \$50,000. Therefore, the exemption from the Prevailing Wage Rate laws under ORS 279C.810(2)(a) will not apply to the Project.
3. The Project will use funds of a public agency. Therefore, the exemption from the Prevailing Wage Rate laws under ORS 279C.810(2)(b) will not apply to the Project.
4. No other exemptions from the Prevailing Wage Rate laws will apply to the Project.

DETERMINATION

Based on the foregoing, the Prevailing Wage Rate laws, ORS 279C.800 to ORS 279C.870, and OAR Chapter 839, Division 025, will apply to the Disposal of Abandoned and Derelict Vessels 2025 project.

This determination is based on the agency’s file as of the date of this determination. If any of the project information provided is incorrect or incomplete, this determination may no longer apply. If the project or project documents are modified or supplemented after the date of this determination, this determination may no longer apply. The commissioner may make a different determination if any of the project information is incomplete or incorrect, or if the project or project documents are modified or supplemented after the date of this determination. A new determination may be requested based on the modified or supplemented information or documentation.

RIGHT TO A HEARING

The requestor and any person adversely affected or aggrieved by this determination are entitled to a hearing as provided by the Administrative Procedures Act (ORS 183.413 to 183.470) and ORS 279C.817. If you want a hearing, the Bureau of Labor and Industries, Wage and Hour Division must receive your written request for hearing within 21 days from the date this notice was mailed. Hearing requests should be addressed and delivered to:

Administrator
Wage and Hour Division
Bureau of Labor and Industries
1800 SW 1st Avenue, Suite 500
Portland, Oregon 97201

If a written request for hearing is not received within this 21-day period, your right to a hearing shall be considered waived, this determination order will be final, and the agency file on this matter shall serve as the record for purposes of proving a *prima facie* case.

If you request a hearing, you will be notified of the date, time and place of the hearing. You have the right to be represented by legal counsel at a hearing. However, if you are a government agency, corporation, partnership, or unincorporated association, you must be represented by either legal counsel or an authorized representative. If you request a hearing, you will receive information on Contested Case Rights and Procedures before the hearing. After the hearing, an order confirming, modifying, or reversing this determination order will be issued. This determination shall remain in effect until the final order is issued.

If you request a hearing, but fail to appear at any scheduled hearing, you will have waived your right to hearing, and the commissioner may issue a final order by default. If the commissioner issues a final order by default, the agency file on this matter shall serve as the record for purposes of proving a *prima facie* case.

Date: December 11, 2025

CHRISTINA E. STEPHENSON, Commissioner
Bureau of Labor and Industries

A handwritten signature in black ink, appearing to read "Christina E. Stephenson".

Laura van Enckevort
Wage and Hour Administrator

Certificate of Service

On December 11, 2025, I mailed the Prevailing Wage Rate Determination for the Disposal of Abandoned and Derelict Vessels 2025 project to the requestor and interested party, as follows:

Stephen A Webster
Siletz Boat Works, Inc.
5262 Yaquina Bay Road
Newport, OR 97365

Aaron Bretz
Port of Newport
600 SE Bay Boulevard
Newport, OR 97365



Jolene Goodnight
Compliance Specialist
Wage and Hour Division
Bureau of Labor and Industries