

**WAC 468-16-100 Conditional qualification.** (1) A firm may be conditionally qualified when it has been given a below standard (less than 100) performance rating on a final performance report. A firm may also be qualified conditionally by the secretary when performance has become below standard in either "quality of work" or "progress of work" on an interim report for a current project. The region administrator or designated assistant may, under the foregoing condition, request in writing that a contractor be placed in conditional status. A conditionally qualified contractor will be denied bidding proposals while in that status but may receive, at the discretion of the secretary, a bidding proposal for one project.

(2) The assistant secretary for field operations support shall advise the contractor and the region administrator or designated assistant when a contractor has been placed in conditional status.

(3) Should the contractor be the low successful bidder and be awarded a contract subsequent to being placed in conditional status, the issuance of further bidding proposals will be considered only when an interim report is submitted in accordance with WAC 468-16-160 or when a final performance report is submitted in accordance with WAC 468-16-150(12) and the rating thereon is standard or better.

(4) Normally a contractor may have only one active prime contract for the department while qualified conditionally.

(5) Return to fully qualified status of a conditionally qualified contractor will be effected by:

(a) A performance rating of standard or above on contracts completed during the current prequalification year; or

(b) An interim rating of standard or above on all concurrent contracts; or

(c) A standard or above rating on the first interim report for a project awarded subsequent to conditional qualification.

(6) Should the rating continue to be less than standard, the contractor's prequalification will be suspended in accordance with WAC 468-16-180.

[Statutory Authority: RCW 47.01.101, 47.28.030, and 47.28.070. WSR 00-14-055, § 468-16-100, filed 7/3/00, effective 8/3/00; WSR 97-09-045 (Order 168), § 468-16-100, filed 4/15/97, effective 5/16/97; WSR 93-03-020 (Order 134), § 468-16-100, filed 1/12/93, effective 2/12/93; WSR 91-04-014 (Order 128), § 468-16-100, filed 1/28/91, effective 2/28/91.]