

**WAC 468-310-040 Criteria for determining an unsatisfactory record of integrity.** The department may refuse to prequalify a contractor which it determines has an unsatisfactory record of integrity in the performance of previous contracts or in connection with prequalification or bidding. In making such a determination, the department may consider any of the following as evidence of a lack of integrity:

(1) Conviction of violating a federal or state antitrust law by bidrigging, collusion, or restraint of competition between bidders, or conviction of violating any other bid-related or contract-related federal or state law. Conviction of a contractor's principal officers and agents of any such offenses will be imputed to the contractor;

(2) Willful concealment of any deficiency in the performance of a prior contract;

(3) Falsification of information or submission of deceptive or fraudulent statements in connection with prequalification, bidding, or performance of a contract;

(4) Debarment of the contractor by a federal or state agency or by a municipal corporation unless the period of the debarment has terminated;

(5) Default on a previous contract.

[Statutory Authority: 1983 c 133. WSR 83-19-014 (Order 84), § 468-310-040, filed 9/12/83.]