Chapter 236-28 WAC
SMALL WORKS ROSTER

WAC
236-28-010 Purpose and authority. This chapter of the Washington administrative code is adopted pursuant to chapter 98, Laws of 1982, which requires the director of the department of general administration to adopt by rule a procedure to prequalify contractors for inclusion on a small works roster established by the state agencies enumerated in section 2, chapter 98, Laws of 1982. The procedure set forth in this chapter shall be utilized by those agencies in establishing a small works roster. [Statutory Authority: RCW 39.04.150. 83-02-024 (Order 83-1), § 236-28-010, filed 12/29/82.]

WAC 236-28-020 Notice required by agency establishing small works roster. Agencies desiring to establish an initial small works roster shall give notice to the contracting community encouraging contractors to submit applications for inclusion on the small works roster. Such notice may be given by advertisements in publications widely circulated to the contracting community, by notices mailed directly to trade associations or to individual contractors, or by any effort reasonably calculated to assure that all contractors in the state of Washington become aware of the opportunity to be included on the small works roster. [Statutory Authority: RCW 39.04.150. 83-02-024 (Order 83-1), § 236-28-020, filed 12/29/82.]

WAC 236-28-030 Contractors application form—Information required. Contractors desiring to be included on a small works roster established by a state agency pursuant to chapter 98, Laws of 1982, shall submit a completed application form on a form prescribed by the director, department of general administration. Copies of the form may be obtained from the division of engineering and architecture and will contain the following information:

(a) Name of contracting firm, including designation as corporation, partnership, sole proprietorship, or otherwise;
(b) Address of contracting firm;
(c) Telephone number of contracting firm;
(d) State contractor’s license number;
(e) Indication of type of construction firm by categories enumerated in WAC 236-28-040;
WAC 236-28-060 Minority or women's business enterprise—Defined. The following rules shall be utilized in determining whether a contractor is a minority or women's business enterprise. For this purpose, the following definitions shall apply:

1. "Minority"—Blacks, Asians, Hispanics, and Native American/American Indian or Alaskan Native.
2. "Asians"—A person with origins in any of the original peoples of the Far East, Southeast Asia, the Indian Subcontinent, or the Pacific Islands. This area includes, for example, China, Japan, Korea, the Philipine Republic, and Samoan.
3. "Black"—A person with origins in any of the Black racial groups of Africa who is also not of Hispanic origin.
4. "Hispanic"—A person of Mexican, Puerto Rican, Cuban, South American or other Spanish culture or origin, regardless of race.
5. "Native American/American Indian or Alaskan Native"—A person with origins in any of the original peoples of North America and who maintains culture identification through tribal affiliations or community recognition.
6. "Minority business enterprise (MBE)"—A business which is owned and controlled by one or more minority persons. For purposes of this definition, the non-minority owner or owners of the minority business enterprise may not be the owner or operator, in whole or in part, of a business engaged in the same or similar type of business activity as the minority business enterprises.
7. "Women's business enterprise (WBE)"—A business which is owned and controlled by one or more women residing in the United States or its territories. For purposes of this definition, the male owner or owners in a women's business enterprise may not be the owner or operator, in whole or in part, of a business engaged in the same or similar type of business activity as the women's business enterprise.
8. "Owned and controlled"—For purposes of determining whether a business is a minority business enterprise, women's business enterprise or combination women's and minority business enterprise, the minorities, women, or combination of both, as the context requires, shall possess:
   a. Ownership of greater than fifty percent of the business; and
   b. Control over management, interest in capital, and interest in profit or loss commensurate with the percentage of ownership on which the claim status is based; and
   c. A real and continuing interest in the business.
9. In order to be considered a minority or women's business enterprise, a contractor must either be:
   a. Listed on one of the following MWDE lists:
      i. Department of commerce and economic development, state of Washington (maintained by the department of general administration);
      ii. United States Environmental Protection Agency;
   b. $5,000 to $20,000
   c. $20,000 to $25,000


WAC 236-28-040 Contractors to be categorized general or specialty—Categories of special contractors enumerated. Contractors desiring to be enrolled on a small works roster will be categorized according to one or more of the following specialty areas:

- Acoustical
- Burglar alarm and fire alarm
- Bridge building
- Cabinet
- Carpenters
- Ceilings
- Cement
- Dock and marine
- Drilling and boring
- Drywall, taping, texturing
- Electrical
- Erection
- Excavation
- Flooring, carpets and vinyls
- Foundation
- Glass
- Heating, air conditioning and ventilation
- Insulation and weatherization
- Iron work
- Irrigation
- Kitchen
- Landscape
- Lighting
- Masonry
- Mechanical
- Movers, building
- Painting and decorating
- Pile driving
- Plastering
- Plumbing
- Reinforcing steel
- Road building
- Roofing and roofing systems
- Septic
- Sewer
- Siding
- Sign
- Steel erectors
- Tile
- Utility
- Waterproofing
- Water system and well
- Drilling
- Wrecking

Contractors on a small works roster will be considered only for those projects within their indicated area of specialty. [Statutory Authority: RCW 39.04.150. 83-02-024 (Order 83-1), § 236-28-040, filed 12/29/82.]

WAC 236-28-050 Contractors categorized by size of projects—Categories enumerated. Contractors desiring to be enrolled on a small works roster shall be categorized as to which one or more of the following categories of projects (by estimated dollar amounts) they wish to be considered for:

- (a) Under $5,000
- (b) $5,000 to under $10,000
- (c) $10,000 to under $15,000
- (d) $15,000 to under $20,000
- (e) $20,000 to $25,000


(f) Indication of the dollar value of projects for which the applicant contractor desires to be considered by categories enumerated in WAC 236-28-050;

(g) An indication of those counties in which the contractor is interested in being considered for projects;

(h) Indication whether contractor qualifies as a minority or women's business enterprise as defined in WAC 236-28-060.

Upon receipt of the application, the agency shall enter the information set forth therein into its small works roster, and send a copy of the information which is entered to the applicant contractor. Contractors should not consider themselves to be enrolled in a small works roster until they have received this verification.

It is the responsibility of the contractor to notify the agency of any incorrect information set forth on the notice of verification, and to notify the agency of any change in the information set forth in its application as such changes may occur from time to time. [Statutory Authority: RCW 39.04.150. 83-02-024 (Order 83-1), § 236-28-030, filed 12/29/82.]

It is the responsibility of the contractor to notify the agency of any incorrect information set forth on the notice of verification, and to notify the agency of any change in the information set forth in its application as such changes may occur from time to time. [Statutory Authority: RCW 39.04.150. 83-02-024 (Order 83-1), § 236-28-030, filed 12/29/82.]


The information set forth in its application as change in the information set forth in its application as such changes may occur from time to time. [Statutory Authority: RCW 39.04.150. 83-02-024 (Order 83-1), § 236-28-030, filed 12/29/82.]

It is the responsibility of the contractor to notify the agency of any incorrect information set forth on the notice of verification, and to notify the agency of any change in the information set forth in its application as such changes may occur from time to time. [Statutory Authority: RCW 39.04.150. 83-02-024 (Order 83-1), § 236-28-030, filed 12/29/82.]
WAC 236-28-060 Title 236 WAC: General Administration, Department of
Washington; (iii) Department of transportation, state of
Washington; (iv) King County—City of Seattle human rights de­
partment; or (b) as otherwise determined by the department of
general administration. [Statutory Authority: RCW 39­
.04.150. 83-02-024 (Order 83-1), § 236-28-060, filed
12/29/82.]

WAC 236-28-070 Denial or removal of contractors
from small works roster—Reasons. A contractor may be
denied placement on or, after such placement, may be
removed from, a small works roster for any one or more
of the following reasons:
(a) The information set forth in the contractor's ap­
plication is not accurate;
(b) The contractor fails to notify the agency main­
taining the small works roster of any changes in the in­
formation set forth in its original application for
placement on the small works roster within thirty days
of the effective date of such change.
(c) The contractor has failed to respond to five solici­
tations for bids on jobs offered through the small works
roster;
(d) The contractor's past performance demonstrates a
lack of qualification in any specialty area indicated by
the contractor in the application for placement on the
small works roster;
(e) The contractor fails to complete and return to the
agency maintaining the small works roster any periodic
update submitted by the agency to determine the con­
tactor's ongoing interest in maintaining its placement
on the small works roster. [Statutory Authority: RCW
39.04.150. 83-02-024 (Order 83-1), § 236-28-070,
filed 12/29/82.]

WAC 236-28-080 Denial or removal from roster—
Notice and hearing. Whenever the agency maintaining a
small works roster believes that grounds exist for deny­
ing an application for placement on a small works roster,
or removing the name of a contractor from a small
works roster, notice of said grounds shall be given to the
contractor by first-class mail. If the contractor fails to
object or request a hearing within twenty days after the
mailing of said notice, then the denial or removal shall
be made effective. If the contractor requests a hearing
within forty-five days after the mailing of the notice, then a hearing will be conducted in accordance with
chapter 34.04 RCW. [Statutory Authority: RCW 39­
.04.150. 83-02-024 (Order 83-1), § 236-28-080, filed
12/29/82.]

Chapter 237-990 WAC
APPENDIX—DETERMINATION OF GEOGRAPHIC
NAMES

Adelma Beach.
Brickyard Creek.
Christensen Creek.
Coal Creek.
Conconully Lake.
Deer Creek.
Dickey Lake.
Fobes Creek.
Gedney (Hat) Island.
Hard Scrabble Falls.
Hard Scrabble Falls Creek.
Hayden Creek.
Hog Canyon Creek.
Jims Slough.
Key Peninsula.
La Crosse.
Little Creek.
Makah Bay.
McLoughlin Canyon.
Medicine Lake.
Midway Creek.
Noname Creek.
Noname Lake.
North Bonneville.
Panorama Dome.
Pine Creek, South Fork.
Plumbago Creek.
Roaring Creek.
Schalow Mountain.
Seymour Creek.
Silesia Creek, West Fork.
Silver Hill.
Skookum Creek.
Sprenger Spires.
Sylvestre Creek.
Thomson, Mount.
Tilton River, North Fork.
Timentwa Flats.
Twentyfive Mile Creek.
Willard Creek.
Wilmans Peaks.
Winchester Creek.
Winnie Creek.
Wiseman Creek.

ADELMA BEACH: Populated place, on Quimper Pen­
insula on the E shore of Discovery Bay 8.9 km (5.5
mi.) SW of Port Townsend; Jefferson Co., Wa.; sec.
32, T 30 N, R 1 W, W.M.; 48°02'57" N,
122°49'41" W. Approved 9/80.

BRICKYARD CREEK: Stream, 8.9 km (5.5 mi.) long,
heads in Bottomless Lake at 48°31'49" N,
122°13'38" W, flows SW to end in a system of
ditches 4.5 km (2.8 mi.) W of Sedro Woolley;
Skagit Co., Wa.; sec. 16, T 35 N, R 4 E, W.M.;
48°30'30" N, 122°17'30" W. Approved 9/80.