

# Chapter 200-330 WAC

## SMALL WORKS ROSTER

### WAC

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**WAC 200-330-010 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 enterprise services 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 43.19.011, 43.19.620, 43.19.985, 43.19.742, 43.19.769, 39.26.080, 39.26.090, 39.26.251, 39.26.255, and 39.26.271. WSR 15-23-062, § 200-330-010, filed 11/13/15, effective 12/14/15. Statutory Authority: 2011 c 43. WSR 11-23-093, recodified as § 200-330-010, filed 11/17/11, effective 11/17/11. Statutory Authority: RCW 39.04.150. WSR 83-02-024 (Order 83-1), § 236-28-010, filed 12/29/82.]

**WAC 200-330-020 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: 2011 c 43. WSR 11-23-093, recodified as § 200-330-020, filed 11/17/11, effective 11/17/11. Statutory Authority: RCW 39.04.150. WSR 83-02-024 (Order 83-1), § 236-28-020, filed 12/29/82.]

**WAC 200-330-030 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 enterprise services. Copies of the form may be obtained from the division of engineering and architecture and will contain the following information:

- Name of contracting firm, including designation as corporation, partnership, sole proprietorship, or otherwise;
- Address of contracting firm;
- Telephone number of contracting firm;
- State contractor's license number;
- Indication of type of construction firm by categories enumerated; on the form.

(f) State of Washington department of revenue tax number;

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

(h) Indication whether contractor is certified as a minority or women's business enterprise pursuant to chapter 326-20 WAC.

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 43.19.011, 43.19.620, 43.19.985, 43.19.742, 43.19.769, 39.26.080, 39.26.090, 39.26.251, 39.26.255, and 39.26.271. WSR 15-23-062, § 200-330-030, filed 11/13/15, effective 12/14/15. Statutory Authority: 2011 c 43. WSR 11-23-093, recodified as § 200-330-030, filed 11/17/11, effective 11/17/11. Statutory Authority: RCW 34.04.025. WSR 84-19-058 (Order 84-1), § 236-28-030, filed 9/19/84. Statutory Authority: RCW 39.04.150. WSR 83-02-024 (Order 83-1), § 236-28-030, filed 12/29/82.]

**WAC 200-330-070 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 application is not accurate;

(b) The contractor fails to notify the agency maintaining the small works roster of any changes in the information 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 solicitations 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 contractor's ongoing interest in maintaining its placement on the small works roster.

[Statutory Authority: 2011 c 43. WSR 11-23-093, recodified as § 200-330-070, filed 11/17/11, effective 11/17/11. Statutory Authority: RCW 39.04.150. WSR 83-02-024 (Order 83-1), § 236-28-070, filed 12/29/82.]

**WAC 200-330-080 Denial or removal from roster—  
Notice and hearing.** Whenever the agency maintaining a small works roster believes that grounds exist for denying 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: 2011 c 43. WSR 11-23-093, recodified as § 200-330-080, filed 11/17/11, effective 11/17/11. Statutory Authority: RCW 39.04.150. WSR 83-02-024 (Order 83-1), § 236-28-080, filed 12/29/82.]