

WAC 468-16-110 Joint ventures. (1) Joint ventures are prequalified under two categories as follows:

(a) Individual project joint venture - An association of two or more firms formed for the specific purpose of submitting a bid on a specific project.

(i) All firms must be individually prequalified with the contracting agency. The joint venture must have the experience to perform a percentage of the total work (by work class) as specified in the current issue of the *Standard Specifications*. When both firms have experience in the same work class, the higher of the two amounts will be used to determine if the joint venture meets the experience requirements. The maximum bidding capacities of the firms shall be added together, increasing the size of the contract that the joint venture may bid on.

(ii) The firms must file an "individual project statement of joint venture" and a joint venture agreement in the formats prescribed.

(iii) Individual project joint ventures must maintain a standard or higher performance. Should the individual project joint venture receive a less than standard rating, the provisions of WAC 468-16-100 shall apply.

(b) Continuing joint venture - An association of two or more firms formed for the purpose of submitting bids for projects to be advertised over a period of time.

(i) All firms must be individually prequalified with the contracting agency. The joint venture must have the experience to perform a percentage of the total work (by work class) as specified in the current issue of the *Standard Specifications*. When both firms have experience in the same work class, the higher of the two amounts will be used to determine if the joint venture meets the experience requirements. The maximum bidding capacities of the firms shall be added together, increasing the size of the contract that the joint venture may bid on.

(ii) The firms must file a "statement of continuing joint venture."

(iii) Continuing joint ventures must maintain a standard or higher performance rating in order to remain qualified.

(iv) A rating of less than standard will cause the joint venture to be placed in conditional qualification status.

(2) A standard questionnaire and financial statement for each member, if not on file, and a standard questionnaire and financial statement designating the assets and liabilities of the venture shall be submitted for the joint venture with a copy of the joint venture agreement. The agreement shall specify the name under which the joint venture will operate and the names of those individuals authorized to sign proposals, contracts, and other documents on behalf of the joint venture. It shall contain provisions which will unequivocally bind the parties, jointly and severally, to any contract entered into thereunder.

[Statutory Authority: RCW 47.01.101, 47.28.030, and 47.28.070. WSR 15-01-170, § 468-16-110, filed 12/23/14, effective 1/23/15; WSR 94-05-004, § 468-16-110, filed 2/2/94, effective 3/5/94; WSR 91-04-014 (Order 128), § 468-16-110, filed 1/28/91, effective 2/28/91.]