

WSR 24-10-032

PERMANENT RULES

WASHINGTON STATE UNIVERSITY

[Filed April 23, 2024, 9:59 a.m., effective July 1, 2024]

Effective Date of Rule: July 1, 2024.

Purpose: The Washington State University (university) is updating the rules regarding the small works roster, chapter 504-50 WAC.

The proposed amendments modify, clarify, and update the university's rules regarding the small works roster in accordance with amended state law, chapter 39.04 RCW, effective July 1, 2024.

Citation of Rules Affected by this Order: New WAC 504-50-032 and 504-50-042; repealing WAC 504-50-030, 504-50-040, 504-50-050, 504-50-060, 504-50-070 and 504-50-080; and amending WAC 504-50-010 and 504-50-020.

Statutory Authority for Adoption: RCW 28B.30.150.

Adopted under notice filed as WSR 24-04-093 on February 7, 2024.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 2, Amended 2, Repealed 6.

Number of Sections Adopted at the Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 0, Amended 0, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 2, Amended 2, Repealed 6.

Date Adopted: April 19, 2024.

Deborah L. Bartlett, Director
Policies, Records, and Forms
and University Rules Coordinator

OTS-5157.1

AMENDATORY SECTION (Amending WSR 09-19-071, filed 9/15/09, effective 10/16/09)

WAC 504-50-010 Purpose and authority. This chapter of the Washington Administrative Code is adopted pursuant to RCW ((39.04.155)) 39.04.151, authorizing Washington State University to utilize a state-wide small works roster in accordance with RCW 37.04.151 (1) and (2) or to adopt procedures to ((award contracts for construction, building, renovation, remodeling, alteration, repair, or improvement of real property in lieu of other procedures for such work with an estimated cost of three hundred thousand dollars (\$300,000) or less. The University, in establishing a small works roster, shall use the procedures set forth in this chapter)) establish one or more small works rosters for different specialties, categories of anticipated work, or geographic areas served by contractors on the roster that have registered for inclusion on that particular roster.

AMENDATORY SECTION (Amending WSR 09-19-071, filed 9/15/09, effective 10/16/09)

WAC 504-50-020 Project construction cost. Whenever the estimated cost of any construction (~~(... or improvement of real property)~~) does not exceed (~~((three hundred thousand dollars (\$300,000))~~) \$350,000, the university is authorized to use the statewide small works roster, or a WSU established small works roster in lieu of public advertisement for bids. In the event that the legislature further increases the small works roster limit, the university is authorized to use the small works roster for any projects up to the legislatively authorized limit. No project shall be broken into units or phases for the purpose of avoiding the maximum dollar amount of a contract that may be met using the small works roster.

NEW SECTION

WAC 504-50-032 Procedures for use. Procedures must be established for securing telephone, written, or electronic quotations from contractors on the appropriate statewide or WSU established small works rosters to assure that a competitive price is established and to award contracts to the lowest responsible bidder. Detailed plans and specifications are not required as part of the bid invitation. Bids may be solicited from all appropriate contractors on the statewide or WSU established rosters, or, alternatively, if the estimated cost of the work is less than \$150,000, the university may direct contract with small businesses as defined by RCW 39.04.010. In the event that the legislature further increases the small business limit, the university is authorized to use small businesses for any projects up to the legislatively authorized limit. Procedures must be established for rotation, notification, and annual publication of small works contracts awarded and contractors contacted for direct negotiation pursuant to RCW 39.04.200.

NEW SECTION

WAC 504-50-042 Administration. The associate vice president for facilities services, on behalf of the board of regents, is authorized to establish procedures for university use of the statewide and WSU established small works rosters.

REPEALER

The following sections of the Washington Administrative Code are repealed:

WAC 504-50-030	Creation of small works roster or rosters.
WAC 504-50-040	Notice of small works rosters and solicitation of contractors.

- WAC 504-50-050 Contractors application form—
Information required.
- WAC 504-50-060 Qualification requirements.
- WAC 504-50-070 Denial or removal of contractors from
small works roster—Reasons, notice, and
hearing.
- WAC 504-50-080 Procedures for use.