



Washington State
**DEPARTMENT OF
ENTERPRISE SERVICES**

Rulemaking: WAC 200-330

Public Works Contracting - Addressing equity and efficiencies, including small works roster requirements

Discussion Questions

Contract cap

"to award contracts...with an estimated cost of \$350,000/\$150,000 or less excluding state sales tax."

1. What if the agency estimate is \$340,000 and all bids come in at \$360,000?
2. What if there is a change order exceeding the limits?

Direct contracting – rotation

"[Agencies] ... must rotate through the contractors on the appropriate small works roster."

1. What does "rotation" mean?
2. How do we provide direction in the rules?
3. What happens if a contractor fails to respond to a solicitation for a Direct Contract?
4. How does this affect rotation?
5. What happens if an agency and contractor cannot agree on a price for a Direct Contractor?
6. How does this affect rotation?

Responsibility criteria

RCW 39.04.350

1. Should the rules direct agencies to the responsibility criteria?
2. How do we ensure contractors are set up to be successful?

Record keeping

1. Should the rules require specific records be kept?
2. On rotation?
3. Contractors who fail to respond to a solicitation for a direct contract?

4. Agency and contractor negotiations for a direct contract?

Other

1. What are other topics that need clarity or direction through this DES rulemaking?