



Washington State Department of
Enterprise Services

Vendor Debarment

Annual Training Conference

September 11, 2014

A Brief History of Debarment

- 2012 2SHB 2452
 - Signed 3/30/2012
- RCW 39.26.200
 - Effective 1/1/2013
- WAC 200-305
 - Effective 5/18/13
- SB 5948
 - Effective 9/28/2013



Debarment Basics

- “Debar”
 - “prohibit a contractor, individual, or other entity from submitting a bid, having a bid considered, or entering into a state contract during a specified period of time as set forth in a debarment order”
- Up to 3 years for debarment period



Debarment Basics (cont'd)

- Grounds for Debarment
 - Conviction incident to getting/performing a contract
 - Conviction or civil judgment for offense that shows lack of integrity or honesty
 - Conviction for antitrust “arising out of” bid submission
 - 2 violations in 5 years under “federal labor relations act”



Debarment Basics (cont'd)

- Grounds for Debarment (cont'd)
 - “Serious” contract violations:
 - “Deliberate failure without good cause”
 - “Recent record of failure” to perform on one or more contracts



Debarment Basics (cont'd)



Debarment Basics (cont'd)

- Grounds for Debarment (cont'd)
 - “Serious” contract violations:
 - “Deliberate failure without good cause”
 - “Recent record of failure” to perform on one or more contracts
 - Ethical violation
 - Any other “serious and compelling” reason



Debarment Process

- Referral for Debarment
 - Assigned for DES review
 - Accept or reject?
- Obtain written response from Vendor
- Conduct review
- Initial report and recommendation
 - To debar or not to debar



Debarment Process (cont'd)

- Serve recommended debarment notice
- Vendor can request a hearing
 - Administrative Procedures Act
 - DES or OAH
- DES Director issues final decision
- Appeal to Superior Court



Debarment Resources

- Current Contracts
- Doing Business with the State
- Vendor Debarment**
- WEBS Vendor FAQ
- WEBS Registration & Search Tips
- Bid Opportunities
- Receiving Payment from the State
- Events
- Policies & Training
- Purchasing
- Sole Source Contract Announcements
- WEBS for Government and Non-Profits
- March is National Purchasing month
- Reciprocal Preference

Vendor Debarment

What is debarment?

Debarment is a process by which a contractor, individual, or other entity is prohibited from submitting a bid, having a bid considered, or entering into a state contract during a period of time specified in a debarment order.

Vendor debarment is not a punishment, but a procedure to ensure that state-funded business is conducted legally with responsible parties, maintaining the integrity of the state's procurement process.

How do I refer a vendor for debarment?

- Read the [instructions](#).
- Complete the [Debarment Referral Form](#).
- Save the completed form.
- There are two ways to submit the completed form:
 1. Send an email to debarment@des.wa.gov and attach the completed form to the email.
 2. Print the completed form and mail via United States Postal Service to:
Department of Enterprise Services
Debarment Office
1500 Jefferson Street SE
MS: 41466
Olympia, WA 98504-1466

Other information

- [Frequently Asked Questions](#) (FAQs) about debarment and the referral process
- List of debarred vendors
- **Attorney General Consumer Protection Division:** Enforces the Consumer Protection Act (RCW 19.86) to keep the Washington marketplace free of unfair and deceptive practices. [More information . . .](#)
- **Washington Administrative Code:** Codifies executive branch agency regulations. Chapter 200-305 covers debarment. [More information . . .](#)

Contact Information

Debarment Office:
(360) 407-9105
Debarment@des.wa.gov



Debarment Resources

- DES Website

- <http://www.des.wa.gov/services/ContractingPurchasing/Business/Pages/Vendor-Debarment.aspx>
- Referral form
- Instructions completing and submitting
- FAQs
- Links to related state websites



Thank you

Questions?

