



# RULE-MAKING ORDER PERMANENT RULE ONLY

## CR-103P (December 2017) (Implements RCW 34.05.360)

CODE REVISER USE ONLY

OFFICE OF THE CODE REVISER  
STATE OF WASHINGTON  
FILED

DATE: March 19, 2024

TIME: 11:39 AM

WSR 24-07-090

**Agency:** Department of Enterprise Services

**Effective date of rule:**

**Permanent Rules**

- 31 days after filing.
- Other (specify) July 1, 2024 (If less than 31 days after filing, a specific finding under RCW 34.05.380(3) is required and should be stated below)

**Any other findings required by other provisions of law as precondition to adoption or effectiveness of rule?**

- Yes  No If Yes, explain:

**Purpose:** 2SSB 5268 Laws of 2024 updates public works contracting requirements to enhance administrative efficiency, promote the utilization and growth of small business and maintain protections to the labor work force. The updates to the state's small works roster rules under ch. 200-300 WAC:

Makes sure the state's small works roster procedures align with recent changes to state law under 2SSB 5268, and Puts in place a model small works roster procedure for use by state agencies and local governments to use when meeting their obligations under 2SSB 5268.

**Citation of rules affected by this order:**

New: 5  
 Repealed: 4  
 Amended: 1  
 Suspended:

**Statutory authority for adoption:** RCW 39.04.155

**Other authority:**

**PERMANENT RULE (Including Expedited Rule Making)**

Adopted under notice filed as WSR 23-24-006 on November 27, 2023 (date).

Describe any changes other than editing from proposed to adopted version: WAC 200-330-010 Purpose and authority changed to clarify the scope of DES' rulemaking authority is limited to oversight over state agencies. WAC 200-330-010 Purpose and authority changed to properly identify the statutory basis for amending the small works roster procedures rules. WAC 200-330-040 Small works competitive contracting changed to clarify written or electronic quotations are acceptable.

If a preliminary cost-benefit analysis was prepared under RCW 34.05.328, a final cost-benefit analysis is available by contacting:

Name:  
 Address:  
 Phone:  
 Fax:  
 TTY:  
 Email:  
 Web site:  
 Other:

**Note: If any category is left blank, it will be calculated as zero.  
No descriptive text.**

**Count by whole WAC sections only, from the WAC number through the history note.  
A section may be counted in more than one category.**

**The number of sections adopted in order to comply with:**

Federal statute:	New	___	Amended	___	Repealed	___
Federal rules or standards:	New	___	Amended	___	Repealed	___
Recently enacted state statutes:	New	<u>5</u>	Amended	1	Repealed	<u>4</u>

**The number of sections adopted at the request of a nongovernmental entity:**

New	___	Amended	___	Repealed	___
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**The number of sections adopted on the agency's own initiative:**

New	___	Amended	___	Repealed	___
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**The number of sections adopted in order to clarify, streamline, or reform agency procedures:**

New	<u>5</u>	Amended	1	Repealed	<u>4</u>
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**The number of sections adopted using:**

Negotiated rule making:	New	___	Amended	___	Repealed	___
Pilot rule making:	New	___	Amended	___	Repealed	___
Other alternative rule making:	New	___	Amended	___	Repealed	___

**Date Adopted:** March 15, 2024

**Name:** Jack Zeigler

**Title:** Policy and Rules Manager

**Signature:**

