

Reporting Agency Contracts

Applies to: Any state office or activity of the executive branch of state government, including state agencies, departments, offices, divisions, boards, commissions, institutions of higher education as defined in [RCW 28B.10.016](#) and correctional and other types of institutions ([RCW 39.26.010\(1\)](#)) ([RCW 39.26.100](#)) ([RCW 39.26.102](#)) governed by [RCW 39.26](#).

Authorizing sources:

- State Law [RCW 39.26.210\(1\)](#)

See also: DES Procedures: [PRO-DES-210-01](#)

Effective date: April 26, 2021

Last update: March 9, 2015

Sunset review date: {5 years from effective date}

Approved by:



Chris Liu, Director

Reason for Policy

This policy establishes agency contract reporting requirements under [Chapter 39.26](#) RCW. The purposes of these reporting requirements are to promote state agency contract transparency, to centralize the location of contract purchase information, and to provide the public with agency contract spending information in a searchable manner. This policy will help ensure adherence to the highest ethical standards for, and proper accounting of, agency contract expenditures.

Policy

1. **State agencies must annually submit to the Department of Enterprise Services (DES) a list of all contracts that were active at any point during the reporting period.**
 - The completed reports must be submitted annually no later than October 31st or as directed by DES.
 - The reporting period is based on the fiscal year, July 1 through June 30.
 - Interlocal and interagency agreements for acquiring goods or services are also contracts that must be reported.

2. **State agencies are not required to report the following types of contracts:**

- Purchase orders.
- Field orders.
- Direct Buy purchases that do not include a statement of work.
- Expert witness agreements.
- Public works contracts.
- Loan agreements.
- Contracts exempt from disclosure under another state law.
- Contracts specifically exempted from reporting by the DES director.

3. **The reporting fields that must be included in your report are as follows:**

- Contracting agency: The state agency that is a party to the contract.
- Contractor name: As it appears in the contract document, who is the party to the contract.
- Purpose of the contract: The subject matter of the contract; the goods or services that the agency is procuring.
- Effective dates: The starting date is the date the contract was executed, not when work actually began. The ending date is the date the contract term ends or expires.
- Period of Performance: The time frame in which the work is to occur or when the commodity must be delivered. The period of performance should always begin on or after the contract effective date and end on or prior to the contract expiration date.
- Cost of the contract: Total, actual, or estimated contract cost. The cost of a contract may differ depending on the contract type.
 - For a goods contract, the cost of the contract is the cost of the commodity purchased, excluding taxes.
 - For a services contract, the cost is either the estimated cost of the services, the not to exceed cost listed in the contract, or the actual amount paid under the contract.
- Explanation of Costs (Optional): The agency has the option to include whether the contract amount is the estimated cost, not to exceed cost, or the actual amount paid for each contract.
- Funding source: The funding source is the category of funds used for the contract. The funding source is either:
 - state funds;
 - federal funds; or
 - private grant fundsFor contracts that have more than one funding source, the agency will report the majority funding source.
- Contract Modifications: Contract modifications are substantive changes made to an original contract. A substantive change is one that modifies:
 - cost;
 - scope; or
 - period of performance

- **Procurement Type:** A contract is awarded by either a competitive process or a noncompetitive process. A competitive process is one where more than one vendor is provided the opportunity to compete for the contract award. Noncompetitive processes include:
 - qualified master contracts;
 - authorized convenience contracts;
 - approved sole source contracts;
 - contracts that are exempt from sole source filing requirements;
 - emergency contracts; and
 - direct buy contracts.
 - **Diversity Status:** The Contractor's status as a diverse or small business as identified in the Washington Electronic Business Solution (WEBS) system.
4. **DES will collect and combine contract reports into a single report and this report will be available on a [public facing website](#).**
 5. **Agencies may request a reporting exemption.**
 - The exemption may be for a specific contract or a category of contracts.
 - The request should be in writing, addressed to the DES director, and signed by the agency head.
 - The request must include a detailed explanation of:
 - The proposed exemption;
 - Why the contract or contract category needs to be exempt; and
 - How granting the request aligns with the intent of the law.
 6. **An agency's lack of compliance may affect its delegated authority.**

Procedures

Procedure: [PRO-DES-210-01](#)

Frequently Asked Questions

FAQ: [Agency Contract Reporting Frequently Asked Questions](#)

History

Adopted

April 26, 2021

Replaces

DES-210-01 Agency Contract Reporting (Rev. 03-09-15)