

**WAC 468-19-040 Joint checks.** (1) Joint checks may only be used by a MWBE to pay for materials or supplies.

(a) A joint check is a check between a MWBE and the prime contractor to the supplier of materials/supplies, only.

(b) The check is issued by the prime contractor as payer to the MWBE and the material supplier jointly for items to be incorporated into the project.

(c) The MWBE must release the check to the supplier, while the prime contractor acts solely as the guarantor.

(2) A joint check agreement must be approved by the WSDOT and requested by the MWBE involved. The MWBE joint check agreement between the parties involved must include the conditions of the arrangement and the expected use of the joint checks.

(3) The prime contractor shall not directly pay the supplier for materials or supplies used by the MWBE.

(4) If the procedures described herein are not followed, the MSVWBE may be determined to not be providing a CUF.

[Statutory Authority: RCW 39.04.155, 43.19.727, 47.01.101, 47.28.030, and chapter 39.19 RCW. WSR 24-05-030, § 468-19-040, filed 2/12/24, effective 3/14/24.]