**Correctional Industries Contract Clarifications**

**Correctional Industries Statutes:**

RCW 72.60.160
State agencies and subdivisions may purchase goods—Purchasing preference required of certain institutions.

All articles, materials, and supplies herein authorized to be produced or manufactured in correctional institutions may be purchased from the institution producing or manufacturing the same by any state agency or political subdivision of the state, and the secretary shall require those institutions under his or her direction to give preference to the purchasing of their needs of such articles as are so produced.

RCW 39.26.251

Purchase of articles or products from inmate work programs—Replacement of goods and services obtained from outside the state—Rules.

(1) State agencies, the legislature, and departments shall purchase for their use all goods and services required by the legislature, agencies, or departments that are produced or provided in whole or in part from class II inmate work programs operated by the department of corrections through state contract. These goods and services shall not be purchased from any other source unless, upon application by the department or agency: (a) The department finds that the articles or products do not meet the reasonable requirements of the agency or department, (b) are not of equal or better quality, or (c) the price of the product or service is higher than that produced by the private sector. However, the criteria contained in (a), (b), and (c) of this subsection for purchasing goods and services from sources other than correctional industries do not apply to goods and services produced by correctional industries that primarily replace goods manufactured or services obtained from outside the state. The department of corrections and department shall adopt administrative rules that implement this section.

(2) Effective July 1, 2012, this section does not apply to the purchase of uniforms for correctional officers employed with the Washington state department of corrections.

WAC 200-300-086

Preference for Correctional Industries Class II products.

The following provisions outline purchase requirements for Correctional Industries, Class II goods and services:

(1) Correctional Industries will identify the goods and services available for purchase through the Department of Enterprise Services and confirm the same in writing to the director of the Department of Enterprise Services at least one hundred twenty days before the expiration of any existing contract(s). The writing from Correctional Industries will include a request that the Department of Enterprise Services tender to correctional industries a mandatory use contract to sell these goods and services to state agencies, the legislature and departments in accordance with RCW [43.19.534](http://app.leg.wa.gov/RCW/default.aspx?cite=43.19.534). A mandatory use contract as defined in the procurement document will be executed between the Department of Enterprise Services and Correctional Industries that complies with State law and covers all specified Class II goods and services that are produced in whole, or in part, by Correctional Industries.

(2) All goods and services covered by the Department of Enterprise Services mandatory use contract are to be purchased from correctional industries. The Department of Enterprise Services will administer these contracts.

(3) Any state agency, branch of the legislature or department may apply for an exemption from the correctional industries purchase preference by using the form developed by the Department of Enterprise Services. If the request for exemption is approved, that approval shall apply for the specified product or product line for a period of one year from the date of approval of the exemption. The approval shall apply to all customers of that agency requesting that product or product line.

(4) However, goods or services produced by Class II correctional industries programs which primarily replace goods manufactured or services obtained from outside the state of Washington are not subject to the criteria contained in subsection (3) of this section, and shall be purchased solely from correctional industries.

**Frequently Asked Questions:**

Q: Where does it say that we have to use CI to purchase our items?

A: The above referenced RCW and WAC sections establish Correctional Industries and make it mandatory that all State Agencies use the CI contracts to purchase goods/services. Signatories to the Master Contract Usage Agreement (MCUA) that are not state agencies may purchase from a CI master contract, but are not obligated to do so per the WAC and RCW.

Q: What if CI does not offer the product we need via a master contract?

A: If CI has confirmed with you that they do not provide the product you need, then you are free to look to other master contracts for your purchase. If there is not a master contract that suits your need, you may purchase the item off-contract, following your agency guidelines.

Q: What if we do not want to order the product offered by CI?

A: If the product or service offered by CI on a master contract does not suit your needs, you may apply for a one-time exception or one-year exemption from the mandatory ordering of your item from CI. You will need to check the CI master contract applicable to the commodity for the proper procedure for exception/exemption. The form you will need for exception/exemption can be found as an exhibit attached to all correctional industries master contracts, and will guide you through the process. Be prepared to put together careful documentation of the reasons/circumstances leading to exception or exemption and have it reviewed by CI for approval. The authority for this process can be found in the WAC/RCW sections quoted above, and the exception/exemption form will provide more information on the process.

Q: Why does it take so much longer to get my items from CI than retail vendors?

A: Items coming from CI must be taken from a secured facility with significant screening required to ensure safety. Unlike standard retailers/manufacturers with somewhat stable workforces, CI labor comes from offenders at varying levels of secured facilities with high turnover rates. The rotation of personnel through CI manufacturing facilities makes consistent quality somewhat difficult to achieve, so the pace of manufacturing is reduced from a mechanized, established manufacturing firm in order to ensure quality.

Q: How can we test out CI products prior to purchasing?

A: To test CI products, you will need to call CI Customer Service at 1 (800) 628-4738 or email support@washingtonci.com and schedule a time for demo. For further assistance, please reach out to the contact listed for your commodity at the following website: [Correctional Industries Customer Service](http://www.washingtonci.com/customer-care/contact-us.html).

Q: Who can be contacted for different types of CI purchases?

A: The CI staff assigned to specific commodities is displayed with their contact info on the Correctional Industries website here: [Correctional Industries Customer Service](http://www.washingtonci.com/customer-care/contact-us.html).

Can’t find an answer to your question?

Please contact the DES Contract Administrator listed on the Contract Summary page.