

**Chapter 463-50 WAC
INDEPENDENT CONSULTANTS**

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WAC

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463-50-030	Principles governing selection of independent consultants.
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DISPOSITION OF SECTIONS FORMERLY CODIFIED IN THIS CHAPTER

463-50-020 Solicitation of proposals to perform work. [Statutory Authority: RCW 80.50.040(1). WSR 78-09-083 (Order 78-10), § 463-50-020, filed 8/28/78; Order 110, § 463-50-020, filed 11/16/76.] Repealed by WSR 04-21-013, filed 10/11/04, effective 11/11/04. Statutory Authority: RCW 80.50.040 (1) and (12).

WAC 463-50-010 Purpose. This chapter establishes guidelines regarding council use of independent consultants.

[Statutory Authority: RCW 80.50.040 (1) and (12). WSR 04-21-013, § 463-50-010, filed 10/11/04, effective 11/11/04; Order 110, § 463-50-010, filed 11/16/76.]

WAC 463-50-030 Principles governing selection of independent consultants. Each consultant selected to perform independent consulting services shall have demonstrated its qualifications on the basis of experience and competence in specific, or closely associated, areas for which consulting services are desired. A consultant shall not be hired or retained by the council if upon examination by the council, a significant conflict of interest is found with regard to the applicant or other parties involved or potentially involved in the adjudicative proceeding.

[Statutory Authority: RCW 80.50.040. WSR 91-03-090, § 463-50-030, filed 1/18/91, effective 2/18/91; Order 110, § 463-50-030, filed 11/16/76.]

WAC 463-50-040 Duties to be performed by consultant. The independent consultant shall be primarily responsible for the review and evaluation of information provided by the applicant to determine areas of possible omissions, and may undertake assignments or studies as may be specified or provided for by the contract with the council. The independent consultant may be contracted to:

- (1) Prepare a potential site study and supporting documents for compliance with the topical guidelines and for technical veracity, and prepare a criteria document which details the contents of an application for site certification;
- (2) Review and analyze an energy project site certification application for compliance with the requirements contained in chapter 463-62 WAC (Construction and operation standards for energy facilities) and chapter 463-60 WAC;
- (3) Identify areas of critical environmental sensitivity;
- (4) Develop and provide such information as the council may deem essential to an adequate site appraisal; and
- (5) Provide technical advice to the council during the site certification process.

[Statutory Authority: RCW 80.50.040 (1) and (12). WSR 04-21-013, § 463-50-040, filed 10/11/04, effective 11/11/04; Order 110, § 463-50-040, filed 11/16/76.]

WAC 463-50-050 Basis for compensation. The basis for compensation to be specified in contracts with independent consultants shall generally be as follows:

(1) For applications for site certification, where the total scope and/or volume of work is variable and acts to prevent advance determination of total project cost, the consultant shall be compensated on the basis of actual cost plus a net fee for profit;

(2) For potential site studies, where the total scope and/or volume of work to be performed can be specified in advance, the consultant shall be compensated on the basis of a lump sum payment.

All payments to independent consultants shall be subject to audit.

[Statutory Authority: RCW 80.50.040 (1) and (12). WSR 04-21-013, § 463-50-050, filed 10/11/04, effective 11/11/04; Order 110, § 463-50-050, filed 11/16/76.]