

WAC 480-107-075 Contract finalization. (1) Unless otherwise prohibited by law, a utility may decide whether to enter into a final contract with any bidder that meets the selection criteria of the RFP. Any such bidder may petition the commission to review a utility's decision not to enter into a final contract.

(2) Any bidder and utility may negotiate changes to the selected bid, subject to any limitation established in the RFP, for the purpose of finalizing a particular contract consistent with the provisions of this chapter.

(3) Any contract signed by the utility to fill a resource need as a result of an RFP process must require the firm awarded the contract to track and report to the utility its use of diverse businesses including, but not limited to, women-, minority-, disabled-, and veteran-owned businesses, and to track and report to the utility the firm's application of the labor standards in RCW 82.08.962 and 82.12.962.

(4) If a bidder makes material changes to its bid after bid ranking, including material price changes, the utility must suspend contract finalization with that bidder, and the utility and any independent evaluator must rerank bids according to the revised bid. If the material changes cause the revised bid to rank lower than bids the utility has not originally selected, the utility must instead pursue contract finalization with the next highest ranked bid.

[Statutory Authority: RCW 80.01.040, 80.04.160, and chapters 80.28, 19.280, and 19.405 RCW. WSR 21-02-023 (Docket UE-190837, General Order R-602), § 480-107-075, filed 12/28/20, effective 12/31/20. Statutory Authority: RCW 80.01.040 and 80.04.160. WSR 06-08-025 (Docket No. UE-030423, General Order No. R-530), § 480-107-075, filed 3/28/06, effective 4/28/06.]