**Contract Negotiation Step**

Initial Negotiation Communication Step Preceding ASB

**PURPOSE**

If your competitive solicitation includes an option for contract negotiations prior to announcing the Apparent Successful Bidder (ASB), the email example below may be used as the initial step to give the vendor an opportunity to offer additional cost saving and/or to help in determining the likelihood a contract will be executed without changes to the terms and conditions as set forth in the solicitation.

**INSTRUCTIONS**:

1. Verify your solicitation allows for contract negotiations (similar to section 3.8 highlighted below). This section is included in the Competitive Solicitation template provided in the Procurement Consulting Services’ procurement manual.

3.8. CONTRACT NEGOTIATIONS. [Agency] may negotiate with the highest scored responsive, responsible bidder to finalize the Contract and to determine if the bid may be improved. If, after a reasonable period of time, [Agency], in its sole judgement, cannot reach agreement on acceptable Contract terms with such bidder, [Agency] may suspend negotiations and undertake negotiations with the next highest scored responsive, responsible bidder as determined by the evaluations.

1. Copy to following content into an email and customize as needed.

**EMAIL EXAMPLE:**

Subject Line: Regarding Competitive Solicitation ####: Request for confirmation

Dear \_\_\_\_\_\_\_\_\_\_,

Thank you for submitting a bid proposal for Competitive Solicitation #### – Title. You’ve been identified as one of the bidders moving onto the Contract Negotiations step which occurs prior to the announcement of the Apparent Successful Bidder (ASB), as specified in Section 3.8 of the Competitive Solicitation.

This correspondence does not guarantee a contract award, however it is an opportunity for the vendor to identify any additional cost savings or discounts that may be applied to the proposed pricing and to confirm, if awarded, vendor is prepared to execute the attached resulting Contract without changes to the terms and conditions as set forth

Please respond by [date]. If you have any questions, please contact me at \_\_\_\_\_\_\_\_\_@des.wa.gov

Thank you,

Procurement Coordinator (Name)