



Contract Management Policy

FREQUENTLY ASKED QUESTIONS

1. Question: What purchases does this policy apply to?

Answer: The expectation is that all contracts are properly managed. Contracts that involve pre-award, award, and/or post-award activities would fall within the purview of this policy. However, contracts should include the appropriate contract management activities to ensure that each party performs according to their obligations. This means that the contract management activities should be scaled to the appropriate level of complexity and risk of the contract.

2. Question: Clarify the relationship between contract negotiations with the lowest responsive, responsible bidder and a request for Best and Final Offers (BAFO).

Answer:

In accordance with RCW 39.26.160(1)(a)(ii), agencies are allowed to request best and final offers from responsive and responsible bidders. The BAFO offer process is designed to better align the bidders response with the agency's business objectives. In this process, which may include multiple bidders, the agency is educating bidders as to what their needs are and how the bidders response can be improved to meet those needs.

Agencies are also allowed to enter into negotiations with the lowest responsive and responsible bidder in order to determine if the bid may be improved. An agency may not use this negotiation opportunity to permit a bidder to change a nonresponsive bid into a responsive bid (RCW 39.26.160(6)). In this process, the negotiations are limited to the lowest responsive and responsible bidder.

3. Question: Are there resources to assist small bidders with understanding and performing on state contracts?

Answer: Yes, there are a number of resources. Contact the [Washington State Office of Minority and Women's Business Enterprises \(OMWBE\)](#) for assistance, resources, and tools.

4. Question: What other resources are associated with the Contract Management Policy?

Answer: A contract management procedure document has been developed as an additional resource to help agencies manage their contracts effectively. The procedure document contains process-related information. In addition, the policy is linked to the Competitive Contracting Manual which has relevant information for managing contracts that impact the services that have been historically provided by classified state employees; helpful checklists; and other relevant policies, including the Supplier Diversity Policy.