**ATTACHMENT A**

**Sample for Goods/Services Contracts**

[Month Day, 2017]

[Contractor

Address]

Subject: Agreement No. \_\_\_\_\_\_\_\_\_

Dear Contractor:

Although we expect that the 2017-19 operating and capital budgets will be enacted prior to June 30, 2017, the Washington State Legislature has not yet passed these budgets for the next fiscal biennium that begins on July 1, 2017.

As a general rule, the Washington State Constitution (Article 8, Section 4) and state law (RCW 43.88.130 and RCW 43.88.290) prohibit expenditures or commitments of state funds in the absence of appropriations of such funds by the Legislature. Without a budget appropriation, agencies cannot expend funds nor incur liabilities after June 30, 2017. With this letter, the [agency name] is asking that you permit us to suspend your contract, in the event the budget(s) is not enacted into law by the deadline of midnight on June 30, 2017. Once the Legislature subsequently passes the budgets and they are signed into law, your contract would automatically be active and all of the terms within would remain in full force and effect.

If you are unwilling to allow [agency name] to suspend your contract, this letter will serve as notification that we are exercising our right, pursuant to Section [ ] to terminate Agreement No. \_\_\_\_\_\_ at midnight on June 30, 2017, if the budgets listed above have not been enacted into law.

Should you be willing to suspend your contract, you need to suspend delivery of goods or the performance of services until after the budget that funds this contract has been enacted. Any goods delivered and services performed during the agreed suspension are solely at your risk.

If you are unwilling to allow us to suspend the contract and instead desire us to terminate your contract for convenience, please contact me as soon as possible so your wishes can be respected. The termination will be effective at midnight on June 30, 2017, unless cancelled in the event that budgets are enacted prior to that date and time. If we terminate your contract and the termination notice is not cancelled, once the budgets are passed and signed into law, we must re-procure pursuant to laws and policies currently in place which may result in a contract award for these same goods/services with another vendor.

If you have any questions, please contact \_\_\_\_\_\_\_\_\_\_\_\_\_at (360) \_\_\_\_\_\_\_\_\_\_.

Sincerely,