

RCW 39.10.380

General contractor/construction manager procedure—Subcontract bidding procedure.

(6) The general contractor/construction manager may negotiate with the lowest responsible and responsive bidder to negotiate an adjustment to the lowest bid or proposal price based upon agreed changes to the contract plans and specifications if all responsive bids or proposal prices exceed the **available funds; bid package estimates; negotiations to reduce cost can only occur if the bid package estimate has been published as part of the bid solicitation.**

~~(b) The apparent low responsive bid or proposal does not exceed the available funds by the greater of one hundred twenty five thousand dollars or two percent for projects valued over ten million dollars; and~~

~~(c) The negotiated adjustment will bring the bid or proposal price within the amount of available funds.~~

New Proposal

(6) *The general contractor/construction manager may negotiate with the lowest responsible and responsive bidder to negotiate an adjustment to the lowest bid or proposal price **to reduce cost** based upon agreed changes to the contract plans and specifications under the following conditions:*

~~(a) A~~ *all responsive bids or proposal prices exceed **the published bid package estimates** available funds;*

~~(b) The apparent low responsive bid or proposal does not exceed the published bid package estimates **by more than ten percent.**~~

~~(c) The negotiated adjustment will bring the bid or proposal price within the amount of available funds.~~