

OLD DOMINION UNIVERSITY
University Policies and Procedures

3600 - NEGOTIATIONS WITH LOWEST RESPONSIBLE BIDDER

Statement: Pursuant to Section 11-53 of the Code of Virginia, the university is authorized to negotiate with the lowest responsible bidder when the lowest bid exceeds funds available for a project for which the IFB was issued. The procedures to be followed in such negotiations are as follows:

- (1) The university's representative shall contact the lowest responsible bidder and determine whether the bidder is agreeable to entering into negotiations.
- (2) If the bidder is agreeable, the university representative shall enter into negotiations in an effort to reach agreement on a contract price within available funds. Reasonable modification of the project's specifications to obtain such a price is permissible with the approval of the project's architects and/or engineers.
- (3) If the negotiations should result in an agreement on a contract price within available funds, the bidder's proposal and, if appropriate, the contract specifications, shall be amended to reflect the agreement.
- (4) If the bidder should not agree to enter into negotiations or if the negotiations should fail to result in an agreement on a contract price within available funds, the project must be rebid before a contract can be awarded.

Responsibility: Vice President for Administration and Finance

Authorization: Joseph M. Marchello, President

Date: December 1, 1988