

36.214 Special procedures for price negotiation in construction contracting.

(a) Agencies *shall* follow the policies and procedures in [part 15](#) when negotiating prices for construction.

(b) The *contracting officer shall* evaluate proposals and associated *certified cost or pricing data* and *data other than certified cost or pricing data* and *shall* compare them to the Government estimate.

(1) When submission of *certified cost or pricing data* is not required (see [15.403-1](#) and [15.403-2](#)), and any element of proposed cost differs significantly from the Government estimate, the *contracting officer should* request the *offeror* to submit cost information concerning that element (*e.g.*, wage rates or fringe benefits, significant materials, equipment allowances, and subcontractor costs).

(2) When a proposed price is significantly lower than the Government estimate, the *contracting officer shall* make sure both the *offeror* and the Government estimator completely understand the scope of the work. If negotiations reveal errors in the Government estimate, the estimate *shall* be corrected and the changes *shall* be documented in the contract file.

(c) When appropriate, additional *pricing* tools *may* be used. For example, proposed prices *may* be compared to current prices for similar types of work, adjusted for differences in the work site and the specifications. Also, rough yardsticks *may* be developed and used, such as cost per cubic foot for structures, cost per linear foot for utilities, and cost per cubic yard for excavation or concrete.

Parent topic: [Subpart 36.2 - Special Aspects of Contracting for Construction](#)