

CHAPTER 5: PROCUREMENT

5.01 CONSTRUCTION PROCUREMENT DELIVERY METHODS

- A. The Owner's standard method of construction procurement for delivery of capital improvements is Design/Bid/Build. The State Building Commission (SBC) may approve alternative delivery methods in accordance with SBC Policy and Procedures. Basic Services guidance and requirements for the Design/Bid/Build method begin in section 5.02.
- B. For alternative delivery methods the Designer may serve as an advisor to the Owner's evaluation team by reviewing proposals, attending team meetings, and providing input.
- C. Design documents required for alternative delivery method Requests for Qualifications/Proposals.
 - 1. Best Value Option 1:
 - a. Prior to receipt of proposals, project information prepared by the Designer is distributed through the Owner.
 - b. After short-listing, Bidding Documents are issued directly to proposers.
 - 2. Best Value Option 2 is not typically used. If used, consult with the Owner.
 - 3. Best Value Option 3 is not typically used. If used, consult with the Owner.
 - 4. Construction Manager / General Contractor (CM/GC):
 - a. Prior to receipt of proposals, project information prepared by the Designer may be distributed through the Owner.
 - b. After CM/GC selection and as design progresses, documents are provided to enable CM/GC consultation services, subcontractor bidding, and eventual execution of agreement with amendments as needed for partial or final Guaranteed Maximum Price Construction Services Agreement.
 - c. Refer to the CM/GC Master Contract and attached Scope of Work.
 - 5. Design/Build is not typically used. If used, consult with the Owner.

5.02 INITIATION OF THE BIDDING PHASE

- A. Discuss with the Owner the status and arrangements for the following.
 - 1. Completion of Bidding Documents
 - 2. Distribution of Bid Packs and Addendum
 - 3. Pre-Bid Meeting and the use of the A52 Pre-Bid Meeting Agenda provided in Appendix 1
 - 4. Bid opening and tabulation

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2. Record the time and date of receipt and by whom it was received on the face of the bid envelope. From this point on maintain the security of the bid envelope and its contents and do not return it to the bidder.
 3. As each bid is received verify and/or complete Bid Tab information with the bidder name, city, license number, and subcontractors as shown on the bid envelope cover.
 4. Evaluate the bid envelope cover:
 - a. Review non-standard bid envelopes to determine sufficient conformance to qualify for opening. Note a bid using a non
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- h. Checks for bid security should be certified or cashier.
 - i. Bid bond for bid security should identify the project, bidder, and surety. The bid bond should be signed by the surety's attorney-in-fact, and have certified, current power-of-attorney attached from same surety, empowering the same attorney-in-fact with no limitations affecting the bid.
 - j. Drug-Free Workplace Affidavit should be completed and notarized.
 - k. Announce enclosure of bid security, form (bond or check), drug-free workplace affidavit, the amount, and observed irregularities.
 - l. Announce amounts of base bid and alternates as given in words and in figures. If words and figures differ, figures will prevail and words will be used for clarification at Owner's discretion. For modified bids announce original amount and amount of modification. Show both amounts and resultant cumulative amount in applicable columns on the official Bid Tab record.
 - m. Announce unit prices and bid breakdown, if required. If there are many unit prices, discuss with Owner an option of announcing that unit prices may be reviewed in the public inspection opportunity after bid opening.
 - n. Record information on the official Bid Tab record.
- 6. Do not make conclusive statements as to bid opening implications or results of apparent nonconformance or irregularity. Rather, refer to such as "apparent" or "subject to review".
 - 7. Announce that bids will be taken under advisement and their disposition determined later.
 - 8. Announce the end of the bid opening and that the bids are available for public inspection in the presence of the Owner's representative.
- C. Determination to Waive Informalities: If an opened bid has an irregularity or does not strictly conform to the bid envelope requirements or the Instructions to Bidders, conduct a review with the Owner to verify the bid's validity for consideration.

5.07 COMMUNICATION OF APPARENT RESULTS

- A. Immediately after bid opening review results with Owner and communicate to bid opening attendees apparent results subject to further review of bids and determination of low bidder.
- B. Request Owner approval to communicate to appropriate plan rooms the apparent results subject to further review of bids and determination of low bidder.

5.08 DISPOSITION OF BIDS

- A. Evaluate bids and determine appropriate disposition of bids as soon as practicable after bid opening. In case of an apparent tie inform Owner and do not attempt to resolve without Owner instruction and direct oversight.
- B. Provide a letter to the Owner including the following items:
 - 1. State the recommendation for the disposition of bids.
 - 2. Enclose an official dated Bid Tab with Designer approval shown on the Bid Tab.

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3. Enclose the original bidder submitted Bid Forms and Bid Envelopes.

5.09 AWARD OF CONTRACT:

The Agreement form and related documents will be prepared and presented to the proposed Contractor by the Owner for processing.

5.10 DESIGNER EVALUATION FOR DESIGN AND BIDDING PHASES

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