# Chapter Five PROCUREMENT/BIDDING

#### 5.01 INITIATING BID PHASE

- A. The Designer is responsible for obtaining bids for Owner following Owner's approval of the Bidding and Contract Documents, and to assist in awarding construction contracts. State Building Commission practice is to solicit competitive sealed bids from no less than three bidders; thus, Designer should work to ensure that no less than three bids are submitted.
- **B.** Time, Date, and Place of Bid Openings will be established by the Owner. Place for bid opening is normally determined by bidding region:
  - 1. Currently all bids statewide are being received and opened in Nashville.
  - 2. Six bidding regions have been established within the state. Each has a standard bid opening location for receipt and opening of bids for the projects located in the region.
  - **3.** Maps of the regions and the bid opening locations are provided herein.
  - 4. Single construction contracts involving multiple sites in different regions will be assigned to one of the regional locations.
  - 5. Owner may elect to receive bids and conduct the bid opening at an alternate location.

#### C. Notification to Designer

- **1.** When a bid date is established, Owner will send Designer formal written notification with bid envelopes.
- 2. The Designer should review with the Owner the remaining aspects of the Work, the Bidding and Contract Documents, and the bidding phase, which may still require particular attention, as soon as possible, prior to the Owner placing advertisement or the Designer ordering final printing.

#### D. Policy on Reimbursable Printing Costs, if applicable

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The Owner prefers that all documents be provided electronically in non-proprietary, unalterable format such as Adobe .pdf. One paper set must be provided to the Owner for record and one paper set must be provided to any contractor requesting such a set for bidding.

1. Except as pre-approved below, obtain Owner's approval for printing costs in accordance with the Owner/Designer Agreement. Without prior approval, the maximum that will be reimbursed for reproduction of Bidding and Contract Documents, in-house or by others, is limited to a total cost below \$1,200.00 at unit costs not exceeding the following:

Black Line prints	\$0.15 / square foot
Project Manual	\$0.06 / sheet double-sided
Project Manual	\$0.04 / page single sided (only if single sided printing has been pre-approved)
AIA Documents	actual cost
Cover & Comb Binding	\$3.50 per set

2. Postage, delivery, and other handling costs will not be reimbursed.

#### A. Public Advertisement for Bids

- 1. The Owner is responsible for placing an advertisement for bids in the "Legal" classification of appropriate newspapers, when advertising is required.
- 2. If the Maximum Allowable Construction Cost exceeds \$50,000, an Advertisement for Bids shall be published normally once a minimum of four weeks prior to the bid date in at least one newspaper having circulation in the area. The advertisement shall normally run on a Wednesday. The exception to this information is for the Chattanooga Region. They no longer have a print version of their newspaper. We will continue to advertise all projects for the Chattanooga Region on our website.

#### B. Document Distribution

- 1. **Provide one complete digital set directly to the Bidding and Contract Officer**, as soon as Bidding and Contract Documents are available.
- 2. Provide Bidding Documents to approved plan rooms (See page 4.05).
- 3. The State of Tennessee Governors Office of Diversity Business Enterprise (GoDBE) provides bidding assistance services, and a representative may be in contact to request information about the project and a Bidding and Contract Document set. If contacted, cooperate fully with their requests.
- 4. **Provide "Bidders of Record" a bid package** consisting of a digital complete set of Bidding and Contract Documents, a digital Bid Form identical to that in the Project Manual, and a bid envelope (in some cases the Designer can release a digital bid envelope cover), in accordance with Project Manual <u>Instructions to Bidders</u> paragraph 1.1.

#### C. Information Available to Bidders

1. *Information Available to Bidders* consists of information outside of the Bidding and Contract Documents which is available for review by prospective bidders, such as geotechnical data, hazardous material testing report, etc.

# 2. Reference in Project Manual

Such information shall not be released in the Bidding and Contract Documents.

# 3. Procedure for dissemination

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- **a.** By prior arrangement with the Designer, information may be available for inspection by appointment.
- **b.** It is not necessary to obtain signed waiver forms. A waiver has been included in the Bid Form.
- **c.** Limit conversations with bidders requesting to see such information to the business of providing and identifying the information. Do not interpret the information, as such may confer special knowledge and be contrary to the competitive process.
- **d.** No reports associated with Information Available to Bidders should be bound in the Project Manual or incorporated via Addenda.

# A. Pre-Bid Conference

1. A Pre-Bid Conference shall be held at a time and place set in consultation with the Owner's representative. Notify Bidders of Record and other official plan-holders, in writing, of time and place of conference. Unless approved by Owner, Pre-Bid Conference attendance shall not be mandatory unless required in writing by the Owner.

# 2. Suggested agenda for a Pre-Bid Conference

- **a.** Introduction of attending Owner and Designer Representatives.
- **b.** Confirm that Bidders of Record have full bid package and addenda to-date.
- c. Advise that no changes are binding unless in writing.
- d. Review sequence and timetable for questions and addenda.
- e. Review proper bid submittal requirements (ex: listing subcontractors.)
- f. Confirm bid date, time, and location.
- **g.** Remind bidders that conditional or qualified bids are unacceptable.
- **h.** Express the State's emphasis for diversity in its contractual relationships.
- i. Review briefly the scope of work and Contract time.
- j. If Unit Prices or Allowances are included, discuss their purpose and use.
- **k** Facility working hours, parking, and staging areas.
- I. Tour the site and take questions.

# B. Diversity in State Contracts

- 1. The State of Tennessee has established policy to give emphasis to diversity in its contractual relationships. This policy is to achieve a more reflective marketplace of the community within this state. Bidders of Record who support and exhibit diversity within their organization and contracts are assisting the State in achieving this policy goal.
- 2. The Designer is to assist the Owner in emphasizing the State of Tennessee's policy toward diversity whenever possible. The above statement may be used by the Designer at the Pre-Bid Conference as a means to express this policy.

# C. Addenda and Modifications

- 1. Make needed interpretations, clarifications, or changes to the Bidding Documents by means of addenda prepared according to CSI format. Addenda shall:
  - **a.** Be identified by a sequential number and date;
  - **b.** identify the project by its full title, including the SBC project number;
  - **c.** identify the Designer as source, and be signed and sealed by Designer of Record, addenda are not official without the signature and seal of the Designer of Record;
  - **d.** include an appropriate introductory statement, identifying the previously issued Bidding Documents by date, and instructing bidders to acknowledge receiving the addendum on the Bid Form; and,
  - e. be self-descriptive as to number of pages and attachments.
- 2. Forward the proposed addenda to the Owner's representative and the Bidding and Contract Officer, for review and approval PRIOR to release.
- **3.** Once approved, provide addenda concurrently to the Owner's representative, Bidding and Contract Officer, plan rooms, and the Bidders of Record.



# D. Presiding Official for Bid Opening

- 1. The Designer will act as the presiding official at bid openings unless otherwise approved by the Owner. The presiding official is responsible for the bid opening; including all preparations, its smooth conduct, making a proper record, and associated actions delegated to others. If you have questions or concerns, please contact the Owner's Bidding and Contract Officer for assistance.
- 2. Arrive early (preferably a 1/2 hour) to take command of the proceedings.
  - a. Check in with the Location Coordinator, who will have bids that have arrived by mail, and turns them over to the Designer at this time. Bids are officially "received" by the Designer at the bid opening location (See page 4.04).
  - **b.** Establish "official timepiece" for use in closing receipt of bids and verify accuracy of time shown.
- 3. Currently all bids are being opened via the Bidding and Contract Officer or designee. All bid forms, envelope covers, and the official bid tab will be released to the Designer within 48 hours of the bid opening.



# 5.04 BID TABULATION INFORMATION AND COMPLETION (BID TAB)

- A. Prepare a <u>Bid Tab</u> prior to the bid opening. A standard bid tabulation abstract form (<u>Bid Tab</u>) is to be used to record the apparent results of a bid opening. The <u>Bid Tab</u> form is provided in Appendix 1 Administrative Forms and in editable format on the Owner's website. Only this <u>Bid Tab</u> will be accepted. Please do not submit a bid tab that is not using this form.
  - 1. Have a sufficient number of copies of the preliminary <u>Bid Tab</u> form to accommodate participants and spectators.
  - 2. Write the Target for the project on <u>only</u> the <u>Bid Tab</u> copy used for the official record of results, and keep it secure so that these are not revealed until after close of receiving bids, and only then if alternates are used (See page 5.06).

# B. Bid Tab Preparation and Completion:

- [1] General Information
  - [1a] Bid opening location (city)
  - [1b] Target (Do NOT fill in, see note below)
  - [1c] Page number of total pages
  - [1d] Number of addenda issued
  - [1e] Contract Time in calendar days
  - [1f] Liquidated Damages amount
- [2] Bid Tab Identification
  - [2a] Project Title & Project No.
  - [2b] Deadline time and date
- [3] Bidders of Record
  - [3a] Names alphabetically & city
  - [3b] License number (\*)
- [4] Drug Free Workplace Affidavit

Insert check mark only

NFI if not filled in

[5] Contract Crime Statement

Insert check mark only **NFI** if not filled in

[6] Addenda Acknowledgment

Indicate by check mark Insert number of addenda received

[7] Diversity Classification Statement

Y if "yes" N if "no" NFI if not filled in



- [8] Bid Security
  - **B** if Bid Bond **C** if proper check
  - \* for other notation
- [9] Bid Abstract

Divide into columns as needed for Base Bid, Alternates, Unit Prices

- [10] Bid Amounts, etc.
- [11] Participant Signatures

Designer Owner Presiding Official

[12] Subcontractors (\*)

Plumbing, HVAC, Electrical, Masonry, and Geothermal

(\*):

# Note spaces [3a], [3b], & [9]

Bidder's name, license number, and subcontractors may be filled in prior to opening of bids, as this information is evident on the Bid Envelope.

#### Note item [3b]

Licensing may not be required for jobs under twenty-five thousand dollars (\$25,000); so, if not filled in, show "NFI".

# Note item [7b]

Insert Unit Prices by UP number, not description

NOTE: The amounts for the project Target and should be filled in only after any copies for spectators have been made. These figures are not to be released prior to the scheduled opening of bids.

BIDTAB	Page	Pursuant to the Invitation to Bid for	Designer represented by:
STREAM March 2020	of		
Bids opened in:	Addenda issued:		Owner represented by:
Target:	Contract Time	Bids and modifications must have been received here by	Bid opening conducted by:
M.A.C.C:	Liquidated Damages:	I thus declare the bidding closed, and will now proceed to open and read the bids and modifications received.	
Bidders of Record name, city, license number	DF C D A S	Base Bid	Subcontractors
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Bidders of Record OF	U L	đ	Ω N	:ASE BID	Alternate Ma. 1	Alternate Na. 2	Unit Pricar	Sabcantractarr
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Narhvillo, Tonnessoo				\$308,000.00	\$23,000.00	\$17,000.00	Z. \$1,000/Each	HYAC <u>Door Mochanical</u>
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Madiran, Tennessee							2. \$800/Each	HVAC <u>Hardon Mochanical</u>
~	-	-	-	\$350,000.00	\$14,000.00	\$20,000.00	3. \$10.00 <i>1</i> SF	Elect SmithElectrical
		Ν	U E				4. \$2.50/BF	Hummer Nið
93900								Gealberg, N/A
0HP Construction Company							1. \$4.007LF	Pleek <u>NatFillodIn</u>
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# 5.05 ILLUSTRATION OF COMPLETED BID TAB

5.05



#### Receiving Bids

- 1. Verify the <u>completeness and correctness</u> of the Project information required on the bid envelope, such that it provides sufficient assurance that the bid is for the correct project and the correct bid opening:
  - a. Correct Project Title and SBC Number, and Designer; and,
  - **b.** Correct Time and Date.
- 2. Verify the <u>completeness</u> of the Bidder information required on the bid envelope, checking that all appropriate spaces are filled in, and in accordance with the instructions on the bid envelope: (Verification of the *accuracy* and *correctness* of bidder information in order to open the bid is not required. These can and shall be verified *after* the bid opening.)
  - a. Bidder Name & Address.
  - b. Bidder License Number, Classification(s) & Expiration Date, plus Dollar Limit.
    - *Exception* if bidder license information is blank, or "Bidder unlicensed" is circled, then it may be assumed that the bid is less than \$25,000.00 and the bid may be opened; thereafter, its validity for consideration shall be verified.
    - *Exception* if the line for bidder's license dollar limit is blank, then this may be considered as a waivable informality.
  - **c.** Plumbing, HVAC, Electrical, Masonry, and Geothermal Subcontractor Name, License Number, Classification & Expiration Date.
    - *Exception* if a line(s) for listing subcontractor is blank and the trade is not applicable to the project, as determined by the Designer, then this may be considered as a waivable informality.
    - *Exception* if subcontractor(s) name only is listed and the license information is blank or incomplete, then it may be assumed that the subcontractor(s) bid is less than \$25,000.00 and the bid may be opened; thereafter, its validity for consideration shall be verified.
    - *Exception* Masonry subcontractor information should include both the name of the subcontractor and licensing information. Please note that no information is required on the bid envelope if the amount of labor and materials is less than \$100,000.
    - *Exception* Geothermal subcontractor information should include both the name of the subcontractor and TDEC Licensing information.

Regardless of the dollar value of the Plumbing, HVAC, or Electrical work, if any or all of those classifications are involved in the Work, then the name of all who is to perform the work, whether subcontractor(s) or general contractor must be listed.

NOTE: Due to new contractor licensing laws, roofing subcontractors shall be licensed in the appropriate classification(s) if the work is over \$25,000.00. However, it is the General Contractor's responsibility to verify licensing information prior to commencement of any roofing work.

- 3. Prior to closing the Bid Period, a bidder may withdraw, modify, or resubmit their bid.
  - **a.** Withdrawals not resubmitted prior to the bid opening deadline will be noted as "no response".
  - **b.** Modifications to bids made after the bid envelope is sealed may be written on the exterior of the bid envelope, with appropriate binding signature, or may be submitted as a separate signed document.
  - **C.** Resubmission of a withdrawn or modified bid must be made prior to the bid opening deadline.
  - **d.** If there is a question or doubt about receiving and opening a bid being submitted, it is best to receive the bid, and retain it unopened until the issue has been resolved. Final resolution shall be made only after consultation with the Owner's Bidding and Contract Officer. Is is the Owner's intent to attempt to accept all bids properly received.



# 4. Closing the Bid Period

- **a.** At the appointed time for receipt of bids, the Designer shall officially accept all bids delivered prior to the bid time. No bids shall be accepted after the bid time.
- **b.** The Designer shall record the date, time, and initial all bid envelopes in the box provided, upper right, on the bid envelope.
- **C.** The Designer shall read the bid closing statement as written on the top of the Bid Tab form.
- **d.** Bid thusly received by the Designer are to be kept secure, along with their contents and may not be returned to the bidder, or any other part, under any circumstances.
- **e.** Review all information the envelope exterior and if it appears properly completed, the Designer shall sign in the space provided at the bottom of the envelope. The Designer should then proceed to open the bids, except that no envelope should be opened if not so approved and signed.
- **f.** No bids shall be returned after the closing of the bid period and all approved and signed bid envelopes shall be opened.
- 5. If it appears properly completed then sign in the space provided at the bottom of the envelope. No bid envelope should be opened if not so approved.



#### 5.07 CONDUCTING A BID OPENING

- A. At the appointed time and place, announce the project title, the close of bidding, and the commencement to opening bids. If alternates are a part of the bids, announce the Bid Target. At no time is the Maximum Allowable Construction Cost (MACC) to be announced.
- **B.** Proceed to open and record bids. Take bids in order as listed on <u>Bid Tab</u>, with unlisted bidders added last.
  - 1. Bid Envelope
    - **a.** Announce name of Bidder (and city if not listed on prepared <u>Bid Tab</u>.)
    - **b.** Announce license number.
    - c. Announce listed subcontractors.
    - **d.** Announce any modifications noted on the exterior of the Bid Envelope.

# 2. Bid Form

- **a.** Announce if Drug Free Workplace Affidavit was included.
- **b.** Announce whether Contract Crime Statement is filled in.
- c. Announce whether Diversity Statement is filled in.
- **d.** Announce which, if any, addenda are acknowledged.
- **3. Bid Security** (A 5% Bid Security of bid, **including Alternate(s)**, is required.)
  - **a.** See if obligee/payee is "State of Tennessee" and guarantee/amount is 5% of bid (including alternates).
  - **b.** If a check, it must be certified or cashiers. Do not return the check to the Contractor under any circumstances. The check should be placed back into their bid envelope and forwarded to the Owner's Bidding and Contract Officer.
  - c. If a Bid Bond, it should
    - i. Identify project, principal and Surety;
    - ii. Be signed by principal and Surety; and,
    - iii. Have certified and current power-of-attorney, in accordance with Section 00 21
      13, Instructions to Bidders, attached from the correct Surety, empowering the signing attorney-in-fact, and declaring no limitations which affect the bid.
  - d. Announce the form and amount, or omission, of Bid Security.

# 4. Bid Form

- **a.** Check unit prices and bid breakdown, if required, and announce apparent completeness or incompleteness.
- **b.** Announce amounts for Base Bid, Unit Prices, and Alternates as given in words and in figures. In the case of any written bid modifications, announce original amount, amount of modification, and resultant amount.

# C. Other Bid Tab notations

- 1. List "No Response" for any Bidder of Record not bidding.
- **2.** List "Withdrawn" for any Bidder having requested to withdraw.
- **3.** Make a brief note regarding extra enclosures, notations or qualifications to a bid or bond, defects, discrepancies, or irregularities, if any or any other notations as needed.

# D. After bids have been opened and recorded

- 1. Announce: "Bids will be taken under advisement and their disposition determined later."
- 2. Make no statements as to implications or results of apparent non-conformance.
- **3. Obtain Owner and Designer Representative participant signatures**. If the same person is to sign more than once, a single signature and subsequent initialing is sufficient.



#### A. Communicate apparent results

- 1. Notify Owner of apparent results in person or by e-mail. Please forward to Owner the original hand-written Bid Tab, along with a typed version, both are required. Deliver or transmit bids and Bid Tab to Owner's Bidding and Contract Officer by next working day. Express mail or common courier charges for this are reimbursable. Owner's Bidding and Contract Officer will review original bid material and release the official bid results to appropriate parties for distribution.
- 2. Notify appropriate plan rooms, trade organizations, and plan holders of 'apparent results', subject to further review of bids and determination of low bidder.
- **B.** Make an evaluation of the results, including verification of the *accuracy* and *correctness* of bidder information, and provide a written recommendation to the Project Manager as to the appropriate disposition of bids as defined by the Bidding and Contract Documents as soon as practicable. A copy of such correspondence should be directed to Owner's Bidding and Contract Officer.

# B. Tie Bids

1. Definition

A "tie bid" exists when two or more responsive bids submitted by responsible bidders are evaluated as equal and lower than all other bids (if any) for base bid plus Alternates (if any) considered in order up to, but not to exceed the Bid Target.

2. Resolution (See *Instructions to Bidders* 14.4)

Designer should not attempt to resolve a tie bid situation at the bid opening. Refer this matter to Owner's Bidding and Contract Officer. If chance is to rule, each tying bidder will be invited to send a representative to witness coin toss conducted at Owner's office by Owner's Bidding and Contract Officer.

#### C. Award of Contract

- **1.** Designer shall submit recommendation letter to Project Manager.
- **2.** If acceptable, Project Manager forwards Designer recommendation letter to Owner's Bidding and Contract Officer.
- **3.** Owner's Bidding and Contract Officer prepares construction Contract, and related documents, and presents those to the proposed Contractor for execution.

# D. Forfeiture of Plan Deposit

- 1. If the successful bidder fails to return documents, hold the deposit until a Contract is awarded, and then return the deposit. The successful bidder is not required to forfeit the plan deposit.
- 2. Should any other bidder fail to comply with requirements stated in the <u>Instructions to Bidders</u> for return of deposit, write a short letter stating the fault to Owner's Bidding and Contract Officer, and enclose the check. Send a copy of the letter to the bidder.

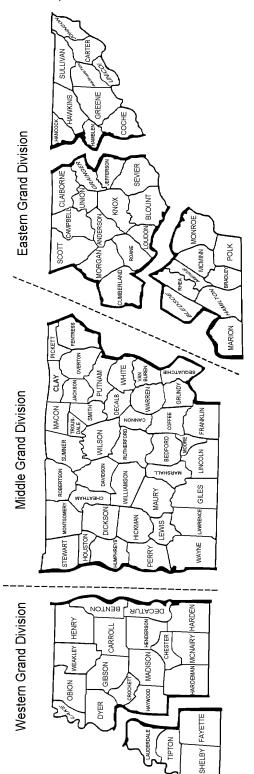
# **CHAPTER 5 END**

Maps of Bidding Locations follow...



#### 5.09 MAP OF ADVERTISING REGIONS

Individual maps to each location follow in order



TRI-CITIES REGION Bids normally opened on Tuesday

KNOXVILLE REGION Bids normally opened on Wednesday

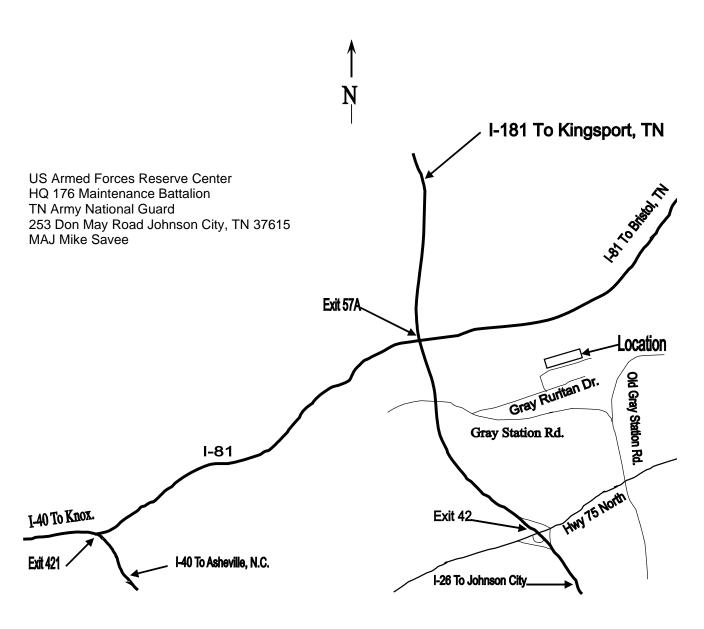
CHATTANOOGA REGION Bids normally opened on Thursday

NASHVILLE REGION Bids normally received on Wednesday and opened on Thursday

JACKSON REGION Bids normally opened on Wednesday

MEMPHIS REGION Bids normally opened on Thursday





# Suggested route from Knoxville:

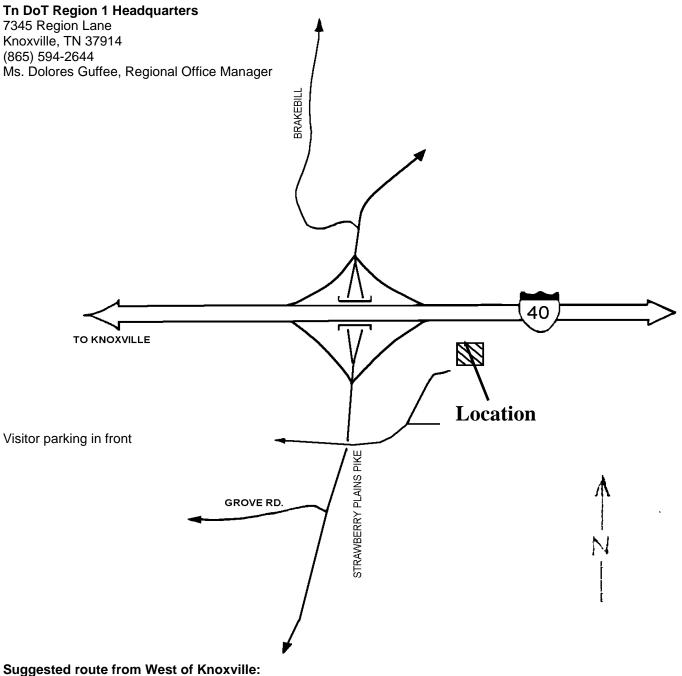
Take I-40 East to exit 421 onto I-81 North.

Take I-81 North to exit 57A onto I-26 South toward Johnson City.

Take exit 42 Hwy 75, Gray, at the end of the loop ramp turn right on Hwy 75 North (toward Gray and Airport). Turn left at the 2<sup>nd</sup> traffic light onto OLD GRAY STATION ROAD, (this is old Hwy 75 North, to the Fairgrounds). Approx. 0.5 miles turn left onto GRAY STATION ROAD.

Approx. 0.5 miles turn right onto GRAY RURITAN DRIVE, (the Gray Volunteer Fire Dept. will be on the left). Go about 200 yards turn left to the US ARMED FORCES RESERVE CENTER (on the hill).





From I-40 Eastbound take Strawberry Plains Pike Exit 398

Go South (right) at the end of the ramp.

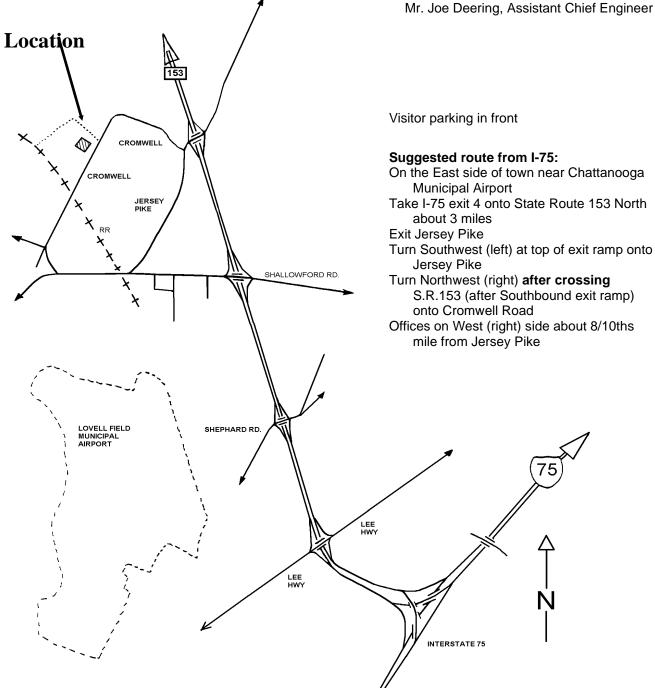
At the first Intersection turn East ( left ) almost immediately after exiting ramp.

NOTE: Due to availability of bid room, bids may be held at the Designer's Office if it is located in or near Knoxville.



#### **Tn DoT Region 2 Headquarters** Bureau of Operations Building 7512 Volkswagen Drive

Chattanooga, TN 37416



Chattanooga

STREAM Designers' Manual 2020



Procurement/Bidding

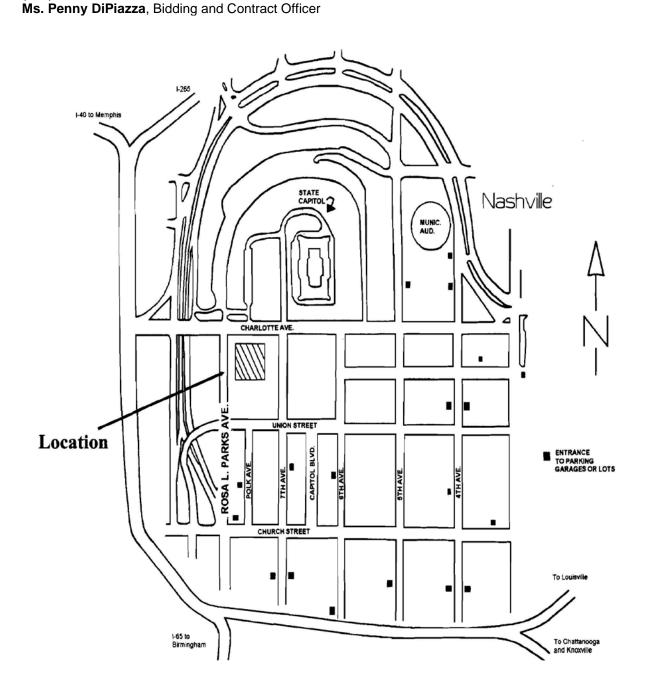
Chattanooga

# William R. Snodgrass Tennessee Tower

Conference Center North, Room #.### (Conference Room TBD) 3<sup>rd</sup> Floor, 312 Rosa L. Parks Avenue Nashville, TN 37243-1102

(615) 741-**6111** 

NOTE: Parking is difficult to find, and visitors must sign in at the security desk; so, allow for plenty of time for arrival.



Nashville

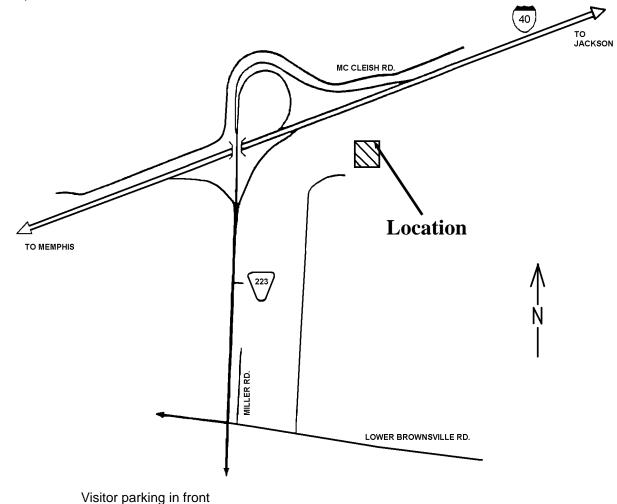
STREAM Designers' Manual 2020



Procurement/Bidding

# **Tn DoT Region 4 Headquarters**

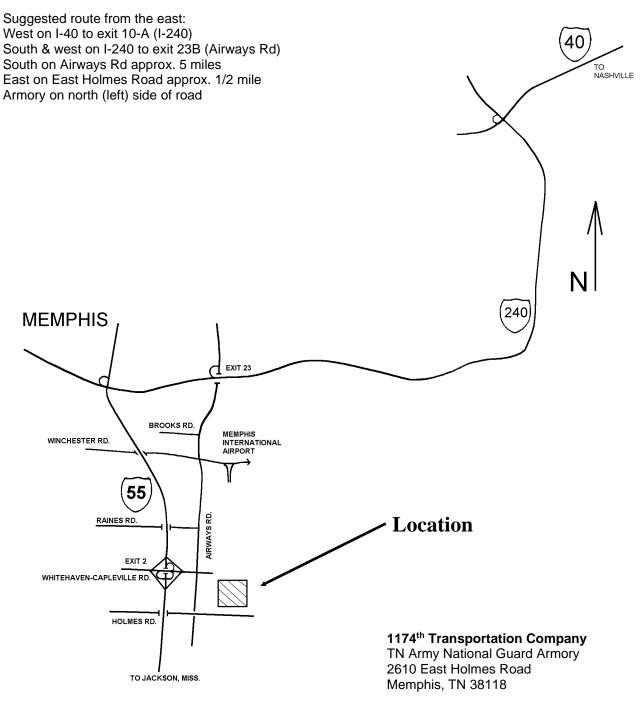
300 BenchMark Place Jackson, TN 38301 (731) 935-0193 Ms. Jennifer Nolan, Administrative Services Assistant



# Suggested route from I-40:

Take I-40 exit 76 onto State Route 223 Southbound. Turn East (left) onto Lower Brownsville Rd. Turn East (left) off of Lower Brownsville Rd to TN Dot





(901) 605-4056 1SG Adornal Wolfenbarger

