

**CHAPTER 14 – BIDDING**

1.0 General Information

- 1.1 When the requirements for Construction Documents in chapter 13 are met, DFM will prepare and insert specification documents A through I, Section 01 0000, and the specification cover into the specification manual provided by the project architect/engineer.
- 1.2 The DFM planner will select a bid date and request a pre-bid conference date (at least 14 calendar days prior to the bid date), time and location from the agency for the release to bidders form.
- 1.3 The bid date will be advertised in the *Kansas Register* and on the DFM website at [www.da.ks.gov/fp/](http://www.da.ks.gov/fp/) under Job/Project List, where plan holder lists are available by clicking on the DFM project number.
- 1.4 Drawings completed on 11" x 17" paper will either be added to the back of the specification manual or printed as a separate set of documents, whichever DFM deems appropriate.
- 1.5 Printing and distribution of final drawings and specifications and addenda to all eligible parties will be coordinated by DFM. All costs for the bidding phase will be paid from the project funds.

2.0 Project Architect's/Engineer's Responsibilities

- 2.1 The project architect/engineer shall conduct a pre-bid conference when requested by the agency.
- 2.2 The project architect/engineer shall provide all addenda, except the addendum providing the pre-bid conference information.
- 2.3 During the bidding period the project architect/engineer is responsible for any needed interpretations, clarifications and addenda and shall evaluate all materials and equipment submitted as substitutions to those specified. Those bidders who have submitted unacceptable substitutions will be notified in writing by the project architect/engineer, with a copy to the state agency and to DFM. Approved substitutions will be described only in an addendum.

3.0 Pre-Bid Conference

- 3.1 The date, time and place of the conference will be communicated to eligible plan holders in the first addendum issued by DFM.
- 3.2 The project architect/engineer is responsible for the pre-bid conference and shall chair the meeting. A sample Pre-Bid Agenda FPDC Form 320 is available at the DFM website <http://da.ks.gov/fp/manual.htm>.
- 3.3 The project architect/engineer shall have the consultants present at the pre-bid conference, provide a description of work, answer questions, and participate in a walk-through of the project site.
- 3.4 If the project scope requires it, contractors will be given access to the project site for a walk-through.
  - 3.4.1 If the walk-through is the only time the contractors will be allowed to view the project site, it must be stated clearly in the notification of the pre-bid.

3.5 The project architect/engineer shall be responsible to provide an addendum summarizing the pre-bid meeting, which will include all interpretations and corrections to the contract documents discussed at the meeting and/or during the on-site walk-through. A list of pre-bid conference attendees shall also be included.

4.0 Addenda

4.1 DFM will print and distribute all addenda.

4.2 Except for the first addendum providing the pre-bid conference information, addenda shall be written by the project architect/engineer in .DOC / .DOCX format and e-mailed to both the DFM Plan Room ([lori.ploude@da.ks.gov](mailto:lori.ploude@da.ks.gov)) and the DFM planner for approval. Addenda FPDC Form 315 is available on the website <http://da.ks.gov/fp/manual.htm>.

4.2.1 Any unusual or specific requirements by the agency or the project's funding source shall be attached to the Specification Front End Data FPDC Form 305 for DFM to be included in the first addendum.

4.3 Addenda shall be organized as follows:

4.3.1 Addenda form (printed in pink,)

4.3.2 New bid form, if required (different color than the original bid form),

4.3.3 Specifications either white, green or yellow (depending on discipline),

4.3.4 Drawing sheets (white).

4.4 Submit documents as follows:

4.4.1 Documents shall be sent to DFM in .DOC / .DOCX, .PDF or .DWG format. Due to restrictions on the computer security system, DFM is not able to receive .ZIP files.

4.4.2 All drawings shall be on the same sized paper with matching title block. All information required in the titleblock at the end of the Construction Documents Checklist FPDC Form 223. Drawings will be attached at the end of the addenda.

4.4.3 If the project architect/engineer is providing drawings larger than 11" x 17", DFM shall be notified in advance and one day shall be added to those guidelines noted in 4.6 below for addenda deadlines.

4.4.3.1. Any drawing larger than 11" x 17" shall be sent to DFM on vellum / Mylar® properly sealed, signed and dated.

4.5 DFM reserves the right to rearrange the addenda and any related attachments to allow ease of printing.

4.6 Final addenda will be issued by the DFM plan room no later than seven (7) working days prior to the project's bid date.

4.6.1 The project architect/engineer is required to deliver the final addenda by 10:00 am eight (8) working days prior to the bid date for formatting and printing

4.6.1.1. Final addenda received after the above deadline may require postponement of the bid date.

- 4.6.2 Final addenda with sheets larger than 8.5" x 11" will require additional days for printing and distribution depending on the size and number of large sheets.
  - 4.6.3 Final addenda with more than 20 pages, with several colors or sizes of paper will require one (1) additional day to the deadlines listed in 4.6 and 4.6.1 above.
  - 4.7 Significant problems that arise less than ten (10) calendar days prior to the bid date shall be brought to the attention of the state agency and DFM and may result in the postponing of the bid date.
  - 4.8 Addenda language for projects being **rebid** shall be: This project is being rebid without any changes to the bid documents.
  - 4.9 Addenda language for projects being **revised** for rebidding shall give a brief description of the changes with sufficient detail to inform the bidders what was revised.
  - 4.10 Addenda will **only** be sent to plan holders who received plans directly from DFM and are on the DFM plan holder list.
- 5.0 Award of Construction Contract
- 5.1 Purchases is responsible for opening and reviewing bids for each project.
  - 5.2 Once the bids are reviewed and sent to DFM, the bid tabulations are posted on the DFM website (<http://da.ks.gov/fp/bidtab>) and forwarded to the state agency and the project architect/engineer for their review.
  - 5.3 If the bid is within the amount of funds allocated for the construction of the project, the project architect/engineer will make a recommendation to the state agency regarding the lowest responsible bidder.
  - 5.4 If the state agency accepts the lowest responsible bidder and notifies DFM, DFM will send an advice of award of contract to the Purchases for further processing.
  - 5.5 If the state agency accepts add alternates which changes the lowest responsible bidder's major subcontractor(s) listed on the bid form, the lowest responsible bidder is required to provide the name and address of the major subcontractor(s) which are changed.
- 6.0 Signing the Construction Contract
- 6.1 Purchases will issue blank construction contracts for the project to the contractor, state agency, and DFM which are to be signed and returned to Purchases.
    - 6.1.1 The agency will return their signed contract with a Purchase Order.
    - 6.1.2 The contractor will return two (2) signed contracts to Purchases with the following:
      - 6.1.2.1 proof of workers' compensation insurance, comprehensive general liability and automobile liability in the required amounts
      - 6.1.2.2 builder's risk insurance for new construction (or an all-risk installation floater for renovations)
      - 6.1.2.3 a performance bond (Specification Document G);

6.1.2.4 a public works bond (Specification Document H) in an amount equal to the contract price,

6.1.2.5 a county bond receipt.

6.2 Purchases will complete the agency's purchase order and provide Accounts and Reports (A&R) the signed contracts and associated documents.

6.3 A&R will sign the contracts, encumber the money and return signed contracts and associated documents to the appropriate parties.

6.4 The contractor will receive two fully executed contracts from Purchases.

6.5 When DFM receives copies of the signed contracts from Purchases, DFM will write the Notice to Proceed for the next day in accordance with the bid documents.

6.5.1 If the agency wishes to have the Notice to Proceed issued sooner, Purchases can approve the insurance submittal upon receipt and review. The state agency may request via an e-mail to Purchases ([galen.greenwood@da.ks.gov](mailto:galen.greenwood@da.ks.gov)) verification of insurance approval. Agency shall forward E-mail verification to DFM along with the contractor's name, address and the number of days (or actual completion date) for the time of completion. Upon receipt of this e-mail, DFM will issue a Notice to Proceed.

7.0 When Bids Exceed Allocated Funds

7.1 Following the bidding period, should the lowest qualified bid exceed the funds which have been identified by the agency and submitted to DFM prior to bidding for the construction of the project, the project architect/engineer shall consult with the project team to determine how to proceed.

7.2 If the decision is made to modify and revise the construction documents for re-bidding, the project architect/engineer shall, **without** additional compensation, modify and revise the construction documents as needed for re-bidding.

7.3 The revised bid documents shall be submitted as directed by the state agency and DFM.

7.4 If a project is rebid or re-issued due to errors and omissions by the project architect/engineer and/or the firm's consultants, the project architect/engineer may be required to pay for the printing and shipping costs associated with the re-issuance of the construction documents.

**END OF CHAPTER 14**