

## Chapter 5, Bidding

### CHAPTER CONTENTS

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#### 5.1 INITIATION OF THE BIDDING PHASE

- A. Planning
- B. Bid Opening Time, Date, and Place
- C. Bid Envelope Cover
- D. Public Advertisement for Bids by Owner
- E. Document Distribution

#### 5.2 PRE-BID CONFERENCE

- A. Agenda
- B. Addenda

#### 5.3 BID TAB (TABULATION) PREPARATION

#### 5.4 BID OPENING

- A. Presiding Official
- B. Receiving Bids
- C. Bid Modification or Request to Withdraw Bid
- D. Official Bid Tab Record
- E. Bid Target
- F. Bid Opening
- G. Determination to Waive Informalities

#### 5.5 COMMUNICATION OF APPARENT RESULTS

- A. Owner Review
- B. Plan Room Notification

#### 5.6 DISPOSITION OF BIDS

- A. Evaluation
- B. Recommendation

#### 5.7 EXAMPLE BID ENVELOPE COVER

#### 5.8 EXAMPLE BID TAB FORMAT

#### 5.9 ADDITIONAL SERVICES FOR BIDDING FURNITURE, FIXTURES, & EQUIPMENT

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#### 5.1 INITIATION OF THE BIDDING PHASE

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- A. Planning: Discuss with the Owner the status of the Bidding Documents, arrangements for printing and distribution of Bid Packs and Addendum, and procedures for the Pre-Bid Conference and Bid opening.
- B. Bid Opening Time, Date, and Place: The Owner will inform the Designer of the time, date, and place for receipt and opening of bids.
- C. Bid Envelope Cover: The Owner will provide the Designer with an original Bid Envelope Cover similar to the example shown in Section 5.7. Provide each Bidder of Record a copy of the Bid Envelope Cover affixed to a 9" by 12" envelope. Do not include the Bid Envelope Cover in the Project Manual.
- D. Public Advertisement for Bids by Owner: The Owner will place an advertisement in an appropriate newspaper in a format similar to the Invitation to Bid example in Appendix 3.

E. Document Distribution:

1. Provide sets of Bidding Documents to the Owner as directed by the Owner's Project Manager. Reference Chapter 3 regarding document format and content.
2. Provide Bidding Documents to Plan Rooms designated in the Invitation to Bid.
3. Provide Bidders and Subcontractors a Bid Pack including Bidding Documents, Bid Envelope, and Bid Form and secure deposits for Bid Packs in accordance with the advertised Invitation to Bid and the issued Instructions to Bidders.

5.2 PRE-BID CONFERENCE

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A. Agenda: Conduct the Pre-Bid Conference using the following suggested agenda topics as appropriate.

1. Project name and location and review meeting purpose.
2. Introduction of attendees as appropriate.
3. Bid opening time and place.
4. Availability of full Bid Pack and Addenda to-date including Instructions to Bidders and Bid Form.
5. Applicability of ALL Bid Pack documents in bid preparation. Bidders are solely responsible for misinterpretations resulting from using an incomplete set of the documents.
6. Owner's prohibition of the use of services of an illegal immigrant and the required Attestation Regarding Personnel Used in Contract Performance at initial contract agreement and each monthly Application for Payment.
7. No changes are binding and no interpretations or clarifications are reliable unless confirmed in writing by Addendum.
8. Sequence and timetable for questions of interpretation or clarification and issuance of Addenda.
9. Requests for interpretation or clarification must be (1) in writing, (2) to a designated fax number or email address, and (3) prior to a set deadline.
10. Proper bid submittal requirements including use of Bid Form and Bid Envelope and identification of Subcontractors. Emphasize the necessity of filling in the Subcontractor name or Bidder name if **any** work is required for a category.
11. Special bid structures, if applicable, such as Alternates and Unit Prices.
12. Special administration, if applicable, such as Scheduling and Commissioning.
13. Brief review of the scope of work and Contract Time.
14. Structured phases and related scopes and schedule milestones, if applicable.
15. General Conditions Article 11 insurance requirements (refer to the General Conditions Article 11 for specific requirements).
  - Contractors Pollution Liability insurance requirements: Pollutants come in many forms that can be totally independent of "abatement work" such as airborne emissions, spills, and materials transported from the site. The Owner has determined to pay for insurance covering risks presented by such pollutants by placing the Contractor Pollution Liability Coverage

requirements in our standard bid documents. The Owner's standard requirement, on every project, regardless of the inclusion or not of a specific abatement scope of work within the project, is that the General Contractors carry Contractor Pollution Liability Coverage. An "endorsement" on a general liability policy which provides "limited" coverage is not acceptable. It is also, not acceptable for a subcontractor to hold the coverage for the abatement portion of the project's scope for which the Owner and the General Contractor is listed as an additional insured, providing no pollution risk protection for the General Contractor or Owner for incidents that happen apart from the subcontractor's work. For projects that include a specific abatement scope of work, e.g. asbestos removal, the policy must include coverage of that scope and thus providing coverage for the General Contractor or the Subcontractor who is actually performing that scope of work.

- Builders Risk: The Owner also requires Builder's Risk Insurance in the amount of the Contract Sum.

16. General Conditions Article 7 requirements regarding changes in the Work including, limits on costs for Direct Payroll Expense, overhead, and profit.
  17. Roof bond in the amount as specified in Chapter 4 of this manual and roofing system warranty requirements.
  18. Storm Water Pollution Prevention Plan, if applicable.
  19. Site access, construction staging areas, construction work force parking arrangements, on-going user operations, car/bus/delivery traffic that must be accommodated, and expectations for construction personnel courtesy and decorum toward site occupants and the public.
  20. WITH PRIOR APPROVAL OF OWNER: Discussion of the project budget or anticipated Bid Target.
  21. Conditional or qualified bids are unacceptable.
  22. Requirement to visit the site and become familiar with the local conditions under which the work is to be performed and to correlate all observations with the requirements of the Bidding Document.
  23. Opportunities to tour the site.
  24. Substitution request procedures in the Instructions to Bidders.
  25. Reading of previously received questions and responses as appropriate.
  26. Questions, requiring name and affiliation to be given with the question.
- B. Addenda: Respond to questions and requests for clarifications from potential bidders during the bidding period. Do not provide verbal responses that modify the Bidding Documents. Make needed interpretations, clarifications, or changes to the Bidding Documents by means of addenda, preferably prepared according to CSI format guidelines. Provide draft addenda to the Owner for approval before releasing to the Plan Rooms and Bidders of Record. Prepare addenda to meet the following requirements.
1. Normal practice is that no addenda affecting pricing will be issued less than three working days before bid opening date.
  2. Identify by a sequential number and date.
  3. Identify the project by its full title and the SBC Number.

4. Identify the Designer as source, sign, and seal.
5. Include an appropriate introductory statement identifying the previously issued Bidding Documents by date and instructing bidders to acknowledge the addenda in the Bid Form.
6. Be self-descriptive as to number of pages and attachments.
7. List changes in the order of appearance in the Bidding Documents., except for previous addenda which are listed first.
8. Express a change only once and then refer to the addendum whenever necessary. One expressed correction should serve for all repetitive changes.
9. Identify each change precisely. For changes to drawings provide a written description and identify the drawing number(s). For changes to text identify the document and paragraph/subparagraph title/number to the lowest level. Follow the word “delete” by the word(s), line(s), paragraph(s) to be changed, followed by the word “insert”, which should precede the modification.
10. Indicate a digital electronic (not cut and paste) revision on a drawing by a revision “cloud” and a numbered triangle symbol and update the drawing’s revision block accordingly. As subsequent revisions occur maintain previous revision clouds and triangles on the drawing.
11. Use wording to change alphanumeric information in drawings. For example, describe in words a change to a floor-to-floor dimension (rather than making a drawing revision).
12. Do not include pre-bid conference notes within addenda.

### 5.3 BID TAB (TABULATION) PREPARATION

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1. Develop the Bid Tab in the format provided on the Owner’s Web site. Section 5.8 provides an example of the Owner’s Bid Tab format. Modify as appropriate to meet project requirements.
2. Submit a draft Bid Tab to the Owner for review approximately one week before the bid opening date.
3. Inform the Owner of the names of prospective bidders approximately three days before the bid opening date.
4. List prospective bidders on the Bid Tab in alphabetical order.
5. Do not fill in Bid Target except as described below regarding Alternates.

### 5.4 BID OPENING

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- A. Presiding Official: The Owner’s representative will serve as the presiding official and conduct the bid opening with the Designer’s representative.
- B. Receiving Bids:
  1. Gather bids received by mail or submitted in person prior to the bid opening. Arrive at the bid location sufficiently early to carry out this duty.
  2. Review bid envelopes informally for proper completion and sealing. If sufficient time and an appropriate bidder representative is available inform the representative of any apparent problems prior to officially receiving the bid.

3. 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.
4. 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.
5. Evaluate the bid envelope cover:
  - a. Review any non-standard bid envelope to determine sufficient conformance to qualify for opening. Note a bid using a non-standard bid envelope as subject to later rejection.
  - b. Determine if the project and bidder name and address is sufficiently identified.
  - c. Review bidder contractor license number, classification, expiration date, and dollar limit. Accuracy need not be verified at the bid opening. If left blank or the bidder has indicated itself as unlicensed, seek to determine whether the bid amount might reasonably be under the licensing threshold and take one of the following actions.
    - If it cannot be determined what the bid amount might reasonably be as compared to the threshold, allow the bid to be opened and note it is subject to later rejection.
    - If it is determined the bid amount would reasonably be under the threshold, allow the bid to be opened and note it is subject to later rejection.
    - If it is determined the bid amount would not reasonably be under the threshold reject the bid and do not open it.
  - d. Review for required names for Plumbing, HVAC, and Electrical, regardless of work value or applicability of licensing law or performance by general contractor rather than subcontractor. If any subcontractor identification is absent, seek to determine whether there is such work and take one of the following actions.
    - If it cannot be determined that such work is included, allow the bid to be opened and note it is subject to later rejection.
    - If it is determined that such work is not included, allow the bid to be opened and note it is subject to later rejection.
    - If it is determined that such work is included reject the bid and do not open it.
  - e. Review subcontractor license number, expiration date, and classification. Accuracy need not be verified at the bid opening. If left blank or the bidder has indicated a subcontractor as unlicensed, seek to determine whether the work amount might reasonably be under the licensing threshold and take one of the following actions.
    - If it cannot be determined what the work amount might reasonably be as compared to the threshold, allow the bid to be opened and note it is subject to later rejection.
    - If it is determined the work amount would reasonably be under the

threshold, allow the bid to be opened and note it is subject to later rejection.

- If it is determined the bid amount would not reasonably be under the threshold reject the bid and do not open it.

f. Determine if a bid modification is indicated on the bid envelope.

6. Upon determination that the bid envelope appears acceptable sign the bid envelope in the space provided.

C. Bid Modification or Request to Withdraw Bid: Record time and date of receipt of a modification to bid or a request to withdraw bid on the face of the document. Keep the document secure with the bid envelope. Do not return a withdrawn bid upon receipt of the request and do not open the withdrawn bid at the bid opening. Return to bidder unopened after the end of the bid opening.

D. Official Bid Tab Record: Maintain an official Bid Tab record separate from distributed copies of the Bid Tab.

E. Bid Target: Prior to bid opening privately confer with the Owner to determine if a Bid Target will be established at the Bid Opening. If applicable, write the Bid Target on the official Bid Tab only. Do not reveal the Bid Target prior to or at the bid opening except as provided below in the case of alternates incorporated into the bid structure or as otherwise approved by the Owner.

F. Bid Opening:

1. Make and distribute sufficient number of copies of the preliminary Bid Tab to accommodate bid opening participants and spectators.
2. Distribute an attendance roster.
3. At the appointed time and place the presiding official commences the bid opening by reading the Presiding Official Bid Opening Commencement Statement at the top of the Bid Tab.
4. Only if Alternates are a part of the bid structure, take the following steps.
  - a. Ensure the Bid Target is accurately recorded on the official Bid Tab record only.
  - b. Announce the Bid Target.
  - c. Ensure these steps are taken prior to opening any bids.
5. Open bids in the order on the distributed Bid Tab copy and open unlisted bidders last. Any bidder listed on the distributed Bid Tab copy that has not submitted a bid shall be announced as "No Response".
  - a. Review the bid envelope for the approval signature of the Designer or Designer's representative.
  - b. Review the bid form.
  - c. Announce bidder name and listed subcontractors.
  - d. Announce bidder completion of responses to the contract crime and diversity statements.
  - e. Announce bidder's Addenda acknowledgement.
  - f. Review submission of bid security in amount required.

- g. Bid security obligee or payee should be the Owner.
  - 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. Announce enclosure of bid security, form (bond or check), the amount, and any observed irregularities.
  - k. Announce amounts of base bid and alternates as given in words and in figures. If words and figures differ, announce the irregularity and that, in most cases, the words will prevail as the bid amount. 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.
  - l. 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.
  - m. 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.
- G. Determination to Waive Informalities: If any opened bid had an irregularity or did not strictly conform to the bid envelope requirements or the Instructions to Bidders, conduct a review with the Owner to verify each such bid's validity for consideration.

## 5.5 COMMUNICATION OF APPARENT RESULTS

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

## 5.6 DISPOSITION OF BIDS

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- A. Evaluation: 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. Recommendation: Provide the following to the Owner after you receive a bid action letter. This letter will include the instructions on the following items:
  - a. State the recommendation for the disposition of bids.

- b. Enclose an official dated Bid Tab with Designer approval shown on the Bid Tab.
- c. Enclose the original bidder submitted Bid Forms and Bid Envelopes.
- d. Email a draft of the Owner-Contractor Agreement in Word format without signatures or attachments and completed in accordance with Chapter 6.1



# Bid to the University of Tennessee



For the Project:

SBC Number:

Project Designer:

**Any blank spaces may cause bid to be unacceptable and rejected.**

*Provide state contractor license number, expiration date, and classification for Bidder and listed subcontractors, as applicable.  
Provide all names as used for licensing or other legal transactions.*

**Bidder Identification:**

Bidder: \_\_\_\_\_  
Address: \_\_\_\_\_

**Tennessee Contractor License Information:**

License Number: \_\_\_\_\_

License Classification applicable to Project: \_\_\_\_\_

License expiration date: \_\_\_\_\_ \$( \_\_\_\_\_ )  
Dollar Limit

**Subcontractors to be used on this Project: (or Bidder, if Bidder is to perform the work)**

- If **any** work, regardless of dollar value, is required for subcontractor category, list subcontractor that will perform that work. Or, if Bidder will perform that work in a category with Bidder's own forces, fill in Bidder's name as subcontractor.
- If **no** work is required in a subcontractor category, write "N/R" (None Required) or "N/A" (Not Applicable).
- If the monetary amount of a subcontractor's work is such that no license is required, "N/A" may be written in the license number column, but still write name.

Plumbing \_\_\_\_\_  
Name License Number Expiration Date Classification  
Note: This space must be filled in or the bid may not be opened.

HVAC \_\_\_\_\_  
Name License Number Expiration Date Classification  
Note: This space must be filled in or the bid may not be opened.

Electrical \_\_\_\_\_  
Name License Number Expiration Date Classification  
Note: This space must be filled in or the bid may not be opened.

Masonry \_\_\_\_\_  
Name License Number Expiration Date Classification  
Note: This space must be filled in or the bid may not be opened.

Geothermal N/R \_\_\_\_\_  
Name License Number Expiration Date Classification  
Note: This space must be filled in or the bid may not be opened.

This Bid Envelope approved for public opening \_\_\_\_\_  
Signature of Designer or their representative

NOTE: For projects with Geothermal work the Owner or Designer will remove the "N/R" designation for that category.

5.8 EXAMPLE BID TAB FORMAT

<b>BID TAB</b> <b>The University of Tennessee</b>		<i>Presiding Official Bid Opening Commencement Statement:</i> Pursuant to the Invitations to Bid extended for <<Project Title>> <b>SBC No. &lt;&lt;Number&gt;&gt;</b> Bids and Bid Modifications must have been received here by <<Time of Day, Day of Week, Date>> I thus declare the bidding closed and will now proceed to open and read the Bids and Modifications which have been received.				Page _____ of _____
Bid Opening Location: <<Location>> Bid Target: <<Amount or "Not Announced">> Designer: <<Name>>		Number of Addenda Issued: <<Number>> Contract Time: <<Number>> Days Liquidated Damages: <<\$Amount>>		Presiding: UT Rep: Designer Rep: Designer's Official Submittal: Submitted By: Date:		
<b>BIDDERS</b> Name: City: Lic. No.:		Responses* Addenda? Security?	BASE BID Cumulative Totals >>	ALTERNATE 1 ALTERNATE 2 ALTERNATE 3 ALTERNATE 4	SUBCONTRACTORS** P: H: E: M: G:N/R	
Name: City: Lic. No.:		Addenda? Security?	Cumulative Totals >>		P: H: E: M: G:N/R	
Name: City: Lic. No.:		Addenda? Security?	Cumulative Totals >>		P: H: E: M: G:N/R	
Name: City: Lic. No.:		Addenda? Security?	Cumulative Totals >>		P: H: E: M: G:N/R	
Name: City: Lic. No.:		Addenda? Security?	Cumulative Totals >>		P: H: E: M: G:N/R	
Name: City: Lic. No.:		Addenda? Security?	Cumulative Totals >>		P: H: E: M: G:N/R	
Name: City: Lic. No.:		Addenda? Security?	Cumulative Totals >>		P: H: E: M: G:N/R	

\*Responses are marked "Y" if complying with instructions for acknowledging all **Addenda** and including bid **Security**.  
 \*\*Subcontractor categories are **Plumbing, HVAC, Electrical, Masonry, and Geothermal**. (Owner or Designer will remove "N/R" for projects with Geothermal work.)

## 5.9 ADDITIONAL SERVICES FOR BIDDING FURNITURE, FIXTURES, AND EQUIPMENT

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1. Assist Owner with solicitation of bids.
2. Assist Owner in evaluation of FF&E bids.
3. Prepare written responses to vendor questions for Owner transmittal.
4. Evaluate and make recommendations on substitutions.
5. Assist Owner with award of contracts.

END OF CHAPTER