Chapter Five
PROCUREMENT/BIDDING

5.01 INITIATING BID PHASE

A. The Designer shall endeavor to obtain 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 (3) bidders; thus, Designer should endeavor that no less than three (3) bids are submitted.

B. Time, Date, and Place of Bid Openings will be established by Owner through the Owner. Place for bid opening is normally determined by bidding region:

1. 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.
2. Maps of the regions and the bid opening locations are provided herein.
3. Single construction contracts involving multiple sites in different regions will be assigned to one of the regional locations.
4. Owner may elect to receive bids and conduct the bid opening at the Project site or Designer’s office.

C. Notification to Designer

1. When a bid date is established, Owner will send Designer formal written notification with formal bid envelopes. Unofficial notification may also be passed along via phone call from Owner or User Agency.
2. The Designer should discuss with 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 placing advertisement or ordering final printing.

D. Policy on Reimbursable Printing Costs

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 one thousand two hundred dollars ($1,200.00) for not more than thirty (30) sets at unit costs not exceeding the following:

<table>
<thead>
<tr>
<th>Printing Type</th>
<th>Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td>Black Line prints</td>
<td>Fifteen cents ($0.15) / square foot</td>
</tr>
<tr>
<td>Project Manual</td>
<td>Six cents ($0.06) / sheet double-sided</td>
</tr>
<tr>
<td>Project Manual</td>
<td>Four cents ($0.04) / page single sided (only if single sided printing has been pre-approved)</td>
</tr>
<tr>
<td>AIA Documents</td>
<td>actual cost</td>
</tr>
<tr>
<td>Cover &amp; Comb Binding</td>
<td>Three and 50/100th dollars ($3.50) per set</td>
</tr>
</tbody>
</table>

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

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 fifty thousand dollars ($50,000), an Advertisement for Bids shall be published normally once a minimum of four (4) weeks prior to the bid date in at least one newspaper having circulation in the area. The advertisement shall normally run on a Wednesday.

B. Document Distribution
   1. Provide one (1) complete set directly to Owner's Project Manager and Bidding and Contract Officer, as soon as Bidding and Contract Documents are available, in addition to any other sets provided to Owner, along with the CDP markups. Include an additional set for each if project includes a Scheduling Agent and/or Commissioning Agent.
   2. Provide Bidding Documents to approved plan houses (See page 4.05) Also, the State of Tennessee Governors Office of Diversity Business Enterprise (GoDBE) provides similar “plan room” type 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.
   3. Provide "Bidders of Record" a bid pack consisting of a complete set of Bidding and Contract Documents, a Bid Form identical to that in the Project Manual, and a bid envelope, in accordance with Project Manual Instructions to Bidders - 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
      a. By prior arrangement with Owner, 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 unless expressly waived by Owner. Consult with Owner to establish time, place and requirements. 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.

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 pack 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 and place.
   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. 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, preferably 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 Owner, Project Manager and Bidding and Contract Officer, for review and approval prior to release.

3. Once approved, provide addenda concurrently to Project Manager, Bidding and Contract Officer, User Agency, plan houses, and 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 one-half 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.
   
   b. **Establish “official timepiece”** for use in closing receipt of bids, and verify accuracy of time shown.
5.04 BID TABULATION PREPARATION

A. Prepare a Bid Tab prior to the bid opening. A standard bid tabulation abstract form (Bid Tab) is to be used to record the apparent results of a bid opening. The Bid Tab form is provided in Appendix 1 - Administrative Forms and in editable format on the Owner’s website. Only this Bid Tab 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 Bid Tab form to accommodate participants and spectators.

2. Write the Target and M.A.C.C for the project on only the Bid Tab 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:

[1g] 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

[7] Bid abstract

Divide into columns as needed

[7a] Headings

[9] Owner’s Representatives

[9a] Designer firm name

[9b] User Agency name

Do NOT fill in

See note below

[1b] Target

[1c] M.A.C.C.

NOTE: The amounts for the project Target and M.A.C.C 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.
A. Receiving Bids

1. **Verify the completeness and correctness 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 completeness 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 twenty-five thousand dollars ($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 infirmality.
   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 infirmality.
      • *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 twenty-five thousand dollars ($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 one hundred thousand dollars ($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 twenty-five thousand dollars ($25,000.00). However, it is the General Contractor’s responsibility to verify licensing information prior to commencement of any roofing work.

3. **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.

4. **Once the Bid Envelope is officially received**
   a. Record the time and date of receipt, and initial it, in the box provided, upper right, on the bid envelope.
   b. 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.
   c. Keep bid envelope and its contents secure, and do not return it to the bidder under any circumstances.
B. Receiving a modification or request to withdraw prior to the bid opening deadline

1. Check that it complies with Instructions to Bidders paragraph 12.1 and record the time and date of receipt and who received it on its face. Keep it secure with the bid envelope. Do not return a withdrawn bid at this time, nor open it in the bid opening.

2. A modification(s) written on the face of the bid envelope, with appropriate binding signature, is acceptable if made prior to submittal. However, once bid envelope has been officially received, then a modification must be submitted as a separate document.
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 Bid Tab, with unlisted bidders added last.

1. Bid Envelope
   a. Announce name of Bidder (and city if not listed on prepared Bid Tab.)
   b. Announce license number.
   c. Announce listed subcontractors.

2. Bid Form
   a. Announce whether Contract Crime Statement is filled in.
   b. Announce whether Diversity Statement is filled in.
   c. Announce which, if any, addenda are acknowledged.

3. Bid Security (A five percent (5%) Bid Security of bid, including Alternate, is required.)
   a. See if obligee/payee is "State of Tennessee" and guarantee/amount is five percent (5%) of bid (including alternates).
   b. If a check, it must be certified or cashier’s. 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 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, and any observed irregularities.

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 modified bids, 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.
5.07 COMPLETING THE BID TAB

by filling in during bid opening.

[3] Bidders of Record
   [3a] Name and city (*)
   [3b] License number (*)

   Insert check mark only
   NFI if not filled in

   Indicate by check mark
   Insert number of addenda received

[6] Diversity Classification Statement
   Y if "yes"
   N if "no"
   NFI if not filled in

[7] Bid Security
   B if Bid Bond
   C if proper check
   * for other notation

[8] Bid Abstract
   [8b] Amounts, etc.

[9] Subcontractors (*)
   Plumbing, HVAC, Electrical, Masonry, and Geothermal

[10] Participant Signatures
   Designer
   Owner
   Presiding Official

(*):

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
<table>
<thead>
<tr>
<th>Bid No.</th>
<th>Bid Amount</th>
<th>Owner</th>
<th>Bid Date</th>
<th>Bidder</th>
<th>Name</th>
<th>City</th>
<th>License No.</th>
<th>Liquidated Damages</th>
</tr>
</thead>
<tbody>
<tr>
<td>0001</td>
<td>$16,000</td>
<td>Nashvile, Tennessee</td>
<td>01-20-14</td>
<td>Robyn Bid Construction Company</td>
<td>Nashville, Tennessee</td>
<td>91001</td>
<td>$3000</td>
<td></td>
</tr>
<tr>
<td>0002</td>
<td>$17,000</td>
<td>Madison, Tennessee</td>
<td>01-20-14</td>
<td>Smith Charms Construction Company</td>
<td>Madison, Tennessee</td>
<td>91002</td>
<td>$3000</td>
<td></td>
</tr>
<tr>
<td>0003</td>
<td>$18,000</td>
<td>Murfreesboro, Tennessee</td>
<td>01-20-14</td>
<td>OHP Construction Company</td>
<td>Murfreesboro, Tennessee</td>
<td>91003</td>
<td>$3000</td>
<td></td>
</tr>
<tr>
<td>0004</td>
<td>$19,000</td>
<td>Hendersonville, Tennessee</td>
<td>01-20-14</td>
<td>Raymon Construction Company</td>
<td>Hendersonville, Tennessee</td>
<td>91004</td>
<td>$3000</td>
<td></td>
</tr>
</tbody>
</table>

Bid Opening Information:
- Location: Nashville, Tennessee
- Date: April 1, 2014
- Time: 2:00 p.m. CST
-液化费用: $500 per day
- 指定日期: 2014年4月20日

Bidders of Record:
- Robyn Bid Construction Company
- Smith Charms Construction Company
- OHP Construction Company
- Raymon Construction Company
5.09 DISPOSITION OF BIDS

A. Communicate apparent results

1. Notify Owner of apparent results in person, by e-mail, or by phone (See page 1.03 for information) before end of day (4:30 PM Central Time). 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.

C. 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.

D. 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.

E. 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 Instructions to Bidders 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.

Maps of Bidding Locations follow…
5.10 MAP OF BIDDING 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 opened on
Tuesday and
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 2nd 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).
Map to the bid opening location for the **KNOXVILLE REGION**

**Tn DoT Region 1 Headquarters**  
7345 Region Lane  
Knoxville, TN 37914  
(865) 594-2644  
Ms. Dolores Guffee, Regional Office Manager

Visitor parking in front

**Suggested route from West of Knoxville:**  
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.
Visitor parking in front

**Suggested route from I-75:**
On the East side of town near Chattanooga Municipal Airport
Take I-75 exit 4 onto State Route 153 North
about 3 miles
Exit Jersey Pike
Turn Southwest (left) at top of exit ramp onto Jersey Pike
Turn Northwest (right) **after crossing**
S.R.153 (after Southbound exit ramp) onto Cromwell Road
Offices on West (right) side about 8/10ths mile from Jersey Pike
Map to the bid opening location for the NASHVILLE REGION

William R. Snodgrass Tennessee Tower
Conference Center North, Room 3.126
(Conference Room G)
3rd Floor, 312 Rosa L. Parks Avenue
Nashville, TN 37243-1102

(615) 741-6111
Ms. Penny DiPiazza, Bidding and Contract Officer

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

**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
Suggested route from the east:
West on I-40 to exit 10-A (I-240)
South & west on I-240 to exit 23B (Airways Rd)
South on Airways Rd approx. 5 miles
East on East Holmes Road approx. 1/2 mile
Armory on north (left) side of road

230th Army Liaison Team
TN Army National Guard Armory
2610 East Holmes Road
Memphis, TN 38118

(901) 605-4056 SFG Bryant D. Brown