Most Common Mistakes

- The bidder is not currently prequalified or is not prequalified in the project's class or classes of work.
- The bid contains the signature of someone not authorized to sign the bid booklet.
- The First-Tier Subcontractor Disclosure form is not submitted, is submitted late, or is incomplete.
- The bid does not meet DBE goal and/or the DBE Commitment Certification and Utilization Form is not submitted, is incomplete, or is not signed.

Prequalification

- The bidder has submitted a complete and correct Prime Contractor Prequalification Application 10 days prior to bid opening.
- The bidder is prequalified in the project's class or classes of work.
  The signature on the bid is for an individual listed as an authorized signer of bids in the bidder's current prequalification application form.
- Electronic bidder's Bid Express (BidX) Electronic Digital signature must match current authorized signer of bids in Prequalification.

(See Oregon Standard Specifications for Construction, General Conditions 00120.00.)

Subcontractor Disclosure Form

Subcontractor Disclosure Law

In 2003, ORS 279C.370 impacted requirements for the Subcontractor Disclosure Form. For projects advertised after August 1, 2003, all bidders must use the First-Tier Subcontractor Disclosure form dated 8-1-03.

The Special Provisions, Section 00120.40 (f) regarding disclosure of subcontractors reflects revised requirements resulting from 2003 House Bill 3422. These requirements include:
Within TWO WORKING HOURS after the date and time of the deadline when the bids are due to the public contracting agency for a public improvement, a bidder shall submit to the public contracting agency a disclosure of first-tier subcontractors. (The prior requirement was four working hours after bid opening).
The disclosure of first-tier subcontractors must include the name of each subcontractor, the category of work that each subcontractor will perform, AND THE DOLLAR VALUE OF EACH SUBCONTRACT.

The amendments apply only to public improvements with a contract value of more than $100,000.

When is a Subcontractor Disclosure Form Required?

When the contract value for a public improvement is greater than $100,000 bidders are required to disclose information about first-tier subcontractors who will furnish labor or labor and materials (See ORS 279C.370).

Specifically, when the subcontract amount of a first-tier subcontractor is equal to or greater than (1) five percent of the total project bid, but at least $15,000, or (2) $350,000 regardless of the percentage of the total project bid, you must disclose the following information:

- The name of the subcontractor
- The category of work the subcontractor will be performing
- The dollar amount of the subcontract

If your bid is greater than $100,000 and you will NOT be using any first-tier subcontractors, **you are still required to submit the form** with the appropriate box checked or enter "NONE" on the first line.

If your bid is greater than $100,000 and you are NOT SUBJECT to the disclosure requirements described above, **you are still required to submit the form** with the appropriate box checked.

ODOT MUST REJECT BIDS if the bidder fails to submit the disclosure form with this information by the stated deadline.

To meet disclosure requirements, ODOT recommends you disclose subcontract information for any subcontractor as follows:

1) Determine the lowest possible prime contract price. That will be the base bid amount less all alternate deductive bid amounts (exclusive of any options that can only be exercised after bid award).

2) Provide the required disclosure information for any first-tier subcontractor whose **potential** contract services are equal to or greater than (1) five percent of the lowest contract price, but at least $15,000, or (2) $350,000 regardless of the percentage. Total all possible work for each subcontractor in making this determination. For example, if a subcontractor will provide $15,000 worth of services on the base bid and $40,000 on an additive alternate, then the potential amount of the subcontractor's services is $55,000. If $55,000 exceeds five percent of the lowest contract price, provide the disclosure for both the $15,000 services and the $40,000 services.

Instructions

1. You may obtain the First-Tier Subcontractor Disclosure form in two ways:
Remove the hard copy from your bid booklet, or
Submit the electronic copy below

2. Fill in the appropriate information on the form and submit it by one of the following methods:
FAX the form to (503) 986-6910, Attn: ODOT Procurement Office - Construction Contracts
Submit the form with your bid
Hand deliver the form to:

ODOT Procurement Office MS#2-2
Attn: Construction Contracts
3930 Fairview Industrial Dr. SE
Salem, Oregon 97302-1166.

Email the form below by filling in all required information and then clicking the Submit button located on the upper left of the form. An automatic receipt notification will be generated and sent to the Construction Contracts email box and to the contractor's email address typed on the form.

Note: ODOT is not responsible for partial, failed, illegible, or partially legible e-mail submissions or fax transmissions.

3. Be sure the form is received by ODOT not later than two working hours after the time set for opening bids. (For example, by 11:00 a.m. after a 9:00 a.m. bid opening.)

Paper Bid Booklet

- When downloading plans and special provisions from ODOT eBIDS website, make sure you have registered your company on the holder of bidding plans list.
- Make sure the bid is submitted prior to the deadline as stated in bid booklet and solicitation document
- Make sure the paper bid is signed by an authorized representative of the company who can “execute bids” per the list in the approved Prime Contractor’s Prequalification Application.
- The Bid Section documents provided are properly used and do not contain unauthorized alterations.
- The bid is correctly completed and contains no improper additions, deletions, alternate Bids, or conditions.
- The bid is submitted on documents obtained directly from the ODOT Electronic Bidding Information Distribution System (eBIDS), and is submitted by a bidder on the holder of bidding plans list.
- The bid entries are typed or in ink, and signatures and initials are in ink.
- Each change or correction is individually initialed.
- The bid does not consist of any white-out tape or white-out liquid.
- The price per unit is filled out.
- The bid guaranty is sufficient and proper.
- The current Bid Bond form is used and is not altered. See Forms on our website.
- The bid reflects all issued addendums. Do not attach addendums to the bid.
- The bid contains price entries that are greater than zero.
- The bid contains price entries with no more than two digits to the right of the decimal point.

Electronic Bid Submittals (Bid Express)

- When downloading plans and special provisions from ODOT eBIDS website, make sure you have registered your company on the holder of bidding plans list.
- Electronic bidder's BidX Electronic Digital Signature must match current authorized signer who can “execute bids” per the list in the approved Prime Contractor’s Prequalification Application.