

ADVERTISEMENT, BID & AWARD CHECKLIST

NOTE: The State transportation agency’s (ODOT) bid information contains agency Engineer’s Estimate, which may be CONFIDENTIAL! The responsible FHWA transportation engineer will not discuss the details of the estimate with anyone other than the FHWA or State contact.

See PS&E Checklist Sections E and F for Special Provision and Bid Booklet

Reference	Section A - Advertisement Period	Format	Completed?			Notes
			YES	NO	N/A	
LAG Section C Chap. 15	a. Is FHWA Authorization to Proceed with advertising the project for bids received from the LAL? (Federal-aid number is required) Date Approved _____	On file	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
LAG Section C Chap. 15	b. Is the local agency adopting Oregon Standard Specifications for Construction 2008? If no, did local agency obtain ODOT’s review and approval to use their own standard specifications?	On File	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<i>Date LA specs approved by ODOT?</i> _____ <i>Latest revision date of LA specs?</i> _____
LAG Section C Chap. 15 23 CFR 635.112 b	c. Was the appropriate minimum required period of advertisement used? Check period used below: <input type="checkbox"/> 3 weeks (Projects < \$7.5M) <input type="checkbox"/> 4 weeks (Projects \$7.5M – \$15M) <input type="checkbox"/> 5 weeks (Projects > \$15M) <input type="checkbox"/> Other If conducting a mandatory pre-bid, add 1 or 2 weeks to advertisement period.	On file	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

<p>LAG Section C Chap. 15</p>	<p>d. Is project advertised in a newspaper of general circulation?</p>	<p>On file</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>If contract has an estimated cost in excess of \$125,000, the advertisement must be published in at least one trade newspaper of general statewide circulation. (ODOT uses DJC (Daily Journal of Commerce). Advertisements in trade journals and/or internet are considered supplementary.</p>
<p>ORS279C.360</p>	<p>e. Was proper advertising content used? Pursuant to ORS279C.360 all advertisements for public works contacts must include the following:</p> <ul style="list-style-type: none"> • the name of the public improvement project; • the office where the specifications for the project may be reviewed; • the date that prequalification applications must be filed under ORS 279C.430 and the class or classes of work for which bidders must be pre-qualified if prequalification is a requirement; • the date and time after which bids will not be received, which must be at least five days after the date of the last publication of the advertisement; • the name and title of the person designated for receipt of bids; • the date, time and place that the contracting agency will publicly open the bids 	<p>On file</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

LAG Section C Chap. 15	f. Were any addenda requests that contained major changes during the advertising period submitted to LAL and FHWA?	On file	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Major changes are those that will significantly affect the federal funds of the project or alter the scope of work.
23CFR 635.410 LAG C-11	g. Is “Buy America” referenced in advertisement?	On file	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Sample language: All federally funded projects have “BUY AMERICA” requirements.
LAG Section C Chap. 15 49CFR 26	h. Is DBE language and goal included in the advertisement?	On file	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Must be included even if goal is zero).
LAG Section C Chap. 15 ORS279C.830	i. Are required Minimum Wage Rate Requirements and provisions included in project?	On file	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Local Road and Rural Minor Collector projects are subject to BOLI rates only.
FHWA Core Curriculum	j. If a Mandatory Pre-bid is required, is required verbiage included in advertisement?	On file	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
23 CFR 635.121	k. Is the contract time/completion date included?	On file	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
ODOT Title VI	l. Is Equal Opportunity and Affirmative Action language included in the Advertisement?	On file	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Sample Language: The Agency is an Equal Opportunity and Affirmative Action Employer. The policy of the Agency is to provide equal opportunity for participation in its contracting activities to all persons and firms in compliance with applicable Federal and State laws, rules, and regulations.
LAG Section C Chap. 15	m. Is proof of advertisement in the project file?	On file	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

Reference	Section B - Bid Opening/Bid Review	Format	Completed?			Notes
			YES	NO	N/A	
LAG Section C Chap. 15	a. Were all bids opened publicly and read aloud?	On file	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
23 CFR 635.113 (a)	b. Was the requirement for no negotiations with contractors, during the period following the opening of bids and before the award of the contract, followed?	On file	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
LAG Section C Chap. 15	c. Is contractor prequalified in appropriate Class(es) of Work?	On file	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
LAG Section C Chap. 15	d. Were bidders affiliations compared to ensure affiliates of the same companies are not bidding against each other?	On file	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
LAG Section C Chap. 15	e. If addenda required new revised bid sheets, were the appropriate bid sheets submitted with bid?	On file	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
LAG Section C Chap. 15	f. Were bid item entries made in ink or typed, with any changes initialed?	On file	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Only required if using Oregon Standard Specs.
LAG Section C Chap. 15	g. If a Mandatory Pre-Bid was held, did a representative from company attend?	On file	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
LAG Section C Chap. 15	h. If TERO certification is required, check TERO certification checklist at (see Notes column):	On file	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	http://www.oregon.gov/ODOT/CS/CONSTRUCTION/docs/MISC/TERO_Certificaton.pdf <i>Only needed for projects on or within 60 miles of the Umatilla Indian Reservation.</i>
LAG Section C Chap. 15	i. Is bid proposal signed by an authorized representative of the company?	On file	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

LAG Section C Chap. 15	j. Does local agency use Limiting Statements? If so, were limiting statements supplied?	On file	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
LAG Section C Chap. 15	k. If contract was more than \$100,000 or for highways, bridges and other transportation projects, more than \$50,000 was bid bond received for 10% of contract value?	One file	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	In lieu of bid bond, can accept cashier's check, certified check or irrevocable letter of credit
LAG Section C Chap. 15	l. Is Bid Bond Company name authorized per Insurance Division? <ul style="list-style-type: none"> • Original signed bond with seal affixed • Name on Power of Attorney same as signor on bond 	On file	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	http://www4.cbs.state.or.us/ex/ins/inslic/company/index.cfm
LAG Section C Chap. 15	m. If cashiers check or certified checks were received by any bidder does agency have process for returning checks or letter of credit to contractors?	On file	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
23 CFR 635.107 49 CFR 26	n. If DBE Goal is Zero (0), check to make sure DBE Commitment Certification and Utilization form number 734-2531 Part 1 is filled out and signed. and submitted to the ODOT DBE Program Manager.	On file	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Even if a project has zero DBE Goal, the local agency is still responsible for performing a CUF review for any DBE firms on the job. The CUF reviews must be submitted to the Regional Field Coordinator..
23 CFR 635.107 49 CFR 26	o. If Goal is greater than Zero, did Agency send DBE Commitment and Certification and Utilization form number 734-2531 to ODOT DBE Program Manager on bidder's DBE utilization and receive approval?	On file	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The Local Agency Liaison should be copied on all communication with DBE manager.

<p>23 CFR 635.107 49 CFR 26</p>	<p>p. If bidder did not meet the DBE goal, did the Local Agency send the Notice of Non-responsiveness letter with information on the bidder’s opportunity for administrative reconsideration?</p>	<p>On file</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<p>LAG Section C Chap. 15</p>	<p>q. Does the Subcontractor Disclosure Form include the subcontractor name, Contract dollar amount & Work Category? If not, was the appropriate box checked?</p>	<p>On file</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>If not, bid must be declared non-responsive and rejected.</p>
<p>LAG Section C Chap. 15</p>	<p>r. Did the local agency meet the certification lobbying requirement per FHWA1273?</p>	<p>On file</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<p>23 CFR 635.413 & LAG Section C Chap. 15</p>	<p>s. Do product specific warranties comply with state and federal requirements and has ODOT approval been obtained? <i>Note to LAL: contact Dale Deatherage in Office of Project Letting for approvals.</i></p>	<p>On file</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<p>Oregon Standard Spec. (130.10) (120.10)</p>	<p>t. Is the prime contractor registered – approved, bonded, and not debarred?</p> <ul style="list-style-type: none"> * Federal excluded parties * BOLI ineligible contractors * CCB not qualified 	<p>On file</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>https://www.epls.gov/ http://www.boli.state.or.us/BOLI/WHD/PWR/jan06/debar04.12.06.pdf https://ccbed.ccb.state.or.us/ccb_frames/consumer_info/n otq2bid.htm</p>

LAG Section C Chap. 15	u. Does contractor have a \$30K Public Works Bond filed with CCB (OMESB exempt)	On file	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
LAG Section C Chap. 15	v. Verify Secretary of State Registry Number: <ul style="list-style-type: none"> • Is it active? • Is the same name being used? 	On file	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
LAG Section C Chap. 15	w. Verify Construction Contractors Board Number: <i>Expiration Date:</i>	On file	<input type="checkbox"/>	<input type="checkbox"/>		https://ccbed.ccb.state.or.us/ccb_frames/consumer_info/ccb_index.htm
LAG Section C Chap. 15	x. Did contractor have all required licenses?	On file	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
LAG Section C Chap. 15	y. Is bid verification completed, including price analysis (compared to Engineer’s estimate) that followed FHWA guidelines?	On file	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
LAG Section C Chap. 15	z. Were Bid tabulations prepared for at least the 3 lowest acceptable bids? <i>Date completed:</i>	On file	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

Reference	Section C - Award	Format	Completed?			Notes
			YES	NO	N/A	
LAG Section C Chap. 15	a. Did the CLA provide a written Notice of Intent to Award to all contractors who bid? <i>Date given:</i>	On file	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
LAG Section C Chap. 15	b. Is Contractor advised of award in writing?	On file	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
LAG Section C Chap. 15	c. Is contract executed by authorized representative of the Contractor?	On file	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
LAG Section C Chap. 15	d. Did Contractor furnish Certificates of Insurance specified in the specifications and listed the State of Oregon, Oregon Transportation Commission and its members, and Department of Transportation, its officers and employees as additional insureds?	On file	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
LAG Section C Chap. 15	e. Is insurance company confirmed as registered to do business in Oregon?	On file	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
LAG Section C Chap. 15	f. Are performance bond and payment bond executed solely by a surety company or companies holding a certificate of authority to transact surety business in Oregon.	On file	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	ODOT recommends CLA use standardized bond forms which have been approved by ODOJ or use ODOT language.
LAG Section C Chap. 15	g. Is ODOT included as Obligee in the contractor's warranty bond for the project?	On file	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

LAG Section C Chap. 15	h. Date Contract was executed?	On file	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
LAG Section C Chap. 15	i. Date local agency submitted award acceptance documents to LAL?	On file	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	LAL to notify Office of Civil Rights & Transportation Program Office of award date.
LAG Section C Chap. 15	j. Is payment of BOLI fee made? <i>Date made:</i>	On file	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
LAG Section C Chap. 15	k. Date Notice to Proceed was given by local agency to contractor?	On file	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
LAG Section C Chap. 15	l. Are Ad, Bid & Award records retained in approved format?	On file	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
SB 1006	m. Is a CCB Responsible Bidder Determination Form completed by the local agency? https://ccbed.ccb.state.or.us/ccb_frames/responsible_bidders/	On file	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	This is filled out after contract is executed and insurance requirements have been met.

*NOTE: In the construction phase, contractor selection is based on low bid. Non-residence responsive bidders can not be excluded.