**Application:** This template is used when the Certified LPA owns the contract on a federal funded project.

**Version Date: 11/24/20**

 **[INSTRUCTIONS]:**

* Yellow highlighted areas include instructions that should be deleted prior to release.
* Blue highlighted areas indicate text or fields that need information provided or revised.
* “Agency” means the Certified LPA as defined in the CLPA Contract.
* Delete any items marked as “[Optional]” if they are not applicable to the Project.
* **If an entire subtask is not needed, leave the task number, add “RESERVED” after the subtask title, and delete all subtask text.**
* **Delete instructions** throughout the document before executing Contract or amendment. This can be automated as follows:
* From the “Edit” menu (or “Editing” menu on the “Home” ribbon) select “Replace”;
* With cursor in the “Find what” field, click “More” button, then “Format” then “Font” , then in the font field select “Times New Roman” text ;
* Leave the “Replace with” field blank;
* Click “Replace All”. This will delete all yellow highlighted text.]

**TASK 16 ADVERTISE AND AWARD ASSISTANCE**

This task includes the preparation of addenda, as needed, and responding to questions during the Advertisement or Ad phase of the project. Consultant shall respond to questions from Agency and prospective bidders about the plans and specifications during the advertisement for bids and award process.

[Choose to include in task for option 1 below or remove and use as contingency.]

Consultant is the Agency’s point of contact for Project information during the solicitation (Advertisement) phase of the Project. Consultant is also the subject matter expert for constructability issues.

Consultant’s name, address and e-mail address will be printed on the Bid Booklet with the instruction to Bidders: “All requests for information must be in writing with reference to the Project name.”

The PM may not discuss possible or probable changes to the Project unless the changes have been formalized by issuance of an Addendum. Consultant shall alert the APM if the potential response to a Bidder’s question conflicts with the Bid Documents, and then an Addendum will be issued by Agency if determined appropriate in Agency’s discretion.

Consultant shall prepare all required Contract addenda. Consultant shall submit the addenda to APM for review, acceptance and distribution to prospective bidders.

**16.1 Questions During Advertisement**

[Choose the option that best fits your Project, delete the option you do not select.]

[OPTION 1] Consultant’s Project Manager, or Consultant’s designee(s) approved by Agency, shall serve as the point of contact for prospective bidders and suppliers with questions regarding the bid documents and bid process. Consultant’s staff approved as point of contact shall respond to questions from construction contractor and suppliers. Consultant shall record all questions and responses in writing within X day(s), and deliver the resulting written document to APM.

Consultant shall, during the bidding process, manage the communications with prospective bidders and suppliers in a manner that assures that no prospective bidder or supplier is provided with information not in the bidding documents or that could provide a bidding advantage or disadvantage. Consultant shall prepare a written log to document conversations and questions asked by prospective bidders or suppliers and the answers provided to the contractors or suppliers. Consultant shall maintain the written log in the Project file and provide upon request by APM.

[OPTION 2] Consultant’s Project Manager, or Consultant’s designee(s) approved by Agency, shall assist Agency with questions regarding the bid documents and bid process. Consultant shall respond to all questions in writing within X calendar day(s) to APM.

Consultant shall, during the bidding process, assist the Agency with the communications with prospective bidders and suppliers in a manner that assures that no prospective bidder or supplier is provided with information not in the bidding documents and that could provide a bidding advantage or disadvantage. Consultant shall prepare a written log to document conversations and questions asked by prospective bidders or suppliers and the answers provided to the Agency. Consultant shall maintain the written log in the Project file and provide upon request of the APM.

**16.1 Consultant Deliverables and Schedule**

* Written log of conversations, questions and answers. Provided to APM upon request and no later than 5 calendar days prior to bid closing date.

**16.2 Addenda to the Bid Documents** (**CONTINGENCY TASK; Requires separate NTP)**

This task identifies specific deliverables that the Agency at its discretion may elect to authorize Consultant to produce. Consultant shall only complete this Task 16.2 and the identified deliverables if written (email acceptable) NTP is issued by the Agency.

Consultant shall prepare up to 2 bid addenda to provide interpretation of construction documents.

If Agency chooses to authorize this work, Consultant shall submit Addendum documents within 5 calendar days from NTP unless a different timeframe is agreed to and stated in the NTP (prior to expiration of contract).

Consultant shall prepare and deliver to Agency the addenda text in a PDF and Microsoft Word file. Consultant shall prepare and deliver to Agency stamped drawings in PDF and 11” x 17” Mylar. Consultant shall coordinate reviews of addenda by APM prior to submittal. Consultant shall not be responsible for distributing addenda to bidders. Agency will issue and distribute all addenda.

**16.2 Consultant Deliverables and Schedule**

* Bid document addenda; stamped PDF and Mylar drawings; or special provision revisions

[If a pre-bid meeting is desired for this Project use this language. FHWA says:

For complex projects, the Agency may consider a pre-bid meeting to address concerns and questions posed by prospective bidders. If attendance of the pre- bid meeting is mandatory for a bid to be considered responsive, FHWA requires that the project advertisement and all bidding documents reflect this requirement. In addition, the Agency must assure that prospective bidders have adequate notice of the requirement in order to comply.]

**16.3 Pre-Bid Meeting** (**CONTINGENCY TASK; Requires separate NTP)**

Consultant shall assist APM in drafting the justification memo required for approval of a pre-bid meeting. The justification memo must clearly indicate the features or issues of the Project that require a meeting and a list of the expected outcomes.  Consultant shall draft a pre-bid meeting agenda which will be attached to the justification memo.  The draft justification documents must be submitted to the APM for approval.

Consultant shall include information on when the mandatory pre-bid meeting is to be held on the cover of the Special Provisions.  Consultant shall ensure that Unique Special Provision 00120.15 is included in the Project special provisions.

Consultant shall conduct the pre-bid meeting with the prospective bidders and suppliers, providing the appropriate information related to the Project specifics and address any questions and concerns that are brought up during the meeting.  Consultant shall prepare a meeting summary which must include:

* Names of the attendees and the organization they represent
* Meeting agenda
* Meeting minutes
* Response to items or issues that could not be completely addressed at the mandatory pre-bid meeting or require follow-up by the Agency.  If there are issues that will require more than 2 days to respond, those issues must be described in the summary and a forecast given for when and how the issue will be resolved.
* Issues requiring changes to plans, special provisions, or bid items; which will require an addendum to be produced.

**16.3 Consultant Deliverables and Schedule**

**Consultant shall provide:**

* Assistance with preparation of pre-bid meeting justification memo
* Draft pre-bid meeting agenda to APM electronically within 1 week of receiving NTP.
* Pre-bid meeting summary to APM electronically within 2 business days of the pre-bid meeting

[A contingency task on Bid analysis assistance may be helpful to the CLPA; depending on the size of the project, and the workforce of the Agency. For example a bid analysis for a large bridge replacement or if the Agency is a small shop that is not familiar with FHWA’s bid analysis guidelines. The Agency would want to right size this Task to fit with their processes, and available work force.]

**16.4 BID ANALYSIS ASSISTANCE (CONTINGENCY TASK; Requires separate NTP)**

Consultant shall assist APM as needed in drafting or reviewing (or both) the Agency’s bid analysis, including Bid Responsiveness, Bid Price Analysis, and an Engineers Recommendation of Award. The bid analysis must follow FHWA’s guidelines (<https://www.fhwa.dot.gov/programadmin/contracts/ta508046.cfm#s5>).

**16.4 Consultant Deliverables and Schedule**

**Consultant shall provide:**

* Assistance with the Agency’s bid analysis memo
* Prepare the bid analysis within 5 calendar days of bid closing.
* Provide comments to the Agency on their bid analysis memo and supporting documentation within 2 business days or receiving the draft bid analysis memo and supporting documentation.