

Pre- Bid Checklist

Contact: [Project Officer](#)

Prior to publishing each Request for Bids for CWSRF funded project(s), the loan recipient must complete, sign, and submit this Pre-bid Checklist to the DEQ Project Officer for approval.

Section 1 CWSRF and **Section 2 General Requirements** are required to be included in the bid documents.

Explain and justify any No or N/A answer. Attach additional sheets to explain special circumstances.

Section 3 Other is included as informational only, and not explicitly required by CWSRF. They may be legal requirements or best practices.

The loan recipient is responsible to ensure their request for bids complies with their own rules and policies and all applicable Oregon state laws.

Loan recipient:	
Project Name:	
CWSRF Loan No.:	

1. CWSRF Forms and Contract Language

The loan recipient may choose to either: (1) Require all bidders to complete each form and accept the language as part of the Request for Bid(s), or (2) Only require the preferred contractor/ successful bidder to complete them prior to or as part of the contract award.

Required Forms

Yes	No	N/A	Location in Bid Document (section and page #)	Details
				Are the following CWSRF required forms included in the bid documents?
				Bidders List
				Prevailing Wage

				List of Contacted Disadvantaged Business Enterprises (Optional)
				Certificate of Independent Price Determination
				Fair Share Objectives: Six Good-Faith Efforts, Contract Administration and Contract Language
				Certification of Lobbying Activities
				Disclosure of Lobbying Activities

Explanatory Comments (from loan recipient for any No or N/A answer):

2. Contract Requirements

Prevailing Wages: Davis- Bacon and BOLI

Yes	No	N/A	Location in Bid Documents (Sect & page #)	Details
				<p>Does the bid documents pass the Davis-Bacon contract language through to the contractor and subcontractors?</p> <ul style="list-style-type: none"> See Appendix E Parts One and Two of loan agreement.
				<p>Do the bid documents establish the date on which Oregon Bureau of Labor and Industries (BOLI) prevailing wage rates are in effect for this project?</p> <p>Note: BOLI prevailing wage rates are those in effect on the date the project specifications are first advertised for bidding.</p>
				Do the bid documents explain and reference the Federal Department of Labor's (DOL) Davis-Bacon Wage

				Determination in effect for this project, including possible revisions during the solicitation period?
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Note: While the solicitation remains open, the loan recipient shall monitor www.wdol.gov weekly to ensure that the wage determination contained in the solicitation remains current. If DOL issues a wage determination modification more than 10 days prior to the deadline for bid submissions, the bid package shall be updated to incorporate this new determination.

For more information, see EPA's guide to [Davis-Bacon Wage Rate Requirements](#).

Explanatory Comments (from loan recipient for any No or N/A answer):

Domestic Preference: American Iron and Steel and BABA

Yes	No	N/A	Location in Bid Package (Sect & page #)	Details
				<p>Do the bid documents pass the American Iron and Steel or Build America, Buy America contract language through to the contractor and subcontractors?</p> <ul style="list-style-type: none"> • AIS: See Appendix H of the loan agreement. • BABA: See Appendix H of the loan agreement
				<p>Do the bid documents sufficiently describe the American Iron and Steel or Build America, Buy America requirements for CWSRF funded projects?</p> <p>Note:</p> <ul style="list-style-type: none"> • Review the Domestic Preference Overview Dec 2023 presentation.

Explanatory Comments (from loan recipient for any No or N/A answer):

3. General Requirements

Yes	No	N/A	Location in Bid Documents (Section & page #)	Details
				Has the loan recipient's legal counsel reviewed the bid documents for consistency with OR state law and loan recipient's statutes and policies, and approved?
				Are ineligible project costs, those not funded by CWSRF like O&M costs, separated from eligible costs as part of a separate bid item?
				Are all major work items included in the bid documents?
				Is a form provided for listing major equipment manufacturers or suppliers? Applies when there is equipment that must be prequalified.
				Is there a contract agreement form included as one of the bid documents?
				Do the bid documents include reference(s) to adequate testing requirements, for example sewers according to state standard specifications, pump stations per DEQ guidelines?
				Do the bid documents require bidders to accept and address all required mitigation identified in the environmental review? Note: Loan recipient may request bidders to address the matter of additional compensation for mitigation activities.
				Do the bid documents include a requirement for an application for a National Pollutant Discharge Elimination System stormwater 1200-C permit, if necessary? Notes: The loan recipient may elect to apply for the permit instead of having the contractor do it. If an agency required and approved erosion and sediment plan is completed before the Request for Bids, it may be included in the contract documents.
				If a 1200-C permit is not required for the project, do contract documents describe erosion and sediment control

				measures that will need to be followed during construction?
				<p>When items are specified by brand name, are three alternative products listed, or do the specifications state "or equal"?</p> <p>Note: In general, sole source procurement is not permitted under the Oregon Administrative Rules, though exceptions are made. It is the responsibility of the loan recipient to show that an exception is warranted.</p>
				Do the bid documents require a pre-construction conference with the date, time and place to be determined?
				Do the bid documents require the contractor to submit a construction schedule and to update the schedule when it no longer reflects construction progress?
				<p>Do the bid documents require that the contractor provide a cost breakdown?</p> <p>Note: This is necessary when the bidder is providing a lump-sum bid, and in unit-price contracts which contain lump-sum items, to establish the basis for progress payments.</p>

Explanatory Comments (from loan recipient for any No or N/A answer):

4. Other

Included as informational only, and not explicitly required by CWSRF, which may be legal requirements or best practices. The recipient is responsible to ensure the Request for Bids complies with of their own rules and policies and all applicable OR state laws.

- Is there a minimum of 45 days firm pricing required after bids are opened prior to bid award?
- Is there a requirement for a bid bond equal to at least 5 percent of the total contract amount?
- Are both a performance bond and a payment bond, each for 100 percent of the contract price, required?
- Are the terms "responsible" and "responsive" adequately defined for bidders?
- Are appropriate liquidated damages established?

- Do the bid documents detail how the successful bidder will be determined when contract documents provide for multiple schedules, additives, alternates and other options?
- Are understandable owner procurement protest procedures provided?
- Are the following insurance requirements specified?
 - public liability
 - property damage
 - workman's compensation
 - fire
 - extended coverage or all-risk
 - flood insurance
- Is there a mechanism for adjusting unit prices, should quantities lead/lag estimates by more than 15 percent?
- Is a form provided for listing major equipment manufacturers or suppliers?

Note: This applies when there is equipment that must be prequalified. It discourages bid shopping.

- Is the contractor required to submit operation and maintenance data for project equipment prior to 50 percent completion of the contract schedule?
- Is responsibility for various tests assigned?

Note: It is preferable that responsibility be assigned to the engineer rather than the contractor

Explanatory Comments:

5. Signature Documentation and Certification

Certifies the information is accurate and complete.

**Signature of Loan Recipient
Reviewer**

Date

Non-discrimination statement

DEQ does not discriminate on the basis of race, color, national origin, disability, age, sex, religion, sexual orientation, gender identity, or marital status in the administration of its programs and activities. Visit DEQ's [Civil Rights and Environmental Justice page](#).