SECTION 00120 - BIDDING REQUIREMENTS AND PROCEDURES

(Follow all instructions. If there are no instructions above a subsection, paragraph, sentence, or bullet, then include it in the project. All other modifications to this Section will require Department of Justice and State Specifications Engineer approval. Remove all instructions before preparing the final document.)

Comply with Section 00120 of the Standard Specifications modified as follows:

00120.05 Request for Plans, Special Provisions, and Bid Booklets - Add the following to the end of this subsection:

(Use one of the following options.)

[Option 1 - Use the following when the plans are separate. Fill in the blanks with information exactly as it appears on the plan title sheet. Remove underlines and parentheses. When filling in the "(Bid Month Year)" field below, only enter the Month and Year, but not the day (example: "March 2019"), unless otherwise shown on the plan title sheet.]

[Begin Option 1]

The Plans, which are applicable to the Work to be performed under the Contract, bear title and date as follows:

"____ (Scope of Work) ____
____ (Project Name) ____
____ (Highway Name) ____
____ (County) ____
____ (Bid Month Year) ____"

[End Option 1]

[Option 2 - Use the following paragraph when the plans are included at the end of these Special Provisions.]

[Begin Option 2]

The Plans, which are applicable to the Work to be performed under the Contract, are included in these Special Provisions.

[End Option 2]

In the event that access to Project information on the eBIDS website is not available, an alternate method to access the information will be posted on the ODOT Procurement Office – Construction Contracts Unit website (see 00110.05(e)). If the information is not

available on the eBIDS website, there may be a delay before the information is available using the alternate method.

00120.10 Bid Booklet - In the paragraph that begins "The Bid Section includes all pages after…", add the following bullet to the bullet list:

- Certificate of nondiscrimination regarding ORS 279A.110 and certificate regarding policy and practice against sexual harassment, sexual assault and discrimination against employees who are members of a protected class as required by ORS 279A.112 (House Bill 3060, 2017)

(BEFORE USING THE FOLLOWING SUBSECTION .15, provide justification and assure scheduling according to the Prebid Meeting requirements that are outlined in the Guide to PS&E Delivery. Use of this subsection requires a minimum 4 week project advertisement.)

(Use the following subsection .15 only with mandatory prebid meetings. Fill in the blanks with the appropriate office or building, address, city, time, and date.)

00120.15 Examination of Work Site and Solicitation Documents; Consideration of Conditions to be Encountered - Add the following to the end of this subsection:

The Agency will hold a prebid meeting for all holders of Solicitation Documents at the _____(office or building)_____, located at _____(address)_____ in _____(city)_____, Oregon at _____(time)_____ on _____(date)_____, 20__.

All prospective Bidders must attend this meeting. Those not attending will have their Bids declared non-responsive.

Prospective Bidders will be given the opportunity to ask questions relating to any details involved in the performance of the Work under the Contract.

Information distributed, statements made or responses given to questions, by the Agency's representatives at the prebid meeting will not in any way alter or affect any of the provisions contained in the Solicitation Documents or Contract requirements and will not be binding upon the Agency unless confirmed by Addenda.

00120.30 Changes to Plans, Specifications, or Quantities before Opening of Bids - Add the following to the end of this subsection:

In the event that access to Addenda on the eBIDS website is not available, an alternate method to access the Addenda will be posted on the ODOT Procurement Office - Construction Contracts Unit website (see 00110.05(e)). If the Addenda is not available on the eBIDS website, there may be a delay before the Addenda is available using the alternate method.

00120.40(a)(1) Paper Bids – Replace the paragraph that begins “For Bids submitted by paper…” with the following paragraph:

For Bids submitted by paper, Bidders shall not alter, in any manner, the (paper) documents within the Bid Section that are accessed and printed from the ODOT eBIDS website (see 00110.05(e)). Bid Sections obtained from BidExpress® shall not be substituted for paper Bid Sections. Bidders shall complete the certifications and statements included in the Bid Section of the Bid Booklet according to the instructions. Signature of the Bidder's authorized representative thereon constitutes the Bidder's confirmation of and agreement to all certifications and statements contained in the Bid Booklet. Entries on paper documents in the Bid Section shall be in ink or typed. Signatures and initials shall be in ink, except for changes submitted by email transmission as provided by 00120.60 (in which case signatures on the scanned document shall be considered originals).

00120.40(a)(2) Electronic Bids - Replace the sentence that begins "For Bids submitted electronically…" with the following sentence:

For Bids submitted electronically, Bidders shall prepare Bids using the latest version of AASHTOWare Project Bids™ software and submit using the BidExpress® website (see 00110.05(e)).

Replace the sentence that begins "Bidders choosing to submit Bids…" with the following sentence:

Bidders choosing to submit Bids through the internet shall be responsible for any additional fees associated with submitting Bids using AASHTOWare Project Bids™ software and the BidExpress® website.

00120.40(b) Bidding Considerations - Replace this subsection, except for the subsection number and title, with the following:

Bidders may refer to the following Subsections for requirements that may affect bidding considerations:

Subsection	Requirements
00120.80	Reciprocal Preference for Oregon Resident Bidders
00130.80	Project Site Restrictions
00150.55	Cooperation with Other Contractors
00150.75	Protection and Maintenance of Work during Construction
00160.20(a)	Buy America
00160.20(b)	Buy Oregon
00170.07	Record Requirements
00180.20	Subcontracting Limitations
00180.21	Subcontracting
00195.00(a)	Cost of Insurance and Bonds
00195.50(a)(1)	Progress Estimates
00199.30	Claims Procedure

00120.40(f) Disclosure of First-Tier Subcontractors – Replace the sentence that begins “The Agency is not responsible for partial …” with the following sentence:

The Agency is not responsible for partial, failed, illegible or partially legible email transmissions or submittals, and such forms may be rejected as incomplete.

Replace the paragraph that begins “If no subcontract subject to the above…” with the following paragraph:

If no subcontracts subject to the above disclosure requirements are anticipated, a Bidder shall so indicate by entering "NONE" or by filling in the appropriate check box. For each Subcontractor listed, Bidders shall provide all requested information. Failure to submit a form or submission of a form that does not include the information required by ORS 279C.370 for each Subcontractor listed, specifically the name of each Subcontractor, the dollar amount of each subcontract and the category of Work that each Subcontractor will perform, will result in the rejection of the Bid. The Agency is not required to determine the accuracy or the completeness of the Subcontractor disclosure. See ORS 279C.370 and OAR 731-007-0260.

Replace each instance of the two bullets that begin “Printing it from the Bid Booklet on the ODOT eBIDS website…” with the following bullet:

- Printing it from the Bid Booklet on the ODOT eBIDS website, filling it out and submitting it separately to the ODOT Procurement Office at the address or via email transmission to the email address given in the paper Bid Booklet; or

00120.45(a) Paper Bids - Replace the sentence that begins "Submit paper Bids in a sealed…" with the following sentence:

Bidders shall submit paper Bids in a sealed envelope provided by the Agency, or a reasonably similar envelope marked with the word "Bid", the name of the Project, and the words "To Be Opened Only by Authorized Personnel" on the outside.

00120.45(b) Electronic Bids - Replace the sentence that begins "Electronic Bids shall be submitted…" with the following sentence:

Electronic Bids shall be submitted using the latest version of AASHTOWare Project Bids™ software and shall be submitted using the BidExpress® website (see 00110.05(e)).

00120.60(a) Paper Bids - Replace the bullet that begins “The changes are submitted in writing …” with the following bullet:

- The changes are submitted in writing or by scanning and submitting via email transmission to the email address given in the paper Bid Booklet, signed by an individual authorized to sign the Bid.

Replace the bullet that begins “The written withdrawal request is submitter …” with the following bullet:

- The written withdrawal request is submitted on the Bidder's letterhead, either by hand delivery or by scanning and submitting via email to the email address given in the paper Bid Booklet; and

00120.60(b) Electronic Bids – Replace the sentence that begins “FAX submittals and submittals in writing...” with the following sentence:

FAX and email submittals and submittals in writing to revise electronic Bids will not be permitted.

Replace the bullet that begins “The written withdrawal request is submitted…” with the following bullet:

- The written withdrawal request is submitted on the Bidder's letterhead, either by hand delivery or by submitting a scanned version via email to the email address given in the Bid Booklet; and

(Delete "(s)" or orange parentheses as applicable.)

00120.70 Rejection of Nonresponsive Bids - Replace the bullet that begins “The Bid has entries not typed or in ink, or has …” with the following bullet:

- The Bid has entries not typed or in ink, or has signatures or initials not in ink (save for changes received by email as provided by 00120.60).

Add the following bullet*(*s*)* to the end of the bullet list:

- The Bidder has liquidated and delinquent debt owed to the State or any department or agency of the State.

(Use the following bullet on Federal funded projects.)

- The Agency determines that any Pay Item is significantly unbalanced to the potential detriment of the Agency.