



Pre-bid Checklist Form BC2

Contact: [Regional 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.

		Location in bid document Sect & Page	Yes	No	NA
A.	Required Forms				
	Are the following CWSRF required forms included in the bid documents?				
	BC 1 Bidders List				
	BC 4 Sworn Statement of Compliance				
	BC 5 Prevailing Wage				
	BC 6 List of Contacted Disadvantaged Business Enterprises				
	BC 7 Certificate of Independent Price Determination				
	BC 8 Fair Share Objectives: Six Good-Faith Efforts, Contract Administration and Contract Language				

Location in bid document Sect & Page	Yes	No	NA
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BC 9 Certification of Lobbying Activities			
BC 10 Disclosure of Lobbying Activities			
BC 11 Certification of Non-Segregated Facilities			
BC 12 Non-Discrimination Notice			
BC 14 Contractor's Compliance with EO 11246 Statement			

Explanatory Comments (from loan recipient for any non-Yes answer):

Location in bid document Sect & Page	Yes	No	NA
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B. Contract Requirements			
i. Prevailing Wages: Davis- Bacon and BOLI			
Does the bid documents pass the Davis-Bacon contract language through to the contractor and subcontractors?			
See Appendix E Parts One and Two of loan agreement.			
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?			
Note: BOLI prevailing wage rates are those in effect on the date the project specifications are first advertised for bidding			
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?			

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 non-Yes answer):

	Location in bid document Sect & Page	Yes	No	NA
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B. Contract Requirements cont'd

ii. Domestic Preference: American Iron and Steel (AIS) or Build America, Buy America (BABA)

Do the bid documents pass the American Iron and Steel or Build America, Buy America contract language through to the contractor and subcontractors?				
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AIS: See Appendix H of the loan agreement. BABA: See Appendix H of the loan agreement

Do the bid documents sufficiently describe the American Iron and Steel or Build America, Buy America requirements for CWSRF funded projects?				
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Note: Review the [Domestic Preference Overview](#) Dec 2023 presentation.

Explanatory Comments (from loan recipient for any non-Yes answer):

2. General Requirements

	Location in bid document Sect & Page	Yes	No	NA
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?				
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?				
Note: 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.				

Location in bid document Sect & Page	Yes	No	NA
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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?			
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When items are specified by brand name, are three alternative products listed, or do the specifications state "or equal"?			
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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.

Do the bid documents require a pre-construction conference with the date, time and place to be determined?			
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Do the bid documents require the contractor to submit a construction schedule and to update the schedule when it no longer reflects construction progress?			
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Do the bid documents require that the contractor provide a cost breakdown?			
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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.

Explanatory Comments (from loan recipient for any non-Yes answer):

3. 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.

	Location in bid document Sect & Page	Yes	No	NA
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?				

	Location in bid document Sect & Page	Yes	No	NA
Are the following insurance requirements specified?				
Public liability				
Property damage				
Workman's compensation				
Fire				
Extended coverage or all risk				
Flood insurance				

	Location in bid document Sect & Page	Yes	No	NA
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.

	Location in bid document Sect & Page	Yes	No	NA
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

SIGNATURE OF LEGALLY AUTHORIZED REPRESENTATIVE

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations. In addition, I agree to pay the annual compliance determination fee invoiced annually by DEQ and all other fees required by Oregon Administrative Rules, Chapter 340, Division 045.

Name of Legally Authorized Representative	Title
Signature of Legally Authorized Representative	Date

Definition of Legally Authorized Representative:

- See [40 CFR § 122.22](#) for more detail. Please also provide the information requested in brackets []
- Corporation – President, secretary, treasurer, vice-president, or any person who performs principal business functions; or a manager of one or more facilities employing more than 250 persons or having gross annual sales or expenditures exceeding \$25 million that is authorized in accordance to corporate procedure to sign such documents.
- Partnership – General partner [list of general partners, their addresses and telephone numbers].
- Sole Proprietorship – Owner(s) [each owner must sign the application].
- City, County, State, Federal, or other Public Facility – Principal executive officer or ranking elected official.
- Limited Liability Company – Member.
- Trusts – Acting trustee [list of trustees, their addresses and telephone numbers].

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