

## University of Missouri Construction Contract Bid Opening Procedures

The following procedures and possible irregularities are detailed for the use of Facilities Personnel in charge of any contract bid opening.

### A. Prior to Bid Opening

1. The Consultant should provide an updated cost estimate prior to the bid opening.
2. Set your timepiece to WWV Coordinated Universal Time.
3. Have a current set of drawings and specifications with all Addenda available.
4. Pre-arrange who will open, who will record and who will echo bids. You will always officiate and read bids. Need at least 2 people.
5. Have multiple copies of the bid tabulator form with a heading of the project, campus and other appropriate information. The form should include the following information spaces on a horizontal line to be filled in for each bidder. Spaces are to be arranged in vertical columns with the following headings. Instruct the Consultant not to insert plan holder names in the tabulation form prior to bid opening.

Space for:                      Company Name

Check off spaces for: Base Bid

Alternates

Unit Prices

Comments (include irregularities and M/WBE Goal, if applicable)

### B. At Bid Opening

1. Assure that the method of timekeeping is accurate and that acceptance of bids is stopped exactly at the closing time stated, based on your timepiece. Bids delivered after closing time are to be refused.
2. Make sure each proposal is stamped or marked when received with the date and time received.
3. Make sure proposals are sorted in the order to be read. Usually they are read in the order received.
4. Take proposals into the opening room after closing time for receipt of bids and prior to opening time.
5. Make sure the door remains open until attendees leave after the bid opening. This is a public opening (open to any persons wanting to attend).
6. Arrange for distribution of tabulation forms to attendees.
7. Introduce yourself (if any persons present do not know you), the Consultant(s), and anyone else you deem appropriate.

8. Announce the order in which bids are to be read to permit attendees time to record the names of the companies only on their tabulation form. (This is optional, but helps you use part of the five minute waiting period productively.)
9. Ask for the Consultant's estimate, comments, etc., preceding the opening, if Consultant is in attendance. If not, have Consultant submit estimate, in writing, before the opening.
10. Announce at the opening time: "We will now proceed to open and record proposals for (name of project and campus)."
11. Announce that one copy of each proposal will be available for inspection at the bid opening table immediately after opening is completed. The Bidder's Statement of Qualifications, Diversity Participation Supporting Documents, or Bid Security will not be included.
12. Open and record bids. Call out and record the company name and address, and the base bid and alternates from each Bid For Lump Sum Contract (the city address is usually sufficient). **DO NOT** announce bid irregularities concerning bid security acknowledgment of Addenda, submittal of BSQ and/or Supplier Diversity. Go ahead and read the bid. Bid irregularities will be resolved by the University in the Bid Evaluation. Should an irregularity be challenged at the bid opening explain as described in C15.
13. The Bidder's Statement of Qualifications and/or Supplier Diversity submittals are **not** to be read or left attached to a proposal. If it is received in a separate envelope, leave it in that unopened envelope.
14. a.) **Do not announce the bid security.** After the public opening check that the bid security is enclosed, and the type of security (bid bond, cashier's check, certified check), verify that the bid bond is in proper form, manually signed by both an authorized officer or representative for the bidder and the attorney-in-fact for the bonding company and has enclosed a statement at attorney-in-fact (this statement may be a photo copy).  
  
In the case of a check submittal, silently review the validity and acceptability of the check (it must be either a cashier's check or a certified check written to the Curators of the University of Missouri, and must be signed). If the amount of the check is insufficient, see section C.  
  
b.) **Do not announce any irregularities during bid opening.** See section C.
15. Read bid amounts loudly and distinctly with the recorder echoing the amounts read as the recorder has recorded them. Check the amount the recorder states against the amount shown on the proposal. Announce correction of the amount if the recorder states it incorrectly. If the amount in words and the amount in figures do not agree, the amount in words governs and is the amount to be recorded. (Persons conducting bid openings should develop a set routine to assure that a discrepancy between the amount in words and in figures be recognized and recorded. For example, read the amount in figures, since it is easier to read, and check the amount in words as the recorder re-states the amount.)
16. Lay on the display table in front of you one copy of the proposal that was read. Put all other enclosures back into one envelope and place that envelope aside (in a briefcase, box or appropriate place to keep from easy public reach after the bid opening).
17. Repeat items 12, 13, 14, 15 and 16 for each proposal opened.
18. After reading the last proposal, announce: "This concludes the reading and recording of bids for

(name of project)." Thank all bidders for their time and interest in bidding the project and invite them to submit proposals again for future University work.

19. Announce the schedule (and procedure, if appropriate) for determining and announcing the successful bidder (e.g., Board Meeting date, when contract will be mailed, etc.).
20. Ask for any questions or comments on the bid opening, the project or the drawings and specifications.
21. Before bidders leave the room, it may be necessary to ask the apparent low bidder(s) to remain in the room for questions about their bid(s) after others leave.
22. After a reasonable time (10-15 minutes maximum), pick up all proposals from the table and place them in the proper envelopes. (You should watch all original proposals that are available for inspection to make sure that someone does not alter or take any of the proposals.) Any attendee may look at, copy from, or ask questions about any proposal, but proposals are to remain at the table, preferably on the table.
23. After determination of alternates, apparent low bidder, etc. has been made, complete your preparation of a budget for the project and submit it in draft form to the designated person in your office. You should keep a copy of the budget in your specifications for future reference.
24. Other functions may be necessary to perform immediately after the bid opening, such as discussion with the Campus Manager, and others, of alternates, the budget source, fund availability, etc. You may need to prepare a budget for the signature of the appropriate person at this time so funds can be allocated, or whatever else may be required can be done to expedite issuance of a contract.
25. The Project Manager will require the Consultant to write a letter with recommendations on acceptance of the successful bidder, based on Base bid and Alternates by number and in the stated total amount. That letter should include any other comments of the Consultant along with appropriate reasons for the recommendations. The Consultant may request a photo copy of the "Bidder's Statement of Qualifications" for the low bidder(s) if the Consultant is not familiar with the low bidder(s). Make the requested copies made for the Consultant's file before the Consultant leaves.

C. Bid Irregularities

In general bid irregularities should not be announced at the bid opening, unless noted below. The University generally reserves the right to consider each irregularity on its own merits.

1. Bid Security

No bid security is enclosed. The cashier or certified is not made to the "Curators of the University of Missouri" (the wording may differ, but the wording should relate to the University of Missouri), or the check contains some other irregularity such as no signature or no date, or the bid bond is not signed by the attorney-in-fact for the bonding company or the security amount is insufficient, or is unacceptable in any other qualifying way. If the bid is not signed by an authorized representative or officer of the bidding firm, but is otherwise acceptable. If the bid bond enclosed with the bid is a photocopy or other copy.

2. Form of Proposal Not Signed or Does Not Have an Original Manual Signature

Contact the bidder and inquire until the Campus Construction Administrator and the Director of Facilities Planning & Development are notified and direction given.

3. Bidder's Statement of Qualifications Omitted

If not included in the bid, require these items immediately after the bid opening is done from the three low bidders.

4. Addenda not Acknowledged

Contact the bidder and inquire.

5. Subcontractors Not Listed

Contact the bidder and inquire.

6. Unit Cost, One or More Omitted:

Contact the bidder and inquire.

7. Alternates, One or More Not Quoted

Announce that one or more alternates were not quoted and continue with the bid opening procedure. Explain "the bid may not qualify if alternates selected by the Owner are not quoted".

8. Proposal Qualified:

Proposal is modified by statement(s) or is modified by changing wording of the proposal form or is modified by a statement and quote for alternate that is not requested in the Form of Proposal.

Do not read any statements unless it effects the bid amount. Explain: "the modification may disqualify the proposal."

9. Request from Bidder to Withdraw or Modify Proposal After the Proposal is Turned in and Stamped In:

If request is received prior to closing time for receipt of bids: Grant withdrawal and modification if the completed bid is resealed and resubmitted before closing time. Stamp bid in again, alternately, permit bid to be withdrawn and not read, if it is withdrawn before closing time.

If request is received after closing time for bids and prior to bid opening time: Do not permit withdrawal. Bid must be read as submitted.

If request is received during bid opening: Do not permit withdrawal. Bid must be read as submitted.

If request is received after the bid opening is completed: Do not permit. Bid stands as read.

General rule: All bids are to be retained after closing time regardless of circumstance.

10. Request from Bidder to Exchange a Bid Bond for a Check or Request to Insert a Bidder's Statement of Qualifications in a Proposal:

If request is received after proposal is submitted and before closing time: Permit exchange if it is completed and the bid resealed before closing time. Have bid stamped in again.

If request is received after closing time and before bid opening: Do not permit exchange. Bid must be read as submitted.

If request is received during bid opening: Do not permit exchange. Bid must be read as submitted.

If request is received after bid opening is completed: Do not permit. Bid stands as read.

11. Proposal Delivered at Any Time After the Closing Time for the Receipt of the Proposal:

Do not accept proposal. Explain "the closing time has passed based on the accurate official time". Do this regardless of what the bidder's watch or the clock on the wall says and regardless of what kind of hard luck story the bidder has. The accurate official time is \_\_\_\_\_.

12. Facsimile (FAX) and E-Mails:

A facsimile or e-mail should be treated as a photocopy.

A faxed or e-mailed bid modification must be delivered in a sealed envelope, through a third party, on time, with averifiable signature of an authorized representative of the bidder. After opening, verify the signature. Report this potential irregularity to the Campus Construction Administration and the Director of Facilities Planning & Development for information for determination of validity. Inform the bidder, in writing, of this determination.

13. Any Irregularity Not Stated Above:

Use reasonable judgment. As a general rule, do not announce irregularities. If unavoidable, announce your concern of the potential irregularity and read the bid explaining that a judgment on the validity of the bid will be made at a later time.

Report this potential irregularity to the Campus Construction Administration and the Director of Facilities Planning & Development for information for determination of validity. Inform the bidder, in writing, of this determination.

14. Handling of Irregularities

If your method of handling an irregularity is challenged, explain "the irregularity may disqualify the bid, but the bid will be publicly read for the record. A decision will be made by the University concerning validity of the bid."