

Approved:

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Responsible Division: Construction
Management



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PREBID QUESTION AND ADDENDA PROCEDURE

PURPOSE:

The purpose of this standard procedure is to establish a consistent process for providing responses to Prebid Questions and for issuing addenda.

AUTHORITY:

Ohio Revised Code 5501, 5517, 5525
23 Code of Federal Regulations 635.112

REFERENCES:

Construction and Material Specifications Section 102.05
Tiff Submission Procedure – Office of Contracts website
Appendix: List of Sample Addenda, and Forms

DEFINITIONS:

Prebid Question: A written inquiry submitted by a prospective bidder.

Bid Documents: Documents as defined in C&MS 101.03 Central Office

Prebid Coordinator: A Central Office ODOT employee who is responsible for managing the Department's Prebid Question and addenda process. The Prebid Coordinator is designated by the Division of Construction Management.

District Prebid
Coordinator:

A District ODOT employee who is responsible for ensuring all Prebid Questions are properly addressed for projects administered by the District. The District Prebid Coordinator is appointed by the District Deputy Director (DDD).

Addendum:

A contractual document issued by the Department modifying the bid documents of a project subsequent to authorization by the Office of Contracts and prior to sale.

PROCEDURE STATEMENT:

I. General

- A. The Department will answer all properly submitted Prebid Questions in a uniform and timely manner. Advertising and bidding of a construction project is a time sensitive process; therefore, a rapid and coordinated response is required from multiple offices in the Department.
 - 1. The Division of Construction Management is responsible for designating the Central Office Prebid Coordinator who will be responsible for:
 - i. Ensuring the timely response to all Prebid Questions
 - ii. Monitoring Prebid Questions and answers.
 - iii. Ensuring the publication of addenda created and posted on the system.
 - iv. Ensuring the publication of any notices issued to Bidders.
 - 2. The Office of Contracts is responsible for creating and maintaining the Prebid Question Tracking System (PQTS) and publishing addenda and notices issued to Bidders.
 - 3. The Office of Estimating is responsible for analyzing addenda, coordinating the update of all specific item changes via the Trns*Port computer system and creating an updated EBS file.

4. The DDD is responsible for appointing the District Prebid Coordinator who will monitor PQTS for Prebid Questions applicable to the District.
 5. The District Production Office is responsible for responding to all Prebid Questions submitted for all district projects within the allowable timeframes.
- B. All Prebid Questions received prior to the deadline set forth in C&MS 102.05 must receive a response.
- C. Exceptions to any stated deadline in this procedure will be at the discretion of the Administrator of the Office of Contracts.

II. Prebid Questions

- A. The bid specifications require Bidders to submit Prebid Questions in writing. All questions will be submitted via the Prebid Question Tracking System.
1. The Central Office Prebid Coordinator, using the Prebid Question Tracking System, will assign a unique sequential number to each Prebid Question received. The Prebid Question numbering format is (ProjNo-datetimestamp-99). All attachments will include this unique sequential number.
 2. Each Prebid Question will be assigned to the District that is responsible for administering the project.
- B. Every Prebid Question and all responses will be tracked on the Prebid Question Tracking System and posted on the Office of Contracts website.
- C. The District will provide a response consistent with Department policies, procedures and specifications to all properly submitted Prebid Questions as soon as possible but no later than two working days.

1. If the question can be answered without a change to the contract documents, provide a concise explanation for posting on the Prebid Question and Answer website.
 2. If the question will require a change to the contract documents (an addendum), the District will, within two working days, respond that an addendum is forthcoming, and proceed with analysis and addendum creation.
 3. It is not permissible to hold questions and answers in order to group them into a large addendum.
 4. If an Addendum is issued as a response to a Prebid Question, the Prebid Question Tracking System website will note: THIS QUESTION HAS BEEN ANSWERED IN ADDENDUM #__
- D. If the District response to a Prebid question is that the plans are correct and clear, the Central Office Prebid Coordinator will evaluate the District's response and make the appropriate entries into the Prebid Question Tracking System.
- E. Prebid Questions submitted later than 10:00 a.m., 4 working days prior to the public opening of bids will be accepted and reviewed, but do not require a response by the Department. The Department, at its election, may publish a response.
- F. Prior to the addenda cutoff deadline, the Central Office Prebid Coordinator will review all unanswered Prebid Questions and contact the appropriate District to follow-up on unanswered Prebid Questions prior to the deadline.

III. Addenda

A. General and Deadlines:

1. All bidders must bid the project on the same or comparable basis, so that no particular advantage or disadvantage accrues to any potential bidder or to the contracting agency. Since an addendum issued during an advertisement period could have a profound impact, not just on bid prices, but also on the basis for bid comparisons, all prospective bidders must be made aware of any addendum, as expeditiously as possible.
2. An addendum is required when changes are required to be made to the contract documents to correct errors or omissions, or to enact other changes necessitated by the Department.
3. An e-mail notice of Addendum will be issued to all plan holders and District Prebid Coordinator. The notice will include cross references to any corresponding Prebid Question identification number.
4. If a deferred or rejected project is to be prepared for re-sale, the District must ensure the contents of all issued addenda are incorporated in the bidding documents of the new project.
5. Prebid meeting minutes with the scanned or digitized signature sheets should be e-mailed to the Office of Contracts IT section as an Adobe Acrobat document within 1 week of the prebid meeting. Unanswered Questions posed during the prebid meeting should not be the reason for a late submittal. The prebid meeting minutes will be posted on ODOT's website after receipt. Audio transcripts of prebid meetings, if created, should be posted 2 weeks prior to the public opening of bids. If issues are posed at a prebid meeting that require a change to the contract documents, an addendum must be issued.

6. Districts must submit addenda to the Central Office Prebid Coordinator by 8:00 AM, 3 working days prior to the public opening of bids.
7. Submittal of Addenda after the deadline may cause the project to be delayed or deferred.
8. The deadline for posting addenda is 10:00 AM, 3 working days prior to the public opening of bids.
9. Contractors should be notified of project delays or deferments 4 working days before the public opening of bids, but no later than Friday of the week before the bid.

B. Creating an Addendum:

1. Utilize the sample addendum file, which is found at:

<http://portal.dot.state.oh.us/Divisions/ContractAdmin/contracts/Documentation/Forms/AllItems.aspx>
2. The District Production Office will post Addenda and attachments in an area established for that purpose as set forth in the Office of Contracts TIFF Submission Procedure.
3. The District Production Office shall properly label any attachments to an Addendum and files to avoid duplicated page numbers, and file names. Use the unique Prebid Question numbering system to associate the attachments to any corresponding Prebid Question and Addendum.
4. When an Addendum is issued in response to a Prebid Question, do not include the text of the Prebid Question in the Addendum.
5. The District Production Office shall minimize the use of text narratives when modifying plan sheet by addendum. Changes to quantities and/or drawings, details, etc. must be accomplished by revising corresponding plan sheets.

6. Plan sheets being revised and included with the addendum will denote changes by “clouding” the revised text and/or drawing to clarify. The District Production Office remains responsible for submitting corrected/revised sheets along with any clouded sheet submittal.
7. The addendum shall be checked for spelling and grammatical errors prior to submission.
8. Clarify funding breakdowns as necessary in a separate document.
9. The District Prebid Coordinator shall review the technical content to ensure that all issues have been resolved correctly and completely.
10. The District Production Office will post the draft addendum to the Prebid Question Tracking System.
11. The Central Office Prebid Coordinator will review and check-in the addendum.
12. The Central Office Prebid Coordinator will update the addendum reason code and notify the Office of Estimating.
13. The Central Office Prebid Coordinator will notify the FHWA for concurrence if required. The FHWA will review and denote the addenda as Approved, Approved with Edits, or Not Approved within 24 hours of posting.
14. An EBS (Electronic Bidding System) amendment will be issued for each Addendum.
15. Once all necessary concurrences have been obtained, the Office of Contracts support section will notify the bidders of the final, signed addenda, and submit to the Prebid Coordinator for filing.

IV. Delays / Deferments

- A. Federal and State regulation set forth time periods for advertisements for construction projects. When a project is not let within the required time period, it must be withdrawn (deferred) and re-advertised. Deferred projects are advertised under a reassigned project number.
- B. Generally, a project may be delayed one time, and for a period not to exceed 3 weeks. After the first delay, the project will generally be deferred.
- C. The District may request that a project be delayed by notifying the Office of Contracts and the Prebid Coordinator. The Office of Estimating will prepare the delay package.
- D. After the Addendum deadline, if a Prebid Question has not been adequately addressed, the Central Office Prebid Coordinator will present the issues and facts to the Administrator, Office of Contracts. The Administrator, Office of Contracts will determine if the District should be contacted to discuss a delay or deferment of the project.

V. Documentation / Filing

- A. After the project is sold, the Central Office Prebid Coordinator will create a PDF file record of all email discussion, Prebid Questions and answers. This information should be grouped by project and saved to a searchable database identified with the following information:
 - 1. Construction project number
 - 2. PID
 - 3. CRS
 - 4. District

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- B. Upon conclusion of the letting, the plans, proposals, addendum and documentation are transmitted to the Office of Construction Administration.

TRAINING:

The Division of Construction Management will provide management level training and consultation on the proper prebid procedures. The District shall ensure that personnel assigned to respond to the Prebid Questions are properly trained.

Reviews will be conducted by the Division of Construction Management as necessary to ensure compliance with this policy.

FISCAL ANALYSIS:

This standard procedure will not have any monetary impact.

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Sample Addenda and Instructions:

<http://portal.dot.state.oh.us/Divisions/ContractAdmin/contracts/Documentation/Forms/AllItems.aspx>