The WSDOT Bidding Process
The WSDOT Process

- PS&E Development
- Plan Review
- Advertisement
- Contractor Pre-Qualification
- Bidding
- Bid Opening
- Award
The Local Agency Process

1. PS&E Development
2. Plan Review
3. Advertisement
4. Bidding
5. Bid Opening
6. Post Bid Contractor Qualifications
7. Award
PS&E Development

• Plans
  • Is my project on a reservation?
• Specifications
  • Have I included 07121.FR1?
• Estimates
  • Are there any cost implications?
Indian Preference And Tribal Ordinances
(December 2, 2002)
Use in projects with any portion of the project on an Indian reservation.
(2 fill-ins) ($$1$$ is the Tribe or Reservation; $$2$$ is the Tribal representative, telephone and address.)
Indian Preference And Tribal Ordinances

This project is located on the *** $1$ ***. It is the Contractor’s responsibility to contact the person and/or office listed in this special provision to determine whether any tribal laws or taxes apply. If the tribal laws and taxes do apply, the Contractor shall comply with them in accordance with Section 1-07.1.

Tribal Employment Rights Ordinances (TEROs), may utilize a variety of tools to encourage Indian employment. These tools may include, but are not limited to, TERO fees, Indian hiring preference, Indian-owned business subcontracting preference and/or an Indian training requirement. Other requirements may be a Tribal business license, a required compliance plan and/or employee registration requirements. Every tribe is different and each may be willing to work cooperatively with the Contractor to develop a strategy that works for both parties. For specific details, the Contractor should contact *** $2$ ***.

The state recognizes the sovereign authority of the tribe, supports the tribe's efforts to enforce its rightful and legal ordinances and expects the Contractor to comply and cooperate with the tribe. The costs related to such compliance shall be borne solely by the Contractor, who is advised to contact the tribal representative listed above, prior to submitting a bid, to assess the impact of compliance on the project.

Although Indian preference cannot be compelled or mandated by the Contracting Agency, there is no limitation whereby voluntary Contractor or subcontractor initiated preferences are given, if otherwise lawful. 41 CFR 60-1.5(a)7 provides as follows:

Work on or near Indian reservations --- It shall not be a violation of the equal opportunity clause for a construction or non-construction Contractor to extend a publicly announced preference in employment to Indians living on or near an Indian reservation in connection with employment opportunities on or near an Indian reservation. The use of the word *near* would include all that area where a person seeking employment could reasonably be expected to commute to and from in the course of a work day. Contractors or subcontractors extending such a preference shall not, however, discriminate among Indians on the basis of religion, sex, or tribal affiliation, and the use of such a preference shall not excuse a Contractor from complying with the other requirements as contained in the August 25, 1981 Department of Labor, Office of Federal Contract Compliance Programs, Government Contractors Affirmative Actions Requirements.
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Estimate

Will any of the TERO requirement affect project costs?
Plan Review
Contractor Pre-Qualification
(WSDOT only)

Washington State law requires that all contractors be pre-qualified to bid on WSDOT projects.

- Experience
- Financial
Advertisement
(WSDOT)

• Contracts are advertised for 3, 4 or 5 weeks depending on the size and complexity of the project.
• WSDOT contracts are advertised online, in the DJC, _________

• Informational plan sets are on file at:
  • County Engineer’s office
  • AGC in Seattle, Spokane and Tacoma
  • WSDOT Region office
  • WSDOT HQ office
• Project documents can be purchased for $25
• Bids are accepted:
  • In person
  • By mail
  • Electronically
• Bid deposit or bond is required
Advertisement
(Local Agency)

- Contracts are usually advertised for three weeks, can be two weeks, sometimes.
- Contracts are advertised in the newspaper of record and sometimes online.
- Informational plan sets are on file at:
  - Agency’s office
- Project documents can be purchased for $ ???
- Bids are accepted:
  - In person
  - By mail
  - Sometimes electronically
- Bid deposit or bond is required
Bid Opening

• Announced
• Public
• Bids are read aloud
• Apparent low bidder is announced
• Bid items are read (If anyone is interested)
• Bid tabulations are created and distributed
• Bids are reviewed and analyzed
Post-Bid Qualifications
(Local Agencies)

Local agencies generally use post-bid qualifications based on project specific requirements. These can include:

- Certificate of registration
- State UBI number
- Industrial Insurance coverage
- Not be disqualified from bidding
- ???
Award

- Contract is awarded to the lowest responsive bidder.
- Within 45 days
- Within 20-calendar days the contract is executed.