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Bid Submission And Opening Procedures

September 1979

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Recommendations:

The following bid submission and opening procedures is the accepted standard and is recommended to be followed by architects receiving and opening bids. House Bill 1327 states that you must have 3 of whatever prime contractors are bidding. Senate Bill 308 applies to any project.

The Instructions to Bidders of Supplement thereto as bound with the specifications should contain the following bid submission information:

1. Bids shall be submitted in a two (2) envelope system. The name, address and license number as well as type of contract (General, Mechanical, Plumbing, Electrical, etc.) to be shown on the outside. On the inside of the outer envelope include the following:
 - a. Bid security, if required.
 - b. Certification of receipt of addenda. Written on contractor's letterhead.
 - c. Any special reference, financial statements, etc., required of the contractor.
 - d. Any modification of bid amount.
 - e. A sealed envelope containing the proposal and marked on outside, "PROPOSAL."
2. Bids shall be mailed or delivered to the owner or his representative at the place of and prior to the time for opening bids.

Opening procedures should be observed as follows:

1. All bid openings should be open to all interested parties.
2. Bid tabulation forms should be prepared in advance by the architect and provided to all interested parties attending the opening. Forms should contain the names of the prospective bidders and blank spaces for recording the bidder's license number, bid bond, base bid, calendar days for

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- construction if not specified in the bidding documents and alternates. Space for unit prices should be provided only when they are to be used in determining the low bid.
3. Approximately five (5) minutes prior to the designated time for receiving bids, the architect should announce the "official time" that will be used in declaring the bidding closed.
 4. At the designated time for receiving bids, the bidding should be declared closed and no bid accepted after the announced closing.
 5. Modification of a bid should not be accepted unless it is received by the owner and/or his representatives at the place of and prior to the time for opening bids. Such modification should only be accepted when it is by telegram or in writing properly authorized by the bidder.
 6. After the announced bid closing, the architect should proceed as follows:
 - a. If public money is involved, assure himself that he has at least three (3) bidders for each prime contract. Should he not have three, do not open bids on that portion of the work. Ask the bidders to hold their bids for a re-advertisement. Upon re-advertisement for bids, an award can be made if one (1) bid is received.
 - b. Announce the number of addenda issued for all trades, if any, and be prepared to read same if asked to do so.
 - c. Inquire if any bidder desires any clarification of the plans and specifications.
 - d. Inquire if any bidder desires to withdraw his bid. If so, he should be allowed to do so at this point.
 - e. Ask if anyone has any objections to proceeding, with the opening of the bids. If anyone objects to proceeding, the following alternatives are recommended:
 - Attempt to satisfy the objection.
 - Secure complete information as to the objection and proceed with either of the steps listed next.
 - Postpone the bid opening to a later date to allow sufficient time for the objection to be satisfied.
 - Rule the objection as informal and proceed with the opening of the bids.

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7. If open to the public, bids should be read aloud to the assembled group in the following order:
 - a. Name of bidder
 - b. License number of bidder
 - c. Open the envelope and verify to all assembled that proper bid security and other required certifications are enclosed with the bid. Read aloud any modifications to bid amount. If all of the required material is not with the bid, the "Proposal" should not be opened.
 - d. If all bidding conditions have been satisfied, open the envelope containing the "proposal" and read the base bid and alternate bids.
 - e. Read unit prices and construction time only if either or both are to be used in determining the low bidder.

Comments:

- A. Immediately following a bid opening that is open to all interested parties, the architect may furnish a tabulation of bids to the AGC office when requested.
- B. Under the provisions of GS 87-13, "Any architect or engineer who recommends to any project owner the award of a contract to anyone not properly licensed under this Article, shall be deemed guilty of a misdemeanor and shall for each such offense of which he is convicted be punished by a fine of not less than five hundred dollars (\$500.00) or imprisonment of three months, or both fine and imprisonment at the discretion of the court."
- C. If bids are not opened in the presence of the bidders or unless there is strong objection from the owner, a tabulation of all bids received should be furnished each bidder.
- D. Qualified bids are not acceptable.

End of JCR-43

This recommendation is the result of considerable discussion and deliberation by the Architect and General Contractor members of the Joint Cooperative Committee of AIA North Carolina and the Carolinas AGC. While its provisions are not binding on individual Architects or General Contractors, the committee believes that adherence to the recommendations will benefit the Owner and the Construction Industry in general.