

BIDDING STATEMENT

State of Mississippi

County: _____

Local Public Agency (LPA): _____

Project Number: _____

Project Description: _____

Project Engineer/Architect's Name: _____

I, _____, hereby verify that the bidding process was accomplished in accordance with the Project Development Manual for Local Public Agencies and the below instructions (Procedures for Advertising and Selecting Apparent Low Bidders for LPA Projects). I realize that acceptance of the bids will be based on this statement for which I bear full responsibility.

Professional stamp/seal

Project Engineer/Architect (signature)

Sworn to and subscribed before me this _____ day of _____, _____.

Notary stamp/seal

My Commission Expires: _____

Notary (signature)

PROCEDURES FOR ADVERTISING AND SELECTING APPARENT LOW BIDDERS FOR LPA PROJECTS

In the advertisement LPA projects receipt of bids and opening of bids, the following criteria must be met:

1. The advertisement must be published in a newspaper having statewide distribution, once a minimum of three weeks prior to the scheduled receipt of bids, and the second time a minimum of two weeks prior to the scheduled receipt of bids. One Sworn Proof of Publication must be furnished to MDOT.
2. Bidding procedures on a nondiscriminatory basis must be afforded to all qualified bidders Regardless of State boundaries. A license or certificate cannot be required that would restrict competition, or prevent submission of a bid or prohibit consideration of a bid submitted by any responsible contractor, whether resident or nonresident of Mississippi. (See Page 9 Federal-Aid Policy Guide (Transmittal 2), dated April 7, 1992, 23 CFR 635A Section 635.110 – Licensing and qualification of contractors.)
3. Proposals must be opened and read publicly at the time and at the place indicated in the proposal and/or advertisement. Stripped proposals cannot be accepted.
4. All bids must be submitted in sealed envelopes. Unsealed bids will not be accepted.
5. All sealed bids must be filed prior to the time and at the place specified in the proposal and/or in the advertisement. Proposals received after the time for opening of bids must be returned to the bidder unopened.
6. Unless the bid is irregular and if the bid is not over 10% of the LPA estimate, the award will be made to the lowest bidder upon receipt of authorization from MDOT.
7. If the lowest qualified bidder exceeds the LPA estimate by more than 10%, and the LPA determines that it is in the best interest of the LPA and the government of the United States to award to the lowest bidder, detailed justification must be made in writing. The LPA and the project engineer/architect will sign the justification and originals will be filed at the appropriate LPA and project engineer/architect's office. LPA must agree to pay all costs that exceed available federal funds on a project.

For example:

Just stating that the LPA estimate is low is not enough. The specific reason must be recorded. As an example, if the estimate for gravel was the reason, the actual cost for gravel must be obtained from commercial sources and the quote and the source of the quote must be recorded and compared to the LPA estimate.

If, after considering other factors, it is more cost beneficial to award the contract, a cost analysis should be made. This does not have to be a costly time consuming endeavor, but should clearly show the cost benefits of awarding the contract.

- 8. If the lowest bidder is irregular, the bidding documents allow the waiving of bidding technicalities, and the LPA determines that is in the best interest of the LPA and the Government of the United States to award to the lowest bidder; detailed justification must be made in writing. The LPA and the project engineer/architect will sign the justification and originals will be filed with the appropriate LPA and project engineer/architect's office. As a general rule, accepting irregular bids is not good practice because it may create the impression that favoritism may be shown to certain bidders.**
- 9. If the LPA determines that rejection and re-advertising of all bids is required, detailed justification must be made in writing. The LPA and the project engineer/architect will sign the justification and originals will be filed in the appropriate LPA and project engineer/architect's office.**
- 10. If any bid received is not read, the name of the bidder and the reason for not reading the bid shall be publicly announced at the letting.**