**M E M O R A N D U M**

**TO:** Charlanne Clymer, Director, Finance

**VIA:** Maureen Kelley, Deputy Director, Design

**FROM:** **Insert Name**, Chief Project Development

**DATE: August 31, 2023**

**SUBJECT: RECOMMENDATION TO AWARD or REJECT BIDS**

**Contract No.**

**FAP Project No.**

**Project Name:**

**Date of Bid Opening:**

The bids for the above project have been jointly reviewed by **NAME** and we recommend award to the low bidder, **Contractor**. The low bid price is **$ amount**, which is **percent%** above/below the Engineer’s Estimate of **$ amount**. The project bid tabulation had **number** additional bidders with these bids ranging in price from **$ amount** to **$ amount*.***

The overall project cost is **percent%** below/above the funded estimate. Additional funding from CMT is not required. (See attached funding analysis.)

Our review of the bid prices that comprise 80% of the engineer’s estimate include contract items that deviated from the engineer’s estimate by **+/-** 20%*.*

***LIST ITEMS HERE***

Discussion of Results:

*LIST DETAILED ANALYSIS PER ITEM*

*(Examples below)*

207501 Sheeting and Shoring (L.S.)

Engineer’s Estimate (EE) price: $44,880.00

Low Bidder (LB) price: $180,000.00 (+301%)

Representative Bid price: $205,900.00

This is a lump sum item with no chance of overrun. The EE unit price was based on historical data for similar type work and may not have accurately accounted for the difficulties presented by the work area. The LB price was 13% lower than the representative bid.

209006 Borrow, Type F (C.Y.)

EE price: $13.00

LB price: $20.00 (+54%)

Representative Bid price: $19.00

The quantity for this item has been reviewed and found to be representative of the anticipated need. The EE price was based on historical data for similar type of work with a similar quantity. The LB price was also higher than the representative bid but was within the range of historical bid prices. *(It is important to note that a detailed review of the quantity calculation needs to be made for items with low quantity that have a higher-than-normal bid price)*

**Conclusions:**

Based on these explanations, we find no mathematically unbalanced bidding or any scenario in which the second bidder could become the low bidder as a result of unbalanced bidding procedures.

The quantities for the items listed above were reviewed and found to be representative of the anticipated need. We, therefore, believe it to be in the best interest of the State to proceed with the award. Please prepare the funding documents and proceed to award the contract to the successful bidder.

Based on an anticipated Notice to Proceed (NTP) date of **DATE**, and contract duration of **DAYS** calendar days, the Field Requested End Date (FRED) for the Construction Phase is **DATE**.

## **Endorsement #1**

## Concurring in Recommendation: Yes No Return for Additional Information

Comments:

Deputy Director / Assistant Director / Chief Date

### **Endorsement #2**

Concurring in Recommendation:  Yes  No  Return for Additional Information

Comments:

Division Director Date

### **Endorsement #3** *- Note: if box checked signature is needed, if not checked put N/A*

## Approval of Chief Engineer Required when:

All bids are to be rejected; or

There was only one bidder; or

Low bid greater than 10% above engineer’s estimate; or

Recommend making award to other than low bidder

Chief Engineer Date

### **Endorsement #4** *- Note: if no signature needed, put N/A*

Approval required by FHWA as part of retained authority under Projects of Division Involvement (PoDI).

**Approval**

FHWA Division Administrator Date

MS/tm

Attachment

cc: See Plan Distribution list [N:\DISTRIBUTION PLAN LIST](file:///\\DOTFS01\Transportation%20Solutions\DISTRIBUTION%20PLAN%20LIST) *(tab RTA must be listed in hierarchy for each division/section)*

*Must be included with each submission (take duplicate names out)*

[Contract-Admin@delaware.gov](mailto:Contract-Admin@delaware.gov)

[DOT\_Finance\_Funding\_Requests@delaware.gov](mailto:DOT_Finance_Funding_Requests@delaware.gov)

[DOT.AuditManagment@delaware.gov](mailto:DOT.AuditManagment@delaware.gov)

The following enclosures are required should the low bid exceed the engineers estimate by +/- 10%:

Bid Tabulation

Bid Analysis Report (Sample spreadsheet provided on DRC. Print to PDF and include as attachment.)