



REQUIREMENTS TO BID

SHORT and LONG FORM CONSTRUCTION CONTRACTS

Construction Value: over \$100,000

Delivery Method: Design – Bid – Build

Prepared by: Anna Galanis, Director Contracting Services

PUBLIC CONTRACT CODE, REGENT, and UCSB CAMPUS REQUIREMENTS

The information provided is the legal (Public Contract Code) and Regent (University of California Office of the President) (UCOP) requirements for bidding construction projects with a value of \$100,000 or greater. For additional information refer to the Facility Manual Volume 5, Part 1, Chapter 5 - Soliciting Bids. The UCSB Contract Department requirements and recommendations are identified via footnote.

ADVERTISEMENT

- Advertisement for Bids shall be published once a week on the same day for two consecutive weeks.
- The last publication shall be no later than one week prior to the date set for receiving bids.
- Publication shall be in a newspaper of general circulation, in the county where the project is located, and in a trade paper of general circulation devoted primarily to contract and building news for contracting and building material supply firms, circulated in the area where the project is located.¹

MANDATORY PRE-BID CONFERENCE

- Bidders are required to attend a pre-bid conference, in its entirety, to familiarize themselves with the contract requirements. Bidders are required to sign an attendance list for the conference that includes a site visit.
- A bidder who fails to meet the pre-bid conference requirement in its entirety is considered non-responsive and the bid received must be refused and/or returned unopened to the bidder.
- The time and place for the pre-bid conference is established in the advertisement.
- Bidders who arrive after the start of the pre-bid conference are not allowed entry² and therefore fail to meet the pre-bid conference requirement.

¹ Local paper: Santa Barbara News Press; Trade paper: F.W. Dodge

² Each UC campus establishes a policy to handle late arrivals. Some allow entry but do not allow a bidder to sign the attendance sheet while others lock the door. UCSB Policy: Bidders arriving after the time posted in the advertisement are denied entry. The bid clock posted at the pre-bid entry door whose time is set by either a global satellite system or from Verizon Telephone Time determines the starting time advertised.



REQUIREMENTS TO BID

SHORT and LONG FORM CONSTRUCTION CONTRACTS

Construction Value: over \$100,000

Delivery Method: Design – Bid – Build

Prepared by: Anna Galanis, Director Contracting Services

ADDENDUM

- Only the Facility office that issued the bidding documents may issue addenda by means that provides proof of receipt to bidders and others who have taken out or received a set of bidding documents.³
- Addenda must be received by all bidders at approximately the same time and are received no later than three (3) working days prior to the bid deadline.
- An Addendum to change the bid deadline to a later date or withdraw the solicitation of bids may be sent at any time before the bid deadline.⁴

DETERMINING THE AMOUNT OF TIME REQUIRED TO BID

- The legal minimum bid time is a 3 week bid period.

This requires that sometime between the last advertisement and the bid opening a mandatory job walk is scheduled, and if required an addendum is issued either with the mandatory pre-bid conference or on the next day. The Contract Department does not recommend a 3 week bid period.⁵

When determining the amount of time required, keep in mind the following items that affect the project bid schedule:

- 1) The amount of time after the 2nd advertisement and before the mandatory job walk that the project remain available to bidders.⁶ The bid list is closed to potential bidders at the time of the mandatory pre-bid conference.
- 2) The amount of time that will be made available for bidders to get questions and clarifications (in writing) back to the University Representative for inclusion in the addendum.⁷
- 3) The amount of time required by the Design professional and the Contracts Department to prepare, print, and distribute the addendum.⁸
- 4) The amount of time the bidders will require to respond to an addendum.⁹

³ UCSB Contract Department sends addendum via Federal Express to all plan rooms and bidders. Pick-up time is 3:00 PM and delivered the following business day.

⁴ UCSB Contract Department sends a change of bid deadline to all plan rooms and bidders via FAX.

⁵ UCSB Contract Department recommends a minimum 4 week bid period for short form construction contracts. Complex and Long Form contracts require a longer bid period.

⁶ UCSB Contract Department works with the University Representative to establish a time frame.

⁷ UCSB Contract Department and the University Representative establish the date and advise the bidders at the mandatory pre-bid conference.

⁸ The amount of time required is dependant on the complexity and size of the addendum being prepared.

⁹ The more complex the addendum, the more time required of the bidder to respond.



REQUIREMENTS TO BID

SHORT and LONG FORM CONSTRUCTION CONTRACTS

Construction Value: over \$100,000

Delivery Method: Design – Bid – Build

Prepared by: Anna Galanis, Director Contracting Services

FUNDING AVAILABILITY

The type and availability of funding also determines when a project can bid, i.e. state funded, non-state funded, etc. Refer to the Facility Manual, Volume 5, Part 1, Chapter 3 - Preparing to Solicit Bids for more project specific and detailed information. In summary the established guideline regarding funds prior to bidding is that before bids can be solicited:

- The commitment of funds, the scope of construction, and equipment to be acquired conform to the project scope and cost itemization in the current approved Project Planning Guide or conform to the project description in the case of minor capital improvement projects.

Availability of funds prior to bidding

- 1) Before bids are solicited, the University accounting officer must certify that project funds are available in the plant account approved for the project. Signature for certification of fund availability is included on the Pre-Bid Capital Improvement Budget.¹⁰ The source and amount of funds must match the most recently approved Capital Improvement Budget (CIB) for the project. The approval authority for CIBs depends on the fund source and size of project. Contact the Office of the President to determine authority.
- 2) State Funded Projects: Funds are frequently transferred from the state to the University in increments. For such project, formal action by the State Department of Finance to “release” funds to the University and authorize proceeding with work is sufficient basis for signifying availability of funds.
- 3) Non-State Funded Projects: Most non-state funded projects must have funds physically transferred into the plant account to proceed with solicitation of bids. Exceptions are externally financed projects, gift pledges not in hand, and some federally funded projects.
- 4) Concurrent Approval for State Funded Projects: Capital projects funded by State capital appropriations require the submittal to, and approval by the State Department of Finance (DOF) or State Public Works Board (SPWB if the project is funded with lease-revenue bonds) of the final 100% complete bid documents package. A submittal package including the bidding documents, CIB, project schedule, bid alternates, etc. are prepared and sent to the Office of the President for review and approval and release of the construction funds.

¹⁰ UCSB Contract Department requires the Project Manager/University Representative to fill out a Contract Procurement Request Form (modified UCOP document) and obtain all necessary signatures prior to advertisement for bid.



UNIVERSITY OF CALIFORNIA, SANTA BARBARA
DESIGN AND CONSTRUCTION SERVICES and PHYSICAL FACILITIES
SANTA BARBARA, CALIFORNIA 93106-1030

REQUIREMENTS TO BID

SHORT and LONG FORM CONSTRUCTION CONTRACTS

Construction Value: over \$100,000

Delivery Method: Design – Bid – Build

Prepared by: Anna Galanis, Director Contracting Services

- 5) -Concurrent Approval for Lease-Revenue Bond-Funded Projects: Capital construction and capital equipment purchases for projects funded with State lease-revenue bonds (in which the State owns the facility and leases it to the University) require steps in addition to Step #4.

For further information or if you have any additional questions please contact the Department of Contracting Services at (805) 893-3356.