

CONSIDERATION OF BIDS.

(REV 5-26-06) (FA 10-6-06) (1-07)

ARTICLE 3-1 (Pages 16) is deleted and the following substituted:

3-1 Consideration of Bids.

For the purpose of award, after opening and reading the proposals, the Department will consider as the bid the correct summation of each unit bid price multiplied by estimated quantities shown in the proposal. On this basis, the Department will compare the amounts of each bid and make the results of such comparison available to the public. Until the actual award of the Contract, however, the Department reserves the right to reject any or all proposals and to waive technical errors that the Department may deem as in the best interest of the State.

The Department reserves the right to delete the bid portion of the utility relocation work from the Contract. When exercising this right, the Department will recalculate the Contract bid tabulations with the intent of awarding the Contract to the responsible bidder with the lowest bid for the remaining project quantities.

In the event that the Department deletes utility relocation work from the Contract, the utility owner will relocate such utilities in accordance with the Utility Relocation Schedules incorporated into the Contract Documents.

The Department plans to construct the entire project as stipulated in the Contract Documents. However, the Department intends to establish priorities for the Contract award in the event the goals of the Department cannot be achieved with the funds determined available by the Department. Should funding be a limitation on this project based on bids received, the Department intends to exercise options established for this project. The Department assigned award priority for each option is as follows:

- Option 1: All items of work.
- Option 2: Option 1 less items of work identified in the Contract Documents under Option 2.
- Option 3: Option 2 less items of work identified in the Contract Documents under Option 3.

Should the Department exercise its option on the Contract, the options will be taken in the order as provided above.

The Department intends to award the Contract to the responsible bidder with the lowest bid for the option for which the Department has determined available funding exists.

Time dependent pay item quantities that remain in the Contract after an option is selected will be underrun as needed due to adjusted contract time, if any, associated with such option and will be subject to the conditions of 4-3.

If the Department so chooses, work described in the Contract Documents that, due to the option selected by the Department, will not be built as part of this Contract may be deleted from the plans and specifications, with new drawings and specifications provided by the Department after award and prior to Contract execution.