

- complies with all requirements of the bid;
- possesses the skill, ability and integrity necessary for the faithful performance of the Work;
- has submitted a bid price which is reasonable and not unreasonably low (i.e., the Work can be performed for the price bid);

Note: If the bid price of the low bidder is substantially lower than the estimate, it is necessary to determine that the contract work can be performed for the price bid. If all bid prices are substantially higher or lower than the estimate, the Consultant must review the plans and specifications to determine if the Contract Documents are defective, which will require revision of the Contract Documents and re-bid of the project.

- has submitted a bid price which includes the payment of applicable minimum wage rates;
- has not submitted a bid that is unbalanced, front-end loaded or otherwise artificially inflated;
- All lump sum and unit prices must be reviewed for validity. Penny bids, nominal bids, or bid items that are unusually high or low require an evaluation by the Consultant and a determination of whether the bid is unbalanced, front end loaded, or otherwise artificially inflated. If any bid items are determined to be questionable, the bidder must be interviewed, and required to justify its price;

Note: An unbalanced bid, contains an abnormally low price for one item and an abnormally high price for another item in order to recoup losses from an abnormally low price. A front-end-loaded bid contains abnormally high prices for items that the owner pays for first, so that the bidder gets paid more at the start of the contract than the actual value of the work that has been done. An artificially inflated bid contains a price which is exaggerated and does not reflect the true cost of the item.

- (if directed by the Project Manager) is certified in at least one of the required categories of work and has not submitted a bid which exceeds the bidder's single project maximum or, when added to all other work in progress, exceeds the bidder's Aggregate Rating Limit; all as indicated on the bidder's Certificate of Eligibility and Update Statement.

2. Bidder Interview

If necessary, the review to determine price reasonableness and the payment of prevailing wages may include an interview with a bidder and an examination of the methodology used in preparation of its bid. Questions such as the following should be asked:

- what were the components of work that the Contractor believed comprised the scope of work?
- what is the cost per component?
- why/how were the components/prices determined and based on what assumptions?
- what labor rates were used/what is the crew mix?

3. Consultant's Written Recommendation

The Consultant's written determination that the bidder(s) are qualified (see Paragraph IV.F.1 above), that the prices are reasonable, that the bids comply with the above requirements, and a recommendation to award, must be submitted to the Project Manager as soon as possible after bid opening. Any recommendation to reject a bidder based on qualifications or price issues must be supported by strong evidence and reviewed and approved by Procurement.

4. Bid Tabulation

Upon concurrence by Procurement with the Project Manager's recommendation, Procurement will prepare the bid tabulation and issue it to all persons on record as having obtained a copy of the Contract Documents. Procurement will notify each rejected bidder, either through a notation on the bid tabulation or by letter, of the reason(s) for rejection.

G. Award

After award of the contract is approved, Procurement will send an award letter, together with four copies of the Authority-Contractor Agreement, including Performance Bonds and Labor and Materials Bonds, to the Contractor. When the signed Agreement, bonds, and insurance certificates are returned and the bonds and insurance certificates have been approved by the Authority's Risk Management Department, the Agreement will be executed by the Authority and a Notice to Proceed issued to authorize the Contractor to start Work on the date specified therein.

Appendix 1 - Bid Schedule

All Bid Schedules must be set up in the format indicated below:

The subdivision of the Proposed Contract Price is as follows:

BID SCHEDULE

ITEM NUMBER	DESCRIPTION OF WORK AND UNIT PRICE BID IN WORDS AND FIGURES	ESTIMATED QUANTITY	TOTAL PRICE BID (IN FIGURES)
1	All work except the work of Items 2 through 4, below _____) (\$ _____)	Lump Sum =	\$ _____
2	Excavation; per cubic yard _____) (\$ _____)	10,000 c.y. =	\$ _____
3	Backfill; per cubic yard _____) (\$ _____)	5,000 c.y. =	\$ _____
4	PVC Pipe; per linear foot _____) (\$ _____)	2,000 l.f. =	\$ _____

The following paragraph must be included at the end of the Bid Schedule in all bid forms with unit prices:

The award will be based upon the Proposed Contract Price and will be made in accordance with the provisions of [choose one: G.L. c. 30, §39M/G.L. c. 149, §44A-J]. The quantities designated throughout the Bid Schedule, however, are estimates only and the unit price provided for a category of work shall be the basis for the entire term of the Contract, for additions to or deletions from the Contract Price for work of that category, so long as the number of units of work remains within fifteen percent (15%) of the estimated quantity. Thereafter, the unit price will be subject to review and determination of applicability by the Authority.

Notes: Use the headings indicated

If the Bid Schedule is more than one page, use headings on each page

Do not include extraneous notes

Begin typing the Bid Schedule on page two in the blank space provided. If additional pages are required, number them 2A, 2B, etc. or renumber all subsequent pages of the Bid Form/Form for General Bid.

Do not retype any pages of the Bid Form/Form for General Bid

Appendix 2 - Sample Measurement and Payment Items

Section 01025 Measurement and Payment

Part 1 - General

1.01 Description

- A. Measurement and payment of all items of the Work shall be as specified in this section.
- B. Lump sum and unit price items referenced in this section are the prices bid in the Bid Schedule contained in Section 00300.
- C. All portions of the Work are either included in the lump sum or a unit price item ["or an allowance" - if there are any] listed in the Bid Schedule.

1.02 Lump Sum Items

- A. Payment of the lump sum shall be full compensation for all labor, materials, and equipment required to furnish, install, and test the Work covered under this item.
- B. Payment of the lump sum shall also fully compensate the Contractor for any other work which is not specified or shown, but is necessary to complete the Work.
- C. Payment of the lump sum will be based on physical progress for each activity in accordance with the approved Schedule of Values.

1.03 Unit Price Items

- A. Payment of a unit price shall be full compensation for all labor, materials, and equipment required to furnish, install and test each unit of the Work covered under the applicable item.
- B. Payment of unit price items will only be made for the actual quantity of Work performed in accordance with the Contract Documents.

Part 2 - Compensation

2.01

A. Bid Item No. 1 - Lump Sum

Payment of the lump sum shall be full compensation for all labor, equipment, materials, and supervision necessary to complete all Work other than that included in the unit price items specified below.

B. Bid Item No. 2 - Structural Fill Backfill

Structural fill for backfill will be measured by the cubic yard. Payment will be at the unit price per cubic yard furnished and installed. The unit price per cubic yard shall be full compensation for all labor, equipment, materials, and supervision necessary to furnish and install one cubic yard of structural fill for backfill.

C. Bid Item No. 3 - Monitoring Wells

Payment for monitoring wells will be at the unit price per vertical foot. Measurement will be made to the nearest foot for the length of the drilled hole within which the monitoring well is installed. The unit price per vertical foot shall be full compensation for all labor, equipment, materials, and supervision necessary for drilling, installing, maintaining, and abandoning a monitoring wells at the locations indicated and specified, and furnishing a water level reading device, obtaining water level readings, and performing data reduction.

D. Bid Item No. 4 - Police Services

Bid Item No. 4 establishes an allowance for police services. Police details will be measured in hours. The Contractor will be reimbursed by the Authority for the actual amount invoiced to the Contractor without overhead or profit applied. If either the hourly rate invoiced or the number of hours required differs from the rate or number of hours specified in this Bid Item, the Contractor will be reimbursed for the actual number of hours required at the rate invoiced to the Contractor by the city, town, or State Police. The Contractor will submit to the Authority a monthly statement documenting each officer's name, hours worked, dates worked, location of assignment, and hourly rate, and include a copy of the invoice from the city, town, or State Police.

Appendix 3 - Filed Sub-bid Sections

1. Headings

When preparing specifications requiring filed sub-bids, the statutory trade designation must be used as the title for each Division requiring a filed sub-bid. The heading for each filed sub-bid Section included in that Division must be as in the following example:

**DIVISION 16
ELECTRICAL WORK
(Filed Sub-bid Required)**

Section 16025 - Lightbulbs

Note: This format must be used even in cases where the filed sub-bid for a particular Division includes only one section.

2. Standard Language

Note: The filed sub-bid requirements and Paragraph E requirements in this paragraph and Paragraph D below are set up so that they may be included at the beginning of a standard or existing technical section without requiring the renumbering of all subsequent paragraphs.

a. All Filed Sub-bids

The following Paragraphs A through C must appear at the beginning of the first section included in a filed sub-bid:

“1.00 Filed Sub-bid Requirements

A. A sub-bid submitted for the work of Division 16 - HVAC [fill in the number and title of the applicable division (i.e., 15 - Plumbing, 16 - Electrical, etc.)] shall include the complete work specified in all of the following Sections: _____, _____, _____, _____.

B. Sub-bids shall comply with the requirements of G.L. c. 149, §44F, shall be filed on the form furnished by the Authority, in a sealed envelope, at the Massachusetts Water Resources Authority, 100 First Avenue, Charlestown Navy Yard, Boston, Massachusetts 02129, Document Distribution Office, First Floor, at the time specified in the Advertisement for Bids, and shall be accompanied by a bid deposit complying with the requirements of G.L. c. 149, §44B(2). The following should appear on the outside of the envelope:

NAME OF BIDDER: _____
SUB-BID FOR DIVISION: _____
TITLE AND CONTRACT NUMBER: _____

C. The work of Division 15 - HVAC [fill in the number and title of the applicable division (i.e., 15 - Plumbing, 16 - Electrical, etc.)] is indicated on drawings/sheets numbered: ____, ____, ____, ____."

Subsequent sections which are part of the filed sub-bid for the same division should include the following single paragraph:

"1.00 Filed Sub-bid Requirements

A. This section is part of the filed sub-bid for Division 15 - HVAC [fill in the number and title of the applicable division (i.e., 15 - Plumbing, 16 - Electrical, etc.)]. See Section (#) ____ - (title) [reference the first section of the sub-bid for that division]."

b. Filed Sub-bids Containing Paragraph E Requirements

The following paragraph must appear in all filed sub-bid sections containing Paragraph E (specialty) work:

"B. or D.* "In accordance with G.L. c. 149, §44F, each sub-bidder shall list in the Form for Sub-Bid the name and bid price of each person, firm or corporation performing labor or labor and materials for each class of work or part thereof listed below; provided that any sub-bidder may, without listing any bid price, list his own name for any such class of work or part thereof and perform that work with persons on his own payroll, if such sub-bidder, after sub-bid opening, shows to the satisfaction of the Authority that he does customarily perform such class of work or part thereof with employees on his own payroll who are mechanics or laborers as referred to in G.L. c. 149, §26, and is qualified to do so.

1. Classes of work for which a listing is required in Paragraph E of the Form for Sub-bid:

- a. Insulation - Section ____; Paragraphs __, __, __, __.
- b. Temperature Control - Section ____; Paragraphs __, __, __, __.
- c. Testing and Balancing - Section ____; Paragraphs __, __, __."
- d. Ductwork - Section ____; Paragraphs __, __, __, __."

***Note:** This paragraph will follow the paragraphs to be included in Paragraph 1.00. In the first section of a filed sub-bid for a division, it will follow Paragraph C. and be designated as Paragraph D. In the subsequent sections of a filed sub-bid for a division, it will follow Paragraph A. and be designated as Paragraph B.

Appendix 4 - Addendum Format

MASSACHUSETTS WATER RESOURCES AUTHORITY
100 FIRST AVENUE
BOSTON, MASSACHUSETTS

[EXACT CONTRACT TITLE]

MWRA CONTRACT NO. ####

[use four digit MWRA Contract Number - not CP number]

ADDENDUM NO. #

[use sequential numbers beginning with 1]

TO ALL CONTRACTORS ESTIMATING:

Bidders are hereby informed that plans and specifications for the above mentioned contract are modified, corrected, and/or supplemented as follows and that Addendum No. # [the same # as in the heading] becomes part of the Contract Documents and consists of Items #-# through #-#. [first # is always the same as the addendum number in the heading; number after the dash is the item number-sequential beginning with 1]

ITEM #-#: **TECHNICAL SPECIFICATIONS - Section 16110**

Paragraph 2.03.B

DELETE in its entirety and **REPLACE** with the following:

"B. Lightbulbs must be UL approved."

Notes:

1. The general rule is that each item must allow the reader to easily determine the exact location of, and the exact content of, the revision.
2. Items must be sequentially numbered and arranged in the same order in which the changed sections appear in the specifications.
3.
 - A. For additions of new language - verify that the additional language "fits in" where it is directed to be placed.
 - B. For deletions - verify that the location identified contains the language to be deleted and, in cases where the deleted language is included (i.e., DELETE "six", in the fifth line) that the deletion is exactly as it appears in the specifications.

Massachusetts Water Resources Authority

Kevin P. Feeley, Director of Procurement

DATE: [date of mailing]

SAMPLE ADDENDUM ITEMS

The following are examples of the format to be used in making the types of changes indicated:

1. TO DELETE AND REPLACE SPECIFICATION SECTIONS, PAGES, LANGUAGE:

- **ITEM #-#: Section 01025 - Measurement and Payment**

DELETE Section 01025, consisting of 20 pages, in its entirety, and **REPLACE** with Section 01025, consisting of 18 pages, attached hereto as Attachment A.

- **ITEM #-#: Section 01025 - Measurement and Payment**

DELETE pages 01025-2 through 01025-4 and **REPLACE** with pages 01025-2 through 01025-4, attached hereto as Attachment B.

- **ITEM #-#: Section 01025 - Measurement and Payment**

Paragraph 1.02(A):

DELETE the first sentence in its entirety and **REPLACE** with the following:

"Payment for Bid Item 2 will be on a lump sum basis."

Note: If there could be any doubt as to what sentence, paragraph, etc. is being deleted, the item should be set up as follows: **DELETE** the first sentence beginning with "Payment for" and ending with "basis." and **REPLACE** with....

2. TO ADD SECTIONS, PAGES, LANGUAGE

- **ITEM #-#: Section 01025 - Measurement and Payment**

ADD Section 01025, consisting of 20 pages, attached hereto as Attachment C, following Section 01015.

- **ITEM #-#: Section 01025 - Measurement and Payment**

ADD page 01025-4, attached hereto as Attachment D, following page 01025-3.

- **ITEM #-#: Section 01025 - Measurement and Payment**

Paragraph 1.02(A):

ADD the following after the first sentence:

"Payment for Bid Item 2 will be on a lump sum basis."

- **ITEM #-#: Section ##### - title**

Paragraph 2.08.A

ADD "extra high molecular weight" between "shall be" and "high" in the second line.

Note: Additional phrases such as "the word", "the phrase", "the sentence", should not be included. (e.g., Do not use "**ADD** the word "six" at the end of the first sentence" use "**ADD** "six" at the end of the first sentence.)

3. **TO CHANGE BID DATE**

- **General Bids:**

ITEM #-#: Section 00030 - ADVERTISEMENT FOR BIDS

The date for submission of **general bids** has been changed from [month] [day], 199# at ##:00 p.m. to [month] [day], 199# at ##:00 p.m. Therefore, the Massachusetts Water Resources Authority will receive sealed general bids at the office of the Authority at the Charlestown Navy Yard, 100 First Avenue, Boston, MA 02129, 1st Floor, Document Distribution Office, **until ##:00 p.m. on [month] [day], 199#.**

- **Filed Sub-bids:**

ITEM 1-#: Section 00030 - ADVERTISEMENT FOR BIDS

The date for submission of **filed sub-bids** has been changed from [month] [day], 199# at 11:30 a.m. to [month] [day], 199# at 11:30 a.m. Therefore, the Massachusetts Water Resources Authority will receive sealed filed sub-bids at the office of the Authority at the Charlestown Navy Yard, 100 First Avenue, Boston, MA 02129, 1st Floor, Document Distribution Office, **until 11:30 a.m. on [month] [day], 1997.**

4. **TO CHANGE CERTIFICATION CATEGORY**

ITEM x-x: Section 00030 - Advertisement for Bids

In the Sixth Paragraph, beginning with "Each general bid...", **DELETE** the second sentence in its entirety and **REPLACE** with the following:

"In order to be eligible to bid on this contract, a general bidder must be certified in at least one of the following categories of work:

GENERAL BUILDING CONSTRUCTION
SEWAGE AND WATER TREATMENT PLANTS
PUMPING STATIONS

Please note: "Pumping Stations" has been added as a category of work in which bidders may be certified."

5. **TO REVISE THE BID FORM/FORM FOR GENERAL BID/FORM FOR SUB-BID**

When a revision to the Bid Form/Form for General Bid or Form for Sub-bid is required, a complete, revised Bid Form/Form for General Bid or Form for Sub-bid must be produced and distributed with the addendum. The first page of the revised document must be coded in the top right hand corner with the addendum number and the item number (e.g., if the change is made in Addendum No. 4, Item 4-3, the following code will appear: A4-3).

The addendum item is as follows:

"ITEM x-x: Section 00300 - FORM FOR GENERAL BID

"DELETE the Bid Form [or Form for General Bid or Form for Sub-bid], consisting of nine (9) pages, in its entirety and **REPLACE** with the Bid Form [or Form for General Bid or Form for Sub-bid], consisting of ten (10) pages, coded A4-3, attached hereto as Attachment A.

Please note: Bid Item No. 5 has been added."

6. **TO INSTRUCT GENERAL CONTRACTOR TO CARRY AN ALLOWANCE FOR FILED SUB-BID CATEGORY IN WHICH ALL BIDDERS HAVE BEEN REJECTED [Reference Paragraph IV.E.1.a above]**

A new Form for General Bid must be prepared. On the line labeled with the Division number and the title of the sub-bid, the space in the column headed "Name of Sub-bidder" must be completely filled with "XXXXXXXXXX". The column headed "Amount" must be filled in with the exact amount of the allowance to be carried by the general bidders. The column headed "Bonds required indicated by Yes or No" must be left blank. The new form for General Bid is added by addendum using the following addendum item:

ITEM #-#: Section 00300 - FORM FOR GENERAL BID

"DELETE Section 00300 - Form for General Bid, consisting of nine (9) pages, in its entirety and **REPLACE** with Section 00300 - Form for General Bid, consisting of nine (9) pages, designated A4-3, attached hereto as Attachment A.

Please note: The Authority has rejected all sub-bids for the work of Division # - [title of sub-bid]. Therefore, each general bidder shall include an allowance in the amount of [amount in words] Dollars (\$[amount in figures]) in Item 2 of the Form for General Bid for the work Division # - [title of sub-bid]." [This note also appears on the filed sub-bid tabulation.]

Note: New sub-bids for the trade(s) affected must be solicited at once (see Paragraph IV.E.1.a).

7. TO INSTRUCT GENERAL CONTRACTOR TO INCLUDE THE WORK OF A FILED SUB-BID IN THE COST OF THE GENERAL BIDDERS WORK (ITEM 1) [Reference Paragraph IV.E.1.b above]

A new Form for General Bid must be prepared. The line labeled with the Division number and the title of the sub-bid must be removed so that there is no longer any reference to this work. The new form for General Bid is added by addendum using the following addendum item:

ITEM x-x: Section 00300 - FORM FOR GENERAL BID

DELETE Section 00300 - Form for General Bid, consisting of 10 pages, and **REPLACE** with Section 00300 - Form for General Bid, designated A10-1, consisting of 10 pages, attached hereto as Attachment A.

Please note: No sub-bid was filed for Division # - [title of sub-bid]. Therefore, the general bidder shall include in the cost of its own work, in Item 1 of the Form for General Bid, an amount to cover all the work required for Division # - [title of sub-bid]." [This note also appears on the filed sub-bid tabulation.]

8. TO CORRECT ERRONEOUS ITEM IN PREVIOUS ADDENDUM

ITEM #-#: Section 02060 - title
[Reference: Addendum No. 2, Item 2-5]

DELETE in its entirety. The correct item is as follows:

ADD the following after 3.03(l):

"J. The yard power transformers to be removed and disposed of are X."

Appendix 5 - Questions and Answers Format

1. Answers must be in one of the following two forms:
 - a) If the answer can be found in the specifications and the specifications are clear, the answer should be:

"Reference Section 08100 - Paragraph 3.03(C)"

Restatement of the specifications is not permitted. If the specifications are clear, restatement is unnecessary and can lead to differing interpretations of the specification requirements.
 - b) If the answer is either not in the specifications or what is contained in the specifications is unclear or incorrect, then a change must be made by addendum and the answer is:

"Reference Addendum No. #, Item #-#."
2. If a similar question is asked more than once , the question need only be answered once. Either use the best form of question or create one question using the best parts of each.
3. Requests for changes in the specifications need not be answered in writing. The merit of all such requests should be carefully examined. If the change is made, then it is obvious in the addendum. If the change is not made, no answer is necessary.

The following are examples of common questions and appropriate responses:

SAMPLE QUESTIONS AND ANSWERS

- Q1: You have specified manufacturers A, B, and C for (___). We represent product D, and we have been in the business 25 years and we should be included in the specification.
- A: Change specification (and answer as in Paragraph 1.b above) or don't answer (reference Paragraph 3 above).
- Q2: We notice that you do not specify a color for (____). We can only supply (green) and we would like to know if this is acceptable.
- A: Change specification to specify color or to say that any color is acceptable, or to specify which colors are acceptable (reference Paragraph 1.b above).
- Q3: Your project has >\$10K of doorbells as a part of the electrical filed sub-bid. This is specialty work and should be specified as Paragraph E.

- A: Look at the specifications. If it should be a Paragraph E, change specifications (reference Paragraph 1.b above). If not, don't answer (reference Paragraph 3 above).
- Q4: We have noticed that you have not included aluminum angles in the filed sub-bid under which all metals are now specified. This work should be included in the filed sub-bid.
- A: Either change specifications (if aluminum angles are incorrectly in the general's work or are not included in the specifications and should be) [reference Paragraph 1.b] or state where this requirement appears in the filed sub-bid section (reference Paragraph 1.a above).