

**Memo**

To: Martin Buehler **File:** Lake Avenue
From: Mike Zemaitis **Sect:** 08-00148-02-FP
Subj: Justification of Bid **Date:** 11/3/2010

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Marty,

Four bids were opened on 10/26/10 for the Lake Avenue Project (Section 08-00148-02-FP). The as-read low bidder was Curran Contracting at \$1,703,627.11. Upon tabulation of Curran's bid, it was discovered that pay item #93 MAINTENANCE OF TEMPORARY EROSION CONTROL SYSTEMS was missing from the bid that they submitted. Curran Contracting submitted a schedule of prices form that did not include this pay item.

The pay item MAINTENANCE OF TEMPORARY EROSION CONTROL SYSTEMS is a fund that is drawn upon as needed on a time and material basis to maintain the erosion control systems on the project. The amount of this fund is determined by LCDOT prior the bid based on a percentage of the estimated cost of the erosion control pay items in the project. This amount is then entered into the schedule of prices by LCDOT so that the bidders do not change it. So, the extended price for this pay item is the same for all bidders. For this project, the value of MAINTENANCE OF TEMPORARY EROSION CONTROL SYSTEMS is \$11,959.00.

If the \$11,959.00 for MAINTENANCE OF EROSION CONTROL SYSTEMS is added to Curran's bid, they are still the low bidder by \$167,427. Although submission of a bid that is missing a pay item may result in the proposal being rejected, it is recommended that the pay item for MAINTENANCE OF TEMPORARY EROSION CONTROL SYSTEMS at an extended price of \$11,959.00 be added to Curran's bid, and the award for the project be made to Curran at the corrected bid amount of \$1,715,586.11.

The basis for this recommendation for award is the following excerpt from IDOT Check Sheet #LRS6 covering Bidding Requirements and Conditions for Contract Proposals:

"The right is reserved to reject and or all proposals, to waive technicalities, or to advertise for new proposals, if in the judgment of the Awarding Authority, the best interests of the Awarding Authority will be promoted thereby."

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Approved by:

Michael G. Zemaitis

Michael G. Zemaitis P.E.

Engineer of Design