

PRE-CONSTRUCTION PROCEDURES

PREQUALIFICATION

- Prequalification Process
- Advantages of Prequalifying Contractors
- Verify the Contractor's License

Bid Alternates

- Identify how bid alternates will affect the determination of which bid is the "lowest"
- Public Contract Code §20103.8 specifies four options for identifying the low bid
 - Lowest base bid
 - Lowest combination of base bid and alternates
 - Bid which will allow the most alternates within a preidentified contract price
 - Blind bid process

Substitutions

- Substitution of Materials
 - Must state that "equal" products will be accepted as substitutions
 - Should choose strategically when to allow request for substitutions

Substitutions of Subcontractors

Consent to the substitution of a subcontractor only under certain circumstances

- When the District May Consent to Substitutions: Pub.Cont. Code §4107(a)
- Written Notice of Substitutions: Pub. Cont. Code §4107(a)

District's options to do when a general contractor fails to comply with its obligations: Pub. Cont. Code §4110

Pre-Bid Site Visit/Conference

- Existing site conditions
- Documentation
- Who should attend

Bid Irregularities

- May waive discrepancies between bid package requirements and contractor's bid if:
 - The requirement is not statutory
 - The irregularity does not materially affect the proposal
 - The discrepancy could not give the contractor a competitive advantage over the other bidders

Withdrawal of Bids After Opening-

- Contractor must give written notice of error w/in 5 days after the bids were submitted
- Error must be clerical – not in judgment or carelessness
- Error must have materially affected the bid price

Issuance of Notice to Proceed

- Under most prime contracts the issuance of the Notice starts the time period for completion of work
- Certain insurance coverage is often triggered on the date the Notice is issued
- Failure to issue the Notice timely can lead to delay claims
