

704 – Pre-Bid Conference

704.1 Location: A Pre-Bid Conference will be held where deemed appropriate by the Project Manager and the Contracting Officer. The Contracting Officer will include the time, date, place and requirements in the advertisement for bids.

704.2 Conducting the Conference: The Contracting Officer shall be responsible for conducting the Pre-Bid Conference, with assistance from the Project Manager and the Architect-Engineer. The Architect-Engineer shall provide all participants at the Conference with a copy of the agenda for the meeting.

704.3 Sample Agenda: A suggested agenda for a Pre-Bid Conference follows:

Introductions:

- Contracting Officer – Division of Engineering and Contract Administration
- Project Manager – Division of Engineering and Contract Administration
- Architect-Engineer including all Sub-consultants
- Using Agency Representative
- Site contact

The Contracting Officer or Project Manager conducts the meeting and states the following information:

1. Bid Date is _____ at _____ in conference room ___ of the Bush Building, first floor, Frankfort, Kentucky.
2. Allow extra time to deliver your bid. We are located in the Bush Building, 403 Wapping Street, Frankfort. There is limited parking in the rear of the building.
3. Plan charges are _____ and can be purchased using the planroom website or through Lynn Imaging at 502-875-8341. To obtain plans and specifications, go to <http://finance.ky.gov/services/stateplan/Pages/default.aspx>. This site contains links to the state planroom and the eprocurement website for information.
4. Project Estimate: _____
5. Base Bid with all additive alternates.
6. Wage Rates do or do not apply to this project.
7. The Official Bid Document must be submitted in a sealed envelope. It is the bidder's responsibility to submit bids on time. Late bids will not be recognized.
8. Make sure that all pages are completed, signed, and notarized if necessary including the authentication of bid page. Failure to do so may invalidate the bid.
9. A 5% bid bond is required on all projects. A certified check will be accepted in place of the bid bond. **All Bonds must be executed by a surety company authorized to do business in the Commonwealth of Kentucky.**
10. Addendum must be distributed by _____. The addendum, ready for distribution, is needed by noon so it can be issued seven (7) days prior to the bid date. The Consultant will give the cut-off date for questions.
11. No changes are binding unless they are in written form by addendum.
12. Qualified Bids are not acceptable.

13. Project will be awarded using best value. 95 points available for price, 5 points available for Experience Modification Rating (EMR).
14. The lowest bidder will receive 95 points for price. All other bidders will receive points based on their price being divided by the lowest bidder's price, giving a percentage which will be multiplied by the available points.
15. The contractor with lowest documented EMR score will receive 5 points. All other bidders will receive points based on their score being divided by the lowest EMR score, giving a percentage which will be multiplied by the available points. Scoring examples are available in the Notice to Bidders.
16. Each bidder's points for price and EMR score will be added and the bidder with the highest score will be the successful bidder.
17. The EMR score is given by your insurance company for workers compensation insurance.
18. In the Official Bid Document there is a form that your insurance company must complete for your Experience Modification Rating. Score Sheets no longer have to be submitted. Make sure all blanks are signed. This is a notarized statement. Failure to provide the completed form will result in zero (0) points being awarded for the EMR criteria. **THE EMR FORM MUST BE ON THE OFFICIAL BID DOCUMENT FORM FOR EACH REQUEST FOR BID.**
19. Employers who have not paid an annual premium of at least \$5,000 over the past three years or who have not been in business for three years will not have an EMR score.
20. If your company does not have an EMR SCORE, you will receive a 1.0 (which is the base rate given to all companies by NCCI. Insurance companies use this as a standardized rating rule.). If this is the case for your company, please have your insurance company fill out the Experience Modification Form in your Official Bid Document with the score of 1.0. **MAKE SURE ALL BLANKS ARE SIGNED.**
21. Please note that in the Official Bid Documents, there is an Affidavit for Bidders, Offerors and Contractors Claiming Resident Bidder Status. This is explained in the Notice under Method of Award in your specification book.
22. If your company is a "Foreign Entity" you must provide your Certificate of Authority with your bid documents. If your company does not have a Certificate of Authority, then you will need to provide one within 14 days of the bid opening or your company will be deemed "non-responsive". Foreign Entity's should obtain this Certificate of Authority from the Secretary of State's office. Your company must also be in "good standing" with the Secretary of State's office within 14 days of bid opening if it is not already.
23. Read Minority Business Enterprise Participation and follow all instructions. It is a goal, not a requirement. We ask that you make a good faith effort to get minority participation, whether through suppliers or subcontractors.
24. Make sure that your vendor violation form lists all your vendor violations for the last 5 years because these are sent to the Labor Cabinet to verify. This needs to be filled out correctly. If you list none and have violations, you may be subject to bid rejection as it is considered perjury because this is a notarized document. If you are not sure, you can verify by contacting Labor by fax: (502) 696-1984 or email: labor.desam@ky.gov.
25. Unit prices and subcontractor list must be completely filled out. If you are doing the work, put prime or your company name, do not put "none" and do not leave any blanks. If the General Contractor lists itself for a sub-trade, make sure there is someone on the General Contractor's payroll who is licensed to perform that work. Listed subcontractors

may not be changed during or after the bid opening or review without consent of the Commonwealth.

26. If the materials list is not submitted with the bid, the low bidder will have one hour after bid opening to submit it.
27. Time for Completion: Substantial completion is _____ days and final completion is _____ days.
28. Liquidated Damages: _____ for each day until substantial completion is reached and _____ for each day until final completion is reached.
29. Commercial contracts for the Commonwealth are not tax exempt from KY Sales and/or use tax
30. The low bidder will receive an Intent to Award letter along with bond forms to be completed. All bonds are required to be submitted on Division of Engineering and Contract Administration forms. The low bidder will also receive vendor violation forms to be completed by each of the listed subcontractors. You will have 14 days to return this paperwork. Work cannot be started until you receive a contract. EEO forms are required on this project and must be completed within 5 working days from the date you are identified as the successful low bidder.

Requirements for contract:

31. 100% payment bond, 100% performance bond, vendor violation forms for all subcontractors, insurance certificate with the following requirements (also located in General Conditions Article 24.4):
32. **Commercial General Liability:** \$1 million combined limit per occurrence for bodily injury, personal injury and property damage with \$3 million annual aggregate.
33. **Automobile Liability:** \$500,000 combined single limit occurrence for bodily injury and property damage
34. **Workers Compensation and Employers Liability:** Workers' Compensation with statutory benefits without limit, as required by the KY Workers' Compensation Act and Employers Liability Limits of \$1 million per occurrence.
35. **Per Article 24.9 of the General Conditions:** The Contractor shall provide all Risks Insurance in an amount of not less than one hundred percent (100%) of the insurable value of all the work. The Risks Insurance must be dated and in force on the date indicated in the Contract to begin work.
36. For other project information go to:
<http://finance.ky.gov/services/stateplan/Pages/ConstructionFormsandInformation.aspx>
37. Architect-Engineer performs the following:
 - Provide a brief review of the scope of work and Contract Time.
 - Discuss Unit Prices and/or Allowances if included and discuss their purpose and use.
 - Discuss Additive Alternates if included; discuss the scope of each alternate.
 - Tour the site and take questions.
 - Provide meeting minutes of the pre-bid conference.
38. All questions answered and/or clarifications provided during the Pre-Bid Conference shall be included in the meeting minutes and included in an addendum.