

801 – Notice of Intent to Award and Construction Contract

801.1 Recommendation: The Using Agency, Project Manager and the Architect-Engineer shall each send a letter to the Contracting Officer recommending that the successful bid be awarded.

After the successful bid has been reviewed and confirmed, the Contracting Officer enters the successful bid response and evaluation of the bidder, who will be awarded the contract, into eMARS.

801.2 Notice of Intent to Award: If the project is eligible for award then a **Notice of Intent to Award** is sent to the successful bidder. The letter requests:

- 100% payment and performance bonds
- Certificates of Insurance
- EEO Forms for projects over \$500,000
- Verification that the Company is in compliance with the Secretary of State.
- The Contractor has fourteen calendar days to submit the required information.

801.3 Construction Contract: When all necessary contractual documentation listed in 801.2 has been received and is in order, the Division of Engineering and Contract Administration will generate the Construction Contract. The Contracting Officer and the Project Manager shall establish the effective date and the Substantial Completion date for the Construction Contract.

The Contracting Officer will forward a Construction Contract to the Contractor. Receipt of the Construction Contract by the Contractor shall serve as authorization to proceed with the Work of the Project.

The Construction Contract will indicate the date by which the Work of the Project must have commenced. The failure of the Contractor to commence work by the date indicated on the Construction Contract may be deemed to indicate Breach of Contract on the part of the Contractor and may result in the forfeiture of the Performance Bond.

The Contractor is advised not to mobilize or begin any Work related to the Project until receipt of the Construction Contract.

Should the Contractor have a justifiable reason for not starting work by the date indicated in Construction Contract, he shall provide written explanation to the Contracting Officer with a copy to the Architect-Engineer and the Project Manager.

Once a contract for construction has been awarded, the Project Manager notifies the Architect-Engineer to proceed with Phase D Construction Administration Services.