



GUIDE TO BIDDING



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Purpose of Guide to Bidding

The Minnesota Department of Transportation's (MnDOT's) *Guide to Bidding* is intended to provide information on highway construction and highway maintenance projects advertised for bids by MnDOT. It's designed to lead contractors, sub-contractors, and suppliers through the bidding process – what's required, how to bid on projects and what happens once the bids are opened.

MnDOT advertises and solicits bids for construction projects in an effort to open the process to all contractors, sub-contractors, and suppliers. MnDOT also, identifies the lowest responsible bidder – the bidder who complies with all prescribed requirements. This process ensures that taxpayers get the best value for their dollars.

Guide to Bidding **does not cover** the following types of projects:

City, County and Municipal Projects

State Aid projects or projects that are let and administered by individual cities and counties. Many of these projects are advertised in the *Construction Bulletin*. For subscription information, check: <http://www.acppubs.com/>

Some of these projects have advertisements on: <https://eadvert.dot.state.mn.us/>

These projects may also be advertised in local newspapers or on local websites.

MnDOT Design-Build Projects

For information on design-build projects, check: <http://www.dot.state.mn.us/designbuild/>

Other State Agency Projects

For information on other state agency projects, check:
<http://www.mmd.admin.state.mn.us/process/admin/page2List.asp>

Prequalification of Bidders

MnDOT has no prequalification requirements for submitting bids on construction projects. However, bidders may be required to provide a written statement before award of bids, showing their experience and the amount of capital and equipment available for doing the proposed work.

MnDOT's Bid Letting Web Site

<http://www.dot.state.mn.us/bidlet/>

MnDOT has a Web site for information on highway construction and highway maintenance projects it has advertised for bids or is working on.

Some of the information you'll find:

- Bidding Requirements
- Six-month Tentative Letting Schedule
- Advertisements for Jobs Currently Open for Bid
- Electronic copies of Plans and Proposals. These may be viewed without charge or may be downloaded from QuestCDN.com. The E-Plan room also has a list of Plan Holders for Jobs Currently Advertised
- List of Addenda for Projects in Upcoming Lettings
- Bid Results (in real time, at the time of bid opening via a link to BidExpress)
- List of Vendors (Contractors, sub-contractors, suppliers and other interested parties who have obtained plans and/or proposals during the last 3 years)
- Notices of Projects Dropped from Letting
- Forms

If you have questions regarding this Web site, contact:
Bidletting.dot@state.mn.us.

Before Bidding

Requirements

MnDOT requires contractors to meet certain requirements to make sure that their bids are acceptable and legitimate.

NOTICE

Businesses debarred under Part 20, Title 49 Code of Federal Regulation are ineligible to bid on, subcontract for, or supply materials or services for any state, county, maintenance, or municipal project. Check the Web site: <http://www.dot.state.mn.us/pre-letting/prov/sequence.html> to determine if there are any debarred businesses.

Business Registration

All businesses must comply with the requirements of doing business in Minnesota as directed by the Office of the Secretary of State.

Out-of-state businesses must obtain a “Certificate of Authority” from the Office of the Secretary of State to conduct business in Minnesota.

Check out the Secretary of State Web site at: <http://www.sos.state.mn.us/home/index.asp>. Many necessary forms can be found there.

Or contact in person or mail to:

Office of Secretary of State
Retirement Systems of Minnesota Building
60 Empire Dr., Suite 100
Saint Paul, MN 55103
In the Metro Area 651-296-2803 (9:00 AM to 4:00 PM)
In Greater MN 1-877-551-6767 (9:00 AM to 4:00 PM)
Fax: 651-297-7067

Vendor Registration

All vendors doing business with the State must register within the Statewide Integrated Financial Tools (SWIFT) system. This registration will create a vendor ID. All vendors doing business with the State prior to July 1, 2011 have been assigned new vendor numbers (for the State of Minnesota accounting system). This new vendor number will be used for all transactions and contracts relating to products and services delivered on or after July 1, 2011.

If you have an existing MAPS vendor number (if you have ever gotten a check from the State for doing work with us, you would have one): To look up your new SWIFT vendor number, enter your MAPS vendor number, without spaces, such as 0138931400 at the following link:

<http://www.swift.state.mn.us/vendors>

EXISTING CONTRACTORS: NOTE: IF YOU ARE BIDDING ELECTRONICALLY YOU WILL CONTINUE TO USE THE SAME BIDDER/VENDOR ID THAT YOU USED TO BID PROJECTS IN THE PAST

In the event that you are a new vendor with the State of Minnesota you need to apply for a Swift Vendor number, which MnDOT will use.

You may self register at Vendor Resources (<http://www.mmb.state.mn.us/vendor-resources>)

This web page consolidates registration information for the Supplier portal, shows step-by-step instructions on how to get a user ID and password to access the portal, provides vendor training help.

Questions about payments, user IDs and vendor registration should be sent to efthelpline.mmb@state.mn.us

Proposal bonds

All bids must be accompanied by a proposal guaranty (proposal bond) of five percent of the bid price. Proposal bonds assure that only legitimate bids are submitted.

The proposal guaranty may be either a proposal bond or certified check. Proposal bonds can be submitted electronically with electronic bids. Download an acceptable hard copy proposal bond form at: <http://www.dot.state.mn.us/pre-letting/prov/order/bid-bond.pdf>

Minnesota Tax ID #

All contractors doing business in Minnesota must have a Minnesota tax identification number. To obtain a number, contact the Minnesota Department of Revenue at: <https://www.mndor.state.mn.us/er/ctrl/WelcomeController> or call 1/800/652-9094 toll-free.

Federal Tax ID #

All contractors doing business in Minnesota must have a federal tax identification number. To obtain a number, contact the Internal Revenue Service at: <http://www.irs.gov/businesses/small/article/0,,id=98350,00.html>

Human Rights Certificate of Compliance

To apply for a Certificate of Compliance and ensure you meet all the requirements, contact the Department of Human Rights: <http://www.humanrights.state.mn.us/employers/index.html>

651/296-5663 or 1/800/657-3704 Toll-free

651/296-9042 Fax

Contract Compliance Unit

Minnesota Department of Human Rights

500 Bremer Tower, Seventh Place and Minnesota Street

St. Paul, MN 55101

WARNING

The process to obtain a human rights certificate is often lengthy. To avoid delay of the award, contractors should apply for certification prior to submitting bids.

Wage Rates

Prevailing wage rate is defined as the hourly basic rate of pay plus the employer's contribution for health and welfare, vacation, pension, and other economic benefits paid to workers engaged in the same class of labor in the same geographic area.

If a project is financed with both state and federal funds, workers must be paid the higher of the two wage rates for an individual classification as listed in the contract's state and federal wage determinations.

Proposals contain prevailing wage information. Should wage rates change between the time the proposal goes on sale and the letting date, you will be sent an addendum showing the new wage rates. You must comply with the most current wage rates.

Questions regarding prevailing wage information can be directed to:

Charles.groshens@dot.state.mn.us

Charles Groshens, Labor and Compliance Section
Minnesota Department of Transportation
Mail Stop 650, 395 John Ireland Blvd.
St. Paul, MN 55155
651/366-4209

State prevailing wage information can be found at:

<http://www.doli.state.mn.us/LS/PrevWageHwyH.asp>

Federal prevailing wage information can be found at:

<http://www.access.gpo.gov/davisbacon/mn.html>

Read the labor provisions in your proposal. In addition to the wage rates, please note the following sections:

Federal Funds: Required Contract Provisions Federal-aid Construction contracts found on pages 29 through 42 of EEO provisions, Division A, and Appendix A.

State Funds: Division A

WARNING

Both the federal government and the State of Minnesota require contractors who are awarded government funds for public works projects to pay their employees the prevailing wage for the locality where the project is located.

Disadvantaged Business Enterprise (DBE) Goals

Federal-aid Construction contracts contain DBE goals that will be stated in the proposal. The DBE program ensures that small businesses owned by socially and economically disadvantaged individuals have equal opportunity to participate on contracts and project work administered by MnDOT. For more information, check: <http://www.dot.state.mn.us/civilrights/dbe.html>

DBE Directory/ Vendor Search

Free search engine listing firms that have bid on or performed work on MnDOT projects. This MnDOT service is regularly updated and allows companies to search for and contact firms, including DBE firms that provide services and products for MnDOT projects. DBE firms listed in this Web site have been certified. <http://www.dot.state.mn.us/civilrights/ucpdirectory.html>

Equal Employment Opportunity

These requirements ensure equal opportunity for employment in the construction trades on MnDOT projects regardless of race, gender, ethnicity, sexual orientation, age, religion, marital status and status with regard to public assistance. <http://www.dot.state.mn.us/civilrights/eo.html>

Title VI

This program ensures that all programs, services, activities and benefits are implemented without discrimination and with active inclusion of minority and protected class interests through its Title VI Program. <http://www.dot.state.mn.us/civilrights/title6.html>

On-the-Job-Training Program (OJT)

Federal-aid Construction contracts may require OJT participation, if required, the OJT Goal will be stated in the proposal. The Prime Contractor shall submit a training plan no later than the time indicated in the proposal. The training plan shall include the job classification titles of trainees, planned training activities and the approximate start date of trainees. For more information, check: <http://www.dot.state.mn.us/civilrights/ojtprogram.html>

Preference for Veteran-Owned Businesses

Encouragement of Participation by Veteran-Owned Subcontractors

For contracts with no Federal-Aid funding, eligible certified veteran-owned and eligible certified service-disabled veteran-owned small businesses will receive a preference in the evaluation of their proposal for this Project. In addition these contracts will have a Goal for the use of veteran-owned and eligible certified service-disabled veteran-owned small businesses as sub-contractors. This is in accordance with Minnesota Statutes §161.321 (subdivision 2). For more information, check: <http://www.dot.state.mn.us/civilrights/>

Regulated Activities

Some construction projects require special licenses or permits. These requirements should be specified in the plans and proposals. Contact the appropriate agency for regulated activities you might encounter on a project.

Asbestos

Removing, enclosing, encapsulating or applying asbestos-containing material

Dept. of Health

651/201-4620

<http://www.health.state.mn.us/divs/eh/asbestos/index.html>

Asbestos removal

Pollution Control Agency

651/296-6300

http://www.pca.state.mn.us/programs/asbestos_p.html

Electricians

Electrical Licensing and Inspection

Phone: (651) 284-5064

<http://www.electricity.state.mn.us/>

Erosion Control

Minnesota Pollution Control Agency

National Pollutant Discharge Elimination System (NPDES) permits

http://www.pca.state.mn.us/programs/inpdes_p.html

Moving Buildings

License as a building mover

MnDOT

651/366-3580

<http://www.dot.state.mn.us/cvo/building.html>

Water Quality

Permits for:

Alteration of Public Waters

Construction of Dams, Shorelines and Waterways

Changing the Course, Current or Cross Section of Protected Waters

Temporary Water Appropriation

Dept. of Natural Resources

651-296-6157 or 888-646-6367

<http://www.dnr.state.mn.us/permits/water/index.html>

Federal and State Licenses

Information about federal, state and local licenses, as well as assistance in securing them.

Assistance to businesses of any size in securing licenses and permits.

License Minnesota.

<http://www.state.mn.us/portal/mn/jsp/home.do?agency=LicenseMN>

Information

Advertisements for Bids

MnDOT advertises the construction projects open for bids on the bid letting Web site at: <http://bidlet.dot.state.mn.us/advertisement.aspx>. MnDOT is legally required to advertise for a minimum of three weeks before the scheduled letting date, but most projects are advertised for longer.

Tentative Letting Schedule

Schedules list tentative future projects for the next six months. Listed projects are for informational and planning purposes only and may change over time. Check out the six-month tentative letting schedule at: <http://www.dot.state.mn.us/bidlet/misfiles/pdf/schedule.pdf>

Plans and Proposals

Pre-letting plans and proposals for a job provide a detailed description of the following items: type of work, location of work, type and quantity of materials to be used, unique construction specifications, wage rates, and Equal Employment Opportunity requirements.

Contractors, sub-contractors and suppliers who are interested in working on a project should obtain a copy of the plans and proposal.

MnDOT uses a third party vendor to make electronic copies of plans and proposals available to interested parties to view and download. Follow "E Plan Room" button at: <http://www.dot.state.mn.us/bidlet/>.

WARNING

Bidders should purchase proposals under their own names to ensure that they receive all addenda issued after the sale date. Bidders are responsible for acknowledging all addenda. Failure to acknowledge addenda may cause the rejection of your bid. MnDOT will not be responsible for bidders receiving addenda unless they appear on the plan holders list.

Plan holder Lists

Plan holder lists show all businesses that have downloaded (purchased) plans and proposals for particular projects. To obtain plan holder lists follow the "E Plan Room" button at <http://www.dot.state.mn.us/bidlet/>

WARNING

Contractors should be familiar with the Standard Specifications and Project Special Provisions prior to submitting a bid.

MnDOT's Standard Specifications for Construction

The Plan and Proposal will indicate which edition of the Minnesota Standard Specifications for Construction will govern the project. The Standard Specifications for Construction can be viewed at: <http://www.dot.state.mn.us/pre-letting/spec/index.html>

Copies may be purchased from the upon request by mail or in-person at the
Maps and Manual Sales Counter
Room 110 Transportation Bldg.
Mail Stop 260
395 John Ireland Blvd.
St. Paul, MN 55155

For information call: 651-366-3017

Ways to Bid

ALL bids submitted, with a value of over **\$150,000.00 (one hundred fifty thousand dollars)** **MUST** utilize the "Two way electronic bidding" method described in MnDOT 1206. Bids submitted under \$150,000.00 (one hundred fifty thousand dollars) may utilize the "Two way electronic bidding" or MUST RETURN paper copies of the following :

- 1) Title Sheet of the Proposal
- 2) The complete "Schedule of Prices", with all changes made in ink and initialed.
- 3) Form 21126D, attached to the back of this Proposal, with signatures and all addenda acknowledged
- 4) Form CM 32-34 (EEO Clause)
- 5) Non-Collusion Declaration
- 6) Proposal Bond

Two-way Electronic Bid Instructions

Two-way electronic bidding reduces errors in the bidding process. Plus it allows bidders to make changes right up to the minute prior to the opening of bids.

MnDOT utilizes the AASHTO "Expedite Bid" software and the "Bid Express" Web site (www.bidx.com). A hard copy of the Proposal and/or the "Schedule of Prices" is NOT required when submitting a bid utilizing "Two Way Electronic" bidding. If a hard copy of the Proposal is submitted with a "Two Way Electronic Bid", the Hard Copy Will Govern.

When the bid is submitted using "Two Way Electronic Bidding", the bidder must sign his bid in conformance with MN Statue § 161.32, subd. 1b. The bid must also comply with the requirements of the "Expedite Bid" software and the "Bid Express" Web site (www.bidx.com).

A bidder may submit a proposal bond electronically. A hard copy proposal bond is also acceptable. Contact your bonding agent to obtain an electronic proposal bond and proposal bond code. Proposal bond codes are submitted with the electronic bid. Bonding agents can contact Surety 2000 (<http://www.surety2000.com/>) or SurePath (www.insurevision.com) for accounts or questions. The proposal bond is five percent of the contract amount; it helps assure that only legitimate bids are submitted.

For electronic bidding questions, contact nancy.boeve@state.mn.us or 651-366-4243

Minnesota Department of Transportation
395 John Ireland Blvd. Mail Stop 650
St. Paul, MN 55155

Check MnDOT Web site at <http://www.dot.state.mn.us/bidlet/e-bidding.html>
Check Bid Express (www.bidx.com)

Hard Copy Bid Instructions

You can submit hard copy bids, but there are no built-in safeguards with hard copy bids as there are with two-way electronic. Check the bidding tips that follow the hard copy bid instructions to avoid bid rejection.

All bidders must provide a bid guaranty. The five percent guaranty shall be either an acceptable bond or a certified check made payable to the Commissioner of Transportation. Download an acceptable hard copy proposal bond form at:

<http://www.dot.state.mn.us/pre-letting/prov/order/bid-bond.pdf>

When submitting a Hard Copy Bid, Bidders must submit **MUST RETURN** paper copies of the following :

- 1) Title Sheet of the Proposal
- 2) The complete "Schedule of Prices", with all changes made in ink and initialed.
- 3) Form 21126D, attached to the back of this Proposal, with signatures and all addenda acknowledged
- 4) Form CM 32-34 (EEO Clause)
- 5) Non-Collusion Declaration
- 6) Proposal Bond

in a sealed envelope at the time and place specified in the Advertisement for Bids. Each bid must be marked to clearly indicate the **bidder's name, type of work, and project number. If bidding on more than one project, submit each bid in a separate envelope.**

Deliver or mail bids to the proper contracting authority and representative. For MnDOT let and administered projects, all proposals should be mailed or delivered to:

Minnesota Department of Transportation
Construction and Innovative Contracting – Contracts and Lettings
Attention: Nancy Boeve
Mail Stop 650
395 John Ireland Blvd.
St. Paul, MN 55155

Bidding Tips – How to Avoid Errors

Following these guidelines will help you avoid rejection of your hard copy bid.

1. Making corrections:

Cross out, white out, or erase alteration completely.

Print corrections in ink.

Person signing the proposal **MUST** initial the correction in ink.

Caution: Make sure all whiteouts are initialed. Whiteouts are considered a bid alteration.

2. Acknowledge each addendum on the signature page.

3. Submit the documents indicated in Section 1209 of the Special Provisions.

4. Enter unit price (in figures) for each pay item.

You must bid on, and agree to perform work for, each item. Do not leave any item blank.

If you choose to perform the work at no cost, enter 0.00 as the unit price.

Only bid on items shown in the schedule of prices or added by addendum.

Unit prices must be written in ink or typed.

Caution: Submitting penciled bids results in rejection.

5. Authorized officers must sign proposals in ink.

6. Any alteration or addition to the proposal or the price sheets is considered a conditioned bid and may result in bid rejection.

WARNING

No bids are accepted after the time set for opening bids. Bids received after the designated opening time will be returned, unopened, to the bidder. Please ensure your bid arrives on time. MnDOT cannot make exceptions due to delayed mail or delivery service, driving conditions, or any other emergency situations.

You are responsible for meeting all bidding requirements.

WARNING

**You may condition your bid only in accordance with Standard Specification 1211.
Correct your bid only in accordance with Standard Specification 1206.**

Bid Lettings

MnDOT staff open and read proposals at the time indicated in the Advertisement for Bids. "As-Read" Bid results are posted in "real time" on the Internet via a link to BidExpress. Bid lettings are usually held on the fourth Friday of the month.

After Bidding

Information

Bid Letting Results

Bid totals are posted on BidExpress as bids are opened and read at the time indicated. These results are available via a link from the Bid Letting Web Site: <http://www.dot.state.mn.us/bidlet/> and following the "Bid Results" button.

WARNING

All bids are subject to audit to determine the "responsible" low bidder.

Requirements

MnDOT sends the lowest responsible bidder a packet of information with instructions.

MnDOT contracts are awarded to the lowest responsible bidder according to Standard Specification 1302.

If you are the lowest responsible bidder, there are additional requirements you must meet.

Performance/Payment Bond

MnDOT mails performance/payment bonds to lowest responsible bidders at the time of award.

Before the contract is approved, successful bidders must execute a **payment bond** equal to the contract amount and a **performance bond** equal to the contract amount. The aggregate liability of the bond is equal to twice the full amount of the contract for projects less than \$5 million. Projects greater than \$5 million require a payment/performance bond equal to the contract amount.

All lowest responsible bidders must be capable of securing a payment and performance bond.

Consult your insurance agent for assistance in securing these bonds. MnDOT accepts only bonds from companies on the Treasury Department's Listing of Approved Sureties at:

<http://www.fms.treas.gov/c570/c570.html>

The form of the bonds, and the surety, must be acceptable to MnDOT.

A performance/payment bond can be downloaded from:
<http://www.dot.state.mn.us/const/forms/letting/Bond.pdf>.

Insurance Requirements

All workers employed in Minnesota must be covered by workers' compensation insurance. Lowest responsible bidders must submit verification of coverage. Contact your insurance agent or the Department of Labor and Industry, Workers' Compensation Unit at (651) 284-5005 or 1-800-DIAL-DLI (1-800-342-5354) or via [e-mail \(DLI.Workcomp@state.mn.us\)](mailto:DLI.Workcomp@state.mn.us). Website: <http://www.doli.state.mn.us/WorkComp.asp>

All low/successful bidders must submit a current certificate of insurance.

Authorization for Contractor's Representative

All contractors must complete and return three copies. This form designates who can represent the contract in oral and written agreements.

http://www.dot.state.mn.us/const/forms/letting/AUTHORIZATION_.pdf

Award of Contract

The contract will be awarded within 30 calendar days after the opening of proposals to the lowest responsible bidder, as required by MnDOT 1302. MnDOT notifies the lowest responsible bidder by letter that the bid has been accepted.

The start of work is determined by the contract but is always after contract approval.

Request to Sublet

Contractors must complete a request for each sub-contractor.

<http://www.dot.state.mn.us/const/forms/letting/21834-11-95.pdf>

WARNING

MnDOT 1801 (Subletting of Contract) limits the percentage of the contract that can be done by sub-contractors.