

## Work Plan for Investigation of Unbalanced Bidding

A Joint effort of the ..... Department of Transportation and the Federal Highway Administration

A team consisting of ..... Department of Transportation (..DOT) and Federal Highway Administration (FHWA) personnel has been formed to determine whether unbalanced bidding on ..... highway projects is preventing the NDOT and FHWA from obtaining the lowest ultimate cost for the projects or adversely affecting contract administration.

The team consists of:

To achieve the above objectives, the team proposes to:

1. Select a sample of projects that are nearly complete or have been completed in the last three years.
2. Analyze those projects to determine if the final quantities if applied to the low and second low bidder would have resulted in a lower cost if the project had been awarded to the second low bidder.
3. Interview the Resident Engineers on those projects to determine if the unbalanced bidding caused any significant difficulties in contract administration.
4. Interview contractor's personnel to obtain their point of view on this issue.
5. Survey a sampling of adjacent states to determine if this issue has been addressed there; and if so, how it was addressed.

The team proposes to meet the following milestones in completing this task.

Completed: Query the Resident Engineers for projects that they recommend for analysis.

Review recently completed projects for additional candidates.

January 7, 2000 Complete questionnaires for interviewing Resident Engineers and contractor's personnel.

Analyze project information (Bid Tabs, Final Quantities, Change Orders...)

January 28, 2000 Resident Engineer and Contractor interviews completed.

February 28, 2000 Draft report completed.

March 31, 2000 Final Report.

### Resident Engineer Questionnaire for Investigation of Unbalanced Bidding

#### Background:

A team of ..... and FHWA personnel has been charged with determining if unbalanced bidding on ..... highway projects is resulting in the lowest ultimate cost to the owners. That cost can be related to changed quantities of bid items, or it can be due to problems created in contract administration. In order to make that determination, the team is seeking information from Resident Engineers on how unbalanced bidding has effected specific projects.

6. Name of Resident Engineer.
7. On what project(s) was the bid unbalanced?
8. Which items were unbalanced on this project?
9. Which of these items affected the administration of this project? (Positively or Negatively)
10. How did the unbalance in bidding affect the administration of this project?

### **Contractor's Questionnaire for Investigation of Unbalanced Bidding**

Background:

A team of ..... and FHWA personnel has been charged with determining if unbalanced bidding on ..... highway projects is resulting in the lowest ultimate cost to the owners. That cost can be related to changed quantities of bid items, or it can be due to problems created in contract administration. In order to make that determination, the team is seeking information from Contractors on how unbalanced bidding has effected specific projects.

11. Name: & affiliation.
12. There must be some advantage to a contractor for making unbalanced bids or the contractors would not be submitting them. Can you give us your point of view on why such a practice is advantageous to the contractor?
13. Can you defend this practice against allegations that the State and FHWA are not getting the lowest cost for these projects? (Elaborate )
14. Additional Comments.