



division of
**Facilities Construction
and Management**

OPEN-ENDED MULTI-STEP BIDDING PROCESS

**SOLICITATION FOR
CONSTRUCTION SERVICES**

**PRE-QUALIFIED General CONTRACTORS
(PROJECT BUDGETS UP TO \$3.5M)**

Wednesday, October 25, 2023

**UDOT WENDOVER TOW PLOW STORAGE BUILDING
DEPARTMENT OF TRANSPORTATION
WENDOVER, UTAH**

DFCM Project #24097900

**SCOTT P EVANS ARCHITECT & ASSOCIATES
(DBA SPE ARCHITECTS)
PO BOX 517
KAYSVILLE, UT 84037**

TABLE OF CONTENTS

	PAGE
TITLE PAGE.....	1
TABLE OF CONTENTS.....	2
INVITATION TO BID.....	3
PROJECT DESCRIPTION.....	4
LINKS TO PRE-QUALIFIED CONTRACTOR LISTS.....	5
BIDDING PROCESS-STAGE II OPEN ENDED MULTI STEP PRE-QUALIFIED.....	6-9
PROJECT SCHEDULE.....	10

BUYER'S ATTACHMENTS WITHIN U3P SOLICITATION:

- SUBCONTRACTOR LIST FORM & INSTRUCTIONS
- DFCM SAMPLE CONTRACTOR'S AGREEMENT
- CERTIFICATE OF SUBSTANTIAL COMPLETION
- CONTRACTORS PAST PERFORMANCE RATING EVALUATION FORM
- APPROVED DRAWINGS
- APPROVED SPECS

The current [DFCM General Conditions](#) ("General Conditions") and all Supplemental General Conditions ("also referred to as General Conditions") are available on the [DFCM Website](#). The [DFCM General Conditions](#) in effect on the date of this solicitation are hereby made part of these contract documents by reference.

The Division of Facilities Construction and Management is located at:

State Office Building
Division of Facilities and Construction Management
4315 S. 2700 W., 3rd Floor
Salt Lake City, Utah 84129-2128

USPS Mailing Address:

Division of Facilities Construction and Management
P.O. Box 141160
Salt Lake City, Utah 84114-1160

Visitors, FedEx, UPS and Amazon deliveries:

State Office Building
Division of Facilities and Construction Management
4315 S. 2700 W., 3rd Floor
Salt Lake City, Utah 84129-2128

NOTE FROM THE UTAH DIVISION OF PURCHASING AND GENERAL SERVICES:

The Utah procurement website previously known as SciQuest has been re-branded as the **Utah Public Procurement Place, hereby "U3P"**. This is the same system you have generally known as SciQuest, Jaggaer, Utah Public Procurement Place, Utah Consortium, Utah SelectSite, and Utah Supplier Portal. The intent of the re-branding is to consolidate, into a single name, all references to how the procurement system is identified. The U3P system does not change any vendor accounts, sourcing events, or system functionality.

U3P CONTACT INFORMATION:

Project Specific Questions - Refer to the Project Schedule and specified source for submission.

Technical Questions - sciquestadmin@utah.gov.

INVITATION TO BID

Only firms pre-qualified during Stage I of the RFS are allowed to bid on this project.

The State of Utah - Division of Facilities Construction and Management (DFCM) is requesting bids for the construction of the following project:

UDOT WENDOVER TOW PLOW STORAGE BUILDING
DEPARTMENT OF TRANSPORTATION
WENDOVER, UTAH
DFCM PROJECT #24097900

Project Description: See Project Description on page 4 for contact information and list of pre-qualified contractors.

Construction Cost Estimate: \$650,000.00

The bid documents will be available at **3:00 PM on Wednesday, October 25, 2023** on the [DFCM website](#) .

A **MANDATORY** pre-bid meeting and site visit will be held at **10:00 AM on Thursday, November 2, 2023** in the **WENDOVER UDOT MAINTENANCE SHED- 3031 FRONTAGE ROAD WENDOVER, UT 84083**. All pre-qualified prime contractors wishing to bid on this project must attend this meeting.

Bids are to be submitted electronically until **3:00 PM on Wednesday, November 29, 2023** through a secure mailbox on the [U3P website](#). It is the sole responsibility of the contractor to ensure their bid reaches U3P before the closing date and time. There is no cost to the contractor to submit electronic bids via U3P. Bids may require the uploading of attachments. The submission of attachments containing embedded documents (i.e., zip files, .mov, wmp, and mp3 files, etc.) is prohibited. All documents should be attached as separate files. For questions relating to U3P, please email sciquestadmin@utah.gov.

A bid bond in the amount of five percent (5%) of the bid amount, made payable to the Division of Facilities Construction and Management on the AIA Document A310 – 2010 Bid Bond, or equivalent, shall accompany the bid submission and in U3P. **If the bid bond is not uploaded with the bid through U3P, the bid is NONRESPONSIVE.**

The Division of Facilities Construction & Management reserves the right to reject any or all bids or to waive any formality or technicality in any bid in the interest of the State.

PROJECT DESCRIPTION

Contact Information:

- **Project Specific Questions:** Refer to Project Schedule for deadline. All questions are to be submitted through the [Utah Public Procurement Place \(U3P\)](#).
- **U3P Technical/Bidding Questions:** sciquestadmin@utah.gov.

DFCM Project Manager: GUY WAYMAN | 801-518-0878 | gwayman@utah.gov

Project Description/Base Bid: This project consists of building one new metal building. The base bid shall include all work and materials associated with this project as outlined in the plans and specifications. Contractor's are required to use a metal building fabricator from the DFCM "Approved Fabricator List". This list can be located from the DFCM website under Building Official / Inspection and Testing tabs.

Additive Alternates: N/A

Construction Cost Estimate: \$650,000.00

Liquidated Damages: \$500.00

Tax Exempt: No

~~THIS PROJECT WILL HAVE AN ENERGY INCENTIVE.~~

~~**Energy Incentive:** This project has been identified as having potential energy incentive(s) to be collected from the public utility. This will require some additional information be filled out and provided back to DFCM for submission to the utility company. Please reference the incentive information available on the Rocky Mountain Power and Dominion Energy websites.~~

OPEN ENDED MULTI-STEP PRE-QUALIFIED CONTRACTOR LISTS

PLEASE NOTE:

Contractors eligible to bid on this project must appear on the version of the pre-qualified list that is active on the project Solicitation Date.

For questions regarding pre-qualification or eligibility, please email dfcmcontracts@utah.gov or call 801-957-7186.

Visit this [link](#) to view all current pre-qualified contractor lists on the [DFCM website](#).

BIDDING PROCESS

Only firms pre-qualified during Stage I of the RFS are allowed to bid on this project.

1. **Invitational Bid Procedures**

Each pre-qualified firm will be notified via e-mail from U3P when a project is ready for Construction Services to invite them to bid on the project.

2. **Drawings and Specifications and Interpretations**

Drawings, specifications and other contract documents may be obtained as stated in the Invitation to Bid. If any firm is in doubt as to the meaning or interpretation of any part of the drawings, specifications, scope of work or contract documents, they shall submit a request for interpretation through the [U3P website](#) by the questions deadline identified in the schedule. Answers to questions and interpretations will be made via addenda issued by DFCM. Neither DFCM nor the Designer shall be responsible for incorrect information obtained by contractors from sources other than the official drawings, specifications, and addenda issued by DFCM.

3. **Product Approvals**

Where reference is made to one or more proprietary products in the contract documents, but restrictive descriptive materials of one or more manufacturer(s) is referred to in the contract documents, the products of other manufacturers will be accepted, provided they equal or exceed the standards set forth in the drawings and specifications and are compatible with the intent and purpose of the design, subject to the written approval of the Designer. Such written approval must occur prior to the deadline established for the last scheduled addendum to be issued. The Designer's written approval will be included as part of the addendum issued by DFCM. If the descriptive material is not restrictive, the products of other manufacturers specified will be accepted without prior approval provided they are compatible with the intent and purpose of the design as determined by the Designer.

4. **Mandatory Pre-bid Site Meeting**

If a firm fails to attend a pre-bid site meeting labeled as "Mandatory", they will not be allowed to bid on the project. At the mandatory meeting, contractors may have an opportunity to inspect the site, receive additional instructions and ask questions about the project. The schedule contains information on the date, time, and place of the mandatory pre-bid site meeting.

5. **Addenda**

All clarifications from DFCM will be in writing and issued as an addendum to the RFS. Addenda will be posted on the [U3P website](#). Contractors are responsible for obtaining information contained in each addendum from the website. Addenda issued prior to the submittal deadline shall become part of the bidding process and must be acknowledged when the bid is submitted electronically through U3P. Failure to acknowledge addenda shall result in disqualification from bidding. DFCM shall not be responsible for incorrect information obtained by contractors from sources other than official addenda issued by DFCM.

6. **Financial Responsibility of Contractors, Subcontractors and Sub-subcontractors**

Contractors shall respond promptly to any inquiry in writing by DFCM to any concern of financial responsibility of the Contractor, Subcontractor or Sub-subcontractor. Failure to respond may result in suspension from DFCM's list of pre-qualified contractors.

7. **Licensure**

The Contractor shall comply with and require all of its Subcontractors to comply with the license laws as required by the State of Utah.

8. Permits

In concurrence with the requirements for permitting in the [DFCM General Conditions](#), it is the responsibility of the contractor to obtain the fugitive dust plan requirements from the Utah Division of Air Quality and the SWPPP requirements from the Utah Department of Environmental Quality and submit the completed forms and pay any permit fee that may be required for this specific project. Failure to obtain the required permit may result in work stoppage and/or fines from the regulating authority that will be the sole responsibility of the contractor. Any delay to the project as a result of any such failure to obtain the permit or noncompliance with the permit shall not be eligible for any extension in the Contract Time.

9. Bid and Bid Bond

Before submitting a bid, each bidder shall carefully examine the contract documents; shall visit the site of the work; shall fully inform themselves as to all existing conditions and limitations; and shall include in the bid the cost of all items required by the contract documents including those added via addenda. If the bidder observes that portions of the contract documents are at variance with applicable laws, building codes, rules, and regulations or contain obvious erroneous or uncoordinated information, the bidder shall promptly notify the DFCM Project Manager. Changes necessary to correct these issues will be made via addenda issued by DFCM.

Bids are to be submitted electronically through a secure mailbox at U3P until the date and time on the Project Schedule. It is the sole responsibility of the contractor to ensure their bid reaches U3P before the closing date and time. There is no cost to the contractor to submit electronic bids via U3P. Electronic bids may require the uploading of electronic attachments. The submission of attachments containing embedded documents (i.e., zip files, .mov, wmp, and mp3 files, etc.) is prohibited. All documents should be attached as separate files.

A bid bond properly signed by the contractor and a qualified surety, on the AIA Document A310 – 2010 Bid Bond, or equivalent, in the amount of 5% of the bid, shall accompany the bid submission and uploaded in U3P. **If the bid bond is not furnished with the bid through U3P, the BID is NONRESPONSIVE.** THIS BID BOND MUST BE ON THE AIA DOCUMENT A310 – 2010 BID BOND, OR EQUIVALENT IN ORDER TO BE CONSIDERED AN ACCEPTABLE BID unless only one bid is received by DFCM, or the failure to comply with the bid bond requirements is determined by the Director of DFCM to be nonsubstantial based on the following:

- (a) the bid bond is submitted on a form other than DFCM’s required Bid Bond form and the bid bond meets all other requirements including being issued by a surety firm authorized to do business in the State of Utah and be listed in the U.S. Department of the Treasury Circular 570, Companies Holding Certificates of Authority as Acceptable Securities on Federal Bonds and as Acceptable Reinsuring Companies for an amount not less than the amount of the bond to be issued. A co-surety may be utilized to satisfy this requirement;
- (b) the contractor provides a bid bond properly signed by a qualified surety and on the required DFCM Bid Bond form by the close of business of the next succeeding business day after the DFCM notifies the bidder of the defective bid bond.

A CASHIER’S CHECK CANNOT BE USED AS A SUBSTITUTE FOR A BID BOND.

10. Listing of Subcontractors

Listing of Subcontractors shall be as summarized in the “Instructions and Subcontractor’s List Form”, included as part of the contract documents. The subcontractors list shall be e-mailed to

dfcmcontracts@utah.gov within 24 hours of the bid opening. Requirements for listing additional subcontractors will be listed in the contract documents.

DFCM retains the right to audit or take other steps necessary to confirm compliance with requirements for the listing and changing of subcontractors. Any contractor who is found to not be in compliance with these requirements may be suspended from DFCM's list of pre-qualified contractors.

11. Contract and Bond

A copy of the Contractor's Agreement can be found on the [DFCM website](#) under the [DFCM Standard Construction Documents page](#). The Contract Time will be as indicated in the bid. The successful bidder, simultaneously with the execution of the Contract Agreement, will be required to furnish a performance bond and a payment bond on the AIA Document A312 - 2010 Performance and Payment Bond, or equivalent. These fully executed/signed bonds are to be e-mailed to dfcmcontracts@utah.gov.

The performance and payment bonds shall be for an amount equal to one hundred percent (100%) of the contract sum and secured from a company that meets the requirements specified in the requisite forms. Any bonding requirements for subcontractors will be specified in the Supplementary General Conditions.

12. Award of Contract

The Contract will be awarded as soon as possible to the lowest, responsive and responsible bidder, based on the lowest combination of base bid and acceptable prioritized alternates, provided the bid is reasonable, is in the interests of DFCM to accept and after applying the Utah Preference Laws in U.C.A. Title 63, Chapter 56. DFCM reserves the right to waive any technicalities or formalities in any bid or in the bidding. Alternates will be accepted on a prioritized basis with Alternate 1 being highest priority, Alternate 2 having second priority, etc. Alternates will be selected in prioritized order up to the construction cost estimate.

13. Right to Reject Bids

DFCM reserves the right to reject any or all Bids.

14. Withdrawal of Bids

Bids may be withdrawn on written request received from bidders within 24 hours after the bid opening if the contractor has made an error in preparing the bid.

15. DFCM Contractor Performance Rating and Pre-Qualification Status

As a contractor completes each project, DFCM will evaluate project performance based on the enclosed "DFCM Contractor Performance Rating" form. The ratings issued on this project may affect the firm's "pre-qualified" status and their ability to obtain future work with DFCM. Contractors shall remain on DFCM's list of pre-qualified contractors provided:

(a) They receive a performance rating of 4.0 or greater on each DFCM project.

Contractors that receive an overall rating of less than 4.0 on any single project will be removed from the pre-qualified contractors list for a period of at least one year before they are eligible to reapply, but may be given the opportunity to meet with the DFCM Director to develop a plan for re-qualification to be successfully completed before the contractor will be placed back on the pre-qualified list;

- (b) They are not suspended for failure to comply with requirements of their contract;
- (c) The firm has not undergone a significant reorganization involving the loss of key personnel (site superintendents, project managers, owners, etc.) to a degree such that the firm no longer meets the pre-qualification requirements outlined in Stage I;
- (d) The financial viability of the firm has not significantly changed, and (e) the firm is not otherwise disqualified by DFCM.

*Note: Pre-qualified contractors are **ONLY** authorized to bid on pre-qualified contractor projects within the discipline that they were originally pre-qualified under.*

16. Debarment

By submitting a bid, the Contractor certifies that neither it nor its principals, including project nor site managers, have been, or are under consideration for, debarment or suspension, or any action that would exclude such from participation in a construction contract by any governmental department or agency. If the Contractor cannot certify this statement, attach to the bid a detailed written explanation which must be reviewed and approved by DFCM as part of the requirements for award of the Project.



**STAGE II PROJECT SCHEDULE
U3P SOURCING EVENT #CR24028**

Pre-Qualified General Contractors

UDOT WENDOVER TOW PLOW STORAGE BUILDING
DEPARTMENT OF TRANSPORTATION
WENDOVER, UTAH
DFCM PROJECT #24097900

EVENT	DATE	TIME	PLACE
STAGE II BIDDING DOCUMENTS POSTED	Wednesday, October 25, 2023	3:00 PM	Utah Public Procurement Place (U3P)
MANDATORY PRE-BID SITE MEETING	Thursday, November 2, 2023	10:00 AM	WENDOVER UDOT MAINTENANCE SHED- 3031 FRONTAGE ROAD WENDOVER, UT 84083
QUESTIONS DEADLINE	Wednesday, November 8, 2023	3:00 PM	Utah Public Procurement Place (U3P)
ADDENDUM DEADLINE	Tuesday, November 14, 2023	3:00 PM	Utah Public Procurement Place (U3P)
CONTRACTOR BID & BID BONDS DUE	Wednesday, November 29, 2023	3:00 PM	Utah Public Procurement Place (U3P)
SUBCONTRACTOR LISTS DUE	Thursday, November 30, 2023	3:00 PM	EMAILED TO dfcmcontracts@utah.gov
SUBSTANTIAL COMPLETION DATE	Sunday, June 30, 2024		

Click here to access the [DFCM website](#)