

CINCINNATI STREETCAR PROJECT

Construction Procurement Process

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Director of Procurement

Governance

- Federal
 - Common Rule (49 CFR Part 18)
 - Master Grant Agreement
 - FTA Circular 4220.1F
 - Other parts of Title 49, Code of Federal Regulations
 - Various other federal laws & regulations

Governance

- State

- Chapter 153, Ohio Revised Code

- Local

- City Laws, Ordinances & Regulations

- SORTA Bylaws & Policies

Governance

- Socioeconomic Programs

- DBE (49 CFR Part 26)

- Buy America (49 CFR Part 661 & 663)

Procurement Types

- Request for Proposals (RFP)
- Qualification-Based RFP
- Sole Source
- Small Purchase
- Sealed Bid

Small Purchase

- Under \$100,000
- No formal advertising
- Solicit reasonable number of sources

Sealed Bid

- Generally required for construction contracts
- Award decision based on price
- Bids must conform to specifications
- Publicly advertised
- Public bid opening
- Award to lowest responsive bid from a responsible bidder
- Award without discussions/negotiations

Sealed Bids

- Responsive
 - Complies with all material requirements
 - Unambiguous offer to sell at a specified price
 - No deviations from specification
 - Allows minor informalities

Sealed Bids

- Responsible

- Capable to fulfill contract
- Technical capacity
- Financial resources
- Qualified personnel, equipment, etc.
- Reputable

Sealed Bidding Process

- Publicly Advertised
- Invitation for Bids (IFB) includes:
 - Instructions to bidders
 - Specifications
 - Insurance and bonding requirements
 - Bid pricing sheet
 - Contract terms & conditions
 - Compliance forms
 - DBE goal and forms

Sealed Bidding Process

- IFB may be amended (in writing and sent to all known planholders)
- Pre-Bid Conference (questions, may include site visit)
- Bids due by date and time specified in IFB
 - Late bids not accepted
 - Bids publicly opened and read

Sealed Bidding Process

- Responsiveness Review

- All forms signed and submitted
- No exceptions to specifications or terms
- DBE goal commitment
- Bid bond submitted

Sealed Bidding Process

- Responsibility Review (Prime & Major Subs)

- Firm history and qualifications
- Qualifications of key personnel
- Financial capability and stability
- Not debarred or suspended
- References
- DBE compliance/good faith efforts
- DBEs must be certified or in process of certification at time of bid