

Bidding Review Certification and Checklist for Construction Contracts

Loan Applicant: _____ Loan No. L17- _____

Project Description: _____

Yes No N/a Documentation Required for Bid Approval

1. The Bid Advertisement was published in a **DAILY**, regional newspaper, Dodge Reports (<http://dodgeprojects.construction.com/>), or approved equivalent. The ad notified bidders that this procurement is subject to regulations contained in the Procedures for Issuing Loans from the WPCLP or the PWSLP (**circle one**), the Davis-Bacon Act, the Employment of IL Workers on Public Works Act, the President's Executive Order 11246, the federal "Build America, Buy America Act", and the Loan Applicant's policy on the increased use of DBEs. [Ref. 662.620(b) or 365.620(b)]
 - A. A copy of both the Newspaper Ad and the Certificate of Publication are attached **OR**
A screenshot of the online ad is attached along with a payment receipt.
 - B. Name of Newspaper or Equivalent _____
 - C. Date of Publication _____
 - D. Date of Bid Opening _____ E. Bid Expiration Date _____
2. A copy of the Bid Tabulation is attached. [Ref. 662.620(e)(2)(B) or 365.620(e)(2)(B)]
 - A. Number of bids received _____
 - B. Amount of lowest BASE bid \$ _____
 - C. Amount of highest BASE bid \$ _____
3. A copy of the proposal (bid) signed by selected contractor is attached. [662.620(e)(2)(D) or 365.620(e)(2)(D)]
4. The Consultant's Analysis of Bids and Recommendation to Award is attached. [Ref. 662.620(e)(2)(F) or 365.620(e)(2)(F)]
5. Applicant has prepared a Notice of Intent to Award and a copy is attached. [Ref. 662.620(e)(2)(E) or 365.620(e)(2)(E)]. The notice is dated _____
 - A. If any bid alternates (deductive or additive) were accepted, list and include costs.

 - B. Accepted Bid Alternates were approved by the Agency's Permit Section?
6. The applicant received a minimum 5% Bid Bond or Cashier's Check from the selected contractor and a signed Power of Attorney (for bid bond only). A copy is attached. [Ref. 662 or 365.620(e)(2)(F)].
7. Selected contractor submitted the lowest, responsive, responsible bid.
 - A. If not, is written justification disqualifying the apparent low bidder attached? [Ref. 662.620(e)(4) or 365.620(e)(4)].
 - B. Has the selected contractor been debarred or suspended? Information may be verified at: <https://beta.SAM.gov>
 - C. Are there any appeals or protests? Ref. 662.640 or 365.640. **If YES**, alert IEPA.
8. Has the IEPA issued a valid construction permit for this project? [Ref. 662.350(c) or 365.350(c)].
 - A. **If YES**, provide the Issue Date and Permit No. _____
 - B. **If NO**, provide an explanation. _____
9. Bid quantities, major equipment, and suppliers are consistent with the Agency approved Plans & Specifications and/or IEPA Construction Permit.
 - A. **If NO**, has Agency approved the changes? (Changes must be approved by Permit Section). If not, provide an explanation. _____

10. Were any addenda issued during the bidding period? [Ref. 662.620(d) or 365.620(d)]
 - A. Copies of all Addenda are attached. All addenda require Agency approval and must be consistent with approved planning.
 - B. Addenda were distributed to all prospective bidders?
 - C. The following addenda were previously submitted & approved by IEPA?
Addenda Numbers _____
 - D. The following addenda will be approved at the time of bid review?
Addenda Numbers _____
 - E. If a supplemental construction permit was issued due to addenda, a copy is attached.

11. The signed bid proposal contains the Non-Collusion and Certification Statements (verbatim) [Ref. 662.620(c)(6) or 365.620(c)(6)]. **Page No.**_____.

12. Davis-Bacon Wage Act Compliance - The bid proposal **OR** the contract documents must include the Davis-Bacon Wage Act language (verbatim) as contained within IEPA's example documents. Wage Rate Determinations are normally set on the bid opening date and are available at <https://beta.SAM.gov>. [Ref. 662.620(f)(3) or 365.620(f)(3)]
 - A. Davis-Bacon language is in the bidder's PROPOSAL. **Page No.**_____.
 - B. Davis-Bacon language is in the CONTRACT documents. **Page No.** _____.
 - C. A copy of the applicable Wage Rate Determinations is attached.

13. The following certifications were received from the selected contractor.
 - A. Certification of Nonsegregated Facilities. [Ref. 662.620 or 365.620(f)(6)] **Page No.** _____
 - B. Certificate Regarding Bid Rigging & Rotating (Criminal Code 33E) [Ref. 662.620(c)(6)(A)(iii) or 365.620(c)(6)(A)(iii)] **Page No.** _____
 - C. Certificate Regarding Debarment, Suspension, and other Responsibility Matters. [Ref. 662.620(f)(5) or 365.620(f)(5)] **Page No.** _____
 - D. Certification that all iron, steel, manufactured products, and construction materials used for this project must be produced in the United States. [Build America, Buy America Act] **Page No.** _____

14. Federal DBE requirements for this project have been met? (40 CFR Part 33) See attached Pages 3 thru 4. Guidance is available on IEPA's website. [Ref. 662.620(f)(4) or 365.620(f)(4)]

15. The construction contract completion date OR length of time to complete the project is _____(date/days). The substantial and/or final completion date(s)/time(s) is in the Contract Documents. **Page No.**_____

16. Contractor's list of subcontractors submitting quotes is attached. **If NO**, provide an explanation.

17. For line item bids only: Has the IEPA EXCEL line item spreadsheet been submitted to IEPA?

By signing this document, I certify that the above information is, to the best of my knowledge, true and accurate. I agree to fully comply with the State of Illinois' Procedures for Issuing Loans from the Water Pollution Control Loan Program and/or the Procedures for Issuing Loans from Public Water Supply Loan Program. Furthermore, the proposal is consistent with approved specifications for this loan project in terms of quantity, description and eligibility.

Authorized Representative's Printed Name: _____ Title: _____

Authorized Representative's Signature: _____ Date: _____

*****Below this line for IEPA Use Only*****

This proposal is approved for award to _____ (insert contractor's name) in the allowable amount of \$ _____ which includes the base bid and any accepted alternates. Ineligible contract costs of \$ _____ were removed. All addenda (Items 10 C & D) have been approved by IFAS and Permits (if necessary). _____ (PM initial)

PM's Signature: _____ Date: _____

Supervisor's Concurrence: _____ Date: _____

Disadvantaged Business Enterprise Review
Construction Contracts/Equipment with Labor Involved

Loan Applicant: _____ Loan No. L17-_____

Loan Applicant Responsibilities

Yes No N/A

1. The Loan Applicant has submitted evidence of placing an “advertisement for bids” in a **DAILY**, regional newspaper for a minimum of one day. The advertisement must state, “this procurement is subject to the Loan Applicant’s policy regarding the increased use of Disadvantaged Business enterprises”. See Item #1 of the “Bidding Review Checklist” and the example advertisement contained within IEPA’s “Front End Documents”.

If an online advertisement was placed with the “Dodge Reports” or an equivalent website, a screenshot of the advertisement along with the webpage address, and a receipt must be attached.

2. Length of bidding period by Loan Applicant allows the potential prime contractor time to advertise for DBE subcontractors. The recommended time is 45 days and the minimum is generally 30 days.

_____ Days

3. Loan Applicant held a Pre-bid meeting for potential bidders? A Pre-bid meeting is highly recommended.

_____ Date of Pre-Bid Meeting

Bidder/Prime Contractor Responsibilities

Responsiveness Determination

The following information must be submitted with the bid.

Yes No N/A

1. **Completed, signed certification from the bidder(s)**, attesting that the bidder will award no subagreements, including the procurement of equipment, materials, supplies, and services, in the performance of this contract.

OR

2. “Certificate of Publication” and copy of the advertisement from a **DAILY**, regional newspaper is attached. If the certificate is not available other evidence/proof of publication such as actual page from the newspaper **may** be accepted. If an online advertisement was placed with the “Dodge Report” or an equivalent website, a screenshot of the advertisement along with the webpage address, and a receipt must be attached. All advertisements must run one day at least 16 days prior to bid opening.

A. Date of Bidder Advertisement _____

B. Date of Bid Opening _____

Yes No N/A

3. If DBEs will be utilized, a completed **IEPA DBE Form #3** from each Disadvantaged Business to be utilized attesting that they are a Disadvantaged Business. This form must be signed by the Prime Contractor and Subcontractor, and include the DBE's name, address, telephone number, a description of the work, DBE certifying Agency, and estimated cost of the subcontract.
4. If DBEs will be utilized, a signed certification from the Prime Contractor attesting that the prime contractor has no dominating or conflict of interest with the Disadvantaged Business Enterprise to be utilized. **IEPA DBE Form #1** contains this phrase and may be used for this purpose.
5. Names, addresses, telephone numbers of Disadvantaged Businesses which submitted proposals, but will not be utilized. Justification for their non-utilization must be provided. **IEPA DBE Form #1** may be used to report this information.
6. In instances where the bidder(s) does not receive any inquiries or proposals from Disadvantaged Businesses prior to bid opening, the bidder(s) must provide a written certification attesting that no responses or proposals were received. **IEPA DBE Form #1** may be used to report this information.
7. Prime contractor's list of **all DBE and non-DBE subcontractors** submitting proposals/quotes is attached. List will include names, addresses, e-mails, phone numbers, DBE status, and what work the entity bid or quoted (painting, welding, supplies, etc). List will be maintained during the project & made available upon request. **IEPA DBE Form #4** may be used to report this information.

Responsibility Determination

Yes No N/A

1. The Prime Contractor (low, responsive, responsible bidder) must provide DBE subcontractors that have been selected to perform work with a Letter of Intent signed by the Prime Contractor and the DBE subcontractor. The Letter of Intent must describe work that will be performed by the subcontractor and the price of the work.

Comments: _____

By signing this document, I certify that the above information regarding the use of Disadvantaged Business Enterprises is to the best of my knowledge, true and accurate. I understand that DBE forms and guidance documents may be obtained from the IEPA website or by contacting the Infrastructure Financial Assistance Section at 217-782-2027.

Authorized Representative's Printed Name: _____ Title: _____

Authorized Representative's Signature: _____ Date: _____