

**Foothill-DeAnza Community College District (“District”)  
Bidding and Award Procedure with Gilbane for Public Projects,  
including Construction, Repairs, or Remodeling,  
which cost \$15,000 or more [Gilbane Version 10/11/12, Page 1 of 4]**

**NOTE: FOR PROJECT PLANNING PURPOSES, SCHEDULE STEPS 2 & 3 APPROX. 50 FHDA BUSINESS DAYS (10 WEEKS) BEFORE THE DESIRED NOTICE TO PROCEED DATE**

Responsible Party	ACTION
Gilbane	1. Requests Bid Number and draft Bid Calendar from District Purchasing Services.
Gilbane	2. Submits Purchase Requisition in Banner for approval. Includes Measure C FOAPAL, engineer’s estimate, project number, project title, and name of responsible Gilbane representative.
Gilbane	3. <b>Submits proposed final version</b> of bid documents (Division 1 – 16 and drawings) to District Bond Director (BD) for review at least 2 weeks before desired bid advertisement date.
District BD	4. Collaborates with Gilbane as needed to create a mutually acceptable draft of bid documents. <sup>1</sup> Ensures the license classification legally required to bid and perform the project is accurately stated in the bid documents. Modifies Special Conditions to meet the project needs.
District Purchasing Services/BD/Gilbane	5. Submits hard copy of approved draft bid documents <sup>2</sup> as well as a soft copy to District Purchasing for review.
District Purchasing Services	6. Creates and maintains District bid file for the project.
District Purchasing Services	7. Finalizes bid calendar based upon actual delivery dates of bid documents. Distributes to Gilbane.
District Purchasing Services	8. Reviews draft bid documents, especially special conditions, bid proposal form, determination of apparent low bidder, PSA language, or equal language, alternates, allowances, and unit pricing to ensure clarity and compliance with applicable laws and policies.
District Purchasing Services	9. Collaborates with District BD to gain mutual agreement about necessary changes to the draft bid documents.
District Purchasing Services	10. Edits Div. 0 and Div. 1 of bid documents. Incorporates final bid calendar dates. Ensures that pagination is logical and accurate.
District Purchasing Services	11. Notifies Gilbane that documents have been reviewed and modified and can be picked up for reproduction.
Gilbane	12. Burns CD of District-approved Div. 0 & Div. 1 (“Project Manual”), Div. 2-16 (“Technical Specifications Manual”) and drawings or sends to print shop and instructs print shop to deliver the requested quantity by a specific date to Gilbane office.
District Purchasing Services	13. Creates legal advertisement, submits to appropriate newspaper, and provides a copy of the ad to Gilbane. Publishes ad at least once per week for two weeks per Education Code 81641. Ad must state where a contractor can obtain documents, date, time, and place of any mandatory pre-bid meeting or job walk, as well as when and where bids will be received and opened. The second publishing of the ad must occur at least five (5) FHDA business days prior to the scheduled date for any mandatory meetings or job walks.

<sup>1</sup> The technical specifications must comply with Public Contract Code 3400 regarding brand names, equals, and substitutions.

<sup>2</sup> Refers to Divisions 0 and 1 plus amendments and addenda unless otherwise required by District Purchasing for the particular project. Gilbane and District BD ensure that language in other Divisions does not conflict with Divisions 0 and 1 and that technical specifications are DSA-approved if mandated by law prior to the bid advertisement date.

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<b>Responsible Party</b>	<b>ACTION</b>
District Purchasing Services	14. Creates “Notice to Contractors Calling for Bids” document.
District Purchasing Services	15. E-mails/Faxes “Legal Advertisement” to FHDA’s nine (9) SF Bay Area trade journals/builders’ exchanges, posts on Bidnet, and notifies Scarth Lyons of PSA projects after legal ad first appears and copies of the final bid documents are available for distribution.
Gilbane	16. Provides a list of potential bidders to Purchasing Services to notify and encourage them to bid for specialty projects.
Gilbane	17. Provides Bid Documents to FHDA’s nine (9) SF Bay Area trade journals/builders’ exchanges, District and college stakeholders, the architect, and all prospective bidders upon request. Provides full set of hard copy bid documents to District Purchasing Services.
Gilbane	18. Maintains official plan holders list that (a) includes the company names, mailing addresses, fax numbers, and contact persons for the contractors that obtained the documents from the District/Gilbane <i>and</i> that (b) includes the same information for all contractors who attended the mandatory job walk (when applicable). <sup>3</sup>
Gilbane	19. Assists District Purchasing Services by scheduling conference room, inviting appropriate District & consultant representatives to pre-bid job walk(s) in accordance with the bid documents, the bid calendar, and the legal ad.
District Purchasing Services	20. Conducts pre-bid/job walk with Gilbane Project Engineer. Creates a sign-in sheet of pre-bid/job walk attendees to be maintained in the District’s Bid File. District Purchasing Services will inform participants of PSA requirements, if applicable.
District Purchasing Services	21. Makes available a copy of completed pre-bid/job walk sign-in sheet to all attendees and to Gilbane.
District Purchasing Services	22. Receives written questions from bidders for at least 3 business days after the pre-bid meeting/job walk in accordance with the “Contacts/Project Identification” section of the Division 0 bid documents.
District Purchasing and District BD	23. Reviews written questions and develops draft of bid document amendment. Obtains answers from Gilbane, architect, legal counsel, and campus as appropriate. The amendment may clarify or revise technical specifications; architectural addenda; District instructions, terms, and conditions; and/or other bid document content.
District Purchasing Services	24. Draft(s) the proposed bid document amendment(s) and references each page and paragraph to be changed. References attached drawings or architectural addenda if applicable.
District Purchasing Services	25. Reviews content of draft amendment with District Bond Director (BD). Makes revisions as agreed with District BD. District BD and District Purchasing agree to the finalized amendment. Purchasing sends the finalized amendment to Gilbane for distribution.

<sup>3</sup> Since they are public documents, any citizen is entitled to a copy of the bid document upon request, but the District is entitled to charge requestors its cost for making such copies.

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<b>Responsible Party</b>	<b>ACTION</b>
Gilbane	26. Distributes each District-approved sequentially numbered bid document amendment <sup>4</sup> upon authorization from District Purchasing Services. Issues the amendment to all prospective bidders on the plan holders list except those, if applicable, who have failed to attend <u>mandatory</u> pre-bid meetings and/or <u>mandatory</u> job walks. Also provides bid amendment to FHDA’s nine (9) SF Bay Area trade journals/builders’ exchanges. Maintains a copy of the amendment distribution list and verification of receipt.
District Purchasing Services	27. Maintains a copy of each bid document amendment in the appropriate District bid file.
District Purchasing Services	28. Receives and opens bids <sup>5</sup> on the date and at the time and place published in the bid documents. Bids submitted without the bid security required by California Public Contract Code 20111 shall be rejected. Retains originals of all bids.
District Purchasing Services	29. Faxes bid opening results <i>as requested</i> to FHDA’s nine (9) SF Bay Area trade journals/builders’ exchanges, and to all others who request the information.
District Purchasing Services	30. Analyzes the accepted bids, verifies licenses, verifies bid security, and prepares a spreadsheet that shows the lowest responsible bidder. Calculates the lowest, responsible bid based upon criteria disclosed in the bid documents and reviews analysis and spreadsheet with the District’s Bond Director. Confirms bid pricing, listing of all subcontractors, and reference checks. Collects PSA documentation as required.
District Purchasing Services	31. Requests and obtains any required State authorization for such an award prior to Board of Trustees approval of a capital outlay contract. WHEN APPLICABLE.
District Purchasing Services	32. Confirms funding and budget with District BD.
District Purchasing Services	33. Faxes “Notice of Intent to Award Contract” letter (in compliance with Div. 0, “Instructions for Bidders”) to all companies who submitted bids. This opens a five-calendar-day window for bid protests to be filed with the District Purchasing Director. Responds to all letters of bid protest, claims of mistakes, requests for bid relief, and the like.
Gilbane	34. Writes Board of Trustees Agenda Submittal that recommends award to the lowest responsible and responsive bidder. Submits the agenda item on or before the deadline to the Chancellors Office.

<sup>4</sup> Public Contract Code 4104.5 requires amendments to be issued at least 72 hours prior to bid closing date or the bid closing date must be extended at least 72 hours. FHDA prefers that bidders receive amendments at least three (3) business days prior to bid closing date.

<sup>5</sup> If the project is subject to DSA requirements, bids must be based upon the DSA-approved specification, otherwise the Board of Trustees cannot legally award a contract.

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<b>Responsible Party</b>	<b>ACTION</b>
Board of Trustees	35. Authorizes award of a contract to the lowest responsible and responsive bidder.
District Purchasing Services	36. Drafts “Notice of Award” letter to successful bidder and the related “Contract Agreement” by modifying the form that was published in the bid documents. Distributes following Board of Trustees meeting.
District Purchasing Services	37. Notifies the successful bidder the FHDA standard “ <sup>4</sup> Notice of Award” letter signed by the District Purchasing Director. Includes the request for payment bond, performance bond, certificates of insurance, and three District standard Contract Agreement to be signed by the contractor.
Successful Bidder	38. Delivers signed contractor documents (i.e., Contract Agreement, payment bond, performance bond, and certificates of insurance) to District Purchasing Services by the date designated in the Notice of Award letter. (Note: If bidder fails to do so, District may ask the Board to approve award to next lowest bidder.)
District Purchasing Services	39. Reviews contractor’s documents. Meets with Risk Manager to review bonds and insurance and to obtain Risk Management sign-off. Obtains Purchasing Director’s signature on Contract Agreement.
District Purchasing Services	40. Writes Notice to Proceed letter and has it signed by the District’s Executive Director of Facilities and Construction Management. Sends a signed original of Notice to Proceed and a signed original of Contract Agreement to successful bidder. Adds signed copies of same to the Bid File. Sends signed copy of Notice to Proceed and signed copy of Contract Agreement to Gilbane.
District Purchasing Services	41. Creates and encumbers Purchase Order which references and incorporates associated bid documents, letters, and the Contract Agreement. Obtains Purchasing Director’s signature on PO. <sup>6</sup>
District Purchasing Services	42. Distributes signed PO as follows: <ul style="list-style-type: none"> <li>• Contractor’s photocopy PO to Contractor</li> <li>• Requestor pink PO to Gilbane</li> <li>• Purchasing white original PO to District Purchasing Services file</li> <li>• Accounts Payable yellow PO copy to District Accounting Services.</li> </ul>
Gilbane	43. Instructs the contractor to reference the correct PO number on every associated invoice.
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<sup>6</sup> PO creation is delayed if District and Gilbane Accounting do not provide correct account codes and sufficient funds.