

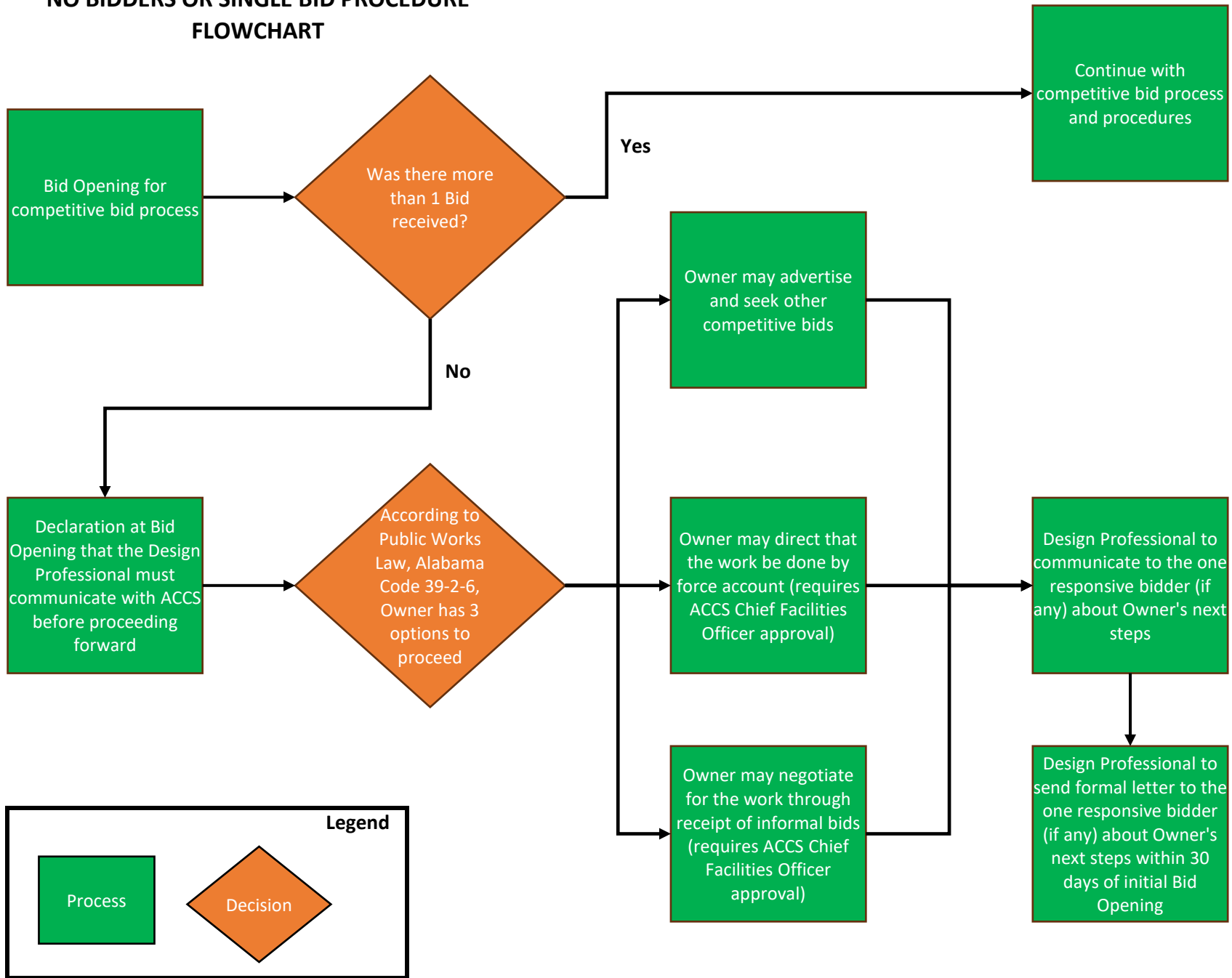


No Bidders or Single Bid Procedure

When no bids or a single bid is received at the time stated by the advertisement for bids, the following procedure must be followed:

1. Design Professional must receive ACCS Facilities written approval before proceeding forward.
2. Declaration (at time of the bid opening)
 - a. No bids received or only one responsive bid requires that the Design Professional communicate with ACCS Facilities before proceeding forward.
3. Options – According to Public Works Law, Alabama Code 39-2-6, the following are the 3 options allowed to move forward:
 - a. Owner may advertise and seek other competitive bids
 - b. Owner may direct that the work shall be done by force account under its direction and control (requires ACCS Chief Facilities Officer approval)
 - c. Owner may negotiate for the work through receipt of informal bids not subject to the requirements of Public Works Law, Alabama Code 39-2-6 (requires ACCS Chief Facilities Officer approval)
 - i. Responsive bidder proposal and information shall remain confidential
 - ii. Informal bids must align with the project as defined and advertised during the formal bid process
 - iii. Outreach to contractors
 - iv. Establishment of date for receiving proposals
 - v. Use ACCS Form 5-E (Proposal Form)
 - vi. Use ACCS Form 5-H (Accounting of Sales Tax)
 - vii. Where only one responsible and responsive bid has been received, any negotiation for the work shall be for a price lower than that bid
 - viii. Submission of proposals via email to:
 1. College Procurement (CFO)
 2. Architect
 3. ACCS Chief Facilities Officer
4. Responsive Bidder Communication
 - a. After reviewing next steps with ACCS Facilities, communicate to the one responsive bidder (if any) about the anticipated next steps.
 - b. Send a written, formal letter to the one responsive bidder (if any) detailing the next steps and confirm previous discussion with the one responsive bidder.
 - c. Written, formal letter must be sent within 30 days of the initial bid opening.

NO BIDDERS OR SINGLE BID PROCEDURE FLOWCHART



[DATE]

[Company Contact Name]

[Company]

[Company Address]

RE: **Notice of Single Bid Received**

ACCS Project [Name]

ACCS Project [Number]

Dear [Company Contact Name]:

On behalf of the Alabama Community College System and [name of College], thank you for submitting a bid for this project on [Date of Bid Opening]. Your firm was the only bidder to submit on this work package and you have not been asked to share your list of subcontractors. Your bid was sealed and has not been shared, other than it was read aloud on bid day. Per the bid documents, your bid is valid for 30 days after the original bid day [Date of Bid Opening].

As explained on [Date of initial communication of single bid] and discussed with you on [Date of verbal communication to company on next steps], this letter is to confirm the intent of the Alabama Community College System to negotiate for the work through the receipt of written informal bids in accordance with the third option allowed by Title 39-2-6(b), copy inserted below.

At this time, we are seeking and working with other potential bidders to obtain written informal bids on or before [Informal Bid Proposal Due Date]. All informal bids must be received by email (future informal bid email invitation forthcoming). All bids will remain confidential until the informal bid process closes on [Informal Bid Proposal Due Date]. Your company is welcome to submit a lower bid on or before [Informal Bid Proposal Due Date] if desired.

39-2-6(b) If no bids or only one bid is received at the time stated in the advertisement for bids, the awarding authority may advertise for and seek other competitive bids, or the awarding authority may direct that the work shall be done by force account under its direction and control or, with the exception of the Department of Transportation, the awarding authority may negotiate for the work through the receipt of informal bids not subject to the requirements of this section. Where only one responsible and responsive bid has been received, any negotiation for the work shall be for a price lower than that bid.

Sincerely,

SAMPLE INFORMAL BID EMAIL INVITATION

ACCS will receive Informal Bids for the [PROJECT NAME] and you indicated an interest in bidding on this project. Attached is the original Advertisement for Bids. Please note the following:

Bid Proposals will be due [DATE], [TIME] Proposals should be e-mailed to all of the following:

- [College (CFO) email address]
- [Architect email address]
- [ACCS Chief Facilities Officer email address]

This is an Informal Bid proposal so Bid Bond is not required to submit a proposal. However, the following Alabama Community College System (ACCS) documents are applicable and required and can be found at <https://www.accs.edu/facilities>

Documents required for Bid submittal:

- ACCS Form 5-E-IB Informal Bid Proposal Form
 - Attachment A to Proposal Form - Unit Prices (if applicable)
 - Attachment B to Proposal Form - Subcontractors and Suppliers Listing
- ACCS Form 5-H Accounting of Sales Tax
- State of Alabama Disclosure Statement
- Immigration Status Verification (E-Verify)

Documents required for contract award:

- Insurance
- ACCS Form 2-C Performance Bond
- ACCS Form 2-D Payment Bond
- ACCS Form 6-D Application and Certificate for Payment – form required to receive payment
- ACCS Form 6-E Schedule of Values – form required and is part of Pay Application
- ACCS Form 6-F Inventory of Stored Materials – form required and is part of Pay Application
- ACCS Form 6-H Progress Schedule and Report – form required and is part of Pay Application
- ACCS Form 2-G Change Order Justification – required for Change Order
- ACCS Form 2-F Contract Change Order – required for Change Order
- ACCS Form 6-K Certificate of Substantial Completion
- ACCS Form 6-M For of Advertisement for Completion – executed at completion of project

Construction Documents can be downloaded from the link:

[Link to Contract Documents]

Thank you for your interest in this project.