

INSTRUCTIONS FOR INFORMAL BIDS & LETTER CONTRACTS

Idaho Code §67-5711C, as amended, authorizes the use of informal bids for projects with a written cost estimate of greater than \$25,000 but less than \$100,000. This provision requires awarding of a contract to the low responsible bidder after soliciting bids from at least three properly licensed contractors. Minimum requirements include the following:

1. Adequate public notice given at least seven (7) days prior to bid opening. Such notice may be publication in a newspaper or trade journal in the work area and by notifying persons believed to be interested.
2. Informal bids must be submitted in writing.
The bidder must submit along with his bid an affidavit certifying his compliance with Idaho Code, §72-1717, requiring that the contractor and his subcontractors at the time of bid provide a drug-free workplace program and to maintain such program throughout the duration of the contract. (See attached sample affidavit.)
3. Bid shall be in response to a prepared written document describing the project's scope of work.
4. Bids must be documented in the project file.

The extent of written documents including plans and specifications may vary depending on the complexity of the work. The intent of the informal process is to reduce the amount of documentation and lengthy procedures inherent in the formal bidding and construction process. To be successful, the process should minimize the procedures but retain the appropriate safeguards to assure adequate performance. Basic minimal requirements for informal documents would include the following:

1. Adequate public notice shall be provided, such as an invitation to bid published in a newspaper or trade journal. Notifying interested bidders should always be done, but should be in addition to the invitation, rather than in lieu of it.
2. A prepared bid form with blank spaces to fill in the amount of the bid and for name and signature of bidder. If the project includes plumbing; heating, ventilating and air conditioning (HVAC); or electrical work, the form should have the appropriate blank spaces to list the entity (contractor/subcontractor) that will perform the work.
3. Documents should state the requirement that all contractors and subcontractors are to be properly licensed as Idaho Public Works Contractors at the time of bid.
4. Documents should indicate the minimum insurance requirements for the contractor. No actual work should commence until such assurance of minimum coverage is verified.
5. §54-1926 requires performance and payment bonds in the amount of not less than 85% of the contract amount. **ITD requires 100% on all public works projects greater than \$50,000.** A particular form is not mandated. No work on the project may be performed until these bonds are furnished.
6. Informal bids shall be based on provisions of §44-1001 (if federal funds) and §44-1002 (PW), Idaho Code pertaining to the employment of Idaho residents, and §72-1717 Idaho Code requiring an alcohol and drug-free workplace.
7. An amount of time for completion of the work should be stated in the bidding documents and incorporated into the letter contract.
8. Plans and specifications should be sufficiently detailed to clearly define the extent and quality of the work and to allow inspection for confirming the performance. The required amount of detail will vary significantly with the complexity of the project. Reference standards would be adequate in many instances.
9. Code and safety issues should be considered. If appropriate, review and approval by the Division of Building Safety and the State Fire Marshal should be accomplished.
10. A public bid opening at a specific time and place is acceptable but not mandatory. No Bid Bond is required. Because of the informal nature, most irregularities in the bids can be waived.

Documentation of the receipt of bids is to be placed in the project file. Retention of all the bids is desirable.

11. After evaluating the bids, a letter contract should be issued. It should include a date to proceed, a date to complete the work, and the total contract amount or terms. **[Note: If the letter contract is issued to a natural person age 18 or older (i.e. an individual rather than a corporation, partnership or other legal entity then the issuing agency is required by Idaho Code §67-7903 to verify that the person is either a US citizen or legal resident. The recommended procedure for verification of lawful presence is attached as an appendix to these instructions.]**
12. In most cases, only one total payment should be made after the final completion and acceptance of the work. If more than one payment is deemed necessary or desirable, the bidding documents and the letter contract should address the terms and conditions for partial payments. The documents should also allow the State of Idaho, Idaho Transportation Department, to deduct an appropriate amount from the payment for unacceptable performance or failure to complete on time. Reasonable judgment should be used in deductions from payments. Specific liquidated damages typically will not be employed in informal bidding.
13. Changes (i.e. change orders) to letter contracts should be in the form of an additional letter clearly indicating the scope of the change and any adjustment in contract amount and/or time.
14. Careful evaluation and acceptance of the work should be accomplished prior to authorizing payment. The person responsible for this task should be determined and documented prior to issuing the letter contract. In some cases, the designer may not be contracted to perform construction and acceptance service.
15. Generally, informal bid contracts will not require the typical closeout documents or requirement for the designer or contractor to provide services after final payment.

State agencies using other than Permanent Building Funds for projects with a written cost estimate less than \$100,000 are to follow the requirement set forth in Idaho Code §67-5711C for informal bidding. However, these projects do not come under the administrative authority of the department of administration nor approval by the Permanent Building Fund Advisory Council. Idaho Transportation Department may request, and the Administrator may accept the administration of such projects.

Projects with a written cost estimate of less than \$25,000 do not have any specific requirements for their implementation. Common sense and good judgment should be used if such a project is to be accomplished. Competitive selection should be used where appropriate.

Projects that are more than \$25,000 and less than \$100,000 may utilize the formal bidding process with full plans and specifications, if desired. This provides a more structured construction process.

Project Manual

**IDAHO TRANSPORTATION DEPARTMENT
State Of Idaho
ITD Project No. FM32524
Project Title: Assembly Room
Heat Pump Replacement**

Informal Bid

for the

Idaho Transportation Department
11331 W. Chinden Blvd., Bldg. 8
Garden City, ID 83714

Date

ADVERTISEMENT FOR BIDS

In accordance with Idaho Code 67-5711, The Idaho Transportation Department will accept sealed bids for Project FM32524. Bids packets will be accepted at the Idaho Transportation Department at 11331 W Chinden Blvd., Bld. 8, Boise, Idaho 83714, **until 2:29:59 p.m. local time on February 5th, 2025**, according to the Bid Package Schedule deadline. A public bid opening will be held at the Idaho Transportation Department following the closing time for receipt of bids. Bidders and other interested parties are invited to be present at bid opening.

A description of the work of this project can be summarized to include replace the existing 36 ton heat pump as the existing has failed and is not operational.

The Invitation to Bid package can be found at the following address:

<http://itd.idaho.gov/business/> "Facility Bids" tab.

Idaho Transportation Department, 11331 W Chinden Blvd. Bld. 8, Boise, ID 83714
Associated General Contractors, 1649 W Shoreline Dr., Ste. 100, Boise, ID 83702 (208) 344-2531

<https://www.idahoagc.org/plan-room>

A pre-bid conference will be held on January 28th, 2025, 2:00 PM (MST) at 8150 W Chinden Blvd, Boise, ID 83714. Bidders are encouraged to attend.

A bid bond or a certified or cashier's check in the amount of 5% of the total bid, including add alternates, is required.

Idaho Public Works license is required at the time of bid opening for all work on this project.

01/22/2025

REQUEST FOR INFORMAL BIDS

ITD Project No. FM32524

D3 – Assembly Room Heat Pump Replacement

Idaho Transportation Department
District #3, Boise, Idaho

The State of Idaho, Idaho Transportation Department, will receive informal bids for the above project at 11331 W. Chinden Blvd., Boise, ID 83714 until 2:29:59 pm local time on February 5th, 2025. Formal Bid Opening is not required. Bidders will be notified of final bid results via email and final bid results will be posted to the Idaho Transportation Department's public web site at <http://itd.idaho.gov/business/> "Facility Bids" tab.

The work shall include labor and materials required to construct replace the existing 36 ton heat pump as the existing has failed and is not operational as shown on the attached drawings and specifications at District 3 headquarters 8150 W Chinden Blvd, Boise, ID 83714.

As on-site pre-bid meeting of the project will be held January 28th at 2:00 PM.

Informal bids shall be based on provisions of §44-1001 and §44-1002, Idaho Code pertaining to the employment of Idaho residents, and §72-1717, Idaho Code requiring an alcohol and drug-free workplace.

The contractor will be required to maintain Contractors Liability Insurance to include Workman's Compensation (statutory), Employers Liability (\$100,000 minimum) and Comprehensive General Liability (minimum of \$500,000 combined single limits for bodily injury and property damage). A certificate of insurance will be required prior to any work being done.

The contractor will be required to coordinate his work with John Hall, 208-334-8307.

All work is to be accomplished within 120 calendar days from receipt of a Notice to Proceed. Failure to perform the work within this established time period will be grounds for withholding an appropriate amount of the compensation as damages for the delay.

A Public Works Contractors License for the State of Idaho is required to bid on this work.

The Contractor agrees to pay all state sales and use taxes.

Performance bonds are required for all contracts with an estimated value of \$50,000 or more. Payment bonds are required for all projects where subcontractors are utilized.

In the event it becomes necessary to revise any part of the bid documents, addenda will be issued. Information given to one bidder will be available to all other bidders if such information is necessary for purposes of submitting a bid or if failure to give such information would be prejudicial to uninformed bidders. It is the bidder's responsibility to check for addenda prior to submitting a bid. A bidder is required to acknowledge receipt of all addenda by identifying the addenda numbers in the space provided on the bid proposal form. Failure to do so may result in the bid being declared non-responsive. No addenda will be issued less than four (4) calendar days before the closing date unless the bid closing date is extended.

Plans, specifications, proposal forms and other information are available at:

Idaho Transportation Department:

Alex Plew, Facility Management Contracting Officer

11331 W Chinden Blvd.

Boise, ID 83714

(208) 334-8411

Alex.plew@itd.idaho.gov

Musgrove Engineering, P.A.

Chris Dyke, P.E., CxA, EMP

234 S. Whisperwood Way,

Boise, ID 83709

(208) 384-0585

chrisd@musgrovepa.com

INFORMAL BID

Idaho Transportation Department
ITD Project No. FM32524
D3 – Assembly Room Heat Pump
Replacement
Boise, ID

The undersigned proposes to do the above work in accordance with the request for informal bids and all drawings and specifications attached thereto.

Bidder acknowledges receipt of Addenda No. _____.
(List all Addenda)

The Bidder agrees to commence work upon receipt of a Notice to Proceed, and to complete the work within 120 calendar days thereafter. Bidder proposes to perform the work for:

Base Bid: replace the existing 36 ton heat pump as the existing has failed and is not operational.

_____ Dollars (\$ _____).

Alternate #1:

_____ Dollars (\$ _____).

Dated this ____ day of _____.

Respectfully submitted,

Subcontractors or properly licensed Entity
who will perform the work, if applicable.

By _____
(Company Name)

(Business Address)

(Signature)

(Title)

(Telephone Number)

(E-Mail Address)

(Public Works Contractors License No.)

Plumbing

Heating & Air Conditioning

Electrical

**CONTRACTOR'S AFFIDAVIT
CONCERNING ALCOHOL AND DRUG-FREE WORKPLACE**

STATE OF _____

COUNTY OF _____

Pursuant to the Idaho Code, §72-1717, I, the undersigned, being duly sworn, depose and certify that _____ is in compliance with the provisions of Idaho Code title 72, chapter 17; that _____ provides a drug-free workplace program that complies with the provisions of Idaho Code, title 72, chapter 17 and will maintain such program throughout the life of a state construction contract and that _____ shall subcontract work only to subcontractors meeting the requirements of Idaho Code, §72-1717(1)(a).

Name of Contractor

Address

City and State

By: _____
(Signature)

Subscribed and sworn to before me this _____ day of _____, _____.

Commission expires:

NOTARY PUBLIC, residing at

IDAHO CODE CERTIFICATION FORM

Failure to comply with the terms of the referenced Idaho Code may result in breach of contract.



Anti-Boycott Clauses

Per the provisions of Idaho Code §§ [67-2346](#), Anti-Boycott Against Israel Act, and Idaho Code §§ [67-2347A](#), Prohibition on Contracts with Companies Boycotting Certain Sectors the undersigned certifies that it is not currently engaged in and will not for the duration of the contract engage in the following:

- boycott of goods or services from Israel or territories under its control; or
- boycott of any individual or company because the individual or company engages in or supports the exploration, production, utilization, transportation, sale, or manufacture of fossil fuel-based energy, timber, minerals, hydroelectric power, nuclear energy, or agriculture; or
- boycott of any individual or company because the individual or company engages in or supports the manufacture, distribution, sale, or use of firearms, as defined in Idaho Code § [18-3302\(2\)\(d\)](#).



Prohibition on Contracts with Companies Owned or Operated by the Government of China

Idaho Code, §§ [67-2359](#) states “a public entity in this state may not enter into a contract with a company to acquire or dispose of services, supplies, information technology, or construction unless the contract includes a written certification that the company is not currently owned or operated by the government of China and will not for the duration of the contract be owned or operated by the government of China”. Company certifies that it is not owned or operated by the government of China.



By signing below, I certify that this company understands and will comply with the aforementioned requirements

Signature of Company’s authorized representative:

Signature

Company Name