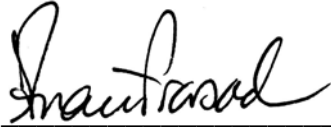


Approved:



Department of Transportation

Effective: August 19, 2011

Office: Specifications and Estimates

Topic No. 600-010-004-f

TECHNICAL REVIEW COMMITTEES

PURPOSE:

This procedure describes the responsibilities of the Central/District Technical Review Committees in reviewing the bid analysis prepared by the Central/District Estimates Offices and Central / District Contracts Administration Offices. The Technical Review Committees are charged with the responsibility of making a recommendation to award or reject bids on construction and maintenance proposals (class 1 and class 7). These recommendations are then presented to the respective Contract Awards Committees.

AUTHORITY:

Subsections 20.23(4)(a) and 334.048(3) Florida Statutes (F.S.)

SCOPE:

Offices affected are Central/District Estimates, Central/District Design, Central/District Construction, Central/District Contracts Administration, Central Federal Aid, Central Comptroller, District Procurement, District Maintenance, and District Traffic Operations.

REFERENCE:

Subsections 334.044(7), (29); 337.11(4); and 337.168(1) and (3), F.S.
Procedure No. 600-010-001, Preparation of the Authorization/Official Construction Cost Estimate and Contract Bid Review Package

DEFINITION:

District: District and Turnpike Enterprise

GENERAL:

Bidding irregularities which are discovered by the Central/District Contracts Administration Office and the Central/District Estimates Office, must be reviewed by the Technical Review Committee in accordance with the criteria established in **Section 2 (a-h)** below. Each contract is reviewed separately based on its unique irregularities.

When the Technical Review Committee determines that the low bid is not acceptable, a review of each successive bid proposal may be conducted until an acceptable bid is found. The contract is then recommended for award to the contractor with the lowest acceptable bid. If no acceptable bid is found, all bids will be rejected and the proposal will be considered for re-advertisement. Contracts without bidding irregularities in **Section 2(a-h)** that are within automatic award guidelines shall be reviewed only for mathematical unbalancing. Contracts are automatically awarded to the low bidder unless the bid is determined to be materially unbalanced. Federal Highway Administration's (FHWA) definition of materially unbalanced is when there is reasonable doubt that award to the low bidder will result in the lowest cost to the state.

1. MEMBERSHIP

Members that comprise the Central Office Technical Review Committee (for Central Office let contracts) and the District Technical Review Committee (for District let contracts) are as follows: (All are voting members unless otherwise noted.)

1.1 Central Office

- (a) Manager, Contracts Administration, Chairperson
- (b) State Roadway Design Engineer or designee
- (c) Deputy Comptroller, Financial Management or designee
- (d) State Estimates Engineer or designee
- (e) Director, Office of Construction or designee
- (f) Federal Aid Coordinator or designee

Central Office General Counsel may attend these meetings as an advisor.

1.2 District Office (suggested members)

- (a) District Contracts Administration Manager, Chairperson
- (b) District Design Project Manager (non-voting)
- (c) District Procurement Officer
- (d) District Estimates Engineer
- (e) District Construction Engineer
- (f) District Maintenance Engineer
- (g) District Traffic Operations Engineer

Central Office General Counsel may attend these meetings as an advisor.

The District Technical Review Committee's actual membership will be determined by each District.

2. CRITERIA REQUIRING A TECHNICAL REVIEW COMMITTEE DECISION

Technical Review Committee review is required when the low bidder exceeds the Department's estimate in excess or below the following criteria:

ESTIMATE AMOUNTS	REVIEW CRITERIA
(a)	1. Any estimate amount = 25% or more below estimate 2. Up to \$500,000 = 15% or more over estimate 3. Above \$500,000 = 10% or more over estimate
(b)	Single bid contracts
(c)	Re-let contracts
(d)	Significantly mathematical unbalanced bids to be presented by the Central/District Estimates Office.
(e)	Materially unbalanced bids to be presented by the Central/District Estimates Office.
(f)	Irregular bids (bids not prepared in accordance with Section 2 and 3 of the FDOT Standard Specifications) to be presented by the Central/District Contracts Administration Office.
(g)	Other bid irregularities determined by the Central/District Contracts Administration Office.
(h)	Any other reason deemed necessary by the chairperson.

3. DUTIES OF THE TECHNICAL REVIEW COMMITTEE

3.1 The Technical Review Committee shall meet approximately 13 calendar days after the letting to discuss any of the above irregularities, or at the call of the chairperson, to consider any unusual bidding practices discovered by the State Estimates Engineer/District Estimates Coordinator and the Central/District Contracts Administration Manager.

3.2 The Technical Review Committee will consider all information submitted by the State Estimates Engineer/District Estimates Coordinator and Central/District Contracts Administration Manager. The committee will then reach a decision by majority vote. The committee should consist of the same members or designees each month in order to maintain consistency in decision making.

- 3.3** Minutes of the Technical Review Committee will be taken. All references to the official estimate and percentages relating to the official estimate contained in these minutes are confidential until the contract is executed or the proposal is no longer under active consideration according to **Subsection 337.168(1), F.S.** These references to the official estimate and percentage relating to the official estimate shall be redacted from the minutes of the Technical Review Committee, prior to release pursuant to a public records request. This is required up until the contract is executed or the proposal is no longer under active consideration. Each member of the Technical Review Committee shall be responsible for maintaining the confidentiality of the official estimate in their copy of the minutes of the Technical Review Committee until the official estimate is no longer deemed confidential pursuant to **Subsection 337.168(1), F.S.** These minutes shall be maintained for 25 years by the Chairperson of the Central Office Technical Review Committee and by the District Contracts Manager on District proposals.
- 3.4** Each member of the Technical Review Committee shall sign a **Conflict of Interest Certification Technical Review / Awards Committee Low Bid Projects, Form No. 375-030-50** to document that they do not have a conflict of interest with any of the contractors being evaluated.

4. TRAINING

None required.

5. FORMS

The following form can be located in the Department's Forms Library:

Form No. 375-030-50, Conflict of Interest Certification Technical Review / Awards Committee Low Bid Projects