MONTANA TRANSPORTATION COMMISSION

Policy No. 004

REVISION OF DEPARTMENT BIDDING REQUIREMENTS

PURPOSE: The following is intended solely for the purpose of documenting the Montana Transportation Commission (MTC) policy concerning new requirements that the Montana Department of Transportation (MDT) is to use for bids on its projects.

BACKGROUND

1. Bidders on MDT projects have: failed to sign bid bonds, signed them in an incorrect location or in an incorrect capacity, failed to have notaries sign documents when required, provided confusing bid bonds on differing forms, and failed to total the bid items of their bids by noting the total on the quantity sheets provided in the bid packets. These repeated failures have resulted in several protests by the offenders to the MTC.
2. MDT makes recommendations to the MTC regarding bids made on its projects but does not determine responsiveness of bids. Since the MTC determines responsiveness of bids submitted on projects, the MTC has decided that errors noted below will make those bids non-responsive, and they will be rejected. MTC previously adopted a policy that failure to acknowledge receipt of addenda makes a proposal non-responsive.
3. The MTC directs the MDT to include the following policy in the MDT Supplemental Specifications.

   A bid proposal is irregular and will be rejected as non-responsive if:

   > Bidder fails to properly complete and sign by original signatures on the most current Department-provided bid proposal and bid bond forms. Stamped signatures are not authorized.

   Bidders have not been currently acknowledging receipt of the electronic addendum.

POLICY: At the designated letting time bids will be opened and inspected to determine if the following requirements are satisfied. Bids considered non-responsive because of those requirements will be announced at the letting but will not be read and will not be returned to the bidder until all bids have been later reviewed.

The Department will recommend to the Commission that a bid be considered non-responsive for:

1. Failure to sign the bid bond or proposal, both provided by MDT, by all specified persons, including Notaries, in the correct blocks;
2. Failure to acknowledge receipt of electronic addenda by using the correct computer electronic files.
3. Failure to provide a complete schedule of items, or an unverifiable schedule of items. Each sheet of the schedule of items must contain the same check number, to ensure that the unit bid prices correspond with the total.

HISTORY

Effective: 12/12/1996
Updated: 11/22/2002
5/7/2003
2/10/2026