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**1.0 PURPOSE:**

The purpose of this procedure is to define the procurement of construction services, and goods (materials) necessary to facilitate the Design-Bid-Build process of NTTA Project Delivery (PD) department projects.

**2.0 RESPONSIBILITIES:**

- 2.1 Assistant Executive Director (AED) – The AED shall be responsible for signing the statement prepared by the originator acknowledging acceptance of an exception to any document on the construction letting request checklist.
  - 2.2 Director of Project Delivery – The Director of Project Delivery shall be responsible for reviewing and approving all checklists and attachments prior to advertisement.
  - 2.3 Project Delivery Contracts Manager – The Project Delivery Contracts Manager shall be responsible for ensuring compliance with this procedure and shall be responsible for reviewing and approving all checklists and attachments prior to presentation to the Director of Project Delivery.
  - 2.4 Originator – The Originator is defined as the Corridor Manager (CM)/ Project Manager, or the PD functional manager who identifies the need for the procurement and shall be responsible for placing the procurement on the letting schedule, managing all procurement activities in accordance with required timing guidelines, The Originator shall also be responsible for submitting the specification book to NTTA departments for review at 90%, developing and finalizing the bid package, preparing the electronic advertising set, completing the construction letting request checklist, reviewing the checklist and attached documents with the department director, supporting all pre-bid and post-bid activities, generating the bid tabulation, submitting the apparent low bid to the PD for review, and providing executed contract documents and Notice to Proceed Letter to the contractor.
  - 2.5 Project Delivery (PD) Program Support Staff – The PD Program Support staff shall be responsible for requesting contract number from the procurement services department, ensuring insurance requirements and diversity goals are received for processing the proposal, and for following this procedure.
  - 2.6 PD Construction Procurement Engineer – The PD Construction Procurement Engineer shall be responsible for communication with contractors and shall serve as a liaison between the Originator, NTTA Procurement Services, potential bidders and the Online Plan Room staff.
  - 2.7 NTTA Procurement Services – NTTA Procurement Services shall be responsible for reviewing and approving the construction letting request checklist at pre-letting and post-letting stage of the procurement. NTTA Procurement Services shall also be responsible for placing the advertisement in the selected newspapers and the NTTA website, and for conducting the pre-bid meeting and bid opening events.
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- 2.8 NTTA Contracts Management – The contracts management staff is responsible for assigning a contract number, preparing contract documents, routing contract documents for execution, and for returning executed originals to the PD Construction Procurement Engineer for distribution.
- 2.9 PD Specification Team – The PD Specification team is responsible for assisting the originator in the preparation of the proposal book for the construction contract at 90% and final submittal. The PD Specification team is responsible for preparing the electronic advertisement package in the pre-letting phase, assisting the PD Construction Procurement Engineer during the letting phase and assisting in preparing the construction contract conformed set at post letting which includes the final proposal book, conformed final set of plans in hard copy and electronic form.
- 2.10 PD Administrative support – PD Administrative support is responsible for uploading the bid items to CapitalSoft for advertisement, and for uploading the awarded low bid to CapitalSoft following award.
- 2.11 Business Diversity Department Staff – The Business Diversity Department staff is responsible for establishing diversity goal, based upon the review of the plans and spec and estimate, and for reviewing contractual documents to ensure appropriate commitments have been made to achieve those diversity goals established for the project
- 2.12 System and Incident Management Staff – The System and Incident Management (SIM) staff are responsible for setting insurance requirements during the RFP stage and for reviewing contractual documents to ensure insurance requirements have been fulfilled.
- 2.13 PD Program Controls – The PD Estimating staff under PD Program Controls shall be responsible for reviewing and accepting all submitted estimates as stated in Cost Estimating procedure, PC-02. The PD Estimating staff shall prepare and submit a detailed bid analysis with an accept/reject recommendation to the Program Controls Manager.

**3.0 SCOPE/APPLICABILITY:**

This procedure shall apply to all construction procurements supporting the Design-Bid-Build process for NTTA Project Delivery department projects and corridors.

**4.0 REFERENCES:**

- [NTTA Policy Regarding the Procurement of Goods and Services and Disposition of Property](#)
- [NTTA Procedures Regarding the Procurement of Goods and Services and Disposition of Property](#)
- PC-02 Cost Estimates
- PC-03 Exception Reporting

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## 5.0 DEFINITIONS & ACRONYMS

## 6.0 PROCEDURES:

### 6.1 Design Bid Build Procurement – (Reference section 2 of *Procedures Regarding the Procurement of Goods and Services and Disposition of Property.*)

#### 6.1.1 Pre-Procurement Activities: Contract Development

- 6.1.1.1 The Originator shall identify the need for procurement, obtain written approval from Director of Project Delivery, and place it on the letting schedule. Consideration will be given to the duration of the advertising period. This may be discussed at monthly Budget, Schedule, Forecast meetings with the Project Delivery Contracts Manager.
- 6.1.1.2 Once the need is identified and approved by the Director of Project Delivery, the Originator shall notify PD Program Support staff to obtain a contract number. The PD Program Support staff shall contact NTTA Contracts Management who shall assign a construction contract number. This shall be done far enough in advance by the 60% Design Point, so that the contract number can be placed on all applicable documents.
- 6.1.1.3 At the 90% Design point the Originator shall submit the specification book and estimate to the NTTA departments of Business Diversity, SIM and Procurement Services for the establishment of Diversity goals and insurance requirements. Business Diversity Department and SIM shall provide the Diversity goal and insurance requirements to the PD Construction Procurement Engineer who shall forward it to the Specification Team and PD Program Support Staff.
- 6.1.1.4 The Originator shall develop and finalize the bid package with assistance from the specification team which is required for letting. This involves assembling the plan set and preparing the proposal book in both hard copy and electronic format. The Specification Team shall prepare the front end legal documents for the proposal book using boiler plate forms originally prepared by NTTA legal counsel, and the insurance and Diversity goals provided at the 90% point, and forward the front end documents to the Originator.
- 6.1.1.5 The Originator shall prepare the electronic advertisement set which includes the plans and proposal book in pdf format. A hard copy “proof set” will also be provided by the Originator to be used in quality control for the online plan room. The Originator shall deliver a CD of the data to the PD Construction Procurement Engineer for plan reproduction and posting of the project on the online plan room website.
- 6.1.1.6 The CD of the advertisement set and the proof set are due to the PD Construction Procurement Engineer a minimum of five days prior to advertisement.
- 6.1.1.7 Revisions and changes to the proposal document during advertisement shall be issued as an addendum to the bid package (this includes but not limited to, proposal, plans,

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geotechnical reports, reference documents, etc.). All changes to the proposal book shall be done by the Specification Team.

6.1.2 Procurement Activities: Letting

6.1.2.1 The Originator, shall prepare a construction letting request checklist, CA-07-F2 prior to advertising to ensure critical requirements have been met which are required to start construction.

6.1.2.2 The requirements include the following:

- Certification of ROW acquisition (CA-07-F3)
- Certification of Utility Relocation (CA-07-F4)
- ILA certification
- Rail Road certification
- DSE letter of completion
- Federal or State Letter of Authority if applicable

6.1.2.3 All ROW shall be acquired and all utilities shall be clear prior to beginning construction. If there is an exception to any document on the construction letting request checklist, the Originator shall prepare a statement to be added to the document to be signed by the Assistant Executive Director acknowledging acceptance of the exception.

6.1.2.4 As part of the preparation of the checklist, the Originator shall prepare an estimate of the fee for the project and compare it against the established budget for the project. If insufficient funds are available, the Originator shall initiate an exception report for approval in accordance with PC-03, Exception Reporting. If necessary, the specification team will be utilized to assist in the review of the estimate.

6.1.2.5 The Originator shall coordinate with the PD Construction Procurement Engineer and PD Program Support staff during the preparation of the letting request checklist (CA-07-F2) to ensure that it is filled out properly. The Project Delivery Contracts Manager shall review and sign the checklist (CA-07-F2) with the Originator and PD Construction Procurement Engineer; any noted discrepancies shall be corrected by the Originator and resubmitted to the Project Delivery Contracts Manager until approval is achieved.

6.1.2.6 The Originator shall schedule a meeting with the Director of Project Delivery to review the planned procurement and to obtain approval signature on the checklist. This meeting shall be scheduled in enough time to allow the signed checklist and all attachments to be presented to NTTA Procurement Services a minimum of five days prior to advertisement. If the Director of Project Delivery does not approve the checklist, the Originator shall resolve any discrepancies and resubmit to the Director of Project Delivery, or the procurement shall be cancelled per Director of Project Delivery direction. Once the Director of Project Delivery approval is obtained the Originator shall deliver the completed checklist and all attachments to the PD Construction Procurement Engineer who shall provide it to NTTA Procurement

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Services at least five business days prior to advertisement. If NTTA Procurement Services does not approve the checklist, the Originator shall resolve any discrepancies and resubmit to NTTA Procurement Services until approval is achieved. **If the checklist is not submitted to NTTA Procurement Services five business days prior to advertisement, the advertisement may be delayed.**

Minimum Design-Bid-Build Procurement Timing Guidelines adopted by NTTA Procurement Services are as follows:

Activity	Minimum Time between steps
Place Construction Procurement on Letting Schedule	1 day
Obtain Contract Number	5 days
Prepare 90% Proposal Book	Must be completed before BDD Goal and Insurance Requirements can be obtained
Obtain BDD Goal and Insurance Requirements	5 business days
Prepare 100% Proposal Book and Plan Sets	Must be completed before Checklist can be submitted
Review Checklist and components with Project Delivery Contracts Manager	1 day
Review Checklist and components with Department Director	1 day
Construction Letting Checklist with Components	Submitted to Procurement 5 business days prior to Advertisement
Advertisement	Must Advertise twice with the second advertisement 7 days after the first(5 business days)
Pre-Bid Meeting	7 calendar days after last advertisement (5 business days)
Bids Due/Bid Opening	14 calendar days after pre-bid meeting (10 business days)
Bid Tabulation	3 business days after bid opening
Quality Assurance (QA) of Bid	1 business day after Bid Tabulation
Corridor Management Approves the Bid Tab	1 business day after QA of Bid
Procurement Services Announces Low Bidder	1 business day after Corridor Mgt. Approves the Bid Tab
Bid Proposal Check	3 business days after Announcement of Low Bidder
Bid Analysis (Program Controls)	5 business days after QA of Bid (occurs concurrently with Items 8 and 9)
Corridor Management Recommendation	1 business day after Bid Analysis and Bid Proposal Check
Procurement Services Director approval	1 business day after Corridor Management recommendation
Dept. Director Approval of Recommendation	1 business day after Procurement Services recommendation
Announcement of Contract Award	1 business day after Department Director approval
<b>Total Minimum Time from 90% Proposal to Award : 46 Business Days (approximately 2 months) Note: 90% Proposal book must be complete a minimum of 12 business days prior to Advertisement and 100% Proposal book and plan sets must be completed a minimum of 7 business days prior to Advertisement.</b>	

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**Note: These are minimum timing requirements established to protect the proposing public to ensure they have adequate time to submit a compliant proposal. These timing requirements do not include additional time necessary for presentation to SPOC and Board.**

- 6.1.2.7 The PD Construction Procurement Engineer shall prepare the newspaper advertisement and arrange for plan reproduction and posting of the project on the online plan room website. The PD Construction Procurement Engineer shall also maintain a list of non-profit plan rooms that will receive a complimentary set of bid documents from the Authority. Only non-profit “for viewing only” plan rooms will receive complimentary sets of plans. The PD Construction Procurement Engineer shall, in accordance with the distribution matrix, CA-07-A1, provide sets of plans for NTTA use via hard copy and CD.
  - 6.1.2.8 NTTA Procurement Services shall arrange for newspaper advertisement and shall ensure the advertisement is posted on the NTTA website. NTTA Procurement Services shall determine the content and method of advertising for all notices of contract letting. If any newspaper advertisement is used, the notice shall appear in the officially designated newspaper of the Authority, in addition to the other newspapers, if any. PD Administrative support shall upload bid items to CapitalSoft prior to the day of advertisement.
  - 6.1.2.9 The NTTA Business Diversity department may choose to create an outreach list and perform outreach to diversity firms.
  - 6.1.2.10 The Originator may choose to perform outreach to the contracting community for a particular project or group of projects. This outreach may be performed prior to advertisement and shall be coordinated with NTTA Procurement Services and NTTA Business Diversity Department when applicable.
  - 6.1.2.11 If called for in the contract documents, NTTA Procurement Services shall organize and conduct the pre-bid meeting to allow potential bidders to seek clarification regarding the procurement and/or bid documents. NTTA Procurement Services shall ensure appropriate NTTA departments are in attendance as well as working with the Originator to set the agenda and involved speakers.
  - 6.1.2.12 NTTA Procurement Services shall begin bid phase management which involves receiving and issuing addenda/bid clarifications with the assistance of the PD Construction Procurement Engineer, the Originator and the Specification Team.
  - 6.1.2.13 Specifically, the PD Construction Procurement Engineer shall receive all questions from potential bidders through NTTA Procurement Services and coordinate with the Originator, the Specification Team, and NTTA Procurement Services to provide responses and/or issue addenda and bid clarifications.
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**6.1.2.13.1 Addendums and Bid Document Clarifications shall be submitted to NTTA Procurement Services 24 hours prior to issuance to bidders. Failure to submit in time may delay the issuance of the documents.**

- 6.1.2.14 Prior to bid opening date the PD Construction Procurement Engineer shall review and validate the status of bidder’s prequalification with TxDOT using the bidder’s name on the sign-in sheet at the pre-bid meeting, and record on the Bid Opening Checklist, CA-07-F1. The results of this validation shall be provided to Procurement Services. If a bidder did not sign in at the pre-bid meeting or does not hold current TxDOT prequalification, the bid will not be opened.
- 6.1.2.15 The bidders may submit bids up to the opening time and date at which time procurement services shall confirm that bid checklists are complete. Bids shall be opened and read at a public meeting at the time, date and place designated in a notice issued with the bid documents. Just prior to reading the bids, NTTA Procurement Services, aided by the PD Construction Procurement Engineer, shall check the completeness of the Proposal including the signature on addendum acknowledgement, proposal, bid bond, affidavit, or cashier’s check; and bid price schedule, prior to announcing the total bid price of the project. Incomplete bids shall not be read publicly but shall be returned to bidders. Bids shall be retained until acceptance. The PD Construction Procurement Engineer shall update the Bid Opening Checklist, CA-07-F1, with information obtained during and after the bid opening, and this completed checklist shall be uploaded to Content Management.
- 6.1.2.16 The Originator shall enter the unit price of all bids to generate the bid tabulation. The Specification Team shall review the bid tabulation for accuracy prior to release with recommendation to the Originator. The Originator shall submit the bid to the Estimating Manager. Additionally, the Originator shall submit a copy of the bid tabulation to NTTA Procurement Services who shall use this information to announce the low bidder and to work with the PD Construction Procurement Engineer to post the bid tabulation on the online Plan room. The PD Program Controls Estimating staff shall perform a bid analysis. The analysis with recommendations shall be submitted to the Originator. The Program Controls Manager notes if the lowest responsible bidder is less than the current established budget for the project. If insufficient funds are available, the Originator shall initiate an exception report for approval in accordance with PC-03, Exception Reporting.
- 6.1.2.17 Concurrent with the preparation and analysis of the bid tabulation, the PD Construction Procurement Engineer shall evaluate the bid proposal of the low bidder for completeness; scan the signature pages, bonds and other forms completed by the low bidder and prepare the contract conformed proposal. The PD Construction Procurement Engineer shall return the low bid proposal to Procurement Services for further processing. After receiving the recommendations from the Specification Team, Program Controls Estimating staff and the PD Construction Procurement Engineer, the Originator shall complete and sign the second section of the Construction Letting Request Checklist (CA-07-F2) and submit to the Project Delivery

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Contracts Manager, Director of Project Delivery, and Director of Procurement Services for approval.

- 6.1.2.18 Following approval, PD Administrative support shall upload the awarded low bid to CapitalSoft.
- 6.1.2.19 If the contract is more than \$299,999.99, then the contract shall require approval by the Board, prior to execution in accordance with Section 6.2.
- 6.1.2.20 If the contract is \$299,999.99 or less, then the contract shall be executed in accordance with Section 6.2.

## 6.2 Design Bid Build Construction Contract Execution

- 6.2.1 The PD Construction Procurement Engineer shall prepare and submit four (4) copies of the pre-conformed contract proposal book with all addenda and acknowledgements, signature pages, pre-bonds, and other forms filled out by the low bidder, to NTTA Contracts Management for preparation of contract package.
  - 6.2.2 Once the contract documents are received by NTTA Contracts Management, NTTA Contracts Management shall contact PD Program Support Staff, who then generate an Executive Transmittal Letter, obtain the signatures of the DPD and the AED and provide the signed letter to NTTA Contracts Management.
  - 6.2.3 The originator shall prepare the electronic bid set of plans and final plan mylars.
  - 6.2.4 NTTA Contracts Management shall forward the contracts and bond documents to the selected contractor/firm for execution.
  - 6.2.5 The selected contractor/firm shall return the executed documents (wet signature) and required forms to NTTA Contracts Management.
  - 6.2.6 NTTA Contracts Management shall assemble the conformed proposal with the signed bonds and other executed documents.
  - 6.2.7 Upon review for compliance, NTTA Contracts Management shall attach the previously prepared Executive Transmittal Letter and shall forward to NTTA Business Diversity Department, Insurance (SIM Department), and Legal for approval of submitted documents.
  - 6.2.8 Upon concurrence from NTTA Business Diversity Department, Insurance, and Legal, NTTA Contracts Management shall forward the contract to Deputy Executive Director/Executive Director for execution and shall then be forwarded to the Board Secretary for signature. The executed contracts shall be returned NTTA Contracts Management. NTTA Contracts Management shall compile the conformed contract package and forward three executed original copies to the PD Construction Procurement Engineer while retaining one executed copy for their files.
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- 6.2.9 The NTTA Director of Procurement Services shall sign the post-letting phase of the checklist on CA-07-F2 after final contract documents are complete and executed, and return a copy to PD Program Support Staff.
- 6.2.10 The PD Construction Procurement Engineer and Specification Team shall perform a quick review for completeness of the executed conformed contract prior to preparation of electronic conformed proposal.
- 6.2.11 The originator shall provide CD data of the bid set of plans to PD Construction Procurement Engineer for reproduction and distribution in accordance with the distribution matrix, CA-07-A1, to the different teams supporting the construction of the project.
- 6.2.12 The PD Construction Procurement Engineer shall deliver print sets of conformed proposal, including original proposal, prints of bid sets, and CD data to the Originator, and shall ensure one executed original copy is on file in the Plan Room.
- 6.2.13 The PD Construction Procurement Engineer shall notify PD Document Control to upload the conformed contract into EPDS. Once uploaded, PD Document Control then notifies Program Controls of the location of the contract in the system.
- 6.2.14 After consultation with the Originator, the PD Construction Procurement Engineer shall prepare the Notice to Proceed letter with assistance from PF Program Support staff which shall be signed by the Director of Project Delivery. The Originator will then transmit the original contract and the Notice to Proceed to the selected contractor/firm, and shall send a copy of the Notice to Proceed to NTTA Contracts Management.

## 7.0 REGULATORY REQUIREMENTS:

As stated in the NTTA *Policy Regarding the Procurement of Goods and Services and Disposition of Property*, the procurement of goods and services must adhere to section 366.033(j) of the Texas Transportation Code.

## 8.0 RELATED BOARD POLICY:

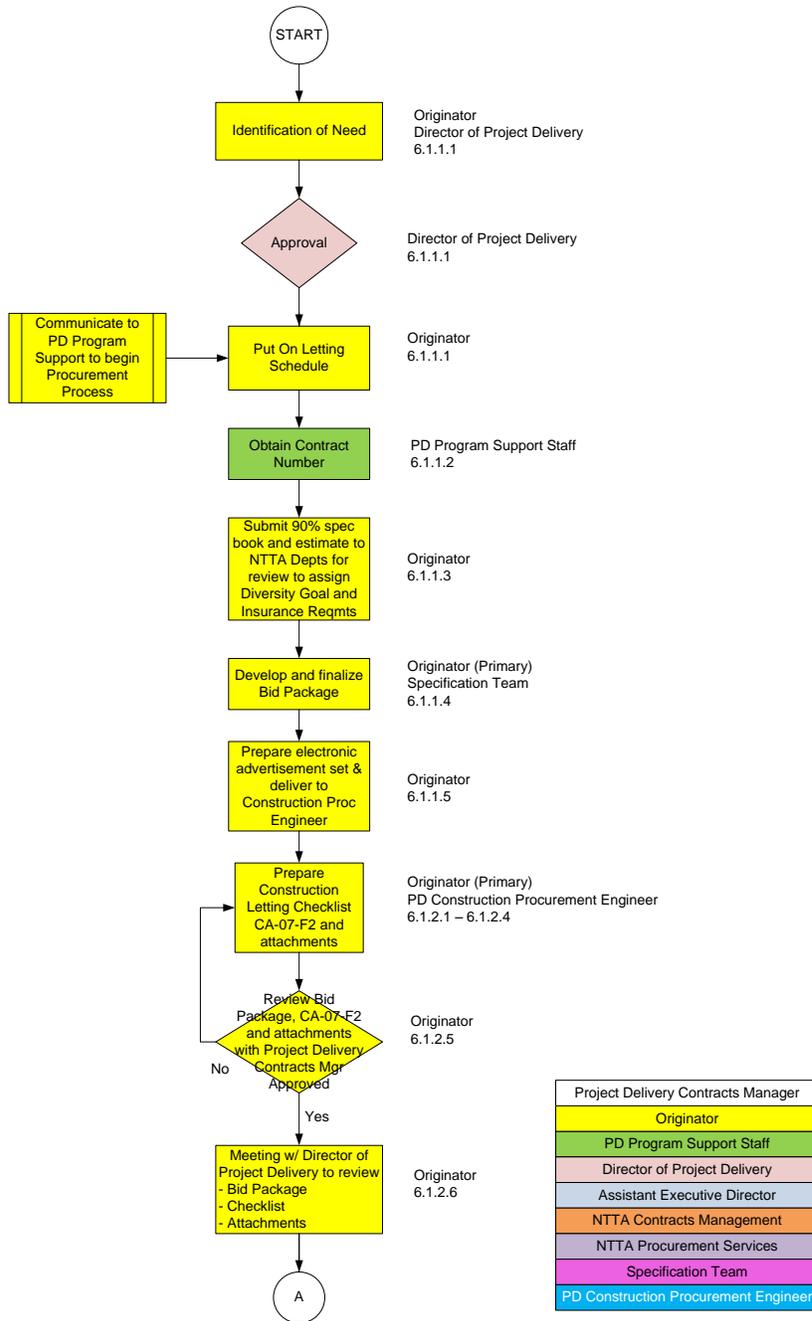
[\*NTTA Policy Regarding the Procurement of Goods and Services and Disposition of Property\*](#)

## 9.0 COMPONENT DOCUMENTS:

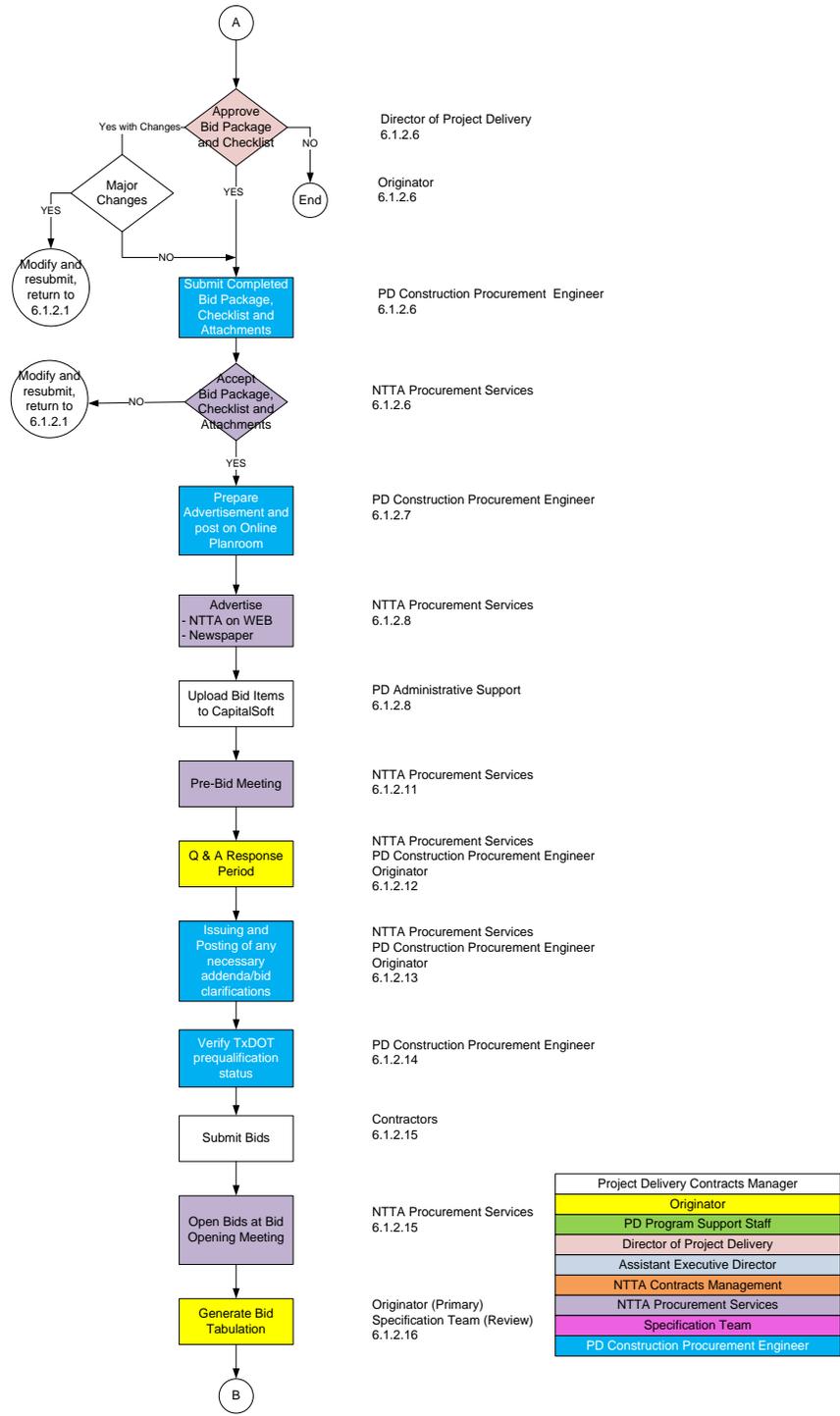
- [PC-02-F2](#) Estimating Request Form
  - [CA-07-A1](#) Distribution Matrix
  - [CA-07-F1](#) Bid Opening Checklist
  - [CA-07-F2](#) Construction Letting Request Checklist
  - [CA-07-F3](#) Right-of-Way Certification
  - [CA-07-F4](#) Utility Adjustment Certification
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**10.0 FLOWCHART: CONSTRUCTION PROCUREMENT PROCESS**

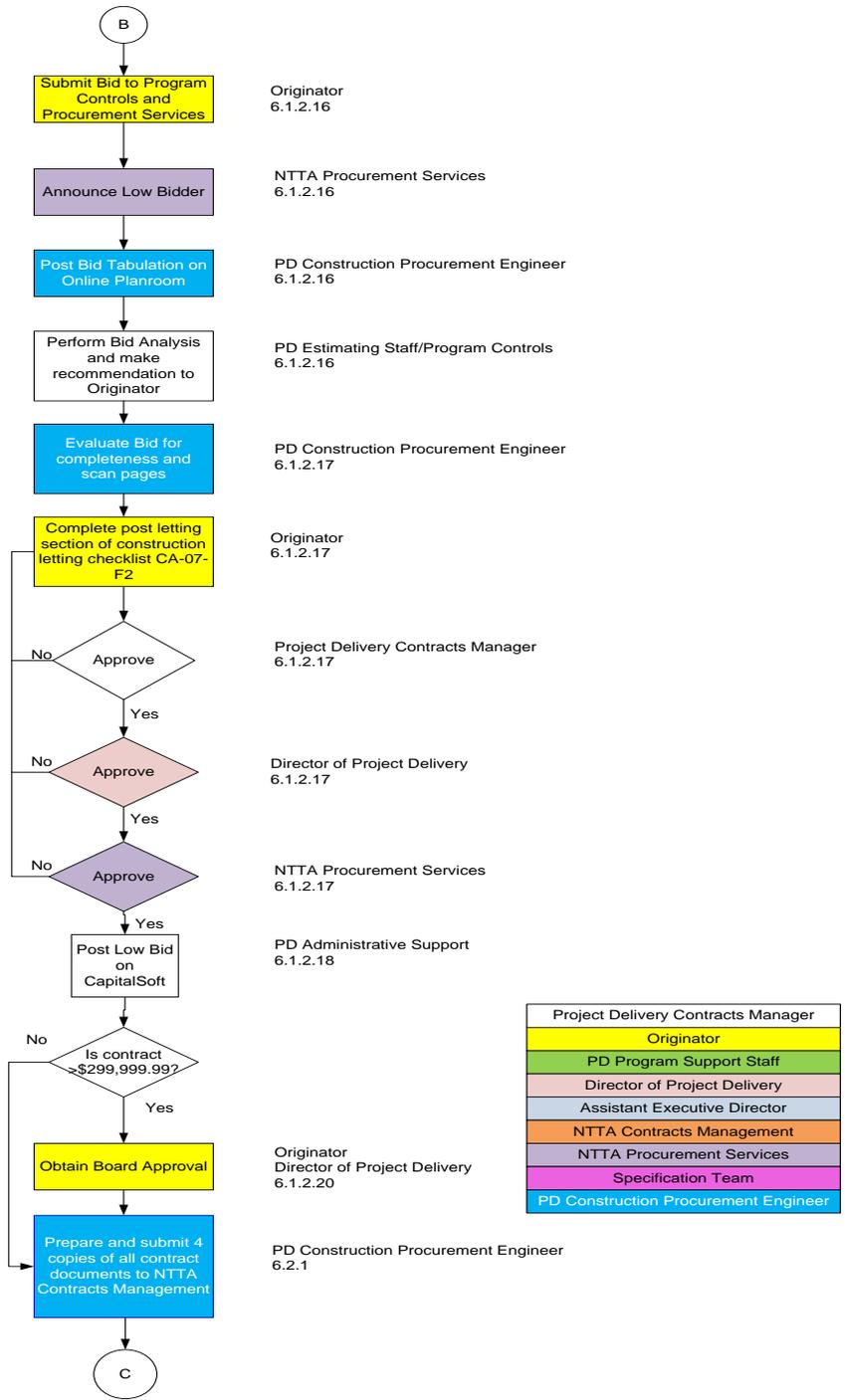


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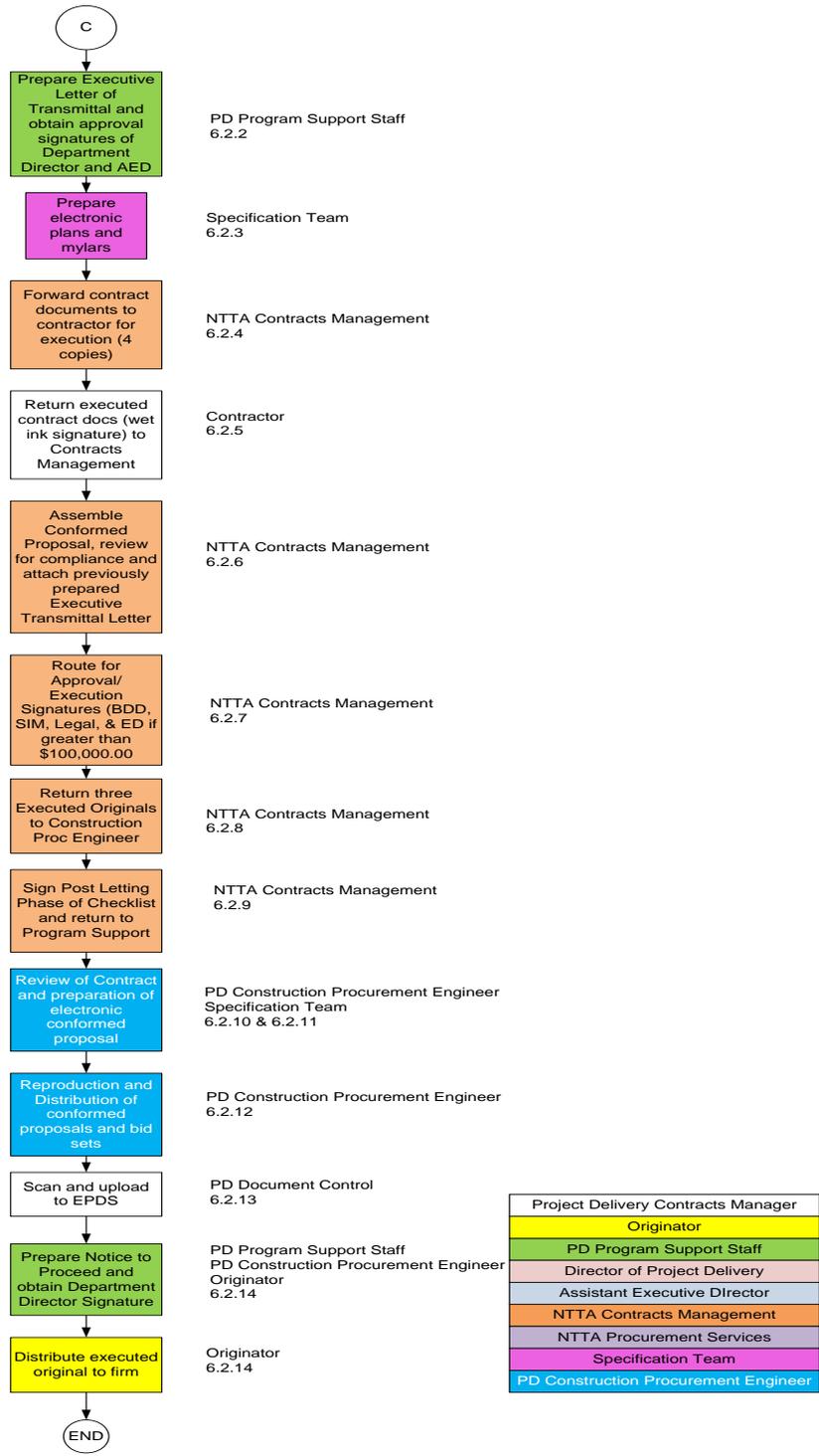
Project Delivery Contracts Manager
Originator
PD Program Support Staff
Director of Project Delivery
Assistant Executive Director
NTTA Contracts Management
NTTA Procurement Services
Specification Team
PD Construction Procurement Engineer

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Project Delivery Contracts Manager
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**11.0 REVISION HISTORY:**

Revision	Revised by:	Date Issued	DRN	Reason for Revision
0	Mike Hutchison	03/08/2010	<a href="#">10092</a>	Original Issue
1	Aruldass Amaladas	05/27/2010	<a href="#">10143</a>	Added Bid Opening Checklist, CA-07-F1 to 6.1.2.14 and 6.1.2.15 and Component Documents
2	Aruldass Amaladas	08/23/2010	<a href="#">10226</a>	Deleted CA-01-F3 from the procedure. Added CA-07-F2, CA-07-F3 and CA-07-F4 to 6.0 Procedures and 9.0 Component Documents. Updated 6.1.2.16
3	Whit Friend	04/28/2011	<a href="#">10306</a>	Updated all CA-07 documents to include Project Delivery Contracts Manager. Changed PMO to PD.