

CITY OF ST. PAUL PARK BIDDING POLICY

I. PURPOSE AND NEED FOR A POLICY

This policy sets forth the requirements for bidding and advertising for competitively bid projects that are estimated to exceed \$175,000. It defines and clarifies the City bidding process that is established by statute, including processes specific to electronic advertising and bidding. Contracts that involve special assessments under Minnesota State Statute 429 have additional requirements; contact the City Engineer for direction on the appropriate process to use before starting a 429 project.

II. POLICY

The City of St. Paul Park follows Minnesota State Statutes in regard to bidding and other requirements for municipal contracts. These include procedures for competitive bidding and mandated terms for contractual agreements.

III. PROCEDURES

- A. Approval: Projects or procurements must be either in the approved budget or require City Council authorization prior to bidding. All competitively bid contracts require City Council action awarding a contract.
- B. Specifications: A City standard construction contract template shall be used as the starting point for construction contract drafting. These templates detail the City's contract requirements based upon the estimated contract amount. Bid bonds, responsible bidder, insurance, performance and payment bonds and withholding affidavits are required for all competitively bid contracts.
- C. Advertisement for Bid: Specific language is required for the advertisement for bids. The City's standard advertisement for bids should be used to ensure required language is included. When using electronic bidding, the notice will clearly state that paper bids will not be accepted. Contact the City Engineer for assistance with generating an advertisement for bids if necessary. Projects estimated to exceed \$175,000 require publication in the City's official newspaper and a trade publication at least ten days prior to the bid opening. Projects that include special assessments require at least three weeks of advertisement prior to the bid opening. State Statute allows the City to use the City's website to replace the official newspaper and an electronic plan distribution service such as QuestCDN to replace the trade publication requirement. An affidavit of publication is required from each publishing entity. If the advertisement is completed electronically, the affidavit must be created by the City staff or agent publishing the bid and requires acknowledgement of publication, including date, notarized signature and content of the advertisement for bids. Screen shots of the digital bid advertisement shall be included with the affidavit to document that the advertisement was published. Staff shall ensure that the bidding website has the functionality to facilitate submission of required information and documents to meet all state statutes and bidding laws.
- D. Bid Requirements: Required documents from the bidders include but are not limited to a

bid bond, bid form containing responsible contractor language, human rights certification, and affidavit of non-collusion. All paper bids must be sealed and identified on the outside wrapper.

- E. Bid Opening: The bid opening will take place in a conference room, council chambers, or other public place where any bidders present may observe. Two City staff or agents will be present when the bid time expires. All bids shall be acknowledged and read aloud or viewed online. Bid results will be available after this process is complete. Only the name of the bidder and the dollar amount specified is public information; all other bid data is not public until after the Council awards the contract. For online bids, all bid submittals and documents for the winning contractor, including the bid tabulation and abstract, shall be scanned and retained.
- F. After Bid Opening: Bids should be evaluated to determine the responsibility of the bidder. The contract must be awarded to the lowest responsible bidder. If City staff determines the lowest bidder is not the lowest responsible bidder, the City Attorney shall be contacted for consultation and justification prior to recommendation to the City Council. A signed contract, certificate of insurance, performance bond and payment bond are required before a notice to proceed is issued.
- G. The City has the right to reject all bids.
- H. All bid submittals and documents shall be retained in accordance with the City record retention schedule.

IV. RESPONSIBILITY AND AUTHORITY

Administrative implementation of policy. By authority of applicable Minnesota Statutes.