

Contact: John Nash

REVISIONS TO BOARD POLICY MANUAL

Action Requested: Approve, as a first and final reading, the proposed revisions to Board of Regents Policy Manual Chapter 2.3 - Property and Facilities.

Proposed revisions:

12. Bidding of Construction Contracts

B. Bid Security

- ~~i. Bid security shall be as provided in Iowa Administrative Code. Bids accompanied and secured by any other form of bid security or for which no bid security is provided shall automatically be disqualified.~~
- ~~ii. As permitted by Iowa Code, on a project total bid of \$50,000 or less, Certified Targeted Small Businesses may either provide a bid bond OR a bond waiver from the Department of Inspections and Appeals. The waiver applies only to a prime contract where the total, individual transaction does not exceed \$50,000.~~
- i. For bids exceeding an estimated construction cost of \$100,000, bids shall be submitted with bid security through www.bidexpress.com. Each bid security shall be in the amount of at least five percent of the bid.
- ii. Bid security shall be an electronically-verified bid bond uploaded, scanned copy (pdf preferably) of the University's completed bid bond form, uploaded certified check or uploaded cashier's check. No cash or regular bank check deposits are allowed.
- iii. Certified checks and cashier's checks shall be made payable to the "Board of Regents, State of Iowa."
- iv. For the three lowest responsible bidders who have their bid security in the form of a cashier's or certified check, those bidders must hand-deliver or mail the original check within 48 hours of the bid opening to the address provided by the University. Subsequently, these cashier's checks or certified checks will be returned by the Universities to the three lowest responsible bidders within 48 hours after the lowest responsible bidder's Contract and Performance and Payment Bond in the amount of 100% of the contract sum has been executed by the lowest responsible bidder within 10 days after receipt of the Notice of Award.
- v. Should the lowest responsible bidder not furnish a Contract and Performance and Payment Bond in the amount of 100% of the contract sum within 10 days after receipt of the Notice of Award, the bid security may be forfeited or cashed by the University as liquidated damages.
- vi. Bids that are incorrect, secured by any other form of bid security or submitted with no bid security shall be automatically disqualified.
- vii. Bid bonds must be executed solely by corporations authorized to contract as a surety in the state of Iowa. With each bid bond, persons who sign bonds must file a certified and effectively dated copy of their power of attorney.
- viii. As permitted by the Iowa Code, on bids of \$50,000 or less, Certified Targeted Small Businesses may either provide a bid security, as described above, OR a bond waiver from

the Iowa Economic Development Authority. This waiver applies only to a prime contract where the total individual transaction does not exceed \$50,000.

- ix. For any bid security defaults or issues related to bid securities, notify the Board Office.