

TO:

**SUPERSEDED BY EI 91-014
EFFECTIVE 8/12/91**

ENGINEERING INSTRUCTION

NEW YORK STATE DEPARTMENT OF TRANSPORTATION

CONSTRUCTION CONTRACT ADVERTISING

Code: 7.26-1

Distribution:

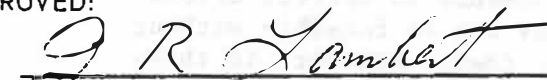
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Code: EI 88-30

Date: 8/19/88

APPROVED:



J. R. Lambert, Deputy Chief Engr., Facilities Design Div.

Supersedes:

EI 87-19

This Instruction restates previous issuances and is intended to insure that appropriate contract advertising periods are used. It especially seeks to prevent the unnecessary use of very short ad periods.

Contract advertisements must provide enough time for bidders and suppliers to determine estimated costs of work to be performed. Guidelines are presented below.

AD LENGTH

6 Weeks

5 Weeks

4 Weeks

PROJECT PARAMETERS

Engineers Estimate over \$8,000,000. Complex projects (Examples: unusual designs, alternate bridge designs, several stages utilized in traffic control plans). When pre-bid meetings are required, an advertisement of at least six weeks is needed. (See EI 88-12).

Engineers estimate \$4,000,000 to \$8,000,000.

Engineers Estimate under \$4,000,000.

Judgment must be exercised in application of these guidelines. For example, a ten-mile freeway resurfacing contract would probably exceed the 4 week advertisement parameter, yet would not be materially more difficult to estimate than a similar project half as long. Another example would be contracts where special expertise is required, as in comfort station construction with associated plumbing, HVAC and electrical specialties. In such cases, the longer advertisement would be used if the plans were progressed to print in time, in keeping with the Department's intent to lengthen advertisements, where feasible to do so, beyond the existing four week ad "standard."

Shorter ad lengths (three weeks or less) will require executive management approval as exceptions to this policy and will be limited to small, non-complex projects and "quick award" contracts let pursuant to MAP 7.1-7-3 in response to emergency situations, such as storm erosion imperiling bridge foundations. FHWA's approval - obtained by the Final Plan Review Bureau - is also needed for advertising federal-aid projects for less than three weeks.

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The quick award process (and a request for exemption from D/WBE goals pursuant to EI 85-52) will be required for advertisements less than three weeks long.

Keep in mind that short advertisements limit the amount of time for bidders' review of the proposed contract. Higher bid prices and limited competition may result. Additionally, amendments to correct errors discovered during the advertising period may not be feasible without letting postponement to allow time to issue them. However, in those situations where a contract must be completed quickly, a reduced ad length may be necessary for a contractor to meet the assigned completion date.

The PS&E transmittal memo shall include recommended ad length for all contracts and must include justification for ad lengths requiring executive management approval. (PS&E transmittal memos are to be copied additionally to the Office of Engineering and Program Planning and Management Group for the latter contracts.)

Highway letting schedule PS&E deadlines are to be followed. If a project is to be advertised for six weeks or longer, or three weeks or less, PS&E submission and printing dates will be affected accordingly.