

CHECKLIST

The following lists Codes for Quotes OR Bids – ALL apply to quote OR bids except Advertisement regarding an Emergency OR a Quote which is UNDER \$50,000.00

(checklist for Professional, Bureau of Building, and/or Institution/Agency or other Public Entity)

this document is set up to address bids and/or quotes regarding Code 31-7-13 for \$5,000.00 versus \$25,000.00 versus \$50,000.00, etc., and the requirements thereto

(this tickler document originally began to assist with quotes – whether they were “emergency” quotes or quotes per Code for under ~~\$25,000.00~~ \$50,000.00 ('09 amendment) - - - and whether they were by a Professional, Institution/Agency, or Bureau of Building, et al. However, this tickler document has grown to also assist the Institution/Agency with non-Bureau funded projects AND for A/E’s on quotes under \$50,000.00 or emergencies and other Public Entities.

If your project is anywhere near one million dollars +-, this tickler document is not for that size project !

Bureau procedures require RFPs for Professionals on ~~\$1,000,000.00~~ \$3,000,000.00- and over (amended April/May '09; Jan '12; Aug '16)

(The ability to award/allocate stimulus funds ended on 12/31/2011)

this Check List is a tickler for Bureau-funded projects under \$50,000.00, to be completed by Institution/Agency or Professional along with Bid/Quote form from Contractor(s)/Vendor(s) (attached) and forwarded to the Bureau of Building, Grounds and Real Property Management with attachments **or** a tickler to Institution/Agency regarding Codes for non-Bureau-funded projects, and for P1’s through Magic (therefore included with Institution/Agency file)

other information, forms, and links can be obtained from the Bureau’s web-site: <http://www.dfa.ms.gov/dfa-offices/bureau-of-building-grounds-and-real-property-management/> forms for A/E’s OR forms for Institutions/Agencies and A/E’s for quotes and other public entities

for Codes: <http://michie.com/mississippi/lpext.dll?f=templates&fn=main-h.htm&cp>

The forms in THIS Checklist Document are not editable – they are meant to be interoffice ticklers to help with your project. Please see the “links” listed on our web below this Checklist for the editable Request for Quote (similar to Advertisement for Bids), editable Quote form (similar to a bid proposal form), etc. (un-editable examples included herein)

Definitions: note the difference herein for bid versus quote:

Bid – when there has been advertisement(s) in the newspaper with sealed bid openings.

Quote – when there has NOT been advertisement(s) in the newspaper – then the enclosed Quote Form is preferred for under \$5,000.00; with component breakdown between \$5,000.00 and \$50,000.00 (or maximum cap of \$25,000.00 on stimulus money projects, if any less than \$25,000.00) Submit Quote in a sealed envelope. (Q19)

1. First – see 2c below for Selection Policy.

Professional’s name: _____

(per Code 73-13-45 for public work with expenditure [construction contract] over \$100,000.00) (If there is a professional, he/she will be responsible for the information contained herein.) (you MUST get a Professional, per Code, when [construction contract is] OVER \$100,000.00. You MAY still get a Professional for UNDER \$100,000.00.)

2. If there is a Professional, and if Institution/Agency is contracting with the Professional and the Contractor/Vendor - - did Bureau of Building, et al, approve the Professional Contract? (For your use, the Bureau's professional contract form can be found on the Bureau's web-site or you may use the AIA form)

Yes _____ No _____ (if no, ONLY because expenditure [construction contract] is not over \$100,000.00 and/or, therefore, you DID NOT wish to contract with a Professional. If [construction] award is under \$100,000.00 and you wish to hire a Professional – then the Professional contract comes to BoB.) (per Code 31-11-3)

2a. Professional Services . . . entered into by any state agency, institution, commission, board or authority regardless of the source of funding used to defray the costs of the construction or renovation project for which [Professional] services are to be obtained to ensure compliance with purchasing regulations and to confirm that the [Professional] contracts are procured by a competitive qualification-based selection process . . . (per Code 31-11-3(7))

2b. Depending on the size of the project, a Commissioning Professional may need to be selected. How many square feet are in the project? _____ Do you need a Commissioning Professional? Yes _____ No _____ (per Code 31-11-35).

2c. Selection Policy/Procedure for BoB is 400.6 in BoB Procedure Manual. For “under” \$3,000,000 and “over” \$3,000,000.00. This is not by Code.

3. If the Professional is an Architect, is the Architect registered at the Mississippi Board of Architecture? <http://www.archbd.state.ms.us/> Yes _____ No _____ (per Code 73-1-29)

3a. Professional affixes his seal appropriately once plans/specs/addenda are compiled? Yes _____ No _____ (per Code 73-1-13 & 4.5 et seq of Architectural Board Rules and Regulations)

3b. If the Professional is an Engineering Firm, is the individual Engineer AND the Engineering Firm both registered at the Engineering Board? <http://www.pepls.state.ms.us/> Yes _____ No _____ (because either no Professional because expenditure [construction contract] is not over \$100,000.00 or Professional is an Architect and not an Engineer) (per Code 73-1-1 and 73-13-1)

3c. Consultant affixes his seal appropriately once plans/specs/addenda are compiled? Yes _____ No _____ (per Code 73-13-29 & 14.3 et seq of Engineering Board Rules and Regulations)

4. Advertisement dates of bid opening if construction is anticipated to be over \$50,000.00: (note requirements for advertising for 2 consecutive weeks and 15 working days before opening bids. _____ and _____ (per Code 31-7-13 - - - or indicate “not over \$50,000.00” (amended from \$25,000 to \$50,000 by SB2923, L’09) (There can still be advertisement and bid dates for under \$50,000.00 and then no component breakdown needed for bid under \$50,000.00 when Code 31-7-13(c) regarding advertisement is followed. Over \$50,000.00 must have bid dates. Note: “component breakdown” is spoken to herein for quotes between \$5,000 and \$50,000 if project has not been advertised - and Note any stimulus bid dates.)

4.a. Within Code 31-7-13, . . . All agencies and governing authorities shall . . . see (a), (b), or (c); and, see (c) 3. Regarding Procurement Technical Assistance Program.

4.b. At least one written quote per Code for under \$5,000.00. At least two written quotes per Code for \$5,000.00 to \$50,000.00. (Code 31-7-13(a) (b)) (Amended from \$25,000 to \$50,000 by SB2923 L’09 – but note “component breakdown” for bids/quotes between \$5,000 and \$50,000 mentioned herein when project has not been advertised) No component breakdown needed for bid under \$50,000.00 WHEN Code 31-7-13(c) regarding advertisement is followed.

4.c. See Request for Quote form herein.

4.d. A bid/quote must be either submitted electronically via MAGIC or physically delivered to the address indicated on the Advertisement for Bids prior to the time and date stated. If physically submitted, only one original of Bid Proposal shall be submitted which should be sealed in an opaque envelope marked, mailed or hand-delivered as follows: (beginning 1/1/09. A duplicate copy will not disqualify your bid, but the second copy, without comparison, will

be destroyed in the bid opening, not read aloud nor used thereafter, in order to prevent inadvertent differences in the duplicate forms): (also see 600.42) (modified for electronic submittal effective 1/1/18 31-7-13(c)(v)) However, quotes do NOT have to be submitted electronically. Code only applies to “bids”.

5. Since 2009 Senate Bill changed cap on quotes – note that a Performance/Payment Bond will be required on a bid or quote over \$25,000.00. (per Code 31-5-51(5)) Use the State Bond form which can be found on the BoB web page – Forms / Division 0: <http://www.dfa.ms.gov/Offices/BOB/BOBforms.htm> .

5a. All close-out forms will be required when there is a Bond as listed in the Bureau’s Procedure Manual.

5b. Lump sum payment will be made for less than \$25,000.00. The Owner may elect to make lump sum payment for \$25,000.00 to \$50,000.00 per #12 herein.

5c. Liquidated Damages will be in the amount of Two Hundred Dollars (\$200.00) for each calendar day.

6. Liability Insurance is required on a bid or quote over \$5,000.00. (per Code 31-5-51(7)) Use the State Insurance form which can be found on the BoB web page – Forms / Division 0: <http://www.dfa.ms.gov/Offices/BOB/BOBforms.htm>

6a. Workers Comp is required on all projects where Contractor/Vendor has 5 or more employees. (Code 7-13-5) Use the State Insurance form which can be found on the BoB web page – Forms / Division 0: <http://www.dfa.ms.gov/Offices/BOB/BOBforms.htm>

6b. When Insurance is required of not less than One Million Dollars [to reiterate – when insurance is spoken to in the bid documents for a bid or quote – which is “usually” a bid over the \$50,000.00 break], bidder shall submit, within five (5) business days from the bid acceptance, proof of insurance or the ability to obtain the required coverage amount [i.e. at least, a letter from insurance company with Insurance Certificate to follow]. (Code 31-7-13(v))

6c. When Bond or Insurance are required – the surety agent, insurance agent, Surety, Insurance Providers MUST be licensed in Mississippi on the Mississippi Insurance Department web and Workers Comp web MUST show workers comp policy number and Provider for Contractor. See BoB’s Division 0 Instructions to Bidders.

7. SB2923 L’09 which amends Code 31-7-13(b), requires . . . *Any bid [or quote] item for construction in excess of Five Thousand Dollars (\$5,000.00) [between \$5,000.00 and \$50,000.00] shall be broken down by components to provide detail of component description and pricing. . . submitted with the written bids (note, bold, non italics, inserted by BoB) (per Code 31-7-13 (b)) Code 31-7-13(c) (i) (1) and (2) authorizes . . . Purchases which involve an expenditure of more than Fifty Thousand Dollars . . . purchasing entity may designate the method by which the bids will be received therefore, any component breakdowns will be reflected on the issued Bid Proposal Form.* When project is advertised and bid, because bid is anticipated to be over \$50,000.00, but bid comes in under \$50,000.00, no component breakdown needed for bid/quote under \$50,000.00 when Code 31-7-13(c) regarding advertisement is followed.

8. No Addenda (change in the plans/specs) issued less than two (2) working days prior to receipt of bids/quotes. Correct _____ N/A _____ (because no Addenda was issued at all) (per Code 31-7-13 (c) (ii))

9. Institution/Agency is following Code regarding cutting of trees (with Forestry Commission):
Yes _____ (per Code 49-19-3)

10. Institution/Agency is following Code regarding minority:
Yes _____ (per Code 31-7-13(S) and 57-1-57)

11. Institution/Agency is following Code regarding timely payment:
Yes _____ (per Code 31-5-25)

12. Institution/Agency is following Code regarding retainage: (consider lump sum for under \$50,000.00 whereby lump sum would not involve retainage) Yes _____ (per Code 31-5-33) (Even with lump sum payment, [Performance/Payment] Bond will still be required for over \$25,000.00)

13. Institution/Agency should double check Bid/Quote amount – words versus figures (written out carries).

14. Institution/Agency should double check Bid/Quote component breakdown amounts, when component breakdown is necessary – words versus figures (written out carries) and confirm that components add up to overall Bid/Quote amount (for \$5,000.00 to \$50,000.00) No component breakdown needed for bid/quote under \$50,000.00 when Code 31-7-13(c) regarding advertisement is followed.
15. Review the list in 15 below for anything else not mentioned above !

Upon receiving Bids/Quotes:

15. Institution/Agency should be sure all sections and blanks are complete on the Bid/Quote form for the following:
- 15a. Quote form attached hereto is preferred for ALL quotes. The form included herein should definitely be used for \$5,000.00 – \$50,000.00 which allows for scope, days, component breakdowns (no component breakdown needed for bid/quote under \$50,000.00 when Code 31-7-13(c) regarding advertisement is followed), and ticklers regarding Codes and taxes.
 - 15b. Scope (completed by Professional or Using Agency)
 - 15c. Days (completed by Professional or Using Agency)
 - 15d. Certificate to do business in the State of Mississippi (for out-of-state contractor/vendor)
 - 15e. Non-Resident Bidder’s Preference Law (for out-of-state contractor/vendor)
 - 15f. Liability Insurance (if over \$5,000.00)
 - 15g. Workers Comp (if more than 5 employees)
 - 15h. Proof of, or Ability to obtain, Insurance (when not less than \$1,000,000.00 when required)
 - 15i. Bid Component Breakdown (if \$5,000.00 - \$50,000.00 and no advertisement)
 - 15j. Bond (if over \$25,000.00)
 - 15k. Bond countersignature (if over \$25,000.00)
 - 15l. Liquidated Damages for awards over \$25,000.00.
 - 15m. Close-out forms when and if there is a Bond at final acceptance.
 - 15n. American Recovery and Reinvestment Act (stimulus money) (if over \$25,000.00) See attached page of information.
 - 15o. Certificate of Responsibility Number (if over \$50,000.00)
 - 15m. Professional (if expenditure [construction contract] is over \$100,000.00) (if there is a Professional, he/she will be responsible for the information contained herein)
 - 15p. Quote speaks to taxes – usually MPC taxes. (see Code 27-65-21 and 27-65-23 and State Tax Commission Rule 41 <http://www.mstc.state.ms.us/taxareas/sales/constr.html>)
 - 15q. If bid goes out of the money – see Code 31-7-13(d)(iii) = *If the lowest and best bid is not more than ten percent (10%) above the amount of funds allocated for a public construction or renovation project, then the agency or governing authority shall be permitted to negotiate with the lowest bidder in order to enter into a contract for an amount not to exceed the funds allocated.*
16. Bonding Company, Bonding Agent, Insurance Providers, Insurance Agent:

16a: Bid Bond: The Bidder may submit a Bid Bond by a Surety licensed in Mississippi in the amount of five percent (5%) of the base bid. The Bid Bond shall be duly executed by the Bidder, a Mississippi Resident Agent for said Surety approved by the Mississippi Insurance Department OR signed by the Surety AND countersigned by a Mississippi Resident Agent for said Surety approved by the Mississippi Insurance Department. http://www.mid.state.ms.us/licapp/search_main.aspx (MID per Code 83-17-21) (No standard form is required for the Bid Bond.)

- 16b: Contract Bond: SECURITY FOR FAITHFUL PERFORMANCE: Simultaneously, with delivery of the executed Contract, the Contractor will furnish a Surety Bond, or Bonds, as security for faithful performance, the payment of all persons performing labor on the project, and furnishing materials in connection with this Contract. The Surety on such Bond, or Bonds, will be a duly authorized surety company satisfactory to the Owner and meeting all of the following requirements:
- A. Licensed at the time of award by the State of Mississippi's Commissioner of Insurance for the purpose of providing surety. . http://www.mid.state.ms.us/licapp/search_main.aspx

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- B. Listed at the time of award in the Department of the Treasury's **Federal Register** as a company holding certificates of authority as acceptable sureties on Federal Bonds, commonly referred to as the Treasury List.
 - C. All Bonds shall be executed on the form provided in the Project Manual under Section 00600 entitled *Contract Bond*.
 - D. The Contract Bond shall be duly executed by the Bidder, a Surety licensed in Mississippi signed by a Mississippi Resident Agent for said Surety approved by the Mississippi Insurance Department OR signed by the Surety AND countersigned by a Mississippi Resident Agent for said Surety approved by the Mississippi Insurance Department with the name and address typed, or lettered legibly. (with embossed seal). http://www.mid.state.ms.us/licapp/search_main.aspx (MID per Code 83-17-21)
 - E. All Bonds must be accompanied by an appropriate Power of Attorney dated same as Contract Bond.

16c: Insurance Certificate: The *Certificate of Insurance* must be completed, certified by the original signature of a Mississippi Resident Insurance Agent and/or countersignature, dated, and bound in each set of the Contract Documents. Insurance Companies providing coverage and Agent and/or Countersignature Agent must be approved by the Mississippi Insurance Department on their web at http://www.mid.ms.gov/licapp/search_main.aspx. (MID Code 83-17-21) (Agent does not have to be on the MID web “for providers necessarily” – but must be an approved Agent on MID web. Easier to locate Agent at MID when name agrees with MID licensed name.)

17. E-verify, e-payment, e-invoicing, transparency:

17a: E-Verify – Employee Status Verification System. Contractor/Seller represents and warrants that it will ensure its compliance with the Mississippi Employment Protection Act, Section 71-11-1, et seq of the Mississippi Code Annotated (Supp 2008) and will register and participate in the status verification system for all newly hired employees. The term “employee” as used herein means any person that is hired to perform work within the State of Mississippi. As used herein, “status verification system” means the Illegal Immigration Reform and Immigration Responsibility Act of 1996 that is operated by the United States Department of Homeland Security, also known as the E-Verify Program, or any other successor electronic verification system replacing the E-Verify Program. Contractor/Seller agrees to maintain records of such compliance, and upon request of the State and approval of the Social Security Administration or Department of Homeland Security, where required, to provide a copy of each such verification to the State. Contractor/Seller further represents and warrants that any person assigned to perform services hereunder meets the employment eligibility requirements of all immigration laws of the State of Mississippi. Contractor/Seller understands and agrees that any breach of these warranties may subject Contractor/Seller to the following: (a) termination of this Agreement and ineligibility for any state or public contract in Mississippi for up to three (3) years, with notice of such cancellation/termination being made public, or (b) the loss of any license, permit, certification or other document granted to Contractor/Seller by an agency, department or governmental entity for the right to do business in Mississippi for up to one (1) year, or (c) both. In the event of such termination/cancellation, Contractor/Seller would also be liable for any additional costs incurred by the State due to the contract cancellation or loss of license or permit.”

17b. E-Payment and E-Invoice. The word “contractor” herein shall mean Professional, Vendor, Architect, Engineer, Lessor, etc. See: http://www.mmrs.state.ms.us/statewide_applications/E_Payment_Services/index.shtml

The State agrees to make payment in accordance with Mississippi law on “Timely Payments for Purchases by Public Bodies”, Section 31-7-301, et seq. of the Mississippi Code of 1972, as amended, which generally provides for payment of undisputed amounts within forty-five (45) days of receipt and approval of the invoice.

The State requires the Contractor to submit invoices electronically throughout the term of the agreement. Vendor invoices shall be submitted to the state agency using the processes and procedures identified by the State. Payments by state agencies using the statewide electronic payment and remittance vehicle shall be made and remittance information provided electronically as directed by the State. These payments shall be deposited into the bank account of the Contractor’s choice. Contractor understands and agrees that the State is exempt from the payment of taxes. All payments shall be in United States currency.

No payment, including final payment, shall be construed as acceptance of defective or incomplete work, and the Contractor shall remain responsible and liable for full performance.

17c: Transparency. In accordance with the Mississippi Accountability and Transparency Act of 2008, §27-104-151, et seq., of the Mississippi Code of 1972, as Amended, the American Accountability and Transparency Act of 2009 (P.L. 111-5), where applicable, and §31-7-13 of the Mississippi Code of 1972, as amended, where applicable, a fully executed copy of this agreement shall be posted to the State of Mississippi’s accountability website at: <https://www.transparency.mississippi.gov>

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18. The Bureau of Building, et al, (per the state financial divisions) requires a W9. The W9 should agree with the way the quoter/bidder is shown at the Mississippi Secretary of State's Office. (it is not tracked – but the W9 should also be as the quoter/bidder files the company income tax return) The social security or federal ID number should be shown. Technically, the name should agree with the way the quote/bid is submitted – but at the very least with the way it is awarded.

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19. Before award, the quoter/bidder company name is checked at the Mississippi Secretary of State's Office.
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Complete spelling of bidder's name and address - exact as recorded at the Secretary of State

<http://www.sos.state.ms.us/busserv/corp/soskb/csearch.asp>] which should be the same as you applied for at the Mississippi State Board of Contractors [<http://www.msbc.us/Search2.CFM>] SoS rules when SoS and COR are different. (SoS per Code 79-4-15)

(forms continued on next page)

The forms in THIS Checklist Document are not editable – they are meant to be interoffice ticklers to help with your project.

Please see the “links” listed on our web below this Checklist for the editable Request for Quote (similar to Advertisement for Bids), editable Quote form (similar to a bid proposal form), etc.

REQUEST FOR QUOTATION
SECTION 00000

Sealed quotes will be received at the Office of the Bureau of Building, Grounds and Real Property Management, 501 North West Street, Suite 1401B [Woolfolk Building], Jackson, Mississippi, 39201 until 2:00:00 p. m. on

_____, _____
(Day) (Date)

Project # _____
_____ (Project Title)
_____ (Using Agency)
_____ (Location)

at which time they will be publicly opened and read. Contract Documents may be obtained from:

Phone: () _____

A deposit of \$_____ is required. Bid/Quote preparation will be in accordance with *Instructions to Bidders* bound in the Project Manual. The Bureau of Building, Grounds and Real Property Management reserves the right to waive irregularities and to reject any or all bids. **NOTE: Telephones and desks will not be available for bidders use at the bid site.**

By: Director

Note: Whenever the term “Bid / Bidder” is used in the bid documents and/or contract documents – it shall also refer to “Quote / Quoter”.

Note: Quotes do not have to be received electronically – only bids that were advertised. This Request for Quote is appropriate for any size Quote project with a “quote” over \$50,000.00 only being by Emergency Rules. For over \$50,000.00, use a regular Proposal Form, NOT a Quote Proposal Form with component breakdowns. Component breakdown is for \$5000-\$50,000.

Remove this paragraph – this is a tickler to the Using Agency: This Request for Quotes needs all references to the BoB within it REMOVED for a non-funded BoB project; therefore, for a Using Agency funded project.

ONLY THE FOLLOWING 4 PAGES NEED TO BE COMPLETED BY THE BIDDER/QUOTER. (If your UA project was advertised and bid – use the Proposal Form in Forms for Using Agency Division 0 on the BoB web. The following Quote

Form is for Quotes under \$50,000.00, not advertised.) (If the project is a BoB project – use the Proposal Form in Forms for A/E's / Professionals Division 0 on the BoB web.

INTEROFFICE DOCUMENT

QUOTE FORM
for Contractor/Vendor
with attachments, if required
(form is for under \$50,000.00 bid/quote)

To: _____

Re: Project # _____
Project Title _____
Location _____

I propose to complete all work included in the scope of work:

_____ within _____ consecutive calendar days (Professional must specify number of days) from
the Notice to Proceed, for the sum of:

BASE BID/QUOTE:

_____ Dollars
(\$ _____) (written out carries)

ALTERNATE: (cannot be an alternate if project is an "emergency")

_____ Dollars
(\$ _____) (written out carries)

Breakdown of bid components is required for bid/quote \$5,000.00-\$50,000.00. (Code 31-7-13(b) amended by SB2923 L'09). Combined total of all bid components must equal base bid/quote. Identify each material component in excess of \$5,000.00 on a separate line item with remainder of materials included together on the Miscellaneous Material line item. Insurance is required for \$5,000.00 and over. Bond is required for \$25,000.00 and over. No component breakdown needed for bid under \$50,000.00 when advertised per Code 31-7-13(c).. (you don't have to use ALL the following blanks – just the applicable blanks.) (Distinguish the component breakdowns below between Base Quote and Alternate (in case alternate is not taken.)

MATERIAL 1:

_____ Dollars
(\$ _____) (written out carries)

Description (include manufacturer/model #) _____

MATERIAL 2 (if applicable):

_____ Dollars
(\$ _____) (written out carries)

Description (include manufacturer/model #) _____

MATERIAL 3 (if applicable):

_____ Dollars
(\$ _____) (written out carries)

Description (include manufacturer/model #) _____

MATERIAL 4 (if applicable):

_____ Dollars
(\$ _____) (written out carries)

Description (include manufacturer/model #) _____

MATERIAL 5 (if applicable):

_____ Dollars
(\$ _____) (written out carries)
Description (include manufacturer/model #) _____

MATERIAL 6 (if applicable):

_____ Dollars
(\$ _____) (written out carries)
Description (include manufacturer/model #) _____

MISCELLANEOUS MATERIALS (if applicable) (include value of any materials not included in previous line items):

_____ Dollars
(\$ _____) (written out carries)

EQUIPMENT (if applicable):

_____ Dollars
(\$ _____) (written out carries)

LABOR (if applicable) (including labor burden):

_____ Dollars
(\$ _____) (written out carries)

OVERHEAD & PROFIT (including taxes): (if not included in costs above)

_____ Dollars
(\$ _____) (written out carries)

TAXES All overhead including Sales and/or MPC taxes, if applicable, is included in the total bid above.
(This is a tickler to the bidder – taxes cannot be requested at a later date.)

MINORITY BUSINESS ENTERPRISE? Yes _____ No _____ (to assist with Code 57-1-57)

ADDENDA ACKNOWLEDGMENT: (if any)

No. _____ Date _____ No. _____ Date _____
No. _____ Date _____ No. _____ Date _____

INSURANCE REQUIRED? (LIABILITY, WORKERS COMP, ETC.) Yes _____ No _____

ACCEPTANCE:

I certify that I am authorized to enter into a binding contract, if this Proposal is accepted.

Signature _____ Date _____
Name and Title _____
Name of Business _____

Complete spelling of bidder's name and address - **exact as recorded at the Secretary of State**

[<http://www.sos.state.ms.us/busserv/corp/soskb/csearch.asp>] which should be the same as you applied for at the Mississippi State Board of Contractors [<http://www.msboconline.com/Search2.CFM>] (see 2.07, 3.01, 5.01) **PLEASE LOOK IT UP at SoS. SoS rules when the 2 are different.**

Address _____ (mailing)
Address _____ (physical)
City/State/Zip Code _____ County _____
Phone _____ Fax _____ Email _____
Certificate of Responsibility Number(s): _____

(per Code 31-3-15 and 31-3-21 for bid/quote/contract over \$50,000.00 - - - or indicate "not over \$50,000.00)
Mississippi Department of Agriculture & Commerce Bureau of Plant Industry Landscape License Number _____
(per Code 69-19-1 – 69-19-15 (Complete if applicable for landscaping projects)

BIDDER'S CHECKLIST

- Q1. Contractor/Vendor has included scope of work on Letterhead or Proposal Form attached hereto (Form is preferred)
- Q2. Attach copy of Non-Resident Bidder's Preference Law, if applicable. (per Code 31-3-21(3)) (when contractor is from out of state)
- Q3. Out of State Contractor/Vendor must have a Certificate to do business in the State of Mississippi from the Mississippi Secretary of State's Office if doing business in the State of Mississippi for more than 30 days.
Yes, has one _____ N/A _____ (because Contractor/Vendor is a Mississippi domiciled company)
(per Code 79-4-15.01)
- Q4. Mississippi Department of Agriculture and Commerce, Bureau of Plant Industry
Landscape License Number _____, if applicable. (per Code 69-19-1 through 69-19-15)
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- Q5. If this is a bid/quote between \$25,000.00 and \$50,000.00, with or without advertising - Contractor/Vendor will be required to submit a [Performance/Payment] Bond (see <http://www.dfa.ms.gov/dfa-offices/bureau-of-building-grounds-and-real-property-management/> click on: forms for A/E's / Construction Contract Preparation / Bond form only), if Contractor/Vendor is awarded the contract, which will be attached to his Letterhead or Proposal form (if awarded). (attached Form is preferred) Yes _____ No _____ (because bid/quote is not over \$25,000.00) (per Code 31-5-51(5) for bid /quote over \$25,000.00) (If this is an advertised bid under \$50,000.00, then items listed herein apply. If this is an advertised bid over \$50,000.00, then 31-7-13(c) applies but Bond is still required.)
- Q5a. All close-out forms will be required when there is a Bond as listed in the Owner's (or Bureau's) Procedure Manual.
- Q6. Bond mentioned in #5 above has a countersignature, if needed: Yes _____ No _____ (because no bond is required because bid/quote is not over \$25,000.00) (per Code 83-17-21).
- Q6a. When Bond or Insurance are required – the surety agent, insurance agent, Surety, Insurance Providers MUST be licensed in Mississippi on the Mississippi Insurance Department web and Workers Comp web MUST show workers comp policy number and Provider for Contractor. See BoB's Division 0 Instructions to Bidders.
- Q7. Contractor is aware that if no Bond is submitted, because bid/quote is under \$25,000.00, as mentioned in accordance with #5 above, then a lump sum payment will be made at final acceptance of project.
Yes _____ (per Code 31-5-51(5))
- Q7a. The Owner may elect to make lump sum payment for \$25,000.00 to \$50,000.00 per #12 above regarding retainage.
- Q7b. Liquidated Damages will be in the amount of Two Hundred Dollars (\$200.00) for each calendar day for awards over \$25,000.00.
- Q8. If this is a bid/quote between \$5,000.00 and \$50,000.00, with or without advertising - Contractor/Vendor will be required to submit a Certificate showing Liability Insurance, at least, (see <http://www.dfa.ms.gov/dfa-offices/bureau-of-building-grounds-and-real-property-management/> click on: forms for A/E's / Construction Contract Preparation / Insurance Certificate only),if Contractor/Vendor is awarded the contract, which will be attached to his Letterhead or Proposal form (if awarded). Yes _____ No _____ (because no Insurance is required because bid/quote is under \$5,000.00) (per Code 31-5-51(7) for bid/quote over \$5,000.00)) (If this is an advertised bid under \$50,000.00, then items listed herein apply. If this is an advertised bid over \$50,000.00, then 31-7-13(c) applies and Insurance is still required – Liability plus others.)
- Q8a. Contractor is prepared, if awarded the contract, and if not less than \$1,000,000.00 insurance is required, to submit proof of, or ability to obtain, said Insurance, within 5 days of bid acceptance/intent to award. (per Code 31-7-13(v)) which will be before execution of the Contract.
- Q9. If this is a bid/quote for any amount, with or without advertising - Contractor/Vendor will be required to submit a Certificate showing Workers Comp, at least, if Contractor/Vendor is awarded the contract, which will be

attached to his Letterhead or Proposal form (if awarded) included herein. Yes _____ No _____ (because Company is less than 5 employees) (per Code 71-3-5 for companies with over 5 employees)

Q10. If this is a bid/quote between \$5,000.00 and \$50,000.00, ~~with or~~ without advertising – Contractor/Vendor completed the section on his Proposal form included herein regarding the component breakdown(s). (per Code 31-7-13 (b) and SB2923 L'09) No component breakdown needed for bid/quote under \$50,000.00 when Code 31-7-13(c) regarding advertisement is followed.

Q11. Be sure you included your applicable taxes in your total quote/bid – which is usually MPC taxes. (see Code 27-65-21 and 27-65-23 and State Tax Commission Rule 41 (<http://www.mstc.state.ms.us/taxareas/sales/constr.html>))

Q12. Code 31-7-301 allows 45 days for timely payment.

Q13. Code 71-11-1, et seq Mississippi Employment Protection Act (e-verify).

Q14. E-payment (electronic payment) is required. See http://www.mmrs.state.ms.us/statewide_applications/E_Payment_Services/index.shtml

E-Invoice is waived for the Bureau of Building, et al.

Q15. Code 27-104-151, et seq American Accountability and Transparency Act of 2009 and Code 31-7-13 (posting of contract awards).

Q16. Code 83-17-21 Surety Bond Company, Bond Agent, Insurance Providers, and Insurance Agents are on the Mississippi Insurance Department approved list.

Q17. W9 is or will be submitted including SS/Fed ID number and complete company name.

Q18. Code 79-4-15 quote/bid name is exact as at Mississippi Secretary of State's Office.

Q19. Place Quote in a sealed envelope to be opened on the “receipt of quotes” deadline day. (This is to assure competitiveness and that quoters' bids are not exposed - for legal, audit and ethics review.)

INTEROFFICE DOCUMENT