



CORRESPONDENCE/MEMORANDUM

DATE: April 10, 2017

TO: DOT Staff and Design Consultants

FROM: Scott Lawry, Chief Proposal Management Engineer

SUBJECT: Confidentiality of Engineer's Estimate and Pre-award Bid Data

As a reminder, the engineer's estimate and bid tab information, prior to award, are confidential. The release of this information may compromise the integrity of the competitive bidding process and cause harm to contractors and the Department. Individuals that knowingly release this information may be subject to discipline.

The engineer's estimate is confidential before, during and after the letting.

FHWA has stated, even after the project has been built, the engineer's estimate should not be released outside the department with the exception of the FHWA and engineering consultants working directly for the department on the project in question. The FHWA Office of Program Administration in *Guidelines on Preparing Engineer's Estimate, Bid Reviews and Evaluation* and the FHWA National Review Program in *National Review of State Cost Estimation Practice* provide the basis for preserving confidential estimates. Confidential estimates ensure market conditions are reflected within the bids and maintain a more competitive environment.

The department publishes an estimate range which can be found at <http://wisconsindot.gov/Pages/doing-bus/contractors/hcci/mstr-ctrct-sched.aspx>.

Bid tab information, prior to award of the contract, is confidential

Bid tab information (contractor's bids on individual items) will not be publicized until the proposal is awarded. The Bureau of Project Development Proposal Management Section may share bid tab information with the design engineer during the bid analysis process to assist in evaluating the proposal and in particular as it relates to unbalancing. The concern arises when all bids are rejected. It is possible that bidders may want to use some of the submitted unit prices for subsequent bid lettings on the same proposal. Release of this information compromises the competitive bidding process.

After the proposal is awarded, bid tab information is posted on the HCCI and Bid Express websites.

To address confidentiality concerns, access to bid letting reports is restricted. If you require access to confidential bid letting reports, please contact Proposal Management at DOT DTSD BPD Proposal Management Section.

Thank you for supporting our efforts to maintain this needed confidentiality.