

0030100 Award and Execution  
COMMENTS FROM INTERNAL/INDUSTRY REVIEW

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Daniel Strickland  
State Maintenance Office

**Comments: (5-28-15) Internal Review**

I would recommend a clarification to the phrase "pull a token" to something similar to "draw from a hat". We've also experienced displeasure from bidders with using this process on a few maintenance contracts in the past. Have you considered asking each of the tying bidders to resubmit a reduction in their bids? This way there is no luck involved and the Department gets a better deal in the end.

Daniel Strickland  
State Maintenance Office

I completely agree, Daniel. Instead of random, we should ask each bidder to submit a sealed bid reduction of any amount. Whoever reduces the most wins at the new reduced price. This is a win-win: FDOT gets a reduced price and contractors have some control if they get the job or not rather than leaving their fate to luck.

Michael E. Sprayberry, P.E.  
State Administrator for Maintenance Contracting  
Florida Department of Transportation  
[mike.sprayberry@dot.state.fl.us](mailto:mike.sprayberry@dot.state.fl.us)  
(850)410-5757  
605 Suwannee Street, M.S. 52  
Tallahassee, FL 32399-0450

My question is would this be legal and fair to the other bidders, not letting them adjust their bids after the letting and knowing how others bid?

*Ray Haverty Jr.*

**Program Management Office**

Third Floor Cubicle: **NE 016**  
Telephone Number: **(850) 414-4129**  
e-mail address: [ray.haverty@dot.state.fl.us](mailto:ray.haverty@dot.state.fl.us)  
User ID: **PG965RH**

I agree with Ray....Not to mention asking them to come down on the price? I don't think we should do that either.

Frances Thomas  
Specifications Development Specialist  
State Specifications/Estimates Office  
Phone: (850) 414-4101  
Fax: (850) 414-4199

[frances.thomas@dot.state.fl.us](mailto:frances.thomas@dot.state.fl.us)

Response:

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Barbara Strickland  
Office of the District 3 Secretary  
Department of Transportation  
850-330-1206  
850-330-1761

Comments: (6-9-15)

The District Three Construction Staff recommends instead of a coin toss:

1. Consider the average contractor's past performance rating score of the tied bidders for the contract award.

Response:

2. Consider awarding the contract in the order the bids were received.

Response:

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D5 Construction

Comments: (6-18-15)

1. Instead of tossing a coin, why not use the time the bids were submitted?

Response:

2. A coin toss would only work if there were two tied bids.

Response:

3. Are there 'formal' coin toss/pull a token procedures in place? Who would 'pull the token', and how could we be sure they were not 'feeling' the token for the contractor of their choice? I don't mean these to be silly questions, but all DOT procedures are to certain specifications and we would not want to leave this up to interpretation, or litigation.

Response:

4. Toss a coin or pull a token? Seriously? Is this the best method for choosing a Contractor to perform work? Why can't we review their previous performance and let that be the tie breaker?

Response:

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