Special Provision to Item 2L

Instructions to Bidders

Item 2, “Instructions to Bidders” of the Standard Specifications is amended with respect to the clauses cited below. No other clauses or requirements of this Item are waived or changed.

**Article 7., “Nonresponsive Bid,”** is voided and replaced by the following.

The Owner will not accept a nonresponsive bid. A bid that has one or more of the deficiencies listed below is considered nonresponsive:

* the bid was not in the hands of the Letting Official at the time and location specified in the advertisement,
* a proposal form was submitted for the same project by a Bidder or Bidders and one or more of its partners or affiliates
* the Bidder was not authorized to receive a proposal form under Article 2.3., “Issuing Proposal Forms,”
* the Bidder failed to acknowledge receipt of all addenda issued,
* the proposal form was signed by a person who was not authorized to bind the Bidder or Bidders,
* the proposal guaranty did not comply with the requirements contained in this Item,
* the bid was in a form other than the official proposal form issued by the Owner,
* the Bidder modified the bid in a manner that altered the conditions or requirements for work as stated in the proposal form,
* the Bidder bid more than the maximum or less than the minimum number of allowable working days shown on the plans when working days was an item,
* a typed proposal form does not contain the information in the format shown on the “Example of Bid Prices Submitted by Computer Printout” on the proposal form,
* the Bidder did not meet the requirements of the technical qualification,
* the Bidder failed to submit a DBE commitment as specified in Article 2.14., “Disadvantaged Business Enterprise (DBE),”
* the Bidder failed to participate in the DHS E-Verify system as specified in Article 2.15., “Department of Homeland Security (DHS) E-Verify System,” or
* the apparent low bid is mathematically and materially unbalanced.
* The bidder is not prequalified by TxDOT