



Bidding & Procurement

The bidding process is often the general contractor's first exposure to the particular project and the owner of that project. Bidding procedures vary widely depending upon whether the owner is public or private. The vast majority of federal, state and municipal contracts are awarded pursuant to public bidding. Competitive bidding, although less prevalent in the private sector, is used by many private owners as a means of obtaining an advantageous price while maintaining some degree of control over the quality of the successful awardee. Few rules exist in private contract bidding that obligate the owner to award to a particular contractor. While a private owner is not bound by statute to operate under the "lowest responsible, responsive bidder" approach, the owner is likely to consider many of the same factors when reviewing the bids. Many of the same considerations are present whether the project is public or private. Advice for competing for the contract and points to remember are included in Chapter 4 of *Common Sense Construction Law*.

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