

NOTICE TO CONTRACTORS

Liquidated Damages Procedure for Bid Lettings

The Arkansas Department of Transportation (Department) has developed the following procedure to minimize the chance of a project being awarded to a Contractor in liquidated damages, while allowing sufficient time for review of those Contractors in liquidated damages that are interested in bidding in the upcoming bid letting. Beginning with the February 16, 2022 bid letting, the following process will be implemented:

- ✓ A Contractor that goes into liquidated damages prior to the advertisement period, will not be allowed to bid on additional work until it is determined that the Contractor is no longer in liquidated damages or has been granted special approval to bid.
- ✓ If a Contractor goes into liquidated damages on a project during the advertisement period, the Contractor will be notified seven (7) business days prior to the letting that they will not be allowed to bid in the upcoming letting. In order to ensure the appropriate person(s) receives this notification, each company is responsible for providing the contact information of the person(s) that will need to be notified. To provide this information, the attached form should be completed and submitted to the Department's Program Management Division at pmd@ardot.gov. It is the Contractor's responsibility to notify the Department of any changes. This form can also be found on our website at: <https://ardot.gov/divisions/program-management/construction-contract-development/construction-contractors/forms/>.
- ✓ If a Contractor is notified that they will not be allowed to bid in the upcoming letting, they will be provided an opportunity to request a reconsideration of this decision. This request must be transmitted in the form of a letter through Doc Express to the Department for review within two (2) business days of receipt. The Department will complete our review and render a decision no later than the Friday prior to the letting.
- ✓ Please note, a bid may be withdrawn at any time prior to the time specified for the bid letting. If a Contractor has been notified that they will not be allowed to bid, and they do not withdraw their bid, the bid will be considered invalid and rejected.

For more information, contact the Department's Program Management Division,
Construction Contract Development Section.

pmd@ardot.gov

Phone: (501) 569-2261

Fax: (501) 569-2623





Liquidated Damages Procedure for Bid Lettings Contact Information

Please provide the contact information for the person(s) that should be notified should your company go into liquidated damages during an advertisement period for a bid letting. The completed form should be emailed to the Department's Program Management Division at pmd@ardot.gov. It is your company's responsibility to notify the Department of any changes by submitting an updated form. Failure to do so, may prevent your company from receiving timely notification regarding your bidding eligibility as a result of liquidated damages.

Company Name _____

Primary Contact

Name _____

Email _____

Phone 1 _____ **Phone 2 (optional)** _____

Contact 2 (optional)

Name _____

Email _____

Phone 1 _____ **Phone 2 (optional)** _____

Contact 3 (optional)

Name _____

Email _____

Phone 1 _____ **Phone 2 (optional)** _____