

DES Administrative Services Policy No. 5.40.1

Breaking Bid Ties

Applies To: Department of Engineering & Architectural Services employees

Authorizing Sources: [RCW 39.04](#)
[RCW 39.10](#)
[RCW 39.80](#)
[RCW 43.19.450](#)

Information Contact: Engineering & Architectural Services

Effective Date: May 6, 2015

Last Update: July 1, 2015

Approved By:

/s/

William Frare
Assistant Director, Engineering & Architectural Services

Purpose

This policy applies when two or more bidders submit identical bid prices (a tie) in bidding a public works construction project.

Its purpose is to establish an equitable policy for making contract award determinations in the event of a bid tie following evaluation of bids.

Policy

A. A tie shall be broken by an official coin toss.

The E&AS Contracts Manager or official designee will administer the coin toss. The Project Manager and Contracts Specialist may be present during the coin toss. If not present, they will be notified of the formal decision of the coin toss as soon as possible.

B. Bidders will review the E&As Bid Tie Policy and Procedure.

A copy of this policy and procedure (Breaking Bid Ties) will be given to bidders which are tied in price. They will read the policy and procedure prior to the tie breaking meeting. Participation in the coin toss proceeding constitutes agreement with the procedure and final outcome.

C. The coin used in the proceeding will be one approved by E&AS and all bidders participating in the coin toss.

At least three (3) suitable US quarters dollar coins will be presented to the parties for approval prior to the official coin toss.

D. There will be a minimum of two (2) E&AS representatives present as witnesses to the procedure, including the Contracts Specialist, Project Manager, or their designees.

E. Results of the coin toss are final.

The Contracts Manager or official designee will announce closure of the proceeding after the results are determined.

F. A tie breaking meeting report will be included in the official contract file.

The Contracts Specialist will prepare a "Tie Breaking Meeting Record" document. All participants and witness are required to sign the document prior to filling into the official contract file.

History

Amended:

- 7/1/15 – Reviewed for validity. Updated to DES policy template.

Need a copy of a prior version of this policy? E-mail jack.zeigler@des.wa.gov