



OCA Code of Practice for Bidding

1. OCA adopts the recommended best practices and underlying principles of *CCDC 23 - 'A Guide to Calling Bids and Awarding Construction Contracts'*. The *CCDC 23 Guide (2005)* is recognized by the OCA as the industry reference of recommended best practices for procuring construction services by means of a competitive bid process, that when followed, promote contract award decisions respecting principles of fairness and serve to minimize costly misunderstandings, disputes and delays.

Although some of the recommendations in the *CCDC 23 Guide* may also apply to the processes at the lower levels, they are beyond the scope of *CCDC 23*, which is intended primarily as a guide for bid-calling authorities.

2. **Bids are confidential information.**

2.1 A bidder shall neither seek nor accept information concerning a competitor's bid prior to bid closing.

2.2 In order to maintain the security and confidentiality of a bid, a bidder shall never make known the components of the bid prior to bid closing.

3. Where appropriate, bidders can be advised immediately after the tender closing as to whether their bid was or was not used in the making up of the successful bidder's bid.

4. **Post Bid Negotiations** – The *CCDC 23 Guide* provides recommended guidelines to Owners in the situation where the lowest compliant bid exceeds the Owner's budget.

The recommended guidelines are based on 2 situations:

(1) ***the overall bid amount must be reduced by LESS than 15%*** - Negotiate with low bidder to identify changes and conclude a new contract. Failing Negotiation, invite 3 lowest compliant bidders to re-bid on modified bid documents.

(2) ***the overall bid amount must be reduced by MORE than 15%*** - Owner may undertake EITHER of the preceding steps, at its discretion.

Should cost savings be initiated by an Owner, and the lowest bid is not willing to participate, it would be appropriate to use the next lowest bid provided the low bid has been given fair opportunity and has been notified of your intent in writing prior to going to the next bidder.