

## **Dam that Construction Manager!!!!!!!!!!**

Top 10 Construction Manager calls bids for 3 Phases of architectural woodwork over 3 year period.

This earnest millworker was called in post bid for an interview and learned that he was the low bidder for the first phase. Further conversation determined that all was bid to plans and specs with no variations, exclusions or assumptions as was the pre-requisite according to the pre-bid meetings and the documents. The CM indicated project was under budget and no need for value engineering. The CM indicated through due diligence that the next bidder had been interviewed.

To make a long story short, the contract was awarded to the second bidder as they had offered a value engineering item. On a project with less than 5000 board measure of FSC lumber for trim and doors, this second bidder offered a \$50,000.00 savings. That's \$10.00 a board measure saving?????

Well the decision was made and there was no going back. Fair or not the contract was recommended to the Owner and the Owner accepted.

Several months go by and Phase 2 is called for bidding. Well, here we go again. Earnest contractor is the low bidder and the second is also called in to interview. What a coincidence, the second bidder was the successful Phase 1 millworker.

Again conversation determined that all was bid to plans and specs with no variations, exclusions or assumptions as was the pre-requisite according to the pre-bid meetings and the documents. This scope contained a large number of named suppliers/manufacturers for specialty product.

It was also the request by the CM to provide a ton of paperwork prior to award including but not limited to schedule of values, loaded manpower schedule by area, presence of all major subtrades at the pre-award meeting, to mention some. As for the Phase 1 project, the costs were within budget and no need for value engineering.

Guess what happened.....the second place Phase one millwork contractor was awarded the contract. Why, because they submitted cost savings to change manufacturers for the specialty items. Sound strange as they did not contact the specified specialty manufacturers prior to bidding the project?

Upon confrontation with the CM to question the fairness of this situation, it was uncovered that thro some leading conversations, it was disclosed by the CM's personnel to the second bidders, information provide by the earnest millwork contractor as part of required pre-award information.

Based on revised costs submitted by the second bidder as lead by the CM, he was declared the successful contractor.

As agreed with the upper management of the CM, the earnest millworker would be favored on the last phase as they admitted a job was owed here.

Well, guess what happened this time for the last Phase. The earnest millwork was now the second bidder and the successful Phase 1 & 2 millwork was for the first time legitimately low on this Phase.

OK, as the earnest millworker they were ready to pull all stops and submit VE to the end. But NO. New policy from the CM, they would only interview the low bidder and award.

Additionally, issues were overlooked by the CM, Architect and the Owner's rep. like single source responsibility (successful millwork was knowingly only a broker), specified product manufacturers were disregarded to mention a few. None of this mattered to the decision makers.

Fairness and ethics generally apply but you can see what can go wrong. Millworker experience a vast number of variations everyday and must be prepared to take a deep breathe and move on.

It is a difficult balance for an earnest and dedicated millworker. There is the case of one contractor with 10 project managers; you might as well deal with 10 different companies. We respect to one contractor with 10 offices across the country and 10 project managers per office; you might as well deal with 100 different companies. All this to deal with, not to mention that the fairness and ethics of the Owners, Architects and Consultants that enter into the picture with each project and add to the degree of difficulty in being awarded a contract.