

**NOTICE TO BIDDERS
FOR
FIXED PRICE-VARIABLE SCOPE CONTRACTING ON I-94**

The intent of this Fixed Price-Variable Scope project is to manage the construction activities by priority (see Log of Project) in order to deliver the project within a pre-established total contract amount.

The pay items and quantities in the Schedule of Items are estimated by MDOT to equal the pre-established contract amount. This work is identified in the Log of Project as Priority 1. The Low Bidder will be determined by the Bidder who bids the lowest contract price based on the published Schedule of Items.

The work shall be sequenced by priority as detailed in the Log of Project. It is MDOT's intent that the final amount of contract work performed will be based the actual work that can be completed for the pre-established contract amount instead of traditional defined work limits. MDOT has the right to only construct the work in Priority 1 based on the unit prices bid by the Low Bidder if it is in MDOT's best interest.

Payment will be based on the actual quantities of the pay items constructed in the field multiplied by the unit price's bid. Once the concrete pavement repairs in Priority 1 are completed, the final limits of the remaining work will be determined as work progresses, actual quantities are measured and the construction costs are tracked. The Low Bidder shall work closely with the Engineer to schedule work so the pre-established contract amount is not exceeded.

In the event that additional funds become available during construction, MDOT may, at its sole discretion, add work in the sections of the project that are unable to be completed based on the original pre-established contract amount. If this occurs, work is anticipated to be authorized by increasing priority as defined in the Log of Project. Section 103.2 B of the 2012 Standard Specifications for Construction is deleted. The cost of this additional work will be based on the unit prices bid unless an adjustment is warranted. If additional funding becomes available and additional work is added to this contract, the contract time may be extended through a contract modification.