



## **FAIRNESS DOCTRINE**

This Fairness Doctrine is designed to be a guidepost for consistently managing relationships between Brasfield & Gorrie and our subcontractors\* and vendors. As in everything we do, we strive for equitable, honest conduct—in our actions, our business operations and our dealings with those we work with every day.

We understand that fair and ethical treatment of subcontractors, including smart safety methods, prompt payment practices, just project supervision and quality scheduling, is mutually beneficial. If we offer good communication, honest transactions, and convey a healthy spirit of teamwork in our dealings, then we will receive the same in return—and everyone involved will benefit.

Perhaps the most important attribute of our fairness policy is consistency. We feel that maintaining a dependable set of steps during the bidding process is key to making sure things go smoothly. As such, the procedures outlined in this document allow us to achieve several important things during the bidding process:

1. Good coverage of all line items of a bid
2. Fair analysis and evaluation of all bids from participating subcontractors
3. Favorable pricing from subcontractors in recognition of this ease of process and our ability to perform (thereby making our bids as cost-effective for our clients as possible and as competitive in the marketplace as they can be)
4. Proper evaluation of bids prior to the general bid filing
5. Consistency in our purchasing process

## **SCOPE**

The guidelines established in this Fairness Doctrine apply to all Brasfield & Gorrie projects.

## **ACCOUNTABILITY**

The Vice President of Estimating is accountable for the enforcement of the guidelines presented in this Fairness Doctrine and will, from time-to-time, review these guidelines to remain current with market trends, perceptions and other critical issues that may affect our goals and our business. In addition, only the Executive Committee may amend these guidelines.

Procedure for the submitting of bids:

1. Subcontractor bids will be solicited by mail, fax, or e-mail through a bid solicitation process consistent with the requirements of the client. Appropriate action will be taken to solicit bidders for projects with

### **BRASFIELD AND GORRIE, LLC**

729 South 30TH Street Birmingham, Alabama 35233-2939  
P: 205.328.4000 F: 205.251.1304 W: BrasfieldGorrie.com

requirements for participation by Minority-Owned, Women-Owned and Disadvantaged Business Enterprises in a manner consistent with the bidding documents. In order to comply with the specific requirements set forth in the bidding documents, these actions may include: public notices, newspaper advertisements, written invitations sent by Registered Mail Return Receipt Requested and/or telephone solicitations. Please see the MBE/DBE involvement section of this site for more information.

2. When necessary, contact will be made with subcontractor bidders to discuss special conditions and construction scheduling information. This due diligence will enhance subcontractor bids and create a complete scope of work.
3. Subcontractors are required to submit letters outlining their scope of work to Brasfield & Gorrie at least 24 hours prior to the general bid filing.
4. Brasfield & Gorrie must receive subcontractor bids at least two (2) hours prior to the general bid filing in order to have sufficient time for bid evaluation, for us to ask questions regarding the bid, to receive answers to those questions, and for everyone to have enough time to check and review documents. This helps all of us avoid mistakes.
5. When necessary, written contact with subcontractor bidders will be made to communicate pertinent information during the bid period such as addenda, bid filing extensions, etc.
6. If we do not get a responsible or reasonable bid on any item in the bid package, Brasfield & Gorrie reserves the right to solicit bids on any item necessary to complete our estimate after the deadline for receiving subcontractor bids.

Procedure for the finalization of subcontracts and purchase orders:

1. In the event that Brasfield & Gorrie is awarded a contract, the Vice President of Estimating (or his/her designee), will conduct scope/clarification conferences with the apparent low bidders to determine the successful subcontractor for each item of work. This will be accomplished within 30 days of the award, if possible. These conferences may include representatives from subcontractor management, operations and estimating who will be involved with the project.
2. The Senior Vice President of Operations (or his/her designee) shall make awards of subcontracts and material purchase orders. Other subcontractor bidders will be informed as outlined in this document.
3. During the finalization of subcontracts, Brasfield & Gorrie will solicit schedule information from subcontractors for review and use in preparation of the project schedule.

## **ETHICAL PRACTICE**

Brasfield & Gorrie's mission is one of excellence. In every project we undertake, we strive to be a conscientious, construction industry and business leader, attuned to the needs of our clients, our communities and our own Brasfield & Gorrie family. With regard to the bidding process and its outcome,

it is our policy to award contracts, after careful evaluation, to the lowest responsible bidder qualified to perform the work. With this in mind:

1. We will not solicit bids from any subcontractor unless we are prepared to award that subcontractor the contract, if they should be the lowest responsible bidder qualified.
2. We will not divulge any information pertaining to subcontractor bids to anyone outside Brasfield & Gorrie at any time prior to the general bid filing.
3. We will record the name of all subcontractors submitting bids and times those bids were received.
4. If the lowest bid received is substantially lower than the next lowest subcontractor bid, we will notify the lowest bidding subcontractor of this fact.
5. We will only respond to direct inquiries from subcontractors about bids after (A) work has been awarded, or (B) in the event that we are not the successful bidder. Further, we will maintain the confidentiality of any bidder providing favorable or exclusive pricing to Brasfield & Gorrie.

\* For reasons of clarity, the term "subcontractor" used in this document refers to subcontractors, specialty contractors, material and equipment suppliers and the like.