

Nebraska Department of Transportation Procurement Policy

NOTICE

This guidance document is advisory in nature but is binding on the Nebraska Department of Transportation until amended. A guidance document does not include internal procedural documents that only affect the internal operations of the Department of Transportation and does not impose additional requirements or penalties on regulated parties or include confidential information or rules and regulations made in accordance with the Administrative Procedure Act. If you believe that this guidance document imposes additional requirements or penalties on regulated parties, you may request a review of the document See Neb. Rev. Stat. § 84-901.03

Policy No: 25-24-08
Application: Evaluation of Bidders and Bids During a Competitive Bidding Process
Subject: Responsibility and Responsiveness
Effective Date: 07-01-2025

I. RESPONSIBILITY

- A. Responsibility relates to the capability of a bidder to perform the work or provide the items the State is seeking. Contracts are only to be awarded to responsible bidders.
- B. Responsibility determinations must include the elements required under Neb. Rev. Stat. § 73-808 (1) and (2).
- C. The NDOT Procurement Manager or the NDOT Deputy Director of Operations may decide that a bidder is not responsible at any time based on information from any source.

II. RESPONSIVENESS

- A. Responsiveness relates to a bid's compliance with the requirements of a competitive solicitation. A "responsive bid" is a solicitation response that conforms in all material respects to the solicitation's requirements. Only responsive bids will be considered when evaluating solicitation responses.
- B. A "minor informality" is an insignificant mistake in a bid response that can be waived or corrected without prejudice to other bidders. Elements of solicitation responses that effect price, quantity, quality, delivery, or contractual conditions are not minor informalities. Minor informalities may be waived at the discretion of the NDOT Procurement Manager or the NDOT Deputy Director of Operations.
- C. For NDOT solicitations, the NDOT Procurement Manager makes responsiveness determinations.

III. REFERENCES

- A. State Procurement Act, Neb. Rev. Stat. §§ 73-801 et seq.
- B. NDOT Procurement Manual dated July 1, 2025.

The foregoing policy is duly signed and executed on this 9th day of June 2025.



Procurement Manager,
Nebraska Department of Transportation

6/5/25

DATE



Deputy Director of Operations,
Nebraska Department of Transportation

6/9/25

DATE