



STATE OF MAINE
DEPARTMENT OF TRANSPORTATION
16 STATE HOUSE STATION
AUGUSTA, MAINE 04333-0016

Janet T. Mills
GOVERNOR

Dale F. Doughty
COMMISSIONER

August 28, 2026
Subject: Backhoe/Loader without
operator
WIN: 030499.19, 031107.11 &
031162.05
Location: Region 5
Amendment No. 1

Dear Sir/Ms.:

Please make the following changes to the Bid Documents:

In the Bid Book:

**INSERT, "SPECIAL PROVISION, SECTION 102, BIDDING & 103 AWARD
& CONTRACTING, (Basis of Award)" 1 page, dated August 28, 2026.**

Consider these changes and information prior to submitting your bid on **September 9, 2026.**

Sincerely,

George M. A. Macdougall P.E.
Contracts & Specifications Engineer

SPECIAL PROVISION
SECTIONS 102 BIDDING
& 103 AWARD & CONTRACTING
(Basis of Award)

The Apparent Low Bidder will have first option to furnish the equipment. If this Bidder is unable to furnish the equipment, or the equipment does not meet or “substantially meet” specifications, then the Department will contact the Bidder that submitted the next lowest bid to see if that Bidder will furnish the equipment and subsequent Bidders in ascending order of the amount of their bids, until a Bidder agrees to furnish the equipment. “Substantially meet” is defined as having one or more variations from contract specifications which, as determined by the Department, are minor and do not alter ability of the equipment to perform planned work. Prior to award, prior to a subsequent delivery, and if the Contractor swaps out equipment, the Department may inspect the equipment to be furnished to verify it meets specifications.

If the Department increases quantities for items already bid in a Region, the Bidder with the Contract will have first option to furnish the equipment. If this Bidder is unable to furnish the equipment, then the Department will contact the Bidder that submitted the next lowest bid to see if that Bidder will furnish the equipment and subsequent Bidders in ascending order of the amount of their bids, until a Bidder furnish the equipment.

If any time after award, the Contractor is (1) unable to supply specified equipment, (2) the equipment requires repairs due to normal operations several days a month or (3) is unable to operate safely, the Department may contact the Bidder that submitted the next lowest bid for the particular Equipment to see if that Bidder will furnish some or all of the equipment and subsequent Bidders in ascending order of the amount of their bids, until a Bidder agrees to furnish the equipment or the Department may readvertise.