

EXHIBIT E

ALTERNATE COMPETITIVE BIDDING PROCEDURES

- A. **Obtaining Bids.** The Developer, as construction agent, under the Construction Agency Agreement (the "Construction Agent") shall develop and make recommendations for bidding criteria, bidding schedules and bidding information and shall develop bidders' interest, all with respect to construction of the TIF Public Improvements and the Publicly Owned Improvements. The Construction Agent shall publicly advertise for the prequalification of bidders, for not less than two consecutive weeks in a newspaper of general circulation within the City of South Euclid, Ohio. Such advertisement will require receipt of the prospective bidders' prequalification forms by a specified date. Upon receipt of prequalification materials the Construction Agent shall select from all materials submitted a list of approved bidders for each contract bid package.
- B. **Pre-bid Conferences.** The Construction Agent shall develop from submitted prequalification materials a selected list of qualified bidders, and conduct pre-bid meetings with pre-qualified bidders to familiarize bidders with the necessary documents and agreements relating to the construction of the TIF Public Improvements and the Publicly Owned Improvements (the "Construction Documents"), any special requirements of the Contract Documents, and existing State of Ohio prevailing wage requirements. The Construction Agent shall prepare records of the items discussed at the pre-bid meetings, including questions and answers.
- C. **Bid Packages.** The Construction Agent upon review of the City Engineer (acting reasonably and expeditiously), shall review the Contract Documents, assemble them into appropriate packages, and distribute the packages to the approved, selected pre-qualified bidders. The construction manager if engaged by the Construction Agent (the "Constructor Manager") shall assist in the process of review and approve and distribute packages to selected bidders.
- D. **Bid Review.** The Construction Agent, with the assistance of the Construction Manager if engaged, shall review all bids received for responsiveness, participate in investigating the lowest and best responsible bidders and deliver a written recommendation of the Construction Agent to the City about the award of, or rejection of, any bids for each construction contract ("Construction Contract") for either the TIF Public Improvements or the Publicly Owned Improvements in accordance with applicable law. The City Engineer, acting reasonably and expeditiously, shall have the right to review the recommendations of the Construction Agent; provided that the Construction Agent shall have sole discretion to make the final decision on bid awards.
- E. **Conferences.** The Construction Agent, with the assistance of the Construction Manager if engaged, shall conduct pre-award and post-award conferences with apparently successful bidders and shall gather documentation for contract execution from such bidders.