Competitive Selection of Seismic Isolators

A competitive process that selects the best value seismic isolation solution during the project design phase maximizes the seismic isolation benefits for the owner and engineer, and reduces the construction costs. In this process, a letter and drawings are sent to selected qualified manufacturers providing information describing the structure, desired seismic performance criteria, seismic hazard, prototype testing schedule, and production bearing delivery schedule. The letter explains the objectives for the seismic isolation system, and the basis for the competitive selection and proposal evaluation.

Manufacturers are requested to submit a proposal for a seismic isolation solution using their products, and to provide guaranteed unit prices, and total price that includes prototype and 100% quality control testing.

The engineer and owner evaluate and score each proposal for product technical merit, structure seismic performance, bearing price, delivery schedule, demonstrated successful prior testing and implementations, and estimated total construction cost impact.

The engineer and owner rank the proposals according to overall value and risks, based on which factors are most important to the owner and engineer. All manufacturers submitting proposals are sent a letter informing them of the best value rankings, and the basis for the rankings.

The manufacturer rated as offering the best value performs the approved prototype testing at a test facility that has been approved by the engineer, and the tests are witnessed by the owner’s representatives.

If the prototype test results are acceptable to the engineer and owner, the manufacturer and owner execute a commercial supply agreement for purchase of the production bearings at the guaranteed prices. The technical specifications are those offered by the manufacturer in their proposal, with any modifications requested by the engineer and agreed to by the manufacturer during the proposal evaluations.

The commercial supply agreement is assigned to the selected contractor as part of the construction contract award. The contractor purchases the bearings from the manufacturer at the guaranteed prices, and installs the bearings according to the engineer’s specifications. The manufacturer’s name, bearing model numbers, and guaranteed prices are listed on the construction drawings as the only bearings permitted to be used in the construction.

If the prototype test results are not acceptable to the engineer and owner, or if the manufacturer and owner do not agree on the commercial supply terms, the manufacturer’s proposal is rejected, and the manufacturer offering the next highest rated best value is requested to perform the prototype testing.

Section 635.411 of the U.S. Code of Federal Regulations specifically permits proprietary products to be used in government funded construction when “Such patented or proprietary item is purchased or obtained through competitive bidding”. Most national, state, and municipal governments permit proprietary products to be specified for public projects if a competitive selection process has been used. The procurement objectives are to protect public safety while providing the best value for the taxpayer.