Telephone and Fax Addenda

By H. Maynard Blumer


The mature specifications writer recognizes addenda as opportunities to communicate with the many diverse users of bidding documents, and not as an embarrassing acknowledgment of errors. Maintaining that opportunity until the opening of bid proposals is an asset discarded by those who refuse to allow addenda during the last few days before the bid opening.

A key element in any communication is knowing that the recipient received what was intended. To communicate effectively using addenda, parties must: (1). Keep the opportunity for addenda open until the proposals are opened, and (2). Confirm that addenda are correctly received. These criteria can be satisfied by using a telephone for both spoken and fax-transmitted addenda.

How an addendum is written, issued, and acknowledged can affect the outcome of a bid, thereby making it a critical element in the bidding process. An astute specifications writer knows the role of addenda and develops a system with checks and balances that allow addenda to be used safely, converting an assumed liability into an asset.

Addenda Defined

Provisions governing the issuance and incorporation of addenda into bidding documents and the resulting construction contract should be included in the “Instructions to Bidders” or “Information for Bidders,” as they are sometimes called. As the name implies, this document gives bidders information and instructions in the form of definitions, provisions, procedures, and guides needed during the bidding period to properly prepare and submit bid proposals.

Every project has its own set of conditions. Instructions should be customized to each project’s specific requirements and the rules of bidding practiced by the issuing architect and the owner.

The American Institute of Architects (AIA) publishes Document A-701, “Instructions to Bidders.” It contains the basic requirements that most projects demand. However, using this document in a project manual might not be justified, because the potential supplementary instructions and modifications needed to meet a particular project’s unique requirements may be too complex. For example, the substitutions provisions in A-701 are inadequate (see “Prior Approval: A Specifications System,” The Construction Specifier, April 1996); and it instructs that no addenda will be issued during the final four days of the bidding period. The document is, however, an excellent guide to what to include in a customized “Instructions to Bidders.” A word of caution: AIA Documents are copyrighted and care must be taken not to violate those copyrights.

The addendum is defined essentially the same in the manuals of practice of both AIA and CSI. Those definitions, however, are traditional and incomplete in today’s world, particularly when considering today’s communication media, i.e., the telephone and the telephone/fax machine. I use the following compound definition.

--addenda, written or graphic: instruments issued by architect prior to execution of Contract that modify or interpret bidding documents by addition, deletion, clarification, revision, or correction.

Setting Precedent

The significance of this two-part definition is that it provides for the various forms of addenda, i.e., written, graphic, and both spoken and faxed via telephone. This becomes historically important when one realizes that the use of the telegraph to transmit bidding-related communications was once tried and rejected by the construction industry. The failure of the telegraph was associated with the problems of authenticating the

A system of rules and procedures for writing, issuing, and acknowledging addenda to bidding documents by telephone or fax machine.
New Directions for Fax Systems

By Charles R Carroll, Jr.

Fax machines have become the most widely used devices for transmitting images between offices. People who track these things believe there will be almost three million fax machines in use by 1993, perhaps one for every office by 1995.

However, the average fax machine has some built-in deficiencies. The quality of the conventional transmitted image can range from good to very poor, making numbers and details hard or impossible to read if the image is poor. Thermal paper is costly and degrades with age. On many machines, transmission speed is slow. If the information to be transmitted is in the computer--such as estimates, specifications, and drawings--hard copy that fits the fax machine must be made.

For these reasons, and to make faxing more convenient and dependable, fax boards that work with the computer were developed.

The first computer fax boards were an improvement over fax machines, in that they transmitted better quality images than those transmitted between two fax machines. The image was still uneven, and details could be difficult to read. The received document was printed out on the fax machine, with all the problems inherent in a raster image on thermal paper.

With the introduction of PC/fax, where a fax board is installed in both the transmitting and receiving computers, or where an external box attached to the serial port of the computer is used, documents or drawings in computer memory are transmitted and received as computer images. If not in machine memory, a scanner is used to store an image before transmittal.

The CAS protocol (a recent software enhancement) permits the image to be transmitted to another compatible board in exactly the form it exists in your computer. Another advantage is that it can be printed or plotted by the printer or plotter attached to the receiver’s computer with resulting high quality. Thus you retain all the intelligence of the computer in transfer of text or drawing images. Information developed in AutoCAD, WordPerfect, Lotus, and many other programs can be received and stored as created.

Equally useful is the ability of fax boards to schedule transmission at any time, to any number of recipients, as defined by the sender. A log is generated that will tell you when a fax was sent, and if it was received without error. Unlimited telephone numbers can be stored in a directory for multiple addressees.

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With the price of fax boards dropping rapidly, those who use computers will find that fax boards are far more convenient and useful than conventional fax machines, making them a welcome part of the “Seamless Project Environment.”

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addendum is a written addendum issued initially by reading or faxing over the telephone to bidders.

In my practice, these telephone addenda are only issued to prime bidders, and only on the day of or the day before the bids are opened. They are available in writing prior to and at the place the bids are opened. I consider a faxed addendum the same as a telephoned addendum, but will only issue it to a bidder when arranged in advance. An explanation of issuing procedure should be incorporated into the bidding instructions.

Rules and procedures for issuing and administering telephone addenda are as follows:

1. Telephone addenda, including those transmitted verbally or by fax, will be written in the same form used for other addenda. They will be numbered consecutively with other addenda.

2. After the end of the addenda there will be a statement acknowledging their receipt. This should read, “I hereby acknowledge receipt of this addendum, which is reflected in my bid proposal,” followed by a space for signature, date, and bidding firm’s name.

3. A faxed addendum is considered a telephone addendum. Fax should be used only when mutually agreed in advance.

4. Telephone addenda will be issued and dated the day of the bid opening or the day before the bid opening.

5. When issuing bid documents, the issuing party will obtain the telephone number to be used for phoning and faxing addenda and the name of the person to whom the addenda are to be read. The bidder may want telephone addenda issued to a telephone number other than that used earlier in the bidding period.

The bidder could read back the information to make sure nothing was missed. Though this is a logical precaution to take, be aware that it is not legally binding.

6. A non-technical person, such as the secretary who issues bidding documents for the issuing office, will telephone the prime bidders and read the telephone addenda exactly as written or fax the addenda. It is important that a non-technical person transmit telephone addenda as a precaution against editorializing. I suggest that the bidder’s designated recipient either take the addendum down verbatim or tape record it. Shorthand or brief notes should not be used.

7. Bidders should be allowed to pick up a printed copy of the addenda from the issuing office if they so choose.

8. Two written copies of all telephone addenda should be given to the bidder when the bid is turned in, assuming it is submitted in person as in normally the case. The bidder should compare the written copy with the telephone (or fax) message received in the bidder’s office, then sign the acknowledgment on one copy and return the signed copy to the person receiving the bid.

Acceptability

It is important to obtain a signed acknowledgment of the receipt of a written hard copy before the bid is opened. This is critical for the acceptability of telephone-transmitted addenda. Thus the telephone reading or faxing of addenda is an unofficial courtesy to the bidder, not a replacement of conventional addenda and not a violation of the rule of no verbal modifications.

This acknowledgment eliminates any claim of errors and spoiling of a bid due to the quality of a verbal or electronic transmission.

About the author

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