

Proposal for Bidding Purposes

For the Construction of:

**SKAGIT COUNTY BARRIER PROTECTION
PROJECT #ES78600-1**

Federal Aid #HSIP-000S(625)

SKAGIT COUNTY PUBLIC WORKS



**SKAGIT COUNTY
Public Works Department
1800 Continental Place
Mount Vernon, WA 98273**

PROPOSAL

**BARRIER PROTECTION PROJECT
#ES78600-1 / FA# HSIP-000S(625)**

**Schedule A
Mud Lake Road**

**Schedule B
Baker Lake Road**

**Schedule C
South Skagit Highway**

**Skagit County, Washington
2023**

All bid envelopes must be plainly marked on the outside, "**Sealed Bid, Skagit County Barrier Protection Project #ES78600-1.**"

Sealed Bids will be received at the following location before the specified time:

Bids may be hand delivered to: The Reception Desk of Skagit County Commissioners Office, located at 1800 Continental Place, Mount Vernon, WA.

Bids may be mailed to: Skagit County Commissioners
1800 Continental Place, Suite 100
Mount Vernon, Washington, 98273

The bid opening date for this project will be **Monday, May 15, 2023**. The bids will be publicly opened and read after **2:00 p.m.** on this date.

Bid Advertisement: Skagit Valley Herald – April 20, April 27, and May 4, 2023
Daily Journal of Commerce –April 20, April 27, and May 4, 2023

**ENTIRE PROPOSAL TO BE RETURNED AS YOUR BID PACKAGE
FAILURE TO SIGN OR COMPLETE ALL INFORMATION ON THE FORMS PROVIDED CAN
RESULT IN REJECTION OF THE PROPOSAL AS NON-RESPONSIVE**

PROPOSAL

BOARD OF SKAGIT COUNTY COMMISSIONERS MOUNT VERNON, WASHINGTON 98273

Attention:

This certifies that the undersigned has examined the locations of:

SKAGIT COUNTY BARRIER PROTECTION PROJECT #ES78600-1 FEDERAL AID # HSIP-000S(625)

Schedule A – Mud Lake Road (MP 0.73 to MP 1.62)

Schedule B – Baker Lake Road (MP 5.17 to MP 5.33)

Schedule C – South Skagit Highway (MP 6.98 to MP 7.06)

and that the plans, specifications, and contract governing the work embraced in this improvement, and the method by which payment will be made for said work is understood. The undersigned hereby proposes to undertake and complete the work embraced in this improvement, or as much thereof as can be completed with the money available in accordance with the said plans, specifications, and contract, and the following schedule of rates and prices:

Note: for work performed on this project the contractor should refer to Section 1-07.2(1) of the contract provisions and Department of Revenue Rule #171.

(Note: Unit prices for all items, all extensions, and total amount of bid shall be shown. All entries must be typed or entered in ink.)

SKAGIT COUNTY BARRIER PROTECTION

| Item No. | Description | Spec | QTY | Unit of Measure | Unit Price | Total Price |
|--|---|-------------|------------|------------------------|-------------------|--------------------|
| Schedule A – Mud Lake Road (MP 0.73 to MP 1.62) | | | | | | |
| A-1 | MOBILIZATION | 1-09.7 | 1 | LS | \$ _____ . ____ | \$ _____ . ____ |
| A-2 | CRUSHED SURFACING BASE COURSE | 4-04.5 | 119 | TON | \$ _____ . ____ | \$ _____ . ____ |
| A-3 | BEAM GUARDRAIL TYPE 31 – 8 FT. LONG POST | 8-11.5 | 1,688 | L. F. | \$ _____ . ____ | \$ _____ . ____ |
| A-4 | BEAM GUARDRAIL TYPE 31 – 9 FT. LONG POST | 8-11.5 | 188 | L.S. | \$ _____ . ____ | \$ _____ . ____ |

| Item No. | Description | Spec | QTY | Unit of Measure | Unit Price | Total Price |
|----------|--|------------|-----|-----------------|-------------|------------------|
| A-5 | BEAM GUARDRAIL TYPE 31 – 11 FT. LONG POST | 8-11.5 | 767 | L.F. | \$_____. | \$_____. |
| A-6 | BEAM GUARDRAIL TYPE 31 NON-FLARED TERMINAL | 8-11.5 | 4 | EACH | \$_____. | \$_____. |
| A-7 | BEAM GUARDRAIL TYPE 31 | 8-11.5 | 700 | L.F. | \$_____. | \$_____. |
| A-8 | BEAM GUARDRAIL ANCHOR TYPE 11 | 8-11.5 | 4 | EACH | \$_____. | \$_____. |
| A-9 | FLEXIBLE GUIDE POST | 8-10.5 | 36 | EACH | \$_____. | \$_____. |
| A-10 | PROJECT TEMPORARY TRAFFIC CONTROL | 1-10.5 | 1 | L.S. | \$_____. | \$_____. |
| A-11 | FLAGGER | 1-10.5 | 144 | HR | \$_____. | \$_____. |
| A-12 | TRAFFIC CONTROL SUPERVISOR | 1-10.5 | 1 | L.S. | \$_____. | \$_____. |
| A-13 | TRIMMING AND CLEANUP | 2-11.5 | 1 | L.S. | \$_____. | \$_____. |
| A-14 | MINOR CHANGE | 1-04.4(1) | 1 | CALC | \$_____1.00 | \$_____15,000.00 |
| A-15 | SPCC PLAN | 1-07.15(1) | 1 | L.S. | \$_____. | \$_____. |
| A-16 | MAILBOX SUPPORT TYPE 1 | 8-18.5 | 10 | EACH | \$_____. | \$_____. |
| A-17 | WORK ZONE SAFETY CONTINGENCY | 1-10.2 GSP | 1 | EST | \$_____1.00 | \$_____15,000.00 |

| Item No. | Description | Spec | QTY | Unit of Measure | Unit Price | Total Price |
|---|--|--------|-----|-----------------|------------|-------------|
| Subtotal Schedule A | | | | | | \$_____. |
| Item No. | Description | Spec | QTY | Unit of Measure | Unit Price | Total Price |
| Schedule B – Baker Lake Road (MP 5.17 to MP 5.33) | | | | | | |
| B-1 | MOBILIZATION | 1-09.7 | 1 | L.S. | \$_____. | \$_____. |
| B-2 | CRUSHED SURFACING BASE COURSE | 4-04.5 | 40 | TON | \$_____. | \$_____. |
| B-3 | BEAM GUARDRAIL TYPE 31 – 8 FT. LONG POST | 8-11.5 | 363 | L. F. | \$_____. | \$_____. |
| B-4 | BEAM GUARDRAIL TYPE 31 NON-FLARED TERMINAL | 8-11.5 | 2 | EACH | \$_____. | \$_____. |
| B-5 | BEAM GUARDRAIL TYPE 31 | 8-11.5 | 400 | L.F. | \$_____. | \$_____. |
| B-6 | FLEXIBLE GUIDE POST | 8-10.5 | 8 | EACH | \$_____. | \$_____. |
| B-7 | PROJECT TEMPORARY TRAFFIC CONTROL | 1-10.5 | 1 | L.S. | \$_____. | \$_____. |
| B-8 | FLAGGER | 1-10.5 | 32 | HR | \$_____. | \$_____. |
| B-9 | TRAFFIC CONTROL SUPERVISOR | 1-10.5 | 1 | L.S. | \$_____. | \$_____. |
| B-10 | TRIMMING AND CLEANUP | 2-11.5 | 1 | L.S. | \$_____. | \$_____. |

| Item No. | Description | Spec | QTY | Unit of Measure | Unit Price | Total Price |
|--|--|------------|-----|-----------------|-------------|-----------------|
| B-11 | MINOR CHANGE | 1-04.4(1) | 1 | CALC | \$_____1.00 | \$_____5,000.00 |
| B-12 | SPCC PLAN | 1-07.15(1) | 1 | L.S. | \$_____. | \$_____. |
| B-13 | WORK ZONE SAFETY CONTINGENCY | 1-10.2 GSP | 1 | EST | \$_____1.00 | \$_____5,000.00 |
| Subtotal Schedule B | | | | | | \$_____. |
| Item No. | Description | Spec | QTY | Unit of Measure | Unit Price | Total Price |
| Schedule C – South Skagit Highway (MP 6.98 to MP 7.06) | | | | | | |
| C-1 | MOBILIZATION | 1-09.7 | 1 | L.S. | \$_____. | \$_____. |
| C-2 | CRUSHED SURFACING BASE COURSE | 4-04.5 | 43 | TON | \$_____. | \$_____. |
| C-3 | BEAM GUARDRAIL TYPE 31 – 8FT. LONG POST | 8-11.5 | 300 | L.F. | \$_____. | \$_____. |
| C-4 | BEAM GUARDRAIL TYPE 31 – 9FT. LONG POST | 8-11.5 | 75 | L.F. | \$_____. | \$_____. |
| C-5 | BEAM GUARDRAIL TYPE 31 NON-FLARED TERMINAL | 8-11.5 | 6 | EACH | \$_____. | \$_____. |
| C-6 | FLEXIBLE GUIDE POST | 8-10.5 | 8 | EACH | \$_____. | \$_____. |

| Item No. | Description | Spec | QTY | Unit of Measure | Unit Price | Total Price |
|---------------------|-----------------------------------|------------|-----|-----------------|-------------|-----------------|
| C-7 | PROJECT TEMPORARY TRAFFIC CONTROL | 1-10.5 | 1 | L.S. | \$_____. | \$_____. |
| C-8 | FLAGGERS | 1-10.5 | 64 | HR | \$_____. | \$_____. |
| C-9 | TRAFFIC CONTROL SUPERVISOR | 1-10.5 | 1 | L.S. | \$_____. | \$_____. |
| C-10 | TRIMMING AND CLEANUP | 2-11.5 | 1 | L.S. | \$_____. | \$_____. |
| C-11 | MINOR CHANGE | 1-04.4(1) | EST | CALC | \$_____1.00 | \$_____5,000.00 |
| C-12 | SPCC PLAN | 1-07.15(1) | 1 | L.S. | \$_____. | \$_____. |
| C-13 | MAILBOX SUPPORT TYPE 1 | 8-15.5 | 1 | EACH | \$_____. | \$_____. |
| C-14 | WORK ZONE SAFETY CONTINGENCY | 1-10.2 GSP | 1 | EST | \$_____1.00 | \$_____5,000.00 |
| Subtotal Schedule C | | | | | | \$_____. |

BID PROPOSAL SUMMARY

| | |
|---|-----------------|
| Subtotal Schedule A – Mud Lake Road (MP 0.73 to MP 1.62) | \$_____. |
| Subtotal Schedule B - Baker Lake Road (MP 5.17 to MP 5.33) | \$_____. |
| Subtotal Schedule C - South Skagit Highway (MP 6.98 to MP 7.06) | \$_____. |
| TOTAL BID AMOUNT | \$_____. |

FOR WORK PERFORMED ON THIS PROJECT THE CONTRACTOR SHOULD REFER TO SECTION 1-07.2(1) OF THE CONTRACT PROVISIONS AND DEPARTMENT OF REVENUE RULE #171.

PROPOSAL – Signature Page

The bidder is hereby advised that by signature of this proposal he/she is deemed to have acknowledged all requirements and signed all certificates contained herein.

The undersigned hereby agrees to pay labor not less than the prevailing rates of wages in accordance with the requirements of the special provisions for this project.

A proposal guaranty in an amount of five percent (5%) of the total bid based upon the approximate estimate of quantities at the above prices and in the form as indicated below is attached hereto:

- ☐ CASHIER'S CHECK In the amount of \$ _____ Dollars
- ☐ CERTIFIED CHECK In the amount of \$ _____ Dollars
(Payable to Skagit County)
- ☐ PROPOSAL BOND In the amount five percent (5%) of the total bid.

Receipt is hereby acknowledged of Addendum(s) No. (s) _____, _____, & _____

Signature of Authorized Official(s):

Proposal Must Be Signed →

PRINT NAME

Firm Name: _____

Address: _____

Telephone No.: _____

State of Washington Contractor's License No. _____

UBI No. _____

Employment Security Department No. _____

Note:

- (1) This proposal form is not transferable, and any alteration of the firm's name entered hereon without prior permission from the Skagit County will be cause for considering the proposal irregular and subsequent rejection of the bid.
- (2) Please refer to Section 1-02.6 of the Standard Specifications, "Preparation of Proposal", or "Article 4" of the Instruction to Bidders for building construction jobs.

BID PROPOSAL MUST BE SIGNED.

**FAILURE TO SIGN OR COMPLETE ALL INFORMATION CAN RESULT
IN REJECTION OF THE PROPOSAL AS NON-RESPONSIVE.**

**SUBMIT THE
ENCLOSED PROPOSAL
BOND FORM WITH
YOUR PROPOSAL**

**USE OF OTHER FORMS
MAY SUBJECT YOUR
BID TO REJECTION**

PROPOSAL BOND

KNOW ALL MEN BY THESE PRESENTS, That we, _____

_____ of _____ as principal, and the
_____ a corporation duly
organized under the laws of the State of _____,
and authorized to do business in the State of Washington, as surety, are held and firmly bound unto
Skagit County in the full and penal sum of five (5) percent of the total amount of the bid proposal of
said principal for the work hereinafter described for the payment of which, well and truly to be made,
we bind our heirs, executors, administrators and assigns, and successors and assigns, firmly by these
presents.

The condition of this bond is such, that whereas the principal herein is herewith submitting his
or its sealed proposal for the following highway construction, to wit:

**SKAGIT COUNTY BARRIER PROTECTION PROJECT #ES78600-1
FEDERAL AID #HSIP-000S(625)**

said bid and proposal, by reference thereto, being made a part hereof.

NOW THEREFORE, If the said proposal bid by said principal be accepted, and the contract
be awarded to said principal, and if said principal shall duly make and enter into and execute said
contract and shall furnish bond as required by Skagit County within a period of twenty (20) days from
and after said award, exclusive of the day of such award, then this obligation shall be null and void,
otherwise it shall remain and be in full force and effect.

IN TESTIMONY WHEREOF, The principal and surety have
caused these presents to be signed and sealed this _____ day of _____, 2023.

(Principal)

(Surety)

(Attorney-in-fact)

Failure to return this Declaration as part of the bid proposal package will make the bid nonresponsive and ineligible for award.

NON-COLLUSION DECLARATION

I, by signing the proposal, hereby declare, under penalty of perjury under the laws of the United States that the following statements are true and correct:

1. That the undersigned person(s), firm, association or corporation has (have) not, either directly or indirectly, entered into any agreement, participated in any collusion, or otherwise taken any action in restraint of free competitive bidding in connection with the project for which this proposal is submitted.
2. **That by signing the signature page of this proposal, I am deemed to have signed and to have agreed to the provisions of this declaration.**

NOTICE TO ALL BIDDERS

To report rigging activities call:

1-800-424-9071

The U.S. Department of Transportation (USDOT) operates the above toll-free “hotline” Monday through Friday, 8:00 a.m. to 5:00 p.m., eastern time. Anyone with knowledge of possible bid rigging, bidder collusion, or other fraudulent activities should use the “hotline” to report such activities.

The “hotline” is part of USDOT’s continuing effort to identify and investigate highway construction contract fraud and abuse and is operated under the direction of the USDOT Inspector General. All information will be treated confidentially and caller anonymity will be respected.

Local Agency Certification for Federal-Aid Contracts

The prospective participant certifies by signing and submitting this bid or proposal, to the best of his or her knowledge and belief, that:

(1) No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of any Federal agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan or cooperative agreement.

(2) If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any Federal agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions.

This certification is material representation of the fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by Section 1352, Title 31, U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each failure.

The prospective participant also agrees by submitting his or her bid or proposal that he or she shall require that the language of this certification be included in all lower tier subcontracts, which exceed \$100,000 and that all such subrecipients shall certify and disclose accordingly.



Disadvantaged Business Enterprise Utilization Certification

To be eligible for Award of this Contract the Bidder shall fill out and submit, as a supplement to its sealed Bid Proposal, a Disadvantaged Business Enterprise (DBE) Utilization Certification. The Contracting Agency shall consider as non-responsive and shall reject any Bid Proposal that does not contain a DBE Utilization Certification which properly demonstrates that the Bidder will meet the DBE participation requirements in one of the manners provided for in the proposed Contract. **Refer to the instructions on Page 2 when filling out this form or the Bid may be rejected. An example form has been provided on Page 3.** The successful Bidder's DBE Utilization Certification shall be deemed a part of the resulting Contract.

Box 1: _____ certifies that the DBE firms listed below have been contacted regarding participation on this project. If this Bidder is successful on this project and is awarded the Contract, it shall assure that subcontracts or supply agreements are executed with named DBEs. (If necessary, use additional sheets.)

Box 2: _____

| Column 1 Name of DBE (See instructions) | Column 2 Project Role (See instructions) | Column 3 Description of Work (See instructions) | Column 4 Dollar Amount Subcontracted to DBE (See instructions) | Column 5 Dollar Amount to be Applied Towards Goal (See instructions) |
|--|---|--|---|---|
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Disadvantaged Business Enterprise _____
Condition of Award Contract Goal Box 3

Total DBE Commitment Dollar Amount _____
Box 4

5 By checking Box 5 the Bidder is stating that their attempts to solicit sufficient DBE participation to meet the COA Contract goal has been unsuccessful and good faith effort will be submitted in accordance with Section 1-02.9 of the Contract

Instructions for Disadvantaged Business Enterprise Utilization Certification Form

Box 1: Name of Bidder (Proposal holder) submitting Bid.

Box 2: Name of the Project.

Column 1: Name of the Disadvantaged Business Enterprise (DBE). DBE firms can be found using the Diversity Management and Compliance System web page: <https://wsdot.diversitycompliance.com>. Repeat the name of the DBE for each Project Role that will be performed.

Column 2: The Project Role that the DBE will be performing as follows;

- Prime Contractor
- Subcontractor
- Subcontractor (Force Account)
 - Work sublet as Force Account must be listed separately.
- Manufacturer
- Regular Dealer
 - Work sublet to a Regular Dealer must be listed separately.
 - Regular Dealer status must be approved prior to Bid submittal by the Office of Equal Opportunity, Washington State Department of Transportation, on each Contract.
- Broker
 - Work sublet to a Broker must be listed separately.

List each project role to be performed by a single DBE individually on a separate row. The role is used to determine what portion of the amount to be subcontracted (Column 4) may be applied toward meeting the goal (column 5).

Column 3: Provide a description of work to be performed by the DBE. The work to be performed must be consistent with the Certified Business Description of the DBE provided at the Diversity Management and Compliance System web page <https://wsdot.diversitycompliance.com>

- A Bidder subletting a portion of a bid item shall state “**Partial**” and describe the Work that is included.
 - For example; “Electrical (Partial) – Trenching”.
- “Mobilization” will not be accepted as a description of Work.

Column 4: List the total amount to be subcontracted to each DBE for each Project Role they are performing.

Column 5: This is the dollar amount for each line listed in the certification that the prime intends to apply towards meeting the COA Contract goal. It may be that only a portion of the amount subcontracted to a DBE in Column 4 is eligible to be credited toward meeting the goal **See Note 1, Note 2, Note 3**. The Contracting Agency will utilize the sum of this column (Box 4) to determine whether or not the bidder has met the goal. In the event of an arithmetic error in summing column 5 or an error in making appropriate reductions in the amounts in column four, **See Note 1, Note 2, Note 3**, then the mathematics will be corrected and the total (Box 4) will be revised accordingly.

Note 1: For Work sublet as Force Account the bidder **may only claim 50%** of the amount subcontracted (Column 4) towards meeting the goal (Column 5). This information will be used to demonstrate that the DBE contract goal is met at the time that the bidder submits their bid. For example; amount sublet as force account = \$100,000 (Column 4) equates to $(\$100,000 \times 50\%) = \$50,000$ (Column 5) to be applied towards the goal.

Note 2: For Work sublet to a Regular Dealer the bidder **may only claim 60%** of the cost of the materials or supplies (Column 4) towards meeting the goal (Column 5). For example; Material cost = \$100,000 (Column 4) equates to $(\$100,000 \times 60\%) = \$60,000$ (Column 5) to be applied towards the goal

Note 3: For Work sublet to a Broker the bidder **may only claim the fees** paid to a Broker towards meeting the goal (Column 4). For example; amount sublet to a broker = \$100,000 (Column 4) equates to $(\$100,000 \times \text{reasonable fee \%}) = \$$ (Column 5) to be applied towards the goal.

Box 3: Box 3 is the COA Contract goal which is the minimum required DBE participation. The goal stated in the Contract will be in terms of a dollar amount or a percentage in the Contract. When expressed as a percentage you must multiply the percentage times the sum total of all bid items as submitted in the Bidder's Proposal to determine the dollar goal and write it in Box 3. In the event of an error in this box, the Contracting Agency will revise the amount accordingly.

Box 4: Box 4 is the sum of the values in column 5. **This value must equal or exceed the COA Contract goal amount written in Box 3 or;**

Box 5: Check Box 5 if insufficient DBE Participation has been achieved and a good faith effort is required. Refer to the subsection titled, *Selection of Successful Bidder/Good Faith Efforts (GFE)* in the Contract.

See the *Disadvantaged Business Enterprise Participation* specification in the Contract for more information.

Disadvantaged Business Enterprise Utilization Certification

To be eligible for Award of this Contract the Bidder shall fill out and submit, as a supplement to its sealed Bid Proposal, a Disadvantaged Business Enterprise (DBE) Utilization Certification. The Contracting Agency shall consider as non-responsive and shall reject any Bid Proposal that does not contain a DBE Utilization Certification which properly demonstrates that the Bidder will meet the DBE participation requirements in one of the manners provided for in the proposed Contract. **Refer to the instructions on Page 2 when filling out this form or the Bid may be rejected. An example form has been provided on Page 3.** The successful Bidder's DBE Utilization Certification shall be deemed a part of the resulting Contract.

Box 1: A Plus Construction Company certifies that the DBE firms listed below have been contacted regarding participation on this project. If this Bidder is successful on this project and is awarded the Contract, it shall assure that subcontracts or supply agreements are executed with named DBEs. (If necessary, use additional sheets.)

Box 2: US 395, Spokane City Limits to Stevens County Line - Paving and Safety

| Column 1 Name of DBE <small>See instructions)</small> | Column 2 Project Role <small>See instructions)</small> | Column 3 Description of Work <small>See instructions)</small> | Column 4 Dollar Amount Subcontracted to DBE <small>See instructions)</small> | Column 5 Dollar Amount to be Applied Towards Goal <small>See instructions)</small> |
|---|--|---|--|--|
| A Plus Construction Company | Prime | Asphalt and concrete paving, asphalt milling, preleveling and pavement repair | N/A | 900,000 |
| In the Line Services, Inc. | Subcontractor (Force Account) | Crack sealing | 20,000 | 10,000 |
| In the Line Services, Inc. | Subcontractor | Guideposts, joint seal, pavement markers, temporary signage, construction sign installation | 200,000 | 200,000 |
| The Everything Guys, LLC | Regular Dealer | Rental and sales of highway construction and related equipment and materials | 100,000 | 60,000 |
| Optimus Prime Trucking, Inc. | Subcontractor | Dump Trucking | 50,000 | 50,000 |
| Metalheads, Inc. | Manufacturer | Dowel Bars | 75,000 | 75,000 |
| Erosion Under Control Co. | Broker | Erosion control blankets, straw bales and wattles, sand bags | 15,000 | 250 |
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EXAMPLE

Disadvantaged Business Enterprise 356,968.16
Condition of Award Contract Goal Box 3

Total DBE Commitment Dollar Amount 1,295,250
Box 4

☐ By checking Box 5 the Bidder is stating that their attempts to solicit sufficient DBE participation to meet the COA Contract goal has been unsuccessful and good faith effort will be submitted in accordance with Section 1-02.9 of the Contract

Instructions for Disadvantaged Business Enterprise Utilization Certification Form

Box 1: Name of Bidder (Proposal holder) submitting Bid.

Box 2: Name of the Project.

Column 1: Name of the Disadvantaged Business Enterprise (DBE). DBE firms can be found using the Diversity Management and Compliance System web page: <https://wsdot.diversitycompliance.com>. Repeat the name of the DBE for each Project Role that will be performed.

Column 2: The Project Role that the DBE will be performing as follows;

- Prime Contractor
- Subcontractor
- Subcontractor (Force Account)
 - Work sublet as Force Account must be listed separately.
- Manufacturer
- Regular Dealer
 - Work sublet to a Regular Dealer must be listed separately.
 - Regular Dealer status must be approved prior to Bid submittal by the Office of Equal Opportunity, Washington State Department of Transportation, on each Contract.
- Broker
 - Work sublet to a Broker must be listed separately.

List each project role to be performed by a single DBE individually on a separate row. The role is used to determine what portion of the amount to be subcontracted (Column 4) may be applied toward meeting the goal (column 5).

Column 3: Provide a description of work to be performed by the DBE. The work to be performed must be consistent with the Certified Business Description of the DBE provided at the Diversity Management and Compliance System web page <https://wsdot.diversitycompliance.com>

- A Bidder subletting a portion of a bid item shall state “**Partial**” and describe the Work that is included.
 - For example; “Electrical (Partial) – Trenching”.
- “Mobilization” will not be accepted as a description of Work.

Column 4: List the total amount to be subcontracted to each DBE for each Project Role they are performing.

Column 5: This is the dollar amount for each line listed in the certification that the prime intends to apply towards meeting the COA Contract goal. It may be that only a portion of the amount subcontracted to a DBE in Column 4 is eligible to be credited toward meeting the goal **See Note 1, Note 2, Note 3**. The Contracting Agency will utilize the sum of this column (Box 4) to determine whether or not the bidder has met the goal. In the event of an arithmetic error in summing column 5 or an error in making appropriate reductions in the amounts in column four, **See Note 1, Note 2, Note 3**, then the mathematics will be corrected and the total (Box 4) will be revised accordingly.

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Box 4: Box 4 is the sum of the values in column 5. **This value must equal or exceed the COA Contract goal amount written in Box 3 or;**

Box 5: Check Box 5 if insufficient DBE Participation has been achieved and a good faith effort is required. Refer to the subsection titled, *Selection of Successful Bidder/Good Faith Efforts (GFE)* in the Contract.

See the *Disadvantaged Business Enterprise Participation* specification in the Contract for more information.

Disadvantaged Business Enterprise Utilization Certification

To be eligible for Award of this Contract the Bidder shall fill out and submit, as a supplement to its sealed Bid Proposal, a Disadvantaged Business Enterprise (DBE) Utilization Certification. The Contracting Agency shall consider as non-responsive and shall reject any Bid Proposal that does not contain a DBE Utilization Certification which properly demonstrates that the Bidder will meet the DBE participation requirements in one of the manners provided for in the proposed Contract. **Refer to the instructions on Page 2 when filling out this form or the Bid may be rejected. An example form has been provided on Page 3.** The successful Bidder's DBE Utilization Certification shall be deemed a part of the resulting Contract.

Box 1: A Plus Construction Company certifies that the DBE firms listed below have been contacted regarding participation on this project. If this Bidder is successful on this project and is awarded the Contract, it shall assure that subcontracts or supply agreements are executed with named DBEs. (If necessary, use additional sheets.)

Box 2: US 395, Spokane City Limits to Stevens County Line - Paving and Safety

| Column 1 Name of DBE <small>See instructions)</small> | Column 2 Project Role <small>See instructions)</small> | Column 3 Description of Work <small>See instructions)</small> | Column 4 Dollar Amount Subcontracted to DBE <small>See instructions)</small> | Column 5 Dollar Amount to be Applied Towards Goal <small>See instructions)</small> |
|--|---|---|---|---|
| A Plus Construction Company | Prime | Asphalt and concrete paving, asphalt milling, preleveling and pavement repair | N/A | 900,000 |
| In the Line Services, Inc. | Subcontractor (Force Account) | Crack sealing | 20,000 | 10,000 |
| In the Line Services, Inc. | Subcontractor | Guideposts, joint seal, pavement markers, temporary signage, construction sign installation | 200,000 | 200,000 |
| The Everything Guys, LLC | Regular Dealer | Rental and sales of highway construction and related equipment and materials | 100,000 | 60,000 |
| Optimus Prime Trucking, Inc. | Subcontractor | Dump Trucking | 50,000 | 50,000 |
| Metalheads, Inc. | Manufacturer | Dowel Bars | 75,000 | 75,000 |
| Erosion Under Control Co. | Broker | Erosion control blankets, straw bales and wattles, sand bags | 15,000 | 250 |
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EXAMPLE

Disadvantaged Business Enterprise 356,968.16
Condition of Award Contract Goal Box 3

Total DBE Commitment Dollar Amount 1,295,250
Box 4

☐ By checking Box 5 the Bidder is stating that their attempts to solicit sufficient DBE participation to meet the COA Contract goal has been unsuccessful and good faith effort will be submitted in accordance with Section 1-02.9 of the Contract



*See Contract Provisions: DBE Document Submittal Requirements
Disadvantaged Business Enterprise Participation*

THIS FORM SHALL ONLY BE SUBMITTED TO A DBE THAT IS LISTED ON THE CONTRACTOR'S DISADVANTAGED BUSINESS ENTERPRISE UTILIZATION CERTIFICATION.

THE CONTRACTOR SHALL COMPLETE PART A PRIOR TO SENDING TO THE DBE.

PART A: To be completed by the bidder

The entries below shall be consistent with what is shown on the Bidder's Disadvantaged Business Enterprise Utilization Certification. Failure to do so will result in Bid rejection.

Contract Title: _____

Bidder's Business Name: _____

DBE's Business Name: _____

Description of DBE's Work: _____

Dollar Amount to be Applied Towards DBE Goal: _____

Dollar Amount to be Subcontracted to DBE*: _____
*Optional Field

PART B: To be completed by the Disadvantaged Business Enterprise

As an authorized representative of the Disadvantaged Business Enterprise, I confirm that we have been contacted by the Bidder with regard to the referenced project for the purpose of performing the Work described above. If the Bidder is awarded the Contract, we will enter into an agreement with the Bidder to participate in the project consistent with the information provided in Part A of this form.

Name (printed): _____

Signature: _____

Title: _____

Address: _____ Date: _____



Disadvantaged Business Enterprise (DBE) Bid Item Breakdown Form

| | | | |
|---|--|--|--|
| 1. Contract Number | | 2. Contract Name | |
| 3. Prime Contractor | | 4. Prime Contractor Representative Name | |
| 5. Prime Contractor Representative Phone Number | | 6. Prime Contractor Representative Email | |

| Column 1 Name of UDBE (See Instructions) | Column 2 Bid Item # (See Instructions) | Column 3 Full/Partial (See Instructions) | Column 4 Quantity (See Instructions) | Column 5 Description (See Instructions) | Column 6 Unit Price (See Instructions) | Column 7 Total Unit Cost (See Instructions) | Column 8 Dollar Amount to be Applied Towards Goal (See Instructions) |
|--|--|--|--|---|--|--|--|
| | | | | | | | |
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| | | | | | | | |
| Subtotal: | | | | | | | |
| Name of UDBE | Bid Item # | Full/Partial | Quantity | Description | Unit Price | Total Unit Cost | Dollar Amount to be Applied Towards Goal |
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| | | | | | | | |
| Subtotal: | | | | | | | |
| Name of UDBE | Bid Item # | Full/Partial | Quantity | Description | Unit Price | Total Unit Cost | Dollar Amount to be Applied Towards Goal |
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| Subtotal: | | | | | | | |
| Name of UDBE | Bid Item # | Full/Partial | Quantity | Description | Unit Price | Total Unit Cost | Dollar Amount to be Applied Towards Goal |
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| Subtotal: | | | | | | | |
| Name of UDBE | Bid Item # | Full/Partial | Quantity | Description | Unit Price | Total Unit Cost | Dollar Amount to be Applied Towards Goal |
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| | | | | | | | |
| Subtotal: | | | | | | | |
| Subtotal: | | | | | | | |
| TOTAL UDBE Dollar Amount: | | | | | | | |

Instructions for Disadvantaged Business Enterprise (DBE) Bid Item Breakdown Form

Box 1: Provide the Contract Number as stated in the project information webpage.

Box 2: Provide the Name of the project as stated in the project information webpage.

Box 3: Provide the Name of the bidder (Proposal holder) submitting Bid.

Box 4: Provide the name of the prime contractor's representative available to contact regarding this form.

Box 5: Provide the phone number of the prime contractor's representative available to contact regarding this form.

Box 6: Provide the email of the prime contractor's representative available to contact regarding this form.

Column 1: Provide the Name of the Disadvantaged Business Enterprise (DBE) Firm. DBE Firms can be found using the search tools under the Firm Certification section of the Diversity Management and Compliance System (DMCS) webpage <https://wsdot.diversitycompliance.com>.

Column 2: Provide the Bid Item Number (as it appears in the engineer's estimate bid check report) available on the project information webpage.

Column 3: If the DBE is performing only part of the bid item, mark "Partial". If the DBE is performing the entire bid item, mark "Complete".

Column 4: Provide the estimated quantity for the specific bid item. For trucking firms, use hour or another unit of measure.

Column 5: Provide a description of the work to be performed by the DBE.

Column 6: Provide the price per unit and specify the type of unit used. For trucking firms, use hour or another unit of measure.

Column 7: Provide the estimated total unit cost amount per bid item.

Column 8: Provide the amount of the bid item being used to fulfil the DBE goal. The work to be performed must be consistent with the Certified Business Description of the DBE provided in the DMCS webpage <https://wsdot.diversitycompliance.com>. Mobilization up to 10% is acceptable. If mobilization is more than 10% additional information and/or justification may be requested. The total amount shown for each DBE shall match the amount shown on the DBE Utilization Certification Form.

Use Additional Sheets if necessary.



Disadvantaged Business Enterprise (DBE) Trucking Credit Form

PART A: TO BE COMPLETED BY THE BIDDER

This form is in support of the trucking commitment identified on the DBE Utilization Certification Form submitted with the proposal. Please note that DBE's must be certified prior to time of submittal.

| | | |
|---|------------------|--------------|
| Federal Aid # | Contract # | Project Name |
| If listing items by hours, or by lump sum amounts, please provide calculations to substantiate the quantities listed. | | |
| Bid Item | Item Description | |
| | | |
| | | |
| | | |
| | | |

Use additional sheets as necessary.

| | | |
|---------|-----|--|
| Bidder | | Name/Title (please print) |
| Phone | Fax | Signature |
| Address | | |
| | | I certify that the above information is complete and accurate. |
| Email | | Date |

PART B: TO BE COMPLETED BY THE DBE TRUCKING FIRM

Note: DBE trucking firm participation may only be credited as DBE participation for the value of the hauling services, not for the materials being hauled unless the trucking firm is also recognized as a supplier of the materials used on the project and approved for this project as a regular dealer.

1. Type of Material expected to be hauled? _____
2. Number of fully operational trucks expected to be used on this project? _____ Tractor/trailers: _____ Dump trucks: _____
3. Number of trucks and trailers owned by the DBE that will be used on this project? _____ Tractor/trailers: _____ Dump trucks: _____
4. Number of trucks and trailers leased by the DBE that will be used on this project? _____ Tractor/trailers: _____ Dump trucks: _____

| | | |
|----------------------|-----|--|
| DBE Firm Name | | Name/Title (please print) |
| Certification Number | | |
| Phone | Fax | Signature |
| Address | | |
| | | I certify that the above information is complete and accurate. |
| Email | | Date |

Submit this form to in accordance with section 1-02.9 of the Contract.

Instruction to Bidder: The Bidder shall complete and submit the Disadvantaged Business Enterprise (DBE) Trucking Credit Form in accordance with Section 1-02.9 of the Contract.

INSTRUCTIONS

Please note – All Fields are required

PART A: TO BE COMPLETED BY THE BIDDER

Federal Aid: Include the project federal-aid number.

County: Specify the County where the project will take place.

Contract #: Specify the Project Contract Number which can be found in the Engineer's estimate bid check report.

Bid Item: Provide the Bid Item Number (as it appears in the engineer's estimate bid check report) for which trucking services will be utilized.

Item Description: Provide description of the bid item (as it appears in the engineer's estimate bid check report) for which trucking will be utilized.

Bidder: In this section, provide the bidder's legal name, title, Business address, Phone and email.

The bidder's representative signature is required in addition to the date the form was signed.

PART B: TO BE COMPLETED BY THE DBE TRUCKING FIRM

Question 1: Specify type of material that will be hauled (i.e. Sand, HMA, gravel)

Question 2: Specify the total number of operational trucks that will be used on the project.

Question 3: Specify the total number of operational trucks and trailers owned by the DBE that will be used on the project.

Question 4: Specify the total number of operational trucks and trailers leased by the DBE that will be used on the project.

DBE Firm: In this section, provide the DBE Firm's legal name, DBE Firm's representative legal name and title, certification Number (Found in the firm's OMWBE Profile page in the OMWBE directory), Business address, Phone, fax and email.

The DBE Firm's representative signature is required in addition to the date the form was signed.

Proposal for Incorporating Recycled Materials into the Project

In compliance with a new law that went into effect January 1, 2016 (SHB1695), the Bidder shall propose below, the total percent of construction aggregate and concrete materials to be incorporated into the Project that are recycled materials. Calculated percentages must be within the amounts allowed in Section 9-03.21(1)E, Table on Maximum Allowable Percent (By Weight) of Recycled Material, of the Standard Specifications.

Proposed total percentage: _____ percent.

Note: Use of recycled materials is highly encouraged within the limits shown above, but does not constitute a Bidder Preference, and will not affect the determination of award, unless two or more lowest responsive Bid totals are exactly equal, in which case proposed recycling percentages will be used as a tie-breaker, per the APWA GSP in Section 1-03.1 of the Special Provisions. Regardless, the Bidder's stated proposed percentages will become a goal the Contractor should do its best to accomplish. Bidders will be required to report on recycled materials actually incorporated into the Project, in accordance with the APWA GSP in Section 1-06.6 of the Special Provisions.

Bidder: _____

Signature of Authorized Official: _____

Date: _____



| | | | | | | | |
|---|------------|---------------------------------|-----------------------------------|-------------------|--------------------------|---------------------------------|-------------------------------|
| Contract Number | | Contract Title | | | | | |
| Contractor | | Engineer | | | | | |
| | | Reclaimed Hot Mix Asphalt | Recycled Concrete Aggregate | Recycled Glass | Steel Furnace Slag | Other Recycled Aggregates | Contract Total Quantity |
| Fine Aggregate for Portland Cement Concrete | 9-03.1(2) | | | | | | |
| Coarse Aggregate for Portland Cement Concrete | 9-03.1(4) | | | | | | |
| Coarse Aggregate for Commercial Concrete | 9-03.1(4) | | | | | | |
| Aggregates for Hot Mix Asphalt | 9-03.8 | see below | | | | | |
| Ballast | 9-03.9(1) | | | | | | |
| Permeable Ballast | 9-03.9(2) | | | | | | |
| Crushed Surfacing | 9-03.9(3) | | | | | | |
| Aggregate for Gravel Base | 9-03.10 | | | | | | |
| Gravel Backfill for Foundations | 9-03.12(1) | | | | | | |
| Gravel Backfill for Walls | 9-03.12(2) | | | | | | |
| Gravel Backfill for Pipe Zone Bedding | 9-03.12(3) | | | | | | |
| Gravel Backfill for Drains | 9-03.12(4) | | | | | | |
| Gravel Backfill for Drywells | 9-03.12(5) | | | | | | |
| Backfill for Sand Drains | 9-03.13 | | | | | | |
| Sand Drainage Blanket | 9-03.13(1) | | | | | | |
| Gravel Borrow | 9-03.14(1) | | | | | | |
| Select Borrow | 9-03.14(2) | | | | | | |
| Common Borrow | 9-03.14(3) | | | | | | |
| Foundation Material Class A and Class B | 9-03.17 | | | | | | |
| Foundation Material Class C | 9-03.18 | | | | | | |
| Bank Run Gravel for Trench Backfill | 9-03.19 | | | | | | |
| Other Aggregate Materials (total quantity not required) | 9-03 | | | | | | |
| TOTAL (recycled materials and contract total quantity) | | | | | | | |
| | | Reclaimed Hot Mix Asphalt | Reclaimed Asphalt Shingles | | Steel Furnace Slag | Other Recycled Materials | Total Quantity |
| Hot Mix Asphalt | 5-04.2 | | | | | | |

I declare that the statements made in this document, including attachments, are complete, true and accurate.

Signed by an authorized representative of the Contractor

| | | | | |
|--------------------------------|--|-----------|-------|------|
| Contractor Representative Name | | Signature | Title | Date |
|--------------------------------|--|-----------|-------|------|

INSTRUCTIONS:

The Contractor shall report the quantity in **tons** for each type of recycled material that was used for each of the listed materials. If the Contract did not include the listed material or recycled materials were not used for this material a "0" shall be entered in the box. The Standard Specifications in Section 9-03.21 do not allow the use of recycled materials in the boxes that are shaded. If the Contract Provisions allowed and the Contractor utilized recycled materials for any of these items the amount of recycled material shall be entered in the box. The contract total quantity for each aggregate material (e.g., Fine Aggregate for Portland Cement Concrete) is the total weight in tons and includes both recycled and natural occurring materials. The total quantity for hot mix asphalt (HMA) is the total HMA weight in tons and includes recycled asphalt pavement (RAP) and new HMA materials.

Other recycled aggregates include other material sources that are utilized on a project. These sources include on-site recycling and aggregates from returned (uncured) concrete. Roadway excavation and embankment are not allowed in the quantity for other aggregate materials or other recycled aggregates.

Attach cost estimates as required in Section 1-06.6 of the Standard Specifications when the total percentage of recycled aggregate and concrete is less than 25 percent of the required amount for the entire Contract.



Certification of Compliance with Wage Payment Statutes

The bidder hereby certifies that, within the three-year period immediately preceding the bid solicitation date (**May 15, 2023**), the bidder is not a “willful” violator, as defined in RCW 49.48.082, of any provision of chapters 49.46, 49.48, or 49.52 RCW, as determined by a final and binding citation and notice of assessment issued by the Department of Labor and Industries or through a civil judgment entered by a court of limited or general jurisdiction.

I certify under penalty of perjury under the laws of the State of Washington that the foregoing is true and correct.

Bidder’s Business Name

Signature of Authorized Official*

Printed Name

Title

Date

City

State

Check One:

Sole Proprietorship ☐ Partnership ☐ Joint Venture ☐ Corporation ☐

State of Incorporation, or if not a corporation, State where business entity was formed:

If a co-partnership, give firm name under which business is transacted:

** If a corporation, proposal must be executed in the corporate name by the president or vice-president (or any other corporate officer accompanied by evidence of authority to sign). If a co-partnership, proposal must be executed by a partner.*