

CITY OF OKANOGAN

OKANOGAN COUNTY

WASHINGTON



CONTRACT PROVISIONS

for

OAK STREET IMPROVEMENTS
FEDERAL AID PROJECT NO.: STPUS-9202(001)
CONTRACT NO.: TA-7352
TIB NO.: 6-E-881(I11)-1

G&O #22856
SEPTEMBER 2023



Gray & Osborne, Inc.
CONSULTING ENGINEERS

CITY OF OKANOGAN

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10/2/2023



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CALL FOR BIDS
CITY OF OKANOGAN
OAK STREET IMPROVEMENTS
ENGINEER'S ESTIMATE \$427,500

Sealed Proposals will be received by the undersigned at the City of Okanogan, 120 Third Avenue North, Okanogan, Washington 98840 up to 11:00:59 a.m.; local time on Wednesday, November 8, 2023, for furnishing the necessary labor, materials, equipment, and tools, thereof to construct Oak Street Improvements.

This contract provides for the improvement of ***approximately 420 LF of Oak Street, between 2nd Avenue and the bridge over the Okanogan River, including, but not limited to, subgrade repair, plane and HMA overlay of the surface, curb, gutter, and sidewalk replacement, surface restoration, signing and striping, traffic control, adjustment of utility structures, illumination,*** and other work, all in accordance with the attached Contract Plans, these Contract Provisions, and the Standard Specifications.

The Work shall be physically complete within 45 working days after the commencement date stated in the Notice to Proceed. All bidding and construction is to be performed in compliance with the Contract Provisions and Contract Plans for this project and any addenda issued thereto that are on file at the office of the City Clerk, Okanogan, Washington.

The Proposals will be publicly opened and read aloud shortly after the time and date stated above. Proposals are to be submitted only on the form provided with the Bid Documents. All Proposals must be accompanied by a certified check, postal money order, cashiers check, or Proposal bond payable to the "City of Okanogan" and in an amount of not less than five percent (5%) of the total Proposal amount.

The City of Okanogan, in accordance with the provisions of Title VI of the Civil Rights Act of 1964 (78 Stat. 252, 42 U.S.C. 2000d to 2000d-4) and the Regulations, hereby notifies all bidders that it will affirmatively ensure that in any contract entered into pursuant to this advertisement, disadvantaged business enterprises will be afforded full and fair opportunity to submit bids in response to this invitation and will not be discriminated against on the grounds of race, color, or national origin in consideration for an award.

Bid Documents for this project are available free-of-charge at the following website: <http://gobids.grayandosborne.com>. Bidders are encouraged to register in order to receive automatic email notification of future addenda and to be placed on the Bidders List. For assistance, please call (509) 453-4833. Contract questions shall be directed only to the office of the Project Engineer.

Financing of the Project has been provided by City of Okanogan, Washington, the Washington State Transportation Improvement Board, and STBG funds. The City of Okanogan expressly reserves the right to reject any or all Proposals and to waive minor irregularities or informalities in any Proposal.

(Signed)

JESSICA BLAKE
CITY CLERK/
TREASURER

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PART 1
BID DOCUMENTS

BIDDER'S CHECKLIST

1. REQUIRED FORMS

The Bidder shall submit the following forms, which must be executed in full and submitted with the Proposal.

- a. Proposal (including Statement of Bidder's Qualifications) (Pages P-1 – P-6)
- b. Local Agency Certification for Federal-Aid Contracts (272-040A) (Page P-7)
- c. Non-Collusion Declaration (272-036I) (Page P-8)
- d. Local Agency Subcontractor List (271-015A), if applicable (Page P-9)
- e. Disadvantaged Business Enterprise Bid Item Breakdown Form (272-054) (Page P-10)
- f. Disadvantaged Business Enterprise Utilization Certification (272-056) (Page P-12)
- g. Disadvantaged Business Trucking Credit (272-058) (Page P-14)
- h. Disadvantaged Business Enterprise Written Confirmation Document (422-031) (Page P-16)
- i. Certificate of Compliance with Wage Payment Statutes (Page P-17)
- j. Local Agency Proposal – Signature Page (272-036K) (Page P-18)
- k. Local Agency Proposal Bond (Page P-19)

2. SUPPLEMENTAL BIDDER CRITERIA

The Contractor shall submit to the Contracting Agency the completed bids and/or supplemental bid documentation in accordance with Section(s) 1-02.6 and 1-02.9.

3. AGREEMENT FORMS

The following forms (a., b., and c.) are to be executed and the following Certificate of Insurance (d.) is to be provided after the Contract is awarded and prior to Notice to Proceed.

- a. Local Agency Contract (Pages C-1 – C-2)
- b. Local Agency Performance Bond (Page B-1)
- c. Local Agency Payment Bond (Page B-2)
- d. Certificate of Insurance

OAK STREET IMPROVEMENTS
STPUS 9202(001)

PROPOSAL

City of Okanogan
120 Third Avenue North
Okanogan, Washington 98840

The undersigned has examined the Work site(s), local conditions, the Contract, and all applicable laws and regulations covering the Work. The following unit and lump sum prices are tendered as an offer to perform the Work in accordance with all of the requirements set forth in the Contract and all applicable laws and regulations.

As required by the Contract, a certified check, bank draft, cashier's check or Proposal bond made payable to the Contract Agency is attached hereto. If this Proposal is accepted and the undersigned fail(s) or refuse(s) to enter into a contract and furnish the required performance bond, labor and material payment bond, special guarantee bonds (if required), required insurance and all other required documentation, the undersigned will forfeit to the Contract Agency an amount equal to five percent of the amount bid.

After the date and hour set for submitting the Proposals, no bidder may withdraw its Proposal, unless the Award of the contract is delayed for a period exceeding 45 consecutive calendar days.

The undersigned agrees that in the event it is Awarded the contract for the Work, it shall employ only Contractors and Subcontractors that are duly licensed by the State of Washington and remain so at all times they are in any way involved with the Work.

The undersigned agrees that the Contract Agency reserves the right to reject any or all Proposals and to waive any minor irregularities and informalities in any Proposal.

PROPOSAL - Continued

<u>NO.</u>	<u>ITEM</u>	<u>QUANTITY</u>	<u>UNIT PRICE</u>	<u>AMOUNT</u>
1.	Mobilization	1 LS	\$ <u>25,000</u>	\$ <u>25,000</u>
2.	Minor Change	1 EST	\$10,000.00	\$10,000.00
3.	ADA Features Surveying	1 LS	\$ <u>550-</u>	\$ <u>550-</u>
4.	SPCC Plan	1 LS	\$ <u>500-</u>	\$ <u>500-</u>
5.	Project Temporary Traffic Control	1 LS	\$ <u>16,000-</u>	\$ <u>16,000-</u>
6.	Excavation, Embankment and Grading, Incl. Haul	480 CY	\$ <u>36-</u>	\$ <u>17,280-</u>
7.	Crushed Surfacing Base Course	390 TN	\$ <u>38-</u>	\$ <u>14,820-</u>
8.	Crushed Surfacing Top Course	250 TN	\$ <u>37-</u>	\$ <u>9,250-</u>
9.	Planing Bituminous Pavement	2,730 SY	\$ <u>4-</u>	\$ <u>10,920-</u>
10.	HMA Cl. 3/8" PG 64H-28	330 TN	\$ <u>180-</u>	\$ <u>59,400-</u>
11.	HMA for Pavement Repair Cl. 3/8" PG 64H-28	90 TN	\$ <u>230-</u>	\$ <u>20,700-</u>
12.	Adjust Manhole	3 EA	\$ <u>500-</u>	\$ <u>1,500-</u>
13.	Adjust Catch Basin	6 EA	\$ <u>400-</u>	\$ <u>2,400-</u>
14.	Trench Excavation Safety Systems	1 LS	\$ <u>5-</u>	\$ <u>5-</u>
15.	Adjust Valve Box	3 EA	\$ <u>425-</u>	\$ <u>1,275-</u>
16.	Adjust Meter Box	2 EA	\$ <u>560-</u>	\$ <u>1,120-</u>
17.	Erosion Control and Water Pollution Prevention	1 LS	\$ <u>700-</u>	\$ <u>700-</u>
18.	Top Soil Type A	6 CY	\$ <u>175-</u>	\$ <u>1,050-</u>

PROPOSAL - Continued

<u>NO.</u>	<u>ITEM</u>	<u>QUANTITY</u>	<u>UNIT PRICE</u>	<u>AMOUNT</u>
19.	Seeding, Fertilizing and Mulching	40 SY	\$ <u>47⁻</u>	\$ <u>1,880⁻</u>
20.	Cement Conc. Traffic Curb & Gutter	680 LF	\$ <u>52⁻</u>	\$ <u>35,360⁻</u>
21.	Cement Conc. Driveway Entrance Type 1	20 SY	\$ <u>120⁻</u>	\$ <u>2,400⁻</u>
22.	Cement Conc. Driveway Entrance Type 2	200 SY	\$ <u>90⁻</u>	\$ <u>18,000⁻</u>
23.	Cement Conc. Sidewalk	460 SY	\$ <u>83⁵⁰</u>	\$ <u>38,410⁻</u>
24.	Cement Conc. Curb Ramp Type Parallel A	2 EA	\$ <u>2,800⁻</u>	\$ <u>5,600⁻</u>
25.	Cement Conc. Curb Ramp Type Perpendicular A	1 EA	\$ <u>3,000⁻</u>	\$ <u>3,000⁻</u>
26.	Illumination System	1 LS	\$ <u>76,000⁻</u>	\$ <u>76,000⁻</u>
27.	Permanent Signing	1 LS	\$ <u>3,100⁻</u>	\$ <u>3,100⁻</u>
28.	Pain Line	960 LF	\$ <u>1⁻</u>	\$ <u>960⁻</u>
29.	Painted Stop Line	70 LF	\$ <u>3²⁵</u>	\$ <u>227⁵⁰</u>
30.	Painted Crosswalk Line	440 SF	\$ <u>3⁻</u>	\$ <u>1,320⁻</u>
31.	Painted Traffic Arrow	1 EA	\$ <u>375⁻</u>	\$ <u>375⁻</u>
32.	Temporary Pavement Marking – Short Duration	960 LF	\$ <u>1⁻</u>	\$ <u>960⁻</u>
Subtotal:				\$ <u>380,102⁵⁰</u>
Washington State Sales Tax (0% Per W.S. Revenue Rule 171):.....				\$ <u>0.00</u>
TOTAL CONSTRUCTION COST:				\$ <u>380,102⁵⁰</u>

Note: A bid must be received on all items. If any unit prices or extensions are left blank, they will be entered as \$0.00.

PROPOSAL - Continued

STATEMENT OF BIDDER'S QUALIFICATIONS

Name of Firm: RUDNICK AND SONS LLC

Address: 61 EAST DRY COULEE ROAD, OKANOGAN, WA 98846

Telephone No. 509-979-7423 Fax No. _____

Contact Person for this Project: BRANDON RUDNICK

E-mail: RUDNICKSONS@GMAIL.COM

Number of years the Contractor has been engaged in the construction business under the present firm name, as indicated above:

5 YEARS

Gross dollar amount of work currently under contract: 2.4 MIL.

Gross dollar amount of contracts currently not completed: 900,000.00

General character of work performed by firm: EXCAVATION

List of five major projects of a similar nature which have been completed by the Contractor within the last five years and the gross dollar amount of each project, together with the Contract Agency's name and telephone number, and the Engineer's name:

Project Name	Amount	Contract Agency	Phone	Engineer's Name
4 TH STREET	264,000	TOWASKIET	509-328-6066	VEREIA PERAZA
LOWEN PINE STREET	280,000	OKANOGAN	509-453-4833	GANDOO
5 TH STREET SIDEWALK	259,000	OMAK	509-453-4833	GANDOO
TWISP OVERLAY	380,000	TWISP	541-969-7802	TIO ENGINEERING
CASCADE LOOP	224,000	TWISP	509-328-6066	VEREIA

PROPOSAL - Continued

List five major pieces of equipment which are anticipated to be used on this project by the Contractor and note which items are owned by the Contractor and which are to be leased or rented from others:

160 KOBELCO EXCAVATOR, 55 KOBELCO MINI EXCAVATOR

420 CAT BACKHOE, CAT SKID STEER, STENCING WATERTRUCK - 2000 GAL.

Bank Reference: BANNER BANK, MORGAN KING RLY, WENATCHEE

How many general superintendents or other responsible employees in a supervisory position do you have at this time, and how long have they been with the firm?

3 FOREMANS, 3, 4 AND 5 YEARS

Identify who will be the general superintendent and/or project superintendent on this project. Also, list the number of years each person identified has been with firm.

ADAM KEEN

Have you changed bonding companies within the last three years? NO

If so, why? _____

Have you ever been a party to a lawsuit or an arbitration proceeding in any way relating to a construction project? NO

Identify the proceeding and parties and describe the claims asserted by all parties. _____

What was the disposition of the case? _____

Do you have any outstanding payments due to the Department of Revenue? NO

If yes, explain. _____

Bidder agrees that the Contract Agency shall have the right to obtain credit reports.

X Yes No

PROPOSAL - Continued

WORK COMPLETED BY CONTRACTOR

List the Work and the dollar amount thereof that the Contractor will complete with its forces, if awarded the contract.

Work to be Performed	Dollar Amount
TRAFFIC CONTROL	16000
EXCAVATION	30000
TOP SOIL	
SEEDING	
SEED UNDER ASPHALT CURB	
1 1/2" ROUN	
5/8" TOP CURVES	
PERM SIGNAGE	

The undersigned is in, and will remain in, full compliance with all Washington State Department of Licensing requirements for contractors, including but not limited to requirements for bond, proof of insurance and annual registration fee. The undersigned's Washington State:

Dept. of Labor and Industries Workman's Compensation Account No. is 689-664-00 ;
Dept. of Licensing Contractor's Registration No. is RUDNESL820 maw ;
Unified Business Identifier Number is 604-220-164 ;
Excise Tax Registration Number is 83-0718444 ; and
Employment Security Account Number is 000414221003 .

The undersigned has reviewed all insurance requirements contained in the Contract and has verified the availability of and the undersigned's eligibility for all required insurance. The undersigned verifies that the cost for all required insurance, has been included in this Proposal.

The undersigned waives any immunity granted under the State Industrial Insurance Law, RCW Title 51. This waiver has been specially negotiated by the parties, which is acknowledged by the undersigned in signing this Proposal.

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.

PROPOSAL - Continued

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.

PROPOSAL - Continued

Local Agency Name
Local Agency Address

Local Agency Subcontractor List

Prepared in compliance with RCW 39.30.060 as amended

To Be Submitted with the Bid Proposal

Project Name Oak Street Improvements

Failure to list subcontractors with whom the bidder, if awarded the contract, will directly subcontract for performance of the work of structural steel installation, rebar installation, heating, ventilation and air conditioning, plumbing, as described in Chapter 18.106 RCW, and electrical, as described in Chapter 19.28 RCW or naming more than one subcontractor to perform the same work will result in your bid being non-responsive and therefore void.

Subcontractor(s) with whom the bidder will directly subcontract that are proposed to perform the work of structural steel installation, rebar installation, heating, ventilation and air conditioning, plumbing, as described in Chapter 18.106 RCW, and electrical as described in Chapter 19.28 RCW must be listed below. The work to be performed is to be listed below the subcontractor(s) name.

To the extent the Project includes one or more categories of work referenced in RCW 39.30.060, and no subcontractor is listed below to perform such work, the bidder certifies that the work will either (i) be performed by the bidder itself, or (ii) be performed by a lower tier subcontractor who will not contract directly with the bidder.

Subcontractor Name Neppol Electric & Controls, LLC
Work to be performed Street Lighting / Illumination Systems

Subcontractor Name _____
Work to be performed _____

Subcontractor Name _____
Work to be performed _____

Subcontractor Name _____
Work to be performed _____

Subcontractor Name _____
Work to be performed _____

* Bidder's are notified that it is the opinion of the enforcement agency that PVC or metal conduit, junction boxes, etc, are considered electrical equipment and therefore considered part of electrical work, even if the installation is for future use and no wiring or electrical current is connected during the project.

PROPOSAL - Continued



Disadvantaged Business Enterprise (DBE) Bid Item Breakdown Form

1. Contract Number TA-7352	2. Contract Name Oak Street Improvements
3. Prime Contractor Rudnick and Sons	4. Prime Contractor Representative Name Brandon Rudnick
5. Prime Contractor Representative Phone Number 209-979-7423	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)
Neppl Electric	26	Full	1	Illumination System	59,800	\$9,800	59,800
Subtotal:						\$ 0.00	\$ 0.00
Name of UDBE	Bid Item #	Full/Partial	Quantity	Description	Unit Price	Total Unit Cost	Dollar Amount to be Applied Towards Goal
Subtotal:						\$ 0.00	\$ 0.00
Name of UDBE	Bid Item #	Full/Partial	Quantity	Description	Unit Price	Total Unit Cost	Dollar Amount to be Applied Towards Goal
Subtotal:						\$ 0.00	\$ 0.00
Name of UDBE	Bid Item #	Full/Partial	Quantity	Description	Unit Price	Total Unit Cost	Dollar Amount to be Applied Towards Goal
Subtotal:						\$ 0.00	\$ 0.00
TOTAL UDBE Dollar Amount:						\$ 0.00	\$ 0.00

59,800

PROPOSAL - Continued

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.

PROPOSAL - Continued



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)
Neppd Electric	Illuminator System	Illuminator System	65,800	59,800

Disadvantaged Business Enterprise Condition of Award Contract Goal 9% Total DBE Commitment Dollar Amount 59,800
 Box 3 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

PROPOSAL - Continued

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.

PROPOSAL - Continued



**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 0
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		
Email		Date
I certify that the above information is complete and accurate.		

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.

- Type of Material expected to be hauled? _____
- Number of fully operational trucks expected to be used on this project? _____ Tractor/trailers: _____ Dump trucks: _____
- Number of trucks and trailers owned by the DBE that will be used on this project? _____ Tractor/trailers: _____ Dump trucks: _____
- 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		Signature
Phone	Fax	
Address		I certify that the above information is complete and accurate.
Email		Date

PROPOSAL - Continued

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 - Continued



Washington State
Department of Transportation

**Disadvantaged Business Enterprise (DBE)
Written Confirmation Document**

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: Oak Street Improvements

Bidder's Business Name: Rudnick & Sons LLC

DBE's Business Name: Neppel Electric & Controls, LLC

Description of DBE's Work: Item #26 Illumination

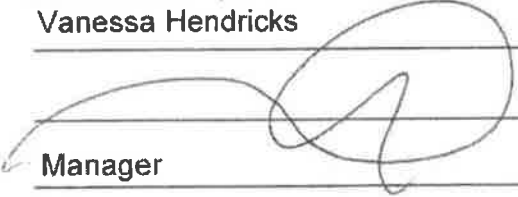
Dollar Amount to be Applied Towards DBE Goal: \$59,800.00

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): Vanessa Hendricks

Signature: 

Title: Manager

Address: 1415 Wheeler Rd.
Moses Lake, WA

Date: 11/08/2023

PROPOSAL - Continued



This form must be submitted with the Bid Proposal or as a Supplement to the Bid no later than 24 hours after the time for delivery of the Bid Proposal, as provided for in Section 1-02.9 of the Contract Provisions.

Certification of Compliance with Wage Payment Statutes

The bidder hereby certifies that, within the three-year period immediately preceding the bid solicitation date October 4, 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.

RUDNICK AND SONS LLC
Bidder's Business Name

B. Rudnick
Signature of Authorized Official*

BRANDON RUDNICK
Printed Name

VICE PRESIDENT
Title

11-4-2023 OKANOGAN WA
Date City State

Check One:
Sole Proprietorship Partnership Joint Venture Corporation LLC -
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.

PROPOSAL - Continued

Local Agency 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 contain herein.
A proposed 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:

- Cash In the Amount of _____
- Cashier's Check _____ Dollars
- Certified Check (\$ _____) Payable to the City of Okanogan
- Proposal Bond In the Amount of 5% of the Bid

Receipt is hereby acknowledged of addendum(s) No.(s) 1, 2 & 3

Signature of Authorized Official(s)

Proposal Must Be Signed →

B. Rudnick
C. Behler

Firm Name

RUDNICK AND SONS LLC

Address

61 EAST DRY CREEK RD
OKANOGAN, WA 98846

State of Washington Contractor's License No. *RUDNISL820M W*

Federal ID No *83-0718444*

Note:

- (1) This proposal form is not transferable and any alteration of the firm's name entered hereon without prior permission from the City of Okanogan 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, re: "Preparation of Proposal," or "Article 4" of the Instruction to Bidders for building construction jobs.

PROPOSAL - Continued

Local Agency Proposal Bond

KNOW ALL MEN BY THESE PRESENTS, That we, Rudnick & Sons LLC

of Okanogan as principal, and the Merchants National Bonding, Inc. a corporation duly organized under the laws of the State of ~~Washington~~ ^{Iowa} and authorized to do business in the State of Washington, as surety, are held and firmly bound unto the State of Washington 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:

Oak Street Improvements



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 Town the 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.

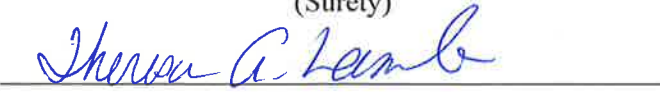
IN TESTIMONY WHEREOF, The principal and surety have caused these presents to be signed and sealed this 8th day of November, 2023.

Rudnick & Sons LLC


(Principal)

Merchants National Bonding, Inc.

(Surety)


Theresa A. Lamb, (Attorney-in-fact)

MERCHANTS BONDING COMPANY
POWER OF ATTORNEY

Know All Persons By These Presents, that MERCHANTS BONDING COMPANY (MUTUAL) and MERCHANTS NATIONAL BONDING, INC., both being corporations of the State of Iowa, d/b/a Merchants National Indemnity Company (in California only) (herein collectively called the "Companies") do hereby make, constitute and appoint, individually,

Andy D Prill; Chad M Epple; Dana Brown; Daniel Keen; Dean R Young; Emma C Doleshel; Heather L Allen; Jennifer Schultz; Jim S Kuich; Jim W Doyle; Michael A Murphy; Natalie C Chau; S M Scott; Steve Wagner; Theresa A Lamb

their true and lawful Attorney(s)-in-Fact, to sign its name as surety(ies) and to execute, seal and acknowledge any and all bonds, undertakings, contracts and other written instruments in the nature thereof, on behalf of the Companies in their business of guaranteeing the fidelity of persons, guaranteeing the performance of contracts and executing or guaranteeing bonds and undertakings required or permitted in any actions or proceedings allowed by law.

This Power-of-Attorney is granted and is signed and sealed by facsimile under and by authority of the following By-Laws adopted by the Board of Directors of Merchants Bonding Company (Mutual) on April 23, 2011 and amended August 14, 2015 and adopted by the Board of Directors of Merchants National Bonding, Inc., on October 16, 2015.

"The President, Secretary, Treasurer, or any Assistant Treasurer or any Assistant Secretary or any Vice President shall have power and authority to appoint Attorneys-in-Fact, and to authorize them to execute on behalf of the Company, and attach the seal of the Company thereto, bonds and undertakings, recognizances, contracts of indemnity and other writings obligatory in the nature thereof."

"The signature of any authorized officer and the seal of the Company may be affixed by facsimile or electronic transmission to any Power of Attorney or Certification thereof authorizing the execution and delivery of any bond, undertaking, recognizance, or other suretyship obligations of the Company, and such signature and seal when so used shall have the same force and effect as though manually fixed."

In connection with obligations in favor of the Florida Department of Transportation only, it is agreed that the power and authority hereby given to the Attorney-in-Fact includes any and all consents for the release of retained percentages and/or final estimates on engineering and construction contracts required by the State of Florida Department of Transportation. It is fully understood that consenting to the State of Florida Department of Transportation making payment of the final estimate to the Contractor and/or its assignee, shall not relieve this surety company of any of its obligations under its bond.

In connection with obligations in favor of the Kentucky Department of Highways only, it is agreed that the power and authority hereby given to the Attorney-in-Fact cannot be modified or revoked unless prior written personal notice of such intent has been given to the Commissioner-Department of Highways of the Commonwealth of Kentucky at least thirty (30) days prior to the modification or revocation.

In Witness Whereof, the Companies have caused this instrument to be signed and sealed this 17th day of April, 2023.



MERCHANTS BONDING COMPANY (MUTUAL)
MERCHANTS NATIONAL BONDING, INC.
d/b/a MERCHANTS NATIONAL INDEMNITY COMPANY

By *Larry Taylor*
President

STATE OF IOWA
COUNTY OF DALLAS ss.

On this 17th day of April, 2023, before me appeared Larry Taylor, to me personally known, who being by me duly sworn did say that he is President of MERCHANTS BONDING COMPANY (MUTUAL) and MERCHANTS NATIONAL BONDING, INC.; and that the seals affixed to the foregoing instrument are the Corporate Seals of the Companies; and that the said instrument was signed and sealed in behalf of the Companies by authority of their respective Boards of Directors.



Kim Lee
Notary Public

(Expiration of notary's commission does not invalidate this instrument)

I, William Warner, Jr., Secretary of MERCHANTS BONDING COMPANY (MUTUAL) and MERCHANTS NATIONAL BONDING, INC., do hereby certify that the above and foregoing is a true and correct copy of the POWER-OF-ATTORNEY executed by said Companies, which is still in full force and effect and has not been amended or revoked.

In Witness Whereof, I have hereunto set my hand and affixed the seal of the Companies on this 8th day of November, 2023.



William Warner Jr.
Secretary

PROPOSAL BOND

KNOW ALL MEN BY THESE PRESENTS, That we Rudnick & Sons LLC

of Okanogan as principal, and the Merchants National Bonding, Inc.

a corporation duly organized under the laws of the state of Iowa, and authorized to do business in the State of Washington, as surety, are held and firmly bound unto the CITY OF OKANOGAN in the full and penal sum of five 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 construction project, to wit:

OAK STREET IMPROVEMENTS

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 the CITY OF OKANOGAN within a period of 10 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 8th day of November, 2023.

Rudnick & Sons LLC

[Handwritten signature of Brandon Rudnick]
(Principal)

Merchants National Bonding, Inc.

(Surety)

[Handwritten signature of Theresa A. Lamb]
Theresa A. Lamb (Attorney-in-fact)

MERCHANTS
BONDING COMPANY
POWER OF ATTORNEY

Know All Persons By These Presents, that MERCHANTS BONDING COMPANY (MUTUAL) and MERCHANTS NATIONAL BONDING, INC., both being corporations of the State of Iowa, d/b/a Merchants National Indemnity Company (in California only) (herein collectively called the "Companies") do hereby make, constitute and appoint, individually,

Andy D Prill; Chad M Epple; Dana Brown; Daniel Keen; Dean R Young; Emma C Doleshel; Heather L Allen; Jennifer Schultz; Jim S Kuich; Jim W Doyle; Michael A Murphy; Natalie C Chau; S M Scott; Steve Wagner; Theresa A Lamb

their true and lawful Attorney(s)-in-Fact, to sign its name as surety(ies) and to execute, seal and acknowledge any and all bonds, undertakings, contracts and other written instruments in the nature thereof, on behalf of the Companies in their business of guaranteeing the fidelity of persons, guaranteeing the performance of contracts and executing or guaranteeing bonds and undertakings required or permitted in any actions or proceedings allowed by law.

This Power-of-Attorney is granted and is signed and sealed by facsimile under and by authority of the following By-Laws adopted by the Board of Directors of Merchants Bonding Company (Mutual) on April 23, 2011 and amended August 14, 2015 and adopted by the Board of Directors of Merchants National Bonding, Inc., on October 16, 2015.

"The President, Secretary, Treasurer, or any Assistant Treasurer or any Assistant Secretary or any Vice President shall have power and authority to appoint Attorneys-in-Fact, and to authorize them to execute on behalf of the Company, and attach the seal of the Company thereto, bonds and undertakings, recognizances, contracts of indemnity and other writings obligatory in the nature thereof."

"The signature of any authorized officer and the seal of the Company may be affixed by facsimile or electronic transmission to any Power of Attorney or Certification thereof authorizing the execution and delivery of any bond, undertaking, recognizance, or other suretyship obligations of the Company, and such signature and seal when so used shall have the same force and effect as though manually fixed."

In connection with obligations in favor of the Florida Department of Transportation only, it is agreed that the power and authority hereby given to the Attorney-in-Fact includes any and all consents for the release of retained percentages and/or final estimates on engineering and construction contracts required by the State of Florida Department of Transportation. It is fully understood that consenting to the State of Florida Department of Transportation making payment of the final estimate to the Contractor and/or its assignee, shall not relieve this surety company of any of its obligations under its bond.

In connection with obligations in favor of the Kentucky Department of Highways only, it is agreed that the power and authority hereby given to the Attorney-in-Fact cannot be modified or revoked unless prior written personal notice of such intent has been given to the Commissioner-Department of Highways of the Commonwealth of Kentucky at least thirty (30) days prior to the modification or revocation.

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MERCHANTS BONDING COMPANY (MUTUAL)
MERCHANTS NATIONAL BONDING, INC.
d/b/a MERCHANTS NATIONAL INDEMNITY COMPANY

By 
President

STATE OF IOWA
COUNTY OF DALLAS ss.

On this 17th day of April, 2023, before me appeared Larry Taylor, to me personally known, who being by me duly sworn did say that he is President of MERCHANTS BONDING COMPANY (MUTUAL) and MERCHANTS NATIONAL BONDING, INC.; and that the seals affixed to the foregoing instrument are the Corporate Seals of the Companies; and that the said instrument was signed and sealed in behalf of the Companies by authority of their respective Boards of Directors.




Notary Public

(Expiration of notary's commission does not invalidate this instrument)

I, William Warner, Jr., Secretary of MERCHANTS BONDING COMPANY (MUTUAL) and MERCHANTS NATIONAL BONDING, INC., do hereby certify that the above and foregoing is a true and correct copy of the POWER-OF-ATTORNEY executed by said Companies, which is still in full force and effect and has not been amended or revoked.

In Witness Whereof, I have hereunto set my hand and affixed the seal of the Companies on this 8th day of November, 2023.




Secretary