

**WHATCOM COUNTY
PUBLIC WORKS DEPARTMENT**

Jon Hutchings
Director



James P. Karcher, P. E.
County Engineer
322 N. Commercial Street, Ste 301
Bellingham, WA 98225-4042
Phone: (360) 778-6210
Fax: (360) 778-6211

MEMORANDUM

To: The Honorable Satpal Singh Sidhu, Whatcom County Executive and the Honorable Members of the Whatcom County Council

Through: Jon Hutchings, Director

From: James P. Karcher, P.E., County Engineer *JPK*
James Lee, P.E., Engineering Manager *JEL*

Date: June 26, 2020

Re: Swift Creek Channel Excavation and Oat Coles North Repository Development
Bid No. 20-33
Construction Contract for Award

Attached for your review and signature is the standard construction contract award package for the Swift Creek Channel Excavation and Oat Coles North Repository Development project. This package consists of the approval for contract award, bid tabulation and low bid proposal.

Requested Action

Public Works respectfully requests that the County Council authorize the County Executive to approve award of this contract to Boss Construction, Inc. by executing the attached Approval for Contract Award. Upon receipt of the signed form, Public Works will submit the contract to the County Executive for execution.

Background and Purpose

Bid proposals were opened at 2:30 p.m. on June 23, 2020. A total of eight (8) responsive bids were received, with **Boss Construction** being the lowest responsible bidder in the amount of \$644,554.61.

This Construction Contract provides for excavating accumulated Swift Creek sediment downstream of the Goodwin Rd. Bridge for stream flow conveyance. Sediments contain naturally occurring asbestos and will be stockpiled at the Oat Coles North repository located on site. Per the grant agreement with the Department of Ecology (WCC#201810012), dredging the creek is considered annual maintenance and will be funded with local funds, and development of the repository is capital work and will be funded with grant funds. The separate pay schedules in the contract reflect this division of funding sources.

This agenda item and associated project is considered essential to provide Swift Creek flood control.

Funding Amount and Source

Pay schedules A and C of the low bid total \$234,673.17 and will be funded through the Swift Creek Fund 128200; this expenditure requires Council approval. Pay schedule B of the low bid totals \$409,881.44 and will be funded by the Department of Ecology grant through the approved Project Based Budget No. 384100. There is sufficient budget authority for this multi-year project expenditure in both of the referenced funds. Please contact Christina Schoenfelder at extension 6274 if you have any questions or concerns regarding this contract.

In accordance with W.C.C. 3.08.030, I concur with this recommendation:

Sara Winger

Digitally signed by Sara Winger
Date: 2020.06.25 14:18:29 -07'00'

Sara Winger, Purchasing Coordinator

6/25/20
Date



Jon Hutchings
Director

James P. Karcher, P. E.
County Engineer
322 N. Commercial Street, Ste 301
Bellingham, WA 98225-4042
Phone: (360) 778-6210
Fax: (360) 778-6201

**SWIFT CREEK CHANNEL EXCAVATION AND OAT COLES NORTH
REPOSITORY DEVELOPMENT**

APPROVAL FOR CONTRACT AWARD

Approval is hereby granted to award the Contract as follows:

Project: Swift Creek Channel Excavation and Oat Coles North Repository Development
Work Order Numbers 21063 and 21055

To: Boss Construction, Inc.

In the amount of their bid proposal \$644,554.61 including all taxes.

Whatcom County Executive
Approving Authority

Date

Approved by Email - Chris Quinn

Christopher Quinn
Senior Civil Deputy Prosecuting Attorney

6/25/2020

Date

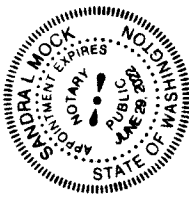
ITEM NO.	DESCRIPTION	QTY	UNIT	ENGINEER'S ESTIMATE		Base Construction		P & P Excavating		Slope Construction		Trimmed Construction		Grass Construction		Dredged Construction		Premium Services		Millage/Donation Contribution		
				UNIT PRICE	TOTAL AMOUNT	UNIT PRICE	TOTAL AMOUNT	UNIT PRICE	TOTAL AMOUNT	UNIT PRICE	TOTAL AMOUNT	UNIT PRICE	TOTAL AMOUNT	UNIT PRICE	TOTAL AMOUNT	UNIT PRICE	TOTAL AMOUNT	UNIT PRICE	TOTAL AMOUNT	UNIT PRICE	TOTAL AMOUNT	UNIT PRICE
C1	MOBILIZATION	1	LUMP SUM	\$22,898.00	\$22,898.00	\$13,719.00	\$13,719.00	\$4,800.00	\$4,800.00	\$20,000.00	\$20,000.00	\$12,000.00	\$12,000.00	\$12,900.00	\$12,900.00	\$20,000.00	\$20,000.00	\$20,000.00	\$20,000.00	\$20,000.00	\$20,000.00	
C2	EROSION/WATER POLLUTION CONTROL	1	LUMP SUM	\$5,500.00	\$5,500.00	\$1,000.00	\$1,000.00	\$3,500.00	\$3,500.00	\$1.00	\$3,500.00	\$1.00	\$3,500.00	\$1.00	\$3,500.00	\$1.00	\$3,500.00	\$1.00	\$3,500.00	\$1.00	\$3,500.00	\$1.00
C3	ESC LEAD	14	DAY	\$200.00	\$2,800.00	\$216.00	\$3,024.00	\$65.00	\$910.00	\$100.00	\$1,400.00	\$50.00	\$700.00	\$25.00	\$350.00	\$350.00	\$4,900.00	\$50.00	\$700.00	\$80.00	\$1,120.00	\$80.00
C4	SPEC PLAN	1	LUMP SUM	\$500.00	\$500.00	\$2,700.00	\$2,700.00	\$75.00	\$75.00	\$400.00	\$400.00	\$60.00	\$60.00	\$3,000.00	\$3,000.00	\$2,500.00	\$2,500.00	\$1,000.00	\$1,000.00	\$500.00	\$500.00	\$500.00
C5	TEMPORARY TRAFFIC CONTROL	1	LUMP SUM	\$1,500.00	\$1,500.00	\$2,480.00	\$2,480.00	\$750.00	\$750.00	\$100.00	\$100.00	\$1,200.00	\$1,200.00	\$3,500.00	\$3,500.00	\$500.00	\$500.00	\$3,500.00	\$3,500.00	\$3,500.00	\$3,500.00	\$3,500.00
C6	NOA HEALTH AND SAFETY PROGRAM FUGITIVE DUST PREVENTION AND CONTROL PLAN	1	LUMP SUM	\$400.00	\$400.00	\$400.00	\$400.00	\$1,000.00	\$1,000.00	\$500.00	\$500.00	\$500.00	\$500.00	\$10,000.00	\$10,000.00	\$1,000.00	\$1,000.00	\$5,500.00	\$5,500.00	\$5,500.00	\$5,500.00	\$5,500.00
C7	PERMETER AIR MONITORING	15	DAY	\$103.30	\$1,549.50	\$192.24	\$2,883.60	\$150.00	\$2,250.00	\$225.00	\$3,375.00	\$400.00	\$6,000.00	\$400.00	\$6,000.00	\$400.00	\$6,000.00	\$400.00	\$6,000.00	\$400.00	\$6,000.00	\$400.00
C8	UNANTICIPATED SITE IMPROVEMENTS	EST	DOZ	\$5.00	\$5,000.00	\$1.00	\$1,000.00	\$1.00	\$1,000.00	\$1.00	\$1,000.00	\$1.00	\$1,000.00	\$1.00	\$1,000.00	\$1.00	\$1,000.00	\$1.00	\$1,000.00	\$1.00	\$1,000.00	\$1.00
C9	WATERING	29	TON	\$24.97	\$724.13	\$362.40	\$10,609.60	\$110.00	\$3,190.00	\$270.00	\$7,730.00	\$76.00	\$2,204.00	\$2,052.00	\$6,906.00	\$280.00	\$8,184.00	\$210.00	\$6,090.00	\$300.00	\$8,790.00	\$300.00
C10	LIGNIN	6,000	CUBIC YARD	\$15.00	\$90,000.00	\$6.50	\$39,300.00	\$9.95	\$59,700.00	\$8.00	\$48,000.00	\$10.75	\$64,500.00	\$48,000.00	\$48,000.00	\$14.00	\$84,000.00	\$11.00	\$66,000.00	\$4.90	\$29,400.00	\$4.90
C11	CHANNEL EXCAVATION INCL. HAUL	4,851	CU YD	\$8.00	\$38,808.00	\$6.64	\$32,208.64	\$0.95	\$4,608.45	\$2.80	\$13,680.00	\$1.30	\$6,306.00	\$3.00	\$14,553.00	\$4,400.00	\$4,400.00	\$3,400.00	\$3,400.00	\$2,500.00	\$2,500.00	\$3,500.00
C12	SHARPING AND CAPPING OF SEDIMENT STOCKPILES	1	LUMP SUM	\$18,940.18	\$18,940.18	\$7,098.09	\$7,098.09	\$95,771.45	\$95,771.45	\$3,500.00	\$3,500.00	\$4,000.00	\$4,000.00	\$5,400.00	\$5,400.00	\$3,000.00	\$3,000.00	\$3,000.00	\$3,000.00	\$3,000.00	\$3,000.00	\$3,000.00
C13	TEMPORARY STREAM CROSSING	1	LUMP SUM	\$172,450.10	\$172,450.10	\$105,931.36	\$105,931.36	\$105,911.02	\$105,911.02	\$124,698.34	\$124,698.34	\$107,517.86	\$107,517.86	\$141,239.35	\$141,239.35	\$158,836.41	\$158,836.41	\$179,638.04	\$179,638.04	\$179,638.04	\$179,638.04	\$179,638.04
TOTAL BID AMOUNT (Schedule A, B, and C incl. Tax)				\$798,999.44	\$798,999.44	\$446,624.41	\$446,624.41	\$763,527.34	\$763,527.34	\$760,071.55	\$760,071.55	\$755,640.35	\$755,640.35	\$800,168.30	\$800,168.30	\$848,286.70	\$848,286.70	\$1,006,000.00	\$1,006,000.00	\$1,006,000.00	\$1,006,000.00	\$1,006,000.00

I hereby certify that the amounts indicated herein are correct and accurate, and were prepared by me or under my direct supervision and control, and that the amounts indicated in this Estimate and the responses to all proposals prepared at 3:30 P.M., June 23, 2020 are true and correct.

James P. Karcher, P.E.
 County Engineer

James P. Karcher, P.E.
 County Engineer

6.25.2020



BID PROPOSAL FOR

SWIFT CREEK CHANNEL EXCAVATION AND OAT COLES NORTH REPOSITORY DEVELOPMENT

WORK ORDER NUMBERS 21063 & 21055

DATE: June 23, 2020

TO: Whatcom County Executive and Council
Whatcom County Courthouse
311 Grand Avenue
Bellingham, Washington 98225

Gentlepersons:

This certifies that the Undersigned: has examined the location of the project site and the conditions of work; and has carefully read and thoroughly understands the contract documents entitled: "**Swift Creek Channel Excavation and Oat Coles North Repository Development, Work Order Numbers 21063 & 21055**" Whatcom County, Washington, including the "Bid Procedures and Conditions," "Specifications and Conditions," "Contract Forms," "Construction Plans," and "Appendices," governing the work embraced in this project, and the method by which payment will be made for said work. The Undersigned hereby proposes to undertake and complete the work embraced in this project in accordance with said contract documents, and agrees to accept as payment for said work, the schedule of lump sum and unit prices as set forth in the "Bid" below.

The Undersigned acknowledges that payment will be based on the actual work performed and material used as measured or provided for in accordance with the said contract documents, and that no additional compensation will be allowed for any taxes not included in each lump sum or unit price, and that the basis for payment will be the actual work performed and measured or provided for in accordance with the said contract documents.

The Undersigned certifies that it is not currently disqualified from bidding on any public works contract under RCW 39.06.010 or RCW 39.12.065(3).

Bidder BOSS Construction, Inc.

ITEM NO.	SECTION	ITEM DESCRIPTION	ESTIMATED QUANTITY	UNIT MEASURE	UNIT PRICE IN FIGURES	EXTENDED PRICE IN FIGURES
Schedule A - 2020 Maintenance Channel Excavation Work Order No. 21055						
A1	1-09.7	MOBILIZATION	1	LUMP SUM	\$ <u>6,190.00</u>	\$ <u>6,190.00</u>
A2	8-01	EROSION/WATER POLLUTION CONTROL	EST	DOL	\$1.00	\$10,000.00
A3	8-01.3(1)B	ESC LEAD	14	DAY	\$ <u>216.00</u>	\$ <u>3,024.00</u>
A4	1-07.15	SPCC PLAN	1	LUMP SUM	\$ <u>3,240.00</u>	\$ <u>3,240.00</u>
A5	1-10	TEMPORARY TRAFFIC CONTROL	1	LUMP SUM	\$ <u>2,480.00</u>	\$ <u>2,480.00</u>
A6	1-07.4(2)	NOA HEALTH AND SAFETY PROGRAM	1	LUMP SUM	\$ <u>1,080.00</u>	\$ <u>1,080.00</u>
A7	1-07.5(4)	FUGITIVE DUST PREVENTION AND CONTROL PLAN	1	LUMP SUM	\$ <u>1,080.00</u>	\$ <u>1,080.00</u>
A8	1-07.5(4)	PERIMETER AIR MONITORING	15	DAY	\$ <u>192.24</u>	\$ <u>2,883.60</u>
A9	1-09.6	UNANTICIPATED SITE IMPROVEMENTS	EST	DOL	\$1.00	\$7,500.00
A10	2-07	WATERING	45.0	MGAL	\$ <u>217.44</u>	\$ <u>9,784.80</u>
A11	2-08	LIGNIN	29	TON	\$ <u>184.49</u>	\$ <u>5,350.21</u>
A12	2-05	CHANNEL EXCAVATION INCL. HAUL	10,000	CUBIC YARD	\$ <u>6.08</u>	\$ <u>60,800.00</u>
A13	8-05	TEMPORARY STREAM CROSSING	1	LUMP SUM	\$ <u>5,778.00</u>	\$ <u>5,778.00</u>
Schedule A Subtotal (Bid Items A1-A13)						\$ <u>119,190.61</u>
WS Sales Tax (8.50%)						\$ <u>10,131.20</u>
SCHEDULE A TOTAL (Schedule A Subtotal Inc. Tax)						\$ <u>129,321.81</u>

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6-23-20

Bidder BOSS Construction, Inc.

ITEM NO.	SECTION	ITEM DESCRIPTION	ESTIMATED QUANTITY	UNIT MEASURE	UNIT PRICE IN FIGURES	EXTENDED PRICE IN FIGURES
Schedule B - Capital Repository and Mitigation Site Development, Work Order No. 21063						
B1	1-09.7	MOBILIZATION	1	LUMP SUM	\$ <u>47,629.00</u>	\$ <u>47,629.00</u>
B2	8-01	EROSION/WATER POLLUTION CONTROL	EST	DOL	\$1.00	\$4,500.00
B3	8-01.3(1)B	ESC LEAD	14	DAY	\$ <u>216.00</u>	\$ <u>3,024.00</u>
B4	1-07.15	SPCC PLAN	1	LUMP SUM	\$ <u>3,780.00</u>	\$ <u>3,780.00</u>
B5	1-10	TEMPORARY TRAFFIC CONTROL	1	LUMP SUM	\$ <u>2,246.00</u>	\$ <u>2,246.00</u>
B6	1-07.4(2)	NOA HEALTH AND SAFETY PROGRAM	1	LUMP SUM	\$ <u>3,780.00</u>	\$ <u>3,780.00</u>
B7	1-07.5(4)	FUGITIVE DUST PREVENTION AND CONTROL PLAN	1	LUMP SUM	\$ <u>3,780.00</u>	\$ <u>3,780.00</u>
B8	1-07.5(4)	PERIMETER AIR MONITORING	15	DAY	\$ <u>192.24</u>	\$ <u>2,883.60</u>
B9	1-09.6	UNANTICIPATED SITE IMPROVEMENTS	EST	DOL	\$1.00	\$5,000.00
B10	2-08.2(1)	MOWING	18,368	SQUARE YARD	\$ <u>0.21</u>	\$ <u>3,857.28</u>
B11	2-03	ELEVATED CONSTRUCTION ENTRANCE	1	LUMP SUM	\$ <u>4,659.00</u>	\$ <u>4,659.00</u>
B12	2-03	SWIFT CREEK HAUL ROAD	1	LUMP SUM	\$ <u>10,975.00</u>	\$ <u>10,975.00</u>
B13	2-03	SALVAGE FIELD ROAD SPALLS	100	CUBIC YARD	\$ <u>17.44</u>	\$ <u>1,744.00</u>
B14	2-03	ROADWAY SURVEYING	1	LUMP SUM	\$ <u>9,590.00</u>	\$ <u>9,590.00</u>
B15	2-05.3(3)	SHAPING AND CAPPING OF SEDIMENT STOCKPILES	8,152	SQUARE YARD	\$ <u>0.57</u>	\$ <u>4,646.64</u>
B16	2-07	WATERING	48	MGAL	\$ <u>204.93</u>	\$ <u>9,836.64</u>
B17	2-08.2(1)	WETLAND EXCAVATION AND GRADING	6,400	CUBIC YARD	\$ <u>3.53</u>	\$ <u>22,592.00</u>
B18	2-08.2(1)A	STOCKPILING OF EXCESS WETLAND SOIL	3,567	CUBIC YARD	\$ <u>3.33</u>	\$ <u>11,878.11</u>

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6-23-20

Bidder BOSS Construction, Inc.

ITEM NO.	SECTION	ITEM DESCRIPTION	ESTIMATED QUANTITY	UNIT MEASURE	UNIT PRICE IN FIGURES	EXTENDED PRICE IN FIGURES
Schedule B - Capital Repository and Mitigation Site Development, Work Order No. 21063						
B19	2-08.2(2)	WETLAND TOPSOIL AND COMPOST EMBANKMENT	8,449	SQUARE YARD	\$ 1.41	\$ 11,913.09
B20	4-04	CRUSHED SURFACING BASE COURSE	250	TON	\$ 21.65	\$ 5,412.50
B21	4-04	PERMEABLE BALLAST	330	TON	\$ 24.23	\$ 79,959.00 7,995.90
B22	7-02	CORRUGATED POLYETHYLENE CULV. PIPE 12 IN. DIAM.	100	LINEAR FOOT	\$ 21.17	\$ 2,117.00
B23	7-02.3(6)A4	CULVERT BEDDING MATERIAL	23	CUBIC YARD	\$ 11.88	\$ 273.24
B24	2-09.3(1)E	CONTROLLED DENSITY FILL	15	CUBIC YARD	\$ 153.50	\$ 2,302.50
B25	8-01.3(7)	STABILIZED CONSTRUCTION ENTRANCE	1	EACH	\$ 3,364.00	\$ 3,364.00
B26	8-12.3(2)E	ACCESS CONTROL GATE	1	EACH	\$ 4,485.00	\$ 4,485.00
B27	8-15.3(2)	LIGHT LOOSE RIPRAP	449	TON	\$ 37.39	\$ 16,788.11
B28	8-01.3(7)	TIRE WASH	1	EACH	\$ 4,514.00	\$ 4,514.00
B29	8-01.3(6)	CHECK DAM	100	LINEAR FOOT	\$ 7.28	\$ 728.00
B30	8-02.3(8)B1	PSIPE DOUG FIR	60	EACH	\$ 8.64	\$ 518.40
B31	8-02.3(8)B1	PSIPE SITKA SPRUCE	200	EACH	\$ 8.64	\$ 1,728.00
B32	8-02.3(8)B1	PSIPE SHORE PINE	50	EACH	\$ 8.64	\$ 432.00
B33	8-02.3(8)B1	PSIPE WESTERN RED CEDAR	50	EACH	\$ 8.64	\$ 432.00
B34	8-02.3(8)B1	PSIPE BLACK TWINBERRY	2,150	EACH	\$ 8.64	\$ 18,576.00
B35	8-02.3(8)B1	PSIPE RED OSIER DOGWOOD	2,000	EACH	\$ 8.64	\$ 17,280.00
B36	8-02.3(8)B1	PSIPE INDIAN PLUM	250	EACH	\$ 8.64	\$ 2,160.00
B37	8-02.3(8)B1	PSIPE OCEANSPRAY	250	EACH	\$ 8.64	\$ 2,160.00

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6-23-20

Bidder **BOSS Construction, Inc.**

ITEM NO.	SECTION	ITEM DESCRIPTION	ESTIMATED QUANTITY	UNIT MEASURE	UNIT PRICE IN FIGURES	EXTENDED PRICE IN FIGURES
Schedule B - Capital Repository and Mitigation Site Development, Work Order No. 21063						
B38	8-02.3(8)B1	PSIPE SNOWBERRY	775	EACH	\$ 8.64	\$ 6,696.00
B39	8-02.3(8)B1	PSIPE SERVICEBERRY	250	EACH	\$ 8.64	\$ 2,160.00
B40	8-02.3(8)B1	PSIPE NOOTKA ROSE	2,675	EACH	\$ 8.64	\$ 23,112.00
B41	8-02.3(8)B1	PSIPE SWAMP GOOSEBERRY	800	EACH	\$ 8.64	\$ 6,912.00
B42	8-02.3(8)B1	PSIPE PACIFIC NINEBARK	1,900	EACH	\$ 8.64	\$ 16,416.00
B43	8-02.3(8)B1	PSIPE SAWBEAK SEDGE	2,000	EACH	\$ 2.16	\$ 4,320.00
B44	8-02.3(8)B1	PSIPE SLOUGH SEDGE	10,000	EACH	\$ 3.24	\$ 32,400.00
B45	8-02.3(6)	FERTILIZER PACK	2	EACH	\$ 270.00	\$ 540.00
B46	8-2.3(6)B	FERTILIZER	3,148	POUND	\$ 1.24	\$ 3,903.52
B47	8-02.3(11)B	SAWDUST MULCH	18,254	SQUARE YARD	\$ 0.85	\$ 15,515.90
B48	8-02.3(9)B	SEEDING AND MULCHING	87	SQUARE YARD	\$ 7.56	\$ 657.72
B49	8-19	ROOTWAD/HABITAT LOG PLACEMENT	5	EACH	\$ 509.33	\$ 2,546.65
B50	8-01.3(9)A1	HIGH VISIBILITY FENCE	1,119	LINEAR FOOT	\$ 2.69	\$ 3,010.11
Schedule B Subtotal (Bid Items B1-B50)						\$ 449,734.00 \$ 377,770.91
WS Sales Tax (8.50%)						\$ 38,227.39 \$ 32,110.53
SCHEDULE B TOTAL (Schedule B Subtotal Inlc. Tax)						\$ 487,961.40 \$ 409,881.44

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ITEM NO.	SECTION	ITEM DESCRIPTION	ESTIMATED QUANTITY	UNIT MEASURE	UNIT PRICE IN FIGURES	EXTENDED PRICE IN FIGURES
Schedule C - 2021 Maintenance Channel Excavation, Work Order No. 21055						
C1	1-09.7	MOBILIZATION	1	LUMP SUM	\$ <u>13,719.00</u>	\$ <u>13,719.00</u>
C2	8-01	EROSION/WATER POLLUTION CONTROL	EST	DOL	\$ <u>1.00</u>	\$ <u>3,500.00</u>
C3	8-01.3(1)B	ESC LEAD	14	DAY	\$ <u>216.00</u>	\$ <u>3,024.00</u>
C4	1-07.15	SPCC PLAN	1	LUMP SUM	\$ <u>2,700.00</u>	\$ <u>2,700.00</u>
C5	1-10	TEMPORARY TRAFFIC CONTROL	1	LUMP SUM	\$ <u>2,480.00</u>	\$ <u>2,480.00</u>
C6	1-07.4(2)	NOA HEALTH AND SAFETY PROGRAM	1	LUMP SUM	\$ <u>540.00</u>	\$ <u>540.00</u>
C7	1-07.5(4)	FUGITIVE DUST PREVENTION AND CONTROL PLAN	1	LUMP SUM	\$ <u>540.00</u>	\$ <u>540.00</u>
C8	1-07.5(4)	PERIMETER AIR MONITORING	15	DAY	\$ <u>192.24</u>	\$ <u>2,883.60</u>
C9	1-09.6	UNANTICIPATED SITE IMPROVEMENTS	EST	DOL	\$ <u>1.00</u>	\$ <u>5,000.00</u>
C10	2-07	WATERING	27.0	MGAL	\$ <u>362.40</u>	\$ <u>9,784.80</u>
C11	2-08	LIGNIN	29	TON	\$ <u>213.91</u>	\$ <u>6,203.39</u>
C12	2-05	CHANNEL EXCAVATION INCL. HAUL	6,000	CUBIC YARD	\$ <u>6.53</u>	\$ <u>39,180.00</u>
C13	2-05.3(3)	SHAPING AND CAPPING OF SEDIMENT STOCKPILES	4,891	SQUARE YARD	\$ <u>0.64</u>	\$ <u>3,130.24</u>
C14	8-05	TEMPORARY STREAM CROSSING	1	LUMP SUM	\$ <u>4,413.00</u>	\$ <u>4,413.00</u>
Schedule C Subtotal (Bid Items C1 - C14)						\$ <u>97,098.03</u>
WS Sales Tax (8.50%)						\$ <u>8,253.33</u>
SCHEDULE C TOTAL (Schedule C Subtotal Inc. Tax)						\$ <u>105,351.36</u>
TOTAL BID AMOUNT (Schedule A, B, and C Incl. Tax)						\$ <u>105,351.36 113,604.58</u>

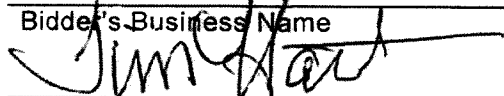
\$ 644,554.61

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10-23-20

BID CERTIFICATION OF COMPLIANCE WITH WAGE PAYMENT STATUTES

The bidder hereby certifies that, within the three-year period immediately preceding the bid solicitation date (June 3, 2020), 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.

BOSS Construction, Inc.
Bidder's Business Name

Signature of Authorized Official*

Tim Hart
Printed Name

President
Title

June 23, 2020 Bellingham, Washington
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.*

PROPOSAL FOR INCORPORATING RECYCLED MATERIALS INTO THE PROJECT



APWA-WA Division 1 Committee

rev. 1/8/2016

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.

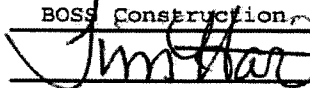
Proposed total percentage: .004 percent.

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:

BOSS Construction, Inc.

Signature of Authorized Official:

 Tim Hart, President

Date:

June 23, 2020

NON-COLLUSION DECLARATION

SWIFT CREEK CHANNEL EXCAVATION AND OAT COLES NORTH REPOSITORY DEVELOPMENT

WORK ORDER NUMBERS 21063 & 21055

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 have agreed to the provisions of this declaration.**

NOTICE TO ALL BIDDERS

To report bid 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.

BID PROPOSAL SIGNATURE AND ADDENDUM ACKNOWLEDGMENT

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 or less than the hourly minimum rate of wages as specified in the Specifications and Conditions for this project.

<input type="checkbox"/> CASH <input type="checkbox"/> CERTIFIED CHECK <input type="checkbox"/> CASHIER'S CHECK <input checked="" type="checkbox"/> PROPOSAL BOND	IN THE AMOUNT OF <u>5%</u> _____ DOLLARS (\$ _____) PAYABLE TO WHATCOM COUNTY IN THE AMOUNT OF 5% OF THE BID.
--	--

Receipt is hereby acknowledged by addendum(s) No.(s) 1, 2, & _____

SIGNATURE OF AUTHORIZED OFFICIAL(S)

(PROPOSAL MUST BE SIGNED)

Tim Hart

Tim Hart, President _____ (Seal)

FIRM NAME: BOSS Construction, Inc.

STATE OF WASHINGTON)
) ss.
 COUNTY OF WHATCOM)

On this 23 day of JUNE, 2020, before me personally appeared Tim Hart to me personally known to be the person described in and who executed the above instrument and who acknowledged to me the act of signing thereof.



Dennis A. Remmer
 NOTARY PUBLIC, in and for the State of
 Washington, residing at: BELLEVUE WA
 My Commission Expires: 5-1-2024

.....
 This proposal form is not transferable and any alteration of the firm's name entered hereon without prior permission from the County will be cause for considering the proposal irregular and for subsequent rejection of the bid.

BID BOND

KNOW ALL MEN BY THESE PRESENTS, that we Boss Construction, Inc., of _____
4945 Guide Meridian, Bellingham, WA 98226, as principal, and the Employers Mutual Casualty Company a corporation
duly organized under the laws of the State of Iowa and having its principal place of
business at PO Box 3199, Greenwood Village in the State of Colorado

~~Washington~~, as Surety, are held and firmly bound unto Whatcom County in the full and penal sum of
five percent (5%) of the total bid amount appearing on 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, jointly and severally, firmly by
these presents.

The condition of this bond is such that, whereas, the principal herein is herewith submitting his or its
bid proposal for **Swift Creek Channel Excavation and Oat Coles North Repository Development,
Work Order Numbers 21063 & 21055** bid proposal, by reference thereto, being hereby made a part
hereof.

NOW, THEREFORE, if the said bid proposal submitted by the 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 the performance bond as required by the bidding and contract
documents within a period of ten (10) days from and after said award, exclusive of the day of such
award, then its obligation to pay the above-mentioned penal sum as liquidated damages shall be null
and void, otherwise it shall remain and be in full force and effect.

SIGNED AND SEALED this 23rd day of June, 2020.

Boss Construction, Inc.
Principal - Jim Hae
By _____

(Seal)

Employers Mutual Casualty Company
Surety
By Cynthia L. Jay
Cynthia L. Jay Attorney-In-Fact

The Attorney-in-fact who executes this bond on behalf of the surety company, must attach a copy of
his power-of attorney as evidence of his authority.



P.O. Box 712 • Des Moines, Iowa 50306-0712

POWER OF ATTORNEY APPOINTING INDIVIDUAL ATTORNEY-IN-FACT

KNOW ALL MEN BY THESE PRESENTS, that:

- 1. Employers Mutual Casualty Company, an Iowa Corporation
- 2. EMCASCO Insurance Company, an Iowa Corporation
- 3. Union Insurance Company of Providence, an Iowa Corporation
- 4. Illinois EMCASCO Insurance Company, an Iowa Corporation
- 5. Dakota Fire Insurance Company, a North Dakota Corporation
- 6. EMC Property & Casualty Company, an Iowa Corporation

hereinafter referred to severally as "Company" and collectively as "Companies", each does, by these presents, make, constitute and appoint:

CYNTHIA L. JAY

its true and lawful attorney-in-fact, with full power and authority conferred to sign, seal, and execute the Surety Bond:

Any and All Bonds

and to bind each Company thereby as fully and to the same extent as if such instruments were signed by the duly authorized officers of each such Company, and all of the acts of said attorney pursuant to the authority hereby given are hereby ratified and confirmed.

The authority hereby granted shall expire **April 1st, 2021**, unless sooner revoked.

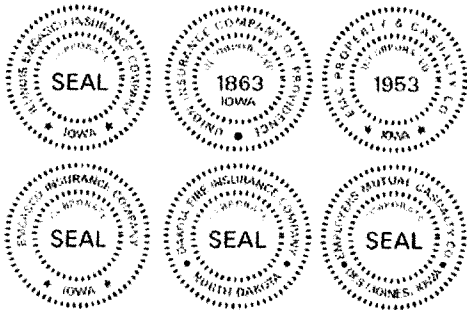
AUTHORITY FOR POWER OF ATTORNEY

This Power-of-Attorney is made and executed pursuant to and by the authority of the following resolution of the Boards of Directors of each of the Companies at the first regularly scheduled meeting of each company duly called and held in 1999:

RESOLVED: The President and Chief Executive Officer, any Vice President, the Treasurer and the Secretary of Employers Mutual Casualty Company shall have power and authority to (1) appoint attorneys-in-fact and authorize them to execute on behalf of each Company and attach the seal of the Company thereto, bonds and undertakings, recognizances, contracts of indemnity and other writings obligatory in the nature thereof; and (2) to remove any such attorney-in-fact at any time and revoke the power and authority given to him or her. Attorneys-in-fact shall have power and authority, subject to the terms and limitations of the power-of-attorney issued to them, to execute and deliver on behalf of the Company, and to attach the seal of the Company thereto, bonds and undertakings, recognizances, contracts of indemnity and other writings obligatory in the nature thereof, and any such instrument executed by any such attorney-in-fact shall be fully and in all respects binding upon the Company. Certification as to the validity of any power-of-attorney authorized herein made by an officer of Employers Mutual Casualty Company shall be fully and in all respects binding upon this Company. The facsimile or mechanically reproduced signature of such officer, whether made heretofore or hereafter, wherever appearing upon a certified copy of any power-of-attorney of the Company, shall be valid and binding upon the Company with the same force and effect as though manually affixed.

IN WITNESS THEREOF, the Companies have caused these presents to be signed for each by their officers as shown, and the Corporate seals to be hereto affixed this **1st** day of **July**, **2018**.

Seals

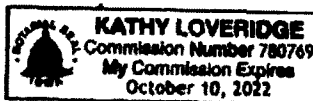


Bruce G. Kelley
 Bruce G. Kelley, CEO, Chairman of Companies 2, 3, 4, 5 & 6; President of Companies 1, 2 & 6; Treasurer of Companies 1, 2, 3, 4 & 6

Todd Strother
 Todd Strother
 Vice President

On this **1st** day of **July**, **2018** before me a Notary Public in and for the State of Iowa, personally appeared Bruce G. Kelley and Todd Strother, who, being by me duly sworn, did say that they are, and are known to me to be the CEO, Chairman, President and Treasurer, and/or Vice President, respectively, of each of the Companies above; that the seals affixed to this instrument are the seals of said corporations; that said instrument was signed and sealed on behalf of each of the Companies by authority of their respective Boards of Directors; and that the said Bruce G. Kelley and Todd Strother, as such officers, acknowledged the execution of said instrument to be their voluntary act and deed, and the voluntary act and deed of each of the Companies.

My Commission Expires October 10, 2022.



Kathy Loveridge
 Notary Public in and for the State of Iowa

CERTIFICATE

I, James D. Clough, Vice President of the Companies, do hereby certify that the foregoing resolution of the Boards of Directors by each of the Companies, and this Power of Attorney issued pursuant thereto on **1st** day of **July**, **2018**, are true and correct and are still in full force and effect.

In Testimony Whereof I have subscribed my name and affixed the facsimile seal of each Company this **23rd** day of **June**, **2020**

J. D. Clough
 Vice President