

WHATCOM COUNTY
PUBLIC WORKS DEPARTMENT

JON HUTCHINGS
DIRECTOR



STORMWATER - NPDES
322 N. Commercial Street, Suite 224
Bellingham, WA 98225-4042
Stormwater: (360) 778-6200
FAX: (360) 778-6201
www.whatcomcounty.us

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

THROUGH: Jon Hutchings, Public Works Director *JH*

FROM: Kraig Olason, Stormwater Program Manager *CO*

RE: Leeward Way Drainage Improvements Project (CRP 920015, Bid No. 20-48)
Construction Contract Award to Henifin Construction, LLC

DATE: August 31, 2020

Attached for your review and signature is the standard construction contract award package for the above-referenced project. This package includes the approval for contract award, bid tabulation, and low bid proposal.

Requested Action

Public Works respectfully requests that the County Executive sign the Approval for Contract Award to **Henifin Construction, LLC** for the Leeward Way Drainage Improvement Project, CRP 920015. Execution of the Contract Award is necessary to award the project to the **Henifin Construction, LLC**. Upon receipt of the signed Approval for Contract Award form, Public Works will submit the construction contract to the County Executive for contract execution.

Background and Purpose

Bid proposals for the project were opened at 2:30 p.m. on Tuesday, August 18, 2020. A total of one (1) responsive bid was received, with **Henifin Construction, LLC** being the lowest responsible bidder in the amount of \$229,270.00. The bid tabulation is attached to this memorandum. The project is covered as Item No. 39 on the 2020 Annual Construction Program.

Funding Amount and Source

There is sufficient budget authority for this expenditure under Item No. 39, "*Unanticipated Site Improvements*" on the 2020 Annual Construction Program.

Please contact Ben Kuiken, Project Engineer, at extension 6303 if you have any questions.

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

Sara Winger

Digitally signed by Sara Winger
DN: cn=Sara Winger, o=Whatcom County,
ou=Purchasing Coordinator,
email=swinger@co.whatcom.wa.us, c=US
Date: 2020.09.01 10:22:34 -07'00'

Sara Winger, Purchasing Coordinator

Date

**LEEWARD WAY DRAINAGE IMPROVMENTS PROJECT, CRP 920015
BID NO. 20-48**

APPROVAL FOR CONTRACT AWARD

Approval is hereby granted to award the Contract as follows:

Project: Leeward Way Drainage Improvements, CRP 920015

To: Henifin Construction, LLC

in the amount of their bid proposal of \$229,270.00, including all taxes.

Satpal Singh Sidhu
Whatcom County Executive
Approving Authority

Date

CQ/mailed/BB

Christopher Quinn
Senior Civil Deputy Prosecuting Attorney

8/31/2020

Date

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Project Cost Breakdown

LEEWARD WAY DRAINAGE IMPROVEMENTS PROJECT, CRP 920015 BID NO. 20-48

	Whatcom County
Design Engineering	\$49,832
Right-of-Way	\$0
Construction Contract	\$229,270
Construction Engineering	\$67,000
Permitting and Surveying	\$36,500
Materials Testing	\$5,000
Total	\$387,602

ITEM NO.	ITEM DESCRIPTION	UNIT MEAS.	APPROX. QTY	ENGINEER'S ESTIMATE		Henifin Construction LLC	
				UNIT PRICE	TOTAL AMOUNT	UNIT PRICE	TOTAL AMOUNT
1	Mobilization	LS	1	\$ 10,000.00	\$ 10,000.00	\$ 44,568.00	\$ 44,568.00
2	SPCC Plan	LS	1	\$ 500.00	\$ 500.00	\$ 250.00	\$ 250.00
3	Archaeological and Historical Salvage (Force Account)	DOL	EST	\$ 2,000.00	\$ 2,000.00	\$ 2,000.00	\$ 2,000.00
4	Stand-by Time due to Archaeological Findings	DAY	2	\$ 750.00	\$ 1,500.00	\$ 4,000.00	\$ 8,000.00
5	Project Temporary Traffic Control	LS	1	\$ 2,500.00	\$ 2,500.00	\$ 5,000.00	\$ 5,000.00
6	Clearing and Grubbing	LS	1	\$ 2,000.00	\$ 2,000.00	\$ 4,400.00	\$ 4,400.00
7	Removal of Structures and Obstructions	LS	1	\$ 1,000.00	\$ 1,000.00	\$ 3,000.00	\$ 3,000.00
8	Structure Excavation Class B Incl. Haul	CY	60	\$ 30.00	\$ 1,800.00	\$ 50.00	\$ 3,000.00
9	Shoring or Extra Excavation Class B	SF	317	\$ 3.00	\$ 951.00	\$ 1.00	\$ 317.00
10	Crushed Surfacing Top Course	TON	50	\$ 75.00	\$ 3,750.00	\$ 45.00	\$ 2,250.00
11	HMA CL 38 in. PG 58H-22	TON	135	\$ 35.00	\$ 4,725.00	\$ 160.00	\$ 21,600.00
12	Planning Bituminous Pavement	SY	570	\$ 5.00	\$ 2,850.00	\$ 12.00	\$ 6,840.00
13	Corrugated Polyethylene Storm Sewer Pipe 12 In. Diam.	LF	50	\$ 100.00	\$ 5,000.00	\$ 70.00	\$ 3,500.00
14	High-Density Polyethylene (HDPE) Storm Sewer Pipe 10 In. Diam.	LF	243	\$ 100.00	\$ 24,300.00	\$ 115.00	\$ 27,945.00
15	12 In. Diffuser Tee	EA	1	\$ 800.00	\$ 800.00	\$ 2,800.00	\$ 2,800.00
16	Catch Basin Type 1	EA	1	\$ 1,500.00	\$ 1,500.00	\$ 1,600.00	\$ 1,600.00
17	Catch Basin Type 1 with Catch Basin Insert	EA	2	\$ 2,500.00	\$ 5,000.00	\$ 2,600.00	\$ 5,200.00
18	CDF Trench Dams	EA	3	\$ 300.00	\$ 900.00	\$ 1,200.00	\$ 3,600.00
19	Concrete Pipe Encasement	EA	1	\$ 1,000.00	\$ 1,000.00	\$ 800.00	\$ 800.00
20	Earth Anchors	EA	8	\$ 1,000.00	\$ 8,000.00	\$ 865.00	\$ 6,920.00
21	Drainage Comb. Air Release/Air Vacuum Valve Assembly 1 In.	EA	1	\$ 1,600.00	\$ 1,600.00	\$ 1,800.00	\$ 1,800.00
22	Erosion Control and Water Pollution Prevention (Force Account)	DOL	EST	\$ 2,500.00	\$ 2,500.00	\$ 2,500.00	\$ 2,500.00
23	ESC Lead	DAY	12	\$ 100.00	\$ 1,200.00	\$ 150.00	\$ 1,800.00
24	Inlet Protection	EA	3	\$ 80.00	\$ 240.00	\$ 75.00	\$ 225.00
25	High Visibility Fence	LF	21	\$ 10.00	\$ 210.00	\$ 10.00	\$ 210.00
26	Temporary Storm Bypass	LS	1	\$ 2,500.00	\$ 2,500.00	\$ 200.00	\$ 200.00
27	Seeding, Fertilizing and Mulching	SY	50	\$ 50.00	\$ 2,500.00	\$ 20.00	\$ 1,000.00
28	Topsoil Type A	CY	10	\$ 100.00	\$ 1,000.00	\$ 50.00	\$ 500.00
29	Cement Concrete Driveway Entrance	SY	20	\$ 150.00	\$ 3,000.00	\$ 160.00	\$ 3,200.00
30	Coated Chain Link Fence Type 3	LF	9	\$ 500.00	\$ 4,500.00	\$ 175.00	\$ 1,575.00
31	Single 6 FL Coated Chain Link Personnel Gate	EA	1	\$ 1,000.00	\$ 1,000.00	\$ 400.00	\$ 400.00
32	Repair Existing Public and Private Facilities (Force Account)	DOL	EST	\$ 10,000.00	\$ 10,000.00	\$ 10,000.00	\$ 10,000.00
33	Unanticipated Site Work (Force Account)	DOL	EST	\$ 25,000.00	\$ 25,000.00	\$ 25,000.00	\$ 25,000.00
Subtotal (Bid Items 1-33)				\$	135,326.00	\$	202,000.00
ZERO Fee Reimbursement (5.0% of the Subtotal excl. Sales Tax)				\$	6,766.30	\$	10,100.00
Whatcom County Sales Tax at 8.5% (Bid Items 1-33)				\$	11,502.71	\$	17,170.00
TOTAL BID AMOUNT (Bid Items 1-33 with taxes and fees)				\$	153,595.01	\$	229,270.00

I hereby certify that the amounts tabulated herein are correct and accurately represent the amounts contained in the Engineer's estimate and the respective bid proposals opened at 2:30 P.M., August 18, 2020 for Leeward Way Drainage Improvements, Bid No. 20-48.

James P. Karcher 8-20-2020 Date
 James P. Karcher, P.E.
 County Engineer

STATE OF WASHINGTON }
 ss. }
 COUNTY OF WHATCOM }
 On this day personally appeared before me, James P. Karcher, P.E., known to me to be the County Engineer and the person described herein and who executed the within and foregoing instrument on this 20th day of August, 2020

Andrew A. Gerty
 NOTARY PUBLIC
 Residing At Bellingham
 My Commission Expires: 8-9-2023



BID PROPOSAL

**WHATCOM COUNTY PUBLIC WORKS
BELLINGHAM, WASHINGTON**

**LEEWARD WAY DRAINAGE
IMPROVEMENTS, CRP No. 920015
BID No 20-48**

DATE: August 18, 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: "Leeward Way Drainage Improvements, CRP No. 920015" 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's Name HENIFIN CONSTRUCTION, LLC

REVISED BID PROPOSAL FORM
 ADDENDUM 1, LEEWARD WAY DRAINAGE IMPROVEMENT PROJECTS, CRP 920015

Note: Prices for all items, all extensions, and the total amount bid must be shown. The project must be bid in its entirety, including all bid items as specifically listed in the Proposal, in order to be considered a responsive bid. Where conflict occurs between the unit price and the total amount bid for any item, the unit price shall prevail, and totals shall be corrected to conform thereto. All entries must be typed or entered in ink. The estimated quantities shown are intended to provide a common proposal for all bidders.

LEEWARD WAY DRAINAGE IMPROVEMENTS, CRP 920015

BID SCHEDULE A

ITEM NO.	DESCRIPTION OF ITEM	SECTION	ESTIMATED QUANTITY	UNIT	UNIT PRICE	BID ITEM TOTAL AMOUNT
1	Mobilization	(1-09)	1	LS	44,568.00	44,568.00
2	SPCC Plan	(1-07)	1	LS	250.00	250.00
3	Archaeological and Historical Salvage (Force Account)	(1-07)	EST	DOL	\$2,000.00	\$2,000.00
4	Stand-by Time due to Archaeological Findings	(1-07)	2	DAY	4,000.00	8,000.00
5	Project Temporary Traffic Control	(1-10)	1	LS	5,000.00	5,000.00
6	Clearing and Grubbing	(2-01)	1	LS	4,400.00	4,400.00
7	Removal of Structures and Obstructions	(2-02)	1	LS	3,000.00	3,000.00
8	Structure Excavation Class B Incl. Haul	(2-09)	60	CY	50.00	3,000.00
9	Shoring or Extra Excavation Class B	(2-09)	317	SF	1.00	317.00
10	Crushed Surfacing Top Course	(4-04)	50	TON	45.00	2,250.00
11	HMA CL. 3/8 In. PG 58H-22	(5-04)	135	TON	160.00	21,600.00
12	Planing Bituminous Pavement	(5-04)	570	SY	12.00	6,840.00
13	Corrugated Polyethylene Storm Sewer Pipe 12 In. Diam.	(7-04)	50	LF	70.00	3,500.00
14	High-Density Polyethylene (HDPE) Storm Sewer Pipe 10 In. Diam.	(7-04)	243	LF	115.00	27,945.00
15	12 In. Diffuser Tee	(7-04)	1	EA	2,800.00	2,800.00
16	Catch Basin Type 1	(7-05)	1	EA	1,600.00	1,600.00
17	Catch Basin Type 1 with Catch Basin Insert	(7-05)	2	EA	2,600.00	5,200.00
18	CDF Trench Dams	(7-08)	3	EA	1,200.00	3,600.00

REVISED BID PROPOSAL FORM
 ADDENDUM 1, LEEWARD WAY DRAINAGE IMPROVEMENT PROJECTS, CRP 920015

ITEM NO.	DESCRIPTION OF ITEM	SECTION	ESTIMATED QUANTITY	UNIT	UNIT PRICE	BID ITEM TOTAL AMOUNT
19	Concrete Pipe Encasement	(7-08)	1	EA	800.00	800.00
20	Earth Anchors	(7-08)	8	EA	865.00	6,920.00
21	Drainage Comb. Air Release/Air Vacuum Valve Assembly 1 In.	(7-12)	1	EA	1,800.00	1,800.00
21	Erosion Control and Water Pollution Prevention (Force Account)	(8-01)	EST	DOL	\$2,500.00	\$2,500.00
23	ESC Lead	(8-01)	12	DAY	150.00	1,800.00
24	Inlet Protection	(8-01)	3	EA	75.00	225.00
25	High Visibility Fence	(8-01)	21	LF	10.00	210.00
26	Temporary Storm Bypass	(8-01)	1	LS	200.00	200.00
27	Seeding, Fertilizing and Mulching	(8-01)	50	SY	20.00	1,000.00
28	Topsoil Type A	(8-02)	10	CY	50.00	500.00
29	Cement Concrete Driveway Entrance	(8-06)	20	SY	160.00	3,200.00
30	Coated Chain Link Fence Type 3	(8-12)	9	LF	175.00	1,575.00
31	Single 6 Ft. Coated Chain Link Personnel Gate	(8-12)	1	EA	400.00	400.00
32	Repair Existing Public and Private Facilities (Force Account)	(8-26)	EST	DOL	\$10,000.00	\$10,000.00
33	Unanticipated Site Work (Force Account)	(8-27)	EST	DOL	\$25,000.00	\$25,000.00
Subtotal A Bid Amount (Items 1-33)						\$ 202,000.00
34	TERO Fee Reimbursement (5.00% of the Subtotal excl. Sales Tax)		(5% TAX)	LS	10,100.00	10,100.00
WA Sales Tax (8.5% of Subtotal A)						\$ 17,170.00
Total (Subtotal A + Bid Item 34 TERO + Sales Tax)						\$ 229,270.00

TERO UNDERSTANDING AND ACKNOWLEDGEMENT

LUMMI NATION'S TRIBAL EMPLOYMENT RIGHTS ORDINANCE

UNDERSTANDING AND ACCEPTANCE

Portions of the work included in this solicitation will be performed on lands subject to the Lummi Tribal Employment Rights Ordinance (TERO). TERO may impose certain requirements via taxes, fees, employment policies, or ordinance that may affect the Contractor and Subcontractors. The Contractor is required to comply with all lawful Tribal requirements in the performance of the work.

Contractor shall designate a responsible company official to coordinate all employment, training, and contracting related activities with the TERO department to ensure that the company is in compliance with TERO.

Designated TERO Liaison: JACE HENEFIN

On behalf of HENEFIN CONSTRUCTION, LLC, I hereby certify that I have received and understand the requirements set forth in the attached Lummi Nation Tribal Employment Rights Ordinance (TERO) Code and TERO Compliance Plan template, and I understand the responsibility of compliance with the described requirements.

Address: 3857 HANNEGAN RD, BELLINGHAM, WA 98226

Phone: 360-733-5411 Fax: 360-733-2690

Printed Name: JACE HENEFIN Title: GENERAL MANAGER

Signature:  Date: 08/18/20



CERTIFICATION OF COMPLIANCE WITH WAGE PAYMENT STATUTES

The bidder hereby certifies that, within the three-year period immediately preceding the bid solicitation date August 5, 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.

HENIFIN CONSTRUCTION, LLC
Bidder's Business Name

Paul Henifin
Signature of Authorized Official*

JACE HENIFIN
Printed Name

GENERAL MANAGER
Title

8/18/20 BELLINGHAM 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:

WASHINGTON

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

In compliance with 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:

HENIFIN CONSTRUCTION

Signature of Authorized Official:

Jace Henifin
JACE HENIFIN (GENERAL MANAGER)

Date:

08/18/20

NON-COLLUSION DECLARATION

LEEWARD WAY DRAINAGE IMPROVEMENTS, CRP No. 920015

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.

BIDDER IDENTIFICATION

The name of the Bidder submitting this proposal, the address and phone number to which all communications concerned with this proposal shall be made, and the number which has been assigned indicating the Bidder is licensed to do business in the State of Washington are as follows:

Firm Name: HENIFIN CONSTRUCTION, LLC

Address: 3857 HANNEGAN RD
BELLINGHAM, WA 98226

Telephone: 360-733-5411

Contractor's WA Registration Number: HENIFCL022J4

Contractor's WA UBI Number: 601-709-974

Contractor's WA Employment Security Department Number:
035034-006

Contractor's WA Excise Tax Registration Number: 601-709-974

The Firm submitting this proposal is a: Sole Proprietorship
 Partnership
 Corporation (LLC)

The names and titles of the principal officers of the corporation submitting this proposal, or of the partnership, or of all persons interested in this proposal as principals are as follows:

Name	Title
<u>JACE HENIFIN</u>	<u>GENERAL MANAGER</u>

NOTE: Signatures of this proposal must be identified above. Failure to identify the Signatories will be cause for considering the proposal irregular and for subsequent rejection of the bid.

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.

CASH IN THE AMOUNT OF _____

CASHIER'S CHECK (\$ _____) PAYABLE TO WHATCOM COUNTY

CERTIFIED CHECK (\$ _____) PAYABLE TO WHATCOM COUNTY

PROPOSAL BOND IN THE AMOUNT OF 5% OF THE BID.

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

SIGNATURE OF AUTHORIZED OFFICIAL(S)

(PROPOSAL MUST BE SIGNED)

Jace Henifin
JACE HENIFIN (GENERAL MANAGER) (Seal)

FIRM NAME: HENIFIN CONSTRUCTION, LLC

STATE OF WASHINGTON)
) ss.
COUNTY OF Whatcom)



On this 18th day of August, 20 20, before me personally appeared Jace Henifin 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

Yvette S. Murphy
NOTARY PUBLIC, in and for the
State of Washington, residing at: Bellingham
My Commission Expires: 6/20/2023

This proposal form is not transferable and any alteration of the firm's name entered hereon without prior permission from Whatcom 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, Henifin Construction LLC of 3857 Hannegan Rd, Bellingham, WA 98226, as principal, and the Old Republic Surety Company

a corporation duly organized under the laws of the State of Wisconsin 10220 SW Greenburg Road, Ste 640, Portland, OR 97223, and authorized to conduct business

in the State of Washington, as Surety, are held and firmly bound unto Whatcom County, a Municipal Corporation in the State of Washington, 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 **LEEWARD WAY DRAINAGE IMPROVEMENTS, CRP No. 920015**, 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 18th day of August, 2020.

Henifin Construction LLC
Principal

By *Jace Henifin* (Seal)
JACE HENIFIN (GENERAL MANAGER)
Old Republic Surety Company
Surety



By *Katharine J. Snider*
Attorney-In-Fact Katharine J. Snider

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.



OLD REPUBLIC SURETY COMPANY

POWER OF ATTORNEY

KNOW ALL MEN BY THESE PRESENTS: That OLD REPUBLIC SURETY COMPANY, a Wisconsin stock insurance corporation, does make, constitute and appoint: Eric A. Zimmerman, Cynthia L. Jay, Jamie L. Marques, Carley Espiritu, Aliceon A. Keltner, Christopher Kinyon,

Diane M. Harding, Annelies M. Richie, Kyle Joseph Howat, Brandon K. Bush, Heather L. Allen, Jacob T. Haddock,

Holli Albers, Erica E. Mosley, Alyssa J. Lopez, Katharine J. Snider, Amelia G. Burrill of Tacoma, WA its true and lawful Attorney(s)-in-Fact, with full power and authority for and on behalf of the company as surety, to execute and deliver and affix the seal of the company thereto (if a seal is required), bonds, undertakings, recognizances or other written obligations in the nature thereof, (other than bail bonds, bank depository bonds, mortgage deficiency bonds, mortgage guaranty bonds, guarantees of installment paper and note guaranty bonds, self-insurance workers compensation bonds guaranteeing payment of benefits, asbestos abatement contract bonds, waste management bonds, hazardous waste remediation bonds or black lung bonds), as follows:

ALL WRITTEN INSTRUMENTS

and to bind OLD REPUBLIC SURETY COMPANY thereby, and all of the acts of said Attorneys-in-Fact, pursuant to these presents, are ratified and confirmed. This appointment is made under and by authority of the board of directors at a special meeting held on February 18, 1982.

This Power of Attorney is signed and sealed by facsimile under and by the authority of the following resolutions adopted by the board of directors of the OLD REPUBLIC SURETY COMPANY on February 18, 1982.

RESOLVED that, the president, any vice-president or assistant vice president, in conjunction with the secretary or any assistant secretary, may appoint attorneys-in-fact or agents with authority as defined or limited in the instrument evidencing the appointment in each case, for and on behalf of the company to execute and deliver and affix the seal of the company to bonds, undertakings, recognizances, and suretyship obligations of all kinds; and said officers may remove any such attorney-in-fact or agent and revoke any Power of Attorney previously granted to such person.

RESOLVED FURTHER, that any bond, undertaking, recognizance, or suretyship obligation shall be valid and binding upon the Company

- (i) when signed by the president, any vice president or assistant vice president, and attested and sealed (if a seal be required) by any secretary or assistant secretary; or
- (ii) when signed by the president, any vice president or assistant vice president, secretary or assistant secretary, and countersigned and sealed (if a seal be required) by a duly authorized attorney-in-fact or agent; or
- (iii) when duly executed and sealed (if a seal be required) by one or more attorneys-in-fact or agents pursuant to and within the limits of the authority evidenced by the Power of Attorney issued by the company to such person or persons.

RESOLVED FURTHER that the signature of any authorized officer and the seal of the company may be affixed by facsimile 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 affixed.

IN WITNESS WHEREOF, OLD REPUBLIC SURETY COMPANY has caused these presents to be signed by its proper officer, and its corporate seal to be affixed this 2nd day of July, 2020

OLD REPUBLIC SURETY COMPANY

Karen J. Haffner
Assistant Secretary



Alan Pavlic
President

STATE OF WISCONSIN, COUNTY OF WAUKESHA - SS

On this 2nd day of July, 2020, personally came before me, Alan Pavlic and Karen J Haffner, to me known to be the individuals and officers of the OLD REPUBLIC SURETY COMPANY who executed the above instrument, and they each acknowledged the execution of the same, and being by me duly sworn, did severally depose and say: that they are the said officers of the corporation aforesaid, and that the seal affixed to the above instrument is the seal of the corporation, and that said corporate seal and their signatures as such officers were duly affixed and subscribed to the said instrument by the authority of the board of directors of said corporation.



Kathryn R. Pearson
Notary Public

My Commission Expires: September 28, 2022

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

CERTIFICATE

I, the undersigned, assistant secretary of the OLD REPUBLIC SURETY COMPANY, a Wisconsin corporation, CERTIFY that the foregoing and attached Power of Attorney remains in full force and has not been revoked; and furthermore, that the Resolutions of the board of directors set forth in the Power of Attorney, are now in force.



78 8560

Signed and sealed at the City of Brookfield, WI this 18th day of August, 2020

Karen J. Haffner
Assistant Secretary

ORSC 22262 (3-06)

SIMILAR PROJECTS REFERENCE FORM

The name of the Agency or Client for which the project was performed, including the address, phone number and the name of the project manager:

Project Name: 2013 LAKE WHATCOM WATER QUALITY EV-0159

Agency or Client: CITY OF BELLINGHAM

Project Manager's Name: FREEMAN ANTHONY

Address: 2221 PACIFIC ST, BELLINGHAM, WA 98229

Phone Number: 360-778-7924

Project Name: SIDE SEWER PIPE BURST

Agency or Client: BERNICE HELD

Project Manager's Name: JACK HENEFIN

Address: 601 VIRGINIA ST, BELLINGHAM, WA 98225

Phone Number: 360-671-3093

Project Name: ES-215 TWENTIETH ROADWAY IMPROVEMENTS

Agency or Client: CITY OF BELLINGHAM (DEPT. OF PUBLIC WORKS)

Project Manager's Name: MIKE OLINGER

Address: 210 LOTTIE ST, BELLINGHAM, WA 98225

Phone Number: 360-676-6961