

**Whatcom County**  
**Bid #23-73**  
**Modular Office Building – Point Roberts Transfer Station**  
**Bid Proposal Forms**

Date 11.14.2023

To: Whatcom County Executive and Council

This certifies that the Undersigned has examined the Bid Proposal and the conditions of work. The Undersigned has carefully read and thoroughly understands the contract documents entitled “**Modular Office Building – Point Roberts Transfer Station**” including the “Bid Procedures and Conditions”, “Specifications and Conditions”, and “Contract Forms” sections 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.

The Undersigned acknowledges that payment will be based on the actual work performed, as measured, or provided for, in accordance with the said contract documents, and that no additional compensation will be allowed for any taxes not otherwise included.

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).

Company Name of Bidder: FABER CONSTRUCTION CORP

Quantity	Description	Price
1	Supply of Modular Office Building, Including Delivery and Installation	\$ 210,000. <sup>00</sup>
	Sales Tax (8.6%)	\$ 18,060. <sup>00</sup>
	<b>Total Bid Price:</b>	<b>\$ 228,060.<sup>00</sup></b>

Two hundred twenty eight thousand sixty dollars  
 (Written Total Bid Price)

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**Bid proposal (Continued)**

**SUPPLEMENTARY INFORMATION**

The Undersigned Bidder hereby acknowledges that the information furnished under this section will be considered in conjunction with the "Bid" price above, in the evaluation of bids for contract award.

**Categories and Rates of Labor**

The Undersigned Bidder certifies that all work to be performed under this Contract, except that work which will be performed by a subcontractor when approved in advance by the County, will be performed by a subcontractor when approved in advance by the County, will be performed by the following classifications of labor for the rates as shown. The Undersigned agrees to accept as payment for said work the schedule of labor classifications and rates as set forth below.

Classification	Rate
LABORER - GENERAL LABORER	\$75/hr
LABORER - TOPMAN	\$75/hr
LABORER - PIPE LAYER	\$75/hr
CARPENTER	\$88/hr
TRUCK DRIVER - DUMP TRUCK & TRAILER	\$88/hr
POWER EQUIPMENT OPERATOR	\$88/hr
IRON WORKER	\$110/hr

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**QUALIFICATIONS**

List at least three projects completed within the last 10 years, or under way on this date, that are similar to the work to be performed under this contract.

Month/Year Contract Started	Contract Amount	Type of Work	Firm Name and Address	Contact Person and Phone Number
<u>April 2022</u>	<u>\$279,875.97</u>	<u>400 sq ft Park Model w/deck and skirting</u>	<u>N/A</u>	<u>Jim Eggen</u> <u>360.739.3549</u>
<u>September 2022</u>	<u>\$ 103,612.50</u>	<u>247 sq ft Tiny Home, specific to development site</u>	<u>Bridgeview Asset Management</u> <u>1770 Front St #169</u> <u>Lynden, WA 98264</u>	<u>Andrew Cramer</u> <u>360.398.6339</u>
<u>October 2022</u>	<u>\$ 376,141.94</u>	<u>400 sq ft Park Model w/second unit attached on site</u>	<u>N/A</u>	<u>Lisa and Mike Lacheur</u> <u>604.849.1106</u>
<u>August 2021</u>	<u>\$ 233,105.01</u>	<u>400 sq ft Park Model</u>	<u>N/A</u>	<u>Vivian Chung</u> <u>206.228.3511</u>
<u>_____</u>	<u>\$ _____</u>	<u>_____</u>	<u>_____</u>	<u>_____</u>
<u>_____</u>	<u>_____</u>	<u>_____</u>	<u>_____</u>	<u>_____</u>
<u>_____</u>	<u>_____</u>	<u>_____</u>	<u>_____</u>	<u>_____</u>

(Attach Additional Sheets as Necessary)

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**Bid Proposal (continued)**

**SUBCONTRACTOR LIST**

*Prepared in Compliance with RCW 39.30.060, as amended.*

To be submitted with, or as a supplement to, the Bid Proposal for Bid #23-73, Modular Office Building – Point Roberts Transfer Station as applicable, and in accordance with RCW 39.30.060:

Failure to submit, as follows, the names of Subcontractors will result in the bidder’s bid being non-responsive and therefore void:

- a) Within one hour after the published bid submittal time, the names of the subcontractors with whom the bidder, if awarded the contract, will subcontract for performance of the work of: HVAC (heating, ventilation, and air conditioning); plumbing as described in chapter 18.106 RCW; and electrical as described in chapter 19.28 RCW, or to name itself for the work; and
- b) Within forty-eight hours after the published bid submittal time, the names of the subcontractors with whom the bidder, if awarded the contract, will subcontract for performance of the work of structural steel installation and rebar installation.

If a Subcontractors List is submitted as a supplement after the bid submittal time as described above, the list must be delivered to:

Whatcom County AS-Finance  
 Attn: Sara Winger, Senior Purchasing Coordinator  
 311 Grand Ave Ste 503  
 Bellingham, WA, 98225

If no Subcontractor is listed below, the Bidder acknowledges that it does not intend to use any Subcontractor to perform those items of work.

CATEGORY OF WORK	NAME OF FIRM
HVAC	LYNDEN SHEET METAL
Plumbing	LYNDEN SHEET METAL
Electrical	LIGHTNING ELECTRIC
Structural Steel Installation	FABER CONSTRUCTION CORP
Rebar Installation	FABER CONSTRUCTION CORP

  
 \_\_\_\_\_  
**BEN FABER - PRESIDENT**

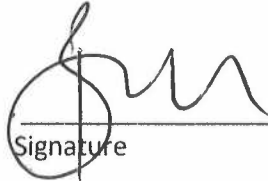
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Bid Proposal (continued)

NON-COLLUSION AND AFFIDAVIT

I, the Undersigned, an authorized representative of Faber Construction Corp, being first duly sworn on oath do hereby certify that said 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.


I further acknowledge that by signing the proposal signature page of the proposal, I am deemed to have signed and have agreed to the provisions of this non-collusion affidavit.

  
Signature BEN FABER - PRESIDENT  
11.14.2023  
Date

STATE OF WASHINGTON )  
 )ss.  
COUNTY OF WHATCOM )

On this 14th day of NOVEMBER, 2023, before me personally appeared BEN FABER 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.



  
KARRISSA VELDMAN  
Printed Name

NOTARY PUBLIC, in and for the  
State of Washington, residing at:

LYNDEN

My commission Expires 02.11.2025



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**Bid Proposal (continued)**

**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 FABER CONSTRUCTION CORP

Address 6951 HANNEGAN RD., LYNDEN, WA 98264

Telephone Number 360.354.3500

Contractor's WA UBI Number 601-268-821

Contractor's WA Employment Security Department Number 713298-00-1

Contractor's WA Excise Tax Registration Number 601-268-821

The Firm submitting this proposal is a:

Sole Proprietorship  
 Partnership  
 Corporation

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:

<u>BEN FABER</u> Name (printed)	<u>PRESIDENT</u> Title
_____ Name (printed)	_____ Title
_____ Name (printed)	_____ Title
_____ Name (printed)	_____ Title

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.

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**Bid Proposal (continued)**

**BID PROPOSAL SIGNATURE AND ADDENDUM ACKNOWLEDGEMENT**

The undersigned hereby agrees to reimburse its labor not less than the prevailing rates of wages or less than the hourly minimum rate of wages set forth in bid documents for this project.

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

- ( ) CASHIER'S CHECK \_\_\_\_\_ dollars
- ( ) CERTIFIED CHECK (\_\_\_\_\_) payable to Whatcom County
- ( X ) PROPOSAL BOND payable to Whatcom County in the amount of 5% of the Bid
- ( X ) Receipt is hereby acknowledge by addendums(s) No.(s) 1, \_\_\_\_ & \_\_\_\_


(*Proposal Must Be Signed*)  SIGNATURE OF AUTHORIZED OFFICIAL(S)  
BEN FABER - PRESIDENT  
Firm Name: FABER CONSTRUCTION CORP (Seal)



STATE OF WASHINGTON )  
                                          )ss.  
COUNTY OF WHATCOM )

On this 14th day of NOVEMBER, 2023, before me personally appeared BEN FABER 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.



  
KARRISSA VELDMAN  
Printed Name

NOTARY PUBLIC, in and for the  
State of Washington, residing at:

LYNDEN

My commission Expires 02.11.2025

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

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**Bid Proposal (continued)**

**BID BOND**

KNOW ALL MEN BY THESE PRESENTS, that we, Faber Construction Corporation of Lynden, WA, as principal, and the The Ohio Casualty Insurance Company a corporation duly organized under the laws of the State of N.H. and having its principal place of business at 1001 4th Ave., #3800, Seattle, WA 98154 in the State of Washington, as Surety, are held and firmly bound unto the County of Whatcom, a Municipal Corporation and Charter County in 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, 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 "Modular Office Building – Point Roberts Transfer Station" said bid proposal, by reference thereto, being made 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 contracts documents within a period of twenty (20) 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 14th day of November, 2023.

Faber Construction Corporation

Principal

By:

Ben Faber - President

The Ohio Casualty Insurance Company

Surety

By:

Jim S. Kuich  
Attorney-In-Fact      Jim S. Kuich



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





This Power of Attorney limits the acts of those named herein, and they have no authority to bind the Company except in the manner and to the extent herein stated.

Liberty Mutual Insurance Company
The Ohio Casualty Insurance Company
West American Insurance Company

Certificate No: 8209719-969315

POWER OF ATTORNEY

KNOWN ALL PERSONS BY THESE PRESENTS: That The Ohio Casualty Insurance Company is a corporation duly organized under the laws of the State of New Hampshire, that Liberty Mutual Insurance Company is a corporation duly organized under the laws of the State of Massachusetts, and West American Insurance Company is a corporation duly organized under the laws of the State of Indiana (herein collectively called the "Companies"), pursuant to and by authority herein set forth, does hereby name, constitute and appoint, Amanda Ivey; Andy D. Prill; Annette Troseth; Carol Lowell; Chad M. Epple; Clayton McCaul; Dana Brown; Emma C. Doleshel; Heather L. Allen; Jacqueline Hansen; Jim S. Kuich; Jim W. Doyle; Kristin Muir; Michael A. Murphy; Natalie C. Chau; S. M. Scott; Steve Wagner; Tami Miller; Ted Baran; Theresa A. Lamb

all of the city of Bothell state of WA each individually if there be more than one named, its true and lawful attorney-in-fact to make, execute, seal, acknowledge and deliver, for and on its behalf as surety and as its act and deed, any and all undertakings, bonds, recognizances and other surety obligations, in pursuance of these presents and shall be as binding upon the Companies as if they have been duly signed by the president and attested by the secretary of the Companies in their own proper persons.

IN WITNESS WHEREOF, this Power of Attorney has been subscribed by an authorized officer or official of the Companies and the corporate seals of the Companies have been affixed thereto this 3rd day of April, 2023.



Liberty Mutual Insurance Company
The Ohio Casualty Insurance Company
West American Insurance Company

By: David M. Carey

David M. Carey, Assistant Secretary

State of PENNSYLVANIA
County of MONTGOMERY ss

On this 3rd day of April, 2023 before me personally appeared David M. Carey, who acknowledged himself to be the Assistant Secretary of Liberty Mutual Insurance Company, The Ohio Casualty Company, and West American Insurance Company, and that he, as such, being authorized so to do, execute the foregoing instrument for the purposes therein contained by signing on behalf of the corporations by himself as a duly authorized officer.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my notarial seal at Plymouth Meeting, Pennsylvania, on the day and year first above written.



Commonwealth of Pennsylvania - Notary Seal
Teresa Pastella, Notary Public
Montgomery County
My commission expires March 28, 2025
Commission number 1126044
Member, Pennsylvania Association of Notaries

By: Teresa Pastella
Teresa Pastella, Notary Public

This Power of Attorney is made and executed pursuant to and by authority of the following By-laws and Authorizations of The Ohio Casualty Insurance Company, Liberty Mutual Insurance Company, and West American Insurance Company which resolutions are now in full force and effect reading as follows:

ARTICLE IV - OFFICERS: Section 12. Power of Attorney.

Any officer or other official of the Corporation authorized for that purpose in writing by the Chairman or the President, and subject to such limitation as the Chairman or the President may prescribe, shall appoint such attorneys-in-fact, as may be necessary to act in behalf of the Corporation to make, execute, seal, acknowledge and deliver as surety any and all undertakings, bonds, recognizances and other surety obligations. Such attorneys-in-fact, subject to the limitations set forth in their respective powers of attorney, shall have full power to bind the Corporation by their signature and execution of any such instruments and to attach thereto the seal of the Corporation. When so executed, such instruments shall be as binding as if signed by the President and attested to by the Secretary. Any power or authority granted to any representative or attorney-in-fact under the provisions of this article may be revoked at any time by the Board, the Chairman, the President or by the officer or officers granting such power or authority.

ARTICLE XIII - Execution of Contracts: Section 5. Surety Bonds and Undertakings.

Any officer of the Company authorized for that purpose in writing by the chairman or the president, and subject to such limitations as the chairman or the president may prescribe, shall appoint such attorneys-in-fact, as may be necessary to act in behalf of the Company to make, execute, seal, acknowledge and deliver as surety any and all undertakings, bonds, recognizances and other surety obligations. Such attorneys-in-fact subject to the limitations set forth in their respective powers of attorney, shall have full power to bind the Company by their signature and execution of any such instruments and to attach thereto the seal of the Company. When so executed such instruments shall be as binding as if signed by the president and attested by the secretary.

Certificate of Designation - The President of the Company, acting pursuant to the Bylaws of the Company, authorizes David M. Carey, Assistant Secretary to appoint such attorneys-in-fact as may be necessary to act on behalf of the Company to make, execute, seal, acknowledge and deliver as surety any and all undertakings, bonds, recognizances and other surety obligations.

Authorization - By unanimous consent of the Company's Board of Directors, the Company consents that facsimile or mechanically reproduced signature of any assistant secretary of the Company, wherever appearing upon a certified copy of any power of attorney issued by the Company in connection with surety bonds, shall be valid and binding upon the Company with the same force and effect as though manually affixed.

I, Renee C. Llewellyn, the undersigned, Assistant Secretary, The Ohio Casualty Insurance Company, Liberty Mutual Insurance Company, and West American Insurance Company do hereby certify that the original power of attorney of which the foregoing is a full, true and correct copy of the Power of Attorney executed by said Companies, is in full force and effect and has not been revoked.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the seals of said Companies this 14th day of November 2023.



By: Renee C. Llewellyn

Renee C. Llewellyn, Assistant Secretary

Not valid for mortgage, note, loan, letter of credit, currency rate, interest rate or residual value guarantees.

For bond and/or Power of Attorney (POA) verification inquiries, please call 610-832-8240 or email HOSUR@libertymutual.com.

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Certification of Compliance with Wage Payment Statutes  
(Original signed form must be submitted prior to contract award.)



The bidder hereby certifies that, within the three-year period immediately preceding the bid solicitation date November 1, 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.

FABER CONSTRUCTION CORP

Bidder's Business Name

A handwritten signature in blue ink, appearing to read "Ben Faber", is written over a horizontal line.

11.14.2023

Signature of Authorized Official\*

Date

BEN FABER

Printed Name

PRESIDENT

Title

LYNDEN

City

WASHINGTON

State

Check One:

Sole Proprietorship  Partnership  Joint Venture  Corporation

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:

N/A

\* 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.