

Advertisement and Award Manual

M 27-02



**Washington State
Department of Transportation**

Advertisement and Award Manual

M 27-02

September 2004



**Washington State
Department of Transportation**

Environmental and Engineering Programs

Contract Ad and Award Office

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Foreword

This Advertisement and Award Manual has been prepared as a guide for region and Headquarters personnel. It provides rules and procedures for advertising, awarding, executing, and documenting contracts for state transportation construction projects and state advertised Local Agency road construction projects.

The manual is intended to provide uniform procedures and standardized forms used for projects advertised either by the region or Headquarters.

Emergency projects as defined in RCW 47.28.170 may be excepted from the procedures in this manual. Procedures for those emergency projects are covered in M 4010.00 "Emergency Manual."

Updating the manual is a continuing process and revisions are issued periodically. Questions, observations, and recommendations are invited. The next page is provided to encourage comments and assure their prompt delivery. Use copies of it to transmit comments and attachments, such as marked copies of manual pages. For clarification of the contents of the manual, contact the Headquarters Contract Advertisement and Award section.

Don Nelson
Director
Environmental and Engineering Programs

Comment Request Form

From: _____

Date: _____
Phone: _____

To: Contract Ad and Award Office, Olympia Service Center
Washington State Department of Transportation Building
310 Maple Park Avenue SE
PO Box 47360
Olympia, WA 98504-7360

Subject: *Advertisement and Award Manual* Comment

Comment (marked copies attached):

4-P-FP1

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A. General

Advertisement, Award, and Execution are the legal steps required to contract transportation construction projects. Specific documents are required for performing each step and specific documentation of the activities during each step and specific documentation of the activities during each step is also required.

The various responsible organizational units assemble the required documents for each step in the contracting process and also document the activities of the process.

The requirements and documentation of each step of the process are identified in this manual.

B. Supersession

WSDOT Instructional Letter IL 27-02, “Ad and Award for Highway Construction Projects,” June 15, 1998.

C. References

1. **Code of Federal Regulations (CFR) 23 CFR 635.**
2. **RCW 47.28.030**, Contracts — State Forces — Monetary Limits — Small Business, Minority and Women Contractors — Rules
3. **RCW 47.28.050**, Call for Bids
4. WSDOT Directive **E 1012.00**, “Delegation of Authority”
5. WSDOT Manual **M 12-51**, *Highway Construction Program*
6. WSDOT Directive **D 13-33**, “Identification of Eligible Federal Aid Participating Charges”
7. WSDOT Manual **M 22-01**, *Design Manual*
8. WSDOT Manual **M 22-31**, *Plans Preparation Manual*
9. WSDOT Manual **M 22-87**, *Utilities Manual*
10. WSDOT Manual **M 23-50**, *Bridge Design Manual*
11. WSDOT Manual **M 26-01**, *Right of Way Manual*
12. WSDOT Directive **D 27-32**, “Use of Federal Aid Project Numbers”
13. WSDOT Directive **D 36-41**, “Certification Acceptance — State Administration”
14. WSDOT Manual **M 36-63**, *Local Agency Guidelines*
15. WSDOT Manual **M 41-01**, *Construction Manual*
16. WSDOT Manual **M 41-10**, *Standard Specifications for Road, Bridge, and Municipal Construction*

D. Definitions

1. Ad and Award: Advertising and Award of Construction contracts.
2. CA: Certification Acceptance
3. CAPS: Contract Administration and Payment System
4. Certification Acceptance: Design approval by the delegated procedure as outline in the *Design Manual*.
5. CCIS: Construction Contract Information System
6. DBE: Disadvantaged Business Enterprise
7. Disadvantaged Business Enterprise: For federally funded projects, a DBE is a business which is at least 51 percent owned and whose management and daily business operations are controlled by one or more minority individuals and/or women. The firm must be certified as such by the Office of Minority and Women Business Enterprises.
8. Region Ad and Award Contract: A contractual agreement with another party to undertake and complete a highway project advertised, awarded, and executed by a region or a local agency project advertised, awarded, and executed, by a region.
9. EBASE: Estimate Bid Analysis Systems
10. ECR: External Civil Rights Branch, a sub organization of the Equal Opportunity Office.
11. Engineer's Contract Estimate: The estimated cost of all work to be bid by the contractor (including sales tax).
12. FA: Federal Aid
13. FAPG: Federal Aid Policy Guide
14. GSP: General Special Provisions
15. Local Agency: City or County
16. MBE: Minority Business Enterprise
17. Minor and/or Standard Projects: These projects generally do not require additional right of way and are environmentally classified as Class II (Categorical Exclusion). Such projects may include routine guardrail installations, impact attenuators, drainage improvements, or channelization work.
18. Minority Business Enterprise: A business which is at least 51 percent owned and whose management and daily business operations are controlled by one or more minority individuals. The firm must be certified as such by the Office of Minority and Women Business Enterprises.
19. Right of Way Certificate: A certificate letter by the region that all right of way actions are complete and the project is ready for advertisement.
20. Small Business Contractor: A corporation, partnership, sole proprietor, or other legal entity formed for the purpose of making a profit, owned and operated independently from all other business, and with 50 or fewer employees.
21. State (or state): Washington State Department of Transportation
22. WBE: Women's Business Enterprise

23. Women's Business Enterprise: A business which is at least 51 percent owned and whose management and daily business operations are controlled by one or more women. The firm must be certified as such by the Office of Minority and Women Business Enterprises.
24. Small Works Roster: A roster of qualified contractors that may be used to select bidders in lieu of formal advertisement for bids when a project is estimated to cost \$200,000 or less.

A. Decision to Advertise and/or Award at HQ or Region

The regions are authorized to make the decision to use Headquarters (HQ) or regional staff for the advertisement and award processes. The regions are encouraged to utilize HQ for printing, advertisement, bid opening and award, whenever possible, to maximize the efficient and effective use of resources (Standard Business Practice).

Projects that are good candidates for region ad and award are:

- Projects with a small number of plan sheets and specifications
- Emergent projects
- Projects under \$80,000. Effective July 1, 2005 \$100,000 (see Rule F2)

B. Standard Specifications, Amendments, GSP, and Standard Forms

The contract will include, by reference, WSDOT Manual M 41-10, *Standard Specifications for Road, Bridge, and Municipal Construction (Standard Specifications)*.

The Amendments will be used and the General Special Provisions (GSP) will be used to the maximum extent possible (see also Rule D following).

The forms in Appendix 5 or 6 are to be used for the proposal (RCW 39.30.060, 47.28.070 and 23 CFR 635A).

C. Estimate, Bid Analysis, and Payment

All projects will utilize the Estimate and Bid Analysis System (EBASE); all payments will be made through the Contract Administration and Payment System (CAPS) (Standard Business Practice).

D. Bond Requirements

1. In general, neither a bid deposit nor a contract bond is required for contracts estimated at \$80,000 or less (including sales tax). Effective July 1, 2005 \$100,000 or less (including sales tax). When these are not required, the requirements of Section 1-02.7, "Bid Deposit," and Section 1-03.4, "Contract Bond," of the Standard Specifications are deleted by amending the Standard Specifications in the contract provisions.

At the option of the Region Administrator or when special circumstances warrant, a bid deposit and/or a contract bond may be required for contracts estimated at \$80,000 or less (including sales tax). Effective July 1, 2005 \$100,000 or less (including sales tax). When the Region Administrator or special circumstances warrant a bid deposit and a contract bond, use the forms in Appendix 5 for all federally-funded projects or the forms in Appendix 6 for projects that are state funded only (RCW 47.28.070).

2. When no contract bond is required, the special provisions must state: "The state may require that progress payments to the Contractor be based on the submittal of paid invoices to substantiate proof that disbursements have been made to laborers, material suppliers, mechanics, and subcontractors from previous partial payments. It is understood that, when requested, until such paid invoices have been submitted, the state will withhold further payment pending receipt of such invoices" (WAC 468-14-050, RCW 39.08, 47.28.030).

E. DBE and M/WBE Goals

Disadvantaged Business Enterprise (DBE) goals (federally-funded projects) or Minority/Women's Business Enterprise (M/WBE) goals (state-funded projects) are not normally considered on projects with the engineer's estimate of \$100,000 or less. Contracts with the engineer's estimate greater than \$100,000 are to be reviewed for possible opportunities to assign goals. The Office of Equal Opportunity's External Civil Rights Unit must be contacted to coordinate the setting of the DBE and M/WBE goals. For local agency projects, the DBE goals may be set by the Highways & Local Programs Service Center. The External Civil Rights Unit will review the Disadvantaged Business Enterprise Utilization Certification (DOT Form 272-056A) against the goals before award of contract (RCW 39.19, 47.28.030).

F. Advertisement, Pre-qualification, and Specialty Items

For highway or local agency construction projects over \$7,500, the following are required: (RCW 47.28.050, RCW 39.19, WAC 468-16).

1. Publishing the call for bids per the advertising criteria in Appendix 2.
2. Pre qualifying of bidders per Section 1-02.1 of M 41-10, *Standard Specifications for Road, Bridges, and Municipal Construction*. If and when the contract estimate is \$80,000 or less. Effective July 1, 2005 \$100,000 or less (including sales tax). Limited pre qualification of prospective bidders may be conducted using the process below: (RCW 47.28.030).
 - a. Provide prospective bidders with a Contractor Pre qualification Questionnaire and Affidavit for Regional Ad and Award Contracts in Appendix 4 (RCW 47.28.070, WAC 468-16).
 - b. The Region Administrator is authorized to approve or disapprove the limited pre qualification. Further delegation is authorized (WAC 468.16).
3. When the project has work that is unique to highway construction and is of high value or requires specialized material and/or labor requiring a contractor not normally a prime contractor for a highway project (specialty work), the regions have the option to require pre qualified contractors to supplement their pre qualifications before a proposal is issued; the supplement must be coordinated with the HQ Contract Ad and Award Office (WAC 468-16).

G. Solicitation of Written Quotations

State funded projects of \$7,500 or less need not be advertised. When such projects are not advertised, a minimum of three written quotations must be solicited (RCW 47.28.050).

H. Funding Authorization

All projects must have funding authorized before being advertised (Standard Business Practice, 23 CFR 635A).

I. Contract Plan Distribution

Contract plans will be distributed to the appropriate offices per *Standard Specification* 1-02.2 (RCW 47.28.040).

J. Proposal Distribution

Only one copy of the appropriate proposal shall be issued to each pre qualified bidder. A proposal package will not be issued if the contractor is not pre qualified for the class or classes of work identified in the project notice, unless otherwise approved by HQ Pre qualifications. See Appendices 5 and 6 for proposal packages (RCW 47.28.070).

K. Standard Fees

A standard fee, set by the HQ Ad and Award Office, will be charged for contract plans except when requested by appropriate plan centers and other agencies.

Contact the HQ Contract Ad and Award Office for the distribution list. A standard fee, set by the HQ Ad and Award Office, will be charged for final geotech reports (RCW 47.28.060).

L. Sealed Bids

Bids must be sealed and submitted on DOT Form 520-009, "Agreement to Furnish Equipment," or DOT Form 272-036, "Proposal" (RCW 47.28.070).

M. Authority to Award Contracts

The Region Administrator and the HQ Construction Engineer are delegated the authority to award contracts including local agency contracts, administered by WSDOT. Further delegation is authorized, WSDOT Executive Order E 1012.00: "Delegation of Authority to Approve and Execute Certain Documents for the Department."

N. Bids Exceeding the Estimate

The following applies for projects where the lowest responsible bid exceeds the engineer's estimate. If the decision is made to reject all bids, the region shall notify the HQ Pre qualification Engineer and HQ Accounting (Standard Business Practice).

1. For state highway projects where the lowest responsible bid exceeds the engineer's estimate by 10 percent and greater than \$50,000, the region shall prepare a letter of justification to award. See attached checklist in Appendix 7.
2. For local agency projects where the lowest responsible bid exceeds the engineer's estimate, approval of the local agency is required to award the contract (RCW 47.28).
3. Federal Aid contracts for new and reconstruction on the interstate require FHWA concurrence prior to award or bid rejection.

Procedures

The purpose of this matrix is to provide a generic listing of the tasks necessary to advertise and award contracts. The responsible unit for each of the tasks is generally dependent upon the type of project funding and whether the contract is awarded by the region or Headquarters.

	Task	Responsible Unit			
		Federal Funding Region Award	State Funding Region Award	Federal Funding HQ Award	State Funding HQ Award
1	Prepare plans, specifications, and estimate.	Region	Region	Region	Region
2	Submit a Right of Way Certificate in compliance with M 26-01, Right of Way Manual, to HQ Real Estate Services Office. If no new right of way is required, and the project summary so indicates, no certification is required.	Region	Region	Region	Region
3	Certify projects with new right of way acquisition according to the Federal Highway Administration (FHWA), per Federal Aid Policy Guide 23CFR Part 635 Section 309, Paragraph (c).	HQ Real Estate Services	N/A	HQ Real Estate Services	N/A
4A	Prepare and submit funding authorization and a Request for Federal Aid Project Approval and Authorization in accordance with M 12-51, Highway Construction Program Manual to HQ Program Management. Three weeks prior to advertisement. The submittal indicates the anticipated advertisement date.	Region Program Management	N/A	Region Program Management	N/A
4B	Prepare and submit funding authorization in accordance with M 12-51, Highway Construction Program Manual, to HQ Program Management. Two weeks prior to advertisement.	N/A	Region	N/A	Region
5	Submit the right of way certification and estimate of cost to FHWA, and notify the region when it has been done.	HQ Program Management	N/A	HQ Program Management	N/A
6A	Secure approval of the Request for Federal Aid Project Approval and Authorization.	HQ Program Management	N/A	HQ Program Management	N/A
6B	Notify region of approved funding authorization.	HQ Program Management	HQ Program Management	HQ Program Management	HQ Program Management

	Task	Responsible Unit			
		Federal Funding Region Award	State Funding Region Award	Federal Funding HQ Award	State Funding HQ Award
7	Determine the level of acceptable risk concerning outstanding items, including right of way, permits, agreements, etc. Confer with HQ concerning critical outstanding items. A project should not be advertised unless it is reasonable to expect all critical outstanding items will be resolved prior to <u>bid opening</u> . See appendix 1.	<u>Risk Level 1 Region</u> <u>Risk Level 2 Region with concurrence HQ</u> <u>Construction Level 3 Region with HQ</u> <u>Construction Agreement</u>	<u>Risk Level 1 Region</u> <u>Risk Level 2 Region with concurrence HQ</u> <u>Construction Level 3 Region with HQ</u> <u>Construction Agreement</u>	<u>Risk Level 1 Region</u> <u>Risk Level 2 Region with concurrence HQ</u> <u>Construction Level 3 Region with HQ</u> <u>Construction Agreement</u>	<u>Risk Level 1 Region</u> <u>Risk Level 2 Region with concurrence HQ</u> <u>Construction Level 3 Region with HQ</u> <u>Construction Agreement</u>
8	Prepare proposal forms per Appendix 5 or 6 (whichever is applicable).	Region	Region	HQ Contract Ad & Award	HQ Contract Ad & Award
9	Submit the preliminary estimate by item, work class breakout, and the final check sheet to HQ Contract Ad and Award. (See also Rule C and Appendix 2.)	Region	Region	Region or HQ Plans	Region or HQ Plans
10	Submit request for advertisement to HQ Contract Ad and Award.	Region	Region	Region	Region
11	Notify region of contract number	HQ Accounting	HQ Accounting	HQ Accounting	HQ Accounting
12	Advertise for bids in the Daily Journal of Commerce. (See Appendices 2 and 3.) Regions may elect to advertise in local publications	HQ	HQ	HQ	HQ
13	Enter the contract number into EBASE and the Contractor Pre-qualification System.	Region	Region	HQ Contract Ad & Award	HQ Contract Ad & Award

	Task	Responsible Unit			
		Federal Funding Region Award	State Funding Region Award	Federal Funding HQ Award	State Funding HQ Award
14	Furnish only one proposal to each pre-qualified bidder. (See Rule J and Appendix 5 or 6.)	Region	Region	HQ Contract Ad & Award	HQ Contract Ad & Award
15	Distribute Ad set of plans per Standard Specification 1- 02.2; furnish plans to any party requesting them. (See Rule I.)	Region	Region	HQ Printing Services	HQ Printing Services
16	Provide addenda to all plan holders. The addenda will be provided to proposal holders by “certified mail-return receipt requested.” The addenda must be distributed well in advance of the bid opening to allow the bidder(s) time to address them. <u>Requires FHWA concurrence on all fed aid new and reconstruction projects on the interstate.</u>	Region or HQ Contract Ad & Award (or combination thereof)	Region or HQ Contract Ad & Award (or combination thereof)	Region or HQ Contract Ad & Award (or combination thereof)	Region or HQ Contract Ad & Award (or combination thereof)
17	Open the bids; enter them into EBASE. For those projects with D/BE goals, send one copy of each bidder’s DOT Form 272-056A to the HQ External Civil Rights Unit.	Region or HQ Contract Ad & Award (or combination thereof)	Region or HQ Contract Ad & Award (or combination thereof)	Region or HQ Contract Ad & Award (or combination thereof)	Region or HQ Contract Ad & Award (or combination thereof)
18	Review D/BE goals established in the project against the Utilization Certification	HQ Office of Equal Opportunity	HQ Office of Equal Opportunity	HQ Office of Equal Opportunity	HQ Office of Equal Opportunity
19	If the low bid exceeds the engineer’s estimate by >10% and >\$50,000, see Rule N and Appendix 7.	<u>Region request FHWA concurrence</u>	Region	<u>Region HQ CA&A request FHWA concurrence</u>	Region
20	Confirm that the project is clear to award.	Region	Region	Region	Region

	Task	Responsible Unit			
		Federal Funding Region Award	State Funding Region Award	Federal Funding HQ Award	State Funding HQ Award
21	Award the contract.	Region	Region	HQ	HQ
22	Upon award of the contract, finalize the federal aid project agreement.	HQ Program Management	N/A	HQ Program Management	N/A
23	Review D/BE breakdowns	HQ Office of Equal Opportunity	HQ Office of Equal Opportunity	HQ Office of Equal Opportunity	HQ Office of Equal Opportunity
24	Execute the contract. (See Appendix 8.)	Region	Region	Region	Region

Procedural Check List

Introduction

This check list identifies the steps that must be addressed to effectively advertise, award, execute, and document contracts for transportation projects. The items discussed are grouped in the approximate order that they would logically be addressed, but some of them may be addressed simultaneously or in a different sequence.

Preparation for Advertisement

1. Right of Way Certification:
 - Prepare and submit the appropriate R/W Certification to HQ Real Estate Services.
 - For local agency projects, Highways & Local Programs certifies right of way.
2. DBE and Training Goals:
 - Request goals from HQ Office of Equal Opportunity (Appendix 10A).
 - Upon receipt, verify DBE goal values are acceptable. If not, negotiate revision.
 - Add goal values to the project specifications.
 - For Local Agency projects, Highways & Local Programs sets the goals.
3. Request Funding Authorization:
 - Prepare WOA (Form 120-120).
 - Attach a copy of plans and specifications for federal aid projects.
 - Submit request to HQ Program Management.
 - HQ Program Management obtains the estimate from EBASE.
 - For local agency projects, Highways & Local Programs authorizes funding.

4. Geotechnical, Materials Source, and Soils Reports:
 - HQ Geotechnical Section produces these reports and determines which reports warrant printing for sale to bidders.
 - Region obtains a camera-ready copy of the report from HQ Geotechnical Section.
 - For projects advertised by HQ, submit the camera-ready copy of the report and the Reproduction Request to HQ Printing Services by Monday the week before the ad.
5. Wage Rates:
 - Print project wage rates just prior to submitting the advertisement package for printing and attach the Benefit Code Key and the Supplement to Wage Rates.
6. Bid Proposal:
 - Prepare the appropriate pages of the Bid Proposal that supplement the computer Proposal Report from EBASE (Appendices 5 and 6).
7. Length of Project Advertisement:
 - Determine the bid opening date for the Project. This is the date entered in the project specifications (Appendix 2).
8. Original Documents for the Contract:
 - Assemble all documents in the order they will be printed.
9. Final Check Sheet (Form 221-019EF):
 - Fill out the Final Check Sheet, identifying all documents that make up the advertisement package and bid proposal.
 - Include any special distribution instructions.
10. Reproduction Request (Form 273-003X):
 - Fill out the reproduction request if printing will be done by HQ.
11. Risk Determination:
 - Evaluate the risk of advertising the project with outstanding items.
 - Document the decision to advertise the project (Appendix 1).
12. Print the Advertisement Package:
 - If printing is done at HQ, deliver the plans and Reproduction Request to HQ Printing Services.
 - Deliver the project specifications and Final Check Sheet to the HQ Contract Ad and Award Office. HQ Contract Ad and Award will obtain a copy of the project estimate from EBASE.
 - HQ Contract Ad and Award forwards the project specifications and Final Check Sheet to HQ Printing Services.
13. Request to Advertise the Project:
 - Submit the request for approval for advertisement letter to HQ Contract Ad and Award. Include the description of work in the request. This may be done by fax or e-mail. (Appendix 10B).
 - HQ Contract Ad and Award will obtain the project estimate from EBASE.
 - HQ Contract Ad and Award writes the advertisement (Appendix 2).

14. Funding Authorization:

- Verify that construction funding has been authorized. If not authorized by 9:00 a.m. on the advertisement date, notify HQ Contract Ad and Award to cancel the advertisement.
- If the ad is pulled, determine whether or not to continue printing the advertisement package.
- Notify printer if there is a change in printing schedule.

15. Contract Number:

- Request the contract number from HQ Accounting/CAPS. Attach a copy of the request to advertise the project and a notice that the estimate is in EBASE.
- HQ Accounting/CAPS will obtain the estimate from EBASE.
- HQ Accounting assigns the contract number, notifies HQ and region offices.

Advertisement

1. Project Advertisement:

- HQ Contract Ad And Award advertises the project in the Notice to Contractors, the Daily Journal of Commerce, and on the Internet (Appendix 2).
- The regions may advertise the project in local papers and ethnic papers if desired.
- HQ Contract Ad And Award will post the project advertisement, bid opening schedule, and other project information on the Internet.
- HQ Contract Ad and Award is advised of any change of the bid opening date and revises the project advertisement appropriately.
- Enter the contract number into EBASE.
- Enter the project description, contract number, bid opening date, project amount, advertised work class, work class amounts, and project engineers information in the contractor pre qualification system.

2. Distribution of Advertised Project Documents:

- The advertised project documents are distributed at no cost to interested region and HQ offices, Plan Centers, and other public locations.
- Plans are provided to bidders, suppliers, and others at a standard fee upon request.
- One Bid Proposal package is provided to each pre qualified bidder with an envelope for returning the sealed bid.
- Geotechnical, Materials Source, and Soils Reports are provided to bidders at a standard fee, separate from the ad package and proposal package, upon request.

3. Pre qualification of Bidders:

- Bidder pre qualification is verified prior to issuing a Bid Proposal Package.
- Bidders that are not pre qualified are directed to the HQ Pre qualification Office to obtain pre qualification to bid WSDOT projects.

- Region may do limited pre qualification for Region Ad and Award projects \$80,000 or less. Effective July 1, 2005 \$100,000 or less (including sales tax). Use Form 272-063 EF (Appendix 4).
4. Plan Holder and Proposal Holder Lists:
- The names of Plan Holders and Proposal Holders are entered in the Pre qualification System to document the distribution of advertisement plans and bid proposal packages.
 - This information is made available to the public on the Internet by the HQ Contract Ad and Award section.
5. Public Information:
- The Public Affairs Office is advised that the project has been advertised.
6. Addenda:
- Addenda are prepared by the region, printed, and distributed in the same manner as the advertisement package. Revisions to Bridge Office PS&E are made by the Bridge and Structures Office and combined with other addenda items by the region.
 - If a Bid Opening date or Bid Opening location is changed by addendum, notify HQ Contract Ad and Award.
 - If the time or place of Bid Opening is changed within 24 hours of the scheduled bid opening, the addenda should be faxed to all proposal and plan holders. Include a request for acknowledgment of receipt of the addenda by return fax (Appendix 10C). If the addenda is not faxed, each proposal holder is notified by telephone and a record of telephone conversation is made for each proposal holder. They read back the new information. Record the individuals name, phone number, and the date and time of the call.
 - HQ Contract Ad and Award revises the Project Description in the Prequalification System to reflect the addendum number, bid opening date, etc.
 - If the addendum affects the bid proposal items a revised estimate is prepared and distributed to interested offices.

Bid Opening

1. Procedure:
- Display Plans, Specifications, and all contract addenda in the area that bids will be received.
 - Check with the designated fax machine for fax changes to bid proposals.
 - Time and Date stamp each bid proposal envelope as it is received. Save this until the contract has been executed.
 - At one minute past the designated bid opening time, stop receiving bids and record the time by activating the time clock to print the time. Save this for the record.
2. Open Bids:
- Take all bids to the bid opening room.
 - Advise those in attendance that no more bids will be accepted.
 - Open bids for one project at a time.

- As each envelope is opened, check that the bid documents are complete, (addenda have been acknowledged, signatures, and required bonds are included). If the required bond is not included or if the required signature is missing on both the proposal bond and the contract signature page, the bid is not responsive and may not be read at the bid opening. The reason the bid is not read should always be announced. (It is advisable to read all bids that are received on time and determine the responsiveness during the bid review process).
 - Read the name of each firm and the apparent total of their bid.
 - Announce the “apparent low bidder,” pending bid check.
 - Read the unit bid prices for the apparent three low bidders if anyone is interested.
 - Adjourn the meeting.
3. Bid Status Report:
- Prepare the Bid Status Report and distribute to interested HQ and region offices.
4. Verify Company Signature:
- Verify with the HQ Contract Ad and Award Office that the signature on the proposal is that of the authorized pre qualified person. This may be done by telephone.
5. Verify Bonding Company:
- Verify with HQ Accounting/CAPS that the name of the proposal bonding company is on the state approved insurance list. This may be done by telephone.
6. Verify DBE:
- Request approval of the DBE Utilization Certification by the HQ External Civil Rights unit prior to awarding the contract. This may be done by faxing the request, a copy of the certificate, and the Bid Status Report.
 - HQ reviews the goals established in the project against the certificate and indicates DBE clearance for award.
7. Bid Check:
- Enter the bids in the estimate system and review all bids for completeness and math errors.
 - Send the Bid Check to interested region, HQ, and FHWA offices and other requesters.
 - The Bid Check is made available to the public on the Internet by the HQ Contract Ad and Award section.
 - If the low bid is 10 percent and greater than \$50,000 above the estimate, determine if region management wishes to pursue award or rejection of all bids. Requires HQ Program Management concurrence for funding. FHWA must concur if project is for new or reconstruction on the interstate. (See Appendix 9B)
 - To pursue award for region award contracts, prepare the justification to award documentation, award the contract, and cc the justification memoran-

dum to the Director Environmental and Engineering Programs through HQ Contract Ad and Award (Appendix 7).

- For HQ award contracts, prepare the justification for award, send it to HQ Contract Ad and Award with a cc to the Director Environmental and Engineering Programs. HQ Contract Ad and Award will award the contract (Appendix 7).
- The region may reject all bids if in the best interest of the agency. FHWA must concur if project is for new or reconstruction on the interstate. Notify the HQ Contract Ad and Award, HQ Accounting/CAPS, and HQ Printing Services when bids are rejected.
- Local Agency approval is required before awarding or rejecting bids for Local Agency projects. Region Highways & Local Programs contacts the Local Agency for their approval.

Contract Award

1. Verify the project is clear to award:
 - Verify that all outstanding issues affecting award have been completed and the project is cleared for award.
2. Award Notice:
 - Upon award, notify the successful bidder and the Construction Project Engineer by telephone or e-mail that the contract is awarded.
 - Follow-up the telephone notification by sending the award notification to appropriate HQ and region offices. For HQ awarded projects the notice consists of the Award Meeting Memorandum and the Consideration of Award list. These documents are e-mailed to contacts in the region.
3. Award Letter:
 - Prepare the Award Letter and send it to the successful bidder and appropriate HQ and region offices (Appendices 10D, E, F).
4. FHWA Notice of Contract Award:
 - Prepare and submit the FHWA Notice of Contract Award for all NHS projects (Appendix 9A).
 - Send the report to the FHWA Olympia office, Attn. Donald A. Petersen.

Contract Execution

1. Prepare Execution Documents:
 - The following is sent to the contractor with the contract documents:
 1. Instructions for executions of contracts - DOT Form 134-051
 2. Notice of Mailing Address - DOT Form 134-049 EF
 3. Risk Management Notice Letter requesting Point of Contact for this project. Appendix 10G
 4. Timber Purchasers Certification Form 410-000 (if applicable)
 - The Execution document consists of such of the following documents that are applicable to the awarded contract. When signed, this will be the executed contract:
 - Cover Letter (Execution) Appendix 10D-1

Award Letter Appendix 10E or 10F-1
Condition Of Award Memo (DBE memo) Appendix 10E-3
Contract (DOT Form 272-006 EF)
Contract Bond (DOT Form 272-002 EF)
Contract Plans and Specifications, to include the following if applicable:

Addenda
Contents Page
Amendments
Special Provisions
Log of Boring and other appendices
Federal Provisions
Environmental Permits
US Forest Service Provisions
Railroad Protective Liability Form
Wage Rates Federal
Wage Rates
Benefit Code Key
Supplement to Wage Rates

*Proposal (Informational)
**Non-Collusion Declaration — 272-036h
**Lobby Certificate Over \$100,000 Only — 272-040
**DBE Certificate 272-056A
**Proposal Signature Sheet — 272-036d
**Subcontractors List if Over \$100,000 and includes HVAC, plumbing, or electrical work
*Successful Bidders Proposal
Contract
Contract Bond

2. Distribute Execution Document:

- Three/four copies to the successful bidder for execution signatures. One of these copies is retained by the bonding company.
- Additional copies to the region, HQ offices, and others.
- Following Award working copies of the specifications, plans and addenda are also sent to the successful bidder per Standard Specification 1-02.2.
- The contractor will return the following with the signed contract:
 1. Completed Notice of Mailing (DOT Form 134-049 EF)
 2. Certificate of Insurance
 3. Owners and Contractors Protective Liability Coverage to include Form CG 29 08 (provided by Contractors Insurance Agency).

3. Timber Certification:

- Send the yellow copy of the timber Purchaser Certification for Export Restricted Timber to the Department of Revenue following award per Form 410 -100.

4. Final Bid Tabulation:

- Enter the award date in the Bid Check System and print the final Bid Tabulation Report.
- Distribute the Final Bid Tabulation Report to interested region and HQ offices.
- Update the Mainframe after award date has been entered in EBASE.

5. Document Verification:

- Receive three of the signed contract documents from the contractor per 1-03.3 of the *Standard Specifications*.
- Verify that the contractor's Bonding and Insurance Companies meet WSDOT requirements by calling HQ Accounting/CAPS.
- Verify that the proper Contract Bond and Retainage Bond forms have been used.
- Contact the WSDOT Attorney General to discuss any deviation in the Contract Bond and Retainage Bond forms and, when appropriate, obtain an Attorney General signature on the forms.
- FAX low bidder's DBE item breakout information to HQ Office of Equal Opportunity for review and approval.
- HQ Office of Equal Opportunity must receive and approve the bidders' DBE bid item breakout, as required in the condition of award, prior to execution.

6. Execution:

- File ECR Office Condition of Execution memo when required in the project file.
- Obtain WSDOT signatures and date the top of the contract documents.
- By telephone notify the region, Construction PE, and the Contractor that the contract has been executed.
- Send one executed copy of the contract to the contractor and one copy to HQ Accounting/CAPS file.
- Prepare the Authorization to Begin Work and distribute to region and HQ offices.
- Send a copy of the Execution letter to interested region, HQ, FHWA, etc., offices.

7. Unsuccessful Bidders:

- Notify unsuccessful bidders of contract execution and return Proposal Bond (Appendix 10G, H, I).
- Retain a copy of the bond and letter for records.

8. Notice to Proceed:

- HQ Accounting prepares the Notice to Proceed letter, sends it to the region (Appendix 10J).

Documentation

1. PS&E Files:
 - Documentation of PS&E elements and decisions remain in the region files. This includes decisions, backup information, etc., for addenda.
 - Some documentation for projects reviewed by and processed to advertisement by the HQ Ad Ready section is sent to HQ Records Control.
2. Advertisement, Award, and Execution Files:
 - Documentation of Advertisement, Bid Opening, Award, and Execution of the contract are sent to the HQ Records Control files. The file contains:
 - Advertisement package (Plans, Specs, etc.)
 - Project cost estimate
 - Addenda
 - Revised project cost estimate
 - Records of addenda distribution
 - Advertisement notice
 - Plan Holder list
 - Proposal Holder list
 - Verified Bid Status Report
 - Bid Tabulation Report
 - Documentation of Decision to Award
 - Award package (plans, specifications, contract, etc.)
 - Correspondence between WSDOT and others during the advertisement, award, and execution phase
 - Appropriate records of telephone conversations
3. Executed Contract:
 - The executed contract is filed in the HQ Accounting file.

1. Decision to Advertise
2. Advertising Criteria and Project Turn in Matrix
3. Notice to Contractors
4. Contractor Pre qualification Questionnaire and Affidavit for Region Ad and Award Contracts (\$80,000 or less) Effective July 1, 2005 \$100,000 or less (including sales tax).
5. Proposal Package (in order) — Federally-Funded Projects
 - Proposal Cover Sheet (Prepared by HQ Contract Ad and Award Office) (HQ Award Project)
 - Proposal Cover Sheet (Prepared by HQ Contract Ad and Award Office) (Region Award Project)
 - DOT Form 273-018, “Notice to Bidders Regarding Proposal Bond Form” (Prepared by HQ Contract Ad and Award Office for all projects with a Proposal Bond required)
 - Subcontractor List Warning Sheet (Prepared by HQ Contract Ad and Award Office for projects >\$100,000,000 that includes heating, ventilation, air conditioning, plumbing, or electrical work)
 - DOT Form 272-001, “Proposal Bond” (All projects with a Proposal Bond required)
 - Proposal pages from the latest EBASE estimate run
 - DOT Form 272-036H, “Non-Collusion Declaration”
 - DOT Form 272-040, “Certification for Federal-Aid Contracts” (F.A. projects >\$100,000)
 - DOT Form 272-056A, “Disadvantaged Business Enterprise Utilization Certification” (F.A. projects with DBE goals)
 - DOT Form 272-036C, “Proposal Signature Sheet” (If no Proposal Bond required, project is less than or equal to \$80,000 or less) Effective July 1, 2005 \$100,000 or less (including sales tax).
 - DOT Form 272-036D, “Proposal Signature Sheet” (If Proposal Bond is required)
 - DOT Form 271-015, “Subcontractor List” (Projects >\$100,000,000 that includes heating, ventilation, air conditioning, plumbing, or electrical work)
6. Proposal Package (in order) — State-Funded Projects
 - Proposal Cover Sheet (Prepared by HQ Contract Ad and Award Office) (HQ Award Project)
 - Proposal Cover Sheet (Prepared by HQ Contract Ad and Award Office) (Region Award Project)
 - DOT Form 273-018, “Notice to Bidders Regarding Proposal Bond Form” (Prepared by HQ Contract Ad and Award Office for all projects with a Proposal Bond required)
 - Subcontractor List Warning Sheet (Prepared by HQ Contract Ad and Award Office for projects >\$100,000,000 that includes heating, ventilation, air conditioning, plumbing, or electrical work)

- DOT Form 272-001, “Proposal Bond” (All projects with a Proposal Bond required)
 - Proposal pages from the latest Ebase estimate run
 - DOT Form 272-036C, “Proposal Signature Sheet” (If no Proposal Bond required, project is less than or equal to \$80,000 or less) Effective July 1, 2005 \$100,000 or less (including sales tax).
 - DOT Form 272-036D, “Proposal Signature Sheet” (If Proposal Bond is required)
 - DOT Form 271-015, “Subcontractor List” (Projects >\$100,000,000 that includes heating, ventilation, air conditioning, plumbing, or electrical work)
7. Guidelines for Justification of Award/Rejection of Bids Exceeding Engineer’s Estimate by 10 Percent and greater than \$50,000.
 8. Instructions for Execution of Contracts
 - DOT Form 134-051, “Instructions for Execution of Contracts”
 - DOT Form 134-049, “Notice of Mailing Address”
 - DOT Form 272-006, “Contract Highway Construction”
 - DOT Form 272-008, “Contract Building Construction”
 - DOT Form 272-002, “Contract Bond Highway Construction”
 - DOT Form 272-003, “Contract Bond Building Construction”
 9. FHWA Notice of Contract Award for Interstate New and Reconstruction Projects
 10. Samples of Correspondence
 - 10A. Request for DBE/MWBE Goals
 - 10B. Advertisement
 - 10C. Fax Addendum Acknowledgement Form
 - 10D. Cover Letter Execution/Award
 - 10E. Award Letter — DBE
 - 10F. Award Letter — No Goal
 - 10G. Execution Bond Return Letter — Awarded Contractor
 - 10H. Execution Bond Return Letter — Second and Third Bidders
 - 10I. Execution Bond Return Letter — Fourth, etc., Bidders
 - 10J. Notice to Proceed with Work letter

Approval of Projects to Advertise

All projects must have formal approval action in order to be advertised. The form of this approval action will depend on the risks the Department will be assuming in the advertisement of the project. It is the goal of the Department to eliminate or minimize all risks associated with the project bid packages prior to advertisement. When complete elimination of risk is not possible, the Department must carefully assess the risk and strategy for moving forward. This decision needs to be a collaborative effort between the Region and Headquarters.

Level 1 Approval

This approval level is for projects that are complete in all aspects.

Specifically:

- All needed permits have been obtained and incorporated into the P.S.&E
- Funding has been approved
- Utilities have been relocated and are clear of construction
- Right of way has been certified without exception
- State and Federal environmental documentation are complete
- All agreements have been obtained and appropriately incorporated into the P.S.&E.

Approval action for these projects shall consist of a letter from the Region to the Headquarters Contract Ad and Award Office certifying the project meets the conditions of a Level 1 Approval.

Level 2 Approvals

This approval level is for projects that are generally complete, but still have some non-critical issues to be resolved prior to proceeding to bid opening.

Specifically:

- All permits have been obtained and incorporated into the P.S.&E
- Funding has been approved
- Utilities have been relocated and are clear of construction, or the utility companies are actively pursuing relocation and the Department has assurances they will be clear by the date bids are opened.
- Right of way has been certified without exception, or non-critical parcels have been addressed in the special provisions.
- State and Federal environmental documentation are complete
- All agreements have been obtained and appropriately incorporated into the P.S.&E, or are in the process of being obtained and the Department has assurances they will be complete by the date bids are opened.

Approval action for these projects shall consist of a letter from the Region to the Headquarters Contract Ad and Award Office, certifying the project meets the criteria for a Level 2 Approval, and identifying all outstanding issues along with a plan to resolve all deficiencies prior to the bid opening. Approval to advertise will require concurrence by Headquarters Construction. This concurrence will be based on the risk associated with outstanding issues and the

likelihood of resolving them prior to the scheduled bid opening. In the event all issues are not resolved and appropriate conditions incorporated into the contract, a minimum of two weeks before the bid opening, the bid opening date will be extended.

Level 3 Approvals

This approval level is for projects that are lacking one or more critical elements to be a complete biddable project, but there is a clear and overwhelming need to begin the advertisement process.

Specifically:

- Permits are being processed and the Department is awaiting final copy prior to incorporating into the P.S.&E
- Funding has been approved
- Utilities that have not been relocated, and will not be relocated by the bid opening date have been addressed in the contract provisions. The Department has assurances the utility company will be able to meet the date stipulated in the contract.
- Right of Way that has not been acquired is addressed in the contract provisions and will not preclude the “functional completion” of the project.
- State and Federal environmental documentation are complete

Approval action for these projects shall consist of a letter from the Region to the Headquarters Contract Ad and Award Office, certifying the project meets the criteria for a Level 3 Approval, identifying all outstanding issues along with a plan to resolve all deficiencies prior to the bid opening, and documenting the prior agreement between the Region and the Headquarters Construction Office to proceed into the advertisement phase of the project. Approval to proceed to advertisement will be based on the balance of risk associated with outstanding issues, the likelihood of resolving them prior to the scheduled bid opening, and the benefits of beginning the advertisement period prior to the issues being resolved. In the event all issues are not resolved and appropriate conditions incorporated into the contract, a minimum of two weeks before the bid opening, the bid opening date will be extended.

Advertising Criteria

The Region ad and award project description and bid item information must be in the HQ Contract Ad & Award office by 5 p.m., Thursday for any project that is to go on ad the following week.

The HQ Contract Ad & Award Office will publish the call for bids (Notice to Contractors) at least once per week, in one trade journal of general circulation within the State of Washington, for the number of weeks immediately preceding the date for receiving and opening sealed bids identified in the schedule below. The Region will publish the call for bids in a local minority or ethnic newspaper, if available, and in any local newspaper the Region feels are appropriate. See Appendix 3 for an example of "Notice to Contractors." Note the * and ** for special bonding requirements and special prequalification requirements.

The Regions establish the bid opening date using the following guidelines: Any federally funded project advertised less than 3 weeks requires FHWA approval. The Region to contact the local FHWA area engineer for approval.

<u>Contract Size</u>	<u>Advertising Period (Minimum)</u>
\$50,000 or below (state funds)	2 weeks
\$50,000 or below(federal funds)	3 weeks
Above \$50,000 or below \$100,000	3 weeks
\$1,000,000 -\$3,000,000 (grading and resurfacing)	4 weeks
Other Projects	As required

- * Time will depend on the complexity of the project. The HQ Contract Ad & Award Office should be contacted when establishing the advertising criteria.

The project description and bid item information should include: The project title; if the project is a metric project; the class(es) of work; the estimate range; a statement about D/M/WBE goals and percentage required; F.A. Number(if appropriate) or A State Project; SR number; mile post limits; a general description of the items of work; number of working days; number of bid items; big cost items; large quantity items; or specialty items from the estimate; PS&E number; charge and project number.

The following is a sample of the "project description and bid item" information.

(KING) LAKE CITY WAY TO N.E. 175TH SC&DI AND NOISE WALL (CL 14, \$1,500,000- \$2,000,000) CONTAINS DBE GOAL-10% F. A. No. I-IR-005-3(789) on SR 5 MP 171.30 to MP 176.90. Requires: Grading, draining, surfacing, paving with asphalt concrete, erosion control, beam guardrail, pavement marking, signing, and traffic signal installation. 130 Working Days. Involves 123 items. 34526 CY shoulder removal incl haul; 584 LF under drain pipe; 1141 LF plain conc. Storm sewer pipe; 2498 SF noise wall; 5164 TON crushed surfacing course; 2056 SY planing bituminous pvmt; 8155 TON ACP; 180 CY soil amendment; 180 EA Myrica California; 30 TON rock wall for tree wall; 294 LF beam guardrail; 5478 LF cast-in-place conc barrier; 10938 LF

paint stripe; 262 EA traffic safety drums; 1200 HR training; 594 SY construct geotextile. Lump Sum bids for: Perm signing, 2 SC&DI systems, traffic signal display and detection sys, traffic signal control sys, maint and protection of traffic, surveying. (L-0494) (100514A)(97A321)(00****)(1 of 4)

If, after the project description and bid item information are sent to the HQ Contract Ad & Award Office, there is a delay in funding, the HQ Contract Ad & Award Office has to be notified by phone by 9 a.m. , Monday, to cancel a notice submitted the previous Thursday.

The HQ Contract Ad & Award Office should be notified of all addenda that will require a revised bid date. The revised bid date will then be included in the next advertising notice.

HQ Printing Services, Contract Ad and Award, And Accounting Project Turn-In Documentation Matrix			
Documentation	Initiated By:	Supplied To:	When Needed
Geotechnical Report, Materials Source Report, Soils Report.	Region	HQ Printing Services	Project is turned in for printing
Cover info, wage rates, test borings, or proposal, any other specialized sections to be included in the contract plans and specifications. Special distribution request.	Region	HQ Printing Services	Project is turned in for printing
Number of sets required for life of project.	Region	HQ Printing Services	Project is turned in for printing
Final Check Sheet (DOT 221-019)	Region	HQ Printing Services HQ CA&A	Project is turned in for printing 1:00 p.m Friday before Ad date
Estimate Including Work Class Breakout	Region	HQ CA&A HQ Prequal	1:00 p.m Friday before Ad date As soon as available before Ad date
Copy of Ad	Region	HQ CA&A	1:00 pm Friday before Ad date
Request Contract No. Attach Ad Letter and Page 1 of the Estimate	Region	HQ Accounting/CAPS	1:00 p.m Friday before Ad date
Approval for Advertisement (Appendix 10B)	Region	HQ CA&A	As soon as available before Ad date
Work Order Authorization	HQ Program Management	HQ Accounting/CAPS	1:00 p.m Friday before Ad date
Contract Number	HQ Accounting	HQ CA&A	Before 10:00 a.m. day of Ad

**NOTICE TO CONTRACTORS
HIGHWAY CONSTRUCTION**

September 9, 2004

Sealed bids will be received in the Bid (Commission) Room (1D2), located on the first floor of the Department of Transportation, 310 Maple Park Avenue SE, Olympia, Washington, until 11:00 am, or at P.O. Box 47360, Olympia, Washington, 98504-7360, until 11:00 am, on the dates shown below.

All bid proposals shall be accompanied by a bid proposal deposit in cash, certified check, cashier's check or surety bond in an amount equal to five percent (5%) of the amount of such bid proposal. Should the successful bidder fail to enter into a contract and furnish a satisfactory performance bond, the bid proposal deposit shall be forfeited. **Bonds submitted on other than the bond form provided by the department may be subject to rejection.**

The following is applicable to Federal Aid projects. The Washington State Department of Transportation in accordance with Title VI of the Civil Rights Act of 1964, 78 Stat. 252. 42 U.S.C. 2000a to 2000d-4 and Title 49, Code of Federal Regulations, Department of Transportation, subtitle A, Office of the Secretary, part 21, Nondiscrimination in Federal-assisted programs of the Department of Transportation issued pursuant to such Act; hereby notifies all bidders that it will affirmatively insure that in any contract entered into pursuant to this advertisement, disadvantaged business enterprise will be afforded full opportunity to submit bids in response to this invitation and will not be discriminated against on the grounds of race, color, sex, or national origin in consideration for an award.

The right is reserved to reject any and all bids and to waive informalities in the bidding.

Bidding proposal may not be issued to bidders unless they are prequalified, except where otherwise provided in Plans and Specification. For those contractors who are not prequalified, application for prequalification will be submitted on DOT Form 420-010 (Standard Questionnaire and Financial Statement) and must be received by the Prequalification Engineer no less than fifteen days prior to the scheduled bid opening to receive consideration for issuance of a bidding proposal for that bid opening.

Informational copies of plans and specifications are on file in the office of the County Engineer of the County in which the work is situated, the chapter offices of the Associated General Contractors of America in Seattle, Spokane, and Tacoma, and the offices of the Regional Administrators or the Olympia Service Center of the Department of Transportation, where they may be inspected.

The use of informational proposals shall be allowed only upon written request and will be accepted only when written authority for their use has been granted.

	FEE	PROJECT
Project Documents will be furnished for the non-refundable fee of:	\$25.00	
Geotechnical Reports:	\$30.00	each copy

(Remittance may be made to the Washington State Treasurer and sent to the address below).

TO ORDER PLANS AND SPECIFICATIONS, AND/OR GEOTECHNICAL REPORTS PLEASE CALL (360) 705-7014 (24-Hour Recording) or (360) 705-7835 (from 8:00 am to 5:00 pm). To order by mail, the address is: Contract Ad & Award Administration Office, Washington State Department of Transportation, P.O. Box 47360, Olympia, WA 98504-7360. Current Bid Results are available through the internet address below.

The Notice to Contractors, Electronic Plan, Specifications, Planholders Lists, Award/Bid Status, Bid Tabulations are available on the Internet at <http://www.wsdot.wa.gov/biz/contaa>.

ESTIMATE RANGES PUBLISHED IN THIS NOTICE MUST NOT BE USED AS A BASIS FOR BID PREPARATION.

BID OPENING WEDNESDAY, OCTOBER 20, 2004

- *1. (SNOHOMISH) **LYNNWOOD 44TH AVE BRIDGE REPAIR - STAGE 2** (CL 6, Under \$100,000) F.A. No. ER-0302(005) on I-5, MP 180.65 to MP 180.81. Requires: Repairing the damaged face of the east traffic barrier, removing and resetting beam guardrail, striping, traffic control and other work. 35 Working days. Involves 16 items. 52 LF remove and reset beam guardrail, 550 LF temp conc barrier, 1730 LF paint line, 2 HUND raised pvmt marker type 1 & 2, 1730 LF temp pvmt marking. Lump Sum Bids for: Traffic barrier repair, temp traffic control and SPCC plan.(XL-2098)(100533F) (04A026)(6857)(2 of 3)

**NOTICE TO CONTRACTORS
HIGHWAY CONSTRUCTION
REGIONAL AD & AWARD**

September 9, 2004

All bid proposals shall be accompanied by a bid proposal deposit in cash, certified check, cashier's check or surety bond in an amount equal to five percent (5%) of the amount of such bid proposal. Should the successful bidder fail to enter into a contract and furnish a satisfactory performance bond, the bid proposal deposit shall be forfeited. **Bonds submitted on other than the bond form provided by the department may be subject to rejection.**

The following is applicable to Federal Aid projects. The Washington State Department of Transportation in accordance with Title VI of the Civil Rights Act of 1964, 78 Stat. 252, 42 U.S.C. 2000a to 2000d-4 and Title 49, Code of Federal Regulations, Department of Transportation, subtitle A, Office of the Secretary, part 21, Nondiscrimination in Federally-assisted programs of the Department of Transportation issued pursuant to such Act; hereby notifies all bidders that it will affirmatively insure that in any contract entered into pursuant to this advertisement, disadvantaged business enterprise will be afforded full opportunity to submit bids in response to this invitation and will not be discriminated against on the grounds of race, color, sex, or national origin in consideration for an award.

The right is reserved to reject any and all bids and to waive informalities in the bidding.

Bidding proposal may not be issued to bidders unless they are prequalified, except where otherwise provided in Plans and Specifications. For those contractors who are not prequalified, application for prequalification will be submitted on DOT Form 420-010 (Standard Questionnaire and Financial Statement) and must be received by the Prequalification Engineer no less than fifteen days prior to the scheduled bid opening to receive consideration for issuance of a bidding proposal for that bid opening.

Informational copies of plans and specifications are on file in the office of the County Engineer of the County in which the work is situated, the chapter offices of the Associated General Contractors of America in Seattle, Spokane, and Tacoma, and the offices of the Regional Administrators or the Olympia Service Center of the Department of Transportation, where they may be inspected.

To order plans and specifications and/or geotechnical reports refer to address and phone numbers listed under region title.

TO ORDER PLANS AND SPECIFICATIONS AND/OR GEOTECHNICAL REPORTS FOR REGIONAL AD AND AWARD PROJECTS, PLEASE CALL:

Northwest Region	(206) 440-4103	North Central Region	(509) 667-3000
Olympic Region	(360) 357-2681	Southwest Region	(360) 905-2184
Eastern Region	(509) 324-6130		

ESTIMATE RANGES PUBLISHED IN THIS NOTICE MUST NOT BE USED AS A BASIS FOR BID PREPARATION.

NORTHWEST REGION:

SEALED BIDS WILL BE RECEIVED BY THE DEPARTMENT OF TRANSPORTATION, AT THE RECEPTION DESK LOCATED IN THE FOYER AT NORTHWEST REGION, WSDOT, 15700 DAYTON AVE. N., SEATTLE, WA 98133, UNTIL 11:00 A.M., ON THE DATES SHOWN BELOW. ORDERS FOR PLANS AND SPECIFICATIONS MAY BE REQUESTED BY MAIL OR BY PHONE AT (206) 440-4103.

NORTH CENTRAL REGION:

SEALED BIDS WILL BE RECEIVED BY THE DEPARTMENT OF TRANSPORTATION, AT NORTH CENTRAL REGIONAL OFFICE, WSDOT, 1551 N. WENATCHEE AVE., WENATCHEE, WA 98801, UNTIL 11:00 A.M., ON THE DATES SHOWN BELOW. ORDERS FOR PLANS AND SPECIFICATIONS MAY BE REQUESTED BY MAIL OR PHONE AT (509) 663-9641. OLYMPIC REGION:

SEALED BIDS WILL BE RECEIVED BY THE DEPARTMENT OF TRANSPORTATION, AT OLYMPIC REGION, WSDOT, 5720 CAPITAL BLVD., OLYMPIA, WA 98504-7440, UNTIL 3:00 P.M., ON THE DATES SHOWN BELOW. ORDERS FOR PLANS AND SPECIFICATIONS MAY BE REQUESTED BY MAIL OR BY PHONE AT (360) 357-2681. FAX NUMBER (360)357-2688.

SOUTHWEST REGION:

SEALED BIDS WILL BE RECEIVED BY THE DEPARTMENT OF TRANSPORTATION, AT SOUTHWEST REGION, WSDOT, 4200 MAIN ST., VANCOUVER, WA 98663, UNTIL 10:00 A.M., OR RECEIVED BY 7:30 A.M. AT PO BOX 1709, VANCOUVER, WA 98668, ON THE DATES SHOWN BELOW. ORDERS FOR PLANS AND SPECIFICATIONS MAY BE REQUESTED BY MAIL OR BY PHONE AT (360) 905-2184.

SOUTH CENTRAL REGION:

SEALED BIDS WILL BE RECEIVED BY THE DEPARTMENT OF TRANSPORTATION AT SOUTH CENTRAL REGION, WSDOT, 2809 RUDKIN RD., UNION GAP, WA 98903, UNTIL 11:00 A.M., OR RECEIVED BY 8:00 A.M. AT P.O. BOX 12560, YAKIMA, WA 98909-2500, ON THE DATES SHOWN BELOW. ORDERS FOR PLANS AND SPECIFICATIONS (\$5.00 FEE) MAY BE REQUESTED BY MAIL OR BY PHONE MONDAY THRU THURSDAY 7:00 A.M. TO 4:30 P.M., AT (509) 575-2466.

EASTERN REGION:

SEALED BIDS WILL BE RECEIVED BY THE DEPARTMENT OF TRANSPORTATION AT EASTERN REGION, WSDOT, NORTH 2714 MAYFAIR STREET, SPOKANE, WA 99207, UNTIL 10:00 A.M., ON THE DATES SHOWN BELOW. PLANS AND SPECIFICATIONS MAY BE REQUESTED BY MAIL OR BY PHONE AT (509) 324-6130.

**NOTICE TO CONTRACTORS
BUILDING CONSTRUCTION**

September 9, 2004

Sealed bids will be received in the Bid (Commission) Room (1D2), located on the first floor of the Department of Transportation, 310 Maple Park Avenue SE, Olympia, Washington, until 11:00 am, or at P.O. Box 47360, Olympia, Washington, 98504-7360, until 11:00 am, on the dates shown below

All bid proposals shall be accompanied by a bid proposal deposit in cash, certified check, cashier's check or surety bond in an amount equal to five percent (5%) of the amount of such bid proposal. Should the successful bidder fail to enter into a contract and furnish a satisfactory performance bond, the bid proposal deposit shall be forfeited. **Bonds submitted on other than the bond form provided by the department may be subject to rejection.**

The right is reserved to reject any and all bids and to waive informalities in the bidding.

Informational copies of plans and specifications are on file in the office of the County Engineer of the County in which the work is situated, the chapter offices of the Associated General Contractors of America in Seattle, Spokane, and Tacoma, and the offices of the Regional Administrators or the Olympia Service Center of the Department of Transportation, where they may be inspected.

Bids will be accepted only on proposals issued by the department. The use of informational proposals shall be allowed only upon written request and will be accepted only when written authority for their use has been granted.

	FEE	PROJECT
Project Documents will be furnished for the non-refundable fee of:	\$25.00	
<i>(Remittance may be made to the Washington State Treasurer and sent to the address below).</i>		

TO ORDER PLANS AND SPECIFICATIONS, PLEASE CALL (360) 705-7014 (24-Hour Recording) or (360) 705-7835 (from 8:00 am to 5:00 pm). To order by mail, the address is: Contract Ad & Award Administration Office, Washington State Department of Transportation, P.O. Box 47360, Olympia, WA 98504-7360.

Current Bid Results is available on the following website: www.wsdot.wa.gov/biz/contaa/.

ESTIMATE RANGES PUBLISHED IN THIS NOTICE MUST NOT BE USED AS A BASIS FOR BID PREPARATION.

**Proposal Package
Federally Funded Projects**

**Department of Transportation
Olympia, Washington 98504**

PROPOSAL

FOR BIDDING PURPOSES

SR 99, MP 32.58 TO MP 40.80

THOMAS ST TO N 152ND ST

F.A. No. NH-0099(047)

KING COUNTY

Sealed bids will be received in the Department of Transportation Bid (Commission) Room located on the first floor of the Transportation Building, 310 Maple Park Drive S.E., Olympia, Washington, until 10:00 a.m., or at P.O. Box 7667, Olympia, Washington, 98507 until 9:00 a.m., on the date scheduled for opening bids.

**Department of Transportation
Olympia, Washington 98504**

**P R O P O S A L
FOR BIDDING PURPOSES
SR 99, MP 32.58 TO MP 40.80
THOMAS ST TO N 152ND ST
F.A. No. NH-0099(047)
KING COUNTY**

Sealed bids will be received at the reception desk in the foyer of the _____
Region Administration office building of the Washington State Department of
Transportation, 721 Butler Street, Newtown, Washington, until 10:00 a.m. of the
bid opening date, or at P.O. Box 1709, Newtown, Washington, 9XXXXX until
7:30 a.m., of the bid opening date.

**IS YOUR
SUBCONTRACTOR LIST
INCLUDED ? ? ?**

**IF NOT,
YOUR BID WILL BE CONSIDERED
IRREGULAR**

AND WILL BE REJECTED !!!



Washington State
Department of Transportation

Proposal Bond

KNOW ALL MEN BY THESE PRESENTS, That we,

of _____ as principal, and the

a corporation duly organized under the laws of the state of _____, and authorized to do business in the State of Washington, as surety, are held and firmly bound unto 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:

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 Department of Transportation within a period of twenty (20) days from and after said award, exclusive of the day of such award, then this obligation shall be null and void, otherwise it shall remain and be in full force and effect.

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

(Principal)

(Surety)

(Attorney-in-fact)

DOT Form 272-001 EF
Revised 12/97



PROPOSAL

To the Secretary of Transportation
 Olympia, Washington 98504

Dear Sir:

This certifies that the undersigned has examined the location of

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

(NOTE: Unit prices for all items, all extensions, and total amount of bid, shall be shown.)

ITEM NO.	APPROXIMATE QUANTITY	ITEM	PRICE PER UNIT	AMOUNT
			DOLLARS	
			AT	
			AT	
			AT	
			AT	
			AT	
			AT	
			AT	

* Show unit prices in figures only. Figures written to the right of the dot (decimal) in the dollars column shall be interpreted as cents.

DOT FORM 272-036
 REVISED 6/54

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.

DOT Form 272-036H EF
Revised 8/98

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.

DOT Form 272-040 EF
Revised 1/2000



**Washington State
Department of Transportation**

**Disadvantaged Business
Enterprise Utilization Certification**

To be eligible for award of this contract the bidder must fill out and submit, as part of its bid proposal, the following Disadvantaged Business Enterprise Utilization Certification relating to Disadvantaged Business Enterprise (DBE) requirements. The Contracting Agency shall consider as non-responsive and shall reject any bid proposal that does not contain a DBE Certification which properly demonstrates that the bidder will meet the DBE participation requirements in one of the manners provided for in the proposed contract. The successful bidder's DBE Certification shall be deemed a part of the resulting contract. Information on certified firms is available from OMWBE, telephone 360-753-9693.

_____ certifies that the Disadvantaged Business Enterprise
Name of Bidder

(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 those firms where an "Amount to be Applied Towards Goal" is listed. (If necessary, use additional sheet.)

Name of DBE Certificate Number	Project Role * (Prime, Joint Venture, Subcontractor, Manufacturer, Regular Dealer, Service Provider)	Description of Work	Amount to be Applied Towards Goal **
1.			
2.			
3.			
4.			
5.			
6.			
7.			
8.			
9.			
10.			

Disadvantaged Business Enterprise Subcontracting Goal: _____ DBE Total \$ _____ ***

- * Regular Dealer status must be approved by the Office of Equal Opportunity, Wash. State Dept. of Transportation, on each contract.
- ** See the section "Counting DBE Participation Toward Meeting the Goal" in the Contract Document.
- *** The Contracting Agency will utilize this amount to determine whether or not the bidder has met the goal or the average goal attainment of all bidders. In the event of an arithmetic difference between this total and the sum of the individual amounts listed above, then the sum of the amounts listed shall prevail and the total will be revised accordingly.

DOT Form 272-056 EF
Revised 6/2004



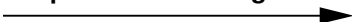
Region Ad and Award Contract Proposal - Signature Page

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

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

Signature of Authorized Official(s)

Proposal Must be Signed



Firm Name

Address

State of Washington Contractor's License No. _____

Federal ID No. _____

Note:

- (1) This proposal form is not transferable and any alteration of the firm's name entered hereon without prior permission from the Secretary of Transportation 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.
- (3) Should it be necessary to modify this proposal either in writing or by electronic means, please make reference to the following proposal number on in your communication _____
- (4) RCW 47.28.030(2) States: No bid deposit or performance bond shall be required but it shall be specified in the bidding proposal that each month the contractor may be required to submit paid invoices showing that disbursements have been made to laborers, materialmen, mechanics, and subcontractors due such persons from the previous progress payment. If such disbursements have not been made, the monthly progress payment shall be withheld pending receipt of the paid invoices.

DOT Form 272-036C EF
Revised 8/98



Proposal - Signature Page

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

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

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

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

Signature of Authorized Official(s)

Proposal Must be Signed →

Firm Name _____

Address _____

State of Washington Contractor's License No. _____

Federal ID No. _____

Note:

- (1) This proposal form is not transferable and any alteration of the firm's name entered hereon without prior permission from the Secretary of Transportation 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.
- (3) Should it be necessary to modify this proposal either in writing or by electronic means, please make reference to the following proposal number in your communication _____

DOT Form 272-036D EF
 Revised 8/98



Washington State
Department of Transportation

Subcontractor List

Prepared in compliance with RCW 39.30.060 as amended

To Be Submitted with the Bid Proposal

Project Name _____

Failure to list subcontractors who are proposed to perform the work of heating, ventilation and air conditioning, plumbing, as described in Chapter 18.106 RCW, and electrical as described in Chapter 19.28 RCW will result in your bid being non-responsive and therefore void.

Subcontractor(s) that are proposed to perform the work of 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.

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

Subcontractor Name _____
Work to be Performed _____

Subcontractor Name _____
Work to be Performed _____

Subcontractor Name _____
Work to be Performed _____

Subcontractor Name _____
Work to be Performed _____

Subcontractor Name _____
Work to be Performed _____

DOT Form 271-015 EF
Revised 7/99

**DEPARTMENT OF TRANSPORTATION
_____, WASHINGTON 9XXXX**

PROPOSAL

FOR BIDDING PURPOSES

SR 5, MP 1171.30 TO MP 1176.90

OLDTOWN WAY TO N.E. 571ST

A STATE PROJECT

OLDE COUNTY

Sealed bids will be received in the Department of Transportation Bid (Commission) Room located on the first floor of the Transportation Building, 310 Maple Park Drive S.E., Olympia, Washington, until 10:00 a.m., or at P.O. Box 7667, Olympia, Washington, 98507 until 9:00 a.m., on the date scheduled for opening bids.

DEPARTMENT OF TRANSPORTATION
_____, WASHINGTON 9XXXX

PROPOSAL

FOR BIDDING PURPOSES

SR 5, MP 1171.30 TO MP 1176.90

OLDTOWN WAY TO N.E. 571ST

A STATE PROJECT

OLDE COUNTY

Sealed bids will be received at the reception desk in the foyer of the _____
Region Administration office building of the Washington State Department of
Transportation, 721 Butler Street, Newtown, Washington, until 10:00 a.m. of
the bid opening date, or at the Post Office Box 1709, Newtown, Washington
9XXXXX until 7:30 a.m., of the bid opening date.

**IS YOUR
SUBCONTRACTOR LIST
INCLUDED ? ? ?

IF NOT,
YOUR BID WILL BE CONSIDERED
IRREGULAR

AND WILL BE REJECTED !!!**



Washington State
Department of Transportation

Proposal Bond

KNOW ALL MEN BY THESE PRESENTS, That we,

of _____ as principal, and the

a corporation duly organized under the laws of the state of _____, and authorized to do business in the State of Washington, as surety, are held and firmly bound unto 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:

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 Department of Transportation within a period of twenty (20) days from and after said award, exclusive of the day of such award, then this obligation shall be null and void, otherwise it shall remain and be in full force and effect.

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

(Principal)

(Surety)

(Attorney-in-fact)

DOT Form 272-001 EF
Revised 12/97



PROPOSAL

To the Secretary of Transportation
Olympia, Washington 98504

Dear Sir:

This certifies that the undersigned has examined the location of

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

(NOTE: Unit prices for all items, all extensions, and total amount of bid, shall be shown.)

ITEM NO.	APPROXIMATE QUANTITY	ITEM	PRICE PER UNIT	AMOUNT
			DOLLARS	
			AT	
			AT	
			AT	
			AT	
			AT	
			AT	

* Show unit prices in figures only. Figures written to the right of the dot (decimal) in the dollars column shall be interpreted as cents.

DOT FORM 272-034
REVISED 6/94



**Washington State
Department of Transportation**

**Disadvantaged Business
Enterprise Utilization Certification**

To be eligible for award of this contract the bidder must fill out and submit, as part of its bid proposal, the following Disadvantaged Business Enterprise Utilization Certification relating to Disadvantaged Business Enterprise (DBE) requirements. The Contracting Agency shall consider as non-responsive and shall reject any bid proposal that does not contain a DBE Certification which properly demonstrates that the bidder will meet the DBE participation requirements in one of the manners provided for in the proposed contract. The successful bidder's DBE Certification shall be deemed a part of the resulting contract. Information on certified firms is available from OMWBE, telephone 360-753-9693.

_____ certifies that the Disadvantaged Business Enterprise
Name of Bidder

(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 those firms where an "Amount to be Applied Towards Goal" is listed. (If necessary, use additional sheet.)

Name of DBE Certificate Number	Project Role * (Prime, Joint Venture, Subcontractor, Manufacturer, Regular Dealer, Service Provider)	Description of Work	Amount to be Applied Towards Goal **
1.			
2.			
3.			
4.			
5.			
6.			
7.			
8.			
9.			
10.			

Disadvantaged Business Enterprise Subcontracting Goal: _____ DBE Total \$ _____ ***

- * Regular Dealer status must be approved by the Office of Equal Opportunity, Wash. State Dept. of Transportation, on each contract.
- ** See the section "Counting DBE Participation Toward Meeting the Goal" in the Contract Document.
- *** The Contracting Agency will utilize this amount to determine whether or not the bidder has met the goal or the average goal attainment of all bidders. In the event of an arithmetic difference between this total and the sum of the individual amounts listed above, then the sum of the amounts listed shall prevail and the total will be revised accordingly.

DOT Form 272-056 EF
Revised 6/2004



Region Ad and Award Contract Proposal - Signature Page

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

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

Signature of Authorized Official(s)

Proposal Must be Signed →

Firm Name _____

Address _____

State of Washington Contractor's License No. _____

Federal ID No. _____

Note:

- (1) This proposal form is not transferable and any alteration of the firm's name entered hereon without prior permission from the Secretary of Transportation 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.
- (3) Should it be necessary to modify this proposal either in writing or by electronic means, please make reference to the following proposal number on in your communication _____
- (4) RCW 47.28.030 (2) States: No bid deposit or performance bond shall be required but it shall be specified in the bidding proposal that each month the contractor may be required to submit paid invoices showing that disbursements have been made to laborers, materialmen, mechanics, and subcontractors due such persons from the previous progress payment. If such disbursements have not been made, the monthly progress payment shall be withheld pending receipt of the paid invoices.

DOT Form 272-036C EF
Revised 8/98



Washington State
Department of Transportation

Proposal - Signature Page

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

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

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

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

Signature of Authorized Official(s)

Proposal Must be Signed →

Firm Name

Address

State of Washington Contractor's License No. _____

Federal ID No. _____

Note:

- (1) This proposal form is not transferable and any alteration of the firm's name entered hereon without prior permission from the Secretary of Transportation 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.
- (3) Should it be necessary to modify this proposal either in writing or by electronic means, please make reference to the following proposal number in your communication _____

DOT Form 272-036D EF
Revised 8/98



Subcontractor List

Prepared in compliance with RCW 39.30.060 as amended

To Be Submitted with the Bid Proposal

Project Name _____

Failure to list subcontractors who are proposed to perform the work of heating, ventilation and air conditioning, plumbing, as described in Chapter 18.106 RCW, and electrical as described in Chapter 19.28 RCW will result in your bid being non-responsive and therefore void.

Subcontractor(s) that are proposed to perform the work of 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.

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

Subcontractor Name _____
Work to be Performed _____

Subcontractor Name _____
Work to be Performed _____

Subcontractor Name _____
Work to be Performed _____

Subcontractor Name _____
Work to be Performed _____

Subcontractor Name _____
Work to be Performed _____

DOT Form 271-015 EF
Revised 7/99

**GUIDELINES FOR JUSTIFICATION OF AWARD/REJECTION OF BIDS
EXCEEDING ENGINEER'S ESTIMATE BY 10% and GREATER THAN \$50,000**

I. Procedures

A. Contact appropriate WSDOT Office for comments.

1. Verify estimated quantities for possible over/under runs.
2. Review plans and specifications for changes that may significantly reduce the cost.
3. Can project be combined with other work that may produce a better bid?
4. Is estimate low or are bid prices too high?
5. Special circumstances or conditions that may have impacted bid prices.

B. Determine if there was adequate competition.

1. Number of Proposal holders?
2. Number of bidders?
 - a. Competition is normally considered adequate when:

Number of Bids was	Low bid does not exceed
3 or more	110% of Engineer's Estimate
4 or more	115% of Engineer's Estimate
5 or more	120% of Engineer's Estimate
 - b. These guidelines may not be appropriate for some specialized contracts and other factors should be considered.
3. Was an attempt made to attract additional bidders(HQ Prequal)?
4. Survey proposal holders who did not bid for reasons they chose not to.

C. Document impact if project is delayed to readvertise.

1. Is there a significant negative impact?
2. Need for early completion of work?
3. Ability to complete work within current construction season?
4. Potential for loss of construction season?
5. Risk involved (potential damage) if project is delayed?
6. Time of year project is advertised?
7. Is there an impact on funding?
8. Cost associated with readvertising?

D. Funding Confirmation

1. Prepare revised estimated total cost for project.
2. HQ Program Management authorization for funds available for revised estimate.

E. Prepare spreadsheet showing items contributing the major overage. Include the following for each of the three low bidders:

1. Include item description
2. Quantity
3. Engineer's estimate
4. Unit price
5. Extended price
6. Three low bidders
7. Difference estimate/low bid
8. Average bid prices for all bidders
9. Median bid prices

F. Federal Aid projects for new and reconstruction on the interstate require FHWA concurrence.

II. Region prepares memorandum for Awarding Authority's Concurrence.

cc: State Construction Engineer

A. Letter should include the following:

1. Contract Name
2. Funding Source
3. Contract Number
4. Project Description
5. Engineer's Estimate
6. Number of Bidders
7. Range of Bids
8. Low bid amount and percentage over/under Estimate
9. Revised Estimated Total Cost of Project
10. Funds Available (Approved by HQ Program Management)
11. Attach overage to estimate spreadsheet
12. Reasons for recommending Award/Rejection



**Washington State
Department of Transportation**

Memorandum

EXAMPLE JUSTIFICATION FOR AWARD MEMORANDUM

Date: August 27, 2004

From: George Hilsinger

Subject: Contract 6838 I-82
PLYMOUTH POE - WIM
A STATE PROJECT

Thru: Ken Walker

To: Kevin J. Dayton

The following information is submitted for your consideration and approval to award the contract for the subject project to the low bidder:

1. Project Description: Provides for planning bituminous pavement, guardrail, retrofit dowel bars, cement concrete pavement grinding, paving with HMA, installing weigh in motion scale, automatic vehicle identification, permanent sign, pavement marking, traffic control, and other work on I-82 in Benton County.
2. Engineer's Estimate: \$386,825.25
3. Number of Bidders: 2
4. Range of Bids (High to Low): \$459,960.50 to \$441,529.05
5. Low Bid Amount and Percentage Over Estimate: \$441,529.05 - 14.14%
6. Funds Available for this project: \$590,000
7. Total Estimated Cost of Project: \$590,000
8. Reasons for Recommending Award: August 25, 2004, two bids were received from issuance of four proposals. The attached spreadsheet presents the items that represents the major overage to the estimate.

The Region's review of the plans and specifications did not reveal any changes that would significantly lower the cost of the project should it be readvertised.

DOT 700-008EF
Revised 3/93

Kevin J. Dayton
August 27, 2004
Page 2

Bid items 3 - Retrofit Dowel Bars, 4 - Cement Concrete Pavement Grinding, 5 - Planing Bituminous Pavement, and 21 - Permanent Signing represent \$37,575 of the \$54,704 overage to the estimate.

The Project Office has reviewed and verified the bid items and quantities for the Plymouth POE - WIM project and is **recommending that the project be awarded** despite the low bid being 14.14% higher than the Engineer's estimate. After analyzing the bid results it became apparent that most of the higher unit prices came on items that are not typically handled by an electrical contractor. This becomes a major factor because there were only two bidders on the project and both are electrical contractors. Thus the electrical contractors will have to sub out these items of work and it is very likely the prime contractor marked up the unit prices. The items in question: retrofit dowel bars, cement concrete pavement grinding, planing bituminous pavement, and permanent signing represent \$37,575 of the \$54,704 in higher bid price. These items would normally be handled by the prime contractor and would not have any additional markup. It appears that the Project Office did not take this into account and raise the unit prices accordingly. If we had raised the unit prices a small amount the low bidder would have been within 10% of the Engineer's estimate.

Some other factors that could have played a part in the higher bid:

- The project was advertised in July. If the subcontractors who will perform the planing, etc. are very busy they would have submitted higher bids than normal for the work because of their heavy workload and difficulty in scheduling the work. A fall or Winter Ad with a spring or summer construction would have been preferable.
- There were only two bidders on the project. It is reasonable to assume that if there were more bidders, the odds of WSDOT getting a better bid price for the four items would improve.

Considering, the facts stated above, it is unlikely that readvertisement of this project would benefit the State. Therefore, award of the contract to the low bidder McCandlish Electric Inc., at the low bid price of \$441,529.05 is recommended.

APPROVED

Kevin J. Dayton
State Construction Engineer

cc: Don Nelson

EXAMPLE SPREADSHEET SHOWING BID ITEM BREAKDOWN FOR ATTACHMENT TO AN AWARD JUSTIFICATION MEMO

ITEMS CONTRIBUTING TO THE MAJOR AMOUNT OF OVERAGE TO THE ESTIMATE
 I-82 PLYMOUTH POE-WIM
 STATE PROJECT CONTRACT 6838

No.	Description	Unit	Quantity	Estimate	Low Bid	Difference		2nd Low	Average 2 bidders	median bidder	Low Bidder's Percentage Over Estimate
						Low/Est	Low/Est				
3	RETROFIT DOWEL BARS	EA	144	150.00	250.00	100.00	200.00		\$225.00		66.67%
				21,600.00	36,000.00	14,400.00	28,800.00		\$32,400.00		
4	PAVEMENT GRINDING SYSTEM	S.Y.	506	25.00	40.00	15.00	32.00		\$36.00		60.00%
				12,650.00	20,240.00	7,590.00	16,192.00		\$18,216.00		
5	PLANING BITUMINOUS PAVEMENT	S.Y.	1780	5.00	8.25	3.25	6.95		\$7.60		65.00%
				8,900.00	14,685.00	5,785.00	12,371.00		\$13,528.00		
21	PERMANENT SIGNING	L.S.	L.S.	18,900.00	28,700.00	9,800.00	40,000.00		\$34,350.00		51.85%
Total				74,700.00	99,625.00	37,575.00	97,363.00		\$98,494.00		50.30%
Contract Total				386,825.25	441,529.05	54,703.80	459,960.50		\$450,744.78		14.14%

June 28, 2004

Principal, President
Company Name
P.O. Box xxxx
City , State Zip Code

Contract No. xxxx

Dear Ladies and Gentlemen:

This is to notify you that the contract for the improvement of SR 00, COOK ROAD TO COLONY ROAD VIC CULVERT REPLACEMENT in Jones County was awarded to you on July 1, 2004 by the Secretary of Transportation. We are enclosing three copies of the contract and bond for this improvement.

Please examine the names as shown on Page 1 of the contract and bond and, if correct, make signatures to agree. The contractor and the bonding company should execute all copies of the contract and bond in the place provided on the signature pages.

One copy of the contract and bond marked "Bonding Company" is for the files of the bonding company and should be retained by them. The remaining two copies of the contract and two copies of the bond are to be returned, properly executed, to the Department of Transportation, P.O. Box 47420, Olympia Washington 98504-7420. Attention: Jennifer Harrington, Contract Payment Section.

The enclosed Notice of Mailing Address form is for your convenience in notifying the Department of Transportation of your correct mailing address for correspondence and payments and to indicate your choice for the handling of your retained percentage. It should be emphasized that this form must be completed and returned to the Department of Transportation with the contract documents.

Please note that the documents are to be received by this office on or before July 21, 2004.

Please note the instruction on the enclosed sheet and be governed accordingly.
If you have any questions, please contact Jennifer Harrington at (360)705-7569.

Sincerely,

William McGourin
Manager, Expenditure Accounting

FLAK9101
Enclosure
cc: Bonding Company
Audit File



Instructions for Execution of Contracts

Please Read the Following Instructions Thoroughly – Important for the Execution of Contracts and Bonds for the State Highway Work Execution by Contractor

Dates

1. The date on page one of the contract is the date of execution by the State and **MUST NOT** be filled in by the contractor.
2. The date on page one of the bond should agree with the date when signed by the contractor as shown on page two of the contract.

Signing

1. The CONTRACTOR must sign all copies of the contract and the bond in the place provided on the signature page.
2. If the contractor is a COPARTNERSHIP, all members of the copartnership must sign unless Power of Attorney is on file with the Department authorizing one or more partners to sign for the copartnership. All copies must be signed.
3. If the Contractor is CORPORATION, the Corporation name must be added to all copies, and the president and the secretary must sign with their titles on all copies below the corporation name. If one office of the corporation is authorized to execute contracts and bonds for the corporation, a certified copy of the minutes of the corporation giving such authority must be forwarded to the Secretary of Transportation.
4. If the contractor is a COMPANY operating as a sole trader, the company name must be shown and all copies signed by the Sole Trader.

Certificates

1. If the contractor is a corporation existing under the laws of a State other than the State of Washington the corporation must file the necessary papers with the Secretary of State at Olympia, authorizing such corporation to do business in the State of Washington. (Call 360-753-7115, ask for Corporate Division.) A filing is required.
2. It is necessary at this time to provide ACORD Form Certificates of Insurance evidencing the minimum insurance coverages required under Section 1-07.18 of the Standard Specifications (as amended July 1995), which includes (unless otherwise specified): a) project specific Owners and Contractors Protective insurance with liability limits of \$1 million per occurrence/aggregate (on Insurance Service Office [ISO] form CG0009) to include ISO's WSDOT Amendatory Endorsement No. CG2908 or another form providing identical coverage; b) Commercial General Liability Insurance (on ISO Form GC0001 or its equivalent) with minimum limits of \$1 million per occurrence/\$2 million aggregate (products and completed operations coverage to be provided for one year following final acceptance of the work); and c) Commercial Automobile Liability Insurance* (owned and non-owned vehicles used in the project) with a combined single limit not less than \$1 million each occurrence. These must be returned with the contract and bond. [*Indicates the State to be additional insured.]

Signing

1. All copies of the bond must be executed by the surety in the place provided on the signature page, including ratification date.
2. *The Power of Attorney for the signature of the attorney-in-fact for the surety must be included with the bond.* This regulation must be complied with.
3. The bond must be executed by an attorney-in-fact and countersigned by a licensed agent of the surety.
4. The Corporate Seal of the surety must appear on all copies of the bond.

RETURN

The contract, bond and Certificate of Insurance must be furnished to the Secretary of Transportation, Olympia, Washington, no later than twenty (20) days after the date of award. *If for any reason these documents cannot be or are not delivered to the Secretary of Transportation in Olympia, Washington within twenty (20) days after the date of award, a formal request, stating the reasons for delay must be made to the Chief Construction Engineer for an extension of time, which cannot exceed an additional twenty (20) days, otherwise the bid proposal deposit or bond is subject to forfeiture.*



**Washington State
Department of Transportation**

Notice of Mailing Address

Please complete this Notice of Mailing Address and return with the executed copies of the Contract and Bond documents to:

Department of Transportation
Contract Payment Section
310 Maple Park Avenue SE
PO Box 47420
Olympia, WA 98504-7420

To: Company Name and Address

--	--

Contract No.
Project Title

Phone No.	Fax No.	E-Mail
Federal Employer ID No. (IRS)	Industrial Insurance Account No.	Excise Tax Registration No.
Is your business: <input type="checkbox"/> Sole Proprietorship <input type="checkbox"/> Partnership <input type="checkbox"/> Corporation Please complete and return the attached W-9 form.		

Correspondence Address: Check the box next to the appropriate delivery address for receipt of **correspondence**.

- Physical Address Postal Delivery Address (If different from physical address)

Payment Address: Indicate appropriate delivery address for **payment disbursement**.

- Physical Address (listed above) Other (specify):
- Postal Delivery Address (listed above)

Payment Delivery Method: (Indicate preferred method of delivery)

- Pick up warrant** at the Department of Transportation by Contractor's Representative having the proper ID and Letter of Authority signed by the Principal.
- First Class Mail** - One to three day delivery service is standard depending upon the distance from the senders. There is no guarantee of delivery date.
- USPS Priority Mail** - No guarantee of delivery date. Next day or two day delivery service is standard.
- USPS Express Mail - Prepaid Delivery** - Guaranteed next day delivery to Post Office Boxes by 10:30 AM or to street addresses by 3:00 PM. Please provide your corporate account no.

Retainage Options (Check One):

- Retainage Bond** - Check if you wish to exercise the option to submit a **retainage bond** as provided for in RCW 60.28. A retainage bond will be forwarded to your firm for execution.
- Retainage held in Escrow** - Check if you wish to exercise the option to have your retained percentage placed in **escrow** as provided for in RCW 60.28. Please indicate the name and address of the bank or trust company in the space below.

	Bank Phone
	Bank Contact Person

- Check if you **do not wish to exercise either option**. Retainage will be held by WSDOT.

DOT Form 134-049 EF
Revised 9/2002

Contractor's Signature

Date



Contract

THIS AGREEMENT, made and entered into this _____ day of _____, between the STATE OF WASHINGTON, acting through the Washington State Department of Transportation, and the Secretary of Transportation under and by virtue of Title 47 RCW, as amended and

hereinafter called the Contractor.

WITNESSETH:

That in consideration of the terms and conditions contained herein and attached and made a part of this agreement, the parties hereto covenant and agree as follows:

I. The Contractor shall do all work and furnish all tools, materials, and equipment for:

in accordance with and as described in the attached plans and specifications, and the standard specifications of the Washington State Department of Transportation which are by this reference incorporated herein and made part hereof and, shall perform any changes in the work in accord with the Contract Documents.

The Contractor shall provide and bear the expense of all equipment, work and labor, of any sort whatsoever that may be required for the transfer of materials and for constructing and completing the work provided for in these Contract Documents except those items mentioned therein to be furnished by the State of Washington.

II. The State of Washington hereby promises and agrees with the Contractor to employ, and does employ the Contractor to provide the materials and to do and cause to be done the above described work and to complete and finish the same in accord with the attached plans and specifications and the terms and conditions herein contained and hereby contracts to pay for the same according to the attached specifications and the schedule of unit or itemized prices at the time and in the manner and upon the conditions provided for in this contract.

DOT Form 272-006 EF
Revised 12/97

III. The Contractor for himself/herself, and for his/her heirs, executors, administrators, successors, and assigns, does hereby agree to full performance of all covenants required of the Contractor in the contract.

IV. It is further provided that no liability shall attach to the State by reason of entering into this contract, except as provided herein.

IN WITNESS WHEREOF, the Contractor has executed this instrument, on the day and year first below written and the Secretary of Transportation has caused this instrument to be executed by and in the name of the said State of Washington and the Washington State Department of Transportation the day and year first above written.

Executed by the Contractor _____, _____.

(Contractor)

Washington State Department of Transportation

Secretary of Transportation

By: _____

Date: _____, _____

DOT Form 272-006 EF
Revised 12/97



Washington State
Department of Transportation

Contract

THIS AGREEMENT, made and entered into this day of , ,
between the STATE OF WASHINGTON, acting through the Washington State Department of
Transportation, and the Secretary of Transportation under and by virtue of Title 39 RCW, as
amended and

hereinafter called the Contractor.

WITNESSETH:

That in consideration of the terms and conditions contained herein and attached and made a
part of this agreement, the parties hereto covenant and agree as follows:

I. The Contractor shall do all work and furnish all tools, materials, and equipment for:

in accordance with and as described in the attached Contract Drawings and Project Manual,
which are by this reference incorporated herein and made a part hereof, and as directed shall
perform any changes in the work in accord with the Contract Documents.

The Contractor shall provide and bear the expense of all equipment, work and labor, of any
sort whatsoever that may be required for the transfer of materials and for constructing and
completing the work provided for in these Contract Documents except those items mentioned
therein to be furnished by the State of Washington.

II. The State of Washington hereby promises and agrees with the Contractor to employ,
and does employ the Contractor to provide the materials and to do and cause to be done the above
described work and to complete and finish the same in accord with the attached Contract Drawings
and Project Manual and the terms and conditions herein contained and hereby contracts to pay for
the same according to the attached Schedule of Values and Contracts Sum at the time and in the
manner and upon the conditions provided for in this contract.

DOT Form 272-008 EF
Revised 12/97

III. The Contractor for himself/herself, and for his/her heirs, executors, administrators, successors, and assigns, does hereby agree to full performance of all covenants required of the Contractor in the contract.

IV. It is further provided that no liability shall attach to the State by reason of entering into this contract, except as provided herein.

IN WITNESS WHEREOF, the Contractor has executed this instrument, on the day and year first below written and the Secretary of Transportation has caused this instrument to be executed by and in the name of the said State of Washington and the Washington State Department of Transportation the day and year first above written.

Executed by the Contractor _____, _____.

(Contractor)

Washington State Department of Transportation

Secretary of Transportation

By: _____

Date: _____, _____

DOT Form 272-008 EF
Revised 12/97



Washington State
Department of Transportation

**Contract Bond -
Highway Construction**

KNOW ALL MEN BY THESE PRESENTS, That

of _____, as Principal, and
as Surety, are jointly and severally held and bound unto the State of Washington, in the penal sum of

Dollars (\$ _____), the payment of which we jointly and severally bind ourselves,
our heirs, executors, administrators, and assigns, and successors and assigns, firmly by these presents.

The CONDITION of this bond is such that WHEREAS, on the
day of _____ A.D., _____, the said

Principal, herein, executed a certain contract with the State of Washington, by the terms, conditions,
and provisions of which contract the said

Principal, herein, agree to furnish all material and do certain work, to wit: That

will undertake and complete the construction of _____,

according to the maps, plans and specifications made a part of said contract, which contract as so
executed, is hereunto attached, is now referred to and by reference is incorporated herein and made
a part hereof as fully for all purposes as if here set forth at length. This bond shall cover all
approved change orders as if they were in the original contract.

NOW, THEREFORE, if the Principal herein shall faithfully and truly observe and comply with the
terms, conditions, and provisions of said contract in all respects and shall well and truly and fully do and
perform all matters and things by them undertaken to be performed under said contract, upon the terms
proposed therein, and within the time prescribed therein, and until the same is accepted, and shall pay all
laborers, mechanics, subcontractors, and material men, and all persons who shall supply such contractor
or subcontractor with provisions and supplies for the carrying on of such work, and shall in all respects,
faithfully perform said contract according to law, then this obligation to be void, otherwise to remain in
full force and effect.

DOT Form 272-002 EF
Revised 6/99

WITNESS our hands this _____ day of _____, _____

(Principal)

(Attorney-in-fact, Surety)

Name and Address Local Office of Agent

APPROVED:

Washington State Department of Transportation
Secretary of Transportation

By: _____

Date: _____, _____

Surety Bond No.

WSDOT Contract No.

DOT Form 272-002 EF
Revised 12/97



**Washington State
Department of Transportation**

**Contract Bond -
Building Construction**

KNOW ALL MEN BY THESE PRESENTS, That

of _____, as Principal, and _____
as Surety, are jointly and severally held and bound unto the State of Washington, in the penal sum of

Dollars (\$ _____), for payment of which we jointly and severally bind ourselves,
our heirs, executors, administrators, and assigns, and successors and assigns, firmly by these presents.

The CONDITION of this bond is such that WHEREAS, on the
day of _____ A.D., _____, the said

Principal, herein, executed a certain contract with the State of Washington, by the terms, conditions, and
provisions of which contract the said

Principal, herein, agree to furnish all material and do certain work, to wit: That

will undertake and complete the construction of _____,

according to the Contract Documents made a part of said contract, which contract as so executed, is
hereunto attached, is now referred to and by reference is incorporated herein and made a part hereof as
fully for all purposes as if here set forth at length. This bond shall cover all approved change orders as if
they were in the original contract.

NOW, THEREFORE, if the Principal herein shall faithfully and truly observe and comply with the
terms, conditions, and provisions of said contract in all respects and shall well and truly and fully do and
perform all matters and things by them undertaken to be performed under said contract, upon the terms
proposed therein, and within the time prescribed therein, and until the same is accepted, and shall pay all
laborers, mechanics, subcontractors, and material men, and all persons who shall supply such contractor
or subcontractor with provisions and supplies for the carrying on of such work, and shall in all respects,
faithfully perform said contract according to law, and shall further indemnify, save harmless and
reimburse said State of Washington from and for any defect or defects in any of the workmanship or
materials entering into any part of the work of the contractor performed pursuant to this contract, which
shall develop or be discovered within one year after the final acceptance of said contract, then this
obligation to be void, otherwise to remain in full force and effect, provided, the liability hereunder for
defects in materials or workmanship for a period of one year after the acceptance of the work shall not
exceed the sum of ten percent (10%) of the amount hereinabove set forth as the penal sum of this Bond.

DOT Form 272-003 EF
Revised 6/99

WITNESS our hands this _____ day of _____, _____

(Principal)

(Attorney-in-fact, Surety)

Name and Address Local Office of Agent

APPROVED:

Washington State Department of Transportation

Secretary of Transportation

By: _____

Date: _____, _____

Surety Bond No.

WSDOT Contract No.

DOT Form 272-003 EF
Revised 12/97

Date:

TO: Federal Highway Administration
Interstate & Program Support Branch (HNG-13)
400 Seventh Street, SW
Washington, DC 20590

FROM: Washington State Department of Transportation
Olympia WA 98504-7360

SUBJECT: Submission of Bid Tabulation Data

Attached is the following data for the recently awarded Federal-aid-highway construction project:

State Washington FIPS County Code(S)

Federal-aid Project #(S)

Contractor's Name

Contractor's City/State

Low Bid Amount _____ Award Date(M/D/Y)

Sales Tax Rate _____ %

2nd Low Bid Amount \$ _____ 3rd Low Bid Amount \$

Number of Bidders _____ Engineer's Estimate \$

Project Length _____ Miles/Kilometers _____ (Indicate which and report to nearest 0.1)

FMIS Predominant Type Code(s)

Estimate Completion Date (Mo/Yr)

Is Contract a Joint Venture (Yes/No)

If Yes, List Name/City/State of Other Contractor(s): _____

FHWA Division Contact Person: Donald A. Petersen (360) 534-9323

Form FHWA-45 is/is not attached

All Federal-aid contracts for new and reconstruction projects on the National Highway System (Including the Interstate System) are to be reported regardless of size or type of Federal-aid funding. Projects off the National Highway System are not to be reported. When several projects are combined into a single contract, all data should be combined and reported on a single transmittal sheet. Please direct questions to the Interstate & Program Support Branch (HNG-13), telephone 202-366-4636.

Mr. Daniel M. Mathis
Division Administrator
Federal Highway Administration
Olympia, Washington 98504

RE: 172ND ST NE I/C BRIDGE REPLACEMENT PHASE 1
F.A. No. IM-STPF-9999(417)

Dear Sir:

At the bid opening held in Olympia, Washington on June 16, 2004
the low bid was submitted by:

Firm Name Walker Walker, Inc. Amount \$7,117,431.95

Address: 331 N. Walker Rd. - 99211-0831 + 0.00% Sales Tax= \$7,117,431.95

P.O. Box 11954 Contract No. 6801

Walker, WA 99211-1954

Approximate Starting Date: August 2004 Estimated Completion Date: June 2005

Working Days 316

Telephone No. (360) 705-7835 Location Olympia, Washington

It is proposed to award the contract on July 29, 2004 to the aforementioned firm and
your concurrence in this award is hereby requested.

In accordance with 23CFR635.112(c), where applicable, all bidders have acknowledged receipt
of all addendums for the above referenced project, except as specified: No exceptions.

Construction Type: X000

Very truly yours,

Douglas B. MacDonald
Secretary of Transportation

By: Kevin J. Dayton, P.E.
State Construction Engineer

FHWA Concurrence Date

KJD:dlr
Attachment



Washington State
Department of Transportation

Memorandum

Date: Current Date

FROM: (PE/Designer)
Phone: (000)000-0000

SUBJECT: SR 00, and L (#) Pin NO.(****)
Project title
MP to MP
F.A. No. or State Project

TO: James Medina
MS: 47314

Please provide the (DBE and Training) MNE/WBE goals for this project.

This project will be constructed using (Federal Aid and) State Funds.

The estimate for this project is in the EBASE database in the file named (**A** job number) Please access the database to obtain the estimate for this project.

(For the description of work use the fill-in GSP "Description of Work" as it appears in the project specifications.)

Please provide us with the DBE goals and Training you would like to see in the project.

The number of working days allowed for this project is (**1**).

This project has a proposed ad date of (month day year).

The goal information is needed by this office no later than the (this date is the Thursday prior to the Ad-Ready PS&E submittal to the Region Plans Office).

If you have any questions please call (designer) or (PE) at phone number>



Washington State
Department of Transportation

Memorandum

TO: Ken Walker/Kari Slusser 47360
THRU: Region Manager
FROM: Region Designee MS XX-XXX
Phone number
SUBJECT: **APPROVAL FOR ADVERTISING - HQ AD & AWARD**
SR XL-
Example Project Title Goes Here

In accordance with M 27-02, *Advertisement and Award Manual*, the Region is requesting this project be advertised for bids on _____. A ____ week advertisement period is requested.

This project meets the conditions for a Level ____ Approval.

Performance bonds will be required on this project.

MWBE Goal: DBE Goal: Training:

The contract number has been requested.

The EBASE file has been locked and uploaded to the Bids Module.

Design / Construction PEO:

The improvement for which the bids will be received follows:

[Insert text from Notice to Contractors]

Outstanding issues and planned resolution (for Level 2 and 3 Approvals):

Outstanding permits:

Outstanding agreements:

Utility issues:

R/W issues

Prior agreement from HQ Construction (for Level 3 Approval):

If you have any questions or need additional information, please contact _____ at _____.

WASHINGTON STATE
DEPARTMENT OF TRANSPORTATION
OLYMPIA, WASHINGTON 98504-7360

(Current Date)

Please Deliver this message to:

Fax No. ()

Attention: Estimator

SR #
Project Name
PS&E #

ADDENDUM NO. 1

ATTENTION: Proposal Holders

Please acknowledge receipt of the following addendum by having this sheet **signed** by your estimator, proposal signer, or other person in authority, and **return** by FAX to, WSDOT, Olympia Service Center, Olympia, WA, FAX No. (360) 705-6810.

Including this cover sheet there are 2 pages.

Signature

Title

PS&E #

COA DBE/DBE Prime

Award Date

Principal Who Signed Proposal
Company Name
Address
City, State, Zip Code

Contract No. SR No.
PROJECT NAME
F.A. No.

Dear :

This will advise you that the contract for the above referenced project has been awarded to your firm at your bid price of \$.

The contractor agrees to take all necessary and responsible steps in accordance with 49 CFR, part 26 to ensure that Disadvantaged Business Enterprises, as defined in the specifications for this contract, have the maximum opportunity to participate in the performance of this contract.

The requirements of 49 CFR 26 have been satisfied as your firm has attained the goal established for Disadvantaged Business Enterprises as set forth in the specifications of this contract, by virtue of the fact that it has been certified as a Disadvantaged Business.

DBE Goal = \$

Total DBE Attainment = \$

The award of this contract was made with the understanding that the (Company Name) will provide a list of all firms who submitted a bid or quote to the contractor on this contract. This list is required prior to submitting the signed contract for execution. The list is to be provided to Office of External Civil Rights PO Box 47314, Olympia WA 98504-7314. FAX (360) 705-6801

The list shall include the following:

-Correct business name, Federal Employer Identification Number, and mailing address of all firms who submitted a bid or quote as a part of this contract. Note which of those firms were successful and will be participating in the contract. (If the firm does not have this ID number, please supply the Social Security Number of the business owner).

September 7, 2004

Principal, Title
Company Name
Address
City, State, Zip+four

Contract No. 00000
SR #, MP #.## to MP #.##
PROJECT TITLE
F.A. No. #####

Dear Principal:

This letter is to advise you that the contract for the above referenced project has been awarded to your firm at your bid price of

As a part of entering this contract, the contractor agrees to take all necessary and responsible steps in accordance with 49 CFR Part 26 to ensure that Disadvantaged Business Enterprises have an opportunity to participate in the performance of this contract. The award of this contract was made with the understanding that the firms listed on the DBE Utilization Certification will be performing the dollar value of work as indicated.

Prior to submitting the signed contract for execution, (Company Name) will provide the following two items:

- 1) breakout information for all successful DBEs as shown on the DBE Utilization Certification
 - correct business name, federal employer identification number (if available), and mailing address
 - list of all bid items assigned to each DBE firm, including unit prices and extensions, indicating any anticipated sharing of resources (e.g., equipment, employees, etc.)
 - indicate partial items - specify the distinct elements of work to be performed by the DBE firms and provide a complete description of these partial items.

Note: Total amounts shown for each DBE shall not be less than the amount shown on the Utilization Certification.

- 2) A list of all firms who submitted a bid or quote in an attempt to participate in this contract whether they were successful or not. Include the following information:
- correct business name, federal employer identification number (optional), and mailing address

Send these two items to the External Civil Rights Branch, Office of Equal Opportunity, PO Box 47314, Olympia WA 98504-7314. FAX (360) 705-6801. Failure to provide this information prior to execution will result in forfeiture of the bidders proposal security.

The contract will be forwarded to you under separate cover. The contract must be signed and returned in accordance with the mailing instructions furnished with the contract documents. Please return these documents within 20 calendar days after the date of award.

Sincerely,

Kevin J. Dayton, P.E.
State Construction Engineer

KJD:dlr

cc: DBE Companies
Materials Office
, Region Admin.
M. Goedge (if NW Region)
OEO Officer (if NW Region)
External Civil Rights

Date: Current Date

From: James A. Medina

Phone: 705-7084

Subject: Contract #
SR #
Project Name
County
Region
F.A. No.

To: Ron Howard/Ken Walker

The External Civil Rights Branch has reviewed the DBE Utilization Certification for the project submitted by apparent low bidder **(Contractors Name)**.

DBE FIRMS

List Firms and dollar amounts

Total **\$ (dollar amount)**

DBE GOAL - (% of goal)

ATTAINMENT - (Dollar amount submitted by contractor)

This project is cleared for award as far as DBE issues are concerned.

Award Date

Principal, Title
Company Name
Address
City, State, Zip+4

Contract No.
SR & MP
PROJECT TITLE
F.A. No. or A State Project

Dear Principal:

This will advise that the contract for the above referenced project has been awarded to your firm at the bid price of \$

The contract will be forwarded at an early date. This contract must be signed and returned in accordance with the mailing instructions furnished with the contract documents. Please return within 20 calendar days after the date of award.

Sincerely,

By: Kevin J. Dayton
State Construction Engineer

KJD:dlr

cc: , Region Admin.
Materials Office

September 25, 2004

Company Name
PO BOX ###
City State Zip Code

Contract No. 0000
SR #, MP #.## to MP #.##
PROJECT TITLE

Gentlemen:

Please provide the name, address and phone number of the individual who will be your firm's point of contact with our Risk Management Office. This is regarding any discussions and questions on third party tort claims being tendered to you and the insurance provider(s) on this project.

Name: _____
Address: _____
Phone: _____

Please return this information to:

WSDOT Risk Management Office
PO Box 47418
Olympia WA 98504-7418

Sincerely,

William McGourin
Manager, Expenditure Accounting

WM;jh

Cc: Audit File

June 25, 1998

Company Name
Address
City State Zip Code

Contract No. #####
SR # MP # to MP #
PROJECT TITLE
F.A. No. #####

Gentlemen:

We are returning herewith the Proposal Bond which accompanied your bid for the above referenced project.

Sincerely,

Ken Walker
Manager, Contract Ad & Award

KW: dr
Enclosure

cc: R.A.

September 25, 2004

Company Name
Address
City State Zip Code

Contract No. XXXXX
SR # MP # to MP #
Project Name
F.A. No. #####

Principal:

We are returning herewith the Proposal Bond which accompanied your bid for improvement of the above referenced project.

This bond was held until the successful bidder furnished a satisfactory performance bond and executed the contract.

Sincerely,

Ken Walker
Manager, Contract Ad & Award

KW: dr
Enclosure

June 28, 2004

Regional Administrator, (Region)
Address
City , State Zip Code

Dear Ladies and Gentlemen:

You may proceed with work under the below identified project:

Contract Number:	009999
Control Section:	233333
State Route Number:	3
Federal Aid Number:	## or State
Number of Working Days:	100.0
Date Contract Awarded:	9/25/2004
Date Contract Executed:	10/05/2004

Project Title: SR 3 SIGNALS TEST PROJECT

Awarded Contractor's

Name:	Walker's Walkers
Address:	PO Box 47360 Walker WA 99999-7360

Surety:	WALKER INSURANCE COMPANY
Agent of Surety:	WALKER
Address of Agent:	PO Box xxxx No Town WA 99999-xxxx

Contractor's Public Liability and Property Damage

Certificate of Insurance

Policy Nos.	QB1111111 PP1222222 PO1222222
-------------	-------------------------------------

Expires:	10/30/2005
----------	------------

Sincerely,

William McGourin
Manager, Expenditure Accounting

Contract Ad and Award
FLAK9105

Small Works Roster Process

The small works roster process may be used in lieu of formal advertisement for non federal aid projects when the total cost is expected to cost less than \$200,000. No formal advertisement (printed publication) is required. Bidders are selected from the appropriate small works roster by prequal work class and County. All other requirements remain the same as for a normal ad, award, and execution.

Authority

RCW 39.04.155, 47.28.030, 47.28.035, 47.28.070, WAC 468.15, and WAC 468.16

Purpose

- A. To provide an alternative bid process for selection of bidders in lieu of formal advertisement for non federal funded projects estimated to cost less than \$200,000.
- B. Provide a fair cost effective method of contracting through the small works roster process
- C. Provide a clear concise method for selection of qualified bidders.
- D. Reduction in project cost for formal advertisement.
- E. Reduction in project cost for printing plans and specifications.
- F. Savings may be offset by less competition.

Rules

- A. Project estimated cost must be less than \$200,000. (RCW 39.04.155)
 - 1. The breaking of any project into units or accomplishing any projects by phases is prohibited if it is done for the purpose of avoiding the maximum dollar amount of a contract that may be let using the small works roster process or limited public works process. (RCW 39.04.155)
 - 2. Cost of the project must include cost for materials, equipment and labor. (RCW 47.28.035)
- B. Project cannot contain federal funds. (CFR requires formal advertisement)
- C. Must invite all the bidders on the applicable Small Works Roster or minimum five bidders, one of which must be an M/W/DBE if available. (RCW 39.04.155)
- D. Bidders must be on the applicable Small Works Roster at the time of request.
- E. Bidders must be prequalified. (RCW 47.28.070)
- F. WSDOT formally advertises for small works roster applicants once per year. Normally January thru February. However, a firm may request to be placed on a small works roster at any time. A solicitation for small works roster participants is posted to our website year around. (RCW 39.04.155)
- G. Formal advertisement of the project is not required.
- H. All other rules as applicable to the Plans Prep Manual and statutes apply.
- I. Olympia Headquarters Contract Ad & Award Office maintains WSDOT's Small Works Rosters.

- J. Bid results shall be recorded and open to public inspection immediately after award.
 - 1. Results shall be available by phone.
 - 2. Results shall be available on the Contract Ad & Award bid tabulations website.

Procedures

- A. Project staff determines whether or not the project is a candidate for the Small Works Roster Process.

	Eligible	Not Eligible
1. Estimate under \$200,000	Yes	
2. Estimate over \$200,000		No
3. Federal funds		No
4. State or Local Funds	Yes	

- B. Prepare plans and specifications, bid proposal form per WSDOT’s plans preparation manual.
- C. Contact HQ Contract Ad & Award Office by phone (360) 705 7017, (360) 705 7837 or e-mail walkeke@wsdot.wa.gov or Slussk@wsdot.wa.gov
 - 1. Request contract number from HQ Contracts Payment Section
 - 2. Request small works roster for:
 - a. Identify project title ***1***
 - b. Identify work class or major type of work ***1***
 - c. Identify location of project (county or counties)
 - d. Request five names or every name on the roster.
 - e. Provide each of the companies on the roster with a bid package.
 - f. Receive and open bids.
 - g. Evaluate bids for responsiveness
 - h. Fax or email bid results to HQ Contract Ad & Award Office
 - 3. Follow all other procedures for a normal contract advertisement, award, and execution project.