

DOCUMENT NUMBER 00900

ADDENDUM NO. 5

Date of Issue: February 28, 2024

To all prospective bidders of record on the Work titled: **Biosolids Handling Facilities and Odor Control Improvements**

The Drawings and Project Manual including Specifications are modified as follows. This Addendum is part of the Contract Documents and modifies the original documents dated January 2024.

Acknowledge receipt of this Addendum in the space provided in the BID FORM. Failure to do so may subject the Bidder to disqualification.

Note: The following are attached:

1. Section 00300 – Bid Form
2. Section 00430 – Subcontractor List
3. EPA DBE Form 6100-3

This Addendum consists of 3 pages.



KENNEDY/JENKS CONSULTANTS, INC.
Michael Lubovich, P.E.

CHANGES TO SPECIFICATIONS

Item AD5-1 Section 00100: Instructions to Bidders

Replace Article 28 with the following:

“Article 28. Bidder’s Checklist

Bidders must submit the following signed Documents with their Bids:

<u>Document Number</u>	<u>Title</u>
00300	Bid Form
00300A	Certification of Compliance with Wage Payment Statuses
00300B	Declaration of Participation in E-Verify Program
00410	Bid Security
00412	Base Bid Equipment and Systems List
00416	Bidder's References
00420	Bidder's Qualifications
00430	Subcontractor List
00480	Noncollusion Affidavit
00800B	Certification of Nonsegregated Facilities

The following submittals are required to be submitted with the bid proposal:

- DBE Subcontractor Utilization Form (EPA Form 6100-4)
- One copy of DBE Subcontractor Performance Form (EPA Form 6100-3) for each DBE subcontractor.”

Item AD5-2 Attachment 3/Section 00100A: Certification of Nonsegregated Facilities

Delete this document added per Addendum No. 1 in its entirety. It is superseded by Section 00800B Certification of Nonsegregated Facilities.

Item AD5-3 Section 00300: Bid Form

Replace Section 00300 Bid Form in its entirety with the revised Section 00300 Bid form attached to this addendum. Changes have been made to Article 7.

Item AD5-4

Section 00430: Subcontractor List

Replace Section 00430 Subcontractor List in its entirety with the revised Section 00430 Subcontractor List attached to this addendum. The subcontractor information required has been expanded, consistent with Section 00800 Supplementary Conditions.

Item AD5-5

Section 00800: Supplementary Conditions

In paragraph 3, replace "BIDDERS LIST" with "SUBCONTRACTOR LIST" which refers to Section 00430.

Item AD5-6

EPA DBE Form 6100-3

Form has been attached to this addendum for bidder use as referenced in Section 00100 Instructions to Bidders, Article 28.

END OF ADDENDUM NO. 5

SECTION 00300

BID FORM

Project Identification: Washougal Biosolids Handling Facilities and Odor Control Improvements

This Bid is Submitted to: City of Washougal
City Hall
1701 C Street
Washougal, Washington 98671

The Design Engineer is: Kennedy/Jenks Consultants, Inc.
32001 32nd Avenue South, Suite 300
Federal Way, Washington 98001
Telephone Number 253-835-6400

The Engineer is: Michael Lubovich
32001 32nd Avenue South, Suite 300
Federal Way, Washington 98001
Telephone Number 253-835-6459

Article 1

The undersigned Bidder proposes and agrees, if this Bid is accepted, to enter into an agreement with Owner in the form included in the Contract Documents to perform and furnish all Work as specified or indicated in the Contract Documents for the Contract Price and within the Contract Time indicated in this Bid and in accordance with the other terms and conditions of the Contract Documents.

Potential bidders can download all bid documents and addendums at Washougal's e-procurement website (<https://procurement.opengov.com/portal/cityofwashougal>). For any potential Bidder not signed up through the e-procurement portal, further instructions are located on the City's bid opportunities website (<https://www.cityofwashougal.us/748/Bid-Opportunities>).

Article 2

Bidder accepts all of the terms and conditions of the Invitation to Bid and Instructions to Bidders, including without limitation those dealing with the disposition of Bid Security. This Bid will remain subject to acceptance for thirty (30) days after the day of Bid opening. Bidder will sign and submit the Agreement with the Bonds and other documents required by the Bidding Requirements within ten (10) days after the date of the Owner's Notice of Award.

Article 3

In submitting this Bid, Bidder represents, as more fully set forth in the Agreement, that:

- (a) Bidder has examined copies of all the Bidding Documents.

- (b) Bidder has examined copies of the following Addenda (receipt of which is hereby acknowledged):

<u>Date</u>	<u>Number</u>
_____	_____
_____	_____
_____	_____
_____	_____

- (c) Bidder has familiarized itself with the nature and extent of the Contract Documents, Work, site locality, and all local conditions and laws and regulations that in any manner may affect cost, progress, performance, or furnishing of the Work.
- (d) Bidder has studied carefully all reports and drawings of subsurface conditions and drawings of physical conditions which are identified in Section 00200, Information Available to Bidders.

Bidder has read and accepts the provisions in General Conditions paragraphs 3.3 through 3.5 which limit the extent to which the Contractor may rely on information provided by the Owner or the Design Engineer with regard to: a) subsurface soil conditions, b) existing concealed or underground utilities and underground facilities, and c) existing structures and facilities.

- (e) Bidder has read and accepts the provisions in General Conditions paragraphs 3.6 and 3.8 identifying the Contractor's responsibility: a) for using care in making excavations and in doing demolition, b) for damage to existing utilities and underground facilities and for loss of use thereof, and c) for the protection of workers and others from known and unknown or concealed hazards.
- (f) Bidder has read and accepts the provisions in General Conditions paragraph 3.7 which identifies the limited conditions under which the Contractor may be entitled to a change in Contract Time or Price due to differing or unknown conditions.
- (g) Bidder has visited the site and has reviewed the Bidding Documents and the Information Available to Bidders and it has made any other investigations, explorations, or tests and has obtained any other data it considers necessary for preparation of its Bid.
- (h) Bidder has correlated the results of all such observations, examinations, investigations, explorations, tests, reports, and studies with the Contract Documents and Bidder has read and understands provisions in the General Conditions relevant to differing and unknown conditions.
- (i) Bidder has given Engineer written notice of all conflicts, errors, or discrepancies that it has discovered in the Contract Documents and the written resolution thereof by Engineer is acceptable to Bidder.
- (j) Bidder has read, studied, and understands the entire set of Bidding Documents including the Construction Drawings, Specifications, and General Conditions and finds them fit and sufficient for the purpose of preparing its Bid and constructing the Work required.

- (k) Bidder represents that its Bid is based on providing all of the material, labor, equipment, and services necessary to complete the Work in full compliance with the Contract Documents without exception.
- (l) Attached is a Bid Bond duly completed by a guaranty company authorized to carry on business in the State of Washington, in the amount of no less than five percent (5%) of the total amount of our proposal, or alternatively, there is attached a certified or cashier's check payable to the City of Washougal in the amount of no less than five percent (5%) of the total amount of our proposal.
- (m) We further agree, if our Bid is accepted and a Contract for performance of Work is entered into with the City of Washougal, to so plan the Work and to prosecute it with such diligence that all the Work shall be completed within the time period stated in the Contract. We understand that the City of Washougal reserves the right to reject any or all bids and to determine which proposal is, in the judgment of the City of Washougal, the lowest responsible bid, and which proposal, if any, should be accepted in the best interests of the City of Washougal and that the City of Washougal also reserves the right to waive any informalities in any proposal or bid.
- (n) We further state that we 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 such contract.

Article 4

Requirements for State of Washington Public Works Contracts.

- (a) **DECLARATION OF LICENSE STATUS.** In accordance with Title 18.27 of the Revised Code of Washington, the Bidder declares that it possesses a valid State of Washington General Contractor's license at the time of submitting this Bid. Bidder shall state its license number and expiration date on its Bid Form.
- (b) **EXCAVATION, TRENCHING, AND SHORING.** The Bidder's attention is directed to Part N - EXCAVATION, TRENCHING, AND SHORING, Chapter 296-155 of the Washington Administrative Code. These regulations relate to all excavation and contain specific requirements to provide for the protection of all employees during all excavation work in connection with all construction work relating thereto, such as trenches, underpinning, shoring and bracing, and in connection with the construction of footings, foundations, retaining walls, and other construction work below ground level.

The Bid schedule includes an item for Excavation Safety. The Bidder shall include its costs to provide the required worker protection as required by Washington State Law.
- (c) **PREVAILING WAGE RATES.** The undersigned agrees that, if awarded the Contract, the undersigned and all of its subcontractors shall pay all laborers, workers, and mechanics employed in the performance of such Contract, or any subcontract thereunder, not less than the general prevailing rate of per diem wages and rates for overtime and legal holidays in the locality in which the Work is to be performed, as ascertained and determined, by the statutes, regulations, and Section 00800 applicable thereto.

- (d) **WASHINGTON STATE AND LOCAL SALES TAXES.** The Owner will pay monthly to the Contractor, Washington State and local sales taxes at the current prevailing rates based on the progress payment amount. The Contractor shall then pay these State and local sales tax amounts to the Washington State Department of Revenue. The Contractor's obligations regarding RCW Title 82, Excise Taxes, are explained in a comprehensive manual entitled, Contractor's Tax Manual, available from the Research & Information Division of the Washington State Department of Revenue. In addition, the Washington Administrative Code Sections 458-20-102, 145, 170, 171, 172, 173, and 235 contain specific provisions relating to sales/use taxes.
- (e) The Bidder must provide a written declaration that they meet the Bidder responsibility criteria in accordance with RCW 39.04.350. Under RCW 39.04.350, the evaluation of bids for public work projects must include verification that the Bidder meets mandatory Bidder responsibility criteria and any supplemental Bidder responsibility criteria, and a written declaration from the Bidder verifying under penalty of perjury the Bidder is in compliance with the responsible Bidder criteria requirements for wage and labor standards in Chapters 49.46, 49.48, and 49.52 RCW

Article 5

Bidder will complete the Work for the following price(s):

Bid Schedule

Item No.	Item	Quantity	Unit	Unit Price (\$)	Total Estimated Price (\$)
1.	Mobilization, Demobilization, Site Preparation & Clean up	1	LS		
2.	General Site Improvements and Yard Piping	1	LS		
3.	Aerobic Digester	1	LS		
4.	Biosolids Handling Building	1	LS		
5.	Biosolids Storage Canopy	1	LS		
6.	Facility Odor Control Systems	1	LS		
7.	Anoxic Selector Material	1	LS		
8.	Anoxic Selector Labor	1	LS		
9.	Existing Headworks Odor Improvements	1	LS		
10.	WAS Pump Replacement	1	LS		

Item No.	Item	Quantity	Unit	Unit Price (\$)	Total Estimated Price (\$)
11.	Utility Water System Replacement	1	LS		
12.	Berm Renovations	1	LS		
13.	Sludge Removal from Lagoon 1	281	DRY TONS		
14.	Sludge Removal from Lagoons 2, 3, and 4	1,943	DRY TONS		
15.	Liner Removal from Lagoons 1, 2, 3, and 4	1	LS		
16.	Excavation Safety	1	LS		

TOTAL ESTIMATED PRICES (excluding tax)

_____ (\$ _____)
 (use words) (figures)

WASHINGTON STATE AND LOCAL SALES TAX

_____ (\$ _____)
 (use words) figures

Sum of TOTAL ESTIMATED PRICES and WASHINGTON STATE AND LOCAL SALES TAX

_____ (\$ _____)
 (use words) (figures)

Quantities are not guaranteed. Final payment will be based on actual quantities.

Article 6

- (a) Bidder agrees that the Work will be finally complete and ready for acceptance and final payment in accordance with Article 13 of the General Conditions on or before the dates or within the number of calendar days indicated in the Agreement.
- (b) Bidder accepts the provisions of the Agreement as to liquidated damages in the event of failure to complete the Work on time.

Article 7

The following documents are attached to and made a condition of this Bid:

- 00300A Certification of Compliance with Wage Payment Statuses
- 00300B Declaration of Participation in E-Verify Program
- 00410 Bid Security
- 00412 Base Bid Equipment and Systems List
- 00416 Bidder's References
- 00420 Bidder's Qualifications
- 00430 Subcontractor List
- 00480 Noncollusion Affidavit
- 0800B Certification of Nonsegregated Facilities

DBE Subcontractor Utilization Form (EPA Form 6100-4)

One copy of DBE Subcontractor Performance Form (EPA Form 6100-3) for each DBE subcontractor.

Article 8

Communications concerning this Bid shall be addressed to:

Scott Collins, PE at Scott.Collins@cityofwashougal.us

Telephone Number: 360-835-8501 ext. 230

Article 9

The terms used in this Bid which are defined in the General Conditions of the Construction Contract included as part of the Contract Documents have the meanings assigned to them in the General Conditions.

Bidder declares that it does possess a contractor's license of the required classification, valid in the appropriate jurisdiction at the time of submitting this bid.

Contractor's license number: _____

License classification: _____

License expiration date: _____

SUBMITTED on _____, 20____.

If Bidder is:

An Individual

By: _____ (SEAL)
Individual's Name

(Signature)

Doing business as: _____

Business Address: _____

Telephone Number: _____

A Partnership

By: _____

(SEAL)

(Firm Name)

(General Partner Name)

(Signature)

(Title)

Business Address: _____

Telephone No.: _____

A Corporation

By: _____

(Corporation's Name)

(State of Incorporation)

By: _____

(Name of Person Authorized to Sign)

(Signature)

(Title)

Attest _____

(Secretary)

Business Address: _____

Telephone No.: _____

Home Office Address (if different from above): _____

A Joint Venture

By: _____
(Name)

(Signature)

Address: _____

Telephone Number: _____

By: _____
(Name)

(Signature)

Address: _____

Telephone No.: _____

Each joint venturer must sign. The manner of signing for each individual, partnership and corporation that is a party to the joint venture shall be in the manner indicated above.

END OF BID FORM

SECTION 00430

SUBCONTRACTOR LIST
(To be submitted with Bid)

Each Bidder shall set forth below with its bid:

(a) The name and the location of the place of business of each subcontractor who will perform work or labor or render service to the Contractor in or about the construction of the work or improvement, or a subcontractor licensed by the State of Washington who, under subcontract to the Contractor, specially fabricates and installs a portion of the work or improvement according to detailed drawings contained in the plans and specifications, in an amount in excess of one-half of 1 (0.5%) percent of the Contractor's total bid.

(b) The portion of the work which will be done by each such Subcontractor. The Contractor shall list only one Subcontractor for each portion of the work.

(c) Submit a separate Subcontractor's list for each individual Contract for which a Base Bid is submitted.

(d) Submit a separate second page of Subcontractor's list to identify changes in Subcontractors that will be required if the Owner selects a particular alternate.

If the Bidder fails to specify a Subcontractor for any portion of the work as above-stated, or if the Bidder lists more than one Subcontractor for the same portion of the work, then Bidder agrees to perform that work themselves. The following is submitted concerning Subcontractors:

<u>Name of Subcontractor</u>	<u>Mailing Address</u>	<u>Point of Contact</u>	<u>Telephone Number and e-mail</u>	<u>Date of Bid or Quote</u>	<u>MBE/WBE (Y/N)</u>	<u>Portion of Work to be Done</u>	<u>Subcontractor's WA License Number and Class</u>

List alternate numbers and changes required in Subcontractors due to alternate selection on a separate copy of the second page of this form.

(Signature of Bidder)

SUBCONTRACTOR LIST – HVAC, PLUMBING, AND ELECTRICAL

Pursuant to RCW 39.30.060, each Bidder shall set forth within the designated time frame the following:

If the estimated contract cost is \$1,000,000 or more, Bidder shall submit the names of all subcontractors with whom the Bidder will subcontract for heating, ventilation, and air conditioning (HVAC) and plumbing work as described in RCW 18.106, and electrical work as described in RCW 19.28. List below the names of each subcontractor that will be furnishing labor or labor and materials and that is required to be disclosed or indicate that the work will be performed by the Bidder or no work under the category will be performed. The requirement of this section to name the Bidder's proposed HVAC, plumbing, and electrical subcontractors applies only to subcontractors who will contract directly with the general contractor submitting the bid to the public entity (First Tier Subcontractor).

The Bidder shall not list more than one subcontractor for each category of work identified, unless subcontractors vary with bid alternates, in which case the Bidder must indicate which subcontractor will be used for which alternate.

Failure of the Bidder to submit the names of such subcontractors or to name itself to perform such work, the naming of two or more subcontractors to perform the same category of work, failure to identify if the category of work will not be performed, or failure to submit this Subcontractor List – HVAC, Plumbing, and Electrical **within one hour after the published bid submittal time** shall render the Bidder's bid non-responsive and, therefore, void.

HVAC (Bidder shall check only one box):

- No HVAC to be performed
- HVAC work will be performed by Bidder
- HVAC work will be performed by the following First Tier Subcontractor:
Name: _____ WA License#: _____
- HVAC work will be performed by a Lower Tier Subcontractor

Plumbing (Bidder shall check only one box):

- No plumbing to be performed
- Plumbing work will be performed by Bidder
- Plumbing work will be performed by the following First Tier Subcontractor:
Name: _____ WA License#: _____
- Plumbing work will be performed by a Lower Tier Subcontractor

Electrical (Bidder shall check only one box):

- No electrical to be performed
- Electrical work will be performed by Bidder
- Electrical work will be performed by the following First Tier Subcontractor:
Name: _____ WA License#: _____
- Electrical work will be performed by a Lower Tier Subcontractor

No changes or substitutions from these listed HVAC, plumbing, and electrical subcontractors will be allowed without the express written approval of the Engineer. Substitutions must be compliant with RCW 39.30.060. If such change is permitted by the Engineer and adheres to RCW 39.30.060, it will be evaluated in accordance with provisions of the Contract Documents.

SUBCONTRACTOR LIST – STRUCTURAL STEEL AND REBAR INSTALLATION

Pursuant to RCW 39.30.060, each Bidder shall further set forth within the designated time frame the following:

If the estimated contract cost is \$1,000,000 or more, Bidder shall submit the names of all subcontractors with whom the Bidder will subcontract for structural steel and rebar installation. List below the names of each subcontractor that will be furnishing labor or labor and materials and that is required to be disclosed or indicate that the work will be performed by the Bidder or no work under the category will be performed. The requirement of this section to name the Bidder's proposed structural steel installation and rebar installation subcontractors applies only to subcontractors who will contract directly with the general contractor submitting the bid to the public entity (First Tier Subcontractor).

The Bidder shall not list more than one subcontractor for each category of work identified, unless subcontractors vary with bid alternates, in which case the Bidder must indicate which subcontractor will be used for which alternate.

Failure of the Bidder to submit the names of such subcontractors or to name itself to perform such work, the naming of two or more subcontractors to perform the same category of work, failure to identify if the category of work will not be performed, or failure to submit this Subcontractor List – Structural Steel and Rebar Installation **within forty-eight hours after the published bid submittal time** shall render the Bidder's bid nonresponsive and, therefore, void.

Structural Steel Installation (Bidder shall check only one box):

- No structural steel installation to be performed
- Structural steel installation will be performed by Bidder
- Structural steel installation will be performed by the following First Tier Subcontractor:
Name: _____ WA License#: _____
- Structural steel installation will be performed by a Lower Tier Subcontractor

Rebar Installation (Bidder shall check only one box):

- No rebar installation to be performed
- Rebar installation will be performed by Bidder
- Rebar installation will be performed by the following First Tier Subcontractor:
Name: _____ WA License#: _____
- Rebar installation will be performed by a Lower Tier Subcontractor

No changes or substitutions from these listed structural steel and rebar installation subcontractors will be allowed without the express written approval of the Engineer. Substitutions must be compliant with RCW 39.30.060. If such change is permitted by the Engineer and adheres to RCW 39.30.060, it will be evaluated in accordance with provisions of the Contract Documents.

END OF SUBCONTRACTOR LIST

**Disadvantaged Business Enterprise (DBE) Program
DBE Subcontractor Performance Form**

This form is intended to capture the DBE¹ subcontractor's² description of work to be performed and the price of the work submitted to the prime contractor. An EPA Financial Assistance Agreement Recipient must require its prime contractor to have its DBE subcontractors complete this form and include all completed forms in the prime contractor's bid or proposal package.

Subcontractor Name Click here to enter text.		Project Name Click here to enter text.	
Bid/ Proposal No. Click here to enter text.	Assistance Agreement ID No. (if known) Click here to enter text.	Point of Contact Click here to enter text.	
Address Click here to enter text.			
Telephone No. Click here to enter text.		Email Address Click here to enter text.	
Prime Contractor Name Click here to enter text.		Issuing/Funding Entity Department of Ecology	

Contract Item Number	Description of Work Submitted to the Prime Contractor Involving Construction, Services, Equipment, or Supplies	Price of Work Submitted to the Prime Contractor
Click here to enter text.	Click here to enter text.	Click here to enter text.
DBE Certified By: <input type="checkbox"/> DOT <input type="checkbox"/> SBA <input type="checkbox"/> Other: Click here to enter text.		Meets/ exceeds EPA certification standards? <input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> Unknown

¹ A DBE is a Disadvantaged, Minority, or Woman Business Enterprise that has been certified by an entity from which EPA accepts certifications as described in 40 CFR 33.204-33.205 or certified by EPA. EPA accepts certifications from entities that meet or exceed EPA certification standards as described in 40 CFR 33.202.

² Subcontractor is defined as a company, firm, joint venture, or individual who enters into an agreement with a contractor to provide services pursuant to an EPA award of financial assistance.

**Disadvantaged Business Enterprise (DBE) Program
DBE Subcontractor Performance Form**

I certify under penalty of perjury that the forgoing statements are true and correct. Signing this form does not signify a commitment to utilize the subcontractors above. I am aware of that in the event of a replacement of a subcontractor, I will adhere to the replacement requirements set forth in 40 CFR Part 33 Section 33.302 (c).

Prime Contractor Signature	Print Name
Title	Date
Click here to enter text.	Click here to enter text.

Subcontractor Signature	Print Name
Title	Date
Click here to enter text.	Click here to enter text.