

CLEARANCES	Initial	Date	Date Received in Council Office:	Agenda date	Assigned to:
Originator: Public Works, Engineering Division	BGM	11/30	RECEIVED DEC 06 1995 WHATCOM COUNTY COUNCIL	12/12/95	Finance-Council
Division Head:	NM	11/30			
Dept. Head:	JM	11/30			
Prosecutor:	RW	12/1/95			
Purchasing/Budget:					
Executive:	ly	12-1-95			

SUBJECT:

Replacement of Bruce Road Bridge No. 37 Over California Creek, CRP-992252

ATTACHMENTS:

1. Letter
2. Resolution
3. Bid Tabs
4. Contract Info. Sheet
5. Project Cost Breakdown
6. Low Bid Proposal

SUMMARY STATEMENT:

Please complete sections of box as appropriate & explain the item below.

Related County contract #:	Should Clerk schedule a hearing? NO / X / YES / / Requested date:
Amount budgeted for this item/project: \$	Is it (or will it be) within budget? YES / X / NO / / (Please explain below)
Budget line item number(s): First line item #	, Second line item #

The 1995 Annual Construction Program has as project number 7, the replacement of Bruce Road Bridge No. 37 Over California Creek. This Project will be paid for with local and Federal (BROS) funds.

ORIGINATOR'S RECOMMENDED ACTION: Recommend Establishment of CRP-992252 and approval of award of Contract to the low bidder, One-Way Construction, Inc. in the amount of \$169,897.00.

COMMITTEE ACTION TAKEN:

COUNCIL ACTION TAKEN:

12/12/95: Approved Consent 7-0, Res. 95-085

Contract or Resolution Number (this item only):

SPONSORED BY: Consent

PROPOSED BY: Public Works-Engineering Div.

INTRODUCTION DATE: 12/12/95

RESOLUTION NO. 95-085

ESTABLISHING COUNTY ROAD PROJECT NO. 992252
AND THE AWARD OF CONTRACT FOR REPLACEMENT OF
BRUCE ROAD BRIDGE NO. 37 OVER CALIFORNIA CREEK

WHEREAS, This project is included in the officially adopted Annual Road Program as item number 7.

NOW, THEREFORE, BE IT RESOLVED by the Whatcom County Council that CRP 992252 is formally established for the Replacement of Bruce Road Bridge No. 37 Over California Creek. The Contract for this project is awarded to One Way Construction, Inc. in the amount of their bid of \$169,897.00.

An appropriation from the officially adopted Road fund budget and based on the County Road Engineer's estimate is hereby made in the amounts and for the purposes shown:

<u>PURPOSE</u>	<u>AMOUNT OF APPROPRIATION</u>
Preliminary Engineering	\$ <u>10,000.00</u>
Right-of-Way Acquisition	\$ <u>500.00</u>
SUBTOTAL	\$ <u>10,500.00</u>
Construction	\$ <u>169,900.00</u>
Construction Engineering Testing & Contingencies	\$ <u>24,600.00</u>
<u>TOTAL</u>	\$ <u>205,000.00</u>


BE IT FURTHER RESOLVED that the construction is to be accomplished by Contract in accordance with RCW 36.77.010 et. seq.

APPROVED this 12 day of ~~December~~ 1995.

ATTEST:


Dana Brown-Davis, Council Clerk

WHATCOM COUNTY COUNCIL
WHATCOM COUNTY, WASHINGTON


Robert A Imhof, Council Chair

APPROVED AS TO FORM:
(Previously approved as to form
By Randall J. Watts on 3/25/94)


Civil Deputy Prosecuting Atty.

**WHATCOM COUNTY
PUBLIC WORKS DEPARTMENT**

WHATCOM COUNTY COURTHOUSE
311 Grand Avenue
Bellingham, WA 98225-4038

JEFFREY M. MONSEN, P.E.
Director



DIVISION OF ENGINEERING

5280 Northwest Drive, Suite C
Bellingham, WA 98226
(360) 676-6730/380-8110
FAX (360) 676-6558

Edwin R. Henken, P.E. - Assistant Director
Nasser Y. Mansour, P.E. - County Road Engineer

November 30, 1995

The Honorable Shirley Van Zanten
Whatcom County Executive
311 Grand Avenue
Bellingham, WA 98225

Subject: Replacement of Bruce Road Bridge No. 37 Over California Creek
Federal Aid No. BROS-2037(064), Federal Aid Contract No. SA-2736,
CRP-992252

Dear Mrs. Van Zanten,

Bid proposals for the subject project were opened on November 29, 1995. Based on our review of the four bids received, we recommend award of this contract to the low bidder, One Way Construction, Inc. of Sedro Woolley, Washington, in the amount of \$169,897.00, being the amount of their low bid including all taxes.

Attached for your review are one copy each of the low bid proposal, including Non Collusion and Debarment Affidavit, Subcontractor List, and Disadvantaged Business Enterprise Utilization Certification, and a tabulation of all bids. Also attached are a County Council Agenda Bill, a County Contract Information Sheet, a Project Cost Breakdown, and an Initiating Resolution for consideration by the County Council.

Please signify on the following page, your concurrence to award this project to One Way Construction, Inc.

Very truly yours

Nasser Y. Mansour, P.E.
Whatcom County Road Engineer *ym*

In accordance with W.C.C. 3.08.230, I concur with this recommendation.

Nathaniel Dickinson
Purchasing Agent

11/30/95
Date

cc: Jeffrey M. Monsen, Nat Dickinson

Bid Tabulation: "REPLACEMENT OF BRUCE ROAD BRIDGE NO. 37 OVER CALIFORNIA CREEK"
FEDERAL AID NO. BROS-2037(064)

Bid Opening: 2:30 p.m.
NOVEMBER 29TH

CRP 992252

ITEM No.	DESCRIPTION	ENGINEER'S ESTIMATE		ONE-WAY CONSTRUCTION, INC		TIGER CONSTRUCTION		WESTPAC CONSTRUCTION, INC		C.A. CAREY CORPORATION		
		ESTIMATE QUANTITY	UNIT PRICE	TOTAL AMOUNT	UNIT PRICE	TOTAL AMOUNT	UNIT PRICE	TOTAL AMOUNT	UNIT PRICE	TOTAL AMOUNT	UNIT PRICE	TOTAL AMOUNT
1.	Mobilization	L.S.	L.S.	\$13,100.00	L.S.	\$12,000.00	L.S.	\$21,000.00	L.S.	\$21,000.00	L.S.	\$40,500.00
2.	Temporary Water Pollution Control	F.A.	F.A.	\$2,000.00	F.A.	\$2,000.00	F.A.	\$2,000.00	F.A.	\$2,000.00	F.A.	\$2,000.00
3.	Signing & Traffic Control	96 HR	30.00	\$2,880.00	26.00	\$2,496.00	27.60	\$2,649.60	27.00	\$2,592.00	40.00	\$3,840.00
4.	Remove Existing Bridge	L.S.	L.S.	\$5,000.00	L.S.	\$6,000.00	L.S.	\$11,000.00	L.S.	\$12,000.00	L.S.	\$10,000.00
5.	Structure Excavation Class "A" including Haul	70 C.Y.	15.00	\$1,050.00	20.00	\$1,400.00	16.00	\$1,120.00	35.00	\$2,450.00	25.00	\$1,750.00
6.	Shoring & Cribbing or Excavation Class "A"	L.S.	L.S.	\$1,500.00	L.S.	\$500.00	L.S.	\$1,360.00	L.S.	\$100.00	L.S.	\$1,600.00
7.	Test Piling	2 EA	4,500.00	\$9,000.00	4,000.00	\$8,000.00	4,600.00	\$9,200.00	7,500.00	\$15,000.00	5,300.00	\$10,600.00
8.	Furnish Cast in Place Concrete Piling	1200 L.F	20.00	\$24,000.00	18.00	\$21,600.00	22.20	\$26,640.00	17.80	\$21,360.00	26.00	\$31,200.00
9.	Drive Cast in Place Concrete Piling	10 EA	1,100.00	\$11,000.00	1,000.00	\$10,000.00	1,360.00	\$13,600.00	1,250.00	\$12,500.00	1,380.00	\$13,800.00
10.	Substructure Concrete Class 4000	32 C.Y.	410.00	\$13,120.00	400.00	\$12,800.00	382.00	\$12,224.00	385.00	\$12,320.00	450.00	\$14,400.00
11.	Superstructure	L.S.	L.S.	\$41,000.00	L.S.	\$41,200.00	L.S.	\$37,800.00	L.S.	\$50,000.00	L.S.	\$48,000.00
12.	Traffic Barrier	80 L.F.	70.00	\$5,600.00	70.00	\$5,600.00	75.00	\$6,000.00	100.00	\$8,000.00	75.00	\$6,000.00
13.	Roadway Excavation	430 L.F.	11.00	\$4,730.00	7.50	\$3,225.00	12.30	\$5,289.00	12.00	\$5,160.00	35.00	\$15,050.00
14.	Gravel Base	1100 Ton	7.50	\$8,250.00	8.45	\$9,295.00	6.80	\$7,480.00	9.00	\$9,900.00	15.00	\$16,500.00
15.	Gravel Base	110 TONS	15.00	\$1,650.00	15.10	\$1,661.00	25.00	\$2,750.00	18.40	\$2,024.00	18.00	\$1,980.00
16.	Asphalt Concrete Pavement Class "B"	100 TONS	55.00	\$5,500.00	45.00	\$4,500.00	43.50	\$4,350.00	45.74	\$4,574.00	60.00	\$6,000.00
17.	Membrane Waterproofing	130 S.Y.	17.00	\$2,210.00	18.00	\$2,340.00	22.00	\$2,860.00	20.00	\$2,600.00	20.00	\$2,600.00
18.	Concrete Culvert Pipe 12" dia. including Gasket	255 L.F.	26.00	\$6,630.00	26.00	\$6,630.00	29.00	\$7,395.00	23.00	\$5,865.00	30.00 *	\$7,650.00
19.	Light Loose Rip Rap	280 Ton	18.00	\$5,040.00	20.00	\$5,600.00	24.40	\$6,832.00	21.00	\$5,880.00	18.00	\$5,040.00

Bid Tabulation: "REPLACEMENT OF BRUCE ROAD BRIDGE NO. 37 OVER CALIFORNIA CREEK"
 FEDERAL AID NO. BROS-2037(064)

Bid Opening: 2:30 p.m.
 NOVEMBER 29TH

CRP 992252

ITEM NO	DESCRIPTION	ENGINEER'S ESTIMATE		ONE-WAY CONSTRUCTION, INC		TIGER CONSTRUCTION		WESTPAC CONSTRUCTION, INC		C.A. CAREY CORPORATION		
		ESTIMATE QUANTITY	UNIT PRICE	TOTAL AMOUNT	UNIT PRICE	TOTAL AMOUNT	UNIT PRICE	TOTAL AMOUNT	UNIT PRICE	TOTAL AMOUNT	UNIT PRICE	TOTAL AMOUNT
20.	Approach Guardrail	L.S.		\$10,200.00	L.S.	\$9,550.00	L.S.	\$8,200.00	L.S.	\$8,775.00	L.S.	\$11,000.00
21.	Seeding & Restoration	F.A.		\$3,500.00	F.A.	\$3,500.00	F.A.	\$3,500.00	F.A.	\$3,500.00	F.A.	\$3,500.00

TOTAL BID:

\$176,960.00

** \$169,897.00

\$193,249.60

\$207,600.00

* \$253,010.00

** Low Bidder

* Denotes Extension Error by Contractor, Corrected.

I hereby certify that the amounts tabulated herein, on pages 1 and 2 are correct and accurately represent the amounts contained in the Engineer's estimate and the respective bid proposals opened at 2:30 p.m., November 29, 1995 for the "Replacement of Bruce Road Bridge No. 37 over California Creek."

STATE OF WASHINGTON)
 COUNTY OF WHATCOM) ss.

On this day personally appeared before me Nasser Y. Mansour, P.E. to me known to be the individual described in and who executed the within and foregoing instrument.

this 30th day of November, 1995.

Nasser Mansour 11-30-1990
 Nasser Y. Mansour, P.E. Date

Nasser Y. Mansour

NOTARY PUBLIC

PROJECT COST BREAKDOWN

Project: Replacement of Bruce Road Bridge No. 37
Over California Creek, CRP-992252

<u>ITEM</u>	<u>ESTIMATED COUNTY FUNDS</u>	<u>ESTIMATED FEDERAL FUNDS (BROS)</u>	<u>TOTAL FUNDS</u>
Preliminary Engineering	\$ 2,000.	\$ 8,000.	\$ 10,000.
Right-of-Way	500.	0.	500.
Contract	34,000.	135,900.	169,900.
Construction Engineering Testing, and Contingencies	4,900.	19,700.	24,600.
Total Cost	\$ 41,400.00	\$ 163,600.00	\$ 205,000.00

BID PROPOSAL

FOR THE REPLACEMENT
OF BRUCE ROAD BRIDGE NO. 37
OVER CALIFORNIA CREEK

FA PROJECT NO. BROS-2037 (064)
FA CONTRACT NO. SA-2736

CRP 992252

DATE:

To: Whatcom County Executive and Council
Whatcom County Courthouse
Bellingham, Washington 98225

Gentlepersons:

This certifies that the Undersigned: has examined the location of the project site and the conditions of work; and has carefully read and thoroughly understands the contract documents entitled: "Replacement of Bruce Road Bridge No. 37 over California Creek, F.A. Project No. BROS-2037 (064), FA Contract No. SA-2736, CRP 992252, including the "Bid Procedures and Conditions", "Specifications and Conditions", "Contract Forms", and "Plans" governing the work embraced in this project and the method by which payment will be made for said work. The Undersigned hereby proposes to undertake and complete the work embraced in this project in accordance with said contract documents, and agrees to accept as payment for said work, the schedule of lump sum and unit prices as set forth in the "Bid" below.

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

**REPLACEMENT OF BRUCE ROAD BRIDGE NO. 37
over CALIFORNIA CREEK
CRP 992252**

ITEM NO.	APPROX. QUANTITY	ITEM WITH WRITTEN UNIT PRICE	UNIT PRICE	TOTAL
1.	LUMP SUM	MOBILIZATION <u>Twelve Thousand & 00/100</u> (Written Lump Sum Price)	L.S.	\$ 12,000. ⁰⁰
2.	FORCE ACCOUNT	TEMPORARY WATER POLLUTION CONTROL <u>Two Thousand and 00/100 DOLLARS</u> (Written Force Account Price)	F.A.	\$2,000.00
3.	96 HOURS	SIGNING AND TRAFFIC CONTROL * <u>Twenty - Six & 00/100</u> (Written Unit Price)	<u>26.⁰⁰</u> per HR	\$ 2,496. ⁰⁰
4.	LUMP SUM	REMOVE EXISTING BRIDGE AND SUBSTRUCTURE <u>Six Thousand & 00/100</u> (Written Lump Sum Price)	L.S.	\$ 6,000. ⁰⁰
5.	70 CUBIC YARDS	STRUCTURE EXCAVATION CLASS 'A' INCLUDING HAUL <u>Twenty & 00/100</u> (Written Unit Price)	<u>20.⁰⁰</u> per C.Y.	\$ 1,400. ⁰⁰
6.	LUMP SUM	SHORING AND CRIBBING OR EXTRA EXCAVATION CLASS 'A' <u>Five Hundred & 00/100</u> (Written Lump Sum Price)	L.S.	\$ 500. ⁰⁰
7.	2 EACH	FURNISH AND DRIVE CAST IN PLACE CONCRETE TEST PILING <u>Four thousand & 00/100</u> (Written Unit Price)	<u>4000.⁰⁰</u> per EA.	\$ 8,000. ⁰⁰
8.	1200 LINEAR FEET	FURNISH CAST IN PLACE CONCRETE PILING <u>Eighteen & 00/100</u> (Written Unit Price)	<u>18.⁰⁰</u> per L.F.	\$ 21,600. ⁰⁰
9.	10 EACH	DRIVE CAST IN PLACE CONCRETE PILING <u>One Thousand & 00/100</u> (Written Unit Price)	<u>1000.⁰⁰</u> per EA.	\$ 10,000. ⁰⁰

* See minimum bid requirements under "Signing and Traffic Control" in the Special Provisions

**REPLACEMENT OF BRUCE ROAD BRIDGE NO. 37
over CALIFORNIA CREEK
CRP 992252**

ITEM NO.	APPROX QUANTITY	ITEM WITH WRITTEN UNIT PRICE	UNIT PRICE	TOTAL
10.	32 CUBIC YARDS	SUBSTRUCTURE CONCRETE CLASS 4000 <u>Four Hundred & 00/100</u> (Written Unit Price)	<u>400.⁰⁰</u> per C.Y.	<u>\$ 12,800.⁰⁰</u>
11.	LUMP SUM	SUPERSTRUCTURE, BRUCE ROAD BRIDGE <u>Forty-one thousand Two Hundred & 00/100</u> (Written Lump Sum Price)	L.S.	<u>\$ 41,200.⁰⁰</u>
12.	80 LINEAR FEET	TRAFFIC BARRIER <u>Seventy & 00/100</u> (Written Unit Price)	<u>70.⁰⁰</u> per L.F.	<u>\$ 5,600.⁰⁰</u>
13.	430 CUBIC YARDS	ROADWAY EXCAVATION INCLUDING HAUL <u>Seven & 50/100</u> (Written Unit Price)	<u>7.50</u> per C.Y.	<u>\$ 3,225.⁰⁰</u>
14.	1,100 TONS	GRAVEL BASE <u>Eight & 45/100</u> (Written Unit Price)	<u>8.45</u> per TON	<u>\$ 9,295.⁰⁰</u>
15.	110 TONS	CRUSHED SURFACING TOP COURSE <u>Fifteen & 10/100</u> (Written Unit Price)	<u>15.¹⁰</u> per TON	<u>\$ 1,661.⁰⁰</u>
16.	100 TONS	ASPHALT CONCRETE PAVEMENT CLASS 'B' <u>Forty-Five & 00/100</u> (Written Unit Price)	<u>45.⁰⁰</u> per TON	<u>\$ 4,500.⁰⁰</u>
17.	130 SQUARE YARDS	MEMBRANE WATERPROOFING (DECK SEAL) <u>Eighteen & 00/100</u> (Written Unit Price)	<u>18.⁰⁰</u> per S.Y.	<u>\$ 2,340.⁰⁰</u>
18.	255 LINEAR FEET	CONCRETE CULVERT PIPE, 12" DIAM. INCL. GASKETS <u>Twenty-Six & 00/100</u> (Written Unit Price)	<u>26.⁰⁰</u> per L.F.	<u>\$ 6,630.⁰⁰</u>
19.	280 TONS	LIGHT LOOSE RIP RAP <u>Twenty and 00/100</u> (Written Unit Price)	<u>20.⁰⁰</u> per TON	<u>\$ 5,600.⁰⁰</u>

**REPLACEMENT OF BRUCE ROAD BRIDGE NO. 37
over CALIFORNIA CREEK
CRP 992252**

ITEM NO.	APPROX. QUANTITY	ITEM WITH WRITTEN UNIT PRICE	UNIT PRICE	TOTAL
20.	LUMP SUM	APPROACH GUARDRAILS <u>Nine Thousand Five Hundred fifty ⁰⁰/₁₀₀</u> (Written Lump Sum Price)	L.S.	<u>\$ 9550.⁰⁰</u>
21.	FORCE ACCOUNT	SEEDING, RESTORATION AND MISC. <u>Three Thousand and Five Hundred and 00/100 DOLLARS</u> (Written Force Account Price)	F.A.	<u>\$3,500.00</u>

TOTAL BID - ITEMS 1 THROUGH 21

\$ 169,897.00

One Hundred Sixty-Nine thousand Eight Hundred Ninety Seven
DOLLARS
and ⁰⁰/₁₀₀ _____ CENTS
(Written Total Price)

**NON-COLLUSION DECLARATION
REPLACEMENT OF BRUCE ROAD BRIDGE NO. 37
OVER CALIFORNIA CREEK**

I, by signing the proposal, hereby declare, under penalty of perjury under the laws of the United States that the following statements are true and correct:

- 1. That the undersigned person(s) firm, association or corporation has (have) not, either directly or indirectly, entered into any agreement, participated in any collusion, or otherwise taken any action in restraint of free competitive bidding in connection with the project for which this proposal is submitted.**
- 2. That by signing the signature page of this proposal, I am deemed to have signed and have agreed to the provisions of this declaration.**

NOTICE TO ALL BIDDERS

To report bid rigging activities call:

1-800-424-9071

The U.S. Department of Transportation (USDOT) operates the above toll free "hotline" Monday through Friday 8:00 a.m. to 5:00 p.m. Eastern time. Anyone with knowledge of possible bid rigging, bidder collusion, or other fraudulent activities should use the "hotline" to report such activities.

The "hotline" is part of USDOT's continuing effort to identify and investigate highway construction contract fraud and abuse and is operated under the direction of the USDOT Inspector General. All information will be treated confidentially and caller anonymity will be respected.

BIDDER IDENTIFICATION

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

Firm Name: One Way Construction, Inc.

Address: 215 N. Reed street
Sedro Woolley WA 98284

Telephone (360) 856-2638 Contractor's Number ONEWACI185JS

The Firm submitting this proposal is a Sole Proprietorship
 Partnership
 Corporation

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

Dewey Hyatt, President

Janet Hyatt, Sec. Treas.

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

SUBCONTRACTOR LIST

Prepared in compliance with Chapter 378 Laws of 1993

Project: Bruce Road Bridge.

I. WORK TO BE SUBCONTRACTED (Bidder must complete section IA and/or IB)

A. Contract items of work or partial items of work which exceed ten (10) percent of the total contract amount as bid are proposed for subcontracting (check one) Yes No

If answer to section IA is yes, complete section IB

B. The following contract items or partial items (listed in numerical sequence) which exceed ten (10) percent of the total contract amount as bid, are proposed for subcontracting to the indicated subcontractors.

Subcontractor Name _____
Item Numbers _____

Subcontractor Name _____
Item Numbers _____

Subcontractor Name _____
Item Numbers _____

Subcontractor Name _____
Item Numbers _____

Subcontractor Name _____
Item Numbers _____

Subcontractor Name _____
Item Numbers _____

Subcontractor Name _____
Item Numbers _____

II. WORK TO BE PERFORMED BY BIDDER (Bidder must complete this section)

A. The following contract items or partial items (listed in numerical sequence) which exceed ten (10) percent of the total contract amount as bid, will be completed by the Bidder.

Bidder Name: One Way Construction, Inc.

Item Numbers: all items



Disadvantaged Business Enterprise Utilization Certification

To be eligible for award of this contract the bidder must execute and submit, as a part of his/her proposal, the following certification relating to Disadvantaged Business Enterprise requirements. This certification shall be deemed a part of the resulting contract. Failure to complete and submit this certification or the inclusion of a false certification shall be considered as evidence that the proposal is unresponsive to the invitation to bid. **Information on certified firms is available from OMWBE, phone (206) 753-9693.**

_____ certifies that it has had contact with the following Disadvantaged Business Enterprise(s)
Name of Bidder
(DBE) and, if it is the successful bidder on this project, it shall award subcontracts to or enter into supply agreements with the following Disadvantaged Business Enterprise(s) as indicated: (if necessary, use additional sheet).

Name of DBE Certification No.	Value of Work in Dollars To be Awarded DBE
1.	
2.	
3.	
4.	
5.	
6.	
7.	
8.	
9.	
10.	

Disadvantaged Business Enterprise Subcontracting Goal: NO GOAL DBE Total \$ 0 *

* This data will be used to determine whether or not the bidder has met the goal or the average goal attainment of all bidders.

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 a material representation of 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 such 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.

BID BOND

KNOW ALL MEN BY THESE PRESENTS, that we, One Way Construction, Inc. of Sedro Woolley, WA, as principal, and the United States Fidelity & Guaranty Company a corporation duly organized under the laws of the State of Maryland and having its principal place of business at Seattle, in the State of Washington, as Surety, are held and firmly bound unto the County of Whatcom, a Municipal Corporation and Charter County in the State of Washington, in the full and penal sum of five percent (5%) of the total bid amount appearing on the bid proposal of said principal for the work hereinafter described, for the payment of which, well and truly to be made, we bind our heirs, executors, administrators and assigns, and successors and assigns, jointly and severally, firmly by these presents.

The condition of this bond is such that, whereas, the principal herein is herewith submitting his or its bid proposal for "Replacement of Bruce Road Bridge No. 37 over California Creek, F.A. Project No. BROS-2037 (064), FA Contract No. SA-2736, CRP 992252, said bid proposal, by reference thereto, being hereby made a part hereof.

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

SIGNED AND SEALED this 27th day of November, 1995.

One Way Construction, Inc.
Principal

By Dewey Hyatt (Seal)
Dewey Hyatt, President

United States Fidelity & Guaranty Company
Surety

by Susan M. Spaeth
Attorney-In-Fact Susan M. Spaeth

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

UNITED STATES FIDELITY AND GUARANTY COMPANY



POWER OF ATTORNEY NO. 105926

KNOW ALL MEN BY THESE PRESENTS: That UNITED STATES FIDELITY AND GUARANTY COMPANY, a corporation organized and existing under the laws of the State of Maryland and having its principal office at the City of Baltimore, in the State of Maryland, does hereby constitute and appoint George W. Wallace, Gerald L. Maskell and Susan M. Spaeth

of the City of Burlington, State of Washington its true and lawful Attorney(s)-in-Fact, each in their separate capacity if more than one is named above, to sign its name as surety to, and to execute, seal and acknowledge any and all bonds, undertakings, contracts and other written instruments in the nature thereof on behalf of the Company in its business of guaranteeing the fidelity of persons; guaranteeing the performance of contracts; and executing or guaranteeing bonds and undertakings required or permitted in any actions or proceedings allowed by law.

In Witness Whereof, the said UNITED STATES FIDELITY AND GUARANTY COMPANY has caused this instrument to be sealed with its corporate seal, duly attested by the signatures of its Senior Vice President and Assistant Secretary, this 4th day of December, A.D. 1992.



UNITED STATES FIDELITY AND GUARANTY COMPANY

(Signed) By... [Signature] Senior Vice President

(Signed) By... [Signature] Assistant Secretary

STATE OF MARYLAND)
BALTIMORE CITY)

SS:

On this 4th day of December, A.D. 1992, before me personally came Robert J. Lamendola, Senior Vice President of the UNITED STATES FIDELITY AND GUARANTY COMPANY and Paul D. Sims, Assistant Secretary of said Company, with both of whom I am personally acquainted, who being by me severally duly sworn, said, that they, the said Robert J. Lamendola and Paul D. Sims were respectively the Senior Vice President and the Assistant Secretary of the said UNITED STATES FIDELITY AND GUARANTY COMPANY, the corporation described in and which executed the foregoing Power of Attorney; that they each knew the seal of said corporation; that the seal affixed to said Power of Attorney was such corporate seal, that it was so affixed by order of the Board of Directors of said corporation, and that they signed their names thereto by like order as Senior Vice President and Assistant Secretary, respectively, of the Company. My Commission expires the 11th day in March, A.D. 1995.



(Signed) [Signature] NOTARY PUBLIC

This Power of Attorney is granted under and by authority of the following Resolutions adopted by the Board of Directors of the UNITED STATES FIDELITY AND GUARANTY COMPANY on September 24, 1992:

RESOLVED, that in connection with the fidelity and surety insurance business of the Company, all bonds, undertakings, contracts and other instruments relating to said business may be signed, executed, and acknowledged by persons or entities appointed as Attorney(s)-in-Fact pursuant to a Power of Attorney issued in accordance with these resolutions. Said Power(s) of Attorney for and on behalf of the Company may and shall be executed in the name and on behalf of the Company, either by the Chairman, or the President, or an Executive Vice President, or a Senior Vice President, or a Vice President or an Assistant Vice President, jointly with the Secretary or an Assistant Secretary, under their respective designations. The signature of such officers may be engraved, printed or lithographed. The signature of each of the foregoing officers and the seal of the Company may be affixed by facsimile to any Power of Attorney or to any certificate relating thereto appointing Attorney(s)-in-Fact for purposes only of executing and attesting bonds and undertakings and other writings obligatory in the nature thereof, and, unless subsequently revoked and subject to any limitations set forth therein, any such Power of Attorney or certificate bearing such facsimile signature or facsimile seal shall be valid and binding upon the Company and any such power so executed and certified by such facsimile signature and facsimile seal shall be valid and binding upon the Company with respect to any bond or undertaking to which it is validly attached.

RESOLVED, that Attorney(s)-in-Fact shall have the power and authority, unless subsequently revoked and, in any case, subject to the terms and limitations of the Power of Attorney issued to them, to execute and deliver on behalf of the Company and to attach the seal of the Company to any and all bonds and undertakings, and other writings obligatory in the nature thereof, and any such instrument executed by such Attorney(s)-in-Fact shall be as binding upon the Company as if signed by an Executive Officer and sealed and attested to by the Secretary of the Company.

I, Paul D. Sims, an Assistant Secretary of the UNITED STATES FIDELITY AND GUARANTY COMPANY, do hereby certify that the foregoing is a true excerpt from the Resolution of the said Company as adopted by its Board of Directors on September 24, 1992 and that this Resolution is in full force and effect.

I, the undersigned Assistant Secretary of the UNITED STATES FIDELITY AND GUARANTY COMPANY do hereby certify that the foregoing Power of Attorney is in full force and effect and has not been revoked.

In Testimony Whereof, I have hereunto set my hand and the seal of the UNITED STATES FIDELITY AND GUARANTY COMPANY on this 27th day of November, 1995.



[Signature] Assistant Secretary