

CLEARANCES		Initial	Date	Date Received in Council Office	Agenda Date	Assigned to:
Originator	Mike Roberts	MR	6/30/99	RECEIVED JUL 06 1999 WHATCOM COUNTY COUNCIL	7/13/99	Finance: Council
Division Head:	Bruce Mills					
Dept. Head:	Jeffery Monsen	Jm	7/1/99			
Prosecutor						
Purchasing/Budget:						
Executive:		PR	7-6-99			

SUBJECT:

1. Structural Overlay of Haxton Way From Balch Road to Kwina Road

ATTACHMENTS:

1. Resolution
2. Letter to County Executive
3. Approval of Contract Award Form
4. Contract Information Sheet
5. Project Cost Break Down
6. Bid Tabulation
7. Low Bid Proposal

Related County Contract #:

Should Clerk schedule a hearing: NO / / YES / / Requested Date:

SUMMARY STATEMENT:

The 1999 Annual Construction Program has as item number 18 the Structural Overlay of Haxton Way from Balch Road to Kwina Road. This project will be funded by local funds.

Ordinance & Resolution Distribution Request
To keep down our copying costs, indicate only those who must receive a copy after Council action. List names to the right.

ADS Facilities Management	Brad Bennett
ADS Finance	
ADS Human Resources	
ADS Info Services	
Assessor	
Auditor	Marge Osborn
Cooperative Extension	
District Court	
Executive	Francine Kincaid
Health	
Hearing Examiner	
Jail	
Juvenile	
Parks	
Planning	
Prosecutor	
Public Works	Dawn Pierce
Sheriff	
Superior Court	
Treasurer	
Other	Mike Roberts

RECOMMENDED ACTION:

Recommend Establishment of CRP 999001 and approval of award of the contract to the lowest bidder, Wilder Construction Co. Inc., in the amount of contract to \$1,000,952.00

COUNCIL ACTION TAKEN:

1999 - 259 7/13/99: Approved 6-1, Hoag opposed Res. #99-031

Re:

Ordinance or Resolution Number
(this item):

RES. #99-031

WHATCOM COUNTY
PUBLIC WORKS DEPARTMENT

JEFFREY M. MONSEN, P.E.
Director



DIVISION OF ENGINEERING

Edwin R. Henken, P.E. - Asst. Director

5280 Northwest Drive, Suite C
Bellingham, WA 98226

June 30, 1999

The Honorable Pete Kremen
Whatcom County Executive
311 Grand Avenue
Bellingham, WA 98225

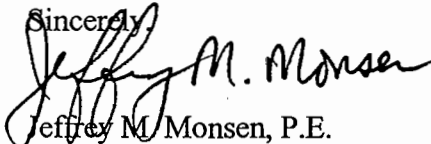
**Subject: Structural Overlay of Haxton Way, Balch Road to Kwina Road,
CRP-999001**

Dear Mr. Kremen,

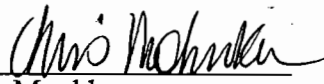
Bid proposals for the subject project were opened on June 29, 1999. Based on our review of the four bids received, we recommend award of this contract to the low bidder, Wilder Construction Co. of Bellingham, in the amount of \$1,000,952.00, being the amount of their bid including all taxes.

Attached for your review are one copy each of the low bid proposal 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 Wilder Construction Company.

Sincerely,

Jeffrey M. Monsen, P.E.
Public Works Director

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


Chris Monkern
Purchasing Coordinator

6.30.99
Date

mdr\jem\hropkaw.doc

**WHATCOM COUNTY
DEPARTMENT OF PUBLIC WORKS**

SUBCONTRACTOR LIST

Prepared in compliance with RCW 39.30.060 as amended

To be submitted with the Bid Proposal

Project Name: Structural Overlay of Haxton Way – Balch Road to Kwina Road,
CRP No.999016

Failure to list subcontractors who are proposed to perform work equal to 10 percent or more of the bid price will result in your bid being nonresponsive and therefore void.

Subcontractor(s) that are proposed to perform work exceeding 10 percent of the bid price 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 whose work on the project will exceed ten (10) percent of the bid price.

Subcontractor Name _____

Work to be performed _____

Subcontractor Name _____

Work to be performed _____

Subcontractor Name _____

Work to be performed _____

Subcontractor Name _____

Work to be performed _____

Project Cost Break Down

Project: Structural Overlay of Haxton Way
From Balch Road to Kwina Road
CRP 999001

	<u>County Funds</u>	<u>Other Funds</u>	<u>Total Funds</u>
Preliminary Engineering	\$15,000.00	\$0.00	\$15,000.00
Right of Way	\$0.00	\$0.00	\$0.00
Contract	\$1,000,952.00	\$0.00	\$1,000,952.00
Construction Engineering	\$25,000.00	\$0.00	\$25,000.00
			Total Cost <u>\$1,040,952.00</u>

STRUCTURAL OVERLAY OF HAXTON WAY

Balch Road to Kwina Road

CRP 999001

6/29/99

2:30 p.m.

ITEM NO.	DESCRIPTION	Engineer's Estimate		Wilder Const. Co., Inc.		CSR Associated Inc.		Callen Const. Co., Inc.		Whatcom Builders, Inc.		
		ESTIMATE QUANTITY	UNIT PRICE	TOTAL AMOUNT	UNIT PRICE	TOTAL AMOUNT	UNIT PRICE	TOTAL AMOUNT	UNIT PRICE	TOTAL AMOUNT	UNIT PRICE	TOTAL AMOUNT
1.	Mobilization	1	L.S.	\$65,000.00	L.S.	\$57,000.00	L.S.	\$100,600.00	L.S.	\$72,500.00	L.S.	\$81,062.00
2.	Temporary Water Pollution Control	1	F.A.	\$1,000.00	F.A.	\$1,000.00	F.A.	\$1,000.00	F.A.	\$1,000.00	F.A.	\$1,000.00
3.	Signing and Traffic Control	1400	HR.	\$39,200.00	28.00	\$39,200.00	30.50	\$42,700.00	30.00	\$42,000.00	29.80	\$41,720.00
4.	Truck Measure Roadway Excavation Including Haul	5000	C.Y.	\$40,000.00	8.00	\$44,000.00	11.00	\$55,000.00	11.00	\$55,000.00	10.25	\$51,250.00
5.	Water	100	M. Gal.	\$2,500.00	25.00	\$2,100.00	20.00	\$2,000.00	27.00	\$2,700.00	32.00	\$3,200.00
6.	Shoulder Reconstruction	1	F.A.	\$10,000.00	F.A.	\$10,000.00	F.A.	\$10,000.00	F.A.	\$10,000.00	F.A.	\$10,000.00
7.	Gravel Base	2700	TON	\$18,900.00	7.00	\$20,790.00	9.80	\$26,460.00	9.80	\$26,460.00	9.25	\$24,975.00
8.	Shoulder Ballast	1800	TON	\$27,000.00	15.00	\$28,800.00	16.00	\$25,200.00	14.00	\$25,200.00	16.25	\$29,250.00
9.	Crushed Surfacing Base Course	14700	TON	\$169,050.00	11.50	\$173,460.00	13.00	\$191,100.00	13.00	\$191,100.00	15.00	\$220,500.00
10.	Asphalt Cores	1	L.S.	\$900.00	L.S.	\$300.00	L.S.	\$700.00	L.S.	\$1,000.00	L.S.	\$850.00
11.	Asphalt Concrete Pavement Class "G" Including Paving Asphalt	4200	TON	\$126,000.00	30.00	\$138,600.00	33.00	\$128,100.00	33.50	\$140,700.00	34.40	\$144,480.00
12.	Modified Asphalt Concrete Pavement Class "B" Including Paving Asphalt	13400	TON	\$388,600.00	29.00	\$428,800.00	32.00	\$408,700.00	33.50	\$448,900.00	33.70	\$451,580.00
13.	Class III Reinforced Concrete Culvert Pipe, 12-Inch Dia. Including Gaskets	400	L.F.	\$12,000.00	30.00	\$12,000.00	30.00	\$12,000.00	30.00	\$12,000.00	30.00	\$12,000.00
14.	Class III Reinforced Concrete Culvert Pipe, 18-Inch Dia. Including Gaskets	29	L.F.	\$1,160.00	40.00	\$899.00	40.00	\$1,160.00	40.00	\$1,160.00	35.00	\$1,015.00
15.	Catch Basin Type 1-L With Frame And Grate	7	Ea.	\$5,250.00	750.00	\$6,300.00	750.00	\$5,250.00	750.00	\$5,250.00	900.00	\$6,300.00

STRUCTURAL OVERLAY OF HAXTON WAY

Balch Road to Kwina Road

CRP 999001

6/29/99

2:30 p.m.

ITEM NO.	DESCRIPTION	Engineer's Estimate		Wilder Const. Co., Inc.		CSR Associated Inc.		Callen Const. Co., Inc.		Whatcom Builders, Inc.		
		ESTIMATE QUANTITY	UNIT PRICE	TOTAL AMOUNT	UNIT PRICE	TOTAL AMOUNT	UNIT PRICE	TOTAL AMOUNT	UNIT PRICE	TOTAL AMOUNT	UNIT PRICE	TOTAL AMOUNT
16.	Extend 18-Inch Dia. Corrugated Aluminum Alloy Pipe	1	L.S.	\$800.00	L.S.	\$1,000.00	L.S.	\$1,000.00	L.S.	\$1,000.00	L.S.	\$675.00
17.	Repair and Replace Existing Public and Private Facilities	1	F.A.	\$5,000.00	F.A.	\$5,000.00	F.A.	\$5,000.00	F.A.	\$5,000.00	F.A.	\$5,000.00
18.	Seeding And Landscape Restoration	1	F.A.	\$1,500.00	F.A.	\$1,500.00	F.A.	\$1,500.00	F.A.	\$1,500.00	F.A.	\$1,500.00
19.	Monument	4	Ea.	\$600.00	90.00	\$360.00	150.00	\$600.00	200.00	\$800.00	120.00	\$480.00
20.	Quarry Spalls	1100	TON	\$19,800.00	21.00	\$23,100.00	18.50	\$20,350.00	18.50	\$20,350.00	22.00	\$24,200.00
21.	Raised Pavement Markers Type 2	4	HUND.	\$1,100.00	350.00	\$1,400.00	350.00	\$1,400.00	400.00	\$1,600.00	350.00	\$1,400.00
22.	Paint Stripe	54700	L.F.	\$5,470.00	0.09	\$4,923.00	0.09	\$4,923.00	0.10	\$5,470.00	0.09	\$4,923.00
23.	Plastic Stop Bars	140	L.F.	\$420.00	3.00	\$420.00	3.00	\$420.00	3.20	\$448.00	3.00	\$420.00

TOTAL BID:
* *Low Bidder*

\$941,250.00

* \$1,000,952.00

\$1,045,163.00

\$1,071,138.00

\$1,117,780.00

I hereby certify that the amounts tabulated herein, are correct and accurately represent the amounts contained in the Engineer's estimate and the respective bid proposals opened a 2:30 p.m., June 29, 1999 for "Structural Overlay of Haxton Way - Balch Road to Kwina Road."

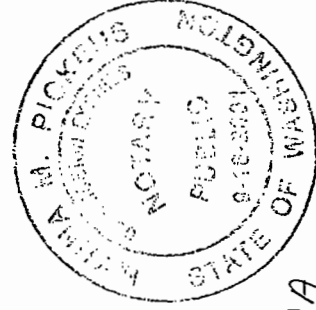
Michael D. Roberts
Michael D. Roberts, P.E.

STATE OF WASHINGTON)
COUNTY OF WHATCOM)

On this day personally appeared) ss. before me Michael D. Roberts, P.E. to me known to be the individual described in and who executed the within and foregoing instrument.

this 30th day of June, 1999.

6/30/99
Date



Maryna M. Pickens
NOTARY PUBLIC

Residing at: *Andres Woolley, WA*

My Commission Expires: 9-16-2001

BID PROPOSAL

FOR THE

STRUCTURAL OVERLAY OF HAXTON WAY,
BALCH ROAD TO KWINA ROAD

CRP No. 999001

Date: June 29, 1999

To: Whatcom County Executive and Council
Whatcom County Courthouse
Bellingham, WA. 98225

Gentleperson's:

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: "Structural Overlay of Haxton Way, Balch Road to Kwina Road, CRP 999001" including the "Bid Procedures and Conditions," "Specifications and Conditions," "Contract Forms," and the "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.

**STRUCTURAL OVERLAY OF HAXTON WAY
BALCH ROAD TO KWINA ROAD**

CRP 999001

ITEM NO.	APPROX. QUANTITY	ITEM WITH WRITTEN UNIT PRICE	UNIT PRICE	TOTAL
1.	LUMP SUM	MOBILIZATION <u>FIFTY SEVEN THOUSAND 00</u> 100 DOLLARS (Written Lump Sum Price)	L.S.	<u>57000.00</u>
2.	FORCE ACCOUNT	TEMPORARY WATER POLLUTION CONTROL <u>One Thousand and No/100 DOLLARS</u> (Written Force Account Price)	F.A.	<u>\$1,000.00</u>
3.	1,400 HOURS	SIGNING AND TRAFFIC CONTROL <u>TWENTY EIGHT 00</u> 100 DOLLARS (Written Unit Price)	<u>28.00</u> per HOUR	<u>39200.00</u>
4.	5,000 CUBIC YARDS	TRUCK MEASURE ROADWAY EXCAVATION INCLUDING HAUL <u>EIGHT 80</u> 100 DOLLARS (Written Unit Price)	<u>8.80</u> per C.Y.	<u>44000.00</u>
5.	100 M.GAL	WATER <u>TWENTY ONE 00</u> 100 DOLLARS (Written Unit Price)	<u>21.00</u> per M.Gal	<u>2100.00</u>
6.	FORCE ACCOUNT	SHOULDER RECONSTRUCTION <u>Ten Thousand and No/100 DOLLARS</u> (Written Force Account Price)	F.A.	<u>\$10,000.00</u>
7.	2,700 TONS	GRAVEL BASE <u>SEVEN 70</u> 100 DOLLARS (Written Unit Price)	<u>7.70</u> per TON	<u>20,790.00</u>
8.	1,800 TONS	SHOULDER BALLAST <u>SIXTEEN 00</u> 100 DOLLARS (Written Unit Price)	<u>16.00</u> per TON	<u>28,800.00</u>
9.	14,700 TONS	CRUSHED SURFACING BASE COURSE <u>ELEVEN 80</u> 100 DOLLARS (Written Unit Price)	<u>11.80</u> per TON	<u>173,460.00</u>

**STRUCTURAL OVERLAY OF HAXTON WAY
BALCH ROAD TO KWINA ROAD**

CRP 999001

ITEM NO	APPROX. QUANTITY	ITEM WITH WRITTEN UNIT PRICE	UNIT PRICE	TOTAL
10	LUMP SUM	ASPHALT CORES <u>THREE HUNDRED</u> + 00 /100 DOLLARS (Written Lump Sum Price)	L.S.	<u>300.00</u>
11.	4,200 TONS	ASPHALT CONCRETE PAVEMENT CLASS "G" INCLUDING PAVING ASPHALT <u>THIRTY THREE</u> + 00 /100 DOLLARS (Written Unit Price)	<u>33.00</u> per TON	<u>138,600.00</u>
12.	13,400 TONS	MODIFIED ASPHALT CONCRETE PAVEMENT CLASS "B" INCLUDING PAVING ASPHALT <u>THIRTY TWO</u> + 00 /100 DOLLARS (Written Unit Price)	<u>32.00</u> per TON	<u>428,800.00</u>
13.	400 LINEAR FEET	CLASS III REINFORCED CONCRETE CULVERT PIPE, 12-INCH DIAMETER INCLUDING GASKETS <u>THIRTY</u> + 00 /100 DOLLARS (Written Unit Price)	<u>30.00</u> per L.F.	<u>12,000.00</u>
14.	29 LINEAR FEET	CLASS III REINFORCED CONCRETE CULVERT PIPE, 18-INCH DIAMETER INCLUDING GASKETS <u>THIRTY ONE</u> + 00 /100 DOLLARS (Written Unit Price)	<u>31.00</u> per L.F.	<u>899.00</u>
15.	7 EACH	CATCH BASIN TYPE 1-L WITH FRAME AND GRATE <u>NINE HUNDRED</u> + 00 /100 DOLLARS (Written Unit Price)	<u>900.00</u> per EACH	<u>6300.00</u>
16.	LUMP SUM	EXTEND 18-INCH DIAMETER CORRUGATED ALUMINUM ALLOY PIPE <u>ONE THOUSAND</u> + 00 /100 DOLLARS (Written Lump Sum Price)	L.S.	<u>1000.00</u>
17.	FORCE ACCOUNT	REPAIR OR REPLACE EXISTING PUBLIC ACCOUNT AND PRIVATE FACILITIES <u>Five Thousand and No/100 DOLLARS</u> (Written Force Account Price)	F.A.	<u>\$5,000.00</u>

**STRUCTURAL OVERLAY OF HAXTON WAY
BALCH ROAD TO KWINA ROAD**

CRP 999001

ITEM NO.	APPROX QUANTITY	ITEM WITH WRITTEN UNIT PRICE	UNIT PRICE	TOTAL
18.	FORCE ACCOUNT	SEEDING AND LANDSCAPE RESTORATION <u>One Thousand Five Hundred and No/100 DOLLARS</u> (Written Force Account Price)	F.A.	<u>\$1,500.00</u>
19.	4 EACH	MONUMENT <u>NINETY + 00</u> /100 DOLLARS (Written Unit Price)	<u>90.00</u> per EACH	<u>360.00</u>
20.	1,100 TONS	QUARRY SPALLS <u>TWENTY ONE + 00</u> /100 DOLLARS (Written Unit Price)	<u>21.00</u> per TON	<u>23100.00</u>
21.	4 HUNDRED	RAISED PAVEMENT MARKERS TYPE 2 <u>THREE HUNDRED FIFTY + 00</u> /100 DOLLARS (Written Unit Price)	<u>350.00</u> per HUND.	<u>1400.00</u>
22.	54,700 LINEAR FEET	PAINT STRIPE <u>NINE CENTS</u> /100 DOLLARS (Written Unit Price)	<u>.09</u> per L.F.	<u>4923.00</u>
23.	140 LINEAR FEET	PLASTIC STOP BARS <u>THREE + 00</u> /100 DOLLARS (Written Unit Price)	<u>3.00</u> per L.F.	<u>420.00</u>

TOTAL BID - ITEMS 1 THROUGH 23

TOTAL: ONE MILLION, NINE HUNDRED

\$1,000,952.

FIFTY TWO DOLLARS

ZERO CENTS

(Written Total Price)

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Bid Proposal cont'

NON-COLLUSION DECLARATION

**STRUCTURAL OVERLAY OF HAXTON WAY
FROM BALCH ROAD TO KWINA ROAD**

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: Wilder Construction Company

Address: 3876 Hannegan Road
Bellingham, WA 98226

Telephone: 360.676.2450 Contractor's Number
WILDECC073K4

The Firm submitting this proposal is a Sole Proprietorship
 Partnership
 Corporation, WASHINGTON

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:

Robert M. Helsell Chairman & CEO
Donald M March President & C.O.O.
William C. Taylor Secretary & CFO
Rick Niebruegge Project Manager

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

Bid Proposal cont'

BID PROPOSAL SIGNATURE & ADDENDUM ACKNOWLEDGEMENT-HAXTON ROAD OVERLAY

The undersigned hereby agrees to pay labor not less than the prevailing rates of wages or less than the hourly minimum rate of wages as specified in the Specifications and Conditions, for this project. 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 Whatcom County
- PROPOSAL BOND In the amount of 5% of the total bid.

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

SIGNATURE OF AUTHORIZED OFFICIAL(S)

(PROPOSAL MUST BE SIGNED)

By: *Rick Niebruegge*

Rick Niebruegge (Seal)

Firm Name Wilden Construction Company

STATE OF WASHINGTON)

COUNTY OF Whatcom) ss.

On this 24th day of June, 1999, before me personally appeared Rick Niebruegge me personally known to be the person described in and who executed the above instrument and who acknowledged to me the act of signing thereof.



Arina J. Sibley
NOTARY PUBLIC, in and for the State of
Washington, residing at:
Bellingham

My Commission Expires: April 13, 2003

This proposal form is not transferable and any alteration of the firm's name entered hereon without prior permission from the Whatcom County Road Engineer will be cause for considering the proposal irregular and for subsequent rejection of the bid.

Bid proposal cont'

BID BOND

KNOW ALL MEN BY THESE PRESENTS

that we, _____ of See attached,
as principal, and _____ a corporation duly organized under the laws
of the State of _____ and having its principal place of business at
_____ 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 "Structural Overlay of Haxton Way, Balch Road to
Kwina Road, CRP No 999001" 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 _____ day of _____, 1999.

Principal

By _____ (Seal)

Surety

by _____
Attorney-In-Fact

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.