

Mandatory Bidder Responsibility Checklist

The following checklist may be used by Owners in documenting that a Bidder meets the mandatory bidder responsibility criteria. It is suggested that Owners print a copy of documentation from the appropriate website to include with this checklist in the contract file.

General Information	
Project Name: <i>POI Bulkhead Resilience</i>	Project Number:
Bidder's Business Name: <i>Advanced Am. Const</i>	Bid Submittal/Deadline: <i>10/2/24</i>
Contractor Registration – https://secure.lni.wa.gov/verify/ <i>#ACVANAC946 BD</i>	
License Number:	Status: Active: Yes <input type="checkbox"/> No <input type="checkbox"/>
Effective Date (must be effective on or before Bid Submittal Deadline):	Expiration Date:
Current UBI Number – https://secure.lni.wa.gov/verify/	
UBI Number: <i>602 308 267</i>	Account Closed: Open <input type="checkbox"/> Closed <input type="checkbox"/>
Industrial Insurance Coverage – https://secure.lni.wa.gov/verify/	
Account Number: <i>804, 466-01</i>	Account Current: Yes <input type="checkbox"/> No <input type="checkbox"/>
Required Public Works Training – Effective July 1, 2019 https://secure.lni.wa.gov/verify/	
Per RCW 39.04.350 and RCW 39.06.020, has contractor had L & I training or meet exemption? <div style="text-align: right;">Yes <input type="checkbox"/> No <input type="checkbox"/></div>	
Wage Payment Status Compliance – RCW 39.04.350 (1g)	
Sworn statement or verification form received acknowledging compliance? <div style="text-align: right;">Yes <input type="checkbox"/> No <input type="checkbox"/></div>	
Employment Security Department Number – Obtain from contractor	
Employment Security Department Number: <i>322183 00 8</i>	
<ul style="list-style-type: none"> • Has Bidder provided account number on the Bid Form? Yes <input type="checkbox"/> No <input type="checkbox"/> • And/or have you asked the Bidder for documentation from ESD on account number? Yes <input type="checkbox"/> No <input type="checkbox"/> 	
State Excise Tax Registration Number – https://secure.dor.wa.gov/gteunauth/_/#2	
Tax Registration Number:	Account Closed: Open <input type="checkbox"/> Closed <input type="checkbox"/>
Not Disqualified from Bidding – WA https://secure.lni.wa.gov/debarandstrike/ContractorDebarList.aspx	
Is the Bidder listed on the "Debarred Contractors List" of the Department of Labor and Industries? (Print the pertinent page showing where the Bidder's name does or would appear on the list) Yes <input type="checkbox"/> No <input type="checkbox"/>	
Not Disqualified from Bidding – Federal (if applicable) – www.sam.gov	
Does Bidder have an "Active Exclusion Record" with the Federal Government (System for Award Management) <div style="text-align: right;">Yes <input type="checkbox"/> No <input type="checkbox"/></div>	
Checked by: <i>[Signature]</i>	
Name:	Date:

PORT OF ILWACO

BIDDER'S CHECKLIST

The bidder's attention is especially called to the following forms which must be completed in full as required and submitted collectively as the bid proposal package:

- ✓ 1. **PROPOSAL FORM** – The unit prices **must** be shown in the space provided. Show **all** unit prices in both words and figures when indicated. If a discrepancy exists between the price per unit and the extended amount of any item, the price per unit will control.
- ✓ 2. **BID GUARANTEE** – Original signed and stamped surety **Bid Bond or Bid Deposit** (cashier's check). The amount of the bid guarantee shall not be less than five percent (5%) of the total amount of the bid. See POI General Conditions #7 & the "Form of Bid Guarantee" for instructions on how to prepare the bid guarantee.
- ✓ 3. **LIST OF SUBCONTRACTORS** – If the invitation to bid is expected to cost one million dollars or more then the bidder shall comply with RCW 39.30.060.
- ✓ 4. **LOBBYING DISCLOSURE CERTIFICATION** – Each Bidder shall check the appropriate boxes, sign, and date. Volume I, Exhibit H.
- ✓ 5. **CERTIFICATION OF OFFEROR/BIDDER REGARDING TAX DELINQUENCY AND FELONY CONVICTION** – Each bidder shall check the appropriate boxes, sign, and date. Volume I, Exhibit I.
- ✓ 6. **DEBARMENT CERTIFICATION** – Each bidder shall check the appropriate boxes, sign, and date. Volume I, Exhibit G.

Ilwaco Bulkhead Resilience Project

Ilwaco, WA

PROPOSAL FORM

PORT OF ILWACO
165 Howerton Way SE
ILWACO, WA 98624

1. BIDS - Having carefully examined the site(s), bid documents, and specifications for the Ilwaco Bulkhead Resilience Project located in Ilwaco, Washington the undersigned proposes to furnish all labor, materials and equipment required to perform all work in accordance with the above-named documents for the following price. The Total Bid Amount includes all work, regardless of whether it is specifically itemized below.

BID SCHEDULE: Ilwaco Bulkhead Resilience Project

Item No.	Description of Item	Approx. Quantity	Units	Unit Price Dollars/Cents	Total Price Dollars/Cents
1.	Mobilization And Demobilization	1	LS	\$377,000.00	\$377,000.00
2.	Project Administration	1	LS	\$20,000.00	\$20,000.00
3.	Temporary Environmental Controls and Monitoring	1	LS	\$45,000.00	\$45,000.00
4.	Health And Safety	1	LS	\$20,000.00	\$20,000.00
5.	Field Engineering	1	LS	\$50,000.00	\$50,000.00
6.	Project Closeout	1	LS	\$20,000.00	\$20,000.00
7.	Demolition	1	LS	\$300,000.00	\$300,000.00
8.	Steel Sheet Pile Bulkhead	212	LF	\$4,300.00	\$911,600.00
9.	Concrete Pile Cap	212	LF	\$2,200.00	\$466,400.00
10.	Permanent Ground Anchors	18	EA	\$35,000.00	\$630,000.00
11.	Furnish, Place and Compact Imported Bulkhead Gravel Backfill	733	TON	\$70.00	\$51,310.00
12.	Furnish, Place and Compact Imported Fill	410	TON	\$100.00	\$41,000.00
13.	Furnish, Place and Compact Imported Crushed Surfacing Base Course	482	TON	\$90.00	\$43,380.00
14.	Furnish, Place and Compact Asphalt Paving	223	TON	\$350.00	\$78,050.00
15.	Miscellaneous Finish Work	1	LS	\$10,000.00	\$10,000.00
16.	Import and Place Armor Stone	270	TON	\$220.00	\$59,400.00
17.	Import and Place Bedding Stone	188	TON	\$120.00	\$22,560.00
18.	Import and Place Fish Mix	35	TON	\$250.00	\$8,750.00

SUB-TOTAL:

\$3,154,450.00

8.2% WSST:

\$258,664.90

TOTAL BID AMOUNT:

\$3,413,114.90

2. **BID GUARANTY** - Accompanying this proposal is a Bid Guaranty in the amount of five percent (5%) of the total bid amount.
3. **WITHDRAWAL** - The above proposal will not be withdrawn within forty-five (45) days after the actual date of the opening hereof.
4. **CONTRACT** - If the undersigned be notified of acceptance of this Proposal within forty-five (45) days of the time set for opening of bids, they agree to execute a contract for the above stated sum and shall bond their work as required by law and that they will begin work within ten (10) days after Notice to Proceed. The undersigned also agrees to execute the contract contained in this Bid Solicitation without modification.
5. **SIGNING AUTHORITY** - By signing below, the undersigned hereby acknowledges that they are authorized and duly bound to execute this Bid Proposal Form on behalf of the Contractor and that their signature is binding upon the Contractor. The signing party further certifies that the Contractor represented has visited the Port of Ilwaco's website before the bid due date and time to familiarize themselves with the bid documents and all changes made via Addendum.
6. **CONTRACTOR VERIFICATION** - The bidder is instructed to provide with this bid submittal the following registration and identification numbers.
CONTRACTOR REGISTRATION NO.
(insert number here) #ACVANAC946BD
DEPT. OF LABOR AND INDUSTRIES ACCOUNT NO.
(insert number here) 804, 466-01
EMPLOYMENT SECURITY DEPARTMENT NO.
(insert number here) 322183 00 8
WASHINGTON UNIFIED BUSINESS IDENTIFIER (UBI) NO.
(insert number here) 602 308 267
7. **CONTRACTOR** - certifies by signing below that they are not disqualified from bidding on any public works contract under RCW 39.06.010 or RCW 39.12.065(3).
8. **CONTRACTOR** - certifies by signing below that they have not violated RCW 39.04.370 more than one time as determined by the Department of Labor and Industries.
9. **NON-COLLUSION DECLARATION** - **CONTRACTOR** (as signed below), under penalty of perjury under the laws of the State of Washington, do state and affirm that the quote submitted to the Port of Ilwaco is a genuine and not a sham or collusive quote, or made in the interest or on behalf of any person not herein named; and further says that the said Contractor has not directly or indirectly induced or solicited any Contractor on the above work or supplies to put in a sham quote or any other person or corporation to refrain from quoting; and that said Contractor has not in any manner sought by collusion to secure an advantage over any other Contractor or Contractors.
10. **ADDENDA** - Bidder acknowledges receipt of Addenda by checking the box(es):

1 ☒ 2 ☒ 3 ☐ 4 ☐ 5 ☐ 6 ☐ 7 ☐

CONTRACTOR -

Advanced American Construction

SIGNED -



Marvin D. Burch, President

Print name and title

ADDRESS -

8444 NW St Helens Rd, Portland
OR 97231

TELEPHONE -

(503) 445-9000

DATE: 10/2/2024

NOTE: PLEASE PUT NAME OF PROJECT ON ENVELOPE CONTAINING BID DOCUMENTS.

BID BOND

(surety bond)

KNOW ALL BY THESE PRESENTS:

That we Advanced American Construction, Inc., as Principal, and Western Surety Company, as Surety, are held and firmly bound unto the **Port of Ilwaco**, as Obligee, in the penal sum at least equal to FIVE PERCENT (5%) OF THE TOTAL AMOUNT OF THE BID, for the payment of which the Principal and Surety bind themselves, their heirs, executors, administrators, successors and assigns, jointly and severally, by these presents.

The Condition of this Obligation is such that if the obligee shall make any award to the principal for Ilwaco Bulkhead Resilience Project, Ilwaco Washington according to the terms of the proposal or bid made by the Principal therefor and the Principal shall duly make and enter into a contract with the Obligee in accordance with the terms of said proposal or bid and award and shall give bond for the faithful performance thereof, with Surety or Sureties approved by the Obligee; or if the Principal shall in case of failure so to do, pay and forfeit to the Obligee the penal amount of the deposit specified in the call for bids, then this obligation shall be null and void; otherwise it shall be and remain in full force and effect and the Surety shall forthwith pay and forfeit to the Obligee, as penalty and liquidated damages, the amount of this bond.

SIGNED, SEALED AND DATED THIS 27th, DAY OF September, 2024.

Advanced American Construction, Inc.

BY: *m.d. BA*

Principal

Western Surety Company

BY: *Kristine Calvin*

Kristine Calvin, Attorney-in-Fact

Surety

(ORIGINAL SEAL HERE)

The Bid Bond consists of this form and a Power of Attorney of the Surety evidencing the authority of the signor of this Bid Bond. Both this Bid Bond and the Power of Attorney shall be submitted in a fully executed, original hard copy document. The Bid Bond shall have original signatures for the principal and surety and include the original surety seal. The Power of Attorney shall be an original document and include the original corporate seal of surety represented. Submission of copies will render bid non-responsive.

Western Surety Company

POWER OF ATTORNEY APPOINTING INDIVIDUAL ATTORNEY-IN-FACT

Know All Men By These Presents, That WESTERN SURETY COMPANY, a South Dakota corporation, is a duly organized and existing corporation having its principal office in the City of Sioux Falls, and State of South Dakota, and that it does by virtue of the signature and seal herein affixed hereby make, constitute and appoint

Melissa C Hall, Kristine Calvin, Katrina M Green, Deborah Robinson, Kelly Koenig, Individually

of Portland, OR, its true and lawful Attorney(s)-in-Fact with full power and authority hereby conferred to sign, seal and execute for and on its behalf bonds, undertakings and other obligatory instruments of similar nature

- In Unlimited Amounts -

and to bind it thereby as fully and to the same extent as if such instruments were signed by a duly authorized officer of the corporation and all the acts of said Attorney, pursuant to the authority hereby given, are hereby ratified and confirmed.

This Power of Attorney is made and executed pursuant to and by authority of the Authorizing By-Laws and Resolutions printed at the bottom of this page, duly adopted, as indicated, by the shareholders of the corporation.

In Witness Whereof, WESTERN SURETY COMPANY has caused these presents to be signed by its Vice President and its corporate seal to be hereto affixed on this 1st day of April, 2024.



WESTERN SURETY COMPANY

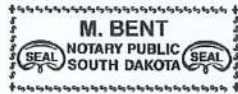
Larry Kasten, Vice President

State of South Dakota }
County of Minnehaha } ss

On this 1st day of April, 2024, before me personally came Larry Kasten, to me known, who, being by me duly sworn, did depose and say: that he resides in the City of Sioux Falls, State of South Dakota; that he is a Vice President of WESTERN SURETY COMPANY described in and which executed the above instrument; that he knows the seal of said corporation; that the seal affixed to the said instrument is such corporate seal; that it was so affixed pursuant to authority given by the Board of Directors of said corporation and that he signed his name thereto pursuant to like authority, and acknowledges same to be the act and deed of said corporation.

My commission expires

March 2, 2026



M. Bent, Notary Public

CERTIFICATE

I, Paula Kolsrud, Assistant Secretary of WESTERN SURETY COMPANY do hereby certify that the Power of Attorney hereinabove set forth is still in force, and further certify that the By-Law and Resolutions of the corporation printed below this certificate are still in force. In testimony whereof I have hereunto subscribed my name and affixed the seal of the said corporation this 27th day of September, 2024.



WESTERN SURETY COMPANY

Paula Kolsrud, Assistant Secretary

Authorizing By-Laws and Resolutions

ADOPTED BY THE SHAREHOLDERS OF WESTERN SURETY COMPANY

This Power of Attorney is made and executed pursuant to and by authority of the following By-Law duly adopted by the shareholders of the Company.

Section 7. All bonds, policies, undertakings, Powers of Attorney, or other obligations of the corporation shall be executed in the corporate name of the Company by the President, Secretary, and Assistant Secretary, Treasurer, or any Vice President, or by such other officers as the Board of Directors may authorize. The President, any Vice President, Secretary, any Assistant Secretary, or the Treasurer may appoint Attorneys in Fact or agents who shall have authority to issue bonds, policies, or undertakings in the name of the Company. The corporate seal is not necessary for the validity of any bonds, policies, undertakings, Powers of Attorney or other obligations of the corporation. The signature of any such officer and the corporate seal may be printed by facsimile.

This Power of Attorney is signed by Larry Kasten, Vice President, who has been authorized pursuant to the above Bylaw to execute power of attorneys on behalf of Western Surety Company.

This Power of Attorney may be signed by digital signature and sealed by a digital or otherwise electronic-formatted corporate seal under and by the authority of the following Resolution adopted by the Board of Directors of the Company by unanimous written consent dated the 27th day of April, 2022:

"RESOLVED: That it is in the best interest of the Company to periodically ratify and confirm any corporate documents signed by digital signatures and to ratify and confirm the use of a digital or otherwise electronic-formatted corporate seal, each to be considered the act and deed of the Company."

Go to www.cnasurety.com > Owner / Obligor Services > Validate Bond Coverage, if you want to verify bond authenticity.

EXHIBIT E

"STATEMENT OF SUBCONTRACTORS"

Each Bidder must designate in its bid, or within one (1) hour after the published bid submittal time, the names of the Subcontractors with whom the Bidder, if awarded the Contract, will subcontract for performance of the work for (i) HVAC (heating, ventilation, and air conditioning), (ii) plumbing as described in chapter 18.106 RCW, and (iii) electrical as described in chapter 19.28 RCW, **or name itself for such work.**

Additionally, each Bidder must designate in its bid, or within forty-eight (48) hours after the published bid submittal time, the names of the Subcontractors with whom the Bidder, if awarded the Contract, will subcontract for performance of the work for (1) structural steel installation and (ii) rebar installation, **or name itself for such work.**

The bidder shall not list more than one (1) 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 to name such Subcontractors (or to name itself to perform such work) or the naming of two or more Subcontractors to perform the same work shall render the Bidder's bid non-responsive and cause it to be rejected.

HVAC

Name and Address of Subcontractor

None

Plumbing

Name and Address of Subcontractor

Terry's Plumbing

419 Gateway Ave, Astoria OR

97103

Electrical

Name and Address of Subcontractor

Reese Electric

1750 Sherman Ave, North Bend

OR 97459

Structural Steel Installation

Name and Address of Subcontractor

Advanced American Construction

8444 NW St Helens Rd, Portland

OR 97231

Rebar Installation

Name and Address of Subcontractor

Farwest

3703 NW Gateway Ave

Vancouver WA 98660

Advanced American Construction

Bidder

By

President

Title

10/2/2024

Date

In addition to the requirements of RCW 39.30.060, further reporting of subcontractors will be required of the successful responsible bidder submitting the lowest responsive bid.

EXHIBIT H

DISCLOSURE OF LOBBYING ACTIVITIES

The Contractor will comply with 49 CFR Part 20 New Restrictions on Lobbying.

Certification for Contracts, Grants, Loans, and Agreements

The undersigned certifies, to the best of his or her knowledge and belief, that:


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 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 grant agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or grant agreement.

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 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 grant agreement, the undersigned shall complete and submit Standard Form-LLL (Rev. 7-97), "Disclosure of Lobbying Activities," in accordance with its instructions.

The undersigned shall require that the language of this certification be included in the award documents for all subawards at all tiers (including subcontracts, subgrants, and contracts under grants, loans and grant agreements) and that all subrecipients shall certify and disclose accordingly.

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 31 U.S.C. § 1352. 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 Contractor certifies or affirms that truthfulness and accuracy of each statement of its certification and disclosure, if any. In addition, the Contractor understands and agrees that the provisions of 31 U.S.C. A 3801, et seq. and 49 CFR Part 20 apply to this certification and disclosure, if any.

Signature:  Date: 10/2/2024
Name: Marvin D. Burch Position: President
Company: Advanced American Construction

NOTE: CONTRACTORS ARE REQUIRED, PURSUANT TO FEDERAL LAW, TO INCLUDE THE ABOVE LANGUAGE IN SUBCONTRACTS OVER \$100,000, AND TO OBTAIN THIS CERTIFICATE FROM EACH SUBCONTRACTOR ENTERING INTO AN AGREEMENT EXCEEDING \$100,000 AT ANY TIER UNDER THIS CONTRACT.

EXHIBIT I

CERTIFICATION OF OFFERER/BIDDER REGARDING TAX DELINQUENCY AND FELONY CONVICTIONS

The Contractor and all lower tiers of subcontractors must complete the following certification statements. Written notice of any change in certification must immediately be forwarded from tier to tier up to the Port. Each tier must indicate its current status as it relates to tax delinquency and felony conviction by marking with an X in the box following the applicable response. The Contractor agrees that, if awarded a contract resulting from this solicitation, it will incorporate this provision for certification in all lower tier subcontracts and all certifications will be forwarded from tier to tier up to the Port.

Certifications

- 1) The applicant represents that it is ☐, is not ☒ a corporation that has any unpaid Federal tax liability that has been assessed, for which all judicial and administrative remedies have been exhausted or have lapsed, and that is not being paid in a timely manner pursuant to an agreement with the authority responsible for collecting the tax liability.
- 2) The applicant represents that it is ☐, is not ☒ a corporation that was convicted of a criminal violation under any Federal law within the preceding 24 months.

Note

If an applicant responds in the affirmative to any of the above representations, the applicant is ineligible to receive an award unless the Port has received notification from the agency suspension and debarment official (SDO) that the SDO has considered suspension or debarment and determined that further action is not required to protect the Government's interests. The applicant therefore must provide information to the owner about its tax liability or conviction to the Owner, who will then notify the U.S. Department of Transportation-Maritime Division, which will then notify the agency's SDO to facilitate completion of the required considerations before award decisions are made.

Term Definitions

Felony conviction: Felony conviction means a conviction within the preceding twenty-four (24) months of a felony criminal violation under any Federal law and includes conviction of an offense defined in a section of the U.S. code that specifically classifies the offense as a felony and conviction of an offense that is classified as a felony under 18 U.S.C. § 3559.

Tax Delinquency: A tax delinquency is any unpaid Federal tax liability that has been assessed, for which all judicial and administrative remedies have been exhausted, or have lapsed, and that is not being paid in a timely manner pursuant to an agreement with the authority responsible for collecting the tax liability.

I certify under penalty of perjury that the above statements are true.

Signature: MD. RA Date: 10/2/2024
Name: Marvin D. Burch Position: President
Company: Advanced American Construction

DEBARMENT CERTIFICATION

Subcontractor – Lower Tier Participant

The subcontractor agrees that, if awarded a contract resulting from this solicitation, it will incorporate this provision for certification in all lower tier subcontracts and all certifications will be forwarded from tier to tier up to the Port.

Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion – Lower Tier Participant:

(1) The prospective lower tier participant certifies, by submission of this proposal, that either it nor its principals is presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participating in covered transactions by any Federal department or agency.

(2) Where the prospective lower tier participant is unable to certify to any of the statements in this certification, such prospective participant shall attach an explanation to this proposal.

Certification

The applicant represents that it is ☐, is not ☒ a corporation that is presently debarred, suspended, proposed for debarment, or declared ineligible for the award of contracts by any Federal agency;

I certify under penalty of perjury that the above statement is true.

Signature: MD. RA Date: 10/2/2024

Name: Marvin D. Burch Position President

Company: Advanced American Construction