# Jefferson County Board of Commissioners Agenda Request

To:

**Board of Commissioners** 

Mark McCauley, County Administrator

From:

Monte Reinders, P.E., Public Works Director/County Engineer

Agenda Date:

January 2, 2024

Subject:

Phase 2 - Membrane Bioreactor Wastewater Treatment Plant for

Port Hadlock UGA - Award of Contract

**Statement of Issue:** Award of Contract Interwest Construction Inc. of Burlington, Washington for their bid of \$10,020,835.00, which includes 9.1% Washington State Sales Tax (WSST) for the above referenced project.

Analysis/Strategic Goals/Pro's & Con's: The Public Works Department has completed checking the bids and has investigated the qualifications of the lowest bidder including Bidder responsibility criteria of RCW 39.04.350(1) and project supplemental criteria of Instruction to Bidders Article 3 - Qualification of Bidders. Bid tabulations and Bidder verification documentation is attached.

**Fiscal Impact/Cost Benefit Analysis:** The Bid amount is \$10,020,835.00, which includes 9.1% WSST. This project is funded with Department of Commerce funds.

**Recommendation:** Public Works recommends that the Board authorize the Award of Contract to Interwest Construction Inc., and return signed award document to Public Works for further processing.

Department Contact: Samantha Harper, P.E., Wastewater Project Manager, Ext. 175

Reviewed By:

Mark McCauley, County Administrator

Date 12/26/23



## Department of Public Works

### Jefferson County, Washington

623 Sheridan Street Port Townsend, WA 98368 360-385-9160

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January 2, 2024

TO:

**Board of County Commissioners** 

FROM:

Monte Reinders, P.E., Public Works Director / County Engineer

SUBJECT:

AWARD OF CONTRACT

Phase 2 Membrane Bioreactor Wastewater Treatment Plant for Port Hadlock UGA,

County Project No. 405-2114-0, Commerce Project No. 22-96515-026

In the matter of awarding a construction contract for the above referenced work:

- The Call for Bids was issued by the Board of County Commissioners on October 18, 2023.
- Due notice of the Call for Bids was given as required by law.
- Sealed bids were received and opened in public on November 30, 2023 in the Commissioner's Chambers.
- The Public Works Department has completed checking the bids and has investigated the qualifications of the lowest bidder including Bidder responsibility criteria of RCW 39.04.350(1) and project supplemental criteria of Instruction to Bidders Article 3 Qualification of Bidders.
- Bid tabs are attached for reference.

The Public Works Department recommends that the construction contract be awarded to the lowest responsive and responsible bidder:

Interwest Construction Inc. of Burlington, Washington for their bid amount of \$10,020,835.00, which includes 9.1% Washington State Sales Tax (WSST) for the Phase 2 Membrane Bioreactor Wastewater Treatment Plant for Port Hadlock UGA, County Project No. 405-2114-0, Commerce Project No. 22-96515-026.

Approved		
Greg Brotherton Chair, Board of County Commissioners	Date	

Attached:

**Bid Tabulations** 

Bid & Contractor Verification Summary

ICI Bid Form

## Department of Public Works Jefferson County, Washington

623 Sheridan Street Port Townsend, WA 98368 360-385-9160

## **MEMORANDUM**

DATE:

December 14, 2023

TO:

Monte Reinders, P.E., Public Works Director / County Engineer

FROM:

Samantha Harper, P.E., Wastewater Project Manager

SUBJECT:

Phase 2 Membrane Bioreactor Wastewater Treatment Plant for Port Hadlock UGA,

County Project No. 405-2114-0, Commerce Project No. 22-96515-026

Attached for your review are the Bid Verification Summary and the previously reviewed Bid Tabulation for the above referenced project. There was a total of three bidders. The three bidders were checked for contractor Mandatory Bidder Criteria and Supplementary Bidder Criteria.

#### **BID & CONTRACTOR VERIFICATION SUMMARY**

Jefferson County Public Works

Form Version Date:

3/31/2023

Bid Opening Date:

30-Nov-23

2:00	Dpm	

Project Name County Proje		PHASE 2 MI 405-2114-0	EMBRA	NE BIO	DREAC	TOR W	VASTEV	WATER TRE	ATMEN	T PLAN	NT FOR	PORT	HADL	OCK U	JGA											Bid Opening	_	2:00pm				
LOW TO HIGH BID ORDER	CONTRACTOR	BID AMOUNT (with Sales Tax)	APPARENT LOW BIDDER	BIDS ENTERED IN BID TABULATION SHEET	MATH VERIFIED	ADDENDUMS ACKNOWLEDGED BY CONTRACTOR	PROPOSAL SIGNED	FEDERAL I.D. NO.	5% PROPOSAL BOND INCLUDED	NON-COLLUSION DECLARATION RETURNED WITH BID PROPOSAL	CERT. FOR FEDERAL AID CONTRACTS RETURNED WITH BID PROPOSAL	WAGE LAW CERTIFICATION SIGNED (272-009)	SUBCONTRACTOR LIST RCW 39.30.060 (272.009)	DBE UTILIZATION CERTIFICATION COMPLETED (272-956)	DBE WRITTEN CONFIRMATION DOCUMENT COMPLETED (472-931)	DBE 'Good Faith Effort' (GFE) Documentation (if necessary)	PRIME CONTRACTOR DBE STATUS: http://wsdot.wa.gov/Partners/OMWBE/DBEDirectory/	SUBCONTRACTOR DBE FIRM(S) CERTIFIED BY OMWBE: www.omwbe.wa.gov/directory-of-certified-firms	SUBCONTRACTOR DBE FIRM(S) CHECKED ON LIST OF SUSPENDED FIRMS: http://wsdot.wa.gov/Partners/OMWBE/DBEDirectory/	WA STATE UNIFIED BUSINESS IDENTIFIER NO. (UBI): https://secure.ini.wa.gov/verify/	STATE EXCISE TAX REGISTRATION NO. (MAY BE SAME AS UBI): https://secure.dor.wa.gov/gteunauth/_#7 Link at bottom of LNI verification page	CONTRACTOR LICENSE NUMBER	CONTRACTOR'S LICENSE EXPIRATION DATE: https://secure.ini.wa.gov/verify/	CONTRACTOR LICENSE VERIFIED ON L&I WEBSITE https://secure.ini.wa.gov/verify/	L&I INDUSTRIAL INSURANCE PREMIUM STATUS: https://secure.ini.wa.gov/verify/	CONTRACTOR CHECKED ON L&I DEBARRED CONTRACTORS LIST: http://www.lni.wa.gov/TradesLicensing/Prev/Wage/AwardingAgencies/DebarredContractors/default.asp	CONTRACTOR CHECKED ON FEDERAL SYSTEM FOR AWARD MANAGEMENT (SAM) WEBSITE: https://www.sam.gov/SAM/	EMPLOYMENT SECURTIY DEPARTMENT NO.: email: publicworks@esd.wa.gov phone: (360) 890-3499 (Verification of Active unemployment Account)	COMPLIANCE WITH APPRENTICESHIP UTILIZATION REQUIREMENTS OF RCW 39.04.320 & 49.04 (N/A for projects < 1 million \$)	L&I CONTRACTOR TRAINING VERIFICATION per RCW 39.04.350(1)(f) (effective July 1, 2019) Included on LNI Verification page: https://secure.ini.wa.gov/verify/	MANDATORY PRE-BID WALK THROUGH	SUPPLEMENTAL BIDDER CRITERIA SP 1-02.14 (SUBCONTRACTOR RESPONSIBILITY, CLAIMS AGAINST RETAINAGE AND BONDS, PUBLIC BIDDING CRIME, TERMINATION FOR CAUSE OR DEFAULT, LAWSUITS
Example		\$1,234,567.00	×	YES	YES	YES	YES	91-1234567	YES	YES	YES	YES	YES	YES(1)	YES	N/A	Not a DBE	YES	Not on list	123456789	123456789	ABCDEF*123YZ	1/1/2018	YES	Account is current	Not on list	No records found by SAM	654321-00	N/A	YES or Exempt	Provide date of meeting attended	e Submitted Sent or No Required
609 N. H	st Construction Inc. Hill Blvd. on, WA 98233	\$10,020,835.00		Yes	Yes	Yes	Yes	91-1413003	Yes	Yes	N/A	Yes	Yes	N/A	N/A	N/A	Not a DBE	N/A	N/A	601029425	601029425	INTERCI1210F	11/8/2025	Yes	Account is current	Not on list	Active registration	000650775004	Active for Multiple Trades	Exempt	N/A	Sent
Pacific Ci 180th St 2 WA 9844		\$11,355,080,00		Yes	Yes	Yes	Yes	46-5277011	Yes	Yes	N/A	Yes	Yes			N/A	Not a DBE	N/A	N/A	603389830	603389830	PACIFCI867J8	4/28/2024	Yes	Account is current	Not on list	Active resistration		Active for Multiple Trades	Exempt	N/A	Sent
	own River Drive nd, WA 98674	\$10,608,338,50		Yes	Yes	Yes	Yes	76-0194473	Yes	Yes	N/A	Yes	Yes	N/A	N/A	N/A	Not a DBE	N/A	N/A	601702222	601702222	STELLJ045J9	7/16/2025	Yes	Account is current	Not on list	Active resistration		Active for Carpentars and Laborers	Exempt	N/A	Sent
ENGINEER'S	S ESTIMATE (with 9.1% sales tax)	\$7,776,648.00																														

#### **BID TABULATION SUMMARY** PHASE 2 MEMBRANE BIOREACTOR WASTEWATER TREATMENT PLANT FOR PORT HADLOCK UGA Commerce Project No. 22-96515-026 COUNTY PROJECT 405-2114-0 BID OPENING DATE: November 30, 2023 Interwest Construction Inc. Pacific Civil & Infrastructure Stellar J **ENGINEER'S ESTIMATE** 609 N. Hill Blvd 5124 180th St. E. 1363 Down River Drive BID OPENING TIME: 2:00 p.m. Burlington, WA 98233 Tacoma, WA 98446 Woodland, WA 98674 ITEM QUANTITY UNIT ITEM DESCRIPTION UNIT TOTAL UNIT TOTAL UNIT TOTAL UNIT **TOTAL** NO. BID BID BID BID BID BID BID BID 1 Membrane Bioreactor Wastewater Treatment Plant for Port Hadlock UGA 1 L.S. \$7,071,090.00 \$9,175,000.00 \$7,071,090.00 \$9,175,000.00 \$10,400,000.00 \$10,400,000.00 \$9,716,000.00 \$9,716,000.00 2 1 L.S. Trench & Excavation safety Provisions \$56,910.00 \$56,910.00 \$10,000.00 \$10,000.00 \$7,956.00 \$7,956.00 \$7,500.00 \$7,500.00 Subtotal of Bid Item Nos. 1 & 2 \$7,128,000.00 \$9,185,000.00 \$10,407,956.00 \$9,723,500.00 9.1% Sales Tax \$648,648.00 \$835,835.00 \$947,124.00 \$884,838.50 **Total Lump Sum Bid Amount** \$7,776,648.00 \$10,020,835.00 \$11,355,080.00 \$10,608,338.50

Prepared by Project Manager: Samantha Harper, P.E.

Date:

Reviewed by County Engineer: Monte Reinders, P.E.

Reviewed by Eng. Serv. Manager:

#### SECTION 004100 - BID FORM

#### ARTICLE 1—ATTACHMENTS TO THIS BID

The following documents are submitted with and made a condition of this Bid:

- A. 004300 Bid Bond;
- B. 004400 Contractor Certification of Wage Law Compliance; and
- C. 004500 Subcontractors List.
- D. 004600 Supplemental Bidder Criteria Due by 12:00pm (Noon) of the third business day following the submittal deadline

#### ARTICLE 2—PROPOSAL

This Bid is submitted to: The Board of Jefferson County Commissioners

Jefferson County Courthouse

1820 Jefferson Street Port Townsend, WA 98368

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

The undersigned certifies that it has personally examined the location of the:

#### Phase 2 - Water Reclamation Plant for Port Hadlock UGA

and that it understands the Contract Documents governing the work and the method by which payment will be made for the work. The undersigned proposes to undertake and complete the work embraced in this improvement in strict accordance with the Contract Documents at the following schedule of rates and prices in the proposal.

Project Location: Water Reclamation Plant for Port Hadlock UGA

236 Lopeman Road Port Hadlock, WA 98339

Bid Proposal for Phase 2 - Water Reclamation Plant for Port Hadlock UGA

BID FORM 004100 - 1

Item No.	Description of Item	Total LUMP SUM Cost
1	Membrane Bioreactor Wastewater Treatment Plant for Port Hadlock UGA	\$ 9,175,000.00
2	Trench & Excavation Safety Provisions	\$ 10,000.00
	Subtotal of Bid Item Nos. 1 & 2	s 9,185,000.00
	9.1% Sales Tax	s 835,835.00
	Total Lump Sum Bid Amount	\$ 10,020,835.00

#### ARTICLE 3—TIME OF COMPLETION

- 3.01 Bidder agrees that the Work will be substantially complete and will be completed and ready for final payment in accordance with Paragraph 15.06 of the General Conditions on or before the dates or within the number of calendar days indicated in the Agreement.
- 3.02 Bidder accepts the provisions of the Agreement as to liquidated damages.

ARTICLE 4—BIDDER'S ACKNOWLEDGEMENTS: ACCEPTANCE PERIOD, INSTRUCTIONS, AND RECEIPT OF ADDENDA

- 4.01 Bid Acceptance Period
  - A. This Bid will remain subject to acceptance for 60 days after the Bid opening, or for such longer period of time that Bidder may agree to in writing upon request of Owner.
- 4.02 Instructions to Bidders
  - A. Bidder accepts all of the terms and conditions of the Instructions to Bidders, including without limitation those dealing with the disposition of Bid security.

A bid security in the amount of five percent (5%) of the total lump sum bid amount in a form as indicated below is attached hereto:

	CASHIER'S CHECK FOR payable to Jefferson County.	dollars	made
	CERTIFIED CHECK FOR payable to Jefferson County.	dollars	made
K1	BID BOND in the amount of five percent (5%) of the total bid.		

#### 4.03 Receipt of Addenda

#### A. Bidder hereby acknowledges receipt of the following Addenda:

Addendum Number	Addendum Date
1	11/2/2023
2	11/6/2023
3	11/17/2023
4	11/27/2023

#### ARTICLE 5—BIDDER'S REPRESENTATIONS AND CERTIFICATIONS

#### 5.01 Bidder's Representations

The Bidder is hereby advised that by signature of this proposal he/she is deemed to have acknowledged all requirements and signed all certification.

#### 5.02 Bidder's Certifications

#### A. Lobbying Certification

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 an 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 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.
- 3. 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 cooperative agreements) and that all subrecipients shall certify and disclose accordingly.

#### B. Noncollusion Declaration

The undersigned certifies, to the best of his or her knowledge and belief, that such person, firm, association, or corporation has not either directly or indirectly, entered into any agreement, participated in collusion, or otherwise taken action in restraint of free competitive Bidding in connection with the submitted Bid.

BID FORM 004100 - 3

#### BIDDER hereby submits this Bid as set forth above:

Bidder:		
Interwe	st Construction, Inc.	/
By:		d name of organization) (individual's signature)
Name:	Robert Reick	Interviolen 5 2 grant 9/
		(typed or printed)
Title:	Vice-President	(typed or printed)
Date:	November 30, 2023	in pear or printed
Date.	110101111101 00, 2020	(typed or printed)
If Bidder is	a corporation, a partnership, or a joint ve	enture, attach evidence of authority to sign.
Attest:	Shonda Swa	ddle
	- france	(individual's signature)
Name:	Rhonda Twaddle	
		(typed or printed)
Title:	Secretary	(typed or printed)
Date:	November 30, 2023	(spea or princea)
Date.	14046111061 30, 2023	(typed or printed)
Address fo	or giving notices:	
10	609 North Hill Blvd.	
	Burlington, WA 98233	
Bidder's C		
Name:	Rhonda Twaddle	
m'u		(typed or printed)
Title:	Secretary	(typed or printed)
Phone:	360-757-7574	(April or printed)
Email:	bids@interwest.biz	
Address:		
	609 North Hill Blvd.	
-	Burlington, WA 98233	
-		
State of W	ashington Contractor's License No.:	INTERCI1210F
Federal Ide	entification No.:	91-1413003

Type of Organization TILC Sole Proprietorship Co-Partnership Joint Venture X Coporation Co-Partnership or Joint Venture Date of Organization 09/06/1988 In What State? Date Incorporated (Month/Year) 06/1987 Washington President's Name Status Eben Twaddle IV X General Assoc. Limitied Vice President's Name Is there any limitation on duration of Co-Partnership or Joint Roy Swihart / Dana Orbe / Robert Reick / Sean McGuiness Yes X No Venture? Secretary's Name If "Yes", Explain: Rhonda Twaddle / Suzanne Downing Treasurer's Name None If Out-of-State Corporation, have you complied with Washington's Corporation Laws? Yes No N/A Other Organization Affiliation: List those persons within your organization that have a business affiliation in any other organization involved in construction-oriented projects as contractor, subcontractor, supplier, or consultant. Name of Individual Name and Location of Other Organization None Non-Collusion In order for your application for Prequalification to be considered, it is necessary to furnish the following information: 1. Has your firm ever been indicted, pled guilty, pled noto contendere (no contest), or been Yes X No convicted of any offense that has resulted in your firm being barred from being or performing work for any State, Local, or Federal Government? If "Yes", attach a separate sheet(s) to this form giving the details involved, the names of the individuals, and their current employment status with your firm. 2. Has any officer, employee, or other member of your firm ever been indicted, pled guilty, pled nolo X No Yes contendere, or been convicted of any illegal restraints of trade, including collusive bidding? If "Yes", attach a separate sheet(s) to this form giving the details involved. 3. Has your firm or any officer, employee, or member of your firm ever been debarred for violation Yes X No of various Public Constraint Acts incorporating Labor Standards Provision? If "Yes", attach a separate sheet(s) to this form giving the details involved. 4. Is your firm under the protection of the bankruptcy court, has pending any petition in bankruptcy X No Yes court, or have you made an assignment for the benefit of creditors? **Authorized Signatures** List the names and titles of those individuals in your organization who are authorized to execute proposals, contracts, bonds, and other documents and/or instruments on behalf of the organization. Name Tille Signature Eben Twaddle IV President Vice-President Roy Swihart Vice-President Dana Orbe Robert Relck Vice-President

Secretary

Rhonda Twaddle

DOT Form 420-010

Revised 01/2020

#### **Execution of the Affidavit**

Sole Proprietorship

Signature of the Individual in the firm name under which business is conducted

Co-Partnership

The signature of all partners, general and limited under the firm name, or the signature of their

Attorney in Fact.

Corporation

The signature of the authorized officer(s) of the corporation with corporate seal affixed if available.

Joint Venture

Signatures of an authorized representative of each party to the joint venture. Corporate members of a

joint venture shall also affix their corporate seal if available. (See page i)

#### **Affidavit**

The undersigned, being duly sworn, deposes and says that the foregoing is a true statement of facts concerning the sole proprietorship, corporation, co-partnership or joint venture herein named, as of the date indicated; that the Financial Statement taken from the books of said firm as individual is a true and accurate statement of the financial condition of said firm or individuals as of the date thereof; that the answers to the foregoing interrogatories are true; that this statement is for the express purpose of inducing the Washington State Department of Transportation to award the said firm or individual a contract; and that any depository, vendor, or other agency herein named is hereby authorized to supply the Washington State Department of Transportation or its agent with any information to verify this statement.

Name of Firm (As registered with Washington Secretary of State):

Interwest Constatiorlnc.		
Authorized Signature	Authorized Signature	<u>,                                      </u>
Authorized Signature	Authorized Signature	
Subscribed and sworn to me this	26th day of June	
	Suga Kay h	Donning
	Notary Public in and for the State of	Washington
:	residing atBellingham, WA	
Corporate Seal if available		Notary Seal
SEAL  SEAL  SEAL  SEAL  SHINGTON  SH	24	ON NOTARY OF WASHINGTON

Statement Prepared By Rhands Sundle Title Secretary Date June 26, 2023

DOT Form 420-010 Revised 01/2020