

# **PART I – BID DOCUMENTS**

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# INVITATION TO BID

**CITY OF WOODBURN**  
**I-5 INTERCHANGE – FORCE MAIN AND SANITARY SEWER SERVICES RELOCATION**  
**EAST OF ASTOR WAY**  
**PROJECT No. 2012-026-12**  
**BID No. 2013-07**

Sealed bids for the construction of the *"I-5 Interchange - Force Main and Sanitary Sewer Services Relocation East of Astor Way"* project will be received by the City of Woodburn, OR at City Hall Annex, 190 Garfield St. until **2:00 PM, Thursday, February 28, 2013** and will thereafter be publicly opened and read.

Proposals shall be addressed to the City Engineer, City of Woodburn, 190 Garfield St., Woodburn, OR 97071. Bids shall be submitted in a plain sealed envelope bearing the Bidder's name, the name of the project and the date and time of the Bid opening, and shall be clearly marked "**Bid No. 2013-07**", and Bidders shall indicate on the Form of Proposal that *"Bidder will comply with the provisions of Chapter 279C.840, Oregon Revised Statutes" or 40 U.S.C 276a.*

Work under this contract will contain funding from Federal Grants. Contractor shall comply with all applicable federal regulations in addition to all other specifications, terms and conditions of this invitation to Bid. Work performed in the project is subject to the higher of the prevailing wages rates under the Oregon Prevailing Wages Law and the Federal Davis-Bacon Act. The work under this contract is also subject to the "Buy American" requirements and provisions that require all of the iron, steel, and manufactured goods used in the project to be produced in the United States ("Buy America Requirements").

DESCRIPTION OF THE PROPOSED WORK: The main work for this project includes the installation of 195 LF of 12" Class 52 D.I. with protecto 401 force main pipe, installation of one 12" 45° D.I. bend with protecto 401, 8 LF of 18" Class 52 D.I force main pipe, one 18" ML 90° D.I bend Class 52 with protecto 401, one 18"x12" D.I. class 52 MJ cross with protecto 401, one 18" D.I. class 52 MJ "Tee" with protecto 401, two 18" D.I. class 52 blind flange, one 60" diameter flat top manhole; and remove four 48" diameter sewer manholes, remove 30 LF of 24" gravity sewer main, construct 300 square feet of 8" thick PCC driveway/driveway approach, construct 250 square feet of 4" thick PCC sidewalk, construct 60 LF of PCC curb and gutter, construct 60 LF of PCC curb, install 2 new 6" D.I. class 52 sanitary sewer services across Hwy 214, install 3 new 4" D.I. class 52 sanitary sewer services across Hwy 214, abandon approximately 210 LF of 24" sanitary sewer pipe with CDF, restore surface trench restoration, restore landscape areas, and provide sewage bypass as necessary during the duration of the project.

Contractor shall be aware that other utilities will be relocated by other contractors/Franchise Utility providers in the same area of construction during the same timeframe as this project. Work coordination with other contractors is considered incidental to this project.

Plans and specifications may be examined at the City Engineer's Office, City Hall Woodburn, OR on or after **Thursday February 14, 2013**. Copies of the Contract Documents may be obtained from the City Engineer's Office upon deposit of a non-refundable fee of fifty dollars (\$50.00) for each set. Additionally

plan sets are available for viewing at the following locations;

*DJC Plan Center – Portland, OR*

*Contractor's Plan Center – Clackamas, OR*

*McGraw Hill Dodge Plan Center – Portland, OR*

*Salem Contractor's Exchange – Salem, OR*

Bidders must be pre-qualified in accordance with the laws of the State of Oregon. Completed pre-qualification forms shall be mailed or delivered to the City of Woodburn at least 7-days prior to bid opening for Bidder to retain the right to protest the bid. Prequalification Forms are available in PDF format off the City website at <http://www.ci.woodburn.or.us/?q=blog-categories/bids-rfps>.

**No bid for a construction contract shall be received or considered unless the bidder is registered with the Construction Contractors Board or licensed by the State Landscape Contractors Board.**

Bidders on this project need not be licensed for asbestos handling pursuant to ORS 468A.720. Each bidder must indicate on the bid form whether they are a resident or nonresident bidder as defined in ORS 279A.120 (b).

All proposals shall be made on the proposal forms. All proposals shall be accompanied by a Bid Bond, equal to ten percent (10%) of the total bid. Bid Bond shall be forfeited to the City if the Contractor fails to execute the contract within 7-days after acceptance of the bid and award of the Contract.

**Pursuant to ORS 279C.370, bidders on public works projects with a contract value of \$100,000 or more are required to disclose, 2-hours after bid opening, the bidders first-tier subcontractors. The bidder shall provide the information as required on City of Woodburn first-tier disclosure form, provided in the contract documents.**

At the discretion of the Project Manager Addenda and Contract clarifications shall either be posted on the City, Engineering Division website or delivered to Plan Holders via facsimile. Potential Bidders should check the website on a daily basis the last week before the Bid Opening date. Website can be found at <http://www.ci.woodburn.or.us/?q=blog-categories/bids-rfps>. Addenda must be signed and submitted with the Bid Proposal to be considered a responsive offer.

Although contract award is expected to be made by the City Council on **March 11, 2013**, the City of Woodburn reserves the right to reject any and all bids not in compliance with prescribed bidding procedures and requirements, and may reject for good cause any and all bids upon a finding of the Agency if it is in the public interest to do so. The three (3) lowest bidders may not withdraw or modify his bid prior to the lapse of 35-days after the bid opening.

**This project must be completed by May 31, 2013.**

  
\_\_\_\_\_  
Heather Pierson, City Recorder  
City of Woodburn, OR 97071

## INSTRUCTIONS TO BIDDERS

### 1. GENERAL:

A general description of the work to be done is contained in the Invitation to Bid. The scope is indicated in the accompanying plans and specified in these Contract Documents.

### 2. SECURING DOCUMENTS:

- A. Copies of the Contract Documents are on file at:  
City Hall Annex  
190 Garfield Street  
Woodburn, OR 97071.
- B. Copies of the Documents may be obtained, for bidding purposes, upon the conditions set forth in the Invitation to Bid.
- C. Prevailing wage rates as set by BOLI for the Marion County region are considered part and included in these Documents. Latest version of these rates are available electronically on the BOLI website. See Article D (7)(6) of the General Conditions for further instructions.
- D. Federal Davis-Bacon Wages Rates: The most recent wage decision under the Davis-Bacon Act ([General Decision OR130058 01/18./2013](#)) is attached to this contract documents.

### 3. BID PROPOSAL:

In order to receive consideration, make all bids in strict accordance with the following:

- A. Make bid offers upon the BID PROPOSAL forms provided herein, properly executed and with all items filled in. Do not change the wording of the BID PROPOSAL from and do not add words to the wording of the forms. Unauthorized conditions, limitations and/or provisions attached to the BID PROPOSAL form shall be cause for rejection of the proposal. Alterations by erasure or interlineations must be explained or noted and initialed by an officer of the Contractor authorized to make the offer.
- B. Each Bid Offer shall be addressed and delivered to the Owner on or before the date and time indicated in the Invitation to Bid. Facsimile and telephone bid offers **WILL NOT** be considered. It is the sole responsibility of the bidder to ensure his offer is received on time.
- C. Proposals made by corporations or partnerships shall contain names and addresses of the principal officers or partners. If a corporation makes the Proposal, it must be acknowledged by one of the principal officers thereof; if made by a partnership, by one of the partners.
- D. Unit prices prevail in computation of the bid tab and final price. Bidder's unit price will be calculated by the quantity estimated in the Form of Proposal to calculate the official tabulated offer.

**4. BONDS:**

- A. Proposals shall be accompanied by one of the following (1) a surety bond (2) an irrevocable letter of credit issued by an insured institution as defined in ORS 706.008 (3) a cashier's check or certified check as bid security. The bond, letter of credit or check shall be in the amount of not less than ten (10%) percent of the amount bid for the Contract.
- B. The Owner reserves the right to retain the bid security of the three lowest bidders until the successful Bidder has signed and delivered the agreement and furnished, certification of insurance and both, the Labor & Materials Bond and the Performance Bond. Upon failure of the successful Bidder to sign and deliver said agreement, Bonds and Insurance certificates within the specified time, the next lowest bid may be accepted at the Owner's discretion, whereupon the above instructions and requirements will apply to the said second bidder.
- C. Bid security of all bidders, except the three lowest, will be returned promptly after the canvas of bids; bid security of the three lowest bidders will be returned within 3-days after the Contract has been executed or other disposition made thereof in accordance with the provisions stated herein.
- D. Prior to signing the Contract, the Owner will require the selected Contractor to secure and post Performance and Labor & Materials Bonds as outlined in the General Conditions contained herein. Requirements can be found in the General Conditions Article I (4).

**5. EXAMINATION OF DRAWINGS, SPECIFICATIONS AND SITE OF WORK:**

- A. Before submitting a bid, each bidder shall carefully examine the Drawings, read the specifications and all other Contract Documents, and visit the site of work. Prior to offering a bid each bidder shall thoroughly examine the existing conditions and limitations of the work to be performed and shall include in his bid offer a sum to cover all costs of all items necessary to perform the work as set forth in the Contract Documents.
- B. No allowance will be made to any bidder because of the lack of such examination or knowledge. The submission of a bid shall be construed as conclusive evidence that the bidder has made such examinations.
- C. Each Bidder must inform himself on all laws and statutes, both federal and state, relative to the regular execution of the work, the employment of labor, protection of public health, the protection of private property, right-of-way, and access to the work, fire protection regulations, and similar requirements.

**6. QUALIFICATION OF THE BIDDER:**

- A. Woodburn Contract Review Board acting under authority of ORS 279A.060 and City Ordinance No.1498 has set the following requirements for pre-qualification of bidders.
- B. Bidders must be pre-qualified by the Woodburn Public Works Department. A complete Prequalification Application form must be submitted to the Owner at least 7-days prior to the

bid opening date in order for the prospective Bidder to retain his right to appeal should he be disqualified by the public officer representing the Owner. If the prequalification form is submitted less than 7-days prior to the bid opening date, the **CONTRACTOR AGREES TO FORFEIT THE RIGHT TO PROTEST THE BID.**

- B. Prequalification forms may be downloaded of the City of Woodburn website at <http://www.ci.woodburn.or.us/?q=blog-categories/bids-rfps>. The form shall be filled out by the prospective Bidder and delivered to:

Duane K. Barrick  
City Hall Annex  
190 Garfield St.  
Woodburn, Oregon 97071  
Phone 503.980.2408  
Facsimile 503.982.5242  
E-mail [duane.barrick@ci.woodburn.or.us](mailto:duane.barrick@ci.woodburn.or.us)

- D. No bid for a construction contract shall be awarded by the City unless the bidder is pre-qualified and is registered, if a Contractor, with the Oregon Construction Contractor's Board or if a Landscape Contractor, licensed by the State Landscape Contractor's Board as required by ORS 671.530. The Contractor shall therefore supply the City with a copy of their registration number.
- E. **DRUG TESTING PROGRAM:** By signing and submitting a Bid to the City, the Bidder certifies that they have an employee drug-testing program in place.

## **7. FIRST-TIER SUBCONTRACTOR DISCLOSURE.**

- A. Bidders are required to disclose information about certain first-tier subcontractor's when the contract value for public improvement is greater than \$100,000 (see ORS 279C.370). Specifically, when the contract amount of a first-tier subcontractor that will be furnishing labor or materials in connection with the public improvement is: (I) 5% of the project bid or \$15,000 whichever is greater, or (II) \$350,000 regardless of the percentage, the bidder must disclose the following information about that subcontractor within two (2) hours of the bid closing:

The subcontractor's name.  
The subcontracted dollar value.  
The subcontracted category of work.

- C. If the Bidder will not be using any subcontractor's that are subject to the above disclosure requirements, the Bidder shall indicate "NONE" on the First-Tier Subcontractor Disclosure Form.
- D. Per ORS 279C.370, the City must reject a bid if the Bidder fails to submit the completed disclosure form by the stated deadline. The subcontractor disclosure information, as described herein, must be included on the First-Tier Subcontractor Disclosure Form included in these

Contract Documents. The First-Tier Subcontractor Disclosure Form must be submitted prior to the date and time stated in the invitation to bid. Failure to submit the disclosure form will result in the bid being declared “Non-Responsive.

## **8. BUY AMERICA**

- A. The Contractor acknowledges to and for the benefit of the City of Woodburn and the State of Oregon that it understands the goods and services under this agreement are funded with monies made available by Federal Grants that contain provisions commonly known as “Buy America” that require all of the iron, steel and manufactured goods used in the project be produced in the United States (“Buy America Requirements”) including iron, steel, and manufactured goods provided by the Contractor pursuant to this project.
1. The Contractor has reviewed and understands the Buy American Requirements,
  2. All iron, steel, and manufactured goods used in the project will be and/or have been produced in the United States in a manner that complies with the Buy American requirements, unless a waiver of the requirement is approved, and
  3. The Contractor will provide further verified information, certification, or assurance of compliance with this condition, or documentation or a waiver and information necessary to support a waiver of the Buy American Requirements, as may be requested by the City or the State of Oregon.
- B. Bidders are required to submit with their bid a signed copy of the “Buy America” Bid Compliance Certification and Worksheet where the Bidder thereby certifies to compliance with the ARRA Buy American requirements during the development of their bid. The City will review the Bidder’s certification form as well as the detailed pricing sheet for compliance with these requirements. Failure to comply may result in the Bidder being deemed non-responsive.

## **9. INTERPRETATION OF CONTRACT DOCUMENTS PRIOR TO BIDDING:**

- A. If any person(s) contemplating the submission of a bid offer for construction of the work is in doubt as to the true meaning of any part of the Documents, or finds discrepancies in or omissions from any part of the Documents, he shall submit, in writing to the Engineer, a request for clarification or interpretation thereof not later than 5 business days prior to the Bid Opening. The person submitting the request shall be responsible for prompt submission.
- B. Addenda issued during the time of bidding shall form a part of the Contract Documents loaned to the bidder for the preparation of his proposal and shall be covered in the proposal. Receipt of each addendum shall be acknowledged in the proposal by the signature of the responsible party.
- C. Contract Clarifications, addenda, plan holders list and all other correspondence to Plan Holders are posted on the City of Woodburn website at the following URL: <http://www.ci.woodburn.or.us/?q=blog-categories/bids-rfps>.

## **10. WITHDRAWAL OF BID OFFER:**

INSTRUCTIONS TO BIDDERS  
REVISION 8 – January 10, 2013

- A. Any bidder may withdraw his bid, either personally or in writing at any time prior to the scheduled time for public opening.
- B. No bidder may withdraw his bid offer after the opening within the 35-days after bid opening. The three (3) lowest bid offers shall be subject to acceptance by the City until the close of the 35-day period.

**11. PRE-BID CONFERENCE:**

- A. Pre-bid conferences are held for the purpose of considering questions posed by bidders. The conference will be opened to General Contract Bidders only.
- B. No pre-bid conference shall take place unless the date, time and location is stated in the Invitation to Bid.

**12. AWARD OR REJECTIONS OF BID OFFERS:**

- A. The Contract, if awarded, will be awarded to the lowest responsible Bidder by the City of Woodburn, Oregon, on the basis of that proposal, which, in its sole and absolute judgment will best serve its interests.
- B. The City of Woodburn, Oregon, reserves the right to accept or reject any or all proposals, and to waive any informalities and irregularities in said proposals, delete certain items from the proposal and postpone the award decision date to one that is mutually agreeable to the Owner and the low bidder.

**13. EXECUTION OF AGREEMENT:**

- A. The form of Agreement, which the successful Bidder, as Contractor, will be required to execute within 10-days after receiving the "Notice of Award" is included in the Contract Documents and must be carefully examined by each Bidder.
- B. Within 35-calendar days after the opening of proposals the City of Woodburn, Oregon, will accept one of the proposals or will act in accordance with Paragraph 11 "Acceptance or Rejection of Bids" of these Instructions to Bidders. The Notice of Award will be in writing, mailed or delivered to the mailing address designated in the proposal.
- C. At or prior to delivery of the signed Agreement, the Contractor shall deliver to the Owner the Labor & Materials Bond, the Performance Bond and the Insurance certificates, as required in the General Conditions Article I, of these Contract Documents. All bonds and policies or certificates of insurance shall be approved by the Owner before the successful bidder may proceed with the work.
- D. Should the successful bidder fail or refuse to execute the Contract and furnish the proper bonds, then the bid security deposited by said bidder shall be retained as liquidated damages, not a penalty, by the City of Woodburn, Oregon; and it is agreed that this said sum is a fair

estimate of the amount of damages the City of Woodburn will sustain in case the Bidder fails to enter into a Contract and furnish Bond as hereinbefore provided. Bid security deposited in the form of a certified check shall be subject to the same requirement as a bid bond.

**14. FINANCING:**

- A. The work will be paid for by cash and warrants. The Owner, as specified in Article G of the General Conditions, will make monthly payments for work performed.

**15. TIME OF COMPLETION:**

- A. The time of completion of the work to be performed under this Contract is stated in the Invitation to Bid and bound herein. Delays and extensions of the time may be allowed in accordance with Article E (11) of the same General Conditions.

END OF INSTRUCTIONS TO BIDDERS

## **BID PROPOSAL**

Honorable Mayor and City Council  
City Hall  
Woodburn, Oregon 97071

The undersigned, hereinafter called the Bidder, declares that the only persons or parties interested in this Proposal are those named herein, that the Proposal is in all respects fair and without fraud, which it is made without any connection or collusion with any person making another Proposal on this Contract.

The Bidder further declares that he has carefully examined the Contract Documents for the construction of the proposed improvements; that he has personally inspected the site; that he has satisfied himself as to the quantities of materials, items of equipment, and conditions or work involved, including the fact that the description of work and materials as included herein, is brief and is intended only to indicate the general nature of such items and to identify the said quantities with the detailed requirements of the Contract Documents; and that this Proposal is made according to the provisions and the terms of the Contract Documents, which Documents are herein attached and are hereby made a part of this Proposal.

The Bidder further agrees to complete construction of all work in all respects in accordance with the Special Provisions incorporated herein.

In the event the Bidder is awarded the Contract and shall fail to complete the work within the time limit set under Specifications of this document or extended time limit agreed upon, as more particularly set forth in the Contract Documents, liquidated damages shall be paid to the City of Woodburn, Oregon, using the rate formula outlined in Article G(5) of the General Conditions, and not less than \$150.00 per day, until the work shall have been finished, as provided by the Contract Documents.

The Bidder further proposes to accept as full payment for the work proposed herein the amount computed under the provisions of the Contract Documents and based on the following unit price amounts, it being expressly understood that the unit prices are independent of the exact quantities involved, that they represent a true measure of the labor and material required to perform the work, including all allowance for overhead and profit for each type and unit of work called for in these Contract Documents.

The amounts shall be shown in both words and figures. In case of discrepancy, the amount shown in words shall govern.

It is declared that the Bidder will comply with all the provisions of ORS 279C.840 or U.S.C 2764a. The workmen on the project will be paid the higher of either the federal Davis Bacon rates or Oregon Prevailing wages rates (also called "PWR").

City Of Woodburn – Public Works; Engineering Division  
BID PROPOSAL  
REV. September 2003

It is agreed that if the Bidder is awarded the Contract for the work herein proposed and shall fail or refuse to execute the Contract and furnish the specified Performance Bond within ten (10) calendar days after receipt of notification of acceptance of his Proposal, then, in that event, the bid security in the sum of:

(In Words): \_\_\_\_\_

(In Numbers): \$ \_\_\_\_\_

deposited herewith according to the conditions of the Advertisement for Bids and Information to Bidders, shall be retained by the City of Woodburn, Oregon, as liquidated damages; and it is agreed that the said sum is a fair measure of the amount of damage the City of Woodburn will sustain in case the Bidder shall fail or refuse to enter into the contract for the said work and to furnish the Performance Bond as specified in the Contract Documents. Bid security in the form of a certified check shall be subject to the same requirements as a bid bond.

If the Bidder is awarded a construction contract on this proposal, the surety who will provide the Performance Bond will be:

\_\_\_\_\_ whose address is:

\_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_  
Street City State Zip

Agents Name: \_\_\_\_\_ Phone No. \_\_\_\_\_

The address for all communications concerned with this Proposal and where the Contract shall be sent is:

Contractor: \_\_\_\_\_ doing business at:

\_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_  
Street City State Zip

**I-5 INTERCHANGE - FM AND SANITARY SEWER SERVICES RELOCATION EAST OF  
ASTOR WAY**

**PROJECT No.: 2012-026-12**

**BID No. 2013-07**

ITEM M No.	BID ITEMS	UNITS	QUAN TITY	UNIT COST	TOTAL COST
1	Mobilization	LS	1		
2	Temporary Protection and Direction of Traffic	LS	1		
3	Erosion and Sediment Control	LS	1		
4	Furnish and Install 12" Class 52 D.I. Force Main Pipe with Protecto 401	LF	195		
5	Furnish and Install 12" 45° D.I Bends with Protecto 401	EA	1		
6	Furnish and Install 18" Class 52 D.I. Force Main Pipe with Protecto 401	LF	8		
7	Furnish and Install 18" ML 90° D.I Fitting with Protecto 401	EA	1		
8	Furnish and Install 18"x12" D.I. MJ Cross with Protecto 401	EA	1		
9	Furnish and Install 18"DI MJ"TEE" with Protecto 401	EA	1		
10	Furnish and Install 18" DI Blind Flange with Protecto 401	EA	2		
11	Furnish and Install 60" Diameter Manhole With a 7feet Square Flat Top_ Complete	EA	1		
12	Connect to Existing Force Main	EA	1		
13	Remove 48" Diameter Manholes	EA	4		
14	Install new 4" D.I. Class 52 Sanitary Sewer Services _ Complete	EA	3		
15	Construct 8" Thick PCC Driveway/Driveway Approach	SF	300		

16	Construct New 4" Thick PCC Sidewalk	SF	250		
17	Construct PCC Curb and Gutter	LF	60		
18	Construct PCC Curb	LF	60		
19	Install new 6" D.I. Class 52 Sanitary Sewer Services _ Complete	EA	2		
20	Abandon Existing 24" Gravity Sewer Main Using CDF	LS	1		
21	HMAC Surface Trench Restoration in Hwy 214	TON	25		
22	HMAC Surface Trench Restoration in Parking Lot	TON	4		
23	Asphaltic Concrete / Portland Cement Concrete Saw-Cutting	LF	180		
24	Install Permanent Paving Markings	LF	120		
25	Landscape Restoration	LS	1		
26	Sewage Bypass	LS	1		

**TOTAL:** \_\_\_\_\_

The names 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:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

(If Sole Proprietor or Partnership)

In witness hereto the undersigned has set his (its) hand this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
Signature of Bidder Title (If Corporation)

In witness whereof the undersigned corporation has caused this instrument to be executed and its seal affixed by its duly authorized officers this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_ .

Name of Corporation\_\_\_\_\_

By:\_\_\_\_\_

Title\_\_\_\_\_

Construction Contractor's Board No. \_\_\_\_\_

Attest:\_\_\_\_\_  
Secretary

\_\_\_\_\_  
*Initial* "Bidder will comply with the provisions of ORS 279C.840.

*In accordance with ORS 279A.120(b) and as specified in the Invitation to Bid, I [\_\_]  
] am [\_\_] am not (check appropriate box) a "resident bidder". Resident Bidder means a bidder that has paid unemployment taxes or income taxes to the State of Oregon during the 12- month period preceding submission of this bid and has a business address in this state.*

Attest:\_\_\_\_\_  
Bidder

**CITY OF WOODBURN, OR**  
**FIRST-TIER SUBCONTRACTOR DISCLOSURE FORM**

PROJECT NAME:	<b>I-5 INTERCHANGE - FORCE MAIN AND SANITARY SEWER SERVICES RELOCATION EAST OF ASTOR WAY</b>		
PROJECT No:	<b>2012-026-12</b>	BID No:	<b>2013-07</b>
BID CLOSING DATE:	<b>February 28, 2013</b>	TIME:	<b>2:00 pm</b>
DISCLOSURE DEADLINE DATE:	<b>February 28, 2013</b>	TIME:	<b>4:00 pm</b>

This form must be submitted at the location specified in the Invitation to Bid on the advertised bid closing date with in two working hours after the advertised bid closing.

List below the name of each subcontractor that will be furnishing labor or materials and that is required to be disclosed, the category of work that the subcontractor will be performing and the dollar value of the subcontract. Enter "None" if there are no subcontractors that need to be disclosed. (IF NEEDED, ATTACH ADDITIONAL SHEETS.)

	<u>NAME</u>	<u>DOLLAR VALUE</u>	<u>CATEGORY OF WORK</u>
1		\$	
2		\$	
3		\$	
4		\$	
5		\$	

The above listed first-tier subcontractor(s) are providing labor and/or materials with a Dollar Value equal to or greater than:

- a. 5% of the total contract price or \$15,000 (including all alternates), whichever is greater; or
- b. \$350,000.00 regardless of the percentage of the total Contract Price.

**FAILURE TO SUBMIT THIS FORM FILLED OUT BY THE DISCLOSURE DEADLINE WILL RESULT IN A NON-RESPONSIVE BID. A NON-RESPONSIVE BID WILL NOT BE CONSIDERED FOR AWARD.**

Form Submitted by (Bidder Name): \_\_\_\_\_  
 Contact Name: \_\_\_\_\_ Phone No: \_\_\_\_\_  
 Deliver Form to Agency: \_\_\_\_\_ CITY OF WOODBURN  
 Person Designated to Receive Form: \_\_\_\_\_ CITY ENGINEER  
 Agency's Address: \_\_\_\_\_ 190 Garfield Street, Woodburn, OR 97071

**UNLESS OTHERWISE STATED IN THE ORIGINAL SOLICITATION,  
 THIS DOCUMENT SHALL NOT BE FAXED.**

# “Buy American” Bid Compliance Certification

Project Name: I-5 Interchange – Force Main and Sanitary Sewer Services Relocation East of Astor Way

Project Number: 2012-026-12 Bid Number: 2013-07

Name of Bidder: \_\_\_\_\_

I do hereby certify as to the following:

1. **Identification of American-made Iron, Steel, and Manufactured Goods:** Consistent with the terms of the City’s bid solicitation and the provisions of ARRA Section 1605 the Bidder/Vendor certifies that this bid/procurement reflects the Bidder/Vendor’s best, good faith effort to identify domestic sources of Iron, Steel, and Manufactured goods for every component contained in the bid solicitation/procurement where such American-made components are available on the schedule of values and consistent with the deadlines prescribed in or required by the bid solicitation.
2. **Verification of U.S. Production:** The Bidder/Vendor certifies that all components contained in the bid solicitation/procurement that are American –made have been so identified, and if this bid/procurement is accepted, the Bidder agrees that it will provide reasonable, sufficient, and timely verification to the City of the U.S. production of each component so identified.
3. **Documentation Regarding Non-American made Iron, Steel, or Manufactured Goods:** The Bidder certifies that for any component or components that are not American-made and are so identified in this bid/procurement, the Bidder has included in or attached to this bid/procurement one or both of the following, as applicable:
  - a. Identification of and citation to a categorical waiver published by the U.S. Department of Energy in the Federal Register that is applicable to such component or components, and an analysis that supports its applicability to the component or components.
  - b. Verifiable documentation sufficient to the City, as required in the bid solicitation or otherwise, that the Bidder has sought to secure American-made components but has determined that such components are not available on the schedule and consistent with the deadlines prescribed in the bid solicitation/procurement.
4. **Information and Detailed Justification Regarding Non-American made Iron, Steel, or Manufactured Goods:** The Bidder certifies that for any such component or components that are not so available, the Bidder/Vendor has also provided in or attached to this bid information, including but not limited to the verifiable documentation and a full description of the bidder/vendor’s efforts to secure any such American-made component or components, that the Bidder/Vendor believes is sufficient to provide and as far as possible constitutes the detailed justification required for a waiver under section 1605 with respect to such component or components. The Bidder further agrees that, if this bid is accepted, it will assist the City in amending, supplementing, or further supporting such information as required by the City to request and, as applicable, implement the terms of a waiver with respect to any such component or components.

I understand that a false statement on this certification may be grounds for rejection or termination of any award.

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Contractor Name (printed or typed)

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Contractor

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Name of Authorized Official (printed or typed)

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Title (printed or typed)

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Signature of Authorized Official

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Date

## **“BUY AMERICA” WORKSHEET**

Bidders shall complete the following worksheet and submit it with their bid proposal to ensure bids reflect intended compliance with the ARRA “Buy America” requirements. The Materials/Manufactured Goods list is not intended to be an inclusive list of materials or manufactured goods but rather it is a list of the major components of the project that shall be verified in accordance with the “Buy America” requirements during the submittal process.

Materials/Manufactured Goods	Meets "Buy America Requirement		If No, Attach Documentation Sufficient for Possible Waiver	
	Yes	No	Yes	No
1. Ductile iron piping				
2. Ductile iron or cast iron fittings				
3. Manholes				
4. Manhole Covers				
5. Miscellaneous Valves				

Contractor Name: \_\_\_\_\_

Signature of Authorized Official: \_\_\_\_\_

Date: \_\_\_\_\_

**CERTIFICATION REGARDING LOBBYING ACTIVITIES**

Project: **I-5 Interchange – Force Main and Sanitary Sewer Services Relocation East of Astor Way**

Project Number: **2012-026-12**

Bid Number: **2013-07**

Name of Submitting Firm: \_\_\_\_\_

The undersigned certifies, 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 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 of Lobbying Activities," 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.

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.

Officer's Signature: \_\_\_\_\_

Type or print officer's name: \_\_\_\_\_ Date: \_\_\_\_\_

## **BID SUBMITTAL CHECKLIST**

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The following is a checklist of the items that shall be submitted with the Bidder's bid Proposal

- Bid Proposal
- Bid Bond
- First Tier Subcontractor Disclosure Form (Submit within two hours after bid opening time)
- "Buy American" Bid Compliance Certification & Worksheet
- Certification Regarding Lobbying Activities