



**Addendum #04**

**Issued: Thursday, December 12, 2024**

Project: 2023-290  
 Project Name: Deschutes Estuary Restoration  
 Phase: Request for Proposal  
 DES PM: Oliver Wu, [Oliver.Wu@des.wa.gov](mailto:Oliver.Wu@des.wa.gov)  
 Procurement Method: General Contractor Construction Management (GCCM)

**NOTICE TO ALL POTENTIAL RESPONDENTS**

The Request for Qualifications-Request for Proposals (RFQ-RFP) is modified as set forth in this Addendum. The original RFQ-RFP documents and any previously issued addenda remain in full force and effect, except as modified by this addendum, which is hereby made part of the RFQ-RFP. Respondent shall take this Addendum into consideration when preparing and submitting its submittals.

Visit our webpage for additional information: <https://des.wa.gov/services/facilities-and-leasing-management/design-build-gccm-alternative-public-works-projects/gccm-project-selections>

This Addendum consists of five parts:

- a. Link to Bid Opening (12/19/2024)
- b. Diverse Business Inclusion Plan clarification
- c. Responses/clarifications to proposer questions
- d. Owner-issued changes of procurement requirements
- e. Attachments to the Addendum

**1. Bid Opening**

Date/Time	Teams Access Link/Information
<p><b>Bid Opening</b>  <b>December 19, 2024 at 3:00 PM PT</b></p>	<p><a href="#">Join the meeting now</a>            Meeting ID: 246 170 687 138            Passcode: An7RQ3MS  <b>Dial in by phone</b>  <a href="tel:+15649992000">+1 564-999-2000,,556453318#</a>  <a href="#">Find a local number</a>            Phone conference ID: 556 453 318#</p>



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**2. Diverse Business Inclusion Plan clarification:**

It is our understanding that it may be difficult to assign an ‘Anticipated Percent of Contract Amount (Goals)’ in the Diverse Business Inclusion Plan to be submitted with your Final Proposal. A percent number is not required at this time, and you may use ‘TBD’ for now. In the development of your Diverse Business Inclusion Plan, we are looking for assurances that your firm is putting in the effort to work with diverse businesses such as OMWBE certified firms and WA small businesses. Please showcase your anticipated outreach efforts to include diverse firms in this project. You may identify the potential scopes of work (or bid packages) that you see as having the potential to subcontract with diverse businesses and/or you may list potential firms that meet diverse business participation goals that are good fits for this project.

**3. The following responses are offered to submitted questions:**

Questions	Answers
<p>RCW 39.10.908, Section (1)d for Heavy Civil GCCM requires proposers to indicate the proposers fee for the negotiated self-perform portion of the project. Your documents convey there will only be one fee such as used typically for non-heavy civil GCCM projects. Will documents be updated to include a separate self-perform fee?</p>	<p><b>This information supersedes all previous addenda.</b>            As identified in the RCW 39.10.908 Section (1)d, public bodies utilizing the GC/CM method for heavy civil projects must require proposals to indicate the proposer’s fee for the negotiated self-perform portion of the project. This Self-Performed Work Fee is applied only to the negotiated self-performed work and is separate from the GC/CM Percent Fee (which is applied to the entire estimated MACC).</p> <p><b>Proposers must submit both a GC/CM Fee and a Negotiated Self-Performed Work Fee as part of their Final Proposal as defined in the updated Attachment 03 – Final Proposal Form.</b>            RFQ-RFP documents have been updated to reflect this change, see part 4 for a full list of changes. Questions regarding the Negotiated Self-Performed Work Fee will be allowed during Finalist Interviews scheduled for December 17<sup>th</sup>.</p> <p>Additionally, the Final Proposal due date has been delayed, as noted below:  <b>Final Proposal (Bid) Due</b>  <b>December 19, 2024 at 2:00 PM PT</b></p>
<p>Where can we find the BOX upload links?</p>	<p>The unique BOX links were sent from <a href="mailto:angeline.butros@des.wa.gov">angeline.butros@des.wa.gov</a> to the Submitter’s project Point of Contact on the afternoon of November 21, 2024.</p> <p>*To request the link be resent, please email <a href="mailto:angeline.butros@des.wa.gov">angeline.butros@des.wa.gov</a></p>



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**4. The following are changes to the procurement requirements:**

Reference Section	Change	
<b>RFQ-RFP</b> 3.0 Schedules	<b>December 19, 2024</b> <b>2:00 PM PT</b>	Final Proposal (Bid), Diverse Business Inclusion Plan, and Accident Prevention Program due from Finalists
	December 19, 2024	Selection of Highest Scoring Proposer
	December 20, 2024	Notification of Successful and Unsuccessful Proposers
	January 15, 2025 2:00 PM PT	Preconstruction Work Plan and Construction Management and Contracting Plan due from Highest Scoring Proposer
	January 30, 2025	Target Date for Execution of Preconstruction Services Contract with Highest Scoring Proposer
<b>RFQ-RFP</b> 12.0 Final Proposals	Short-listed Finalists shall include both a GC/CM Fee Percentage and a Negotiated Self-Performed Work Fee Percentage as their Final Bid.	
<b>Article 00</b> Instructions to Proposers Section 0.2	Short-listed Finalists shall include both a GC/CM Fee Percentage and a Negotiated Self-Performed Work Fee Percentage as their Final Bid. Removed references to "Special General Conditions". Date changed to reflect the new Final Proposal due date, 2:00 PDT December 19, 2024.	
<b>Article 04</b> Form of Contract	Removed Specified General Conditions (Lump Sum). Short-listed Finalists shall include both a GC/CM Fee Percentage and a Negotiated Self-Performed Work Fee Percentage as their Final Bid.	
<b>Attachment 02</b> Request for Final Proposal Sections 2.2, 2.4, 2.11	Short-listed Finalists shall include both a GC/CM Fee Percentage and a Negotiated Self-Performed Work Fee Percentage as their Final Bid. Date changed to reflect the new Final Proposal due date, 2:00 PDT December 19, 2024.	
<b>Attachment 03</b> Final Proposal Form	Date changed to reflect the new Final Proposal due date, 2:00 PDT December 19, 2024. Added line for entering Negotiated Self-Performed Work Fee. Added summary table to calculate Final Bid.	

**5. Attachments to the Addendum**

- a. RFQ-RFP
- b. Article 00 – Instructions to Proposers
- c. Article 04 – Form of Contract
- d. Attachment 02 – Request for Final Proposals
- e. Attachment 03 – Final Proposal Form

**End of Addendum #04**



Washington State  
DEPARTMENT OF  
ENTERPRISE SERVICES

# State of Washington Department of Enterprise Services



## Request for Qualifications & Proposal for Heavy Civil General Contractor / Construction Manager (GC/CM)

Phase One Statements of Qualification Submittal Deadline:  
November 14, 2024 at 2:00 pm PT

**Department of Enterprise Services  
Deschutes Estuary Restoration Project  
Olympia, WA  
2023-290**

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## **Request for Qualifications & Proposal for GC/CM Services**

Deschutes Estuary Restoration Project | Olympia WA

Department of Enterprise Services

Project Number 2023-290

### **CONTACTS**

#### **Department of Enterprise Services (Contracting Authority)**

#### **Facility Professional Services, Engineering & Architectural Services**

Physical Address: 1500 Jefferson Street SE, Olympia, WA 98501

Mailing Address: P.O. Box 41476, Olympia, WA 98504-1476

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Courtney Albrecht, Contracts Specialist	(360) 407-8128	<a href="mailto:Courtney.Albrecht@des.wa.gov">Courtney.Albrecht@des.wa.gov</a>
Angeline Butros, Selection Administrator	(360) 480-1071	<a href="mailto:Angeline.Butros@des.wa.gov">Angeline.Butros@des.wa.gov</a>

#### **Department of Enterprise Services (Owner)**

#### **Special Assistant to the Director**

Ann Larson, Project Director

#### **Engineer (Engineer)**

#### **Floyd | Snider, KPFF Consulting Engineers**

Tessa Gardner-Brown, Project Manager

Scott Stainer, PE, Deputy Project Manager

Don Oates, PE, Alternative Project Delivery

**\* Primary Point of Contact**



# Request for Qualifications & Proposal for Heavy Civil GC/CM Services

Deschutes Estuary Restoration | Olympia, WA

Department of Enterprise Services

Project Number 2023-290

## 1.0 INTRODUCTION

The Department of Enterprise Services (DES) will be accepting Statement of Qualifications and Proposals from experienced entities to provide Heavy Civil General Contractor/Construction Manager (GC/CM) services for the Deschutes Estuary Restoration Project, project number 2023-290. DES intends to award a construction contract using a competitive negotiation process authorized by [RCW 39.10](#) described more fully below.

DES has determined that the GC/CM project delivery method benefits the project in the following ways:

- Implementation of the project involves complex scheduling, phasing, or coordination – Construction duration is estimated at up to six years. Complex phasing requires completion of 5<sup>th</sup> Avenue bridge construction and dredging before dam removal and must accommodate seasonal fish passage restrictions. The project area is located on the Washington State Capitol Campus, spans two city jurisdictions, and includes multiple key project partners and property owners. Early contractor involvement will allow for advanced coordination, coordination of design with Contractor means and methods, and communication with all project stakeholders.
- The project involves construction at transportation corridors which must continue to operate during construction – 5<sup>th</sup> Avenue is a primary emergency corridor for the City of Olympia. Significant coordination is required to maintain uninterrupted traffic access through this corridor during construction of the new 5<sup>th</sup> Ave Bridge and removal of the existing 5<sup>th</sup> Ave Dam.
- The involvement of the GC/CM during the design stage is critical to the success of the project – Contractor approach to shallow water dredging and restricted site access is important to identify early in the design phase because selected means and methods will greatly influence project cost, schedule, and overall project approach. Early GC/CM involvement will provide context necessary to support value engineering and acquisition of additional funding by DES for the project. Early GC/CM involvement will also minimize community impacts and permitting and planning risks associated with contractor means and methods.
- The project encompasses a complex or technical work environment – The project scope includes roadway and bridge construction, shallow water dredging, in-water work for habitat restoration, dam removal, management of aquatic invasive species, public utility work, and work within an urban/high-traffic area. Advanced involvement of the GC/CM will allow DES to collaborate with the GC/CM and Engineer to select construction approaches that optimize project objectives.

DES is approved to use the “Heavy Civil” GC/CM construction procedure authorized by [RCW 39.10.908](#). DES has elected to procure the Deschutes Estuary Restoration project as a “Heavy Civil” GC/CM construction project because the predominant features of the project are infrastructure improvements, including bridge, roadway, and marine restoration work. DES has determined that the “Heavy Civil” GC/CM designation will benefit the project by allowing for a greater level of negotiated self-performed work and may attract

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contractors with specialty construction experience in relevant areas, such as dredging, habitat restoration, and bridge construction.

DES will enable use of the Alternative Subcontractor selection process as defined by [RCW 39.10.385](#) for major project elements such as dam removal, dredging, or bridge construction.

The GC/CM selection process will consist of three phases:

1. **PHASE ONE, Request for Qualifications:** Proposers will submit written statements of qualifications which will be evaluated in accordance with the criteria set forth in Section 9 of this solicitation. These written submittals will be used to select the most highly qualified Proposers as Finalists to proceed to Phase Two.
2. **PHASE TWO, Reference Checks, Proprietary Meeting and Interview:** Consists of a proprietary meeting, reference checks, and interview. Sections 11 and 12 of this solicitation define the selection criteria for Phase Two.
3. **PHASE THREE, Request for Proposal:** Includes the submittal of a Final Proposal which contains in a sealed bid, the Percent Fee stated as a percentage of the Estimated Maximum Allowable Construction Cost (MACC) and the Percent Self-Perform Fee stated as a percentage of the estimated cost of self-perform work.

The most qualified Proposer based on the interview and bid submitted and the other factors set forth herein will be selected to provide GC/CM preconstruction services and for MACC negotiations. If the parties cannot agree on a MACC, as described in Section 5, negotiations will be terminated and DES reserves the right to begin negotiations with the next highest scoring Proposer or to readvertise the project entirely. All costs incurred by Proposers choosing to participate in this GC/CM Solicitation process shall be borne by the Proposer.

All provisions of this solicitation will become a part of the GC/CM contract including the GC/CM's written response to the RFQ.

### **PUBLIC DISCLOSURE:**

Purpose: All documents submitted to DES as part of a GC/CM procurement become public records. DES will make the selected GC/CM procurement submissions publicly available upon completion of the selection process. This section explains that publication process.

- **Notice:** Following completion of the selection of each GC/CM procurement, DES will notify the Finalist Proposer of the final selection.
- **Publication:** DES will then publish the following documents:
  - i. All submitted Statements of Qualifications (SOQs)
  - ii. Final Proposals submitted by each of the Finalists
- **Location:** DES will publish these documents on its website: <https://des.wa.gov/services/facilities-leasing/public-works-design-construction/design-build-gccm-alternative-public-works-projects/gccm-project-selections>

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- Exceptions: DES will not publish the following separately submitted documents:
  - i. Diverse Business Inclusion Plans
  - ii. Bid BondNote: This document may be disclosed if DES receives a public records request.

### **PROPRIETARY OR CONFIDENTIAL INFORMATION:**

- Owner/DES is subject to RCW 42.56, the Public Records Act (PRA) and the provisions of RCW 39.10.470. Unless disclosure expressly required under RCW 39.10.330(3), all documents related to the procurement shall remain confidential until announcement of the highest scoring Finalist. Thereafter, the documents shall be disclosable public records as defined in the PRA. To the extent consistent with the PRA, Owner/DES shall maintain the confidentiality of proposer's information marked confidential or proprietary. If a request is made for the proposer's proprietary information, Owner/DES will notify proposer of the request and of the date that the records will be released to the requester unless proposer files a motion to enjoin that disclosure, or the requester and proposer reach an agreement on the extent of such disclosure, which agreement will be forwarded to Owner/DES by the requester prior to the date for disclosure. If proposer fails to obtain the requester's agreement or the court order enjoining disclosure, Owner/DES will release the requested information on the date specified.
- Any information contained in the documents that is proprietary or confidential must be clearly designated. Each selection claimed to be exempt from disclosure must reference the specific basis claimed under the PRA or other state or federal law that provides for the nondisclosure of your information. Marking of an entire document or entire Sections of a document as proprietary or confidential will not be accepted nor honored. Owner/DES' sole responsibility with regard to matters in the documents marked confidential or proprietary shall be limited to maintaining the information in a secure area and notification of proposer of any request(s) for disclosure.

## **2.0 PROJECT DESCRIPTION**

### **Background**

The Deschutes Estuary Restoration Project is located at the mouth of the Deschutes River, in the heart of the City of Olympia, and at the foot of the Washington State Capitol Campus. The 5th Avenue Dam forms Capitol Lake, separating the Deschutes River from Budd Inlet at the southern head of Puget Sound. 5<sup>th</sup> Avenue, a major arterial serving Olympia, traverses the crest of the dam. Historically, the project area was part of the Deschutes Estuary, where freshwater from the Deschutes River would mix with saltwater from Budd Inlet over expansive tidal flats. The Deschutes Estuary has long-standing cultural and spiritual significance to local tribes, particularly the Squaxin Island Tribe.

Between 1949 and 1951, the 5th Avenue Dam was constructed to form Capitol Lake as an aesthetic and recreational amenity for Washington's State Capitol Campus. The 5th Avenue Dam includes an 80-foot tide gate structure and an approximately 420-foot earthen dam. By the early 1970s, management of the water body was required to address environmental issues caused by the dam such as sediment accumulation, water quality

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violations, and the presence of invasive species. After several decades of intermittent closures due to water quality conditions, the lake was officially closed to all public use in 2009 due to the presence of the New Zealand mud snail.

In 2016, DES received an appropriation from the Washington State Legislature to develop a long-term management plan to address the lake's environmental conditions that persist today. An Environmental Impact Statement was developed through extensive technical analyses and stakeholder engagement. Estuary restoration was selected as the long-term management approach in October 2022.

The project will remove the 5<sup>th</sup> Avenue dam and restore Capitol Lake to 260 acres of estuarine and salt marsh habitat, across a 2-mile project area at the mouth of the Deschutes River. Restoration of the Deschutes Estuary will improve ecological conditions, help achieve state water quality standards by restoring a "natural estuary" condition, improve climate resilience and mitigation, and restore recreation and fishing in the water body. With the removal of the 5<sup>th</sup> Ave Dam, tidal flow will be reintroduced within the Project Area, which extends from the base of Tumwater Falls in Tumwater to the 5th Avenue Dam in Olympia. The project will construct a new 5<sup>th</sup> Avenue Bridge and roadway to reroute arterial traffic and utilities prior to dam removal.

The Deschutes Estuary Restoration Project Conceptual Design package was completed in June 2024 and a 30% Design Package is anticipated to be complete by the end of the calendar year 2024. GC/CM on-boarding is anticipated to begin in early 2025 at the start of 60% design development. The Squaxin Island Tribe, City of Olympia, City of Tumwater, and WA Department of Fish and Wildlife are primary partners with DES in project design. Learn more about the project and its history at [www.deschutesestuaryproject.org](http://www.deschutesestuaryproject.org).

### Project Scope

Major project components include the following:

- **Restoration of River Channel:** Dredging of approx. 550,000 CY is required in the Middle and North Basins of Capitol Lake to restore the Deschutes River main channel and side channels, and source material to be reused for habitat creation. Due to the presence of the 5<sup>th</sup> Ave Dam, the active railroad bridge separating the Middle and North Basins, and other site access constraints, multiple staging and access locations must be established, and construction equipment must be transported to the site by surface streets. Work in the lake basin must also be coordinated with fish passage restrictions and consider aquatic invasive species management. Sediments are not contaminated, and no offsite disposal is anticipated.
- **Creation of Habitat:** Dredged material along with up to 400,000 CY of pumped imported gravel and 100,000 CY of material from dam removal will be beneficially reused to create salt marsh and riparian habitat, which is preferred salmon habitat and supports carbon sequestration. To minimize sediment transport downstream, most primary dredging, filling, and grading within the estuary must occur prior to breach of the 5<sup>th</sup> Ave Dam. Created habitat will be shaped to design grades and planted with saltmarsh and riparian species. Plants will be maintained through an initial establishment warranty period.

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- **Construction of New 5th Avenue Bridge:** Prior to dam removal, a new 5th Avenue Bridge will be constructed to the south of the existing 5th Avenue Dam to maintain uninterrupted traffic flow through the 5<sup>th</sup> Ave corridor during construction. The new bridge will have a vehicle lane in each direction, separated bicycle and pedestrian paths, and an expansive area for pedestrian use on the south side of the structure. Bridge design anticipates a 5 span, 750-foot-long concrete PT Box Girder construction, with deep drilled shaft foundations.
- **5<sup>th</sup> Avenue Roadway Connections:** New roadway connections, including two travel lanes, bike lanes and sidewalks, will be constructed on either end of the new 5<sup>th</sup> Avenue bridge, including construction of a new roundabout, and hill climb section and new alignment of Olympic Street with cut wall up to 10' in height to meet the existing 4<sup>th</sup> Avenue roundabout on the west side of the river. Additional trail connections will also be created to the adjacent Heritage Park and West Bay Park.
- **Construction of New Percival Cove Bridge:** Based on the current bridge age and condition, and channel deepening associated with estuary restoration, a full replacement bridge is required for Deschutes Parkway at Percival Cove. Bridge design anticipates a single span, precast concrete girders 100-130 feet long, with deep foundations, and significant supported utilities.
- **Removal of 5<sup>th</sup> Ave Dam:** The existing earthen 5<sup>th</sup> Ave Dam and most of the concrete spillway will be removed to restore tidal flow to the basin. The dam cannot be removed until 5th Avenue traffic is relocated onto the new 5<sup>th</sup> Ave Bridge.
- **Ground Improvements:** Geotechnical analysis has verified the presence of liquefiable soils. Ground improvements are required at the new bridge abutments, roundabout and hill climb alignment to provide sufficient seismic stability for the new 5th Ave Bridge corridor.
- **Utility Replacement and Modification:** Utilities within the 5th Avenue corridor and at the Percival Creek Bridge will be replaced as part of bridge replacements. Stormwater treatment will be created for the new 5th Avenue Bridge and roadway. Stormwater outfalls throughout the new estuary will be modified to accommodate tidal fluctuations. Other utilities will be replaced or improved where they come into contact with brackish water as a result of the Project.
- **Enhancements to Recreation:** New pile-supported boardwalks in the Middle and South Basins will enhance recreational opportunities. Interpretive signage and art honoring the Squaxin Island Tribe and other project area history will be incorporated throughout the Project Area. Fishing opportunities will be restored by replacing the existing dock at the south end of the Middle Basin. New public water access points will be developed at Marathon Park and Heritage Park.
- **Park Restoration:** As a result of construction staging and location of new infrastructure, it is anticipated that Marathon Park, Tumwater Historical Park, Heritage Park, and Interpretive Park will require restoration after construction.

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### Funding

GC/CM preconstruction services for calendar year 2025 are funded to \$500,000. GC/CM services beyond 2025 are contingent on acquisition of additional design and construction funding.

Design and permitting of the project has been funded to date through initial appropriations by the Washington State Legislature, and by a Tribal Fish Passage Barrier Removal grant from NOAA. DES is actively pursuing grant funding from a range of sources for design, permitting, and construction, in collaboration with key project partners. DES is also preparing a legislative request for the 2025-2027 biennium to secure additional needed funding for design and permitting and is working with the federal delegation as well as state legislature to secure funding for construction, which could begin as early as 2027 if all funding and schedule targets are maintained.

### Estimated MACC:

The estimated MACC (maximum allowable construction cost) for the project is on the order of **\$350,500,000**; based on a Class 3 Engineer's Opinion of Probable Bid Price prepared at completion of 15% Design.

## 3.0 SCHEDULES

The following is the current planned project schedule.

### Anticipated Design and Construction

Completed June 2024	15% Design (Conceptual Design) Development
August 2024 – January 2025	30% Design Development, GC/CM Procurement Process
January 2025 – December 2025	60% Design Development, GC/CM On-Boarding
2026	90% and 100% Design Development, Permitting, and MACC Negotiations
2027**	Earliest Construction Start Date (approx. 6-year duration)

*\*\* Note: GC/CM Contractor may be asked to provide early bid packages. The GC/CM will work with the owner and design team to determine specific bid packages and dates.*

### GC/CM Selection Process Schedule

October 3, 2024	First publication of Request for Qualifications & Proposal (RFQ/RFP) for Heavy Civil GC/CM Services
October 10, 2024 1:00 PM PT	Project Informational Meeting and Site Tour
November 14, 2024 2:00 PM PT	Statements of Qualification (SOQ) submittal due
November 26, 2024	Selection and Notification of Finalists
December 10, 2024 2:00 PM PT	Performance Evaluation forms due from Finalists
December 10-11, 2024	Proprietary Meetings with Finalists

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December 17, 2024	Finalist Interviews
December 19, 2024 2:00 PM PT	Final Proposal (Bid), Diverse Business Inclusion Plan, and Accident Prevention Program due from Finalists
December 19, 2024	Selection of Highest Scoring Proposer
December 20, 2024	Notification of Successful and Unsuccessful Proposers
January 15, 2025 2:00 PM PT	Preconstruction Work Plan and Construction Management and Contracting Plan due from Highest Scoring Proposer
January 30, 2025	Target Date for Execution of Preconstruction Services Contract with Highest Scoring Proposer

### 4.0 **SCOPE OF GC/CM SERVICES**

The GC/CM will work collaboratively and proactively with the Owner and Engineer to proceed with planning, design and development of the work in a manner that supports the Owner's efforts to keep costs within the Owner's budget. The GC/CM shall provide Construction Management (CM) services throughout the project, from the preconstruction period through construction and shall closely coordinate such work with the Engineer and Owner.

During the design phase of the project, the GC/CM will provide preconstruction services, including but not limited to:

- Assist in the development of complete, coordinated contract documents
- Coordination of Alternative Subcontractor Selection work package(s) including leading the Alternative Subcontractor Selection(s)
- Continuous value engineering, alternative construction options for cost savings
- Development of detailed construction scheduling
- Design cost estimating
- Constructability review
- Interdisciplinary plan review coordination
- Project management services
- Planning for the sequencing of work and construction logistics
- Investigation of existing conditions
- Input into procedures and specifications
- Development of bid packages

DES will enable use of the Alternative Subcontractor selection process as defined by [RCW 39.10.385](#) for major project elements such as dam removal, dredging and bridge construction. The GC/CM may opt to procure an Alternative Subcontractor(s) during preconstruction in accordance with [RCW 39.10.385](#) and in collaboration with the Owner.

During the construction phase of the project, the GC/CM shall provide CM services, including but not limited to:

- Identifying safe work practices and requirements for construction.
- Identifying and providing site access, staging and laydown and logistics requirements.
- Defining phasing, sequencing of work and construction scheduling.



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- Providing cost-estimating including MACC Negotiated Support Services budgeting.
- Determining and reconciling constructability issues and performing constructability analysis of the design documents prior to subcontract bidding.
- Assessing alternative construction options for cost savings.
- Identifying products for Value Engineering (VE) and engineering systems for life cycle cost design considerations and recommending all work necessary to support their implementation.
- Participating in Owner's design and construction document phase coordination reviews.
- Preparing subcontract bid packages, managing the bidding process and all work by subcontractors.

During preconstruction, design, and construction phases the GC/CM shall actively participate as a member of the project team with the Owner and the Engineer. The GC/CM shall be responsible for providing necessary consulting expertise to the Owner to ensure that the program scope is maximized and the construction budget and the project schedule are met.

In addition, the GC/CM must be familiar with the local labor and subcontracting market and be capable of working with subcontractors to generate viable pricing alternatives. The GC/CM shall provide full general contracting services for construction of the project in accordance with the requirements of the contract documents and [RCW 39.10.340](#) through [39.10.410](#), except to the extent work is specifically indicated in the contract documents to be the responsibility of others.

If necessary to help meet the overall project schedule, the GC/CM may be authorized to bid out and start construction early on subcontract bid packages before all project construction documents are 100% complete.

### **5.0 SELECTION AND AWARD PROCESS**

The Department of Enterprise Services (DES) is contracting for Heavy Civil GC/CM services in accordance with the process authorized by [RCW 39.10.908](#). All Proposers must be licensed and registered by the Washington State Department of Labor and Industries in accordance with [RCW 18.27.020](#).

If the Proposer is a Joint Venture formed specifically to pursue this project, the Proposer must submit an executed and notarized letter signed by an authorized representative of each individual firm making up the Joint Venture stating that the Joint Venture will be formalized following notification as the Highest Scoring Proposer, and prior to entry into a contract for Preconstruction services. The Joint Venture, and its constituent members if required, must be licensed and registered by the Washington State Department of Labor and Industries in accordance with [RCW 18.27.020](#) and must meet the Contractor Responsibility Criteria defined in Section 16.0. The bonding requirement defined in



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Section 9.0 must be met by the Joint Venture or one of its parties as required for Statement of Qualifications submittal.

The process for selection of the GC/CM, negotiation of the MACC, payment for Preconstruction Services, and award of the GC/CM Contract for Construction is anticipated to be as follows:

- A. Proposers interested in becoming the GC/CM may submit their Phase 1 Statements of Qualifications (SOQ) in accordance with the requirements set forth in this Request for Qualifications & Proposal (RFQ/RFP).
- B. On the basis of the evaluation criterion set forth in this GC/CM solicitation, Proposers submitting qualifications will be scored and ranked. The most qualified Proposers (Finalists) will be invited to Phase 2 interviews.
- C. Evaluation and Scoring of Criterion defined in Section 9 and 10 of this RFP/RFQ.

In evaluating each of the criteria for both Phase 1 and Phase 2, a Selection Panel will identify significant and minor strengths and weaknesses from the submissions and/or interviews. The Selection Panel will then use the following guidelines to evaluate and assign points to each selection criterion, based on the weighting assigned in this solicitation and any addenda. After initial scoring, the Selection Panel will come to a consensus ranking of the Proposers.

- Definition of “strength” and “weakness”:
  - The term “strength” ultimately represents a benefit to the Project and is expected to increase the firm’s ability to meet or exceed the Project goals. A minor strength has a slight positive influence and a significant strength has a considerable positive influence on the firm’s ability to exceed the project goals.
  - The term “weakness” detracts from the firm’s ability to meet the project goals and may result in inefficient or ineffective performance. A minor weakness has a slight negative influence and a significant weakness has a considerable negative influence on the firm’s ability to exceed the project goals.
- Scoring:
  - a. **Excellent** (81-100 percent of points available in each criterion): The Evaluative Criteria demonstrates an approach that is considered to exceed the Project goals and the RFQ/RFP requirements and provide a consistently outstanding level of quality. To be considered *Excellent*, it must be determined to have significant strengths and/or a number of minor strengths and few or no appreciable weaknesses.
  - b. **Good** (61-80 percent of available points in each criterion): The Evaluative Criteria demonstrates an approach that is considered to meet the RFQ/RFP in a beneficial way (providing advantages, benefits, or added value to the Project) and offers quality. To be considered *Good*, it must be determined to have strengths and few, if any, significant weaknesses. Minor weaknesses are offset by strengths.

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- c. **Fair** (41-60 percent of available points in each criterion): The Evaluative Criteria demonstrates an approach that contains minor and/or significant weaknesses and limited appreciable strengths.
  - d. **Deficient** (0-40 percent of available points in each criterion): The Evaluative Criteria demonstrates an approach that contains significant weaknesses and no appreciable strengths.
  - e. **Non-Responsive:** Does not meet the Minimum Qualifications required for evaluation. In addition, the Owner, at its sole discretion, may reject any Evaluative Criteria deemed non-responsive to any of the requirements
- D. Finalist Proposers shall submit a Final Proposal providing a bid for GC/CM fee and the self-perform fee.
- E. The Final Proposal (Phase Three: RFFP) will be evaluated, scored and added to the Scores from Phase 1 SOQ and interview scores. The Finalist with the highest score based on the Selection Panel's evaluation of the SOQ and the interview, and the score for the Final Proposal (the Highest Scoring Proposer) will be asked to submit a Preconstruction Work Plan. Subject to DES approval of the Preconstruction Work Plan, the GC/CM shall immediately execute and Contract for Preconstruction Services, which shall be solely for the performance and payment of Preconstruction Services.

It is anticipated that MACC negotiations will occur when the scope of the project is adequately defined and the contract documents are at least 90% complete as mutually determined by the GC/CM and the Owner, but no later than the conclusion of construction documents. At the time a MACC is successfully negotiated, the parties will sign the GC/CM contract for construction.

- F. MACC negotiations will take place prior to execution of the GC/CM contract. MACC negotiations shall be completed within 30 days of the receipt of the GC/CM's MACC estimate. The GC/CM's MACC estimate shall be completed no later than three (3) weeks from receipt of the construction documents to be used for MACC negotiations. Should the GC/CM and DES not agree on a satisfactory MACC that the DES determines to be fair, reasonable, and within the available funds, the Owner may cancel the negotiations and begin to negotiate with the next highest ranked firm. Should DES choose to cancel the negotiations upon failure to achieve a MACC, such cancellation will be effective upon delivery of written notification by the GC/CM. The GC/CM shall not be reimbursed for the MACC negotiations. At the time that the MACC is negotiated, financial incentives for the GC/CM will be collaboratively defined and negotiated for critical portions of the work.

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### 6.0 INFORMATIONAL MEETING

A non-mandatory informational meeting is scheduled for **October 10 at 1:00 PM PT**, held in room 1213 at 1500 Jefferson Street SE, Olympia, WA 98501 with the option to also participate via TEAMS. Participants are encouraged to submit questions prior to or ask questions at the meeting. To submit questions ahead of time, please email the Project Manager ([Oliver.Wu@des.wa.gov](mailto:Oliver.Wu@des.wa.gov)) by 10:00 AM PT on October 9, 2024.

To join the TEAMS meeting, follow the link:

[Join the meeting now](#)

Meeting ID: 217 733 151 725

Passcode: JY2zbH

**Dial in by phone**

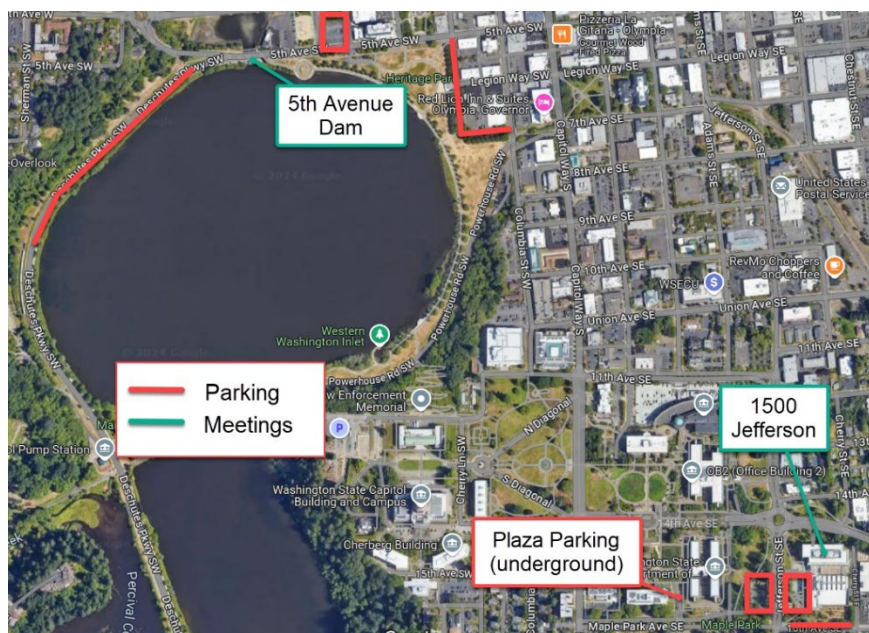
[+1 564-999-2000,,399387128#](tel:+15649992000399387128)

[Find a local number](#)

Phone conference ID: 399 387 128#

A non-mandatory site tour will occur **October 10, 2024, immediately following the informational meeting (estimated at 2:45 PM PT)**, at the existing 5<sup>th</sup> Avenue Dam.

Meeting and parking locations are shown on the map below. The Jefferson & Maple parking lot and Plaza Garage Visitor Parking are suggested as parking locations for the informational meeting. North Deschutes Parkway and Water Street SW at Heritage Park are suggested parking locations for the Site Tour.



Copies of the RFQ/RFP with links to additional info./supporting documents/addenda shall be available at: <https://des.wa.gov/services/facilities-leasing/public-works-design-construction/design-build-gccm-alternative-public-works-projects/gccm-project-selections>

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### **7.0 PHASE ONE - STATEMENT OF QUALIFICATIONS SUBMITTAL REQUIREMENTS**

Statement of Qualifications (SOQ) response to this RFQ/RFP containing the items listed in Sections 8 and 9 below will only be received electronically, in PDF format. Document must be uploaded and received by the Department of Enterprise Services (date/time stamped by BOX) no later than **November 14, 2024, by 2:00 pm PT.**

**DES has created a secure access point for uploading your SOQ for this project:**

<https://wades.app.box.com/f/7604d79adfe748e5bbf1e14069935fa1>

If you experience difficulty, please contact Angeline Butros via email:

[Angeline.Butros@des.wa.gov](mailto:Angeline.Butros@des.wa.gov)

Any addenda issued for this RFQ/RFP will be published at the following website address: <https://des.wa.gov/services/facilities-leasing/public-works-design-construction/design-build-gccm-alternative-public-works-projects/gccm-project-selections>

Proposers are responsible for checking the DES website up to one week prior to submission of proposals for any addenda. If you are unable to download the addenda, you may contact the individual noted above.

### **8.0 PHASE ONE - STATEMENT OF QUALIFICATIONS FORMAT**

Every Proposer must reply to each of the evaluation criteria set forth in Section 9 of this RFQ/RFP in a clear and concise manner. Responses must be in the same order as listed, clearly separated with tabs and labeled by response. Brevity is preferred. Pay attention to specific requests for information. The submittals shall be organized in a manner that will enable the GC/CM Selection Panel to quickly access pertinent information. In consideration of the reviewer's time, every effort should be made to avoid duplicating information presented in the proposal.

**Only submittals conforming to the following specifications will be considered:**

- Electronic copies shall be provided in PDF format online to BOX
- Completed copy of Attachment 00 – Proposer Contact Form
- Must not exceed (25) size 8.5"x11" sheets, printed front and back (total of 50 pages)
  - The page count does not include:
    - Cover Page
      - If cover page has more information than the required project number, project title, GC/CM name and address block, it will be counted towards the page limit
    - Dividers/Tabs (unless they have more information than category name)
    - Attachment 00
  - Dividers/Tabs with any printing, other than index names, shall be counted in the 25 sheet maximum
  - 11"x17" foldouts are permitted, and are limited to 8 maximum, and shall be counted as 2 pages and included in the 25 sheet count

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Submittals should include pertinent data that will assist the Selection Panel in making its evaluation as set out in this RFQ/RFP.

**All submittals must be received no later than November 14, 2024 prior to 2:00 pm PT (date/time stamped by BOX).**

For selection process questions, please contact Angeline Butros, Selections Administrator, at (360) 480-1071 or [Angeline.Butros@des.wa.gov](mailto:Angeline.Butros@des.wa.gov).

For project questions or information, contact Oliver Wu, DES Project Manager at (951) 961-0420 or [Oliver.Wu@des.wa.gov](mailto:Oliver.Wu@des.wa.gov).

### **Explanation to Prospective Proposers**

Any prospective Proposer desiring an explanation or interpretation of this RFQ/RFP must make a request in writing to the DES Project Manager no later than seven (7) days before the Phase One submittal due date. Any information given to a prospective Proposer concerning this RFQ/RFP will be furnished promptly to all other Proposers as an addendum to this RFQ/RFP if the information is necessary to submitting qualifications or if the lack of it would be prejudicial to other prospective Proposers. Oral explanations or instructions given before the Phase One proposal due date will not be binding.

### **Acknowledgment of Addenda to Phase One Solicitation**

Submittals shall include a cover letter briefly describing the Proposer's interest in the project and other pertinent information. In this letter prospective Proposers shall acknowledge receipt of any addenda to this RFP by identifying the addenda numbers and dates. Failure to affirmatively acknowledge each addenda may result in the submittal being declared non-responsive.

### **Phase One Submission of SOQ**

Statement of Qualifications must be submitted before the Phase One SOQ deadline.

Once the specified deadline passes, access to BOX will be disabled. Any modification of a SOQ received after the times specified will not be accepted or considered.

A Phase One SOQ will be considered responsive if it meets the following requirements:

- It is received at the proper time and place.
- It meets each the stated requirements of the RFQ.
- It is submitted by a contractor who is licensed/registered within the state of Washington and is not banned from bidding by the Department of Labor and Industries.

## **9.0 PHASE ONE - STATEMENT OF QUALIFICATIONS EVALUATION CRITERIA:**

Each Proposer must reply to each of the criterion in a clear and concise manner. The responses must be in the same order as listed below. Each evaluation criterion has been assigned weighted points based on its relative value. The proposal criteria and their associated points are as follows:

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Statement of Qualifications Scoring Criteria	Points
Bonding, Phase One Requirement (mandatory requirement)	Not Scored
Experience and Technical Competence of Key Professional Personnel	20
Approach to Executing the Project / Preconstruction Services	20
Past Performance in Negotiated and Similarly Complex Projects	10
Value Engineering and Cost Transparency	10
Environmental Controls for In-Water Work, Fish Passage Experience	10
Project Scheduling & Cost Control	5
Proposer's Capacity to Perform the Work	5
Risk Identification and Analysis	5
Constructability Analysis	5
Proximity of Firm to Project Location / Self Performance	5
Disadvantaged Business Enterprise Utilization	5
Total	100

### **Bonding - (Mandatory Phase One Requirement)**

Proposers shall include a statement from their bonding agent indicating the commitment to bond this project shall be included should the Proposer be selected as a Finalist to proceed to Phase 2. The statement shall include the bonding company name, agent's name, address, telephone, fax, and email address. Failure to meet this bonding requirement is a cause for disqualification.

### **Experience and Technical Competence of Key Professional Personnel**

Proposers shall clearly identify the project staffing that the Proposer intends to utilize throughout the project, including all key project staff, their roles and responsibilities and the level of effort to be committed (full time vs. part time), and at what phases of the project they will be utilized.

Proposers shall provide an organizational chart and list of key personnel including their roles and responsibilities including both field and office staff for preconstruction and also for construction. Proposers shall include:

- Resumes of all individuals listed on the project organization chart. Resumes shall include the individuals' licenses and accreditations, years' experience in their field of expertise and years' experience in the role in which they are being proposed on this project.
- A description of the GC/CM experience of each person assigned to this project and if each person's experience was with the proposing firm or another firm.
- The level of effort, as a percentage of time, to be committed by each person and for which phases of the project (preconstruction, construction).
- A description of how continuity in personnel will be provided during the anticipated 8-year duration of design and construction.

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At a minimum, the following Key Personnel shall be included:

- Project Executive in Charge
- Construction Project Manager
- Superintendent
- Task Leads for all major construction elements identified by the Proposer
- Estimating Lead
- Construction Scheduling Lead
- Quality Control Manager
- Safety Manager
- Environmental Manager
- Inclusion Manager

Names and qualifications of any consultants and the services they will contribute to the GC/CM's services are also required.

If selected, the Proposer agrees that it will provide, for the duration of the project, the full complement of Key Personnel, including the specific persons identified in this proposal and shall make them available at a minimum to the percentage of time identified for each individual. Key Personnel identified in the SOQ may not at any time be removed or replaced without the prior written approval of the Owner. Requests for removal or replacements shall be submitted in writing to the Owner. To qualify for approval, the written request shall document how the proposed removal or replacement will be equal to or better qualified than the Key Personnel provided in the SOQ. Specifically, the written request shall provide all information required by this RFQ for the original Key Personnel. Side-by-side comparisons shall demonstrate that the proposed change is equal to or better than the Key Personnel identified in the original SOQ submittal, which decision shall be made by the Owner in its sole discretion.

During the design process, the GC/CM firm shall provide, at a minimum, one dedicated professional project manager and/or higher-level professional staff to attend all design meetings. The GC/CM's preconstruction services during the design process shall cover all services and expenses provided as identified in the bid proposal. During the construction phase, the GC/CM shall provide full supervision to coordinate the job in the field and provide for sufficient and appropriately skilled staff to implement a quality control program.

### **Approach to Executing the Project / Preconstruction Services**

Proposers shall describe how their firm will integrate project scheduling, quality assurance, interdisciplinary review, etc. into the project, and further describe their approach to working with the Owner, the Design Team, project partners and stakeholders, and explain how the GC/CM will promote a successful team atmosphere throughout the course of the project.

Proposers shall describe the major challenges to successful completion and how their firm proposes to approach them. Proposers also shall describe any expectations their firm may have for the Owner, including but not limited to, the extent of on-site engineering representatives during major construction or installation phases.



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Proposers shall describe their philosophy and approach to Preconstruction Services and specifically address the following Pre-construction responsibilities and associated experience:

- Providing Design and MACC Negotiated Support Services budgeting.
- Providing Design and Construction Document coordination comments and verifying their implementation.
- Investigating existing conditions to verify the construction documents will reflect the actual site conditions.
- Advising on complex construction sequencing and scheduling, with multiple major project components, and requirements for uninterrupted traffic flow.
- Evaluating means and methods for shallow water dredging, dewatering and material placement to support preliminary and final design.
- Advising on construction access and staging areas in confined locations.
- Scheduling, making recommendations for change and advising long-lead procurement packages to ensure the project schedule.
- Assessing and recommending site logistics requirements.
- Subcontract planning, procurement planning and bid management.

Provide two (2) or more examples of projects that demonstrate the range of Preconstruction Services your firm has provided on previous GC/CM projects, or similar private sector projects.

Proposer shall provide descriptions of their approach to the following significant issues and any others that the Proposer identifies that are critical to the success of this project:

- **Alternative Subcontractor Selection** – Identify your plan for utilizing the Alternative Subcontractor Selection process as authorized by [RCW 39.10.385](#), including which project scope elements as described in Section 2.0 would be assigned to the Alternative Subcontractor. If Proposer does not intend to utilize Alternative Subcontractor Selection, describe the reasoning for this decision.
- **5<sup>th</sup> Avenue Bridge** – Identify your approach to supporting the design process and supporting and responding to coordination with multiple Stakeholder parties to develop a cost-effective bridge with specialty architectural elements that meets project and public access goals. Discuss any specific ideas you have to cost effectively deliver the structure shown in the Reference Documents.
- **Dredging and Material Placement** – Identify your anticipated approach and equipment to accomplish the shallow water dredging and material placement as described in the Reference Documents. Discuss any specific ideas you have to gain efficiencies, manage environmental controls, and reduce risks in the construction process.
- **Habitat Construction** – Describe your anticipated approach to grading the estuary habitat post-material placement and anticipated low ground



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pressure equipment you would intend to use. Describe your approach to sourcing the unique plant material, implementing the habitat planting, and providing monitoring and maintenance during an initial warranty period.

- **Dam Removal** – Identify your anticipated approach to accomplish safe removal of the dam holding back Capitol Lake and how your plan addresses safety, protects downstream water quality, addresses fish passage requirements, and efficiently utilizes excavated dam materials.
- **Project Sequencing** – Identify your initial proposed sequencing of all major work elements to provide a completed project. Items to be included in the project sequencing shall include, but not be limited to, 5<sup>th</sup> Avenue bridge construction, new roadway construction, dredging and habitat construction, Percival Cove bridge construction, utility work, park restoration, and dam removal.
- **Initial Self-Performed and Subcontracted Work Plan** - Proposers shall identify the anticipated scope of work the firm proposes to self-perform and what portions of the project the firm proposes to accomplish via alternative subcontractor selection and subcontractor bidding. Provide reasoning to support your proposed self-performance and subcontracting work plan.

### **Past Performance in Negotiated and Similarly Complex Projects**

Proposers shall provide a list of negotiated private and public works projects they have completed, with a description of the project and both the baseline and final construction cost. Described projects should be similar to this project in complexity, including a diversity of heavy civil work elements such as habitat restoration with intertidal plantings, shallow water and hydraulic dredging, bridge and/or roadway construction, projects involving fish passage or projects with similar work restrictions, and projects involving significant public involvement. Include the following information:

- Description of the project, including total project area if applicable
- Public work or private
- Scope of firm's work on the project, including percent self-performed
- Location
- Owner, contact person, telephone number, and email address
- Baseline (initial) and Final construction cost
- Total number and dollar amount of all claims against the Owner
- Total number and total dollar amount of all claims against the Owner adjudicated by a dispute resolution board, arbitration, or litigation
- Experience in dealing with craft labor relations

### **Value Engineering & Cost Transparency**

Proposers shall provide project profiles to demonstrate that the Proposer Team Members have completed projects of Similar Scope and Complexity where continuous focus on the project budget and management of the construction costs to meet the project budget was necessary. Discussion should include description of the process used to proactively engage and collaboratively work with the Owner

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hired independent auditors and amicably identify and reconcile differences of opinion on costs. Discussion should be pertinent to the audit requirements of Heavy Civil GC/CM.

Project profiles shall include the project name, project location, client name, project manager name, project description (including identifying relevance to this Project), delivery method (e.g., GC/CM, PDB, etc.), services provided, completion date, baseline and actual contract amounts, and reasons for baseline cost variations.

Project profiles should identify Key Personnel from the profiled project, who are also proposed for this Project, and a description of the scope of services and length of involvement provided by each Key Personnel on the identified project.

The project profiles' narrative should demonstrate experience and expertise in meeting Owner cost/budget objectives through transparency and collaboration, working toward an implementable project with reasonable allowances, contingencies and allocation of risk and negotiating the MACC using transparent and open-book contracting methods with no surprises at the time of the MACC submittal.

Proposers shall describe their philosophy, experience, and methodology in value engineering and transparent pricing. Proposers shall provide examples of both value engineering reports and construction cost estimates developed and utilized on prior projects. A description of the GC/CM's approach to working with the Owner and the Engineer should be included. For value analysis, identify experience in assessing alternative construction options, products, and engineering systems for cost savings and life cycle cost design considerations.

### **Environmental Controls for In-Water Work and Fish Passage Experience**

Proposers shall describe their experience with significant in-water work projects, with particular focus on projects in the Pacific Northwest, and application of environmental best management practices to maintain quality in receiving water bodies. Experience managing fish passage through project areas and coordinating with tribal fisheries shall also be described.

### **Project Scheduling & Cost Control**

Proposers shall describe how their firm will monitor and ensure the Owner's program scope is maximized and the Owner's construction budget and project schedule are met at every phase of the Design and Construction Documents development and during construction. Proposers shall describe the estimating and scheduling systems and management techniques their firm employs to achieve success in the aforementioned items.

Proposers also shall provide the following information for each of the projects listed in response to Past Performance above:

- As-planned schedule vs. as-built schedule (Notice to Proceed to Substantial Completion)
- Owner's original estimated date of substantial completion
- Original total contract cost
- Total dollar amount of change orders

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### **Proposer's Capacity to Perform the Work**

Proposers shall provide a brief description of their firm's history, size, location of home and regional offices, and their capabilities to perform the requirements of this contract, including annual volume, financial position, and bonding capacity.

Proposers shall summarize recent, current, and projected firm workloads. Such summary shall include the firm's annual volume (in dollars) of construction for the past five years and the anticipated volume for the current year and the firm's plan for the next two years including how the firm's participation in this project would affect that plan.

### **Risk Identification and Analysis**

Proposers shall provide a Project Risk Assessment plan, identifying potential project risks beyond the control of the Owner and the GC/CM, who is responsible for the identified risks, and strategies to mitigate these risks.

### **Constructability Analysis**

Proposers shall describe their philosophy, experience, and methodology in constructability analysis, describing the key project individuals' experience in each of these areas. Proposers shall provide examples of constructability analyses developed and utilized on prior projects and the results obtained. A description of the GC/CM's approach to working with the Owner and the Engineer should be included. Include a statement on how Proposers will determine and assess constructability issues and provide assistance identifying safe work practices and requirements for construction.

### **Proximity to the Project Location / Self Performance**

Proposers shall identify the location of the office responsible for this project and describe their firm's familiarity with the local labor and subcontracting market, and capability of working with subcontractors to generate viable pricing alternatives.

### **Disadvantaged Business Enterprise Utilization**

Proposers shall describe past performance in utilization of disadvantaged business enterprises, and small business entities on GC/CM and alternative delivery projects of similar magnitude and describe approach for inclusion of these entities on the project, within the GC/CM statutory requirements.

## **10.0 PHASE TWO - NOTIFICATIONS & REFERENCE CHECKS**

After scoring Statement of Qualifications, the Selection Panel will select a short-list of the most highly qualified Proposers as Finalists to move forward in the selection process. Finalists will be notified by DES. Phase Two only applies to Finalists and consists of proprietary meeting, an interview and a Final Proposal as described in the following sections.

When notified of Finalist status, Finalists will be provided with secure access points for uploading additional materials and Final Proposals.

The short-listed Finalists shall provide no less than five 5 and no more than 10 references on the DES provided Performance Evaluation Questionnaire (Attachment 04). The

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Selection Panel reserves the right to make reference checks beyond those provided by the Proposers.

### 11.0 **PHASE TWO – PROPRIETARY MEETING & INTERVIEW**

After notifying Finalists, the Selection Panel will schedule a proprietary meeting and an interview with each Finalists.

Each Finalist will have one individual proprietary meeting with the Selection Panel. The purpose of the meeting is for the Finalists to ask questions of the Owner and the Design Team and better understand the requirements of the project. Each Finalist will create their own proprietary meeting agenda and lead the meeting. Each of the Finalists will have 2 hours to conduct the meeting. The proprietary meeting will not exceed the time allotted. Information shared in the meeting will not be discussed with other Finalists.

Each Finalist will have a single 90-minute interview with the Selection Panel. During the interview, questions will be directed solely to the Finalist’s project team. At a minimum, the project executive dedicated to the project, the project manager, the superintendent, at least one project engineer/task lead, estimator, and other key individuals responsible for Preconstruction Services shall attend the interview. During the interview, the project team will present their qualifications, experience, and approach to the project and the project team will be expected to respond to questions from the Selection Panel.

The Selection Panel will evaluate the proprietary meeting, oral interview, and feedback from reference checks, with emphasis on the following items as they relate to this project.

<b>Interview and Final Proposal Scoring Criteria</b>	<b>Value</b>
Ability and qualification of professional personnel	20
Collaborative approach to Preconstruction Services, integration with design team, transparent pricing/cost estimating.	20
Value engineering, constructability/interdisciplinary review and approach to executing the project	15
Project sequencing, time and budget requirements; schedule management	15
Past performance on similar complex or negotiated contracts	15
Risk analysis, mitigation and management	10
Final Proposal (GC/CM Percent Fee and Negotiated Self-Performed Work Fee)	5
Diverse Business Inclusion Plan (Mandatory Requirement)	Pass/Fail
Accident Prevention Program (Mandatory Requirement)	Pass/Fail

#### ***Diverse Business Inclusion Plan***

#### **Mandatory Requirement**

Each Finalist shall submit their Diverse Business Inclusion Plan with their Final Proposal on the required date and should be prepared to describe the plan during their interview. See Section 14.0 and Attachment 06 for Plan requirements.

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### **Accident Prevention Program**

A copy of an accident prevention plan and safety program shall be provided that is similar to that to be developed for this project, identifying specific criteria applicable to this project. This Accident Prevention Program shall be submitted with the Finalist's Final Proposal on the required date.

### **Mandatory Requirement**

## **12.0 FINAL PROPOSALS**

All Finalists will be requested to submit a Final Proposal for **the GC/CM Percent Fee and the Negotiated Self-Performed Work Percent Fee, which will be summed to calculate the final bid.** Final Proposals score will be computed as follows:

Lowest Conforming Proposal (bid) / Proposal being evaluated (bid) X 5

All Finalists shall submit bid numbers for the GC/CM Percent Fee **and Negotiated Self-Performed Work Fee** on the Final Proposal Form, Attachment 03. The terms GC/CM Percent Fee **and Negotiated Self-Performed Work Fee** are specifically defined in the Request for Final Proposal (RFFP), Attachment 02.

- State your **GC/CM** Percent Fee as a percentage and multiply it by the estimated "MACC" indicated in the RFFP document to determine a single lump sum number for the dollar amount of the **GC/CM** Percent Fee.
- **State your Negotiated Self-Performed Work Fee as a percentage and multiply it by the Estimated Negotiated Self-Performed Work indicated in the Final Price Proposal Form to determine a single lump sum number for the dollar amount of the Negotiated Self-Performed Work Fee. Note, for bidding purposes, the estimated value of the Negotiated Self-Performed Work has been set in the Final Price Proposal Form based on 40% of the Estimated MACC. However, the final value of the Negotiated Self-Performed Work will be finalized during MACC negotiations as DES evaluates the project needs and the competition in the current market place, and the final value may be more or less than what is shown in the Final Price Proposal Form.**
- The Cost Responsibility Matrix provided in Attachment 05 shall be used in determining the Percent Fee.
- In completing the Final Proposal form, the Finalist must enter numbers for the Percent Fees. No other entries, modifications, or qualifications shall be made to the bid. Failure to comply in full with these requirements shall be grounds for a bid being declared non-responsive. The Owner reserves the right to reject any or all bids, and to waive informalities or non-material irregularities in the bids received.
- The name, address, and Proposer's registration number shall be typed or printed on the Final Proposal form in the space provided.
- Bids must be (1) submitted on the forms furnished by DES or on copies of those forms, and (2) manually signed in ink, or electronically signed with date and time.

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- Finalists shall submit bid amounts in the format provided in the Final Proposal Form, Attachment 03. Only the amounts and information asked for in the Final Proposal Form furnished will be considered as the bid. All blank spaces must be filled in.

### **13.0 FINAL SELECTION**

The Finalist with the highest score (Highest Scoring Proposer) resulting from the Selection Panel's scoring of the Interview, and the results of the Final Proposal will be selected to provide Preconstruction Services and for MACC negotiations. Interview scores amongst the panelists will be averaged in each category to determine final points. In the event of a tie in total score, the Finalist with the lowest conforming Final Proposal (bid) will be selected.

### **14.0 DIVERSE BUSINESS INCLUSION PLAN** (see also Attachment 06)

Each Finalist shall submit their Diverse Business Inclusion Plan with their Final Proposal on the required date and present the Plan during its interview. In accordance with legislative findings and policies set forth in Chapter 39.19 RCW, the state of Washington encourages participation in all contracts by firms certified by the Office of Minority and Women's Business Enterprises ("OMWBE"), and set forth in RCW 43.60A.200 for firms certified by the Washington State Department of Veterans Affairs, and set forth in RCW 39.26.005 for firms that are Washington Small Businesses. Participation may be either on a direct basis or on a subcontractor basis. However, no preference on the basis of participation is included in the evaluation of Diverse Business Inclusion Plans, and no minimum level of minority- and women-owned business enterprise (MWBE), Washington Small Business, or Washington State certified Veteran Business participation is required as a condition for receiving an award of the GC/CM Contract. Any affirmative action requirements set forth in any federal Governmental Rules included or referenced in the contract documents will apply.

### **15.0 APPRENTICESHIP REQUIREMENT** (see also Attachment 07)

In accordance with RCW 39.04.320 the state of Washington requires Apprenticeship Participation for this project. Apprenticeship participation requirement shall be 15% of the total labor hours. On applicable bid packages, the bid advertisement and Bid Proposal form shall establish a minimum required percentage of apprentice labor hours compared to the total labor hours as described in Article 07. Bidders may contact the Department of Labor and Industries, Specialty Compliance Services Division, Apprenticeship Section, P.O. Box 44530, Olympia, WA 98504-4530, or by phone (360) 902-5320 to obtain information on available apprenticeship programs. The GC/CM and all trade partners shall, at least monthly, file weekly certified payroll on L&I's website.

The selected GC/CM shall determine the best method of obtaining apprentice participation and shall provide an Apprentice Utilization Plan for Owner review using the Attachment 07 Apprenticeship Utilization Plan form. The plan will demonstrate how and when the GC/CM intends to achieve the Apprenticeship Utilization requirements. The GC/CM shall upload the completed plan to the Labor and Industries project page through the GC/CM portal prior to proceeding with the buyout phase of the project. The GC/CM shall provide an updated Plan during the course of construction when there are significant changes to the Plan which may affect their ability to meet the Apprenticeship Utilization requirement.

## Request for Qualifications & Proposal for Heavy Civil GC/CM Services

Deschutes Estuary Restoration | Olympia, WA

Department of Enterprise Services

Project Number 2023-290

The GC/CM's performance in meeting the apprentice requirement for this project will be evaluated and may be considered when selecting GC/CM's for future projects.

### 16.0 CONTRACTOR RESPONSIBILITY CRITERIA

**Mandatory Responsibility Criteria:** Proposers must comply with [RCW 39.04.350](#) (1), which provides that:

1. Before award of a public works contract, a bidder must meet the following responsibility criteria to be considered a responsible bidder and qualified to be awarded a public works project. The bidder must:
  - a) At the time of bid submittal, have a certificate of registration in compliance with [Chapter 18.27](#) RCW;
  - b) Have a current state unified business identifier number;
  - c) If applicable, have industrial insurance coverage for the bidder's employees working in Washington as required in Title [51](#) RCW; an Employment Security Department number as required in Title [50](#) RCW; and a state excise tax registration number as required in Title [82](#) RCW;
  - d) Not be disqualified from bidding on any public works contract under RCW [39.06.010](#) or [39.12.065](#)(3); and
  - e) If bidding on a public works project subject to the apprenticeship utilization requirements in RCW [39.04.320](#), not have been found out of compliance by the Washington State Apprenticeship and Training Council for working apprentices out of ratio, without appropriate supervision, or outside their approved work processes as outlined in their standards of apprenticeship under chapter [49.04](#) RCW for the one-year period immediately preceding the date of the bid solicitation.
  - f) Public Works and Prevailing Wage Training/Exemption. Bidders shall have received training on the requirements related to public works and prevailing wage under this chapter and chapter [39.12](#) RCW. The bidder must designate a person or persons to be trained on these requirements. The training must be provided by the department of labor and industries or by a training provider whose curriculum is approved by the department. The department, in consultation with the prevailing wage advisory committee, must determine the length of the training. Bidders that have completed three or more public works projects and have had a valid business license in Washington for three or more years are exempt from this subsection. The department of labor and industries must keep records of entities that have satisfied the training requirement or are exempt and make the records available on its website. Responsible parties may rely on the records made available by the department regarding satisfaction of the training requirement or exemption. <http://lni.wa.gov/TradesLicensing/PrevWage/Contractors/Training.asp>
  - g) Within the three year period immediately preceding the date of the bid solicitation, not have been determined by a final and binding citation and notice of assessment issued by the Department of Labor and Industries or through a civil judgement entered by a court of limited or general jurisdiction to have willfully violated, as defined in RCW [49.48.082](#), any provision of RCW [49.46](#), [49.48](#), or [49.52](#). A bidder shall submit a signed Contractor Certification form **with the bid or within two (2) business days of request by Owner** regarding this wage theft prevention responsible bidder criteria.

## **Request for Qualifications & Proposal for Heavy Civil GC/CM Services**

Deschutes Estuary Restoration | Olympia, WA

Department of Enterprise Services

Project Number 2023-290

### **CONTRACT DOCUMENTS**

#### **ARTICLES**

Article 00	Instructions to GCCM Proposers
Article 01	General Conditions for Washington State Facilities Construction
Article 02	Not Used
Article 03	Supplemental Conditions
Article 04	Form of Contract
Article 05	Preconstruction Services
Article 06	Elements of Total Contract Cost
Article 07	Apprenticeship Requirements
Article 08	Quality Control/Quality Assurance
Article 09	Coordination & Meetings
Article 10	Budget
Article 11	Contract Changes
Article 12	Schedule Management
Article 13	Substantial Completion / Project Closeout
Article 14	Definitions

#### **ATTACHMENTS**

Attachment 00	Proposer Contact Page
Attachment 01	Advertisement for GCCM
Attachment 02	Request for Final Proposals (RFFP) for GC/CM Services
Attachment 03	Final Proposal Form
Attachment 04	Performance Evaluation Questionnaire
Attachment 05	Cost Responsibility Matrix
Attachment 06	Phase 2 Diverse Business Inclusion Plan Criteria
Attachment 07	Apprentice Utilization Plan Form
Attachment 08	Phase One Protest Procedures
Attachment 09	Phase Two Protest Procedures
Attachment 10	Not Used
Attachment 11	Retainage Bond
Attachment 12	Change Order Proposal
Attachment 13	Field Authorization
Attachment 14	Team Change Memo
Attachment 15	Wage Theft Prevention Form



**Request for Qualifications & Proposal for Heavy Civil GC/CM Services**

Deschutes Estuary Restoration | Olympia, WA

Department of Enterprise Services

Project Number 2023-290

## **Request for Qualifications & Proposal for Heavy Civil GC/CM Services**

Deschutes Estuary Restoration | Olympia, WA

Department of Enterprise Services

Project Number 2023-290

### **REFERENCE DOCUMENTS**

- |              |  |
|--------------|--|
| Reference 01 | Deschutes Estuary Restoration 15% Design – Basis of Design (June 28, 2024)   |
| Reference 02 | Deschutes Estuary Restoration 15% Design – Estuary Restoration Plans (June 28, 2024)   |
| Reference 03 | Deschutes Estuary Restoration 15% Design – Infrastructure Plans (June 28, 2024)  |
| Reference 04 | Deschutes Estuary Restoration Project - Geotechnical Data Report, Version 2 (August 28, 2024)  |
| Reference 05 | Deschutes Estuary Restoration 15% Design – Summary Engineer’s Estimate (June 28, 2024)   |
| Reference 06 | Capitol Lake-Deschutes Estuary Long-Term Management Project: Final Environmental Impact Statement (October 2022). Document can be accessed at this link: <a href="https://deschutesestuaryproject.org/library/">https://deschutesestuaryproject.org/library/</a> |

## ARTICLE 00: INSTRUCTIONS TO GC/CM PROPOSERS

### 0.1 Explanation to Prospective Proposers

Any prospective proposer desiring an explanation or interpretation of the solicitation, specifications, RFQ/RFP, etc., must make a request in writing to the Facility Professional Services project manager identified in the RFQ, no later than seven (7) days before the submittal due date. Oral explanations or instructions given before the award of a contract will not be binding. Any information given to a prospective proposer concerning a solicitation will be furnished promptly to all other prospective proposers as an addendum to the solicitation if the information is necessary to submitting bids or if the lack of it would be prejudicial to other prospective proposers.

### 0.2 Preparation of Bids

- A. The short-listed Finalists shall include the following in their bid:
  - GC/CM Fee percentage
  - **Negotiated Self-Performed Work Fee Percentage**
- B. The Total Contract Cost (TCC) contract for construction will include:
  - The negotiated MACC
    - a. The Cost of the Work
    - b. Negotiated support services (NSS)
  - The GC/CM fee percentage applied to the MACC

*The estimated MACC is to facilitate the GC/CM selection process and throughout the design process.* The negotiated MACC shall be determined by negotiation between the selected GC/CM firm and the Owner during the design process, but no earlier than 90% design completion.

The bid provided by the GC/CM finalists will become part of the criteria used to evaluate final proposals. The Owner shall proceed to negotiate a contract for construction with the responsible firm with the best combined proposal and price.

### 0.3 Form of Final Proposal

The proposer shall not make any other entries, modifications, or qualifications to the Final Proposal form. Failure to comply in full with these requirements shall be grounds for the bid being declared non-responsive.

The proposer shall complete all other required information on the Final Proposal form, including signature in ink by an authorized official of the firm. Failure to complete the GC/CM Request for Final Proposal (RFFP) form in full may result in a bid being declared non-responsive. Please reference Request for Proposals in Attachment 2

DES will use BOX as a secure access point for receiving Final Proposals. Finalists shall submit their Final Proposals electronically using the GC/CM RFFP form in PDF format. The Final Proposals must be uploaded and received by the Department of Enterprise Services (date/time stamped by BOX) no later than **2:00 PM PT on December 19, 2024.**

### 0.4 Bid Guarantee

The proposer shall furnish a bid guarantee in the form of a firm commitment, such as a bid bond, postal money order, certified check or cashier's check, payable to the Washington State Treasurer, in an amount equal to at least 5% of the *Pre-construction Services (Lump*

*Sum*) estimated by the time set for receiving the bid. Proposers shall use an assumed amount of \$500,000 for Pre-construction Services unless otherwise provided through Addendum prior to bid. If the proposer fails to furnish a bid guarantee, the bid will be determined non-responsive. The Owner will return bid guarantees other than bid bond, which becomes the property of the Owner.

The proposer will allow the Owner 60 days for acceptance of its bid. The proposer will submit an executed contract within fifteen (15) days after receipt of the contract forms from the Owner. Upon successful completion of the MACC negotiation, the GC/CM shall submit an insurance certificate and payment and performance bond.

The Owner may terminate the award of the contract if the apparent successful proposer fails to execute all contractual documents or provide a bond and insurance as required by the solicitation within the time specified.

In the event a proposer discovers an error in its bid following submission of its bid to the Owner, the proposer may request to withdraw its bid under the following conditions:

- Submittal of timely written notification of the proposer's intent to withdraw the bid due to an error.
- The proposer must provide documentation of the claimed error to the satisfaction of the Owner.
- The Owner will approve or disapprove the request for withdrawal of the bid in writing. If the proposer's request for withdrawal of its bid is approved, the proposer will be released from further obligation to the State of Washington.

## **0.5 Acknowledgment of Addenda to Invitations for Bids**

The proposer shall acknowledge receipt of any addenda to this solicitation by identifying the addenda numbers and dates in the space provided for this purpose on Attachment 3, the GCCM RFFP form. Failure to acknowledge addenda may result in the bid being declared non-responsive.

## **0.6 Site Investigation and Conditions Affecting the Work**

The GC/CM acknowledges that it has taken steps necessary to ascertain the nature and location of the work, and that it has investigated and satisfied itself as to the general and local conditions which can affect the work or its cost, including but not limited to:

- Conditions bearing upon transportation, disposal, handling and storage of materials.
- The availability of labor, water, electric power and road.
- Uncertainties of weather, river stages, tides or similar physical conditions at the site.
- The conformation and conditions of the grounds.
- The character of equipment and facilities needed preliminary to and during the work.

The GC/CM also acknowledges that it has satisfied itself as to the character, quality and quantity of surface and subsurface materials or obstacles to be encountered insofar as this information is reasonably ascertainable from an inspection of the site. Any failure of the GC/CM to take the actions described and acknowledged in this paragraph will not relieve the GC/CM from responsibility for estimating properly the difficulty and cost of successfully performing the work.

## **0.7 Taxes**

The bid amount shall not include Washington State Sales Tax (WSST) on the total submitted bid. All other taxes imposed by law, including B&O taxes, shall be included in

the bid amount. The calculation of B&O taxes is based on the estimated Maximum Allowable Construction Cost (MACC). The Owner will include WSST in progress payments. The GC/CM shall pay the WSST to the Department of Revenue and shall furnish proof of payment to the Owner upon request.

## 0.8 Diverse Business Inclusion Plan and Participation

To be considered responsive, Finalists must submit a Diverse Business Inclusion Plan (Attachment 6) with their Final Proposal.

DES Diversity Compliance Program. The successful Proposer is required to register and create an account in the DES Diversity Compliance Program (B2Gnow) at <https://des.diversitycompliance.com>. Every month for the duration of the contract, and while the contract is active in the B2Gnow system, submit and accurately maintain the following payment information through B2Gnow:

1. Payments received by the prime contractor from the Agency
2. Payments paid to each subcontractor
3. Payments paid to each supplier

## 0.9 Apprenticeship Requirement

Apprenticeship participation requirement shall be 15% of the total labor hours. In accordance with [RCW 39.04](#) the State of Washington requires **Apprenticeship Participation** for projects of a certain cost. On applicable projects the bid advertisement and GC/CM RFFP form shall establish a minimum required percentage of apprentice labor hours compared to the total labor hours. Proposers may contact the Department of Labor and Industries, Specialty Compliance Services Division, Apprenticeship Section, P.O. Box 44530, Olympia, WA 98504-4530, or by phone (360) 902-5320 to obtain information on available apprenticeship programs.

The selected GC/CM shall determine the best method of obtaining apprentice participation and shall provide an apprentice utilization plan for Owner review and approval prior to proceeding with the buy-out phase of the project. The selected GC/CM shall submit a monthly status update with each monthly invoice. Status shall show actual utilization progress compared to the GC/CM apprentice utilization plan on file. Please see Article 7 for further information on Apprenticeship Utilization requirements.

The GC/CM's performance in meeting the apprentice requirement for this project will be evaluated and may be considered when selecting GC/CM's for future projects.

## 0.10 Submission of Bids

Finalists must submit proposals before the time shown on the GC/CM RFFP form in a clearly marked separate, sealed envelope.

Any modification to the price proposal shall be submitted in sealed envelope prior to the time shown, shall be addressed to the office specified in the solicitation, and shall include:

- The time specified for receipt
- The project number and description
- The name and address of the proposer

The only acceptable evidence to establish the time of receipt at the office designated in the solicitation is the time/date stamped or hand printed by the Owner's representative on

the bid wrapper or other documentary evidence of receipt maintained by the Owner. Any bid or modification of a bid received after the times specified will not be considered.

A bid will be considered responsive if it meets the following requirements:

- It is received at the proper time and place
- It meets the stated requirements of the bid proposal
- It is submitted by a licensed/registered contractor within the State of Washington at the time of bid opening and is not banned from bidding by the Department of Labor and Industries
- It is accompanied by a bid guarantee, if required

All bids will be formally read in a virtual meeting. A link for the bid reading will be provided in an addendum. A bid may be withdrawn in person by a proposer's authorized representative before the opening of bids. The proposer(s) representative will be required to show ID and sign on the bid summary sheet before the bid withdrawal is released. The Owner reserves the right to accept or reject any or all bid proposals and to waive informalities.

### **0.11 Bid Results**

After interviews, the selection committee will deliberate and score the interviews. At the bid opening, interview scores will be presented and the bids opened. After the bid opening, proposers may obtain bid results on the DES website at: <https://des.wa.gov/services/facilities-and-leasing-management/design-build-gccm-alternative-public-works-projects/gccm-project-selections> . Bid results will be posted within 24 hours after bid opening.

### **0.12 Contract Award**

The contract award will be based on the combined interviews, and the total project bid. There will be two contract awards. The initial contract award will be for pre-construction services only. Award of construction and-or future services is contingent upon successful MACC negotiations and legislative funding approval.

The contract will only become effective when signed by the Owner. Prior to the Owner's signature, any and all costs incurred shall be the sole responsibility of the proposer.

Note: AIA Payment Bond and Performance Bond forms (A312) are required upon successful completion of MACC negotiations. *These forms will not be provided by the Owner.*

### **0.13 Partnering**

Partnering will be required throughout the project. The GC/CM, A/E firm and the Owner may choose the form of team collaboration to be used during the project. The intent of partnering is to encourage productive communication, improve the level of mutual trust, respect and cooperation, and expedite issue resolution.

### **0.14 Not Used**

### **0.15 Reciprocity**

In accordance with [RCW 39.04.380](#) effective March 30, 2012 the state of Washington is enforcing a **Reciprocal Preference for Resident Contractors**. Any public works bid

received from a nonresident contractor from a state that provides an in-state percentage bidding preference, a comparable percentage disadvantage must be applied to the bid of that nonresident contractor.

A nonresident contractor from a state that provides a percentage bid preference means a contractor that:

- a) is from a state that provides a percentage bid preference to its resident contractors bidding on public works contracts.
- b) at the time of bidding on a public works project, does not have a physical office located in Washington State.

The state of residence for a nonresident contractor is the state in which the contractor was incorporated or, if not a corporation, the state where the contractor's business entity was formed.

All nonresident contractors will be evaluated for out of state proposer preference. If the state of the nonresident contractor provides an in-state contractor preference, a comparable percentage disadvantage will be applied to their bid prior to contract award.

This section does not apply to public works procured pursuant to RCW 39.04.155, 39.04.280, or any other procurement exempt from competitive bidding.

For a public works bid received from a nonresident contractor from a state that provides an in-state percentage bidding preference, a Comparable Percentage Disadvantage (CPD) will be applied to the bid of that nonresident contractor. The CPD is the in-state contractor percent advantage provided by the contractor's home state.

For the purpose of determining the successful proposer, multiply the Nonresident Contractor bid amount by the CPD. The "bid amount" shall be the total of the base bid and all accepted alternate bid items. The CPD shall be added to the Nonresident Contractor bid amount which equates to the Nonresident Disadvantage Total. The Nonresident Disadvantage Total shall be compared to the Washington contractor bid amounts. The proposer with the lowest total shall be the successful proposer. See example below.

EXAMPLE: Alaska Nonresident Contractor Bid Amount	\$100,000
Multiplied by the Alaska CPD	x 0.05
Alaska CPD Total	\$ 5,000

Alaska Nonresident Contractor Bid Amount	\$100,000
Alaska CPD Total	\$ 5,000
Nonresident Disadvantage Total	\$105,000*

\* Note – If the Nonresident Disadvantage Total is lower than all other Washington contractor bid amounts, the Alaska Nonresident Contractor is the successful proposer and will be awarded a contract for the bid amount of \$100,000. If the Nonresident Disadvantage Total is higher than a Washington contractor bid amount, the successful Washington proposer will be awarded a contract for the bid amount.

The Contract will only become effective when signed by the Owner. Prior to the Owner's signature, any and all costs incurred shall be the sole responsibility of the proposer.



STATE OF WASHINGTON  
DEPARTMENT OF ENTERPRISE SERVICES

1500 Jefferson St. SE, Olympia, WA 98501  
PO Box 41476, Olympia, WA 98504-1476

Contract No. 2023-290  
Project Title Deschutes Estuary Restoration  
Agency Department of Enterprise Services  
Date [Select Date](#)

**STATE OF WASHINGTON PUBLIC WORKS  
GENERAL CONTRACTOR/CONSTRUCTION MANAGER (GC/CM)  
PRE-CONSTRUCTION SERVICES CONTRACT**

**THIS CONTRACT**, made and entered into this [##.th/rd.](#) day of [Select Month.](#), [Year.](#), shall be the agreed basis of performing the work by and between the State of Washington, acting through the Department of Enterprise Services, Facility Professional Services, hereinafter referred to as the Owner, and

[Contractor Name here.](#)  
[Contractor Address Line 1.](#)  
[Contractor Address Line 2.](#)  
Telephone: [###-###-####.](#)  
E-mail [Contractor email.](#)

hereinafter referred to as the General Contractor/Construction Manager (GC/CM).

**FIRST: CONTENTS OF CONTRACT**

The GC/CM accepts the relationship of trust and confidence established by this Contract. The GC/CM further agrees to cooperate with the Architect/Engineer (A/E) and utilize the GC/CM's best skills, efforts, and judgment in furthering the interests of the Owner.

The contract documents shall include this contract, the "Project Manual for GC/CM," [addenda and dates issued if applicable.](#), dated [Select Date.](#), and the GC/CM's written response to the RFP dated [Select Date.](#)

The A/E providing design on this project is **Floyd | Snider, KPFF Consulting Engineers**, 601 Union Street, Suite 600, Seattle, Washington 98101. The contact person is **Tessa Gardner-Brown**, telephone **206-292-2078**.



**SECOND: SCHEDULE OF PERFORMANCE**

The work as agreed to in this Contract shall commence upon the receipt of the Owner's Notice to Proceed.

The GC/CM shall provide timely participation and response to the schedule requirements so as to achieve tentative Substantial Completion of the project by [Select date](#).

The overall tentative project schedule is as follows:

15% (Conceptual) Design	Complete
30% Design	Currently Underway
Contract Document Phase	January – February 2025
60% Design	January – December 2025
90% and 100% Design	2026
Site Work/Construction	Anticipated in 2027, approximately 6-year duration

**THIRD: PRECONSTRUCTION SERVICES CONTRACT COST**

This Contract is for Preconstruction Services only. Upon completion of the MACC negotiations a new Contract will be issued to authorize the remaining work referred to as Guaranteed Contract Cost.

The Pre-Construction Services Contract Cost is defined below:

(A) Pre-Construction Services (Lump Sum)	= \$	<b>0.00.</b>
(B) WSST (sales tax currently at <u>xx</u> %)	= \$	<b>0.00.</b>
<b>Total Pre-Construction Services Contract</b>	<b>= \$</b>	<b>0.00.</b>

**FOURTH: NON-DISCRIMINATION/ANTI-DISCRIMINATION**

Except to the extent permitted by a bona fide occupational qualification, the Contractor agrees as follows:

1. The Contractor shall not discriminate against any employee or applicant for employment because of race, creed, color, national origin, marital status, sex, age or the presence of any sensory, mental, or physical handicap. The Contractor shall take affirmative action to ensure that applicants are employed and that employees are treated during employment without regard to their race, creed, color, national origin, marital status, sex, age or the presence of any sensory, mental, or physical handicap. Such action shall include, but not be limited to, the following: employment, upgrading, demotion, transfer, recruitment, advertising, layoff, termination, rates of pay or other forms of compensation, and selection for training.
2. The Contractor shall in all solicitation for employees or job orders for employees placed with any employment agency, union, or other firm or agency, state that all qualified applicants shall receive consideration for employment without regard to race, creed, color, national origin, marital status, sex, age or the presence of any sensory, mental, or physical handicap. The words "equal opportunity employer" in advertisements shall constitute compliance with this Article.



3. The Contractor shall include the provisions of the foregoing paragraphs 1 and 2 in every sub-Contract or purchase order for the goods or services which are the subject matter of this Contract.
4. In the event of non-compliance by the Contractor with any of the non-discrimination provisions of the Contract, the Owner shall have the right, at its option, to cancel the Contract, in whole or in part. If the Contract is canceled after partial performance, the Owner shall be obligated to pay fair market value or the Contract price, whichever is lower, for goods or services which have been received and accepted.
5. During the term of the Contract, the Contractor, including any subcontractor, shall not discriminate on the bases enumerated at RCW 49.60.530(3). In addition, Contractor, including any subcontractor, shall give written notice of this nondiscrimination requirement to any labor organizations with which Contractor, or subcontractor, has a collective bargaining or other agreement.

**IN WITNESS WHEREOF:** The Department of Enterprise Services has caused this Contract to be subscribed in its behalf, and the GC/CM has signed this Contract the day and year written below.

CONTRACTOR

[Contractor.](#)

OWNER

**Department of Enterprise Services**  
Facility Professional Services

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

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

[APM Name and Credential\(s\).](#)

Title: \_\_\_\_\_

Title: \_\_\_\_\_

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

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

Washington State Contractor's

License No. [License#.](#) \_\_\_\_\_

UBI. NO. [UBI #.](#) \_\_\_\_\_

[nameoffile.](#)



STATE OF WASHINGTON  
DEPARTMENT OF ENTERPRISE SERVICES

1500 Jefferson St. SE, Olympia, WA 98501  
PO Box 41476, Olympia, WA 98504-1476

Select Date.

Contractor Company Name.  
Contractor Address Line 1.  
Contractor Address Line 2.

RE: Contract No. 2023-290  
Deschutes Estuary Restoration  
Department of Enterprise Services

We have enclosed the following documents:

1. Contract

Please be advised that the General Conditions for Washington State Facility Construction require that the above listed documents be returned to Facility Professional Services (FPS) within 15 days of receipt, or FPS may terminate the award of this contract. Transmittal of this contract for signature does not obligate FPS to proceed with award. This contract is not binding upon the State of Washington until it has been duly signed by FPS' contracting officer.

The initial contract is for Preconstruction Services only. The GC/CM Fee **and Negotiated Self-Performed Work Fee** will be added by a separate Contract after Legislative authorization and MACC negotiations have been concluded. As subcontractor packages are awarded, we require that subcontractor information be submitted to this office. Under the provisions of 5.20 of the General Conditions for Washington State Facility Construction, you are required to provide us with a list of all subcontractors who will be participating in the project, include the dollar value and tax identification number. Please forward this list to FPS, Contracts Section, Attn: Roland Orr, on or before the third progress payment request. Please identify for us any MWBE or Self-identified Contractors you may be utilizing.

Sincerely,

CS signature. for

Project Mgr typed full name, Credential(s).

CG:cs initials.

Enclosures

cc: Agency Contacts.

**REQUEST FOR FINAL PROPOSALS (RFFP) for GC/CM SERVICES  
For Finalists on Short-list**

**2.0 GENERAL**

The following is provided as a supplement to the original Request for Qualifications (RFQ) to assist proposers selected as finalists for submitting their final proposal and bid.

**2.1 SITE INVESTIGATION AND CONDITIONS AFFECTING THE WORK**

- A. In submitting its final proposal and bid, the finalist acknowledges that it will provide, for the duration of the project, the full complement of staff designated in its written response to the Request for Qualifications.
- B. Finalist acknowledges that it has taken steps reasonably necessary to ascertain the nature and location of the work, and that it has investigated and satisfied itself to the general and local conditions which can affect the work or its cost.
- C. Finalist acknowledges that it has satisfied itself as to the character, quality and quantity of surface and subsurface materials or obstacles to be encountered insofar as this information is reasonably ascertainable from an inspection of the site, including all exploratory work done by Owner, as well as from the drawings and specifications made a part of these contract documents.
- D. Finalist acknowledges that drawings made a part of this RFFP are for information only and shall not be used for construction.
- E. Finalist acknowledges that adjoining areas may be conducting normal operations during the work. Finalist should anticipate pedestrian and traffic congestion, limited parking, and the requirement that the work be coordinated with ongoing operations.
- F. Finalist acknowledges that its bid is based upon a schedule and assumptions which incorporate the conditions set forth above, and in the contract documents as defined in the GC/CM contract attached hereto. All components of the Contract Documents, whether attached hereto or referenced only, are incorporated by reference and hereby made a part of this RFFP.
- G. Owner assumes no responsibility for any conclusions or interpretations made by finalist based on the information made available by Owner. Should a finalist find discrepancies or omissions in the drawings or specifications, or should finalist be in doubt as to their meaning, the finalist shall at once notify the Owner. If appropriate, the Owner will send written instructions to all short-listed finalists by addenda. Questions received less than seven calendar days before the time for submission of final proposals and bids may not be answered. All addenda issued shall be incorporated into these contract documents.

## 2.2 PREPARATION OF BIDS

Each finalist is required to submit bid amounts on the GC/CM Final Price Proposal form included in this RFFP. The terms “GC/CM Fee” and “Negotiated Self-Performed Work Fee” are defined in the GC/CM Contract included in this RFFP.

Finalist shall comply with the following instructions in preparing its Final Price Proposal and bid.

1. Final Price Proposals must:
  - a. State the GC/CM Fee as a percentage and multiply it by the published estimate of the Maximum Allowable Construction Cost (MACC) stated on the Final Price Proposal form to determine a single dollar amount for the GC/CM Fee.
  - b. State the Negotiated Self-Performed Work Fee as a percentage and multiply it by the published Estimated Self-Perform Work stated on the Final Price Proposal Form to determine a single dollar amount for the Negotiated Self-Performed Work Fee. Note, for bidding purposes, the estimated value of the Negotiated Self-Performed Work has been set in the Final Price Proposal Form based on 40% of the Estimated MACC. However, the final value of the Negotiated Self-Performed Work will be finalized during MACC negotiations as DES evaluates the project needs and the competition in the current market place, and the final value may be more or less than what is shown in the Final Price Proposal Form.
  - c. State the sum of the Finalist’s Total Bid. The Finalist’s Total Bid shall be equal to the sum of the GC/CM fee single dollar amount and Negotiated Self-Performed Work Fee single dollar amount.
2. In completing the Final Price Proposal form, the finalist must enter percentages for the GC/CM Fee and the Negotiated Self-Performed Work Fee and dollar amounts for the GC/CM Fee and Negotiated Self-Performed Work Fee. No other entries, modifications, or qualifications shall be made to the bid. Failure to comply in full with these requirements shall be grounds for a final proposal being declared nonresponsive. The Owner reserves the right to reject any or all final proposals and to waive as an informality, any non-material irregularities in the final proposal forms received.
3. Finalists shall review the Cost Responsibility Matrix and Article 6 and prepare their fees in accordance with these documents.
4. Final proposals must be:
  - d. Submitted on the Final Proposal form furnished by Owner or a copy of this form
  - b. Manually signed in ink by an authorized representative of the finalist, or by electronic signature. The person signing the Final Proposal Form must initial each page, either manually signed in ink or electronically.
5. The finalist’s business name, address, other contact information, Contractor’s Registration Number, UBI Number, and Employment Security Department number of the finalist shall be typed or printed on the Final Price Proposal form in the space provided.
6. Finalists shall submit bids in the format provided on the Final Price Proposal form. Only the amounts and information required on the Final Price Proposal form furnished by the Owner will be considered as the final proposal. All blank spaces must be filled in.

7. Receipt of all addenda must be acknowledged by identifying the addendum number in the space provided in the Final Price Proposal form.
8. Bids shall be accompanied by a bid bond/bid guarantee. Acceptable forms of bid guarantee are: A bid bond or postal money order, or certified check or cashier's check made payable to the Washington State Treasurer.

The Owner will return bid guarantees (other than bid bond) to unsuccessful Bidders as soon as practicable, but not sooner than the execution of a contract with the successful Bidder. The successful Bidder's bid guarantee will be returned to the successful Bidder with its official notice to proceed with the work of the contract.

9. Attachment 15 Contractors Certification of Wage Theft Prevention shall be included in the Final Proposal packet.

## **2.3 TAXES**

The proposal shall include all taxes imposed by law except Washington State Sales Tax. Sales tax shall not be included in the Total Contract Cost.

## **2.4 SUBMISSION AND WITHDRAWAL OF BIDS**

DES will use BOX as a secure access point for receiving Final Proposals. Finalists shall submit their Final Proposals electronically using the GCCM RFFP form in PDF format. The final proposals must be uploaded and received by the Department of Enterprise Services (date/time stamped by BOX) no later than **2:00 PM PT on December 19, 2024**.

Finalists must contact [angeline.butros@des.wa.gov](mailto:angeline.butros@des.wa.gov) to re-issue access to BOX for Phase Two. Finalists may upload their Final Proposals to BOX.

Finalists will have access to their proposals in BOX until the submittal deadline. Finalists may withdraw or update their Final Proposal before the proposal submittal deadline. BOX will secure all Final Proposals after the submittal deadline until the bid opening.

A Finalist may withdraw its final proposal by submitting a written request to the address noted above before the proposal submittal deadline. DES will return the final proposal unopened after a Contractor has been selected for MACC negotiations by the Owner.

## **2.5 LATE SUBMISSIONS**

Any final proposal, proposal modification, or request to withdraw a final proposal that is received after the deadline set forth herein will not be considered.

The only acceptable evidence to establish the time of receipt at the office designated in this RFFP is the time/date stamped or printed by Owner on the bid envelope or package or other documentary evidence of receipt maintained by Owner.

## **2.6 DISADVANTAGED BUSINESS ENTERPRISE PARTICIPATION AND INCLUSION PLAN**

DES is committed to providing the maximum practicable opportunity for participation by Disadvantaged Businesses Enterprises (DBE) through direct contracts with DES, subcontracts, sub-consulting, and supplier participation. Participation may be either on a direct basis or on a Subcontractor basis. Finalists shall submit a DBE participation and

inclusion plan as described in detail in Attachment 6 at the time of or prior to interviews.

Firms are encouraged to meet or exceed the project goals in the RFFP by any level of participation, regardless of category

All finalists, including diverse-owned firms, will be required to submit a Disadvantaged Business Inclusion Plan prior to interview. The Inclusion Plan should demonstrate in detail the specific strategies, approaches, and steps your firm will use in seeking to help meet or exceed the state's aspirational diverse business participation goals. Achievement of the goals is encouraged. Please refer to Attachment 6 for detailed requirements for DBE Inclusion plans.

No preference on the basis of participation is included in the evaluation of DBE Inclusion Plans submitted at the time of finalist interviews, and no minimum level of minority- and women-owned business enterprise (MWBE), Washington Small Business, or Washington State certified Veteran Business participation is *required* as a condition for receiving an award of the GC/CM Contract. Any affirmative action requirements set forth in any federal governmental rules included or referenced in the contract documents will apply.

For reporting, GC/CM is required to register and create an account in the DES Public Works Diversity Tracking & Management System powered by B2GNow. Every month for the duration of the contract, and while the contract is active in the DES Public Works Diversity Tracking & Management System, the GC/CM will submit and accurately maintain the following information:

1. Payments received by the prime contractor from the Agency
2. Payments paid to each first tier subcontractor
3. Payments paid to each first tier supplier

The GC/CM must also ensure the following information is reported in the DES Public Works Diversity Tracking & Management System by all first tier subcontractors and suppliers for the duration of the contract:

1. Confirmation of payments from the prime contractor to the first tier subcontractor
2. Confirmation of payments from the prime contractor to first tier suppliers

## **2.7 APPRENTICESHIP UTILIZATION REQUIREMENTS**

Mandatory apprentice utilization of at least 15% of the total labor hours worked on the contract is required. Apprentices must be registered as apprentices with the State Apprenticeship and Training Council. Contractor shall comply with the requirements of the contract documents related to apprenticeship. Finalists may contact the Department of Labor & Industries, Apprenticeship Program at 360-902-5320 to obtain information on apprenticeship programs. Please see Article 7 Apprenticeship Requirements.

## **2.8 FINAL SELECTION**

Final selection of a GC/CM for MACC negotiations will be made consistent with the requirements set forth in the Request for Qualifications.

## **2.9 PRECONSTRUCTION SERVICES – WORK PLAN AND AGREEMENT**

Within twenty-one (21) days of notification of its selection for MACC negotiations, the GC/CM with the highest scoring proposal will be required to submit a Preconstruction Work Plan for work during preconstruction (Work Plan) in accordance with Article 5 of the GC/CM Contract.

The Owner has established an estimated allowance of \$500,000.00 for this Preconstruction Work, excluding Washington State Sales Tax.

The Work Plan shall include a schedule of the activities included in the scope of work for Preconstruction Services, the anticipated number of hours needed to complete each activity, and the name(s) of the individuals that will be used to complete each task and an hourly rate for each individual the Contractor intends to use to accomplish the tasks assigned. The hourly rates multiplied by the number of hours needed to complete all tasks shall, unless adjusted pursuant to mutual agreement of the Owner and Contractor, constitute the total compensation for Preconstruction Services.

If the Work Plan is not satisfactory the Owner will advise the Contractor of the shortcomings in the Work Plan. The Contractor will not be entitled to any compensation under this paragraph until a Work Plan, satisfactory to the Owner, is provided and an Agreement for Preconstruction Work is executed. Failure to submit a Work Plan within twenty-one (21) calendar days of the Contractor's selection for MACC negotiations, that is acceptable to and approved by the Owner, may result in the Owner canceling the Contractor's selection. The Owner may then, at its discretion, begin discussions with the next highest rank finalist.

Subject to approval of the Work Plan by the Owner, the Contractor shall immediately execute an Agreement for Preconstruction Services, as included in this RFFP, which shall be solely for the performance and payment of Preconstruction Services.

## **2.10 MACC NEGOTIATIONS AND GC/CM CONTRACT for CONSTRUCTION**

At the time a MACC is successfully negotiated, the parties will sign the GC/CM Contract. The GC/CM Contract will supersede and incorporate all of the terms of the RFQ and Agreement for Preconstruction Services into the GC/CM Contract.

Should the Contractor and Owner not agree on a MACC the Owner may cancel the negotiations and begin negotiations with the next highest ranked finalist. If the Owner chooses to cancel the negotiations upon failure to agree upon a MACC, such cancellation will be effective upon receipt of written notification by the Contractor. Contractor shall not be reimbursed for the MACC negotiations. However, the Contractor will be paid in accordance with the Agreement for Preconstruction Services and for any preconstruction work performed prior to the date the MACC negotiations are cancelled. Contractor shall not be entitled to any other compensation, damages, loss of profits, or payment of any kind.

## **2.11 BID AMOUNTS**

After Proposals have been opened and the bid amounts read, the calculation of the GC/CM Percent Fee and the Negotiated Self-Performed Work Percent Fee bid amounts will be checked for correctness. A discrepancy between the Percent Fee percentages and the written Percent Fee bid amounts shall be resolved by accepting the Percent Fee percentages as correct and making any necessary adjustment in the written Percent Fee bid amounts. The Owner shall mathematically correct, where necessary, the summation of the Total Bid amount.

The finalist's total bid amount as included on the final proposal form shall be valid until execution of the GC/CM Contract between the Owner and the selected contractor, and the total bid amount shall be included as part of the total contract cost.



STATE OF WASHINGTON  
 DEPARTMENT OF ENTERPRISE SERVICES  
 1500 Jefferson Street SE  
 Olympia, WA 98501  
 P.O. Box 41476  
 Olympia, Washington 98504-1476

GC/CM FINAL PRICE PROPOSAL

**Due December 19, 2024**  
**Prior to 2:00 p.m. PT**

General Contractor/Construction Manager (GC/CM) Services  
 for  
 Project Number 2023-290  
 Deschutes Estuary Restoration  
 Department of Enterprise Services  
 Olympia, Washington

The undersigned, having read all the requirements the Request for Proposal and the Request for Final Proposal, together with and addenda agree to furnish all labor, materials, and construction management specified herein necessary to complete the work as follows:

Proposer shall fill in both values in both the sentences and the table below:

Estimated GC/CM MACC: \$ 350,500,000

GC/CM Fee \_\_\_\_\_% x \$350,500,000 MACC = \$ \_\_\_\_\_  
 \_\_\_\_\_ Percent  
 (Percent Fee Written)

Negotiated Self-Performed Work Fee \_\_\_\_\_% x \$140,200,000= \$ \_\_\_\_\_  
 \_\_\_\_\_ Percent  
 (Self-Perform Fee Written)

\_\_\_\_\_ Dollars  
 (Bid Written)

<b>GC/CM Fee</b>			
Description of Item	Fee Percentage	Total Estimated MACC	Fixed GC/CM Fee Subtotal
Fixed GC/CM Fee	X.XX%	\$350,500,000	\$
<b>Self-Performed Work Fee</b>			
Description of Item	Fee Percentage	Estimated Negotiated Self-Performed Work	Self-Performed Work Fee Subtotal
Negotiated Self-Performed Work Fee	Y.YY%	\$140,200,000	\$
<b>Final Bid Proposal</b>			

The above bid does not include Washington State Sales Tax (WSST). The Owner will include WSST to the total contract at the time of payment.

The initial contract award will be made for the Pre-Construction Services only. Award of construction phase services is contingent upon agreement of the MACC through negotiation.

**Time for Completion**

The undersigned hereby agrees to a tentative project construction start date in **2027**, and construction completion within approximately six years of the start date.

**Apprenticeship Requirements**

The apprenticeship utilization required for this project is 15% of the total labor hours. The GC/CM agrees to utilize this level of apprentice participation. Voluntary workforce diversity goals for this apprentice participation are identified in the GC/CM Instructions to Bidders and Supplemental Conditions.

**Liquidated Damages**

At the time of MACC negotiations, liquidated damages may be defined for each consecutive calendar day that is in default after the Construction Contract Time established when the negotiated MACC is set. Liquidated damages shall be deducted from the contract invoice after taxes and retainage.

**Addendum Receipt**

**Receipt of the following addenda to this bid solicitation is acknowledged:**

Addendum No. _____	Date _____
Addendum No. _____	Date _____
Addendum No. _____	Date _____
Addendum No. _____	Date _____

This bid may be withdrawn at any time prior to the scheduled time for the opening of bids, or any authorized postponement thereof. The State reserves the right to reject any and all bids.

In compliance with WAC 296-127, the GC/CM shall pay all fees with each Statement of Intent and/or Affidavit of Wages Paid to the Department of Labor & Industries and these costs shall be considered incidental to the Estimated MACC.

Firm Name \_\_\_\_\_

Signed by \_\_\_\_\_

Official Capacity \_\_\_\_\_

Address \_\_\_\_\_

City/State \_\_\_\_\_

Date \_\_\_\_\_ Telephone \_\_\_\_\_ Fax \_\_\_\_\_

E-mail Address \_\_\_\_\_

State of Washington Contractor's License Number \_\_\_\_\_

Federal Tax Identification Number \_\_\_\_\_

Uniform Business Identifier (UBI) Number \_\_\_\_\_

NOTE: If bidder is a Corporation, indicate below and write "State of Incorporation"; if a Partnership, indicate below and give full names and addresses of all partners.

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