

## **APPENDIX C – CITY/ STATE/ FEDERAL FUNDING REQUIRED INSERTS**

### **CONTENTS**

- Supplemental Bidder Responsibility Criteria
- Recycled Materials Reporting





## City of Spokane, Washington Supplemental Bidder Responsibility Criteria

After bid opening and prior to award, the apparent low bidder shall complete, sign and submit this form with attachments to the City (See instructions at the end of this form). The form shall be submitted within twenty four (24) hours after the notification, unless a different time and date is required by the specifications or otherwise mutually agreed upon.

Project Name:

Project #

### Part A: General Company Information

Company Name

Address

Contact Name and Title

Contact Phone

Contact E-mail

Years in business as a Prime Contractor

Years in business as a sub-contractor

Years in business under present Name

List any former company names under which the company, its owners, and/or its principals has operated in the past five (5) years

Explain reason for name change(s) in the past five (5) years

### Part B: Work Experience

If the request for bids has project specific criteria, including work experience, list at least the requested number of construction projects completed within the required time frame on the attached Project Experience form which are similar in type, size and scope of work required for this project

### Part C: Performance Evaluation

Under past or present names does the bidder have a history of receiving "deficient" or "inadequate" evaluations on two (2) or more contracts from the City or other municipalities or another governmental agency on a public works project within the last five (5) years?

Yes       No

If "Yes" attach a separate, signed / dated statement listing the projects and an explanation.

### Part D: Record of Debarment / Disqualification

Has the bidder (including the primary contractor, any firm with which any of the primary contractor's owners, officers, or partners was associated) been debarred, disqualified, removed or has been otherwise prevented from bidding on, or completing any governmental agency or public works projects, including debarment by the federal, state or other municipal government during the last five (5) years?

Yes       No

If "Yes", attach a separate signed / dated statement listing any debarments, disqualifications, removal, etc. from any governmental public works project and the basis for the action.

**Part E: Safety**

In the last five (5) years, has the bidder received willful or repeat violations of safety or health regulations by the OSHA or other agencies responsible for safety oversight?

Yes       No

If "Yes," attach a separate signed /dated statement describing each willful or repeat violation, including information about the dates and nature of the violations, the project on which the citation(s) was or were issued, the amount of penalty paid, if any. If the citation was appealed and a decision has been issued, state the case number and the date of the decision.

**Part F: Environmental**

In the last five (5) years, has the bidder received serious citations from government environmental enforcement agencies on projects for which the bidder was the contractor?

Yes       No

If "Yes," attach a separate signed / dated statement describing each serious citation, including information about the dates of the citations, the nature of the violation, the project on which the citation(s) was or were issued, the amount of penalty paid, if any. If the citation was appealed and a decision has been issued, state the case number and the date of the decision.

**Part G. Utilization Requirements**

In the last five (5) years, has it been determined by a government agency that the bidder did not comply with disadvantaged business enterprises, apprenticeship or other similar utilization requirements on public works projects?

Yes       No

If "Yes", attach a separate signed / dated statement listing the violations or failures to meet utilization requirements along with a detailed explanation of the extenuating circumstances surrounding the violation and/or failure.

**Part H: Discrimination**

Has the bidder or any of its owners, officers or partners been found guilty of violating or failing to comply with discrimination laws in contracting, employment or provision of public services?

Yes       No

If "Yes", attach a separate signed / dated statement identifying the type of violation, who was involved, the name of the public agency, year of the investigation, the resolution in court or administrative process, and the grounds for the findings.

**Part I. Prevailing Wage**

In the last five (5) years, has the bidder received prevailing wage violations as determined by the applicable state or federal government agency monitoring prevailing and/or Davis Bacon wage compliance?

Yes     No

If “Yes,” attach a separate signed/dated statement listing the prevailing wage violations, along with an explanation of each violation and how it was resolved. The City shall evaluate these explanations and the resolution of each violation to determine whether the violations demonstrate a pattern of failure to pay prevailing wages to workers unless there are extenuating circumstances acceptable to the City.

**Part J: Public Bidding Crime (Criminal Convictions)**

Has the bidder been convicted of a crime involving bidding on a public works contract within the last five (5) years?

Yes     No

If “Yes”, attach a separate signed / dated statement listing the dates of conviction(s), the offense(s) convicted of, the punishment, and a brief statement of the facts underlying the conviction(s)

**Part K. Claims Against Retainage and Bonds**

Does the bidder have a record of multiple claims filed against the retainage or payment bonds for public works projects during the previous three (3) years?

Yes     No

If “Yes”, attach a separate signed / dated statement listing the claims filed against the retainage and/or payment bond for any completed public works projects and include for each project a written explanation of the circumstances surrounding the claim and the ultimate resolution of the claim. The City shall evaluate the statement to determine if it demonstrates a lack of effective management by the bidder of making timely and appropriate payments, unless there are extenuating circumstances acceptable to the City in its sole discretion.

**Part L. Termination for Cause**

Has the bidder had any public works contract terminated for cause by any government agency during the previous five (5) years?

Yes     No

If “Yes”, attach a separate signed / dated statement listing each contract terminated, the government agency terminating the contract and the circumstances involving the termination for cause. The City will determine if there are extenuating circumstances acceptable to the City in its sole discretion.

**Part M: Litigation**

Has the bidder been involved in lawsuits (or arbitrations for those instances where arbitration is completed in lieu of a lawsuit) with judgments entered against the bidder for failure to meet terms on contracts in the previous five (5) years?

- Yes     No

If “Yes”, attach a list of lawsuits and/or arbitrations with judgments / arbitration awards entered against the bidder along with a written explanation of the circumstances surrounding each lawsuit and/or arbitration. The City will evaluate the explanations to determine whether the lawsuits and/or arbitrations demonstrate a pattern of failing to meeting terms of conditions of contracts, unless there are extenuating circumstances acceptable to the City in its sole discretion.

**Part N: Delinquent State Taxes**

Does the bidder owe delinquent taxes to the Washington State Department of Revenue without a payment plan approved by the Department before the date of contract award?

- Yes     No

If “Yes”, attach a separate signed / dated statement describing the circumstances and stating that the bidder is not on the Washington State Department of Revenue’s “Delinquent Taxpayer List”.

**Part O: Subcontractor Responsibility**

Does the bidder’s standard subcontract form include the subcontractor language required by RCW 39.06.020? Does the bidder have an established procedure which it uses to validate the responsibility of each of its subcontractor? Does the subcontract form require that each of the bidder’s subcontractors have and document a similar procedure for sub-tier subcontractors?

- Yes     No

If “Yes” or “No”, provide a copy of its standard subcontract form and a copy of the procedures used to validate the responsibility of subcontractors.

**Signature**

The undersigned certifies that the information and data contained herein is correct and complete. Failure to disclose information or submitting false or misleading information may result in rejection of my bid, revocation of award, contract termination, or may impact my firm’s ability to bid on future projects by the City of Spokane.

Signature of Authorized Representative \_\_\_\_\_ Date \_\_\_\_\_

Printed Name of Authorized Representative \_\_\_\_\_ Title \_\_\_\_\_

## Instructions for the Supplemental Bidder Responsibility Form

After bid opening and prior to award, the apparent low bidder shall complete, sign and submit this form with attached documentation to the City of Spokane Engineering Services Department by one of the methods listed below within twenty four (24) hours of notification.

The City's evaluation may include further investigations to establish the responsibility, qualifications, financial resources and experience of a bidder to complete the work of this contract. The City may contact previous owners or others to validate the information provided by the bidder. The City will assess the information provided and other information gathered in determining whether a bidder is responsible. List all information you feel is relevant to the City making an informed decision. The City reserves the right to request additional information from the bidder.

For criteria with check boxes, the bidder will check either "Yes" or "No." For each "Yes" answer on the form, the Bidder shall provide a signed and dated statement providing the project information requested and explaining the extenuating circumstances.

### **Form Submittal:**

Submit this form to Engineering Services Department of the City of Spokane by one of the following methods within twenty four (24) hours after the time of notification (unless the specifications provide a different time or date)

Email (preferable)                      fperkins@spokanecity.org  
with the Email Subject line: Supplemental Bidder Form for [Project Title]

Fax to:      (509) 625-6349  
                 Supplemental Bidder Form for [Project Title]

Street Address                      Engineering Services  
   808 West Spokane Falls Boulevard, 2nd Floor, Spokane, WA 99201  
   Attention: Project Engineer  
   Supplemental Bidder Form for [Project Title]

Questions: Please call (509) 625-6700

## Attachment to Supplemental Bidder Responsibility Criteria Work Experience Form

Please complete one form per project and include a minimum of three projects (and forms) or more as requested. You may include any additional work experience you deem relevant in determining bidder responsibility. Please be sure to provide a thorough description of the work in order to demonstrate how your firm meets any required experience detailed in the specifications. You may attach additional documentation if needed.

### PROJECT DETAIL

Bidder's Company Name		Bidders Contact Name & Phone Number	
Project Name		Project Contract Number	
Project Owner		Project Location	
Project Owner Contact Name & Title		Owner's Telephone Number	
Notice to Proceed Date	Final Completion Date	Awarded Contract Value	Final Contract Price
Prime Contractor Name (If Not Bidder)		Contractor Contact Name & Phone Number (If Not Bidder)	
Brief Project Description			
Brief Summary Of Technical Work Completed By Bidder, Including Any Relevant Details To Demonstrate Similar Experience And Any Required Experience Detailed In the Specifications			





Contract Number		Contract Title					
Contractor			Engineer				
		Reclaimed Hot Mix Asphalt	Recycled Concrete Aggregate	Recycled Glass	Steel Furnace Slag	Other Recycled Aggregates	Contract Total Quantity
Fine Aggregate for Portland Cement Concrete	9-03.1(2)						
Coarse Aggregate for Portland Cement Concrete	9-03.1(4)						
Coarse Aggregate for Commercial Concrete	9-03.1(4)						
Aggregates for Hot Mix Asphalt	9-03.8	see below					
Ballast	9-03.9(1)						
Permeable Ballast	9-03.9(2)						
Crushed Surfacing	9-03.9(3)						
Aggregate for Gravel Base	9-03.10						
Gravel Backfill for Foundations	9-03.12(1)						
Gravel Backfill for Walls	9-03.12(2)						
Gravel Backfill for Pipe Zone Bedding	9-03.12(3)						
Gravel Backfill for Drains	9-03.12(4)						
Gravel Backfill for Drywells	9-03.12(5)						
Backfill for Sand Drains	9-03.13						
Sand Drainage Blanket	9-03.13(1)						
Gravel Borrow	9-03.14(1)						
Select Borrow	9-03.14(2)						
Common Borrow	9-03.14(3)						
Foundation Material Class A and Class B	9-03.17						
Foundation Material Class C	9-03.18						
Bank Run Gravel for Trench Backfill	9-03.19						
Other Aggregate Materials (total quantity not required)	9-03						
TOTAL (recycled materials and contract total quantity)							
		Reclaimed Hot Mix Asphalt	Reclaimed Asphalt Shingles		Steel Furnace Slag	Other Recycled Materials	Total Quantity
Hot Mix Asphalt	5-04.2						

I declare that the statements made in this document, including attachments, are complete, true and accurate.  
Signed by an authorized representative of the Contractor

Contractor Representative Name	Signature	Title	Date
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**INSTRUCTIONS:**

The Contractor shall report the quantity in **tons** for each type of recycled material that was used for each of the listed materials. If the Contract did not include the listed material or recycled materials were not used for this material a "0" shall be entered in the box. The Standard Specifications in Section 9-03.21 do not allow the use of recycled materials in the boxes that are shaded. If the Contract Provisions allowed and the Contractor utilized recycled materials for any of these items the amount of recycled material shall be entered in the box. The contract total quantity for each aggregate material (e.g., Fine Aggregate for Portland Cement Concrete) is the total weight in tons and includes both recycled and natural occurring materials. The total quantity for hot mix asphalt (HMA) is the total HMA weight in tons and includes recycled asphalt pavement (RAP) and new HMA materials.

Other recycled aggregates include other material sources that are utilized on a project. These sources include on-site recycling and aggregates from returned (uncured) concrete. Roadway excavation and embankment are not allowed in the quantity for other aggregate materials or other recycled aggregates.

Attach cost estimates as required in Section 1-06.6 of the Standard Specifications when the total percentage of recycled aggregate and concrete is less than 25 percent of the required amount for the entire Contract.

