

Mandatory Bidder Responsibility Checklist

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

General Information	
Project Name: <i>POI Bulkhead Resilience</i>	Project Number:
Bidder's Business Name: <i>Bergerson Const. Inc</i>	Bid Submittal Deadline: <i>10/2/24</i>
Contractor Registration – https://secure.lni.wa.gov/verify/ <i>BERGECI1210H</i>	
License Number:	Status: Active: Yes <input type="checkbox"/> No <input type="checkbox"/>
Effective Date (must be effective on or before Bid Submittal Deadline):	Expiration Date:
Current UBI Number – https://secure.lni.wa.gov/verify/	
UBI Number: <i>601-105-561</i>	Account Closed: Open <input type="checkbox"/> Closed <input type="checkbox"/>
Industrial Insurance Coverage – https://secure.lni.wa.gov/verify/	
Account Number: <i>803-002-00</i>	Account Current: Yes <input type="checkbox"/> No <input type="checkbox"/>
Required Public Works Training – Effective July 1, 2019 https://secure.lni.wa.gov/verify/	
Per RCW 39.04.350 and RCW 39.06.020, has contractor had L & I training or meet exemption? Yes <input type="checkbox"/> No <input type="checkbox"/>	
Wage Payment Status Compliance – RCW 39.04.350 (1g)	
Sworn statement or verification form received acknowledging compliance? Yes <input type="checkbox"/> No <input type="checkbox"/>	
Employment Security Department Number – Obtain from contractor	
Employment Security Department Number: <i>252917 007</i>	
<ul style="list-style-type: none"> • Has Bidder provided account number on the Bid Form? Yes <input type="checkbox"/> No <input type="checkbox"/> • And/or have you asked the Bidder for documentation from ESD on account number? Yes <input type="checkbox"/> No <input type="checkbox"/> 	
State Excise Tax Registration Number – https://secure.dor.wa.gov/gteunauth/#2	
Tax Registration Number:	Account Closed: Open <input type="checkbox"/> Closed <input type="checkbox"/>
Not Disqualified from Bidding – WA https://secure.lni.wa.gov/debarandstrike/ContractorDebarList.aspx	
Is the Bidder listed on the "Debarred Contractors List" of the Department of Labor and Industries? (Print the pertinent page showing where the Bidder's name does or would appear on the list) Yes <input type="checkbox"/> No <input type="checkbox"/>	
Not Disqualified from Bidding – Federal (if applicable) – www.sam.gov	
Does Bidder have an "Active Exclusion Record" with the Federal Government (System for Award Management) Yes <input type="checkbox"/> No <input type="checkbox"/>	
Checked by: <i>[Signature]</i>	
Name:	Date:

\$ 3,661,844.00

**Ilwaco Bulkhead Resilience Project
Ilwaco, WA**

PROPOSAL FORM

PORT OF ILWACO
165 Howerton Way SE
ILWACO, WA 98624

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

BID SCHEDULE: Ilwaco Bulkhead Resilience Project

Item No.	Description of Item	Approx. Quantity	Units	Unit Price Dollars/Cents	Total Price Dollars/Cents
1.	Mobilization And Demobilization	1	LS	\$ 149,000.00	\$ 149,000.00
2.	Project Administration	1	LS	\$ 60,000.00	\$ 60,000.00
3.	Temporary Environmental Controls and Monitoring	1	LS	\$ 72,800.00	\$ 72,800.00
4.	Health And Safety	1	LS	\$ 18,250.00	\$ 18,250.00
5.	Field Engineering	1	LS	\$ 185,000.00	\$ 185,000.00
6.	Project Closeout	1	LS	\$ 10,300.00	\$ 10,300.00
7.	Demolition	1	LS	\$ 151,300.00	\$ 151,300.00
8.	Steel Sheet Pile Bulkhead	212	LF	\$ 4,350.00	\$ 922,200.00
9.	Concrete Pile Cap	212	LF	\$ 3,215.00	\$ 681,580.00
10.	Permanent Ground Anchors	18	EA	\$ 48,300.00	\$ 869,400.00
11.	Furnish, Place and Compact Imported Bulkhead Gravel Backfill	733	TON	\$ 79.00	\$ 57,907.00
12.	Furnish, Place and Compact Imported Fill	410	TON	\$ 51.00	\$ 20,910.00
13.	Furnish, Place and Compact Imported Crushed Surfacing Base Course	482	TON	\$ 69.00	\$ 33,258.00
14.	Furnish, Place and Compact Asphalt Paving	223	TON	\$ 324.00	\$ 72,252.00
15.	Miscellaneous Finish Work	1	LS	\$ 25,500.00	\$ 25,500.00
16.	Import and Place Armor Stone	270	TON	\$ 118.00	\$ 31,860.00
17.	Import and Place Bedding Stone	188	TON	\$ 99.00	\$ 18,612.00
18.	Import and Place Fish Mix	35	TON	\$ 120.00	\$ 4,200.00

SUB-TOTAL:	\$ 3,384,329.00
8.2% WSST:	\$ 277,515.00
TOTAL BID AMOUNT:	\$ 3,661,844.00

2. BID GUARANTY - Accompanying this proposal is a Bid Guaranty in the amount of five percent (5%) of the total bid amount.
3. WITHDRAWAL - The above proposal will not be withdrawn within forty-five (45) days after the actual date of the opening hereof.
4. CONTRACT - If the undersigned be notified of acceptance of this Proposal within forty-five (45) days of the time set for opening of bids, they agree to execute a contract for the above stated sum and shall bond their work as required by law and that they will begin work within ten (10) days after Notice to Proceed. The undersigned also agrees to execute the contract contained in this Bid Solicitation without modification.
5. SIGNING AUTHORITY – By signing below, the undersigned hereby acknowledges that they are authorized and duly bound to execute this Bid Proposal Form on behalf of the Contractor and that their signature is binding upon the Contractor. The signing party further certifies that the Contractor represented has visited the Port of Ilwaco’s website before the bid due date and time to familiarize themselves with the bid documents and all changes made via Addendum.
6. CONTRACTOR VERIFICATION - The bidder is instructed to provide with this bid submittal the following registration and identification numbers.
CONTRACTOR REGISTRATION NO.
(insert number here) BERGEC1210H
DEPT. OF LABOR AND INDUSTRIES ACCOUNT NO.
(insert number here) 803-002-00
EMPLOYMENT SECURITY DEPARTMENT NO.
(insert number here) 252917 007
WASHINGTON UNIFIED BUSINESS IDENTIFIER (UBI) NO.
(insert number here) 601-105-561
7. CONTRACTOR - certifies by signing below that they are not disqualified from bidding on any public works contract under RCW 39.06.010 or RCW 39.12.065(3).
8. CONTRACTOR - certifies by signing below that they have not violated RCW 39.04.370 more than one time as determined by the Department of Labor and Industries.
9. NON-COLLUSION DECLARATION - CONTRACTOR (as signed below), under penalty of perjury under the laws of the State of Washington, do state and affirm that the quote submitted to the Port of Ilwaco is a genuine and not a sham or collusive quote, or made in the interest or on behalf of any person not herein named; and further says that the said Contractor has not directly or indirectly induced or solicited any Contractor on the above work or supplies to put in a sham quote or any other person or corporation to refrain from quoting; and that said Contractor has not in any manner sought by collusion to secure an advantage over any other Contractor or Contractors.
10. **ADDENDA** – Bidder acknowledges receipt of Addenda by checking the box(es):

1 2 3 4 5 6 7

BID BOND

(surety bond)

KNOW ALL BY THESE PRESENTS:

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

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

SIGNED, SEALED AND DATED THIS 2nd, DAY OF October, 2024.

Bergerson Construction, Inc.

BY: [Signature]

Principal

Travelers Casualty and Surety Company of America

BY: [Signature]

Surety Andrew Kerslake, Attorney-in-Fact

(ORIGINAL SEAL HERE)



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



**Travelers Casualty and Surety Company of America
Travelers Casualty and Surety Company
St. Paul Fire and Marine Insurance Company**

POWER OF ATTORNEY

KNOW ALL MEN BY THESE PRESENTS: That Travelers Casualty and Surety Company of America, Travelers Casualty and Surety Company, and St. Paul Fire and Marine Insurance Company are corporations duly organized under the laws of the State of Connecticut (herein collectively called the "Companies"), and that the Companies do hereby make, constitute and appoint **Andrew Kerslake** of **BELLEVUE**, their true and lawful Attorney(s)-in-Fact to sign, execute, seal and acknowledge any and all bonds, recognizances, conditional undertakings and other writings obligatory in the nature thereof on behalf of the Companies in their business of guaranteeing the fidelity of persons, guaranteeing the performance of contracts and executing or guaranteeing bonds and undertakings required or permitted in any actions or proceedings allowed by law.

IN WITNESS WHEREOF, the Companies have caused this instrument to be signed, and their corporate seals to be hereto affixed, this **21st** day of **April**, 2021.



State of Connecticut

City of Hartford ss.

By: 
Robert L. Raney, Senior Vice President

On this the **21st** day of **April**, 2021, before me personally appeared **Robert L. Raney**, who acknowledged himself to be the Senior Vice President of each of the Companies, and that he, as such, being authorized so to do, executed the foregoing instrument for the purposes therein contained by signing on behalf of said Companies by himself as a duly authorized officer.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.

My Commission expires the **30th** day of **June**, 2026




Anna P. Nowik, Notary Public

This Power of Attorney is granted under and by the authority of the following resolutions adopted by the Boards of Directors of each of the Companies, which resolutions are now in full force and effect, reading as follows:

RESOLVED, that the Chairman, the President, any Vice Chairman, any Executive Vice President, any Senior Vice President, any Vice President, any Second Vice President, the Treasurer, any Assistant Treasurer, the Corporate Secretary or any Assistant Secretary may appoint Attorneys-in-Fact and Agents to act for and on behalf of the Company and may give such appointee such authority as his or her certificate of authority may prescribe to sign with the Company's name and seal with the Company's seal bonds, recognizances, contracts of indemnity, and other writings obligatory in the nature of a bond, recognizance, or conditional undertaking, and any of said officers or the Board of Directors at any time may remove any such appointee and revoke the power given him or her; and it is

FURTHER RESOLVED, that the Chairman, the President, any Vice Chairman, any Executive Vice President, any Senior Vice President or any Vice President may delegate all or any part of the foregoing authority to one or more officers or employees of this Company, provided that each such delegation is in writing and a copy thereof is filed in the office of the Secretary; and it is

FURTHER RESOLVED, that any bond, recognizance, contract of indemnity, or writing obligatory in the nature of a bond, recognizance, or conditional undertaking shall be valid and binding upon the Company when (a) signed by the President, any Vice Chairman, any Executive Vice President, any Senior Vice President or any Vice President, any Second Vice President, the Treasurer, any Assistant Treasurer, the Corporate Secretary or any Assistant Secretary and duly attested and sealed with the Company's seal by a Secretary or Assistant Secretary; or (b) duly executed (under seal, if required) by one or more Attorneys-in-Fact and Agents pursuant to the power prescribed in his or her certificate or their certificates of authority or by one or more Company officers pursuant to a written delegation of authority; and it is

FURTHER RESOLVED, that the signature of each of the following officers: President, any Executive Vice President, any Senior Vice President, any Vice President, any Assistant Vice President, any Secretary, any Assistant Secretary, and the seal of the Company may be affixed by facsimile to any Power of Attorney or to any certificate relating thereto appointing Resident Vice Presidents, Resident Assistant Secretaries or Attorneys-in-Fact for purposes only of executing and attesting bonds and undertakings and other writings obligatory in the nature thereof, and any such Power of Attorney or certificate bearing such facsimile signature or facsimile seal shall be valid and binding upon the Company and any such power so executed and certified by such facsimile signature and facsimile seal shall be valid and binding on the Company in the future with respect to any bond or understanding to which it is attached.

I, **Kevin E. Hughes**, the undersigned, Assistant Secretary of each of the Companies, do hereby certify that the above and foregoing is a true and correct copy of the Power of Attorney executed by said Companies, which remains in full force and effect.

Dated this **2nd** day of **October**, 2024 .




Kevin E. Hughes, Assistant Secretary

**To verify the authenticity of this Power of Attorney, please call us at 1-800-421-3880.
Please refer to the above-named Attorney(s)-in-Fact and the details of the bond to which this Power of Attorney is attached.**

EXHIBIT E

“STATEMENT OF SUBCONTRACTORS”

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

Additionally, each Bidder must designate in its bid, or within forty-eight (48) hours after the published bid submittal time, the names of the Subcontractors with whom the Bidder, if awarded the Contract, will subcontract for performance of the work for (1) structural steel installation and (ii) rebar installation, or name itself for such work. The bidder shall not list more than one (1) subcontractor for each category of work identified, unless subcontractors vary with bid alternates, in which case the Bidder must indicate which Subcontractor will be used for which alternate. Failure to name such Subcontractors (or to name itself to perform such work) or the naming of two or more Subcontractors to perform the same work shall render the Bidder's bid non-responsive and cause it to be rejected.

HVAC	Name and Address of Subcontractor
<i>NONE</i>	_____ _____ _____

Plumbing	Name and Address of Subcontractor
<i>NONE</i>	_____ _____ _____

Electrical	Name and Address of Subcontractor
<i>NONE</i>	_____ _____ _____

Structural Steel Installation	Name and Address of Subcontractor
<i>NONE</i>	_____ _____ _____

Rebar Installation	Name and Address of Subcontractor
	<i>R2M2</i> <i>2255 NE 194th Ave.</i> <i>Portland, OR 97230</i>

Bergerson Construction, Inc.
Bidder *[Signature]*
By *[Signature]*
President
Title

October 2, 2024
Date

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

EXHIBIT H

DISCLOSURE OF LOBBYING ACTIVITIES

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

Certification for Contracts, Grants, Loans, and Agreements

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


No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any grant agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or grant agreement.

If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or grant agreement, the undersigned shall complete and submit Standard Form-LLL (Rev. 7-97), "Disclosure of Lobbying Activities," in accordance with its instructions.

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

This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by 31 U.S.C. § 1352. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

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

Signature:  Date: October 2, 2024
Name: Gregory A. Morrill Position: President
Company: Bergerson Construction, Inc.

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

DISCLOSURE OF LOBBYING ACTIVITIES

Complete this form to disclose lobbying activities pursuant to 31 U.S.C.1352

Approved by OMB
0348-0046

NO LOBBYING ACTIVITIES PERFORMED

1. * Type of Federal Action: <input type="checkbox"/> a. contract <input checked="" type="checkbox"/> b. grant <input type="checkbox"/> c. cooperative agreement <input type="checkbox"/> d. loan <input type="checkbox"/> e. loan guarantee <input type="checkbox"/> f. loan insurance	2. * Status of Federal Action: <input type="checkbox"/> a. bid/offer/application <input checked="" type="checkbox"/> b. initial award <input type="checkbox"/> c. post-award	3. * Report Type: <input checked="" type="checkbox"/> a. initial filing <input type="checkbox"/> b. material change
4. Name and Address of Reporting Entity: <input checked="" type="checkbox"/> Prime <input type="checkbox"/> SubAwardee * Name [REDACTED] * Street 1 [REDACTED] Street 2 [REDACTED] * City [REDACTED] State [REDACTED] Zip [REDACTED] Congressional District, if known: [REDACTED]		
5. If Reporting Entity in No.4 is Subawardee, Enter Name and Address of Prime: [REDACTED]		
6. * Federal Department/Agency: [REDACTED]	7. * Federal Program Name/Description: [REDACTED] CFDA Number, if applicable: [REDACTED]	
8. Federal Action Number, if known: [REDACTED]	9. Award Amount, if known: \$ [REDACTED]	
10. a. Name and Address of Lobbying Registrant: Prefix [REDACTED] * First Name [REDACTED] Middle Name [REDACTED] * Last Name [REDACTED] Suffix [REDACTED] * Street 1 [REDACTED] Street 2 [REDACTED] * City [REDACTED] State [REDACTED] Zip [REDACTED]		
b. Individual Performing Services (including address if different from No. 10a) Prefix [REDACTED] * First Name [REDACTED] Middle Name [REDACTED] * Last Name [REDACTED] Suffix [REDACTED] * Street 1 [REDACTED] Street 2 [REDACTED] * City [REDACTED] State [REDACTED] Zip [REDACTED]		
11. Information requested through this form is authorized by title 31 U.S.C. section 1352. This disclosure of lobbying activities is a material representation of fact upon which reliance was placed by the tier above when the transaction was made or entered into. This disclosure is required pursuant to 31 U.S.C. 1352. This information will be reported to the Congress semi-annually and will be available for public inspection. Any person who fails to file the required disclosure shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.		
* Signature: [REDACTED]		
* Name: Prefix [REDACTED] * First Name [REDACTED] Middle Name [REDACTED] * Last Name [REDACTED] Suffix [REDACTED]		
Title: [REDACTED]	Telephone No.: [REDACTED]	Date: [REDACTED]
Federal Use Only:		Authorized for Local Reproduction Standard Form - LLL (Rev. 7-97)

EXHIBIT I

**CERTIFICATION OF OFFERER/BIDDER REGARDING TAX DELINQUENCY AND FELONY
CONVICTIONS**

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

Certifications

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

Note

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

Term Definitions

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

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

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


Signature:  Date: October 2, 2024
Name: Gregory A. Morrill Position: President
Company: Bergerson Construction, Inc.

EXHIBIT G

DEBARMENT CERTIFICATION

Prime Contractor – First Tier Participant

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

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

a. The prospective first tier participant certifies to the best of its knowledge and belief, that it and its principals:

(1) Are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participating in covered transactions by any Federal department or agency;

(2) Have not within a three-year period preceding this proposal been convicted of or had a civil judgment, including a civil settlement, rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State or local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;

(3) Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, State or local) with commission of any of the offenses enumerated in paragraph (a)(2) of this certification; and

(4) Have not within a three-year period preceding this application/proposal had one or more public transactions (Federal, State or local) terminated for cause or default.

b. Where the prospective participant is unable to certify to any of the statements in this certification, such prospective participant shall attach an explanation to this proposal.

Certification

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

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

Signature:  Date: October 2, 2024

Name: Gregory A. Morrill Position: President

Company: Bergerson Construction, Inc.

1. **Instructions for Certification – FIRST Tier Participant (Prime Contractor).**

2 CFR Parts 180 and 1200

(Reference Vol. 2 Appendices, Appendix B2, Exhibit B4, pdf page 1211)

a. The prospective first tier participant is providing the certification set out below.

b. The inability of a person to provide the certification set out below will not necessarily result in denial of participation in this covered transaction. The prospective first tier participant shall submit an explanation of why it cannot provide the certification set out below. The certification or explanation will be considered in connection with the department or agency's determination whether to enter into this transaction. However, failure of the prospective first tier participant to furnish a certification or an explanation shall disqualify such a person from participation in this transaction.

c. The certification in this clause is a material representation of fact upon which reliance was placed when the contracting agency determined to enter into this transaction. If it is later determined that the prospective participant knowingly rendered an erroneous certification, in addition to other remedies available to the Federal Government, the contracting agency may terminate this transaction for cause of default.

d. The prospective first tier participant shall provide immediate written notice to the contracting agency to whom this proposal is submitted if any time the prospective first tier participant learns that its certification was erroneous when submitted or has become erroneous by reason of changed circumstances.

e. The terms "covered transaction," "civil judgment," "debarred," "suspended," "ineligible," "participant," "person," "principal," and "voluntarily excluded," as used in this clause, are defined in 2 C.F.R. Parts 180 and 1200. "First Tier Covered Transactions" refers to any covered transaction between a Recipient or subrecipient of Federal funds and a participant (such as the prime or general contract). "Lower Tier Covered Transactions" refers to any covered transaction under a First Tier Covered Transaction (such as subcontracts). "First Tier Participant" refers to the participant who has entered into a covered transaction with a Recipient or subrecipient of Federal funds (such as the prime or general contractor). "Lower Tier Participant" refers to any participant who has entered into a covered transaction with a First Tier Participant or other Lower Tier Participants (such as subcontractors and suppliers).

f. The prospective first tier participant agrees by submitting this proposal that, should the proposed covered transaction be entered into, it shall not knowingly enter into any lower tier covered transaction with a person who is debarred, suspended, declared ineligible, or voluntarily excluded from participation in this covered transaction, unless authorized by the department or agency entering into this transaction.

g. The prospective first tier participant further agrees by submitting this proposal that it will include the clause titled "Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion-Lower Tier Covered Transactions," provided by the department or contracting agency, entering into this covered transaction, without modification, in all lower tier covered transactions and in all solicitations for lower tier covered transactions exceeding the \$25,000 threshold.

h. A participant in a covered transaction may rely upon a certification of a prospective participant in a lower tier covered transaction that is not debarred, suspended, ineligible, or voluntarily excluded from the covered transaction, unless it knows that the certification is erroneous. A participant is responsible for ensuring that its principals are not suspended, debarred, or otherwise ineligible to participate in covered transactions. To verify the eligibility of its principals, as well as the eligibility of any lower tier prospective participants, each participant may, but is not required to, check the System for Award Management website (<https://www.sam.gov/>), which is compiled by the General Services Administration.

i. Nothing contained in the foregoing shall be construed to require the establishment of a system of records in order to render in good faith the certification required by this clause. The knowledge and information of the prospective participant is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.

j. Except for transactions authorized under paragraph (f) of these instructions, if a participant in a covered transaction knowingly enters into a lower tier covered transaction with a person who is suspended, debarred, ineligible, or voluntarily excluded from participation in this transaction, in addition to other remedies available to the Federal Government, the department or agency may terminate this transaction for cause or default.

DEBARMENT CERTIFICATION

Subcontractor – Lower Tier Participant

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

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


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

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

Certification

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

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

Signature:  Date: 10/2/24
Name: FRED LINGLE Position: ESTIMATOR/PM
Company: R2M2 REBAR & STRESSING, INC.

2. **Instructions for Certification – LOWER Tier Participant (Subcontractor).**

2 CFR Parts 180 and 1200

(Reference Vol. 2 Appendices, Appendix B2, Exhibit B4, pdf page 1211)

- a. The prospective lower tier participant is providing the certification set out below.
- b. The certification in this clause is a material representation of fact upon which reliance was placed when this transaction was entered into. If it is later determined that the prospective lower tier participant knowingly rendered an erroneous certification, in addition to other remedies available to the Federal Government, the department, or agency with which this transaction originated may pursue available remedies, including suspension and/or debarment.
- c. The prospective lower tier participant shall provide immediate written notice to the person to which this proposal is submitted if at any time the prospective lower tier participant learns that its certification was erroneous by reason of changed circumstances.
- d. The terms “covered transaction,” “civil settlement,” “debarred,” “suspended,” “ineligible,” “participant,” “person,” “principal,” and “voluntarily excluded,” as used in this clause, are defined in 2 C.F.R. Parts 180 and 1200. You may contact the person to which this proposal is submitted for assistance in obtaining a copy of those regulations. “First Tier Covered Transactions” refers to any covered transaction between a Recipient or subrecipient of Federal funds and a participant (such as the prime or general contract). “Lower Tier Covered Transactions” refers to any covered transaction under a First Tier Covered Transaction (such as subcontracts). “First Tier Participant” refers to the participant who has entered into a covered transaction with a Recipient or subrecipient of Federal funds (such as the prime or general contractor). “Lower Tier Participant” refers any participant who has entered into a covered transaction with a First Tier Participant or other Lower Tier Participants (such as subcontractors and suppliers).
- e. The prospective lower tier participant agrees by submitting this proposal that, should the proposed covered transaction be entered into, it shall not knowingly enter into any lower tier covered transaction with a person who is debarred, suspended, declared ineligible, or voluntarily excluded from participation in this covered transaction, unless authorized by the department or agency with which this transaction originated.
- f. The prospective lower tier participant further agrees by submitting this proposal that it will include this clause titled “Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion-Lower Tier Covered Transaction,” without modification, in all lower tier covered transactions and in all solicitations for lower tier covered transactions exceeding the \$25,000 threshold.
- g. A participant in a covered transaction may rely upon a certification of a prospective participant in a lower tier covered transaction that is not debarred, suspended, ineligible, or voluntarily excluded from the covered transaction, unless it knows that the certification is erroneous. A participant is responsible for ensuring that its principals are not suspended, debarred, or otherwise ineligible to participate in covered transactions. To verify the eligibility of its principals, as well as the eligibility of any lower tier prospective participants, each participant may, but is not required to, check the System

for Award Management website (<https://www.sam.gov/>), which is compiled by the General Services Administration.

h. Nothing contained in the foregoing shall be construed to require establishment of a system of records in order to render in good faith the certification required by this clause. The knowledge and information of participant is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.

i. Except for transactions authorized under paragraph e of these instructions, if a participant in a covered transaction knowingly enters into a lower tier covered transaction with a person who is suspended, debarred, ineligible, or voluntarily excluded from participation in this transaction, in addition to other remedies available to the Federal Government, the department or agency with which this transaction originated may pursue available remedies, including suspension and/or debarment.

Contract No.: C15515 EA No.: CON04610 Lab No.: 24-001511
 Project: OR202: DRESDEN ST. TO 4TH ST. (ASTORIA)
 Highway: NEHALEM County: CLATSOP Data Sheet No.: F41446 002
 Contractor: BIG RIVER EXCAVATING FA No.: 0315(018)
 Project Manager: JAYSON BUCHHOLZ Org Unit: 2834 Bid Item No.: 0510
 Submitted By: JESSE HALVORSON Org Unit: CT Sample No.: 1
 Material Source: 04-018-2 YOUNGS FALLS QUARRY Qty Represented: 12 MONTHS
 Sampled At: QUARRY STOCKPILE Sampled By: Witnessed By:
 DATE-Sampled: 24/ 7/ 2 Received: 24/ 7/ 3 Tested: 24/ 7/17 Date Reported: 24/ 7/17
 Class/Type: COMPLIANCE Use: RIPRAP AGGR

Q or G: QUARRY AGGREGATE LABORATORY REPORT - RRPAG Size: CLASS 50 RIPRAP

Test	Field	Lab	T 84 F. Grav.	T 85 C. Grav.
T 176 S.E.			Bulk:	Bulk: 2.986
T 89 L.L.			S.S.D.:	S.S.D.: 2.991
T 90 P.I.			Appar.:	Appar.: 3.000
T 335 Ttl Frac.			Absorp.:	Absorp.: 0.15 %
TM 226 Dust/Clay			T 104 Soundness	TM 208 Degrade
TM 227 Cleanness			RipRap Avg.: 0.5 %	
TM 229 Elong pcs			2.5-1.5: 0.4 %	
308 Incin/Ga A/C			1.5-3/4: 0.6 %	
Total A/C				Crse Ht: 0.4 in
Retention				P20: 15.8 %
T 329 Moisture				Fine Ht:
T 27/11				P20:
Sieve	Passing	Passing	T 96 Abrasion	T 21 Impurity
2.5				Plate #:
2			T 335 Fracture	T 112 Friables
1.5			3/4:	Wt'd Avg :
1			1/2:	1.5-3/4:
3/4			3/8:	3/4-3/8:
1/2			1/4:	3/8- #4:
3/8			#10:	#4-#16:
1/4			T 113 Lightweight	TM 225 Woodwaste
# 4			Coarse:	Lab:
# 8			Fine:	Field:
# 10			AASHTO T 288/289	AASHTO T 267
# 16			Resist: Ω	Organic:
# 30			pH:	
# 40			AASHTO T 291	AASHTO T 290
# 50			Chloride:	Sulfate:
#100				
#200				

T 327 Micro Deval ==> Grading: Loss: %

1 @ T-85 = \$104.00
 2 @ T-104 = 69.00
 1 @ TM208 = 173.00
 4 @ TM233 = 68.00

NSM = Not Sufficient Material

TOTAL CHARGES: \$ 0.00

REMARKS:
 Material represented by sample DOES comply with specifications.

KEVIN BROPHY - LABORATORY SERVICES MANAGER

REPORT SHALL NOT BE REPRODUCED, EXCEPT IN FULL, WITHOUT WRITTEN APPROVAL OF THIS LABORATORY.

C: FILES ; PROJ MGR: JAYSON BUCHHOLZ ; BIG RIVER EXCAVATING ; REG 2 Q.A.C. ; J CIESLAK - AGGREGATE
 DOC EXPRESS

PROPOSED ROCK SOURCE