

SOLICITATION, OFFER, AND AWARD <i>(Construction, Alteration, or Repair)</i>	1. SOLICITATION NUMBER W912DW-04-R-0008	2. TYPE OF SOLICITATION <input type="checkbox"/> SEALED BID (IFB) <input checked="" type="checkbox"/> NEGOTIATED (RFP)	3. DATE ISSUED 20 August 2003	PAGE OF PAGES 1
	IMPORTANT - The "offer" section on the reverse must be fully completed by the offeror.			

4. CONTRACT NUMBER W912DW-04-C-0008	5. REQUISITION/PURCHASE REQUEST NUMBER W68MD9-3301-4756	6. PROJECT NUMBER
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7. ISSUED BY Seattle District, Corps of Engineers ATTN: CENWS-CT-CB-MU PO Box 3755 Seattle, WA 98124-3755	CODE W912DW	8. ADDRESS OFFER TO Seattle District, Corps of Engineers PO Box 3755 ATTN: CENWS-CT-CB-MU Seattle, WA 98124-3755 HAND CARRY: Seattle District Corps of Engineers Contracting Division 4735 East Marginal Way South Seattle, WA 98134-2329
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9. FOR INFORMATION CALL	A. NAME See Information Page inside Front Cover	B. TELEPHONE NUMBER (Include area code) (NO COLLECT CALLS) See Information Page inside Front Cover
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SOLICITATION

NOTE: In sealed bid solicitations "offer" and "offeror" mean "bid" and "bidder".

10. THE GOVERNMENT REQUIRES PERFORMANCE OF THE WORK DESCRIBED IN THESE DOCUMENTS (Title, identifying number, date):
Furnish all labor, materials and equipment and perform all work for Replace Family Housing, Phase IV, Malmstrom AFB, MT in accordance with the attached Contract Clauses, Special Clauses, Technical Specifications and Drawings.

1. Solicitation W912DW-04-R-0008 dated 20 August 2003 with 6 amendments.
2. Wage Determinations: MT20030001 with 4 modifications
MT20030002 with 1 modification
MT20030026 with 0 modifications
3. Drawings are listed in Section 00800.

11. The Contractor shall begin performance within 10 calendar days and complete it within _____ calendar days after receiving award, notice to proceed. This performance period is mandatory, negotiable. (See * Paragraph SC-1, 00800 .)

12A. THE CONTRACTOR MUST FURNISH ANY REQUIRED PERFORMANCE PAYMENT BONDS? <i>(If "YES," indicate within how many calendar days after award in Item 12B.)</i> <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	12B. CALENDAR DAYS 10
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13. ADDITIONAL SOLICITATION REQUIREMENTS:
- A. Sealed offers in original and _____ copies to perform the work required are due at the place specified in Item 8 by 2:00 p.m. (hour) local time 15 March 2004 (date). If this is a sealed bid solicitation, offers will be publicly opened at that time. Sealed envelope containing offers shall be marked to show the offeror's name and address, the solicitation number, and the date and time offers are due.
 - B. An offer guarantee is, is not required.
 - C. All offers are subject to the (1) work requirements, and (2) other provisions and clauses incorporated in the solicitation in full text or by reference.
 - D. Offers providing less than 90 calendar days for Government acceptance after the date offers are due will not be considered and will be rejected.

14. NAME AND ADDRESS OF OFFEROR (Include ZIP Code)
 Atherton Construction, Inc.
 3855 S. Jones Blvd., #101
 Las Vegas, NV 89103-2296
 Tax ID No: 87-0440084 DUNS No: 18-802-1604
 eMail: atherton@lvcm.com
 CODE FACILITY CODE Cage Code IBGH3

15. TELEPHONE NUMBER (Include area code)
 (702) 889-3600 Fax No.:
 16. REMITTANCE ADDRESS (Include only if different than Item 14)

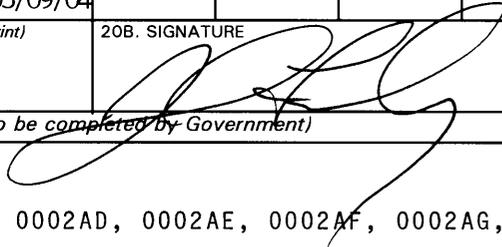
17. The offeror agrees to perform the work required at the prices specified below in strict accordance with the terms of this solicitation, if this offer is accepted by the Government in writing within 90 calendar days after the date offers are due. (Insert any number equal or greater than the minimum requirement stated in 13D. Failure to insert any number means the offeror accepts the minimum in Item 13D.)

AMOUNTS  See Page 00010-

18. The offeror agrees to furnish any required performance and payment bonds.

19. ACKNOWLEDGEMENT OF AMENDMENTS
 (The offeror acknowledges receipt of amendments to the solicitation - give number and date of each)

AMENDMENT NO.	0001	0002	0003	0004					
DATE	02/17/04	02/27/04	03/05/04	03/09/04					

20A. NAME AND TITLE OF PERSON AUTHORIZED TO SIGN OFFER (Type or print)
 John Furlong, Vice President
 20B. SIGNATURE 
 20C. OFFER DATE
 03/15/04

AWARD (To be completed by Government)

1. ITEMS ACCEPTED

0001, 0002, 0002AA, 0002AB, 0002AC, 0002AD, 0002AE, 0002AF, 0002AG, 0003, 0004, 0005, 0006

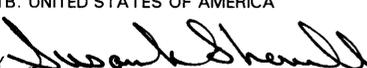
22. AMOUNT
 \$16, 350, 380.00
 23. ACCOUNTING AND APPROPRIATION DATA
 2142050000088082 3230KHBC9670000000000 E314 35026
 000000000000

24. SUBMIT INVOICES TO ADDRESS SHOWN IN  ITEM 26
 (4 copies unless otherwise specified)
 25. OTHER THAN FULL AND OPEN COMPETITION PURSUANT TO
 10 U.S.C. 2304(c) () 41 U.S.C. 253(c) ()

26. ADMINISTERED BY CODE
 See Invoice Page
 00010-2a
 27. PAYMENT WILL BE MADE BY
 US Army Corps of Engineers Finance Center
 CEFC-AO-P
 5722 Integrity Drive
 Millington, TN 38054-500

CONTRACTING OFFICER WILL COMPLETE ITEM 28 OR 29 AS APPLICABLE

28. NEGOTIATED AGREEMENT (Contractor is required to sign this document and return _____ copies to the issuing office.) Contractor agrees to furnish and deliver all items or perform all work requirements identified on this form and any continuation sheets for the consideration stated in this contract. The rights and obligations of the parties to this contract shall be governed by (a) this contract award, (b) the solicitation, and (c) the clauses, representations, certifications, and specifications incorporated by reference in or attached to this contract.
 29. AWARD. (Contractor is not required to sign this document.) Your offer on this solicitation is hereby accepted as to the items listed. This award consummates the contract, which consists of (a) the Government solicitation and your offer, and (b) this contract award. No further contractual document is necessary.

30A. NAME AND TITLE OF CONTRACTOR OR PERSON AUTHORIZED TO SIGN (Type or print)
 31A. NAME OF CONTRACTING OFFICER (Type or print)
 SUSAN K. SHERRELL
 CONTRACTING OFFICER
 30B. SIGNATURE
 30C. DATE
 31B. UNITED STATES OF AMERICA
 BY 
 31C. AWARD DATE
 03/31/04

Atherton Construction, Inc

Contract No. W912DW-04-C-0008

3855 S. Jones Blvd., Suite 101, Las Vegas, NV 89103

Phone: 702-889-3600 Fax: 702-222-1976

Email: atherton@lvcm.com

March 18, 2004

Mr. Thomas DeGonia
U.S. Army Corps of Engineers
Seattle District
Contracting Division
ATTN: CENWS-CT-CB-MU
4735 East Marginal Way South
Seattle, WA 98134-2329

206-766-6449

Re: Replace Family Housing, Phase IV
Malmstrom AFB, Montana
W912DW-04-R-0008

Dear Mr. DeGonia:

We acknowledge Amendments 0005 (March 15, 2004) and 0006 (March 16, 2004) and enclose the signed first pages (SF 30) of each of the Amendments.

Thank you.

Respectfully yours,



John Furlong
Vice President

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Send the following office 1 Original Invoice and 1 copy

Administering Office: Fairchild Resident Office
PO Box 1929
Airway Heights, WA 99001-1929

And

Send the following office 1 copy of the Invoice

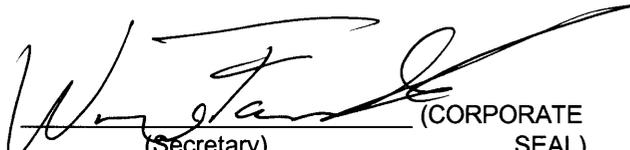
Malmstrom Project Office
PO Box 6570
Great Falls, MT 59406-6570

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IF THE CONTRACTOR IS A CORPORATION OR PARTNERSHIP, THE APPLICABLE PORTION OF THE FORM LISTED BELOW MUST BE COMPLETED. IN THE ALTERNATIVE, OTHER EVIDENCE MUST BE SUBMITTED TO SUBSTANTIATE THE AUTHORITY OF THE PERSON SIGNING THE CONTRACT. IF A CORPORATION, **THE SAME OFFICER SHALL NOT EXECUTE BOTH THE CONTRACT AND THE CERTIFICATE.**

CORPORATE CERTIFICATE

I, Wayne Farnsworth, certify that I am the Secretary Secretary of the Corporation named as Contractor herein; that John Furlong, who signed this contract on behalf of the Contractor was then Vice President of said corporation; that said contract was duly signed for and on behalf of said corporation by authority of its governing body and is within the scope of its corporate powers.


(Secretary) (CORPORATE SEAL)

AUTHORITY TO BIND PARTNERSHIP

This is to certify that the names, signatures and Social Security Numbers of all partners are listed below and that the person signing the contract has authority actually to bind the partnership pursuant to its partnership agreements. Each of the partners individually has full authority to enter into and execute contractual instruments on behalf of said partnership with the United States of America, except as follows: (state "none" or describe limitations, if any) _____

This authority shall remain in full force and effect until such time as the revocation of authority by any cause whatsoever has been furnished in writing to, and acknowledged by, the Contracting Officer.

(Names, Signatures and Social Security Numbers of all Partners)

NAME	SIGNATURE	SOCIAL SECURITY NO.
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

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BID SCHEDULE**REPLACE FAMILY HOUSING, PHASE IV**

<u>Item No.</u>	<u>Description of Item</u>	<u>Quantity</u>	<u>Unit</u>	<u>Unit Price</u>	<u>Amount</u>
	<u>BASE ITEMS</u>				
0001	Demolish Buildings and Concrete Structures Including Basements, Slabs, Footings and Porches on Cedar, Birch and Aspen Streets as Indicated.	1	JOB	L.S.	<u>\$830,183</u>
0002	All Work for Construction of Buildings on Cedar, Birch and Aspen Streets within a line 5 feet outside of the Building Exterior Walls:				
0002AA	Construct Buildings, Unit Type 2J, 16 Buildings (Bldgs. 418/420, 422/424, 500/502, 501/503, 504/506, 505/507, 508/510, 509/511, 600/602, 601/603, 604/606, 605/607, 608/610, 609/611, 612/614, 701/703 on Cedar St.)	1	JOB	L.S.	<u>\$5,322,660</u>
0002AB	Construct Buildings, Unit Type 2C, 2 Buildings (Bldgs. 700/702, 704/706 on Cedar St.)	1	JOB	L.S.	<u>\$686,231</u>
0002AC	Construct Buildings, Unit Type 4C, 23 Buildings (Bldgs. 705/707, 708/710 on Cedar St.) (Bldg. 800/802 on Birch St.)	1	JOB	L.S.	<u>\$753,909</u>
0002AD	Construct Buildings, Unit Type 3C, 124 Buildings (Bldgs. 709/711, 712/714, 713/715, 800/802, 801/803, 804/806, 805/807, 808/810, 809/811, 812/814, on Cedar St.) (Bldgs. 700/702 and 708/710 on Birch St.)	1	JOB	L.S.	<u>\$4,274,688</u>
0002AE	Construct Buildings, Unit Type 4SO, 6 Buildings (Bldgs. 700, 701, 702, 703, 704, 705 on Aspen St.)	1	JOB	L.S.	<u>\$1,536,738</u>
0002AF	Construct Building, Unit Type 4SO-MAX, 1 Bldg. (Bldg. 706 on Aspen St.)	1	JOB	L.S.	<u>\$276,267</u>
0002AG	Construct Building, Unit Type 4SO-CV, 1 Bldg. (Bldg. 708 on Aspen St.)	1	JOB	L.S.	<u>\$273,928</u>
0003	Provide Sitework and Utilities for Base Items 0002AA through 0002AG, except for Item 0022	1	JOB	L.S.	<u>\$2,364,776</u>
0004	All Work for As-Built Drawings as Specified in Section 01702 from Preparation to Final Approval for Base Items and any Optional Items Exercised	1	JOB	L.S.	\$15,000
0005	All Work for O&M Manuals as Specified in Section 01701 from Preparation to Final Approval for Base Items and any Optional Items Exercised	1	JOB	L.S.	\$10,000

<u>Item No.</u>	<u>Description of Item</u>	<u>Quantity</u>	<u>Unit</u>	<u>Unit Price</u>	<u>Amount</u>
0006	All Work for Form 1354 Checklist and Equipment in Place List as Specified in Sections 01704 and 01705 from Preparation to Final Approval for Base Items and any Optional Items Exercised	1	JOB	L.S.	\$ 6,000
TOTAL BASE ITEMS					<u>\$16,350,380</u>
<u>OPTIONAL ITEMS</u>					
0007	Demolish Concrete Structures Including Basements, Slabs, Footings, Porches, Sidewalks and Driveways up to the curb and gutter on Dogwood Street as Indicated (curbs and gutters demolished in Item 0016)	1	JOB	L.S.	<u>\$64,499</u>
0008	Construct Buildings, Unit Type 4J, 2 Buildings (Bldgs. 405/407, 509/511) on Dogwood St. within a line 5 feet outside of the building exterior walls and Sitework (If this item is exercised, Optional Item 0012 WILL NOT be exercised)	1	JOB	L.S.	<u>\$258,361</u>
0009	Construct Buildings, Unit Type 3C-HC, 2 Buildings (Bldgs. 401/403, 513/515) on Dogwood St. within a line 5 feet outside of the building exterior walls and Sitework (If this item is exercised, Optional Item 0013 WILL NOT be exercised)	1	JOB	L.S.	<u>\$749,719</u>
0010	Construct Buildings, Unit Type 3J, 4 Buildings (Bldgs. 408/410, 500/502, 504/506, 508/510) on Dogwood St. within a line 5 feet outside of the building exterior walls and Sitework (If this item is exercised, Optional Item 0014 WILL NOT be exercised)	1	JOB	L.S.	<u>\$1,448,381</u>
0011	Construct Buildings, Unit Type 3J, 3 Buildings (Bldgs. 404/406, 501/503, 505/507) on Dogwood St. within a line 5 feet outside of the building exterior walls and Sitework (If this item is exercised, Optional Item 0015 WILL NOT be exercised)	1	JOB	L.S.	<u>\$1,331,796</u>
0012	Backfill with material from on-base borrow site, Compact, Finish and Fine Grade, Topsoil and Seeding, as indicated (to cover excavation from demolition of buildings located at site of Item 0008 construction)	1	JOB	L.S.	<u>\$18,947</u>
0013	Backfill with material from on-base borrow site, Compact, Finish and Fine Grade, Topsoil and Seeding, as indicated (to cover excavation from demolition of buildings located at site of Item 0009 construction)	1	JOB	L.S.	<u>\$18,947</u>
0014	Backfill with material from on-base borrow site, Compact, Finish Grading and Landscaping, as indicated (to cover excavation from demolition of buildings located at site of Item 0010 construction)	1	JOB	L.S.	<u>\$37,894</u>

<u>Item No.</u>	<u>Description of Item</u>	<u>Quantity</u>	<u>Unit</u>	<u>Unit Price</u>	<u>Amount</u>
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W912DW-04-R-0008

R0003

03052/AE/II

Replace Family Housing, Phase IV, Malmstrom AFB, MT

Contract No. W912DW-04-C-0008

0015	Backfill with material from on-base borrow site, Compact, Finish and Fine Grade, Topsoil and Seeding, as indicated (to cover excavation from demolition of buildings located at site of Item 0011 construction)	1	JOB	L.S.	\$ <u>28,420</u>
0016	Provide Utilities from a line 5 feet outside of the building exterior walls and Other Sitework for Optional Items 0008 through 0011	1	JOB	L.S.	\$ <u>683,023</u>
0017	Install Grade Beam and Pier Foundation in lieu of spread footings for buildings constructed under Base Items 0002AA through 0002AD	1	JOB	L.S.	\$ <u>510,566</u>
0018	Install Grade Beam and Pier Foundation in lieu of spread footings for buildings constructed under Option Item 0008	1	JOB	L.S.	\$ <u>36,342</u>
0019	Install Grade Beam and Pier Foundation in lieu of spread footings for buildings constructed under Option Item 0009	1	JOB	L.S.	\$ <u>36,342</u>
0020	Install Grade Beam and Pier Foundation for buildings constructed under Option Item 0010 in lieu of spread footings	1	JOB	L.S.	\$ <u>72,685</u>
0021	Install Grade Beam and Pier Foundation in lieu of spread footings for buildings constructed under Option Item 0011	1	JOB	L.S.	\$ <u>54,514</u>
0022	Additional Landscaping for Base Items 0002AA through 0002AE	1	JOB	L.S.	\$ <u>344,172</u>
0023	Install Fencing and Gates for Buildings Constructed under Items 0002AA through 0002AD on Cedar and Birch Streets, on the Northeast side of 70 th St. N.	1	JOB	L.S.	\$ <u>128,447</u>
0024	Install Fencing and Gates for Buildings Constructed under Items 0002AA through 0002AD on Cedar Street, on the Southwest side of of 70 th St. N.	1	JOB	L.S.	\$ <u>192,464</u>
0025	Install Fencing for Buildings Constructed under Items 0008 through 0011 (see Note 3)	2900	LF	\$ <u>39.00</u>	\$ <u>113,105</u>
0026	Install Personnel Gates for Buildings constructed under Items 0008 through 0011 (see Note 3)	22	EA	\$ <u>249.30</u>	\$ <u>5,485</u>
0027	Install Vehicle Gates for Buildings constructed under Items 0008 through 0011 (see Note 3)	2	EA	\$ <u>554.00</u>	\$ <u>1,108</u>
0028	Mobilize Equipment for Concrete Crushing	1	JOB	L.S.	\$ <u>6,426</u>
0029	Crush Concrete from Structures Demolished in Base Item 0001	9600	TON	\$ <u>10.64</u>	\$ <u>102,113</u>

<u>Item No.</u>	<u>Description of Item</u>	<u>Quantity</u>	<u>Unit</u>	<u>Unit Price</u>	<u>Amount</u>
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W912DW-04-R-0008

R0003

0030	Crush Concrete from Structures Demolished in Optional Item 0007	2800	TON	<u>\$10.64</u>	<u>\$29,783</u>
0031	Demolish any 2 Buildings on Dogwood St.	1	JOB	L.S.	<u>\$9,979</u>
0032	Demolish any 2 Additional Buildings on Dogwood St.	1	JOB	L.S.	<u>\$9,979</u>
0033	Demolish any 2 Additional Buildings on Dogwood St.	1	JOB	L.S.	<u>\$9,979</u>
0034	Demolish any 2 Additional Buildings on Dogwood St.	1	JOB	L.S.	<u>\$9,979</u>
0035	Demolish any 1 Additional Building on Dogwood St.	1	JOB	L.S.	<u>\$4,990</u>
0036	Demolish any 1 Additional Building on Dogwood St.	1	JOB	L.S.	<u>\$4,990</u>
0037	Demolish any 1 Additional Building on Dogwood St.	1	JOB	L.S.	<u>\$4,990</u>
0038	Demolish any 1 Additional Building on Dogwood St.	1	JOB	L.S.	<u>\$4,990</u>
0039	Demolish any 1 Additional Building on Dogwood St.	1	JOB	L.S.	<u>\$4,990</u>
TOTAL OPTIONAL ITEMS					<u>\$6,838,403</u>
TOTAL BASE AND OPTIONAL ITEMS					<u>\$23,188,783</u>

NOTES:

1. The dollar amounts established in Items No. 0004, 0005 and 0006 shall not be revised by bidders.
2. Reference Section 01025 MEASUREMENT AND PAYMENT for additional descriptive information regarding Bid Schedule Items.
3. Items 0025, 0026, 0027: The total amount of fencing, personnel gates and vehicle gates awarded will be based on the number of Optional Items awarded in Items 0008 through 0011.