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SOLICITATION, OFFER, AND AWARD <i>(Construction, Alteration, or Repair)</i>	1. SOLICITATION NUMBER DACW67-02-B-0012	2. TYPE OF SOLICITATION <input checked="" type="checkbox"/> SEALED BID (IFB) <input type="checkbox"/> NEGOTIATED (RFP)	3. DATE ISSUED 30 July 2002	PAGE OF PAGES 1
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IMPORTANT - The "offer" section on the reverse must be fully completed by the offeror.

4. CONTRACT NUMBER DACW67-02-C-0016	5. REQUISITION/PURCHASE REQUEST NUMBER W68MD9-2156-9811	6. PROJECT NUMBER
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7. ISSUED BY Seattle District, Corps of Engineers ATTN: CENWS-CT-CB-CU PO Box 3755 Seattle, WA 98124-3755	CODE W68MD9	8. ADDRESS OFFER TO Seattle District, Corps of Engineers PO Box 3755 ATTN: CENWS-CT-CB-CU Seattle, WA 98124-3755 HAND CARRY: Preston Conference Room 4735 East Marginal Way South Seattle, WA 98134-2385 BID OPENING ROOM: Preston Conference Room
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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 FY02 Ediz Hook Erosion Control Project, Port Angeles, Washington in accordance with the attached Contract Clauses, Special Clauses, Technical Specifications and Drawings.

1. Solicitation No. DACW67-02-B-0012 dated 30 July 2002 with 1 amendments thereto.
2. Wage Determination No. WA020001 with 12 modifications thereto.
3. Drawing as listed in Section 00800.
4. See page 00010-3 for Alterations to the Contract.

NOTE: Award will be made pursuant to the Small Business Competitive Demonstration Program.

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? (If "YES," indicate within how many calendar days after award in Item 12B.) <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	12B. CALENDAR DAYS 5
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13. ADDITIONAL SOLICITATION REQUIREMENTS:
- A. Sealed offers in original and 0 copies to perform the work required are due at the place specified in Item 8 by 2:00 p.m. (hour) local time 29 August 2002 (date). If this is a sealed bid solicitation, offers will be publicly opened at that time. Sealed envelopes 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.

OFFER (Must be fully completed by offeror)

14. NAME AND ADDRESS OF OFFEROR (Include ZIP Code)
Delhur Industries, Inc.
4333 Tumwater Access Road
Port Angeles, WA 98363
 Tax ID No: 91-1158163 DUNS No: 05-016-8723
 eMail: delhur@tenforward.com

15. TELEPHONE NUMBER (Include area code) **360-457-1133** FAX: **360-457-8773**
 16. REMITTANCE ADDRESS (Include only if different than Item 14)
Delhur Industries, Inc.
P.O. Box 1116
Port Angeles, WA 98362

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 accepted by the Government in writing within _____ 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 00010-5

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.	DATE								
<u>0001</u>	<u>8/16/02</u>								

20A. NAME AND TITLE OF PERSON AUTHORIZED TO SIGN OFFER (Type or print) Tim Holth, President
 20B. SIGNATURE Tim Holth
 20C. OFFER DATE 8/29/02

AWARD (To be completed by Government)

21. ITEMS ACCEPTED

 LINE 0001 thru 0005

22. AMOUNT \$483,500.00
 23. ACCOUNTING AND APPROPRIATION DATA
 \$120,875.00
96X31230000 G#X082433079205 964533230A00199NAA00199

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 _____
United States Army Corps of Engineers Seattle District
Northwest Area Office
PO Box 92146
Tillicum, WA 98492-0146
 27. PAYMENT WILL BE MADE BY
US Army Corps of Engineers Finance Center
CEFC-AO-P
5722 Integrity Drive
Millington, TN 38054-5005

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)
CHERYL ANDERSON
CONTRACTING OFFICER
 30B. SIGNATURE _____ 30C. DATE _____ 31B. UNITED STATES OF AMERICA
 BY Cheryl Anderson 31C. AWARD DATE 4 Sept 02

ALTERATIONS IN CONTRACT
(FAR 52.252-3) (APR 1984)

DACW67-02-C-0016

Portions of this contract are altered as follows:

1. SC-6 CONTINUING CONTRACTS (EFARS 52.232-5001) (MAR 1995), in part, is hereby revised as follows:
(b) The sum of \$120,875.00 has been reserved for this contract and is available for payments to the Contractor during the current fiscal year. It is expected that Congress will make appropriations for future fiscal years from which additional funds together with funds provided by one or more non-federal project sponsors will be reserved for this contract.
2. The following Davis Bacon Wage Rate is incorporated into the contract and made a part thereof: General Decision Number WA020001, Modification No. 12, dated 9 Aug 02.
3. Total awarded amount is \$483,500.00. Total amount obligated is \$120,875.00.

Accounting and Appropriation Data

96X31230000 082433	3230A00199079205	NA	96453	\$107,699.62
96X88620000 082433	3230A00200079205	NA	96453	\$13,175.38

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, A.L. SAMPLE, certify that I am the Secretary/Treasurer Secretary of the Corporation named as Contractor herein; that Tim Holth, who signed this contract on behalf of the Contractor was then 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.

A.L. Sample (CORPORATE SEAL)
(Secretary)

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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02026/II
 FY02 Ediz Hook Erosion Control, Port Angeles, Wa.

SCHEDULE

<u>Item No.</u>	<u>Description of Item</u>	<u>Estimated Quantity</u>	<u>Unit</u>	<u>Unit Price</u>	<u>Amount</u>
BASE ITEMS					
0001	Mobilization and Demobilization	1	JOB	L.S.	\$ <u>43,000⁰⁰</u>
0002	All Work for 30,000 Tons of Beach Nourishment in Place	1	JOB	L.S.	\$ <u>285,000⁰⁰</u>
0003	Re-Key Displaced Rock	500	EA	\$ <u>26⁰⁰</u>	\$ <u>13,000⁰⁰</u>
TOTAL BASE ITEMS					\$ <u>341,000⁰⁰</u>
OPTION ITEMS					
0004	All Work to Provide First Additional Beach Nourishment in Place:				.
0004AA	First 2,500 Tons	2,500	TONS	\$ <u>9.50</u>	\$ <u>23,750⁰⁰</u>
0004AB	Over 2,500 Tons	2,500	TONS	\$ <u>9.50</u>	\$ <u>23,750⁰⁰</u>
0005	All Work to Provide Second Additional Beach Nourishment in Place:				
0005AA	First 5,000 Tons	5,000	TONS	\$ <u>9.50</u>	\$ <u>47,500⁰⁰</u>
0005AB	Over 5,000 Tons	5,000	TONS	\$ <u>9.50</u>	\$ <u>47,500⁰⁰</u>
TOTAL OPTIONAL ITEMS					\$ <u>142,500⁰⁰</u>
TOTAL BASE AND OPTIONAL ITEMS					\$ <u>483,500⁰⁰</u>