

SOLICITATION, OFFER, AND AWARD <i>(Construction, Alteration, or Repair)</i>	1. SOLICITATION NUMBER DACW67-03-B-0014	2. TYPE OF SOLICITATION <input checked="" type="checkbox"/> SEALED BID (IFB) <input type="checkbox"/> NEGOTIATED (RFP)	3. DATE ISSUED June 19, 2003	PAGE OF PAGES 1
	IMPORTANT - The "offer" section on the reverse must be fully completed by the offeror.			

4. CONTRACT NUMBER DACW67-03-C-0018	5. REQUISITION/PURCHASE REQUEST NUMBER W68MD9-33148-4299	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 Union Slough Equipment Rental, Snohomish County, Washington in accordance with the attached Contract Clauses, Special Clauses, Technical Specifications and Drawings.

1. Solicitation DACW67-03-B-0014 dated June 19, 2003 with 2 amendments.
2. Wage Determinations: _WA030001 with 0 modifications
3. See page 00010-3 for alterations to 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? <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 1:00 p.m. (hour) local time July 20, 2003 (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.

OFFER (Must be fully completed by offeror)

14. NAME AND ADDRESS OF OFFEROR (Include ZIP Code)
 Kelly's Excavating Inc
 3280 B St NW # H
 Auburn, WA 98001
 Tax ID No: 91-1619419 DUNS No: 19 140 5232
 eMail: None at this time

CODE 0 D Z S 7 FACILITY CODE 1794

15. TELEPHONE NUMBER (Include area code) **253 288-0067** FAX: **253 288-0158**
 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 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 thru 00010-7

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							
DATE	20 June 2003	02 Jul 2003							

20A. NAME AND TITLE OF PERSON AUTHORIZED TO SIGN OFFER (Type or print)

20B. SIGNATURE

20C. OFFER DATE

Kelly Keating - President

Kelly Keating

7/22/03

AWARD (To be completed by Government)

21. ITEMS ACCEPTED

Line Items 0002, 0011, and 0012

22. AMOUNT

\$102,691.00

23. ACCOUNTING AND APPROPRIATION DATA

SEE ALTERATIONS PAGE

24. SUBMIT INVOICES TO ADDRESS SHOWN IN (4 copies unless otherwise specified)

ITEM

26

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.) You 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)
 SHARON J. GONZALEZ
 CONTRACTING OFFICER

30B. SIGNATURE

30C. DATE

31B. UNITED STATES OF AMERICA

31C. AWARD DATE

BY *Sharon Gonzalez*

8/14/03

ALTERATIONS IN CONTRACT (FAR 52.252-4)(APR 1984)

Portions of this contract are altered as follows:

1. Items accepted for Contract Award are the Base Items, Bid Schedule Section B, Schedule for Line Items 0002, 0011, and 0012.
2. The Contracting Officer's Representative (COR) is: Doug Weber
Telephone: (206)764-3406
4. The total contract amount obligated for the Line Items, as stated in Section G, paragraph G.3, "Accounting And Appropriation Data", is \$ 102,691.00. The Accounting and Appropriation data is as follows:

96X88620000 082433 2520D0LJ85161997 NA 96453
5. The current Wage Determination WA030001, Modification 0 dated 06/13/2003 is incorporated and made a part of this Contract.

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, Kelly Keating, certify that I am the President + Secretary of the Corporation named as Contractor herein; that Kelly Keating, who signed this contract on behalf of the Contractor was then President + Secretary 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.

Kelly Keating (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.
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

BID SCHEDULE

SECTION B

<u>Item No.</u>	<u>Description of Item</u>	<u>Estimated Quantity</u>	<u>Unit</u>	<u>Unit Price</u>	<u>Amount</u>
0002	200 Series Excavator or equivalent with thumb.				
0002AA	Regular Time Rate	240	HR	\$ 125.00	\$ 30,000.00
0002AB	Overtime Rate	120	HR	\$ 135.00	\$ 16,200.00
0002AC	Mobilization/Demobilization (Roundtrip)	1	LS	\$500.00	\$ 500.00
0002AD	Bonding Fee	1	LS	\$1,401.00	\$ 1,401.00

GRAND TOTAL ITEM 0002 \$48,101.00

0011	On-Site 15 <u>12</u> cuyd Solo Dumptruck				
00011AA	Regular Time Rate	200	HR	\$ 85.00	\$ 17,000.00
00011AB	Overtime Rate	100	HR	\$ 95.00	\$ 9,500.00
0011AC	Bonding Fee	1	LS	\$ 795.00	\$ 795.00

GRAND TOTAL ITEM 0011 \$ 27,295.00

0012	On-Site 15 <u>12</u> cuyd Solo Dumptruck				
0012AA	Regular Time Rate	200	HR	\$ 85.00	\$ 17,000.00
0012AB	Overtime Rate	100	HR	\$ 95.00	\$ 9,500.00
0012AC	Bonding Fee	1	LS	\$ 795.00	\$ 795.00

GRAND TOTAL ITEM 0012 \$ 27,295.00

TOTAL: \$102,691.00