**STATE OF WASHINGTON**

**DEPARTMENT OF ENTERPRISE SERVICES**

**FACILITY PROFESSIONAL SERVICES**

[**https://deswa.bonfirehub.com/**](https://deswa.bonfirehub.com/)

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| **BIDDING TERMS AND CONDITIONS** |

BID SUBMISSIONS:

Bids submitted in compliance with the contract documents.

1) BASE BID AND ALTERNATES (*Including Trench Excavation Safety Provisions)* will be submitted by the Bidder through the DES Public Procurement Portal

* **Do not include** Washington State Sales Tax

If the bid amount contains any work which requires trenching exceeding a depth of four feet, all costs for trench safety shall be **included in the Base Bid** for adequate trench safety systems in compliance with Chapter 39.04 RCW. 49.17 RCW and WAC 296-155-650. Bidder must include a lump sum dollar amount (even if the value is $0.00) to be responsive.

2) BID ALTERNATES DESCRIPTION *(if applicable)* **Not Applicable**remove ‘Not Applicable’ text if have alternates

* **A/E Must** specify whether additive or deductive
* **Do not include** Washington State Sales Tax

 (1)

 (2)

 (3)

 (4)

 (5)

The Owner reserves the right to accept or reject any or all bid prices within sixty (60) days of the bid date.

In compliance with the contract documents, the below bidding terms and conditions apply:

TIME FOR COMPLETION:

***Contract Time*** *-* The undersigned hereby agrees to Substantially Complete all the work under the Base Bid (and accepted Alternates) within ##. calendar days after the date of Notice to Proceed.

***Final Completion*** *–* All the Work shall be fully and finally completed in accordance with the contract documents within ##. calendar days after the date of Substantial Completion.

UNIT PRICES *(If applicable and specified in the Bid Documents)* **Not Applicable**remove ‘Not Applicable’ text if have unit prices

* **Do not include** Washington State Sales Tax

Unit prices shall be for any additive and deductive work within 15% of the above estimated quantities. The unit price shall include full compensation for the cost of labor, materials, equipment, overhead, profit and any additional costs associated with the unit bid.

The Owner reserves the right to accept or reject any or all unit prices within sixty (60) days of the bid date. Unit prices not accepted within 60 days of the bid date are rejected.

# SUBCONTRACTOR LISTING REQUIREMENTS

# Include this section when project is estimated to be $600,000 or more for base bid plus alternates.

If the base bid and the sum of the additive alternates is one million dollars or more, the undersigned agrees to submit Subcontractor Listing **Form A** (HVAC, Plumbing, Electrical) **at time of bid submittal (per new law, effective July 27, 2025),** & Subcontractor Listing Form B (Structural Steel Install, Rebar Install) within 48 hours of the bid submittal time, as applicable to the work, according to RCW 39.30.060 and the Instructions to Bidders.

APPRENTICE UTILIZATION REQUIREMENTS *A/E:delete this paragraph if no apprenticeship is required*

The apprentice labor hours required for this project are ##.**%** of the total labor hours. The undersigned agrees to utilize this level of apprentice participation. A monetary incentive of $1,000 will be paid to the contractor meeting the apprentice utilization requirement. A monetary penalty will be applied to the contractor failing to meet the utilization requirement and failing to demonstrate a Good Faith Effort. The penalty will be applied to every hour of short-fall of the minimum number of required apprentice hours using the applicable published wage of a Step 1 apprentice laborer. The penalty will not exceed five percent (5%) of the total Contract Sum. The cost value associated with meeting the apprentice utilization requirement is included in the Base Bid.

FEDERAL AND STATE REQUIREMENTS

The undersigned agrees to perform the requirements set out and incorporated by reference in attached “DIVISION 00 SPECIAL CONDITIONS” section in the specifications, if applicable.

LIQUIDATED DAMAGES

The undersigned agrees to pay the Owner as liquidated damages the sum of **$**0.00. for each consecutive calendar day that is in default after the Contract Time. Liquidated damages shall be deducted from the contract invoice after taxes and retainage.

**Wage Theft Prevention – Responsible Bidder Criteria
Washington State Public Works Contracts**

**Return this signed “Contractor Certification” with your signed Bid Form or within two (2) business days of request by Owner.**

*Prior to awarding a public works contract, the Washington State Department of Enterprise Services is required to determine that a bidder meets the responsibility criteria to be considered a ‘responsible bidder’ and is qualified to be awarded a public works project. See* [*RCW 39.04.350(1)(g) & (2)*](http://app.leg.wa.gov/RCW/default.aspx?cite=39.04.350)*. Pursuant to legislative enactment in 2017, the responsibility criteria include a contractor certification that the contractor has not willfully violated Washington’s wage laws. See Chap. 258, 2017 Laws (enacting SSB 5301).*

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|  Project No.: | ####-### X (#-#). |
|  Project Name:  | Project Name. |
|  Procurement Solicitation Date: | Advertisement Date. |

I hereby certify, on behalf of the firm identified below, as follows (check one):

* **No Wage Violations**. This firm has NOT been determined by a final and binding citation and notice of assessment issued by the Washington Department of Labor and Industries or through a civil judgment entered by a court of limited or general jurisdiction to have willfully violated, as defined in [RCW 49.48.082](http://app.leg.wa.gov/RCW/default.aspx?cite=49.48.082), any provision of RCW chapters [49.46](http://app.leg.wa.gov/RCW/default.aspx?cite=49.46), [49.48](http://app.leg.wa.gov/RCW/default.aspx?cite=49.48), or [49.52](http://app.leg.wa.gov/RCW/default.aspx?cite=49.52) within three (3) years prior to the date of the above-referenced procurement solicitation date.

or

* **Violations of Wage Laws**. This firm has been determined by a final and binding citation and notice of assessment issued by the Washington Department of Labor and Industries or through a civil judgment entered by a court of limited or general jurisdiction to have willfully violated, as defined in [RCW 49.48.082](http://app.leg.wa.gov/RCW/default.aspx?cite=49.48.082), a provision of RCW chapters [49.46](http://app.leg.wa.gov/RCW/default.aspx?cite=49.46), [49.48](http://app.leg.wa.gov/RCW/default.aspx?cite=49.48), or [49.52](http://app.leg.wa.gov/RCW/default.aspx?cite=49.52) within three (3) years prior to the date of the above-referenced procurement solicitation date.

# I hereby certify, under penalty of perjury under the laws of the State of Washington, that the certifications herein are true and correct and that I am authorized to make these certifications on behalf of the firm listed herein.

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| Firm Name: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Name of Contractor/Bidder – Print full legal entity name of firm |
| By: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Signature of authorized personTitle: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Title of person signing certificateDate: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ | \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_Print Name of person making certifications for firmPlace: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Print city and state where signed |

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| **Subcontractor List Form A****For HVAC, Plumbing, and Electrical** |

***\*NEW LAW\* (Effective July 27, 2025)***

***Form A is required at the Time of Bid Submission.***

***Form A will not be accepted after the bid submittal deadline***

***and will render the bid nonresponsive and, therefore, VOID.***

In compliance with the contract documents, the following subcontractor list is submitted:

SUBCONTRACTOR LISTING – RCW 39.30.060

If the base bid and the sum of the additive alternates is one million dollars or more, the Bidder shall provide names of the subcontractors with whom the Bidder will **directly** subcontract for performance of the following work. If the Bidder intends to perform the work, the Bidder must enter its name for that category of work.

**The Bidder shall not list more than one 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. Substitutions are prohibited except as outlined in RCW 39.30.060.**

**Failure of the Bidder to submit the NAMES and LICENSE NUMBERS of such subcontractors or to name itself to perform such work may render the bid nonresponsive and, therefore, VOID.**

**Bidders who name themselves to perform the work are expected to perform the work and the Department of Enterprise Services reserves has the right to reject substitution of the bidder with a subcontractor unless the bidder demonstrates a change in circumstances from the time of bid submission that is outside of the control of the bidder.**

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| **Category of Work** | **Alternate Bid #** **(if applicable)** | **Firm Name** | **License Number*****(Required Contractor Registration Number)*** |
| 1. HVAC, Base Bid
 | n/a |  |  |
| * 1. HVAC, Alternate Bid
 |  |  |  |
| 1. Plumbing, Base Bid
 | n/a |  |  |
| * 1. Plumbing, Alternate Bid
 |  |  |  |
| 1. Electrical, Base Bid
 | n/a |  |  |
| * 1. Electrical, Alternate Bid
 |  |  |  |

Bidder may attach a separate sheet for additional alternate bid subcontractors.

Submitted By: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

 Print Name and Title of Authorized Person