

July 23, 2021

City of New Meadows
ATTN: Mayor Julie Good
Sent via email

Subject: Water System Improvements Project, Engineer's Recommendation to Award

Dear Mayor Good:

On July 22, 2021, three responsive bids were received from qualified public works contractors to complete the City of New Meadows' Water System Improvements Project. Mountain Waterworks has reviewed the bids, and S&L Underground submitted the lowest responsive bid in the amount of \$599,200. The bid received is attached to this letter.

Mountain Waterworks reviewed S&L Underground's bid package for completeness and all bid requirements were met. While the bid amounts did exceed the amount originally budgeted for this phase of the project, the bidding environment was competitive, and the low bid was comparable to those received from Cascade Enterprises and Cougar Excavation for the same well-related work during the last round of bidding.

Mountain Waterworks recommends the City of New Meadows accept the bid from S&L Underground and move forward with the award process based on the following factors:

1. Competitive bidding environment (3 bidders) with comparable bid prices on the well-related work to the two bids received during the last round of bidding.
2. Low bidder S&L Underground was \$194,300 lower than the next highest bidder.
3. S&L Underground is a highly qualified heavy civil contractor that has extensive experience in constructing municipal water and wastewater projects in northern and central Idaho, on projects designed by Mountain Waterworks as well as other firms.
4. The City has drilled a 500-gpm well, and completion of this phase of the project is necessary to take advantage of the additional water supply, fire flow, and source redundancy it will provide.
5. Additional supply is necessary to accommodate future community growth that can be used to offset the impact to water rates of new facilities.
6. Rebidding the project carries the risks of receiving fewer bids and awarding to a less qualified contractor, awarding at a higher cost, or both, and there is no guarantee that costs will go down in the future.
7. Funding is available to move forward with this portion of the project, and the scope of future phases can be revised if necessary to accommodate budgetary constraints.

Please contact me with questions or comments you may have, and we look forward to discussing the next steps in this project further at the next City Council meeting.

Sincerely,

Mountain Waterworks



Ed Stowe, P.E., Project Manager

Attached: Bid Summary, S&L Underground Bid

Summary of Bids Received

Owner: City of New Meadows

Project: Water System Improvements Project

Project No: 197.0010

Bid Opening: July 22, 2021, 3:00 PM

Pay Item No.	Description	Unit	Qty	Blue Sky		TML		S&L	
				Unit Price	Amount	Unit Price	Amount	Unit Price	Amount
2.01	Mobilization and Demobilization	LS	1	\$ 52,000.00	\$ 52,000.00	\$ 39,000.00	\$ 39,000.00	\$ 50,000.00	\$ 50,000.00
2.02	Construction Surveying	LS	1	\$ 25,000.00	\$ 25,000.00	\$ 2,500.00	\$ 2,500.00	\$ 10,000.00	\$ 10,000.00
2.03	Fencing	LS	1	\$ 49,000.00	\$ 49,000.00	\$ 18,000.00	\$ 18,000.00	\$ 14,000.00	\$ 14,000.00
2.04	Project Sign	LS	1	\$ 1,000.00	\$ 1,000.00	\$ 1,000.00	\$ 1,000.00	\$ 1,200.00	\$ 1,200.00
2.05	Submersible Well Pump and Installation	LS	1	\$ 139,000.00	\$ 139,000.00	\$ 130,000.00	\$ 130,000.00	\$ 115,000.00	\$ 115,000.00
2.06	Well House-Site Grading and Drainage	LS	1	\$ 117,000.00	\$ 117,000.00	\$ 36,000.00	\$ 36,000.00	\$ 32,000.00	\$ 32,000.00
2.07	Well House-Yard Piping	LS	1	\$ 57,000.00	\$ 57,000.00	\$ 64,000.00	\$ 64,000.00	\$ 35,000.00	\$ 35,000.00
2.08	Gravel Access Road	LS	1	\$ 97,000.00	\$ 97,000.00	\$ 84,000.00	\$ 84,000.00	\$ 20,000.00	\$ 20,000.00
2.09	Well House-Structural	LS	1	\$ 247,000.00	\$ 247,000.00	\$ 215,000.00	\$ 215,000.00	\$ 120,000.00	\$ 120,000.00
2.1	Well House-Mechanical	LS	1	\$ 81,000.00	\$ 81,000.00	\$ 51,000.00	\$ 51,000.00	\$ 58,000.00	\$ 58,000.00
2.11	Well House-Electrical	LS	1	\$ 154,000.00	\$ 154,000.00	\$ 72,000.00	\$ 72,000.00	\$ 75,000.00	\$ 75,000.00
2.12	Well House- Instrumentation and Control	LS	1	\$ 44,000.00	\$ 44,000.00	\$ 66,000.00	\$ 66,000.00	\$ 55,000.00	\$ 55,000.00
2.13	Well House-HVAC	LS	1	\$ 17,000.00	\$ 17,000.00	\$ 15,000.00	\$ 15,000.00	\$ 14,000.00	\$ 14,000.00
					\$ -		\$ -		\$ -
					\$ -		\$ -		\$ -
TOTAL FOR BID SCHEDULE					\$ 1,080,000.00		\$ 793,500.00		\$ 599,200.00

Bid Form

Project Identification: New Meadows Water System Improvements Project

Contract Identification and Number: 197.0010

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ARTICLE 1 - BID RECIPIENT

1.01 This Bid Is Submitted to The City of New Meadows (Owner):

City of New Meadows
401 Virginia St.
New Meadows, ID 83654

1.02 The undersigned Bidder proposes and agrees, if this Bid is accepted, to enter into an Agreement with Owner in the form included in the Bidding Documents to perform all Work as specified or indicated in the Bidding Documents for the prices and within the times indicated in the Bid and in accordance with the other terms and conditions of the Bidding Documents.

ARTICLE 2 - BIDDER'S ACKNOWLEDGMENTS

2.01 Bidder accepts all of the terms and conditions of the Advertisement and Instructions to Bidders, including without limitations those dealing with the dispositions of Bid security. The Bid will remain subject to acceptance for {60} days after the Bid opening, or for such longer period of time that Bidder may agree to in writing upon request of Owner.

ARTICLE 3 - BIDDER'S REPRESENTATIONS

3.01 In submitting this Bid, Bidder represents that:

- A. Bidder has examined and carefully studied the Bidding Documents, the other related data identified in the Bidding Documents, and the following Addenda, receipt of which is hereby acknowledged:

Addendum No.	Addendum Date
#1	7/14/21
#2	7/19/21

- B. Bidder has visited the Site and become familiar with and is satisfied as to the general, local, and Site conditions that may affect cost, progress, and performance of the Work.
- C. Bidder is familiar with and is satisfied as to all Federal, state, and local Laws and Regulations that may affect cost, progress, and performance of the Work and including all American Iron and Steel requirements.
- D. Bidder has carefully studied all: (1) reports of explorations and tests of subsurface conditions at or contiguous to the Site and all drawings of physical conditions in or relating to existing surface or subsurface structures at or contiguous to the Site (except Underground Facilities) which have been identified in SC-5.03, and (2) reports and drawings of Hazard Environmental Conditions, if any, at the Site that have been identified in SC-5.06 as containing reliable "technical data."
- E. Bidder has considered the information known to Bidder; information commonly known to contractors doing business in the locality of the Site; information and observations obtained from visits to the Site; the Bidding Documents; and the Site-related reports and drawings identified in the Bidding Documents, with respect to the effect of such information, observations, and documents on (1) the cost, progress, and performance of the Work; (2) the means, methods, techniques, sequences, and procedures of construction to be employed by Bidder, including applying the specific means, methods, techniques, sequences, and procedures of construction expressly required by the Bidding Documents; and (3) Bidder's safety precautions and programs.
- F. Based on the information and observations referred to in Paragraph 3.01.E above, Bidder does not consider that any further examinations, investigations, explorations, tests, studies, or data are necessary for the determination of this Bid for performance of the Work at the price(s) bid and within the times and in accordance with the other terms and conditions of the Bidding Documents.

- G. Bidder is aware of the general nature of the Work to be performed by Owner and others at the Site that relates to the Work as indicated in the Bidding Documents.
- H. Bidder has given Engineer written notice of all conflicts, errors, ambiguities, or discrepancies that Bidder has discovered in the Bidding Documents, and the written resolution thereof by Engineer is acceptable to Bidder.
- I. The Bidding Documents are generally sufficient to indicate and convey understanding of all terms and conditions for the performance of the Work for which this Bid is submitted.
- J. Bidder will submit written evidence of its authority to do business in the State or other jurisdiction where the Project is located not later than the date of its execution of the Agreement.

ARTICLE 4 - BIDDER'S CERTIFICATION

4.01 Bidder further represents that:

- A. This Bid is genuine and not made in the interest of or on the behalf of any undisclosed individual or entity and is not submitted in conformity with any agreement or rules of any group, association, organization, or corporation;
- B. Bidder has not directly or indirectly induced or solicited any other Bidder to submit a false or sham Bid;
- C. Bidder has not solicited or induced any individual or entity to refrain from bidding; and
- D. Bidder has not engaged in corrupt, fraudulent, collusive, or coercive practices in competing for the Contract. For the purposes of this Paragraph 4.01.D:
 - 1. "corrupt practice" means the offering, giving, receiving, or soliciting of anything of value likely to influence the action of a public official in the bidding process;
 - 2. "fraudulent practice" means an intentional misrepresentation of facts made (a) to influence the bidding process to the detriment of Owner, (b) to establish bid prices at artificial non-competitive levels, or (c) to deprive Owner of the benefits of free and open competition;
 - 3. "collusive practice" means a scheme or arrangement between two or more Bidders, with or without the knowledge of Owner, a purpose of which is to establish bid prices at artificial, non-competitive levels; and
 - 4. "coercive practice" means harming or threatening to harm, directly or indirectly, persons or their property to influence their participation in the bidding process or affect the execution of the Contract.

ARTICLE 5 - BASIS OF BID

5.01 Bidder will complete the Work in accordance with the Contract Documents for the price(s) indicated in the BID SCHEDULE below.

BID SCHEDULE

SECTION 01025 REFERENCE	ITEM OF WORK	UNIT	ESTIMATED QUANTITY	BID UNIT PRICE	LINE ITEM TOTAL BID PRICE
2.01	MOBILIZATION AND DEMOLITION	LS	1	\$ 50,000.00	\$ 50,000.00
2.02	CONSTRUCTION SURVEYING	LS	1	\$ 10,000.00	\$ 10,000.00
2.03	FENCING	LS	1	\$ 14,000.00	\$ 14,000.00
2.04	PROJECT SIGN	LS	1	\$ 1,200.00	\$ 1,200.00
2.05	SUBMERSIBLE WELL PUMP AND INSTALLATION	LS	1	\$ 115,000.00	\$ 115,000.00
2.06	WELL HOUSE - SITE GRADING AND DRAINAGE	LS	1	\$ 32,000.00	\$ 32,000.00
2.07	WELL HOUSE - YARD PIPING	LS	1	\$ 35,000.00	\$ 35,000.00
2.08	GRAVEL ACCESS ROAD	LS	1	\$ 20,000.00	\$ 20,000.00
2.09	WELL HOUSE - STRUCTURAL	LS	1	\$ 120,000.00	\$ 120,000.00
2.1	WELL HOUSE - MECHANICAL	LS	1	\$ 58,000.00	\$ 58,000.00
2.11	WELL HOUSE - ELECTRICAL	LS	1	\$ 75,000.00	\$ 75,000.00
2.12	WELL HOUSE - INSTRUMENTATION AND CONTROL	LS	1	\$ 55,000.00	\$ 55,000.00
2.13	WELL HOUSE - HVAC	LS	1	\$ 14,000.00	\$ 14,000.00
TOTAL OF ALL BID LINE ITEMS					\$ 599,200.00

- A. All specified cash allowances are included in the lump sum price(s) set forth in the BID SCHEDULE, and have been computed in accordance with Paragraph 13.02 of the General Conditions.
- B. Unit Prices have been computed in accordance with paragraph 13.03.B of the General Conditions.

- C. Bidder acknowledges that estimated quantities are not guaranteed, and are solely for the purpose of comparison of Bids, and final payment for all Unit Price Bid items will be based on actual quantities, determined as provided in the contract Documents.

ARTICLE 6 - TIME OF COMPLETION

- 6.01 Bidder agrees that the Work will be substantially complete and will be completed and ready for final payment in accordance with paragraph 15.06 of the General Conditions on or before the dates or within the number of calendar days indicated in the Agreement.
- 6.02 Bidder accepts the provisions of the Agreement as to liquidated damage.

ARTICLE 7 - ATTACHMENTS TO THIS BID

- 7.01 The following documents are attached to and made a condition of the Bid:
- A. Required Bid security in the form of a Bid Bond (EJCDC No. C-430) or Certified Check (circle type of security provided);
 - B. List of Proposed Subcontractors (IDEO-SRF Form 6-A, Form 1);**
 - C. IDEO-SRF Form 6-A, Attachment A: Sworn Statement of Compliance with Disadvantaged Business Enterprise (DBE) Utilization Requirements;**
 - D. IDEO-SRF Form AIS-1: Bidder's Certification of Compliance with the Current SRF Assistance American Iron and Steel (AIS) Provisions;**
 - E. Signed and notarized non-collusion affidavit;**
 - F. Evidence of authority to do business in the state or jurisdiction of the Project; or a written covenant to obtain such license within the time frame for acceptance of Bids;
 - G. Manufacturers' Certification letter of compliance with Section 746 of Title VII of the Consolidated Appropriations Act of 2017 (Division A - Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 2017) and subsequent statutes mandating domestic preference for all equals or substitutes approved by Addenda for American Iron and Steel products as provided in these Contract Documents.

ARTICLE 8 - DEFINED TERMS

- 8.01 The terms used in this Bid with the initial capital letters have the meanings indicated in the Instructions to Bidders, the General Conditions, and the Supplementary Conditions.

ARTICLE 9 - CERTIFICATIONS & NAMING OF SUBCONTRACTORS

- 9.01 For convenience the "Compliance Statement & Certification of Non-Segregated Facilities" (Form RD 400-6), "Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion - Lower Tier Covered Transactions" (Form AD-1048), and RD Instruction 1940-Q, Exhibit A-1, "Certification for Contracts, Grants, and Loans" are included as part of this bid form (Note: Lower tier, means lower tier to the

owner). By signing the bid form the bidder represents that (s)he is also signing the below documents, as they apply, depending on the bid amount.

If the bid amount exceeds \$10,000, then Compliance Statement (RD 400-6) applies (9.01.A of this part);

If the bid amount exceeds \$25,000, then Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion - Lower Tier Covered Transactions (AD-1048) also applies (9.01.B of this part);

If the bid amount exceeds \$100,000, then RD Instruction 1940-Q, Exhibit A-1, Certification for Contracts, Grants, and Loans also applies (9.01.C of this part).

A. Compliance Statement

USDA Form Approved, COMPLIANCE STATEMENT, Form RD 400-6

This statement relates to a proposed contract with {the City of New Meadows, ID}

who expects to finance the contract with assistance from the Rural Utilities Service (RUS) or their successor agencies, United States Department of Agriculture (whether by a loan, grant, loan insurance, guarantee, or other form of financial assistance). I am the undersigned bidder or prospective contractor, I represent that:

1. I have, have not, participated in a previous contract or subcontract subject to Executive Order No. 11246 (regarding equal employment opportunity), as amended by Executive Order No. 13672, 79 Fed. Reg. 42971 (July 21, 2014) or a preceding similar Executive Order.
2. If I have participated in such a contract or subcontract, I have, have not, filed all compliance reports that have been required to file in connection with the contract or subcontract. If the proposed contract is for \$50,000 or more and I have 50 or more employees, I also represent that:
3. I have, have not previously had contracts subject to the written affirmative action programs requirements of the Secretary of Labor.
4. If I have participated in such a contract or subcontract, I have, have not developed and placed on file at each establishment affirmative action programs as required by the rules and regulations of the Secretary of Labor.

I understand that if I have failed to file any compliance reports that have been required of me, I am not eligible and will not be eligible to have my bid considered or to enter into the proposed contract unless and until I make an

arrangement regarding such reports that is satisfactory to either the RHS, RBS or RUS, or to the office where the reports are required to be filed.

I also certify that I do not maintain or provide for my employees any segregated facilities at any of my establishments, and that I do not permit my employees to perform their services at any location, under my control, where segregated facilities are maintained. I certify further that I will not maintain or provide for my employees any segregated facilities at any of my establishments, and that I will not permit my employees to perform their services at any location, under my control, where segregated facilities are maintained. I agree that a breach of this certification is a violation of the Equal Opportunity clause in my contract. As used in this certification, the term "segregated facilities" means any waiting rooms, work areas, restrooms and wash rooms, restaurants and other eating areas time clocks, locker rooms and other storage or dressing areas, parking lots, drinking fountains, recreation or entertainment areas, transportation, and housing facilities provided for employees which are segregated by explicit directive or are in fact segregated on the basis of race, color, religion, sex, sexual orientation, gender identity, or national origin, because of habit, local custom, or otherwise. I further agree that (except where I have obtained identical certifications for proposed subcontractors for specific time periods) I will obtain identical certifications from proposed subcontractors prior to the award of subcontracts exceeding \$10,000 which are not exempt from the provisions of the Equal Opportunity clause; that I will retain such certifications in my files; and that I will forward the following notice to such proposed subcontractors (except where the proposed subcontractors have submitted identical certifications for specific time periods).

NOTICE TO PROSPECTIVE SUBCONTRACTORS OF REQUIREMENTS FOR CERTIFICATIONS OF NON-SEGREGATED FACILITIES

A certification of Nonsegregated Facilities, as required by the May 9, 1967, order (32F.R. 7439, May 19, 1967) on Elimination of Segregated Facilities, by the Secretary of Labor, must be submitted prior to the award of a subcontract exceeding \$10,000 which is not exempt from the provisions of the Equal Opportunity clause. The certification may be submitted either for each subcontract or for all subcontracts during a period (i.e. quarterly, semiannually, or annually).

NOTE: The penalty for making false statements in offers is prescribed in 18 U.S.C. 1001.

- B. Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion – Lower Tier Covered Transactions

U.S. DEPARTMENT OF AGRICULTURE

**CERTIFICATION REGARDING DEBARMENT, SUSPENSION, INELIGIBILITY
AND VOLUNTARY EXCLUSION - LOWER TIER COVERED TRANSACTIONS
USDA Form AD-1048**

The following statement is made in accordance with the Privacy Act of 1974 (5 U.S.C. § 552(a), as amended). This certification is required by the regulations implementing Executive Order 12549, Debarment and Suspension, and 2 C.F.R. §§ 180.300, 180.355, Participants' responsibilities. The regulations were amended and published on August 31, 2005, in 70 Fed. Reg. 51865-51880. Copies of the regulations may be obtained by contacting the Department of Agriculture agency offering the proposed covered transaction. According to the Paperwork Reduction Act of 1995 an agency may not conduct or sponsor, and a person is not required to respond to a collection of information unless it displays a valid OMB control number. The valid OMB control number for this information collection is 0505-0027. The time required to complete this information collection is estimated to average 15 minutes per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. The provisions of appropriate criminal and civil fraud privacy, and other statutes may be applicable to the information provided.

Before signing the bid form, read instructions for Form AD-1048, available for download at: <https://www.rd.usda.gov/files/AD1048-F-01-92.PDF>

(1) The prospective lower tier participant certifies, by submission of this proposal, that neither it nor its principals is presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this transaction 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.

C. Certification for Contracts, Grants and Loans

**CERTIFICATION FOR CONTRACTS, GRANTS AND LOANS
RD Instruction 1940-Q, Exhibit A-1**

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

1. 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 or Federal loan, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant or loan.

2. 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 or loan, the undersigned shall complete and submit Standard Form - LLL, "Disclosure of Lobbying Activities," in accordance with its instructions.

3. The undersigned shall require that the language of this certification be included in the award documents for all sub awards at all tiers (including contracts, subcontracts, and sub grants under grants and loans) and that all sub recipients 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 section 1352, title 31, U.S. Code. 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.

9.02 Naming of Subcontractors

The sub-contractors to whom sub-contracts will be awarded if the bidder is awarded a contract shall be submitted to the Agency and the Idaho Department of Environmental Quality in accordance on Form 1—Bidder's List, included in DEQ-SRF Form 6-A.

ARTICLE 10 - BID SUBMITTAL

10.01 This bid is submitted by:

If Bidder is:

An Individual

Name (typed or printed): _____

SEAL,
if required
by State

By: _____
(Individual's Signature)

Doing Business As: _____

A Partnership

Partnership Name: _____ SEAL,
if required
by State

By: _____
(Signature of General Partner – Attach Evidence of Authority to Sign)

Name (typed or printed) _____

A Corporation

Corporation Name: S&K Underground, Inc

State or Jurisdiction of Incorporation: Arizona

Type (General Business, Profession, Service, Limited Liability):
General Business

By: _____
(Signature – Attach Evidence of Authority to Sign)

Name (typed or printed): Shem Johnson

Title: president

Attest _____ SEAL,
if required
by State
(Signature of Corporate Secretary)

Date of Qualification to do business in _____ (State or Other Jurisdiction)
Where Project is Located) is 04 / 30 / 01

A Joint Venture

Name of Joint Venture: _____

First Joint Venture Name: _____ SEAL,
If required
by State

By: _____
(Signature of Joint Venture Partner – Attach Evidence of Authority to Sign)

Name (typed or printed): _____

Title: _____

Second Joint Venture Name: _____

By: _____
(Signature of Joint Venture Partner – Attach Evidence of Authority to Sign)

Name (typed or printed): _____

Title: _____

(Each joint venturer must sign. The manner of signing for each individual, partnership, and corporation that is party to the venture should be in the manner indicated above.)

Bidder's Business Address: 106304 Hwy 2 P.O. Box 1952
Bonniers Ferry, ID 83805

Business Phone No. (208) 267-7990

Business FAX No. (208) 267-8097

Business Email Address admn@slunder.com

State of Idaho Public Works License No. 14825-Unlimited-1-2-3

DUNNS No. 01-749-5545

Employer's Tax ID No. 86-0915134

Phone and FAX Numbers, and Address for receipt of official communications, if different from Business contact information:

10.02 Bid Submitted on July 22, 20 21

CITY OF NEW MEADOWS WELL HOUSE PROJECT

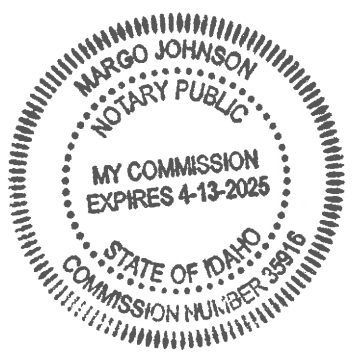
CONTRACTOR'S NON-COLLUSION AFFIDAVIT

STATE OF IDAHO)
County of Baundary) ss.

Shem Johnson, being first duly sworn, deposes and says that he/she is president of 596 Underground, Inc, the party making the foregoing bid; that such bid is not made in the interest of or on behalf of any undisclosed person, partnership, company, association, organization, or corporation; that such bid is genuine and not collusive of sham; that said bidder has not directly or indirectly induced or solicited any other bidder to put in a false or sham bid, and has not directly or indirectly colluded, conspired, connived, or agreed with any bidder or anyone else to put in a sham bid, nor that anyone shall refrain from bidding; that said bidder has not in any manner, directly or indirectly, sought by agreement, communication, or conference with anyone to fix the bid price of said bidder or of any other bidder, nor to fix any overhead, profit, or cost element of such bid price, nor of that of any other bidder, nor to secure any advantage against the public body awarding the contract or anyone interested in the proposed contract; that all statements contained in such bid are true; and, further, that said bidder has not, directly or indirectly, submitted his bid price or any breakdown thereof, nor the contents thereof, nor divulged information or data relative thereto, nor paid and will not pay fee in connection therewith to any corporation, partnership, company, association, organization, bid depository, nor to any member or agent thereof, nor to any individual except to such person or persons as have a partnership or other financial interest with said bidder in his general business.

Signed: Shem Johnson
Title: president

Subscribed and sworn to before me this 29th day of July, 2021.



Margo Johnson
Notary Public for Idaho
Residing at: Baundary, Idaho
My Commission Expires: 4/13/25

To be Submitted Prior to Authorization to Award; Recipient forwards a copy to DEQ.

FORM 1. BIDDER'S LIST

Prime Contractor Information:	Items of Work Bid On	Date Bid Submitted	MBE/AMBE Contractor
Business Name: <i>SKL Underground Inc</i> Contact Name: <i>Steve Davidson</i> Mailing Address: <i>P.O. Box 1957, Bowers Ferry, ID</i> Phone: <i>208-267-7990</i> Email: <i>adavidn@sklunder.com</i>			<i>NO</i>
Subcontractor Information: Business Name: <i>Mrs Electric</i> Contact Name: <i>Terri</i> Mailing Address: <i>1611 Coldwell ID</i> Phone: <i>208-457-8189</i> Email:	<i>Electrical</i>	<i>July 22</i>	<i>NO</i>
Subcontractor Information: Business Name: <i>SKL None</i> Contact Name: Mailing Address: Phone: Email:	<i>Plumbing N/A</i>		
Subcontractor Information: Business Name: Contact Name: Mailing Address: Phone: Email:			
Business Name: <i>SKL Underground Inc</i> Contact Name: Mailing Address: Phone: Email:	<i>HOAC</i>		

COPY THIS PAGE IF ADDITIONAL SUBCONTRACTORS ARE NEEDED

To Be Submitted Prior to Authorization to Award; Recipient forwards a copy to DEQ

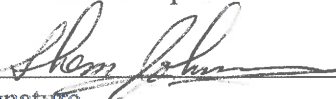
ATTACHMENT A

SWORN STATEMENT OF COMPLIANCE WITH DISADVANTAGED BUSINESS ENTERPRISE (DBE) UTILIZATION REQUIREMENTS

To be eligible for award of this contract, each successful bidder must execute, and submit, as part of their proposal, and together with their bid, the following certification relating to DBE participation. The certification below shall be deemed a part of the resulting contract.

The bidder has taken the following "Good Faith Efforts" in awarding subcontracts:

1. Ensure DBEs are made aware of contracting opportunities to the fullest extent practicable through outreach and recruitment activities. For Indian Tribal, State and Local Government recipients, this will include placing DBEs on solicitation lists and soliciting them whenever they are potential sources.
2. Make information on forthcoming opportunities available to DBEs and arrange time frames for contracts and establish delivery schedules, where the requirements permit, in a way that encourages and facilitates participation by DBEs in the competitive process. This includes, whenever possible, posting solicitations for bids or proposals for a minimum of 30 calendar days before the bid or proposal closing date.
3. Consider in the contracting process whether firms competing for large contracts could subcontract with DBEs. For Indian Tribal, State and local Government recipients, this will include dividing total requirements when economically feasible into smaller tasks or quantities to permit maximum participation by DBEs in the competitive process.
4. Encourage contracting with a consortium of DBEs when a contract is too large for one of these firms to handle individually.
5. Use the services and assistance of the Idaho Transportation Department, Idaho Department of Environmental Quality's Fiscal Office, SBA and the Minority Business Development Agency of the Department of Commerce, as appropriate.
6. If the prime contractor awards subcontracts, require the prime contractor to take the above steps.


Signature

7/27/21
Date

Name and title of Signer Shem Johnson - president

Email Address admin@slunder.com

To be submitted as part of the sealed bid; Recipient forwards a copy to DEQ

**FORM AIS-1
Bidder's Certification of Compliance
With the Current SRF Assistance American Iron and Steel (AIS) Provisions**

(To be submitted as part of the sealed bid)

Bidder's Statement of Certification

The Bidder acknowledges to and for the benefit of the ("Owner") for the ("Project") that the Bidder understands the project is being funded in part with SRF Assistance. "AIS" requirements specify that all iron and steel products used in the project shall be produced in the United States. Consistent with the terms of the Owner's bid solicitation and the provisions of SRF Assistance, the Bidder hereby represents and warrants to and for the benefit of the Owner that:

- 1. The Bidder has reviewed and understands the AIS requirements.
- 2. The Bidder certifies that the iron and steel goods used in the project will be produced in the United States in a manner that complies with the AIS requirements unless a waiver of the requirements is requested by the Owner and approved by the EPA.
- 3. The Bidder agrees to provide to the Owner reasonable, sufficient, and timely information, certification, or verification of the United States production of each component contained in Attachment 6 as a prior condition for approval of - and reimbursement for - materials received.
- 4. The undersigned hereby acknowledges that the iron and steel products utilized in this project will meet the current SRF Assistance AIS requirements, and that all required Manufacturer/Supplier Certification Statements or waivers from EPA will be obtained to document compliance with the AIS requirements.

Bidder Signature:  Date: July 22, 2021

Title president

Organization 59 W Underground, Inc

BID BOND

Any singular reference to Bidder, Surety, Owner or other party shall be considered plural where applicable.

BIDDER (Name and Address):
S & L Underground, Inc.
P. O. Box 1952
Bonners Ferry, ID 83805

SURETY (Name, and Address of Principal Place of Business):
Atlantic Specialty Insurance Company
605 Highway, 169 North, Suite 800
Plymouth, MN 55441

OWNER (Name and Address):
City of New Meadows
401 Virginia St, New Meadows, ID 83654

BID

Bid Due Date: July 22, 2021

Description: City of New Meadows Water System Improvements Project, New Meadows, ID

BOND

Bond Number: Bid Bond

Date: July 22, 2021

Penal sum Five Percent of Amount Bid \$ 5%
(Words) (Figures)

Surety and Bidder, intending to be legally bound hereby, subject to the terms set forth below, do each cause this Bid Bond to be duly executed by an authorized officer, agent, or representative.

BIDDER
S & L Underground, Inc. (Seal)

SURETY
Atlantic Specialty Insurance Company (Seal)

Bidder's Name and Corporate Seal

Surety's Name and Corporate Seal

By:

Signature

Shem Johnson

Print Name

president

Title

Attest:

Signature

Title Witness

By:

Signature (Attach Power of Attorney)

AiLi Palmer

Print Name

Attorney-In-Fact

Title

Attest:

Signature

Title Witness

Note: Addresses are to be used for giving any required notice.

Provide execution by any additional parties, such as joint venturers, if necessary.

1. Bidder and Surety, jointly and severally, bind themselves, their heirs, executors, administrators, successors, and assigns to pay to Owner upon default of Bidder the penal sum set forth on the face of this Bond. Payment of the penal sum is the extent of Bidder's and Surety's liability. Recovery of such penal sum under the terms of this Bond shall be Owner's sole and exclusive remedy upon default of Bidder.
2. Default of Bidder shall occur upon the failure of Bidder to deliver within the time required by the Bidding Documents (or any extension thereof agreed to in writing by Owner) the executed Agreement required by the Bidding Documents and any performance and payment bonds required by the Bidding Documents.
3. This obligation shall be null and void if:
 - 3.1 Owner accepts Bidder's Bid and Bidder delivers within the time required by the Bidding Documents (or any extension thereof agreed to in writing by Owner) the executed Agreement required by the Bidding Documents and any performance and payment bonds required by the Bidding Documents, or
 - 3.2 All Bids are rejected by Owner, or
 - 3.3 Owner fails to issue a Notice of Award to Bidder within the time specified in the Bidding Documents (or any extension thereof agreed to in writing by Bidder and, if applicable, consented to by Surety when required by Paragraph 5 hereof).
4. Payment under this Bond will be due and payable upon default of Bidder and within 30 calendar days after receipt by Bidder and Surety of written notice of default from Owner, which notice will be given with reasonable promptness, identifying this Bond and the Project and including a statement of the amount due.
5. Surety waives notice of any and all defenses based on or arising out of any time extension to issue Notice of Award agreed to in writing by Owner and Bidder, provided that the total time for issuing Notice of Award including extensions shall not in the aggregate exceed 120 days from the Bid due date without Surety's written consent.
6. No suit or action shall be commenced under this Bond prior to 30 calendar days after the notice of default required in Paragraph 4 above is received by Bidder and Surety and in no case later than one year after the Bid due date.
7. Any suit or action under this Bond shall be commenced only in a court of competent jurisdiction located in the state in which the Project is located.
8. Notices required hereunder shall be in writing and sent to Bidder and Surety at their respective addresses shown on the face of this Bond. Such notices may be sent by personal delivery, commercial courier, or by United States Registered or Certified Mail, return receipt requested, postage pre-paid, and shall be deemed to be effective upon receipt by the party concerned.
9. Surety shall cause to be attached to this Bond a current and effective Power of Attorney evidencing the authority of the officer, agent, or representative who executed this Bond on behalf of Surety to execute, seal, and deliver such Bond and bind the Surety thereby.
10. This Bond is intended to conform to all applicable statutory requirements. Any applicable requirement of any applicable statute that has been omitted from this Bond shall be deemed to be included herein as if set forth at length. If any provision of this Bond conflicts with any applicable statute, then the provision of said statute shall govern and the remainder of this Bond that is not in conflict therewith shall continue in full force and effect.
11. The term "Bid" as used herein includes a Bid, offer, or proposal as applicable.



Power of Attorney

KNOW ALL MEN BY THESE PRESENTS, that ATLANTIC SPECIALTY INSURANCE COMPANY, a New York corporation with its principal office in Plymouth, Minnesota, does hereby constitute and appoint: **Marla J Davenport, Jedean Corpron, Melissa Wolf, Thomas Davis, Judith C. Kaiser-Smith, Jaclyn R. Kruse, James E. Majeskey II, Cynthia L Heiney, Dylan Keith Arre, James A. Clegg, Casey L. Lund, AiLi Palmer**, each individually if there be more than one named, its true and lawful Attorney-in-Fact, to make, execute, seal and deliver, for and on its behalf as surety, any and all bonds, recognizances, contracts of indemnity, and all other writings obligatory in the nature thereof; provided that no bond or undertaking executed under this authority shall exceed in amount the sum of: **unlimited** and the execution of such bonds, recognizances, contracts of indemnity, and all other writings obligatory in the nature thereof in pursuance of these presents, shall be as binding upon said Company as if they had been fully signed by an authorized officer of the Company and sealed with the Company seal. This Power of Attorney is made and executed by authority of the following resolutions adopted by the Board of Directors of ATLANTIC SPECIALTY INSURANCE COMPANY on the twenty-fifth day of September, 2012:

Resolved: That the President, any Senior Vice President or Vice-President (each an "Authorized Officer") may execute for and in behalf of the Company any and all bonds, recognizances, contracts of indemnity, and all other writings obligatory in the nature thereof, and affix the seal of the Company thereto; and that the Authorized Officer may appoint and authorize an Attorney-in-Fact to execute on behalf of the Company any and all such instruments and to affix the Company seal thereto; and that the Authorized Officer may at any time remove any such Attorney-in-Fact and revoke all power and authority given to any such Attorney-in-Fact.

Resolved: That the Attorney-in-Fact may be given full power and authority to execute for and in the name and on behalf of the Company any and all bonds, recognizances, contracts of indemnity, and all other writings obligatory in the nature thereof, and any such instrument executed by any such Attorney-in-Fact shall be as binding upon the Company as if signed and sealed by an Authorized Officer and, further, the Attorney-in-Fact is hereby authorized to verify any affidavit required to be attached to bonds, recognizances, contracts of indemnity, and all other writings obligatory in the nature thereof.

This power of attorney is signed and sealed by facsimile under the authority of the following Resolution adopted by the Board of Directors of ATLANTIC SPECIALTY INSURANCE COMPANY on the twenty-fifth day of September, 2012:

Resolved: That the signature of an Authorized Officer, the signature of the Secretary or the Assistant Secretary, and the Company seal may be affixed by facsimile to any power of attorney or to any certificate relating thereto appointing an Attorney-in-Fact for purposes only of executing and sealing any bond, undertaking, recognizance or other written obligation in the nature thereof, and any such signature and seal where so used, being hereby adopted by the Company as the original signature of such officer and the original seal of the Company, to be valid and binding upon the Company with the same force and effect as though manually affixed.

IN WITNESS WHEREOF, ATLANTIC SPECIALTY INSURANCE COMPANY has caused these presents to be signed by an Authorized Officer and the seal of the Company to be affixed this twenty-seventh day of April, 2020.

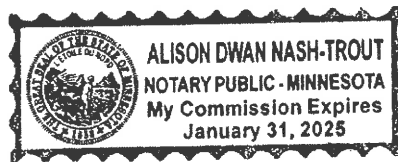
STATE OF MINNESOTA
HENNEPIN COUNTY



By *Paul J. Brehm*

Paul J. Brehm, Senior Vice President

On this twenty-seventh day of April, 2020, before me personally came Paul J. Brehm, Senior Vice President of ATLANTIC SPECIALTY INSURANCE COMPANY, to me personally known to be the individual and officer described in and who executed the preceding instrument, and he acknowledged the execution of the same, and being by me duly sworn, that he is the said officer of the Company aforesaid, and that the seal affixed to the preceding instrument is the seal of said Company and that the said seal and the signature as such officer was duly affixed and subscribed to the said instrument by the authority and at the direction of the Company.



Alison Nash-Trout

Notary Public

I, the undersigned, Secretary of ATLANTIC SPECIALTY INSURANCE COMPANY, a New York Corporation, do hereby certify that the foregoing power of attorney is in full force and has not been revoked, and the resolutions set forth above are now in force.

Signed and sealed. Dated 22 day of July, 2020.



Kara Barrow

Kara Barrow, Secretary

This Power of Attorney expires
January 31, 2025

**RESOLUTION:
AUTHORIZE APPOINTMENT OF DIRECTOR OR
OFFICER**

Upon motion duly made and seconded, the Board of Directors of S & L Underground, Incorporated unanimously adopted the following resolution:

RESOLVED, that Shem Johnson be appointed the President of S & L Underground, Incorporated and shall hold office until it be resolved to otherwise elect someone in his stead. Shem Johnson shall have the authority to perform the following duties while holding this office as stated in section 5 of Article IV of the Bylaws of S & L Underground, Inc. and other such duties in the management of the corporation as may be required by the Articles of Incorporation, the Bylaws or by resolution of the Board of Directors of the corporation.

The undersigned hereby certifies that she is the duly elected and qualified Secretary and the custodian of the books and records and seal of S & L Underground, Inc., a corporation duly formed pursuant to the laws of the State of Arizona and that the foregoing is a true record of a resolution duly adopted at a meeting of the Board of Directors, and that said meeting was held in accordance with state law and the Bylaws of the above-named Corporation on February 16th, 1999, and that said resolution is now in full force and effect without modification or rescission.

IN WITNESS WHEREOF, I have executed my name as Secretary and have hereunto affixed the corporate seal of the above-named Corporation this 16th day of February, 1999.

A True Record.

Attest.



Margo Johnson
Secretary