

The wording in **BLACK** within this section cannot be changed. The wording in **BLUE** is intended to be reviewed and adjusted on a project specific basis.

**SECTION 00440
RESPONSIBILITY DETAIL & ATTESTATION FORM**

Attachment 1

The low responsive Bidder and the second low Bidder, upon request, shall be required to complete this Responsibility Detail Form as specified in Section 00440. **This completed Responsibility Detail and Attestation Form shall be submitted electronically (pdf) via email to the Contract Specialist identified in Section 00020, Invitation to Bid.**

Bidder's Company Name: _____

For the below Mandatory Bidder Responsibility Criteria, please check the appropriate box.

1.0 MANDATORY BIDDER RESPONSIBILITY CRITERIA

A. The Bidder shall meet the following mandatory responsibility criteria as described in RCW 39.04.350(1). The Bidder may be rejected as not responsible if any answer to questions 1 through 5 is "No". If the answer to questions 1 through 5 is "No" the Bidder is required to attach an explanation and acknowledge that they will be required to provide the requisite information, in 1 through 5 below, prior to Notice of Selection. If the Bidder fails to meet the criteria 1 through 5 prior to Notice of Selection the Bidder will be rejected as not responsible. The Bidder shall be rejected as not responsible if the answer to question 6 @or 7 is "Yes".

1. Did the Bidder have a Certificate of Registration in compliance with Chapter 18.27 RCW that was in effect at the time of bid submittal?

Yes No (if No, attach explanation)

2. Does the Bidder have a current Washington State Unified Business Identifier number?

Yes No (if No, attach explanation)

3. Does the Bidder have Industrial Insurance Coverage for the Bidder's employees working in Washington State as required in Title 51 RCW?

Yes No (if No, attach explanation)

4. Does the Bidder have an Employment Security Department number as required in Title 50 RCW?

Yes No (if No, attach explanation)

5. Does the Bidder have a Washington State Excise Tax Registration number as required in Title 82 RCW?

Yes No (if No, attach explanation)

6. Is the Bidder disqualified for bidding on any public works project under RCW 39.06.010 or 39.12.065(3)?

Yes No

7. @For public works projects subject to the apprenticeship utilization requirements of RCW 39.04.320, has the Bidder been found to be out of compliance by the Washington state apprenticeship and training council for working apprentices out of ration, without appropriate supervision, or outside their approved work processes as outlined in their standards of apprenticeship under chapter 49.04 RCW within the one year period immediately preceding advertisement of this project?

Yes No

If the answer to question 6 @or 7 is "Yes" **STOP HERE** and notify the Contract Specialist. The Bidder is not responsible for this Project. Otherwise proceed to 1.1.

For remaining criteria below, check or fill-out the appropriate box. Based upon the answer provided by the Bidder, the County may request additional information or seek further explanation.

If contract over \$1,000,000 and the Subcontractor Listing Statute (RCW 39.30.360) applies, include subcontractor option.

1.1 CONTRACT AND REGULATORY HISTORY

A. The County will evaluate whether the Bidder's @and its subcontractors contract and regulatory history demonstrates an acceptable record of past project performance and consistent responsibility. The Bidder shall answer the following questions. The Bidder may be rejected as not responsible if any answer to questions 1 through @10 below is "Yes".

1. Has the Bidder had a contract terminated for cause or default, in the last 5 years?

Yes No

If Yes, explain: _____

2. Has the Bidder been found by the Department of Labor and Industries to have violated a state wage payment law, including willful violation of a wage payment requirement as defined in RCW 49.48.082, or had a civil judgment entered against it for violation of a state wage payment law, in the last 5 years?

Yes No

If Yes, explain: _____

3. Has the Bidder been found to have violated a state or federal prevailing wage law while working on a public works project, or had a civil judgment entered against it for violating a state or federal prevailing wage law, in the last 5 years?

Yes No

If Yes, explain: _____

4. Has the Bidder failed to comply with commitments to, and contractual requirements for, Disadvantaged Business Enterprise ("DBE") Utilization Requirements or Women/Minority Owned Business Enterprise ("WMBE") Utilization Requirements on any public works project, in the last 5 years?

Yes No

If Yes, explain: _____

5. Has the Bidder failed to meet mandatory King County Small Contractors and Suppliers ("SCS") Utilization Requirements on any public works project, in the last 5 years?

Yes No

If Yes, explain: _____

6. Has the Bidder been found to have violated ethical standards set forth in King County contracts (KCC 3.04), in the last 5 years?

Yes No

If Yes, explain: _____

7. Has the Bidder been in bankruptcy, reorganization and/or receivership on any public works project, in the last 5 years?

Yes No

If Yes, explain: _____

8. Has the Bidder been disqualified by any federal, state or local agency from being awarded and/or participating on any public works project, in the last 5 years?

Yes No

If Yes, explain: _____

9. Has the Bidder required a Surety to take over all, or a portion of, a project to cure or respond to an asserted default or material breach of contract on the part of the Bidder on any public works project, in the last 5 years?

Yes No

If Yes, explain: _____

10. Has the Bidder failed to meet apprenticeship utilization requirements on any public works project, in the last 5 years?

Yes No

If Yes, explain: _____

1.2 CRIMINAL HISTORY

A. The County will evaluate whether the Bidder's, @or any of its corporate officers, @ and/or its subcontractors criminal history demonstrates a lack of business integrity or business honesty. The Bidder shall answer the following questions. The Bidder may be rejected as not responsible if any answer to questions 1 through 3 below is "Yes".

1. Has the Bidder, @or any of its corporate officers, @ and/or its subcontractors been convicted of a criminal offense related to obtaining or attempting to obtain a public or private contract or subcontract, or in the performance of the contract or subcontract, in the last 5 years?

Yes No

If Yes, explain: _____

2. Has the Bidder, @or any of its corporate officers, @ and/or its subcontractors been convicted under federal or state law of a crime relating to wage payment, embezzlement, theft, forgery, bribery, antitrust, falsification or destruction of records, receiving stolen property, making false claims while working on a project, in the last 5 years?

Yes No

If Yes, explain: _____

3. Has the Bidder, @or any of its corporate officers, @ and/or its subcontractors been convicted of a crime involving willful violation a federal or state environmental law or regulation while working on a project, in the last 5 years?

Yes No

If Yes, explain: _____

1.3 ACCIDENT/INJURY EXPERIENCE

A. The County will evaluate the Bidder's accident/injury Experience Modification Factor ("EMF") from the Washington State Department of Labor and Industries, or similar organization with

jurisdiction in the United States, to assess whether the Bidder has an acceptable safety record preventing personal injuries on projects.

- B. List the Bidder's accident/injury EMF for the last five (5) years. An experience factor is calculated annually by the Washington State Department of Labor and Industries.

Year	Effective Year	Experience Factor
1		
2		
3		
4		
5		

If the Bidder has received an EMF of greater than 1.0 for any year, explain the cause(s) of the designation and what remedial steps were taken to correct the EMF. The Bidder may be rejected as not responsible if the Bidder's EMF is greater than 1.0 and sufficient remedial steps have not been implemented.

1.4 WORK PERFORMED BY BIDDER

- A. The Bidder shall demonstrate how, with its own forces, it shall perform Contract Work equivalent to at least @25% of the @Total Bid Price @Base Bid Price, excluding taxes, insurance and bonding. The Bidder may demonstrate this by identifying the work using the specification divisions (Divisions 0 through @17/49) or sections within a division it intends to perform with its own forces and the dollar amount and percentage to its @Total Bid Price @Base Bid Price this itemized work constitutes. The Bidder may be rejected as not responsible if the appropriate percentage of self-performance is not demonstrated. *If the percentage of work performed is changed from 25% OR deleted for standard contracts you must include the change in Section 00800 adjusting Section 00700 3.0E accordingly.*

Division # / Section #	Dollar Amount for Contract Work Performed with Own Forces	Percent of @Total Bid Price @Base Bid Price
	\$	%
	\$	%
	\$	%
	\$	%
	\$	%
	\$	%
	\$	%
	\$	%

1.5 ORGANIZATIONAL CHART

- A. Did the Bidder include an Organizational Chart with its submittal?

Yes No

If No, explain: _____

1.6 ACCIDENT PREVENTION PLAN

A. Did the Bidder include an Accident Prevention Plan with its submittal?

Yes No

If No, explain: _____

1.7 SCHEDULE

A. Did the Bidder include a Preliminary Schedule with its submittal?

Yes No

If No, explain: _____

1.8 PROJECT EXAMPLE SHEETS

- A. As part of completing this Responsibility Detail Form, the Bidder shall be required to complete the following Project Example Sheets. The Bidder shall provide one project example sheet for each project submitted.
- B. If necessary, the Bidder shall print the appropriate number of additional Project Example Sheets in order to satisfy the project information requirements.
- C. The Bidder's failure to provide the required project information may result in a determination of the Bidder being declared non-responsible by the County.
- D. The Bidder shall submit its completed Project Example Sheets with its Responsibility Detail Form and Responsibility Attestation Form.

Note to CS & PM: Development of project criteria is not a process to restrict bidding to a select or preferred group of contractors. The goal is to clearly develop a set of minimum requirements to select a contractor that has the experience and performance capabilities needed by Implementing Agency to construct the project. It is a way to get a contractor with an acceptable project record for the type of work that is being bid. Ask yourself the following questions:

1. Do you need a specific number of projects? If so why? Could it be less? If over three, discuss with CS Supervisor.
2. Do you need a yearly work history of past performance (e.g. work completed in the last 5 years) as a requirement? If so why? Could it be less? If over five, discuss with CS Supervisor.
3. Do you need the specific dollar amount for each project or type of work? If so why? Could it be less?
4. Do you need to require experience with all equipment to be used on the project? If so why? Could it be less?
5. Can the criteria be placed in the specifications, received as a submittal, and evaluated prior to performance of the relevant Work?
6. What is the importance of each of the sub-criteria you have provided? Explain why? What is the minimum number of sub-criteria while still meeting the goal(s) set forth above?
7. Match the criteria to the Scope of Work.
8. Can the Bidder's experience be demonstrated as a prime and/or a subcontractor?
9. If the Project is federally funded does the bidder have experience managing and/or performing with the funding source? Are you restricting competition by incorporating a federal qualification requirement?
10. Remember, the more projects you request the more project example sheets the bidder must complete.
11. Remember, the more criteria you require the more the bidder has to complete.
12. Remember, the more projects you request and the more criteria you require, the more project example sheets the PM must evaluate and references PM must call.
13. PM & CS may discuss other issues regarding the development of the criteria.
14. Below is a recommended format to be used when developing your criteria

Project Detail Information

1. Note to CS/PM: Each of the elements stated within your criteria above must correspond to a specific question below. Do not create compound questions with multiple components within each question. Keep the questions simple so the bidder can provide accurate (yes / no) responses. This will make your evaluation faster and simpler.



**Responsibility Detail & Attestation Form
Project Example Sheet for Bidder**

The Bidder is required to complete a separate Project Example Sheet for each project identified.

Bidder's Company Name: _____

Statement of Criteria: The Bidder shall demonstrate past experience and competence in managing and/or performing no less than @____ substantially completed @____ construction projects within the last @____ years, @where the total contract price of each project was at least @\$_____. @ where the cumulative contract price of all the identified projects totaled at least @\$_____, @and the Bidder acted as a prime contractor or a subcontractor on the project. Such project experience shall also meet of the following requirements as described within the Contract Documents:

1. @
2. @
3. @

@For each identified project, the Bidder is required to meet all of the criteria set forth above.

OR

@For each identified project, the Bidder is not required to meet all of the criteria set forth above; however, the Bidder shall provide project examples which demonstrate their experience and competence with each of the identified criteria.

Project Information			
Project Name:			
Project Summary:			
Scope of work performed:			
Owner's Company Name:		Owner's Telephone Number:	
Owner's Project Manager's Name: <i>(or person who can verify experience)</i>		Owner's Project Manager Telephone Number:	
Owner's Project Manager's Email:			
Contract Price:		Substantial Completion Date:	

Project Detail Information	Yes	No
For each of the criteria identified below, please check the appropriate box. If your answer is "No", the County may request additional information regarding the Bidder's response or reject the Bidder as being not responsible.		
@Did the Bidder manage the work on this project?	<input type="checkbox"/>	<input type="checkbox"/>
@Did the Bidder perform the work on this project?	<input type="checkbox"/>	<input type="checkbox"/>
@Was this Bidder responsible for managing multiple subcontractors?	<input type="checkbox"/>	<input type="checkbox"/>
@Was this a @____ type of construction project?	<input type="checkbox"/>	<input type="checkbox"/>

@Was the work performed within a @_____ facility?	<input type="checkbox"/>	<input type="checkbox"/>
@Did this project require the Bidder to respond to calls for work within @ hours on a 24-hour basis?	<input type="checkbox"/>	<input type="checkbox"/>
@Did this project include the removal of regulated materials (lead, asbestos, PCB's, etc.)?	<input type="checkbox"/>	<input type="checkbox"/>
@Did this project include the disposal of regulated materials (lead, asbestos, PCB's, etc.)?	<input type="checkbox"/>	<input type="checkbox"/>
@Does the Bidder have @ (federal funding source) project experience?	<input type="checkbox"/>	<input type="checkbox"/>



Responsibility Detail & Attestation Form
Project Example Sheet for @Specialty Work

The Bidder is required to complete a separate Project Example Sheet for each project identified.

Bidder's Company Name: _____

Name of Firm Performing @Specialty Work: _____

Statement of Criteria: The Bidder shall demonstrate that the firm(s) responsible for performing the @_____ work has past experience in managing and/or performing no less than @_____ construction project(s), where the @_____ portion(s) of the work was substantially completed within the last @_____ years, @where the price of the @ work for each identified project was at least \$_____. @ where the cumulative price of the @_____ work for all identified projects totaled at least \$_____. Such project experience shall also meet the following requirements:

1. @
2. @
3. @

@For each identified project, the Bidder is required to meet all of the criteria set forth above.

OR

@For each identified project, the Bidder is not required to meet all of the criteria set forth above; however, the Bidder shall provide project examples which demonstrate their experience and competence with each of the identified criteria.

Project Information			
Project Name:			
Project Summary:			
Scope of work performed:			
Owner's Company Name:		Owner's Telephone Number:	
Owner's Project Manager's Name: <i>(or person who can verify experience)</i>		Owner's Project Manager Telephone Number:	
Owner's Project Manager's Email:			
Contract Price:		Substantial Completion Date:	

Project Detail Information				
For each of the criteria identified below, please check the appropriate box. If your answer is "No", the County may request additional information regarding the Bidder's response or reject the Bidder as being not responsible.	Yes	No		
@Did the @Specialty Contractor manage the @_____work on this project?	<input type="checkbox"/>	<input type="checkbox"/>		
@Did the @Specialty Contractor perform the @_____work on this project?	<input type="checkbox"/>	<input type="checkbox"/>		
@Did the Specialty Contractor install @_____ type of system?	<input type="checkbox"/>	<input type="checkbox"/>		
@Was the work performed within a @_____ facility?	<input type="checkbox"/>	<input type="checkbox"/>		



@Was the Specialty Contractor responsible for the removal of regulated materials (lead, asbestos, PCB's, etc.)?	<input type="checkbox"/>	<input type="checkbox"/>
@Was the Specialty Contractor responsible for the disposal of regulated materials (lead, asbestos, PCB's, etc.)?	<input type="checkbox"/>	<input type="checkbox"/>



Responsibility Detail & Attestation Form
Project Example Sheet for @Project Manager

The Bidder is required to complete a separate Project Example Sheet for each project identified.

Bidder's Company Name: _____

Project Manager Name: _____

Statement of Criteria:

@Project Manager. The Bidder shall demonstrate that the Project Manager and/or Contractor's Designated Representative has experience in managing the day-to-day activities on no less than @_____ substantially completed @_____ construction projects within the last @_____ years @each with a contract price of at least @ \$_____. @ where the cumulative contract price of all the identified projects totaled at least \$_____. Such project experience shall also meet the following requirements:

1. @
2. @
3. @

@For each identified project, the Bidder is required to meet all of the criteria set forth above.

OR

@For each identified project, the Bidder is not required to meet all of the criteria set forth above; however, the Bidder shall provide project examples which demonstrate their experience and competence with each of the identified criteria.

Project Information			
Project Name:			
Project Summary:			
Scope of work performed:			
Owner's Company Name:		Owner's Telephone Number:	
Owner's Project Manager's Name: <i>(or person who can verify experience)</i>		Owner's Project Manager Telephone Number:	
Owner's Project Manager's Email:			
Contract Price:		Substantial Completion Date:	

Project Detail Information	Yes	No
For each of the criteria identified below, please check the appropriate box. If your answer is "No", the County may request additional information regarding the Bidder's response or reject the Bidder as being not responsible.		
<u>@Was the Project Manager responsible for negotiating change orders?</u>	<input type="checkbox"/>	<input type="checkbox"/>
<u>@Was the Project Manager responsible for managing the schedule of the work performed on the project?</u>	<input type="checkbox"/>	<input type="checkbox"/>
<u>@other</u>	<input type="checkbox"/>	<input type="checkbox"/>



Responsibility Detail & Attestation Form
Project Example Sheet for @On-Site Superintendent

The Bidder is required to complete a separate Project Example Sheet for each project identified.

Bidder's Company Name: _____

Superintendent's Name: _____

Statement of Criteria:

@On-site Superintendent. The Bidder shall demonstrate that the @On-site Superintendent has experience in managing the day-to-day on-site activities on no less than _____ substantially completed @_____ construction projects within the last @_____ years @each with a contract price of at least @\$_____. @ where the cumulative contract price of all the identified projects totaled at least \$_____. Such project experience shall also meet the following requirements:

1. @
2. @
3. @

@For each identified project, the Bidder is required to meet all of the criteria set forth above.

OR

@For each identified project, the Bidder is not required to meet all of the criteria set forth above; however, the Bidder shall provide project examples which demonstrate their experience and competence with each of the identified criteria.

Project Information			
Project Name:			
Project Summary:			
Scope of work performed:			
Owner's Company Name:		Owner's Telephone Number:	
Owner's Project Manager's Name: <i>(or person who can verify experience)</i>		Owner's Project Manager Telephone Number:	
Owner's Project Manager's Email:			
Contract Price:		Substantial Completion Date:	

Project Detail Information		
For each of the criteria identified below, please check the appropriate box. If your answer is "No", the County may request additional information regarding the Bidder's response or reject the Bidder as being not responsible.	Yes	No
@Did the Superintendent manage the on-site day to day activities for this project?	<input type="checkbox"/>	<input type="checkbox"/>
@ other	<input type="checkbox"/>	<input type="checkbox"/>



The Bidder is required to complete a separate Project Example Sheet for each project identified.

Bidder's Company Name: _____

@ Other's (ex Scheduler) Name: _____

Statement of Criteria:

@Other. The Bidder shall demonstrate that the identified individual has @scheduling experience on no less than @_____ substantially completed @_____ construction projects within the last @_____ years @each with a contract price of at least @_____. @ where the cumulative contract price of all the identified projects totaled at least @\$_____. Such project experience shall also meet the following requirements:

1. @
2. @
3. @

@For each identified project, the Bidder is required to meet all of the criteria set forth above.

OR

@For each identified project, the Bidder is not required to meet all of the criteria set forth above; however, the Bidder shall provide project examples which demonstrate their experience and competence with each of the identified criteria.

Project Information			
Project Name:			
Project Summary:			
Scope of work performed:			
Owner's Company Name:		Owner's Telephone Number:	
Owner's Project Manager's Name: <i>(or person who can verify experience)</i>		Owner's Project Manager Telephone Number:	
Owner's Project Manager's Email:			
Contract Price:		Substantial Completion Date:	

Project Detail Information		Yes	No
For each of the criteria identified below, please check the appropriate box. If your answer is "No", the County may request additional information regarding the Bidder's response.			
@Did the project scheduling involve the development of a cost loaded schedule?		<input type="checkbox"/>	<input type="checkbox"/>
@Did the project scheduling involve the development of a resource loaded schedule?		<input type="checkbox"/>	<input type="checkbox"/>
@Other		<input type="checkbox"/>	<input type="checkbox"/>



RESPONSIBILITY ATTESTATION

The low responsive Bidder and the second low Bidder shall be required to complete and sign this Responsibility Attestation as specified in Section 00440. **This completed and certified Responsibility Detail & Attestation Form (Attachment 1) shall be submitted electronically (pdf) via email, to the Contract Specialist identified in Section 00020, Invitation to Bid.**

Attestation Requirement: By completing this Responsibility Detail & Attestation Form (Attachment 1), the Bidder is certifying that the information contained within Responsibility Detail & Attestation Form (Attachment 1), and any additional information requested by the County, is true and complete. The Bidder's failure to disclose the required information or the submittal of false or misleading information may result in the rejection of the Bidder's bid, revocation of award, or contract termination, and/or may impact the Bidder's ability to bid on future projects with King County.

Project: ContractTitle, C@@@@@C@@@

The information provided herein is true and complete.	
_____ Signature of Authorized Representative	_____ Date
Print Name and Title: _____	

Bidder General Information

Bidder's Legal Name: _____

Contact Name and Title: _____

Address: _____

Contact Phone Number: _____

Contact Email: _____

@Legal Name and Members of Joint Venture: _____