



**STATE OF WASHINGTON
DEPARTMENT OF NATURAL RESOURCES
OLYMPIA, WASHINGTON**

SOLICITATION

REQUEST FOR QUALIFICATIONS AND QUOTATIONS (RFQQ): DNR 24-45

TITLE: GNA Gifford Pinchot Herbicide Applications

PROPOSAL DUE DATE: May 9, 2024— by 11:59 PM, *Pacific Standard Time or Pacific Daylight Time*, Olympia, Washington, USA.

SOLICITATION COORDINATOR: Kevin Carlsen

ESTIMATED TIME-PERIOD FOR CONTRACT: June 4, 2024 – June 1, 2026

The Agency reserves the right to extend the contract for up to 3 additional one-year periods at the sole discretion of the Agency.

TABLE OF CONTENTS

1. INTRODUCTION AND SCHEDULE OF ACTIVITIES4
 1.1 PURPOSE4
 1.2 SCOPE4
 1.3 MINIMUM QUALIFICATIONS5
 1.4 PERIOD OF PERFORMANCE6
 1.5 ADDITIONAL PRODUCTS AND/OR SERVICES6
 1.6 SOLICITATION COORDINATOR.....6
 1.7 SCHEDULE OF PROCUREMENT ACTIVITIES.....7
 2 GENERAL INFORMATION.....9
 2.1 CONTRACTING RESTRICTIONS.....9
 2.2 DEFINITIONS9
 2.3 PRE-PROPOSAL CONFERENCE11
 2.4 NOTIFICATION TO BIDDERS.....11
 2.5 COMPLAINT, DEBRIEF AND PROTEST PROCEDURES11
 2.6 PROPRIETARY INFORMATION/PUBLIC DISCLOSURE14
 2.7 REVISIONS TO THE SOLICITATION14
 2.8 SMALL AND DIVERSE BUSINESS PARTICIPATION.....15
 2.9 AMERICANS WITH DISABILITIES ACT (ADA)15
 2.10 ACCEPTANCE PERIOD15
 2.11 MOST FAVORABLE TERMS15
 2.12 CONTRACT AND GENERAL TERMS & CONDITIONS.....16
 2.13 COST TO PROPOSE16
 2.14 NO OBLIGATION TO CONTRACT.....16
 2.15 REJECTION OF BIDS, QUOTATIONS and/or PROPOSALS16
 2.16 COMMITMENT OF FUNDS.....16
 2.17 DOING BUSINESS WITH THE STATE17
 2.18 INSURANCE COVERAGE17
 3 CONTENTS AND SUBMITTAL INSTRUCTIONS18
 3.1 ELECTRONIC SUBMISSION OF BIDS, QUOTATIONS and/or PROPOSALS.....18
 3.2 BIDDER CHECKLIST18
 3.3 MANAGEMENT PROPOSAL.....19
 3.4 FUNDING19
 3.5 COST PROPOSAL19
 4 EVALUATION AND AWARD21
 4.1 RESPONSIVENESS (PASS / FAIL).....21
 4.2 RESPONSIBLE BIDDER CRITERIA22
 4.3 BIDDER’S CERTIFICATION AND ASSURANCES FORM (PASS/FAIL).....22
 4.4 WAGE LAW COMPLIANCE (PASS/FAIL).....23
 4.5 PREFERENCE – EXECUTIVE ORDER 18-03 WORKER’S RIGHTS (SCORED).....23
 4.6 PREFERENCE – SMALL & VETERAN BUSINESSES (SCORED)23
 4.7 PREFERENCE – ENVIRONMENTAL CONSIDERATIONS (SCORED)24
 4.8 ORAL PRESENTATIONS MAY BE REQUIRED (SCORED)24
 4.8 EVALUATION WEIGHTING AND SCORING24
 5. SOLICITATION EXHIBITS.....26

EXHIBIT A – Bidder’s Certification and Assurances Form27
EXHIBIT B – Management Proposal Form39
EXHIBIT C – Diverse Business Inclusion Plan – Subcontractors43
**EXHIBIT D – Sample Services Contract and WA State Department of Natural Resources General Terms and Conditions
46**
**EXHIBIT E – AD-1048 Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion Lower
Tier Covered Transactions47**
EXHIBIT F – Good Neighbor Agreement (GNA) Federal Language49
EXHIBIT G – Driving Map.....51
EXHIBIT H – Pinto Pit Map52
EXHIBIT I – Squatter Pit Map53
EXHIBIT J – Iron Creek Pit Map54

1. INTRODUCTION AND SCHEDULE OF ACTIVITIES

1.1 PURPOSE

The Washington State Department of Natural Resources, hereafter called “Agency/DNR”, is initiating this Solicitation to solicit proposals from firms interested in herbicide treatment activities on the Gifford Pinchot National Forest (GPNF) through the DNR Good Neighbor Authority. This solicitation will result in a work order-based service contract to perform herbicide treatment activities on various locations on the GPNF for a period of at least two years. Some of these locations are currently identified (Exhibit G) while some locations will be identified in future work orders as projects arise and are agreed to by both parties.

The purpose of this solicitation is to secure services including all labor, equipment, supervision, transportation, operating supplies, and incidentals necessary for herbicide applications within identified treatment areas on the GPNF. The work shall be done in strict compliance with the 20 GPNF and Columbia River Gorge National Scenic Area (Washington Portion) Site-Specific Invasive Plant Treatment Project and Forest Plan Amendment, the GPNF Land and Resource Management Plan 1990 (find plan here), herbicide labels and Washington State laws and regulations.

Work to be performed and/or services delivered in the county(ies) of: Skamania and Lewis.

1.2 SCOPE

Herbicide applications will consist of regular re-occurring spraying of at least three (3) rock pits, covering an area ranging from 5 to 10 acres annually, at a minimum. More applications will continue to be identified in work orders throughout the life of the contract.

Currently Identified Herbicide Units

Treatment areas are approximate. Treatment methods will be included in the final work order and must be agreed upon by DNR. Methods will be reviewed on an ongoing basis for effectiveness and any changes will be addressed by written amendment to the specific work order affected.

Unit #	Unit Name (FMU)	Treatment Acres	County	Elevation	Slope	Application Method	Maps
1	Pinto Pit	2.2	Skamania	2050	0-50	Backpack or Off Highway Vehicle (OHV)	Exhibit H

2	Squatter Pit	2.4	Lewis	1520	0-50	Backpack or OHV	Exhibit I
3	Iron Creek Pit	0.9	Lewis	3040	0-50	Backpack or OHV	Exhibit J

Requirements

CONTRACTOR shall apply at least two herbicide applications per site annually in accordance with work orders. Additional applications maybe requested on as needed basis. Annual applications will occur in late spring (May-June) and late summer (August-September).

Only herbicides approved by the WADNR shall be used. The table below outlines those that are approved. Any substitutions must be approved prior to application and will be clearly outlined in the work order.

Mix

Mix	Product	Active Ingredient (AI)	AI Concentration	Mix Rate per Acre	Solution per Acre	Marking
1	Foresters	Glyphosate	5.4 lbs/gal	48 oz.	10 Gal.	Dye compatible with herbicide.
	Polaris SP	Imazpyr	2.0 lbs/gal	24 oz.		
	Oust Extra	Sulfomrturon methyl Metsulfuron methyl	56.25% by weight 15% by weight	4 oz.		
	SYL-TAC EA	N/A	N/A	8 oz.		Flagstrip edges.

1.3 MINIMUM QUALIFICATIONS

- A. Bidders must be licensed to do business in the State of Washington, or provide a commitment that it will become licensed to do business in Washington State prior to goods delivered or services rendered (if applicable):
- All in-state vendors must be licensed in Washington State; for more information contact Washington [Department of Licensing](#).
 - Out-of-state vendors should seek guidance from the Washington [Department of Licensing](#) for specific requirements.

- B. Bidder’s firm possesses a current year Washington State Farm Labor Contractors License and/or proof of application for license renewal for all subsequent years under the contract resulting from this solicitation.
- C. Bidder’s firm possesses a current United States Department of Labor Farm Labor Contractors License and/or proof of application for license renewal for any subsequent licensing period under the contract resulting from this solicitation.
- D. Bidders must be licensed as an herbicide Commercial Operator and/or Applicator with a Rights-of-Way endorsement.

Bidders who do not meet the minimum qualifications and/or the required specifications and qualifications as outlined above, will be rejected as non-responsive and will not receive further consideration. Any bid, quotation and/or proposal rejected as non-responsive will not be evaluated or scored.

1.4 PERIOD OF PERFORMANCE

The period of performance of any contract resulting from this solicitation is tentatively scheduled to begin on or about June 4, 2024, and end on June 1, 2026. The Agency reserves the right to extend the contract for up to 3 additional one-year periods at the sole discretion of the Agency. Amendments extending the period of performance, if any, shall be at the sole discretion of the Agency.

1.5 ADDITIONAL PRODUCTS AND/OR SERVICES

DNR reserves the right to order additional products and/or services within the scope of this solicitation. If additional products or services are required, they shall be documented in amendments to the applicable contract document(s). There is no guarantee to the Contractor additional products and/or services will be ordered.

1.6 SOLICITATION COORDINATOR

The Solicitation Coordinator is the sole point of contact in the Agency for this procurement. All communication with the Agency regarding this solicitation shall be with the Solicitation Coordinator, as follows:

SOLICITATION COORDINATOR	
NAME:	Kevin Carlsen
E-MAIL ADDRESS:	Kevin.carlsen@dnr.wa.gov
MAILING ADDRESS:	1111 Washington St. SE, MS 47013
CITY, STATE, ZIP:	Olympia, WA 98501
PHONE NUMBER:	(360) 522-2935

Any other communication will be considered unofficial and non-binding on the DNR. Vendors are to rely on written statements issued by the Solicitation Coordinator. Communication directed to parties other than the Solicitation Coordinator may result in disqualification of the Vendor.

All oral and written communications with any party other than the solicitation coordinator will be considered unofficial and non-binding on DNR. Vendors should rely only on written amendments issued by the Solicitation Coordinator. Vendors are encouraged to make any inquiry as early in the process as possible to allow DNR to consider and respond; however, no response is required from the Solicitation Coordinator. If a Vendor does not notify DNR of an issue, exception, addition, or omission, DNR may consider the matter waived by the Vendor for protest purposes. If Vendor inquiries result in changes to the solicitation, written amendments will be issued and posted on WEBS.

1.7 SCHEDULE OF PROCUREMENT ACTIVITIES

SCHEDULE OF PROCUREMENT ACTIVITIES	
ISSUE SOLICITATION DATE SOLICITATION IS POSTED IN WEBS	March 29, 2024
PRE-PROPOSAL CONFERENCE DATE SCHEDULED FOR PRE-PROPOSAL CONFERENCE IF APPLICABLE	April 16, 2024
PRE-PROPOSAL QUESTIONS DUE FROM VENDORS DEADLINE FOR VENDORS TO ASK QUESTIONS OF THE SOLICITATION COORDINATOR RELATED TO THIS SOLICITATION	April 22, 2024
PRE-PROPOSAL ANSWERS DUE BY DNR DATE THAT DNR WILL POST IN WEBS THE OFFICIAL ANSWERS TO QUESTIONS RECEIVED FROM VENDORS	April 24, 2024
COMPLAINTS DUE DEADLINE FOR SUBMITTING UNRESOLVED ISSUES ABOUT THE PROCESS	May 2, 2024
PROPOSALS DUE DEADLINE FOR DNR RECEIPT OF PROPOSALS	May 9, 2024
EVALUATE PROPOSALS PERIOD OF TIME WHEN PROPOSALS WILL BE EVALUATED BY DNR	May 10, 2024
CONDUCT ORAL PRESENTATIONS WITH FINALISTS DATE ORAL PRESENTATIONS WILL BE CONDUCTED – IF REQUIRED	N/A
ANNOUNCE APPARENT SUCCESSFUL BIDDER AWARD DATE	May 15, 2024
HOLD DEBRIEFINGS DATE DEBRIEFING CONFERENCES TO BE HELD – IF REQUESTED	May 21, 2024
NEGOTIATE CONTRACT DATE RANGE DNR EXPECTS CONTRACT NEGOTIATIONS TO BE CONDUCTED	May 22-June 3, 2024

SCHEDULE OF PROCUREMENT ACTIVITIES	
BEGIN CONTRACT WORK DATE DNR EXPECTS THE WORK TO BEGIN	June 4, 2024
THE AGENCY RESERVES THE RIGHT TO REVISE THE ABOVE SCHEDULE.	

If the Solicitation results in only one (1) Bidder and that Bidder is found responsive and responsible, the Agency reserves the right to accelerate the procurement schedule above.

2 GENERAL INFORMATION

2.1 CONTRACTING RESTRICTIONS

Specific restrictions apply to contracting with current or former state employees pursuant to Chapter 42.52 of the Revised Code of Washington. Vendors should familiarize themselves with the requirements prior to submitting a bid, quotation and/or proposal that includes current or former state employees.

2.2 DEFINITIONS

Definitions for the purposes of this solicitation include:

AGENCY – Any state office or activity of the executive and judicial branches of state government, including state agencies, departments, offices, divisions, boards, commissions, institutions of higher education as defined in RCW 28B.10.016, and correctional and other types of institutions.

AGENT – Personnel authorized to act on behalf of the Agency for matters contained within.

APPARENT SUCCESSFUL BIDDER – Bidder whose bid, quotation and/or proposal provides the best value in meeting Agency needs and is selected to contract with DNR for the proposed solution, subject to completion of contract negotiations and execution of contract.

AWARD DATE – The announcement date of the Apparent Successful Bidder.

BID, QUOTATION and/or PROPOSAL – A formal offer, submitted by an individual or entity, in response to a solicitation issued for goods and/or services by the Agency.

BIDDER – An individual or entity who submits a bid, quotation and/or proposal in response to a solicitation issued for goods and/or services by the Agency.

BUSINESS DAYS – Monday through Friday, 8AM to 5PM, Pacific Standard Time, or, Pacific Daylight Time, Olympia, Washington, USA.

CALENDAR DAY – Midnight to midnight, any day of the week.

CONTRACT – an agreement between DNR and Contractor that includes terms and conditions, the solicitation, the bid, quotation and/or proposal, all appendices, and exhibits, associated Statements of Work (e.g. Services Contract or Purchase Order), and all amendments awarded pursuant to this solicitation.

CONTRACTOR – an individual or entity whose bid, quotation and/or proposal has been accepted and is awarded a contract with the Agency, and who is solely responsible to provide a good or perform a service.

DNR – Washington State Department of Natural Resources, an Agency of the State of Washington, and any division, section, office, unit or other entity of, or any of the officers or other officials lawfully representing the department.

GOODS – products, materials, supplies, or equipment provided by a Contractor.

PURCHASE – the acquisition of goods or services, including the leasing or renting of goods.

SERVICES – labor, work, analysis, or similar activities provided by a Contractor to accomplish a specific scope of work.

SOLICITATION – a documented formal process providing an equal and open opportunity to Bidders and culminating in a selection based on predetermined criteria.

SUBCONTRACTOR – one not in the employment of the Contractor, who is performing all or part of the business activities related to this solicitation under a separate contract with the Contractor. The terms "Subcontractor" and "Subcontractors" means Subcontractor(s) in any solicitation tier.

VENDOR – individual, firm, organization, company or other entity offering products and/or services.

WASHINGTON STATE CERTIFIED MINORITY-OWNED BUSINESS – limited to firms certified by the Washington State Office of Minority and Women’s Business Enterprises (OMWBE) as a minority-owned business (MBE). See, RCW 39.19.120 and WAC 326-20.

WASHINGTON STATE CERTIFIED SMALL BUSINESS – An in-state business, including a sole proprietorship, corporation, partnership, or other legal entity, that certify location, size and WEBS certification. See [RCW 39.26.010](#)

WASHINGTON STATE CERTIFIED VETERAN-OWNED BUSINESS – Limited to firms certified by the Washington State Department of Veterans Affairs (WDVA) as a Certified Veteran-Owned Business. See, [RCW 43.60A.010\(7\)](#) & [RCW 43.60A.190](#)

WASHINGTON STATE CERTIFIED WOMAN-OWNED BUSINESS – Limited to firms certified by the Washington State Office of Minority and Women’s Business Enterprises (OMWBE) as a woman-owned business (WBE). See, RCW 39.19.120 and WAC 326-20

WEBS – Washington’s Electronic Business Solution System.

WORKING DAYS – Midnight to midnight, Monday through Friday, excluding Saturday, Sunday and state legal holidays.

2.3 PRE-PROPOSAL CONFERENCE

- A pre-proposal conference is scheduled to be held on April 16, 2024 at 0900 a.m., Pacific Standard Time or Pacific Daylight Time. The location of the pre-proposal conference is virtual on Teams at the following link, [Teams Video Conference \(Link\)](#). All prospective Bidders should attend; however, attendance is not mandatory.

Agency will be bound only to Agency’s written answers to questions. Questions arising at the pre-proposal conference or in subsequent communication with the Solicitation Coordinator will be documented and answered in written form. A copy of the questions and answers will be provided to all Vendors via posting to WEBS on the date indicated in Section 1.7 Schedule of Procurement Activities.

2.4 NOITIFICATION TO BIDDERS

The Agency will notify the Apparent Successful Bidder of their selection via WEBS upon completion of the evaluation process. Individuals or firms whose bids, quotations and/or proposals were not selected for further negotiation or award will be notified via WEBS. To complete the process, the Apparent Successful Bidder will be identified in WEBS.

2.5 COMPLAINT, DEBRIEF AND PROTEST PROCEDURES

COMPLAINT PROCESS – PRIOR TO BID, QUOTATION and/or PROPOSAL DUE DATE:

The purpose of a complaint process is to settle unresolved issues or concerns that either were not or could not be resolved during the question and answer period.

Any Bidder may submit a complaint regarding this solicitation based upon the following:

- The solicitation unnecessarily restricts competition;
- The evaluation/scoring process is unfair or flawed; or
- The requirements are inadequate or insufficient so that a bid, quotation and/or proposal is difficult to prepare.

If no complaint is filed, a Bidder cannot later file a protest based on one of the above complaint criteria.

Any complaint to the solicitation must be in writing and submitted to the Solicitation Coordinator no less than five (5) business days prior to the date when the bid, quotation and/or proposal is due, and shall clearly articulate the basis for the complaint and include a proposed remedy.

Responses to complaints will be articulated in writing, including any resulting changes to the solicitation, and will be posted on WEBS, and the Agency head will be notified.

The Agency's decision is final; no further administrative appeal is available.

DEBRIEFING OF UNSUCCESSFUL BIDDERS:

Any Bidder who has submitted a bid, quotation and/or proposal and been notified that they were not selected for contract award may request a debriefing. The request for a debriefing conference must be received by the Solicitation Coordinator within three (3) business days after the Unsuccessful Bidder notification is e-mailed to the Bidder. The debriefing must be held within three (3) business days of the request.

Discussion at the debriefing conference will be limited to the following:

- Evaluation and scoring of the Bidder's bid, quotation and/or proposal;
- Critique of the bid, quotation and/or proposal based on the evaluation; and
- Review of Bidder's final score in comparison with other final scores without identifying the other firms.

Comparisons between bids, quotations and/or proposals or evaluations of the other bids, quotations and/or proposals will not be allowed. Debriefing conferences may be conducted in person or on the telephone and will be scheduled for a maximum of one hour.

PROTEST PROCEDURE:

This procedure is available to Bidders who submitted a response to this solicitation and who have participated in a debriefing conference. Upon completing the debriefing conference, the Bidder is allowed five (5) business days to file a protest of the acquisition with the Solicitation Coordinator. Protests must be submitted in writing via e-mail and signed by the protesting party or an authorized Agent.

The protest must state the grounds for the protest with specific and complete statements of the action(s) being protested. A description of the relief or corrective action being requested should also be included.

Bidders protesting this procurement shall follow the procedures described below. Protests that do not follow these procedures shall not be considered. This protest procedure constitutes the sole administrative remedy available to Bidders under this procurement.

Only protests stipulating an issue of fact concerning the following subjects shall be considered:

- A matter of bias, discrimination or conflict of interest on the part of the evaluator;
- Errors in computing the score;
- Non-compliance with procedures described in the solicitation document, or applicable state or federal laws or regulations.

Protests not based on procedural matters will not be considered. Protests will be rejected as without merit if they address issues such as: 1) an evaluator's professional judgment on the quality of a proposal, or 2) Agency's assessment of its own and/or other agencies needs or requirements.

Upon receipt of a protest, a protest review will be held by the Agency. All available facts will be considered and a decision will be issued by the Commissioner of Public Lands or his/her delegate within five (5) business days of receipt of the protest. If additional time is required, the protesting party will be notified of the delay.

In the event a protest may affect the interest of another Bidder who submitted a bid, quotation and/or proposal, such Bidder will be given an opportunity to submit its views and any relevant information on the protest to the Solicitation Coordinator.

The final determination of the protest shall:

- Find the protest lacking in merit and uphold the Agency's action; or
- Find only technical or harmless errors in the Agency's acquisition process conduct and determine the Agency to be in substantial compliance and reject the protest; or
- Find merit in the protest and provide the Agency options which may include:
 - Correct the errors and re-evaluate all bids, quotations and/or proposals; and/or
 - Reissue the solicitation document; and/or
 - Make other findings and determine other courses of action as appropriate.

If the Agency determines that the protest is without merit, the Agency will enter into a contract with the Apparent Successful Bidder.

The Agency protest decision is final and no appeal process will be required. If a protesting Bidder does not accept the Agency protest response, the Bidder may try to seek relief from Thurston County Superior Court.

2.6 PROPRIETARY INFORMATION/PUBLIC DISCLOSURE

Bids, quotations and/or proposals submitted in response to this solicitation shall become the property of the Agency and shall be deemed public records as defined in Chapter 42.56 (Public Records Act) of the Revised Code of Washington (RCW).

Per Chapter 39.26 (Procurement of Goods and Services), Section 030 (State procurement records – Disclosure.) of the Revised Code of Washington (RCW), bid submissions and bid evaluations are exempt from disclosure until the agency announces the apparent successful bidder. The Apparent Successful Bidder is the Bidder whose bid, quotation and/or proposal provides the best value in meeting Agency needs and is selected to contract with DNR for the proposed solution, subject to completion of contract negotiations and execution of contract.)

Any information in the bid, quotation and/or proposal that the Bidder desires to claim as proprietary and exempt from disclosure under the provisions of Chapter 42.56 RCW, or other state or federal law that provides for the nondisclosure of your document, must be clearly designated. The information must be clearly identified and the particular exemption from disclosure upon which the Bidder is making the claim must be cited. Each page containing the information claimed to be exempt from disclosure must be clearly identified by the words “Proprietary Information” printed on the lower right-hand corner of the page. Marking the entire bid, quotation and/or proposal exempt from disclosure or as Proprietary Information will not be honored.

If a public records request is made for the information that the Bidder has marked as "Proprietary Information," the Agency will notify the Bidder of the request and of the date that the records will be released to the requester unless the Bidder obtains a court order enjoining that disclosure. If the Bidder fails to obtain the court order enjoining disclosure, the Agency will release the requested information on the date specified. If a Bidder obtains a court order from a court of competent jurisdiction enjoining disclosure pursuant to Chapter 42.56 RCW, or other state or federal law that provides for nondisclosure, the Agency shall maintain the confidentiality of the Bidder information per the court order.

Pursuant to RCW 42.56.120, DNR uses the default fee schedule. However, records may be viewed in person for no fee. All requests for copies of identifiable records should be directed to the public disclosure office: publicdisclosure@dnr.wa.gov and the Solicitation Coordinator listed in the solicitation, posted in [WEBS \(wa.gov\)](http://WEBS.wa.gov).

2.7 REVISIONS TO THE SOLICITATION

The Agency reserves the right to cancel or reissue all or part of this solicitation at any time as allowed by law without obligations or liability.

In the event that it becomes necessary to revise any part of this solicitation, an amendment will be posted in WEBS (Washington's Electronic Business Solutions). Questions & Answers and any other pertinent information shall be provided as an amendment to the solicitation and will be posted in WEBS.

2.8 SMALL AND DIVERSE BUSINESS PARTICIPATION

DNR strongly encourages the participation of minority and women-owned businesses, Veteran owned businesses and small businesses, as prime Contractors or Subcontractors.

If you are a small business that needs assistance responding to this solicitation, help is available. Please visit OMWBE Small Business Assistance at <https://omwbe.wa.gov/small-business-assistance> to see the services offered. The Washington Procurement Technical Assistance Center (PTAC) is also available with no cost, confidential technical assistance for small businesses doing business with state government.

Minority and Women-Owned Businesses

In accordance with the legislative findings and policies set forth in Chapter 39.19 RCW, the State encourages participation in all of its contracts by firms certified by the Office of Minority and Women's Business Enterprises (OMWBE). Participation may be either on a direct basis in response to this solicitation or on a Subcontractor basis. Bidders may go to <https://omwbe.wa.gov/directory-certified-businesses> to obtain information on certified firms.

No preference will be included in the evaluation of bids for the participation of minority and women-owned businesses. See section 4.6 Preference – Small & Veteran Businesses for information on preference points for small and veteran owned businesses.

2.9 AMERICANS WITH DISABILITIES ACT (ADA)

The Agency complies with the Americans with Disabilities Act (ADA). Vendors may contact the Solicitation Coordinator listed above for additional assistance.

2.10 ACCEPTANCE PERIOD

Bids, quotations and/or proposals must provide 90 calendar days for acceptance by Agency from the due date for receipt of bids, quotations and/or proposals.

2.11 MOST FAVORABLE TERMS

The Agency reserves the right to make an award without further discussion of the bid, quotation and/or proposal submitted. Therefore, the bid, quotation and/or proposal should be submitted initially on the most favorable terms that the Bidder can propose. There will be no best and final

offer procedure. The Agency does reserve the right to contact a Bidder for clarification of its bid, quotation and/or proposal.

The Apparent Successful Bidder should be prepared to accept this solicitation for incorporation into a contract resulting from this solicitation.

2.12 CONTRACT AND GENERAL TERMS & CONDITIONS

The awarded Apparent Successful Bidder is entering into the Washington state Department of Natural Resources generic Services Contract including but not limited to the terms and conditions outlined within the solicitation, bid, quotation and/or proposal, all appendices, all exhibits, associated Statements of Work, Purchase Orders, and all amendments awarded.

Agency Contractors hereby have access to Sample Services Contract and WA State Department of Natural Resources General Terms and Conditions

https://www.dnr.wa.gov/publications/em_obe_contracting_template.pdf

All exceptions to the contract terms and conditions must be submitted as an attachment to EXHIBIT A – Bidder’s Certification and Assurances Form.

The Agency will review requested exceptions and accept or reject the same at its sole discretion.

2.13 COST TO PROPOSE

The Agency will not be liable for any costs incurred by the Bidder in preparation of a bid, quotation and/or proposal submitted in response to this solicitation, in conduct of a presentation, or any other activities related to responding to this solicitation.

2.14 NO OBLIGATION TO CONTRACT

This solicitation does not obligate the State of Washington or the Agency to contract for services specified herein.

2.15 REJECTION OF BIDS, QUOTATIONS and/or PROPOSALS

The Agency reserves the right at its sole discretion to reject all bids, quotations and/or proposals received without penalty and not to issue a contract as a result of this solicitation.

2.16 COMMITMENT OF FUNDS

The Commissioner of Public Lands or his/her delegate is the only individual who may legally commit the Agency to the expenditures of funds for a contract resulting from this solicitation. No cost chargeable to the proposed contract may be incurred before notice and acceptance of award.

2.17 DOING BUSINESS WITH THE STATE

The Agency requires all awarded bidders to be registered with the Washington Office of Financial Management (OFM). Addition information can be found on The Department of Enterprise Services Website <https://des.wa.gov/sell/how-work-state>

2.18 INSURANCE COVERAGE

Before using any of said rights granted herein and its own expense, Contractor shall purchase and maintain, or require its Agent(s)/Subcontractor(s) to purchase and maintain, the insurance described within [Sample Services Contract and WA State Department of Natural Resources General Terms and Conditions](#) for the entire duration of this Agreement. Failure to purchase and maintain the required insurance may result in the termination of the Agreement at DNR's option.

All insurance provided in compliance with this Agreement shall be primary as to any other insurance or self-insurance programs afforded to, or maintained by, the State of Washington, Department of Natural Resources.

Upon notification of being chosen as the Apparent Successful Bidder, the Contractor shall provide DNR with certificates of insurance, executed by a duly authorized representative of each insurer, showing compliance with the insurance requirements specified before using any of said rights granted herein. The description section of the certificate shall contain the contract number and the name of the DNR Project Manager. Contractor shall also provide renewal certificates as appropriate during the term of this Agreement.

Contractor shall include all Subcontractors and Agents as insured under all required insurance policies or shall provide separate certificates of insurance for each Subcontractor or Agent. Failure of Contractor to have its Subcontractors and Agents comply with the insurance requirements contained herein does not limit Contractor's liability or responsibility.

3 CONTENTS AND SUBMITTAL INSTRUCTIONS

Bidders are required to read and understand all information contained within this entire bid package including all exhibits. By responding to the solicitation, Bidder agrees to read and understand all documents.

3.1 ELECTRONIC SUBMISSION OF BIDS, QUOTATIONS and/or PROPOSALS

The bid, quotation and/or proposal must be received by the Solicitation Coordinator by the due date indicated within Section 1.7 Schedule of Procurement Activities of this solicitation, or any amendments.

Bids, quotations and/or proposals must be **submitted electronically** as an attachment to e-mail to the Solicitation Coordinator, at the e-mail address listed in Section 1.6 Solicitation Coordinator.

The submitted bid, quotation and/or proposal shall follow the below naming convention:

24-45_RFQQ_Bidder Name_Proposal

Attachments to e-mail shall be in Microsoft Word format or PDF. Maximum file size for an e-mail attachment is 30MB. Zipped files cannot be received by the Agency and cannot be used for submission of bids, quotations and/or proposals.

All forms and documents submitted must have a signature of the individual within the organization authorized to bind the Bidder to the offer. The Agency does not assume responsibility for problems with Bidder's e-mail. If the Agency's e-mail is not working, appropriate allowances will be made.

Bidders should allow sufficient time to ensure timely receipt of the bid, quotation and/or proposal by the Solicitation Coordinator. Late bids, quotations and/or proposals will not be accepted and will be automatically disqualified from further consideration, unless the Agency's e-mail is found to be at fault. All bids, quotations and/or proposals and any accompanying documentation become the property of the Agency and will not be returned.

3.2 BIDDER CHECKLIST

Submit the following applicable documents to the Solicitation Coordinator by the due date indicated within the Section 1.7 Schedule of Procurement Activities of this solicitation, or any amendments to the schedule. Failure to comply may result in rejection of the bid, quotation and/or proposal as non-responsive. The Agency reserves the right at its sole discretion to waive minor administrative irregularities.

BIDDER CHECKLIST	
EXHIBIT A – BIDDER’S CERTIFICATIONS AND ASSURANCES FORM	<input type="checkbox"/>
EXHIBIT A – ITEM 8 – EXCEPTIONS TO TERMS AND CONDITIONS	<input type="checkbox"/>
EXHIBIT B – MANAGEMENT PROPOSAL FORM	<input type="checkbox"/>
EXHIBIT C – SUB CONTRACTOR INCLUSION PLAN (IF APPLICABLE)	<input type="checkbox"/>
EXHIBIT E – AD-1048	<input type="checkbox"/>
SECTION 3.5 – COST PROPOSAL	<input type="checkbox"/>
FARM LABOR LICENSE(S) STATE AND FEDERAL <ul style="list-style-type: none"> • Current year Washington State Farm Labor Contractors License and/or proof of application for license renewal for the subsequent year. • Current United States Department of Labor Farm Labor. 	<input type="checkbox"/>
HERBICIDE APPLICATORS LICENSE <ul style="list-style-type: none"> • Herbicide Commercial Operator and/or Applicator with a Rights-of-Way endorsement. 	<input type="checkbox"/>

3.3 MANAGEMENT PROPOSAL

Exhibit B – Management Proposal Form, must be completed and returned to the Solicitation Coordinator in order for DNR to evaluate the Bidders management proposal.

3.4 FUNDING

Purchase of goods and/or services resulting from this Solicitation are funded by Federal dollars. Terms and conditions for funding source are included in [Sample Services Contract and WA State Department of Natural Resources General Terms and Conditions](#).

Any contract awarded as a result of this solicitation is contingent upon the availability of funding.

3.5 COST PROPOSAL

The Bidder shall attach a fully detailed cost proposal in order to be considered responsive to this solicitation.

The cost proposal shall include fully weighted costs for goods delivered or services rendered as requested within.

Costs must be submitted as follows:

Identify a delivered cost for herbicide application per acre based the mixing specifications as outlined above.

Enter Bid Prices Here

Item Number	Item Name	Acres	Bid Price Per Acre	Item Total
1	Pinto Pit	2.2		
2	Squatter Pit	2.4		
3	Iron Creek Pit	.9		
	Total Acres:	5.5	Total Bid Price:	

IDENTIFICATION OF COSTS (SCORED)

All costs shall be in U.S. dollars including expenses to be charged to accomplish the tasks and to produce the deliverables under this contract. Bidders are required to collect and pay Washington state sales and use taxes, as applicable.

Costs for Subcontractors are to be broken out separately.

COMPUTATION OF COSTS

The score for the cost proposal will be computed by dividing the lowest cost bid, quotation and/or proposal received by the Bidders total cost. Then the resultant number will be multiplied by the maximum possible points for the cost section.

PROMPT PAYMENT

Bidders are encouraged to offer a discount for prompt payment of invoices. Please indicate your discount proposal on the submitted cost proposal as outlined in Section 3.4. If awarded by the state, period of entitlement begins only after:

- Receipt of a properly completed invoice.
- Receipt of all supplies, equipment or services ordered.
- Satisfactory completion of all contractual requirements.

4 EVALUATION AND AWARD

The evaluation process is designed to award this procurement not necessarily to the Bidder of least cost, but rather to the Bidder whose bid, quotation and/or proposal best meets the requirements of this solicitation. However, Bidders are encouraged to submit bids, quotations and/or proposals that are consistent with state government efforts to conserve state resources.

The Agency will award the contract to the lowest responsive and responsible Bidder that meets the specifications as determined by the Agency. The Agency will post awarded bids and bid award documents for each competitive procurement for public review.

The Agency may reject the bid, quotation and/or proposal of any firm who has failed to perform satisfactorily on a previous contract with the state.

Responsive bids, quotations and/or proposals will be evaluated strictly in accordance with the requirements stated in this solicitation and any amendments issued. The evaluation of bids, quotations and/or proposals shall be accomplished by an evaluation team, to be designated by the Agency, which will determine the ranking of the bids, quotations and/or proposals.

The Agency reserves the right to select and enter into contract(s) with the Bidder whose bid, quotation and/or proposal is deemed to be in the best interest of the Agency and the State of Washington.

If this procurement is estimated to be less than \$150,000. The Agency intends to award the contract to the lowest responsive and responsible bid from a small business (as defined in RCW 39.26.010(22)(a) or veteran-owned business, (as defined in RCW 43.60A.190) unless none of these businesses are responsible and responsive to this solicitation. The Agency will verify small and veteran owned business status through WEBS certification and if applicable bidder must provide certification documentation to the Washington Department of Veterans' Affairs WDVA and be certified by WDVA and listed as such on WDVA's website.

It is the intent of the Agency to establish one or more service contracts from this solicitation.

4.1 RESPONSIVENESS (PASS / FAIL)

All bids, quotations and/or proposals will be reviewed by the Solicitation Coordinator to determine compliance with administrative requirements and instructions specified in this solicitation. The Bidder is specifically notified that failure to comply with any part of the solicitation may result in rejection of the bid, quotation and/or proposal as non-responsive.

The Agency reserves the right at its sole discretion to waive minor administrative irregularities.

4.2 RESPONSIBLE BIDDER CRITERIA

All requested information as outlined within must be submitted in order for DNR to determine the lowest responsive and responsible Bidder.

In determining whether the Bidder is a responsible Bidder, the Agency must consider the following elements ([RCW 39.26.160\(2\)](#)):

- a. The ability, capacity, and skill of the Bidder to perform the contract or provide the service required;
- b. The character, integrity, reputation, judgment, experience, and efficiency of the Bidder;
- c. Whether the Bidder can perform the contract within the time specified;
- d. The quality of performance of previous contracts or services;
- e. The previous and existing compliance by the Bidder with laws relating to the contract or services;
- f. Whether, within the three-year period immediately preceding the date of the bid solicitation, the Bidder has been determined by a final and binding citation and notice of assessment issued by the 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](#), any provision of chapter [49.46](#), 49.48, or [49.52](#) RCW; and
- g. Such other information as may be secured having a bearing on the decision to award the contract.

In determining the lowest responsive and responsible Bidder, an Agency may consider best value criteria, including but not limited to ([RCW 39.26.160\(3\)](#)):

- a. Whether the bid, quotation and/or proposal satisfies the needs of the state as specified in the solicitation documents;
- b. Whether the bid, quotation and/or proposal encourages diverse Contractor participation;
- c. Whether the bid, quotation and/or proposal provides competitive pricing, economies, and efficiencies;
- d. Whether the bid, quotation and/or proposal considers human health and environmental impacts;
- e. Whether the bid, quotation and/or proposal appropriately weighs cost and noncost considerations; and
- f. Life-cycle cost.

The Agency's determination that a Bidder is not qualified may result in rejection of the submitted bid, quotation and/or proposal.

4.3 BIDDER'S CERTIFICATION AND ASSURANCES FORM (PASS/FAIL)

All Bidders must submit Exhibit A – Bidder’s Certifications and Assurances Form, signed by an individual authorized to bind the Bidder contractually. DNR will evaluate the information and may, at its sole discretion, reject the Bidder’s Response if the information indicates that completion of a Contract resulting from this RFQQ may be jeopardized by selection of the Bidder.

4.4 WAGE LAW COMPLIANCE (PASS/FAIL)

Prior to awarding a contract, agencies are required to determine that a Bidder is a 'Responsible Bidder.' See [RCW 39.26.160\(2\)\(f\) and \(4\)](#). Pursuant to legislative enactment in 2017, the Responsible Bidder Criteria include a Contractor Certification that the Contractor has not willfully violated Washington's wage laws. See Chap. 258, 2017 Laws (enacting [SSB5301](#)). All Bidders must submit Exhibit A – Bidder’s Certification and Assurances Form, signed by an individual authorized to bind the Bidder contractually. A Bidder’s failure to comply with the required Wage Law

4.5 PREFERENCE – EXECUTIVE ORDER 18-03 WORKER’S RIGHTS (SCORED)

FIRMS WITHOUT MANDATORY INDIVIDUAL ARBITRATION FOR EMPLOYEES

Pursuant to RCW 39.26.160(3) (best value criteria) and consistent with Executive Order 18-03 – Supporting Workers’ Rights to Effectively Address Workplace Violations (dated June 12, 2018),

- A. **A preference of 5 percent** will be given to any Bidder who certifies, pursuant to the certification attached as Exhibit A – Bidder’s Certification and Assurances Form that their firm does NOT require its employees, as a condition of employment, to sign or agree to mandatory individual arbitration clauses or class or collective action waiver.

4.6 PREFERENCE – SMALL & VETERAN BUSINESSES (SCORED)

Department of Natural Resources, in accordance with Washington law, encourages small and diverse businesses to compete for and participate in state procurements as contractors and as subcontractors to awarded bidders. See, e.g., [RCW 43.60A.200](#) (WDVA Certified Veteran-Owned Businesses); and [RCW 39.26.005](#) (Washington Small Businesses).

Washington State Certified Veteran-Owned Businesses

In accordance with Chapter 43.60A.200 RCW, the State encourages participation in all of its contracts by firms certified by the Washington State Department of Veterans’ Affairs (DVA). For questions regarding the above go to <http://www.dva.wa.gov/>.

- A. **A preference of 10 percent** will be given to any Bidder who provides evidence as set forth in Exhibit A – Certifications and Assurances Form that the that Bidder qualifies as a Washington Department of Veterans’ Affairs Certified Veteran-Owned Business. **Note: This preference does not apply if federal funds are being used. See section 3.4 Funding for funding source information.**

Washington State Certified Small Businesses

In accordance with the intent of Chapter 39.26.005 RCW, the State encourages the purchases of goods and services from Washington small businesses. Small business, mini-business, and micro-business are defined in RCW Chapter 39.26.010 (22), (17), and (16) respectively. Go to <http://apps.leg.wa.gov/RCW/default.aspx?cite=39.26.010>. All qualified state small business types are encouraged to register and identify themselves in the Washington Electronic Business Solution (WEBS). <https://des.wa.gov/sell/how-work-state/register-bid-opportunities>

- A. **A preference of 10 percent** will be given to any Bidder who provides evidence as set forth in Exhibit A – Certifications and Assurances Form that the that Bidder qualifies as a Washington State Small Business. **Note: This preference does not apply if federal funds are being used. See section 3.4 Funding for funding source information.**

4.7 PREFERENCE – ENVIRONMENTAL CONSIDERATIONS (SCORED)

Not applicable to this solicitation.

4.8 ORAL PRESENTATIONS MAY BE REQUIRED (SCORED)

The Agency, at its sole discretion, may elect to select the top-scoring firms as finalists for an oral presentation. Should oral presentations become necessary, the Agency will contact the top-scoring firm(s) from the written evaluation to schedule a time and location to hold the oral presentation on the date as outlined on the Schedule of Activities and any amendments. Commitments made by the Bidders at the oral presentation, if any, will be considered binding.

- The oral presentations are NOT required under this solicitation.

4.8 EVALUATION WEIGHTING AND SCORING

CRITERIA	MAXIMUM POINTS
RESPONSIVENESS	
SECTION 1.3 – MINIMUM QUALIFICATIONS	PASS/FAIL
SECTION 4.1 – RESPONSIVENESS	PASS/FAIL
SECTION 4.3– BIDDER’S CERTIFICATIONS AND ASSURANCES FORM (EXHIBIT A)	PASS/FAIL
SECTION 4.4 – WAGE COMPLIANCE LAW (EXHIBIT A)	PASS/FAIL
MANAGEMENT PROPOSAL	
EXHIBIT B MANAGEMENT PROPOSAL FORM, SECTION A1 – TEAM STRUCTURE AND INTERNAL CONTROLS	10
EXHIBIT B MANAGEMENT PROPOSAL FORM, SECTION A2 – STAFF QUALIFICATIONS AND EXPERIENCE	10

EXHIBIT B MANAGEMENT PROPOSAL FORM, SECTION A3 – SCHEDULE	10
EXHIBIT B MANAGEMENT PROPOSAL FORM, SECTION B – KNOWLEDGE, SKILLS AND ABILITIES – REQUIRED	PASS/FAIL
EXHIBIT B MANAGEMENT PROPOSAL FORM, SECTION B – KNOWLEDGE, SKILLS AND ABILITIES – PREFERRED	10
EXHIBIT B MANAGEMENT PROPOSAL FORM, SECTION C1 – TERMINATION FOR DEFAULT	PASS/FAIL
EXHIBIT B MANAGEMENT PROPOSAL FORM, SECTION C2 – CURRENT/FORMER STATE EMPLOYEE	PASS/FAIL
EXHIBIT B MANAGEMENT PROPOSAL FORM, SECTION D – REFERENCES	10
COST PROPOSAL	
SECTION 3.5 – TOTAL COST	50
SUB-TOTAL enter subtotal	
PREFERENCES	
SECTION 4.5 – EXECUTIVE ORDER 18-03 WORKER’S RIGHTS (EXHIBIT A)	5
TOTAL POSSIBLE w/PREFERENCES 105	
ORAL PRESENTATIONS – if applicable	
SECTION 4.8 – ORAL PRESENTATIONS	NA
TOTAL POSSIBLE POINTS w/ORAL PRESENTATIONS 105	

5. SOLICITATION EXHIBITS

EXHIBIT A – Bidder Certifications and Assurances Form

EXHIBIT B – Management Proposal Form

EXHIBIT C – Diverse Business Inclusion Plan – Subcontractors

EXHIBIT D – Sample Services Contract and WA State Department of Natural Resources
General Terms and Conditions

EXHIBIT E – AD-1048

EXHIBIT F – Good Neighbor Agreement (GNA) Federal Language

EXHIBIT G – Driving Map

EXHIBIT H – Pinto Pit Map

EXHIBIT I – Squatter Pit Map

EXHIBIT J – Iron Creek Pit Map

EXHIBIT A – Bidder’s Certification and Assurances Form

BIDDER INFORMATION

Business Name:					
Name of Authorized Representative:					
Address:					
City:		State:		Zip:	
Cell Phone:					
Office Phone:					
E-mail:					
TIN (Tax Identification Number): Internal Revenue Service					
WA UBI (Unified Business Identifier): WA Department of Licensing					

ALL IN-STATE VENDORS MUST BE LICENSED TO DO BUSINESS IN WASHINGTON STATE.
 OUT-OF-STATE VENDORS SHOULD SEEK GUIDANCE FROM [WA DEPARTMENT OF LICENSING](#) FOR SPECIFIC UBI REQUIREMENTS.

EXECUTIVE STAFF

List information for each principal officer (President, Vice-President, Treasurer, Chairperson of the Board of Directors, etc.).			
NAME	TITLE	ADDRESS	PHONE NUMBER

Bidder makes the following certifications and assurances as a required element of the bid, quotation and/or proposal, to which it is attached, understanding that the truthfulness of the facts affirmed here and the continuing compliance with these requirements are conditions precedent to the award or continuation of the related contract(s):

1. **UNDERSTANDING.** Bidder certifies that Bidder has read, thoroughly examined, and fully understands all of the provisions in the Competitive Solicitation (including all exhibits) and the terms and conditions of the Contract and any amendments or clarifications to the Competitive Solicitation, and agrees to abide by the same.
2. **ACCURACY.** Bidder declares that all answers and statements made in the bid, quotation and/or proposal are true and correct.
3. **NO COLLUSION OR ANTI-COMPETITIVE PRACTICES.** The prices and/or cost data have been determined independently, without consultation, communication, or agreement with others for the purpose of restricting competition. However, Bidder may freely join with other persons or organizations for the purpose of presenting a single bid, quotation and/or proposal.
4. **FIRM OFFER.** The attached bid, quotation and/or proposal is a firm offer for a period of 90 calendar days following receipt, and it may be accepted by the Agency without further negotiation (except where obviously required by lack of certainty in key terms) at any time within the 90-day period.
5. **CONFLICT OF INTEREST.** In preparing this bid, quotation and/or proposal, Bidder has not been assisted by any current or former employee of the State of Washington whose duties relate (or did relate) to this bid, quotation and/or proposal or prospective contract, and who was assisting in other than his or her official, public capacity. (Any exceptions to these assurances are described in full detail on a separate page and attached to this document.)
6. **NO REIMBURSEMENT.** Bidder understands that the Agency will not issue reimbursement for any costs incurred in the preparation of this bid, quotation and/or proposal. All bids, quotations and/or proposals become the property of the Agency, and the Bidder claim no proprietary right to the ideas, writings, items, or samples, unless so stated in this bid, quotation and/or proposal.
7. **DISCLOSURE.** Unless otherwise required by law, the prices and/or cost data that have been submitted have not been knowingly disclosed by the Bidder and will not knowingly be disclosed by the bidder prior to award, directly or indirectly to any other Bidder or to any competitor.
8. **PERFORMANCE.** Bidder agrees that submission of bid documents, quotation and/or proposal constitutes acceptance of the solicitation contents, including all attached or linked terms and conditions. If there are any exceptions to these terms and conditions, the Bidder has described those exceptions in detail on a page attached to Bidder's submission documents.

9. **HARASSMENT.** Per [RCW 43.01.135](#), Sexual harassment in the workplace, DNR contractors hereby have access to DNR Policy PO01-052 Sexual Harassment:
https://www.dnr.wa.gov/publications/em_harassment_prevention_policy.pdf.

DNR's Policy PO01-051 Safe and Respectful Workplace, linked below, outlines DNR's commitment and the expectations for contractors:
www.dnr.wa.gov/publications/em_safe_respectful_workplace_policy.pdf.

DNR's Policy PO01-037 Harassment Prevention, linked below, outlines DNR's commitment and the expectations for contractors:
www.dnr.wa.gov/publications/em_harassment_prevention_policy_037.pdf.

10. **RESTRICTING COMPETITION.** No attempt has been made or will be made by the Bidder to persuade any other person or firm to submit or not to submit a bid, quotation and/or proposal for the purpose of restricting competition.
11. **REFERENCES.** Bidder grants the Agency the right to contact references and others, who may have pertinent information regarding the Bidder's prior experience and ability to perform the goods delivered or services rendered contemplated in this procurement.
12. **LICENSED IN WASHINGTON STATE.** Bidder will become licensed to do business in the State of Washington (if applicable) prior to providing delivered goods or rendered services to DNR.
13. **PREVIOUS STATE EMPLOYEES.** If any staff member(s) who will perform work on this contract has retired from the State of Washington under the provisions of the 2008 Early Retirement Factors legislation, list their name(s) on a separately attached page. WAC 415.02.325 RCW 41.50.139
14. **DEBARMENT.** Bidder certifies as follows (must check one):
- NO DEBARMENT. Bidder and/or its principals are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from contracting with any federal, state, or local governmental entity.

OR

 - DEBARRED. As detailed on the attached explanation (Bidder to provide), Bidder and/or its principals presently are debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from contracting with a federal, state, or local governmental entity.
15. **CRIMINAL OFFENSE.** Bidder certifies as follows (must check one):
- NO CRIMINAL OFFENSE. Bidder and its officers, directors, and managers have not, within the three (3) year period preceding the date of this Competitive Solicitation, been convicted or had a civil judgment rendered against Bidder or such officers, directors,

and managers for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a governmental contract; violation of any federal or state antitrust statute; or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property. Bidder further certifies that Bidder and its officers, directors, and managers are not presently indicted or otherwise criminally or civilly charged by a governmental entity with commission of any of the offenses enumerated in this paragraph.

OR

- CRIMINAL OFFENSE.** As detailed on the attached explanation (Bidder to provide), within the three (3) year period preceding the date of this Competitive Solicitation, Bidder or its officers, directors, or managers have been convicted or had a civil judgment rendered against Bidder or such officers, directors, or managers for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a governmental contract; violation of any federal or state antitrust statute; or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property.

16. **TERMINATION FOR DEFAULT OR CAUSE.** Bidder certifies as follows (must check one):

- NO TERMINATION FOR DEFAULT OR CAUSE.** Bidder has not, within the three (3) year period preceding the date of this Competitive Solicitation, had one (1) or more federal, state, or local governmental contracts terminated for cause or default.

OR

- TERMINATION FOR DEFAULT OR CAUSE.** As detailed on the attached explanation (Bidder to provide), within the three (3) year period preceding the date of this Competitive Solicitation, Bidder has had one (1) or more federal, state, or local governmental contracts terminated for cause or default.

17. **TAXES.** Bidder certifies as follows (must check one):

- TAXES PAID.** Except as validly contested, Bidder is not delinquent and has paid or has arranged for payment of all taxes due to the State of Washington and has filed all required returns and reports as applicable.

OR

- DELINQUENT TAXES.** As detailed on the attached explanation (Bidder to provide), Bidder has not paid or arranged for payment of all taxes due to the State of Washington and/or has not timely filed all required returns and reports as applicable.

18. **FINANCIALLY SOLVENT.** Bidder certifies as follows (must check one):

- FINANCIALLY SOLVENT.** Bidder is financially stable and solvent, has adequate cash reserves to meet all financial obligations, has not commenced bankruptcy proceedings

voluntarily or otherwise, and is not subject to any judgments, liens, or encumbrances of any kind affecting title to any Goods or Services that are the subject of this Competitive Solicitation.

OR

- NOT FINANCIALLY SOLVENT. As detailed on the attached explanation (Bidder to provide), Bidder is not financially stable and solvent – i.e., Bidder does not have adequate cash reserves to meet all financial obligations, has commenced bankruptcy proceedings voluntarily or otherwise, or is subject to a judgment, lien, or encumbrance that affects title to the Goods or Services that are the subject of this Competitive Solicitation.

19. **LAWFUL REGISTRATION.** Bidder, if conducting business other than as a sole proprietorship certifies as follows (must check one):

NOTE: This certification applies only to bidders that are organized as separate legal entities (e.g., a corporation, partnership, Limited Liability Company). If bidder is a sole proprietor, this certification should not be answered.

- CURRENT LAWFUL REGISTRATION. Bidder is in good standing in the State of Washington and the jurisdiction where Bidder is organized, including having timely filed all required annual reports.

OR

- DELINQUENT REGISTRATION. As detailed on the attached explanation (Bidder to provide), Bidder currently is not in good standing in the State of Washington and/or the jurisdiction where Bidder is organized.

20. **REGISTRATION WITH WASHINGTON SECRETARY OF STATE.** Bidder, is conducting business other than as a sole proprietorship, certifies as follows (must check one):

NOTE: This certification applies only to bidders that are organized as separate legal entities (e.g., a corporation, partnership, Limited Liability Company). If bidder is a sole proprietor, this certification should not be answered.

- BIDDER IS REGISTERED WITH WASHINGTON SECRETARY OF STATE. Bidder is registered with the Washington Secretary of State, is in good standing, and has the following Unified Business Identifier (UBI) number: ____ _.

OR

- BIDDER WILL REGISTER WITH WASHINGTON SECRETARY OF STATE. Bidder is not registered with the Washington Secretary of State but, if designated as the Apparent Successful Bidder, Bidder will register with the Washington Secretary of State and obtain a UBI number within twenty-four (24) hours of such designation or notification by the Agency or be deemed a nonresponsive bid.

OR

- BIDDER IS NOT REGISTERED WITH WASHINGTON SECRETARY OF STATE.** Bidder is not registered with the Washington Secretary of State and Bidder declines to register with the Washington Secretary of State.

21. **REGISTRATION WITH WASHINGTON STATE DEPARTMENT OF REVENUE.** Bidder certifies as follows (must check one):

- BIDDER IS REGISTERED WITH WASHINGTON STATE DEPARTMENT OF REVENUE.** Bidder is registered with the Washington State Department of Revenue, has a business license to do business in Washington, and has the following Unified Business Identifier (UBI) number: ____ ____ ____.

OR

- BIDDER WILL REGISTER WITH WASHINGTON STATE DEPARTMENT OF REVENUE.** Bidder is not registered with the Washington State Department of Revenue but, if designated as the Apparent Successful Bidder, Bidder will register with the Washington State Department of Revenue and obtain a business license within twenty-four (24) hours of such designation or notification by the Agency or be deemed a nonresponsive bid.

OR

- BIDDER IS NOT REGISTERED WITH WASHINGTON STATE DEPARTMENT OF REVENUE.** Bidder is not registered with the Washington State Department of Revenue and Bidder declines to register with the Washington State Department of Revenue.

22. **WAGE THEFT PREVENTION.** Bidder certifies as follows (must 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](#), any provision of RCW chapters [49.46](#), [49.48](#), or [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](#), any provision of RCW chapters [49.46](#), [49.48](#), or [49.52](#) within three (3) years prior to the date of the above-referenced procurement solicitation date.

23. **WORKERS' RIGHTS (EXECUTIVE ORDER 18-03).** Bidder certifies as follows (must check one):

- No Mandatory Individual Arbitration Clauses and Class or Collective Action Waivers for Employees. Bidder does NOT require its employees, as a condition of employment, to sign or agree to mandatory individual arbitration clauses or class or collective action waivers.

OR

- Mandatory Individual Arbitration Clauses and Class or Collective Action Waivers for Employees. Bidder requires its employees, as a condition of employment, to sign or agree to mandatory individual arbitration clauses or class or collective action waivers.

24. **WASHINGTON STATE SUBCONTRACTORS.** Bidder certifies as follows (must check one):

- No Subcontractors. If awarded a Contract, Bidder will not use subcontractors to provide the goods and/or services subject to this Competitive Solicitation.

OR

- Yes Subcontractors. If awarded a Contract, Bidder will use subcontractors to provide the goods and/or services subject to this Competitive Solicitation. Bidder must complete in its entirety EXHIBIT C – Sub Contractor inclusion plans per DES POL-DES-090-06

In such event, Bidder certifies that, as to the Agency, Bidder shall retain responsibility for its subcontractors, including, without limitation, liability for any subcontractor's acts or omissions. Note: Bidder must provide the precise legal name (including state of organization), business address, and federal tax identification number (TIN) for each subcontractor. Note: Do not provide any SSN.

25. **WASHINGTON STATE CERTIFIED SMALL BUSINESS.** Bidder certifies as follows (must check one):

- Washington Small Business. Bidder is a Washington Small Business as defined in RCW 39.26.010. To qualify as a Washington Small Business, Bidder must meet three (3) requirements:
- Location. Bidder's principal office/place of business must be located in and identified as being in the State of Washington. A principal office or principal place of business is a firm's headquarters where business decisions are made and the location for the firm's books and records as well as the firm's senior management personnel.
 - Size. Bidder must be owned and operated independently from all other businesses and have either: (a) fifty (50) or fewer employees; or (b) gross revenue of less than seven million dollars (\$7,000,000) annually as reported on Bidder's federal income tax return or its return filed with the Washington State Department of Revenue over the previous three consecutive years.

- WEBS Certification. Bidder must have certified its Washington Small Business status in Washington’s Electronic Business Solution (WEBS).

OR

- Not Washington Small Business. Bidder is not a Washington Small Business as defined in RCW 39.26.010.

26. **WASHINGTON STATE CERTIFIED VETERAN-OWNED BUSINESS.** Bidder certifies as follows (must check one):

- Certified Veteran-Owned Business. Bidder is a Certified Veteran-Owned Business under RCW 43.60A.190. To qualify as a Certified Veteran-Owned Business, Bidder must meet four (4) requirements:

- 51% Ownership. Bidder must be at least fifty-one percent (51%) owned and controlled by:
 - a. A veteran as defined as every person who at the time he or she seeks certification has received a discharge with an honorable characterization or received a discharge for medical reasons with an honorable record, where applicable, and who has served in at least one of the capacities listed in RCW 41.04.007;
 - b. A person who is in receipt of disability compensation or pension from the department of veterans affairs; or
 - c. An active or reserve member in any branch of the armed forces of the United States, including the national guard, coast guard, and armed forces reserves.
- Washington Incorporation/Location. Bidder must be either an entity that is incorporated in the state of Washington as a Washington domestic corporation or, if not incorporated, an entity whose principal place of business is located within the State of Washington.
- WEBS Certification. Bidder must have certified its Veteran-Owned business status in Washington’s Electronic Business Solution (WEBS).
- WDVA Certification. Bidder must have provided certification documentation to the Washington Department of Veterans’ Affairs WDVA and be certified by WDVA and listed as such on WDVA’s website (WDVA – Veteran-Owned Businesses).

OR

- Not a Certified Veteran-Owned Business. Bidder is not a Certified Veteran-Owned Business under RCW 43.60A.190.

27. **MINORITY AND WOMEN OWNED PARTICIPATION** (must check one)

- Minority Owned Business
- Women-Owned Business
- None of The Above

28. PREFERENCE FOR PCB-FREE PRODUCTS & PRODUCTS-IN-PACKAGING.

AGENCY HAS DETERMINED THIS PREFERENCE DOES NOT APPLY.

Note: If the above box is checked this preference does not apply. If the box above is not checked complete the following:

Pursuant to RCW 39.26.280, the Washington State Department of Natural Resources is required to provide a preference to a Bidder that provides products and/or product packaging that do not contain Polychlorinated Biphenyls (PCBs). In the event products and/or product packaging are tested, and no products or product packaging contain zero PCBs, a preference of 5% will be given to bidders who provide evidence that the products and/or product packaging, identified above contain the least amount of PCBs. The method for testing products and/or packaging for PCBs must be per the U.S. Environmental Protection Agency (EPA) Analytical Method 1668c. (must check one):

NO BID PREFERENCE. Bidder is not seeking a bid preference for PCB-Free Products & Products-In-Packaging.

OR

BID PREFERENCE FOR ALL PRODUCTS & PRODUCTS-IN-PACKAGING. Bidder is seeking a bid preference for all of Bidder's products pertaining to the above referenced Competitive Solicitation. Bidder certifies that each and all of Bidder's products identified in the above referenced Competitive Solicitation have been tested, within the previous 365 days, by an independent, third party laboratory using Environmental Protection Agency Analytical Method 1668c, and have been found NOT to contain PCBs. Bidder further certifies that the attached test results are the official test results for such products.

OR

BID PREFERENCE FOR SPECIFIC PRODUCTS & PRODUCTS-IN-PACKAGING. Bidder IS seeking a bid preference for Bidder's following specific product(s) pertaining to the above referenced Competitive Solicitation. Bidder certifies that each of Bidder's listed product(s) pertaining to the above referenced Competitive Solicitation have been tested, within the previous 365 days, by an independent, third party laboratory using Environmental Protection Agency Analytical Method 1668c, and have been found NOT to contain PCBs. Bidder further certifies that the attached test results are the official test results for such product(s).

29. PREFERENCE FOR ELECTRONIC PRODUCTS

AGENCY HAS DETERMINED THIS PREFERENCE DOES NOT APPLY.

Note: If the above box is checked this preference does not apply. If the box above is not checked complete the following:

Pursuant to RCW 39.26.265, the Agency is required to provide a preference to a Bidder that provides electronic products that have achieved EPEAT Silver or Gold registration.

Bidders who seek to obtain the bid preference for electronic products must certify that the products identified have achieved EPEAT Silver or Gold registration. Bidder certifies as follows (must check one):

NO BID PREFERENCE. Bidder is not seeking a bid preference for Electronic Products

OR

BID PREFERENCE FOR ALL PRODUCTS Bidder is seeking a bid preference for all of Bidder's products pertaining to the above referenced solicitation. Bidder certifies all product(s) identified above have achieved EPEAT Silver or Gold registration. Documentation to support the EPEAT registration for each applicable product is attached to this certification.

30. PREFERENCE FOR NON-HYDROFLUOROCARBONS (HFCS)

AGENCY HAS DETERMINED THIS PREFERENCE DOES NOT APPLY.

Note: If the above box is checked this preference does not apply. If the box above is not checked complete the following:

Pursuant to RCW 39.26.310, the Agency is required to provide a preference to a Bidder that provides products that contain NO HFCs or contain HFCs with a comparatively low global warming potential. The products that will be eligible for a preference are all products with an "Acceptable" Substitute Listing Status, as identified by the [Environmental Protection Agency's \(EPA\) Significant New Alternatives Policy \(SNAP\)](#) Program. Bidder certifies as follows (must check one):

NO BID PREFERENCE. Bidder is not seeking a bid preference for Electronic Products

OR

BID PREFERENCE FOR ALL PRODUCTS Bidder is seeking a bid preference for all of Bidder's products pertaining to the above referenced solicitation. Bidder certifies all product(s) identified above have an "Acceptable" Substitute Listing Status as identified by the [EPA SNAP Program](#). Documentation to support the "Acceptable" Substitute Listing status for each applicable product is attached to this certification.

31. PREFERENCE FOR NON-MERCURY ADDED PRODUCTS

AGENCY HAS DETERMINED THIS PREFERENCE DOES NOT APPLY.

Note: If the above box is checked this preference does not apply. If the box above is not checked complete the following:

Pursuant to RCW 70.95M.060, the Agency is required to provide a preference to a Bidder that provides products that contain the least amount of mercury-added compounds or components or if the product containing mercury is designed to reduce electricity consumption by at least forty percent and there is no non-mercury or lower mercury alternative available that saves the same or a greater amount of electricity as the exempted product. Bidder certifies as follows (must check one):

- NO BID PREFERENCE. Bidder is not seeking a bid preference for Non-Mercury Added Products

OR

- BID PREFERENCE FOR ALL PRODUCTS Bidder is seeking a bid preference for all of Bidder's products pertaining to the above referenced solicitation. Bidder certifies all product(s) identified above listed above that are eligible for the preference, and as contained in the Interstate Mercury Education and Reduction Clearinghouse Mercury-Added Products Database. Documentation to support the preference is attached to this certification.

32. PREFERENCE FOR RECYCLED CONTENT PRODUCTS

- AGENCY HAS DETERMINED THIS PREFERENCE DOES NOT APPLY.

Note: If the above box is checked this preference does not apply. If the box above is not checked complete the following:

Pursuant to RCW 39.26.255, the Agency is required to provide a preference to a Bidder that provides products that contain recycled material. All bidders must certify whether they are seeking the statutory preference for products containing recycled material.

Bidders who seek to obtain the preference for Products Containing Recycled Material must certify that the products identified in above exceed the minimum required amount(s) of post-consumer or total recycled material described in the relevant section of the [Environmental Protection Agency's Comprehensive Procurement Guideline Program](#). Bidder certifies as follows (must check one):

- NO BID PREFERENCE. Bidder is not seeking a bid preference for Recycled Content Products

OR

- BID PREFERENCE FOR ALL PRODUCTS Bidder is seeking a bid preference for all of Bidder's products pertaining to the above referenced solicitation. Bidder certifies all product(s) identified above listed above exceed the Environmental Protection Agency's Comprehensive Procurement Guidelines standard (as it existed on July 1, 2001) recommended content level percentages or the minimum product specification. The recycled material levels of all product(s) eligible for the preference are attached to this certification.

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

PRINT FULL LEGAL ENTITY NAME OF FIRM SUBMITTING BID, QUOTATION AND/OR PROPOSAL

SIGNATURE OF AUTHORIZED PERSON

DATE SIGNED

PRINTED NAME OF PERSON MAKING CERTIFICATION FOR FIRM

TITLE OF PERSON SIGNING CERTIFICATE

PRINT COUNTY AND STATE WHERE SIGNED

RETURN FORM TO: SOLICITATION COORDINATOR WITH YOUR BID, QUOTATION AND/OR PROPOSAL AS INDICATED WITHIN.

EXHIBIT B – Management Proposal Form

Items marked “mandatory” must be included as part of the bid, quotation and/or proposal to be considered responsive, however, these items are not scored. Items marked “scored” are those that are awarded points as part of the evaluation conducted by the evaluation team.

Services to be provided under this project are herbicide treatment activities on the Gifford Pinchot National Forest (GPNF) through the DNR Good Neighbor Authority.

A. PROJECT MANAGEMENT (SCORED)		
A1. PROJECT TEAM STRUCTURE/INTERNAL CONTROLS		
All Bidders are REQUIRED to provide a description of the proposed project team structure and internal controls to be used during the course of this project, including any Subcontractors. Include who within the business will have prime responsibility and final authority for the work.		
A2. STAFF QUALIFICATIONS/EXPERIENCE		
All Bidders are REQUIRED to identify staff, including Subcontractors, who will be assigned to the potential contract. Indicate responsibilities and qualifications of each staff member and include the amount of time each will be assigned to the project. Any staff substitution MUST have the prior approval of the Agency.		
STAFF NAME	RESPONSIBILITIES & QUALIFICATIONS	ESTIMATED TIME ON PROJECT
A3. SCHEDULE		
All Bidders are REQUIRED to describe the firm’s ability to meet deadlines, especially on a short time-frame, and give examples of how past tight deadlines have been successfully met.		
B. EXPERIENCE (SCORED)		

B1. KNOWLEDGE, SKILLS AND ABILITIES - REQUIRED (PASS / FAIL)	
All Bidders are <u>REQUIRED</u> to check each box verifying that their experience meets the required knowledge, skill or ability identified.	
CHECK FOR VERIFICATION	REQUIRED KNOWLEDGE, SKILLS AND ABILITIES
<input type="checkbox"/>	Current year Washington State Farm Labor Contractors License and/or proof of application for license renewal for all subsequent years under the contract resulting from this solicitation.
<input type="checkbox"/>	Current United States Department of Labor Farm Labor Contractors License and/or proof of application for license renewal for any subsequent licensing period under the contract resulting from this solicitation.
<input type="checkbox"/>	Licensed as an herbicide Commercial Operator and/or Applicator with a Rights-of-Way endorsement.
<input type="checkbox"/>	Ability to meet schedule as outlined within this solicitation.
B2. KNOWLEDGE, SKILLS AND ABILITIES - PREFERRED (SCORED)	
All Bidders check each box verifying that their experience meets the preferred knowledge, skill or ability identified.	
CHECK FOR VERIFICATION	PREFERRED KNOWLEDGE, SKILLS AND ABILITIES
<input type="checkbox"/>	Barring exceptional circumstances (i.e. supply chain issues etc.), Bidder has the ability to respond to new work order requests and apply treatments within two weeks (10 business days) of request.
<input type="checkbox"/>	No Washington State Labor and Industries violations within the last five years.
B3. EXPERIENCE OF THE BIDDER	
Indicate the recent experience the Bidder and any Subcontractors have in the following areas associated with:	
Previous successful work experience with the State of Washington.	
Previous successful work experience with meeting similar specifications to those outlined in the Scope, Section 1.2 above.	
Previous successful work experience on federal lands.	
C. RELATED INFORMATION (MANDATORY)	
C1. TERMINATION FOR DEFAULT (PASS/FAIL)	<input type="checkbox"/> Yes <input type="checkbox"/> No

<p>HAS THE BIDDER OR SUBCONTRACTOR HAD A CONTRACT TERMINATED FOR DEFAULT IN THE LAST FIVE (5) YEARS?</p> <p>Termination for default is defined as notice to stop work due to the Bidder's non-performance or poor performance and the issue of performance was either a) not litigated due to inaction on the part of the Bidder or b) litigated and such litigation determined that the Bidder was in default.</p> <p>If the Bidder answered yes above, describe the incident. Submit full details of the terms of default including the other party's name, address and phone number. Present the Bidder's position on the matter. The Agency will evaluate the facts and may, at its sole discretion, reject the bid, quotation and/or proposal on the grounds of past experience.</p>					
<p>C2. CURRENT/FORMER STATE EMPLOYEE (PASS / FAIL)</p> <p>Identify any current or former state employees employed by the state in the past 24 months, currently employed by or on the governing board of the firm or any Subcontractor as of the date of the date of bid, quotation and/or proposal submittal. Include their position and responsibilities within the Bidders or Subcontractors organization. If following a review of this information, it is determined by the Agency that a conflict of interest exists, the Bidder may be disqualified from further consideration for the award of a contract.</p>					
CURRENT/FORMER STATE EMPLOYEE NAME:					
AGENCY WHERE CURRENTLY/FORMERLY EMPLOYED:					
POSITION HELD:					
SEPARATION DATE:					
POSITION WITHIN BIDDERS FIRM:					
RESPONSIBILITY WITHIN BIDDERS FIRM:					
<p>D. REFERENCES (SCORED)</p> <p>Demonstrating reliability, customer service, conflict resolution.</p> <p>Provide at least 2 references. By submitting a bid, quotation and/or proposal, the Bidder grants permission to the Agency to contact these references and others, who from the Agency's perspective, may have pertinent information. Current Agency staff <u>CAN</u> be used as references.</p>					
BUSINESS REFERENCE NAME:					
NAME OF AUTHORIZED CONTACT:					
ADDRESS:					
CITY:		STATE:		ZIP:	

CELL PHONE:					
OFFICE PHONE:					
E-MAIL:					
TIME FRAME OF SERVICES PROVIDED:					
DESCRIPTION OF SERVICES PERFORMED:					
BUSINESS REFERENCE NAME:					
NAME OF AUTHORIZED CONTACT:					
ADDRESS:					
CITY:		STATE:		ZIP:	
CELL PHONE:					
OFFICE PHONE:					
E-MAIL:					
TIME FRAME OF SERVICES PROVIDED:					
DESCRIPTION OF SERVICES PERFORMED:					
BUSINESS REFERENCE NAME:					
NAME OF AUTHORIZED CONTACT:					
ADDRESS:					
CITY:		STATE:		ZIP:	
CELL PHONE:					
OFFICE PHONE:					
E-MAIL:					
TIME FRAME OF SERVICES PROVIDED:					
DESCRIPTION OF SERVICES PERFORMED:					

SIGNATURE OF AUTHORIZED PERSON

DATE SIGNED

RETURN FORM TO: SOLICITATION COORDINATOR WITH YOUR BID, QUOTATION AND/OR PROPOSAL AS INDICATED WITHIN.

EXHIBIT C – Diverse Business Inclusion Plan – Subcontractors

INFORMATION & INSTRUCTIONS FOR COMPLETING EXHIBIT C DIVERSE BUSINESS INCLUSION PLAN – SUBCONTRACTORS

1. Bidders who, if awarded a Contract, intend to use subcontractors, must complete Exhibit C – Diverse Business Inclusion Plan – Subcontractors in the form set forth herein. Awarded bidders who do not submit a Diverse Business Inclusion Plan will be precluded from utilizing subcontractors to perform the Contract.

Note: Exhibit C – Diverse Business Inclusion Plan – Subcontractors is **NOT** required if bidder, if awarded, does **NOT** intend to use subcontractors for this contract.

2. As part of the Diverse Business Inclusion Plan – Subcontractors, bidder is encouraged to include an anticipated list of small/diverse subcontractors who may assist bidder in fulfilling bidder’s contractual obligations, if bidder is awarded a contract pursuant to this Competitive Solicitation. This list should identify any subcontractors who are small/diverse businesses as defined above.

Note: The businesses included in the Diverse Business Inclusion Plan – Subcontractors are listed as examples of the businesses that bidder may use as subcontractors and does NOT obligate bidder to utilize those specific businesses in performing the Contract, if awarded. If awarded, the bidder’s Diverse Business Inclusion Plan – Subcontractor will be incorporated into the terms and conditions of the resulting Contract and bidder will report performance and progress to the Agency as set forth in the Contract and in annual contract management meetings.

3. Bidders must describe their efforts in engaging and reducing any barriers to participation by small/diverse businesses, including outreach, education/mentorship, and process changes designed to increase small/diverse business participation.
4. If the proposed subcontractors are self-identified diverse businesses, bidder will encourage and support efforts for their certification with the appropriate Washington state agencies.
5. The small/diverse business goals set forth herein are voluntary. Bidders will not be considered non-responsive if the Diverse Business Inclusion Plan – Subcontractors has a zero small/diverse business participation amount. The Agency, however, encourages bidders to be proactive in engaging small/diverse business participation. No preference will be included in the evaluation of bids based on the Diverse Business Inclusion Plan – Subcontractors. No minimum level of small/diverse business participation is required as a condition for receiving a Contract award.
6. The Agency will review the Diverse Business Inclusion Plan – Subcontractors for a genuine effort and the maximum opportunity to contribute toward the Agency’s aspirational goals. Awarded bidders who utilize subcontractors will meet with the Agency annually regarding their small/diverse business aspirational inclusion goals and outreach efforts set forth in their Diverse Business Inclusion Plan – Subcontractors.

<p>1. BIDDER’S ANTICIPATED DIVERSE BUSINESS PARTICIPATION (GOALS)</p> <p>List bidder’s anticipated small/diverse business category participation goals for subcontractor participation, if bidder is awarded a Contract. Bidders may list any goal amount. These goals are aspirational goals for bidder’s use of small/diverse business subcontractors, if awarded a Contract pursuant to this Competitive Solicitation.</p>		
<p>SMALL/DIVERSE BUSINESS CATEGORY</p>	<p>AGENCY GOALS*</p>	<p>ANTICIPATED PERCENT OF CONTRACT AMOUNT (GOALS)</p>
Minority-Owned Business	5%	
Woman-Owned Business	5%	
Veteran-Owned Business	1%	
Washington Small Business	10%	
<p>2. BIDDER’S DIVERSE BUSINESS SUBCONTRACTING LIST</p> <p>Provide the firm information of the relevant small/diverse business subcontractors that bidder anticipates utilizing, if awarded a contract pursuant to this Competitive Solicitation. Please identify the names of the firms as they are listed in Washington’s Electronic Business Solution (WEBS) and provide the firm’s applicable certification numbers (for Minority, Woman, and Veteran-Owned firms).</p>		
<p>STATE CERTIFICATION CATEGORY</p>	<p>LIST OF FIRMS</p>	
Minority-Owned Businesses		
Woman-Owned Businesses		
Veteran-Owned Businesses		
Washington Small Businesses		
<p>3. DESCRIBE BIDDER’S PLAN TO MEET OR EXCEED BIDDER’S VOLUNTARY <i>DIVERSE BUSINESS INCLUSION PLAN – SUBCONTRACTORS GOALS, INCLUDING OUTREACH.</i> IF MORE SPACE IS NEEDED, PLEASE ATTACH ADDITIONAL DOCUMENTS.</p>		

4. IDENTIFY BIDDER’S PRIMARY CONTACT FOR BIDDER’S *DIVERSE BUSINESS INCLUSION PLAN – SUBCONTRACTORS GOALS*. IF MORE SPACE IS NEEDED, PLEASE ATTACH ADDITIONAL DOCUMENTS.

*Agency diversity goals are based on [FY22 OMWBE reporting results](#) and will be updated after the DES Diversity policy requirements have been analyzed.

Bidder commits to a make a genuine effort to achieve the proposed subcontract amounts with small/diverse business subcontractors as stated above. Bidder will develop a comprehensive outreach strategy that will engage small/diverse businesses registered with the State of Washington in WEBS.

PRINT FULL LEGAL ENTITY NAME OF FIRM SUBMITTING BID, QUOTATION AND/OR PROPOSAL

SIGNATURE OF AUTHORIZED PERSON

DATE SIGNED

PRINTED NAME OF PERSON MAKING CERTIFICATION FOR FIRM

TITLE OF PERSON SIGNING CERTIFICATE

PRINT COUNTY AND STATE WHERE SIGNED

RETURN FORM TO: SOLICITATION COORDINATOR WITH YOUR BID, QUOTATION AND/OR PROPOSAL AS INDICATED WITHIN

EXHIBIT D – Sample Services Contract and WA State Department of Natural Resources General Terms and Conditions

Washington State Department of Natural Resources General Terms and Conditions can be found https://www.dnr.wa.gov/publications/em_obc_contracting_template.pdf

**EXHIBIT E – AD-1048 Certification Regarding Debarment, Suspension,
Ineligibility and Voluntary Exclusion Lower Tier Covered Transactions**

OMB No. 0505-0027
Expiration Date: 09/30/2025



**Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion
Lower Tier Covered Transactions**

The following statement is made in accordance with the Privacy Act of 1974 (5 U.S.C. § 552a, as amended). This certification is required by the regulations implementing Executive Order 12549, Debarment and Suspension, and 2 CFR §§ 180.300, 180.335, 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 or civil fraud, privacy, and other statutes may be applicable to the information provided.

(Read instructions on page two before completing certification.)

- A. 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;
- B. 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.

ORGANIZATION NAME

PR/AWARD NUMBER OR PROJECT NAME

NAME(S) AND TITLE(S) OF AUTHORIZED REPRESENTATIVE(S)

SIGNATURE

DATE

In accordance with Federal civil rights law and U.S. Department of Agriculture (USDA) civil rights regulations and policies, the USDA, its Agencies, offices, and employees, and institutions participating in or administering USDA programs are prohibited from discriminating based on race, color, national origin, religion, sex, gender identity (including gender expression), sexual orientation, disability, age, marital status, family/parental status, income derived from a public assistance program, political beliefs, or reprisal or retaliation for prior civil rights activity, in any program or activity conducted or funded by USDA (not all bases apply to all programs). Remedies and complaint filing deadlines vary by program or incident.

Persons with disabilities who require alternative means of communication for program information (e.g., Braille, large print, audiotope, American Sign Language, etc.) should contact the responsible Agency or USDA's TARGET Center at (202) 720-2600 (voice and TTY) or contact USDA through the Federal Relay Service at (800) 877-8339. Additionally, program information may be made available in languages other than English.

To file a program discrimination complaint, complete the USDA Program Discrimination Complaint Form, AD-3027, found online at [How to File a Program Discrimination Complaint](#) and at any USDA office or write a letter addressed to USDA and provide in the letter all of the information requested in the form. To request a copy of the complaint form, call (866) 632-9992. Submit your completed form or letter to USDA by: (1) mail: U.S. Department of Agriculture, Office of the Assistant Secretary for Civil Rights, 1400 Independence Avenue, SW, Washington, D.C. 20250-9410; (2) fax: (202) 690-7442; or (3) email: program.intake@usda.gov.

USDA is an equal opportunity provider, employer, and lender.

Instructions for Certification

- (1) By signing and submitting this form, the prospective lower tier participant is providing the certification set out on page 1 in accordance with these instructions.
- (2) The certification in this clause is a material representation of fact upon which reliance was placed when this transaction was entered into. If it is later determined that the prospective lower tier participant knowingly rendered an erroneous certification, in addition to other remedies available to the Federal Government, the Department or agency with which this transaction originated may pursue available remedies, including suspension or debarment.
- (3) The prospective lower tier participant must provide immediate written notice to the person(s) to which this proposal is submitted if at any time the prospective lower tier participant learns that its certification was erroneous when submitted or has become erroneous by reason of changed circumstances.
- (4) The terms "covered transaction," "debarred," "suspended," "ineligible," "lower tier covered transaction," "participant," "person," "primary covered transaction," "principal," "proposal," and "voluntarily excluded," as used in this clause, have the meanings set out in the Definitions and Coverage sections of the rules implementing Executive Order 12549, at 2 CFR Parts 180 and 417. You may contact the Department or agency to which this proposal is being submitted for assistance in obtaining a copy of those regulations.
- (5) The prospective lower tier participant agrees by submitting this form that, should the proposed covered transaction be entered into, it may not knowingly enter into any lower tier covered transaction with a person who is debarred, suspended, declared ineligible, or voluntarily excluded from participation in this covered transaction, unless authorized by the Department or agency with which this transaction originated.
- (6) The prospective lower tier participant further agrees by submitting this form that it will include this clause titled "Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion - Lower Tier Covered Transactions," without modification, in all lower tier covered transactions and in all solicitations for lower tier covered transactions.
- (7) A participant in a covered transaction may rely upon a certification of a prospective participant in a lower tier covered transaction that is not debarred, suspended, ineligible, or voluntarily excluded from the covered transaction, unless it knows that the certification is erroneous. A participant may decide the method and frequency by which it determines the eligibility of its principals. Each participant may, but is not required to, check the General Services Administration's System for Award Management Exclusions database.
- (8) Nothing contained in the foregoing shall be construed to require establishment of a system of records to render in good faith the certification required by this clause. The knowledge and information of a participant is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.
- (9) Except for transactions authorized under paragraph (5) of these instructions, if a participant in a covered transaction knowingly enters into a lower tier covered transaction with a person who is suspended, debarred, ineligible, or voluntarily excluded from participation in this transaction, in addition to other remedies available to the Federal Government, the Department or agency with which this transaction originated may pursue available remedies, including suspension and/or debarment.

EXHIBIT F – Good Neighbor Agreement (GNA) Federal Language

Per the terms of the Good Neighbor Agreement between DNR and the US Department of Agriculture (USDA), through the US Forest Service (USFS# 23-GN-11062754-045) (DNR #93-105240), the Contractor is also subject to the following terms and conditions:

Federal Endangered Species Act

The Federal Endangered Species Act of 1973 (ESA), 16 USC § 1531 et seq., prohibits a person from taking any federally listed threatened or endangered species. Taking under the federal ESA may include alteration of habitat. Neither this Contract, nor the State's approval of Contractor's Plan of Operations, is certification that Contractor's operations under the plan are lawful under the ESA. Contractor's compliance with the plan is not in lieu of compliance with any federal requirements under the ESA or its implementing regulations.

Federal Debarment and Suspension

Contractor certifies by signature of its authorized representative as affixed above, that neither it, nor any of its principals, are presently debarred, suspended, proposed for debarment or suspension, declared ineligible, or voluntarily excluded from participation in any contract with the Federal Government.

Certification Regarding Felony Conviction and Tax Delinquent Status.

Contractor, by signature above, certifies that: (1) Neither the corporation or its principals have been convicted of a felony violation under any Federal law within the preceding 24 months of the effective date of the Contract; and (2) Neither the corporation or its principals have failed to file all Federal tax returns required during the three years preceding the Contract; have been convicted of a criminal offense under the Internal Revenue Code; or have been notified of any unpaid Federal tax assessment for which the liability remains unsatisfied, unless the assessment is the subject of an installment agreement or offer in compromise that has been approved by the Internal Revenue Service and is not in default.

Human Remains, Artifacts, and Other Cultural and Historic Items

In the event that human remains, burials, funerary items, sacred objects, object of cultural patrimony, prehistoric artifacts (i.e., arrowheads, spear points, motors, pestles, other ground stone tools, knives, scrapers, or flakes from the manufacture of tools, fire pits, peeled trees, etc.) or historic period artifacts or features (i.e., fragments of old plates or ceramic vessels, weathered glass, dumps of old cans, cabins, root cellars, etc.) are found during project implementation, work on the site shall cease immediately to protect the find from further damage or disruption and the U.S. Forest Archeologist will be notified. No further work shall be allowed on the site until the Forest Archeologist has approved a plan for managing or preserving the remains or items.

Non-Discrimination in Employment

In connection with the performance of work under this Contract, Contractor agrees not to discriminate against any applicant for employment, employee, or independent contractor based on race, color, national origin, sex, religion, age, disability, sexual orientation, or marital status. This shall include, but not be limited to, the following: employment, upgrading, demotion, or transfer; recruitment, layoff or termination; rates of pay, or other forms of compensation; and selection for training, including apprenticeship. Contractor agrees to comply with all federal and state laws governing non-discrimination in employment applicable to the work performed under the Contract.

Human Trafficking

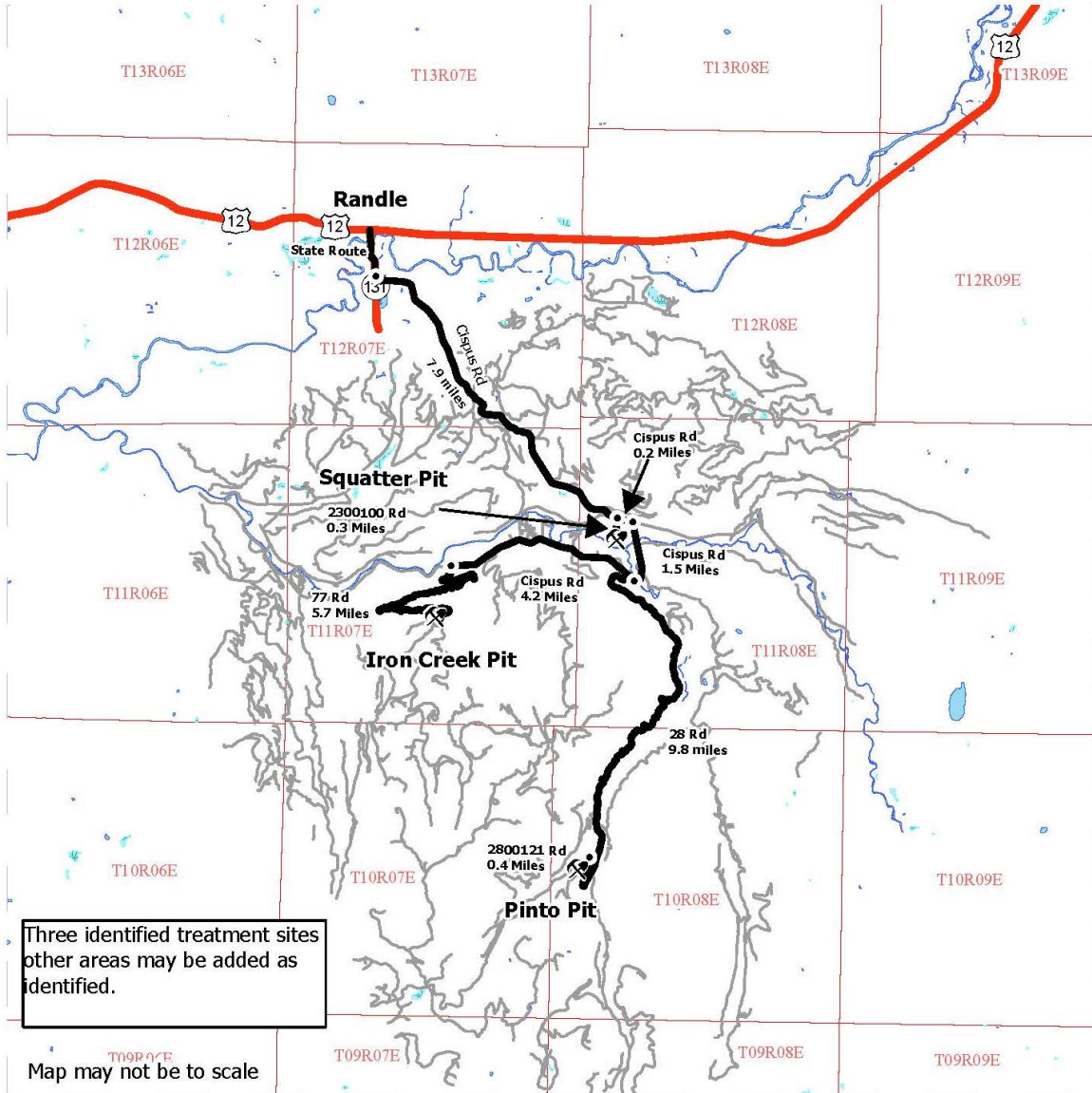
Contractor, and Contractor's employees, may not: (i) engage in severe forms of trafficking in persons during the period of time that the Contract is in effect; (ii) procure a commercial sex act during the period of time that the Contract is in effect; or (iii) use forced labor in the performance of the Contract. The terms used in this clause shall be as defined in 2 CFR § 175.15. The Contractor must immediately inform DNR of any information received from any source alleging a violation of this clause. DNR may unilaterally terminate this Contract, without penalty, in the case of a violation of this clause.

EXHIBIT G – Driving Map

DRIVING MAP

SALE NAME: GNA GIFFORD PINCHOT INVASIVE PLANTS TREATMENT
AGREEMENT#: None
TOWNSHIP(S): T11R08E, T11R07E, T10R08E

NATIONAL FOREST: Gifford Pinchot
COUNTY(S): Lewis, Skamania
ELEVATION RGE: 1520-3040



Three identified treatment sites
 other areas may be added as
 identified.

Map may not be to scale

	Harvest Unit
	Highway
	Haul Route
	Other Route
	Distance Indicator
	Rock Pit

DRIVING DIRECTIONS:

From Randle head south on State Route 131 for 1 mile. Turn left onto Cispus Rd and follow for 7.9 Miles.

To reach squater pit turn right onto the 230100 road and follow for 0.3 miles.

To reach Iron Creek pit continue 0.2 miles then turn right onto Cispus road and follow for 1.5 miles. Turn right to stay on Cispus Road and follow for 4.2 miles. Turn left onto the 77 road for 5.7 miles to reach Iron Creek Pit.

To reach Pinto Pit Continue on the Cispus road for 0.2 miles. Turn right to continue on Cispus road and follow for 1.5 miles. Turn left onto the 28 road and follow for 9.8 miles. Turn left onto 2800121 road and follow for 0.4 miles to reach Pinto Pit.



Prepared By: kcar490

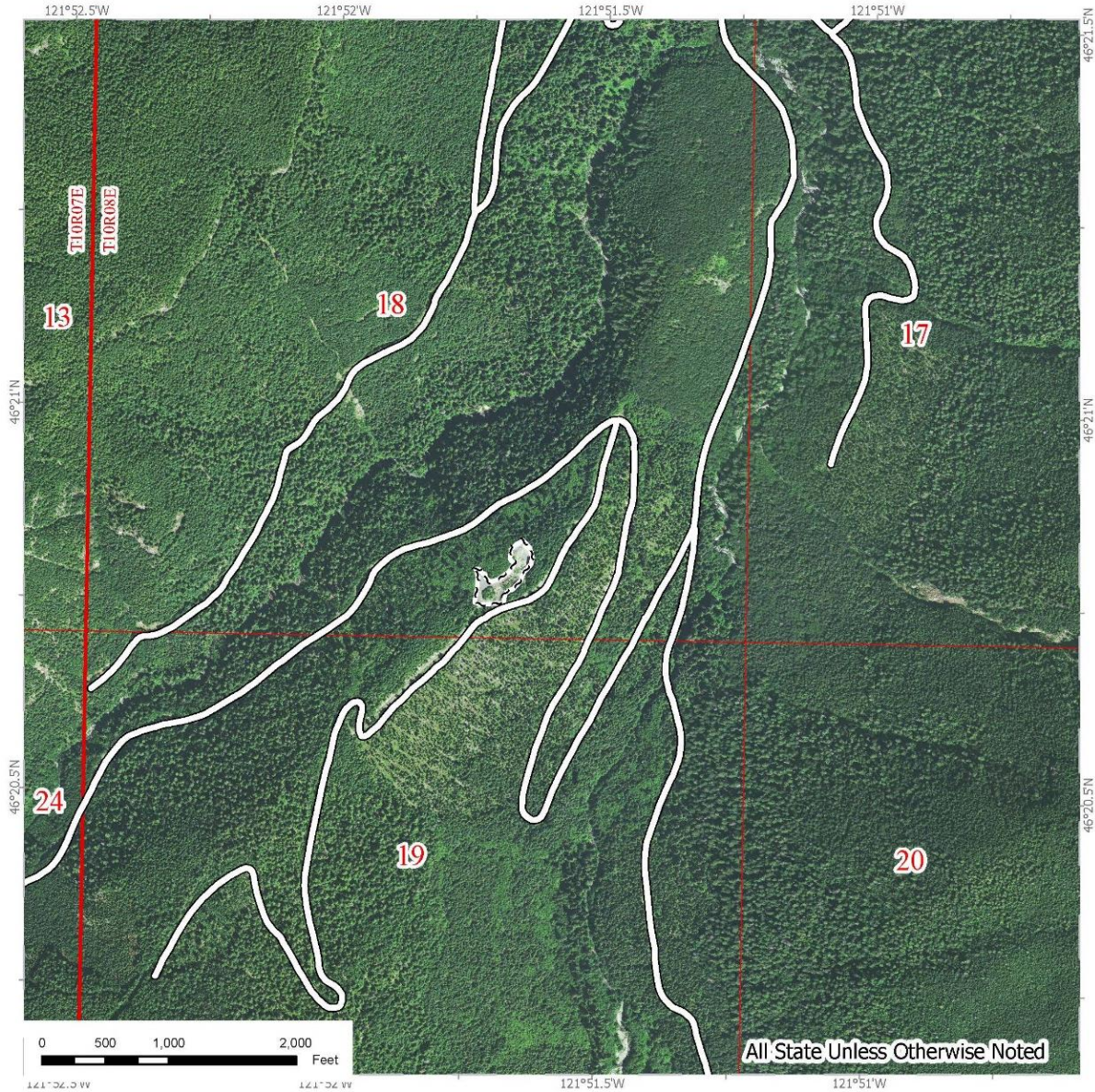
Modification Date: kcar490 3/25/2024

EXHIBIT H – Pinto Pit Map

GNA GIFFORD PINCHOT INVASIVE PLANTS TREATMENT

SALE NAME: GNA GIFFORD PINCHOT INVASIVE PLANTS TREATMENT
AGREEMENT#: None
TOWNSHIP(S): T11R08E,T11R07E,T10R08E

NATIONAL FOREST: Gifford Pinchot
COUNTY(S): Lewis, Skamania
ELEVATION RGE: 1520-3040



Legend:

- ~ ~ Sale Boundary Tags
- Existing Roads

North Arrow: N

Prepared By: kcar490

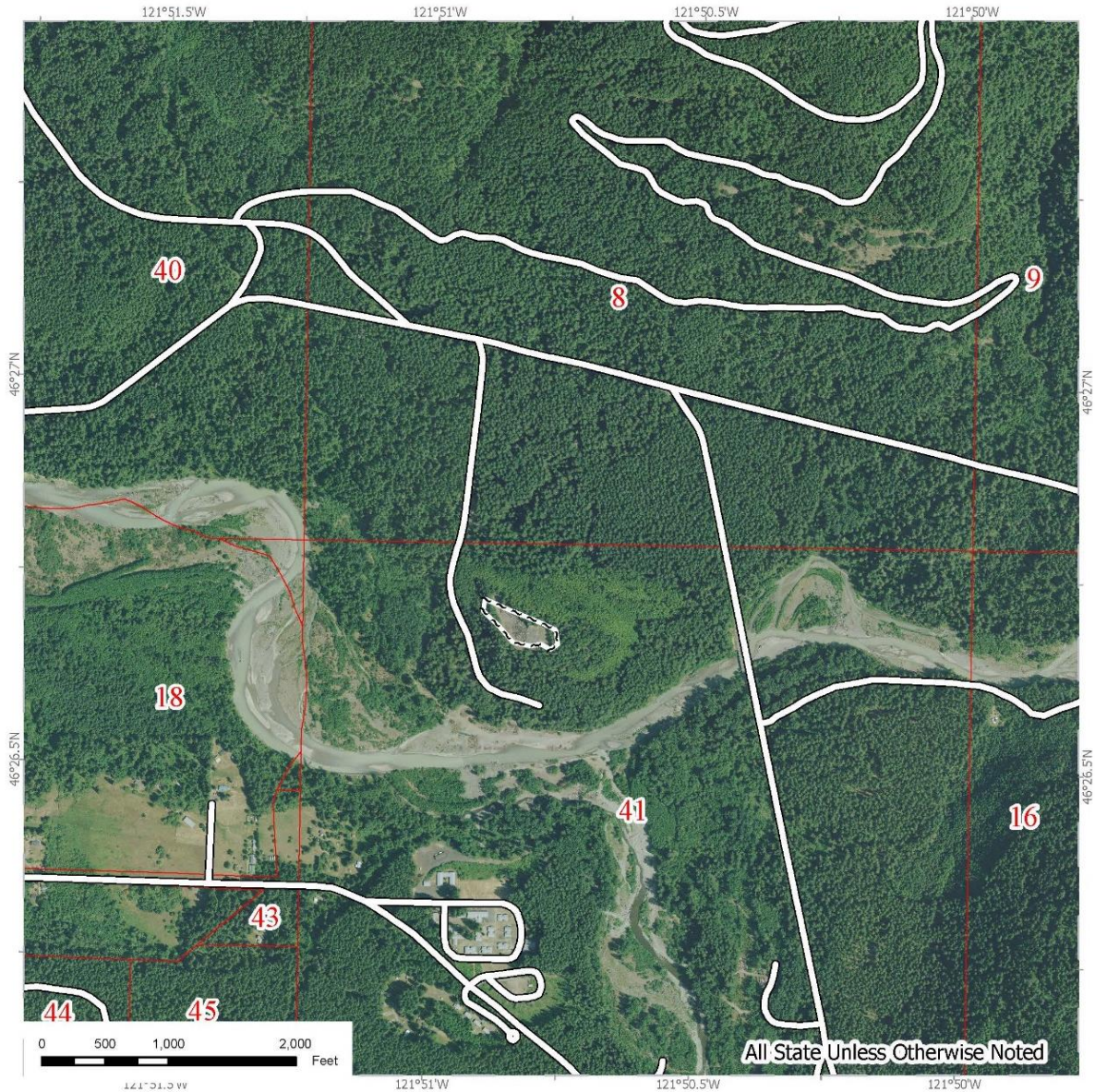
Modification Date: kcar490 3/25/2024

EXHIBIT I – Squatter Pit Map

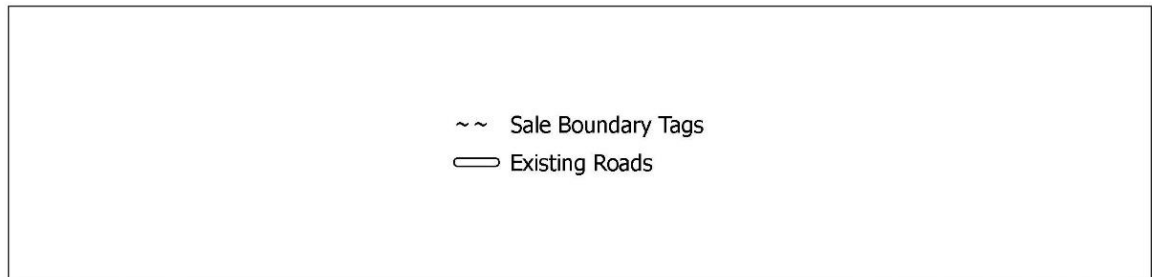
GNA GIFFORD PINCHOT INVASIVE PLANTS TREATMENT

SALE NAME: GNA GIFFORD PINCHOT INVASIVE PLANTS TREATMENT
AGREEMENT#: None
TOWNSHIP(S): T11R08E,T11R07E,T10R08E

NATIONAL FOREST: Gifford Pinchot
COUNTY(S): Lewis, Skamania
ELEVATION RGE: 1520-3040



All State Unless Otherwise Noted



Prepared By: kcar490

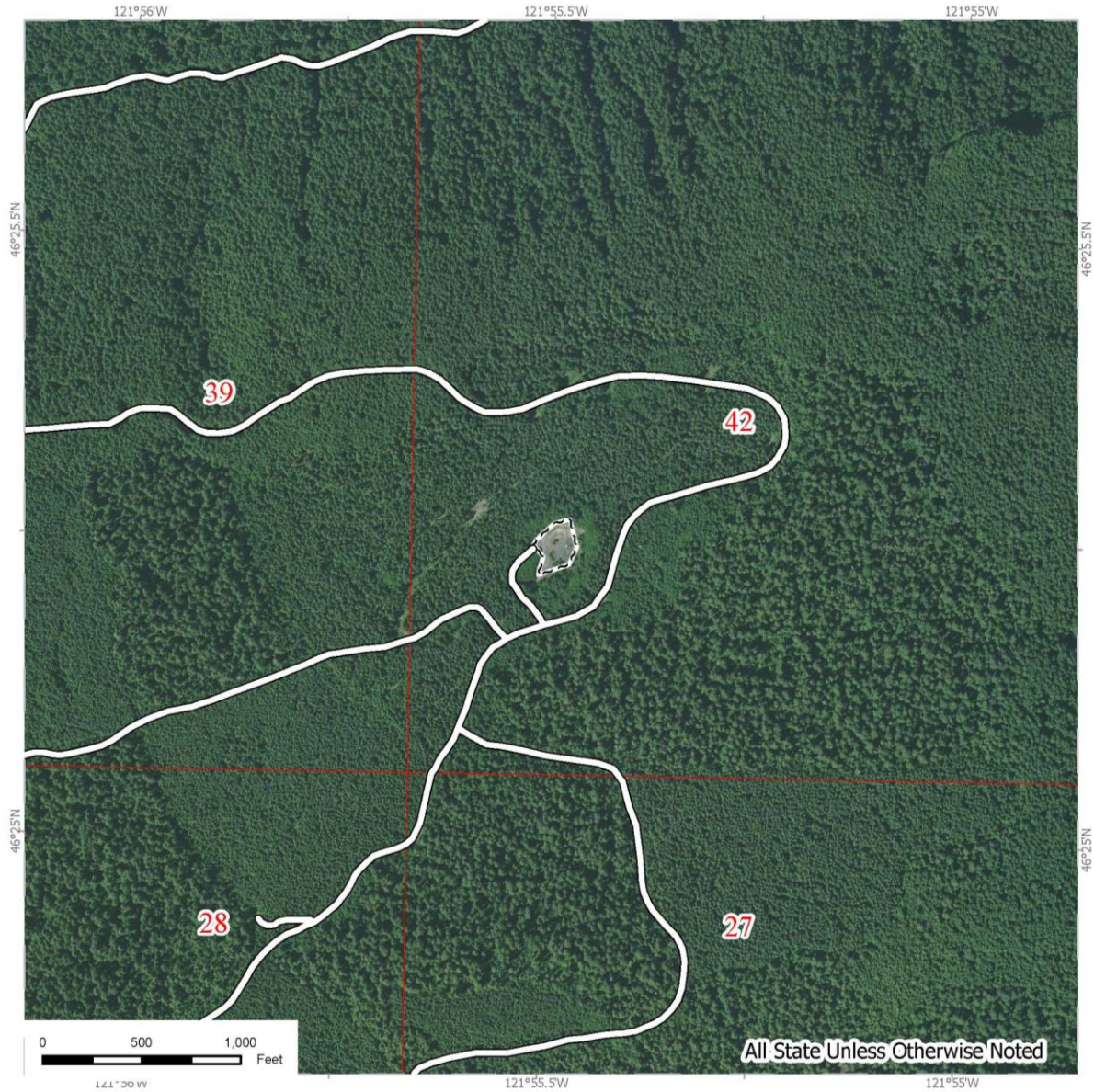
Modification Date: kcar490 3/25/2024

EXHIBIT J – Iron Creek Pit Map

GNA GIFFORD PINCHOT INVASIVE PLANTS TREATMENT

SALE NAME: GNA GIFFORD PINCHOT INVASIVE PLANTS TREATMENT
AGREEMENT#: None
TOWNSHIP(S): T11R08E,T11R07E,T10R08E

NATIONAL FOREST: Gifford Pinchot
COUNTY(S): Lewis, Skamania
ELEVATION RGE: 1520-3040



Legend:

- ~~ Sale Boundary Tags
- Existing Roads

North arrow pointing up.

Prepared By: kcar490

Modification Date: kcar490 3/25/2024