



**CONSOLIDATED
ENGINEERS, INC.**

CITY OF GILLETTE

**HIDDEN VALLEY PLAYGROUND RENOVATIONS
CONSTRUCTION MANAGEMENT AND
CONTRACT ADMINISTRATION
PROJECT NO. 24EN13**

**Response to Request for Proposals
Construction Management and Contract Administration Services**

March 15, 2024



Consolidated Engineers, Inc.
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March 15, 2024

City of Gillette
Attn: Tobias Fiske
Hidden Valley Park Playground Renovations
Request for Proposals
Project No. 23EN13

To the Members of the Selection Committee,

Consolidated Engineers thanks you for this opportunity to present our qualifications and fee proposal for the City of Gillette's Hidden Valley Park Playground Renovations Project. We are grateful for the opportunity to be considered by the City of Gillette for professional Construction Management and Construction Administration services. As you will see in our response to the Request for Proposals, we have assembled a strong, experienced team tailored for this project who will be committed to seeing it completed successfully.

Consolidated Engineers is not a regional firm that will try to fit your work in by shipping it to another office. We are a small yet aggressive civil engineering company that will bend over backwards to make sure that are clients' projects are completed to everyone's satisfaction. What we lack in size we make up for in dedication and effort.

Ability of Our Professional Personnel & Project Team

Consolidated Engineers has demonstrated our ability to work on both design and construction projects for clients in Wyoming. We are a highly qualified and experienced group that is deeply dedicated to seeing projects through to the end. The staff of Consolidated Engineers takes great pride in being able to say "we had a part of this project" when it is being used by the people it was intended for.

Commitment

Consolidated Engineers enjoys working with all of our clients and is committed to continuing and building upon our current and future working relationships. Through our projects, we have developed strong ties with the various clients we have worked with.

We believe in finishing projects, regardless of the challenges that are presented along the way. Our firm and the consultants we work with, take pride in making the necessary commitments to deliver projects on time and within budget. This does not happen on every project, as there are outside influences beyond our control that sometimes prevent this from happening. Those are generally related to the budgets as there are occasions where the given budget does not adequately address all of the expectations of the project. By diligently making all parties aware of potential schedule delays or financial short falls as early as possible, these issues can be worked around so that the project can continue.

Again, we appreciate the opportunity to propose on this project and hope to continue our long lasting working relationship with the City of Gillette. If you have any questions or concerns, or need additional information, please contact us at any time.

Sincerely,

Consolidated Engineers, Inc.



Dennis G. Stillman

Understanding of the Project

We have reviewed the Bid Documents for the Construction portion of this Project and feel comfortable with our knowledge of the scope of the work. The general work to be provided is similar to projects that we have been involved with in the past where landscaping and irrigation improvements have been made. Consolidated Engineers, Inc. has also worked with several landscape architects on the designs and limited construction observation of playgrounds at the last five (5) new elementary schools constructed in Gillette as well as those in Sundance and Lingle.

The construction phase services that are described in the Request for Proposals is nearly identical to the part-time construction observation we have supplied to the City of Gillette on numerous projects in the past, including the 8th and Stocktrail Drainage (23EN07) which is currently under construction.

Knowledge of Playground Safety Requirements

We have reviewed the general standards and practices as related to playground safety published by the National Recreation and Park Association. Based on that review, we see nothing that is a concern to us or beyond our abilities. If questions arise during construction, we will consult their requirements and be in communications with Russell + Mills Studios to get their input and guidance.

Knowledge of Land and Water Conservation Fund Requirements

We have reviewed the general federal funding requirements and practices as related to Land and Water Conservation Fund Projects. Based on that review, we see nothing that is a concern to us or beyond our abilities.

Schedule and Availability of the Project Team

Per the Bid Documents for the Construction portion of this Project, the Contractor has a maximum of sixty (60) working days November 22, 2024.

Our firm currently has the room in our schedule to complete this Project within the above listed time frames. As far as our current contracted workload, the only projects we have going on that could require one person for close to or more than half a day for extended periods of time are the following:

- Construction observation of the YES House Pavement Repairs project which will require a single staff member. These improvements are scheduled to be complete by the middle of August at the latest.
- Construction observation of the City of Gillette's 2024 Crack Sealing (24EN14) project which will require a single staff member. These improvements are scheduled to be started no earlier than August 19th and completed by October 31, 2024 at the latest.

8th & Stockpile Drainage (23EN07)

Client / Owner: City of Gillette / City of Gillette

Contact: Tobias Fiske / Tobias Fiske

Description: The purpose of this project is to address storm water drainage concerns at the intersection of 8th Street and Stocktrail Avenue. Water currently leaves the gutters on 8th Street and flows across the intersection and also causes issues downstream at the Campbell County Senior Center. This project is currently in the construction phase.



Scope of Services: Our agreement for this project included design phase, bidding phase, and construction phase services. The construction observation services include a part-time RPR, daily reporting, tracking of quantities for payment request review, and providing general services as per EJCDC E-500 requirements.

These are essentially the same construction phase services that are required for the Hidden Valley Playground Renovations job.

CCFD Station 1 Admin Drainage Improvements

Client / Owner: Structural Dynamics / CCFD

Contact: Brian Shippy / Ryan Fox

Description: The purpose of this project was to address general drainage concerns and basement water infiltration around the administrative portion (south end) of Fire Station 1. The design included the replacement of the failing downspout collection system and regrading to ensure adequate drainage away from the building.



As a result of the extensive grading and excavation, the majority of the existing landscaping was removed. Decorative concrete aprons were installed adjacent to the building to prevent water infiltration, replacing the landscape bushes that had been present. Extensive sprinkler system modifications were required and new trees and bushes were installed.



Scope of Services: Our agreement for this project included design phase, bidding phase assistance, and construction phase services. The construction observation services included a part-time RPR, daily reporting, tracking of quantities for payment request review, and providing general services civil engineering oversight for the work. Also included was coordination between the contractor, the landscape/irrigation subcontractor, and the Campbell County Parks representative.

Gillette College Soccer Field

Client / Owner: Steiner-Thuesen / Campbell County

Contact: Nathan Steiner / Clark Melinkovich

Description: This project involved the construction of an artificial turf soccer field and practice area for the Gillette College. The facility was required for both the men's and women's soccer teams that were using facilities at Thunder Basin High School as they had no facilities of their own.

We worked with both Steiner-Thuesen and their artificial turf subconsultant in laying out the



improvements which included irrigated landscaping around the perimeter of the new field.



Scope of Services: Our agreement for this project included design phase, bidding phase assistance, and construction phase services. The construction observation services included a part-time RPR, daily reporting, tracking of quantities for payment request review, and providing general services civil engineering oversight for the work. Also included was coordination between the contractor, the landscape/irrigation subcontractor, the artificial turf subconsultant, and both the Campbell County Parks and College representatives.

Heritage Village Park

Client / Owner: City of Gillette

Contact: Levi Jensen

Description: The pathway project included the layout and design for a new pathway and basketball court (full size) and a replacement pathway through the park.

Scope of Services: Design services provided layout and design of the new pathway. Prepared material specifications, assisted with permitting and provided construction engineering assistance.



Dalbey Memorial Park Pathway

Client / Owner: City of Gillette

Contact: Levi Jensen

Description: The pathway project included the layout and design for the new pathway along the east side of Dalbey Memorial Park.

Scope of Services: Design services provided layout and design of the new pathway. Prepared material specifications, assisted with permitting and provided construction engineering assistance.



Introduction

provides civil engineering services on a variety of project types. We have a proven track record of success on commercial, industrial, educational, and governmental projects. Consolidated Engineers, Inc. was incorporated in the State of Wyoming in January 1994 after a partnership reorganization that was established in 1987.

Members of the staff at Consolidated Engineers has been involved with projects in Gillette for forty-four (44) years collectively gaining local knowledge, experience, and expertise enabling us to produce responsible and economical designs. Since 1994, Consolidated Engineers has maintained its presence by providing engineering on a large number of successful projects in Wyoming.

With over 100 years of combined experience, our team of engineers and technicians makes us the firm that builds lasting relationships with clients and the community!

Focus

The focus of Consolidated Engineers is to provide the **Best Overall Value** in engineering services to our clients on every project. This is reflected in our mission statement adopted in 1994:

“Our Mission is to Provide Quality and Professional Engineering Services to Our Clients by Obtaining Desired Results Through Honest, Ethical and Efficient Practices.”

We are able to achieve the stated objective by maintaining a core group of highly trained and experienced engineers and support staff. Our local presence and low overhead also allows Consolidated Engineers to provide an extremely competitive fee structure to our clients. We have maintained our presence as a local engineering firm primarily serving northeastern Wyoming and western South Dakota, throughout our firm's existence

What this means to you, the client, is that we are locally available and responsive to your needs. We can have a representative to your jobsite in this area in a matter of minutes, if needed, for on-site visits to address the inevitable issues that arise in the design and construction process.

Insurance

Consolidated Engineers carries and maintains adequate private insurance coverage for vehicle liability, general liability and professional liability that meets the City of Gillette's minimum requirements. Also, the mandated state coverage for unemployment and workers compensation is maintained. Certificates of coverage and good standing can be provided upon request.

Working With the City of Gillette

Consolidated Engineers has been involved with numerous successful projects through our association with the City of Gillette since the start of our company. Our staff members have an even longer working relationship with the City of Gillette starting in 1981 for Dennis Stillman. These include projects where our client was the City of Gillette as well as those where the City of Gillette was the permitting authority.

This extensive history makes us familiar with how projects need to be overseen in order to get them successfully constructed. Whether that's following the City's Design Regulations on private projects or putting together a complete set of bid documents on a City project, we have the experience and drive to get it completed so that the project is a total success.

The following is a brief introduction of our engineering staff that will be committed to this Project is as follows:

**Edward S. Scott, P.E. - Principal Engineer & Licensed Wyoming Engineer**

Ed has over fifty-two (52) years of experience in civil and structural engineering in the fields of industry, manufacturing and private practice. His design and project management experience includes structures and buildings for numerous & varied facilities; potable water systems; sewerage collection; street and road design; routing studies; ADA compliance; pavement management; foundation design; structural condition assessments, and drainage facilities. Additional experience has been gained in project cost estimation, feasibility studies, contractor coordination, regulation enforcement, contract negotiation and permitting

For this Project, Ed will serve in the capacity of Engineer of Record for the Engineer Services required for the successful completion of the work.

Dennis G. Stillman - Project Manager

Dennis has over forty-four (44) years of experience in civil engineering in private practice in the Gillette and northeast Wyoming area. His civil design and construction administration experience has included: site planning and development; street rehabilitation; sanitary sewer collection (new design and rehabilitation); storm sewer design; roadway design; drainage channel design; subdivision planning; feasibility studies; water distribution system design; permit applications; code compliance's; materials specifications; surveying; and construction observation.



For this Project, Dennis will coordinate the Engineer and Resident Project Representative services that are to be provided. He will also serve as the primary point of contact.

**Steve Stillman - Engineering Technician & RPR**

Steve has over twenty-one (21) years experience in the engineering industry, with experience in numerous civil engineering projects with tasks including data gathering; drafting and plan preparation; field analysis of pavement and drainage; substantial construction observation, materials testing, construction administration, client interfacing, construction quantity tracking and calculation, documentation and closeout.

For this Project, Steve will serve as the Resident Project Representative.

Land Surveying Incorporated

In the event that as-constructed locations of the eight (8) pieces of playground equipment that have "safe-zones" and survey the limits of the soft safe-zone areas are requested, this service will be provided by Land Surveying Incorporated through a subcontract with Consolidated Engineers, Inc. Part of these optional services would be to create a certified exhibit showing the dimensions from the required safe-zones to the as-constructed limits of the installed soft safe-zone material. We have worked with Land Surveying Incorporated since the start of their company in 2000.

Consolidated Engineers, Inc. proposes to provide civil engineering services for the Construction Management and Construction Administration of this Project with in-house personnel with assistance from Land Surveying Incorporated,. The following sections describe the scope of the engineering services. Where these vary from those listed in the EJCDC E-500 document provided with the Request for Proposal, that document will need to be modified to these.

I. TASK 1 - CONSTRUCTION PHASE SERVICES

- A. Organize and attend a pre-construction meeting with Owner and the construction Contractor to determine schedules and to establish chains of communications. The meeting will have notes taken to document items that were discussed that will be typed up and distributed to all in attendance.
- B. Obtain from Russell + Mills Studios digital copies of the final design in a format compatible with the Contractor's surveyor and provide such to the Contractor.
- C. Provide part-time Resident Project Representative (RPR) services with such duties and responsibilities as set forth in the EJCDC E-500 document provided with the Request for Proposal. **It is assumed that daily one and one-half (1.5) hour construction observation tours per day for a period of no more than sixty (60) days will be sufficient for the majority of the Project. It is also assumed that a second one and one-half (1.5) hour construction observation tours per day will be required on eight (8) days when critical construction items are scheduled.**
(Additional visits as requested by Client will be on a time and materials basis.)
- D. Provide Daily Construction Reports for each site observation tour that are to be submitted weekly on Monday following the previous week's work. These will include photographs incorporated into them as needed to document construction progress and as needed to define "problem areas".
- E. Receive and review material testing reports as received from the Contractor.
- F. Arrange for and attend up to eight (8) biweekly construction progress meetings with Owner and the Contractor to determine compliance with schedules and to discuss construction related concerns. The meetings will have notes taken to document items that were discussed that will be typed up and distributed to all in attendance. (These meetings are assumed to be on-site.)
- G. Provide Project Engineer's services as described in EJCDC E-500 document provided with the Request for Proposal, generally as follows:
 - 1. Review up to five (5) applications for payment submitted by the Contractor. This includes in-field measurements of installed and/or removed pay item quantities.
 - 2. Prepare and recommend RFI's, Change Orders, and similar documents with input from Russell + Mills Studios.
 - 3. Receive and transmit shop drawings, schedules, submittals and proposed alternatives received from the Contractor and transmit to Russell + Mills Studios for their review and approval.
 - 4. Answer questions from the Contractor concerning the construction.
- H. Arrange for and conduct a Final Completion review of the work to check conformance of the work with the contract documents. A representative of Russell + Mills Studios will be invited to this review. Prepare notes of that review and prepare the Notice of Final Completion.
- I. Receive the as-constructed survey data gathered by the Contractor's surveyor and transmit the data to Russell + Mills Studios for their use in creating on the "Drawings of Construction Record".

II. TASK 1A - OPTIONAL STAKING REVIEW SERVICES

Contract with Land Surveying Incorporated to provide the following construction staking review services:

1. Survey the as-constructed locations of the eight (8) pieces of playground equipment that have “safe-zones” and survey the limits of the soft safe-zone areas.
2. Create a certified exhibit showing the dimensions from the required safe-zones to the as-constructed limits of the installed soft safe-zone material.

III. TASK 1B - REVIEW OF LWCF SUBMITTALS SERVICES

Provide review and verification of the accuracy of documentation requested or required by LWCF, given that such documentation will depend in whole or in part upon information provided by the city of Gillette. These services will be provided on a time and materials basis.

IV. TASK 1C - OPTIONAL REDUCTION IN ON-SITE OBSERVATION TOUR SERVICES

As a possible option to reduce overall Project costs, the number of on-site observation tours for a typical five (5) day work week could be reduced down to only three (3) tours per week. Based on the type of construction that this Project includes, daily on-site observation tours are probably not required to ensure that the construction requirements are achieved.

Schedule of Hourly Rates and Reimbursable Expenses

Consolidated Engineers, Inc. proposes to provide the previously described civil engineering services for the Construction Management and Construction Administration of this Project at the following rates:

Professional Fees (per hour):

Principal Engineer	\$150.00
Senior Project Engineer	\$130.00
Resident Project Representative (RPR)	\$ 90.00

Reimbursable Expenses:

Travel Expenses: Mileage (per mile)	\$ 0.75
Special tests, services of sub-consultants, and equipment rental	Cost + 5%

Estimate of Hours and Maximum Fees for Requested Services

Consolidated Engineers, Inc. proposes to provide the previously described civil engineering services for the Construction Management and Construction Administration of this Project at the following rates:

I. TASK 1 - CONSTRUCTION PHASE SERVICES

Principal Engineer	1.0 hours
Senior Project Engineer	38.0 hours
Resident Project Representative (RPR)	207.0 hours
Mileage	<u>868 miles</u>
Estimated Maximum Fee:.....\$24,234.50	

II. TASK 1A - OPTIONAL STAKING REVIEW SERVICES

Land Surveying Incorporated (+ 5% Markup).....	\$1,417.50
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III. TASK 1B - REVIEW OF LWCF SUBMITTALS SERVICES

Time and Materials Basis

IV. TASK 1C - OPTIONAL REDUCTION IN ON-SITE OBSERVATION TOUR SERVICES

Senior Project Engineer	(3.0) hours
Resident Project Representative (RPR)	(48.0) hours
Mileage	(240) miles
Estimated Maximum Fee Reduction: (\$4,890.00)	

LWCF: Miscellaneous Certifications and Clauses
FOR PROFESSIONAL SERVICES ONLY
to be Completed and Signed by all Bidders

Reference: <https://www.ecfr.gov/current/title-2/subtitle-A/chapter-II/part-200/subpart-D>

This project is subject to an Agreement between the Project Sponsor and the Wyoming Department State Parks and Cultural Resources (SPCR) to utilize federal funding from the Land and Water Conservation Fund.

The provisions of Wyo. State § 16-6-102 and 16-6-104, Preference for Wyoming labor and materials, **DO NOT** apply. The contract shall be awarded to the lowest responsive and responsible bidder. (see PL §200.319)

The undersigned Bidder hereby proposes to furnish all materials (except materials furnished by the Project Sponsor) including machinery, tools, equipment, and supplies, and perform all labor necessary to complete the work described in accordance with the plans, current standard specifications, special provisions, and for the prices set forth in the **attached schedule**. The schedule is to include major work components with costs and expected completion dates and other requested information.

REGISTRATION WITH THE WYOMING SECRETARY OF STATE

- I. Bidder is a corporation or limited liability company? **YES (X)** **NO ()**
- II. Is the above Bidder currently registered with the Wyoming Secretary of State to do business in the State of Wyoming? **YES (X)** **NO ()** (Please attach a copy of your registration.)

CERTIFICATION OF SUSPENSION OR DEBARMENT

Bidder and all person(s) associated therewith in the capacity of owner, partner, director, or officer authorized to sign contracts certifies by signing this document that the responses to the following questions are true.

- I. Is any interested party currently under suspension, disqualifications, debarment, voluntary exclusion, or determination of ineligibility by any state or federal agency?
 YES () NO (X) Initials: AS
- II. Has any interested party been suspended, debarred, disqualified, voluntarily excluded, or determined ineligible by any state or federal agency within the past three years?
 YES () NO (X) Initials: AS
- III. Has any interested party have a debarment pending? YES () NO (X) Initials: AS
- IV. Has any interested party been indicted, convicted, or had a civil judgment rendered against (it) by a court of competent jurisdiction in any matter involving non-compliance, non-performance, judgement for financial compensation, fraud or official misconduct within the past three years?
 YES () NO (X) Initials: AS
- IV. Is any interested party currently involved in a case related to non-compliance, non-performance, judgement for financial compensation, fraud or official misconduct within the past three years?
 YES () NO (X) Initials: AS
- V. If registered with SAM.gov, UEI:

If the answer is YES to any of I-IV above, insert explanation and official documents below:

APPLICABLE: YES () NO (X)

SUSPENSION OR DEBARMENT LISTING

Suspension or Debarment actions will not necessarily result in denial of award but will be considered in determining Bidder responsibility. For any Suspension or Debarment noted, indicate below to whom it applies, initiating agency and dates of action.

APPLIES TO WHOM	INITIATING AGENCY	DATES OF ACTION

The person or persons signing this document do hereby certify, under penalty of perjury, that the CERTIFICATION OF SUSPENSION OR DEBARMENT is a true and accurate statement.

DISADVANTAGED BUSINESS ENTERPRISE PARTICIPATION CERTIFICATION

Affirmative steps are required to utilize Minority Business Enterprises and Woman Business Enterprises (“Disadvantaged Business Enterprises” or “DBE”) as possible sources of supplies, equipment, construction, and services. DBE’s are minority or women owned or controlled businesses.

- (I.) Bidder certifies that:
 - (A.) It has taken and will take affirmative action to seek out and consider Disadvantaged Business Enterprises as potential subcontractors.
 - (B.) It has taken and will take affirmative action to seek out and consider DBEs as potential suppliers.
- (II.) Further, the Bidder shall:
 - (A.) List all DBE’s contacted (and those that responded) on the following form and complete the requested information for each.
 - (B.) If applicable, mark that subcontracting is not anticipated.
 - (C.) If subcontracting occurs, provide the list to the Project Sponsor within thirty (30) days of project completion.
 - (D.) Make available upon request the bids submitted from each DBE and from non-DBE bidders.

**DISADVANTAGED BUSINESS ENTERPRISE
 PARTICIPATION CERTIFICATION**

The Bidder has contacted the following Disadvantaged Business Enterprises (DBE) to solicit quotations for work to be subcontracted or for materials to be used on this project. If one DBE firm is contacted as a supplier of materials and for other subcontract work (i.e. furnish benches as a supplier and providing labor as a subcontractor) the firm must be shown twice, once as a supplier and once for the subcontract work.

Information from all DBE firms that submitted quotes, whether solicited or not solicited, must be retained in the project file.

Do Not Intend to (or did not) Subcontract Work (Note: Add additional lines if needed.)

Disadvantaged Business Entity	Specific Subcontract Work or Materials Requested	Contact Method(s)	Contact Date(s)	Contact Result
				<input type="checkbox"/> No Response or Not Interested <input type="checkbox"/> Not quoting on this project <input type="checkbox"/> Quote submitted <input type="checkbox"/> Bid Amount \$ <input type="checkbox"/> Selected for Work or Materials
				<input type="checkbox"/> No Response or Not Interested <input type="checkbox"/> Not quoting on this project <input type="checkbox"/> Quote submitted <input type="checkbox"/> Bid Amount \$ <input type="checkbox"/> Selected for Work or Materials
				<input type="checkbox"/> No Response or Not Interested <input type="checkbox"/> Not quoting on this project <input type="checkbox"/> Quote submitted <input type="checkbox"/> Bid Amount \$ <input type="checkbox"/> Selected for Work or Materials

BUY AMERICA REQUIREMENTS

Federal law §200.322 Domestic preferences for procurements, PL 117-48 Infrastructure and Jobs Act, and Executive Order 14005 Ensuring the Future is Made in All America by All of America's Workers apply to this project. All contracts and subcontracts must reference these laws and policies.

For further information on the Buy America preference, please visit www.doi.grants/BuyAmerica. Additional information can also be found at the White House Made in America Office website: www.whitehouse.gov/omb/management/made-in-america/.

BIDDER INFORMATION

CERTIFICATION FOR CONTRACTS, GRANTS, LOANS AND COOPERATIVE AGREEMENTS

- (I.) The undersigned certifies, to the best of his or her knowledge and belief, the following:
- (A.) No federal appropriated funds have been paid or will be paid, by or on behalf of the Bidder, to any person for influencing or attempting to influence an officer or employee of an agency, a member of congress, an officer or employee of congress, or an employee of a member of congress in connection with the awarding of any federal contract, the making of any federal grant, the making of any federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any federal contract, grant, loan, or cooperative agreement.
- (B.) If any funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any state or federal agency, a member of congress, an officer or employee of congress, or an employee of a member of congress in connection with this federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit to the Project Sponsor Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions.
- (C.) The undersigned shall require that the language of this certification be included in the award documents for all subawards at all tiers (including subcontracts, subgrants, and contracts under grants, loans, and cooperative agreements) and that all subrecipients shall certify and disclose accordingly. This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by section 1352, title 31, U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

SPECIFIC EQUAL EMPLOYMENT OPPORTUNITY RESPONSIBILITIES APPENDIX A TO SUBPART A OF PART 230 – SPECIAL PROVISIONS

- (I.) General.
- (A.) Equal employment opportunity requirements not to discriminate and to take affirmative action to assure equal employment opportunity, as required by Executive Order 11246 and Executive Order 11375, are set forth in Required Contract Provisions form FHWA-1273, and these certifications and clauses are imposed pursuant to section 140 of title 23 U.S.C., as established by section 22 of the Federal-

Aid Highway Act of 1968. The requirements set forth in these certifications and clauses constitute the specific affirmative action requirements for project activities under this contract and supplement the equal employment opportunity requirements set forth in the Required Contract Provisions.

(B.) The Bidder will work with the Project Sponsor and SPCR in carrying out equal employment opportunity obligations and in their review of his/her activities under the contract.

(C.) The Bidder and all his/her subcontractors holding subcontracts not including material suppliers, of \$10,000 or more, will comply with the following minimum specific requirement activities of equal employment opportunity:

(i.) The equal employment opportunity requirements of Executive Order 11246, as set forth in volume 6, chapter 4, section 1, subsection 1 of the Federal-Aid Highway Program Manual, are applicable to material suppliers as well as contractors and subcontractors.

(ii.) The Bidder will include these requirements in every subcontract of \$10,000 or more with such modification of language as is necessary to make them binding on the subcontractor.

(II.) Equal Employment Opportunity Policy.

(A.) The Bidder will accept as his/her operating policy the following statement which is designed to further the provision of equal employment opportunity to all persons without regard to their race, color, religion, sex, or national origin, and to promote the full realization of equal employment opportunity through a positive continuing program:

It is the policy of the Bidder to assure that applicants are employed, and that employees are treated during employment, without regard to their race, religion, sex, color, or national origin. Such action shall include employment, upgrading, demotion, or transfer; recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship, pre-apprenticeship, and/or on-the-job training.

(III.) Equal Employment Opportunity Officer.

(A.) The Bidder will designate and make known to the Project Sponsor the Bidder's contracting officers and equal employment opportunity officer (hereinafter referred to as the EEO Officer) who will have the responsibility for and must be capable of effectively administering and promoting an active contractor program of equal employment opportunity and who must be assigned adequate authority and responsibility to do so.

(IV.) Dissemination of Policy.

(A.) All members of the Bidder's staff who are authorized to hire, supervise, promote, and discharge employees, or who recommend such action, or who are substantially involved in such action, will be made fully cognizant of, and will implement, the Bidder's equal employment opportunity policy and contractual responsibilities to provide equal employment opportunity in each grade and classification of employment. To ensure that the above agreement will be met, the following actions will be taken as a minimum:

(i.) Periodic meetings of supervisory and personnel office employees will be conducted before the start of work, and then not less often than once every six months, at which time the Bidder's equal employment opportunity policy and its implementation will be reviewed and explained. The meetings will be conducted by the EEO Officer or other knowledgeable company official.

(ii.) All new supervisory or personnel office employees will be given a thorough indoctrination by the EEO Officer or other knowledgeable company official, covering all major aspects of the Bidder's equal employment opportunity obligations within thirty days following their reporting for duty with the contractor.

(iii.) All personnel who are engaged in direct recruitment for the project will be instructed by the EEO Officer or appropriate company official in the Bidder's procedures for locating and hiring minority group employees.

(B.) The Bidder and all Subcontractors shall take the following actions:

(i.) Notices and posters setting forth the Bidder's equal employment opportunity policy will be placed in areas readily accessible to employees, applicants for employment, and potential employees.

(ii.) The Bidder's equal employment opportunity policy and the procedures to implement such policy will be brought to the attention of employees by means of meetings, employee handbooks, or other appropriate means.

(V.) Recruitment.

(A.) The Bidder and all Subcontractors will include in all advertisements for employees the notation "An Equal Opportunity Employer." All such advertisements will be published in newspapers or other publications having a large circulation among minority groups in the area from which the project work force would normally be derived.

(B.) The Bidder will, unless precluded by a valid bargaining agreement, conduct systematic and direct recruitment through public and private employee referral

sources likely to yield qualified minority group applicants, including, but not limited to, state employment agencies, schools, colleges and minority group organizations. To meet this requirement, the contractor will, through his/her EEO Officer, identify sources of potential minority group employees and establish with such identified sources procedures whereby minority group applicants may be referred to the contractor for employment consideration.

(C.) In the event the Bidder has a valid bargaining agreement providing for exclusive hiring practices, Bidder will remain in compliance with equal employment opportunity provisions. (The U.S. Department of Labor has held that where implementation of such agreements have the effect of discriminating against minorities or women, or obligates the Bidder to do the same, such implementation violates Executive Order 11246, as amended.)

(D.) The Bidder will encourage present employees to refer minority group applicants for employment. Appropriate notices or bulletins will be posted in areas accessible to all employees. In addition, information and procedures with regard to referring minority group applicants will be discussed with employees.

(VI.) Personnel Actions.

(A.) Wages, working conditions, and employee benefits shall be established and administered, and personnel actions of every type, including hiring, upgrading, promotion, transfer, demotion, layoff, and termination, shall be taken without regard to race, color, religion, sex, or national origin. These procedures shall be followed:

- (i.) The Bidder will conduct periodic inspections of project sites to ensure that working conditions and employee facilities do not indicate discriminatory treatment of project site personnel.
- (ii.) The Bidder will periodically evaluate the spread of wages paid within each classification to determine any evidence of discriminatory wage practices.
- (iii.) The Bidder will periodically review selected personnel actions in depth to determine whether there is evidence of discrimination. Where evidence is found, the Bidder will promptly take corrective action. If the review indicates that the discrimination may extend beyond the actions reviewed, such corrective action shall include all affected persons.
- (iv.) The Bidder will promptly investigate all complaints of alleged discrimination made to the Bidder in connection with his obligations under this contract, will attempt to resolve such complaints, and will take appropriate corrective action within a reasonable time. If the investigation indicates that the discrimination may affect persons other than the complainant, such corrective action shall include such other persons. Upon completion of each investigation, the Bidder will inform every complainant of all of his avenues of appeal.

(VII.) Training and Promotion.

(A.) The Bidder will assist in locating, qualifying, increasing the skills of, and increasing the proportion or number of applications for employment among minority group and women employees.

(B.) Consistent with the Bidder's work force requirements and as permissible under federal and state regulations, the Bidder shall make full use of training programs, *i.e.*, apprenticeship and on-the-job training programs. Where feasible, 25 percent (25%) of apprentices or trainees in each occupation shall be in their first year of apprenticeship or training.

(C.) The Bidder will advise employees and applicants for employment of available training programs and entrance requirements for each.

(D.) The Bidder will periodically review the training and promotion potential of minority group and women employees and will encourage eligible employees to apply for such training and promotion.

(VIII.) Unions.

(A.) If the Bidder relies in whole or in part upon unions as a source of employees, the Bidder will use his/her best efforts to obtain the cooperation of such unions to increase opportunities for minority groups and women within the unions and to effect referrals by such unions of minority and female employees. Actions by the Bidder either directly or through a Bidder's association acting as agent will include the procedures set forth below:

(i.) The Bidder will use best efforts to develop, in cooperation with the unions, joint training programs aimed toward qualifying more minority group members and women for membership in the unions and increasing the skills of minority group employees and women so that they may qualify for higher paying employment.

(ii.) The Bidder will use best efforts to incorporate an equal employment opportunity clause into each union agreement to the end that such union will be contractually bound to refer applicants without regard to their race, color, religion, sex, or national origin.

(iii.) The Bidder is to obtain information as to the referral practices and policies of the labor union except that to the extent such information is within the exclusive possession of the labor union and such labor union refuses to furnish such information to the Bidder. The Bidder shall certify to the Project Sponsor the efforts made to obtain such information.

(B.) In the event the union is unable to provide the Bidder with a reasonable flow of minority and women referrals within the time limit set forth in the collective bargaining agreement, the Bidder will, through independent recruitment efforts, fill the employment vacancies without regard to race, color, religion, sex, or national origin; making full efforts to obtain qualified and/or qualifiable minority group persons and women. (The U.S. Department of Labor has held that it shall be no excuse that the union with which the Bidder has a collective bargaining agreement providing for exclusive referral failed to refer minority employees.) In the event the union referral practice prevents the contractor from meeting the obligations pursuant to Executive Order 11246, as amended, and these special provisions, such Bidder shall immediately notify the Project Sponsor.

(IX.) Subcontracting

(A.) The Bidder will use his best efforts to solicit bids from and to utilize minority group subcontractors or subcontractors with meaningful minority group and female representation among their employees. Bidders may be able to obtain lists of minority-owned construction firms from the Wyoming Department of Transportation.

(B.) The Bidder will use his best efforts to ensure subcontractor compliance with their equal employment opportunity obligations.

(C.) Bidder agrees to pay subcontractors within thirty (30) days of payment from Project Sponsor for all satisfactory work performed and retainage.

(X.) Records and Reports.

(A.) The Bidder will keep such records as are necessary to determine compliance with the Bidder's equal employment opportunity obligations. The records kept by the Bidder will be designed to indicate the following:

(i.) The number of minority and nonminority group members and women employed in each work classification on the project.

(ii.) The progress and efforts made in cooperation with unions to increase employment opportunities for minorities and women (applicable only to Bidders who rely in whole or in part on unions as a source of their work force),

(iii.) The progress and efforts made in locating, hiring, training, qualifying, and upgrading minority and female employees, and

(iv.) The progress and efforts made in securing the services of minority group subcontractors or subcontractors with meaningful minority and female representation among their employees.

(B.) All such records must be retained for a period of three years following completion of the contract work and shall be available at reasonable times and places for inspection by authorized representatives of the Project Sponsor and SPCR.

(C.) The Bidder will submit an annual report to the Project Sponsor each July for the duration of the project. The annual report will include the numbers of minority, women, and non-minority group employees currently engaged in each work classification required by the contract work. This information is to be reported on Form PR 1391. If on-the-job training is being required by "Training Special Provision," the contractor will be required to furnish Form FHWA 1409.

(XI) Other

(A.) This project is subject to CFR 2 §200.322 Domestic preferences for procurements.

Please note any exceptions here:

Federal Fund Notification

This project is funded in part with a federal Land and Water Conservation Fund grant for which the Sponsor is a Subrecipient.

FAIN # P22AP01555 LWCF # 56-00955 CFDA # 15.916

BIDDER CERTIFICATION

Bidder, either personally or through its duly authorized representatives, certifies that it has read, understood, and agreed to all terms and conditions of these certifications and clauses. If selected as a subcontractor, this document will be added to contract for the services.

Bidder certifies that a pricing schedule consisting of 1 pages is attached to this document.

Bidder Name: Consolidated Engineers, Inc.

Bidder Mailing Address: PO Box 1035, Gillette, WY 82717-1035

Email: dstillman@ceincorp.com

Phone Number: (307) 682-0768

Printed Name of Bidder's Authorized Signatory: Dennis G. Stillman

Signature of Authorized Signatory: 

Date: March 15, 2024

Attachment B: Buy America Requirements
56-00955 Hidden Valley Park Playground Improvements

A. Background:

As required by Section 70914 of the Bipartisan Infrastructure Law (also known as the Infrastructure Investment and Jobs Act), P.L. 117-58, and specified in Executive Order 14005, Ensuring the Future is Made in All America by All of America's Workers, none of the funds under a federal award that are part of a Federal financial assistance program for infrastructure may be obligated for a project unless all of the iron, steel, manufactured products, and construction materials used in the project are produced in the United States, unless subject to an approved waiver.

The requirements of this section must be included in all subawards, including all contracts and purchase orders for work or products under this program.

Grants may be covered by a Waiver to the Buy America provisions. Waivers are published here: <https://doi.gov/grants/BuyAmerica/GeneralApplicabilityWaivers>.

B. Definitions:

1. "Construction materials" includes an article, material, or supply that is or consists primarily of:
 - non-ferrous metals;
 - plastic and polymer-based products (including polyvinylchloride, composite building materials, and polymers used in fiber optic cables);
 - glass (including optic glass);
 - lumber;
 - drywall;
 - and anything that is installed, built, or purchased.
2. "Construction Materials" does not include cement and cementitious materials, aggregates such as stone, sand, or gravel, or aggregate binding agents or additives.
3. "Domestic content procurement preference" means all iron and steel used in the project are produced in the United States; the manufactured products used in the project are produced in the United States; and the construction materials used in the project are produced in the United States.
4. "Infrastructure" includes, at a minimum, the structures, facilities, and equipment for, in the United States, roads, highways, and bridges; public transportation; dams, ports, harbors, and other maritime facilities; intercity passenger and freight railroads; freight and intermodal facilities; airports; water systems, including drinking water and wastewater systems; electrical transmission facilities and systems; utilities; broadband infrastructure; and buildings and real property. Infrastructure includes facilities that generate, transport, and distribute energy. **Infrastructure includes all amenities funded through this Agreement.**

5. “Project” means the construction, alteration, maintenance, or repair of infrastructure in the United States.

C. Infrastructure Requirements:

Recipients of an award of Federal financial assistance are hereby notified that none of the funds provided under this award may be used for a project for infrastructure unless:

1. all iron and steel used in the project are produced in the United States--this means all manufacturing processes, from the initial melting stage through the application of coatings, occurred in the United States;
2. all manufactured products used in the project are produced in the United States —this means the manufactured product was manufactured in the United States; and the cost of the components of the manufactured product that are mined, produced, or manufactured in the United States is greater than 55 percent (55%) of the total cost of all components of the manufactured product, unless another standard for determining the minimum amount of domestic content of the manufactured product has been established under applicable law or regulation; and
3. all construction materials are manufactured in the United States—this means that all manufacturing processes for the construction material occurred in the United States.

The Buy America preference only applies to articles, materials, and supplies that are consumed in, incorporated into, or affixed to an infrastructure project. As such, it does not apply to tools, equipment, and supplies, such as temporary scaffolding, brought to the construction site and removed at or before the completion of the infrastructure project. Nor does a Buy America preference apply to equipment and furnishings, such as movable chairs, desks, and portable computer equipment, that are used at or within the finished infrastructure project, but are not an integral part of the structure or permanently affixed to the infrastructure project.

For further information on the Buy America preference, please visit www.doi.grants/BuyAmerica. Additional information can also be found at the White House Made in America Office website: www.whitehouse.gov/omb/management/made-in-america/.

D. Waivers:

When necessary, the Subrecipient may apply for a waiver. The waiver request must be submitted to the Agency before work begins. Waivers must then be approved by Department of the Interior (DOI) who may grant a waiver from these requirements, subject to review by the Made in America Office. The DOI may waive the application of the domestic content procurement preference in any case in which it is determined that one of the below circumstances applies:

1. Non-availability Waiver: the types of iron, steel, manufactured products, or construction materials are not produced in the United States in sufficient and reasonably available quantities or of a satisfactory quality;

2. Unreasonable Cost Waiver: the inclusion of iron, steel, manufactured products, or construction materials produced in the United States will increase the cost of the overall project by more than 25 percent; or
3. Public Interest Waiver: applying the domestic content procurement preference would be inconsistent with the public interest.

Applications for waiver must be in writing, signed by the Subrecipient's Principal Contact, and include the following. A form for this purpose will be provided by the Agency.

- a. Type of waiver requested (non-availability, unreasonable cost, or public interest).
- b. Requesting entity and Unique Entity Identifier (UEI) submitting the request.
- c. Department of Interior Bureau or Office who issued the award.
- d. Federal financial assistance listing name and number (reference block 2 on DOI Notice of Award)
- e. Financial assistance title of project (reference block 8 on DOI Notice of Award).
- f. Federal Award Identification Number (FAIN).
- g. Federal funding amount (reference block 11.m. on DO Notice of Award).
- h. Total cost of Infrastructure expenditures (includes federal and non-federal funds to the extent known).
- i. Infrastructure project description(s) and location(s) (to the extent known).
- j. List of iron or steel item(s), manufactured goods, and construction material(s) the recipient seeks to waive from Buy America requirements. Include the name, cost, countries of origin (if known), and relevant PSC or NAICS code for each.
- k. A certification that the recipient made a good faith effort to solicit bids for domestic products supported by terms included in requests for proposals, contracts, and nonproprietary communications with the prime contractor.
- l. A statement of waiver justification, including a description of efforts made (e.g., market research, industry outreach) by the recipient, in an attempt to avoid the need for a waiver. Such a justification may cite, if applicable, the absence of any Buy America-compliant bids received in response to a solicitation.
- m. Anticipated impact if no waiver is issued. Approved waivers will be posted at www.doi.gov/grants/BuyAmerica/ApprovedWaivers; recipients requesting a waiver will be notified of their waiver request determination by an awarding officer.

There may be instances where an award qualifies, in whole or in part, for an existing DOI general applicability waiver as described at www.doi.gov/grants/BuyAmerica/GeneralApplicabilityWaivers.

If the specific financial assistance agreement, infrastructure project, or non-domestic materials meets the criteria of an existing general applicability waiver within the limitations defined within the waiver, the Subrecipient will notify the Agency of the general applicable waiver before work begins.

STATE OF WYOMING
Office of the Secretary of State

I, CHUCK GRAY, Secretary of State of the State of Wyoming, do hereby certify that according to the records of this office,

Consolidated Engineers, Inc.
is a
Profit Corporation

formed or qualified under the laws of Wyoming did on **December 29, 1993**, comply with all applicable requirements of this office. Its period of duration is Perpetual. This entity has been assigned entity identification number **1993-000287458**.

This entity is in existence and in good standing in this office and has filed all annual reports and paid all annual license taxes to date, or is not yet required to file such annual reports; and has not filed Articles of Dissolution.

I have affixed hereto the Great Seal of the State of Wyoming and duly generated, executed, authenticated, issued, delivered and communicated this official certificate at Cheyenne, Wyoming on this 15th day of March, 2024 at 9:48 AM. This certificate is assigned ID Number 070937527.



A handwritten signature in cursive script that reads "Chuck Gray".

Secretary of State

Notice: A certificate issued electronically from the Wyoming Secretary of State's web site is immediately valid and effective. The validity of a certificate may be established by viewing the Certificate Confirmation screen of the Secretary of State's website <https://wyobiz.wyo.gov> and following the instructions displayed under Validate Certificate.