

RESOLUTION NO. 1752

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WILSONVILLE ACTING AS THE LOCAL CONTRACT REVIEW BOARD MAKING FINDINGS, DETERMINATIONS AND CONCLUSIONS ALLOWING THE APPEAL OF DISQUALIFICATION OF STATEMENTS OF QUALIFICATION BY VALLEY PACIFIC CONSTRUCTION, INC., CANBY EXCAVATING, INC., AND OREGON ASPHALTIC PAVING CO., AND DENYING THE APPEAL OF DISQUALIFICATION OF STATEMENT OF QUALIFICATION BY KERR CONTRACTORS, INC., FOR THE PUBLIC IMPROVEMENT CONTRACT FOR THE COFFEE CREEK CORRECTIONAL FACILITY INFRASTRUCTURE PHASES 5 & 7 STREET CONSTRUCTION; AND FINDING THAT KERR CONTRACTORS, INC. IS NOT A RESPONSIBLE BIDDER AND IS DISQUALIFIED FROM BIDDING ON THIS PROJECT.

WHEREAS, the City Council, acting as the Local Contract Review Board, has received four protests of disqualification from contract bidding on the City project as set forth below. The Engineering Department ("staff") has filed its Staff Report and Recommendations dated February 4, 2002, together with exhibits regarding these four protests, which report and exhibits are hereby marked as record Exhibit A and Exhibits A-1 through A-17, respectively, attached hereto and incorporated by reference as if fully set forth herein; and

WHEREAS, the City Council, acting as the Local Contract Review Board, has received a memorandum from its Assistant City Attorney dated January 31, 2002, regarding the current legal standards for disqualification and responsibility, which is attached hereto and incorporated by reference as if fully set forth herein; and

WHEREAS, the City Council, acting as the Local Contract Review Board, finds and recites:

1. In December 2001 the City of Wilsonville issued a Request for Statement of Qualifications ("SOQ") from firms to construct roadway improvements associated with the project known as the Coffee Creek Correctional Facility Infrastructure Phases 5 & 7 Street Construction ("the project").

2. As provided by ORS 279.039, the City Council acting as Local Contract Review Board has authorized the City Engineer to adopt rules and procedures for submitting proposals for qualifications.

3. The City Engineer has adopted the Statement of Qualifications application form attached as Exhibit A-1.

4. The Request for Qualifications ("RFQ"), attached as Exhibit A-2, provided that protest of any procedural or substantive terms and conditions shall be in writing and delivered to John Michael at the City of Wilsonville no later than December 28, 2001.

5. No protests of the Request for Qualifications were received.

6. Valley Pacific Construction, Inc., Canby Excavating, Inc., Oregon Asphaltic Paving Co., and Kerr Contractors, Inc., (collectively "appellants") have petitioned the Local Contract Review Board to review their disqualifications for bid on the Coffee Creek Correctional Facility Infrastructure Phases 5 & 7 Street Construction, as set forth in a letter from each appellant; Exhibits A-3, A-4, A-5 and A-6 respectively.

7. Each appellant's Statement of Qualifications application is attached as Exhibit A-7, A-8, A-9 and A-10, respectively.

8. The City Engineer selection team disqualified the respective proposers for the reasons set forth in the Staff Report attached as Exhibit A.

9. The City of Wilsonville sent a Notice of Disqualification to bid on the project to each appellant as set forth in Exhibits A-11, A-12, A-13 and A-14.

10. In accordance with ORS 279.043, each appellant is procedurally required to file in writing an appeal of disqualification within three days of the Notice of Disqualification sent by the City of Wilsonville. Exhibit A-2, p. 8.

11. Each appellant has filed a written appeal within the required three days and otherwise has met the procedural appeal requirements.

12. The RFQ specifies that the statement of qualification shall include "recent examples of similar construction experience including type, contract value, schedule, and any peculiarities that may be germane to this project." Exhibit A-2, p. 11.

13. The RFQ states that: "The City intends to select firms to complete the construction along a tight timeline to allow the improvements to be in place to permit final occupancy of the Coffee Creek Correctional Facility, which is currently under construction, under the terms and conditions of the Intergovernmental Agreement with the Department of Corrections and per Resolution No. 1600.

The City's purpose in using this process will be to determine the 'lowest responsible' bidder for each referenced project through an evaluation of the demonstrated ability to successfully complete projects of a similar nature and the lowest competitive construction price proposal." Exhibit A-2, p 3.

14. The RFQ states: "The City Council has directed Staff to proceed with the roadway construction with all possible speed to allow the improvements to Day Street and Boones Ferry Road to be under construction prior to the opening of the Coffee Creek Correctional Medium Security Facility, April 12, 2002, and completed by October 31, 2002." Exhibit A-2, p. 3.

15. The RFQ states that "Selection will be based on demonstrated qualifications on projects of similar type, complexity, size, scope (including continuous operation), budget, traffic conditions, and schedule. **In order to be considered a 'responsible bidder', you must have experience with multiple, comparable, public projects.**" (Emphasis as in original.) Exhibit A-2, p. 6.

16. The RFQ requests seven (7) categories of information and includes rating criteria. Exhibit A-2, p. 6.

17. The RFQ states that if an SOQ is incomplete, it will be returned to the respondent for correction. No additional time or extension will be granted for resubmittal. Exhibit A-2, p. 7.

18. After carefully reviewing information submitted by Valley Pacific Construction, Inc., Canby Excavating, Inc., and Oregon Asphaltic Paving Co., in support of their protests (Exhibit A-15, A-16 and A-17), Staff noted that had the supporting information been supplied during the initial review, the selection team would have had the necessary information to approve the Statement of Qualifications from Valley Pacific Construction, Inc., Canby Excavating, Inc., Oregon Asphaltic Paving Co., and would have found them to be "responsible" bidders for the project, as explained in the Staff Report, Exhibit A, p. 1.

19. After carefully reviewing information submitted by Kerr Contractors, Inc., in support of their protest (Exhibit A-6), Staff notes that Kerr Contractors, Inc., did not demonstrate the level of management construction experience and roadway experience needed for the project. Exhibit A, pp. 3-9.

NOW, THEREFORE, THE CITY OF WILSONVILLE RESOLVES AS FOLLOWS:

The City Council, acting as the Local Contract Review Board, makes the following findings, determinations, and conclusions:

1. The findings recited above are incorporated herein as if fully set forth.
2. By letter dated January 21, 2002, the City of Wilsonville gave appellants notice and opportunity to appeal a disqualification of Statement of Qualifications application for the project.

3. By letter dated January 24, 2002, January 25, 2002, January 24, 2002, and January 24, 2002, Valley Pacific Construction, Inc., Canby Excavating, Inc., Oregon Asphaltic Paving Co., and Kerr Contractors, Inc., exercised their rights to appeal, timely filed a protest of disqualification, and have had an opportunity to be heard *de novo* in this matter.

4. Based on the information submitted by appellants Valley Pacific Construction, Inc., Canby Excavating, Inc., and Oregon Asphaltic Paving Co. in their Statement of Qualifications and the information supplied to support their protests in response to the Notice of Disqualification, the City finds that Valley Pacific Construction, Inc., Canby Excavating, Inc., and Oregon Asphaltic Paving Co., demonstrate the necessary level of public works roadway experience in major projects needed for the project.

5. The construction of the major public works project known as Coffee Creek Correctional Facility Infrastructure Phases 5 & 7 Street Construction requires experience in major construction and major construction coordination in a shortened time frame, and as such requires extensive, proven public works roadway experience.

6. Given the constraints and demands of the major project and the need for demonstrated complex public works roadway construction experience, the City Council concludes it would not be prudent to accept the application for Statement of Qualifications from Kerr Contractors, Inc., because the applicant has not demonstrated that the applicant has the required necessary experience.

7. The City Council, acting as Local Contract Review Board, determines and concludes that it is in the public interest to disqualify Kerr Contractors, Inc., from bidding on the project and finds that Kerr Contractors, Inc. is not a responsible bidder.

8. The protest filed by Kerr Contractors, Inc. is denied.

9. The protests of Valley Pacific Construction, Inc., Canby Excavating, Inc., and Oregon Asphaltic Paving Co., are allowed.

ADOPTED by the Wilsonville City Council at a special Council meeting thereof this 4th day of February, 2002, and filed with the Wilsonville City Recorder this same date.



CHARLOTTE LEHAN, MAYOR

ATTEST:


Sandra C. King, CMC, City Recorder
SUMMARY OF VOTES:

Mayor Lehan	Yes
Councilor Helser	Yes
Councilor Barton	Yes
Councilor Kirk	Yes
Councilor Holt	Yes

LIST OF EXHIBITS

Exhibit No.	Description
A-1	Statement of Qualification Application
A-2	City of Wilsonville Request for Qualifications Coffee Creek Correctional Facility Infrastructure Phases 5 & 7 Street Construction, December 17, 2001
A-3	Facsimile Transmittal from Valley Pacific Construction to City of Wilsonville re: Statement of Qualification dated 1/24/02
A-4	Letter to John Michael, Engineering Associate, from Doug Sprague, Vice President of Canby Excavating, Inc. dated January 25, 2002
A-5	Letter to John Michael, Engineering Associate, from R.L. Metcalf, Oregon Asphaltic Paving Co. dated January 24, 2002
A-6	Letter to City of Wilsonville from Kerr Contractors, Inc. re: prequalification for Coffee Creek Job, dated January 24, 2002
A-7	Letter to John Michael, Engineering Associate, from David J. Gobel of Valley Pacific Construction, dated January 11, 2002 re: Statement of Qualifications.
A-8	Letter to John Michael, Engineering Associate from Doug Sprague, Canby Excavating re: Statement of Qualifications, dated January 11, 2002
A-9	Statement of Qualification Application completed by Oregon Asphaltic Paving Co., dated January 7, 2002.
A-10	Statement of Qualification Application completed by Kerr Contractors, Inc. dated January 10, 2002
A-11	Letter to Valley Pacific Construction from John Michael, Engineering Associate, dated January 21, 2002
A-12	Letter to Canby Excavating, Inc. from John Michael, Engineering Associate, dated January 25, 2002
A-13	Letter to Oregon Asphaltic Paving, Co. from John Michael, Engineering Associate, dated January 21, 2002
A-14	Letter to Kerr Contractors, Inc. from John Michael, Engineering Associate, dated January 21, 2002
A-15	Letter to John Michael, Engineering Associate from Valley Pacific Construction, dated January 28, 2002
A-16	Letter to John Michael, Engineering Associate from Canby Excavating, Inc. dated January 28, 2002
A-17	Fax Transmittal from Oregon Asphaltic Paving Co. to John Michael, Engineering Associate, dated January 28, 2002

Please note: The exhibits listed above are on file in the office of the City Recorder, and may be viewed there.

Sandra C. King
 City Recorder
 2/4/02

● ●

City of Wilsonville
City Council Meeting
February 4, 2002

Resolution No. 1752
Exhibits A-1 to A-17

**RESOLUTION NO. 1752
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Exhibit A-1

**City of Wilsonville
Engineering Department**
30000 SW Town Center Loop E
Wilsonville, Oregon 97070
(503) 682-4092



STATEMENT OF QUALIFICATION APPLICATION

Statement of _____
(Contractor's Registered Company Name)

Address to which all correspondence should be mailed:

Physical Address _____

Mailing Address _____

City _____ State _____ Zip Code _____

Phone No. (Area Code) _____

Fax No. (Area Code) _____

Date Application Prepared _____

This Statement of Qualifications is submitted for the following projects:

Coffee Creek Correctional Facility Infrastructure Phases 5 & 7

Qualifications Requested: December 19, 2001

Qualifications Due: 12:00 PM (noon) Pacific Standard Time, January 11, 2002

Scheduled Bid Solicitation: February 5, 2002

Scheduled Bid Opening: February 21, 2002

INSTRUCTIONS

Introductory Statement

In accordance with the statutes of the State of Oregon, every public contracting agency contemplating receiving bids for and awarding any contract for a public improvement may require any prospective bidder (*herein after referred to as Respondent*) to submit a full and complete statement concerning their equipment and experience in constructing public improvements.

The application and questionnaire forms which are bound herewith comply with the requirements of public contracting rules and must be used in determining the qualifications of Respondents and in assigning limits as to the size and kinds of projects for which the Respondents may submit bids.

The Respondents should use care and integrity in preparing this information. The public contracting agency may make independent inquiries concerning the Respondents past performance and/or capabilities.

Manner of Preparing and Filling in Forms

This application shall include information for only the specific single business organization or entity which is applying for qualification and which would be the signatory on a contract with the public contracting agency.

All answers and other entries on the forms, except signatures, should be filled in on a typewriter or printed. To make this possible, the forms may be taken apart by removing the staples by which they are bound. It shall be the responsibility of the applicant to return all pages whether applicable or not. Failure to do so may be grounds for rejection. The forms are available in electronic format from the City of Wilsonville (contact Donna Ratter at 503-682-4960 or ratter@ci.wilsonville.or.us). All pages whether applicable or not must be submitted in hard copy. **No electronic submissions will be accepted.**

All answers and entries shall be specific and complete in detail.

The qualification application shall be signed by the Respondent and sworn to as the form indicates. The signatory of the statement guarantees the truth and accuracy of all statements and of all answers to questions.

An original signed application must accompany the qualification application. (Photocopy or facsimile signatures will not be accepted)

Use of Attachments

Schedules, reports and other forms of qualification statements may be used as attachments to the prescribed form, provided that the information contained therein specifically includes the information required by this form.

Requests for Further Information

For general information regarding this SOQ Application, refer to the Request for Qualifications packet, General Instructions section. All requests for additional information and clarifications shall be made directly to the City's primary contact person, John Michael. In Mr. Michael's absence, respondents may contact the City's alternate contact person, Pat Carroll. Contact information is provided in the section referenced above.

(THIS SPACE INTENTIONALLY LEFT BLANK)

Please answer each section and question in the application.
Failure to do so may result in disqualification.

SECTION 1 – ORGANIZATION OF CONSTRUCTION FIRM

1.1 Organization chart or outline of construction firm.

1.2 Organization chart or outline of prime contractor and sub-contractors.

SECTION 2 –MANAGEMENT AND CONSTRUCTION EXPERIENCE

2.1 Indicate the anticipated major sub-contractors for this project and the class or type of work.

Amount	Class or Type of Work	Contract %
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

2.2 List ten major projects applicant has undertaken in the last five years. (List most recent projects first.)

1. Name of Project _____
Owner & Contact _____
Address _____
Phone Number _____
Project Description _____

Project Location _____
Contract Amount _____ Over/Under Contract & Amount _____
Dates Started and Completed _____ Completed on Time _____
Project Construction Supervisor _____
Architect/Engineering Firm & Contact _____
Address _____
Phone Number _____
Indicate whether: Prime Contractor, Sub-contractor or Joint Venture on project _____
Remarks _____

2. Name of Project _____
Owner & Contact _____
Address _____
Phone Number _____
Project Description _____
Project Location _____
Contract Amount _____ Over/Under Contract & Amount _____
Dates Started and Completed _____ Completed on Time _____
Project Construction Supervisor _____
Architect/Engineering Firm & Contact _____
Address _____
Phone Number _____
Indicate whether: Prime Contractor, Sub-contractor or Joint Venture on Project _____
Remarks _____

3. Name of Project _____
Owner & Contact _____
Address _____
Phone Number _____
Project Description _____
Project Location _____
Contract Amount _____ Over/Under Contract & Amount _____
Dates Started and Completed _____ Completed on Time _____
Project Construction Supervisor _____
Architect/Engineering Firm & Contact _____
Address _____
Phone Number _____
Indicate whether: Prime Contractor, Sub-contractor or Joint Venture on Project _____
Remarks _____

4. Name of Project _____
Owner & Contact _____
Address _____
Phone Number _____
Project Description _____
Project Location _____
Contract Amount _____ Over/Under Contract & Amount _____
Dates Started and Completed _____ Completed on Time _____
Project Construction Supervisor _____
Architect/Engineering Firm & Contact _____
Address _____
Phone Number _____
Indicate whether: Prime Contractor, Sub-contractor or Joint Venture on project _____
Remarks _____

5. Name of Project _____
Owner & Contact _____
Address _____
Phone Number _____
Project Description _____
Project Location _____
Contract Amount _____ Over/Under Contract & Amount _____
Dates Started and Completed _____ Completed on Time _____
Architect/Engineering Firm & Contact _____
Address _____
Phone Number _____
Indicate whether: Prime Contractor, Sub-contractor or Joint Venture on Project _____
Remarks _____

6. Name of Project _____
Owner & Contact _____
Address _____
Phone Number _____
Project Description _____
Project Location _____
Contract Amount _____ Over/Under Contract & Amount _____
Dates Started and Completed _____ Completed on Time _____
Project Construction Supervisor _____
Architect/Engineering Firm & Contact _____
Address _____
Phone Number _____
Indicate whether: Prime Contractor, Sub-contractor or Joint Venture on project _____
Remarks _____

7. Name of Project _____
Owner & Contact _____
Address _____
Phone Number _____
Project Description _____
Project Location _____
Contract Amount _____ Over/Under Contract & Amount _____
Dates Started and Completed _____ Completed on Time _____
Architect/Engineering Firm & Contact _____
Address _____
Phone Number _____
Indicate whether: Prime Contractor, Sub-contractor or Joint Venture on Project _____
Remarks _____

8. Name of Project _____
Owner & Contact _____
Address _____
Phone Number _____
Project Description _____
Project Location _____
Contract Amount _____ Over/Under Contract & Amount _____
Dates Started and Completed _____ Completed on Time _____
Project Construction Supervisor _____
Architect/Engineering Firm & Contact _____
Address _____
Phone Number _____
Indicate whether: Prime Contractor, Sub-contractor or Joint Venture on project _____
Remarks _____

9. Name of Project _____
Owner & Contact _____
Address _____
Phone Number _____
Project Description _____
Project Location _____
Contract Amount _____ Over/Under Contract & Amount _____
Dates Started and Completed _____ Completed on Time _____
Architect/Engineering Firm & Contact _____
Address _____
Phone Number _____
Indicate whether: Prime Contractor, Sub-contractor or Joint Venture on Project _____
Remarks _____

10. Name of Project _____
Owner & Contact _____
Address _____
Phone Number _____
Project Description _____

Project Location _____
Contract Amount _____ Over/Under Contract & Amount _____
Dates Started and Completed _____ Completed on Time _____
Project Construction Supervisor _____

Architect/Engineering Firm & Contact _____
Address _____
Phone Number _____
Indicate whether: Prime Contractor, Sub-contractor or Joint Venture on Project _____
Remarks _____

2.3 How many years has Respondent been in business under present name?
As a prime contractor? : _____ As a subcontractor? : _____

2.4 How many years' experience in construction work has Respondent had?
As a prime contractor? : _____ As a subcontractor? : _____

2.5 Indicate Respondents principal contact person for this application:
Contact _____
Address _____
Phone and Fax Number _____

2.6 What is the construction experience of all owners, officers, partners and principal individuals in Respondent's organization? Also list any other individuals or organization who, in any way and to any extent, controls or influences the bidding.

Individual's Name	Present Position or Office	Years of Construction	Magnitude and Type of Work	In What Capacity

2.8 Indicate contractor's licenses or registration numbers held as required by Oregon Statutes:

Corporation Division Registration No.: _____

Construction Contractors Board No.: _____

Landscape Contractors License No.: _____

Electrical License No.: _____

Plumbing License No.: _____

Pressure Vessel Installers License No.: _____

Other License No.: _____

3.2 Does applicant intend to rent equipment? If so, provide a general description:

Where available: _____

SECTION 4 – FINANCIAL INFORMATION AND CAPACITY

4.1 Indicate the total amount of work, expressed in dollars, which the applicant can be bonded for at one time (attach letter from licensed bonding company or agent as evidence):

\$ _____

The contract(s) for which this qualification is sought require bid and performance bond(s). The applicant shall state the name of the agent and name, address, and telephone number of the surety company applicant expects to provide the bonds.

Name of Agent _____

Surety Company _____

Address _____

Phone Number _____

4.2 Indicate the firm's form of business.

4.2 a If an Oregon corporation, answer this:

When Incorporated _____

President _____

1st Vice President _____

Secretary _____

Treasurer _____

What officers are authorized to execute contracts: _____

4.2 b If a general partnership, answer this:

Date of Organization _____

If a foreign (out of State) co-partnership or persons engaging in business in the state under an assumed name, but not domiciled within this state, state whether or not such partnership or business organization has been registered as may be required in compliance with Chapter 648, Oregon Revised Statutes:

Name and Address of Partners: _____

4.2 c If a foreign (out of State) corporation, answer this:

When Incorporated _____

In what state _____

Date of authorization to transact business in the State of Oregon _____

Has applicant filed with the Department of Revenue forms required by ORS 279.021? _____

Treasurer _____

President _____

1st Vice President _____

Secretary _____

Treasurer _____

What officers are authorized to execute contracts: _____

Name and address of registered agent in Oregon: _____

4.2 d If a limited liability company, limited liability partnership or a limited partnership indicate below:

- Check One: Limited liability company
 Limited liability partnership
 Limited partnership

Have you registered with the State Corporation Division, Business Registry?
 Yes No

Name and address of organizer: _____

List who is authorized to execute contracts: _____

4.2 e If doing business under an assumed business name, fill out the following information:

Name of assumed business:

Owner's name and
address: _____

Registration Date: _____ Expires: _____

4.2 f If doing business as a sole proprietorship, fill out the following information:

Individual's name liable for all obligations of business: _____

If you are a sole proprietor using an assumed business name, please list names
below: _____

Registration Date: _____ Expires: _____

4.3 List those individuals, companies or corporations owning 10% or more of applicant's firm.

4.4 List any organization, owned or controlled by the applicant, its officers, directors, partners and anyone owning at least 10% interest in the firm, or in which the applicant was or is an officer, director, partner, doing business in Oregon under another name. If none, so state.

4.5 List all other personnel in applicant's organization who have a financial interest in or serve as officers or partners in another firm pre-qualified to bid in this or another state.

Individual's Name	Present Position or Office	Other Firm or Firms	Position in Other Firm(s)	State of Other Firm

4.6 Financial report attachment. (See SOQ Submittal Content and Organization Section 4.6 for instructions.)

SECTION 5 – PUBLIC WORKS CONTRACT EXPERIENCE

- 5.1 Is your firm currently certified by the State of Oregon as a Disadvantaged Business Enterprise (DBE)**
(Check one) Yes No
- 5.2 Have you ever been denied qualification by any state, local or federal agency in this or any other state?**
(Check one) Yes No
If yes, please explain.
-
- 5.3 Have you ever been debarred from bidding on contracts by any state, local or federal agency in this or any other state under any State Law or Federal Law?**
(Check one) Yes No
If yes, please explain.
-
- 5.4 Has any officer or partner of the applicant ever applied for qualification or Public Works contract with the City of Wilsonville or the State of Oregon Department of Corrections under a different name?**
(Check one) Yes No
If yes, please explain.
-
- 5.5 Has the applicant ever failed to complete a state, local or federal public improvement (works) contract?**
(Check one) Yes No
If yes, please explain.
-
- 5.6 Has any officer or partner of the applicant ever been found in breach of a local, state or federal contract?**
(Check one) Yes No
If yes, please explain.
-

5.7 Does the Respondent have any unpaid judgements and/or unadjudicated claims in excess of \$5,000? (See SOQ Submittal Content and Organization Section 47 for instructions.

(Check one) Yes No

If yes, please explain. (If this information is confidential, attach a second sealed envelope clearly marked as such.)

SECTION 6 – AUTHORIZED EMPLOYEE

6.1 Authorized Employee Representative of the Respondent

By submitting a Statement of Qualifications for the Project, respondents expressly represent that they have taken no exception to any term, condition, obligation or requirement of the RFQ that is not clearly and expressly stated in their SOQ.

Respondents further represent that they are an Authorized Employee Representative of the Respondent and will report immediately to the City in writing any errors, inconsistencies, ambiguities, terms which limit competition, or terms which are otherwise unlawful that they discover in the RFQ.

(Signature and Title)

SECTION 7 - AFFIDAVIT

AFFIDAVIT:

STATE _____)
OF _____)

County of _____) ss.

I, _____ being first sworn, state that
am

_____ of the applicant herein and that the statements
made in this application

(Title)

are true and I acknowledge that any false, deceptive or fraudulent statements on the application or at a hearing will result in the denial of qualification, and may subject me to charges of false swearing or perjury should there be any subsequent material reduction in applicant's ability to carry out any project for which applicant desires to submit a bid; applicant will give written notice of such change to the designated office:

Exhibit A-2



**REQUEST
FOR
QUALIFICATIONS**

**COFFEE CREEK CORRECTIONAL FACILITY INFRASTRUCTURE
PHASES 5 & 7 STREET CONSTRUCTION**

NOTE: SUBMISSION OF THE STATE OF OREGON 'CONTRACTOR'S QUALIFICATION APPLICATION' IS UNSATISFACTORY. UNDER THE PROVISIONS OF ORS 279.039 THE CITY HAS ADOPTED THE BASIC FORMAT AS OUTLINED HEREIN TO DETERMINE QUALIFICATION ON ITS PROJECTS.

December 17, 2001

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**CITY OF WILSONVILLE
REQUEST FOR QUALIFICATIONS (RFQ)**

Subject: Request for Statement of Qualifications (SOQs) from firms to construct roadway improvements associated with the Coffee Creek Correctional Facility Infrastructure Phases 5 & 7 Street Construction.

INTRODUCTION

The City of Wilsonville is soliciting Statements of Qualifications (SOQs) from firms to construct a series of roadway improvements as described below.

The City intends to select firms to complete construction along a tight timeline to allow the improvements to Day Street and Boones Ferry Road to be under construction prior to the opening of the Coffee Creek Correctional Medium Security Facility, April 12, 2002, and completed by October 31, 2002.

The City's purpose in using this process will be to determine the 'lowest responsible' bidder for each referenced project through an evaluation of the demonstrated ability to successfully complete projects of a similar nature and the lowest competitive construction price proposal.

NOTE: SUBMISSION OF THE STATE OF OREGON 'CONTRACTOR'S QUALIFICATION APPLICATION' IS UNSATISFACTORY. UNDER THE PROVISIONS OF ORS 279.039 THE CITY HAS ADOPTED THE BASIC FORMAT AS OUTLINED HEREIN TO DETERMINE QUALIFICATION ON IT'S PROJECTS.

The Terms used throughout this document are summarized below:

Contractor:

The firm that will execute a construction contract with the City for the Project.

Construction Price:

The lowest competitive bid price for the construction of the referenced projects, as described in this document.

Respondent:

The legal entity responding to this Request for Qualifications (RFQs) by submitting the required Statement of Qualifications (SOQs) as defined in this document.

BACKGROUND

In conjunction with goals adopted by the City Council, the construction of the Coffee Creek Correctional Facility Infrastructure Street Construction Phases 5 and 7 roadway projects are planned. These improvements will provide additional street capacity and improved bicycle and pedestrian movements both within and outside the City. The City Council has directed Staff to proceed with the roadway construction with all possible speed.

PROJECT INFORMATION

Project Description

The proposed work for **Coffee Creek Correctional Facility Infrastructure Phases 5 & 7 Street Construction** consists of furnishing all materials, labor, equipment, and supervision for the construction and/or reconstruction of the street, storm drainage, and utility improvements on Day Street from Boones Ferry Road west 2,600 feet to Grahams Ferry Road and on Boones Ferry Road from Commerce Circle to 500 feet north of Day Road. Improvements include street construction, concrete curb and gutter, concrete sidewalks, concrete driveways, storm sewers, a traffic signal at the Boones Ferry Road and the Day Street intersection (part of the Boones Ferry Road improvements), and water line extensions.

The estimated project costs for the improvements are as follows:

Boones Ferry Road - \$1,650,000.00
Day Street - \$1,761,000
Total: \$3,411,000

Project Schedule Milestones

Request for Qualifications: December 19, 2001, to January 11, 2002,

Request for Qualifications Due: 12:00 PM (noon) PST, January 11, 2002

Evaluate Request for Qualifications: January 14-17, 2002,

Determine Firms meeting 'responsible' requirements: January 18, 2002,

Hold appeal hearing (if necessary): February 4, 2002,

Solicit bids from 'qualified' Firms: February 5, 2002, to February 26, 2002,

Award Construction Contract: March 4, 2002,

Construction starts: April 1, 2002,

Construction ends: October 31, 2002.

Site Location and Site Area

Project locations are generally described below:

Day Street - from Boones Ferry Road west to Grahams Ferry Road;

Boones Ferry Road - from Commerce Circle to 500 feet north of Day Road;

Day Street/Boones Ferry Intersection- self-explanatory.

Permitting

City Approval:

The City will obtain all necessary rights-of-way, easements, roadway permits and approvals necessary to proceed with the construction as contained within the respective project proposals.

Building Code:

The Contractor will be required to obtain the electrical permits necessary for the installation of the traffic signal installation (ODOT)

Water Rights:

Not applicable for this project.

Corps of Engineers 404 Permit:

The City will obtain any applicable permits.

Oregon Health Division Approval:

Not applicable for this project.

Wetlands Permit:

The City will obtain any applicable permits.

Submerged Land Lease:

Not applicable for this project.

ODOT Permit:

The City will obtain any applicable street (not signal) permits.

Project Financing

The City of Wilsonville will utilize funding provided through an agreement with the Oregon Department of Corrections.

Compensation

The City follows usual and customary process for monthly progress payments during construction.

Retainage

The City follows statutory requirements.

Owner's Representative

It is anticipated that the City's engineering consultant will provide construction-staking, inspection and contract administration services as the owner's representative through all project phases.

PROCUREMENT PROCESS

Selection Process

Selection will be based on demonstrated qualifications on projects of similar type, complexity, size, scope (including continuous operation), budget, traffic conditions, and schedule. **In order to be considered a 'responsible bidder', you must have experience with multiple, comparable, public projects.**

Submittals will be evaluated by a technical review committee consisting of staff representatives from the City of Wilsonville and the Owner's Representative. The SOQ will be evaluated based on the following criteria:

Categories	Acceptable	Not	Incomplete
		Acceptable	
1) Organization of Construction Firm	_____	_____	_____
2) Management and Construction Exp.	_____	_____	_____
3) Equipment List	_____	_____	_____
4) Financial Information and Capacity	_____	_____	_____
5) Public Works Contract Experience	_____	_____	_____
6) Authorized Employee	_____	_____	_____
7) Affidavit	_____	_____	_____
	Result	Not	
	Accepted	Accepted	Incomplete

Each respective SOQ will be rated on an Acceptable/Not Acceptable/Incomplete grading schema. A grade of 'not acceptable' in any of the categories is grounds for grading the SOQ as 'not accepted.' The ratings for all review committee members will be totaled to determine the final score. At its sole discretion, the technical review committee may reconvene and collectively review the scoring, making changes as the committee as a whole deems appropriate. Though original scoring is done on an independent member-by-member basis, the committee members may change their scores, as they deem appropriate as a result of the discussions during any collective meeting. If a statement of qualifications is deemed incomplete, it will be returned to the Respondent for correction. No additional time or extension will be granted for re-submittal.

Based on the outcome of the review and scoring process, the technical committee will determine if a list of 'responsible' bidders can be made, based on the SOQ alone or if Respondents will be invited to participate in an interview process. If an interview process is implemented, each Respondent will be asked to present their qualifications and to answer questions.

At the completion of the technical committee review process, the Respondents determined to be 'responsible' will be invited to participate in the competitive bid process in accordance with ORS 279. Staff will then carry a recommendation to the City Council requesting that a construction contract be entered into. If the 'lowest responsible bidder' does not enter into a construction contract within the specified time, subsequently forfeiting the required bid guarantee, the firm submitting the second lowest bid will be deemed the 'lowest responsible bidder' and so on. The City also reserves the right to reject any or all submittals at its discretion with or without cause, and may waive any informalities or minor defects, as it deems appropriate.

Communications Protocol

All requests for information and clarifications shall be made directly to the City's primary contact person, John Michael. In Mr. Michael's absence, respondents may contact the City's alternate contact person, Pat Carroll. Contact information is provided below. The City requests that potential respondents refrain from contacting City representatives other than Mr. Michael and Pat Carroll. Direction of questions to other City staff or elected officials will not be viewed favorably.

Primary Contact Person

John Michael, Engineering Associate
City Of Wilsonville

Mailing address

30000 SW Town Center Loop East
Wilsonville, OR 97070

Street address

8445 SW Elligsen Road
Wilsonville, OR

Telephone number (503) 682-4960
Fax number (503) 682-7025
Email michael@ci.wilsonville.or.us

Alternate Contact Person

Pat Carroll P.E., Special Projects Manager
City of Wilsonville

Mailing address

30000 SW Town Center Loop East
Wilsonville, OR 97070

Street address

8445 SW Elligsen Road
Wilsonville, OR

Telephone number (503) 682-4960
Fax number (503) 682-7025
Email carroll@ci.wilsonville.or.us

Complaint Process and Remedies

Protests of any of the terms or conditions (procedural or substantive) of this RFQ shall be in writing and delivered to Mr. John Michael, at the referenced addresses, no later than 12:00 PM (noon) Pacific Standard Time, on December 28, 2001. Protests should include sufficient information to enable the City to evaluate the protest and, if the City deems appropriate, amend the RFQ. It is the responsibility of the Respondent to inquire about, comment on, or clarify any requirement, provision, or feature of this RFQ that the Respondent disagrees with, does not understand, finds ambiguous, unclear, unfair, or likely to limit competition, within the time frame set forth above.

The purpose of this timing requirement is to permit the City an opportunity to correct any term or condition in the RFQ that may be unlawful, improvident, unduly restrictive of competition or otherwise inappropriate. By permitting corrections prior to the opening of the SOQs, much of the waste inherent in protests and in the possible rejection of all proposals should be minimized. To be considered, protests must be submitted within the time established herein or be completely waived by the protestor. The City shall not consider protests regarding the SOQ submittal process at a subsequent time.

All protests of the City's 'responsible bidder' decision by the Respondent must be submitted in writing to the City's primary contact within three (3) business days after the receipt of said notice. Any protest not filed within this time period is waived. The protest must state clearly the basis for the protest and any legal authority in support thereof.

Promptly upon receipt of the appeal the City will, within thirty (30) days, schedule a hearing before the City Council and City staff and will so notify the Respondent of the appropriate date and time. At such hearing, the protester and other interested parties will have the opportunity to appear and make an oral presentation of the basis for the protest. The City Council will either uphold or deny the protest and will set forth in writing the reasons for the decision. If the protest is denied, the City will proceed as outlined herein.

REQUIREMENTS FOR QUALIFICATION STATEMENT SUBMITTALS

General Instructions

The Statement of Qualifications must be received on or before 12:00 PM (noon) Pacific Standard Time, January 11, 2002. SOQs received after this deadline will not be opened and will be returned unopened. The SOQ must be addressed and submitted to:

By Mail:

John Michael, Engineering Associate
City Of Wilsonville
Mailing address
30000 SW Town Center Loop East
Wilsonville, OR 97070

Re: Statement of Qualifications – Coffee Creek Correctional Facility
Infrastructure Street Construction Phases 5 and 7

By Delivery:

John Michael, Engineering Associate
City of Wilsonville
Street address
8445 SW Elligsen Road
Wilsonville, Oregon

Re: Statement of Qualifications – Coffee Creek Correctional Facility
Infrastructure Street Construction Phases 5 and 7

The box or envelope must be clearly labeled as "Statement of Qualifications - Coffee Creek Correctional Facility Infrastructure Street Construction Phases 5 and 7. Five (5) copies of the SOQ are required. SOQs will not be opened publicly. The City will publish a list of respondents submitting SOQs and will distribute, via mail or fax, the list to all respondents within one business day of the close of the SOQ submittal process.

No interpretation or clarification of the meaning of any part of the RFQ will be made orally by the City to any potential respondent. Requests for interpretation or clarification by any respondent must be made in writing to Mr. John Michael at the referenced

address. Responses to requests for information will be provided to all recipients of the RFQ. Any and all such interpretations and supplemental instructions will be made in the form of written addenda that will be sent to all recipients of the RFQ and will become part of the RFQ. Mr. John Michael, Engineering Associate, no later than 12:00 PM (noon) Pacific Standard Time, on January 4, 2002, must receive any requested changes or clarifications to the request for SOQ in writing.

SOQ Submittal Content and Organization

The Statement of Qualifications must be separated into sections as follows:

1. Organization of Construction Firm
2. Management and Construction Experience
3. Equipment List
4. Financial Information and Capacity
5. Public Works Contract Experience
6. Authorized Employee
7. Affidavit

Narrative and attachment pages are to be 8 ½ inches by 11 inches, and shall be bound in to one volume with the Statement of Qualification application. A clear and concise presentation of information is encouraged with a cover letter signed by an authorized employee representative of the Respondent. Information is to include (where applicable) relevant experience summary/description, financial information and supporting data.

1. Organization of Construction Firm

The qualification statement shall provide a clear description and outline or chart showing the organization of the construction firm. This should include identification of all components of the construction firm along with their project roles, responsibility and their reporting accountability.

The statement should also explain how the organization would be able to function as a fully integrated and cohesive unit. It should also show the anticipated lines of authority and communication. It should list the responsibility of individuals within the organization and the methods that will be used to coordinate and integrate the activities and responsibilities of these individuals. Changes to the Respondent's proposed team that are made anytime during or after the qualification process, including major subcontractors and key personnel, must be forwarded in writing to the City.

Section Listing

- 1.1 Organization chart or outline of construction firm
- 1.2 Organization chart or outline of prime contractor and sub-contractors.

2. Management and Construction Experience

The Respondent shall list major subcontractors, identifying class or type of work and anticipated contract percentage.

Statements shall include recent examples of similar construction experience including type, contract value, schedule, and any peculiarities that may be germane to this project *specifically including continuous facility operation during construction*. The statement shall identify one or more individuals in the Respondent's proposed firm who held responsible positions on each cited example and explains the position. The statement should also include owner, architect/engineering firm references for each project cited, including address, phone, and fax numbers.

The Respondent shall list the company's and its owner's relevant construction experience. The principal contact person shall be clearly identified in this section, including, address, phone number, fax number, and email address.

Section Listing

- 2.1 Indicate the anticipated major subcontractors for this project and the class of work.
- 2.2 List ten major projects Respondent has undertaken in the last five years.
- 2.3 How many years has Respondent been in business under present name?
- 2.4 How many years' experience in construction work has Respondent had?
- 2.5 Indicate Respondent's principal contact person for this application.
- 2.6 What is the construction experience of all owners, etc., in Respondent's organization?
- 2.7 Indicate contractor's licenses or registration numbers held as required by Oregon Statutes.

3. Equipment List

Section Listing

- 3.1 List plants and equipment owned by applicant applicable to these projects.
- 3.2 Does applicant intend to rent equipment. If so, provide a general description.

4. Financial Information and Capacity

The statement shall include evidence that the Respondent's current bonding capacity is equal to or in excess of \$5,000,000. This evidence may be in the form of a letter from a licensed bonding company or from an agent representing such a company.

The qualification statement shall indicate the firm's form of business: single entity, joint venture, and association of contractors or other. The qualification statement shall also list other financial interests in the company.

Financial report attachments should include a copy of the Respondent's annual financial statement, audited if available, for the most recent three (3) years, and the quarterly updates since the most recent annual financial statement. If the Respondent is a joint venture, the statement should include similar information for each member of the joint venture. (A Letter of Credit, bank reference and credit references will be considered in lieu of financial statements.)

Section Listing

- 4.1 Indicate the total amount of work, expressed in dollars, which the applicant can be bonded for at one time.
- 4.2 Indicate the firm's form of business.
- 4.3 List those individuals, companies or corporations owning 10% or more of applicant's firm.
- 4.4 List any organization, owned or controlled by the applicant, its officers, directors, partners and anyone owning at least 10% interest in the firm, or in which the applicant was or is an officer, director, partner, doing business in Oregon under another name.
- 4.5 List all other personnel in applicant's organization who have a financial interest in or serve as officers or partners in another firm pre-qualified to bid in this or another state.
- 4.6 Financial report attachment.

Section 5 – Public Works Contract Experience

The Respondent shall list the companies experience with regards to fulfilling public works contracts.

The qualification statement should also disclose any unpaid judgments against the Respondent and/or any disputed or unadjudicated claims in excess of \$5,000. If the Respondent is not a public company, this financial information will be held in confidence and the City Attorney and the City's Finance Director will examine it. If this information is to be held as confidential, please include it in a second sealed envelope clearly marked as such.

Section Listing

- 5.1 Is your firm currently certified by the State of Oregon as a Disadvantaged Business Enterprise (DBE)?
- 5.2 Have you ever been denied qualification by any state, local or federal agency in this or any other state?

8. Affidavit

STATE OF _____)
) ss.
County of _____)

I, _____ being first sworn, state that I am (title) _____ of the Respondent herein and that the statements made in this application are true and I acknowledge that any false, deceptive or fraudulent statements on the application or at a hearing will result in the denial of qualification, and may subject me to charges of false swearing or perjury; should there be any subsequent material reduction in Respondent's ability to carry out any project for which Respondent desires to submit a bid, Respondent will give written notice of such change to the designated officer to whom this application is submitted at least ten days prior to the bid opening and it is understood that such notice may change the eligibility of Respondent to submit a bid.

(Signature) (Title)

On this ____ day of _____, 2001, before me, a notary public in and for said County and State, personally appeared _____, known to me to be the person whose name _____ subscribed to the within instrument and acknowledged that _____ executed the same for the purposes therein contained.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal on the day and year above written.

NOTARY PUBLIC FOR OREGON
My Commission Expires: ___/___/___

Exhibit A-3



PO BOX 589 DONALD, OR 97020 503-678-2696 FAX 503-678-5057

January 24, 2002

John Michael, Engineering Associate
City of Wilsonville
30000 SW Town Center Loop East
Wilsonville, OR 97070

RE: Statement of Qualifications Protest-*Coffee Creek Correctional Facility
Infrastructure Phase 5 & 7 Street Construction.*

Dear John,

Valley Pacific Construction, Inc. is protesting the rejection of our Statement of Qualification application that was submitted for the *Coffee Creek Correction Facility Infrastructure Phase 5 & 7 Street Construction* project. We are planning on re-submitting the Management and Construction Experience and the Public Works Contract Experience portions of our Statement of Qualification application on Monday, January 28, 2002. Thank you very much for your consideration in this matter.

Sincerely,

A handwritten signature in black ink, appearing to read "John Ghiglia", is written over a large, light-colored scribble or watermark.

John Ghiglia
President

Valley Pacific Construction, Inc.
P.O. Box 589
10751 Oak Street
Donald, OR 97020

Facsimile Transmittal

To: City of Wilsonville Fax: 503-682-1015

From: Valley Pacific Construction, Inc. Date: 01/24/02

Re: Statement of Qualification Pages: 2

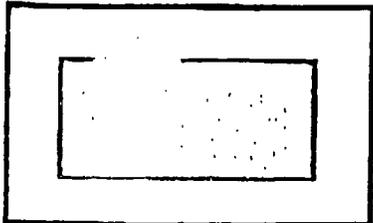
Urgent For Review Please Comment Please Reply Please Recycle

Attention John Michael:

Attached is the letter of protest for Valley Pacific Construction, Inc.

CONFIDENTIAL

Exhibit A-4



Canby Excavating, Inc.

P.O. Box 848 • Canby, Oregon 97013 • Phone (503) 266-2792 • FAX (503) 266-2791

REGISTERED & BONDED

CCB #77471

January 25, 2002

John Michael, Engineering Associate
City of Wilsonville
30000 SW Town Center Loop East
Wilsonville, OR 97070
Phone: (503) 682-1011
Fax: (503) 682-1015

RE: Coffee Creek Correctional Facility Infrastructure Phase 5 & 7

Dear Mr. Michael,

We received your fax yesterday informing us that the City of Wilsonville has denied our prequalification application for bidding on the above-referenced project. We disagree with the findings of the Technical Review Committee and wish to appeal their decision.

Thank you for your attention.

Sincerely,

Doug Sprague
Vice President



30000 SW Town Center Loop
Wilsonville, Oregon 97070
(503) 682-1011
(503) 682-1015 Fax
(503) 682-0843 TDD

FAX COVER SHEET

Please deliver the following pages:

To: John Michael **Fax #:** 682-7025
Attn: _____ **Phone #:** _____
Date: Jan. 25, 2002 **Total Pages:** _____
From: Kelly - City Hall (including cover sheet)
Fax #: (503) 682-1015
Phone #: _____
Re: Fax we received here. - I am forwarding it to you!

Comments:

If this transmission is not complete, please call back as soon as possible.
Thank you!

HAVE A WONDERFUL DAY



Exhibit A-5

Oregon Asphaltic Paving Co. Memo

Date: January 24, 2002

PHONE

FAX 503-682-7025

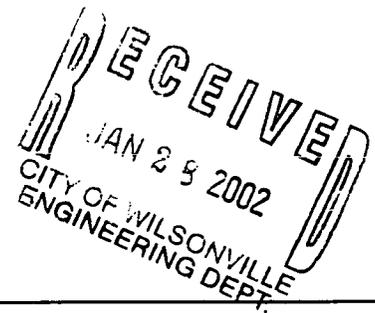
To: John Michael, Engineering Associate
City of Wilsonville

503-682-4960

Cc:

From: Roger Metcalf, Vice President

RE: Wilsonville Prequalification



Oregon Asphaltic Paving Co. wishes to appeal your findings that we are not a responsible bidder
For your project. We intend to take part in your appeal hearing scheduled for February 4, 2002.

Respectfully yours,

A handwritten signature in cursive script that reads "R L Metcalf".

R.L. Metcalf V.P.

Exhibit A-6



9666.03
General

P.O. Box 1168 Tualatin, OR 97062 503-692-5514 Fax 692-1854

n

January 24, 2002

City of Wilsonville
30000 SE Town Center Loop E
Wilsonville, OR. 97070

RECEIVED
JAN 29 2002
RECEIVED 2002
OF WILSONVILLE
ENGINEERING DEPT.
JAN 28 2002
Y & H

REF: Prequalification for Coffee Creek Job
SUB: Statement of Non-Responsible Bidder, City of Wilsonville letter dated January 21, 2002, received via fax on January 24, 2002
Attention: John Michael, Engineering Associate

Dear John:

Kerr Contractors, Inc. (KCI) has received your letter dated January 21, 2002 regarding the status of our pre-qualification. We strongly disagree with the City's declaration that KCI is designated as a "Non-Responsible Bidder". As an established contractor, KCI has a track record completing difficult projects in a timely, professional manner with values in the excess of thirteen million dollars on a single contract.

The above referenced letter indicates concerns regarding KCI's performance on a project for the City of Wilsonville called Wilsonville Road Phase 2A. This project should have been a straight forward road reconstruction; however, due to poor sub-surface information for the design, and inadequate pre-design/ coordination with the utility companies the project completion was extended beyond the original completion date.

It is arbitrary that the City of Wilsonville would solely rely on the information provided by Mr. Pat Carroll at MacKay & Sposito, Inc. regarding KCI's performance on this project. Mr. Carroll's views express only one side of the circumstances. In order to fairly evaluate KCI's performance on this project, Mr. Carroll should have also included the numerous letters from KCI indicating that design revisions and utility coordination were the cause of major project delays.

A summary of the circumstances resulting in project delays for the Wilsonville Road Phase 2A project includes the following:

1. The existing storm culvert designed to be used as casing was filled with concrete. This resulted in an additional 4 weeks added to contract time frame.
2. PGE did not complete their utility work on time. Mr. Carroll states in his letter on September 17, 2001, that the delay in utility installation by PGE was the result of delays by KCI. This is not true. PGE crews informed KCI that the Prison was main priority and that the city had also been informed of this scheduling problem. In fact, PGE's poles were not out of the way for final paving until October 10, 2001. Mr. Carroll states that PGE's work was to take four to six weeks to complete but in actuality, PGE's work was completed in over 12 weeks.

Page 2
City of Wilsonville Pre-Qualification
1/25/2002

3. Substantial design revisions for the underground conduit system occurred during construction. Significant items were not included in the original design. If you look at the final quantities for this work, you will see that the quantities are significantly higher than the bid schedule.
4. The traffic signal interconnect design was not complete for construction. On September 6, 2001, seven days after original completion date, Mr. Carroll provided clarification Number 13 which deleted the traffic signal interconnect from KCI's contract. KCI verbally requested Mr. Carroll to resolve this issue during the prior 6 weeks.
5. Lead times for delivery of street lighting poles resulted in electrical delays: Submittals were provided to Mr. Carroll on June 6, 2001 and were not received back until mid-July. Mr. Carroll states that KCI did not inform MacKay & Sposito of the time requirements involved in getting poles at that time of the year. Regardless of KCI informing the City of the long lead times, Mackay & Sposito were outside of contract review period for submittals. Furthermore, the City had the same electrical subcontractor on a project down the street and was aware of the long lead time associated with street light poles. The long lead times resulted in a project delay of two weeks.

KCI regrets that the Wilsonville Road Phase 2A project was completed after the original scheduled completion date. This project was not delayed due to poor management, quite the contrary, KCI worked in good faith to resolve serious design and utility coordination issues which significantly impacted the project schedule. These types of issues are beyond the control of the Contractor. KCI will not accept the designation as a "Non-Responsible Bidder". KCI has worked for many municipal clients in the past and has a very good working relationship with them today.

This letter serves as protest to the City for designation as a "Non-Responsible Bidder". KCI requests an invitation to the appeal hearing on February 4, 2002. We look forward to meeting with you and presenting the "whole" story.

Sincerely,



Alan W. Aplin
Chief Estimator

cc: Brent J. Kerr
Joe Yazbeck



n

January 24, 2002

City of Wilsonville
30000 SE Town Center Loop E
Wilsonville, OR. 97070

REF: Prequalification for Coffee Creek Job

SUB: Statement of Non-Responsible Bidder, City of Wilsonville letter dated January 21, 2002, received via fax on January 24, 2002

Attention: John Michael, Engineering Associate

Dear John:

Kerr Contractors, Inc. (KCI) has received your letter dated January 21, 2002 regarding the status of our pre-qualification. We strongly disagree with the City's declaration that KCI is designated as a "Non-Responsible Bidder". As an established contractor, KCI has a track record completing difficult projects in a timely, professional manner with values in the excess of thirteen million dollars on a single contract.

The above referenced letter indicates concerns regarding KCI's performance on a project for the City of Wilsonville called Wilsonville Road Phase 2A. This project should have been a straight forward road reconstruction; however, due to poor sub-surface information for the design, and inadequate pre-design/ coordination with the utility companies the project completion was extended beyond the original completion date.

It is arbitrary that the City of Wilsonville would solely rely on the information provided by Mr. Pat Carroll at MacKay & Sposito, Inc. regarding KCI's performance on this project. Mr. Carroll's views express only one side of the circumstances. In order to fairly evaluate KCI's performance on this project, Mr. Carroll should have also included the numerous letters from KCI indicating that design revisions and utility coordination were the cause of major project delays.

A summary of the circumstances resulting in project delays for the Wilsonville Road Phase 2A project includes the following:

1. The existing storm culvert designed to be used as casing was filled with concrete. This resulted in an additional 4 weeks added to contract time frame.
2. PGE did not complete their utility work on time. Mr. Carroll states in his letter on September 17, 2001, that the delay in utility installation by PGE was the result of delays by KCI. This is not true. PGE crews informed KCI that the Prison was main priority and that the city had also been informed of this scheduling problem. In fact, PGE's poles were not out of the way for final paving until October 10, 2001. Mr. Carroll states that PGE's work was to take four to six weeks to complete but in actuality, PGE's work was completed in over 12 weeks.



Page 2
City of Wilsonville Pre-Qualification
1/25/2002

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5. Lead times for delivery of street lighting poles resulted in electrical delays: Submittals were provided to Mr. Carroll on June 6, 2001 and were not received back until mid-July. Mr. Carroll states that KCI did not inform MacKay & Sposito of the time requirements involved in getting poles at that time of the year. Regardless of KCI informing the City of the long lead times, Mackay & Sposito were outside of contract review period for submittals. Furthermore, the City had the same electrical subcontractor on a project down the street and was aware of the long lead time associated with street light poles. The long lead times resulted in a project delay of two weeks.

KCI regrets that the Wilsonville Road Phase 2A project was completed after the original scheduled completion date. This project was not delayed due to poor management, quite the contrary, KCI worked in good faith to resolve serious design and utility coordination issues which significantly impacted the project schedule. These types of issues are beyond the control of the Contractor. KCI will not accept the designation as a "Non-Responsible Bidder". KCI has worked for many municipal clients in the past and has a very good working relationship with them today.

This letter serves as protest to the City for designation as a "Non-Responsible Bidder". KCI requests an invitation to the appeal hearing on February 4, 2002. We look forward to meeting with you and presenting the "whole" story.

Sincerely,

A handwritten signature in black ink, appearing to read 'Alan W. Aplin', with a long horizontal flourish extending to the right.

Alan W. Aplin
Chief Estimator

cc: Brent J. Kerr
Joe Yazbeck

YAZBECK & HANSON LLC

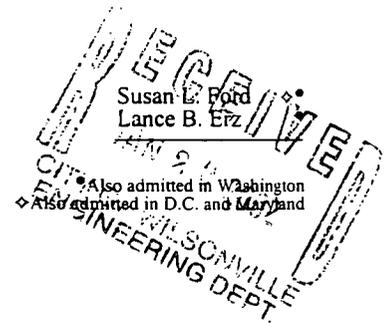
Joseph A. Yazbeck, Jr. ♦
Jeffrey K. Hanson ♦

♦ Also admitted in Texas

Attorneys at Law
Suite 2750
1300 S.W. Fifth Avenue
Portland, Oregon 97201-5617

Telephone: (503) 227-1428
Facsimile: (503) 227-4866
E-Mail: jay@yazbeckhanson.com

January 28, 2002



Via Fax and Mail

John Michael
City of Wilsonville
30000 SE Town Center Loop E
Wilsonville, OR 97070

**Re: Prequalification of Kerr Contractors, Inc. for
Coffee Creek Project
Our File No. 9666.03**

Dear Mr. Michael:

This office represents Kerr Contractors, Inc. ("Kerr"). I have enclosed a copy of Kerr's January 24, 2002 letter to you, which we believe serves as an appeal of the City of Wilsonville's denial of Kerr's application for prequalification for the Coffee Creek project. This letter will verify that pursuant to ORS 279.043, Kerr hereby appeals the denial of its application for prequalification for the above-mentioned project and requests a hearing, as provided for in ORS 279.045.

Very truly yours,

Joseph A. Yazbeck, Jr.

Enclosure

Exhibit A-7



VALLEY PACIFIC CONSTRUCTION, INC.

P.O. Box 589 • 10751 Oak St.
Donald, OR 97020
(503) 678-2696 • fax (503) 678-5265
CCB #15477

January 11, 2002

Mr. John Michael, Engineering Associate
City of Wilsonville
8445 SW Elligsen Road
Wilsonville, Or. 97070

Dear Mr. Michael:

This letter contains information regarding the Statement of Qualifications for, Valley Pacific Construction's qualifications in the area of construction for any future projects we may be considered for.

Valley Pacific Construction, Inc. has provided quality site preparation and excavation services since 1972. We provide all phases of site preparation; from clearing, grubbing and excavating, to finish grading and rocking along with cement and lime soil treatment.

We are proud of our ability to coordinate with designers, engineers, and other contractors to solve difficult site problems. We will work with you to do the best job possible, in the shortest time possible. Valley Pacific has experience with subdivisions, apartment complexes, schools, shopping centers, industrial developments, city streets, freeways, railroads and park and sports complexes.

Our qualified crews perform all utility installations including; storm drains, sanitary sewers, water lines, and heavy concrete structures.

Valley Pacific has the equipment to do your job quickly and efficiently. Our up-to-date and efficient fleet of heavy and special-purpose equipment will minimize your costs. We're sticklers for maintenance and our on-sight service trucks are fully equipped with lubrication equipment, welders, replacement fuel, and a wide assortment of service tools and spare parts to keep everything running smoothly.

Valley Pacific Construction, Inc.

You may feel free to contact any of the following references that Valley Pacific has worked hard to develop a very professional and strong relationship with:

- Mr. Steve Deacon, S.D. Deacon Corporation (503) 297-8791
- Mr. Joe Bolkavatz, JE Dunn Construction Company (503) 978-0800
- Mr. Steve Ward, Westech Engineering, Inc. (503) 585-2474
- Mr. Saiid Behboodi, Squire Associates (503) 635-4419
- Mr. Brian DeHass, WRG Design Inc. (503) 603-9933

I sincerely hope that you will consider Valley Pacific to be a highly qualified, professional company that could enhance your development requirements.

Thank you for your consideration.
Valley Pacific Construction, Inc.



David J. Gobbel
Senior Estimator/Project Manager

enclosure

City of Wilsonville
Engineering Department

**City of Wilsonville
Engineering Department
30000 SW Town Center Loop E
Wilsonville, Oregon 97070
(503) 682-4092**

STATEMENT OF QUALIFICATION APPLICATION

Statement of Valley Pacific Construction, Inc.
(Contractor's Registered Company Name)

Address to which all correspondence should be mailed:

Physical Address 10751 Oak Street

Mailing Address P.O. Box 589

City Donald State Oregon Zip Code 97020

Phone No. (Area Code) 503 678-5057

Fax No. (Area Code) 503 678-5057

Date Application Prepared January 11, 2001

This Statement of Qualifications is submitted for the following projects:
Coffee Creek Correctional Facility Infrastructure Phases 5 & 7

Qualifications Requested: December 19, 2001

Qualifications Due: 12:00 PM (noon) Pacific Standard Time, January 11, 2002

Scheduled Bid Solicitation: February 5, 2002

Scheduled Bid Opening: February 21, 2002

INSTRUCTIONS

Introductory Statement

In accordance with the statutes of the State of Oregon, every public contracting agency contemplating receiving bids for and awarding any contract for a public improvement may require any prospective bidder (*herein after referred to as Respondent*) to submit a full and complete statement concerning their equipment and experience in constructing public improvements.

The application and questionnaire forms which are bound herewith comply with the requirements of public contracting rules and must be used in determining the qualifications of Respondents and in assigning limits as to the size and kinds of projects for which the Respondents may submit bids.

The Respondents should use care and integrity in preparing this information. The public contracting agency may make independent inquiries concerning the Respondents past performance and/or capabilities.

Manner of Preparing and Filling in Forms

This application shall include information for only the specific single business organization or entity which is applying for qualification and which would be the signatory on a contract with the public contracting agency.

All answers and other entries on the forms, except signatures, should be filled in on a typewriter or printed. To make this possible, the forms may be taken apart by removing the staples by which they are bound. It shall be the responsibility of the applicant to return all pages whether applicable or not. Failure to do so may be grounds for rejection. The forms are available in electronic format from the City of Wilsonville (contact Donna Ratter at 503-682-4960 or ratter@ci.wilsonville.or.us). All pages whether applicable or not must be submitted in hard copy. **No electronic submissions will be accepted.**

All answers and entries shall be specific and complete in detail.

The qualification application shall be signed by the Respondent and sworn to as the form indicates. The signatory of the statement guarantees the truth and accuracy of all statements and of all answers to questions.

An original signed application must accompany the qualification application. (Photocopy or facsimile signatures will not be accepted)

Use of Attachments

Schedules, reports and other forms of qualification statements may be used as attachments to the prescribed form, provided that the information contained therein specifically includes the information required by this form.

Requests for Further Information

For general information regarding this SOQ Application, refer to the Request for Qualifications packet, General Instructions section. All requests for additional information and clarifications shall be made directly to the City's primary contact person, John Michael. In Mr. Michael's absence, respondents may contact the City's alternate contact person, Pat Carroll. Contact information is provided in the section referenced above.

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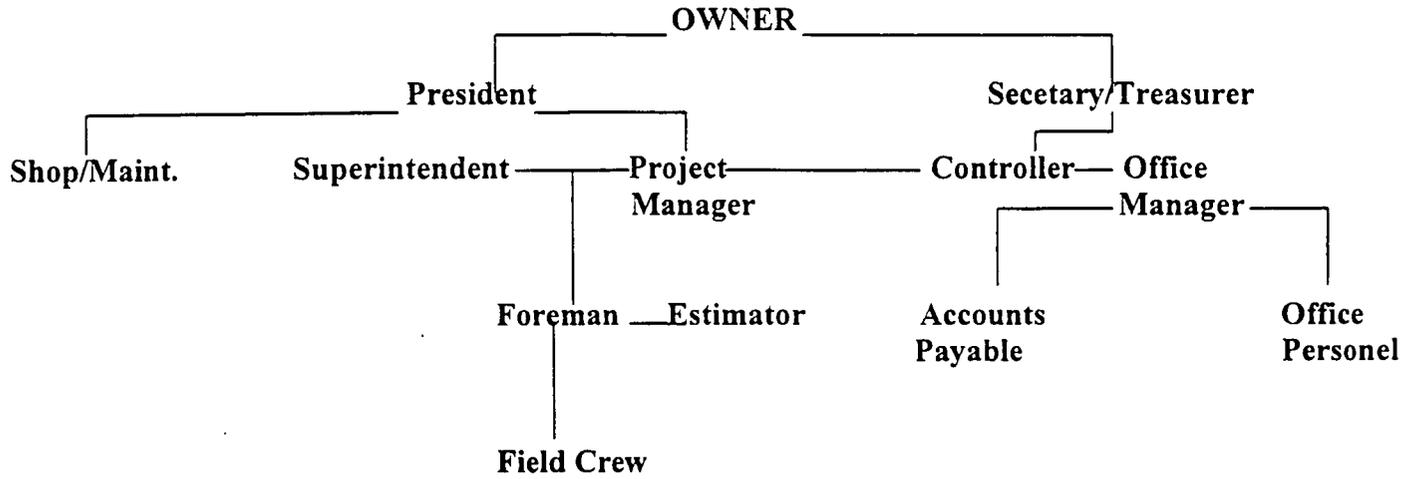
ORGANIZATION

Please answer each section and question in the application.
Failure to do so may result in disqualification.

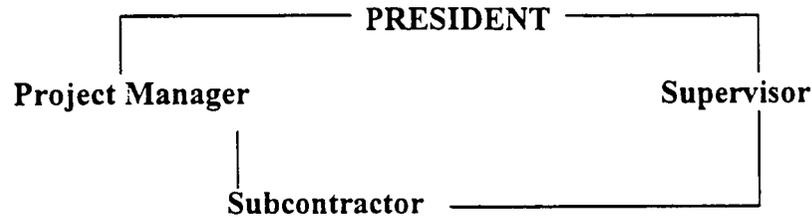
SECTION 1 - ORGANIZATION OF CONSTRUCTION FIRM

1.1 Organization chart or outline of construction firm.

Responsibilities:



1.2 Organization chart or outline of prime contractor and sub-contractors.



MANAGEMENT
&
CONSTRUCTION EXPERIENCE

SECTION 2-MANAGEMENT AND CONSTRUCTION EXPERIENCE

2.1 Indicate the anticipated major sub-contractors for this project and the class or type of work.

Amount	Class or Type of Work	Contract %
<u>TBD</u>	<u>Asphalt Paving</u>	<u> </u>
<u>"</u>	<u>Concrete Walks & Curbs</u>	<u> </u>
<u>"</u>	<u>Street lighting/Electrical</u>	<u> </u>
<u>"</u>	<u>Street Landscape</u>	<u> </u>
<u> </u>	<u> </u>	<u> </u>
<u> </u>	<u> </u>	<u> </u>
<u> </u>	<u> </u>	<u> </u>

2.2 List ten major projects applicant has undertaken in the last five years. (List most recent projects first.)

1. Name of Project White Pine Storm
 Owner & Contact Clean Water Services
 Address 155 N First Ave. Suite 270, Hillsboro, Oregon 97124
 Phone Number 503-846-8621
 Project Description New storm sewer and manhole, street pavement patching, landscape restoration and erosion control.
 Project Location SW 191st Beaverton, Oregon
 Contract Amount \$252,699 Over/Under Contract & Amount
 Dates Started and Completed 12-01 to Completed on Time
 Project Construction Supervisor Joe Armstrong
 Architect/Engineering Firm & Contact Clean Water Services
 Address 155 N First Ave. Suite 270, Hillsboro, Oregon 97124
 Phone Number 503-846-8621
 Indicate whether: Prime Contractor, Sub-contractor or Joint Venture on project Prime
 Remarks Approx. 2650 Lineal Feet of Large Diameter Storm Drain Line.

2. Name of Project Woodburn Company Stores Phase II
Owner & Contact Craig Reality
Address Newport Beach California
Phone Number _____
Project Description Earthwork, site grading and rocking, street improvements, street & parking lot paving, demolition building pad preparation, storm sewer, sanitary sewer, water/fire line & water services
Project Location Woodburn, Oregon
Contract Amount \$1,091,415.00 Over/Under Contract & Amount _____
Dates Started and Completed 8-01 to 11-01 Completed on Time Yes
Project Construction Supervisor Joe Armstrong
Architect/Engineering Firm & Contact Westech Engineering
Address 3841 Fairview Industrial Drive, Suite 100 Salem, OR 97302
Phone Number 503-585-2474
Indicate whether: Prime Contractor, Sub-contractor or Joint Venture on Project Subcontractor
Remarks Phase II Commercial Development approx. 11.5 acres

3. Name of Project Andrew Commons-Site Development
Owner & Contact Peets/Piculell Group
Address 4818 SW Scholls Ferry Rd. Portland, OR 97225
Phone Number 503-292-8678
Project Description Earthwork, grading, street parking, curbs, sidewalk, street lights, storm sewer, sanitary sewer, waterlines & services.
Project Location Hubbard, Oregon
Contract Amount \$677,435 Over/Under Contract & Amount _____
Dates Started and Completed 7-01 to 11-01 Completed on Time Yes
Project Construction Supervisor Bill Sessums
Architect/Engineering Firm & Contact Multi Tech Engineering
Address 115513th St. SE, Salem, OR 97302
Phone Number 503-363-9227
Indicate whether: Prime Contractor, Sub-contractor or Joint Venture on Project Prime
Remarks 54 Lot Subdivision complete with Electrical service & related utilities

4. Name of Project Silverton Heights Subdivision-Site Development, 32 Lot
Owner & Contact Coster, Inc. Subdivision
Address 307 E. Main, Silverton, Oregon 97381
Phone Number 503-873-3000
Project Description Earthwork, grading & rocking, street paving, curbs, sidewalk, street lights, storm & sanitary sewer, waterlines & services
Project Location Silverton, Oregon
Contract Amount \$468,988 Over/Under Contract & Amount _____
Dates Started and Completed 6-01 to 10-01 Completed on Time Yes
Project Construction Supervisor Gary Olsen
Architect/Engineering Firm & Contact Multi Tech Engineering
Address 1155 13th Street SE Salem, Oregon 97302
Phone Number 503-363-9227
Indicate whether: Prime Contractor, Sub-contractor or Joint Venture on project Prime
Remarks 32 lot Subdivision complete with Electrical service & related utilities.

5. Name of Project Good Samaritan Mental Hospital Building
Owner & Contact Good Samaritan Hospital
Address 3509 NW Samaritan Hospital Drive, Corvallis, Oregon 97330
Phone Number 541-754-1282
Project Description Earthwork, building pad preparation, structure, excavation, shoring, site drainage, and fire protection.
Project Location Corvallis, Oregon
Contract Amount \$113,127.00 Over/Under Contract & Amount _____
Dates Started and Completed 4-01 to 6-01 Completed on Time Yes
Architect/Engineering Firm & Contact Devco Engineering, Inc.
Address 245 NE Conifer, Corvallis, OR 97339
Phone Number 541-757-9885
Indicate whether: Prime Contractor, Sub-contractor or Joint Venture on Project Subcontractor
Remarks New four story building at existing hospital complex.

6. Name of Project Amberglen Building 1915
Owner & Contact Britcher Properties
Address 600 NW Compton Dr Suite 106 Beaverton, Oregon
Phone Number Not Available
Project Description Earthwork, grading & rocking, stree paving, curbs, sidewalks, street lights, storm & sanitary sewer, waterlines & services.
Project Location Hillsboro, Oregon
Contract Amount \$269,723.00 Over/Under Contract & Amount _____
Dates Started and Completed April 2001-Oct. 2001 Completed on Time Yes
Project Construction Supervisor Bill Sessums
Architect/Engineering Firm & Contact Ankrom Moisan Associated Architects
Address 8720 SW McAdam Suite 100, Portland, Oregon 97219
Phone Number 503-245-7100
Indicate whether: Prime Contractor, Sub-contractor or Joint Venture on project Subcontractor
Remarks Four story offise building on +6 acres.

7. Name of Project Monmouth Effluent Reuse & Conveyence Facility
Owner & Contact City of Monmouth
Address 151 Main St. Monmouth, Oregon 97361
Phone Number 503-838-2234
Project Description Effluent Reuse & Conv.Fac. including: Effluent Pump Station, approw 17,200 of 16" pressure transmission pipe, 3000lf 24" gravity sewer pipe & replacement of 2000lf of 12" concrete gravity sewer interceptor wit w/24" gravity sew
Project Location Monmouth, Oregon
Contract Amount \$1,612,900.00 Over/Under Contract & Amount _____
Dates Started and Completed 10-00 to 9-01 Completed on Time _____
Architect/Engineering Firm & Contact Whitaker Engineering-Todd Whitaker
Address 14995 Ailie Road, Monmouth, Oregon 97361
Phone Number 503-838-4033
Indicate whether: Prime Contractor, Sub-contractor or Joint Venture on Project Prime
Remarks 17,000 LF Pressure effluent piping plus gravity sewer.

8. Name of Project Wood Village Town Center
Owner & Contact Koll Development-Rick Miranda
Address Newport Beach, California
Phone Number Not Available
Project Description 50 Acre site development, street improvements, new street infrastructure.
Project Location Wood Village, Oregon
Contract Amount \$4,259, 600.00 Over/Under Contract & Amount _____
Dates Started and Completed 5-00 to 3-01 Completed on Time Yes
Project Construction Supervisor Bill Sessums
Architect/Engineering Firm & Contact W & H Pacific, Rick Martin
Address 8405 SW Nimbus Ave, Beaverton, Oregon
Phone Number 503-626-0455
Indicate whether: Prime Contractor, Sub-contractor or Joint Venture on project Subcontractor
Remarks Fast-track site development for private infrastructure with public improvements following.

9. Name of Project West Union Village
Owner & Contact Aspen Newfoundland, LLC
Address not available
Phone Number not available
Project Description 20 acre commercial/retail development with major street and infrastructure improvements.
Project Location Hillsboro, Oregon
Contract Amount \$2,121,151 Over/Under Contract & Amount _____
Dates Started and Completed 9-99 to 3-01 Completed on Time Time/ Schedule Delay
Architect/Engineering Firm & Contact WRG Design
Address 10450 SW Nimbus Ave, Portland, Oregon
Phone Number 503-603-9933
Indicate whether: Prime Contractor, Sub-contractor or Joint Venture on Project Subcontractor
Remarks Project Work was suspended 3 months after start, for 9 months with work resuming approximately 1 year after original start.

10. Name of Project Center East Estates
Owner & Contact The Teuscher, LLC
Address 300 W 39th Street, Vancouver, WA
Phone Number 360-696-3326
Project Description 22 lot subdivision with street improvements

Project Location Salem, Oregon
Contract Amount \$302,232.00 Over/Under Contract & Amount +3%
Dates Started and Completed 7-00 to 9-00 Completed on Time _____
Project Construction Supervisor John Ghiglia

Architect/Engineering Firm & Contact Youngman Engineering, Inc., Ron Hudkins
Address 1375 Liberty Street SE Salem, Oregon
Phone Number 503-364-8207
Indicate whether: Prime Contractor, Sub-contractor or Joint Venture on Project Prime
Remarks project was well planned and permitted. All conditions for construction were addressed and accomplished prior to beginning of construction. Work was completed without major incidents or changes.

2.3 How many years has Respondent been in business under present name?

As a prime contractor? : 29 As a subcontractor? : 29

2.4 How many years' experience in construction work has Respondent had?

As a prime contractor? : 29 As a subcontractor? : 29

2.5 Indicate Respondents principal contact person for this application:

Contact Dave Gobbel
Address P.O. Box 589 Donald, Oregon 97020
Phone and Fax Number 503-678-2696 Fax 503-678-5265

2.6 What is the construction experience of all owners, officers, partners and principal individuals in Respondent's organization? Also list any other individuals or organization who, in any way and to any extent, controls or influences the bidding.

Individual's Name	Present Position or Office	Years of Construction	Magnitude and Type of Work	In What Capacity
Earl Ghiglia	CEO	47	Heavy Const. up to 50,000,000	Owner Supervisory
John Ghiglia	President	25	Heavy Const. up to 15,000,000	Executive Supervisory
Dave Gobbel	Senior Estimator	30	Bldg. & Heavy Const. up to 15,000,000	Estimator Project Manag
Gary Olsen	Superintendent	30	Heavy Const. up to 15,000,000	Superintende
Bill Sessums	Superintendent	30	Heavy Const. up to 20,000,000	Superintenden

2.8 Indicate contractor's licenses or registration numbers held as required by Oregon Statutes:

Corporation Division Registration No.: 09714015

Construction Contractors Board No.: 15477

Landscape Contractors License No.: N/A

Electrical License No.: N/A

Plumbing License No.: N/A

Pressure Vessel Installers License No.: N/A

Other License No.: Washington License: VALLEYPC121R2

EQUIPMENT



PO BOX 589 DONALD, OR 97020 503-678-2696 FAX 503-678-5057

Quantity, Description and Capacity of Items	Age in Years	Condition of Equipment
2 Cat D9	15	Excellent
3 Cat D8 w/ ripper	15	Excellent
4 Komatsu D65 Dozer w/ ripper	7	Excellent
2 Komatsu D41 Dozer	3	Excellent
3 International TD7 Dozer	8	Excellent
1 TD 12	3	Excellent
6 Cat 631 Scraper	11	Excellent
2 Cat 627 Scraper	10	Excellent
1 Cat 623	8	Excellent
2 Dresser 850 Grader	2	Excellent
1 Cat 120G	5	Excellent
1 Cat 14G Grader	10	Excellent
1 Cat 815 Compactor	12	Good
2 5X5 Compactors	10	Good
1 4X4 Compactor	10	Good
1 Raygo 410 Compactor	6	Good
1 IRS 44 DD Roller	6	Good
2 SP54 Roller	6	Good
8 Komatsu Excavators, 200, 220, 410, 400	2	Excellent
1 Cat 212 Excavator		Excellent
1 Kamatsu WA 450	4	Excellent
2 Kamatsu WA 250		Excellent
1 Cat 920 Loader	10	Good
1 Kamatsu W180 Loader	2	Excellent
1 Komatsu 150 Excavator	1	Excellent
1 8000 Gallon Water Wagon	15	Average
5 Water Trucks	5	Good
3 12 Yard Dump Trucks	13	Excellent
1 22 Yard Dump Trucks	13	Excellent
Low Boy Tractor/Trailer	7	Excellent
Line/Cement Treating Spread	11	Excellent
1 End Spill 20 Yard	20	Excellent
2 Belley Dumps	7	Good
2 Lube Trucks	4-15	Excellent
3 Service Trucks	3-13	Excellent
1 Weld Truck	6	Excellent
12 Pickups	6	Excellent
6 Office Trailers		Excellent
Misc. Equipment		Excellent
2 160 CFM Air Compressors	1	Excellent
1 Water Tower	5	Excellent
1 Arrow Boards	5	Excellent
Trench Shoring		Excellent
2 Fork Lifts	10	Excellent
Pump System to fill Water Wagons 5,000 GPM		Excellent
Concrete Demo Jaw 32,000 lbs.		Excellent

FINANCIAL

3.2 Does applicant intend to rent equipment? If so, provide a general description:

We do not anticipate renting equipment, however should the
situation arise or the circumstances dictate, we will rent the
equipment that would be necessary.

Where available: State wide

SECTION 4 – FINANCIAL INFORMATION AND CAPACITY

4.1 Indicate the total amount of work, expressed in dollars, which the applicant can be bonded for at one time (attach letter from licensed bonding company or agent as evidence):

\$ 12,000,000

The contract(s) for which this qualification is sought require bid and performance bond(s). The applicant shall state the name of the agent and name, address, and telephone number of the surety company applicant expects to provide the bonds.

Name of Agent KPD Insurance Company/Jerry Balding

Surety Company Insco Dico

Address One Centerpoint, Lake Oswego, Oregon

Phone Number 1-800-929-0191

4.2 Indicate the firm's form of business.

4.2 a If an Oregon corporation, answer this:

When Incorporated 1972

President John Ghiqlia

1st Vice President _____

Secretary Carlolyn Tjaarda

Treasurer Margaret Ghiglia

What officers are authorized to execute contracts: All

4.2 b If a general partnership, answer this:

Date of Organization N/A

If a foreign (out of State) co-partnership or persons engaging in business in the state under an assumed name, but not domiciled within this state, state whether or not such partnership or business organization has been registered as may be required in compliance with Chapter 648, Oregon Revised Statutes:

N/A

Name and Address of Partners: N/A

4.2 c If a foreign (out of State) corporation, answer this:

When Incorporated N/A

In what state N/A

Date of authorization to transact business in the State of Oregon N/A

Has applicant filed with the Department of Revenue forms required by ORS 279.021? N/A

Treasurer N/A

President N/A

1st Vice President N/A

Secretary N/A

Treasurer N/A

What officers are authorized to execute contracts: N/A

Name and address of registered agent in Oregon: N/A

4.2 d If a limited liability company, limited liability partnership or a limited partnership indicate below:

- Check One: Limited liability company
 Limited liability partnership
 Limited partnership

Have you registered with the State Corporation Division, Business Registry?
 Yes No

Name and address of organizer: N/A

List who is authorized to execute contracts: N/A

4.2 e If doing business under an assumed business name, fill out the following information:

Name of assumed business:
 N/A

Owner's name and
address: N/A

Registration Date: N/A Expires: N/A

4.2 f If doing business as a sole proprietorship, fill out the following information:

Individual's name liable for all obligations of business: N/A

If you are a sole proprietor using an assumed business name, please list names
below: N/A

Registration Date: N/A Expires: N/A

4.3 List those individuals, companies or corporations owning 10% or more of applicant's firm.

Earl R. Ghiglia- 100%

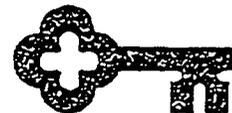
4.4 List any organization, owned or controlled by the applicant, its officers, directors, partners and anyone owning at least 10% interest in the firm, or in which the applicant was or is an officer, director, partner, doing business in Oregon under another name. If none, so state.

N/A

4.5 List all other personnel in applicant's organization who have a financial interest in or serve as officers or partners in another firm pre-qualified to bid in this or another state.

Individual's Name	Present Position or Office	Other Firm or Firms	Position in Other Firm(s)	State of Other Firm
N/A				

4.6 Financial report attachment. (See SOQ Submittal Content and Organization Section 4.6 for instructions.) Please see attached



KeyBank
Tualatin KeyCenter
Mailcode: OR-20-99-0074
18650 SW Boones Ferry Road
Post Office Box 802
Tualatin, OR 97062

Tel: 503 692-5150
Fax: 503 692-5606

June 26, 2001

To Whom It May Concern:

Valley Pacific Construction, Inc. has been a customer of Key Bank of Oregon since prior to 1988.

Aggregate average balances in the accounts kept with us are a low six figure.

We hold for their use a line of credit in the amount of a medium six figure, which current has a balance available of a low six figure.

They also have a term loan that started with a low six figure and presently has a balance of a medium five figure.

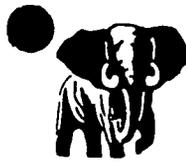
All depository and loan relationships have been handled as agreed, and we hold a high regard for this company and its management team.

Sincerely,

Carole Maylender
Relationship Manager



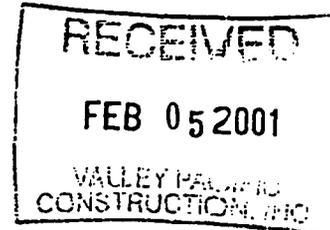
Member FDIC



KPD
INSURANCE, INC.

P.O. BOX 784 • SPRINGFIELD, OREGON 97477

February 1, 2001



John Michael, Engineering Associate
City of Wilsonville
30000 SW Town Center Loop East
Wilsonville, OR 97070

RE: Valley Pacific Construction, Inc.

Dear Mr. Michael;

This letter is written on behalf of our valued client, Valley Pacific Construction, Inc. We have handled the account for several years and have extended surety credit to \$12,000,000 and would consider higher limits.

KPD Insurance Inc. believes Valley Pacific Construction, Inc. to be one of the leading contractors in the Northwest and will continue to back them in their business pursuits.

If you should have any questions regarding this matter, please don't hesitate to call me. At 541-741-0550.

Sincerely,

KPD Insurance Inc.
Jerry D. Balding
Bond Manager

JB:jc



VALLEY PACIFIC CONSTRUCTION, INC.

P.O. Box 589 • 10751 Oak St.
Donald, OR 97020
(503) 678-2696 • Fax (503) 678-5057
CCB No. 15477

In connection with our Statement of Qualification Application we would like to provide you with the following credit references:

Familian Northwest
Cindy Lane, Credit Manager
2250 North Columbia Blvd.
Portland, OR 972517
Phone: (503) 978-2224
Fax: (503) 978-2289

Pacific Rock Products, L.L.C.
Keith Dow, Credit Manager
8705 N.E. 117th Ave.
Vancouver, WA 98662
Phone: (360) 254-7770
Fax: (360) 254-0404

United Pipe Supply
Louie Jauregui, Credit Manager
7600 S.E. Johnson Creek Blvd.
Phone: (503) 788-8813
Fax: (503) 788-0144

PUBLIC WORKS
CONTRACT EXPERIENCE

SECTION 5 – PUBLIC WORKS CONTRACT EXPERIENCE

5.1 Is your firm currently certified by the State of Oregon as a Disadvantaged Business Enterprise (DBE)

(Check one) Yes No

5.2 Have you ever been denied qualification by any state, local or federal agency in this or any other state?

(Check one) Yes No

If yes, please explain.

5.3 Have you ever been debarred from bidding on contracts by any state, local or federal agency in this or any other state under any State Law or Federal Law?

(Check one) Yes No

If yes, please explain.

5.4 Has any officer or partner of the applicant ever applied for qualification or Public Works contract with the City of Wilsonville or the State of Oregon Department of Corrections under a different name?

(Check one) Yes No

If yes, please explain.

5.5 Has the applicant ever failed to complete a state, local or federal public improvement (works) contract?

(Check one) Yes No

If yes, please explain.

5.6 Has any officer or partner of the applicant ever been found in breach of a local, state or federal contract?

(Check one) Yes No

If yes, please explain.

AUTHORIZED EMPLOYEE
& AFFIDAVIT

5.7 Does the Respondent have any unpaid judgements and/or unadjudicated claims in excess of \$5,000? (See Submittal Content and Organization Section 47 for instructions.

(Check one) Yes No

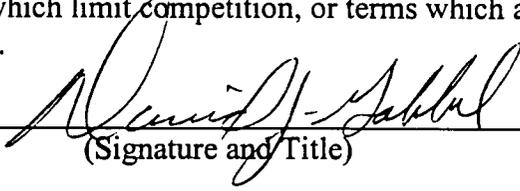
If yes, please explain. (If this information is confidential, attach a second sealed envelope clearly marked as such.)

SECTION 6-AUTHORIZED EMPLOYEE

6.1 Authorized Employee Representative of the Respondent

By submitting a statement of Qualifications for the Project, respondents expressly represent that they have taken no exception to any term, condition, obligation, or requirement of the RFQ that is not clearly expressly stated in their SOQ.

Respondents further represent that they are an Authorized Employee Representative of the Respondent and will report immediately to the City in writing any errors, inconsistencies, ambiguities, terms which limit competition, or terms which are otherwise unlawful that they discover in the RFQ.



(Signature and Title)

David J. Gobbel
Senior Estimator

SECTION 7 – AFFIDAVIT

AFFIDAVIT:

STATE OF OREGON)

County of MARION) ss.

I, DAVID J. GOBBEL being first sworn, state that
am

SENIOR ESTIMATOR of the applicant herein and that the statements
(Title) made in this application

are true and I acknowledge that any false, deceptive or fraudulent statements on the application or at a hearing will result in the denial of qualification, and may subject me to charges of false swearing or perjury, should there be any subsequent material reduction in applicant's ability to carry out any project for which applicant desires to submit a bid; applicant will give written notice of such change to the designated official.

to whom this application is submitted at least ten days prior to the bid opening and that it is understood that such notice may change the eligibility of applicant to submit the bid.

[Handwritten Signature]

(Original)

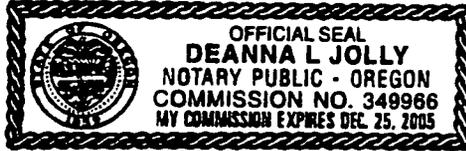
Sr. ESTIMATOR

(Title)

Signature)

Subscribed and sworn to
before me this

10 day of January, Year 2002

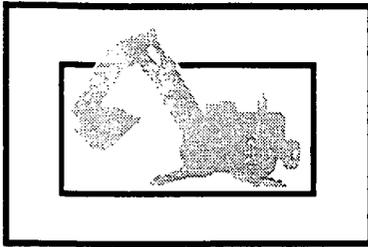


Deanna L Jolly

Original Notary Public Signature

My commission expires Dec 25, 2005

Exhibit A-8



Canby Excavating, Inc.

P.O. Box 848 • Canby, Oregon 97013 • Phone (503) 266-2792 • FAX (503) 266-2791

REGISTERED & BONDED

CCB #77471

January 11, 2002

John Michael, Engineering Associate
City of Wilsonville
30000 SW Town Center Loop East
Wilsonville, OR 97070

Dear Mr. Michael,

Enclosed please find our Statement of Qualifications for the Coffee Creek Correctional Facility Infrastructure Street Construction Phases 5 and 7. In the past year, Canby Excavating has completed successfully several public works projects and has increased our public works sales volume relative to our private contracts sales volume. We have continued, however, to complete a significant number of private projects as in years past.

We believe that the public projects we completed this past year, combined with a successful track record on public projects over the past decade, should be sufficient to illustrate our competence in the public works sector. Additionally, a proven track record and long list of satisfied private clients will hopefully only enhance our qualifications in the eyes of the City of Wilsonville as this prequalification application is reviewed.

We believe our integrity and our focus on client satisfaction that have made us a preferred contractor among private owners are aspects of Canby Excavating that will be brought to any project we perform, regardless of whether it is a private or public project. The fact that we compete successfully in markets where price is consistently not the only consideration hopefully only strengthens our resume.

Because of your stated specific interest in our public works experience, most of the jobs listed in this Statement of Qualifications are public-works-related. However, we would be happy to provide you with a wealth of additional information regarding our numerous private projects, should you wish to know more.

Thank you for your consideration.

Sincerely,

Doug Sprague
Vice President

Enclosures

- (5) Statement of Qualifications
- (5) Financial Statements

City of Wilsonville
Engineering Department
30000 SW Town Center Loop E
Wilsonville, Oregon 97070
(503) 682-4092



STATEMENT OF QUALIFICATION APPLICATION

Statement of Canby Excavating, Inc.
(Contractor's Registered Company Name)

Address to which all correspondence should be mailed:

Physical Address 25361 S. Hwy. 99E, Aurora, OR 97002

Mailing Address P.O. Box 848

City Canby State OR Zip Code 97013

Phone No. (Area Code) (503) 266-2792

Fax No. (Area Code) (503) 266-2791

Date Application Prepared January 11, 2002

This Statement of Qualifications is submitted for the following projects:

Coffee Creek Correctional Facility Infrastructure Phases 5 & 7

Qualifications Requested: December 19, 2001

Qualifications Due: 12:00 PM (noon) Pacific Standard Time, January 11, 2002

Scheduled Bid Solicitation: February 5, 2002

Scheduled Bid Opening: February 21, 2002

INSTRUCTIONS

Introductory Statement

In accordance with the statutes of the State of Oregon, every public contracting agency contemplating receiving bids for and awarding any contract for a public improvement may require any prospective bidder (*herein after referred to as Respondent*) to submit a full and complete statement concerning their equipment and experience in constructing public improvements.

The application and questionnaire forms which are bound herewith comply with the requirements of public contracting rules and must be used in determining the qualifications of Respondents and in assigning limits as to the size and kinds of projects for which the Respondents may submit bids.

The Respondents should use care and integrity in preparing this information. The public contracting agency may make independent inquiries concerning the Respondents past performance and/or capabilities.

Manner of Preparing and Filling in Forms

This application shall include information for only the specific single business organization or entity which is applying for qualification and which would be the signatory on a contract with the public contracting agency.

All answers and other entries on the forms, except signatures, should be filled in on a typewriter or printed. To make this possible, the forms may be taken apart by removing the staples by which they are bound. It shall be the responsibility of the applicant to return all pages whether applicable or not. Failure to do so may be grounds for rejection. The forms are available in electronic format from the City of Wilsonville (contact Donna Ratter at 503-682-4960 or ratter@ci.wilsonville.or.us). All pages whether applicable or not must be submitted in hard copy. **No electronic submissions will be accepted.**

All answers and entries shall be specific and complete in detail.

The qualification application shall be signed by the Respondent and sworn to as the form indicates. The signatory of the statement guarantees the truth and accuracy of all statements and of all answers to questions.

An original signed application must accompany the qualification application. (Photocopy or facsimile signatures will not be accepted)

Use of Attachments

Schedules, reports and other forms of qualification statements may be used as attachments to the prescribed form, provided that the information contained therein specifically includes the information required by this form.

Requests for Further Information

For general information regarding this SOQ Application, refer to the Request for Qualifications packet, General Instructions section. All requests for additional information and clarifications shall be made directly to the City's primary contact person, John Michael. In Mr. Michael's absence, respondents may contact the City's alternate contact person, Pat Carroll. Contact information is provided in the section referenced above.

(THIS SPACE INTENTIONALLY LEFT BLANK)

Please answer each section and question in the application.
Failure to do so may result in disqualification.

SECTION 1 – ORGANIZATION OF CONSTRUCTION FIRM

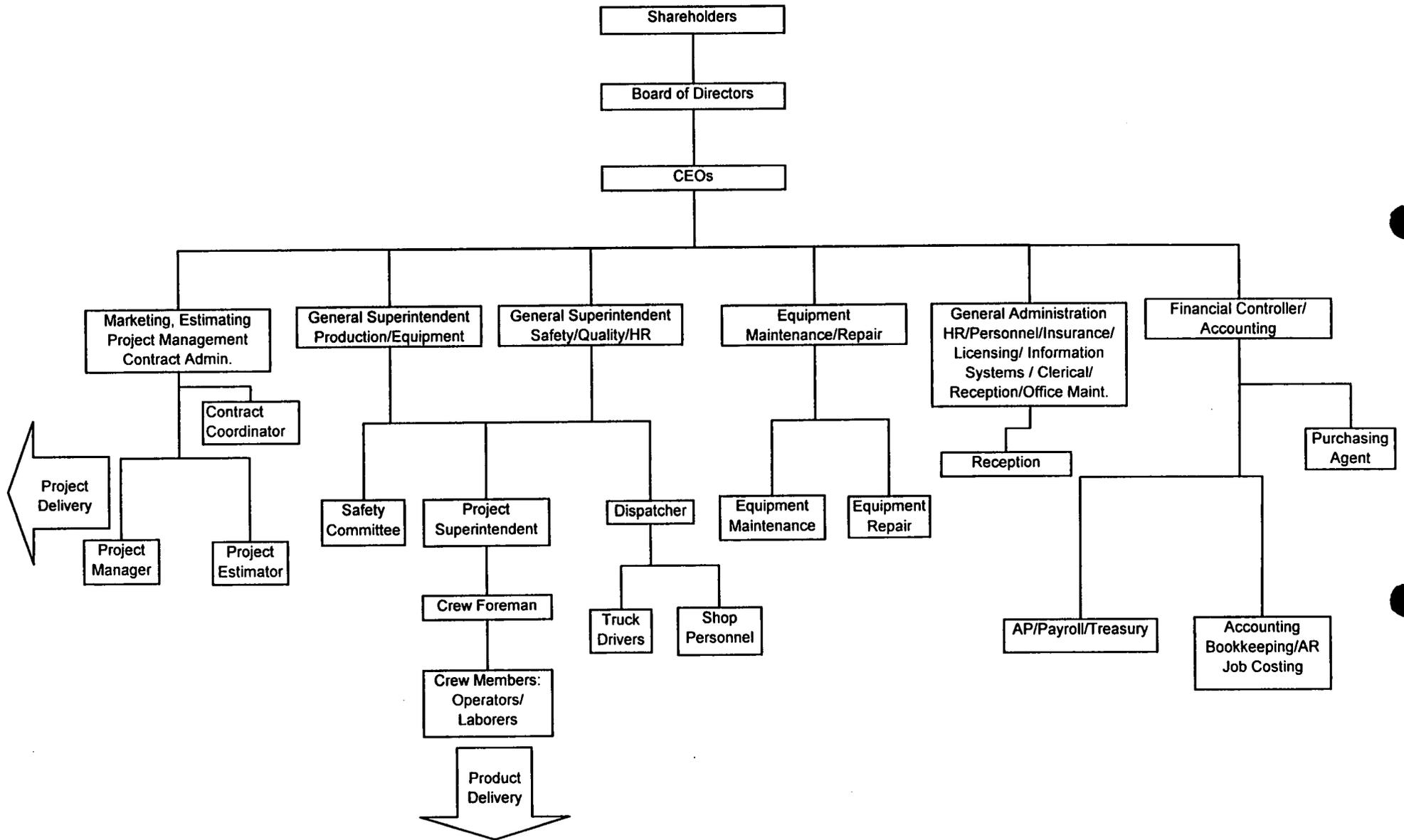
1.1 Organization chart or outline of construction firm.

See Attachment A.

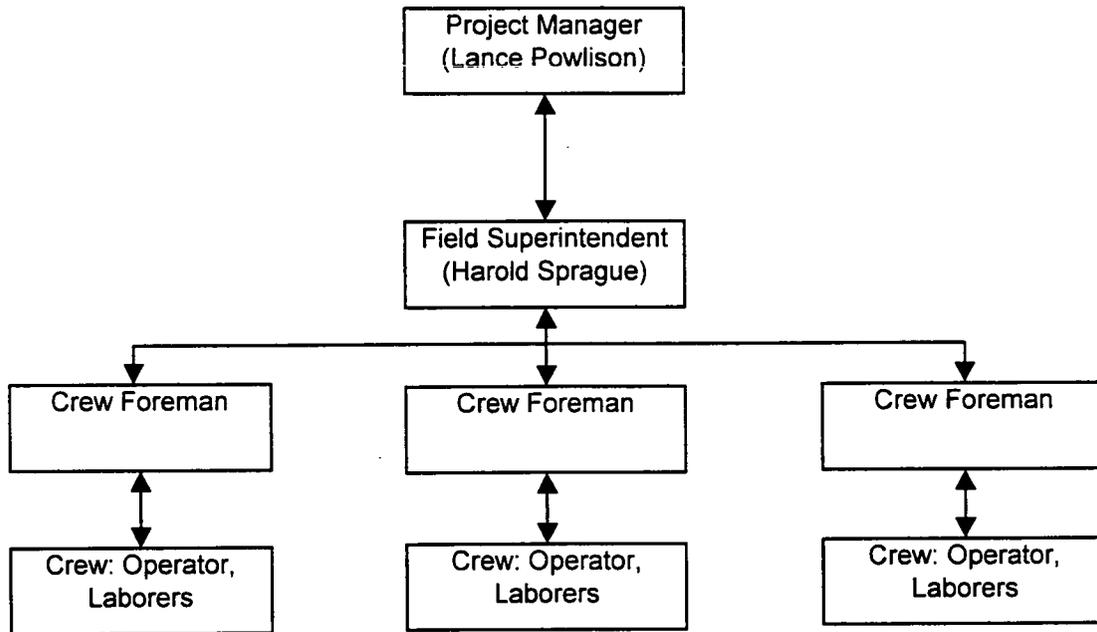
1.2 Organization chart or outline of prime contractor and sub-contractors.

See Attachment B.

CONCEPTUAL ORGANIZATIONAL FLOWCHART



PROJECT COMMUNICATION FLOWCHART



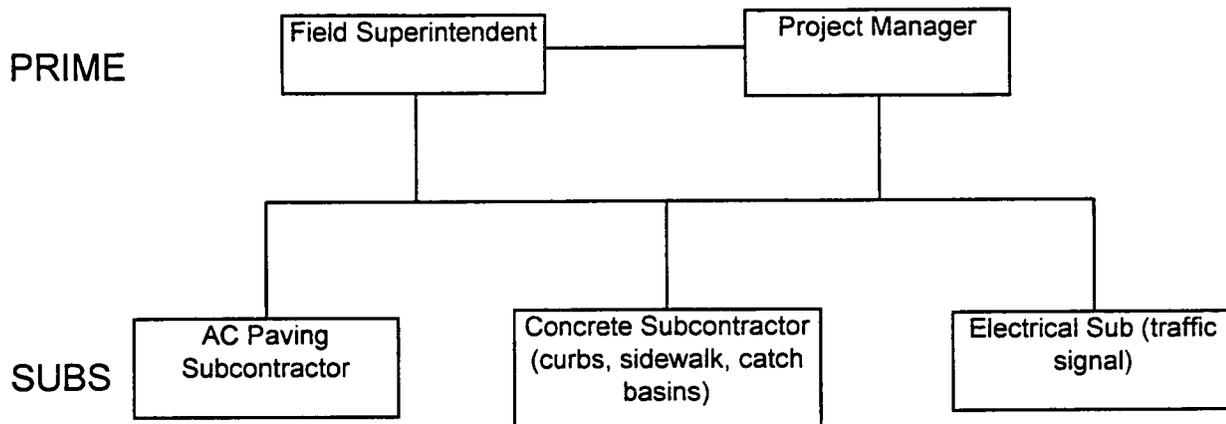
Narrative of Management Style

A project at Canby Excavating is typically managed by a project manager, who is fully responsible for completing the project on time, on budget, to the client's and engineer's satisfaction, and in compliance with the project plans, specs, contract, and agency requirements. This is done partly from the office, but also involves frequent trips to the job site. The project manager oversees the administrative portion of the project, such as contracts, billing, and subcontract agreements. The project manager also maintains a comprehensive file of all written correspondence concerning the project. **Lance Powlison** will be the project manager for this project.

The field superintendent represents the company at the project site. He is also considered to be fully responsible for the project being completed on time, on budget, to the client's and engineer's satisfaction, and in compliance with the project plans, specs, contract, and agency requirements. The field superintendent maintains daily communication with the project manager by radio, as well as in person. He oversees the work of the foremen and their crews. He is also responsible for coordinating the efforts of subcontractors, utility companies, inspectors, and other entities who have business at the project site. For this project, **Harold Sprague** will be the field superintendent.

The field superintendent reports directly to the general superintendent, who is responsible for supplying him with the human and equipment resources necessary to complete the project. The general superintendent also functions as a coach for the field superintendent's efforts. **Scott Sprague** will be the general superintendent for this project.

PRIME-SUB ORGANIZATIONAL CHART



SECTION 2 - MANAGEMENT AND CONSTRUCTION EXPERIENCE

2.1 Indicate the anticipated major sub-contractors for this project and the class or type of work.

Amount	Class or Type of Work	Contract %
\$300,000 - \$400,000	Paving	9%
\$300,000 - \$400,000	Concrete	9%
\$200,000 - \$300,000	Electrical (Traffic Signal)	6%
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

2.2 List ten major projects applicant has undertaken in the last five years. (List most recent projects first.)

1. Name of Project Lake Oswego 2001-2002 Annual Water System Rehabilitation
 Owner & Contact City of Lake Oswego / Joel B. Komarek, P.E.
 Address 380 "A" Avenue, Lake Oswego, OR 97034
 Phone Number (503) 635-0270
 Project Description Waterline replacement in downtown Lake Oswego. Street res-
toration, incl. paving, curbs, sidewalks. Involves intensive coordination
 (cont.)
 Project Location Downtown Lake Oswego, OR
 Contract Amount \$924,838.30 Over/Under Contract & Amount +\$0.00 (currently)
 Dates Started and Completed 12/4/01 - present Completed on Time It will be!
 Project Construction Supervisor Lance Powlison (Project Manager)
 Architect/Engineering Firm & Contact City of Lake Oswego / Joel B. Komarek, P.E.
 Address 380 "A" Avenue, Lake Oswego, OR 97034
 Phone Number (503) 635-0270
 Indicate whether: Prime Contractor, Sub-contractor or Joint Venture on project Prime
 Remarks (cont.) with local homeowners & businesses. We're working in small
segments to avoid closing all of downtown. Traffic control requires cons-
tant maintenance & updating. A homeowner called to express appreciation
for our cooperation & communication on this project.

2. Name of Project Fern Hill Road Trunk #4948
Owner & Contact Clean Water Services / Steve Lampert
Address 155 N. First Avenue, Ste. 270, Hillsboro, OR 97124
Phone Number (503) 846-8621
Project Description Installed sewer trunk along main road.
Project Location Fern Hill Road, Forest Grove, OR
Contract Amount \$103,518.10 Over/Under Contract & Amount + \$729.50
Dates Started and Completed 7/16/01-8/10/01 Completed on Time Yes
Project Construction Supervisor Lance Powlison (Project Manager)
Architect/Engineering Firm & Contact Clean Water Services / Steve Lampert
Address 155 N. First Avenue, Ste. 270, Hillsboro, OR 97124
Phone Number (503) 846-8621
Indicate whether: Prime Contractor, Sub-contractor or Joint Venture on Project Prime
Remarks Involved extensive traffic control on a main road.

3. Name of Project Lenox Sanitary Sewer Trunkline
Owner & Contact City of Hillsboro / Charlie Shell, P.E.
Address 123 West Main Street, Hillsboro, OR 97123-3999
Phone Number (503) 681-6252
Project Description Sanitary trunkline installation & hookup. Involved (cont.)
Project Location Hillsboro, OR
Contract Amount \$959,498.00 Over/Under Contract & Amount + \$45,453.00
Dates Started and Completed 5/29/01-11/30/01 Completed on Time Yes
Project Construction Supervisor Ken Fong (Project Manager)
Architect/Engineering Firm & Contact City of Hillsboro / Charlie Shell, P.E.
Address 123 West Main Street, Hillsboro, OR 97123-3999
Phone Number (503) 681-6252
Indicate whether: Prime Contractor, Sub-contractor or Joint Venture on Project Prime
Remarks street work & restoration. Significant traffic control, incl. flaggin & detouring while maintaining homeowner access. No service shutoff

4. Name of Project Canby Station
Owner & Contact Frank Cutsforth (contact Lynn Storlie of Triplett-Wellman)
Address P.O. Box 160, Woodburn, OR 97070
Phone Number (503) 223-5839
Project Description Sitework for buildings in Thriftway parking lot, plus (cont)
Project Location 2nd & Ivy, Canby, OR
Contract Amount \$305,859.02 Over/Under Contract & Amount + \$184,462.02
Dates Started and Completed 5/1/01-present Completed on Time It will be!
Project Construction Supervisor Lance Powlison (Project Manager)
Architect/Engineering Firm & Contact CIDA / Craig Harris, EIT
Address 5200 SW Macadam, Suite 420, Portland, OR 97201
Phone Number (503) 226-1285
Indicate whether: Prime Contractor, Sub-contractor or Joint Venture on project Subcontractor
Remarks (cont) street improvements on a main thoroughfare. We successfully maintained uninterrupted public access to Thriftway as well as to neighboring businesses.

5. Name of Project Pacific Heights 12th Street Improvements
Owner & Contact Nelson Development / Dave Nelson
Address 1735 5th Street, Hood River, OR
Phone Number (541) 387-2604
Project Description Work on 12th St. (4 lanes of traffic): Built up embankment
Project Location 12th Street, Hood River, OR (cont)
Contract Amount \$290,000.00 Over/Under Contract & Amount + \$0.00
Dates Started and Completed 9/1/00-12/18/00 Completed on Time Yes
Architect/Engineering Firm & Contact Westech Engineering
Address 3841 Fairview Industrial Drive SE, Ste. 100, Salem, OR 97302
Phone Number (503) 585-2474
Indicate whether: Prime Contractor, Sub-contractor or Joint Venture on Project Prime
Remarks (cont) for road, constructed storm drain system, widened road and added a turn pocket. Traffic control included lane shifting and flagging.

6. Name of Project Faist Addition Phase 3
Owner & Contact Oregon Development / Tom Kendall
Address 25588 Cheryl Drive, West Linn, OR 97068
Phone Number (503) 557-1012
Project Description Subdivision. Included half-street improvements on 13th St
Project Location Canby, OR (cont)
Contract Amount \$534,053.10 Over/Under Contract & Amount + \$18,847.36
Dates Started and Completed 8/28/00-11/16/00 Completed on Time Yes
Project Construction Supervisor George Schmidt, Jr. (Project Manager)
Architect/Engineering Firm & Contact Sisul Engineering / Pat Sisul
Address 375 Portland Ave., Gladstone, OR 97207
Phone Number (503) 657-0188
Indicate whether: Prime Contractor, Sub-contractor or Joint Venture on project Prime
Remarks (cont) that required re-routing traffic to opposite side of street

7. Name of Project Willamette Falls Drive Waterline
Owner & Contact Showtimber Company / Mike Nedelisky
Address 4230 NE Fremont Street, Portland, OR 97213
Phone Number (503) 658-2767
Project Description Laid 1450 LF of 20" waterline on Willamette Falls Drive.
Project Location Willamette Falls Drive, West Linn, OR
Contract Amount \$266,204.75 Over/Under Contract & Amount + \$12,388.75
Dates Started and Completed 7/13/99-8/25/99 Completed on Time Yes
Architect/Engineering Firm & Contact W.B. Wells & Associates
Address 4230 NE Fremont Street, Portland, OR 97213
Phone Number (503) 284-5896
Indicate whether: Prime Contractor, Sub-contractor or Joint Venture on Project Prime
Remarks Involved extensive traffic control in order to keep a main road operational throughout construction.

8. Name of Project Canby Market Center (Fred Meyer shopping complex)
Owner & Contact Gramor Development / Dean Sorensen
Address 19767 SW 72nd Ave., Ste. 100, Tualatin, OR 97062
Phone Number (503) 245-1976
Project Description Complex sitework project. Included widening & re-routing
Project Location Canby, OR
Contract Amount \$3,470,126.45 Over/Under Contract & Amount + \$328,613.45
Dates Started and Completed 4/1/99 - 10/16/00 Completed on Time Yes
Project Construction Supervisor George Schmidt, Jr. (Project Manager)
Architect/Engineering Firm & Contact WRG Design, Inc.
Address 5415 SW Westgate Drive, Ste. 100, Portland, OR 97221
Phone Number (503) 419-2500
Indicate whether: Prime Contractor, Sub-contractor or Joint Venture on project Prime
Remarks (cont) an intersection & portion of 99E. We also installed a traf-
fic signal. Maintained smooth traffic flow on 99E, as well as for the
Union Pacific Railroad running parallel to 99E.

9. Name of Project South End Sewer
Owner & Contact City of Oregon City (Nancy Kraushaar) / Dave Herman
Address P.O. Box 351, Oregon City / 722-D Main Street, Oregon City
Phone Number (503) 657-0891 / (503) 656-0513
Project Description Installation of a sewer trunk line & pump station along
Project Location South End Road, Oregon City, OR
Contract Amount \$990,440.00 Over/Under Contract & Amount + \$82,845.00
Dates Started and Completed 5/14/97 - 5/18/98 Completed on Time Yes
Architect/Engineering Firm & Contact Balfour Engineering / George Cathey
Address 18605 Willamette Falls Drive, West Linn, OR 97068
Phone Number (503) 635-9293
Indicate whether: Prime Contractor, Sub-contractor or Joint Venture on Project prime
Remarks a major thoroughfare. Partnership between city & private developer
We sucessfully completed the job with no road closures and were able
to maintain continuous flow of traffic for the duration of the project,
using extensive traffic control.

10. Name of Project Blossom Drive & Portland Road Water & Sewer
Owner & Contact City of Salem / Donald Whitehurst
Address 555 Liberty Street SE, Salem, OR 97301-3503
Phone Number (503) 588-6211
Project Description Installation of water & sewer mainlines along a busy street and a major highway. Included street removal & replacement. Required (cont
Project Location Blossom Drive & Portland Road (99E), Salem, OR
Contract Amount \$785,699.25 Over/Under Contract & Amount - \$58,582.11
Dates Started and Completed 10/1/96 - 5/27/97 Completed on Time Yes
Project Construction Supervisor Jeff Kersey (now George Schmidt, Jr) (Project Mgr
Architect/Engineering Firm & Contact City of Salem / Donald Whitehurst
Address 555 Liberty Street SE, Salem, OR 97301-3503
Phone Number (503) 588-6211
Indicate whether: Prime Contractor, Sub-contractor or Joint Venture on Project Prime
Remarks (cont) extensive coordination with local residents & businesses.
Traffic control required for both Blossom Drive & Portland Road.

2.3 How many years has Respondent been in business under present name?

As a prime contractor? : 11 As a subcontractor? : 11

2.4 How many years' experience in construction work has Respondent had?

As a prime contractor? : 28 As a subcontractor? : 28

2.5 Indicate Respondents principal contact person for this application:

Contact George Schmidt, Jr.
Address P.O. Box 848, Canby, OR 97013
Phone and Fax Number Phone: (503) 266-2792 Fax: (503) 266-2791

2.6 What is the construction experience of all owners, officers, partners and principal individuals in Respondent's organization? Also list any other individuals or organization who, in any way and to any extent, controls or influences the bidding.

Individual's Name	Present Position or Office	Years of Construction	Magnitude and Type of Work	In What Capacity
Roger Sprague	President	32	street, site-work, utils.	Owner/Operator
Doug Sprague	Vice President	24	street, site-work, utils.	Owner/Operator
Scott Sprague	Superintendent	20	street, site-work, utils.	Superintendent
Kirk Heath	Superintendent	16	street, site-work, utils.	Superintendent
Harold Sprague	Superintendent	33	street, site-work, utils.	Superintendent
George Schmidt, Jr	Est/Proj Mgr	10	street, site-work, utils.	Est/Proj Mgr
Ken Fong	Est/Proj Mgr	22	street, site-work, utils.	Est/Proj Mgr
Rob Fitzgerald	Est/Proj Mgr	4	street, site-work, utils.	Est/Proj Mgr
Lance Powlison	Est/Proj Mgr	11	street, site-work, utils.	Est/Proj Mgr

2.8 Indicate contractor's licenses or registration numbers held as required by Oregon Statutes:

Corporation Division Registration No.: 258102-84

Construction Contractors Board No.: 77471

Landscape Contractors License No.: N/A

Electrical License No.: N/A

Plumbing License No.: N/A

Pressure Vessel Installers License No.: N/A

Other License No.: DEQ sewage disposal service #35815

Canby Excavating, Inc.
Construction Equipment

Qty.	Description	Age (Yrs)	Condition
	<i>Backhoes</i>		
1	2001 New Holland Backhoe	1	Excellent
1	93 Case 590 4WD Turbo Backhoe	8	Good
1	96 Case 580 SL 4WD Turbo Backhoe	5	Good
	<i>Trackhoes</i>		
1	90 Hitachi EX200 LC-1 Trackhoe	11	Good
1	96 Hitachi EX200 LC-5 Trackhoe	5	Good
1	97 John Deere EX200 LC Trackhoe	4	Good
1	95 Hitachi EX220 LC-2 Trackhoe	6	Good
1	97 John Deere 892E Trackhoe	4	Good
1	94 John Deere 992E Trackhoe	7	Good
1	Hitachi EX 200-5		Good
	<i>Dozers</i>		
1	94 Komatsu D37-P5A Dozer	7	Good
1	93 Cat D5 HLGP II Dozer	8	Good
1	707 Dresser/Crawler/Dozer		Good
	<i>Graders</i>		
1	68 John Deere 570 Grader	33	Good
1	92 John Deere 670B Grader	9	Good
1	Topcon System 4: (1) Control box; (2) Sonic Trackers (1) Slope Sensor (1) Rotation Sensor (1) Mainfall Sensor (1) Hydraulic Manifold Assembly w/cables & mounting hardware 740, tracker 9142-9026, Circle Sensor 9180-3510, Mainfall sensor 9170-3550	2.5	Good
	<i>Loaders</i>		
1	85 John Deere 544 C Loader	16	Good
1	94 John Deere 544 GB Loader	7	Good
	<i>Rollers/Compactors</i>		
1	95 Champ 840 SUP PAC Roller Sheep's Foot	6	Good
1	80 Homemade Sheep's Foot	21	Good
1	92 Cat 814B Earth compactor w/ropes, cab, air cond, straight blade	9	Good
1	87 Dynapac CA15 Roller/ Smooth Drum	14	Good
1	83 Tampo RS 166A Roller Double Smooth D	18	Good
1	90 Whacker RD 880 Roller Vibratory	11	Good
	<i>Scrapers</i>		
1	74 John Deere 860A Scraper	27	Good
	<i>Sweepers</i>		
1	92 Laymor 6HB Sweeper	9	Good
	<i>Discs</i>		
1	96 Case IM7700 Off Set Disc.	5	Good

Canby Excavating, Inc.
Construction Equipment

Qty.	Description	Age (Yrs)	Condition
	Water Trucks		
1	75 Peterbuilt Tank C-25 Water Truck	26	Good
1	80 GMC 2.5 Ton Wtr. C-14 Water Truck	21	Good
1	86 Ford LN8000 C-19 Water Truck	15	Good
	Heavy Trucks		
1	92 Ford LTL 9000 Dump C-5 (10-yard)	9	Good
1	83 Kenworth DT C-15 (10-yard)	18	Good
1	88 Ford F700 C-29 (2-ton)	13	Good
1	92 Diesel Flatbed	9	Good
1	94 International Eagle C-8 Tractor (80,000 lb haul)	6	Good
	Light Trucks		
	Small PU/F150		
1	91 Ford Ranger 4CY C-11	10	Good
1	95 Ford F150 4WD C-17	6	Good
1	95 Ford F150 4WD C-22	6	Good
1	97 Ford F150 4WD C-27	4	Good
1	97 Ford F150 C-32	4	Good
1	98 Ford F150 C-33	3	Good
	F250		
1	96 Ford F250 7.3L C-3	5	Good
1	92 Ford F250 7.3L C-4	9	Good
1	90 Ford F250 4WD C-18	11	Good
1	89 Ford F250 Toolboy C-21	12	Good
1	84 Ford F250 4WD 6.9L C-30	17	Good
1	2001 Ford F250 C-39	0	Excellent
	F350/1-Tons		
1	90 Ford F350 7.3L C-2	11	Good
1	95 Ford F350 C-6 Super Duty	6	Good
1	88 Ford F350 C-7 Super Duty	13	Good
1	89 Ford F350 C-10 Super Duty	12	Good
1	85 Ford F350 C-12 Super Duty	14	Good
1	89 Ford F350 Supercab C-16	12	Good
1	97 Ford F350 7.3L C-23	4	Good
1	97 Ford F350 7.3L C-24	4	Good
1	79 Chevy 1-Ton Van C-26 TV Truck	22	Good
1	99 Ford F350 7.3L C-28	2	Good
1	99 Ford F350 7.3L C-34 Super Duty	2	Good
1	99 Ford F350 SD 1 Ton	2	Good
1	2000 Ford F350 C-37	1	Excellent

3.2 Does applicant intend to rent equipment? If so, provide a general description:

One backhoe, four trackhoes, one grader and two scrapers leased
from Sprague Joint Venture and Partnership Investment Co. Other
equipment will be rented as needed.

Where available: Hessel Tractor, United Rentals, The Plank Company

SECTION 4 – FINANCIAL INFORMATION AND CAPACITY

4.1 Indicate the total amount of work, expressed in dollars, which the applicant can be bonded for at one time (attach letter from licensed bonding company or agent as evidence):

\$ 20 million dollars

The contract(s) for which this qualification is sought require bid and performance bond(s). The applicant shall state the name of the agent and name, address, and telephone number of the surety company applicant expects to provide the bonds.

Name of Agent Bob Lagler
Surety Company The Phoenix Surety Agency, Inc.
Address Bldg. 8, 1499 SE Tech Center Pl, Ste. 290, Vancouver, WA 98683
Phone Number (360) 892-5840

4.2 Indicate the firm's form of business.

4.2 a If an Oregon corporation, answer this:

When Incorporated August 2, 1991
President Roger S. Sprague
1st Vice President Douglas R. Sprague
Secretary Douglas R. Sprague
Treasurer N/A

What officers are authorized to execute contracts: _____
President
Vice President



THE PHOENIX SURETY AGENCY, INC
Bonding & Insurance

Building 8, 1499 SE Tech Center Place
Suite 290

Vancouver, WA 98683

(360) 892-5840

FAX (360) 892-5871

January 9, 2002

John Michael, Engineering Associate
City of Wilsonville
8445 SW Elligsen Road
Wilsonville, OR 97070

Re: Contractor Prequalification
Canby Excavating, Inc. Canby, Oregon

Dear John:

This is to inform you that we have been doing business with Canby Excavating since 1994 and our history with them has been excellent and we consider this contractor highly competent in their field. To date they have requested bonding on jobs in excess of \$10,000,000 with aggregate limits at \$20,000,000 and been approved. These same limits would be available today subject to the usual underwriting standards and guidelines.

If this office can be of further assistance please let us know.

SAFECO INSURANCE COMPANY OF AMERICA

By Bonnie Riddle
Bonnie Riddle, Attorney-In-Fact



POWER OF ATTORNEY

SAFECO Insurance Company
PO Box 34526
Seattle, WA 98124-1526

No. 12669

KNOW ALL BY THESE PRESENTS:

That **SAFECO INSURANCE COMPANY OF AMERICA** and **GENERAL INSURANCE COMPANY OF AMERICA**, each a Washington corporation, does each hereby appoint

*****ROBERT W. LAGLER; BONNIE RIDDLE; Vancouver, Washington*****

its true and lawful attorney(s)-in-fact, with full authority to execute on its behalf fidelity and surety bonds or undertakings and other documents of a similar character issued in the course of its business, and to bind the respective company thereby.

IN WITNESS WHEREOF, SAFECO INSURANCE COMPANY OF AMERICA and **GENERAL INSURANCE COMPANY OF AMERICA** have each executed and attested these presents

this 30th day of August, 2001

R.A. PIERSON, SECRETARY

MIKE MCGAVICK, PRESIDENT

CERTIFICATE

Extract from the By-Laws of **SAFECO INSURANCE COMPANY OF AMERICA**
and of **GENERAL INSURANCE COMPANY OF AMERICA**:

"Article V, Section 13. - FIDELITY AND SURETY BONDS ... the President, any Vice President, the Secretary, and any Assistant Vice President appointed for that purpose by the officer in charge of surety operations, shall each have authority to appoint individuals as attorneys-in-fact or under other appropriate titles with authority to execute on behalf of the company fidelity and surety bonds and other documents of similar character issued by the company in the course of its business... On any instrument making or evidencing such appointment, the signatures may be affixed by facsimile. On any instrument conferring such authority or on any bond or undertaking of the company, the seal, or a facsimile thereof, may be impressed or affixed or in any other manner reproduced; provided, however, that the seal shall not be necessary to the validity of any such instrument or undertaking."

Extract from a Resolution of the Board of Directors of **SAFECO INSURANCE COMPANY OF AMERICA**
and of **GENERAL INSURANCE COMPANY OF AMERICA** adopted July 28, 1970.

"On any certificate executed by the Secretary or an assistant secretary of the Company setting out,

- (i) The provisions of Article V, Section 13 of the By-Laws, and
- (ii) A copy of the power-of-attorney appointment, executed pursuant thereto, and
- (iii) Certifying that said power-of-attorney appointment is in full force and effect,

the signature of the certifying officer may be by facsimile, and the seal of the Company may be a facsimile thereof."

I, R.A. Pierson, Secretary of **SAFECO INSURANCE COMPANY OF AMERICA** and of **GENERAL INSURANCE COMPANY OF AMERICA**, do hereby certify that the foregoing extracts of the By-Laws and of a Resolution of the Board of Directors of these corporations, and of a Power of Attorney issued pursuant thereto, are true and correct, and that both the By-Laws, the Resolution and the Power of Attorney are still in full force and effect.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the facsimile seal of said corporation

this 9TH day of JANUARY, 2001



R.A. PIERSON, SECRETARY

4.2 b If a general partnership, answer this:

Date of Organization _____ N/A _____

If a foreign (out of State) co-partnership or persons engaging in business in the state under an assumed name, but not domiciled within this state, state whether or not such partnership or business organization has been registered as may be required in compliance with Chapter 648, Oregon Revised Statutes:

_____ N/A _____

Name and Address of Partners: _____ N/A _____

4.2 c If a foreign (out of State) corporation, answer this:

When Incorporated _____ N/A _____

In what state _____ N/A _____

Date of authorization to transact business in the State of Oregon _____ N/A _____

Has applicant filed with the Department of Revenue forms required by ORS 279.021? _____ N/A _____

Treasurer _____ N/A _____

President _____ N/A _____

1st Vice President _____ N/A _____

Secretary _____ N/A _____

Treasurer _____ N/A _____

What officers are authorized to execute contracts: _____

_____ N/A _____

Name and address of registered agent in Oregon: _____
N/A

4.2 d If a limited liability company, limited liability partnership or a limited partnership indicate below:

Check One: Limited liability company
N/A Limited liability partnership
 Limited partnership

Have you registered with the State Corporation Division, Business Registry?
 Yes No
N/A

Name and address of organizer: _____ N/A

List who is authorized to execute contracts: _____ N/A

4.2 e If doing business under an assumed business name, fill out the following information:

Name of assumed business: _____
N/A

Owner's name and address: _____ N/A

Registration Date: _____ N/A Expires: _____ N/A

4.2 f If doing business as a sole proprietorship, fill out the following information:

Individual's name liable for all obligations of business: _____ N/A

If you are a sole proprietor using an assumed business name, please list names below: _____ N/A

Registration Date: _____ N/A Expires: _____ N/A

4.3 List those individuals, companies or corporations owning 10% or more of applicant's firm.

Roger S. Sprague

Douglas R. Sprague

4.4 List any organization, owned or controlled by the applicant, its officers, directors, partners and anyone owning at least 10% interest in the firm, or in which the applicant was or is an officer, director, partner, doing business in Oregon under another name. If none, so state.

Sprague Joint Venture

Partnership Investment Company

4.5 List all other personnel in applicant's organization who have a financial interest in or serve as officers or partners in another firm pre-qualified to bid in this or another state.

Individual's Name	Present Position or Office	Other Firm or Firms	Position in Other Firm(s)	State of Other Firm
N/A	N/A	N/A	N/A	N/A

4.6 Financial report attachment. (See SOQ Submittal Content and Organization Section 4.6 for instructions.)

Please see accompanying envelope.

SECTION 5 – PUBLIC WORKS CONTRACT EXPERIENCE

5.1 Is your firm currently certified by the State of Oregon as a Disadvantaged Business Enterprise (DBE)

(Check one) Yes No

5.2 Have you ever been denied qualification by any state, local or federal agency in this or any other state?

(Check one) Yes No

If yes, please explain.

N/A

5.3 Have you ever been debarred from bidding on contracts by any state, local or federal agency in this or any other state under any State Law or Federal Law?

(Check one) Yes No

If yes, please explain.

N/A

5.4 Has any officer or partner of the applicant ever applied for qualification or Public Works contract with the City of Wilsonville or the State of Oregon Department of Corrections under a different name?

(Check one) Yes No

If yes, please explain.

N/A

5.5 Has the applicant ever failed to complete a state, local or federal public improvement (works) contract?

(Check one) Yes No

If yes, please explain.

N/A

5.6 Has any officer or partner of the applicant ever been found in breach of a local, state or federal contract?

(Check one) Yes No

If yes, please explain.

N/A

5.7 Does the Respondent have any unpaid judgements and/or unadjudicated claims in excess of \$5,000? (See SOQ Submittal Content and Organization Section 47 for instructions.)

(Check one) Yes No

If yes, please explain. (If this information is confidential, attach a second sealed envelope clearly marked as such.)

N/A

SECTION 6 – AUTHORIZED EMPLOYEE

6.1 Authorized Employee Representative of the Respondent

By submitting a Statement of Qualifications for the Project, respondents expressly represent that they have taken no exception to any term, condition, obligation or requirement of the RFQ that is not clearly and expressly stated in their SOQ.

Respondents further represent that they are an Authorized Employee Representative of the Respondent and will report immediately to the City in writing any errors, inconsistencies, ambiguities, terms which limit competition, or terms which are otherwise unlawful that they discover in the RFQ.



Senior Estimator/Project Manager

(Signature and Title)

SECTION 7 - AFFIDAVIT

AFFIDAVIT:

STATE OF Oregon)

County of Clackamas) ss.

I, Doug Sprague

being first sworn, state that I am

Vice President
(Title)

of the applicant herein and that the statements made in this application

are true and I acknowledge that any false, deceptive or fraudulent statements on the application or at a hearing will result in the denial of qualification, and may subject me to charges of false swearing or perjury should there be any subsequent material reduction in applicant's ability to carry out any project for which applicant desires to submit a bid; applicant will give written notice of such change to the designated official.

to whom this application is submitted at least ten days prior to the bid opening and that it is understood that such notice may change the eligibility of applicant to submit the bid.

[Handwritten Signature]

(Original

Signature)

Vice President

(Title)

Subscribed and sworn to
before me this

11th

day of

January

Year *2002*



[Handwritten Signature]
Original Notary Public Signature

My commission
expires

Oct. 14, 2003

Exhibit A-9

City of Wilsonville
Engineering Department
30000 SW Town Center Loop E
Wilsonville, Oregon 97070
(503) 682-4092



STATEMENT OF QUALIFICATION APPLICATION

Statement of Oregon Asphaltic Paving Co.
(Contractor's Registered Company Name)

Address to which all correspondence should be mailed:

Physical Address 2770 NW Rogers Circle

Mailing Address Same

City Troutdale State OR Zip Code 97060

Phone No. (Area Code) 503 252-1497

Fax No. (Area Code) 503 255-6147

Date Application Prepared 01/07/02

This Statement of Qualifications is submitted for the following projects:

Coffee Creek Correctional Facility Infrastructure Phases 5 & 7

Qualifications Requested: December 19, 2001

Qualifications Due: 12:00 PM (noon) Pacific Standard Time, January 11, 2002

Scheduled Bid Solicitation: February 5, 2002

Scheduled Bid Opening: February 21, 2002

INSTRUCTIONS

Introductory Statement

In accordance with the statutes of the State of Oregon, every public contracting agency contemplating receiving bids for and awarding any contract for a public improvement may require any prospective bidder (*herein after referred to as Respondent*) to submit a full and complete statement concerning their equipment and experience in constructing public improvements.

The application and questionnaire forms which are bound herewith comply with the requirements of public contracting rules and must be used in determining the qualifications of Respondents and in assigning limits as to the size and kinds of projects for which the Respondents may submit bids.

The Respondents should use care and integrity in preparing this information. The public contracting agency may make independent inquiries concerning the Respondents past performance and/or capabilities.

Manner of Preparing and Filling in Forms

This application shall include information for only the specific single business organization or entity which is applying for qualification and which would be the signatory on a contract with the public contracting agency.

All answers and other entries on the forms, except signatures, should be filled in on a typewriter or printed. To make this possible, the forms may be taken apart by removing the staples by which they are bound. It shall be the responsibility of the applicant to return all pages whether applicable or not. Failure to do so may be grounds for rejection. The forms are available in electronic format from the City of Wilsonville (contact Donna Ratter at 503-682-4960 or ratter@ci.wilsonville.or.us). All pages whether applicable or not must be submitted in hard copy. **No electronic submissions will be accepted.**

All answers and entries shall be specific and complete in detail.

The qualification application shall be signed by the Respondent and sworn to as the form indicates. The signatory of the statement guarantees the truth and accuracy of all statements and of all answers to questions.

An original signed application must accompany the qualification application. (Photocopy or facsimile signatures will not be accepted)

Use of Attachments

Schedules, reports and other forms of qualification statements may be used as attachments to the prescribed form, provided that the information contained therein specifically includes the information required by this form.

Requests for Further Information

For general information regarding this SOQ Application, refer to the Request for Qualifications packet, General Instructions section. All requests for additional information and clarifications shall be made directly to the City's primary contact person, John Michael. In Mr. Michael's absence, respondents may contact the City's alternate contact person, Pat Carroll. Contact information is provided in the section referenced above.

(THIS SPACE INTENTIONALLY LEFT BLANK)

Please answer each section and question in the application.
Failure to do so may result in disqualification.

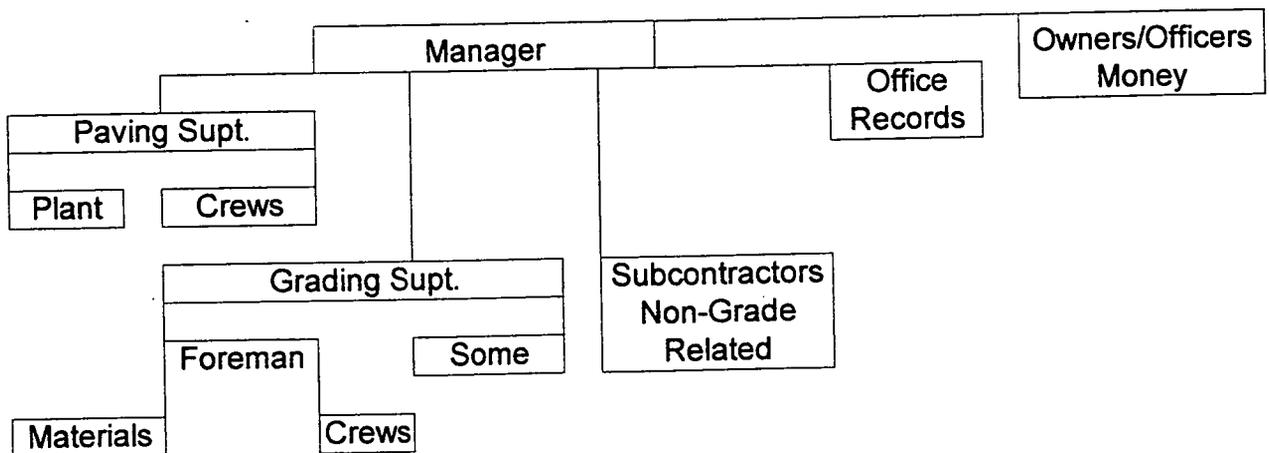
SECTION 1 – ORGANIZATION OF CONSTRUCTION FIRM

1.1 Organization chart or outline of construction firm.

A. J. Urbanek - President
R. L. Metcalf - Vice President
Rod Myrick - General Supt.
Dan Pokorny - Chief Estimator/Project Manager
Marcus Schoenberg - Estimator/QC
Ron Baird - Paving Supt.

1.2 Organization chart or outline of prime contractor and sub-contractors.

Project Management



SECTION 2 –MANAGEMENT AND CONSTRUCTION EXPERIENCE

2.1 Indicate the anticipated major sub-contractors for this project and the class or type of work.

Amount	Class or Type of Work	Contract %
	Concrete	
	Electrical	
	Surveying	
	Landscape	
	Signs/stripes	

2.2 List ten major projects applicant has undertaken in the last five years. (List most recent projects first.)

1. Name of Project see attached schedule 2.2
Owner & Contact _____
Address _____
Phone Number _____
Project Description _____

Project Location _____
Contract Amount _____ Over/Under Contract & Amount _____
Dates Started and Completed _____ Completed on Time _____
Project Construction Supervisor _____
Architect/Engineering Firm & Contact _____
Address _____
Phone Number _____
Indicate whether: Prime Contractor, Sub-contractor or Joint Venture on project _____
Remarks _____

2. Name of Project _____
Owner & Contact _____
Address _____
Phone Number _____
Project Description _____
Project Location _____
Contract Amount _____ Over/Under Contract & Amount _____
Dates Started and Completed _____ Completed on Time _____
Project Construction Supervisor _____
Architect/Engineering Firm & Contact _____
Address _____
Phone Number _____
Indicate whether: Prime Contractor, Sub-contractor or Joint Venture on Project _____
Remarks _____

3. Name of Project _____
Owner & Contact _____
Address _____
Phone Number _____
Project Description _____
Project Location _____
Contract Amount _____ Over/Under Contract & Amount _____
Dates Started and Completed _____ Completed on Time _____
Project Construction Supervisor _____
Architect/Engineering Firm & Contact _____
Address _____
Phone Number _____
Indicate whether: Prime Contractor, Sub-contractor or Joint Venture on Project _____
Remarks _____

4. Name of Project _____
Owner & Contact _____
Address _____
Phone Number _____
Project Description _____
Project Location _____
Contract Amount _____ Over/Under Contract & Amount _____
Dates Started and Completed _____ Completed on Time _____
Project Construction Supervisor _____
Architect/Engineering Firm & Contact _____
Address _____
Phone Number _____
Indicate whether: Prime Contractor, Sub-contractor or Joint Venture on project _____
Remarks _____

5. Name of Project _____
Owner & Contact _____
Address _____
Phone Number _____
Project Description _____
Project Location _____
Contract Amount _____ Over/Under Contract & Amount _____
Dates Started and Completed _____ Completed on Time _____
Architect/Engineering Firm & Contact _____
Address _____
Phone Number _____
Indicate whether: Prime Contractor, Sub-contractor or Joint Venture on Project _____
Remarks _____

6. Name of Project _____
Owner & Contact _____
Address _____
Phone Number _____
Project Description _____
Project Location _____
Contract Amount _____ Over/Under Contract & Amount _____
Dates Started and Completed _____ Completed on Time _____
Project Construction Supervisor _____
Architect/Engineering Firm & Contact _____
Address _____
Phone Number _____
Indicate whether: Prime Contractor, Sub-contractor or Joint Venture on project _____
Remarks _____

7. Name of Project _____
Owner & Contact _____
Address _____
Phone Number _____
Project Description _____
Project Location _____
Contract Amount _____ Over/Under Contract & Amount _____
Dates Started and Completed _____ Completed on Time _____
Architect/Engineering Firm & Contact _____
Address _____
Phone Number _____
Indicate whether: Prime Contractor, Sub-contractor or Joint Venture on Project _____
Remarks _____

8. Name of Project _____
Owner & Contact _____
Address _____
Phone Number _____
Project Description _____
Project Location _____
Contract Amount _____ Over/Under Contract & Amount _____
Dates Started and Completed _____ Completed on Time _____
Project Construction Supervisor _____
Architect/Engineering Firm & Contact _____
Address _____
Phone Number _____
Indicate whether: Prime Contractor, Sub-contractor or Joint Venture on project _____
Remarks _____

9. Name of Project _____
Owner & Contact _____
Address _____
Phone Number _____
Project Description _____
Project Location _____
Contract Amount _____ Over/Under Contract & Amount _____
Dates Started and Completed _____ Completed on Time _____
Architect/Engineering Firm & Contact _____
Address _____
Phone Number _____
Indicate whether: Prime Contractor, Sub-contractor or Joint Venture on Project _____
Remarks _____

10. Name of Project _____
Owner & Contact _____
Address _____
Phone Number _____
Project Description _____

Project Location _____
Contract Amount _____ Over/Under Contract & Amount _____
Dates Started and Completed _____ Completed on Time _____
Project Construction Supervisor _____

Architect/Engineering Firm & Contact _____
Address _____
Phone Number _____
Indicate whether: Prime Contractor, Sub-contractor or Joint Venture on Project _____
Remarks _____

2.3 How many years has Respondent been in business under present name?
As a prime contractor? : 59 As a subcontractor? : 59

2.4 How many years' experience in construction work has Respondent had?
As a prime contractor? : 59 As a subcontractor? : 59

2.5 Indicate Respondents principal contact person for this application:

Contact R L Metcalf
Address 2770 NW Rogers Circle, Troutdale, OR
Phone and Fax Number 503-252-1497 FAX-503-255-6147 97060

2.2 List of 10 major projects applicant has undertaken in the last 5 years.

1 Name of Project Beef Bend - Elsner

Owner & Contact Wash. County - John Kuppler

Address 2470 SE River Rd., Hillsboro, OR

Phone Number 503-846-7623

Project Description Paving

Project Location Washington County

Contract Amount \$2,151,000.00 Over/Under Contract & Amount (\$247,000.00)

Dates Started & Completed 4/00 - 10/01 Completed on Time Yes

Project Construction Supervisor Rod Myrick

Architect/Engineering Firm & Contact Rutan Construction - Vern

Address 21515 NW Cherry Lane, Hillsboro, OR

Phone Number 503-643-3737

Indicate whether: Prime Contractor, Sub-contractor or Joint Venture on Project Sub

Remarks _____

2 Name of Project I-5 Tigard

Owner & Contact ODOT - Sue Grabowsky

Address _____

Phone Number 503-731-8502

Project Description Rock & Paving

Project Location I-5 @ 217 Tigard

Contract Amount \$4,120,000.00 Over/Under Contract & Amount (\$477,000.00)

Dates Started & Completed 3/00 - 6/01 Completed on Time Yes

Project Construction Supervisor Dan Pokorny

Architect/Engineering Firm & Contact Kiewit Pacific - Bob Shockney

Address 6600 SW Sandburg St., Tigard, OR

Phone Number 503-603-9338

Indicate whether: Prime Contractor, Sub-contractor or Joint Venture on Project Sub

Remarks _____

3 Name of Project Marys Woods (Marylhurst)
 Owner & Contact Marys Woods @ Marylhurst
 Address PO Box 25, Marylhurst, OR
 Phone Number _____
 Project Description Paving
 Project Location Marylhurst, OR
 Contract Amount \$591,435.00 Over/Under Contract & Amount 0
 Dates Started & Completed 9/99 - 3/01 Completed on Time Yes
 Project Construction Supervisor Dan Pokorny
 Architect/Engineering Firm & Contact Andersen/Weitz - Dan D.
 Address PO Box 22, Marylhurst, OR
 Phone Number 503-675-3523
 Indicate whether: Prime Contractor, Sub-contractor or Joint Venture on Project Sub
 Remarks _____

4 Name of Project Wood Village Town Center
 Owner & Contact Koll Development Co.
 Address 223rd & Glisan
 Phone Number 503-674-3776
 Project Description Road Paving
 Project Location 223rd & NE Glisan, Wood Village, OR
 Contract Amount \$670,480.00 Over/Under Contract & Amount _____
 Dates Started & Completed 09/00 - 01/01 Completed on Time Yes
 Project Construction Supervisor Marc Schoenberg
 Architect/Engineering Firm & Contact SD Deacon - Rich Refuem
 Address PO Box 25392, Portland, OR
 Phone Number 503-297-8791
 Indicate whether: Prime Contractor, Sub-contractor or Joint Venture on Project Sub
 Remarks _____

5 Name of Project Burnside - Sandy WCL
 Owner & Contact ODOT - Mark Beeson
 Address 999 NW Frontage Rd., Troutdale, OR
 Phone Number 503-667-8834
 Project Description Paving
 Project Location Hwy. 26 - Burnside to Sandy
 Contract Amount \$3,087,609.00 Over/Under Contract & Amount \$76,376.00
 Dates Started & Completed 6/99 - 10/00 Completed on Time No
 Project Construction Supervisor Dan Pokorny
 Architect/Engineering Firm & Contact ODOT
 Address _____
 Phone Number _____
 Indicate whether: Prime Contractor, Sub-contractor or Joint Venture on Project Prime
 Remarks _____

6 Name of Project Estacada Paving Package
 Owner & Contact Clackamas Co. - Bill Garity
 Address 9101 SE Sunnybrook Blvd., Clackamas, OR
 Phone Number 503-353-4400
 Project Description Paving
 Project Location Estacada, OR
 Contract Amount \$1,698,776.00 Over/Under Contract & Amount \$12,480.00
 Dates Started & Completed 6/00 - 10/00 Completed on Time Yes
 Project Construction Supervisor Dan Pokorny
 Architect/Engineering Firm & Contact Clackamas County
 Address _____
 Phone Number _____
 Indicate whether: Prime Contractor, Sub-contractor or Joint Venture on Project Prime
 Remarks _____

7 Name of Project SW Elligsen Rd.
 Owner & Contact City of Wilsonville - Dee Staten
 Address 30000 SW Town Center Loop E., Wilsonville, OR
 Phone Number 503-682-4940
 Project Description Paving
 Project Location Wilsonville, OR
 Contract Amount \$657,264.00 Over/Under Contract & Amount \$281,729.00
 Dates Started & Completed 7/99 - 10/00 Completed on Time Yes
 Project Construction Supervisor Marcus Schoenberg
 Architect/Engineering Firm & Contact _____
 Address _____
 Phone Number _____
 Indicate whether: Prime Contractor, Sub-contractor or Joint Venture on Project Prime
 Remarks Added paving to contract - change

8 Name of Project 1999 Overlay
 Owner & Contact City of Beaverton - Sharon Woodhouse
 Address PO Box 4755, Beaverton, OR
 Phone Number 503-526-2229
 Project Description Paving
 Project Location Beaverton, OR
 Contract Amount \$462,598.00 Over/Under Contract & Amount (\$21,611.00)
 Dates Started & Completed 7/99 - 8/00 Completed on Time Yes
 Project Construction Supervisor _____
 Architect/Engineering Firm & Contact _____
 Address _____
 Phone Number _____
 Indicate whether: Prime Contractor, Sub-contractor or Joint Venture on Project Prime
 Remarks _____

9 Name of Project I-84 from 223rd to Troutdale
 Owner & Contact ODOT - Mark Beeson
 Address 999 NW Frontage Rd., Troutdale, OR
 Phone Number 503-667-8834
 Project Description Paving
 Project Location I-84 from 223rd to Troutdale
 Contract Amount \$1,890,563.00 Over/Under Contract & Amount (\$21,001.00)
 Dates Started & Completed 4/97 - 4/00 Completed on Time Yes
 Project Construction Supervisor Dan Pokorny
 Architect/Engineering Firm & Contact ODOT - Kiewit Pacific - Rick Kress
 Address PO Box 1769, Vancouver, WA
 Phone Number 503-665-3466
 Indicate whether: Prime Contractor, Sub-contractor or Joint Venture on Project Sub
 Remarks _____

10 Name of Project 1999 URMD
 Owner & Contact Washington County - John Kuppler
 Address 2470 SE River Rd., Hillsboro, OR
 Phone Number 503-846-7623
 Project Description Paving
 Project Location Washington County
 Contract Amount \$808,948.00 Over/Under Contract & Amount (\$66,531.00)
 Dates Started & Completed 7/99 - 9/99 Completed on Time Yes
 Project Construction Supervisor Dan Pokorny
 Architect/Engineering Firm & Contact _____
 Address _____
 Phone Number _____
 Indicate whether: Prime Contractor, Sub-contractor or Joint Venture on Project Prime
 Remarks _____

2.6 What is the construction experience of all owners, officers, partners and principal individuals in Respondent's organization? Also list any other individuals or organization who, in any way and to any extent, controls or influences the bidding.

Individual's Name	Present Position or Office	Years of Construction	Magnitude and Type of Work	In What Capacity
See attached Schedule 2.6				

2.8 Indicate contractor's licenses or registration numbers held as required by Oregon Statutes:

Corporation Division Registration No.: N/A

Construction Contractors Board No.: 14940

Landscape Contractors License No.: N/A

Electrical License No.: N/A

Plumbing License No.: N/A

Pressure Vessel Installers License No.: N/A

Other License No.: N/A

2.6 Constuction Experience

Individuals' Name	Present Position or Office	Years of Construction	Magnitude and Type of Work	In What Capacity
A. J. Urbanek	President	37	All Types of Road Const.	Operator & Supt.
R. L. Metcalf	Vice President	24	General Cont.	Controller/CFO
R. L. Metcalf	Sec./Treas.	24	General Cont.	Controller/CFO
Ron Baird	Paving Supt.	37	General Cont.	Superintendent
Dan Pokorny	Project Manager	31	All Types	Estimating/Manager
Marcus Schoeberg	Estimator	15	All Types	Estimating
Rod Myrick	General Supt.	27	All Types	Management/Est.

3.1 PLANTS AND EQUIPMENT

Quantity, Description and Capacity of Items	Age in Years	Condition of Equipment
2-10CY MACK DUMP TRUCKS & 2-20 CY KENWORTH TRUCKS & TRANSFERS	15 &19	GOOD
5-FREIGHTLINER TRACTORS W/BELLY TRAILERS, PUPS & TRANSFERS	6	GOOD
3-WATER TANK TRUCKS: 1-1000 GAL. & 2-2000 GAL.	VARIOUS	GOOD
4-FLATBED, PERSONNEL & SERVICE TRUCKS	VARIOUS	GOOD
2-ENTYRE DISTRIBUTORS: 4000 GAL & 1250 GAL.	24 &35	GOOD
28-PICKUPS: 1/2 & 3/4 TON, 5- PASSENGER CARS	VARIOUS	GOOD
1-CATERPILLAR 980C LOADER &1-CAT 966 LOADER	21&36	GOOD
5-CATERPILLAR PATROL GRADERS MOD 14G & 12; 1-HUBER	VARIOUS	GOOD
22-ROLLERS: VARIOUS SIZE TANDEM/3 WHEEL VIB.	VARIOUS	GOOD
5-VARIOUS SIZE MACH. TRAILER: 4-BEMCO DEMO TRLS.	VARIOUS	GOOD
5-PAVING MACHINES	VARIOUS	GOOD
2-BARBER GREEN PAVING MACH-BG 245 &BG P/U MACH.	13 &16	GOOD
1-CEDARRAPIDS 461 PAVER & 1-CEDARRAPIDS MS-1 P/U	6	GOOD
1-FLANHERTY CHIP SPREADER: 1-W H CHIP SPREADER	VARIOUS	GOOD
2-CASE BACKHOES MODEL 580-C: 1-CAT 416B BACKHOE	VARIOUS	GOOD
2-PUGMILL PLANTS: FOR CTB, COLD MIX, ETC.	23 &12	GOOD

Total Market value of Equipment \$5,000,000.00

3.2 Does applicant intend to rent equipment? If so, provide a general description:

No

Where available: N/A

SECTION 4 – FINANCIAL INFORMATION AND CAPACITY

4.1 Indicate the total amount of work, expressed in dollars, which the applicant can be bonded for at one time (attach letter from licensed bonding company or agent as evidence):

\$ 30,000,000.00

The contract(s) for which this qualification is sought require bid and performance bond(s). The applicant shall state the name of the agent and name, address, and telephone number of the surety company applicant expects to provide the bonds.

Name of Agent Anchor Insurance + Surety Inc.
Surety Company Safeco Insurance Company of America
Address 1201 SW 12th Ave., Portland, OR 97205
Phone Number 503-224-2500

4.2 Indicate the firm's form of business.

4.2 a If an Oregon corporation, answer this:

When Incorporated July 22, 1955
President A. J. Urbanek
1st Vice President R. L. Metcalf
Secretary R. L. Metcalf
Treasurer R. L. Metcalf
What officers are authorized to execute contracts: All officers

4.2 b If a general partnership, answer this:

Date of Organization N/A

If a foreign (out of State) co-partnership or persons engaging in business in the state under an assumed name, but not domiciled within this state, state whether or not such partnership or business organization has been registered as may be required in compliance with Chapter 648, Oregon Revised Statutes:

Name and Address of Partners: _____

4.2 c If a foreign (out of State) corporation, answer this:

When Incorporated N/A

In what state _____

Date of authorization to transact business in the State of Oregon _____

Has applicant filed with the Department of Revenue forms required by ORS 279.021? _____

Treasurer _____

President _____

1st Vice President _____

Secretary _____

Treasurer _____

What officers are authorized to execute contracts: _____

Name and address of registered agent in Oregon: _____

4.2 d If a limited liability company, limited liability partnership or a limited partnership indicate below: N/A

- Check One: Limited liability company
 Limited liability partnership
 Limited partnership

Have you registered with the State Corporation Division, Business Registry?
 Yes No

Name and address of organizer: _____

List who is authorized to execute contracts: _____

4.2 e If doing business under an assumed business name, fill out the following information:

Name of assumed business:
N/A

Owner's name and address: _____

Registration Date: _____ Expires: _____

4.2 f If doing business as a sole proprietorship, fill out the following information:

Individual's name liable for all obligations of business: N/A

If you are a sole proprietor using an assumed business name, please list names below: _____

Registration Date: _____ Expires: _____

4.3 List those individuals, companies or corporations owning 10% or more of applicant's firm.

Rogers Construction Inc.

4.4 List any organization, owned or controlled by the applicant, its officers, directors, partners and anyone owning at least 10% interest in the firm, or in which the applicant was or is an officer, director, partner, doing business in Oregon under another name. If none, so state.

Tigard Sand & Gravel Co., Inc.

4.5 List all other personnel in applicant's organization who have a financial interest in or serve as officers or partners in another firm pre-qualified to bid in this or another state.

Individual's Name	Present Position or Office	Other Firm or Firms	Position in Other Firm(s)	State of Other Firm
A.J. Urbanek	President	Rogers Const. Inc. Circle Const. Co.	President	OR
R.L. Metcalf	Vice Pres. Secy./Treas	Rogers Const. Inc. Circle Const. Co.	Vice Pres. Secy./Treas.	OR

4.6 Financial report attachment. (See SOQ Submittal Content and Organization Section 4.6 for instructions.)

SECTION 5 – PUBLIC WORKS CONTRACT EXPERIENCE

5.1 Is your firm currently certified by the State of Oregon as a Disadvantaged Business Enterprise (DBE)

(Check one) Yes No

5.2 Have you ever been denied qualification by any state, local or federal agency in this or any other state?

(Check one) Yes No

If yes, please explain.

5.3 Have you ever been debarred from bidding on contracts by any state, local or federal agency in this or any other state under any State Law or Federal Law?

(Check one) Yes No

If yes, please explain.

5.4 Has any officer or partner of the applicant ever applied for qualification or Public Works contract with the City of Wilsonville or the State of Oregon Department of Corrections under a different name?

(Check one) Yes No

If yes, please explain.

5.5 Has the applicant ever failed to complete a state, local or federal public improvement (works) contract?

(Check one) Yes No

If yes, please explain.

5.6 Has any officer or partner of the applicant ever been found in breach of a local, state or federal contract?

(Check one) Yes No

If yes, please explain.

5.7 Does the Respondent have any unpaid judgements and/or unadjudicated claims in excess of \$5,000? (See SOQ Submittal Content and Organization Section 47 for instructions.)

(Check one) Yes No

If yes, please explain. (If this information is confidential, attach a second sealed envelope clearly marked as such.)

SECTION 6 – AUTHORIZED EMPLOYEE

6.1 Authorized Employee Representative of the Respondent

By submitting a Statement of Qualifications for the Project, respondents expressly represent that they have taken no exception to any term, condition, obligation or requirement of the RFQ that is not clearly and expressly stated in their SOQ.

Respondents further represent that they are an Authorized Employee Representative of the Respondent and will report immediately to the City in writing any errors, inconsistencies, ambiguities, terms which limit competition, or terms which are otherwise unlawful that they discover in the RFQ.

R L Metcalf Vice Pres.
(Signature and Title)

SECTION 7 - AFFIDAVIT

AFFIDAVIT:

STATE _____)
OF _____)

County of _____) ss.

I, R. L. Metcalf being first sworn, state that
Vice Pres. am
(Title) of the applicant herein and that the statements made in this application

are true and I acknowledge that any false, deceptive or fraudulent statements on the application or at a hearing will result in the denial of qualification, and may subject me to charges of false swearing or perjury should there be any subsequent material reduction in applicant's ability to carry out any project for which applicant desires to submit a bid; applicant will give written notice of such change to the designated officer.

City of Wilsonville
Engineering Department

to whom this application is submitted at least ten days prior to the bid opening and that it is understood that such notice may change the eligibility of applicant to submit the bid.

R. L. Metcalf
(Original

Vice Pres.

(Title)

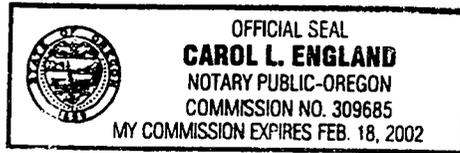
Signature)

Subscribed and sworn to
before me this

8th day of January, Year 2002

C. England

Original Notary Public Signature



My commission
expires

Feb 18, 2002



ANCHOR INSURANCE & SURETY, INC.

500 Century Tower • 1201 S.W. 12th Avenue • Portland, OR 97205-2030 • (503) 224-2500 • FAX (503) 224-9830

January 8 2002

City of Wilsonville
30000 SW Town Center Loop East
Wilsonville, OR 97070

RE: OREGON ASPHALTIC PAVING CO., Troutdale, Oregon
Surety Prequalification
Coffee Creek Correctional Facility Infrastructure
Phases 5 & 7 Street Construction

To Whom It May Concern:

I am writing to you at the request of OREGON ASPHALTIC PAVING, INC. It is my understanding that OREGON ASPHALTIC is bidding on the above captioned project.

My agency represents OREGON ASPHALTIC in all matters of surety bond credit. Accordingly, please be advised that OREGON ASPHALTIC is in good standing with their surety, SAFECO INSURANCE COMPANY OF AMERICA. Recent bond commitments handled by my agency for OREGON ASPHALTIC have exceeded \$30 million and involved backlog work programs larger than that created by your project now being discussed.

Should OREGON ASPHALTIC be awarded and accept your project, we are prepared to issue standard industry Performance and Payment bonds as needed at the start of the project. Typical underwriting requirements to qualify bonding would include the review of the contract documents.

OREGON ASPHALTIC is financially solid and its management and personnel enjoy an enviable reputation in our business community for quality work produced on time. If I can be of further assistance, please do not hesitate to call me at 503-224-2500.

Sincerely,

ANCHOR INSURANCE & SURETY, INC.

Gene M. Dietzman, Agent

GMD:gjb

Exhibit A-10

City of Wilsonville
Engineering Department
30000 SW Town Center Loop E
Wilsonville, Oregon 97070
(503) 682-4092



STATEMENT OF QUALIFICATION APPLICATION

Statement of KERN CONTRACTORS, INC.
(Contractor's Registered Company Name)

Address to which all correspondence should be mailed:

Physical Address 19350 SW 89TH AVENUE

Mailing Address P.O. BOX 1168

City TUALATIN State OR Zip Code 97062

Phone No. (Area Code) 503 692.5514

Fax No. (Area Code) 503 692.1854

Date Application Prepared 1/10/02

This Statement of Qualifications is submitted for the following projects:

Coffee Creek Correctional Facility Infrastructure Phases 5 & 7

Qualifications Requested: December 19, 2001

Qualifications Due: 12:00 PM (noon) Pacific Standard Time, January 11, 2002

Scheduled Bid Solicitation: February 5, 2002

Scheduled Bid Opening: February 21, 2002

INSTRUCTIONS

Introductory Statement

In accordance with the statutes of the State of Oregon, every public contracting agency contemplating receiving bids for and awarding any contract for a public improvement may require any prospective bidder (*herein after referred to as Respondent*) to submit a full and complete statement concerning their equipment and experience in constructing public improvements.

The application and questionnaire forms which are bound herewith comply with the requirements of public contracting rules and must be used in determining the qualifications of Respondents and in assigning limits as to the size and kinds of projects for which the Respondents may submit bids.

The Respondents should use care and integrity in preparing this information. The public contracting agency may make independent inquiries concerning the Respondents past performance and/or capabilities.

Manner of Preparing and Filling in Forms

This application shall include information for only the specific single business organization or entity which is applying for qualification and which would be the signatory on a contract with the public contracting agency.

All answers and other entries on the forms, except signatures, should be filled in on a typewriter or printed. To make this possible, the forms may be taken apart by removing the staples by which they are bound. It shall be the responsibility of the applicant to return all pages whether applicable or not. Failure to do so may be grounds for rejection. The forms are available in electronic format from the City of Wilsonville (contact Donna Ratter at 503-682-4960 or ratter@ci.wilsonville.or.us). All pages whether applicable or not must be submitted in hard copy. **No electronic submissions will be accepted.**

All answers and entries shall be specific and complete in detail.

The qualification application shall be signed by the Respondent and sworn to as the form indicates. The signatory of the statement guarantees the truth and accuracy of all statements and of all answers to questions.

An original signed application must accompany the qualification application. (Photocopy or facsimile signatures will not be accepted)

Use of Attachments

Schedules, reports and other forms of qualification statements may be used as attachments to the prescribed form, provided that the information contained therein specifically includes the information required by this form.

Requests for Further Information

For general information regarding this SOQ Application, refer to the Request for Qualifications packet, General Instructions section. All requests for additional information and clarifications shall be made directly to the City's primary contact person, John Michael. In Mr. Michael's absence, respondents may contact the City's alternate contact person, Pat Carroll. Contact information is provided in the section referenced above.

(THIS SPACE INTENTIONALLY LEFT BLANK)

SEE ATTACHED

Please answer each section and question in the application.
Failure to do so may result in disqualification.

SECTION 1 – ORGANIZATION OF CONSTRUCTION FIRM

1.1 Organization chart or outline of construction firm.

1.2 Organization chart or outline of prime contractor and sub-contractors.

SECTION 2 - MANAGEMENT AND CONSTRUCTION EXPERIENCE

2.1 Indicate the anticipated major sub-contractors for this project and the class or type of work.

Amount	Class or Type of Work	Contract %
	ASPHALT PAVING	15%
	CONCRETE	10%
	ELECTRICAL	10%
	LANDSCAPE	10%
	SIGNS/STRIPING	5%

2.2 List ten major projects applicant has undertaken in the last five years. (List most recent projects first.)

1. Name of Project GAARDE STREET

Owner & Contact CITY OF TIGARD MIKE MILLS

Address 13125 SW HALL BLVD., TIGARD, OR 97223

Phone Number 503.639.4171

Project Description MUNICIPAL STREET CONSTRUCTION

Project Location TIGARD, OR

Contract Amount 1,100,000 Over/Under Contract & Amount Ø

Dates Started and Completed 10/99 Completed on Time 4/01

Project Construction Supervisor BRYANT KELL

Architect/Engineering Firm & Contact CITY OF TIGARD

Address 13125 SW HALL BLVD., TIGARD OR 97223

Phone Number 503.692.4171

Indicate whether: Prime Contractor, Sub-contractor or Joint Venture on project PRIME

Remarks _____

2. Name of Project 102ND & CORNELL ROAD
Owner & Contact WASHINGTON COUNTY, WAYNE SELANDER
Address 1400 S. WALNUT HILLSBORO, OR 97123
Phone Number 503.846.4530
Project Description MUNICIPAL STREET CONSTRUCTION
Project Location WASHINGTON COUNTY, OR
Contract Amount 636,000 - Over/Under Contract & Amount 0
Dates Started and Completed 7/1/00 Completed on Time 1/15/01, YES
Project Construction Supervisor TIM KERR
Architect/Engineering Firm & Contact WASHINGTON COUNTY, WAYNE SELANDER
Address 1400 S. WALNUT, HILLSBORO, OR 97123
Phone Number 503.846.4530
Indicate whether: Prime Contractor, Sub-contractor or Joint Venture on Project PRIME
Remarks _____

3. Name of Project WESTSIDE INTERCEPTOR
Owner & Contact CITY OF LEBANON RON WHITLACH
Address 925 MAIN STREET, LEBANON, OR 97355
Phone Number 541.451.7441
Project Description STEM/SANITARY SEWER
Project Location LEBANON, OR
Contract Amount 1,900,000 Over/Under Contract & Amount 100,000 -
Dates Started and Completed 9/00 Completed on Time 2/01, YES
Project Construction Supervisor MATT POSEY
Architect/Engineering Firm & Contact CITY OF LEBANON, RON WHITLACH
Address 925 MAIN STREET, LEBANON, OR 97355
Phone Number 541.451.7441
Indicate whether: Prime Contractor, Sub-contractor or Joint Venture on Project PRIME
Remarks _____

4. Name of Project TOLEDO WASTE LINE
Owner & Contact GEORGIA PACIFIC
Address 1 BUTLER BRIDGE ROAD, ~~AT~~ TOLEDO, OR 97391
Phone Number 541.336.8316
Project Description WATERLINE
Project Location TOLEDO, OREGON
Contract Amount 1,500,000 Over/Under Contract & Amount 0
Dates Started and Completed 7/30/00 Completed on Time 10/30/00, Y
Project Construction Supervisor MATT POSEY
Architect/Engineering Firm & Contact SELEPCO RESOURCES, GARY GRAF
Address 4030 LAKE WASHINGTON BOVD., KIRKLAND, WA 98033
Phone Number 425.822.2462
Indicate whether: Prime Contractor, Sub-contractor or Joint Venture on project PRIME
Remarks _____

5. Name of Project TARGET DISTRIBUTION
Owner & Contact NIELSEN DILLINGHAM BUILDERS
Address 9220 SW BARBUR BLVD., PORTLAND, OR 97214
Phone Number 503.246.2008
Project Description SITE DEVELOPMENT
Project Location ALBANY, OR
Contract Amount 5.5 M Over/Under Contract & Amount 0.5 M
Dates Started and Completed 5/30/00 Completed on Time 11/1/00, Y
Architect/Engineering Firm & Contact WRCA DESIGN, BEN WILLIAMS
Address 5414 SW WESTGATE, SUITE 100, PORTLAND, OR 97221
Phone Number 503.419.2500
Indicate whether: Prime Contractor, Sub-contractor or Joint Venture on Project SUB
Remarks _____

6. Name of Project HIGHWAY 260 TRANSMISSION LINE
Owner & Contact TUALATIN VALLEY WATER, GARY PIPPER
Address P.O. BOX 745, BEAVERTON, OR 97005
Phone Number 503.642.1511
Project Description WATERLINE
Project Location WASHINGTON COUNTY, OR
Contract Amount 5.2 M Over/Under Contract & Amount 0
Dates Started and Completed 6/1/99 Completed on Time 5/31/00, YES
Project Construction Supervisor TIM KERR
Architect/Engineering Firm & Contact ECONOMICS & ENGINEERING, DAVID BELL
Address 626 COLUMBIA STREET NW, OLYMPIA, WA 98501
Phone Number 360.352.5090
Indicate whether: Prime Contractor, Sub-contractor or Joint Venture on project PRIME
Remarks _____

7. Name of Project FRED MEYER - FLORENCE
Owner & Contact FRED MEYER STORES, RAY ALTHAUS
Address 3800 22ND AVE, PORTLAND, OR 97202
Phone Number 503.797.3528
Project Description SITE DEVELOPMENT
Project Location FLORENCE, OR
Contract Amount 2.5 M Over/Under Contract & Amount 1 M
Dates Started and Completed 9/99 Completed on Time 4/00, YES
Architect/Engineering Firm & Contact AHBL, DOUG TAPP
Address 2215 N. 30TH STREET, TACOMA, OR 98403
Phone Number 253.383.2422
Indicate whether: Prime Contractor, Sub-contractor or Joint Venture on Project PRIME
Remarks _____

8. Name of Project CEDAR HILLS BLVD. EXT.
Owner & Contact WASHINGTON COUNTY, AL GIRARD
Address 1400 S. WALNUT BLVD., HILLSBORO, OR 97123
Phone Number 503.846.4530
Project Description WASHINGTON COUNTY, OREGON
Project Location MUNICIPAL STREET
Contract Amount 5.5M Over/Under Contract & Amount Ø
Dates Started and Completed 6/96 Completed on Time 11/98, YES
Project Construction Supervisor ALAN ADLIN
Architect/Engineering Firm & Contact W&H PACIFIC, JIM EVANS
Address 8405 SW NIMBUS AVE, BEAVERTON, OR 97008
Phone Number 503.626.0455
Indicate whether: Prime Contractor, Sub-contractor or Joint Venture on project PRIME
Remarks _____

9. Name of Project METGER SANITARY SEWER
Owner & Contact CLEAN WATER SERVICES, STEVE LAMPERT
Address 155 N FIRST AVENUE, HILLSBORO, OR 97124
Phone Number 503.846.8621
Project Description SANITARY SEWER
Project Location WASHINGTON COUNTY, OREGON
Contract Amount 1,230,000 Over/Under Contract & Amount Ø
Dates Started and Completed 6/98 Completed on Time 1/99, YES
Architect/Engineering Firm & Contact CLEAN WATER SERVICES, STEVE LAMPERT
Address 155 N. FIRST AVE., HILLSBORO, OR 97124
Phone Number 503.846.8621
Indicate whether: Prime Contractor, Sub-contractor or Joint Venture on Project PRIME
Remarks _____

10. Name of Project OAK VILLAGE SANITARY SEWER
Owner & Contact CLEAN WATER SERVICES, STEVE LAMPERT
Address 155 N. FIRST AVE, HILLSBORO, OR 97124
Phone Number 503.846.8621
Project Description SANITARY SEWER

Project Location BOAKS, OREGON
Contract Amount 2,230,000 Over/Under Contract & Amount Ø
Dates Started and Completed 6/98-1/99 Completed on Time YES
Project Construction Supervisor TIM KERR

Architect/Engineering Firm & Contact CLEAN WATER SERVICES, STEVE LAMPERT
Address 155 N. FIRST AVE, HILLSBORO, OR 97124
Phone Number 503.846.8621
Indicate whether: Prime Contractor, Sub-contractor or Joint Venture on Project PRIME
Remarks _____

2.3 How many years has Respondent been in business under present name?

As a prime contractor?: 11 yrs As a subcontractor?: 11 yrs

2.4 How many years' experience in construction work has Respondent had?

As a prime contractor?: 25 yrs As a subcontractor?: 25 yrs

2.5 Indicate Respondents principal contact person for this application:

Contact ALAN W. APUN
Address P.O. BOX 1168, TUALATIN, OR 97062
Phone and Fax Number 503.692.5514, 503.692.1854 FAX

2.6 What is the construction experience of all owners, officers, partners and principal individuals in Respondent's organization? Also list any other individuals or organization who, in any way and to any extent, controls or influences the bidding.

Individual's Name	Present Position or Office	Years of Construction	Magnitude and Type of Work	In What Capacity
BRENT J. KERR	PRESIDENT	25 YRS	500K - 20M	FIELD ENGR, Proj. MGR, Supt.
ALAN W. APRIN	CHIEF EST.	17 YRS	0 - 15M	FIELD ENGR - Proj. MGR.
TIM J. KERR	GEN. Supt.	14 YRS	0 - 15M	FIELD ENGR - Proj. MGR

2.8 Indicate contractor's licenses or registration numbers held as required by Oregon Statutes:

Corporation Division Registration No.: 232644 84

Construction Contractors Board No.: 72559

Landscape Contractors License No.: N/A

Electrical License No.: N/A

Plumbing License No.: N/A

Pressure Vessel Installers License No.: N/A

Other License No.: _____

3.2 Does applicant intend to rent equipment? If so, provide a general description:

NO

Where available: _____

SECTION 4 – FINANCIAL INFORMATION AND CAPACITY

4.1 Indicate the total amount of work, expressed in dollars, which the applicant can be bonded for at one time (attach letter from licensed bonding company or agent as evidence):

\$ 40 MILLION

The contract(s) for which this qualification is sought require bid and performance bond(s). The applicant shall state the name of the agent and name, address, and telephone number of the surety company applicant expects to provide the bonds.

Name of Agent ANCHOR INSURANCE & SURETY

Surety Company SAFECO SURETY

Address 4800 SW MEADOW ROAD, LAKE OSWEGO OR

Phone Number 503.697.0170 / 97035

4.2 Indicate the firm's form of business.

4.2 a If an Oregon corporation, answer this:

When Incorporated 1991

President BRENT KERR

1st Vice President BRENT KERR

Secretary BRENT KERR

Treasurer BRENT KERR

What officers are authorized to execute contracts: BRENT KERR, ALAN APULIN

4.2 b If a general partnership, answer this:

N/A

Date of Organization _____

If a foreign (out of State) co-partnership or persons engaging in business in the state under an assumed name, but not domiciled within this state, state whether or not such partnership or business organization has been registered as may be required in compliance with Chapter 648, Oregon Revised Statutes:

Name and Address of Partners: _____

4.2 c If a foreign (out of State) corporation, answer this:

N/A

When Incorporated _____

In what state _____

Date of authorization to transact business in the State of Oregon _____

Has applicant filed with the Department of Revenue forms required by ORS 279.021? _____

Treasurer _____

President _____

1st Vice President _____

Secretary _____

Treasurer _____

What officers are authorized to execute contracts: _____

Name and address of registered agent in Oregon: _____

4.2 d If a limited liability company, limited liability partnership or a limited partnership indicate below: *N/A*

- Check One: Limited liability company
 Limited liability partnership
 Limited partnership

Have you registered with the State Corporation Division, Business Registry?
 Yes No

Name and address of organizer: _____

List who is authorized to execute contracts: _____

4.2 e If doing business under an assumed business name, fill out the following information:

Name of assumed business: *N/A*

Owner's name and address: _____

Registration Date: _____ Expires: _____

4.2 f If doing business as a sole proprietorship, fill out the following information: *N/A*

Individual's name liable for all obligations of business: _____

If you are a sole proprietor using an assumed business name, please list names below: _____

Registration Date: _____ Expires: _____

4.3 List those individuals, companies or corporations owning 10% or more of applicant's firm.

NONE

4.4 List any organization, owned or controlled by the applicant, its officers, directors, partners and anyone owning at least 10% interest in the firm, or in which the applicant was or is an officer, director, partner, doing business in Oregon under another name. If none, so state.

COLUMBIA NORTHWEST RECYCLING

4.5 List all other personnel in applicant's organization who have a financial interest in or serve as officers or partners in another firm pre-qualified to bid in this or another state.

Individual's Name	Present Position or Office	Other Firm or Firms	Position in Other Firm(s)	State of Other Firm
N/A				

4.6 Financial report attachment. (See SOQ Submittal Content and Organization Section 4.6 for instructions.)

"SEE ATTACHED"

SECTION 5 – PUBLIC WORKS CONTRACT EXPERIENCE

5.1 Is your firm currently certified by the State of Oregon as a Disadvantaged Business Enterprise (DBE)

(Check one) Yes No

5.2 Have you ever been denied qualification by any state, local or federal agency in this or any other state?

(Check one) Yes No

If yes, please explain.

5.3 Have you ever been debarred from bidding on contracts by any state, local or federal agency in this or any other state under any State Law or Federal Law?

(Check one) Yes No

If yes, please explain.

5.4 Has any officer or partner of the applicant ever applied for qualification or Public Works contract with the City of Wilsonville or the State of Oregon Department of Corrections under a different name?

(Check one) Yes No

If yes, please explain.

5.5 Has the applicant ever failed to complete a state, local or federal public improvement (works) contract?

(Check one) Yes No

If yes, please explain.

5.6 Has any officer or partner of the applicant ever been found in breach of a local, state or federal contract?

(Check one) Yes No

If yes, please explain.

5.7 Does the Respondent have any unpaid judgements and/or unadjudicated claims in excess of \$5,000? (See SOQ Submittal Content and Organization Section 47 for instructions.)

(Check one) Yes No

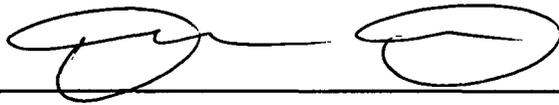
If yes, please explain. (If this information is confidential, attach a second sealed envelope clearly marked as such.)

SECTION 6 – AUTHORIZED EMPLOYEE

6.1 Authorized Employee Representative of the Respondent

By submitting a Statement of Qualifications for the Project, respondents expressly represent that they have taken no exception to any term, condition, obligation or requirement of the RFQ that is not clearly and expressly stated in their SOQ.

Respondents further represent that they are an Authorized Employee Representative of the Respondent and will report immediately to the City in writing any errors, inconsistencies, ambiguities, terms which limit competition, or terms which are otherwise unlawful that they discover in the RFQ.



CHIEF ESTIMATOR

(Signature and Title)

SECTION 7 - AFFIDAVIT

AFFIDAVIT:

STATE OF OREGON)

County of WASHINGTON ss.

I, ALAN W. APULIN

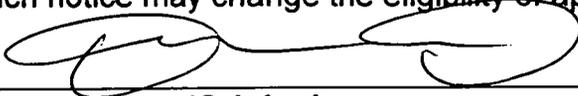
being first sworn, state that I am

CHIEF ESTIMATOR
(Title)

of the applicant herein and that the statements made in this application

are true and I acknowledge that any false, deceptive or fraudulent statements on the application or at a hearing will result in the denial of qualification, and may subject me to charges of false swearing or perjury should there be any subsequent material reduction in applicant's ability to carry out any project for which applicant desires to submit a bid; applicant will give written notice of such change to the designated offic

to whom this application is submitted at least ten days prior to the bid opening and that it is understood that such notice may change the eligibility of applicant to submit the bid.



(Original

Signature)

CHIEF ESTIMATOR

(Title)

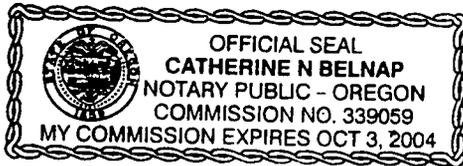
Subscribed and sworn to
before me this

11

day of

January

Year 2002



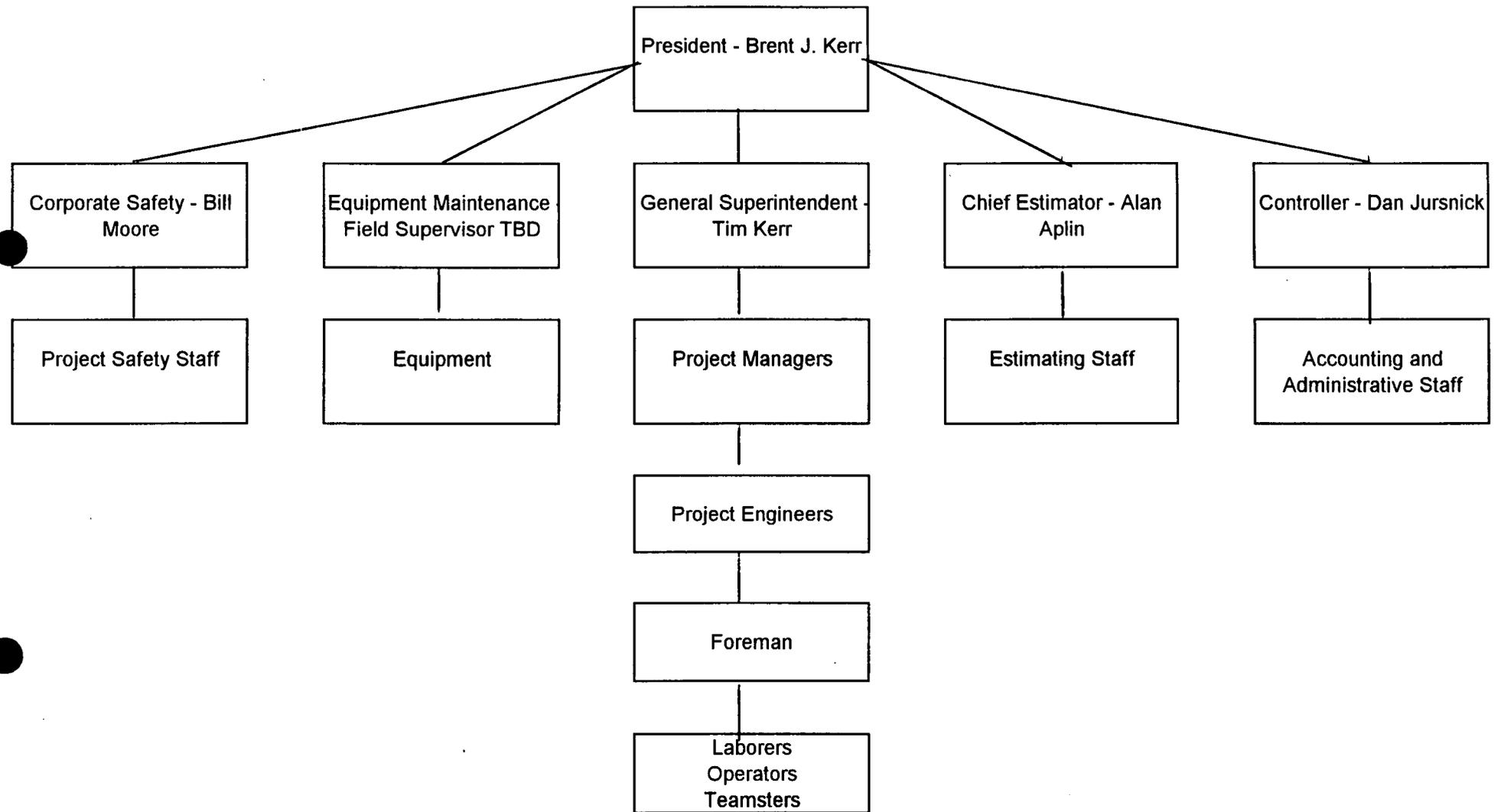
Catherine N. Belnap

Original Notary Public Signature

My commission
expires

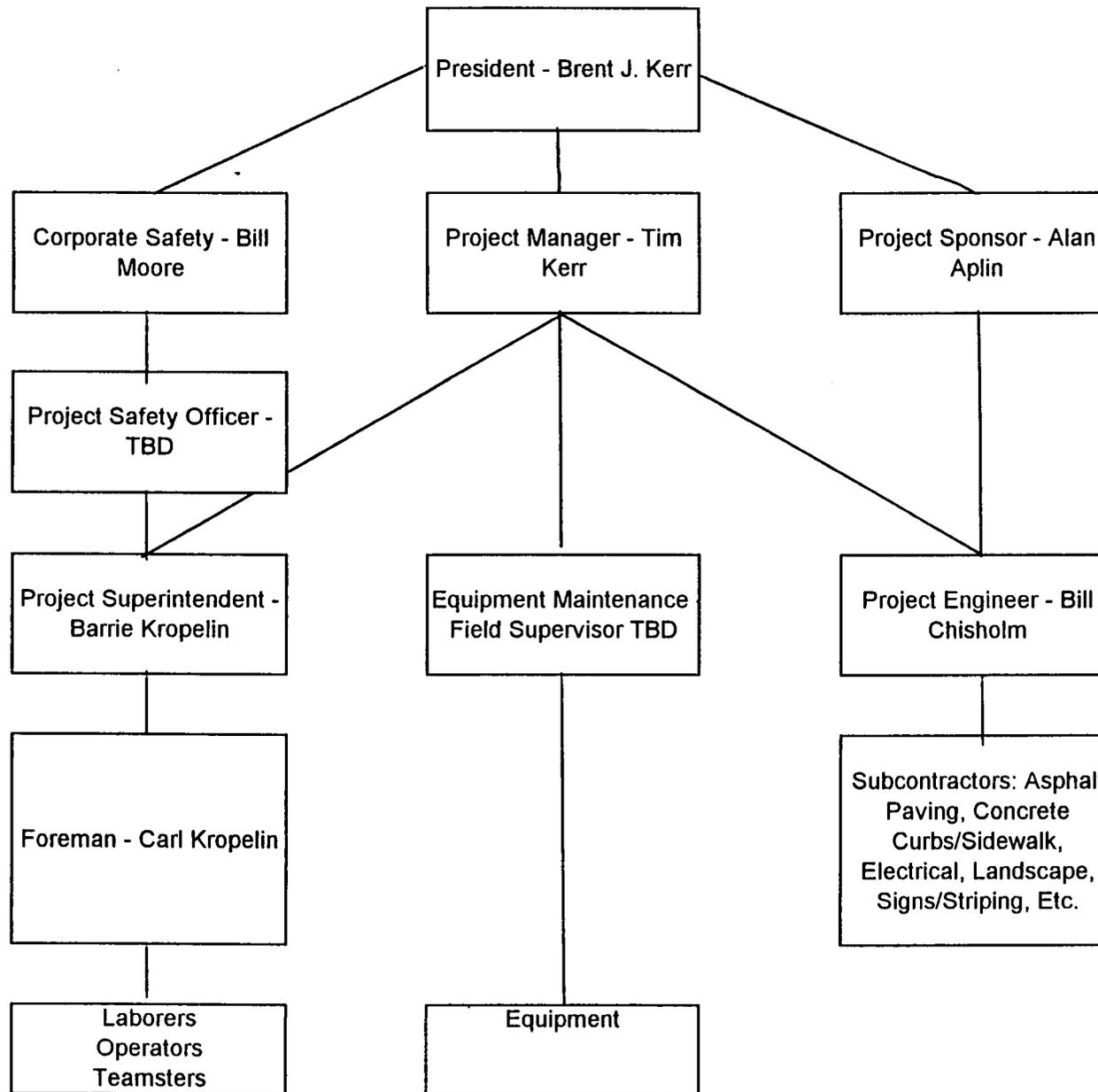
Oct. 3, 2004

Kerr Contractors, Inc. Company Organization



Proposed Project Organization

Coffee Creek Correctional Facility Infrastructure Phases 5 & 7



KERR CONTRACTORS, INC. EQUIPMENT LIST

#	DESCRIPTION	NUMBER	(IF APPLICABLE)	YEAR
DOZERS				
DZ140	CAT D-4C CRAWLER DOZER	IRJ577		1989
DZ141	CAT D-4H CRAWLER DOZER	8PB734		1986
DZ142	CAT D-4H LGP	9DB0987		1987
DZ143	CAT D-4H LGP	9DB01102		1988
DZ144	KOMATSU D-41P-6	B20143		1996
DZ150	CAT D-5H CRAWLER DOZER	8RC5752		1993
DZ158	CAT 824 RUBBER TIRE DOZER	29G00116		
DZ159	CAT 834 RUBBER TIRE DOZER	43E00578		1971
DZ160	CAT D-6M DOZER	3WN00532		1997
DZ161	D-65 KOMATSU LGP	40267	SOLD	
DZ162	CAT D6D DOZER	4X5465		1980
DZ163	CAT D6D LGP DOZER	32X0821		1979
DZ164	CAT D6R DOZER	5LN02593	DEMO	2000
DZ165	CAT D6H	4RC00447		
DZ170	CAT D7G DOZER	92V11678		1983
DZ179	CAT D9L DOZER	14Y04078	SOLD	
DZ180	CAT D8L DOZER (SOLD) 95,500 TO CONST POWER	53Y4718	SOLD	1987
DZ183	CAT D8L Dozer	53Y4221		1986
DZ184	90 CAT D9N CRAWLER	1JD02592		1990
DZ185	CAT D-9L CRAWLER U-DOZER	14Y01938		1982
DZ187	CAT D10N CRAWLER	2YD00726	SOLD	1988
DZ188	CAT D10 DOZER	84W00451		1979
PICK UP TRUCKS				
PU201	93 FORD RANGER (OPEN)	48320	TLD891	
PU206	92 FORD F250 (SAM)	26164	575ACN	
PU207	91 FORD (SHAD HUBER)	12294	VFS641	
PU208	97 FORD F350 (MILLING)(TOM DAILY)	IFTJW36F7VEAO	VGE053	
PU210	93 FORD F250 2 WHEEL DRIVE(PUNKIE)	74545	SWQ825	
PU212	95 FORD F250 (MIKE DOHERTY)	94660	UFX297	
PU214	90 FORD SHOP (?)	2FDLF47MXLCA93324		
PU215	93 FORD F150 WHITE (HANK)	1FTEX15NXPKB40714	TDC715	
PU216	89 FORD F150 (DARRELL)	DO NOT INSURE	PJH741	posting: purp
PU217	99 FORD F350 SUPERCAB (ALAN)	1FTSX31F1XEB20783	WNG852	
PU218	99 FORD F350 CREWCAB (BRENT)	1FTSW31F6XEB05912	WNH028	
PU219	99 FORD F250 RED (ROD)	1FTNX20F9XEA28989	WCM976	
PU220	97 FORD EXPLORER (BILL J.)	1FMDU35P7VUB89304	VWN097	
PU221	98 FORD RANGER (BILL JESPERSON)	1FTYR14CXWPA81205	689ASF	
PU222	'99 FORD F350 SUPERCAB (MILLING)(JOHN M)	1FTSX31FOXED70001	XCW606	
PU223	'00 FORD F350 SUPERCAB (MATT P.)	1FTSX31F5YEA63442	XGG704	
PU224	'00 FORD F350 SUPERCAB (TIM)	1FTSW31F9YED06771		
PU225	'00 FORD F350 (MILLING)(SHAWN CHILDS)	1FTSF30F4YED89933	XQN339	
PU226	93 FORD F250 (HANK)**	DO NOT INSURE		
PU227	USED BRONCO (MATT POSEY)	1FMEU15HXPLA18184		
PU228	01 F250 FORD (MIKE D)	1FTNX20F01EA92541		
PU229	00 DODGE (BILL C.)	3b7hc12y71g231851		
PU230	01 FORD F250 (DAN J)	1FTNX20S51EC01718		
PU231	01 FORD F250 (CHAD W)	1FTNX20S71EC01719		
PU232	FORD (BARRY'S)**	DO NOT INSURE		
PU233	96 FORD F250 (HOLLIS)	1FTHX26F6TEA22176	USF522	
PU234	02 FORD F150 (SAM'S)	1FTZX17241NB35034		
PU235	02 FORD RANGER (Shad)	1FTZR15E31PB33030		
PU236	02 FORD RANGER (Tom Eggers)	1FTZR15E51PB26838		
PU237	01 FORD RANGER (Eric Kerr)	1FTZR15E41PB33005		
PU238	01 DODGE 4X4 2500	3B7HF13Z11G717540		
SERVICE TRUCKS				
TR250	80 CHEVY 1 TON (YARD)	CCW33AZ111120	ULT198	

KERR CONTRACTORS, INC. EQUIPMENT LIST

#	DESCRIPTION	NUMBER	(IF APPLICABLE)	YEAR
TR251	79 DODGE SINGLE REAR WHEEL (SAW TRUCK)	234431	TMR851	
TR252	76 CHEVY 1 TON (OPEN)(GRANTS PASS)	119414	WKU381	
TR255	88 FORD F350 WHITE UTILITY BOX (JEFF H)	24391	UWH049	
TR256	92 CHEVY 3500 FLATBED (YAMHILL)	108905	T517550	
TR257	92 CHEVY 3500 FLATBED (MORGAN)	1GBKC34FXNJ107580	T518160	
TR258	79 FORD F800 FLATBED (YARD)	N80CVEB2803	T511860	
TR259	77 FORD F600 MECHANICS TRUCK (YARD)	F60DVZ00877	N427786	
TR260	69 FORD F700 FLATBED (YARD)	F70EUF53209	T504782	
TR261	INTERNATIONAL SERVICE TRUCK (WRECKED)	1HTAA1720BHB30952	T515984	
TR262	86 FORD F700 W/ CRANE	1FDXF70H2GVA58101	517525	
TR263	64 INTERNATIONAL WATER TRUCK (SOLD)	FD74270H		
TR264	83 GMC BRIGADEER LUBE TRUCK (LOGVIEW)	IGDM9C1ZXDV534293	T515255	
TR265	64 PETERBUILT WATER TRUCK (YARD)	16444	X35860	
TR266	66 PETERBUILT WATER TRUCK (YARD)	21810	LC84617	
TR270	17FT ALUMINUM BOAT	663416		
TR272	86 KENWORTH TRACTOR	1XKWD29XDGS330301	D1262	BI
TR275	82 GRON JOB SHACK TRAILER	1GRBE9020LB045003	HQ99025	
TR276	RANCO ANVIL END DUMP	R9ESC50SVL008476	HQ84689	
TR277	96 FORD MECHANICS TRUCK (BOB S)	1FTXR82E5TVA02071	T518456	
TR278	WHITE WATER TRUCK (MONTEREY)	LON2ELT463609		
TR279	RANCO ANVIL END DUMP W/ GREEN STRIPE	1R9ESC501VL008541	HRZ4170	
TR280	88 PETE 378 T/A TRUCK TRACTOR (GARY FARRIS)	1XPFD89X5JD265466	YCBX088	Gr
TR281	68 KW W900 T/A WATER TRUCK (HAGGEN PHASE II)	84128		
TR282	94 KW W900L LUBE TRUCK (BRETT S.)	1XKWDB9X8RS636780	YCRG309	
TR283	95 GMC WHITE TRUCK (ERIC MOORE)	1GDKC34F8SJ527325	T512723	
TR284	96 FORD, FLATBED, BLUE 250XL	2FDHF26H6TCA59976	VCQ563	
TR285	87 KENWORTH DUMP TRUCK - 4 AXLE (TERRY FARRIS)	S347861GL	YAPN466	Gr
TR286	98 KENWORTH SERVICE TRUCK (SKIP H.)	3BKMHD7X6WF771647		
TR287	96 KENWORTH CON T-800 (Tri-drive) (MICK)	1XKDP60X1TS941812	YADF602	
TR288	IHC 4300 TRI/DUMP TRUCK	D2137HGB12390		
TR289	'92 CHEVY FLATBED (MIKE GODDARD.)	1GBKC34F6NJ106586	T526535	
TR290	'99 F450 WHITE SERVICE BODY (MILLING) (?)	1FDXF46F3XEB58812	T529410	
TR291	'91 MACK TRACTOR (DARRELL VANWARMER)	1M2P270C1MM010736	T530626	Be
TR292	'88 PETERBILT DUMP TRUCK (DICK BENSIN)	1XP5D29X5JD216912	YCRJ758	
TR293	INTERNATIONAL S2500 SOLO (YARD)	CF257HHA26774	YCRB350	
TR294	96 KENWORTH T300 (ROD HUNTER)	2NKM77X0TM673379	T531366	serv
TR295	'97 FORD F350 RED FLATBED (JIM I)	1FDLF47GVEB72243	WEH738	
TR296	'00 FORD F450 WHITE SVC BODY(MILLING) (TOM DAILEY)	1FDXF46FXyec29778		
TR297	'00 FORD F450 FLATBED (ERIK KERR)	1FDXF46F7YEC13666		
TR298	KW W923 T/A FUEL TANKER 4000 GAL 9 (YARD)	118278		
TR299	KW T/A FUEL TANKER 5000 GAL 9 (YARD)	125997		
TR300	WHITE 2000 GALLON WATER TRUCK (YARD)	1WUCLJE4GN113696		
TR301	00 FORD F450 (KEVIN D)	1FDXF46F9YED76982		
TR302	KENWORTH 1974	136971		1974
TR303	00' ISUZU TESTING TRUCK (ADAM KING)	JALB4B150Y7008801		
TR304	00' FORD F450 (MIKE SHIELDS)	1FDXF46F7YER56804		
TR305	88 INTERNATIONAL 9300 TRI/A DUMP TRUCK	2HFSBX4R8JC007429		1988
TR306	1983 IHC BOOM TRUCK	1HTAA17B8DHA33128		1983
TR307	INT'L S1600 BOOM TRUCK	1HTSDZ7N2LH259116		
TR308	FORD L700 2,000 GAL H2O TRUCK	1FDPR70U6CVA09711		
TR309	FORD L8000 DUMP TRUCK	1FDXR82A9HVA11890		
TR310	INT'L F8000 4000 GAL WATER TRK	3T2M5DYB12520		
TR311	96 KW T800 TRI DRIVE	1NKDLR0X6TS943186		
TR312	93 PETERBUILT 378 TRI	1XPPFBEX0PD327376		
TR313	93 PETERBUILT 378 T/A	1XPFD89XPD334211		
TR314	92 PETERBUILT 377 T/A	1XPCDB9X3ND323048		
TR315	66 PETERBUILT LUBE TRUCK - COMPTON	22505		
TR316	F450 (IVERSON)	1FDXF46F91EA37791		
TR317	F450 (SKEETER)	1FDXF46F81EA06600		
TR318	HERTZ WATER TRK FORD F500 2000 GAL	1FDPF80C1VVA108		

KERR CONTRACTORS, INC. EQUIPMENT LIST

#	DESCRIPTION	NUMBER	(IF APPLICABLE)	YEAR
TR319	97 PETERBILT 377 T/A	1XPCD99X0VN430593		
TR320	98 PETERBILT 377 TZA	1XPCDB9X4WN465064		
TR321	00 FORD F650 - MILLING SERVICE TRUCK	3FDNF65Y8YMA76608		
TR322	91 INT'L EAGLE 9400	2HSFHX6R4MC053355		
TR323	87 INTERNATIONAL EAGLE DUMP TRUCK	2HSFBX6R3HC089917		
TR324	KW C500 OFF HIGHWAY T/A	155056S		
TR325	SAVAGE T/A MIXER TRUCK	WA98203280		
TR326	99 KW T800 DUMP 5-AXLE	1NKDXBTX2XR824443		
TR327	99 KW T800 DUMP 5-AXLE	1NKDXBTXDXR824442		
TL	TRAILERS		0	
TL200	TRAILKING TKT50 TILT TRAILER	1TKC02834WMM065015		
TL201	ASPEN LOWBOY/80 TON	2A9LB8030VS037138		
TL202	66 VAN TRAILER 30FT. (was TR268)	A11A4AAPC20286		
TL203	TOWMASTER TRAILER T-12P	4KNUT1623WL160962	H R 78039	
TL204	1999 ASPEN TRAILER/50 TON	1A9LB5239XL448083		
TL205	90 GREAT DANE 45' T/A TRAILER	52505		
TL206	LOADKING TRI AXLE MODEL 353LB	5643		
TL210	JOB TRAILER	7903808226		
TL211	'85 HOBBS '45 FLAT TRAILER	1H5PO4525FN013204		
TL212	BELLY DUMP W/ DOLLY	1A9FSH340EW090034		1985
TL213	BELLY DUMP	1A9FSH323EW090011/22		1984
TL214	BELLY DUMP	1A9FSH34EQ090031/23		1984
TL215	00' T-10DD TOWMASTER	4KNUT2025YL163508		
TL216	00' T-10DD TOWMASTER	4KNUT2025YL163509		
TL217	COMET 40' FLATBED TRAILER	77720465		
TL218	ALLOY VAN TRAILER	74377		
TL219	UTILITY VAN TRAILER	1UYVSW2450EU064803		
TL220	SMITH 2 AXLE PUP TRAILER	19AD12209CKA04292		
TL221	65 TON COZAD LOWBOY W/ JEEP (JEEP 1C9J24201K1167039)	109B4420XJ1167084		
TL222	97 FLOWBOY 4-AXLE & END DUMP	1H9PT3942VN101007		
TL223	80 FRUEHAUF 975 CU FT 3 AXLE PN	OMT000712		
TL224	79 PEERLESS 400 CU. FT. PNEUM	T793828		
TL225	ALLOY 48FT TRI/A	1ALSF0389JS881584		
TL226	97 Clement End Dump Trailer	1C9BB33B9VM110055		
TL227	LOAD KING HD50G LOWBOY FOLDING	7795		
TL228	LOAD KING T/A JEEP	7796		
TL229	PEERLESS 65TON W/JEEP & BOOSTER	T793637, 736401, 793637A		
TL230	HYSTER 60TON TRI/A LOWBOY	23073		
TL231	TRUCKWELD TRI/A PUP TL	1BN1P153XLK79280A		
TL232	93 FRUEHAUF PBAH3S48N 48'	1H2P04831PW012001		
TL233	01 GENERAL 60/70 TON LOWBOY	1G9DAM0021A008060		
TL233	01 GENERAL DOLLY DAJ-6817	1G9DAJ07X1A008061		
TL233	01 GENERAL REAR DOLLY DAM-6818	1G9DAB0521A008062		
TL233	DECK EXTENSION			
TL234	90 - TRAILMOBILE 48'	1PTF7ATH6L9004499		
TL235	91 GREAT DANE 48'	1GRDM9621MM039901		
TL236	92 TRANSCRAFT 48'	1TTF48202N1037390		
TL237	90 FONTAINIE 48'	13N145304L1549972		
TL238	88 GREAT DANE 48'	1GRDM9624JM076002		
TL239	94 FONTAINIE 48'	13n14820xr1561765	HS69436	
TL240	94 FONTAINIE 48'	13N148200R1561774	HS69437	
TL241	94 FONTAINIE 48'	13N148200R1561807	HS69438	
TL242	94 FONTAINIE 48'	13N148207R1561819	HS69439	
TL243	94 FONTAINIE 48'	13N148207R1561822	HS69440	
TL244	94 FONTAINIE 48'	13N148201MR1561833	HS69441	
TL245	96 STRUDYWELD	1S9CA5433TL189777		

KERR CONTRACTORS, INC. EQUIPMENT LIST

#	DESCRIPTION	NUMBER	(IF APPLICABLE)	YEAR
EX	EXCAVATORS			
EX300	KOBELCO SK-60 III EXCAVATOR	LE15547		1992
EX301	KOBLECO SK-035SR EXCAVATOR	PX0806720		2000
EX302	CAT E-70 EXCAVATOR	5TG00284		
EX303	KOBELCO SK-100 LC IV W/ 24" BUCKET	YWU-1133		1997
EX304	97 KATO HD510E	5105342		1997
EX305	HITACHI 120-1 EXCAVATOR W/ AUGER	12H61875		1985
EX306	KOBELCO SK120 EXCAVATOR	PU-1447		1997
EX307	KOBELCO SK135SRLC EXCAVATOR			2000
EX308	99 CAT 301.5 MINI EXCAVATOR	3YW000818		
EX310	KOBELCO SK-07 EXCAVATOR	YN02400		1990
EX311	KOBELCO SK-200 III EXCAVATOR W/ QC	YQU0403		1991
EX312	KOBELCO SK-200 III EXCAVATOR W/O QC	YQU1304		1993
EX313	KOBELCO SK-200 V EXCAVATOR	YN23692		1997
EX314	KOBELCO 907 W/ COMPACTOR	YQ00189		1988
EX315	93 HITACHIE EX150	1332948		
EX320	KOBELCO SK-220 III EXCAVATOR	LLU0922		1993
EX322	CAT 322L EXCAVATOR	9RL325		
EX323	KOBELCO SK-220LC III W/ 38" BUCKET	LLU-0443		1991
EX324	KOBELCO SK220 EXCAVATOR W/ BUCKET	LLU-0454		1992
EX325	KOBELCO SK220 V EXCAVATOR	LQ03526		1997
EX326	KOBELCO SK235SRLC EXCAVATOR	YNO100182	RPO	2000
EX330	KOBELCO SK250 VI EXCAVATOR	LL08U0274	RPO	2000
EX334	KOBELCO SK270 V EXCAVATOR	LBU0304		
EX335	KOBELCO SK310 V EXCAVATOR	LC03870		1997
EX338	CAT 235C HEEL BOOM LOG LOADER	3WG00080		
EX339	KOBELCO SK330LC VI EXCAVATOR	YC06U0220	RPO	2000
EX340	KOBELCO SK-400 IV EXCAVATOR	YSJ0032		1995
EX341	KOBELCO SK-400LC III EXCAVATOR	YSU0023		1993
EX342	KOBELCO SK-400LC III EXCAVATOR	YSU0057		
EX344	HITACHI EX 700 EXCAVATOR	172-1521	TRADED	1994
EX345	HITACHI EX750 EXCAVATOR	17CP-005286		1999
EX346	HITACHI EX 700 EXCAVATOR	172-1040		1990
EX347	HITACHI EX 700 EXCAVATOR	172-1066		
EX360	96 HITACHI EX1100BE	1781205		1996
EX365	01 HITACHI EX1200	17FP001021		
BH	RUBBER TIRED BACKHOES			
BH401	CAT 436 RUBBER TIRED BACKHOE	5KF00238		1988
BH402	CAT 426B RUBBER TIRED BACKHOE	6KL253		1994
BH404	KOBELCO 750 TLK BACKHOE	2CXS7503814		1995
BH405	CAT 416IT RUBBER TIRED HOE	1WR04080		1998
BH406	CAT 446 RUBBER TIRED BACKHOE	6XF00376		1990
BH407	JD 710 C 4X4 RUBBER TIRED	T0710CJ780194		1992
SC	SCRAPERS			
SC610	INTERNATIONAL E211 SCRAPER	834		
SC618	JOHN DEERE 860	7664	SOLD	
SC620	CAT 627B TWIN ENGINE SCRAPER	15S1468		1981
SC621	CAT 627B TWIN ENGINE SCRAPER	15S1494		1981
SC625	CAT 627B SCRAPER	14S0572	SOLD	
SC630	CAT 623B SCRAPER	46P390		1974
SC633	CAT 631B MOTOR SCRAPER	13G2866	sold	
SC635	CAT637D MOTOR SCRAPER	27W01604	SOLD	1982
SC636	CAT637D MOTOR SCRAPER	27W01007	SOLD	1979
SC637	CAT627B MOTOR SCRAPER	15S0634		1975
AT	ARTICULATED TRUCKS			
AT701	TEREX 2766C 6X6 ROCK TRUCK 1996	A5311098-16		1996

KERR CONTRACTORS, INC. EQUIPMENT LIST

#	DESCRIPTION	NUMBER	(IF APPLICABLE)	YEAR
AT702	TEREX 2766C 6X6 ROCK TRUCK	A7001183		1997
AT703	94 MOROOKA ALL TERRIAN DUMP TRUCK	OBL		
AT704	91 MOROOKA 1200L	R12003		91
AT735	94 VOLVO A35 6X6	A35V1822		
AT736	VOLVO A35 6X6	A35V2985		
CR	COMPACTORS - ROLLERS			
CR801	SAKAI ROLLER TW40 CURB ROLLER 68"	30816		1986
CR810	SAKAI ROLLER SV91TF 1989 PAD FT 84"	30658		1986
CR811	SAKAI SV91D	30075	TRADED	1984
CR812	SAKAI SV500 TF ROLLER PAD FT	VSV4T10178		1991
CR813	DYNAPAC ROLLER CA25ID84" SMOOTH	58312267		1995
CR815	SAKAI SV91D VIB ROLLER 84" SMOOTH	30331		1991
CR816	INGERSOLL RAND SD150D ROLLER	147114		1996
CR817	INGERSOLL RAND SD150D ROLLER	153109		
CR830	HYSTER GRID ROLLER	don't put on sedwick list		
CR831	5 X 5 SHEEPS FOOT		SOLD	
CR850	HYSTER 450 COMPACTION ROLLER	B96C2022U		1958
CR851	CAT 835 COMPACTOR	43EO483		1969
CR852	CAT 834 COMPACTOR	43E00471		1969
CR866	6X6 SHEEPS FOOT - TOWABLE			
LD	LOADERS			
LD900	MUSTANG LOADER 940 MF	243995D		1992
LD901	MUSTANG LOADER 960	462375D		1994
LD902	MUSTANG BROOM ATTACHMENT			
LD903	97 CASE 1838 SKID STEER LOADER	JAF0184005		1997
LD904	KUBOTA L2350 LOADER	65898		2000
LD932	KOBELCO LK 550 LOADER	RM02302		1992
LD933	KOMATSU 250 A WHEEL LOADER	A71126	TRADED LD935	7/12/2000
LD935	FIATALLIS FR140-2	R1409TC00372	TRADED	
LD939	CAT 924G LOADER		RPO FROM CAT	
LD940	KOBELCO LK 650 LOADER	RE02256		1992
LD941	KOBELCO LK 650 LOADER	RE02204		1991
LD943	CAT IT38F LOADER	6FN267		1995
LD944	CAT IT14G LOADER	1WN00428		1996
LD945	FIATALLIS FR180-2	R140TL00372		1998
LD947	CAT950B WHEEL LOADER	65RO1134		1983
LD950	CATERPILLER 980C	63X01501		1979
LD951	CAT 950G WHEEL LOADER	2JS00913		
LD952	CAT 980C WHEEL LOADER	63X5640		
LD955	91 TCM 890-2 WHEEL LOADER	69000139		
LD977	CAT 977L CRAWLER LOADER	11K6244	TRADED	1973
MC	MOBILE CRANES			
MC101	GROVE RT63S 30TON HYDRO	17913		
MG	MOTOR GRADERS			
MG640	CAT 140G GRADER WITH CAB	5MD00600		1989
MG641	CAT 140G GRADER WITHOUT CAB	72V07829		1984
MG642	90 CHAMPION 78A GRADER	780A199462026590		1990
MG650	CAT 14G MOTOR GRADER	96Y00843	SOLD	1978
MG651	CAT 14G MOTOR GRADER	96U04106		
MG660	CAT 16G MOTOR GRADER	93U1413		1978
MG661	CAT16G MOTOR GRADER	93UO2740		1988
MG662	80 CAT 16G MOTOR GRADER	93U01716		
SS	SCRAPER SUPPORT EQUIPMENT			

KERR CONTRACTORS, INC. EQUIPMENT LIST

#	DESCRIPTION	NUMBER	(IF APPLICABLE)	YEAR
SS681	INTERNATIONAL FARM TRACTOR			
SS682	INTERNATIONAL FARMING DISC			
SS683	MASSEY FERGUSON AG TRACTOR 4X4	9C005542	SOLD	1989
SS684	MASSEY FERGUSON PLOW ATTACHMENT	1694300644		
SS685	TEREX S24 WATER WAGON	35376	SOLD	
SS686	CAT CH65 BELTED AG TRACTOR	SN/7YC679		
EA	EXCAVATOR ATTACHMENTS			
EA350	KENT 15G ROCK HAMMER	2733		1996
EA351	KENT KHB50G ROCK HAMMER (SK400)	2016		1998
EA352	PTC 15 PH2 VIBRATORY HAMMER	41042/40027		2000
EA360	TRAMACK 9500 HOE PAC	808		1995
EA361	ALLIED HOE PAC (SMALL MACHINES)			
EA365	PRO-MAC BRUSH CUTTER	393		1998
EA370	KENT HYDRAPAC KHP 225			1997
EA371	HYDRAULIC AUGER			
PV	PAVING EQUIPMENT			
PV500	BOMAG BW120AD-3	101170512648		1994
RC	ROCK CRUSHERS			
RC114	92 TORGERSON XC PORTABLE CRUSHER	CX114		
RC115	CEDARRAPIDS PORTABLE JAW ROLL			
RC116	FRUEHAUF T/A CONTROL VAN	AV187934		
RM	ROTOMILLING			
RM201	'99 WIRTGEN W2000 MILLING MACH	06.20.09014212.0064		1999
RM202	'00 WIRTGEN W2200 MILLING MACH	08.21.09025165.0006		2000
RM203	98 WIRTGEN 1900DC MILLING MACH	5.20.07012863.0253	TRADED	1998
RM204	WIRTGEN W2200 FULL LANE MACH	08211001-07170028	DED IN RM203	
RM205	PRO CUT 500 MILLING MACHINE	5057093		
RS	ROTOMILLING SUPPORT			
RS301	BROCE SWEEPER MODEL RC-350 #3668	89932		2000
RS302	BROCE SWEEPER MODEL RJ-350 #3714	89931		2000
RS303	99 FIVE STAR BROOM BEAR	H0215		
RS304	DIRT - BROCE SWEEPER MODEL RC300	86611		
ME	MISC. EQUIPMENT			
ME700	PRO-CHOPPER (STRAW BLOWER)			
ME701	CHAMP 840 FORKLIFT	CC756735	8,500.00	SOLD
ME702	CONCRETE BARRIERS			
ME703	STEEL SHEETS			
ME704	SOLAR ARROW BOARD			
ME705	CAT V150 FORKLIFT	13V0184005		
ME706	PUGMILL			
ME707	1987 CAT T40 DSA FORKLIFK	2LC01024		1983
ME708	JD GATORS - UTILITY VEHICLE	W004X2X042600		
ME709	JD GATORS - UTILITY VEHICLE	X041208		
ME710	LIFT-ALL HT150	710076		
ME711	CUSTOMBUILT 6X7' 2 DECK			
ME712	GRIZZLY SCREEN			
ME713	REYNOLDS Hydraulic pull scraper bx	22185		
ME714	GPS GRADE CONTROLL			
ME715	CAT V130 FORKLIFT	13V01480		
ME716	DITCHWITCH R100	3D0914, 2C0478,629800		
TC	TRAFFIC CONTROL			
TC340	SIGN BOARD			
SH	SHORING EQUIPMENT			
SH371	EPI TRENCH BOX 4 X 20	106064		
SH372	EPI TRENCH BOX 8 X 20	106062		

KERR CONTRACTORS, INC. EQUIPMENT LIST

#	DESCRIPTION	NUMBER	(IF APPLICABLE)	YEAR
SH373	EPI TRENCH BOX 8 X 20	106061		
SH374	TRENCH BOX 816XLD	113841		
SH380	STONE MIZER	115807		
SH385	MANHOLE BOX			
CW	COMPRESSORS, WELDERS, ETC.			
CW200	MILLER WELDER			
CW210	CUT OFF SAWS			
CW211	STIHL TS460-14" CUT OFF SAW			
CW220	CHAIN SAWS			
CW230	CAT HYDRAULIC HOSE PRESS			
CW240	GARDNER DENVER 190 AIR COMPRESSOR	10148		
CW241	SULLIVAN AIR COMPRESSOR	12845A		
CW250	PIPE LASER			
CW260	SITE LASER			
CW270	HOME LIGHT TRASH PUMPS			
CW271	YAMAHA GENERATOR - MISC. GENS			
CW272	TARGET PRO 40II WALK BEHIND SAW			
CW273	ELLIOT MAGNETEK GENERATOR 90QD	BT05J457		
CW280	PLATE TAMPERS			
CW285	BALDERSON BROOM IT14 CAT LDR	3TL11172		
CW290	JUMPING JACK			
CW296	SCALES			
CW297	MILLER AIR PAK			
CW298	STEAM CLEANER			
CW299	HOSE PRESS			
CW300	25 KW MQ GENSET			
CW301	INGERSOLL RAND AIR COMPRESSOR 160	5719181048		
CW302	79 DAVEY AIR COMPRESSOR 125RPD	34P65-29270		
CW303	JET TUBE	KCI		
CW304	MILLER AIRPAK 500 AMP GEN/COM	LB178237		



PROMISSORY NOTE

Principal	Loan Date	Maturity	Loan No	Call / Coll	Account	Officer	Initials
\$2,000,000.00	05-10-2001		869057 / 099	04A0 / 910		***	

References in the shaded area are for Lender's use only and do not limit the applicability of this document to any particular loan or item. Any item above containing "****" has been omitted due to text length limitations.

Borrower: KERR CONTRACTORS, INC.
19350 SW 89TH AVENUE
TUALATIN, OR 97062

Lender: BANK OF THE WEST
Portland Business Banking Center #225
401 Southwest Fifth Avenue
Portland, OR 97204
(800) 300-8343

Principal Amount: \$2,000,000.00

Initial Rate: 8.000%

Date of Note: May 10, 2001

PROMISE TO PAY. KERR CONTRACTORS, INC. ("Borrower") promises to pay to BANK OF THE WEST ("Lender"), or order, in lawful money of the United States of America, on demand, the principal amount of Two Million & 00/100 Dollars (\$2,000,000.00) or so much as may be outstanding, together with interest on the unpaid outstanding principal balance of each advance. Interest shall be calculated from the date of each advance until repayment of each advance.

PAYMENT. Borrower will pay this loan immediately upon Lender's demand. Payment in full is due immediately upon Lender's demand. Borrower will pay regular monthly payments of all accrued unpaid interest due as of each payment date, beginning June 1, 2001, with all subsequent interest payments to be due on the same day of each month after that. Unless otherwise agreed or required by applicable law, payments will be applied first to any unpaid collection costs and any late charges, then to any unpaid interest, and any remaining amount to principal. Interest on this Note is computed on a 365/365 simple interest basis; that is, by applying the ratio of the annual interest rate over the number of days in a year (366 during leap years), multiplied by the outstanding principal balance, multiplied by the actual number of days the principal balance is outstanding. Borrower will pay Lender at Lender's address shown above or at such other place as Lender may designate in writing.

VARIABLE INTEREST RATE. The interest rate on this Note is subject to change from time to time based on changes in an index which is the Bank of the West Prime Rate (the "Index"). The Index is not necessarily the lowest rate charged by Lender on its loans and is set by Lender in its sole discretion. If the Index becomes unavailable during the term of this loan, Lender may designate a substitute index after notifying Borrower. Lender will tell Borrower the current Index rate upon Borrower's request. The interest rate change will not occur more often than each day. Borrower understands that Lender may make loans based on other rates as well. The Index currently is 7.500% per annum. The interest rate to be applied to the unpaid principal balance of this Note will be at a rate of 0.500 percentage points over the Index, resulting in an initial rate of 8.000% per annum. NOTICE: Under no circumstances will the interest rate on this Note be more than the maximum rate allowed by applicable law.

PREPAYMENT. Borrower agrees that all loan fees and other prepaid finance charges are earned fully as of the date of the loan and will not be subject to refund upon early payment (whether voluntary or as a result of default), except as otherwise required by law. Except for the foregoing, Borrower may pay without penalty all or a portion of the amount owed earlier than it is due. Early payments will not, unless agreed to by Lender in writing, relieve Borrower of Borrower's obligation to continue to make payments of accrued unpaid interest. Rather, early payments will reduce the principal balance due. Borrower agrees not to send Lender payments marked "paid in full", "without recourse", or similar language. If Borrower sends such a payment, Lender may accept it without losing any of Lender's rights under this Note, and Borrower will remain obligated to pay any further amount owed to Lender. All written communications concerning disputed amounts, including any check or other payment instrument that indicates that the payment constitutes "payment in full" of the amount owed or that is tendered with other conditions or limitations or as full satisfaction of a disputed amount must be mailed or delivered to: BANK OF THE WEST, Portland Business Banking Center #225, 401 Southwest Fifth Avenue, Portland, OR 97204.

LATE CHARGE. If a regularly scheduled interest payment is 15 days or more late, Borrower will be charged 5.000% of the unpaid portion of the regularly scheduled payment. If Lender demands payment of this loan, and Borrower does not pay the loan in full within 15 days after Lender's demand, Borrower also will be charged 5.000% of the unpaid portion of the sum of the unpaid principal plus accrued unpaid interest.

INTEREST AFTER DEFAULT. Upon default, including failure to pay upon final maturity, Lender, at its option, may, if permitted under applicable law, increase the variable interest rate on this Note to 5.500 percentage points over the Index. The interest rate will not exceed the maximum rate permitted by applicable law.

DEFAULT. Each of the following shall constitute an event of default ("Event of Default") under this Note:

Payment Default. Borrower fails to make any payment when due under this Note.

Other Defaults. Borrower fails to comply with or to perform any other term, obligation, covenant or condition contained in this Note or in any of the related documents or to comply with or to perform any term, obligation, covenant or condition contained in any other agreement between Lender and Borrower.

Default in Favor of Third Parties. Borrower or any Grantor defaults under any loan, extension of credit, security agreement, purchase or sales agreement, or any other agreement, in favor of any other creditor or person that may materially affect any of Borrower's property or Borrower's ability to repay this Note or perform Borrower's obligations under this Note or any of the related documents.

False Statements. Any warranty, representation or statement made or furnished to Lender by Borrower or on Borrower's behalf under this Note or the related documents is false or misleading in any material respect, either now or at the time made or furnished or becomes false or misleading at any time thereafter.

Insolvency. The dissolution or termination of Borrower's existence as a going business, the insolvency of Borrower, the appointment of a receiver for any part of Borrower's property, any assignment for the benefit of creditors, any type of creditor workout, or the commencement of any proceeding under any bankruptcy or insolvency laws by or against Borrower.

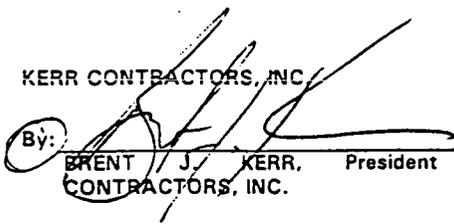
Creditor or Forfeiture Proceedings. Commencement of foreclosure or forfeiture proceedings, whether by judicial proceeding, self-help, repossession or any other method, by any creditor of Borrower or by any governmental agency against any collateral securing the loan. This includes a garnishment of any of Borrower's accounts, including deposit accounts, with Lender. However, this Event of Default shall not apply if there is a good faith dispute by Borrower as to the validity or reasonableness of the claim which is the basis of the creditor or

PRIOR TO SIGNING THIS NOTE, BORROWER READ AND UNDERSTOOD ALL THE PROVISIONS OF THIS NOTE, INCLUDING THE VARIABLE INTEREST RATE PROVISIONS. BORROWER AGREES TO THE TERMS OF THE NOTE.

BORROWER ACKNOWLEDGES RECEIPT OF A COMPLETED COPY OF THIS PROMISSORY NOTE.

BORROWER:

KERR CONTRACTORS, INC

By:  _____
BRENT J. KERR, President of KERR
CONTRACTORS, INC.



ANCHOR INSURANCE & SURETY, INC.

500 Century Tower • 1201 S.W. 12th Avenue • Portland, OR 97205-2030 • (503) 224-2500 • FAX (503) 224-9830

1-11-02

CITY OF WILSONVILLE

RE: KERR CONTRACTORS, INC.
COFFEE CREEK CORRECTIONAL FACILITY INFRASTRUTURE
PHASE #'S 5 & 7

To Whom It May Concern:

I am writing to you at the request of KERR CONTRACTORS, INC. It is my understanding that KERR CONTRACTORS, INC. is bidding on the above captioned project.

My agency represents KERR CONTRACTORS, INC. in all matters of surety bond credit. Accordingly, please be advised that KERR CONTRACTORS, INC. is in good standing with their surety, SAFECO INSURANCE COMPANY OF AMERICA. Recent bond commitments handled by my agency for KERR CONTRACTORS, INC. have exceeded \$40 million.

Should KERR CONTRACTORS, INC. be awarded and accept your project, we are prepared to issue standard industry performance and payment bonds as needed at the start of the project. Typical underwriting requirements to qualify bonding would include review of the contract documents.

KERR CONTRACTORS, INC. is financially solid and its management and personnel enjoy an enviable reputation in our business community for quality work produced on time. If I can be of any help to you on further prequalification of KERR CONTRACTORS, INC., please do not hesitate to call me at 503-224-2500.

Sincerely,

Richard W. Kowalski, Attorney-in-fact
SAFECO INSURANCE COMPANY OF AMERICA



POWER OF ATTORNEY

SAFECO Insurance Company
PO Box 34528
Seattle, WA 98124-1526

No. 7521

KNOW ALL BY THESE PRESENTS:

That SAFECO INSURANCE COMPANY OF AMERICA and GENERAL INSURANCE COMPANY OF AMERICA, each a Washington corporation, doas each hereby appoint

*JAMES P. DOONEY; JOHN D. KLUMP; KAREN A. PIERCE; K. C. KRAIG; VICKI L. NICHOLSON; PHILIP O. FORKER; GENE M. DIETZMAN; GLORIA BRUNING; KENNETH L. DELOOZE; RICHARD W. KOWALSKI; J. PATRICK DOONEY; RAY M. PAIEMENT; JENNIFER KEENE; Portland, Oregon*****

its true and lawful attorney(s)-in-fact, with full authority to execute on its behalf fidelity and surety bonds or undertakings and other documents of a similar character issued in the course of its business, and to bind the respective company thereby.

IN WITNESS WHEREOF, SAFECO INSURANCE COMPANY OF AMERICA and GENERAL INSURANCE COMPANY OF AMERICA have each executed and attested these presents

this 29th day of August, 2001

R.A. Pierson

R.A. PIERSON, SECRETARY

Mike McGavick

MIKE MCGAVICK, PRESIDENT

CERTIFICATE

Extract from the By-Laws of SAFECO INSURANCE COMPANY OF AMERICA and of GENERAL INSURANCE COMPANY OF AMERICA:

"Article V, Section 13. - FIDELITY AND SURETY BONDS ... the President, any Vice President, the Secretary, and any Assistant Vice President appointed for that purpose by the officer in charge of surety operations, shall each have authority to appoint individuals as attorneys-in-fact or under other appropriate titles with authority to execute on behalf of the company fidelity and surety bonds and other documents of similar character issued by the company in the course of its business... On any instrument making or evidencing such appointment, the signatures may be affixed by facsimile. On any instrument conferring such authority or on any bond or undertaking of the company, the seal, or a facsimile thereof, may be impressed or affixed or in any other manner reproduced; provided, however, that the seal shall not be necessary to the validity of any such instrument or undertaking."

Extract from a Resolution of the Board of Directors of SAFECO INSURANCE COMPANY OF AMERICA and of GENERAL INSURANCE COMPANY OF AMERICA adopted July 28, 1970.

"On any certificate executed by the Secretary or an assistant secretary of the Company setting out,

- (i) The provisions of Article V, Section 13 of the By-Laws, and
- (ii) A copy of the power-of-attorney appointment, executed pursuant thereto, and
- (iii) Certifying that said power-of-attorney appointment is in full force and effect,

the signature of the certifying officer may be by facsimile, and the seal of the Company may be a facsimile thereof."

I, R.A. Pierson, Secretary of SAFECO INSURANCE COMPANY OF AMERICA and of GENERAL INSURANCE COMPANY OF AMERICA, do hereby certify that the foregoing extracts of the By-Laws and of a Resolution of the Board of Directors of these corporations, and of a Power of Attorney issued pursuant thereto, are true and correct, and that both the By-Laws, the Resolution and the Power of Attorney are still in full force and effect.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the facsimile seal of said corporation

this 11th day of JANUARY, 2002



R.A. Pierson

R.A. PIERSON, SECRETARY

Exhibit A-11



30000 SW Town Center Loop E
 Wilsonville, Oregon 97070
 (503) 682-1011
 (503) 682-1015 Fax
 (503) 682-0843 TDD

January 21, 2002

Valley Pacific Construction, Inc.
 Attn.: Mr. David J. Gobbel
 P.O. Box 589
 Donald, OR 97020

RE: Coffee Creek Correctional Facility Infrastructure Phase 5 & 7

Dear Mr. Gobbel:

Thank you for submitting a Statement of Qualification application for the *Coffee Creek Correctional Facility Infrastructure Phase 5 & 7 Street Construction* project. The Technical Review Committee has reviewed your application. Based on the review and scoring process (included below) Valley Pacific Construction, Inc. is hereby declared not a "responsible bidder" for the *Coffee Creek Correctional Facility Infrastructure Phase 5 & 7 Street Construction* under the terms and conditions as set forth in the Request for Qualifications for said project. As such, Valley Pacific Construction, Inc. is not invited to participate in the competitive bid process for said project in accordance with ORS 279.

Statement of Qualification Scoring Matrix

		Not	
	Acceptable	Acceptable	Incomplete
1) Organization of Construction Firm	<u> X </u>	<u> </u>	<u> </u>
2) Management and Construction Experience	<u> </u>	<u> X </u>	<u> </u>
3) Equipment List	<u> X </u>	<u> </u>	<u> </u>
4) Financial Information and Capacity	<u> X </u>	<u> </u>	<u> </u>
5) Public Works Contract Experience	<u> </u>	<u> X </u>	<u> </u>
6) Comments on Proposed Project	<u> </u>	<u> </u>	<u> </u>
7) Authorized Employee	<u> X </u>	<u> </u>	<u> </u>
8) Affidavit	<u> X </u>	<u> </u>	<u> </u>

The *Coffee Creek Correctional Facility Infrastructure Phase 5 & 7 Street Construction* project is a time dependent, traffic intensive, public works roadway project. As such, extensive proven public works roadway contract experience is necessary for the timely execution and completion

Valley Pacific Construction, Inc.
 January 21, 2002



"Serving The Community With Pride"

of the project as stated on Page 6 of 14 of the *Request for Qualifications*, under the heading *Procurement Process*, subheading *Selection Process*"

"Selection will be based on demonstrated qualifications on projects of similar type, complexity, size, scope (including continuous operation), budget, traffic conditions, and schedule. In order to be considered a 'responsible bidder', you must have experience with multiple, comparable, public projects. "

The major project's list supplied by you in the application does not demonstrate the level of public works roadway experience "...with multiple, comparable, public projects." The basis for this conclusion is that Valley Pacific Construction, Inc. listed ten major projects, only two of which involved a Public Works Contract, none of which were for a road construction project. According to the information, the Public Works projects were for utility work only, one valued at \$250,000 for storm infrastructure, the other was valued at \$1,600,000 for sewer infrastructure. This does not constitute experience "...with multiple, comparable, public projects." This finding is specific to ORS 279.029(6)(a)(B)(i). However we do invite you to submit another Statement of Qualification for future City of Wilsonville Public Works projects.

Complaint Processes and Remedies

All protests of the City's 'responsible bidder' decision by the Respondent must be submitted in writing to the City's primary contact within three (3) business days after the receipt of said notice. Any protest not filed within this time period is waived. The protest must state clearly the basis for the protest and any legal authority in support thereof. Protests may be mailed or delivered to:

By Mail:

John Michael, Engineering Associate
City of Wilsonville
Mailing address
30000 SW Town Center Loop East
Wilsonville, OR 97070

Re: Statement of Qualifications Protest – *Coffee Creek Correctional Facility Infrastructure Phase 5 & 7 Street Construction*

By Delivery:

John Michael, Engineering Associate
City of Wilsonville
Street address
8445 SW Elligsen Road
Wilsonville, OR 97070

Re: Statement of Qualifications – Protest – *Coffee Creek Correctional Facility Infrastructure Phase 5 & 7 Street Construction*

Promptly upon receipt of the appeal the City will, within thirty (30) days, schedule a hearing before the City Council and City staff and will so notify the applicant of the appropriate date and time. The appeal hearing is currently scheduled for February 4, 2002, at the City of Wilsonville Community Center before a regularly scheduled City Council Meeting. At such hearing, the protester and other interested parties will have the opportunity to appear and make an oral presentation of the basis for the protest. The City Council will either uphold or deny the protest

and will set forth in writing the reasons for the decision. If the protest is denied, the City will proceed as outlined in the Request for Qualifications - Coffee Creek Correctional Facility Infrastructure Phase 5 & 7 Street Construction, dated December, 2001.

Sincerely,



John Michael

jm

Enclosure : Copy of Statement of Qualification Application

cc: Michael Stone, City Engineer
Michael Kohloff, City Attorney
File

Exhibit A-12



January 25, 2002

Canby Excavating, Inc.
Attn.: Mr. Doug Sprauge
25361 S. Hwy. 99E
Aurora, OR 97002

**RE: Coffee Creek Correctional Facility Infrastructure Phase 5 & 7
(Revised Scoring Matrix)**

Dear Mr. Sprauge:

Thank you for submitting a Statement of Qualification application for the *Coffee Creek Correctional Facility Infrastructure Phase 5 & 7 Street Construction* project. The Technical Review Committee has reviewed your application. Based on the review and scoring process (included below) Canby Excavating, Inc. is hereby declared not a "responsible bidder" for the *Coffee Creek Correctional Facility Infrastructure Phase 5 & 7 Street Construction* under the terms and conditions as set forth in the Request for Qualifications for said project. As such, Canby Excavating, Inc. is not invited to participate in the competitive bid process for said project in accordance with ORS 279.

Statement of Qualification Scoring Matrix

		Not	
	Acceptable	Acceptable	Incomplete
1) Organization of Construction Firm	<u> X </u>	<u> </u>	<u> </u>
2) Management and Construction Experience	<u> </u>	<u> X </u>	<u> </u>
3) Equipment List	<u> X </u>	<u> </u>	<u> </u>
4) Financial Information and Capacity	<u> X </u>	<u> </u>	<u> </u>
5) Public Works Contract Experience	<u> X </u>	<u> </u>	<u> </u>
6) Comments on Proposed Project	<u> </u>	<u> </u>	<u> </u>
7) Authorized Employee	<u> X </u>	<u> </u>	<u> </u>
8) Affidavit	<u> X </u>	<u> </u>	<u> </u>

The *Coffee Creek Correctional Facility Infrastructure Phase 5 & 7 Street Construction* project is a time dependent, traffic intensive, public works roadway project. As such, extensive proven public works roadway contract experience is necessary for the timely execution and completion



of the project as stated on Page 6 of 14 of the *Request for Qualifications*, under the heading *Procurement Process*, subheading *Selection Process*.”

“Selection will be based on demonstrated qualifications on projects of similar type, complexity, size, scope (including continuous operation), budget, traffic conditions, and schedule. In order to be considered a ‘responsible bidder’, you must have experience with multiple, comparable, public projects. “

The major project’s list supplied by you in the application does not demonstrate the level of public works roadway experience “...with multiple, comparable, public projects.” The basis for this conclusion is that Canby Excavating, Inc. listed ten major projects, five of which involved a Public Works Contract, none of which were exclusively a road construction project. According to the information, the Public Works projects were primarily for utility work, not for road construction, as this SOQ project is. Of the five projects, four were valued at less than \$1,000,000 for storm, water and sewer infrastructure, the other was valued at \$100,000 for sewer infrastructure. This does not constitute experience “...with multiple, comparable, public projects.” This finding is specific to ORS 279.029(6)(a)(B)(i). However, we do invite you to submit another Statement of Qualification for future City of Wilsonville Public Works projects.

Complaint Processes and Remedies

All protests of the City’s ‘responsible bidder’ decision by the Respondent must be submitted in writing to the City’s primary contact within three (3) business days after the receipt of said notice. Any protest not filed within this time period is waived. The protest must state clearly the basis for the protest and any legal authority in support thereof. Protests may be mailed or delivered to:

By Mail:

John Michael, Engineering Associate
City of Wilsonville
Mailing address
30000 SW Town Center Loop East
Wilsonville, OR 97070

Re: Statement of Qualifications Protest – *Coffee Creek Correctional Facility Infrastructure Phase 5 & 7 Street Construction*

By Delivery:

John Michael, Engineering Associate
City of Wilsonville
Street address
8445 SW Elligsen Road
Wilsonville, OR 97070

Re: Statement of Qualifications – Protest – *Coffee Creek Correctional Facility Infrastructure Phase 5 & 7 Street Construction*

Promptly upon receipt of the appeal the City will, within thirty (30) days, schedule a hearing before the City Council and City staff and will so notify the applicant of the appropriate date and time. The appeal hearing is currently scheduled for February 4, 2002, at the City of Wilsonville Community Center before a regularly scheduled City Council Meeting. At such hearing, the protester and other interested parties will have the opportunity to appear and make an oral

presentation of the basis for the protest. The City Council will either uphold or deny the protest and will set forth in writing the reasons for the decision. If the protest is denied, the City will proceed as outlined in the Request for Qualifications - Coffee Creek Correctional Facility Infrastructure Phase 5 & 7 Street Construction, dated December, 2001.

Sincerely,



John Michael

jm

Enclosure : Copy of Statement of Qualification Application

cc: Michael Stone, City Engineer
Michael Kohloff, City Attorney
File

Exhibit A-13

January 21, 2002



30000 SW Town Center Loop E
Wilsonville, Oregon 97070
(503) 682-1011 -
(503) 682-1015 Fax
(503) 682-0843 TDD

Oregon Asphaltic Paving, Co.
Mr. R. L. Metcalf
2770 NW Rogers Circle
Troutdale, OR 97060

RE: Coffee Creek Correctional Facility Infrastructure Phase 5 & 7

Dear Mr. Metcalf:

Thank you for submitting a Statement of Qualification application for the *Coffee Creek Correctional Facility Infrastructure Phase 5 & 7 Street Construction* project. The Technical Review Committee has reviewed your application. Based on the review and scoring process (included below) Oregon Asphaltic Paving Co. is hereby declared not a "responsible bidder" for the *Coffee Creek Correctional Facility Infrastructure Phase 5 & 7 Street Construction* under the terms and conditions as set forth in the Request for Qualifications for said project. As such, Oregon Asphaltic Paving Co. is not invited to participate in the competitive bid process for said project in accordance with ORS 279.

Statement of Qualification Scoring Matrix

		Not	
	Acceptable	Acceptable	Incomplete
1) Organization of Construction Firm	<u> X </u>	<u> </u>	<u> </u>
2) Management and Construction Experience	<u> </u>	<u> X </u>	<u> </u>
3) Equipment List	<u> X </u>	<u> </u>	<u> </u>
4) Financial Information and Capacity	<u> X </u>	<u> </u>	<u> </u>
5) Public Works Contract Experience	<u> X </u>	<u> </u>	<u> </u>
6) Comments on Proposed Project	<u> </u>	<u> </u>	<u> </u>
7) Authorized Employee	<u> X </u>	<u> </u>	<u> </u>
8) Affidavit	<u> </u>	<u> </u>	<u> X </u>

The *Coffee Creek Correctional Facility Infrastructure Phase 5 & 7 Street Construction* project is a time dependent, traffic intensive, public works roadway project. As such, extensive proven public works roadway contract experience is necessary for the timely execution and completion of the project as stated on Page 6 of 14 of the *Request for Qualifications*, under the heading *Procurement Process*, subheading *Selection Process*:

"Selection will be based on demonstrated qualifications on projects of similar type, complexity, size, scope (including continuous operation), budget, traffic conditions, and



"Serving The Community With Pride"

schedule. In order to be considered a 'responsible bidder', you must have experience with multiple, comparable, public projects."

The major project's list supplied by you in the application does not demonstrate the level of public works roadway experience "...with multiple, comparable, public projects." The basis for this conclusion is that Oregon Asphaltic Paving Co. listed ten major projects, eight involved Public Work Contracts for road construction projects. According to the information, Oregon Asphaltic Paving Co. was a sub-contractor on three (3) value comparable projects and prime-contractor on two (2) value comparable projects. The other three projects were not comparable (below \$1,500,000.) The project description for the five comparable projects is "paving." Though this SOQ project involves paving, paving is a minor concern. The prime contractor for this SOQ project must demonstrate experience complex traffic control patterns, time constrained scheduling and work phasing, massive dirt and rock excavation, and public interaction. "Paving" does not constitute experience necessary to undertake and successfully complete an extensive and sensitive public project such as proposed. This finding is specific to ORS 279.029(6)(a)(B)(i). However we do invite you to submit another Statement of Qualification for future City of Wilsonville Public Works projects.

Complaint Processes and Remedies

All protests of the City's 'responsible bidder' decision by the Respondent must be submitted in writing to the City's primary contact within three (3) business days after the receipt of said notice. Any protest not filed within this time period is waived. The protest must state clearly the basis for the protest and any legal authority in support thereof. Protests may be mailed or delivered to:

By Mail:

John Michael, Engineering Associate
City of Wilsonville
Mailing address
30000 SW Town Center Loop East
Wilsonville, OR 97070

Re: Statement of Qualifications Protest – *Coffee Creek Correctional Facility Infrastructure Phase 5 & 7 Street Construction*

By Delivery:

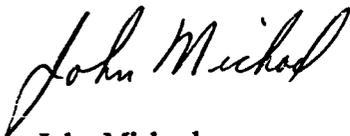
John Michael, Engineering Associate
City of Wilsonville
Street address
8445 SW Elligsen Road
Wilsonville, Oregon

Re: Statement of Qualifications – Protest – *Coffee Creek Correctional Facility Infrastructure Phase 5 & 7 Street Construction*

Promptly upon receipt of the appeal the City will, within thirty (30) days, schedule a hearing before the City Council and City staff and will so notify the applicant of the appropriate date and time. The appeal hearing is currently scheduled for February 4, 2002, at the City of Wilsonville Community Center before a regularly scheduled City Council Meeting. At such hearing, the protester and other interested parties will have the opportunity to appear and make an oral presentation of the basis for the protest. The City Council will either uphold or deny the protest

and will set forth in writing the reasons for the decision. If the protest is denied, the City will proceed as outlined in the Request for Qualifications - Coffee Creek Correctional Facility Infrastructure Phase 5 & 7 Street Construction, dated December, 2001.

Sincerely,



John Michael
jm

Enclosure : Copy of Statement of Qualification Application

cc: Michael Stone, PE City Engineer
Michael Kohloff City Attorney
File

Exhibit A-14



January 21, 2002

Kerr Contractors, Inc.
Attn.: Alan W. Aplin
PO Box 1168
Tualatin, OR 97062

RE: Coffee Creek Correctional Facility Infrastructure Phase 5 & 7

Dear Mr. Aplin:

Thank you for submitting a Statement of Qualification application for the *Coffee Creek Correctional Facility Infrastructure Phase 5 & 7 Street Construction* project. The Technical Review Committee has reviewed your application. Based on the review and scoring process (included below) Kerr Contractors, Inc. is hereby declared not a "responsible bidder" for the *Coffee Creek Correctional Facility Infrastructure Phase 5 & 7 Street Construction* under the terms and conditions as set forth in the Request for Qualifications for said project. As such, Kerr Contractors, Inc. is not invited to participate in the competitive bid process for said project in accordance with ORS 279.

The *Coffee Creek Correctional Facility Infrastructure Phase 5 & 7 Street Construction* project is a time dependent, traffic intensive, public works roadway project. As such, extensive proven public works roadway contract experience is necessary for the timely execution and completion of the project as stated on Page 6 of 14 of the *Request for Qualifications*, under the heading *Procurement Process*, subheading *Selection Process*:

"Selection will be based on demonstrated qualifications on projects of similar type, complexity, size, scope (including continuous operation), budget, traffic conditions, and schedule. In order to be considered a 'responsible bidder', you must have experience with multiple, comparable, public projects."

The major projects list supplied by you demonstrates roadway construction experience. However, the Local Contract Review Board may take into account the performance of a prospective bidder in deeming a contractor a "responsible bidder." This finding is specific to ORS 279.029(6)(a)(B)(ii):

"279.029 Award of contract; bond; waiver of bond in case of emergency.

(6) As used in this section:

(a) "Lowest responsible bidder" means the lowest bidder who is not on the list established by the Construction Contractors Board pursuant to ORS 701.227 and who has:

* * * *



(B) Met the standards of responsibility. In determining if a prospective bidder has met the standards of responsibility, the public contracting agency shall consider whether a prospective bidder has:

* * * *

(ii) A satisfactory record of performance. The public contracting agency shall document the record of performance of a prospective bidder if the public contracting agency finds the prospective bidder not to be responsible under this subparagraph;" etc.

Enclosed are copies of three letters mailed to you by the City's Project Engineer, Patrick Carroll of McKay & Sposito, Inc., concerning your recent work under award of contract for Wilsonville Rd Phase 2. (See letters dated September 11, 2001, September 13, 2001, September 17, 2001, attached.) These letters expressed numerous concerns and requests related to work progress and time delays. Your company's performance on the Wilsonville Road Phase 2A project does not demonstrate the record of performance necessary for the *Coffee Creek Correctional Facility Infrastructure Phase 5 & 7 Street Construction* project, which is a time dependent, traffic intensive, public works roadway project.

Complaint Processes and Remedies

All protests of the City's 'responsible bidder' decision by the Respondent must be submitted in writing to the City's primary contact within three (3) business days after the receipt of said notice. Any protest not filed within this time period is waived. The protest must state clearly the basis for the protest and any legal authority in support thereof. Protests may be mailed or delivered to:

By Mail:

John Michael, Engineering Associate
City of Wilsonville
Mailing address
30000 SW Town Center Loop East
Wilsonville, OR 97070

Re: Statement of Qualifications Protest – *Coffee Creek Correctional Facility Infrastructure Phase 5 & 7 Street Construction*

By Delivery:

John Michael, Engineering Associate
City of Wilsonville
Street address
8445 SW Elligsen Road
Wilsonville, Oregon

Re: Statement of Qualifications – Protest – *Coffee Creek Correctional Facility Infrastructure Phase 5 & 7 Street Construction*

Promptly upon receipt of the appeal the City will, within thirty (30) days, schedule a hearing before the City Council and City staff and will so notify the applicant of the appropriate date and time. The appeal hearing is currently scheduled for February 4, 2002, at the City of Wilsonville Community Center before a regularly scheduled City Council Meeting. At such hearing, the

protester and other interested parties will have the opportunity to appear and make an oral presentation of the basis for the protest. The City Council will either uphold or deny the protest and will set forth in writing the reasons for the decision. If the protest is denied, the City will proceed as outlined in the Request for Qualifications - Coffee Creek Correctional Facility Infrastructure Phase 5 & 7 Street Construction, dated December, 2001.

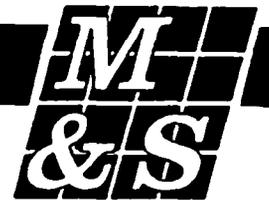
Sincerely,



John Michael
jm

Enclosure : Copy of Statement of Qualification Application
Letters dated September 11, 2001, September 13, 2001, September 17, 2001,

cc: Michael Stone, City Engineer
Michael Kohloff, City Attorney
File



September 11, 2001

Tim Kerr
Kerr Contractors, Inc.
P.O. Box 1168
Tualatin, OR 97062

RE: WILSONVILLE ROAD PHASE 2A KINNSMAN ROAD TRENCH PATCHING

Dear Tim:

Kerr Contractors, Inc. has received numerous verbal requests from the onsite inspector (Rob Palena) to repair the utility trenches across Kinnsman Road. These requests started on or about August 6, 2001. You received the latest verbal request from Rob Palena this morning. The trench patching has been neglected for almost a month and if the trench is not repaired by the end of the day on Wednesday September 12, 2001, the City will have the work performed and will deduct the cost from the next progress payment to Kerr Contractors, Inc.

This item was on the agenda to be discussed at the weekly progress meeting scheduled for September 6, 2001 of which no representative for Kerr Contractors attended. I contacted you at approximately 10:15am and you said that you would return my call as soon as you were out of a trench. I have not received a follow up call to date.

If you have any questions, please feel free to give me a call.

Sincerely,

Mackay & Sposito, Inc.

Patrick E. Carroll, P.E.

CC: Mike Stone, City of Wilsonville
John Michael, City of Wilsonville
Mike Kohlhoff, City of Wilsonville

[12952_Kerr_Letter2.doc]



September 13, 2001

Tim Kerr
Kerr Contractors, Inc.
P.O. Box 1168
Tualatin, OR 97062

RE: WILSONVILLE ROAD PHASE 2A KINNSMAN ROAD TRENCH PATCHING

Dear Tim:

A letter was faxed to Kerr Contractors, Inc. on September 11, 2001 notifying you that the trench patching has been neglected for almost a month at the intersection of Kinnsman Road and Wilsonville Road and if the trench is not repaired by the end of the day on Wednesday September 12, 2001, the City will have the work performed and will deduct the cost from the next progress payment to Kerr Contractors, Inc.

The aforementioned work has not been completed and the City has ordered another contractor to repair the trenches. The trenches will be repaired today and the cost will be deducted from Pay Estimate #3.

If you have any questions, please feel free to give me a call.

Sincerely,

MacKay & Sposito, Inc.

Patrick E. Carroll, P.E.

CC: Mike Stone, City of Wilsonville
John Michael, City of Wilsonville
Mike Kohlhoff, City of Wilsonville

[12952_Kerr_Letter3.doc]



September 17, 2001

Tim Kerr
Kerr Contractors, Inc.
P.O. Box 1168
Tualatin, OR 97062

RE: WILSONVILLE ROAD PHASE 2A TIME EXTENSION REQUEST OF 8/23/2001

Dear Tim:

I have reviewed your request regarding a time extension of 46 days for Wilsonville Road Phase 2A. The request has been evaluated and the time extension to be allowed will be 25 days after the contract completion date of August 29, 2001. The extended completion date will be September 24, 2001.

In your request of August 23, 2001, you stated 7 reasons for delay. I have reviewed all 7 reasons listed and the following addresses each:

1. Award was made in early May, but Notice to Proceed did not come until June 8.

The City received a schedule from Kerr Contractors, Inc. at the April 24, 2001 Preconstruction Meeting. The schedule reflected a start date of June 1, 2001. The City issued a Notice to Proceed on June 8, 2001. On June 11, 2001, John Michael of the City contacted Chad Walters of Kerr and received verification that Kerr had received the Notice to Proceed and asked Chad when Kerr would be starting construction. Chad referred John to contact Tim Kerr. John then called yourself who stated that you would be starting next week (that would be the week of June 18th). On June 20, 2001, John Michael received a call setting up a field meeting with the City and utility companies on June 28th, and an anticipated construction start date of June 29, 2001. The time between the scheduled start date given to the City at the preconstruction meeting and the date the Notice to Proceed was issued is 7 days. The additional time that will be allowed for this item is 7 days. No time will be allowed for the 20 days between when the Notice to Proceed was issued and when Kerr started construction.

2. Existing storm culvert under RR tracks filled with concrete causing boring delay.

The concrete in the existing culvert was discovered on July 25, 2001. Kerr Contractors, Inc. was notified that the new location for boring under the railroad tracks was approved on August 3, 2001. This resulted in a delay of 13 days plus the actual time for boring took 5 days longer than the original schedule had shown for installing the steel sleeve. The additional time that will be allowed for this item is 18 days.

3. PGE poles in way of paving and sidewalk pour.

At the preconstruction meeting on April 24, 2001, Kerr stated that they would be complete with the vault and conduit system and ready for PGE by mid June. At the field utility meeting of June 28, 2001, you stated to PGE representatives that the vault and conduit system will be ready for them to start in a week. PGE started scheduling for their crew to begin work on July 9, 2001 and attempted to have them work each Monday thereafter. Kerr Contractors, Inc. did not start the work necessary to install the steel sleeve in the existing storm line until July 25, 2001. No time will be allowed for this item.



Tim Kerr
Kerr Contractors, Inc.
September 17, 2001
Page 2

4. PGE delays of 4-6 weeks to get power.

PGE is not causing this delay. At the preconstruction meeting, the time line of 4-6 weeks to install the power and remove the power poles was stated. Kerr Contractors, Inc. made no exception to this time line. As stated above, PGE has been attempting to start work on this site since July 9, 2001 and Kerr Contractors, Inc. has been the delay. When PGE was notified on approx. August 23, 2001 that Kerr was ready for them, PGE had already scheduled other projects. When PGE arrived to begin work on August 31, 2001, two of the vaults were not ready for PGE to begin work. Both vaults were not grouted correctly and one vault had water, buckets and other debris inside the vault and the vault lid was rotated 180 degrees. No time will be allowed for this item.

5. Still incomplete design for traffic signal interconnect.

The signal interconnect work from the railroad tracks to Boones Ferry Road was deleted by Clarification #13 dated September 6, 2001. No time will be allowed for this item.

6. Delays in submittal return process.

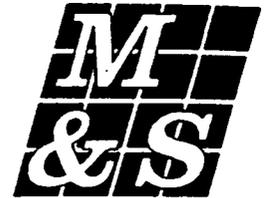
There was a delay in the submittal process when the street lights were resubmitted for approval. Kerr Contractors, Inc. submitted the 2nd submittal on June 6, 2001 and although they were asked about the submittals twice by Rouse Electric, did not inform the City about the time that it currently takes to receive light poles onsite and how this may effect the schedule until a memo was sent to the City on June 28, 2001. The street lights were discussed at our meeting on August 23, and it appears that they will be able to arrive in time for installation this week. No time will be allowed for this item.

7. Bid date was moved back one week but completion date did not change.

The bid date was changed from March 13, 2001 to March 20, 2001. The completion date in the signed agreement states that the project is to be complete by August 29, 2001. Kerr Contractors, Inc. has never mentioned that this was a problem until this letter. Although the preconstruction meeting was April 24, 2001, Kerr submitted a construction schedule at the meeting reflecting their start date to be June 1, 2001 leaving Kerr approx. 90 days to complete the project. The City of Wilsonville notified Kerr Contractors, Inc that a drug testing program addendum would be required at the preconstruction meeting. The City called Kerr to notify them that the documents were ready for signature on May 8, 2001. Approx. May 21, 2001 Kerr was notified that these documents needed to be signed and returned for the City to sign the Contract. The documents were returned on May 23, 2001. The City could not sign the Contract or issue a Notice to Proceed until these were signed. The City issued a Notice to Proceed on June 8, 2001 and Kerr Contractors did not start work on the project until June 29, 2001. This only left Kerr approximately 60 days to complete the project. No time will be allowed for this item.

The total number of days to be added to the Contract as calculated above is 25. This revises the date of completion to September 24, 2001.

It was stated in your letter that Kerr has and will continue to work diligently toward final completion of this project. Kerr Contractors, Inc. did not start work on the project until 3 weeks after the Notice to Proceed was issued. Kerr to date has not been diligent in the pursuit of completing this project on time. They were notified that the revised bore was approved, and they did not start to coordinate the bore until approximately one week later. When the bore was complete on August 15, 2001, Kerr did not work on the project again until Saturday August 18, 2001 which required the City to provide an inspector on Saturday when no work was performed on Thursday or Friday. On the following week, the only work performed onsite was filling the bore pit on Thursday August 23, 2001. On August 21, 2001 Kerr asked for the phone number for Rick Becks of PGE to coordinate work with PGE. On August 29, that number



Tim Kerr
Kerr Contractors, Inc.
September 17, 2001
Page 3

was requested again along with the phone numbers for Verizon and AT&T. There was approx. 2 weeks between when the bore was completed and when the utility companies were notified.

The City is feeling that this project is being neglected. The amount of effort shown to date in attending meetings, and performing work on the project does not make it appear as if the project is a very high priority to Kerr Contractors, Inc. Kerr had been notified numerous times to patch the utility trenches at the intersection of Kinsman Road and after written notice, the City hired another contractor to repair the trenches. On Friday August 30, 2001, we met to look at extra grinding areas and the utility connections on the east side of the railroad tracks. We also discussed Kerr removing the concrete and wooden barriers in the middle of the sidewalk and cleaning up the rock in the areas that did not have concrete prior to children walking to school on Tuesday September 4, 2001. On Tuesday, none of this work had been done and the children did not have a safe route to get through the construction site in the sidewalk area. Kerr Contractors, Inc. has not been diligent in attending weekly progress meetings, or other meetings for this project. Kerr repeatedly has not completed work items by the time lines that they stated they would and has failed to notify the Engineer, Inspector or City 24 hours prior to leaving the project site for an extended amount of time as instructed at the preconstruction meeting.

Sincerely,

Mackay & Sposito, Inc.

A handwritten signature in cursive script that reads "Patrick E. Carroll".

Patrick E. Carroll, P.E.

cc: Mike Stone, City of Wilsonville
John Michael, City of Wilsonville
Mike Kohlhoff, City of Wilsonville

File

Exhibit A-15



PO BOX 589 DONALD, OR 97020 503-678-2696 FAX 503-678-5057

RECEIVED
JAN 28 2002

January 28, 2002

John Michael, Engineering Associate
City of Wilsonville
30000 SW Town Center Loop East
Wilsonville, Oregon 97070

Re: Prequalification supplement

Dear John:

Thank you for your help in this matter.

I have listed the jobs that show our public work experience.

If you need anything else please call.

John Ghiglia will deliver the hard copy of this Tuesday January 29, 2002.

Sincerely,

A handwritten signature in cursive script that reads "Deanna Jolly".

Deanna Jolly
Office Manager

SECTION 2-MANAGEMENT AND CONSTRUCTION EXPERIENCE

2.1 Indicate the anticipated major sub-contractors for this project and the class or type of work.

Amount	Class or Type of Work	Contract %
<u>TBD</u>	<u>Asphalt Paving</u>	<u> </u>
<u>TBD</u>	<u>Concrete Walks & Curbs</u>	<u> </u>
<u>TBD</u>	<u>Street Lighting/Electrical</u>	<u> </u>
<u>TBD</u>	<u>Street Landscape</u>	<u> </u>
<u> </u>	<u> </u>	<u> </u>
<u> </u>	<u> </u>	<u> </u>
<u> </u>	<u> </u>	<u> </u>

2.2 List ten major projects applicant has undertaken in the last five years (List most recent projects first).

- Name of Project Monmouth Effluent Reuse Facility

Owner & Contact City of Monmouth

Address 151 Main St. Monmouth, Oregon

Phone Number 503-838-2234

Project Description Effluent Reuse & Conv. Fac. Including: Effluent Pump Station, approx. 17,200 lf of 16" pressure transmission pipe, 3000 lf 24" gravity sewer pipe & replacement of 2000 lf of 12" concrete gravity sewer interceptor with 24 " gravity sewer

Project Location Monmouth, Oregon

Contract Amount \$1,612,900 Over/Under Contract & Amount

Dates Started and Completed 10-00 to 9-01 Completed on Time

Project Construction Supervisor Gary Olsen

Architect/Engineering Firm & Contact Whitaker Engineering-Todd Whitaker

Address 14995 Ailie Road, Monmouth, Oregon

Phone Number 503-838-4033

Indicate whether: Prime Contractor, Sub-contractor or Joint Venture on Project Prime

Remarks 17,000 LF Pressure effluent piping plus gravity sewer.

2. Name of Project Southwest Sherwood Water Service Zone - System Improvements
Owner & Contact City of Sherwood
Address Sherwood, Oregon
Phone Number 503-625-5522
Project Description Earthwork, Grading, Boring under roadway, Water lines & services, Street and landscape restoration.
Project Location Sherwood, Oregon
Contract Amount \$410,000 Over/Under Contract & Amount _____
Dates Started and Completed 4-00 to 8-00 Completed on Time _____
Project Construction Supervisor Bill Sessums
Architect/Engineering Firm & Contact Murray Smith Associates
Address 121 SW Salmon #1020 Portland, Oregon 97204
Phone Number 503-625-5522
Indicate whether: Prime Contractor, Sub-contractor or Joint Venture on Project Prime
Remarks _____

3. Name of Project Wood Village Town Center
Owner & Contact Koll Development - Rick Miranda
Address Newport Beach, California
Phone Number Not Available
Project Description 50 Acre site development, street improvements, new streets infrastructure.
Project Location Wood Village, Oregon
Contract Amount \$4,259,600 Over/Under Contract & Amount _____
Dates Started and Completed 5-00 to 3-01 Completed on Time Yes
Project Construction Supervisor Bill Sessums
Architect/Engineering Firm & Contact W & H Pacific, Rick Martin
Address 8405 SW Nimbus Ave., Beaverton, Oregon
Phone Number 503-626-0455
Indicate whether: Prime Contractor, Sub-contractor or Joint Venture on Project Subcontractor
Remarks Fast-track site development for private infrastructure with public improvements Following.

4. Name of Project Sherwood Elementary School
Owner & Contact Sherwood School District
Address 23295 S Sherwood Blvd, Sherwood, Oregon 97140
Phone Number 503-625-8100
Project Description Earthwork, grading and rocking, soil treatment, building pad prep., structure excavation and backfill storm sewer, sanitary sewer, water lines & services, half street improvements.
Project Location Sherwood, Oregon
Contract Amount \$662,450 Over/Under Contract & Amount _____
Dates Started and Completed 11-99 to 9-00 Completed on Time Yes
Project Construction Supervisor Bill Sessums
Architect/Engineering Firm & Contact LSW Architects
Address 1953 NW Kearney, Portland, Oregon 97209
Phone Number 503-274-5432
Indicate whether: Prime Contractor, Sub-contractor or Joint Venture on Project Subcontractor
Remarks _____

5. Name of Project West Union Village
Owner & Contact Aspen Newfoundland LLC
Address Not Available
Phone Number Not Available
Project Description 20 acre commercial/retail development with major street and infrastructure improvements.
Project Location Hillsboro, Oregon
Contract Amount \$2,121,151 Over/Under Contract & Amount _____
Dates Started and Completed 9-99 to 3-01 Completed on Time _____
Architect/Engineering Firm & Contact WRG Design
Address 10450 SW Nimbus Ave., Portland, Oregon
Phone Number 503-603-9933
Indicate whether: Prime Contractor, Sub-contractor or Joint Venture on Project Subcontractor
Remarks Project work was suspended 3 months after start, for 9 months with work resuming approximately 1 year after original start.

6. Name of Project Woodburn Company Stores
Owner & Contact Craig Reality
Address Newport Beach, California
Phone Number Not Available
Project Description Earthwork, site grading and rocking, street improvements, street & parking lot paving, demolition building pad preparation, storm sewer, sanitary sewer, water/Fire line & water services. 2200 LF Re-do Arney Road Signal, and widen Highway 212
Project Location Woodburn, Oregon
Contract Amount \$1,091,415 Over/Under Contract & Amount _____
Dates Started and Completed 8-1 to 11-01 Completed on Time Yes
Project Construction Supervisor Joe Armstrong
Architect/Engineering Firm & Contact Westech Engineering
Address 3841 Fairview Industrial Drive, Suite 100 Salem, Oregon 97302
Phone Number 503-585-2474
Indicate whether: Prime Contractor, Sub-contractor or Joint Venture on Project Subcontractor
Remarks Phase II Commercial Development Approx. 11.5 acres.

7. Name of Project Hillsboro Sports Field Complex
Owner & Contact City of Hillsboro
Address 123 W Main Street Hillsboro, Oregon 97123
Phone Number 503-681-6120
Project Description Earthwork, site utilities, street, paving, walks, curbs & lighting
Project Location Hillsboro, Oregon
Contract Amount \$4,465,000 Over/Under Contract & Amount _____
Dates Started and Completed 8-98 to 6-99 Completed on Time Yes
Project Construction Supervisor Bill Sessums
Architect/Engineering Firm & Contact WRG Design, Inc.
Address 10450 SW Nimbus Ave., Portland, Oregon
Phone Number 503-603-9933
Indicate whether: Prime Contractor, Sub-contractor or Joint Venture on Project Subcontractor
Remarks _____

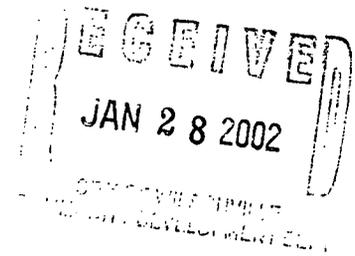
8. Name of Project Houston Office Complex
Owner & Contact Houston Properties
Address P.O. Box 767 Beaverton, Oregon 97075
Phone Number Not Available
Project Description Earthwork and site utilities for 115,000 SF office building
Project Location Wilsonville, Oregon
Contract Amount \$523,000 Over/Under Contract & Amount _____
Dates Started and Completed 6-98 to 10-98 Completed on Time Yes
Project Construction Supervisor Bill Sessums
Architect/Engineering Firm & Contact VLMK Engineers
Address 3933 SW Kelly Ave., Portland, OR 97201
Phone Number 503-222-4453
Indicate whether: Prime Contractor, Sub-contractor or Joint Venture on Project Subcontractor
Remarks _____

9. Name of Project Queen Avenue Water Line
Owner & Contact City of Albany
Address P.O. Box 490 Albany, Oregon 97321
Phone Number 541-917-7645
Project Description 2400 LF 24" DIP water line in city streets
Project Location Albany, Oregon
Contract Amount \$480,000 Over/Under Contract & Amount _____
Dates Started and Completed 2-98 to 6-98 Completed on Time _____
Project Construction Supervisor Bill Sessums
Architect/Engineering Firm & Contact City of Albany
Address P.O. Box 490 Albany, Oregon 97321
Phone Number 541-917-7645
Indicate whether: Prime Contractor, Sub-contractor or Joint Venture on Project Prime
Remarks _____

10. Name of Project Beaverton High School
Owner & Contact Beaverton School District No. 48
Address 13000 SW 2nd Street Beaverton, Oregon 97005
Phone Number 503-591-8000
Project Description Earthwork and site utilities for new aquatic center and high school
Project Location Beaverton, Oregon
Contract Amount \$1,714,202 Over/Under Contract & Amount _____
Dates Started and Completed 9-97 to 3-99 Completed on Time Yes
Project Construction Supervisor Bill Sessums
Architect/Engineering Firm & Contact KPFF
Address 111 SW 5th Ave. Suite 2500 Portland, Oregon 97204
Phone Number 503-227-3251
Indicate whether: Prime Contractor, Sub-contractor or Joint Venture on Project Subcontractor
Remarks _____

Valley Pacific Const.
Projects

Valley Pacific Construction, Inc.
Recent Projects
July 1998 – December 2001



PROJECT Spirit Mountain Casino
OWNER
ENGINEER
GENERAL CONTRACTOR Drake
START **END** **CONTRACT AMOUNT \$2,447,960**

PROJECT PDX Airport Econo Park XP - Portland, Oreogn
OWNER
ENGINEER
GENERAL CONTRACTOR
START **END** **CONTRACT AMOUNT \$ 457,735**

PROJECT Fern Ridge Wetlands - Hillsboro, Oregon
OWNER
ENGINEER
GENERAL CONTRACTOR
START **END** **CONTRACT AMOUNT \$ 485,598**

PROJECT Factory Outlet Expansion - Lincoln City, Oregon
OWNER
ENGINEER
GENERAL CONTRACTOR
START **END** **CONTRACT AMOUNT \$ 485,598**

PROJECT Leslie Middle School - Salem, Oreogn
OWNER
ENGINEER
GENERAL CONTRACTOR
START **END** **CONTRACT AMOUNT \$ 741,821**

PROJECT Newport Middle School - Newport, Oregon
Earthwork and site utilities for new middle school
Lincoln County School District
OWNER Westech Engineering
ENGINEER Valley Pacific
GENERAL CONTRACTOR Valley Pacific
START 6-96 **END** 8-98 **CONTRACT AMOUNT \$ 930,770**

Valley Pacific Const.
Projects

PROJECT	Pringle Road - Salem, Oregon
OWNER	
ENGINEER	
GENERAL CONTRACTOR	
START	END
	CONTRACT AMOUNT \$ 471,085
PROJECT	Beaverton High School - Beaverton, Oregon
OWNER	Earthwork and site utilities for new aquatic center and high school
ENGINEER	Beaverton School District No. 48
GENERAL CONTRACTOR	kpff
START	9-97
	END 3-99
	CONTRACT AMOUNT \$ 1,714,202
PROJECT	Queen Avenue Water Line - Albany, Oregon
OWNER	2400 LF 24" DIP water line in city streets
ENGINEER	City of Albany
GENERAL CONTRACTOR	City of Albany
START	2-98
	END 6-98
	CONTRACT AMOUNT \$ 480,000
PROJECT	Houston Office Complex - Wilsonville, Oregon
OWNER	Earthwork and site utilities for 115,000 SF office building
ENGINEER	Houston Properties
GENERAL CONTRACTOR	VLMK Engineers
START	6-98
	END 10-98
	CONTRACT AMOUNT \$ 523,000
PROJECT	Hillsboro Sports Field Complex - Hillsboro, Oregon
OWNER	Earthwork, site utilities, street, paving, walks, curbs & lighting.
ENGINEER	City of Hillsboro Parks and Recreation
GENERAL CONTRACTOR	WRG Design, Inc.
START	8-98
	END 6-99
	CONTRACT AMOUNT \$ 4,465,000
PROJECT	Woodburn Company Stores - Woodburn, Oregon
OWNER	Earthwork, site utilities, site grading & rocking, building pad grading
ENGINEER	structural excavation and backfill.
GENERAL CONTRACTOR	Craig Realty Group
START	9-98
	END 7-99
	CONTRACT AMOUNT \$ 1,800,215

Valley Pacific Const.
Projects

PROJECT West Union Village
Earthwork, grading and rocking, soil treatment, building pad prep.,
structure excavation and backfill storm sewer, sanitary sewer, water
lines & services, half street improvements.
OWNER Aspen Newfoundland, LLC
ENGINEER WRG Design
GENERAL CONTRACTOR S.D. Deacon Corp.
START 9-99 **END** 03-01 **CONTRACT AMOUNT** \$2,121,151

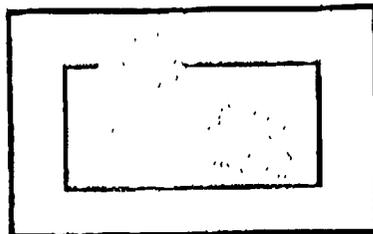
PROJECT Sherwood Elementary School
Earthwork, grading and rocking, soil treatment, building pad prep.,
structure excavation and backfill storm sewer, sanitary sewer, water
lines & services, half street improvements.
OWNER Sherwood School District
ENGINEER LSW Architects
GENERAL CONTRACTOR O.C. America Construction, Inc.
START 11-99 **END** 9-00 **CONTRACT AMOUNT** \$662,450

PROJECT Wood Village Town Center
Earthwork, grading and rocking, soil treatment, building pad prep.,
structure excavation and backfill storm sewer, sanitary sewer, water
lines & services, new street improvement. Commercial/Retail
shopping center.
OWNER Koll Development
ENGINEER W&H Pacific
GENERAL CONTRACTOR S.D. Deacon Corp.
START 5-00 **END** 4-01 **CONTRACT AMOUNT** \$4,259,600

PROJECT Southwest Sherwood Water Service Zone – System Improvements
Earthwork, grading, boring under roadway, water lines & services,
street and landscape restoration.
OWNER City of Sherwood
ENGINEER Murrery Smith Associates
GENERAL CONTRACTOR Valley Pacific Const.
START 4-00 **END** 8-00 **CONTRACT AMOUNT** \$410,000

PROJECT City of Monmouth – Effluent Reuse Facility
Earthwork, grading, boring under roadway, pressure and gravity sewer
lines & services, street restoration and overlay, pumping station with
instrumentation and equipment building..
OWNER City of Monmouth
ENGINEER Ch2m Hill / Whitaker Engineering
GENERAL CONTRACTOR Valley Pacific Const.
START 10-00 **END** 5-01 **CONTRACT AMOUNT** \$1,682,100

Exhibit A-16



Canby Excavating, Inc.

P.O. Box 848 • Canby, Oregon 97013 • Phone (503) 266-2792 • FAX (503) 266-2791
REGISTERED & BONDED CCB #77471

January 28, 2002

John Michael, Engineering Associate
30000 SW Town Center Loop East
Wilsonville, OR 97070
Fax: (503) 682-1015

RE: Coffee Creek Correctional Facility Infrastructure Street Construction Phases 5 & 7

Dear Mr. Michael:

I am writing this letter to appeal the decision made to disqualify Canby Excavating from bidding on the above-referenced project.

We believe that the public projects we completed this past year, combined with a successful track record on over 50 public projects in the past decade, should be sufficient to illustrate our competence in the public works sector. Additionally, a proven track record and long list of satisfied private clients will hopefully only enhance our qualifications in the eyes of the City of Wilsonville.

Please review our additional comments for each of the projects listed below. I have listed them in the order they appear on our SOQ. You may also wish to refer back to our SOQ for more information on each project.

Project No.1: City of Lake Oswego 2001-2002 Annual Water System Rehabilitation

Please note that this project includes street restoration and improvement, including paving, curbs, and sidewalks.

Project No. 3: Lenox Sanitary Sewer Trunkline

Again, please note that this project involved extensive street restoration in the form of patching and overlay.

Project No. 4: Canby Station

This was a sitework project for Triplett-Wellman as general contractor for Cutsforth's Thriftway. However, the public street improvements work on this project was done under the direction of the City of Canby. Ivy Street is one of Canby's major public streets and runs directly in front of Thriftway, intersecting with 2nd Street, which runs alongside Thriftway. One of our client's main concerns was that weekend access to Thriftway would be kept as easy as possible, so as to avoid losing sales. To accommodate this request, we coordinated our work with the City of Canby to the effect that we completed the work on Ivy in five days and were able to reopen the street in time for weekend customers. During the week, customers were able to reach the store via 2nd

Street. Not only did we build a wider street section on Ivy, but we added curbs, sidewalks and drainage for both Ivy and 2nd Street.

Project No. 5: Pacific Heights 12th Street Improvements

This project involved widening a busy street under the jurisdiction of ODOT. 12th Street has four lanes of traffic plus a center turn lane. In order to widen the road, we first had to build up a steep embankment next to the existing road and ensure that it met ODOT specs before widening the road onto the new embankment section. In addition to successfully building a new road section, we also constructed a storm drain system for the road. Our new road section also included a turn pocket for safer access to a nearby subdivision. Although we widened the entire road, we were able to maintain a continuous and safe flow of traffic through lane shifting and flagging.

Project No. 6: Faist Addition Phase 3

At Faist Addition Phase 3, we constructed half-street improvements under the direction of Clackamas County and the City of Canby. Again, we were able to maintain continuous and safe traffic flow through the use of lane shifting.

Project No. 7: Willamette Falls Drive Waterline

Willamette Falls Drive is a major public street in West Linn that runs parallel to I-205. When we laid the waterline down this street, one of the main concerns of the City of West Linn was about traffic flow. We completed this project with a minimum of road closures and were able to keep this main city street operational throughout the construction project. We took this project from start to finish in just six weeks.

Project No. 8: Canby Market Center

Canby Market Center was a complex sitework project that involved building a shopping center for Gramor Development. For part of this project, we were required to rebuild a major section of 99E under the direction of ODOT and Clackamas County. It went from a two-lane highway to four lanes, with the addition of a center island, sidewalks and landscaping. At the same time, we built a drainage system for the expanded highway. The next consideration was to rebuild the nearby ODOT intersection, which included a Union Pacific Railroad crossing. This particular railroad is a main railroad arterial running north from Mexico to Canada and it was critical that railroad traffic be maintained.

As well as widening the intersection, we also had to reroute another existing street, demolishing an entire section of public road (for Clackamas County) and rebuilding it to the intersection. Across the intersection, we widened another portion of public street for the City of Canby, while adding drainage, curbs, and sidewalks. At the intersection itself, we added turn lanes, pedestrian signals, and, most importantly, the traffic signal. This traffic signal had also to be wired to coordinate with the railroad crossing.

Canby Market Center was an intensive project built on a tight timeline. Gramor's major tenant, Fred Meyer, had set a detailed schedule for their store opening process. It was absolutely critical for the success of our client that we meet the deadlines. We did this, sometimes with days to spare. It was a project with many and diverse stakeholders, all of whom were satisfied with the project upon its completion. We were able to maintain a constant flow of traffic through the project, both on a major highway and a major railroad. We also facilitated access to local businesses and residents, ensuring their safety while meeting their access needs.

Project No. 9: South End Sewer

While this project was primarily a sewer project, it deserves mention because of our success in maintaining traffic flow on a major public thoroughfare belonging to Clackamas County. This work was done under the direction of the City of Oregon City, along with Clackamas County, and involved installation of a sewer trunk line and pump station along South End Road in Oregon City. One of the triumphs of this project was that we did not once have to close the road. We achieved this with carefully planned, extensive traffic control. We completed this project nearly four years ago, and we still talk about it as one of the best examples of maintaining harmony between construction workers and the motoring public.

I would also like to mention a project we did for the City of Forest Grove. For this project, we tore out two streets and completely rebuilt them, including paving, curbs and sidewalks. The contract value was \$352,723. Our contact person at the City of Forest Grove is Nick Kelscy, who can be reached at (503) 359-3228. The project was completed in August of 1996.

The above remarks should hopefully make it clear that Canby Excavating has the needed road-building experience. We routinely operate on tight timelines and are confident that we can meet any deadline given us by the City of Wilsonville. Although all our projects are not the size of the Coffee Creek project, our experience should be weighed together with the fact that our bonding company backs us for an aggregate capacity of \$20 million. If anything, it would be less of a challenge to manage one job of this size than five jobs each a fifth of its size, since we could then utilize our resources with greater efficiency.

Another point worthy of mention is that the City of Portland, which employs an extensive prequalification process, has prequalified Canby Excavating for \$4 million in Street Improvements work in 2002.

In closing, I would like to express our concern over the City's use of prequalification for individual projects. Putting this SOQ together took a considerable amount of time and energy. It seems to me that this process could deter us from bidding on future City of Wilsonville projects, should we not have the extra resources available to prepare another SOQ for each new project. In the end, it's possible that the process could result in eliminating competent contractors from the bidding list, simply because they would find it easier to bid elsewhere. I would like to suggest that the City consider an annual prequalification process in which each contractor would apply once and be assigned a bidding dollar range for the upcoming year.

John, you've been very helpful in navigating through this process, and I thank you for your pains. Hopefully this letter has provided you with the information you need to convince you that Canby Excavating could successfully complete this project. We are certainly convinced of it!

Thank you for your time and attention. Should you need further information, please don't hesitate to call George Schmidt, Jr. or myself.

Sincerely,



Joy Kyllingmark
Contract Administrator

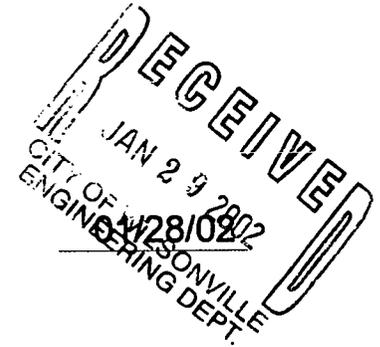
Exhibit A-17

Oregon Asphaltic Paving Co.

2770 NW Rogers Circle
Phone - (503) 252-1497

Troutdale, OR 97060
Fax - (503) 255-6147

Fax Transmittal



To : John Michael

Date : _____

Company : City of Wilsonville

Regarding : _____

Fax # : 503-682-8816

No. of pages : 3
(including cover)

From : Roger Metcalf

Message :

John

Please find herewith a list of 3 additional jobs that we are submitting as additional evidence
of our ability to perform the construction work on the Coffee Creek Correctional Facility Infrastructure
Phase 5 & 7 job. The original is being mailed to you today.

Thank you for your help and attention in this matter. Should you have any further questions
please feel free to call me.

Roger Metcalf

"Coffee Creek Correctional Facility Infrastructure Phase 5 & 7"

ITEM 2.2 - SUPPLEMENTAL LIST OF MAJOR PROJECTS

1	Name of Project	<u>Employee Parking Lot</u>	
	Owner & Contact	<u>Port of Portland - Mike Carpenter, Const. Manager</u>	
	Address	<u>8155 NE Air Cargo Rd., Portland, OR</u>	
	Phone Number	<u>503-460-4715</u>	
	Project Description	<u>Underground Utilities, General Excavation & Finish including digging,</u> <u>Electrical, Landscaping, Signage & Striping, Erosion Control,</u> <u>Aggregate Placement, Asphalt Paving, Fencing, & Concrete Work</u>	
	Project Location	<u>92nd & Alderwood Lane, Portland</u>	
	Contract Amount	<u>\$3,700,000.00</u>	<u>Over/Under Contract & Amount +\$200,000.00</u>
	Dates Started & Completed	<u>7/01 - 1/02</u>	<u>Completed on Time Yes</u>
	Project Construction Supervisor	<u>Marc Schoenberg</u>	
	Architect/Engineering Firm & Contact	<u>Group MacKenzie, Ralph Henderson</u>	
	Address	<u>0690 SW Bancroft Street, Portland, OR 97201</u>	
	Phone Number	<u>503-224-9560</u>	
	Indicate whether :	<u>Prime Contractor, Sub-contractor or Joint Venture on Projec Prime Contractor</u>	
	Remarks	<u>The project was built to City of Portland Specifications</u>	
2	Name of Project	<u>Rogers Park Subdivision</u>	
	Owner & Contact	<u>Tigard Sand & Gravel - A. J. Urbanek</u>	
	Address	<u>2770 NW Rogers Circle, Troutdale, OR 97060</u>	
	Phone Number	<u>503-254-5517</u>	
	Project Description	<u>Built Residential Subdivision from bare ground - All phases</u>	
	Project Location	<u>Tualatin</u>	
	Contract Amount	<u>\$1,400,000.00</u>	<u>Over/Under Contract & Amount (\$150,000.00)</u>
	Dates Started & Completed	<u>7/00 - 12/00</u>	<u>Completed on Time Yes</u>
	Project Construction Supervisor	<u>Rod Myrick, General Supt.</u>	
	Architect/Engineering Firm & Contact	<u>AKS Engineering - Monte Hurly</u>	
	Address	<u>18961 SW 84th Ave., Tualatin, OR 97062</u>	
	Phone Number	<u>503-692-5887</u>	
	Indicate whether :	<u>Prime Contractor, Sub-contractor or Joint Venture on Projec Prime Contractor</u>	
	Remarks	<u>City of Tualatin Engineering Rep. - Mike Hill</u>	

ITEM 2.2 - SUPPLEMENTAL LIST OF MAJOR PROJECTS (Cont.)

3 Name of Project ODOT - US Highway 97 - Wasco - Moro Section

Owner & Contact Orecon Dept. of Transportation - Pat Cimmiyotti

Address 3313 Bret Clodfelter Road, The Dalles, OR

Phone Number 541-296-2800

Project Description Underground Utilities, Traffic Control, Erosion Control, Roadway Reconst.,
with Digging, Survey Construction, Retaining Walls, Aggregate Placement,
Fencing, Concrete Work, Guard Rail, Signage & Striping, Asphalt Paving

Project Location U S Highway 97

Contract Amount \$3,767,444.00 Over/Under Contract & Amount -

Dates Started & Completed 1/02 - Completed on Time N/A

Project Construction Supervisor Dan Pokorny

Architect/Engineering Firm & Contact ODOT

Address _____

Phone Number _____

Indicate whether : Prime Contractor, Sub-contractor or Joint Venture on Projec Prime Contractor

Remarks _____