



**CONTRACT DOCUMENTS
AND
SPECIFICATIONS**

DIVISION OF PARKS & RECREATION

FOR

**CONSTRUCTION UNIT PRICE
CONTRACT FOR PARKS &
RECREATION**

Bid No. 12-2016

PART III

Invitation to Bid No. 12-2016

Construction Unit Price Contract for Parks & Recreation

1. **FORM OF PROPOSAL**

Place: Lexington, Kentucky

Date: _____

The following Form of Proposal shall be followed exactly in submitting a proposal for this Work.

This Proposal Submitted by FKB Service LLC
115 MacArthur Ct. Nicholas 40354
(Name and Address of Bidding Contractor)

(Hereinafter called "Bidder"), organized and existing under the laws of the State of IN, doing business as FKB Service LLC
LLC "a corporation," "a partnership", or an "individual" as applicable.

To: Lexington-Fayette Urban County Government
(Hereinafter called "OWNER")
Office of the Director of Purchasing
200 East Main Street, 3rd Floor
Lexington, KY 40507

Gentlemen:

The Bidder, in compliance with your Invitation for Bids for **Construction Unit Price Contract for Parks & Recreation** having examined the Plans and Specifications with related documents, having examined the site for proposed Work, and being familiar with all of the conditions surrounding the construction of the proposed Project, including the availability of materials and labor, hereby proposes to furnish all labor, materials, and supplies, and to construct the Project in accordance with the Contract Documents, within the time set forth therein, and at the lump sum and/or unit prices stated hereinafter. These prices are to cover all expenses incurred in performing the Work required under the Contract Documents, of which this proposal is a part. The OWNER will issue work orders for work to be performed under this Contract.

BIDDER hereby agrees to commence work under this contract on or before a date to be specified in the Notice to Proceed and to fully complete the project within the time provided in the

Purchase Order or Work Orders issued by the OWNER. BIDDER further agrees to pay liquidated damages, the sum of \$100.00 for each consecutive calendar day thereafter.

The Bidder hereby acknowledges receipt of the following addenda:

Addendum No. ____ Date _____

Addendum No. ____ Date _____

Addendum No. ____ Date _____

Addendum No. ____ Date _____

Addendum No. ____ Date _____

Addendum No. ____ Date _____

Addendum No. ____ Date _____

Addendum No. ____ Date _____

Insert above the number and the date of any Addendum issued and received. If none has been issued and received, the word "NONE" should be inserted.

2. LEGAL STATUS OF BIDDER

Bidder FKB Service LLC

Date 3/11/16

* 1. A corporation duly organized and doing business under the laws of the State of IL, for whom BRIAN K. MORROW FKB, bearing the official title of FKB SERVICE, whose signature is affixed to this Bid/Proposal, is duly authorized to execute contracts.

* 2. A Partnership, all of the members of which, with addresses are: (Designate general partners as such)

* 3. An individual, whose signature is affixed to this Bid/Proposal (please print name)

Brian K. Morrow FKB

*(The Bidder shall fill out the appropriate form and strike out the other two.)

3. **BIDDERS AFFIDAVIT**

Comes the Affiant, B. Smith, and after being first duly sworn, states under penalty of perjury as follows:

1. His/her name is Brian Morris and he/she is the individual submitting the bid or is the authorized representative of FCB SIZW LLC, the entity submitting the bid (hereinafter referred to as "Bidder").
2. Bidder will pay all taxes and fees, which are owed to the Lexington-Fayette Urban County Government at the time the bid is submitted, prior to award of the contract and will maintain a "current" status in regard to those taxes and fees during the life of the contract.
3. Bidder will obtain a Lexington-Fayette Urban County Government business license, if applicable, prior to award of the contract.
4. Bidder has authorized the Division of Central Purchasing to verify the above-mentioned information with the Division of Revenue and to disclose to the Urban County Council that taxes and/or fees are delinquent or that a business license has not been obtained.
5. Bidder has not knowingly violated any provision of the campaign finance laws of the Commonwealth of Kentucky within the past five (5) years and the award of a contract to the Bidder will not violate any provision of the campaign finance laws of the Commonwealth.
6. Bidder has not knowingly violated any provision of Chapter 25 of the Lexington-Fayette Urban County Government Code of Ordinances, known as the "Ethics Act."
7. Bidder acknowledges that "knowingly" for purposes of this Affidavit means, with respect to conduct or to circumstances described by a statute or ordinance defining an offense, that a person is aware or should have been aware that his conduct is of that nature or that the circumstance exists.

Further, Affiant sayeth naught.

Brian Morris
(Affiant)

STATE OF

COUNTY OF

The foregoing instrument was subscribed, sworn to and acknowledged before me by

B. Smith on this the 11 day of May, 2011.

My Commission expires:

07-02-14
[Signature]
NOTARY PUBLIC, STATE AT LARGE

4. BID SCHEDULE – SCHEDULE OF VALUES

The Bidder agrees to perform all the Work described in the Specifications and shown on future Plans for the following proposed unit prices, if applicable, which shall include the furnishing of all labor, materials, supplies, equipment and/or vehicle usage, services, all items of cost, overhead, taxes (federal, state, local), and profit for the Contractor and any Subcontractor involved, within the time set forth herein. If unit prices are applicable, Bidder must make the extensions and additions showing the total amount of bid.

In addition to completing the following schedule of values, bidders shall enter their unit prices on the attached Excel spreadsheet (Available through the LFUCG Economic Engine Marketplace), titled *Construction Unit Price Contract P&R Bid Schedule.xls*, and submit it with their bid on a CD or flash drive. Any discrepancies between entries in the table below and the electronic spreadsheet will defer to the unit price as written in the schedule below.

The Bidder is not required to bid on every item listed in the bid schedule. In instances where the Bidder chooses not to bid on a specific item, the Bidder shall enter the phrase “No Bid” in the unit price column for that respective item. However, Bidders are cautioned that failure to submit a unit bid price on an item will disqualify the Bidder from any project requiring that item, even if they have submitted unit bid prices for all other work items pertaining to that particular project.

Form of proposal must include unit bid prices written in words and unit price written in numbers per line item OR bid may be considered non-responsive. In case of price discrepancy, unit bid price written in words will prevail followed by unit price written in numbers per line item.

If the unit price and the item total are illegible or are omitted, the bid may be determined nonresponsive.

For a unit price based bid, the sum of the item totals is the bid amount the Division uses for bid comparison.

The LFUCG’s decision on the bid amount is final.

Item No.	Description w/Unit Bid Price Written in Words	Unit	Unit Price
1.	Bituminous pavement for athletic courts - Base _____ Dollars _____ Cents	TN	\$ _____
2.	Bituminous pavement for athletic courts – Surface _____ Dollars _____ Cents	TN	\$ _____
3.	Bituminous pavement reinforced with aramid fibers for athletic courts – Base _____ Dollars _____ Cents	TN	\$ _____
4.	Bituminous pavement reinforced with aramid fibers for athletic courts – Surface _____ Dollars _____ Cents	TN	\$ _____

Item No.	Description w/Unit Bid Price Written in Words	Unit	Unit Price
5.	Bituminous pavement milling for athletic courts _____ Dollars _____ Cents	TN	\$ _____
6.	Dense Grade aggregate placed Base _____ Dollars _____ Cents	TN	\$ _____
7.	Bituminous pavement Crack repair _____ Dollars _____ Cents	LF	\$ _____
8.	Bituminous pavement Crack filler _____ Dollars _____ Cents	LF	\$ _____
9.	Court color coating _____ Dollars _____ Cents	SY	\$ _____
10.	Court striping _____ Dollars _____ Cents	LF	\$ _____
11.	Athletic court fencing coated 8' _____ Dollars _____ Cents	LF	\$ _____
12.	Athletic court fencing coated 10' _____ Dollars _____ Cents	LF	\$ _____
13.	Athletic court fencing coated 12' _____ Dollars _____ Cents	LF	\$ _____
14.	Athletic court fencing galvanized 8' _____ Dollars _____ Cents	LF	\$ _____
15.	Athletic court fencing galvanized 10' _____ Dollars _____ Cents	LF	\$ _____
16.	Athletic court fencing galvanized 12' _____ Dollars _____ Cents	LF	\$ _____

Item No.	Description w/Unit Bid Price Written in Words	Unit	Unit Price
17.	Asphalt sealing _____ Dollars _____ Cents	SY	\$ _____
18.	Parking lot striping _____ Dollars _____ Cents	LF	\$ _____
19.	Concrete Sidewalk _____ Dollars _____ Cents	SY	\$ _____
20.	Finished concrete _____ Dollars _____ Cents	CY	\$ _____
21.	Excavation _____ Dollars _____ Cents	CY	\$ _____
22.	Embankment _____ Dollars _____ Cents	CY	\$ _____
23.	Finish grading _____ Dollars _____ Cents	CY	\$ _____
24.	Laser grading _____ Dollars _____ Cents	CY	\$ _____
25.	Environmental Fencing _____ Dollars _____ Cents	LF	\$ _____
26.	Seeding and protection _____ Dollars _____ Cents	SY	\$ _____
27.	Topsoil _____ Dollars _____ Cents	CY	\$ _____

Payment and Performance Bond Cost for Projects over \$50,000. _____ Percent of Total Project Cost* *See Special Conditions, Section 4. Payment for Cost of P&P Bond	_____ %
Unspecified Incidental Materials at Cost Plus 15% - Check if Interested	<input type="checkbox"/>
Unspecified Incidental Labor at Direct Wages Plus Certified Overhead Plus 15% - Check if interested	<input type="checkbox"/>
Minimum Total Project Cost for Consideration (See Special Conditions, Section 2) – Enter dollar amount	\$ _____

Mobilization, Traffic Control, Construction Staking, and E&S Permitting will be paid on a sliding percentage scale for increments of the final price for Work, per the table below.

For example, if the final total of Bid Item Prices for the Work is \$24,000, Mobilization would be (\$10,000 X 15%) plus (\$10,000 X 10%) plus (\$4,000 X 5%) = \$2,700).

No additional compensation will be paid beyond a contract price of \$100,000. For example, the mobilization cost for a \$100,000 price of Work will be identical to that for a \$110,000 price of Work.

Applicability of Traffic Control, Construction Staking, and E&S Permitting will be agreed upon individually for each Purchase Order.

Table of Incremental Costs for Mobilization and Additional Services

Increment Price for Work	(a) Mobilization Cost %	(b) Traffic Control Cost %	(c) Construction Staking Cost %	(d) SWPP Etc. Cost %
\$0 - \$10,000	15.0	7.5	7.5	5.0
\$10,000 - \$20,000	10.0	4.5	4.5	0.5
\$20,000 - \$30,000	5.0	3.0	3.0	.05
\$30,000 - \$50,000	5.0	2.5	2.5	0.5
\$50,000 - \$75,000	5.0	2.5	2.5	0.5
\$75,000 - \$100,000	4.0	2.0	2.0	0.5

Submitted by:

FKD Service LLC

Firm

115 MacArthur Ct

Address

Nich Y 40355

City, State & Zip

**Bid must be signed:
(original signature)**

 Project
Signature of Authorized Company Representative – Title

Brian K. Monroe
Representative's Name (Typed or Printed)

859-221-5183
Area Code – Phone – Extension

859-885-4211
Fax #

FAL617@aol.com or FKDOffice@gmail.com
E-Mail Address

OFFICIAL ADDRESS:

(Seal if Bid is by Corporation)

By signing this form you agree to ALL terms, conditions, and associated forms in this bid package

5. **STATEMENT OF BIDDER'S QUALIFICATIONS**

The following statement of the Bidder's qualifications is required to be filled in, executed, and submitted with the Proposal:

- 1. Name of Bidder: FKB Service LLC
- 2. Permanent Place of Business: 115 MacArthur Ct - N. 40356
- 3. When Organized: 2001
- 4. Where Incorporated: 2010
- 5. Construction Plant and Equipment Available for this Project:
Excavator, Bobcat, Dump Trailer, all hand tools
everything we need

(Attach Separate Sheet If Necessary)

6. Financial Condition:

If specifically requested by the OWNER, the apparent low Bidder is required to submit its latest three (3) years audited financial statements to the OWNER'S Division of Central Purchasing within seven (7) calendar days following the bid opening.

7. In the event the Contract is awarded to the undersigned, surety bonds will be furnished by:

[Signature] (Surety)

Signed: [Signature] (Representative of Surety)

8. The following is a list of similar projects performed by the Bidder: (Attach separate sheet if necessary).

<u>NAME</u>	<u>LOCATION</u>	<u>CONTRACT SUM</u>
ZIC	W. Main St	33,000.00
Hadley Pump	City	100,000
Frederick	Nicholsville - MA	374,000.00
Minor	W. Short St.	24,000.00
City Box	Broadway	34,000

9. The Bidder has now under contract and bonded the following projects:

<u>NAME</u>	<u>LOCATION</u>	<u>CONTRACT SUM</u>

10. List Key Bidder Personnel who will work on this Project.

<u>NAME</u>	<u>POSITION DESCRIPTION</u>	<u>NO. OF YEARS WITH BIDDER</u>
Brian K. Monra	Pres	25
Lynn Compt-	Supr	35

11. DBE Participation on current bonded projects under contract:

<u>SUBCONTRACTORS</u> <u>(LIST)</u>	<u>PROJECT</u> <u>(SPECIFIC TYPE)</u>	<u>DBE</u>	<u>% of WORK</u>
n/a			
all in house			

(USE ADDITIONAL SHEETS IF NECESSARY)

12. We acknowledge that, if we are the apparent low Bidder, we may be required to submit to the OWNER within 7 calendar days following the Bid Opening, a sworn statement regarding all current work on hand and under contract, and a statement on the OWNER'S form of the experience of our officers, office management and field management personnel. Additionally, if requested by the OWNER, we will within 7 days following the request submit audited financial statements and loss history for insurance claims for the 3 most recent years (or a lesser period stipulated by the OWNER).

6. LIST OF PROPOSED SUBCONTRACTORS

The following list of proposed subcontractors is required by the OWNER to be executed, completed and submitted with the BIDDER'S FORM OF PROPOSAL. All subcontractors are subject to approval of the Lexington-Fayette Urban County Government. Failure to submit this list completely filled out may be cause for rejection of bid.

<u>BRANCH OF WORK - LIST EACH MAJOR ITEM</u> Such as: Grading, bituminous paving, concrete, seeding and protection, construction staking, etc.	<u>SUBCONTRACTOR</u>	<u>DBE Yes/No</u>	<u>% of Work</u>
1. <u>D. J. Smith Inc</u>	Name: <u>Willis Be...</u>	<u>no</u>	<u>20</u>
	Address: _____		
2. <u>Ric Frank Fern</u>	Name: <u>Mitch Be...</u>	<u>no</u>	<u>10</u>
	Address: _____		
3. _____	Name: _____	_____	_____
	Address: _____		
4. _____	Name: _____	_____	_____
	Address: _____		
5. _____	Name: _____	_____	_____
	Address: _____		
6. _____	Name: _____	_____	_____
	Address: _____		
7. _____	Name: _____	_____	_____
	Address: _____		

(Attach additional sheet(s) if necessary.)



LFUCG MWDBE PARTICIPATION FORM

Bid/RFP/Quote Reference # _____

The MWDBE subcontractors listed have agreed to participate on this Bid/RFP/Quote. If any substitution is made or the total value of the work is changed prior to or after the job is in progress, it is understood that those substitutions must be submitted to Central Purchasing for approval immediately.

MWDBE Company, Name, Address, Phone, Email	Work to be Performed	Total Dollar Value of the Work	% Value of Total Contract
1. <i>all in Name</i>			
2.			
3.			
4.			

The undersigned company representative submits the above list of MWDBE firms to be used in accomplishing the work contained in this Bid/RFP/Quote. Any misrepresentation may result in the termination of the contract and/or be subject to applicable Federal and State laws concerning false statements and false claims.

ELB Service LLC

Company

3/14/16

Date

Brian Mon

Company Representative

Pro

Title



LFUCG MWDBE SUBSTITUTION FORM

Bid/RFP/Quote Reference # _____

The substituted MWDBE subcontractors listed below have agreed to participate on this Bid/RFP/Quote. These substitutions were made prior to or after the job was in progress. These substitutions were made for reasons stated below and are now being submitted to Central Purchasing for approval. By the authorized signature of a representative of our company, we understand that this information will be entered into our file for this project.

SUBSTITUTED MWDBE Company Name, Address, Phone, Email	MWDBE Formally Contracted/ Name, Address, Phone, Email	Work to Be Performed	Reason for the Substitution	Total Dollar Value of the Work	% Value of Total Contract
1. <i>all or more</i>					
2.					
3.					
4.					

The undersigned acknowledges that any misrepresentation may result in termination of the contract and/or be subject to applicable Federal and State laws concerning false statements and false claims.

FUG Services LLC

Company

3/12/14

Date

Barry Mon

Company Representative

[Signature]

Title



MWDBE QUOTE SUMMARY FORM

Bid/RFP/Quote Reference # _____

The undersigned acknowledges that the minority subcontractors listed on this form did submit a quote to participate on this project.

Company Name	Contact Person
Address/Phone/Email	Bid Package / Bid Date

MWDBE Company Address	Contact Person	Contact Information (work phone, Email, cell)	Date Contacted	Services to be performed	Method of Communication (email, phone meeting, ad, event etc)	Total dollars \$\$ Do Not Leave Blank (Attach Documentation)	MBE * AA HA AS NA Female
<i>ent - New</i>							

(MBE designation / AA=African American / HA= Hispanic American/AS = Asian American/Pacific Islander/ NA= Native American)

The undersigned acknowledges that all information is accurate. Any misrepresentation may result in termination of the contract and/or be subject to applicable Federal and State laws concerning false statements and claims.

JKB S-L-L

Company

3/2/16

Date

Joe Br-Mon

Company Representative

[Signature]

Title

LFUCG STATEMENT OF GOOD FAITH EFFORTS

Bid/RFP/Quote # _____

By the signature below of an authorized company representative, we certify that we have utilized the following Good Faith Efforts to obtain the maximum participation by MWDBE business enterprises on the project and can supply the appropriate documentation.

- N Advertisements opportunities to participate in the contract in at least two (2) publications of general circulation media; trade and professional association publications; small and minority business or trade publications; and publications or trades targeting minority, women and disadvantaged businesses not less than fifteen (15) days prior to the deadline for submission of bids to allow MWDBE firms to participate.
- Included documentation of advertising in the above publications with the bidder's good faith efforts package
- Attended LFUCG Central Purchasing Economic Inclusion Outreach event
- N Attended pre-bid meetings that were scheduled by LFUCG to inform MWDBEs of subcontracting opportunities
- N Sponsored Economic Inclusion event to provide networking opportunities for prime contractors and MWDBE firms
- N Requested a list of MWDBE subcontractors or suppliers from LFUCG Economic Engine and showed evidence of contacting the companies on the list(s).
- N Contacted organizations that work with MWDBE companies for assistance in finding certified MWDBE firms to work on this project. Those contacted and their responses should be a part of the bidder's good faith efforts documentation.
- N Sent written notices, by certified mail, email or facsimile, to qualified, certified MWDBEs soliciting their participation in the contract not less than seven (7) days prior to the deadline for submission of bids to allow them to participate effectively.
- Followed up initial solicitations by contacting MWDBEs to determine their level of interest.
- N Provided the interested MWDBE firm with adequate and timely information about the plans, specifications, and requirements of the contract.
- N Selected portions of the work to be performed by MWDBE firms in order to increase the likelihood of meeting the contract goals. This includes, where appropriate, breaking out contract work items into economically feasible units to facilitate MWDBE participation, even when the prime contractor may otherwise perform these work items with its own workforce

8. AUTHENTICATION OF BID AND STATEMENT OF NON-COLLUSION, NON-CONFLICT OF INTEREST

I hereby swear (or affirm) under the penalty for false swearing:

1. That I am the Bidder (if the Bidder is an individual), a partner of the Bidder (if the Bidder is a partnership), or an officer or employee of the bidding corporation having authority to sign on its behalf (if the Bidder is a corporation);
2. That the attached bid has been arrived at by the Bidder independently, and has been submitted without collusion with, and without any agreement, understanding or planned common course of action, with any other contractor, vendor of materials, supplies, equipment or services described in the Invitation to Bid, designed to limit independent bidding or competition;
3. That the contents of the bid or bids have not been communicated by the Bidder or its employees or agents to any person not an employee or agent of the Bidder or its surety on any bond furnished, with the bid or bids, and will not be communicated to any such person, prior to the official opening of the bid or bids;
4. That the Bidder is legally entitled to enter into the contracts with the Lexington-Fayette Urban County Government, and is not in violation of any prohibited conflict of interest;
5. (Applicable to corporation only) That as a foreign corporation, we are registered with the Secretary of State, Commonwealth of Kentucky, and authorized to do business in the State NY or, that as a domestic corporation, we are in good standing with the Secretary of State, Commonwealth of Kentucky ✓. Check the statement applicable.
6. This offer is for 60 calendar days from the date this bid is opened. In submitting the above, it is expressly agreed that, upon proper acceptance by the Lexington-Fayette Urban County Government of any or all items bid above, a contract shall thereby be created with respect to the items accepted.
7. That I have fully informed myself regarding the accuracy of the statements made in this statement.
8. That I certify that Subcontractors have not and will not be awarded to any firm(s) that have been debarred from noncompliance with the Federal Labor Standards, Title VI of the Civil Rights Act of 1964 As Amended, Executive Order 11246 As Amended or any other Federal Law.

9. STATEMENT OF EXPERIENCE

NAME OF INDIVIDUAL: Brian R. Moran

POSITION/TITLE: PM

STATEMENT OF EXPERIENCE: Bar Nobs - instn of
30 yrs

NAME OF INDIVIDUAL: Lynn Conykt

POSITION/TITLE: Supr

STATEMENT OF EXPERIENCE: Wash - Constn 40 yrs

NAME OF INDIVIDUAL: _____

POSITION/TITLE: _____

STATEMENT OF EXPERIENCE: _____

NAME OF INDIVIDUAL: _____

POSITION/TITLE: _____

STATEMENT OF EXPERIENCE: _____

NAME OF INDIVIDUAL: _____

POSITION/TITLE: _____

STATEMENT OF EXPERIENCE: _____

NAME OF INDIVIDUAL: _____

POSITION/TITLE: _____

STATEMENT OF EXPERIENCE: _____

* Include all officers, office management's, Affirmative Action officials, and field management personnel. (Attach separate sheets if necessary.)

10. EQUAL OPPORTUNITY AGREEMENT

The Law

- * Title VII of the Civil Rights Act of 1964 (amended 1972) states that it is unlawful for an employer to discriminate in employment because of race, color, religion, sex, age (40-70 years) or national origin.
- * Executive Order No. 11246 on Nondiscrimination under Federal contract prohibits employment discrimination by contractor and subcontractor doing business with the Federal Government or recipients of Federal funds. This order was later amended by Executive Order No. 11375 to prohibit discrimination on the basis of sex.
- * Section 503 of the Rehabilitation Act of 1973 States:
The Contractor will not discriminate against any employee or applicant for employment because of physical or mental handicap.
- * Section 2012 of the Vietnam Era Veterans Readjustment Act of 1973 requires Affirmative Action on behalf of disabled veterans and veterans of the Vietnam Era by contractors having Federal Contracts.
- * Section 206 (A) of Executive Order 12086, Consolidation of Contract Compliance Functions for Equal Employment Opportunity, states:
The Secretary of Labor may investigate the employment practices of any Government contractor or sub-contractor to determine whether or not the contractual provisions specified in Section 202 of this order have been violated.

The Lexington-Fayette Urban County Government practices Equal Opportunity in recruiting, hiring and promoting. It is the Government's intent to affirmatively provide employment opportunities for those individuals who have previously not been allowed to enter into the mainstream of society. Because of its importance to the local Government, this policy carries the full endorsement of the Mayor, Commissioners, Directors, and all supervisory personnel. In following this commitment to Equal Employment Opportunity and because the Government is the benefactor of the Federal funds, it is both against the Urban County Government policy and illegal for the Government to let contracts to companies which knowingly or unknowingly practice discrimination in their employment practices. Violation of the above mentioned ordinances may cause a contract to be canceled and the contractor may be declared ineligible for future consideration.

Please sign this statement in the appropriate space acknowledging that you have read and understand the provisions contained herein. Return this document as part of your application packet.

Bidders

I/We agree to comply with the Civil Rights Laws listed above that govern employment rights of minorities, women, Vietnam veterans, handicapped, and aged persons.

Signature

ZKB Soni LLC

Name of Business

The Entity (regardless of whether construction contractor, non-construction contractor or supplier) agrees to provide equal opportunity in employment for all qualified persons, to prohibit discrimination in employment because of race, color, creed, national origin, sex or age, and to promote equal employment through a positive, continuing program from itself and each of its sub-contracting agents. This program of equal employment opportunity shall apply to every aspect of its employment policies and practices.

The Kentucky equal Employment Opportunity Act of 1978 (KRS 45.560-45.640) requires that any county, city, town, school district, water district, hospital district, or other political subdivision of the state shall include in directly or indirectly publicly funded contracts for supplies, materials, services, or equipment hereinafter entered into the following provisions:

During the performance of this contract, the contractor agrees as follows:

- (1) *The contractor will not discriminate against any employee or applicant for employment because of race, color, religion, sex, age or national origin;*
- (2) *The contractor will state in all solicitations or advertisements for employees placed by or on behalf of the contractors that all qualified applicants will receive consideration for employment without regard to race, color, religion, sex, age or national origin;*
- (3) *The contract will post notices in conspicuous places, available to employees and applicants for employment, setting forth the provisions of the non-discrimination clauses required by this section; and*
- (4) *The contractor will send a notice to each labor union or representative of workers with which he has a collective bargaining agreement or other contract or understanding advising the labor union or workers' representative of the contractor's commitments under the nondiscrimination clauses.*

The Act further provides:

KRS 45.610. Hiring minorities – Information required

- (1) *For the length of the contract, each contractor shall hire minorities from other sources within the drawing area, should the union with which he has collective bargaining agreements be unwilling to supply sufficient minorities to satisfy the agreed upon goals and timetable.*
- (2) *Each contractor shall, for the length of the contract, furnish such information as required by KRS 45.560 to KRS 45.640 and by such rules, regulations and orders issued pursuant thereto and will permit access to all books and records pertaining to his employment practices and work sites by the contracting agency and the department for purposes of investigation to ascertain compliance with KRS 45.560 to 45.640 and such rules, regulations and orders issued pursuant thereto.*

KRS 45.620. Action against contractor – Hiring of minority contractor or subcontractor

- (1) *If any contractor is found by the department to have engaged in an unlawful practice under this chapter during the course of performing under a contract or subcontract covered under KRS 45.560 to 45.640, the department shall so certify to the contracting agency and such certification shall be binding upon the contracting agency unless it is reversed in the course of judicial review.*
- (2) *If the contractor is found to have committed an unlawful practice under KRS 45.560 to 45.640, the contracting agency may cancel or terminate the contract, conditioned upon a program for future compliance approved by the contracting agency and the department. The contracting agency may declare such a contractor ineligible to bid on further contracts with that agency until such time as the contractor complies in full with the requirements of KRS 45.560 – 45.640.*
- (3) *The equal employment provisions of KRS 45.560 to 45.640 may be met in part by a contractor by subcontracting to a minority contractor or subcontractor. For the provisions of KRS 45.560 to 45.640, a minority contractor or subcontractor shall mean a business that is owned and controlled by one or more persons disadvantaged by racial or ethnic circumstances.*

KRS 45.630 Termination of existing employee not required, when

Any provision of KRS 45.560 to 45.640 notwithstanding, no contractor shall be required to terminate an existing employee upon proof that that employee was employed prior to the date of the contract.

KRS 45.640 Minimum skills

Nothing in KRS 45.560 to 45.640 shall require a contractor to hire anyone who fails to demonstrate the minimum skills required to perform a particular job.

It is recommended that all of the provisions quoted above to be included as special conditions in each contract. In the case of a contract exceeding \$250,000, the contractor is required to furnish evidence that his work-force in Kentucky is representative of the available work-force in the area from which he draws employees, or to supply an Affirmative Action plan which will achieve such representation during the life of the contract.

12. WORKFORCE ANALYSIS FORM

Name of Organization: ZKH SRAV LLC

Date: 5 / 22 / 11

Categories	Total	White		Black		Other		Total	
		M	F	M	F	M	F	M	F
Administrators		1	1						
Professionals									
Superintendents		2				1			
Supervisors									
Foremen		1				2			
Technicians									
Protective Service									
Para-Professionals						1			
Office/Clerical						1			
Skilled Craft		2				6			
Service/Maintenance		1				4			
Total:		7	3			13			

Prepared By: Brian Moran

13. EVIDENCE OF INSURABILITY

LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT CONSTRUCTION PROJECT
(Use separate form for each Agency or Brokerage agreeing to provide coverage)

Names Insured: _____ Employee ID: _____
 Address: _____ Phone: _____
 Project to be insured: _____

In lieu of obtaining certificates of insurance at this time, the undersigned agrees to provide the above Named Insured with the minimum coverage listed below. These are outlined in the Insurance and Risk Management of Part V (Special Conditions), including all requirements, and conditions:

Section Items	Coverage	Minimum Limits and Policy Requirements	Limits Provided To Insured	Name of Insurer	A M Best's Code	Rating
SC-3, Section 2, Part 4 1 – see provisions	CGI	\$1,000,000 per occ. And \$2,000,000 aggregate	\$			
SC-3, Section 2, Part 4 1 – see provisions	AUTO	\$2,000,000/per occ.	\$			
SC-3, Section 2, Part 4 1 – see provisions	WC	Statutory w/ endorsement as noted	\$			

Section 2 includes required provisions, statements regarding insurance requirements, and the undersigned agrees to abide by all provisions for the coverage's checked above unless stated otherwise when submitting.

Agency or Brokerage _____ Name of Authorized Representative _____

Street Address _____ Title _____

City _____ State _____ Zip _____ Authorized Signature _____

Telephone Number _____ Date _____

NOTE: Authorized signatures may be the agent's if agent has placed insurance through an agency agreement with the insurer. If insurance is brokered, authorized signature must be that of authorized representative of insurer.

IMPORTANT: Contract may not be awarded if a completed and signed copy of this form for all coverage's listed above is not provided with the bid.

14. DEBARRED FIRMS

PROJECT NAME: _____

BID NUMBER: _____

**LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT
LEXINGTON, KY**

All prime Contractors shall certify that Subcontractors have not and will not be awarded to any firms that has been debarred for noncompliance with the Federal Labor Standards, Title VI of the Civil Rights Act of 1964 As Amended, Executive Order 11246 As Amended or any other Federal Law.

All bidders shall complete the attached certification in duplicate and submit both copies to the Owner with the bid proposal. The Owner (grantee) shall transmit one copy to the Lexington-Fayette Urban County Government, Division of Community Development, within fourteen (14) days after bid opening.

The undersigned hereby certifies that the firm of _____ has not and will not award a subcontract, in connection with any contract award to it as the result of this bid, to any firm that has been debarred for noncompliance with the Federal labor Standards, Title VI of the civil Rights Act of 1964, Executive Order 11246 as amended or any Federal Law.

Name of Firm Submitting Bid

Signature of Authorized Official

Title

Date

15. DEBARMENT CERTIFICATION

All contractors/subcontractors shall complete the following certification and submit it with the bid proposal.

The contractor/subcontractor certifies in accordance with Executive Order 12549 (Debarment and Suspension 2/18/86) that to the best of its knowledge and belief, that it and its principals:

- 1) Are not presently debarred, suspended, proposed for debarment, declared negligible, or voluntarily excluded from covered transactions or contract by any Federal department or agency for noncompliance with the Federal Labor Standards, Title VI of the Civil Rights Act of 1964 as amended, Executive Order 11246 as amended or any other Federal law;
 - a) Have not within a three year period preceding this proposal been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State or local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;
 - b) Are not presently indicted for or otherwise criminally or civilly charged by a government entity (Federal, State or local) with commission of any of the offenses enumerated in paragraph (1)(a) of this certification; and
 - c) Have not within a three year period preceding this bid has one or more public (Federal, State or local) transactions or contracts terminated for cause or default.
- 2) Where the contractor is unable to certify to any of the statements in this certification, such prospective contractors shall attach an explanation to this certification form.

Firm Name: FKB Services

Project: _____

Printed Name and Title of Authorized Representative: Brian V. Moore

Signature: 

Date: 3/11/11

END OF SECTION

PART VIII

ADDENDA

All addenda issued during the bidding of the Project will be reproduced in the signed Contract Documents, on the pages following this heading sheet.

<u>Addendum Number</u>	<u>Title</u>	<u>Date</u>
1.	_____	_____
2.	_____	_____
3.	_____	_____
4.	_____	_____
5.	_____	_____

PROJECT: Construction Unit Price Contract for Parks & Recr LFUCG Bid No. 12-2016
BIDDER: Enter Bidder's Name Here

#	Item	Unit	Spec Sec.	Unit Price
1	Bituminous pavement for athletic courts Base	TN		
2	Bituminous pavement for athletic courts Surface	TN		
3	Bituminous pavement reinforced with aramid fibers for ath	TN		
4	Bituminous pavement reinforced with aramid fibers for ath	TN		
5	Bituminous pavement milling athletic courts	TN		
6	Dense grade aggregate placed Base	TN		
7	Bituminous pavement Crack repair	LF		
8	Bituminous pavement Crack filler	LF		
9	Court color coating	SY		
10	Court striping	LF		
11	Athletic court fencing coated 8'	LF		
12	Athletic court fencing coated 10'	LF		
13	Athletic court fencing coated 12'	LF		
14	Athletic court fencing galvanized 8'	LF		
15	Athletic court fencing galvanized 10'	LF		
16	Athletic court fencing galvanized 12'	LF		
17	Asphalt sealing	SY		
18	Parking lot striping	LF		
19	Concrete sidewalk	SY		41.00
20	Finished concrete	CY		27.00
21	Excavation	CY		65.00
22	Embankment	CY		115.00
23	Finish grading	CY		65.00
24	Laser grading	CY		85.00
25	Environmental fencing	LF		6.00
26	Seeding and protection	SY		4.00
27	Topsoil	CY		45.00

Payment and Performance Bond Cost for Projects over \$50,000 (See Special Conditions, Section 6) - Enter % of Total Project Cost	20%
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PROJECT: Construction Unit Price Contract for Parks & Recr LFUCG Bid No. 12-2016
BIDDER: Enter Bidder's Name Here

#	Item	Unit	Spec Sec.	Unit Price
	Unspecified Incidental Materials at Cost Plus 15% - Check if Interested			<input checked="" type="checkbox"/>
	Unspecified Incidental Labor at Direct Wages Plus Certified Overhead Plus 15% - Check if Interested			<input checked="" type="checkbox"/>
	Minimum Total Project for Consideration (See Special Conditions, Section 3) - Enter dollar amount			200.00