



**ADDENDUM #1**

Bid Number: **#61-2021**

Date: September 1, 2021

Subject: Southland Park Stormwater Improvements

Address inquiries to:  
Brian Marcum  
[brianm@lexingtonky.gov](mailto:brianm@lexingtonky.gov)  
(859) 258-3325

**TO ALL PROSPECTIVE SUBMITTERS:**

Please be advised of the following clarifications to the above referenced Bid:

**1. SPECIFICATIONS**

**A. SPECIFICATION SECTION PART I – ADVERTISEMENT FOR BIDS**

“A non-mandatory Pre-Bid meeting will be held at 9:00 a.m. local time, Friday, September 3, 2021 via teleconference.

Teleconference link:

<https://us06web.zoom.us/j/89007222592?pwd=MEdha0psaHhEL1ErZmoyMmFMU0Zwdz09>

Meeting ID: 890 0722 2592

Passcode: 021845

Dial by your location: +1 929 205 6099 US (New York)

**2. PRE-BID MEETING AGENDA**

See attached agenda for the Pre-Bid meeting.

Todd Slatin, Director  
Division of Central Purchasing



MAYOR LINDA GORTON




**LEXINGTON**

TODD SLATIN  
DIRECTOR  
CENTRAL PURCHASING

All other terms and conditions of the Bid and specifications are unchanged.  
This letter should be signed, attached to and become a part of your Bid.

COMPANY NAME: CLEARY CONSTRUCTION INC.

ADDRESS: 2006 EDMONTON ROAD TOMPKINSVILLE, KY. 42167

SIGNATURE OF BIDDER: 





**ADDENDUM #2**

Bid Number: **#61-2021**

Date: September 13, 2021

Subject: Southland Park Stormwater Improvements

Address inquiries to:  
Brian Marcum  
[brianm@lexingtonky.gov](mailto:brianm@lexingtonky.gov)  
(859) 258-3325

**TO ALL PROSPECTIVE SUBMITTERS:**

Please be advised of the following clarifications to the above referenced Bid:

**1. PRE-BID MEETING ATTENDANCE**

A non-mandatory Pre-Bid meeting was conducted via teleconference at 9:00 a.m. local time, Friday, September 3, 2021. In attendance were the following:

Melanie Anderkin	Adams Contracting, LLC,
Sam Conrad	MAC Construction
John Connelly	Cleary Construction, Inc.
Jim Hanssen	EcoGro, Inc.
Mark Sanders	LFUCG Division of Water Quality
Brian Marcum	LFUCG Purchasing
Richard Walker	Tetra Tech
Abby Terry	Tetra Tech
John Steinmetz	Banks Engineering
Kyle Hall	Banks Engineering
Steve Vogel	Strand Associates
Casey Mattingly	Third Rock Consultants

**2. PRE-BID MEETING MINUTES**

See attached minutes for the Pre-Bid meeting.

Todd Slatin, Director  
Division of Central Purchasing



11. LFUCG SWPPP is included in specifications; Contractor to complete. Contractor may develop its own plan, but must receive approval from LFUCG.
12. Site Access – The Contractor shall access the construction area from Hill n Dale Drive via an existing park maintenance road. This road will be used as a construction entrance during a pending playground relocation project. The Contractor may use the same road, and will not be required to remove the construction entrance at the end of the park project as it will be restored and paved during the future storm sewer project. However, during the project the Contractor shall maintain the construction entrance and access road as necessary to prevent mud, silt, etc. from being tracked onto the paved parking lot or public streets.

The Contractor may use the western portion of the existing parking lot for employee parking until Memorial Day weekend when the swimming pool is scheduled to open. Any other parking or access needs for this project, and restoration of any damage to the existing parking lot caused by the Contractor's operations, will be provided at no additional cost.

13. General construction comments and Special Conditions
  - Blasting is not allowed. Available rock sounding information is shown on the plans.
  - Trees that are not designated for removal shall be protected from damage.
  - Contractor is responsible for site security and safety.
  - The existing storm sewer system shall remain in service during construction.
  - The Contractor or subcontractor must be qualified to construct stream restoration and natural channel projects.
  - A one-year warranty period will apply for plantings and seeding.
  - The Contractor is responsible for identification of waste area(s).
14. The following required submittals are incidental to the project:
  - Construction Sequencing Plan
  - Construction Access Plan
  - Traffic Control Plan (Vehicular and Pedestrian)
  - Staging Area Plan
  - Trench Dewatering Plan
  - Safety Plan
15. Questions – none were asked by the attendees.

MAYOR LINDA GORTON



**LEXINGTON**

TODD SLATIN  
DIRECTOR  
CENTRAL PURCHASING

All other terms and conditions of the Bid and specifications are unchanged.  
This letter should be signed, attached to and become a part of your Bid.

COMPANY NAME: Cleary Construction Inc.

ADDRESS: 2000 Edmonton Road Tompkinsville, KY 42167

SIGNATURE OF BIDDER: 



MAYOR LINDA GORTON



**LEXINGTON**

TODD SLATIN  
DIRECTOR  
CENTRAL PURCHASING

**ADDENDUM #3**

Bid Number: **#61-2021**

Date: September 16, 2021

Subject: Southland Park Stormwater Improvements

Address inquiries to:  
Brian Marcum  
[brianm@lexingtonky.gov](mailto:brianm@lexingtonky.gov)  
(859) 258-3325

**TO ALL PROSPECTIVE SUBMITTERS:**

Please be advised of the following clarifications to the above referenced Bid:

**MWBE Forms Attached to Submit**

Todd Slatin, Director  
Division of Central Purchasing

All other terms and conditions of the Bid and specifications are unchanged.  
This letter should be signed, attached to and become a part of your Bid.

COMPANY NAME: Cleary Construction Inc.

ADDRESS: 2004 Edmonton Rd Tompkinsville KY 42167

SIGNATURE OF BIDDER:



**PART III**  
**FORM OF PROPOSAL**

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**PART III**

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**Invitation to Bid No. 61-2021**

**Southland Park Stormwater Improvements Project**

**1. FORM OF PROPOSAL**

Place: Lexington, Kentucky

Date: SEPTEMBER 17, 2021

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

This Proposal Submitted by CLEARY CONSTRUCTION INC.

2006 EDMONTON ROAD, TOMPKINSVILLE, KY. 42167  
(Name and Address of Bidding Contractor)

(Hereinafter called "Bidder"), organized and existing under the laws of the State of KENTUCKY, doing business as Q CORPORATION  
"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 the **Southland Park Stormwater Improvements Project** 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 \$400.00 for each consecutive calendar day thereafter.



The Bidder hereby acknowledges receipt of the following addenda:

Addendum No. 1 Date September 1, 2021  
Addendum No. 2 Date September 13, 2021  
Addendum No. 3 Date September 14, 2021  
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 CLEARY CONSTRUCTION TNC

Date SEPTEMBER 17, 2021

\* 1. A corporation duly organized and doing business under the laws of the State of KENTUCKY, for whom DARREN CLEARY, bearing the official title of PRESIDENT, 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)

~~\_\_\_\_\_~~  
~~\_\_\_\_\_~~

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

3. **BIDDERS AFFIDAVIT**

Comes the Affiant, DARREN CLEARY, and after being first duly sworn, states under penalty of perjury as follows:

1. His/her name is DARREN CLEARY and he/she is the individual submitting the bid or is the authorized representative of CLEARY CONSTRUCTION INC, 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.


  
\_\_\_\_\_  
Darren Cleary (Affiant)

STATE OF Kentucky

COUNTY OF Monroe

The foregoing instrument was subscribed, sworn to and acknowledged before me by Darren Cleary on this the 17<sup>th</sup> day of September, 2021.

My Commission expires: 4/6/2022

#598843  
  
\_\_\_\_\_  
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 the Plans for the following proposed lump sum and/or 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.

Form of proposal must include unit bid prices written in words, unit price written in numbers and total amount bid (unit price x quantity) 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 then total amount bid per line item.

If a discrepancy between the unit price and the item total exists, the unit price prevails except:

If the unit price is illegible, omitted, or the same as the item total, item total prevails, and the unit price is the quotient of the item total and the quantity.

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

For a lump sum-based bid, the item total is the bid amount the Division uses for bid comparison.

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.

The contract, if awarded, will be on the basis of materials and equipment specified in the specifications without consideration of possible substitute or "or equal" items.

The estimated quantities of items of unit price work are not guaranteed and are solely for the purpose of comparison of bids and determining an initial Contract price. Determination of the actual quantities and classification of unit price work performed by the Contractor will be made by the Engineer in accordance with the General Conditions.

**Southland Park Stormwater Improvements Project – Bid Items**

Item No.	Quantity	Unit To Bid On	Description w/Unit Bid Price Written in words	Unit Price	Total Amount Bid
1.	1	LS	Mobilization (3.5% maximum) Thirty thousand Zero Dollars Cents	\$ 30,000. <sup>00</sup>	\$ 30,000. <sup>00</sup>
			Per Lump Sum		
2.	1	LS	General Conditions one hundred twenty five thousand zero Dollars Cents	\$ 125,000. <sup>00</sup>	\$ 125,000. <sup>00</sup>
			Per Lump Sum		
3.	1	LS	Clearing and Grubbing fifteen thousand zero Dollars Cents	\$ 15,000. <sup>00</sup>	\$ 15,000. <sup>00</sup>
			Per Lump Sum		
4.	10,150	CY	Earthwork twenty five zero Dollars Cents	\$ 25. <sup>00</sup>	\$ 253,750. <sup>00</sup>
			Per Cubic Yard		
5.	1	LS	Demolition one thousand six hundred zero Dollars Cents	\$ 1,600. <sup>00</sup>	\$ 1,600. <sup>00</sup>
			Per Lump Sum		
6.	50	LF	Storm Sewer Pipe – 15-inch ninety zero Dollars Cents	\$ 90. <sup>00</sup>	\$ 4,500. <sup>00</sup>
			Per Linear Foot		
7.	66	LF	Storm Sewer Pipe – 24-inch one hundred fifteen zero Dollars Cents	\$ 115. <sup>00</sup>	\$ 7,590. <sup>00</sup>
			Per Linear Foot		
8.	113	LF	Storm Sewer Pipe – 36-inch one hundred seventy zero Dollars Cents	\$ 170. <sup>00</sup>	\$ 19,210. <sup>00</sup>
			Per Linear Foot		
9.	47	LF	Storm Sewer Pipe – 42-inch two hundred sixty zero Dollars Cents	\$ 260. <sup>00</sup>	\$ 12,220. <sup>00</sup>
			Per Linear Foot		

Item No.	Quantity	Unit To Bid On	Description w/Unit Bid Price Written in words	Unit Price	Total Amount Bid
10.	1	EA	Storm Sewer Manhole – 6' Diameter eight thousand two hundred fifty Zero Dollars Cents Per Each	\$ 8,250. <sup>00</sup>	\$ 8,250. <sup>00</sup>
11.	1	EA	Control Structure "CS-A2" Six thousand Zero Dollars Cents Per Each	\$ 6,000. <sup>00</sup>	\$ 6,000. <sup>00</sup>
12.	1	EA	Control Structure "CS-B2" Six thousand Zero Dollars Cents Per Each	\$ 6,000. <sup>00</sup>	\$ 6,000. <sup>00</sup>
13.	1	EA	Concrete Headwall – 15-inch one thousand five hundred Zero Dollars Cents Per Each	\$ 1,500. <sup>00</sup>	\$ 1,500. <sup>00</sup>
14.	1	EA	Concrete Headwall – 24-inch two thousand two hundred Zero Dollars Cents Per Each	\$ 2,200. <sup>00</sup>	\$ 2,200. <sup>00</sup>
15.	3	EA	Concrete Headwall – 36-inch three thousand five hundred Zero Dollars Cents Per Each	\$ 3,500. <sup>00</sup>	\$ 10,500. <sup>00</sup>
16.	1	EA	Concrete Headwall – 42-inch six thousand five hundred Zero Dollars Cents Per Each	\$ 6,500. <sup>00</sup>	\$ 6,500. <sup>00</sup>
17.	1	EA	Surface Inlet – 15-inch Discharge three thousand two hundred Zero Dollars Cents Per Each	\$ 3,200. <sup>00</sup>	\$ 3,200. <sup>00</sup>
18.	1,005	SF	Modular Retaining Wall one hundred thirty five Zero Dollars Cents Per Square Foot	\$ 135. <sup>00</sup>	\$ 135,675. <sup>00</sup>

Item No.	Quantity	Unit To Bid On	Description w/Unit Bid Price Written in words	Unit Price	Total Amount Bid
19.	2,300	CY	Bioretention Filter Media thirty zero Dollars Cents Per Cubic Yard	\$ 30. <sup>00</sup>	\$ 69,000. <sup>00</sup>
20.	4,900	SY	Bioretention Coir Matting five zero Dollars Cents Per Square Yard	\$ 5. <sup>00</sup>	\$ 24,500. <sup>00</sup>
21.	4	EA	Energy Dissipation Pool ten thousand zero Dollars Cents Per Each	\$ 10,000. <sup>00</sup>	\$ 40,000. <sup>00</sup>
22.	4	EA	Rock A Vane six thousand zero Dollars Cents Per Each	\$ 6,000. <sup>00</sup>	\$ 24,000. <sup>00</sup>
23.	5	EA	Rock Step three thousand five hundred zero Dollars Cents Per Each	\$ 3,500. <sup>00</sup>	\$ 17,500. <sup>00</sup>
24.	8	EA	Small Woody Debris Complex two thousand zero Dollars Cents Per Each	\$ 2,000. <sup>00</sup>	\$ 16,000. <sup>00</sup>
25.	4	EA	Hardened Woody Debris Complex six thousand zero Dollars Cents Per Each	\$ 6,000. <sup>00</sup>	\$ 24,000. <sup>00</sup>
26.	2,180	EA	Live Stakes nine zero Dollars Cents Per Each	\$ 9. <sup>00</sup>	\$ 19,620. <sup>00</sup>
27.	395	EA	Container Trees sixty zero Dollars Cents Per Each	\$ 60. <sup>00</sup>	\$ 23,700. <sup>00</sup>

Item No.	Quantity	Unit To Bid On	Description w/Unit Bid Price Written in words	Unit Price	Total Amount Bid
28.	2,425	SY	Native Detention Area Seeding Three Zero Dollars Cents Per Square Yard	\$ 3. <sup>00</sup>	\$ 7,275. <sup>00</sup>
29.	6,300	SY	Cover Crop Seeding two Zero Dollars Cents Per Square Yard	\$ 2. <sup>00</sup>	\$ 12,600. <sup>00</sup>
30.	1,950	SY	Rain Garden See Mix Three Zero Dollars Cents Per Square Yard	\$ 3. <sup>00</sup>	\$ 5,850. <sup>00</sup>
31.	1,950	SY	Retention Basin Wildlife Seed Mix Three Zero Dollars Cents Per Square Yard	\$ 3. <sup>00</sup>	\$ 5,850. <sup>00</sup>
32.	3,280	SY	Fine Fescue Turf Grass Seed two fifty Dollars Cents Per Square Yard	\$ 2. <sup>50</sup>	\$ 8,200. <sup>00</sup>
33.	130	TN	Dense Graded Aggregate forty Zero Dollars Cents Per Ton	\$ 40. <sup>00</sup>	\$ 5,200. <sup>00</sup>
34.	45	TN	Class 2 Asphalt Surface, 0.38B PG64-22 two hundred seventy Zero Dollars Cents Per Ton	\$ 270. <sup>00</sup>	\$ 12,150. <sup>00</sup>
35.	60	SY	Replace Concrete Sidewalk one hundred sixteen Zero Dollars Cents Per Square Yard	\$ 116. <sup>00</sup>	\$ 6,960. <sup>00</sup>
36.	45	SY	Replace Pervious Pavers two hundred forty Zero Dollars Cents Per Square Yard	\$ 240. <sup>00</sup>	\$ 10,800. <sup>00</sup>



Item No.	Quantity	Unit To Bid On	Description w/Unit Bid Price Written in words	Unit Price	Total Amount Bid
37.	180	LF	3-Plank Wood Fence thirty eight zero Dollars Cents Per Linear Foot	\$ 38. <sup>00</sup>	\$ 6,840. <sup>00</sup>
38.	600	SY	Turf Reinforcement Matting five zero Dollars Cents Per Square Yard	\$ 5. <sup>00</sup>	\$ 3,000. <sup>00</sup>
39.	2,750	SY	Seeding and Protection one fifty Dollars Cents Per Square Yard	\$ 1.50	\$ 4,125. <sup>00</sup>
40.	1	EA	Project Sign one thousand zero Dollars Cents Per Each	\$ 1,000. <sup>00</sup>	\$ 1,000. <sup>00</sup>
41.	1	LS	Erosion Control fifteen thousand zero Dollars Cents Per Lump Sum	\$ 15,000. <sup>00</sup>	\$ 15,000. <sup>00</sup>
42.	1	LS	Demobilization (1.5% minimum) six thousand zero Dollars Cents Per Lump Sum	\$ 6,000. <sup>00</sup>	\$ 6,000. <sup>00</sup>
<b>Total for Bid Items 1 through 42:</b>				<b>1,017,865.<sup>00</sup></b>	

TOTAL OF ALL BID PRICES FOR Southland Park Stormwater Improvements Project (Items 1 through 42) in words and figures. In case of discrepancy, the amount shown in words will govern.

one million seventeen thousand eight hundred sixty five  
dollars + zero cents (\$ 1,017,865.<sup>00</sup>).

Submitted by:

CLEARY CONSTRUCTION INC.

Firm

2006 EDMONTON ROAD

Address

TOMPKINSVILLE, KY. 42167

City, State & Zip

Bid must be signed:  
(original signature)

Signature of Authorized Company Representative – Title

DARREN CLEARY PRESIDENT

Representative/s Name (Typed or Printed)

(270) 487-1784, 7324

Area Code – Phone – Extension

(270) 487-8029

Fax #

cc: Cleary Const. com

E-Mail Address

OFFICIAL ADDRESS:

2006 EDMONTON ROAD

TOMPKINSVILLE, KY. 42167



(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: Cleary Construction, Inc.
- 2. Permanent Place of Business: 2006 Edmonton Road, Tompkinsville, Kentucky 42167
- 3. When Organized: STARTED: 1995 INCORPORATED: JANUARY 6, 1995
- 4. Where Incorporated: Kentucky

5. Construction Plant and Equipment Available for this Project:

D6 Dozer, Compactor, Excavators: 314, 321, 336, Wheel loader  
pick up trucks, service truck, skid steer, trench boxes

(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.

*Will provide if low bidder + requested.*

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

Westfield Insurance Company (Surety)

Signed: Pamela D. Puskarich (Representative of Surety)  
Pamela D. Puskarich, Attorney-in-Fact

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

THIS POWER OF ATTORNEY SUPERCEDES ANY PREVIOUS POWER BEARING THIS SAME POWER # AND ISSUED PRIOR TO 03/01/17, FOR ANY PERSON OR PERSONS NAMED BELOW.

General  
Power  
of Attorney

CERTIFIED COPY

POWER NO. 4110812 07

**Westfield Insurance Co.**  
**Westfield National Insurance Co.**  
**Ohio Farmers Insurance Co.**  
Westfield Center, Ohio

Know All Men by These Presents, That WESTFIELD INSURANCE COMPANY, WESTFIELD NATIONAL INSURANCE COMPANY and OHIO FARMERS INSURANCE COMPANY, corporations, hereinafter referred to individually as a "Company" and collectively as "Companies," duly organized and existing under the laws of the State of Ohio, and having its principal office in Westfield Center, Medina County, Ohio, do by these presents make, constitute and appoint  
**JAMES L. NOE, III, STEPHANIE RICHARDSON, ANDREW C. BENNETT, DEIDRE KITTREDGE, CRAIG M. WHITLOW, PAMELA D. PUSKARICH, JOINTLY OR SEVERALLY**

of FRANKLIN and State of TN its true and lawful Attorney(s)-in-Fact, with full power and authority hereby conferred in its name, place and stead, to execute, acknowledge and deliver any and all bonds, recognizances, undertakings, or other instruments or contracts of suretyship-

**LIMITATION: THIS POWER OF ATTORNEY CANNOT BE USED TO EXECUTE NOTE GUARANTEE, MORTGAGE DEFICIENCY, MORTGAGE GUARANTEE, OR BANK DEPOSITORY BONDS.**

and to bind any of the Companies thereby as fully and to the same extent as if such bonds were signed by the President, sealed with the corporate seal of the applicable Company and duly attested by its Secretary, hereby ratifying and confirming all that the said Attorney(s)-in-Fact may do in the premises. Said appointment is made under and by authority of the following resolution adopted by the Board of Directors of each of the WESTFIELD INSURANCE COMPANY, WESTFIELD NATIONAL INSURANCE COMPANY and OHIO FARMERS INSURANCE COMPANY:

"Be It Resolved, that the President, any Senior Executive, any Secretary or any Fidelity & Surety Operations Executive or other Executive shall be and is hereby vested with full power and authority to appoint any one or more suitable persons as Attorney(s)-in-Fact to represent and act for and on behalf of the Company subject to the following provisions:

The Attorney-in-Fact may be given full power and authority for and in the name of and on behalf of the Company, to execute, acknowledge and deliver, any and all bonds, recognizances, contracts, agreements of indemnity and other conditional or obligatory undertakings and any and all notices and documents canceling or terminating the Company's liability thereunder, and any such instruments so executed by any such Attorney-in-Fact shall be as binding upon the Company as if signed by the President and sealed and attested by the Corporate Secretary."

"Be It Further Resolved, that the signature of any such designated person and the seal of the Company heretofore or hereafter affixed to any power of attorney or any certificate relating thereto by facsimile, and any power of attorney or certificate bearing facsimile signatures or facsimile seal shall be valid and binding upon the Company with respect to any bond or undertaking to which it is attached." (Each adopted at a meeting held on February 8, 2000).

In Witness Whereof, WESTFIELD INSURANCE COMPANY, WESTFIELD NATIONAL INSURANCE COMPANY and OHIO FARMERS INSURANCE COMPANY have caused these presents to be signed by their National Surety Leader and Senior Executive and their corporate seals to be hereto affixed this 01st day of MARCH A.D., 2017.

Corporate  
Seals  
Affixed



WESTFIELD INSURANCE COMPANY  
WESTFIELD NATIONAL INSURANCE COMPANY  
OHIO FARMERS INSURANCE COMPANY

By: *Dennis P. Baus*  
Dennis P. Baus, National Surety Leader and Senior Executive

State of Ohio  
County of Medina ss.:

On this 01st day of MARCH A.D., 2017, before me personally came Dennis P. Baus to me known, who, being by me duly sworn, did depose and say, that he resides in Wooster, Ohio; that he is National Surety Leader and Senior Executive of WESTFIELD INSURANCE COMPANY, WESTFIELD NATIONAL INSURANCE COMPANY and OHIO FARMERS INSURANCE COMPANY, the companies described in and which executed the above instrument; that he knows the seals of said Companies; that the seals affixed to said instrument are such corporate seals; that they were so affixed by order of the Boards of Directors of said Companies; and that he signed his name thereto by like order.

Notarial  
Seal  
Affixed



*David A. Kotnik*  
David A. Kotnik, Attorney at Law, Notary Public  
My Commission Does Not Expire (Sec. 147.03 Ohio Revised Code)

State of Ohio  
County of Medina ss.:

I, Frank A. Carrino, Secretary of WESTFIELD INSURANCE COMPANY, WESTFIELD NATIONAL INSURANCE COMPANY and OHIO FARMERS INSURANCE COMPANY, do hereby certify that the above and foregoing is a true and correct copy of a Power of Attorney, executed by said Companies, which is still in full force and effect; and furthermore, the resolutions of the Boards of Directors, set out in the Power of Attorney are in full force and effect.

In Witness Whereof, I have hereunto set my hand and affixed the seals of said Companies at Westfield Center, Ohio this 17th day of September A.D., 2021



*Frank A. Carrino*  
Frank A. Carrino, Secretary

<u>NAME</u>	<u>LOCATION</u>	<u>CONTRACT SUM</u>
<i>SEE ATTACHED</i>		

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

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

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

<u>NAME</u>	<u>POSITION DESCRIPTION</u>	<u>NO. OF YEARS WITH BIDDER</u>
<i>Darren Cleary</i>	<i>President</i>	<i>35+</i>
<i>Wesley Cleary</i>	<i>VP</i>	<i>16</i>
<i>Paul Harbison</i>	<i>Project Manager</i>	<i>5</i>
<i>Trey Emmert</i>	<i>Project Manager</i>	<i>5</i>
<i>Tom Baker</i>	<i>Safety Director</i>	<i>13 ✓</i>

# STORM DRAIAGE, CULVERT, BRIDGE, PROJECTS

ALL PROJECTS COMPLETED WITHIN ALLOTTED TIME FRAME. CONTRACT AMOUNTS/TIMES ONLY CHANGED DUE TO APPROVED CHANGE ORDERS.  
ALL PROJECTS COMPLETED WITH A MAJORITY OF CLEARY WORK FORCE.

PROJECT NAME	OWNER	ENGINEER	TOTAL AMOUNT	COMPLETION DATE	DESCRIPTION
Frankfort, KY Schenkel Cave Sewer Replacements	City of Frankfort, KY Bob Peterson (502)875-2448	Anthony Pellegrino HDR/Quast Engineers (859)223-3755	\$4,618,737	6/2009	Gravity Sewer: 1485' 36" DIP; 54' 8" DIP, creek crossing
Tompkinsville, KY Wastewater Treatment Plant Upgrade	City of Tompkinsville, KY Steve Carter (270)487-6776	Jim Hilbron GRW Engineers (615)366-1600	\$447,370	3/2010	WWTP upgrade including new belt press, control panel & electrical, new building, louvers
Pump Station Rehabilitation Project	Perry County Sanitation District #1 Freeman Robertson (606)439-3766	Mark Feibes Nesbitt Engineering, Inc. (859)685-4517	\$772,505	5/2010	701' 2" PVC; 2593' 4" PVC; 5 pump stations; 150' river crossing
Cookeville, TN Hudgens Creek Pump Station, Force Main, And Interceptor Sewer	City of Cookeville, TN Barry Turner (931)520-5258	CTI Engineers Neal Hall (615)834-8300	\$1,761,049	02/2011	FORCE MAIN: 5903 LF 16" PVC, 315 LF 24" Bore & Jack; GRAVITY: 6391 LF 18" PVC; 1933 LF 21" PVC; 530 LF Creek Crossing; 380 42" LF Bore & Jack; 12,586 LF 2" HDPE; 27,000 LF 6" HDPE; 600 LF 6" PVC; 4520 LF 12" PVC; 960 LF Creek Crossing(Directional Bores); 506 LF 2" HDPE Road Crossing (Directional Bores)
Ball Creek WWTP - Sanitary Sewer Collection Project - Phase I	Troublesome Creek Environmental Authority (606)785-3222	Steve Harris R.M. Johnson Engineering 270-255-1091	\$1,393,247	4/2011	
Mt. Juliet, TN Sewer Line Relocations for SR171 from North of I40 to SR24 - Phase II	City of Mt. Juliet, TN Casey Binion (615)566-9326	Water Management Service Charles Jackson (615)366-6088	\$1,290,440	07/2011	GRAVITY: 3200 LF 15" PVC, 16" BORES, Services, Asphalt, FORCE MAIN: 750 LF 10", Pressure sewer
Pikeville, TN Bledsoe County Correctional Facility Wastewater Infrastructure Improvements	State of Tennessee Ted Davidson (423)881-3312	Bob Threadgill GRW Engineers (615)366-1600	\$967,916.00	04/2012	WWTP upgrade including new belt press, control panel & electrical, Screen structure with bar & fine screens, headworks, fiber optic, pump station, misc. metal, bore, 8" & 10" gravity sewer, 6" force main, precast, work under a high security environment
Jefferson County, KY Billtown Road Pump Station, Force Main, and Interceptor Sewer	Metropolitan Sewer District (502)741-0757	Clay Bostic Metropolitan Sewer District (502)741-0757	\$656,919.60	06/2012	Force Main: 2200 LF 30" PVC; 60' 24" Storm Concrete Pipe
Winchester, KY Contract No. 61 Lower Howards Creek Sanitary Sewer Improvements Project/Old Boonesboro Road Outfall Sewer	Winchester Municipal Utilities Duke Dryden (859)744-5434	Stephanie Blain Palmer Engineering (859)744-1218	\$3,537,011.75	08/2012	GRAVITY SEWER: 160 LF 42"; 2000 LF 36"; 1,349 LF 30" cat 2; 10,017 LF 30" cat 1; 322 LF 24" PVC; 217 LF 18" PVC; 537 LF 15" PVC; 27 LF 12" PVC; 103 LF 8" PVC; 298 LF 6" PVC; 264 LF 42" Jack and Bore 30" carrier: Stream Crossing
Madisonville, KY Contract 2012-01 New Mooreland Avenue Sewage Pumping Station	City of Madisonville William Jackson (270)824-2187	J.R. Wauford Bob Qualman (615)883-3243	\$572,930.00	05/2013	poured in place pump station, 16" & 24" gravity sewer
Bardstown, KY Town Creek Treatment Plant Sewer Main Replacement	City of Bardstown Jessica H. Filiatreau (502)348-5947	Horizon Engineering, LLC Robin Mills (502)348-4330	\$215,451.00	05/2013	Gravity: 625 LF 36" PVC, precast distribution box & sluice gates,
Knoxville, TN East Fork of Third Creek Trunk Sewer Replacement - Phase 3	Knoxville Utilities Board, Scott Carroll- now at JR Wauford (865) 984-9638	Knoxville Utilities Board, Scott Carroll- now at JR Wauford (865) 984-9638	\$2,557,525.22	06/2013	GRAVITY SEWER: 435 LF 8" DIP, 1250 LF 18" DIP, 800 LF 24" DIP, 60 LF 30" DIP, 48" BORES & TUNNEL, 36" BORES, asphalt, STORM SEWER, laterals, precast, traffic control, erosion control, GAS: 1275 LF 8" MDPE, 100LF 2" MDPE, 8" BORES, asphalt
Berry, KY Wastewater System Improvements	City of Berry, Honorable Kenneth Abner, Mayor (859)234-3185	Bell Engineering Jamie Noe (859)278-5412	\$410,350.00	10/2013	Clean existing pump station, replace grinder pumps, collection system electrical, painting, aeration equipment upgrade, influent flow monitoring system, Chemical feed equipment, storage lagoon cleanup
Lewisport, KY Storm Sewer Replacement Project	Aleris Rolled Products (Prime)	DDI Engineering Scott Randolph (270)726-3530	\$300,294.02	06/2014	STORM SEWER: 48" HDPE, 24" HDPE
Lexington, KY East Lake Trunk Sewer Improvements	Lexington-Fayette Urban County Government A. Douglas Baldwin, P.E. (859)258-3474	Palmer Engineering Greg Isaacs (859)389-9293	\$683,466.00	07/2014	GRAVITY: 800 LF 18", 1000 LF 21", precast, storm sewer, rock removal
Butler, KY Butler Wastewater Treatment Plant Repairs & Improvements	City of Butler, Kentucky Alice Smith (859)472-5015	GRW Engineers Mark Upton (859)223-3999	\$457,522.50	12/2014	WWTP Improvements, demo screen structure, construct new bar screen & Structure, force Main, gravity sewer, utility relocate, Air Diffuser rehab, sludge tank cleaning & Painting, flow meter, electric
Cullman, AL Highway 278 Water line Replacement & Utility Bridge	Cullman County Water Authority Kip James (256) 734-2900	Goodwyn, Mills & Cawood Doug Sanders (931) 434-0867	\$572,309.80	01/2015	WATER: 2400 LF 12" RJDIP, 18" BORES, UTILITY BRIDGE- truss bridge; meters, erosion control, traffic control
Gamaliel, KY Gamaliel Sewer WWTP Rehabilitation	City of Gamaliel 340 W Main Street Gamaliel, KY 42140	GRW Engineers Barry Cloid 615-366-1600	\$834,508.00	05/2015	WWTP rehab: replace 52 grinder pump units, 20 spare pumps, install 10 fiberglass grinder basin lids, misc repairs at 4 pump stations, fence, rehab influent wetwell, new pumps, samplers, flowmeter, do meter, UV treatment, new roofs, Misc. Repair at WWTP
Frankfort, KY Myrtle Avenue Gravity Sewer Installation Phase 1	City of Frankfort William Scaff Jr 502-875-248	DLZ Kentucky, Inc. Michael Hesse 502/695-2300	\$1,205,607.05	06/2015	GRAVITY SEWER: 50 LF 8" PVC, 2300 LF 24" PVC, 160 LF 24" DIP, 36" BORES, CONCRETE WORK, ASPHALT, PRECAST, RR CROSSING, FENCE, EROSION CONTROL
Cullman, AL Eight Mile Creek Sewer Line Replacement Project	City of Cullman, AL 2nd Ave NE, Cullman, AL (256)775-7109	St. John & Associates, Inc. Dale Bright (256)734-2114	\$4,474,299.00	07/2015	Gravity Sewer: 850 LF 10" DIP, 1950 LF 12" DIP, 3650 LF 16" DIP, 1635 LF 18" DIP, 9300 LF 36" DIP, 36" Creek Crossing, aerial crossing, Precast, MH up to 96", 4"- 8" PVC, fence, erosion control, mh rehab, gas relocate, asphalt, concrete work



# STORM DRAIAGE, CULVERT, BRIDGE,PROJECTS

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ALL PROJECTS COMPLETED WITH A MAJORITY OF CLEARY WORK FORCE.

Louisville, KY Middletown Sanitary Recapture Phase 1 &2- Section A	Louisville MSD 700 W Liberty St Louisville, KY 40203 (502)587-0603	Louisville MSD 700 W Liberty St Louisville, KY 40203 (502)587-0603	\$2,216,198.84	08/2015	Gravity Sewer: 2160 LF 24" PVC, 230 LF DIP, 3400 LF 24" PVC, 8"- 15" PVC, Precast, Stream Bank Restoration, traffic control, erosion control,
Celina, TN Contract 215 - Sewer System Rehabilitation & Improvements	City of Celina Jason Hamilton 931-243-2115	James C. Hailey & Co Neal Westerman/ Jimmy Hailey 615-351-5723	\$226,033.00	3/2016	Insulation of Force Main under Cumberland River Bridge
Birmingham, AL Lincoln Avenue Sewer Improvements	Birmingham, AL Jefferson Co. ESD Cedric Hayden 205-214-8611	Krebs Engineering, Inc. Jason Dearing 205-987-7411	\$4,978,252.00	5/2016	GRAVITY: 2906 LF 20" DIP, 786 LF 16" DIP, 1678 LF 15" PVC, 1000 LF 8" DIP, precast, asphalt, bores, concrete work, blasting, erosion control STORM SEWER: 300 LF 12"-48" RCP, 4- INLET BOX REPLACEMENTS,
Decatur, AL Schedule C - Stratford & Riverview Force Main	Decatur Utilities (AL) Jordan Young 256-552-1454	Constantine Eng James N. Smith 256-273-9538	\$7,164,105.97	9/2016	FORCE MAIN: 17,900 LF 14" DIP; 14,500 LF 24" DIP, 850 LF 24" Steel Casing Bores, 600 LF 42" Steel Casing Bores, 100 LF 14" uncased bore, 100 LF 24" uncased bore; WATER: 850 LF 6" DIP; erosion control, heavy traffic, asphalt replacement, Cast In Place Concrete Junction box, Fiber optic, Restoration
Decatur, AL Beltline Road Northern Area Sanitary Sewer Extension: Phase 3 Sewer Lift Station	Decatur Utilities (AL) Mark Cupps 256-552-1454	Constantine Engineering James N. Smith 256-273-9538	\$2,915,000.00	1/2018	CAST IN PLACE CONCRETE WASTEWATER LIFT STATION 25 FT DEEP, ROCK EXCAVATION, 18" & 30" FORCE MAIN, 48" BORE, MASONRY, ELECTRIC, HVAC & PLUMBING
Knoxville, TN Detention Pond Outfall Replacement	Metropolitan Knoxville Airport Authority Eric Williamson (865) 342 3022	C2RL Inc. Engineers Chris Soro (865) 980-3500	\$876,895.00	1/2018	STORM SEWER: 365 LF 60" Storm Sewer, 3 Manholes; HEAVY UTILITY, PAVEMENT, DUCT BANK
Nashville, TN West Park Equalization Facility Phase II	Metro Nashville, TN Phil Regan 615-915-0642	Hazen & Sawyer Eng. Scott Woodard 615-642-2644	\$15,208,882.16	8/2018	21 MILLION GAL PRESTRESSED CONCRETE EQUALIZATION TANK, CONCRETE ANCHORS, SITEWORK, PAVING, STORM SEWER, BALL FIELD REPLACEMENT, ELECTRICAL, NEW PAVILLION, PLUMBING, LARGE DIAMETER PIPING (APPROX. 700 LF 24"-36" DIP) TO TANK, YARD PIPING SEWER & WATER SERVICES
Lafayette, TN Contract II: WWTP Surge Basin	City of Lafayette, TN	Mid-Tenn Engineering Evan White (615) 666-2385	\$3,332,509.00	8/2018	WWTP: 5 MILLION GALLON EQ/ SURGE TANK, CONCRETE WORK, FENCE, PUMPS, FLUME, SPLITTER, WETWELL, ELECTRICAL, TELEMETRY, GRADING, EROSION
Guthrie, KY Novelis Project Cardinal Underground Utilities	Novelis Inc. Lisa Vehar (404) 626-1071	Jacobs/ CH2M (615) 254-6002	\$6,994,470.14	4/2019	SANITARY SEWER: 65 LF 6" PVC, 518 LF 8" PVC, 3360 LF 12" PVC; FORCE MAIN: 1586 LF 2" HDPE, 783 LF 4" HDPE, MANHOLES, PUMP STATION; STORM: 400 LF 4"-16" CARBON STEEL ROOF DRAIN. , 656 LF 18" RCP, 1160 LF 24" RCP, 1304 LF 30" RCP, 640 LF 42" RCP, STORM STRUCTURES; WATER: 2670 LF 1.5"-3" HDPE, 2480 LF 12" HDPE, VALVES,; FIRE WATER: 100 LF 4" HDPE, 601 LF 6" HDPE, 570 LF 8" HDPE, 7140 LF 14" HDPE, VALVES; GAS: 3262 LF 1"-3" HDPE; COOLING TOWER: 6" NITROGEN PIPE, 3" BLOW DOWN; ELECTRICAL CONDUIT: 54,820 LF 2"-6" PVC, 17,230 LF DUCT BANKS, 24,000 LF GROUNDING CABLE, MANHOLES
Fort Wayne, IN Morton St Lift Station Force Main	City of Fort Wayne, IN Pat Dooley (260) 410-5577	City of Fort Wayne, IN Paul Powers (260) 437-4581	\$6,050,000.50	10/2019	FORCE MAIN: 2860 LF 54" STEEL PIPE FROM MORTON ST LS TO SCREEN FACILITY AT WWPS, 3300 LF 16" HDPE LIME SLUDGE GRAVITY: 1900 LF 30" PVC, 23 LF 15" PVC, 125 LF 12" PVC, 66 LF 10" PVC, 22 LF 8" PVC WATER: 720 LF 6" HDPE STORM DRAINAGE STRUCTURES STREETSCAPE: LIGHT POLES, WIRING, BASKETBALL COURT STRIPING, TRAFFIC CONTROL, ASPHALT PAVEMENT, CURB & GUTTER, SIDEWALK, DRIVEWAYS, LANDSCAPING, EROSION CONTROL, TREE CLEARING
Tompkinsville, KY KYTC Monroe Call 402 Storm Sewer	KYTC Prime: Scotty's Contracting & Stone Alan Bryant 270-783-7205	KYTC Ashley Graves 270-590-3693	\$207,336.26	11/2019	STORM SEWER: 650 LF 36" RCP, 29 LF 18" RCP, STRUCTURES, BYPASS PUMPING,



# STREAM BANK PROJECTS

PROJECT NAME	OWNERS	ENGINEER	TOTAL AMOUNT	COMPLETION DATE	DESCRIPTION
Cookeville, TN Hudgens Creek Pump Station, Force Main, And Interceptor Sewer	City of Cookeville, TN Barry Turner (931)520-5258	CTI Engineers Neal Hall (615-834-8300)	\$1,761,049	02/2011	FORCE MAIN: 5903 LF 16" PVC; GRAVITY: 6391 LF 18" PVC; 1933 LF 21" PVC; 530 LF Creek Crossing; 315 LF 24" Bore & Jack; 380 42" LF Bore & Jack; Eleven Utility Crossings with Native Mixes and Plantings.
Nashville, TN Avondale Park - Offsite Water Phase I	Avondale Residential Inc. Dale McColluch (615)804-0218	Civil Site Design Group Ryan Lovelace (615)248-9999 or (615)545-9612	\$910,520.00	11/2013	WATER: 20" DIP, RIVER CROSSING, & BANK RECONSTRUCTION
Columbia, KY Wastewater Treatment Plant Site Restoration & Stabilization	Columbia/Adair Utilities District (270) 384-2181	Monarch Engineering, Inc. David Bowles (502) 839-1310	\$381,585.00	7/2014	CONSTRUCTION OF A RETAINING WALL ADDITION; EXCAVATION, FILLING & GRADING; STREAMBANK STABILIZATION; GEOTEXTILE FABRIC; RIP RAP; AND OTHER ASSOCIATED SITE WORK AT THE COLUMBIA WWTP. (WE WERE SUBCONTRACTOR UNDER DAKOTA MEYER ENTERPRISES, INC.) SEE ATTACHED PHOTO.
Louisville, KY Mud Creek Interceptor Project	Metropolitan Sewer Department Steve Leong (502) 540-6637	Metropolitan Sewer Department Steve Leong (502) 540-6637	\$1,452,927.37	10/2014	SANITARY SEWER: 7553 LF 24", 707 LF 24" CIPP, PRECAST, EROSION CONTROL, TRAFFIC CONTROL, WQTC & PS DECOM, WETLAND RECONSTRUCTION WITH NATIVE MIXES AND PLANTINGS
Huntsville, AL Water Main Relocation for Winchester Road	Madison County John Buxton (256)532-3507	Madison County John Buxton (256)532-3507	\$1,127,980.00	4/2015	WATER: 2270 LF 18" DIP, 310 LF 12" Dip, 1140 LF 8" DIP, 120 LF 6" DIP, Bore under Flint River, Road Bores: 210 LF 30" Casing, 40 LF 24" Casing, 190 LF 18" Casing, Erosion Control, Restoration & River Bank Reconstruction
Decatur, AL Mallard Fox Water Reinforcement Phase III	Decatur Utilities Jordan Young (256)552-1403	Decatur Utilities Jordan Young (256) 552-1403	\$1,841,340.00	4/2017	WATER: 5180 LF OF 36", 356 LF OF 54" STEEL CASING, WETLAND RECONSTRUCTION
Hwy 227 Force Main	Guntersville Water & Sewer Board Jack Swann 256-258-5931	Krebs Engineering Jonah Taylor 334-271-0986	\$2,259,900.00	06/2017	FORCE MAIN: 4811 LF 24" DIP- 20' DEEP; 1954 LF 20" DIP - 14' DEEP, MH, 6" & 8" DIP LATERALS, 6000 SY ASPHALT; LEVEE RECONSTRUCTION.
Knoxville, TN Second Creek Trunkline Armoring	Knoxville Utility Board Herschel Hall (865) 558-2106	Hazen & Sawyer Andrew Howe (865) 766-4034	\$1,431,000.00	8/2020	SITWORK: IMBRICATED ROCK WALL, SITE RESTORATION, EROSION CONTROL, BYPASS PUMPING,
Second Creek Emergency Embankment Repair	University of Tennessee- Knoxville Lisa Pate 865-974-3101	University of Tennessee- Knoxville Lisa Pate 865-974-3101	\$137,429.23	8/2020	Stream Mitigation Repair: Repair of collapsed embankment, temporary stream crossing, large boulder walls, 850 tons Class A boulders, rip rap, temporary construction entrance, 24" HPDE line, sandbags, clearing & removal of existing concrete structure, native plantings
Brentwood, TN TDOT WILLIAMSON CNT 931 CALL 44 Stream Mitigation for Little Harpeth West Branch	TDOT Sarah Fugate (615) 557-4491	TDOT Sarah Fugate (615) 557-4491	\$599,153.50	12/2020	STREAM MITIGATION: CLEARING, 236 LF 12" SLOPE DRAIN, CROSS VANE STRUCTURES, BOLDER JAM/ VANE RIFFLES, EROSION CONTROL, TEMP STREAM DIVERSION, RIP RAP, RESTORATION, EXTENSIVE LANDSCAPING; HDD: 80 LF, SERVICES,





## CURRENT PROJECTS UNDER CONSTRUCTION

PLEASE NOTE AMOUNTS COMPLETED ARE A MONTH BEHIND DUE TO PAYMENT INVOICES.  
ALL PROJECTS ARE COMPLETED WITH MAJORITY OF CLEARY FORCES.

PROJECT NAME	OWNER	ENGINEER	CONTRACT AMOUNT	% COMPLETE	CONTRACT TIME	ANTICIPATED COMPLETION DATE	DESCRIPTION
Nashville, TN West End Residential Combined Sewer Replacement	Prime: McHugh Construction Shane Tresch 312 874 3846	Solomon Cordwell Buenz 312-896-1100	\$704,785.00	78%		2/2021	STORM SEWER: 650 LF 36" RCP, 29 LF 18" RCP, STRUCTURES, BYPASS PUMPING,
Nashville, TN BNA TARI Telecom Duct Bank	Metro Nashville Airport Authority Prime: Superior Construction Jeff Anderson 615.917.7333	Neel-Schaffer, Inc. Glen Reed 601-948-3071	\$4,869,921.00	83%	330 days	8/2021	TELECOM DUCT BANK: 6475 LF SILT FENCE, 7000 SY TEMP SEED, 11 PUL BOXES, 516 LF HDPE CASING, 2861 LF CONCRETE ENCASED DUCT BANK, 80 LF FENCE, 5349 SY HYDROMULCH
Knoxville, TN WEST KNOX UTILITY DISTRICT- PLUMB CREEK INTERCEPTOR REPLACEMENT	West Knox Utility District Wayne Hastings (865) 690-2521	S&ME Inc. David J Kiefer (865) 970-0003	\$3,686,504.00	87%	365 DAYS	8/2021	GRAVITY SEWER: 6000 LF 18"; PVC, 1000 LF 24" PVC, MH, ABANDON 1400 LF 18", CREEK CROSSING, 1 HAND DUG TUNNEL, BYPASS PUMPING,
Knoxville, TN Jones Street Pump Station Gravity Sewer	Prime Contractor: J. Cumby Construction Inc. Greg Shirley (931) 644-5158	Knoxville Utility Board Jacobs Engineering Robbie Cook	\$2,475,412.00	0%	450 days	postoned start covid	GRAVITY SEWER: 450 LF 42" 12'-31" DEEP OPEN CUT OR MICRO TUNNEL; 200 LF 6", 8", 12" REROUTING
Oneida, TN Scott Municipal Airport Runway, Taxiway, & Lighting Rehabilitation	Scott Municipal Airport (423) 569-8270	Goodwyn, Mills & Cawood David Glass/ Troy Buttrely (615) 615-0121	\$4,941,754.80	0%	BASE: 50 DAYS ALT 1: +60 DAYS	PENDING	AIRPORT: MILLING & ASPHALT OVERLAY, NEW EDGE LIGHTING, WIRING, SIGNAGE, EROSION CONTROL, EARTHWORK, PAVEMENT MARKING, SEEDING
Knoxville, TN Beaver Creek Interceptor Contract 2	Hallsdale Powell Utility District Darrel Raley (865) 925-3931	Jacobs Engineering Steve Holtermann 865-560-2801	\$22,148,690.00	48%	900 DAYS	12/2022	GRAVITY: 13,740 LF 48" DIP, 425 LF 12" DIP, 865 LF 8" DIP, 960 LF 12" PVC, 1030 LF 8" PVC, SERVICES, MH, CLASS C MH LINING, 585 LF CREEK CROSSINGS, 190 LF 16" ROAD BORES, 100 LF 60" ROAD BORE, 100 LF 24" RR BORE, 195 LF 72" LF RR BORE
Monticello, IN Collection System Improvements	City of Monticello, IN	Commonwealth Engineers Inc. Josh Harner (260) 494-3223	\$8,176,990.00	51%	365 days	11/2021	SEWER: 9450 LF 12"-60" COMBINED SANITARY-STORM SEWERS & WWTP EFFLUENT SEWERS, 820 LF 12" & 18" STORM SEWR, NEW MANHOLE STRUCTURES, 2 NEW SEWER OUTFALLS, 3 NEW COMBINED SEWER FLOW DIVERSION/REGULATOR STRUCTURES
Madison, AL Western Interceptor MH-58 to MH-97	Madison Utilities Mark Bland (256) 772-0253	Engineers of the South Craig Swinney (256) 766-9430	\$4,326,988.00	49%	365 DAYS	3/2022	GRAVITY SEWER: 6000 LF 48" DIP, 4600 LF 42" DIP, UP TO 20' DEEP, MH, BYPASS PUMPING, ASPHALT PAVING, RESTORATION
Cleveland, TN North Property Development- Cleveland Regional Jetport	Cleveland Regional Jetport Mark Fidler 423-472-4343	PDC CONSULTANTS/ TDOT Rick Hudgens 615-614-0134	\$862,265.00	15%	45 DAYS	8/2021	SITE: 17,587 CY EXCAVATION, 104 LD 30" RCP, 32 LF 24" RCP, TAXIWAY LIGHTING, 2074 CY PORTLAND CEMENT CONCRETE PAVING, EROSION CONTROL, RESTORATION, ALTERNATES FOR 868 PCCP EXTENSION, GRAVEL ACCESS
Richmond, KY Taylor Fork Outfall Sewer	Richmond Utilities Board (859) 623-2323	Bell Engineering David Schrader 859-278-5412	\$5,191,965.00	27%	360 days	2/2022	GRAVITY SEWER: 14,970 LF 24", FORCE MAIN: 4900 LF 12" PVC
Fort Payne, AL 2020 Natural Gas Extensions	DeKalb Cherokee Counties Gas District (256) 845-3731	Greenhill Engineering Consultants, Inc. Curtis O'Daniel (256) 844-6722	\$5,796,974.00	32%	420 days	PENDING	GAS: 1 cr 52 Geraldine: 43,700 LF 4" HP STEEL, TIE INS, ROAD BORES: 1250 LF 4" POWERCRETE STEEL, 90 LF 2" POWERCRETE STEEL, CREEK CROSSING, ROCK SHIELD, 19,000 LF 4" HDPE, 18,750 LF 2" HDPE, 150 LF 2" STEEL, VALVES, 3- 2" DOUBLE REGULATOR STATIONS, UNCASED BORE: 200 LF 4" HDPE, 150 LF 2" HDPE, PAVEMENT REPAIR, 2- CR108/CR119 SYLVANIA: 400 LF 4" HP STEEL, 41,000 LF 4" HDPE, 3800 LF 2" HDPE, 2-2" REGULATOR STATION, 300 LF 2" HDPE DRIVEWAY & STREET BORE, 1250 LF 4" HDPE, VALVE, S, CREEK BORE, ROCK SHIELD, 3-CR50 FYFFE: 22,000 LF 4" HDPE, TIE IN ROCK SHIELD, 600 LF 4" HDPE ROAD BORE, PAVEMENT REPAIR, 4- CR44 LEESBURG: 41,800 LF 4" HDPE, 1225 LF 2" HDPE, TIE IN, ROCK SHIELD, VALVE, 565 LF UNCASED DRIVE BORES, 935 LF 6" HDPE ROAD BORE, PAVEMENT REPAIR, 2- CREEK BORES ALT: 1" FARM TAP, 2" SERVICE, 1" & 3/4" SERVICE TUBING SERVICES,
KYTC Larue Call 103 KY84 Utilities	KYTC Prime: Scotty's Contracting	KYTC Matthew Baker	\$303,198.60	0%	by 6/1/2022	PENDING	WATER: 250 LF 4" PVC, 1880 LF 6" PVC, 255 LF BORE RANGE 2, 21 METERS, TAP, 21 SERVICES, 1244 LF ENCASMENT SPECIAL,
Gallatin, TN Contract 820 Town Creek Interceptor	City of Gallatin, TN	James C. Hailey Jimmy Hailey 615-883-4933	\$1,691,510.00	39%	240 days	PENDING	GRAVITY SEWER: 5411 LF 18" PVC, 109 LF 8" PVC, 50 SERVICES, MH, PAVEMENT REPLACEMENT, STREET CROSSING, WATER: 1150 LF 8" DIP, 20 LF 6" DIP, VALVES, TRAFFIC
York Co, SC New Heritage Gravity Sewer Phase 2	York Co, SC 803-684-8571	Michael Baker International Kyle Crager 803-231-3849	\$6,947,509.00	39%	300 days	PENDING	GRAVITY SEWER: 6900 LF 24", 1875 LF , 36 MH, BORE: 650 LF 48", 150 LF 36", BYPASS PUMPING
Cleveland, TN Prospect Area 2019 Annexation Sewer	Cleveland Utilities Jon Sparkman 423-478-9388	CTI Engineers Inc. Don Tabor 423-648-8381	\$1,676,953.00	65%	120 days	8/2021	GRAVITY SEWER: 3535 LF 8"-15" PVC/DIP OPEN CUT, 385 LF 24" BORE UNDER 1-75, 16 MH, 2 WETLAND CROSSINGS, COLONIAL PIPELINE CROSSING, 3 CREEK CROSSINGS
Crossville, TN TDOT Cumberland CNV009 Call 017	TDOT Prime Contractor: Jones Bro. Contracting Bill Bedford (423) 967-8957	Hussey Gay Bell Robert Stigall 615-460-7515	\$7,855,502.00	0%	before 6/30/2025	PENDING	WATER: 210 LF 2" HDPE, 600 LF 2" PVC, 4300 LF 4" PVC, 35,250 LF 6" PVC, 29,190 LF 10" PVC, 320 LF 16" PVC, 420 LF 2" HDPE HDD, BORES: 50 LF 8", 686 LF 10", 650 LF 16", CONNECTIONS, TAPS, VALVES, SERVICES, METER, 2570 LF 3/4" PVC SERVICE, HYDRANT, 16 CREEK CROSSINGS, 1486 LF 10" CASING OPEN CUT, 600 LF 16" STEEL CASING OPEN CUT FORCE MAIN: 610 LF 2" PVC, 14,450 LF 4" PVC, BORES: 260 LF 8", 620 LF 12", 160 LF 4"; OPEN CUT CASING: 300 LF 8", 1200 LF 12", 210 LF 4"; VALVES, CONNECTIONS, 2 STREAM CROSSINGS.
Huntsville, AL Highway 20 County Line Road to Indian Springs Road	Huntsville Utilities John Buxton 256.535.1435	Garver Engineering Kevin Mullins (256)534-5512	\$1,289,800.00	0%	180 DAYS	PENDING	WATER: 5200 LF 24" DIP, 900 LF 24" RI DIP, BORES: 120 LF 36" (CO LINE RD), 360 LF 36" (I-565), CONNECTION 12", ARV, VALVES,



## CURRENT PROJECTS UNDER CONSTRUCTION

PLEASE NOTE AMOUNTS COMPLETED ARE A MONTH BEHIND DUE TO PAYMENT INVOICES.  
ALL PROJECTS ARE COMPLETED WITH MAJORITY OF CLEARY FORCES.

PROJECT NAME	OWNER	ENGINEER	CONTRACT AMOUNT	% COMPLETE	CONTRACT TIME	ANTICIPATED COMPLETION DATE	DESCRIPTION
Crossville, TN 12" Steel Gas from Rock Island to Crossville Phase 2	Middle TN Natural Gas Utility District Matt Stennett 615-597-0515	Middle TN Natural Gas Utility District Matt Stennett 615-597-0515	\$19,757,405.25	19%	518 DAYS	10/2022	GAS: 98,322 LF 12" STEEL, 1 REGULATOR STATION
Tompkinsville, KY Contract 1 SBE WWTP	City of Tompkinsville, KY Michael Bowe (270) 487-6776	Precision Engineering LLC Steve Harris (270) 407-5784	\$1,979,000.00	0%	280 days	PENDING	WWTP: CONVERSION OF EXISTING WWTP TO SBR, HEADWORKS, DISINFECTION SYSTEM, CONVERT CLARKFIER TO POST EQ BASIN, DEMO STRUCTURES,
Madison, AL Quarry WTP Expansion Yard Piping	Madison Utilities Jason Leggett (256) 772-0253 Prime: Mark Johnson Construction LLC Mark Johnson (205) 752-1978	Krebs Engineering Caleb Leach	\$2,701,200.00	0%	760 days	PENDING	WTP YARD PIPING: 430 LF 42" DIP, 1600 LF 36" DIP, 160 LF 30" DIP, 572 LF 24" HDPE, 425 LF 20" DIP, 225 LF 18" HDPE, 796 LF 12" HDPE
Kokomo, IN Highland Park Pump Station LTCP Improvements	City of Kokomo, IN Weston Reed (765) 456-7360	Commonwealth Engineers Inc. Josh Harner (260) 494-3223	\$3,620,805.00	0%	365 days	PENDING	FORCE MAIN: 3050 LF 24" FORM PS TO WWTP PARALLEL TO AN EXISITING 24"
Crossville, TN 6" Steel Gas for TDOT Cumberland Interstate Drive	Middle TN Natural Gas Utility District Matt Stennett 615-597-0515	Middle TN Natural Gas Utility District Matt Stennett 615-597-0515	\$1,194,130.00	0%	90 days	PENDING	GAS: 8048 LF 6" STEEL , 1316 LF 4" MDPE, 350 LF 2" STEEL, 616 LF 2" MDPE, 3 REGULATOR STATIONS,
Clarksville, TN TDOT Montgomery CNV 237	Prime: Vulcan Construction TDOT Clarksville Gas & Water	HDR Engineering	\$1,300,052.60	0%			GAS: 2340 LF 2" HDPE, 170 LF 2" PE HDD, CONECTION, 880 LF 3/4" PE SERVICE, 130 LF 1" PE SERVICES, CATHODICA PROTECTION STATION, ANODES, WATER: 1700 LF 6" RJDIP, 315 LF 12" RJDIP, 900 LF RJDIP, HDD: 120 LF 2" HDPE , BORE: 110 LF 12", 40 LF 24", CONNECTIONS, TAPS, GATE VALVES, SERVICES, ARV, FH, OPEN CUT CASING: 80 LF 8", 40 LF 24"

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>
Down to Earth Inc.	Multiple projects	WBD	10%
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

(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.

**BRANCH OF WORK**                      **SUBCONTRACTOR**                      **DBE(Yes/No)**                      **% of Work**

**List Each Major Item**

Such as: Grading, bituminous Paving, concrete, seeing and Protection, construction staking, etc

- |                             |  |             |
|-----------------------------|--|-------------|
| 1. <u>Paving</u>            | Name: <u>All Terrain Paving</u> <u>Yes</u>               | <u>19%</u>  |
|                             | Address: <u>2235 Corydon Pike New Albany IN 47150</u>    |             |
| 2. <u>Erosion / Seeding</u> | Name: <u>Earth Images Inc.</u> <u>Yes</u>                | <u>6.9%</u> |
|                             | Address: <u>PO Box 210 Floyd's Knob, IN 47119</u>        |             |
| 3. <u>Retaining Wall</u>    | Name: <u>RediRock K.I.T.</u> <u>NO</u>                   | <u>9.7%</u> |
|                             | Address: <u>850 Landis Lane Mt. Washington, KY 40047</u> |             |
| 4. _____                    | Name: _____  |             |
|                             | Address: _____   |             |
| 5. _____                    | Name: _____  |             |
|                             | Address: _____   |             |
| 6. _____                    | Name: _____  |             |
|                             | Address: _____   |             |
| 7. _____                    | Name: _____  |             |
|                             | Address: _____   |             |
| 8. _____                    | Name: _____  |             |
|                             | Address: _____   |             |

(Attach additional sheet(s) if necessary.)

**7. AUTHENTICATION OF BID AND STATEMENT OF NON-COLLUSION AND 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 \_\_\_\_\_ 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

SEE ATTACHED RESUMES

NAME OF INDIVIDUAL: Darren Cleary

POSITION/TITLE: President

STATEMENT OF EXPERIENCE: See Resume

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

NAME OF INDIVIDUAL: Wesley Cleary

POSITION/TITLE: VP / COO

STATEMENT OF EXPERIENCE: See Resume

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

NAME OF INDIVIDUAL: Paul Hemborn

POSITION/TITLE: Project Manager

STATEMENT OF EXPERIENCE: see resume

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

NAME OF INDIVIDUAL: Tom Baker

POSITION/TITLE: Safety Director

STATEMENT OF EXPERIENCE: see resume

\_\_\_\_\_

\_\_\_\_\_

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.)





## DARREN CLEARY

### CLEARY CONSTRUCTION INC. PRESIDENT / CEO

darrencleary@clearyconst.com (270) 427-6146

#### LICENSE & CERTIFICATES:

- \*Class A CDL
- \*Tennessee Blaster's License
- \*Kentucky Blaster's License
- \*OSHA 30
- \*OSHA Competent Person

#### WORK EXPERIENCE:

1985- Present	<b>Cleary Construction Inc.</b> <i>President/ CEO/ Owner</i> General Construction/ Utility Specialty	Tompkinsville, KY
2012- Present	<b>Rock Solutions LLC</b> <i>President/ CEO/ Owner</i> Drilling & Blasting	Tompkinsville, KY
2014- Present	<b>Precision Engineering LLC</b> <i>Partner/ Co-Owner</i> Civil Engineering & Surveying	Tompkinsville, KY
2015- Present	<b>Cleary Group LLC</b> <i>President</i> Trucking/ Transportation	Tompkinsville, KY

#### BOARDS & COMMITTEES:

- \*National Utility Contractors Association
  - Middle Tennessee Chapter- Founding Member & President- Elect
  - Kentucky Chapter- Founding Member
  - East Tennessee Chapter- Member
- \*Kentucky Association of Highway Contractors
  - Board of Directors
  - Safety Committee Co-Chairman
- \*Georgia Utility Contractors Association Member
- \*Alabama Utility Contractors Association Member
- \*Tennessee Association of Utility Districts Member
- \*Tennessee Road Builders Association Member
- \*Kentuckians for Better Transportation Member
- \*Monroe Co. KY Economic Development Board

#### SIGNIFICANT PROJECTS:

Logan Todd 24" Waterline <i>100,000 LF 24" Waterline</i>	Springfield, TN
Schenkel Cave Sewer Replacement <i>36" Gravity inside of Cave</i>	Frankfort, KY
East Fork of Third Creek Trunk Sewer Phase 3 <i>30" Trunk Sewer line &amp; 8" Gas</i>	Knoxville, TN
Avondale Park Offsite Water Ph 1 <i>20" Water Crossing through Harpeth River</i>	Nashville, TN
Mallard Fox Water Ph. 2 & 3 <i>24", 30" &amp; 36" Waterline</i>	Decatur, AL
West Park Equalization Storage Facility <i>21 MGD Concrete Tank, Park, 30" line</i>	Nashville, TN
Raw Water Intake <i>36" Raw Water Line HDD Subaqueous Crossing</i>	Curry, AL
North South Water Ph.1 Contracts 2& 3 <i>20" &amp; 24" Waterline</i>	Cleveland, TN

Darren has been in the construction industry since 1985. He has founded and grown multi-million dollar companies from the ground up maintaining payrolls of 150+ employees and managing multi-million dollar projects. From humble beginnings laboring and operating equipment, Darren has lead crews, estimated bids, managed projects working closely with Owners, Engineers, subcontractors, and vendors to ensure that jobs are finished properly and in a timely manner with the highest quality. His expertise and vision to offer services began with site work such as grading and excavating and quickly moved to specialties like the underground utility sector; installing water, sewer, and gas mains, then quickly expanded to additional portions like pump stations, treatment plant modifications and now has branched to open companies to support those services offering rock removal, engineering and surveying, and trucking and hauling. Darren has the commitment and drive to tackle new obstacles to find solutions. Because of his experience in all facets of the construction industry, Darren now serves on multiple boards and committees. He is often consulted by Engineers and Owners when designing new projects, and respected by his peers as a knowledgeable, honest businessman. His employees know him to be generous, fair, and caring, but also expects their best quality of work.



## TOM BAKER

### CLEARY CONSTRUCTION INC. DIRECTOR OF SAFETY

tombaker@clearyconst.com (270) 427-6395

#### WORK EXPERIENCE:

2008 – Present **Cleary Construction Inc.** Tompkinsville, KY  
*Safety Director*

##### Job Duties:

Implement, review ,and modify: safety plans, policies and procedures, Job Hazard Analysis, and Standard Operating Procedures. Tracking and Recording OSHA Logs. Provide Safety Training. Conduct Safety Inspections on job sites and report findings to management. Documentation of all safety training, inspections and compliance. Compliance of federal, state and local safety laws, rules and regulations.

2000 – 2008 **City of Tompkinsville (KY)** Tompkinsville, KY  
*Operations Supervisor*

##### Job Duties:

Direct Supervision of all Gas, Water and Sewer Maintenance, Sanitation Service, Parks Management, and Street Maintenance. Safety of all above employees including trench and excavation safety. Routine sampling of drinking water system. Routine maintenance and modifications of natural gas system. Work closely with state, county and city officials. Documentation of gas, water and sewer systems.

#### CERTIFICATIONS & TRAINING:

- \*OSHA 10
- \*OSHA 30
- \*OSHA 3015
- \*OSHA Reporting
- \*Gas Operator Qualification Certified Instructor
- \*First Aid and CPR
- \*Advanced Trenching and Excavation
- \*Soil Mechanics
- \*OSHA Competent Person
- \*Traffic Work Zone Technician
- \*Traffic Work Zone Supervisor
- \*Certified Flagger
- \*Confined Space
- \*Drug and Alcohol Awareness Training
- \*Working close to heavy equipment

#### SIGNIFICANT PROJECTS:

- |  |                 |
|--|-----------------|
| West Park Equalization Storage Facility<br><i>21 MGD Concrete Tank, Park, 30" line</i>   | Nashville, TN   |
| Logan Todd 24" Waterline<br><i>100,000 LF 24" Waterline, Creek Crossing</i>  | Springfield, TN |
| HCWD#1- LWC Interconnect- Transmission Main & Pump Station Improvements<br><i>24" DIP Watermain, 900 LF HDD &amp; New Pump Station</i> | Radcliff, KY    |
| Stratford & Riverview Pressure Mains & Junction Box<br><i>24" DIP Pressure mains, Concrete Junction box</i>                            | Decatur, AL     |

Tom has extensive safety and management experience. His past management experience lends to his ability to work closely with agency and company officials as well as have technical knowledge of the utility construction industry that he works daily to ensure is safe. He is continually inspecting job sites to ensure that all construction projects comply with all federal, state, and local regulations. Tom implements, reviews, and modifies all safety plans, policies and procedures, Job Hazard Analysis, and Standard Operating Procedures for the company. He conducts safety trainings for all employees upon hire and periodic recertifications. Tom manages our third-party Safety Consultant and the seven-member in-house Safety Committee. He is also is certified to administer drug and alcohol testing to comply with our DOT approved policy and EEO compliance. He is also a certified Flagger and Traffic Work Zone Supervisor. Tom will ensure that all projects are safe and meeting OSHA regulations. He encourages our employees to continually keep safety a priority to ensure they reach their family each night.



## WESLEY CLEARY

### CLEARY CONSTRUCTION INC. VICE-PRESIDENT / COO

wesleycleary@clearyconst.com (270) 407-1069

#### CERTIFICATIONS & TRAINING:

- \*OSHA 30
- \*KY & TN Blasting License
- \*OSHA Competent Person
- \*First Aid/ CPR/ AED
- \*Work Zone Traffic Control Technician
- \*U.S. Army Corps of Eng. Construction Quality Management for Contractors
- \*Environmental Compliance Assessment, Training, & Tracking System Kingsville, TX Naval Air Sta.

#### WORK EXPERIENCE:

2005 – Present	<b>Cleary Construction Inc.</b> <i>Vice President/ Chief Operations Officer</i>	Tompkinsville, KY
	<i>Job Duties:</i> Supervision of Hiring Field Personnel, Equipment Procurement & Management, Management of Materials, Safety Program Supervision, Quality Control, Scheduling, Estimating, Budget Management, Coordination with Subcontractors, Vendor Supplier Negotiation, Contracts & Purchase Orders, Crew Coordination, Project Management Supervision	
2012- Present	<b>Rock Solutions LLC</b> <i>Co-Owner</i> <i>Drilling &amp; Blasting</i>	Tompkinsville, KY
2015- Present	<b>Cleary Group LLC</b> <i>Co-Owner</i> Trucking/ Transportation	Tompkinsville, KY

#### SIGNIFICANT PROJECTS:

Interceptor Replacement Phase 5 <i>24" FRP Gravity Sewer &amp; Rehab</i>	Springfield, TN
24" Raw Water Line & WTP Aerator Replacement <i>24" PVC Raw Water Line, Intake Pump Station Rehab</i>	Morganfield, KY
LG Electronics USA Mass Grading & Utilities <i>Domestic Water, Fire Water, Sewer for LG Site</i>	Clarksville, TN
2015 USDA/RD Contract II- WWTP Surge Basin <i>5 MGD Pre-stressed tank</i>	Lafayette, TN
Morton St Lift Station Force Main <i>54" Welded Steel Force Main, 30" PVC Gravity Sewer, Streetscape</i>	Fort Wayne, IN
KDOT Bullitt Co Preston Hwy <i>24" DIP Water, Gravity</i>	Louisville, KY
Logan Todd 24" Waterline <i>100,000 LF 24" Waterline, Creek Crossing</i>	Springfield, TN
HCWD#1- LWC Interconnect- Transmission Main & Pump Station Improvements <i>24" DIP Watermain, 900 LF HDD &amp; New Pump Station</i>	Radcliff, KY
LWC Eastern Parkway 48" Transmission Main <i>42" Welded Steel Slip line &amp; open cut</i>	Louisville, KY

Wesley has had the extraordinary opportunity to have been exposed to construction since a young age. This exposure has given him a unique perspective of all aspects of the industry from laboring, operating equipment, supervising crews, to estimating and managing projects, and now overseeing the daily operations of a multi-million dollar, 150+ employee company. He has built successful relationships with many Owners, Engineers, Subcontractors, and Vendors that allow Cleary Construction Inc. to continue to grow. Wesley also co-owns and manages affiliate companies that offer helpful services. Wesley will ensure all operations run smoothly.



## PAUL HARBRON

### CLEARY CONSTRUCTION INC. PROJECT MANAGER

paulharbron@clearyconst.com (270) 427-7895

#### EDUCATION:

**Calvin College**

*Bachelor of Mathematics*

Grand Rapids, MI

#### CERTIFICATIONS & TRAINING:

- \*Confined Space Safety Training
- \*Advanced Trenching & Excavation Safety
- \*First Aid/ CPR/ AED
- \*OSHA Competent Person
- \*Trench Safety
- \*Erosion Control Specialist
- \*OSHA 1010

#### WORK EXPERIENCE:

2016 – Present

**Cleary Construction Inc.**

Tompkinsville, KY

*Project Manager/ Estimator*

Job Duties: Estimate, bid and complete work in the heavy civil industry; Interpret contract documents; maintain multiple projects at a time; Communication with Owners, Engineers, Clients; Represent company at pre bid, pre-construction & jobsite meetings; Prepare accurate take-offs from plans and specs; Prepare bid documents for hard bid projects; Submittals; Coordinate with suppliers on the purchase and delivery of materials using POs; change orders; monthly pay requests; Troubleshoot projects to maximize profit; Track labor, material and equipment costs throughout the project using project controls; Assure that the project is compliant with State and Federal guidelines; Manage subcontractors; scheduling; project close out

2014 – 2016

**Scott & Ritter**

Bowling Green, KY

*Project Manager*

Job Duties: Submittals; Coordinate with suppliers on the purchase and delivery of materials using POs; change orders; monthly pay requests; Troubleshoot projects to maximize profit; Track labor, material and equipment costs throughout the project using project controls; Assure that the project is compliant with State and Federal guidelines; Manage subcontractors; scheduling; project close out

2009 – 2014

**HRP Construction Inc.**

Northern Indiana

*Project Manager/Estimator*

2008 – 2009

**Safety – Kleen**

South Bend, IN

*General Manager*

#### SIGNIFICANT PROJECTS:

HCWD#1- LWC Interconnect- Transmission Main & Pump Station Improvements <i>24" DIP Watermain, 900 LF HDD &amp; New Pump Station</i>	Radcliff, KY
LWC Eastern Parkway 48" Transmission Main <i>42" Welded Steel Slip line &amp; open cut</i>	Louisville, KY
Morton St Lift Station Pressure Main <i>54" Welded Steel Pressure Main, 30" PVC Gravity Sewer, Streetscape</i>	Fort Wayne, IN
LG Electronics USA Mass Grading & Utilities <i>Domestic Water, Fire Water, Sewer for LG Site</i>	Clarksville, TN
24" Raw Water Line & WTP Aerator Replacement <i>24" PVC Raw Water Line, Intake Pump Station Rehab</i>	Morganfield, KY
TDOT Call 58 Montgomery Co. <i>Domestic Water, Fire Water, Sewer</i>	Clarksville, TN
KDOT Call 300 Preston Hwy Water & Sewer Line <i>12" DIP Waterline, 15" PVC Gravity</i>	Bullitt Co., KY
Landsdown South Trunk Sewer <i>24" PVC Sewer</i>	Lexington, KY



## 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

CLEAR CONSTRUCTION INC.  
\_\_\_\_\_  
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 count, 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.

**11. EQUAL EMPLOYMENT OPPORTUNITY AFFIRMATIVE ACTION POLICY**

It is the policy of CLEARV CONSTRUCTION INC.

to assure that all applicants for employment and all employees are treated on a fair and equitable basis without regard to their race, religion, sex, color, handicap, natural origin or age.

Such action shall include employment, promotion, demotion, recruitment or recruitment advertising, layoff or termination, rates of pay and other forms of compensation, and selection for training, whether apprenticeship and/or on-the-job-training.

Furthermore, this company agrees to make special recruitment efforts to hire the protected class whenever feasible. This company also agrees to adhere to all applicable federal, state, and local laws relating to Equal Employment Opportunity for all individuals.



**12. WORKFORCE ANALYSIS FORM**

Name of Organization: CLEARY CONSTRUCTION INC. Date: 9 / 17 / 2021

Categories	Total	White		Black		Other		Total	
		M	F	M	F	M	F	M	F
Administrators	2	1	1					1	1
Professionals	12	10	2					10	2
Superintendents	17	17						17	
Supervisors									
Foremen	15	15						15	
Technicians									
Protective Service									
Para-Professionals									
Office/Clerical	31	21	10					21	10
Skilled Craft	61	55		1		5		61	
Service/Maintenance	10	9				1		10	
<b>Total:</b>	<b>148</b>	<b>128</b>	<b>13</b>	<b>1</b>	<b>1</b>	<b>6</b>		<b>135</b>	<b>13</b>

Prepared By: SHIRLEY CLEARY

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: CLEARLY CONSTRUCTION INC Employee ID: 61-1279574  
 Address: 2006 EDMONTON RD, TOMPKINSVILLE, KY 42167 Phone: (270) 487-1784  
 Project to be insured: Southland Park Stormwater Improvements, LEUCG Bid No. 61-2021

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	OGL	\$1,000,000 per occ. And \$2,000,000 aggregate	\$1,000,000 per occ \$2,000,000 Aggregate	The Phoenix Ins Co Travelers Ins	G	A++
SC-3, Section 2, Part 4.1 - see provisions	AUTO	\$2,000,000/per occ.	\$1,000,000 CSL + 10,000,000 umbrella	Charter Oak Fire Ins. Travelers Ins.	G	A++
SC-3, Section 2, Part 4.1 - see provisions	WC	Statutory w/endorsement as noted	\$ STATUTORY LIMITS	Bridgeland Casualty Ins. Co	R	A+

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: INSURANCE GROUP OF AMERICA Name of Authorized Representative: EVELYN MEDINA  
 Street Address: 6640 CAROTHERS PARKWAY, STE 100 Title: ACCOUNT MANAGER  
 City: FRANKLIN, TN 37067 State: \_\_\_\_\_ Zip: \_\_\_\_\_  
 Telephone Number: 615-905-6956 Authorized Signature: [Signature]  
 Date: 9/15/2021

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.**



CLEACON-01

JHOLZEN

CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY) 9/13/2021

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

Table with PRODUCER and INSURED information. PRODUCER: Insurance Group of America LLC, 6640 Carothers Parkway, Suite 160, Franklin, TN 37067. INSURED: Cleary Construction Inc., 2006 Edmonton Road, Tompkinsville, KY 42167. CONTACT: Jill Holzen, (615) 905-1722, (615) 905-1698. INSURER(S): The Phoenix Ins Co (25623), Charter Oak Fire Ins Co (25615), Travelers Property Casualty Co of America (25674), Bridgefield Casualty Ins Co (10335).

COVERAGES CERTIFICATE NUMBER: REVISION NUMBER:

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

Main table with columns: INSR LTR, TYPE OF INSURANCE, ADDL INSD, SUBR WVD, POLICY NUMBER, POLICY EFF (MM/DD/YYYY), POLICY EXP (MM/DD/YYYY), LIMITS. Rows include: A COMMERCIAL GENERAL LIABILITY (CO6P296915), B AUTOMOBILE LIABILITY (8105P980217), C UMBRELLA LIAB (CUP6P393358), D WORKERS COMPENSATION AND EMPLOYERS' LIABILITY (0196-42220).

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required) Re: LFUCG Bid No. 61-20211 Southland Park Stormwater Improvements Lexington-Fayette Urban County Government and Engineer are additional insureds on a primary and noncontributory basis with regards to General Liability and Auto Liability where required by written contract.

CERTIFICATE HOLDER: Lexington-Fayette Urban County Government, 200 East Main St, Lexington, KY 40507. CANCELLATION: SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS. AUTHORIZED REPRESENTATIVE: [Signature]

14. DEBARRED FIRMS

PROJECT NAME: SOUTHLAND PARK STORMWATER IMPROVEMENTS

BID NUMBER: 61-2021

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 CLEARY CONSTRUCTION INC. 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.

CLEARY CONSTRUCTION INC.  
Name of Firm Submitting Bid

  
Signature of Authorized Official

PRESIDENT  
Title

SEPTEMBER 17, 2021  
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: CLEARY CONSTRUCTION INC.

Project: SOUTHLAND PARK STORMWATER IMPROVEMENTS

Printed Name and Title of Authorized Representative: DARREN CLEARY, PRESIDENT

Signature: 

Date: SEPTEMBER 17, 2021

- END OF SECTION -

# AIA<sup>®</sup> Document A310<sup>™</sup> – 2010

## Bid Bond

### CONTRACTOR:

(Name, legal status and address)

Cleary Construction, Inc.  
2006 Edmonton Road  
Tompkinsville, Kentucky 42167

### SURETY:

(Name, legal status and principal place of business)

Westfield Insurance Company  
One Park Circle  
Westfield Center, Ohio 44251

This document has important legal consequences. Consultation with an attorney is encouraged with respect to its completion or modification.

Any singular reference to Contractor, Surety, Owner or other party shall be considered plural where applicable.

### OWNER:

(Name, legal status and address)

Lexington-Fayette Urban County Government  
200 East Main Street  
Lexington, Kentucky 40507

**BOND AMOUNT:** Not less than five percent of the base (not less than 5% of the base)

### PROJECT:

(Name, location or address, and Project number, if any)

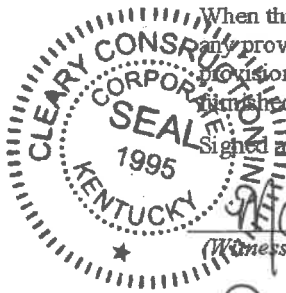
Southland Park Stormwater Improvements  
LFUGC Bid No. 61-2021  
Lexington, Kentucky


The Contractor and Surety are bound to the Owner in the amount set forth above, for the payment of which the Contractor and Surety bind themselves, their heirs, executors, administrators, successors and assigns, jointly and severally, as provided herein. The conditions of this Bond are such that if the Owner accepts the bid of the Contractor within the time specified in the bid documents, or within such time period as may be agreed to by the Owner and Contractor, and the Contractor either (1) enters into a contract with the Owner in accordance with the terms of such bid, and gives such bond or bonds as may be specified in the bidding or Contract Documents, with a surety admitted in the jurisdiction of the Project and otherwise acceptable to the Owner, for the faithful performance of such Contract and for the prompt payment of labor and material furnished in the prosecution thereof, or (2) pays to the Owner the difference, not to exceed the amount of this Bond, between the amount specified in said bid and such larger amount for which the Owner may in good faith contract with another party to perform the work covered by said bid, then this obligation shall be null and void, otherwise to remain in full force and effect. The Surety hereby waives any notice of an agreement between the Owner and Contractor to extend the time in which the Owner may accept the bid. Waiver of notice by the Surety shall not apply to any extension exceeding sixty (60) days in the aggregate beyond the time for acceptance of bids specified in the bid documents, and the Owner and Contractor shall obtain the Surety's consent for an extension beyond sixty (60) days.

If this Bond is issued in connection with a subcontractor's bid to a Contractor, the term Contractor in this Bond shall be deemed to be Subcontractor and the term Owner shall be deemed to be Contractor.

When this Bond has been furnished to comply with a statutory or other legal requirement in the location of the Project, any provision in this Bond conflicting with said statutory or legal requirement shall be deemed deleted herefrom and provisions conforming to such statutory or other legal requirement shall be deemed incorporated herein. When so furnished, the intent is that this Bond shall be construed as a statutory bond and not as a common law bond.

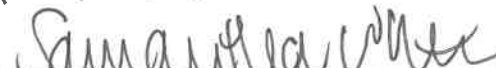
Signed and sealed this Seventeenth day of September, 2021




  
(Witness) Nancy J. Spaulding, Est. Coordinator

Cleary Construction, Inc.  
(Principal) \_\_\_\_\_ (Seal)

  
(Title) SHIRLEY CLEARY, SECRETARY/TREASURER  
Westfield Insurance Company  
(Surety) \_\_\_\_\_ (Seal)

  
(Witness) Samantha Whitlow, Account Manager

  
(Title) Pamela D. Puskarich, Attorney-in-Fact

**CAUTION:** You should sign an original AIA Contract Document, on which this text appears in RED. An original assures that changes will not be obscured.

Init.

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THIS POWER OF ATTORNEY SUPERCEDES ANY PREVIOUS POWER BEARING THIS SAME POWER # AND ISSUED PRIOR TO 03/01/17, FOR ANY PERSON OR PERSONS NAMED BELOW.

POWER NO. 4110812 07

General Power of Attorney

Westfield Insurance Co. Westfield National Insurance Co. Ohio Farmers Insurance Co. Westfield Center, Ohio

CERTIFIED COPY

Know All Men by These Presents, That WESTFIELD INSURANCE COMPANY, WESTFIELD NATIONAL INSURANCE COMPANY and OHIO FARMERS INSURANCE COMPANY, corporations, hereinafter referred to individually as a "Company" and collectively as "Companies," duly organized and existing under the laws of the State of Ohio, and having its principal office in Westfield Center, Medina County, Ohio, do by these presents make, constitute and appoint JAMES L. NOE, III, STEPHANIE RICHARDSON, ANDREW C. BENNETT, DEIDRE KITTREDGE, CRAIG M. WHITLOW, PAMELA D. PUSKARICH, JOINTLY OR SEVERALLY

of FRANKLIN and State of TN its true and lawful Attorney(s)-in-Fact, with full power and authority hereby conferred in its name, place and stead, to execute, acknowledge and deliver any and all bonds, recognizances, undertakings, or other instruments or contracts of suretyship-

LIMITATION: THIS POWER OF ATTORNEY CANNOT BE USED TO EXECUTE NOTE GUARANTEE, MORTGAGE DEFICIENCY, MORTGAGE GUARANTEE, OR BANK DEPOSITORY BONDS.

and to bind any of the Companies thereby as fully and to the same extent as if such bonds were signed by the President, sealed with the corporate seal of the applicable Company and duly attested by its Secretary, hereby ratifying and confirming all that the said Attorney(s)-in-Fact may do in the premises. Said appointment is made under and by authority of the following resolution adopted by the Board of Directors of each of the WESTFIELD INSURANCE COMPANY, WESTFIELD NATIONAL INSURANCE COMPANY and OHIO FARMERS INSURANCE COMPANY:

"Be It Resolved, that the President, any Senior Executive, any Secretary or any Fidelity & Surety Operations Executive or other Executive shall be and is hereby vested with full power and authority to appoint any one or more suitable persons as Attorney(s)-in-Fact to represent and act for and on behalf of the Company subject to the following provisions:

The Attorney-in-Fact, may be given full power and authority for and in the name of and on behalf of the Company, to execute, acknowledge and deliver, any and all bonds, recognizances, contracts, agreements of indemnity and other conditional or obligatory undertakings and any and all notices and documents canceling or terminating the Company's liability thereunder, and any such instruments so executed by any such Attorney-in-Fact shall be as binding upon the Company as if signed by the President and sealed and attested by the Corporate Secretary."

"Be it Further Resolved, that the signature of any such designated person and the seal of the Company heretofore or hereafter affixed to any power of attorney or any certificate relating thereto by facsimile, and any power of attorney or certificate bearing facsimile signatures or facsimile seal shall be valid and binding upon the Company with respect to any bond or undertaking to which it is attached." (Each adopted at a meeting held on February 8, 2000).

In Witness Whereof, WESTFIELD INSURANCE COMPANY, WESTFIELD NATIONAL INSURANCE COMPANY and OHIO FARMERS INSURANCE COMPANY have caused these presents to be signed by their National Surety Leader and Senior Executive and their corporate seals to be hereto affixed this 01st day of MARCH A.D., 2017 .

Corporate Seals Affixed



WESTFIELD INSURANCE COMPANY WESTFIELD NATIONAL INSURANCE COMPANY OHIO FARMERS INSURANCE COMPANY

By: Dennis P. Baus, National Surety Leader and Senior Executive

State of Ohio County of Medina ss.:

On this 01st day of MARCH A.D., 2017 , before me personally came Dennis P. Baus to me known, who, being by me duly sworn, did depose and say, that he resides in Wooster, Ohio; that he is National Surety Leader and Senior Executive of WESTFIELD INSURANCE COMPANY, WESTFIELD NATIONAL INSURANCE COMPANY and OHIO FARMERS INSURANCE COMPANY, the companies described in and which executed the above instrument; that he knows the seals of said Companies; that the seals affixed to said instrument are such corporate seals; that they were so affixed by order of the Boards of Directors of said Companies; and that he signed his name thereto by like order.

Notarial Seal Affixed



David A. Kotnik

David A. Kotnik, Attorney at Law, Notary Public My Commission Does Not Expire (Sec. 147.03 Ohio Revised Code)

State of Ohio County of Medina ss.:

I, Frank A. Carrino, Secretary of WESTFIELD INSURANCE COMPANY, WESTFIELD NATIONAL INSURANCE COMPANY and OHIO FARMERS INSURANCE COMPANY, do hereby certify that the above and foregoing is a true and correct copy of a Power of Attorney, executed by said Companies, which is still in full force and effect; and furthermore, the resolutions of the Boards of Directors, set out in the Power of Attorney are in full force and effect.

In Witness Whereof, I have hereunto set my hand and affixed the seals of said Companies at Westfield Center, Ohio, this 17th day of September A.D., 2021



Frank A. Carrino Secretary

## CERTIFICATE OF CORPORATE AUTHORITY

As is evidenced by the signature of the President of Cleary Construction, Inc., as attested by its Secretary/Treasurer, Shirley Cleary, at a duly called meeting of the Board of Directors, it is hereby certified that Darren Cleary is the duly elected President of Cleary Construction, Inc.;

That Wesley Cleary a/k/a Wes Cleary is the duly elected Vice President of Cleary Construction, Inc.;

That Shirley Cleary is the duly elected Secretary/Treasurer of Cleary Construction, Inc., and, Darren Cleary, as President, Wesley Cleary as Vice-President, Shirley Cleary as Secretary/Treasurer, and Dantanna Neil Bryant as Field Operations Manager, have full and complete authority for all purposes to represent Cleary Construction, Inc. and, they are each authorized to execute on behalf of the corporation any construction proposal and bid, and/or contract and, said authority shall continue, until revoked in writing.

The action taken above does not affect in any respect, conflict with, or contravene, the By-Laws, Regulations, or Articles of said corporation.

In witness whereof, we have signed this Certificate of Corporate Authority on this the 15<sup>th</sup> day of March, 2017.

  
\_\_\_\_\_  
DARREN CLEARY, PRESIDENT  
CLEARY CONSTRUCTION, INC.

  
\_\_\_\_\_  
WESLEY CLEARY, VICE-PRESIDENT  
CLEARY CONSTRUCTION, INC.

ATTEST:

  
\_\_\_\_\_  
SHIRLEY CLEARY  
SECRETARY/TREASURER  
CLEARY CONSTRUCTION, INC.



**Lexington-Fayette Urban County Government**  
**MWDBE PARTICIPATION GOALS**

**A. GENERAL**

- 1) The LFUCG request all potential contractors to make a concerted effort to include Minority-Owned (MBE), Woman-Owned (WBE), Disadvantaged (DBE) Business Enterprises and Veteran-Owned Small Businesses (VOSB) as subcontractors or suppliers in their bids.
- 2) Toward that end, the LFUCG has established 10% of total procurement costs as a Goal for participation of Minority-Owned, Woman-Owned and Disadvantaged Businesses on this contract.
- 3) **It is therefore a request of each Bidder to include in its bid, the same goal (10%) for MWDBE participation and other requirements as outlined in this section.**
- 4) The LFUCG has also established a 3% of total procurement costs as a Goal for participation for of Veteran-Owned Businesses.
- 5) **It is therefore a request of each Bidder to include in its bid, the same goal (3%) for Veteran-Owned participation and other requirements as outlined in this section.**

**B. PROCEDURES**

- 1) The successful bidder will be required to report to the LFUCG, the dollar amounts of all payments submitted to Minority-Owned, Woman-Owned or Veteran-Owned subcontractors and suppliers for work done or materials purchased for this contract. (See Subcontractor Monthly Payment Report)
- 2) Replacement of a Minority-Owned, Woman-Owned or Veteran-Owned subcontractor or supplier listed in the original submittal must be requested in writing and must be accompanied by documentation of Good Faith Efforts to replace the subcontractor / supplier with another MWDBE Firm; this is subject to approval by the LFUCG. (See LFUCG MWDBE Substitution Form)
- 3) For assistance in identifying qualified, certified businesses to solicit for potential contracting opportunities, bidders may contact:
  - a) The Lexington-Fayette Urban County Government, Division of Central Purchasing (859-258-3320)
- 4) The LFUCG will make every effort to notify interested MWDBE and Veteran-Owned subcontractors and suppliers of each Bid Package, including information on the scope of work, the pre-bid meeting time and location, the bid date, and all other pertinent information regarding the project.

**C. DEFINITIONS**

- 1) A Minority-Owned Business Enterprise (MBE) is defined as a business which is certified as being at least 51% owned, managed and controlled by persons of African American, Hispanic, Asian, Pacific Islander, American Indian or Alaskan Native Heritage.
- 2) A Woman-Owned Business Enterprise (WBE) is defined as a business which is certified as being at least 51% owned, managed and controlled by one or more women.

- 3) A Disadvantaged Business (DBE) is defined as a business which is certified as being at least 51% owned, managed and controlled by a person(s) that are economically and socially disadvantaged.
- 4) A Veteran-Owned Small Business (VOSB) is defined as a business which is certified as being at least 51% owned, managed and controlled by a veteran and/or a service disabled veteran.
- 5) Good Faith Efforts are efforts that, given all relevant circumstances, a bidder or proposer actively and aggressively seeking to meet the goals, can reasonably be expected to make. In evaluating good faith efforts made toward achieving the goals, whether the bidder or proposer has performed the efforts outlined in the Obligations of Bidder for Good Faith Efforts outlined in this document will be considered, along with any other relevant factors.

D. OBLIGATION OF BIDDER FOR GOOD FAITH EFFORTS

- 1) **The bidder shall make a Good Faith Effort to achieve the Participation Goal for MWDBE and Veteran-Owned subcontractors/suppliers. The failure to meet the goal shall not necessarily be cause for disqualification of the bidder; however, bidders not meeting the goal are required to furnish with their bids written documentation of their Good Faith Efforts to do so.**
- 2) Award of Contract shall be conditioned upon satisfaction of the requirements set forth herein.
- 3) The Form of Proposal includes a section entitled "MWDBE Participation Form". The applicable information must be completed and submitted as outlined below.
- 4) **Failure to submit this information as requested may be cause for rejection of bid or delay in contract award.**

E. DOCUMENTATION REQUIRED FOR GOOD FAITH EFFORTS

- 1) Bidders reaching the Goal are required to submit only the MWDBE Participation Form." The form must be fully completed including names and telephone number of participating MWDBE firm(s); type of work to be performed; estimated value of the contract and value expressed as a percentage of the total Lump Sum Bid Price. The form must be signed and dated, and is to be submitted with the bid.
- 2) Bidders not reaching the Goal must submit the "MWDBE Participation Form", the "Quote Summary Form" and a written statement documenting their Good Faith Effort to do so. If bid includes no MWDBE and/or Veteran participation, bidder shall enter "None" on the subcontractor / supplier form). In addition, the bidder must submit written proof of their Good Faith Efforts to meet the Participation Goal:
  - a. Advertised 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 and Veteran-Owned businesses to participate.
  - b. Included documentation of advertising in the above publications with the bidders good faith efforts package
  - c. Attended LFUCG Central Purchasing Economic Inclusion Outreach event

- d. Attended pre-bid meetings that were scheduled by LFUCG to inform MWDBEs and/or Veteran-Owned businesses of subcontracting opportunities
- e. Sponsored Economic Inclusion event to provide networking opportunities for prime contractors and MWDBE firms and Veteran-Owned businesses.
- f. Requested a list of MWDBE and/or Veteran subcontractors or suppliers from LFUCG and showed evidence of contacting the companies on the list(s).
- g. Contacted organizations that work with MWDBE companies for assistance in finding certified MWDBE firms and Veteran-Owned businesses to work on this project. Those contacted and their responses should be a part of the bidder's good faith efforts documentation.
- h. Sent written notices, by certified mail, email or facsimile, to qualified, certified MWDBEs and/or Veteran-Owned businesses 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.
- i. Followed up initial solicitations by contacting MWDBEs and Veteran-Owned Businesses to determine their level of interest.
- j. Provided the interested MWDBE firm and/or Veteran-Owned business with adequate and timely information about the plans, specifications, and requirements of the contract.
- k. Selected portions of the work to be performed by MWDBE firms and/or Veteran-Owned businesses 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 and Veteran participation, even when the prime contractor may otherwise perform these work items with its own workforce
- l. Negotiated in good faith with interested MWDBE firms and Veteran-Owned businesses not rejecting them as unqualified without sound reasons based on a thorough investigation of their capabilities. Any rejection should be so noted in writing with a description as to why an agreement could not be reached.
- m. Included documentation of quotations received from interested MWDBE firms and Veteran-Owned businesses which were not used due to uncompetitive pricing or were rejected as unacceptable and/or copies of responses from firms indicating that they would not be submitting a bid.
- n. Bidder has to submit sound reasons why the quotations were considered unacceptable. The fact that the bidder has the ability and/or desire to perform the contract work with its own forces will not be considered a sound reason for rejecting a MWDBE and/or Veteran-Owned business's quote. Nothing in this provision shall be construed to require the bidder to accept unreasonable quotes in order to satisfy MWDBE and Veteran goals.
- o. Made an effort to offer assistance to or refer interested MWDBE firms and Veteran-Owned businesses to obtain the necessary equipment, supplies, materials, insurance and/or bonding to

satisfy the work requirements of the bid proposal

p. Made efforts to expand the search for MWBE firms and Veteran-Owned businesses beyond the usual geographic boundaries.

q. Other--any other evidence that the bidder submits which may show that the bidder has made reasonable good faith efforts to include MWDBE and Veteran participation.

**Note: Failure to submit any of the documentation requested in this section may be cause for rejection of bid. Bidders may include any other documentation deemed relevant to this requirement which is subject to review by the MBE Liaison. Documentation of Good Faith Efforts must be submitted with the Bid, if the participation Goal is not met.**



# LEXINGTON

## MINORITY BUSINESS ENTERPRISE PROGRAM

Sherita Miller, MPA  
Minority Business Enterprise Liaison  
Division of Central Purchasing  
Lexington-Fayette Urban County Government  
200 East Main Street  
Lexington, KY 40507  
[smiller@lexingtonky.gov](mailto:smiller@lexingtonky.gov)  
859-258-3323

**OUR MISSION:** The mission of the Minority Business Enterprise Program is to facilitate the full participation of minority and women owned businesses in the procurement process and to promote economic inclusion as a business imperative essential to the long term economic viability of Lexington-Fayette Urban County Government.

To that end the city council adopted and implemented Resolution 484-2017 – A Certified Minority, Women and Disadvantaged Business Enterprise ten percent (10%) minimum goal and a three (3%) minimum goal for Certified Veteran-Owned Small Businesses and Certified Service Disabled Veteran – Owned Businesses for government contracts.

The resolution states the following definitions shall be used for the purposes of reaching these goals (a full copy is available in Central Purchasing):

***Certified Disadvantaged Business Enterprise (DBE)** – a business in which at least fifty-one percent (51%) is owned, managed and controlled by a person(s) who is socially and economically disadvantaged as define by 49 CFR subpart 26.*

***Certified Minority Business Enterprise (MBE)** – a business in which at least fifty-one percent (51%) is owned, managed and controlled by an ethnic minority (i.e. African American, Asian American/Pacific Islander, Hispanic Islander, Native American/Native Alaskan Indian) as defined in federal law or regulation as it may be amended from time-to-time.*

***Certified Women Business Enterprise (WBE)** – a business in which at least fifty-one percent (51%) is owned, managed and controlled by a woman.*

***Certified Veteran-Owned Small Business (VOSB)** – a business in which at least fifty-one percent (51%) is owned, managed and controlled by a veteran who served on active duty with the U.S. Army, Air Force, Navy, Marines or Coast Guard.*

***Certified Service Disabled Veteran Owned Small Business (SDVOSB)** – a business in which at least fifty-one percent (51%) is owned, managed and controlled by a disabled veteran who served on active duty with the U.S. Army, Air Force, Navy, Marines or Coast Guard.*

The term “Certified” shall mean the business is appropriately certified, licensed, verified, or validated by an organization or entity recognized by the Division of Purchasing as having the appropriate credentials to make a determination as to the status of the business.

To comply with Resolution 484-2017, prime contractors and minority, women and veteran owned businesses must enroll in the new Diverse Business Management Compliance system, <https://lexingtonky.diversitycompliance.com/>

We have compiled the list below to help you locate certified DBE, MBE, WBE and VOSB certified businesses. Below is a listing of contacts for LFUCG Certified MWDBEs and Veteran-Owned Small Businesses in (<https://lexingtonky.ionwave.net>)

<b>Business</b>	<b>Contact</b>	<b>Email Address</b>	<b>Phone</b>
<b>LFUCG</b>	Sherita Miller	<a href="mailto:smiller@lexingtonky.gov">smiller@lexingtonky.gov</a>	859-258-3323
<b>Commerce Lexington – Minority Business Development</b>	Tyrone Tyra	<a href="mailto:tyra@commercelexington.com">tyra@commercelexington.com</a>	859-226-1625
<b>Tri-State Minority Supplier Diversity Council</b>	Susan Marston	<a href="mailto:smarston@tsmsdc.com">smarston@tsmsdc.com</a>	502-365-9762
<b>Small Business Development Council</b>	Shawn Rogers UK SBDC	<a href="mailto:shawn.rogers@uky.edu">shawn.rogers@uky.edu</a>	859-257-7666
<b>Community Ventures Corporation</b>	Phyllis Alcorn	<a href="mailto:palcorn@cvky.org">palcorn@cvky.org</a>	859-231-0054
<b>KY Transportation Cabinet (KYTC)</b>	Melvin Bynes	<a href="mailto:Melvin.bynes2@ky.gov">Melvin.bynes2@ky.gov</a>	502-564-3601
<b>KYTC Pre-Qualification</b>	Shella Eagle	<a href="mailto:Shella.Eagle@ky.gov">Shella.Eagle@ky.gov</a>	502-782-4815
<b>Ohio River Valley Women’s Business Council (WBENC)</b>	Sheila Mixon	<a href="mailto:smixon@orvwbc.org">smixon@orvwbc.org</a>	513-487-6537
<b>Kentucky MWBE Certification Program</b>	Yvette Smith, Kentucky Finance Cabinet	<a href="mailto:Yvette.Smith@ky.gov">Yvette.Smith@ky.gov</a>	502-564-8099
<b>National Women Business Owner’s Council (NWBOC)</b>	Janet Harris-Lange	<a href="mailto:janet@nwbo.org">janet@nwbo.org</a>	800-675-5066
<b>Small Business Administration</b>	Robert Coffey	<a href="mailto:robertcoffey@sba.gov">robertcoffey@sba.gov</a>	502-582-5971
<b>LaVoz de Kentucky</b>	Andres Cruz	<a href="mailto:lavozekey@yahoo.com">lavozekey@yahoo.com</a>	859-621-2106
<b>The Key News Journal</b>	Patrice Muhammad	<a href="mailto:production@keynewsjournal.com">production@keynewsjournal.com</a>	859-685-8488



# LEXINGTON

## LFUCG MWDBE PARTICIPATION FORM

Bid/RFP/Quote Reference # 61-2021

The MWDBE and/or veteran 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. **Failure to submit a completed form may cause rejection of the bid.**

MWDBE Company, Name, Address, Phone, Email	MBE WBE or DBE	Work to be Performed	Total Dollar Value of the Work	% Value of Total Contract
1. All Terrain Paving & Construction Steve Triplett 2235 Corydon PK. New Albany, IN (502) 931-3779 stripett@allterrainpaving.com	WBE	paving	\$9,000. <sup>00</sup>	1%
2. Earth Images, Inc. PO Box 216 Floyd Knobs, IN 47117 Jeff Peddy 562-523-3819 jeffd@earthimagesinc.com	DBE/ WBE	Seeding/Erosion	\$70,000. <sup>00</sup>	6.9%
3. GECO Enterprises Inc. 6161 Balcon Way - 682-2210 PO Box 463 London, KY 40743 mlbaker0622@gmail.com	WBE	supply stone & precast	\$55,000. <sup>00</sup>	3.2%
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.

Cleary Construction Inc.  
 Company  
September 17, 2021  
 Date

Company Representative  
President  
 Title



# LEXINGTON

## LFUCG MWDBE SUBSTITUTION FORM

Bid/RFP/Quote Reference # 61-2021

The substituted MWDBE and/or veteran 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.					
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.

Cleary Construction Inc.

Company

September 17, 2021

Date

*\* Will supply if low bidder*

Damon Cleary

President

Title





# LEXINGTON

## MWDBE QUOTE SUMMARY FORM

Bid/RFP/Quote Reference # 41-2021

The undersigned acknowledges that the minority and/or veteran subcontractors listed on this form did submit a quote to participate on this project. Failure to submit this form may cause rejection of the bid.

Company Name <u>Creary Construction Inc.</u>	Contact Person <u>Mary Jo Spurlac</u>
Address/Phone/Email <u>2006 Edmonston Road (270) 487-1784 Tampkinsville KY 42167 estimating@crearyconst.com</u>	Bid Package / Bid Date <u>01-2021 Southland Park Stormwater September 17, 2021</u>

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	Veteran
NO veteran quotes received								

Met MWDBE Goals - See GFE for Veterans. NO Quote

(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.

Creary Construction Inc.  
 Company  
September 17, 2021  
 Date

[Signature]  
 Company Representative  
President  
 Title



# LEXINGTON

## LFUCG SUBCONTRACTOR MONTHLY PAYMENT REPORT

The LFUCG has a 10% goal plan adopted by city council to increase the participation of minority and women owned businesses in the procurement process. The LFUCG also has a 3% goal plan adopted by cited council to increase the participation of veteran owned businesses in the procurement process. In order to measure that goal LFUCG will track spending with MWDBE and Veteran contractors on a monthly basis. By the signature below of an authorized company representative, you certify that the information is correct, and that each of the representations set forth below is true. Any misrepresentation may result in termination of the contract and/or prosecution under applicable Federal and State laws concerning false statements and false claims. Please submit this form monthly to the Division of Central Purchasing/ 200 East Main Street / Room 338 / Lexington, KY 40507.

*\* will supply if low bidder*

Bid/RFP/Quote # 61-2021

Total Contract Amount Awarded to Prime Contractor for this Project \_\_\_\_\_

Project Name/ Contract #	Work Period/ From:	To:
Company Name:	Address:	
Federal Tax ID:	Contact Person:	

Subcontractor Vendor ID (name, address, phone, email)	Description of Work	Total Subcontract Amount	% of Total Contract Awarded to Prime for this Project	Total Amount Paid for this Period	Purchase Order number for subcontractor work (please attach PO)	Scheduled Project Start Date	Scheduled Project End Date

By the signature below of an authorized company representative, you certify that the information is correct, and that each of the representations set forth below is true. Any misrepresentations may result in the termination of the contract and/or prosecution under applicable Federal and State laws concerning false statements and false claims.

Cleary Construction Inc.  
Company

\_\_\_\_\_  
Company Representative

\_\_\_\_\_  
Date

\_\_\_\_\_  
Title

**LFUCG STATEMENT OF GOOD FAITH EFFORTS**

Bid/RFP/Quote # 61.2021

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 and Veteran-Owned business enterprises on the project and can supply the appropriate documentation.

Advertised 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 and Veteran-Owned businesses to participate.

Included documentation of advertising in the above publications with the bidders good faith efforts package

Attended LFUCG Central Purchasing Economic Inclusion Outreach event

Attended pre-bid meetings that were scheduled by LFUCG to inform MWDBEs and/or Veteran-Owned Businesses of subcontracting opportunities

Sponsored Economic Inclusion event to provide networking opportunities for prime contractors and MWDBE firms and Veteran-Owned businesses

Requested a list of MWDBE and/or Veteran subcontractors or suppliers from LFUCG and showed evidence of contacting the companies on the list(s).

Contacted organizations that work with MWDBE companies for assistance in finding certified MWDBE firms and Veteran-Owned businesses to work on this project. Those contacted and their responses should be a part of the bidder's good faith efforts documentation.

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 and Veteran-Owned businesses to determine their level of interest.

Provided the interested MWDBE firm and/or Veteran-Owned business with adequate and timely information about the plans, specifications, and requirements of the contract.

Selected portions of the work to be performed by MWDBE firms and/or Veteran-Owned businesses 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 and Veteran participation, even when the prime contractor may otherwise perform these work items with its own workforce

Negotiated in good faith with interested MWDBE firms and Veteran-Owned businesses not rejecting them as unqualified without sound reasons based on a thorough investigation of their capabilities. Any rejection should be so noted in writing with a description as to why an agreement could not be reached.

Included documentation of quotations received from interested MWDBE firms and Veteran-Owned businesses which were not used due to uncompetitive pricing or were rejected as unacceptable and/or copies of responses from firms indicating that they would not be submitting a bid.

Bidder has to submit sound reasons why the quotations were considered unacceptable. The fact that the bidder has the ability and/or desire to perform the contract work with its own forces will not be considered a sound reason for rejecting a MWDBE and/or Veteran-Owned business's quote. Nothing in this provision shall be construed to require the bidder to accept unreasonable quotes in order to satisfy MWDBE and Veteran goals.

Made an effort to offer assistance to or refer interested MWDBE firms and Veteran-Owned businesses to obtain the necessary equipment, supplies, materials, insurance and/or bonding to satisfy the work requirements of the bid proposal

Made efforts to expand the search for MWBE firms and Veteran-Owned businesses beyond the usual geographic boundaries.

Other--any other evidence that the bidder submits which may show that the bidder has made reasonable good faith efforts to include MWDBE and Veteran participation.

**NOTE: Failure to submit any of the documentation requested in this section may be cause for rejection of bid. Bidders may include any other documentation deemed relevant to this requirement which is subject to approval by the MBE Liaison. Documentation of Good Faith Efforts must be submitted with the Bid, if the participation Goal is not met.**


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

Creary Construction Inc.

Company

September 17, 2001

Date

  
Company Representative darren creary

Title

**From:** Estimating Cleary Construction Inc  
**Sent:** Monday, September 13, 2021 3:37 PM  
**Subject:** Advertising Requirement for Good Faith Efforts for LFUCG

cc: 'production@keynewsjournal.com'; 'ttr@commercelexington.com'; 'smaiston@tsmsdc.com'; 'sconsalvi@uky.edu'; 'palcom@cvky.org'; 'lavozdely@yahoo.com'

Hello,

We are trying to meet an advertising requirement for MWBE/ Veteran Participation for a LFUCG construction project. Can you please tell me if you have any free options to post an advertisement to solicit quotes for subcontractors & suppliers on a Sewer/ wastewater construction project? If so, can you please tell me how/ what we need to do?

This is the LFUCG MWBE/ Veteran Good Faith Effort Requirement we are trying to meet:

a. Advertised 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 and Veteran-Owned businesses to participate.

Cleary Construction Inc is a Prime/ General Contractor and will be submitting a sealed proposal to Lexington-Fayette Urban County Government (LFUCG) on Friday, September 17, 2021 to furnish all labor &/ or materials for the construction of Southland Park Stormwater Improvements Project. The project includes providing the construction supervision, labor, materials, tools, test equipment necessary for the Southland Park Stormwater Improvements Project.

The project includes the construction of detention basins and a stormwater management area in Southland Park to accommodate upstream storm sewer projects and reduce the potential of downstream flooding. The basins will be revegetated with native seeding and plantings, and the primary drainage channels will be reconstructed using natural stream design practices.

The project includes the following elements:

- a. Site clearing and limited tree removals
- b. Approximately 10,000 cubic yards of basin excavation
- c. 276 linear feet of culverts and storm sewers
- d. 2 detention basin control structures
- e. Approximately 1,000 linear feet of modular retaining walls and 180 linear feet of fencing
- f. Relocation / replacement of existing sidewalks
- g. Bioretention and natural stream components

Cleary Construction Inc. provides access to the bidding documents and plans free of charge to any interested parties via download on their Sharefile site. Interested parties should contact [estimating@clearyconst.com](mailto:estimating@clearyconst.com) or 270.819.7331 for link to these documents. Quotes will need to be received by potential Subcontractors/ suppliers for this project no later than 24 hours prior to when Cleary will submit their bid to LFUCG. Cleary encourages all MWBE, small, and Veteran-Owned business to send quotes on various subcontracting and supply opportunities such as boring, concrete flat work, asphalt paving, stone supply and hauling, bypass pumping, erosion control, ready mix concrete supply, pre cast concrete supply (manholes), & pipe and appurtenance supply.

Any help you have in meeting this advertisement requirement is greatly appreciated. Cleary has already posed an advertisement to the SBA website.

Thanks,

*John Connelly*

Cleary Construction Inc.  
2006 Edmonton Road  
Tompkinsville, KY 42167  
O: 270.487.1784 Ext 7337  
D: 270.819.7337  
F: 270.487.8029  
C: 828.442.8133

E: [Estimating@clearyconst.com](mailto:Estimating@clearyconst.com)

W: [www.clearyconst.com](http://www.clearyconst.com)



**Solicitation Details**

**Business name**

Cleary Construction, Inc.

**DUNS**

616558979

**Type Of Business Being Solicited**

Women-Owned Small Business, Disadvantaged Business Enterprise (DBE), Women-Owned Small Business under the SBA Women-Owned Small Business Program, Economically Disadvantaged Women Owned Small Business, Veteran-Owned Small Business (VOSB), Service-Disabled Veteran-Owned Small Business (SDVOSB), Women-Owned Small Business Joint Venture, Economically Disadvantaged Women-Owned Small Business

**NAICS Code**

237110 Water and Sewer Line and Related Structures Construction

**Additional NAICS Code**

N/A

**Brief Solicitation Description**

We are looking for Veteran, MWDBE Sub Contractors in Precast, Surveying, Erosion Control, Seeding, Fence, Stone Truck

**Solicitation POC**

First Name: John

Last Name: Connelly

Phone: 2704871784

Ext: 7337

Fax: 2704878029

Email: [estimating@clearyconst.com](mailto:estimating@clearyconst.com)

**Place Of Performance**

KY:

**Performance Start Date**

01/03/2022

**Solicitation Closing Date**

09/16/2021 - 11:00 AM

**Solicitation**

SOL-Southland Park Stormwater

## John Connelly

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**From:** Paulette Collins <paulette.geddesfence@gmail.com>  
**Sent:** Friday, September 17, 2021 9:31 AM  
**To:** Estimating Cleary Construction Inc  
**Subject:** Re: 21264 - Lexington, KY - LFUCG Southland Park Stormwater Improvements - Bids Today

Jack is not bidding this project

On Fri, Sep 17, 2021 at 10:19 AM Estimating Cleary Construction Inc <[estimating@clearyconst.com](mailto:estimating@clearyconst.com)> wrote:

Good Morning,

We are trying to wrap up our bid. This project bids today at 2pm EST. If you could send your quote over ASAP. Thank You,

*John Connelly*

Cleary Construction Inc.

2006 Edmonton Road

Tompkinsville, KY 42167

O: 270.487.1784 Ext 7337

D: 270.819.7337

F: 270.487.8029

C: 828.442.8133

E: [Estimating@clearyconst.com](mailto:Estimating@clearyconst.com)

W: [www.clearyconst.com](http://www.clearyconst.com)



**From:** Estimating Cleary Construction Inc  
**Sent:** Thursday, September 16, 2021 8:30 AM  
**Subject:** 21264 - Lexington, KY - LFUCG Southland Park Stormwater Improvements - Quotes Due Today  
**Importance:** High



Good Morning,

Hope everything has been going well this week. It is almost Friday! They are reviewing our bids after lunch today and if you wouldn't mind sending your quote over by then. I appreciate all of your help on this project.

You can get the plans/specs/addendum from our Sharefile site.

Click the links below:

<https://clearyconst.sharefile.com/d-sa2e8758e6a884d859e9ae3a647b6220c>

Enter your name & email address to login.

Please send all quotes to [estimating@clearyconst.com](mailto:estimating@clearyconst.com)

**QUOTES DUE: TODAY, SEPTEMBER 16<sup>th</sup>, 2021 12:00 PM EST**

Please let me know if you intend to send a quote or not.

*John Connelly*

Cleary Construction Inc.

2006 Edmonton Road

Tompkinsville, KY 42167

O: 270.487.1784 Ext 7337

D: 270.819.7337

F: 270.487.8029

E: [Estimating@clearyconst.com](mailto:Estimating@clearyconst.com)

W: [www.clearyconst.com](http://www.clearyconst.com)



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Paulette Collins

Geddes Fence

232 Industry Pkwy.

Nicholasville, KY 40356

P-859-885-2215

F-859-885-2219

[paulette.geddesfence@gmail.com](mailto:paulette.geddesfence@gmail.com)