

PART III

Invitation to Bid No 106-1012

Lexington Downtown Streetscape Phase One, Site Amenities Package – South Limestone Street & Vine Street

1. FORM OF PROPOSAL

Place: Lexington, Kentucky

Date: Nov. 14, 2013

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

This Proposal Submitted by E.C. Matthews Co., Inc.

2265 Harrodsburg Rd., Lex KY 40504

(Name and Address of Bidding Contractor)

(Hereinafter called "Bidder"), organized and existing under the laws of the State of KY, doing business as a 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 **Lexington Downtown Streetscape Phase One, Site Amenities Package – South Limestone Street & Vine Street in Lexington, Kentucky** having examined the Plans and Specifications with related documents, having examined the site(s) 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 One Hundred-Fifty (150) calendar days. BIDDER further agrees to pay liquidated damages, the sum of \$200 for each consecutive calendar day thereafter.

The Bidder hereby acknowledges receipt of the following addenda:

Addendum No. 1 Date 10/28/13
Addendum No. 2 Date 10/29/13
Addendum No. 3 Date 11/05/13
Addendum No. 4 Date 11/05/13 (dated 11/01/13)
Addendum No. 5 Date 11/13/13
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.



Lexington-Fayette Urban County Government
DEPARTMENT OF FINANCE & ADMINISTRATION

Jim Gray
Mayor

William O'Mara
Commissioner

ADDENDUM #1

Bid Number: **#143-2013**

Date: October 28, 2013

Subject: **Lexington Streetscape Phase One Improvements-Site Amenities Pkg-S Limestone & Vine Streets**

Please address inquiries to:
Theresa Maynard (859) 258-3320

TO ALL PROSPECTIVE BIDDERS:

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

See attached Revised Notification of Construction Project #143-2013.

Correction of year in the bid title on the document.

Todd Slatin, Director
Division of Central Purchasing

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

COMPANY: E.C. Matthews Co., Inc.

ADDRESS: 2265 Harrodsburg Rd., Lex, KY 40504

SIGNATURE OF PROPOSER:



Lexington-Fayette Urban County Government
DEPARTMENT OF FINANCE & ADMINISTRATION

Jim Gray
Mayor

William O'Mara
Commissioner

ADDENDUM #2

Bid Number: #143-2013

Date: October 29, 2013

1

Subject: **Lexington Streetscape Phase One Improvements-Site Amenities Pkg-S Limestone & Vine Streets**

Please address inquiries to:
Theresa Maynard (859) 258-3320

TO ALL PROSPECTIVE BIDDERS:

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

**The Pre-Bid meeting will be at 3:00 pm on Thursday, October 31, 2013,
at 200 East main Street, Lexington, Kentucky 40507,
9TH Floor Conference Room**

Todd Slatin, Director
Division of Central Purchasing

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

COMPANY: E.C. Matthews Co., Inc.

ADDRESS: 2265 Harrodsburg Rd., Lex, KY 40504

SIGNATURE OF PROPOSER:



Lexington-Fayette Urban County Government
DEPARTMENT OF FINANCE & ADMINISTRATION

Jim Gray
Mayor

William O'Mara
Commissioner

ADDENDUM #3

Bid Number: #143-2013

Date: November 5, 2013

Subject: **Lexington Streetscape Phase One Improvements-Site Amenities Pkg-S Limestone & Vine Streets**

Please address inquiries to:
Theresa Maynard (859) 258-3320

TO ALL PROSPECTIVE BIDDERS:

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

1. Sign in sheets from 10/31/13 Pre-Bid Meeting
2. KYTC List of Certified and Prequalified DBEs
3. KYTC List of Material Suppliers
4. All contractors must be KYTC prequalified, however only the Prime Contractor and DBE contractor are required to be prequalified at the time of the Bid Opening, all subcontractors have until the time they begin their specified work to become prequalified.

Todd Slatin, Director
Division of Central Purchasing

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

COMPANY: E.C. Matthews Co., Inc.

ADDRESS: 2265 Harrodsburg Rd., Lex KY 40504

SIGNATURE OF PROPOSER:



Lexington-Fayette Urban County Government
DEPARTMENT OF FINANCE & ADMINISTRATION

Jim Gray
Mayor

William O'Mara
Commissioner

ADDENDUM #4

Bid Number: #143-2013

Date: November 1, 2013

Subject: **Lexington Streetscape Phase One Improvements-Site Amenities Pkg-S Limestone & Vine Streets**

Please address inquiries to:
Theresa Maynard (859) 258-3320

TO ALL PROSPECTIVE BIDDERS:

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

DRAWINGS

A. SHEET LS-1.4

1. DETAIL 1: LIMESTONE RAIN GARDEN FENCE

- a. Fabric infill design basis shall be Omega Divergence as indicated in the detail; the divergence pattern shall be comprised of the denser Omega 1510 and the less dense Omega 1530 patterns. The density patterns shall be as shown per the detail. A finished sample will be required for final approval prior to fabrication.

B. SHEET LS-3.1

1. DETAILS 1, 2, 3, 4 AND 5: REFERENCE TO 14 GAUGE STAINLESS STEEL

- a. All 14 Gauge Stainless Steel reference within these details is incorrect, details should specify ½" thick stainless steel.
- b. Please note that per the detail notes that it shall be the responsibility of the fabricator to "PROVIDE ENGINEERED SHOP DRAWINGS FOR APPROVAL PRIOR TO FABRICATION" and that "DESIGN / BUILD CONTRACTOR SHALL SUBMIT CALCULATION & CONSTRUCTION DOCUMENTS FOR THE STEEL & GLASS STRUCTURE WITH STATE OF KENTUCKY & PROFESSIONAL ENGINEER SEAL."

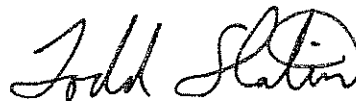
C. SHEETS EGD.2.01, 3.01 AND 4.01

1. DETAIL B: TYPICAL PRIMARY AND SECONDARY MARKERS.

- a. The outside edges of the ½" thick aluminum structure will require a ¼" beveled edge, the inside "pattern" edges will require a chamfered edge. A finished sample will be required for final approval prior to fabrication.

D. SHEETS EGD.2.02, 3.02 AND 4.2

1. DETAIL B: TYPICAL SUPPORT BRACKET DETAIL
 - a. LED acceptable lighting shall be:
 1. Tokistar Lighting, Tokilum 50
 2. US LED, point 2 series
 3. Or Approved equal
 - b. Contractor shall provide all necessary components required to install LED lighting.



Todd Slatin, Director
Division of Central Purchasing

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

COMPANY: E.C. Matthews Co., Inc.

ADDRESS: 2265 Harrodsburg Rd., Lex, KY 40504

SIGNATURE OF PROPOSER: 



Lexington-Fayette Urban County Government
DEPARTMENT OF FINANCE & ADMINISTRATION

Jim Gray
Mayor

William O'Mara
Commissioner

ADDENDUM #5

Bid Number: =143-2013

Date: November 13, 2013

Subject: Lexington Streetscape Phase One Improvements-Site Amenities Pkg-S Limestone & Vine Streets

Please address inquiries to:
Theresa Maynard (859) 258-3320

TO ALL PROSPECTIVE BIDDERS:

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

SPECIFICATIONS

A. PART V SPECIAL CONDITIONS

1. SECTION 4. CONTRACTOR QUALIFICATIONS

- a. Paragraph 1.1: For clarification omit the following sentence "In addition, Subcontractors performing work on Traffic Signals, Lighting and Roadway Pavement must be pre-qualified by the Kentucky Transportation Cabinet." This should read "In addition, all subcontractors must be pre-qualified by the Kentucky Transportation Cabinet."

Todd Slatin, Director
Division of Central Purchasing

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

COMPANY: E.C. Matthews Co., Inc.

ADDRESS: 2265 Harrodsburg Rd., Lexington, KY 40504

SIGNATURE OF PROPOSER:

2. LEGAL STATUS OF BIDDER

Bidder E.C. Matthews Co., Inc.

Date Nov. 14, 2013

* 1. A corporation duly organized and doing business under the laws of the State of KY, for whom Thomas M. Matthews, bearing the official title of President, whose signature is affixed to this Bid/Proposal, is duly authorized to execute contracts.

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

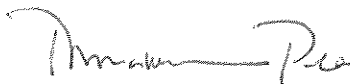
~~* 3. Individual~~, whose signature is affixed to this Bid/Proposal (please print name)

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

3. **BIDDERS AFFIDAVIT**

Comes the Affiant, Thomas M. Matthews, and after being first duly sworn, states under penalty of perjury as follows:

1. His/her name is Thomas M. Matthews and he/she is the individual submitting the bid or is the authorized representative of E.C. Matthews Co., 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.



(Affiant)

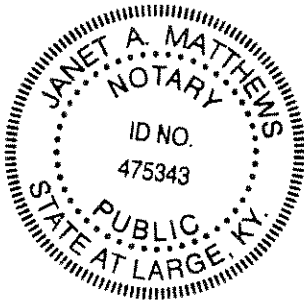
STATE OF KY

COUNTY OF Fayette

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

 Thomas M. Matthews on this the 14 day of Nov.
 , 20 13 .

My Commission expires: Oct. 21, 2016



 Janet Matthews
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.

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.

Item No.	Base Bid Items	Estimated Quantity	Unit	Unit Price	Total Bid Amount
1.	Fabricate, Supply and Install South Limestone Street Primary Identity Marker per detail sheet LS-1.0, graphic set sheets and specs.				
	A. Unit Cost to Fabricate, Supply and Install all metal structure, graphics and lighting required to complete the South Limestone Primary Identity Marker per detail sheet LS-1.0, graphic set sheets and specs. <i>Twenty-two thousand</i> Dollars <i>No</i> Cents (per Each)	1	EA	<i>\$ 22,000</i>	
	B. Unit Cost to Provide and Install concrete base required to complete the South Limestone Primary Identity Marker per detail sheet LS-1.0, graphic set sheets and specs. <i>Four thousand three hundred</i> Dollars <i>No</i> Cents (per Each)	1	EA	<i>\$ 4,300</i>	
	C. Unit Cost to Provide and Install all electrical service and conduit required to complete the South Limestone Primary Identity Marker per detail sheet LS-1.0, graphic set sheets and specs. <i>Twenty-one thousand</i> Dollars <i>No</i> Cents (per Each)	1	EA	<i>\$ 21,000</i>	
	Fabricate, Supply and Install South Limestone Primary Identity Marker per detail sheet LS-1.0, graphic set sheets and specs. (Totals: A+B+C) <i>Forty-seven thousand three hundred</i> Dollars <i>No</i> Cents (per Each)	1	EA	<i>\$ 47,300</i> (A+B+C)	<i>\$ 47,300</i> 1(A+B+C)

Item No.	Base Bid Items	Estimated Quantity	Unit	Unit Price	Total Bid Amount
2.	Fabricate, Supply and Install South Limestone Street and Vine Street Secondary Identity Marker per detail sheet LS-1.1, graphic set sheets and specs.				
	A. Unit Cost to Fabricate, Supply and Install all metal structure, graphics and lighting required to complete the South Limestone Street and Vine Street Secondary Identity Marker per detail sheet LS-1.1, graphic set sheets and specs. <u>Twenty-one thousand</u> Dollars No Cents (per Each)	1	EA	\$ <u>21,000</u>	
	B. Unit Cost to Provide and Install concrete base required to complete the South Limestone Street and Vine Street Secondary Identity Marker per detail sheet LS-1.1, graphic set sheets and specs. <u>three thousand eight hundred</u> Dollars No Cents (per Each)	1	EA	\$ <u>3,800</u>	
	C. Unit Cost to Provide and Install all electrical service and conduit required to complete the South Limestone Street and Vine Street Secondary Identity Marker per detail sheet LS-1.1, graphic set sheets and specs. TH <u>Twenty-one thousand</u> Dollars No Cents (per Each)	1	EA	\$ <u>21,000</u> ^{7,000}	
	Fabricate, Supply and Install South Limestone Street and Vine Street Secondary Identity Marker per detail sheet LS-1.1, graphic set sheets and specs. (Totals: A+B+C) <u>Forty-five thousand eight hundred</u> Dollars No Cents (per Each)	3	EA	\$ <u>31,800</u> (A+B+C)	\$ <u>95,400</u> 3(A+B+C)
3.	Fabricate, Supply and Install Vine Street Seating Wall Timeline Markers per detail sheet LS-2.0, graphic set sheets and specs. <u>Two thousand four hundred</u> Dollars No Cents (per Each)	30	EA	\$ <u>2,400</u>	\$ <u>72,000</u>
4.	Provide and Install 3' Dia. Planter with plant mix and fall planting per detail sheets LS-1.5 and LS-1.6. <u>Two thousand</u> Dollars No Cents (per Each)	20	EA	\$ <u>2,000</u>	\$ <u>40,000</u>
5.	Provide and Install 4' Dia. Planter with plant mix and fall planting per detail sheets LS-1.5 and LS-1.6. <u>Two thousand two hundred</u> Dollars No Cents (per Each)	83	EA	\$ <u>2,200</u>	\$ <u>182,600</u>

Item No.	Base Bid Items	Estimated Quantity	Unit	Unit Price	Total Bid Amount
6.	Provide and Install 5' Dia. Planter with plant mix and fall planting per detail sheets LS-1.5 and LS-1.6. <u>Two thousand six hundred</u> Dollars No Cents (per Each)	6	EA	\$ <u>2600</u>	\$ <u>15600</u>
7.	Provide and Install Bench A – Without Back on South Limestone Street per plans and specs. <u>Two thousand one hundred</u> Dollars No Cents (per Each)	8	EA	\$ <u>2100</u>	\$ <u>16800</u>
8.	Provide and Install Bench B – With Back on Vine Street per plans and specs. <u>Two thousand nine hundred</u> Dollars No Cents (per Each)	16	EA	\$ <u>2900</u>	\$ <u>46400</u>
9.	Provide Bench B – With Back for Vine Street per specs. <u>Two thousand nine hundred</u> Dollars No Cents (per Each)	12	EA	\$ <u>2900</u>	\$ <u>34800</u>
10.	Provide and Install Recycling / Waste Receptacles per plans and specs. <u>Three thousand</u> Dollars No Cents (per Each)	23	EA	\$ <u>3000-</u>	\$ <u>69,000</u>
11.	Provide Recycling / Waste Receptacles per specs. <u>Three thousand</u> Dollars No Cents (per Each)	20	EA	\$ <u>3000</u>	\$ <u>60,000</u>
12.	Provide and Install Bike Rack A – on South Limestone Street and Vine Street per plans and specs. <u>Seven hundred</u> Dollars No Cents (per Each)	45	EA	\$ <u>700</u>	\$ <u>31500</u>
13.	Provide and Install 36" High Garden Fence – on South Limestone Street per plans and specs. <u>Three hundred</u> Dollars No Cents (per Each)	35	LF	\$ <u>300</u>	\$ <u>10500</u>
14.	Provide and Install 18" High Garden Fence – on South Limestone Street per plans and specs. <u>Two hundred</u> Dollars No Cents (per Each)	258	LF	\$ <u>200</u>	\$ <u>51600</u>
15.	Include \$5,000 for Testing and Inspection Services by a qualified agency to be selected by Owner.	1	Sum	\$ <u>5,000</u>	\$ <u>5,000</u>
16.	48-Inch Double Sided Illuminated Street Sign per plans and specs. <u>Ten thousand Five hundred</u> Dollars No Cents (per Each)	1	EA	\$ <u>10500</u>	\$ <u>10500</u>

Item No.	Base Bid Items	Estimated Quantity	Unit	Unit Price	Total Bid Amount
17.	72-Inch Double Sided Illuminated Street Sign per plans and specs. <u>Twelve thousand</u> Dollars No Cents (per Each)	2	EA	\$ <u>12000</u>	\$ <u>24000</u>
18.	96-Inch Double Sided Illuminated Street Sign per plans and specs. <u>Thirteen thousand</u> Dollars No Cents (per Each)	4	EA	\$ <u>13000</u>	\$ <u>52000</u>

TOTAL OF ALL BID PRICES FOR Lexington Downtown Streetscape Phase One, Site Amenities Package – South Limestone Street & Vine Street Project (Items 1 through 18) in words and figures. In case of discrepancy, the amount shown in words will govern.

Eighty six thousand five hundred
and NO cents (\$ 865,000-).

Bid Alternates

Item No.	Alternate Bid Items	Estimated Quantity	Unit	Unit Price	Total Bid Amount
1.	Bid Alternate #1 Fabricate, Supply and Install Vine Street Transit Shelter per Layout & Materials Plan sheet LL-3.0V and detail sheets LS-3.0, LS-3.1, LS-3.2 and LS-3.3 and specs.				
	A. Unit Cost to Fabricate, Supply and Install all metal structure and glazing required to complete the Vine Street Transit Shelter per Layout & Materials Plan sheet LL-3.0V and detail sheets LS-3.0, LS-3.1, LS-3.2 and LS-3.3 and specs. <u>One hundred thirty four thousand</u> Dollars No Cents (per Each)	1	EA	\$ <u>135000</u>	
	B. Unit Cost to Fabricate, Supply and Install all masonry required to complete the Vine Street Transit Shelter per Layout & Materials Plan sheet LL-3.0V and detail sheets LS-3.0, LS-3.1, LS-3.2 and LS-3.3 and specs. <u>Twenty-two thousand</u> Dollars No Cents (per Each)	1	EA	\$ <u>22000</u>	
	C. Unit Cost to Fabricate, Supply and Install all electrical work, conduit and lighting required to complete the Vine Street Transit Shelter per Layout	1	EA	\$ <u>11000</u>	

Item No.	Alternate Bid Items	Estimated Quantity	Unit	Unit Price	Total Bid Amount
	& Materials Plan sheet LL-3.0V and detail sheets LS-3.0, LS-3.1, LS-3.2 and LS-3.3 and specs. <u>Eleven thousand</u> Dollars 0 Cents (per Each)				
	D. Unit Cost to Fabricate, Supply and Install all graphics required to complete the Vine Street Transit Shelter per Layout & Materials Plan sheet LL-3.0V and detail sheets LS-3.0, LS-3.1, LS-3.2 and LS-3.3 and specs. <u>Six thousand</u> Dollars 0 Cents (per Each)	1	EA	\$ <u>6000</u>	
	E. Unit Cost to Remove and Replace pavements, excavate and install shelter foundation to complete the Vine Street Transit Shelter per Layout & Materials Plan sheet LL-3.0V and detail sheets LS-3.0, LS-3.1, LS-3.2 and LS-3.3 and specs. <u>Fourteen thousand</u> Dollars Cents (per Each)	1	EA	\$ <u>14000</u>	
	Bid Alternate #1 Fabricate, Supply and Install Vine Street Transit Shelter per Layout & Materials Plan sheet LL-9.0M and detail sheets LS-2.0 and LS-2.1 and specs. (Total of Items A, B, C and D from above.) <u>One hundred eighty eight thousand</u> Dollars Cents (per Each)	1	EA	\$ <u>(23000)</u> (A+B+C+D+E)	\$ <u>188000</u> 1(A+B+C+D+E)
2.	Bid Alternate #2 Fabricate, Supply and Install South Limestone Street Champions Towers per detail sheet LS-1.2, graphic set sheets and specs.				
	A. Unit Cost to Fabricate, Supply and Install masonry required to complete the South Limestone Street Champions Towers per detail sheet LS-1.2, graphic set sheets and specs. <u>Six thousand</u> Dollars 0 Cents (per Each)	1	EA	\$ <u>6000</u>	
	B. Unit Cost to Fabricate, Supply and Install internally illuminated graphic panels required to complete the South Limestone Street Champions Towers per detail sheet LS-1.2, graphic set sheets and specs. <u>Nine thousand</u> Dollars 0 Cents (per Each)	1	EA	\$ <u>9000</u>	
	C. Unit Cost to Fabricate, Supply and Install concrete base and core required to complete the South Limestone Street Champions Towers per detail sheet LS-1.2, graphic set sheets and specs.	1	EA	\$ <u>2000</u>	

Item No.	Alternate Bid Items	Estimated Quantity	Unit	Unit Price	Total Bid Amount
	<u>Two thousand eight hundred</u> Dollars <u>16</u> Cents (per Each)				
	D. Unit Cost to Fabricate, Supply and Install all electrical service and conduit required to complete the South Limestone Street Champions Towers per detail sheet LS-1.2, graphic set sheets and specs. <u>Eleven thousand</u> Dollars <u>10</u> Cents (per Each)	1	EA	<u>\$ 11000</u>	
	Bid Alternate #2 Fabricate, Supply and Install South Limestone Street Champions Towers per detail sheet LS-1.2, graphic set sheets and specs. <u>Twenty-eight thousand eight hundred</u> Dollars Cents (per Each)	3	EA	<u>\$ 28800</u> (A+B+C+D)	<u>\$ 86400</u> 3(A+B+C+D)

Contract award will be made based on the lump sum base bid with bid alternatives accepted as prioritized in bid form. Bid alternatives will be added from the lump sum base bid, if they are accepted, prior to Notice of Award being made.

OWNER reserves the right to accept or reject bid alternatives to the lump sum base bid. Should OWNER wish to consider bid alternatives listed, Bidder is required to provide additional information as listed in Article 6.05 of the General Conditions prior to Notice of Award. Consideration of equipment alternatives of the selected Bidder will be made by OWNER within 60 days after the Effective Date of the Agreement.

If a bid alternative is selected by OWNER, the awarded Contract price will include the selected alternative(s).

BID ALTERNATIVE #1: Transit Shelter.

CONTRACTOR shall include in the cost of bid alternative ALL work associated with providing the scope listed below.

The price of \$ 188000 shall be added to the contract lump sum base bid if OWNER elects to have CONTRACTOR provide and install all work related to the Vine Street Transit Shelter per detail sheets LS-3.0, LS-3.1, LS-3.2 and LS-3.3 and specs.

BID ALTERNATIVE #2: South Limestone Street Champions Towers.

CONTRACTOR shall include in the cost of bid alternative ALL work associated with providing the scope listed below.

The price of \$ 86,400 shall be added to the contract lump sum base bid if OWNER elects to have CONTRACTOR provide and install all work related to the South Limestone Street Champions Towers per detail sheets LS-1.2, Graphic Set Sheet and specs.

Submitted by:

E.C. Matthews Co., Inc.

Firm

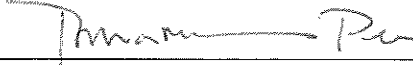
2265 Harrodsburg Rd.

Address

Lexington, KY 40504

City, State & Zip

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



Signature of Authorized Company Representative – Title

Thomas M. Matthews

Representative/s Name (Typed or Printed)

859-278-3131

859-277-7903

Area Code – Phone – Extension

Fax #

tmatthews@ecmatthews.com

E-Mail Address

OFFICIAL ADDRESS:

2265 Harrodsburg Rd.

Lexington, KY 40504

(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: E.C. Matthews Co., Inc.
- 2. Permanent Place of Business: 2265 Harrodsburg Rd. Lex, KY 40504
- 3. When Organized: October 1986
- 4. Where Incorporated: Kentucky
- 5. Construction Plant and Equipment Available for this Project:
Skytrack Telescoping forklifts, straight mast forklift,
dump trucks, flatbeds, pickups, excavator, mini excavator,
skid steers, concrete saws, compressor, concrete tools,
steel fabrication equipment & tools, core drill, concrete
vibrators, traffic control equipment/signage

(Attach Separate Sheet If Necessary)

- 6. Financial Condition:
If specifically requested by the OWNER, the apparent low Bidder is required to submit its latest three (3) years audited financial statements to the OWNER'S Division of Central Purchasing within seven (7) calendar days following the bid opening.
- 7. In the event the Contract is awarded to the undersigned, surety bonds will be furnished by:
CNA Surety (Surety)
Signed: see attached (Representative of Surety)
- 8. The following is a list of similar projects performed by the Bidder: (Attach separate sheet if necessary).

<u>NAME</u>	<u>LOCATION</u>	<u>CONTRACT SUM</u>
UK Pharmacy Site work (incl amenities)	Lex campus	\$6.1 MM
UK Patient Care Part work (3 contracts)	Lex	\$ 2.1 MM
KSU Roads Walks Landscaping	FPT	\$ 430,000
UK Legacy Trail @ Coldstream	Lex	\$120,400
UK Unit Price Sitework	Lex	\$13MM Plus (\$900K this year)

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

<u>NAME</u>	<u>LOCATION</u>	<u>CONTRACT SUM</u>
UK Unit Price	Lexington	\$650,000
Lexington Streetscape	Lexington	120,400
UK Coldstream Swale	Lexington	206,566
Thomson-Hood	Wilmore	48,940

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

<u>NAME</u>	<u>POSITION DESCRIPTION</u>	<u>NO. OF YEARS WITH BIDDER</u>
Thomas M. Matthews	President	28
Danny Price	General Supt.	22
Doug Sherwood	Project Mgr.	8

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>
<u>S&D Constr. Mgmt.</u>	<u>Lexington Streetscape</u>	<u>✓</u>	<u>10%</u>
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____


(USE ADDITIONAL SHEETS IF NECESSARY)

12. We acknowledge that, if we are the apparent low Bidder, we will submit to the OWNER within 7 calendar days following the Bid Opening, a sworn statement on the OWNER'S form 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)—all in accordance with the Bid Documents.

Respectfully submitted:

E.C. Matthews Co., Inc.

 (Name of Contracting Firm)

BY: 

TITLE: President

DATE: Nov. 14, 2013

6. LIST OF PROPOSED SUBCONTRACTORS

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

<u>BRANCH OF WORK - LIST EACH MAJOR ITEM</u> Such as: Grading, bituminous paving, concrete, seeding and protection, construction staking, etc.	<u>SUBCONTRACTOR</u>	<u>DBE % of Work</u> <u>Yes/No</u>
1. <u>Signage</u>	Name: <u>Integrated Syn Graphics</u> Address: <u>Lex Ky</u>	<u>N</u>
2. <u>Electrical</u>	Name: <u>Five D</u> Address: <u>Lexington</u>	<u>N</u>
3. _____	Name: _____ Address: _____	_____
4. _____	Name: _____ Address: _____	_____
5. _____	Name: _____ Address: _____	_____
6. _____	Name: _____ Address: _____	_____
7. _____	Name: _____ Address: _____	_____

(Attach additional sheet(s) if necessary.)



7. LFUCG MBE/WBE PARTICIPATION FORM

Bid/RFP/Quote Reference # 143-2013

The MBE/WBE 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.

MBE/WBE Company, Name, Address, Phone, Email	Work to be Performed	Total Dollar Value of the Work	% Value of Total Contract
1. S&D Constr. Mgmt	Supply only concrete piers/ earth fill (package)	\$73,300	8.3
2.			
3.			
4.			

The undersigned company representative submits the above list of MBE/WBE 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.

E.C. Matthews Co., Inc.

Company

Nov. 14, 2013

Date

Thomas Pres

Company Representative

President

Title



8. LFUCG MBE/WBE SUBSTITUTION FORM

Bid/RFP/Quote Reference # 143-2013

The substituted MBE/WBE 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 MBE/WBE Company Name, Address, Phone, Email	MBE/WBE 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. NA					
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.

E.C. Matthews Co., Inc.

Company

Nov. 14, 2013

Date

Thomas P. ...

Company Representative

President

Title



9. MBE/WBE QUOTE SUMMARY FORM

Bid/RFP/Quote Reference # 143-2013

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

Company Name E.C. Matthews Co., Inc.	Contact Person Thomas M. Matthews
Address/Phone/Email 2265 Harrodsburg Rd. Lex KY 859-278-3131 tmatthews@ecmatthews.com	Bid Package / Bid Date 143-2013 Nov. 14, 2013

MBE/WBE 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

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

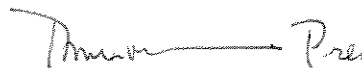
The undersigned acknowledges that all information is accurate. Any misrepresentation may result in termination of the contract and/or be subject to applicable Federal and State laws concerning false statements and claims.

E.C. Matthews Co., Inc.

Company

Nov. 14, 2013

Date



Company Representative

President

Title



10. LFUCG MBE/WBE 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. In order to measure that goal LFUCG will track spending with MBE/WBE vendors 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.

Bid/RFP/Quote

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.

Company

Company Representative

Date

Title



11. LFUCG STATEMENT OF GOOD FAITH EFFORTS

Bid/RFP/Quote # 143-2013

By the signature below of an authorized company representative, we certify that we have utilized the following methods to obtain the maximum practicable participation by minority and women owned business enterprises on the project. Please indicate which methods you used by placing an X in the appropriate place.

- Attended LFUCG Central Purchasing Economic Inclusion Outreach Event
- Sponsored Economic Inclusion event to provide networking opportunities
- Requested a list of MBE/WBE subcontractors or suppliers from LFUCG Economic Engine
- Advertised for MBE/WBE subcontractors or suppliers in local or regional newspapers
- Showed evidence of written notice of contracting and/or supplier opportunities to MBE/WBE firms at least seven days prior to the bid opening date
- Provided copies of quotations submitted by MBE/WBE firms which were not used and/or responses from firms indicating they would not be submitting a quote
- Provided plans, specifications, and requirements to interested MBE/WBE subcontractors
- Other
Please list any other methods utilized that aren't covered above.
Mentor/Protégé program - home grown
Contacted KYTC listed DBEs

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

E.C. Matthews Co., Inc.
Company
Nov. 14, 2013
Date

Company Representative
President
Title

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

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

1. That I am the Bidder (if the Bidder is an individual), a partner of the Bidder (if the Bidder is a partnership), or an officer or employee of the bidding corporation having authority to sign on its behalf (if the Bidder is a corporation);
2. That the attached bid has been arrived at by the Bidder independently, and has been submitted without collusion with, and without any agreement, understanding or planned common course of action, with any other contractor, vendor of materials, supplies, equipment or services described in the Invitation to Bid, designed to limit independent bidding or competition;
3. That the contents of the bid or bids have not been communicated by the Bidder or its employees or agents to any person not an employee or agent of the Bidder or its surety on any bond furnished, with the bid or bids, and will not be communicated to any such person, prior to the official opening of the bid or bids;
4. That the Bidder is legally entitled to enter into the contracts with the Lexington-Fayette Urban County Government, and is not in violation of any prohibited conflict of interest;
5. (Applicable to corporation only) That as a foreign corporation, we are registered with the Secretary of State, Commonwealth of Kentucky, and authorized to do business in the State _____ or, that as a domestic corporation, we are in good standing with the Secretary of State, Commonwealth of Kentucky X . 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.

13. STATEMENT OF EXPERIENCE

**** SEE ATTACHED ****

NAME OF INDIVIDUAL: _____

POSITION/TITLE: _____

STATEMENT OF EXPERIENCE: _____

NAME OF INDIVIDUAL: _____

POSITION/TITLE: _____

STATEMENT OF EXPERIENCE: _____

NAME OF INDIVIDUAL: _____

POSITION/TITLE: _____

STATEMENT OF EXPERIENCE: _____

Thomas M. Matthews, President

Education: University of Kentucky, B.S. Mechanical Engineering, 1983
Postgraduate courses, UK College of Business

Experience: Mr. Matthews has worked in the construction industry for over 35 years, having first worked for a multi-discipline A/E firm. After holding positions in a variety of companies specializing in heavy/highway and utility construction, power plant work, and commercial and industrial construction, he incorporated E.C. Matthews Co. as a Kentucky corporation in 1986 with offices in Lexington, Kentucky. As the president he is responsible for overall project coordination, administration, and technical assistance.

Douglas Sherwood, Project Manager

Education: University of Kentucky, BS, Accounting, 1981
University of Kentucky, MBA, 1982

Experience: Mr. Sherwood has worked in the construction industry since 1984. He formerly worked with Daniel Adkins Homes, Harney Construction and Engle Construction and has been with E.C. Matthews Co. since 2004 after six years as owner and operator of Sherwood Construction, Inc. Mr. Sherwood is well versed in all aspects of Project Management and has participated in multiple contracts of this nature.

Danny Price, General Superintendent

Education: University of Kentucky, course work in Business Administration
American Concrete Institute, OSHA training (multiple courses), and numerous technical seminars.

Experience: Mr. Price has worked in the construction industry for over 35 years with an emphasis on heavy and commercial work, and has been employed by E.C. Matthews Co. since 1990, now serving as Vice President. As a General Superintendent for E.C. Matthews Co., Mr. Price is our principal problem solver and is in charge of field operations including our shop, and is responsible for worker safety and quality control.

Randel L. Peavler II

Education: Jessamine County High School, General Studies
E-6 NCO School & Peer Leadership Development Course (Army)
Journeyman program, Plumbers and Steamfitters Local 452
Master Carpentry Certification – Kentucky VoTech
Various technical/management seminars – World of Concrete Expositions
Numerous AGC-Sponsored Safety Training Seminars
Commonwealth of Kentucky Welders Certificate

Experience: Mr. Peavler entered the construction industry following the conclusion of his obligation to the Armed Services, beginning as a tradesman in Local 452 of the Plumbers and Steamfitters Union. He has been employed at E.C. Matthews Co. as a Construction Superintendent since 1996.

NAME OF INDIVIDUAL: _____

POSITION/TITLE: _____

STATEMENT OF EXPERIENCE: _____

NAME OF INDIVIDUAL: _____

POSITION/TITLE: _____

STATEMENT OF EXPERIENCE: _____

NAME OF INDIVIDUAL: _____

POSITION/TITLE: _____

STATEMENT OF EXPERIENCE: _____

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

14. 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

E.C. Matthews Co., 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

15. EQUAL EMPLOYMENT OPPORTUNITY AFFIRMATIVE ACTION POLICY

It is the policy of E.C. Matthews Co., 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.

Thomas M. Matthews has been appointed Equal Employment Compliance (EEOC) Officer and shall be available for counseling, answering of questions in regards to this company policy and to hear any complaints of discrimination. The EEOC Officer may be reached by calling 859-278-3131.

Signature: 

(Bidding Contractor)

Title: President

Date: Nov. 14, 2013

** SEE ATTACHED **

17. EVIDENCE OF INSURABILITY

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

Names Insured: _____ Employee ID: _____

Address: _____ Phone: _____

Project to be insured: _____

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

Section Items	Coverage	Minimum Limits and Policy Requirements	Limits Provided To Insured	Name of Insurer	A.M. Best's Code	Rating
SC-3, Section 2, Part 4.1 – see provisions	CGL	\$1,000,000 per occ. And \$2,000,000 aggregate	\$			
SC-3, Section 2, Part 4.1 – see provisions	AUTO	\$2,000,000/per occ.	\$			
SC-3, Section 2, Part 4.1 – see provisions	WC	Statutory w /endorsement as noted	\$			

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

Agency or Brokerage _____ Name of Authorized Representative _____

Street Address _____ Title _____

City _____ State _____ Zip _____ Authorized Signature _____

Telephone Number _____ Date _____

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



ECMAT-1

OP ID: TK

CERTIFICATE OF LIABILITY INSURANCE

 DATE (MM/DD/YYYY)
 07/24/13

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 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).

PRODUCER Roeding Insurance Lexington 1056 Wellington Way, Suite 130 Lexington, KY 40513 Rob Hoenscheid	859-296-4580 859-296-4583	CONTACT NAME: PHONE (A/C, No, Ext): E-MAIL ADDRESS: INSURER(S) AFFORDING COVERAGE INSURER A : OHIO CASUALTY INSURER B : AGC KY ASSOC GEN CONT INSURER C : INSURER D : INSURER E : INSURER F :	FAX (A/C, No): NAIC # 24074
INSURED E.C. Matthews Company, Inc. 2265 Harrodsburg Rd Lexington, KY 40504			

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.

INSR LTR	TYPE OF INSURANCE	ADDL SUBR INSR	WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS			
A	GENERAL LIABILITY			CBP8815934	07/01/13	07/01/14	EACH OCCURRENCE \$ 1,000,000			
	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY						DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 300,000			
	<input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR						MED EXP (Any one person) \$ 10,000			
	GEN'L AGGREGATE LIMIT APPLIES PER:									PERSONAL & ADV INJURY \$ 1,000,000
	<input type="checkbox"/> POLICY <input checked="" type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC									GENERAL AGGREGATE \$ 2,000,000
										PRODUCTS - COMP/OP AGG \$ 2,000,000
A	AUTOMOBILE LIABILITY			BA8817934	07/01/13	07/01/14	COMBINED SINGLE LIMIT (Ea accident) \$ 1,000,000			
	<input checked="" type="checkbox"/> ANY AUTO	<input type="checkbox"/> SCHEDULED AUTOS					BODILY INJURY (Per person) \$			
	<input type="checkbox"/> ALL OWNED AUTOS	<input type="checkbox"/> NON-OWNED AUTOS					BODILY INJURY (Per accident) \$			
	<input type="checkbox"/> HIRED AUTOS						PROPERTY DAMAGE (Per accident) \$			
A	<input checked="" type="checkbox"/> UMBRELLA LIAB	<input checked="" type="checkbox"/> OCCUR		CU8818634	07/01/13	07/01/14	EACH OCCURRENCE \$ 10,000,000			
	<input type="checkbox"/> EXCESS LIAB	<input type="checkbox"/> CLAIMS-MADE					AGGREGATE \$ 10,000,000			
	DED <input checked="" type="checkbox"/> RETENTION \$ 10,000						\$			
B	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY			7461	01/01/13	12/31/13	<input checked="" type="checkbox"/> WC STATUTORY LIMITS <input type="checkbox"/> OTHER			
	ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH)	<input type="checkbox"/> Y/N	N/A				E.L. EACH ACCIDENT \$ 4,000,000			
	If yes, describe under DESCRIPTION OF OPERATIONS below						E.L. DISEASE - EA EMPLOYEE \$ 4,000,000			
							E.L. DISEASE - POLICY LIMIT \$ 4,000,000			
A	Installation			CBP8815934	07/01/13	07/01/14	Install \$ 500,000			
	Leased Equip						Leased Eq \$ 100,000			

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (Attach ACORD 101, Additional Remarks Schedule, if more space is required)

CERTIFICATE HOLDER <div style="text-align: center;">LEXFUGG</div> Lexington Fayette Urban County Government 200 East Main Street 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
---	--

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18. DEBARRED FIRMS

Lexington Downtown Streetscape Phase One
Site Amenities Package
PROJECT NAME: S. Limestone & Vine Street
BID NUMBER: 143-2103

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

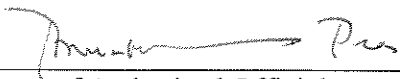
All prime Contractors shall certify that Subcontractors have not and will not be awarded to any firms that has been debarred for noncompliance with the Federal Labor Standards, Title VI of the Civil Rights Act of 1964 As Amended, Executive Order 11246 As Amended or any other Federal Law.

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 E.C. Matthews Co, 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.

Excluded Party List Website: www.epls.gov/epls/search.do

E.C. Matthews Co., Inc.
Name of Firm Submitting Bid


Signature of Authorized Official

President
Title

Nov. 14, 2013
Date

19. 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: E.C. Matthews Co., Inc.

Project: Lexington Downtown Streetscape Phase One
Site Amenities Package
S. Limestone & Vine Street

Printed Name and Title of Authorized Representative: Thomas M. Matthews, President

Signature: 

Date: Nov. 14, 2013

20. REQUIRED AFFIDAVIT FOR BIDDERS, OFFERORS AND CONTRACTORS FOR BIDS AND CONTRACTS IN GENERAL:

I. Each bidder or offeror swears and affirms under penalty of perjury, that:

- a. In accordance with KRS 45A.110 and KRS 45A.115, neither the bidder or offeror as defined in KRS 45A.070(6), nor the entity which he/she represents, has knowingly violated any provisions of the campaign finance laws of the Commonwealth of Kentucky; and the award of a contract to the bidder or offeror or the entity which he/she represents will not violate any provisions of the campaign finance laws of the Commonwealth.
- b. The bidder or offeror swears and affirms under penalty of perjury that, to the extent required by Kentucky law, the entity bidding, and all subcontractors therein, are aware of the requirements and penalties outlined in KRS 45A.485; have properly disclosed all information required by this statute; and will continue to comply with such requirements for the duration of any contract awarded.
- c. The bidder or offeror swears and affirms under penalty of perjury that, to the extent required by Kentucky law, the entity bidding, and its affiliates, are duly registered with the Kentucky Department of Revenue to collect and remit the sales and use tax imposed by KRS Chapter 139, and will remain registered for the duration of any contract awarded.
- d. The bidder or offeror swears and affirms under penalty of perjury that the entity bidding is not delinquent on any state taxes or fees owed to the Commonwealth of Kentucky and will remain in good standing for the duration of any contract awarded.

FOR "NON-BID" CONTRACTS (I.E. SOLE-SOURCE; NOT-PRACTICAL OR FEASIBLE TO BID; OR EMERGENCY CONTRACTS, ETC):

II. Each contractor further swears and affirms under penalty of perjury, that:

- a. In accordance with KRS 121.056, and if this is a non-bid contract, neither the contractor, nor any member of his/her immediate family having an interest of 10% or more in any business entity involved in the performance of any contract awarded, have contributed more than the amount specified in KRS 121.150 to the campaign of the gubernatorial slate elected in the election last preceding the date of contract award.
- b. In accordance with KRS 121.330(1) and (2), and if this is a non-bid contract, neither the contractor, nor officers or employees of the contractor or any entity affiliated with the contractor, nor the spouses of officers or employees of the contractor or any entity affiliated with the contractor, have knowingly contributed more than \$5,000 in aggregate to the campaign of a candidate elected in the election last preceding the date of contract award that has jurisdiction over this contract award.

REQUIRED AFFIDAVIT FOR BIDDERS, OFFERORS AND CONTRACTORS PAGE 2 OF 2

c. In accordance with KRS 121.330(3) and (4), and if this is a non-bid contract, neither the contractor, nor any member of his/her immediate family, his/her employer, or his/her employees, or any entity affiliated with any of these entities or individuals, have directly solicited contributions in excess of \$30,000 in the aggregate for the campaign of a candidate elected in the election last preceding the date of contract award that has jurisdiction over this contract.

As a duly authorized representative for the bidder, offeror, or contractor, I have fully informed myself regarding the accuracy of all statements made in this affidavit, and acknowledge that the Commonwealth is reasonably relying upon these statements, in making a decision for contract award and any failure to accurately disclose such information may result in contract termination, repayment of funds and other available remedies under law.

Thomas M. Matthews Pres
Signature

Thomas M. Matthews
Printed Name

President
Title

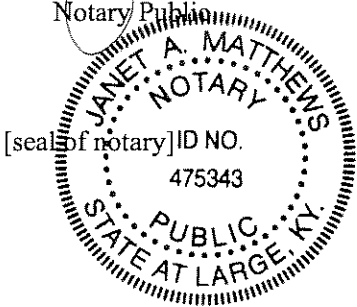
Nov. 14, 2013
Date

Company Name E.C. Matthews Co., Inc.
Address 2265 Harrodsburg Rd.
Lexington, KY 40504

Subscribed and sworn to before me by Thomas M. Matthews President
(Affiant) (Title)

of E.C. Matthews Co., Inc. this 14 day of Nov., 2014
(Company Name)

Janet Matthews
Notary Public



My commission expires: Oct. 21, 2016

THE AMERICAN INSTITUTE OF ARCHITECTS



AIA Document A310

Bid Bond

KNOW ALL MEN BY THESE PRESENTS, that we E. C. Matthews Company Inc., 2265 Harrodsburg Road, Lexington, KY 40504

as Principal, hereinafter called the Principal, and Western Surety Company, CNA Surety, 9900 Corporate Campus Drive, Ste 2800, Louisville, KY 40223

a corporation duly organized under the laws of the State of South Dakota

as Surety, hereinafter called the Surety, are held and firmly bound to the Lexington Fayette Urban County Government, Office of the Director of Purchasing, 200 East Main Street, Lexington KY 40507.

as Obligee, hereinafter called the Obligee, in the sum of 5% of bid amount

Dollars (\$ _____)

for the payment of which sum well and truly to be made, the said Principal and the said Surety, bind ourselves, our heirs, executors, administrators, successors and assigns, jointly and severally, firmly by these presents.

WHEREAS, the Principal has submitted a bid for the Lexington Streetscape Phase One Improvements, Site Amenities Package S. Limestone & Vine Street.

NOW, THEREFORE, if the Obligee shall accept the bid of the Principal and the Principal shall enter into a Contract with the Obligee in accordance with the terms of such bid, and give such bond or bonds as may be specified in the bidding or Contract Documents with good and sufficient surety for the faithful performance of such Contract and for the prompt payment of labor and material furnished in the prosecution thereof, or in the event of the failure of the Principal to enter such Contract and give such bond or bonds, if the Principal shall pay to the Obligee the difference not to exceed the penalty hereof between the amount specified in said bid and such larger amount for which the Obligee 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.

Signed and sealed this 14th day of November, 2013.

Janet Matthews
(Witness)

Jany Rodgen
(Witness)

E. C. Matthews Company Inc.
(Principal) (Seal)
Thomas P. ...
(Title)

Western Surety Company
(Surety) (Seal)
Tonia C. Kennedy
(Title) Attorney-In-Fact

Western Surety Company

POWER OF ATTORNEY APPOINTING INDIVIDUAL ATTORNEY-IN-FACT

Know All Men By These Presents, That WESTERN SURETY COMPANY, a South Dakota corporation, is a duly organized and existing corporation having its principal office in the City of Sioux Falls, and State of South Dakota, and that it does by virtue of the signature and seal herein affixed hereby make, constitute and appoint

Steve Roeding, Rob Hoenscheid, Tonia C Kennedy, Daniel L Scherff, Individually

of Lexington, KY, its true and lawful Attorney(s)-in-Fact with full power and authority hereby conferred to sign, seal and execute for and on its behalf bonds, undertakings and other obligatory instruments of similar nature

- In Unlimited Amounts -

and to bind it thereby as fully and to the same extent as if such instruments were signed by a duly authorized officer of the corporation and all the acts of said Attorney, pursuant to the authority hereby given, are hereby ratified and confirmed.

This Power of Attorney is made and executed pursuant to and by authority of the By-Law printed on the reverse hereof, duly adopted, as indicated, by the shareholders of the corporation.

In Witness Whereof, WESTERN SURETY COMPANY has caused these presents to be signed by its Vice President and its corporate seal to be hereto affixed on this 17th day of October, 2013.



WESTERN SURETY COMPANY

Paul T. Bruflat

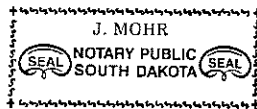
Paul T. Bruflat, Vice President

State of South Dakota }
County of Minnehaha } ss

On this 17th day of October, 2013, before me personally came Paul T. Bruflat, to me known, who, being by me duly sworn, did depose and say: that he resides in the City of Sioux Falls, State of South Dakota; that he is the Vice President of WESTERN SURETY COMPANY described in and which executed the above instrument; that he knows the seal of said corporation; that the seal affixed to the said instrument is such corporate seal; that it was so affixed pursuant to authority given by the Board of Directors of said corporation and that he signed his name thereto pursuant to like authority, and acknowledges same to be the act and deed of said corporation.

My commission expires

June 23, 2015



J. Mohr

J. Mohr, Notary Public

CERTIFICATE

I, L. Nelson, Assistant Secretary of WESTERN SURETY COMPANY do hereby certify that the Power of Attorney hereinabove set forth is still in force, and further certify that the By-Law of the corporation printed on the reverse hereof is still in force. In testimony whereof I have hereunto subscribed my name and affixed the seal of the said corporation this 14th day of November, 2013.



WESTERN SURETY COMPANY

L. Nelson

L. Nelson, Assistant Secretary