

Document A310™ – 2010

Conforms with The American Institute of Architects AIA Document 310

Bid Bond

CONTRACTOR:

(Name, legal status and address)

Advanced Mulching Technologies, Inc. dba
EcoGro

P.O. Box 22273

Lexington, KY 40522

SURETY:

(Name, legal status and principal place of business)

Granite Re, Inc.

14001 Quailbrook Drive

Oklahoma City, OK 73134

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, Division of Water Quality

125 Lisle Industrial Avenue

Lexington, KY 40511

BOND AMOUNT: \$ 5%

Five Percent of Amount Bid

PROJECT:

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

Bid No. 60-2019, WGPL Green Infrastructure Project

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 17th day of June, 2019



(Witness)

Advanced Mulching Technologies, Inc. dba EcoGro

(Principal)

(Seal)

By: 

(Title)

President

Granite Re, Inc.

(Surety)

(Seal)

By: 

(Title) Deborah L. Burton Attorney-in-Fact




(Witness) G. Randall Deskins
KY Resident Agent

MAYOR LINDA GORTON



LEXINGTON

TODD SLATIN
DIRECTOR
CENTRAL PURCHASING

ADDENDUM #1

Bid Number: 60-2019

Date: June 11, 2019

Subject: WGPL Water Quality Basin

Address inquiries to:
Brian Marcum
(859) 258-3320

TO ALL PROSPECTIVE SUBMITTERS:

Please be advised of the following additional information to the above referenced bid:

**Questions & Answers
Pre-bid meeting agenda, minutes and sign in sheet**

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 submittal.

COMPANY NAME: Eco Gro (A DBA of Advanced Mulching Technologies, Inc.)

ADDRESS: Po Box 22273 Lexington, Ky. 40522

SIGNATURE OF BIDDER: [Handwritten Signature]



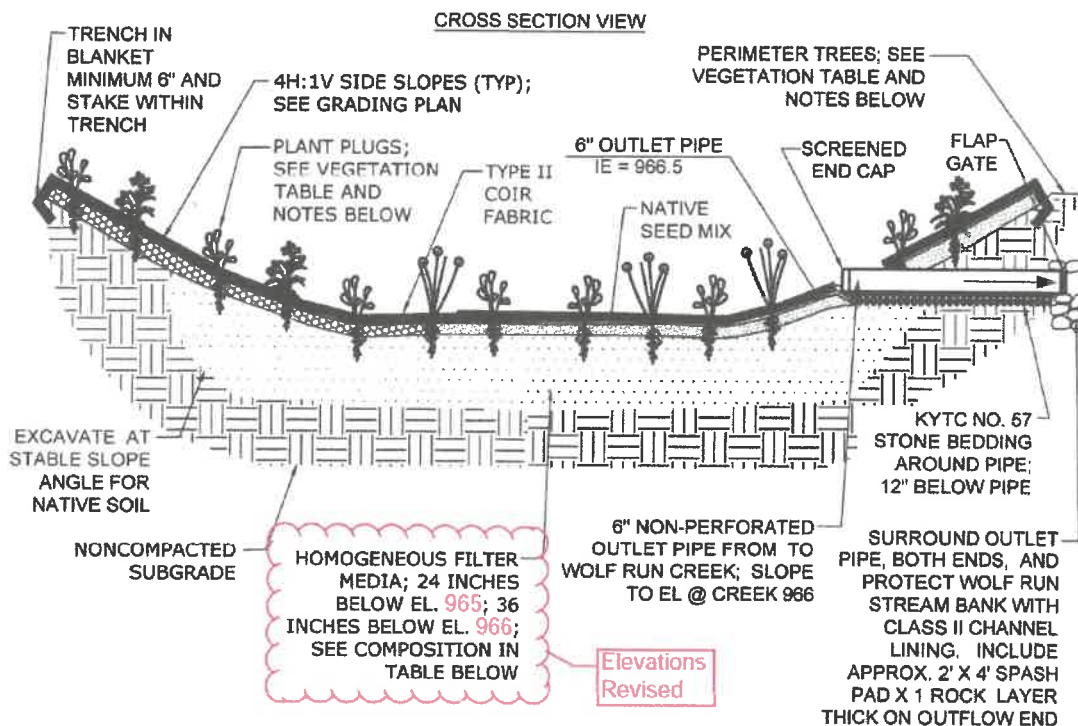
ADDENDUM NO. 1
WGPL Green Infrastructure Project
Bid No. 60-2019

To: All Planholders
Project: WGPL Green Infrastructure Project
Date: June 11, 2019
Subject: Revisions to Contract Documents

Planholders shall incorporate the following into the Contract Documents for the project:

1. A pre-bid meeting was held on June 10, 2019 at the LFUCG Division of Water Quality. The minutes of the meeting and list of attendees are included below as Attachment No. 1.
2. The following questions were received, and responses are indicated in red text.
 - a) For bioretention area: What is elevation of water table? (Stream is at ~965'). **We don't know.**
 - b) What is elevation of rock? **Several rock soundings in the LFUCG properties were obtained, and the minimum depth of those soundings was 6.3'.**
 - c) Is Contractor responsible for ensuring that bioretention basin drains in a specified time frame (e.g., 48 hours). **No.**
 - d) Will the diversion structure (by others) have a hole in it for the proposed 10" corrugated hdpe pipe? **Yes.**
 - e) When will the storm sewer contractor be finished? **Scheduled for mid-September 2019.**
 - f) Will we be able to get the rock for the rock toe and the boulder edge from the West Hickman Treatment Plant? What will the process be if we choose to go this route in acquiring the rock? **Regarding obtaining the boulders, the successful bidder will be provided contact information for the West Hickman Wastewater Treatment Plant site. CONTRACTOR shall be responsible for all arrangements pertaining to accessing the site and loading the rock.**
 - g) What is the difference in type 1 and type 2 coir erosion control blanket? **Specifications for Type I and Type II Coir Fabric are defined in the provided GI Specification 31 05 20 – Coir Fabric for Earthwork.**
 - h) Will an Erosion and Sediment Control Bond and Warranty Bond be required? **Yes, see PB-8 in the Contract Documents.**
 - i) Is there an engineer's estimate that will be given for the project? **Less than \$250,000.**

- j) Will there be a unit price addition for the boulder edge rock? Or should the price be included elsewhere in the bid? **This work shall be incidental to the Lump Sum price for General Conditions.**
 - k) Regarding Pay Item 3 - Can you provide a breakdown of how the Earthwork (Cut) quantity was established? **Using digital terrain modeling, and including subgrade excavation to be replaced with filter media.** What is the anticipated quantity of stripped topsoil? **We don't know.**
 - l) Regarding Pay Item 11 – Does the 375 CY quantity cover the full quantity needed for 24" media placement for the entire job or has this number factored in the use of the stripped topsoil? **It is the full quantity, including topsoil, with no assumption of the topsoil source. Note that the filter media thickness varies in different locations.**
3. On page P-35 of the Contract Documents, in the Evidence of Insurability table, the minimum limits of AUTO coverage shall be changed from \$2,000,000 to \$1,000,000.
4. Detail F on Sheet 6 of the Plans has erroneous elevations. The correct elevations are illustrated below.



5. Special Conditions #5 on page SC-6 of the Contract Documents: replace "2A" with "3".

6. Section 01025 of the Contract Documents:
 - a. Item 2.10 – the text should not have been struck out.
 - b. Item 2.11 – replace “Rock Pretreatment Area” with “Bioretention Filter Media”.

7. There is no change to the bid submittal deadline at this time.

Attachments

1. Pre-bid meeting agenda and minutes

END OF ADDENDUM NO. 1

WGPL Green Infrastructure Project

Lexington-Fayette Urban County Government

SUBJECT: Pre-bid Conference Minutes
LOCATION: LFUCG Division of Water Quality
DATE & TIME: June 10, 2019, 9:00 a.m.
ATTENDANCE: See attached sign-in sheets

Bidding

1. Bids will only be accepted from registered plan holders who have purchased plans from Lynn Imaging.
2. Bids will be received at the LFUCG Division of Central Purchasing, 3rd floor of the Government Center, until 2:00 p.m. on June 17, 2019. Bids will be opened and read aloud at that time. The intent is to award a construction contract no later than the last council meeting prior to summer break (July 9, 2019).
3. All questions should be sent to Brian Marcum of Purchasing no later than noon on June 11, 2019.
4. The Contractor shall make every effort to meet the LFUCG disadvantaged business goals of 10% MBE/WBE and 3% veteran-owned business. Sherita Miller will send attendees the list of certified DBE firms and stated that DBE subconsultants must be certified prior to contract award.
5. Bids must include all of the required forms and documents contained in the bid package. Bidders shall pay particular attention to the risk management provisions.

Utilities

1. All utility locations are approximate as shown. The Contractor is responsible for verifying the existence of all utilities in the project area whether they are shown on the plans or not.
2. Approximate location of a sanitary sewer line is identified on the plans. Contractor is responsible for locating and flagging this line such that it is not disturbed by grading and no equipment is tracked over the line.

Construction

1. The general project purpose is to construct a bioretention area and two bioswales with native plantings to improve surface water quality and to construct a walking trail to provide recreation benefits to local residents.
2. A field office is not required for this project. The Contractor is responsible for all staging areas and borrow/waste sites. The site is within the regulatory floodplain, and the Contractor shall

protect the materials and equipment accordingly. Sharing of access and staging/stockpile areas with others constructing the nearby storm sewer project may be required.

3. The Contractor shall coordinate with the current storm sewer construction in the WGPL neighborhood. There is expected to be overlap in the two projects construction schedule. . The storm sewer contract stipulates coordination with the green infrastructure basin contract.
4. Bidders are advised that the WGPL neighborhood has narrow streets and an active neighborhood association.
5. LFUCG purchased an adjacent property at 1871 Pensacola Drive. It will be demolished but the demolition date has not been established.
6. The alignment of the proposed walking trail shall be staked and approved prior to construction.
7. Contractor shall maintain access to private properties and street traffic shall be maintained.
8. Construction is adjacent to Wolf Run Creek. Erosion and sediment control shall be implemented (as indicated in Plans and Technical Specifications, including SWPPP) to prevent sediment from leaving the site and/or entering Wolf Run Creek. The maximum width of natural creek buffer possible shall be protected and remain undisturbed. The only creek disturbance required is for the installation of two bioretention outlet pipes, which is a permitted activity. Streambank disturbance shall be minimized and stabilized as soon as possible after outlet pipes are installed.
9. Equipment tracking and compaction-causing activities shall be minimized over the entire site and especially within the footprint of the bioretention area and bioswales.
10. Flow diversions may be required to build these green infrastructure features "in the dry". No sediment-laden water shall be discharged into Wolf Run Creek. Clean runoff shall be diverted around construction areas.
11. A diversion structure (where stormwater is split and routed into the bioretention area and bioswale) has been constructed by others (See Sheet 4). Contractor shall connect pipe with end treatment to the diversion structure.
12. Some trees within the grading limits (indicated on Sheet 4) will be removed by others prior to the initiation of this project. All other tree removal shall be the minimum necessary for project construction. Tree removal requires written approval.
13. Native seed, plant plugs, and trees are specified for installation in the bioretention area and bioswales. Contractor shall contact nurseries and suppliers early to ensure availability of specified species (see Sheet 3 and Technical Specifications 31 25 50 – Bioretention Area and 31 23 40 – Bioswale).
14. In addition to construction warranty, plant plugs and trees shall have a one-year period of care and replacement following substantial completion as detailed in project Special

Conditions (section SC-7). Success is defined as 70% survival at the end of the one year period following Substantial Completion.

15. Testing and verification of components of Bioretention Filter Media (see Technical Specifications 31 25 50 – Bioretention Area) shall be provided by Contractor. Contractor shall furnish all materials, equipment, and labor require to sample and test media components or provide verification for supplied components. The mixing of the filter media shall be witnessed by Owner or certified by the supplier. Clay content is a primary concern. In-situ topsoil may be used if it meets the specification requirements.
16. As indicated in Technical Specification 01720 – Project Record Documents, Contractor shall obtain a post-construction topographic survey of the constructed project and submit digital drawings with digital terrain model.
17. Owner to supply access to boulders for “no mow” boulder border from construction ongoing at West Hickman Wastewater Treatment Plant (just south of Lexington in Jessamine County, West Hickman Plant Road). The Contractor shall be responsible for loading, transporting, and placing the boulders.

Permits

1. Permit approvals from the Kentucky Division of Water for Floodplain Construction and Water Quality Certification and United States Army Corps of Engineers for Placing Fill in an Aquatic Resource (to install bioretention outlet pipes) have been acquired by the Owner. Copies of permit approvals and conditions are included as Appendix B to the project Specifications. All permit conditions must be met by the Contractor (all costs to do so shall be the responsibility of the Contractor).
2. All other permitting (including the KPDES Notice of Intent and LFUCG Land Disturbance Permit), and/or notifications associated with the work on this project to include all costs, testing, notices of intents, storm water pollution prevention plans, etc., for this project shall be the responsibility of the Contractor. Information on permitting, inspection, and enforcement procedures for erosion, sediment, and stormwater control can be found at: <https://www.lexingtonky.gov/sites/default/files/2019-01/PIE%20Procedures%20for%20DWQ%20Capital%20Projects%20v20180928.pdf>



WGPL Green Infrastructure Project
 Pre-bid Meeting - June 10, 2019
 SIGN IN SHEET



	NAME	ORGANIZATION	ADDRESS	PHONE	EMAIL
1	JOHN STEINMETZ	BANKS ENGINEERING	N K HOCASEY RD	881-0020	JSTEINMETZ@BANKSENGR.COM
2	Cory Bloyd	Environmental Construction Spec		230-9503	cory_bloyd@yalecorp.com
3	Jennifer Shelby	Third Rock		351-4307	jshelby@thirdrockconsultants.com
4	CASEY MATTINGLEY	Third Rock		977-2000	cmattin@thirdrockconsultants.com
5	Brian Muncum	LFUGG			brianm@lexingtonky.gov
6	Jim Hansen	EcoGro	Po Box 28873 Lexington 40522	859 621 7461	Jim@ecogro.net
7	Mark Sanders	LFUGG			msanders@lexingtonky.gov
8	Mac Hall	Third Rock		859-612-2434	mhall@thirdrockconsultants.com
9	Greg Lubeck	LFUGG-DWP		859 258 3446	glubeck@lexingtonky.gov
10	SHERYL WENZEL	LFUGG PARKING		859-258-3523	swenzel@lexingtonky.gov
11	MICHAEL SULLIVAN	CARDNO		828.506.1519	MSULLIVAN@CARDNO.COM
12	Henry Nash	CARDNO		443-632-4172	Henry.Nash@CARDNO.COM
13					
14					

PART III
FORM OF PROPOSAL
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PART III

Invitation to Bid No. 60-2018

WGPL GREEN INFRASTRUCTURE PROJECT

1. FORM OF PROPOSAL

Place: Lexington, Kentucky

Date: 6.14.19

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

This Proposal Submitted by Eco Gro (a DBA of Advanced Milkling Technology, Inc.)
Po Box 22273
Lexington Ky 40522
(Name and Address of Bidding Contractor)

(Hereinafter called "Bidder"), organized and existing under the laws of the State of Ky, doing business as Eco Gro
"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 **WGPL GREEN INFRASTRUCTURE 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 120 days** of the date of the Purchase Order or Work Orders issued by the OWNER. 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 6.11.19

Revised Addendum No. 1 Date 6.12.19

Addendum No. Date

Addendum No. Date

Addendum No. Date

Addendum No. Date

Addendum No. Date

Addendum No. Date

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

2. **LEGAL STATUS OF BIDDER**

Bidder Eco Gro (a DBA of Advanced Matching Technologies, INC.)

Date 6.14.19

* 1. A corporation duly organized and doing business under the laws of the State of KY, for whom JAMES THANSEN, 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, JAMES HANSEN, and after being first duly sworn, states under penalty of perjury as follows:

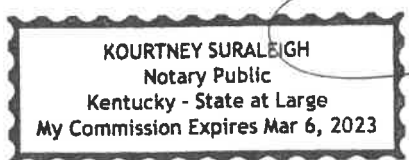
1. His/her name is JAMES HANSEN and he/she is the individual submitting the bid or is the authorized representative of Eco Gro, the entity submitting the bid (hereinafter referred to as "Bidder").
 2. Bidder will pay all taxes and fees, which are owed to the Lexington-Fayette Urban County Government 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.

X [Signature]
(Affiant)

STATE OF Kentucky
COUNTY OF Fayette

The foregoing instrument was subscribed, sworn to and acknowledged before me by James Hansen on this the 14 day of JUNE, 2019.

My Commission expires: 6 March 2023



[Signature]
NOTARY PUBLIC, STATE AT LARGE

4. BID SCHEDULE – SCHEDULE OF VALUES

The Bidder agrees to perform all the Work described in the Specifications and shown on 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.~~

Contrary to General Conditions Item 10.9.1, quantities of items on the Bid Form are considered "Plan Quantities" and are final, not subject to change unless the Owner agrees in writing to plan changes. There shall be no separate measurement of quantities during or after construction.

WGPL Green Infrastructure 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) <i>five thousand five hundred</i> Dollars <i>zero</i> Cents	\$ <u>5,500.⁰⁰</u>	\$ <u>5,500.⁰⁰</u>
			Per Lump Sum		
2.	1	LS	General Conditions <i>Sixteen thousand four hundred</i> Dollars <i>zero</i> Cents	\$ <u>16,700.⁰⁰</u>	\$ <u>16,700.⁰⁰</u>
			Per Lump Sum		
3.	1	LS	Clearing and Grubbing <i>two thousand</i> Dollars <i>zero</i> Cents	\$ <u>2,000⁰⁰</u>	\$ <u>2,000⁰⁰</u>
			Per Lump Sum		
4.	1,048	CY	Excavation <i>twenty five</i> Dollars <i>zero</i> Cents	\$ <u>25.⁰⁰</u>	\$ <u>26,200.⁰⁰</u>
			Per Cubic Yard		
5.	206	LF	Demolition/Disposal of Concrete Flumes <i>SIX</i> Dollars <i>zero</i> Cents	\$ <u>6.⁰⁰</u>	\$ <u>1,236.⁰⁰</u>
			Per Linear Foot		
6.	510	SY	Bioswale Coir Matting <i>Eight</i> Dollars <i>zero</i> Cents	\$ <u>8.⁰⁰</u>	\$ <u>4,080.⁰⁰</u>
			Per Square Yard		
7.	536	SY	Bioretention Coir Matting <i>SIX</i> Dollars <i>zero</i> Cents	\$ <u>6.⁰⁰</u>	\$ <u>3,216.⁰⁰</u>
			Per Square Yard		
8.	42	LF	Bioswale Rock Toe <i>forty</i> Dollars <i>zero</i> Cents	\$ <u>40.⁰⁰</u>	\$ <u>1,680.⁰⁰</u>
			Per Linear Foot		
9.	25	CY	Rock Pretreatment Area <i>Seventy five</i> Dollars <i>zero</i> Cents	\$ <u>75.⁰⁰</u>	\$ <u>1,875.⁰⁰</u>
			Per Cubic Yard		

Item No.	Quantity	Unit To Bid On	Description w/Unit Bid Price Written in words	Unit Price	Total Amount Bid
10.	1	EA	Bioretention Diversion Pipe and Headwall <u>two thousand</u> Dollars <u>zero</u> Cents	\$ <u>2,000.⁰⁰</u>	\$ <u>2,000.⁰⁰</u>
			Per Each		
11.	375	CY	Bioretention Filter Media <u>eighty</u> Dollars <u>zero</u> Cents	\$ <u>80.⁰⁰</u>	\$ <u>30,000.⁰⁰</u>
			Per Cubic Yard		
12.	2	EA	Bioretention Outlet <u>five hundred</u> Dollars <u>zero</u> Cents	\$ <u>500.⁰⁰</u>	\$ <u>1,000.⁰⁰</u>
			Per Each		
13.	1	LS	Plant Plugs <u>twenty thousand</u> Dollars <u>zero</u> Cents	\$ <u>20,000.⁰⁰</u>	\$ <u>20,000.⁰⁰</u>
			Per Lump Sum		
14.	10	EA	Small Trees <u>Six hundred</u> Dollars <u>zero</u> Cents	\$ <u>600.⁰⁰</u>	\$ <u>6,000.⁰⁰</u>
			Per Each		
15.	1,050	SY	Native Seeding <u>One</u> Dollars <u>fifty</u> Cents	\$ <u>1.50</u>	\$ <u>1,575.⁰⁰</u>
			Per Square Yard		
16.	100	TN	Dense Graded Aggregate <u>Sixty</u> Dollars <u>zero</u> Cents	\$ <u>60.⁰⁰</u>	\$ <u>6,000.⁰⁰</u>
			Per Ton		
17.	32	TN	Class 2 Asphalt Surface, 0.38B PG64-22 <u>two hundred</u> Dollars <u>zero</u> Cents	\$ <u>200.⁰⁰</u>	\$ <u>6,400.⁰⁰</u>
			Per Ton		
18.	280	SF	Articulated Concrete Block (ACB) <u>fifty</u> Dollars <u>zero</u> Cents	\$ <u>50.⁰⁰</u>	\$ <u>14,000.⁰⁰</u>
			Per Square Foot		
19.	1,500	SY	Seeding and Protection <u>zero</u> Dollars <u>fifty</u> Cents	\$ <u>.50</u>	\$ <u>750.⁰⁰</u>
			Per Square Yard		

Item No.	Quantity	Unit To Bid On	Description w/Unit Bid Price Written in words	Unit Price	Total Amount Bid
20.	1	EA	Project Sign		
			<i>One thousand</i> Dollars		
			<i>zero</i> Cents	\$ <i>1,000.⁰⁰</i>	\$ <i>1,000.⁰⁰</i>
		Per Each			
21.	1	LS	Erosion Control		
			<i>Six thousand</i> Dollars		
			<i>zero</i> Cents	\$ <i>6,000.⁰⁰</i>	\$ <i>6,000.⁰⁰</i>
		Per Lump Sum			
22.	1	LS	Demobilization (1.5% minimum)		
			<i>two thousand seven hundred fifty</i> Dollars		
			<i>zero</i> Cents	\$ <i>2,750.⁰⁰</i>	\$ <i>2,750.⁰⁰</i>
		Per Lump Sum			

TOTAL OF ALL BID PRICES FOR WGPL Green Infrastructure Project (Items 1 through 22) in words and figures. In case of discrepancy, the amount shown in words will govern.

One hundred fifty nine thousand nine hundred sixty two dollars
zero cents. (\$ *159,962.⁰⁰*).

Submitted by:

Eco Gro
Firm

Po Box 22273
Address

Lexington KY 40522
City, State & Zip

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

 PRESIDENT
Signature of Authorized Company Representative - Title

JAMES HANSEN
Representative/s Name (Typed or Printed)

859 621 7461
Area Code - Phone - Extension

866 348 0528
Fax #

Jim@ecogro.net
E-Mail Address

OFFICIAL ADDRESS:

Eco Gro

Po Box 22273

Lexington KY 40522

(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: Eco Gro (a DBA of Advanced Mulch Technologies, Inc.)
- 2. Permanent Place of Business: Po Box 22273 Lexington, KY. 40522
- 3. When Organized: May 2001
- 4. Where Incorporated: Kentucky Fayette Co.
- 5. Construction Plant and Equipment Available for this Project:

Komatsu PC160 Excavator
Bobcat T300 skid steer
Ford F800 Flatbed
Ford F700 Single Axle Dumptruck
Kubota M4700 Tractor

(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:

Granite Re, Inc. (Surety)

Signed: Deborah L. Burton (Representative of Surety)
Deborah L. Burton, Attorney-in-Fact

- 8. The following is a list of similar projects performed by the Bidder: (Attach separate sheet if necessary). **NOTE: See qualification requirements in the Special Conditions.**

<u>NAME</u>	<u>LOCATION</u>	<u>CONTRACT SUM</u>
Lexmark ^{Bioremediation &} Randall Horneat System	Lexington Fayette Co. KY.	595,000.
UK FEMA Flood Mitigation/Restoration	Lexington, Fayette Co. KY.	532,780.
Coldstream Stream; Bioswale; wetlands	Lexington, Fayette Co. KY.	957,000.
Piccadome Stormwater Wetlands	Lexington, Fayette Co. KY.	181,331. ⁷⁵
LBX Bioremediation & wetland	Lexington, Fayette Co. KY.	102,000.

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

<u>NAME</u>	<u>LOCATION</u>	<u>CONTRACT SUM</u>
Hatchery Creek Stream	JANESTOWN, KY.	1,807,000.00
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

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>
Jim Hansen	President	19
Eric Hunter	PE	10
Tom Cutler	Operator	8
Brad Pedman	Superintendent	6
Chad Petruski	Operator	4

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>
_____	_____	_____	_____
- 0 -	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

(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 - LIST EACH MAJOR ITEM Such as: Grading, bituminous paving, concrete, seeding and protection, construction staking, etc.	SUBCONTRACTOR	DBE Yes/No	% of Work
1. <u>AS Built Survey</u>	Name: <u>CDP Engineers</u>	<u>NO</u>	<u>< 3 %</u>
2. _____	Address: <u>3250 Blazer Parkway Lexington, KY. 40509</u>	_____	_____
2. _____	Name: _____	_____	_____
3. _____	Address: _____	_____	_____
3. _____	Name: _____	_____	_____
4. _____	Address: _____	_____	_____
4. _____	Name: _____	_____	_____
5. _____	Address: _____	_____	_____
5. _____	Name: _____	_____	_____
6. _____	Address: _____	_____	_____
6. _____	Name: _____	_____	_____
7. _____	Address: _____	_____	_____
7. _____	Name: _____	_____	_____
_____	Address: _____	_____	_____

(Attach additional sheet(s) if necessary.)

7. **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.



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
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.

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

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



LFUCG MWDBE PARTICIPATION FORM
 Bid/RFP/Quote Reference # 60-2019

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. NONE				
2.				
3.				
4.				

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

EcoGro
 Company

JAMES HANSEN
 Company Representative

6-17-19
 Date

President
 Title



LFUCG MWDBE SUBSTITUTION FORM

Bid/RFP/Quote Reference # 60-2019

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. NONE					
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.

Evo Gro
Company

6-17-19
Date

JAMES HANSEN
Company Representative

President
Title



MWDBE QUOTE SUMMARY FORM

Bid/RFP/Quote Reference # 60-2019

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>Eco Gro</u>	Contact Person <u>JAMES HANSEN</u>
Address/Phone/Email <u>PO BOX 2273 Lexington Ky 40522</u>	Bid Package / Bid Date <u>60-2019 6-17-19</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 DBE - MBE	Veteran
<u>Integrated Engineering</u>		<u>859 368 0145</u>	<u>6-11-19</u>	<u>NONE</u>	<u>EMAIL</u>	<u>4,597.25</u>	<u>DBE - MBE</u>	
<u>106 Prosperity Pl</u>			<u>BID</u>	<u>TOO HIGH</u>	<u>uncompetitive</u>			
<u>No other submissions</u>								

(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.

Eco Gro
Company
6-19-19
Date

JAMES HANSEN
Company Representative
President
Title



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.

Bid/RFP/Quote # 60-2019 TBD
 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.

Eolo

 Company
6-19-19

 Date

JAMES HANSEN

 Company Representative
President

 Title

LFUCG STATEMENT OF GOOD FAITH EFFORTS

Bid/RFP/Quote # 20-2019

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.

EWGro

Company
6-19-19

Date

JAMES HANSSA

Company Representative
President

Title

LFUCG Statement of Good Faith Efforts

Bid /RFP/Quote # 60-2019

To whom it may concern,

An effort was made to include portions of work to minority or disadvantaged businesses in this solicitation. While multiple quotes were requested, we only received one for the as built survey from Integrated Engineering. This quote was 50% higher than the next quote so it was deemed uncompetitive.

Due to the short time frame from bid release to when bids were due it was difficult for companies to provide an adequate response.

Thank you for the opportunity to work for LFUCG on this important stormwater project. We can provide answers or clarifications to any portion of the bid if needed.

Regards,

A handwritten signature in black ink, appearing to read 'Jim Hanssen', with a long horizontal line extending to the right.

Jim Hanssen

EcoGro

8. 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 KY or, that as a ~~domestic corporation~~, we are in good standing with the Secretary of State, Commonwealth of Kentucky . Check the statement applicable.
6. This offer is for 60 calendar days from the date this bid is opened. In submitting the above, it is expressly agreed that, upon proper acceptance by the Lexington-Fayette Urban County Government of any or all items bid above, a contract shall thereby be created with respect to the items accepted.
7. That I have fully informed myself regarding the accuracy of the statements made in this statement.
8. That I certify that Subcontractors have not and will not be awarded to any firm(s) that have been debarred from noncompliance with the Federal Labor Standards, Title VI of the Civil Rights Act of 1964 As Amended, Executive Order 11246 As Amended or any other Federal Law.



9. STATEMENT OF EXPERIENCE

NAME OF INDIVIDUAL: Eric Dewalt

POSITION/TITLE: PE

STATEMENT OF EXPERIENCE: Water Resource engineer overseeing design and construction of streams, wetlands, bioretention, rainfall harvest, and other stormwater related infrastructure since 2000.

NAME OF INDIVIDUAL: Brian Pedron

POSITION/TITLE: Superintendent

STATEMENT OF EXPERIENCE: Experience in building bioretention, stream and wetland construction for the past 6+ years

NAME OF INDIVIDUAL: Russ Thompson

POSITION/TITLE: Certified Arborist, Professional Env. Educator, Environmental Tech Senior

STATEMENT OF EXPERIENCE: Worked on many stream, wetland, bioretention, rainfall harvest projects in the past 15 years. Worked in various capacities including operating equipment, and overseeing plant installation and native plant stewardship.

NAME OF INDIVIDUAL: Tom Catter

POSITION/TITLE: Operator

STATEMENT OF EXPERIENCE: +15 years building all types
of stream, wetland, and stormwater structures.

NAME OF INDIVIDUAL: Chad Belinski

POSITION/TITLE: Operator

STATEMENT OF EXPERIENCE: 5+ years operate equipment
on stream, wetland and stormwater construction jobs

NAME OF INDIVIDUAL: Jim Haussen

POSITION/TITLE: President

STATEMENT OF EXPERIENCE: 10+ years building and maintaining
stream, wetland, stormwater, bio-retention, rainfall harvest
systems.

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

10. EQUAL OPPORTUNITY AGREEMENT

Standard Title VI Assurance

The Lexington Fayette-Urban County Government, (hereinafter referred to as the "Recipient") hereby agrees that as a condition to receiving any Federal financial assistance from the U.S. Department of Transportation, it will comply with Title VI of the Civil Rights Act of 1964, 78Stat.252, 42 U.S.C. 2000d-4 (hereinafter referred to as the "Act"), and all requirements imposed by or pursuant to Title 49, Code of Federal Regulations, U.S. Department of Transportation, Subtitle A, Office of the Secretary, (49 CFR, Part 21) Nondiscrimination in Federally Assisted Program of the Department of Transportation – Effectuation of Title VI of the Civil Rights Act of 1964 (hereinafter referred to as the "Regulations") and other pertinent directives, no person in the United States shall, on the grounds of race, color, national origin, sex, age (over 40), religion, sexual orientation, gender identity, veteran status, or disability be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity for which the Recipient receives Federal financial assistance from the U.S. Department of Transportation, including the Federal Highway Administration, and hereby gives assurance that will promptly take any necessary measures to effectuate this agreement. This assurance is required by subsection 21.7(a) (1) of the Regulations.

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

Ecofire (a DBA of Advanced Muckly Technologies, 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 EcoPro (a DBA of Advanced Hubby Technologies, 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: Eco Gro

Categories	Total	White (Not Hispanic or Latino)		Hispanic or Latino		Black or African-American (Not Hispanic or Latino)		Native Hawaiian and Other Pacific Islander (Not Hispanic or Latino)		Asian (Not Hispanic or Latino)		American Indian or Alaskan Native (not Hispanic or Latino)		Two or more races (Not Hispanic or Latino)		Total	
		M	F	M	F	M	F	M	F	M	F	M	F	M	F		
Administrators		1														1	
Professionals		1														1	
Superintendents		1														1	
Supervisors																	
Foremen		1														1	
Technicians		1	1													2	1
Protective Service																	
Para-Professionals																	
Office/Clerical			1													1	
Skilled Craft																	
Service/Maintenance																	
Total:		6	2									1				6	2

Prepared by: JAMES HAUSSEN President
(Name and Title)

Date: 6/19/19
17

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: Advanced Mulching Technologies Inc. POA: George
 Address: 708 Donley St Lexington KY 40505
 Project to be insured: LFUGG
 Employee ID: _____
 Phone: 859 621 7461

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	\$ 1,000,000 occ. 2,000,000 agg.	Capital Specialty Insurance Corp.	001960	A
SC-3, Section 2, Part 4.1 - see provisions	AUTO	\$2,000,000/per occ.	\$	Secure Insurance	000483	A
SC-3, Section 2, Part 4.1 - see provisions	WC	Statutory w/endorsement as noted	\$ 4,000,000 21,000,000 21,000,000	AGC of KY	055002	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.

Al Torstrick Insurance Agency Name of Authorized Representative _____
 Agency or Brokerage _____
343 Waller Ave Title _____
 Street Address _____
Lexington KY State 40504 Zip _____
859-233-1461 Authorized Signature _____
 Telephone Number _____
 Date 6/17/19

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.

Additional Named Insureds

Other Named Insureds

Ecogro

Doing Business As

14. DEBARRED FIRMS

PROJECT NAME: WGPL Green Infrastructure Project

BID NUMBER: 40-2019

**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 Evo Firo 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.

Evo Firo (a DBA of Advanced Plumbing Technology Inc.)
Name of Firm Submitting Bid


Signature of Authorized Official

President
Title

6/17/19
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 VT 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: CDP Engineers, Inc.

Project: #60-2019 WGPL Bioretention

Printed Name and Title of Authorized Representative: C. Lewis Dixon , Executive VP

Signature: *C. Lewis Dixon*

Date: June 17, 2019

END OF SECTTON

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: EcoGro

Project: WVPL Green Infrastructure 60-2017

Printed Name and Title of Authorized Representative: JAMES HANSEN President

Signature: [Handwritten Signature]

Date: 6-17-19

END OF SECTION