

PART III

FORM OF PROPOSAL

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PART III
Invitation to Bid No. 28-2025

Town Branch WWTP Primary Digester No. 2 Roof Leak Repairs

1. FORM OF PROPOSAL

Place: Lexington, Kentucky

Date: March 28th, 2025

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

This Proposal Submitted by W Principles, LLC

200 Apperson Heights, Mt. Sterling, KY 40353
(Name and Address of Bidding Contractor)

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

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

Gentlepeople:

The Bidder, in compliance with your Invitation for Bids for **Town Branch WWTP Primary Digester No. 2 Roof Leak Repairs** 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.

BIDDER hereby agrees to commence work under this contract on or before a date to be specified in the Notice to Proceed and to fully complete the project within the time provided in the Purchase Order or Work Orders issued by the OWNER. BIDDER further agrees to pay liquidated damages, the sum of \$400 for each consecutive calendar day thereafter.

The Bidder hereby acknowledges receipt of the following addenda:

Addendum No. ____ Date ____
Addendum No. ____ Date ____
Addendum No. ____ Date ____
Addendum No. ____ Date ____
Addendum No. ____ Date ____
Addendum No. ____ Date ____
Addendum No. ____ Date ____

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 W Principles, LLC

Date March 27th, 2025

* 1. ~~A corporation duly organized and doing business under the laws of the State of _____, for whom _____, bearing the official title of _____, 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)

Art Walker III >
Art Walker IV 200 Apperson Heights, MA. Sterling, KY 40353

* 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, W Principles, LLC, and after being first duly sworn, states under penalty of perjury as follows:

1. His/her name is Art Walker IV and he/she is the individual submitting the bid or is the authorized representative of W Principles, LLC the entity submitting the bid (hereinafter referred to as "Bidder").
2. Bidder will pay all taxes and fees, which are owed to the Lexington-Fayette Urban County Government at the time the bid is submitted, prior to award of the contract and will maintain a "current" status in regard to those taxes and fees during the life of the contract.
3. Bidder will obtain a Lexington-Fayette Urban County Government business license, if applicable, prior to award of the contract.
4. Bidder has authorized the Division of Procurement 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 Chapter 25 of the Lexington-Fayette Urban County Government Code of Ordinances, known as the "Ethics Act."
6. 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.

Signature

President

Title

Art Walker IV

Printed Name

March 27th, 2025

Date

Company Name

W Principles, LLC

Address

200 Apperson Heights Suite 200 Mt. Sterling, KY 40353

Subscribed and sworn to before me by

Art Walker IV

(Affiant)

President

(Title)

of W Principles, LLC
(Company Name)

this 27th day of March

Notary Public
[seal of notary]

Melissa Martin

My commission expires:

June 13, 2026



4. **BID SCHEDULE**

The Bidder agrees to perform all the Work described in the Specifications and shown on the Plans for the following proposed lump sum price, 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 Subcontractors involved, within the time set forth herein.

All pricing must be submitted correctly in Ion Wave to reflect the correct bid price. Contractors are responsible for correctly submitting pricing in Ion Wave. If the amount is entered incorrectly, the bid will be rejected.

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.

LUMP SUM BID PRICE:

Town Branch WWTP Primary Digester No. 2 Roof Leak Repairs =	SUBMIT IN ION WAVE ONLY
--	--

Submitted by:

W Principles, LLC.
Firm

200 Apperson Heights, Mt. Sterling, KY 40353
Address

↓

City, State & Zip

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

Andrew Eberle, Project Manager
Signature of Authorized Company Representative – Title

Andrew Eberle
Representative's Name (Typed or Printed)

502-381-4677
Area Code – Phone – Extension

Fax #

aeberle@wprinciples.com
E-Mail Address

OFFICIAL ADDRESS:

200 Apperson Heights

Suite 200

Mt. Sterling, KY 40353

(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: W Principles, LLC

2. Permanent Place of Business: 200 Apperson Heights Suite 200 Mt. Sterling, KY 40353

3. When Organized: 1933

4. Where Incorporated: N/A.

5. Construction Plant and Equipment Available for this Project:

W Principles has a fleet of construction equipment, including dozers, excavators, articulated trucks, rollers, backhoes, skid steers, and telehandlers, all of which will be made readily available for this project (if needed).

(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 Procurement 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:

SiriusPoint America Insurance Company (Surety)

Signed: *See attached bid bond signature* (Representative of Surety)

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

<u>NAME</u>	<u>LOCATION</u>	<u>CONTRACT SUM</u>
Marion WWTP	Marion, KY	\$15,000,000.00
Elkton WWTP Improvements	Elkton, KY	\$3,000,000.00
Town Branch RAS/WAS	Lexington, KY	\$3,000,000.00

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

<u>NAME</u>	<u>LOCATION</u>	<u>CONTRACT SUM</u>
Town Branch Odor Project	Lexington, KY	\$2,000,000.00.

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>
David Parker	Site Superintendent	5
Andrew Eberle	Project Manager	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>
N/A.	N/A.	N/A.	N/A.

(USE ADDITIONAL SHEETS IF NECESSARY)

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 by the LFUCG. Failure to submit this completed list may be cause for rejection of Bid.

<u>BRANCH OF WORK -</u> <u>LIST EACH MAJOR</u> <u>ITEM</u>	<u>SUBCONTRACTOR</u>	<u>MWDBE/</u> <u>VOSB</u> <u>Yes/No</u>	<u>% of</u> <u>Work</u>
Such as: Grading, bituminous paving, concrete, seeding and protection, etc.			
1. <u>Special Construction</u> <u>(Membrane)</u>	Name: <u>HP Thompson / Evogua</u> <u>8780</u> Address: <u>8080 Technology Dr Suite 102</u> <u>Fishers, IN 46038</u>	<u>NO</u>	
2. <u>Roof Repairs</u>	Name: <u>Kalkreuth Roofing</u> Address: <u>2131 Capstone Dr</u> <u>Lexington, KY 40353</u>	<u>NO</u>	
3. _____	Name: _____ Address: _____ _____		
4. _____	Name: _____ Address: _____ _____		
5. _____	Name: _____ Address: _____ _____		

(Attach additional sheet(s) if necessary.)

7. **LFUCG'S MINORITY, WOMEN, AND DISADVANTAGED BUSINESS ENTERPRISE (MWDBE) AND VETERAN-OWNED SMALL BUSINESS (VOSB) PARTICIPATION GOALS**

A. GENERAL

- 1) LFUCG requests all potential contractors to make a concerted effort to include MWDBEs and VOSBs as subcontractors or suppliers in their Bids. MWDBEs consist of Minority Business Enterprises (MBE), Women Business Enterprises (WBE), and Disadvantaged Business Enterprises (DBE).
- 2) LFUCG has set a combined minimum MBE and WBE participation goal of seventeen percent (17%) with minimum subgoals of five percent (5%) for MBEs and twelve percent (12%) for WBEs. LFUCG recommends that DBEs participate as applicable. It is recommended that each Bidder make a good faith effort to meet this goal. Bidders shall comply with other MWDBE requirements as outlined in this section.
- 4) LFUCG has set a goal that not less than three percent (3%) of the total value of this Contract be subcontracted to VOSBs. It is recommended that each Bidder make a good faith effort to meet this goal. Bidders shall comply with other MWDBE requirements as outlined in this section.

B. PROCEDURES

- 1) The successful Bidder will be required to report to LFUCG the dollar amounts of all payments submitted to MWDBE/VOSB subcontractors and suppliers for work done or materials purchased for this Contract. Reporting requirements will be satisfied via LFUCG's Diverse Business Management Compliance System, <https://lexingtonky.diversitycompliance.com/> and/or as requested by the Division of Procurement.
- 2) Replacement of a MWDBE/VOSB 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/VOSB firm. This replacement is subject to approval by LFUCG. (See LFUCG MWDBE Substitution Form)
- 3) For assistance in identifying qualified certified MWDBE/VOSB businesses to solicit for potential contracting opportunities, bidders may contact LFUCG Division of Procurement at 859-258-3320 or by emailing Sherita Miller, MBE Liaison at smiller@lexingtonky.gov.
- 4) LFUCG will make every effort to notify interested MWDBE/VOSB subcontractors and suppliers of bidding opportunities 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) MWDBE and VOSB definitions can be found in the MBEP forms in this Form of Proposal.
- 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, LFUCG will consider whether the bidder or proposer has performed the efforts outlined in the Obligations of Bidder for Good Faith Efforts detailed in this document. Other relevant factors will also be considered.

D. OBLIGATION OF BIDDER FOR GOOD FAITH EFFORTS

- 1) **Bidders shall make a good faith effort to achieve the participation goals for MWDBE/VOSB subcontractors and suppliers. Applicable good faith efforts are delineated in the MBEP forms in this Form of Proposal. Failure to meet the MWDBE/VOSB participation goals shall not necessarily be cause for disqualification of Bidders. Bidders not meeting the goal are required to furnish with their Bids written documentation of their good faith efforts to do so.**
- 2) Contract Award 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

All Bidders are required to submit with their Bid a completed MWDBE Participation Form, completed Attachment A – Small Business, MWDBE, and VOSB Outreach Plan, and a written statement documenting their good faith efforts. If Bid includes no MWDBE/VOSB participation, bidder shall enter “None” on the MWDBE Participation Form. Indicated forms and instructions for completion can be found in the MBEP section in this Form of Proposal.



LEXINGTON

MINORITY BUSINESS ENTERPRISE PROGRAM

Sherita Miller, MPA
Minority Business Enterprise Liaison
Division of Procurement
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 (MBEP) is to facilitate the participation of Minority Business Enterprises (MBEs), Women Business Enterprises (WBEs), Disadvantaged Business Enterprises (DBEs), Veteran-Owned Small Businesses (VOSBs), and Service-Disabled Veteran-Owned Small Businesses (SDVOSBs) in the procurement process and to promote economic inclusion as a business imperative essential to the long-term economic viability of the Lexington-Fayette Urban County Government (LFUCG). For clarity, the term Minority, Women, and Disadvantaged Business Enterprises (MWDDBE) will be an all-encompassing term used to refer to MBEs, WBEs, and DBEs.

To that end the LFUCG adopted and implemented Resolution 272-2024 implementing a revised combined minimum MBE and WBE goal of seventeen percent (17%) for government contracts with minimum subgoals of five percent (5%) for MBEs and twelve percent (12%) for WBEs. There remains a minimum three percent (3%) goal for VOSBs for government contracts. LFUCG recommends that DBEs participate as applicable.

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

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 defined 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. Black American, Asian American, Hispanic American, Native American).

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 Procurement as having the appropriate credentials to make a determination as to the status of the business.

The following certifications are recognized and accepted by the MBEP:

Kentucky Transportation Cabinet (KYTC), Disadvantaged Business Enterprise (DBE)
Kentucky Minority and Women Business Enterprise (MWBE)
Women's Business Enterprise National Council (WBENC)
National Women Business Owners Corporation (NWBOC)
National Minority Supplier Development Council (NMSDC)
Tri-State Minority Supplier Development Council (TSMSDC)
U.S. Small Business Administration Veteran Small Business Certification (VetCert)
Kentucky Service- Disabled Veteran Owned Small Business (SDVOSB)

To comply with Resolution 272-2024, prime contractors, MWDBEs, and VOSBs must complete monthly contract compliance audits in the Diverse Business Management Compliance system,
<https://lexingtonky.diversitycompliance.com/>.

A list of organizations that certify and/or maintain lists of certified MWDBEs and VOSBs is available upon request by emailing Sherita Miller at smiller@lexingtonky.gov.



LEXINGTON

LFUCG MWDBE PARTICIPATION FORM

Bid/RFP/Quote Reference # _____

The MWDBE and/or VOSB 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 Procurement for approval immediately. **Failure to submit a completed form may cause rejection of the Bid.**

MWDBE or VOSB Company, Name, Address, Phone, Email	MBE, WBE, DBE, VOSB?	Work to be Performed	Total Dollar Value of the Work	% Value of Total Contract
1. N/A				
2.				
3.				
4.				

The undersigned company representative submits the above list of MWDBE/VOSB 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.

W Principles
Company


Company Representative

March 27th, 2025
Date

Project Manager
Title



LEXINGTON

LFUCG MWDBE SUBSTITUTION FORM

Bid/RFP/Quote Reference # _____

The substituted MWDBE and/or VOSB 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 Procurement 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. **Note: Form required if a subcontractor is being substituted on a contract.**

SUBSTITUTED MWDBE/VOSB Company Name, Address, Phone, Email	MWDBE/VOSB 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. N/A					
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.

W Principles, LLC
Company

March 27th, 2025
Date

[Signature]
Company Representative

Project Manager
Title



DOCUMENTATION REQUIRED FOR GOOD FAITH EFFORTS AND OUTREACH PLANS

As affirmed in Resolution Number 272-2024, the LFUCG has adopted an annual aspirational goal of utilizing at least seventeen percent (17%) of public funds spent from certain discretionary agreements with certified MBEs and WBEs, utilizing at least three percent (3%) of public funds from certain discretionary agreements with certified VOSBs, and utilizing DBEs where applicable. Bidders should make every effort to achieve these goals.

Therefore, as an element of the responsiveness of the Bid, all Bidders are required to submit documentation of their good faith and outreach efforts to ensure all businesses, including small business and disadvantaged businesses such as MWDBEs and VOSBs have an equal opportunity to compete for and participate in the performance of any subcontracts resulting from this procurement. Examples of good faith and outreach efforts that satisfy this requirement to encourage the participation of MWDBEs and VOSBs include:

1. 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 MWDBEs/VOSBs not less than fifteen (15) days prior to the deadline for submission of bids to allow MWDBEs/VOSBs to participate.
2. Attended LFUCG Procurement Economic Inclusion Outreach event(s) within the past year to meet small businesses, MWDBEs, and/or VOSBs to partner with on LFUCG contracts and procurements.
3. Attended pre-bid/pre-proposal meetings that were scheduled by LFUCG to inform small businesses, MWDBEs, and VOSBs of subcontracting opportunities.
4. Sponsored Economic Inclusion event to provide networking opportunities for prime contractors and small businesses, MWDBEs, and VOSBs.
5. Requested a list of certified small business, MWDBE, and VOSB subcontractors or suppliers from LFUCG and showed evidence of contacting the companies on the list(s).
6. Contacted organizations that work with small businesses, MWDBEs, and VOSBs for assistance in finding certified MWDBEs and VOSBs to work on this project. Those contacted and their responses must be a part of the Bidder's outreach efforts documentation.
7. Sent written notices, by certified mail, email, or facsimile, to qualified, certified small businesses, MWDBEs, and VOSBs 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.
8. Followed up initial solicitations by contacting small businesses, MWDBEs, and VOSBs via tailored communications to determine their level of interest.
9. Provided the interested small businesses, MWDBEs, and VOSBs with adequate and timely information about the plans, specifications, and requirements of the contract.
10. Selected portions of the work to be performed by small businesses, MWDBEs, and VOSBs to increase the likelihood of subcontracting participation. This includes, where appropriate, breaking out contract work items into economically feasible units to facilitate small business, MWDBE, and VOSB participation, even when the prime contractor may otherwise perform these work items with its own workforce.

11. Negotiated in good faith with interested small businesses, MWDBEs, and VOSBs, not rejecting them as unqualified without sound reasons based on a thorough investigation of their capabilities. Any rejection must be so noted in writing with a description as to why an agreement could not be reached.
12. Included documentation of quotations received from interested small businesses, MWDBEs, and VOSBs that 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 must 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 quote from a small business, MWDBE, or VOSB. Nothing in this provision shall be construed to require the Bidder to accept unreasonable quotes in order to satisfy the participation goals.
13. Made an effort to offer assistance to or refer interested small businesses, MWDBEs, and VOSBs to obtain the necessary equipment, supplies, materials, insurance, and/or bonding to satisfy the work requirements of the Bid proposal.
14. Made efforts to expand the search for small businesses, MWDBEs, and VOSBs beyond the usual geographic boundaries.
15. Other – any other evidence that the Bidder submits that may demonstrate that the Bidder has made reasonable efforts to include small business, MWDBE, and VOSB participation.

Bidder must document, with specificity, each of the efforts it made to include small businesses, MWDBEs, and VOSBs as subcontractors in the procurement, including the date on which each effort was made, the method via which each effort was made, and the outcome of each effort.

Note: Failure to submit 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 and Outreach Efforts must be submitted with the Bid, regardless of the proposed level of small business, MWDBE, and VOSB participation in the procurement. If the Good Faith and Outreach Effort documentation is not submitted with the Bid response, the Bid may be rejected.

OUTREACH EFFORTS EVALUATION

Outreach efforts demonstrated by the Bidder or respondent will be evaluated on a pass/fail basis.

ATTACHMENT A – SMALL BUSINESS, MWDBE, and VOSB OUTREACH PLAN

Proposer Name: W Principles, LLC Date: March 27th, 2025
Project Name: TB WWTP Primary Digester Repair Project Number: 28-2025
Contact Name: Andrew Eberle Telephone: 502-381-4677
Email: aeberle@wprinciples.com

The mission of the MBEP is to facilitate the full participation of MWDBEs and VOSBs in the procurement process and to promote economic inclusion as a business imperative essential to the long-term economic viability of LFUCG.

To that end, small businesses, MWDBEs, and VOSBs must have an equal opportunity to be utilized in the performance of contracts with public funds spent from certain discretionary agreements. By submitting its offer, Bidder/Proposer certifies that it has taken, and, if there are further opportunities, will take, reasonable steps to ensure that small businesses, MWDBEs, and VOSBs are provided an equal opportunity to compete for and participate in the performance of any subcontracts resulting from this procurement.

The information submitted in response to this clause will not be considered in any scored evaluation. Failure to submit this form may cause the Bid or proposal to be rejected.

Is the Bidder/ Proposer a certified firm? Yes ☐ No ☒

If yes, indicate all certification type(s):

DBE ☐ MBE ☐ WBE ☐ VOSB/SDVOSB ☐ small business ☐

and supply a copy of the certificate and/or certification letter if not currently listed on the city's MBEP certified list.

1. Include a list of firms that Bidder/ Proposer has had a contractual relationship with within the last two years that are small businesses, MWDBEs, and/or VOSBs, regardless of their certification status.

2. Does Bidder/Proposer foresee any subcontracting opportunities for this procurement?

Yes ☐ No ☒

If no, please explain why in the field below. Do not complete the rest of this form and submit this first page with your Bid and/or proposal.

If yes, please complete the following pages and submit all pages with your bid and/or proposal.

Describe the steps Bidder/Proposer took to solicit small businesses, MWDBEs, and/or VOSBs for subcontracting opportunities for this procurement.

3. Check the good faith and outreach efforts the Bidder/Proposer used to encourage the participation of small businesses, MWDBEs, and/or VOSBs:

- ☐ Bidder placed advertisements in search of prospective small businesses, MWDBEs, and/or VOSBs for the solicitation.
- ☐ Bidder attended LFUCG Procurement Economic Inclusion Outreach event(s) within the past year.
- ☐ Bidder attended pre-bid and/or pre-proposal meetings for this solicitation.
- ☐ Bidder sponsored an Economic Inclusion Outreach event.
- ☐ Bidder requested a list of small business and certified MWDBE and VOSB subcontractors or suppliers from LFUCG.
- ☐ Bidder contacted organizations that work with small businesses, MWDBEs, and/or VOSBs.
- ☐ Bidder sent written notices to small business and certified MWDBEs and VOSBs.
- ☐ Bidder followed up to initial solicitations with interested small businesses, MWDBEs, and/or VOSBs.
- ☐ Bidder provided small businesses, MWDBEs, and VOSBs interested in performing the solicited work with prompt access to the plans, specifications, scope of work, and requirements of the solicitation.
- ☐ Bidder made efforts to segment portions of the work to be performed by small businesses, MWDBEs, and VOSBs, including dividing sub-bid/partnership opportunities into economically feasible units/parcels to facilitate participation.
- ☐ Bidder negotiated in good faith with interested small businesses, MWDBEs, and/or VOSBs.
- ☐ Bidder provided adequate rationale for rejecting proposals from small businesses, MWDBEs, and/or VOSBs for lack of qualifications.
- ☐ Bidder offered assistance in obtaining bonding, insurance, financial, equipment, or other resources to small businesses, MWDBEs, and/or VOSBs in an effort to assist them in meeting project requirements.
- ☐ Bidder made efforts to expand the search for small businesses, MWDBEs, and/or VOSBs beyond the usual geographic boundaries.
- ☐ Bidder made other reasonable efforts to include small business, MWDBE, and/or VOSB participation.

4. Bidder/Proposer must include documentation, including the date each effort was made, the method via which each effort was made, and the outcome of each effort with this form, regardless of the level of small business, MWDBE, and/or VOSB participation. Examples of required documentation include copies of email communications, copies of newspaper advertisements, or copies of quotations received from interested small businesses, MWDBE, and/or VOSBs.

For detailed information regarding outreach efforts that satisfy the MBEP's requirements, please see "Documentation Required for Good Faith Efforts and Outreach Plans" page.

Note: The Bidder/Proposer must be willing to report the identity of each subcontractor and the value of each subcontract to MBEP if awarded a contract from this procurement.

Failure to submit the documentation requested may be cause for rejection of the 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 and Outreach Efforts must be submitted with the Bid, regardless of the proposed level of small business, MWDBE, and VOSB participation in the procurement. If the Good Faith and Outreach Effort Form and associated documentation is not submitted with the Bid response, the Bid may be rejected.

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.

W Principles, LLC
Company
March 27th, 2025
Date

[Signature]
Company Representative
Project Manager
Title

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 LFUCG, and is not in violation of any prohibited conflict of interest;
5. (Applicable to corporation only) That as a foreign corporation, we are registered with the Secretary of State, Commonwealth of Kentucky, and authorized to do business in the State _____ or, that as a domestic corporation, we are in good standing with the Secretary of State, Commonwealth of Kentucky _____. Check the statement applicable.
6. This offer is for 60 calendar days from the date this Bid is opened. In submitting the above, it is expressly agreed that, upon proper acceptance by the LFUCG 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 subcontracts have not and will not be awarded to any firm(s) that have 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.

9. **STATEMENT OF EXPERIENCE**

NAME OF INDIVIDUAL: Art Walker IV

POSITION/TITLE: President

STATEMENT OF EXPERIENCE: _____

Mr. Walker has been in the construction industry since 2009. Since joining the office in 2020, Mr. Walker has completed over 20 projects with a cumulative contractual value over \$50mm.

NAME OF INDIVIDUAL: Andrew Eberle

POSITION/TITLE: Project Manager

STATEMENT OF EXPERIENCE: _____

Mr. Eberle has been in the construction industry since 2017. Since joining the office in 2021, Mr. Eberle has completed over 10 projects with a cumulative contractual value over \$25mm.

NAME OF INDIVIDUAL: David Parker

POSITION/TITLE: Site Superintendent

STATEMENT OF EXPERIENCE: _____

Mr. Parker has been in the construction industry since 1990. Mr. Parker has completed over 50 projects in the WWTP / WTP industry with a cumulative contractual value over \$250mm.

NAME OF INDIVIDUAL: _____

POSITION/TITLE: _____

STATEMENT OF EXPERIENCE: _____

NAME OF INDIVIDUAL: _____

POSITION/TITLE: _____

STATEMENT OF EXPERIENCE: _____

NAME OF INDIVIDUAL: _____

POSITION/TITLE: _____

STATEMENT OF EXPERIENCE: _____

NAME OF INDIVIDUAL: _____

POSITION/TITLE: _____

STATEMENT OF EXPERIENCE: _____

Include all officers, office management, 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


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 W Principles, LLC

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: W PRINCIPLES, LLC

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	M	F
Administrators		5															
Professionals																	
Superintendents		10															
Supervisors		3															
Foremen		3															
Technicians																	
Protective Service																	
Para-Professionals																	
Office/Clerical																	
Skilled Craft		10															
Service/Maintenance																	
Total:		31															

Prepared by: W Principles, LLC

(Name and Title)

Date: 03, 27, 2025

Revised 2015-Dec-15

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: W Principles, LLC

Employee ID: 84-3590572

Address: 200 Apperson Heights Suite 200 Mt. Sterling, KY 40353

Phone: (859) 498-0092

Project to be insured: Town Branch Dewatering Pump Station Improvements

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-2 - see provisions	CGL	\$1,000,000 per occ. And \$2,000,000 aggregate	\$1mm per occurrence, \$2mm aggregate.	Phoenix Insurance	25623	A++
SC-2 - see provisions	AUTO	\$1,000,000/per occ.	\$ 1mm per occurrence	Travelers	25674	A++
SC-2 - see provisions	WC	Statutory w/ endorsement as noted	\$ 4.5mm per occurrence	AGC	25674	A-
SC-2 - see provisions	EXC	\$2,000,000 per occ.	\$ 10mm per occurrence	Travelers	25674	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.

Acrisure Southeast

Art Walker IV

Agency or Brokerage

Name of Authorized Representative

780 Winchester Road

President

Street Address

Lexington KY 40505

Title

(859) 977-4878

Authorized Signature

March 27th, 2025

Telephone Number

Date

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

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

14. DEBARRED FIRMS

PROJECT NAME: Town Branch Dewatering Pump Station Improvements

BID NUMBER: 172-2024

**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 W Principles, LLC 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.

W Principles, LLC

Name of Firm Submitting Bid



Signature of Authorized Official

President

Title

March 27th, 2025

Date

15. DEBARMENT CERTIFICATION

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

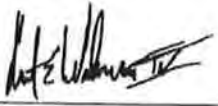
The contractor/subcontractor certifies in accordance with Executive Order 12549 (Debarment and Suspension 2/18/86) that to the best of its knowledge and belief, that it and its principals:

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

Firm Name: W Principles, LLC

Project: Town Branch Dewatering Pump Station Improvements

Printed Name and Title of Authorized Representative: Art Walker IV - President

Signature: 

Date: March 27th, 2025

END OF SECTION



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Bid Bond

CONTRACTOR:

(Name, legal status and address)

W Principles, LLC d/b/a The Walker Company of Kentucky
200 Apperson Heights, Suite 200
Mt. Sterling, KY 40353

SURETY:

(Name, legal status and principal place of business)

SiriusPoint America Insurance Company
A NY Corporation
1 World Trade Center, 285 Fulton Street
47th Floor Suite 47J
New York, NY 10007

OWNER:

(Name, legal status and address)

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

BOND AMOUNT: \$ Five Percent of Amount Bid (5%)

PROJECT:

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

Town Branch WWTP Primary Digester Repairs
Lexington, KY

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.

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

Init.

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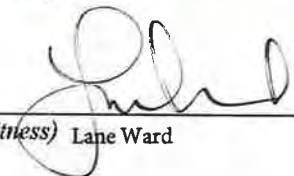
User Notes:

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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.

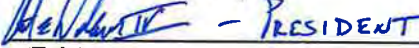
Signed and sealed this 26th day of March , 2025.


(Witness)


(Witness) Lane Ward


W Principles, LLC d/b/a The Walker Company of Kentucky

(Contractor as Principal) (Seal)

 - PRESIDENT
(Title)

SiriusPoint America Insurance Company

(Surety) (Seal)


(Title) Jeffrey M. Wilson, Attorney-in-Fact

Init.

Certification of Document's Authenticity

AIA® Document D401™ – 2003

I, Jeffrey M. Wilson, Attorney-in-Fact, hereby certify, to the best of my knowledge, information and belief, that I created the attached final document simultaneously with this certification 11:21:23 CT on 03/26/2025 under Order No. 4104251021 from AIA Contract Documents software and that in preparing the attached final document I made no changes to the original text of AIA® Document A310™ - 2010, Bid Bond, other than changes shown in the attached final document by underscoring added text and striking over deleted text.



(Signed)

Jeffrey M. Wilson, Attorney-in-Fact

(Title)

March 26, 2025

(Dated)

**POWER OF ATTORNEY
SIRIUSPOINT AMERICA INSURANCE COMPANY
NEW YORK**

KNOW ALL MEN BY THESE PRESENTS: That SiriusPoint America Insurance Company, a New York corporation, having its principal office in the City of New York, pursuant to the following Resolution, which was adopted by the Board of Directors of the Company, to wit:

RESOLVED, that the President, Senior Vice President, Chief Financial Officer, Secretary or Assistant Secretary is hereby authorized to execute Powers of Attorney appointing as attorneys-in-fact selected employees of certain surety companies who shall have the power for and on behalf of the Company to execute and affix the seal of the Company to surety contracts as co-surety.

Does hereby nominate, constitute and appoint:

William M. Smith, Robert R. Freel, Richard H. Mitchell, Mark W. Edwards, II, Jeffrey M. Wilson, Anna Childress, Alisa B. Ferris

Its true and lawful attorney-in-fact, to make, execute, seal and deliver for and on its behalf, and as its act and deed; any and all bonds, contracts, agreements of indemnity, and other undertakings in suretyship (NOT INCLUDING bonds without a fixed penalty or financial guarantee bonds) and to bind the Company thereby as fully and to the same extent as if same were signed by the duly authorized officers of the Company, provided, however, that the penal sum of any one such instrument executed hereunder shall not exceed the sum of:

\$50,000,000 single bond limit

All acts of said attorneys-in-fact pursuant to the authorities herein given are hereby ratified and confirmed. The executive officers listed above in the Resolution may from time to time and at any time remove any such appointee and revoke the power given to him or her.

The execution of such bonds or undertakings in pursuance of these presents, within one year of the date of issue of these presents, shall be binding upon said Company, as fully and amply, to all intents and purposes, as if they had been duly executed and acknowledged by the regularly elected officers of the Company at its office in New York, New York, in their own proper persons.

IN WITNESS WHEREOF, SiriusPoint America Insurance Company has caused its corporate seal to be hereunto affixed, and these presents to be signed by its Secretary this 17th day of August in the year 2023.

SiriusPoint America Insurance Company

By: 
Melissa J. Ralph
Secretary

State of New Jersey }

} ss.

County of Monmouth }

On this 17th day of August 2023, before me, a Notary Public of the State of New Jersey in and for the County of Monmouth duly commissioned and qualified, came Melissa J. Ralph, Secretary, of SiriusPoint America Insurance Company, to me personally known to be the individual and officer described in, and who executed the preceding instrument, and acknowledged the execution of the same, and, being by me duly sworn, depose and say, that she is the officer of the Company aforesaid, and that the seal affixed to the preceding instrument as the corporate seal of said Company, and the said corporate seal and her signature as officer were duly affixed and subscribed to the said instrument by the authority and direction of the said Company, referred to in the preceding instrument, is now in force.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal.



State of New Jersey
County of Monmouth


Notary Public
My Commission expires
March 31, 2028

I, Melissa J. Ralph, Secretary, of SiriusPoint America Insurance Company, a New York corporation, do hereby certify that the above and foregoing is a full, true correct copy of Power of Attorney, is still in force and effect and has not been revoked.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said Company this 26 day of March, 2025




Melissa J. Ralph
Secretary