

PART III

Invitation to Bid No. 57-2012

HVAC Replacement for Charles Young Center

2012

1. FORM OF PROPOSAL

Place: Lexington, Kentucky

Date: 5/1/2012

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

This Proposal Submitted by Disponette Service Company, Inc.
717 E. Loudon Avenue, Lexington KY 40505
(Name and Address of Bidding Contractor)

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

To: Lexington-Fayette Urban County Government
(Hereinafter called "OWNER")
Office of the Director of Central Purchasing
200 East Main Street, Room 338
Lexington, KY 40507

Gentlemen:

The bidder, in compliance with your Invitation for Bids for the HVAC Replacement for Charles Young Center, # 57-2012;
Lexington, Kentucky, 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 Bidder hereby agrees to commence Work under this Contract on a date to be specified in a written "Notice to Proceed" of the OWNER and to fully complete the Project by August 8, 2012.

The Bidder hereby acknowledges receipt of the following addenda:

Addendum No. <u>1</u> Date <u>4/17/2012</u> ;	Addendum No. <u>1</u> Date <u>4/26/2012</u>
Addendum No. <u>1</u> Date <u>4/18/2012</u> ;	Addendum No. _____ Date _____
Addendum No. <u>1</u> Date <u>4/19/2012</u> ;	Addendum No. _____ Date _____
Addendum No. <u>2</u> Date <u>4/20/2012</u> ;	Addendum No. _____ Date _____

Minority Participation Notification
Addendum for Minority Participation

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 Disponette Service Company, Inc.

Date 5/1/2012

* 1. A corporation duly organized and doing business under the laws of the State of KY, for whom J.R. Disponette, bearing the official title of President, whose signature is affixed to this 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 Proposal. (Print name)

~~_____

_____~~

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

3. BIDDERS AFFIDAVIT

Comes the Affiant, J.R. Disponette, and after being first duly sworn, states under penalty of perjury as follows:

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

Further, Affiant sayeth naught.

J.R. Drapeau

COMMONWEALTH OF KENTUCKY

COUNTY OF FAYETTE

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

J.R. Drapeau on this the 10th day of May, 2012

My Commission expires:

June 10, 2012

W. Zable L. Sandusky

NOTARY PUBLIC, STATE AT LARGE, KY

4. BID SCHEDULE

The Bidder agrees to perform all the Work described in the Specifications and shown on the Plans for the following lump sum and/or unit prices which shall include the furnishing of all labor, materials, supplies, services, all items of cost, overhead, taxes (federal, state, local), and profit for the Contractor and any Subcontractor involved. The Bidder must make the extensions and additions showing the total amount of bid.

HVAC Replacement for Charles Young Center

Item No.	Unit To Bid On	Description w/Bid Price Written In Words	Total Amount Bid
1.	Lump Sum	HVAC Systems as per Specs <i>One hundred and eighty two thousand, six hundred dollars and no cents</i> Dollars Lump Sum	\$182,600. ⁰⁰

Respectfully Submitted,

BY: DISPONETTE SERVICE COMPANY, Inc.
 (NAME OF FIRM)

DATE: 5/1/2012

BY: J.R. Disponette
 J.R. Disponette

TITLE: President

OFFICIAL ADDRESS AND PHONE:

717 East Loudon Avenue
Lexington, KY 40505

(Seal if Bid is by Corporation)

by signing this form you agree to all of the terms and associated forms.

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: DISPONETTE SERVICE COMPANY, INC.
2. Permanent Place of Business: 717 East Loudon Avenue, Lexington KY 40505
3. When Organized: 1974
4. Where Incorporated: STATE OF KENTUCKY
5. Construction Plant and Equipment Available for this Project:
Scaffolding, Crane, Hole Saw, Concrete Saw
Oxygen/Acetylene Torches, Scissors Lift

(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:

Merchants Bonding Company (Surety)
Signed: [Signature] (Representative of Surety)

MERCHANTS
BONDING COMPANY™
POWER OF ATTORNEY

Know All Persons By These Presents, that MERCHANTS BONDING COMPANY (MUTUAL) and MERCHANTS NATIONAL BONDING, INC., both being corporations duly organized under the laws of the State of Iowa (herein collectively called the "Companies"), and that the Companies do hereby make, constitute and appoint, individually,

Christopher P Barnett; Sandy Q Black; Teresa Robinson; William F Cowgill Jr

of Lexington and State of KY their true and lawful Attorney-in-Fact, with full power and authority hereby conferred in their name, place and stead, to sign, execute, acknowledge and deliver in their behalf as surety any and all bonds, undertakings, recognizances or other written obligations in the nature thereof, subject to the limitation that any such instrument shall not exceed the amount of:

FOUR MILLION (\$4,000,000.00) DOLLARS

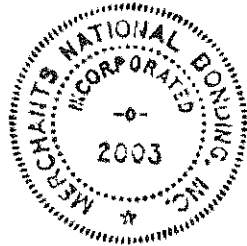
and to bind the Companies thereby as fully and to the same extent as if such bond or undertaking was signed by the duly authorized officers of the Companies, and all the acts of said Attorney-in-Fact, pursuant to the authority herein given, are hereby ratified and confirmed.

This Power-of-Attorney is made and executed pursuant to and by authority of the following By-Laws adopted by the Board of Directors of the Merchants Bonding Company (Mutual) on April 23, 2011 and adopted by the Board of Directors of Merchants National Bonding, Inc., on October 24, 2011.

"The President, Secretary, Treasurer, or any Assistant Treasurer or any Assistant Secretary or any Vice President shall have power and authority to appoint Attorneys-in-Fact, and to authorize them to execute on behalf of the Company, and attach the seal of the Company thereto, bonds and undertakings, recognizances, contracts of indemnity and other writings obligatory in the nature thereof.

The signature of any authorized officer and the seal of the Company may be affixed by facsimile or electronic transmission to any Power of Attorney or Certification thereof authorizing the execution and delivery of any bond, undertaking, recognizance, or other suretyship obligations of the Company, and such signature and seal when so used shall have the same force and effect as though manually fixed."

In Witness Whereof, the Companies have caused this instrument to be signed and sealed this 2nd day of March, 2012.



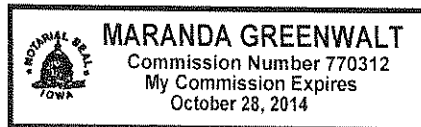
MERCHANTS BONDING COMPANY (MUTUAL)
MERCHANTS NATIONAL BONDING, INC.

By *Larry Taylor*
President

STATE OF IOWA
COUNTY OF POLK ss.

On this 2nd day of March, 2012, before me appeared Larry Taylor, to me personally known, who being by me duly sworn did say that he is President of the MERCHANTS BONDING COMPANY (MUTUAL) and MERCHANTS NATIONAL BONDING, INC.; and that the seals affixed to the foregoing instrument is the Corporate Seals of the Companies; and that the said instrument was signed and sealed in behalf of the Companies by authority of their respective Boards of Directors.

In Testimony Whereof, I have hereunto set my hand and affixed my Official Seal at the City of Des Moines, Iowa, the day and year first above written.



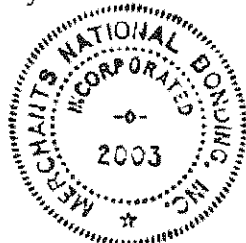
Maranda Greenwalt

Notary Public, Polk County, Iowa

STATE OF IOWA
COUNTY OF POLK ss.

I, William Warner, Jr., Secretary of the MERCHANTS BONDING COMPANY (MUTUAL) and MERCHANTS NATIONAL BONDING, INC., do hereby certify that the above and foregoing is a true and correct copy of the POWER-OF-ATTORNEY executed by said Companies, which is still in full force and effect and has not been amended or revoked.

In Witness Whereof, I have hereunto set my hand and affixed the seal of the Companies on this 1st day of May 2012



William Warner Jr.
Secretary

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>
1) <u>Dunbar Community Center</u> <u>(Energy Efficiency Upgrades)</u>	<u>Lexington, KY</u>	<u>\$ 512,624.00</u>
2) <u>MECHANICAL upgrades</u>	<u>(4) Harrison Co. Schools</u>	<u>\$ 450,000.00</u>
3) <u>Mechanical Room Upgrades</u>	<u>Churchill Park Apts, Louisville KY</u>	<u>\$ 350,000.00</u>
4) <u>Chiller Replacement / mechanical</u> <u>Upgrades</u>	<u>KY School for the Deaf</u> <u>Danville KY</u>	<u>\$ 250,000.00</u>
5) <u>HVAC Work - Town Branch</u> <u>Odor Control / HVAC Improvements</u>	<u>Lexington, KY</u>	<u>\$ 110,000.00</u>

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

<u>NAME</u>	<u>LOCATION</u>	<u>CONTRACT SUM</u>
1) <u>Dunbar Community Center</u> <u>(Energy Efficiency Upgrades)</u>	<u>Lexington KY</u>	<u>_____</u>
<u>_____</u>	<u>_____</u>	<u>_____</u>
<u>_____</u>	<u>_____</u>	<u>_____</u>
<u>_____</u>	<u>_____</u>	<u>_____</u>
<u>_____</u>	<u>_____</u>	<u>_____</u>
<u>_____</u>	<u>_____</u>	<u>_____</u>

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

<u>NAME</u>	<u>POSITION DESCRIPTION</u>	<u>NO. OF YEARS WITH BIDDER</u>
<u>Doug Riddle</u>	<u>HVAC INSTALLER</u>	<u>3</u>
<u>STEVE HENSLEY</u>	<u>HVAC INSTALLER</u>	<u>2.5</u>
<u>BRIAN TAYLOR</u>	<u>HVAC SERVICE TECH/INSTALLER</u>	<u>6</u>
<u>BRIAN CASSIDY</u>	<u>HVAC INSTALLER</u>	<u>5</u>
<u>BOBBY DEERING</u>	<u>PIPEFITTER / PLUMBER</u>	<u>18</u>
<u>Kim EASTMAN</u>	<u>HVAC SERVICE TECH</u>	<u>17</u>

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>MAJORITY</u>
<i>None</i>			

(USE ADDITIONAL SHEETS IF NECESSARY)

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

Respectfully submitted:

Dispenette Service Company, Inc.
(Name of Contracting Firm)

BY: *JR Dispenette*

TITLE: *President*

DATE *5/1/2012*, 20 *12*

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 proposed work

- | | | |
|----------------------|--|-----------|
| 1. <u>Electrical</u> | Name: <u>Dixon Electric, Inc.</u> | <u>No</u> |
| | Address: <u>516 W. Fourth Street</u>
<u>Lexington, KY 40508</u> | |
| 2. <u>Roofing</u> | Name: <u>Reliable Roofing</u> | <u>No</u> |
| | Address: <u>Lexington, KY</u> | |
| 3. <u>Crane Work</u> | Name: <u>Wilhite Erecting</u> | <u>No</u> |
| | Address: <u>2309 Old Frankfort, Pike</u>
<u>Lexington KY</u> | |
| 4. _____ | Name: _____ | _____ |
| | Address: _____ | |
| 5. _____ | Name: _____ | _____ |
| | Address: _____ | |
| 6. _____ | Name: _____ | _____ |
| | Address: _____ | |
| 7. _____ | Name: _____ | _____ |
| | Address: _____ | |

**7. AUTHENTICATION OF BID AND STATEMENT OF
NON-COLLUSION AND NON-CONFLICT OF INTEREST**

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

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

AUTHENTICATION OF BID AND STATEMENT OF
NON-COLLUSION AND NON-CONFLICT OF INTEREST (continued)

Firm: DISPONETTE SERVICE COMPANY, INC.

Address: 717 East Loudon Avenue

Lexington KY 40505

Telephone: (859) 255-7157

Date: 5/1/2012

8. STATEMENT OF EXPERIENCE

NAME OF INDIVIDUAL: J.R. Disponette

POSITION/TITLE: President

STATEMENT OF EXPERIENCE: President/owner of Company since it started in 1974. Experienced in all phases of HVAC/Plumbing Contracting for 39 years. Master's License in HVAC, Plumbing, and Electrical, and has a State of Kentucky Boiler License.

NAME OF INDIVIDUAL: Rob Jones

POSITION/TITLE: Sales Engineer/Project Manager (17 years with Disponette)

STATEMENT OF EXPERIENCE: Project Manager on HVAC Projects for Disponette Service. Also, engaged in Sales/Design. Over 25 years experience in HVAC/Mechanical Field. (Bachelor of Science and Associate of Science degrees from Eastern KY University).

NAME OF INDIVIDUAL: Doug Riddell

POSITION/TITLE: HVAC Technician/Installer

STATEMENT OF EXPERIENCE: Experienced in HVAC Field including Sheet metal fabrication. Lead Installer on many projects. 27 years experience in HVAC.

NAME OF INDIVIDUAL: Mable Sandusky

POSITION/TITLE: Bookkeeper / Human Resources

STATEMENT OF EXPERIENCE: All accounting, including A/R, A/P, Payroll, Liability, health insurance, & personal issues.
Maintain Company Policies. In accounting field for over 30 years (employed with Disponette - 7.5 years)

NAME OF INDIVIDUAL: _____

POSITION/TITLE: _____

STATEMENT OF EXPERIENCE: _____

BY: Disponette Service Co, Inc.
Name of Firm

DATE: 5-1-2012

BY: JR Disponette

TITLE: President

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

9. EQUAL OPPORTUNITY AGREEMENT

The Law

- * Title VII of the Civil Rights Act of 1964 (amended 1972) states that it is unlawful for an employer to discriminate in employment because of race, color, religion, sex, age (40-70 years) or national origin.
- * Executive Order No. 11246 on Nondiscrimination under Federal contract prohibits employment discrimination by contractor and subcontractor doing business with the Federal Government or recipients of Federal funds. This order was later amended by Executive Order No. 11375 to prohibit discrimination on the basis of sex.
- * Section 503 of the Rehabilitation Act of 1973 States:

The Contractor will not discriminate against any employee or applicant for employment because of physical or mental handicap.

- * Section 2012 of the Vietnam Era Veterans Readjustment Act of 1973 requires Affirmative Action on behalf of disabled veterans and veterans of the Vietnam Era by contractors having Federal Contracts.
- * Section 206 (A) of Executive Order 12086, Consolidation of Contract Compliance Functions for Equal Employment Opportunity, states:

The Secretary of Labor may investigate the employment practices of any Government contractor or sub-contractor to determine whether or not the contractual provisions specified in Section 202 of this order have been violated.

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

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

Bidders

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



Signature

DISPONETTE SERVICE COMPANY, 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 county, city, town, school district, water district, hospital district, or other political subdivision of the state shall include in directly or indirectly publicly funded contracts for supplies, materials, services, or equipment hereinafter entered into the following provisions:

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

- (1) *The contractor will not discriminate against any employee or applicant for employment because of race, color, religion, sex, age or national origin;*
- (2) *The contractor will state in all solicitations or advertisements for employees placed by or on behalf of the contractors that all qualified applicants will receive consideration for employment without regard to race, color, religion, sex, age or national origin;*
- (3) *The contractor 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 to 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 above quoted 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.

Any project over \$50,000 will require a Performance Bond in an amount equal to 100% of the contract.

10. EQUAL EMPLOYMENT OPPORTUNITY AFFIRMATIVE ACTION POLICY

It is the policy of Dispanette Service Company, 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.

Mable L. Sandusky has been appointed Equal Employment Compliance (EEOC) Officer and shall be available for counseling, answering of questions in regards to this company policy, and to hear any complaints of discrimination. The EEOC Officer may be reached by calling (859) 255-7157

Signature: J.R. Dispanette
(Bidding Contractor)

Title: President

Date: 5/1/2012

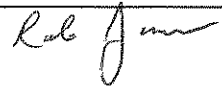
WORKFORCE ANALYSIS FORM

Name of Organization: Dispenette Service Company, Inc.

5/1/2012

Date: _____

Categories	Total	White		Black		Other		Total	
		M	F	M	F	M	F	M	F
Administrators	1	1							1
Professionals									
Attendants									
Drivers									
Technicians	14	14							14
Administrative Service									
Professionals									
Clerical	4	2	2						4
Craft									
Utility/Maintenance									
Total:	19	17	2						19

Prepared By: Rob Jones


05-01-12 08:48 DISPONETTE SERVICE COMPANY

ID=8592593324

P.02

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

Names Insured: Disponette Service Co. Inc
Address: 717 Loudon Ave
Lexington, KY 40505
Project to be insured: HVAC Replacement for Charles Young Center #57-2012

Employee ID: _____
Phone: 859-255-7157

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 Insured
(X) SC 4.1	CGL	\$1,000,000/per occ. \$2,000,000/aggregate	\$1,000,000 / \$3,000,000	See Above
(X)	AUTO	\$1,000,000/per occ.	\$1,000,000	See Above
(X)	WC	Statutory	\$ Statutory	See Above
	Employer's Liability	\$1,000,000	\$ 4,000,000	See Above

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.

Renee Knapp / Buckley
Agency or Brokerage Representative
698 Percival Dr
Street Address
Lexington KY 40517
City State Zip
859-264-8022 #243
Telephone Number

Renee Knapp
Name of Authorized
Agent
Title
Renee Knapp
Authorized Signature
5-1-12
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.



CERTIFICATE OF LIABILITY INSURANCE

OP ID RK
DISPO-2

DATE (MM/DD/YYYY)
04/29/12

PRODUCER Buckley & Co., Inc. 698 Perimeter Drive Lexington KY 40517-4120 Phone: 859-269-8002	THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW.	
	INSURERS AFFORDING COVERAGE	NAIC #
INSURED Disponette Service Co Inc 717 Loudon Avenue Lexington KY 40505	INSURER A: Selective Insurance	19259
	INSURER B: KY AGC/SIF	
	INSURER C:	
	INSURER D:	
	INSURER E:	

COVERAGES

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

INSR ADD'L LTR	INSRD	TYPE OF INSURANCE	POLICY NUMBER	POLICY EFFECTIVE DATE (MM/DD/YYYY)	POLICY EXPIRATION DATE (MM/DD/YYYY)	LIMITS
A		GENERAL LIABILITY <input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS MADE <input checked="" type="checkbox"/> OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input type="checkbox"/> PROJECT <input type="checkbox"/> LOC	S1924019	11/01/11	11/01/12	EACH OCCURRENCE \$ 1000000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 100000 MED EXP (Any one person) \$ 10000 PERSONAL & ADV INJURY \$ 1000000 GENERAL AGGREGATE \$ 3000000 PRODUCTS - COMP/OP AGG \$ 3000000 Emp Ben. 1000000
		AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO <input type="checkbox"/> ALL OWNED AUTOS <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> HIRED AUTOS <input type="checkbox"/> NON-OWNED AUTOS				COMBINED SINGLE LIMIT (Ea accident) \$ BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$
		GARAGE LIABILITY <input type="checkbox"/> ANY AUTO				AUTO ONLY - EA ACCIDENT \$ OTHER THAN EA ACC \$ AUTO ONLY: AGG \$
A		EXCESS / UMBRELLA LIABILITY <input type="checkbox"/> OCCUR <input type="checkbox"/> CLAIMS MADE <input type="checkbox"/> DEDUCTIBLE <input checked="" type="checkbox"/> RETENTION \$ 0	S1924019	11/01/11	11/01/12	EACH OCCURRENCE \$ 1,000,000 AGGREGATE \$ \$ \$
B		WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under SPECIAL PROVISIONS below	8001	01/01/12	12/31/12	<input checked="" type="checkbox"/> WC STATUTORY LIMITS <input type="checkbox"/> OTHER E.L. EACH ACCIDENT \$ 4000000 E.L. DISEASE - EA EMPLOYEE \$ 4000000 E.L. DISEASE - POLICY LIMIT \$ 4000000
		OTHER				

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES / EXCLUSIONS ADDED BY ENDORSEMENT / SPECIAL PROVISIONS
Job: HVAC Replacement for Charles Young Center #57-2012

CERTIFICATE HOLDER LFUCG 201 East Main St Lexington KY 40507	CANCELLATION SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, THE ISSUING INSURER WILL ENDEAVOR TO MAIL <u>14</u> DAYS WRITTEN NOTICE TO THE CERTIFICATE HOLDER NAMED TO THE LEFT, BUT FAILURE TO DO SO SHALL IMPOSE NO OBLIGATION OR LIABILITY OF ANY KIND UPON THE INSURER, ITS AGENTS OR REPRESENTATIVES. AUTHORIZED REPRESENTATIVE Micah Plotts
--	--

ACORD 25 (2009/01)

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LFUCG MBE/WBE PARTICIPATION FORM

Bid/RFP/Quote Reference # 57-2012

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

MBE/WBE Company, Name, Address, Phone, Email	Work to be Performed	Total Dollar Value of the Work	% Value of Total Contract
1. None			
2.			
3.			
4.			

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

Disponette Service Company, Inc.
Company
5-1-2012
Date

J.R. Disponette / J.R. Disponette
By
President
Title


LFUCG MBE/WBE SUBSTITUTION FORM

Bid/RFP/Quote Reference # 57-2012

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

SUBSTITUTED MBE/WBE Company Name, Address, Phone, Email	MBE/WBE Formally Contracted/ Name, Address, Phone, Email	Work to Be Performed	Reason for the Substitution	Total Dollar Value of the Work	% Value of Total Contract
1. <i>NONE</i>					
2.					
3.					
4.					

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

DISPONETTE SERVICE Co, INC. 5-1-2012
 Company Date
 *J.R. Disponette* President
 Company Representative Title



MBE QUOTE SUMMARY FORM

Bid/RFP/Quote Reference # 57-2012

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

Company Name <i>Dispanette Service Co, Inc.</i>	Contact Person <i>Rob Jones</i>
Address/Phone/Email <i>717 East London Avenue, Lexington KY 40505 rjones@dispanette.com</i>	Bid Package / Bid Date <i>57-2012 / 5-1-2012</i>

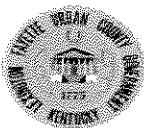
MBE/WBE Company Address	Contact Person	Contact Information (work phone, Email, cell)	Date Contacted	Services to be performed	Method of Communication (email, phone meeting, ad, event etc)	Total dollars \$\$ Do Not Leave Blank (Attach Documentation)	MBE * AA HA AS NA Female
<i>NONE</i>							

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

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

Dispanette Service Co, Inc.
Company
5-1-2012
Date

J.P. Dispanette
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. In order to measure that goal LFUCG will track spending with MBE/WBE vendors on a monthly basis. By the signature below of an authorized company representative, you certify that the information is correct, and that each of the representations set forth below is true. Any misrepresentation may result in termination of the contract and/or prosecution under applicable Federal and State laws concerning false statements and false claims. Please submit this form monthly to the Division of Central Purchasing/ 200 East Main Street / Room 338 / Lexington, KY 40507.

Bid/RFP/Quote # 57-2012
 Total Contract Amount Awarded to Prime Contractor for this Project _____

Project Name/ Contract # <i>Charles Young Center (HVAC Replacement)</i>	Work Period/ From: <i>MAY 2012</i>	To: <i>AUG 2012</i>
Company Name: <i>Dispanette Service Co, Inc.</i>	Address: <i>717 East London Avenue, Lex KY 40505</i>	
Federal Tax ID: <i>01-0965167</i>	Contact Person: <i>Rob Jones</i>	

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
<i>NONE</i>							

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.

Dispanette Service Co, Inc.
 Company

J.R. Dispanette
 Company Representative

5/1/2012
 Date

President
 Title

LFUCG STATEMENT OF GOOD FAITH EFFORTS

Bid/RFP/Quote # _____

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

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

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

Dispenette Service Company, Inc.
Company

J.R. Dispenette / J.R. Dispenette
Company Representative

5/1/2012
Date

President
Title



Lexington-Fayette Urban County Government
DEPARTMENT OF FINANCE & ADMINISTRATION

Jim Gray
Mayor

Jane C. Driskell
Commissioner

ADDENDUM #1

Bid Number: 57-2012

Date: April 18, 2012

Subject: HVAC Replacement for Charles Young Center


Please address inquiries to:
Sondra Stone, Buyer
(859) 258-3324

TO ALL PROSPECTIVE BIDDERS:

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

- 1) Control wiring to be run through the walls and not surface mounted.
- 2) Sheet D-1 (lower level) see attached
 - Add Sheet Tagged Note '3' in room across from Men's RR on plan north wall
 - Change Sheet Tagged Note '14' to read, "Demo boiler make-up air duct work and grille in mechanical room. Patch and paint to match existing. Replace existing louver with similar. Refer to Sheet ME-1."
- 3) Sheet ME-1 (lower level) see attached
 - Sheet Tagged Note '19' now to indicates new louver to be furnished and installed.
- 4) Sheet M5.1 see attached
 - Louver/Damper schedule has been added to sheet.
- 5) The Charles Young Center qualifies as an historic building and as such, the Secretary of the Interior's Standards must be followed throughout the project. All bidders must have ability and experience to comply with these Standards.

- 6) Revised plan sheets attached.
- 7) Pre-bid sign-in sheet attached.



Brian Marcum, Director
Division of Central Purchasing

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

COMPANY NAME: Dispanette Service Company, Inc.

ADDRESS: 717 East Loudon Avenue, Lexington, KY 40505

SIGNATURE OF BIDDER: 
J.R. Dispanette / President



Lexington-Fayette Urban County Government
DEPARTMENT OF FINANCE & ADMINISTRATION

Jim Gray
Mayor

Jane C. Driskell
Commissioner

ADDENDUM #2

Bid Number: 57-2012

Date: April 19, 2012

Subject: HVAC Replacement for Charles Young Center

Please address inquiries to:
Sondra Stone, Buyer
(859) 258-3324

TO ALL PROSPECTIVE BIDDERS:

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

- 1) The Sequence of Work has been changed. All HVAC work will be performed first with roofing work to follow. The HVAC Contractor is responsible for providing temporary roof protection to maintain the integrity of the roof during the performance of their work.
- 2) The Charles Young Center qualifies as an historic building and as such the Secretary of Interior's Standards must be followed throughout the Project. All bidders must have the ability and experience to comply with these Standards. Information can be found at <http://www.nps.gov/hps/tps/standguide/>.

Brian Marcum, Director
Division of Central Purchasing

Brian Marcum, Director
Division of Central Purchasing

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

COMPANY NAME: DISPONETTE SERVICE COMPANY, INC

ADDRESS: 717 East Loudon Avenue, Lexington, KY 40505

SIGNATURE OF BIDDER: J.R. Disponette / J.R. Disponette, President

THE AMERICAN INSTITUTE OF ARCHITECTS



AIA Document A310

Bid Bond

KNOW ALL MEN BY THESE PRESENTS, that we **Disponette Service Company, Inc., 717 Loudon Ave., Lexington KY 40505**

as Principal, hereinafter called the Principal, and **Merchants Bonding Company**

a corporation duly organized under the laws of the State of Iowa

as Surety, hereinafter called the Surety, are held and firmly bound unto **Lexington Fayette Urban County Government**

as Obligee, hereinafter called the Obligee, in the sum of **Five Percent of Amount Bid**


Dollars (\$ **5% of Bid**),

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

WHEREAS, the Principal has submitted a bid for **HVAC Replacement for Charles Young Center Bid #57-2012**

NOW, THEREFORE, if the Obligee shall accept the bid of the Principal and the Principal shall enter into a Contract with the Obligee in accordance with the terms of such bid, and give such bond or bonds as may be specified in the bidding or Contract Documents with good and sufficient surety for the faithful performance of such Contract and for the prompt payment of labor and material furnished in the prosecution thereof, or in the event of the failure of the Principal to enter such Contract and give such bond or bonds, if the Principal shall pay to the Obligee the difference not to exceed the penalty hereof between the amount specified in said bid and such larger amount for which the Obligee may in good faith contract with another party to perform the Work covered by said bid, then this obligation shall be null and void, otherwise to remain in full force and effect.

Signed and sealed this **1st** day of **May** **2012**

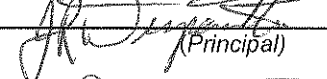


(Witness)



(Witness)


Disponette Service Company, Inc.



(Principal) (Seal)
PRESIDENT

(Title)

Merchants Bonding Company



(Surety) (Seal)
Sandy Q. Black, Attorney-in-Fact

(Title)

MERCHANTS
BONDING COMPANY™
POWER OF ATTORNEY

Know All Persons By These Presents, that MERCHANTS BONDING COMPANY (MUTUAL) and MERCHANTS NATIONAL BONDING, INC., both being corporations duly organized under the laws of the State of Iowa (herein collectively called the "Companies"), and that the Companies do hereby make, constitute and appoint, individually,

Christopher P Barnett; Sandy Q Black; Teresa Robinson; William F Cowgill Jr

of Lexington and State of KY their true and lawful Attorney-in-Fact, with full power and authority hereby conferred in their name, place and stead, to sign, execute, acknowledge and deliver in their behalf as surety any and all bonds, undertakings, recognizances or other written obligations in the nature thereof, subject to the limitation that any such instrument shall not exceed the amount of:

FOUR MILLION (\$4,000,000.00) DOLLARS

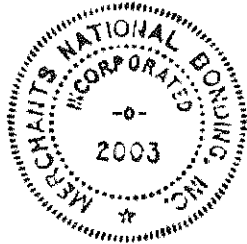
and to bind the Companies thereby as fully and to the same extent as if such bond or undertaking was signed by the duly authorized officers of the Companies, and all the acts of said Attorney-in-Fact, pursuant to the authority herein given, are hereby ratified and confirmed.

This Power-of-Attorney is made and executed pursuant to and by authority of the following By-Laws adopted by the Board of Directors of the Merchants Bonding Company (Mutual) on April 23, 2011 and adopted by the Board of Directors of Merchants National Bonding, Inc., on October 24, 2011.

"The President, Secretary, Treasurer, or any Assistant Treasurer or any Assistant Secretary or any Vice President shall have power and authority to appoint Attorneys-in-Fact, and to authorize them to execute on behalf of the Company, and attach the seal of the Company thereto, bonds and undertakings, recognizances, contracts of indemnity and other writings obligatory in the nature thereof.

The signature of any authorized officer and the seal of the Company may be affixed by facsimile or electronic transmission to any Power of Attorney or Certification thereof authorizing the execution and delivery of any bond, undertaking, recognizance, or other suretyship obligations of the Company, and such signature and seal when so used shall have the same force and effect as though manually fixed."

In Witness Whereof, the Companies have caused this instrument to be signed and sealed this 2nd day of March, 2012.



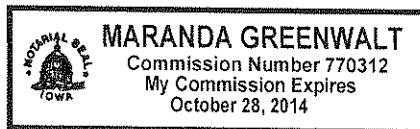
MERCHANTS BONDING COMPANY (MUTUAL)
MERCHANTS NATIONAL BONDING, INC.

By *Larry Taylor*
President

STATE OF IOWA
COUNTY OF POLK ss.

On this 2nd day of March, 2012, before me appeared Larry Taylor, to me personally known, who being by me duly sworn did say that he is President of the MERCHANTS BONDING COMPANY (MUTUAL) and MERCHANTS NATIONAL BONDING, INC.; and that the seals affixed to the foregoing instrument is the Corporate Seals of the Companies; and that the said instrument was signed and sealed in behalf of the Companies by authority of their respective Boards of Directors.

In Testimony Whereof, I have hereunto set my hand and affixed my Official Seal at the City of Des Moines, Iowa, the day and year first above written.



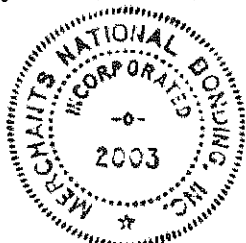
Maranda Greenwalt

Notary Public, Polk County, Iowa

STATE OF IOWA
COUNTY OF POLK ss.

I, William Warner, Jr., Secretary of the MERCHANTS BONDING COMPANY (MUTUAL) and MERCHANTS NATIONAL BONDING, INC., do hereby certify that the above and foregoing is a true and correct copy of the POWER-OF-ATTORNEY executed by said Companies, which is still in full force and effect and has not been amended or revoked.

In Witness Whereof, I have hereunto set my hand and affixed the seal of the Companies on this 1st day of May, 2012.



William Warner Jr.
Secretary