

PART III

Invitation to Bid No. 17-2013

SHILLITO PARK
CONSTRUCTION OF SPORTS FIELDS

1. FORM OF PROPOSAL

Place: Lexington, Kentucky

Date: 3/14/13

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

This Proposal Submitted by Woodford Excavation + Transport

310 FIELDING DR / P.O. Box 122 Versailles, Ky 40383
(Name and Address of Bidding Contractor)

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

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

Gentlemen:

The Bidder, in compliance with your Invitation for Bids for Shillito Park Constnction of Sports Fields in Lexington, KY, having examined the Plans and Specifications with related documents, having examined the site for proposed Work, and being familiar with all of the conditions surrounding the construction of the proposed Project, including the availability of materials and labor, hereby proposes to furnish all labor, materials, and supplies, and to construct the Project in accordance with the Contract Documents, within the time set forth therein, and at the lump sum and/or unit prices stated hereinafter. These prices are to cover all expenses incurred in performing the Work required under the Contract Documents, of which this proposal is a part. The OWNER will issue work orders for work to be performed under this Contract.

BIDDER hereby agrees to commence work under this contract on or before a date to be specified in the Notice to Proceed and to fully complete the project within the time specified in the Contract.

The Bidder hereby acknowledges receipt of the following addenda:

Addendum No. 1 Date 3-1-2013

Addendum No. 2 Date 3-5-2013

Addendum No. 3 Date 3-6-2013

Addendum No. 4 Date 3-13-2013

Addendum No. 5 Date 3-20-2013

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 Woodford Excavation + Transport Inc

Date 3/14/13

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

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

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

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

3. BIDDERS AFFIDAVIT

Comes the Affiant, Galen D. Young, and after being first duly sworn, states under penalty of perjury as follows:

1. His/her name is Galen D. Young and he/she is the individual submitting the bid or is the authorized representative of Woodford Excavation + Transport 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.

X Galen D. Young
(Affiant)

STATE OF Kentucky

COUNTY OF Woodford

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

GALEN D. YOUNG on this the 13 day of March,
2013.

My Commission expires: Oct. 12, 2013

Angela Clem
NOTARY PUBLIC, STATE AT LARGE

4. BID SCHEDULE – SCHEDULE OF VALUES

The Bidder agrees to perform all the Work described in the Specifications and shown on the Plans for the following lump sum and/or unit prices, if applicable, which shall include the furnishing of all labor, materials, supplies, equipment and/or vehicle usage, services, all items of cost, overhead, taxes (federal, state, local), and profit for the CONTRACTOR and any Subcontractor involved, within the time set forth herein.

Contract award, if awarded, will be made based on the lump sum base bids and cumulative additive alternates up to but not to exceed project budget.

Unit prices are solely for the purpose of calculating and negotiating unanticipated, additional work beyond the scope detailed on the plans and specifications. Any additional work by the contractor without prior approval from Owner shall be at his own expense.

In case of discrepancy, the amount shown in words will govern.

Description w/Unit Bid Price Written in Words	Estimated Quantity	Unit	Unit Price	Total Bid Amount
<p>BASE BID #1 – FIELD A Provide all labor, tools, equipment and materials to construct new 75 x 120 yard sports field labeled "A" and associated grading required for proper surface drainage as shown on plans using conventional surveying and grading equipment and methods in accordance with plan drawings and specifications 02220 Earthwork, 02215 Finish Grading, 02270 Erosion Control and with the Contract Documents for the lump sum of:</p> <p><u>FIFTY SEVEN THOUSAND</u> Dollars <u>NINE HUNDRED AND FOUR</u> <u>Cents (Lump Sum)</u></p>	1	LS	<u>\$57,904⁰⁰</u>	
<p>BASE BID #2 – FIELDS A and B Provide all labor, tools, equipment and materials to construct two (2) new 75 x 120 yard sports field labeled "A" and "B" and associated grading required for proper surface drainage as shown on plans using conventional surveying and grading equipment and methods in accordance with plan drawings and specifications 02220 Earthwork, 02215 Finish Grading, 02270 Erosion Control and with the Contract Documents for the lump sum of:</p> <p><u>EIGHTY FOUR THOUSAND</u> Dollars <u>ONE HUNDRED EIGHTY SIX</u> <u>Cents (Lump Sum)</u></p>	1	LS	<u>\$84,186⁰⁰</u>	

<p>ADDITIVE ALTERNATE #1 Grading on Field A to include mechanical laser grading per specification 02216 Laser Grading in accordance with the Contract Documents for the lump sum of:</p> <p><u>FIVE THOUSAND FOUR HUNDRED</u> Dollars <u>SIXTY SEVEN</u> <u>TWENTY</u> Cents (Lump Sum)</p>	1	LS	\$ <u>5,467.⁰⁰</u> \$	
<p>ADDITIVE ALTERNATE #2 Grading on Field B to include mechanical laser grading per specification 02216 Laser Grading in accordance with the Contract Documents for the lump sum of:</p> <p><u>FIVE THOUSAND FOUR HUNDRED</u> Dollars <u>EIGHTY FIVE</u> <u>TWENTY</u> Cents (Lump Sum)</p>	1	LS	\$ <u>5,485.⁰⁰</u> \$	
<p>ADDITIVE ALTERNATE #3 Add approximately 450 LF of French drain below Field A as shown on plans in accordance with the Contract Documents for the lump sum of:</p> <p><u>ELEVEN THOUSAND</u> Dollars <u>THREE HUNDRED</u> Cents (Lump Sum)</p>	1	LS	\$ <u>11,300.⁰⁰</u> \$	
<p>ADDITIVE ALTERNATE #4 Add approximately 450 LF of French drain below Field B as shown on plans in accordance with the Contract Documents for the lump sum of:</p> <p><u>ELEVEN THOUSAND</u> Dollars <u>THREE HUNDRED</u> Cents (Lump Sum)</p>	1	LS	\$ <u>11,300.⁰⁰</u> \$	
<p>ADDITIVE ALTERNATE #5 Add seeding and protection on Field A in accordance with the Contract Documents for the lump sum of:</p> <p><u>SIXTEEN THOUSAND</u> Dollars <u>FOUR HUNDRED EIGHTY</u> Cents (Lump Sum)</p>	1	LS	\$ <u>16,480.⁰⁰</u> \$	

<p>ADDITIVE ALTERNATE #6 Add seeding and protection on Field B in accordance with the Contract Documents for the lump sum of: <u>SEVENTEEN THOUSAND</u> Dollars <u>SEVEN HUNDRED AND SEVEN</u> Cents (Lump Sum)</p>	1	LS	\$17,707	\$ <u> </u> ⁰⁰
<p>✓ ADDITIVE ALTERNATE #7 Remove approximately 1975 SY existing asphalt drive (including gravel base) and dispose of material off site in accordance with the Contract Documents for the lump sum of: <u>THIRTEEN THOUSAND</u> Dollars <u>FOUR HUNDRED</u> <u>FOURTY</u> <u>SIX</u> Cents (Lump Sum)</p>	1	LS	\$13,446	\$ <u> </u> ⁰⁰

LIST OF UNIT PRICES

The following List of Unit Prices is required by the Owner to be completely executed and submitted with each Bidder's Proposal. Each unit price shall include the furnishing of all labor, materials, supplies and services, and shall include all items of cost, overhead and profit for the Contractor and any Sub-Contractors involved, and shall be used uniformly, without modification, for either additions or deductions from the Bid. These unit prices as established shall also be used to determine the equitable adjustment of the Contract Price in connection with changes, or extra work performed under the Contract. The "Rules of Measurement" set forth in the Special Conditions shall govern where volume units are concerned.

DESCRIPTION OF WORK	UNIT PRICE	
1. Excavation	<u>5-</u>	CY
2. Grading (Conventional only) - Rough	<u>5-</u>	CY
3. Grading (Conventional only) - Finish	<u>10-</u>	CY
4. Top Soil delivered and placed on site	<u>25-</u>	CY
5. Clay (subgrade) delivered and placed on site	<u>20-</u>	CY
6. Seed & cover per Section 02920	<u>0.75</u>	SY
7. Seed & cover with annual ryegrass (temporary)	<u>0.25</u>	SY
8. French drain (per section on detail sheet)	<u>27-</u>	LF
9. #2 stone, delivered to site and placed	<u>25-</u>	TN
10. #57 stone, delivered to site and placed	<u>25-</u>	TN
11. Dense grade aggregate	<u>20-</u>	TN
12. Rock removal (Highly weathered, broken limestone that can be effectively excavated with normal earth trenching equipment will not be classified as rock removal)	<u>200</u>	CY

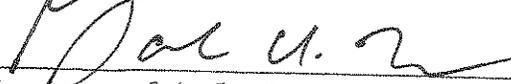
Submitted by:

Woodford Excavation + Transport Inc
Firm

310 Fielding Dr / P.O. Box 122
Address

Versailles, Ky, 40383
City, State & Zip

*Bid must be signed:
(original signature)*

 President
Signature of Authorized Company Representative - Title

Galen D. Young
Representative/s Name (Typed or Printed)

859-873-2237
Area Code - Phone - Extension

859-873-5885
Fax #

jelucaswet@aol.com
E-Mail Address

OFFICIAL ADDRESS:

(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: Woodford Excavation + Transport Inc
2. Permanent Place of Business: 310 FIELDING DR, Versailles, KY 40383
3. When Organized: 1989
4. Where Incorporated: Kentucky
5. Construction Plant and Equipment Available for this Project:

DS DOZER
621 Scraper
815 Compactor
John Deere Road Grader
289 Cat Skid Steer

(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:

AEGIS SECURITY INS COMPANY (Surety)

Signed: [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>
<u>Lexington Catholic</u>	<u>Lexington, Ky</u>	<u>\$ 350,000.00</u>
<u>Transylvania Ath Complex</u>	<u>Lexington, Ky</u>	<u>\$ 480,000.00</u>
<u>UK Soccer Field Rehab</u>	<u>Lexington, Ky</u>	<u>\$ 65,000.00</u>
<u>Berea Middle School</u>	<u>Berea, Ky</u>	<u>\$ 40,000.00</u>
_____	_____	_____

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

<u>NAME</u>	<u>LOCATION</u>	<u>CONTRACT SUM</u>
<u>Transylvania University</u>	<u>Lexington, Ky</u>	<u>\$ 480,000.00</u>
<u>Cooperstown</u>	<u>Lexington, Ky</u>	<u>\$ 130,000.00</u>
<u>Breckenridge Elem</u>	<u>Lexington, Ky</u>	<u>\$ 210,000.00</u>
<u>James Lane Allen</u>	<u>Lexington, Ky</u>	<u>\$ 230,000.00</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>Shane Trent</u>	<u>Earthwork Superintendent</u>	<u>10</u>
<u>Justin Lucas</u>	<u>Vice President</u>	<u>10</u>
<u>Dwain Wallace</u>	<u>Utility Superintendent</u>	<u>25</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>% of WORK</u>
<u>N/A</u>	<u>N/A</u>	<u>N/A</u>	<u>N/A</u>
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

(USE ADDITIONAL SHEETS IF NECESSARY)

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

6. LIST OF PROPOSED SUBCONTRACTORS

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

<u>BRANCH OF WORK - LIST EACH MAJOR ITEM</u> Such as: Grading, bituminous paving, concrete, seeding and protection, construction staking, etc.	<u>SUBCONTRACTOR</u>	<u>DBE</u> <u>Yes/No</u>	% of Work
1. <u>CONSTRUCTION STAKING</u>	Name: <u>ADE</u> Address: <u>102 PRESTON CT.</u> <u>VERSAILLES, KY 40383</u>	<u>YES</u>	<u>10.5390</u>
2. <u>MOBILIZATION</u>	Name: _____ Address: _____	_____	_____
3. <u>STORM SEWER</u>	Name: _____ Address: _____	_____	_____
4. _____	Name: _____ Address: _____	_____	_____
5. _____	Name: _____ Address: _____	_____	_____
6. _____	Name: _____ Address: _____	_____	_____
7. _____	Name: _____ Address: _____	_____	_____

(Attach additional sheet(s) if necessary.)



7. LFUCG MBE/WBE PARTICIPATION FORM

Bid/RFP/Quote Reference # 17-2013

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

BASE BID #1

BASE BID #2

MBE/WBE Company, Name, Address, Phone, Email	Work to be Performed	Total Dollar Value of the Work	% Value of Total Contract
1. ADE 102 PRESTON CT VERMILLES, KY 40383	CONSTRUCTION STAKING MOBILIZATION	6,097.29	10.5390
2.			
3. ADE 102 PRESTON CT VERMILLES, KY 40383	CONSTRUCTION STAKING MOBILIZATION	9,180.68	10.5390
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.

WOODFORD EXCAVATION
Company

GALEN D. YOUNG
Company Representative

3/13/13
Date

PRES
Title



8. LFUCG MBE/WBE SUBSTITUTION FORM

Bid/RFP/Quote Reference # 17-2013

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

SUBSTITUTED MBE/WBE Company Name, Address, Phone, Email	MBE/WBE Formally Contracted/ Name, Address, Phone, Email	Work to Be Performed	Reason for the Substitution	Total Dollar Value of the Work	% Value of Total Contract
1. 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.

WOODFORD EXCAVATION
Company

GALEN W. YOUNG
Company Representative

3/13/13
Date

PRES
Title



9. MBE/WBE QUOTE SUMMARY FORM

Bid/RFP/Quote Reference # 17-2013

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

Company Name <u>WOODFORD EXCAVATION</u>	Contact Person <u>GALEN B. YOUNG</u>
Address/Phone/Email <u>P.O. BOX 122 859-873-2237</u> <u>VERSAILLES, KY 40383</u>	Bid Package / Bid Date <u>17-2013 3/14/13</u>

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>BASE #1</i> ADE 102 PRESTON CT VERSAILLES, KY 40383	ANGIE ENGLISH	859-621-7941 adeinc1@aol.com	3/13/13	CONSTR. STAKING MOB	cell	6,097.29	F
<i>BASE #2</i> ADE 102 PRESTON CT VERSAILLES, KY 40383	ANGIE ENGLISH	859-621-7941 adeinc1@aol.com		CONSTR. STAKING MOB	cell	9,180.68	

(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.

WOODFORD EXCAVATION
Company
3/13/13
Date

GALEN B. YOUNG
Company Representative
PRES
Title



10. LFUCG MBE/WBE SUBCONTRACTOR MONTHLY PAYMENT REPORT

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

Bid/RFP/Quote # 17-2013

Total Contract Amount Awarded to Prime Contractor for this Project _____

Project Name/ Contract # <u>SHILLITO PARK- ATHLETIC FIELD</u>	Work Period/ From: <u>N/A</u>	To:
Company Name: <u>WOODFORD EXCAVATION</u>	Address:	
Federal Tax ID: <u>161-0977204</u>	Contact Person: <u>GALEN R. YOUNG</u>	

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

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

WOODFORD EXCAVATION
Company

3/13/13
Date

GALEN R. YOUNG
Company Representative

PRES
Title



11. LFUCG STATEMENT OF GOOD FAITH EFFORTS

Bid/RFP/Quote # 17-2013

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

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

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.

WOODFORD EXCAVATION
Company

GALEN D. YOUNG
Company Representative

3/13/13
Date

PRES
Title

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

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

1. That I am the Bidder (if the Bidder is an individual), a partner of the Bidder (if the Bidder is a partnership), or an officer or employee of the bidding corporation having authority to sign on its behalf (if the Bidder is a corporation);
2. That the attached bid has been arrived at by the Bidder independently, and has been submitted without collusion with, and without any agreement, understanding or planned common course of action, with any other contractor, vendor of materials, supplies, equipment or services described in the Invitation to Bid, designed to limit independent bidding or competition;
3. That the contents of the bid or bids have not been communicated by the Bidder or its employees or agents to any person not an employee or agent of the Bidder or its surety on any bond furnished, with the bid or bids, and will not be communicated to any such person, prior to the official opening of the bid or bids;
4. That the Bidder is legally entitled to enter into the contracts with the Lexington-Fayette Urban County Government, and is not in violation of any prohibited conflict of interest;
5. (Applicable to corporation only) That as a foreign corporation, we are registered with the Secretary of State, Commonwealth of Kentucky, and authorized to do business in the State _____ or, that as a domestic corporation, we are in good standing with the Secretary of State, Commonwealth of Kentucky _____. Check the statement applicable.
6. This offer is for 60 calendar days from the date this bid is opened. In submitting the above, it is expressly agreed that, upon proper acceptance by the Lexington-Fayette Urban County Government of any or all items bid above, a contract shall thereby be created with respect to the items accepted.
7. That I have fully informed myself regarding the accuracy of the statements made in this statement.
8. That I certify that Subcontractors have not and will not be awarded to any firm(s) that have been debarred from noncompliance with the Federal Labor Standards, Title VI of the Civil Rights Act of 1964 As Amended, Executive Order 11246 As Amended or any other Federal Law.

13. STATEMENT OF EXPERIENCE

NAME OF INDIVIDUAL: Galen D. Young

POSITION/TITLE: President

STATEMENT OF EXPERIENCE: Construction Staking, Earthwork,
Utility Construction, laser grading

NAME OF INDIVIDUAL: Justin C. Lucas

POSITION/TITLE: Vice President

STATEMENT OF EXPERIENCE: Construction Staking, Earthwork,
Erosion Control / BMP Maintenance, Utility Installation,
Safety Director

NAME OF INDIVIDUAL: Shane Trent

POSITION/TITLE: Earthwork Superintendent

STATEMENT OF EXPERIENCE: Erosion Control and Earthwork

NAME OF INDIVIDUAL: Angie Clem

POSITION/TITLE: Office Manager

STATEMENT OF EXPERIENCE: Receivables + Payables, Insurance requirements,

NAME OF INDIVIDUAL: Dwain Wallace

POSITION/TITLE: Utility Superintendent

STATEMENT OF EXPERIENCE: Storm, water, Sanitary sewer construction -

NAME OF INDIVIDUAL: _____

POSITION/TITLE: _____

STATEMENT OF EXPERIENCE: _____

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

14. EQUAL OPPORTUNITY AGREEMENT

The Law

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

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

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

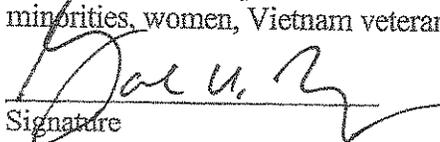
The Secretary of Labor may investigate the employment practices of any Government contractor or sub-contractor to determine whether or not the contractual provisions specified in Section 202 of this order have been violated.

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

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

Bidders

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


Signature

WOODFORD EXCAVATION
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.

15. EQUAL EMPLOYMENT OPPORTUNITY AFFIRMATIVE ACTION POLICY

It is the policy of Weed Parcel Excavation + Transport.

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.

16. WORKFORCE ANALYSIS FORM

Name of Organization: Woodland Excavations & Transport

Date: 3 / 14 / 13

Categories	Total	White		Black		Other		Total	
		M	F	M	F	M	F	M	F
Administrators	5	3	2						
Professionals	1	1	0						
Superintendents	5	5	0						
Supervisors	2	2	0						
Foremen	0	0	0						
Technicians	10	10	0						
Protective Service	0	0	0						
Para-Professionals	0	0	0						
Office/Clerical	2	0	2						
Skilled Craft	2	2	0						
Service/Maintenance	3	3	0						
Total:	30	26	4						

Prepared By: Paul C. Jones

17. **EVIDENCE OF INSURABILITY**

LEXINGTON-FAYETTE DEAN COUNTY GOVERNMENT CONSTRUCTION PROJECT
 (Use separate form for each Agency or Bids/Change agreeing to provide coverage)

Name of project: ADDED/DEED EXCAVATION Employee ID: 61-0977864
 Address: P.O. BOX 192A VEESHAILES, KY 40383 Phone: 859-873-2237
 Project to be insured: SHILLITO PARK - ATHLETIC FACILITY

In lieu of obtaining certificates of insurance at this time, the undersigned agrees to provide the above named insured with the following 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	Adm. Post's Code	Rating
SC-3, Section 2, Part 4.1 - see provisions	CGE	\$1,000,000 per occ. And \$2,000,000 aggregate	\$1,000,000 2,000,000	State Auto	05117	A
SC-3, Section 2, Part 4.1 - see provisions	AUTO	\$2,000,000 per occ.	\$1,000,000	State Auto	05107	A
SC-3, Section 2, Part 4.1 - see provisions	ACT	Statutory endorsement as noted	\$1,000,000	Bridgford	10335	A

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

Agency of Proximate Cause: ROEDING GROUP Name of Authorized Representative: Tonia C. Kowald
 Street Address: 1056 WELINGTON WAY Title: Account Specialist
 City: LEXINGTON State: KY Zip: 40513 Authorized Signature: [Signature]
 Telephone Number: 859-296-4580 Date: 3-14-13

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.

18. DEBARRED FIRMS

PROJECT NAME: Shillito Park

BID NUMBER: 17-2013

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 WOODFORD EXCAVATION 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.

WOODFORD EXCAVATION
Name of Firm Submitting Bid

Dal U.
Signature of Authorized Official

PRES
Title

3/13/13
Date

19. DEBARMENT CERTIFICATION

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

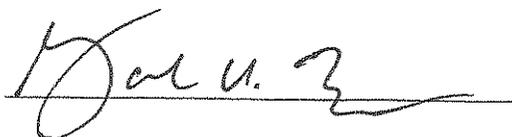
The contractor/subcontractor certifies in accordance with Executive Order 12549 (Debarment and Suspension 2/18/86) that to the best of its knowledge and belief, that it and its principals:

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

Firm Name: WOODFORD EXCAVATION

Project: SHILLITO PARK - SPORTS FIELDS

Printed Name and Title of Authorized Representative: Galen D. Young

Signature: 

Date: March 13, 2013

END OF SECTION