

REVISED

PART III

Invitation to Bid No. 139-2012

West Hickman WWTP Odor Control Improvements

1. FORM OF PROPOSAL

Place: Lexington, Kentucky

Date: October 10, 2012

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

This Proposal Submitted by Smith Contractors, Inc.

P.O. Box 480, 1241 Bypass North, Lawrenceburg, KY 40342
(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 the **West Hickman WWTP Odor Control Improvements** 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.



Lexington-Fayette Urban County Government
DEPARTMENT OF FINANCE & ADMINISTRATION

Jim Gray
Mayor

Jane C. Driskell
Commissioner

ADDENDUM #1

Bid Number: **139-2012**

Date: October 4, 2012

Subject: **West Hickman WWTP Odor Control Improvements**

Please address inquiries to:
Betty Landrum (859) 258-3320

TO ALL PROSPECTIVE BIDDERS:

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

1. **Form of Proposal** – Please use the attached REVISED Form of Proposal in the bid which adds the potential for an alternate for LDPE chemical tanks for the ASH scrubber instead of FRP. The LDPE must comply with the dimensions of the FRP tanks.
2. **Section 02050, Demolition** – Clarification related to existing scrubber removal. The existing Solids Building scrubber and concrete pads are to be removed and disposed of by the contractor. The existing ASH scrubber concrete pad is to remain and the scrubber is to be removed and placed on the adjoining parking lot.
3. **Section 01010, Summary of Work** – There is an existing electrical service line under or near under the existing Solids Building scrubber concrete pad. It is believed that the electrical line is 19" below grade and believed not to be in the way of construction. For the sake of this bid, the contractor shall not place a price for relocation of this line and the effects of this line on construction will be addressed during construction.

Todd Slatin, Acting 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: SMITH CONTRACTORS, INC.

ADDRESS: P.O. BOX 480, 1241 BYPASS NORTH, LAWRENCEBURG, KY 40342

SIGNATURE OF BIDDER: [Handwritten Signature]

7. All alarm conditions are to latch and require that the RESET button on the LCP be pressed to reset the system.
 8. Upon loss of power, system control is to reset and restart the system based on control inputs.
2. **Drawing I-2** – Add the following note to drawing I-2: “3. Hand switch in Dewatering Building odor control LCP to bypass existing EF-1 switch in MAU-1 & EF-1 Remote CP. Provide run permissive from MAU-1 & EF-1 Remote CP to odor control local control panel when the following conditions are met: a) supply air handling unit to Dewatering Building is running or inlet dampers are open, and b) Smoke has not been detected. The dewatering odor control fan shall not run unless the two above conditions are met. Provide wiring and controls for the above functionality with the existing panels.”
 3. **Section 13207, Polyethylene Storage Tanks** – See attached specification to be added to the bid documents and the table of contents. Storage tanks shall be provided either in accordance with 13207, Polyethylene Storage Tanks, or Section 13209, Fiberglass Reinforced Plastic Storage Tanks.
 4. **Section 13209, Fiberglass Reinforced Plastic Storage Tanks** – Paragraph 1.02 should reference “Ultrasonic Level Instrument” not “Pressure Transmitter Instrument”. See Section 13251 for details on the Ultrasonic Level Instruments.

2

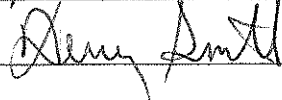


Todd Slatin, Acting Director
Division of Central Purchasing

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: SMITH CONTRACTORS, INC.

ADDRESS: P.O. Box 480, 1241 BYRASSNORTH, LAWRENCEBURG, KY 40342

SIGNATURE OF BIDDER: 

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 \$500.00 for each consecutive calendar day thereafter.

The Bidder hereby acknowledges receipt of the following addenda:

Addendum No. 1 Date 10-04-12

Addendum No. 2 Date 10-08-12

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 Smith Contractors, Inc.

Date 10-10-12

* 1. A corporation duly organized and doing business under the laws of the State of Kentucky, for whom Kerry Smith, 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)~~

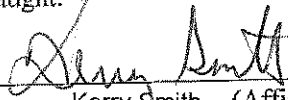
~~* 3. An individual, whose signature is affixed to this Bid/Proposal (please print name)~~

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

3. **BIDDERS AFFIDAVIT**

Comes the Affiant, Kerry Smith, and after being first duly sworn, states under penalty of perjury as follows:

1. His/~~her~~ name is Kerry Smith and he/she is the individual submitting the bid or is the authorized representative of Smith Contractors, 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.


Kerry Smith (Affiant)

STATE OF Kentucky

COUNTY OF Anderson

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

Kerry Smith on this the 10th day of October, 2012.

My Commission expires: 12-03-14


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 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. The contract if awarded will be on the basis of material and equipment specified in the specification without consideration of possible substitute or "Or equal" items. (Per article 17 of the Information for bidders). The LFUCG reserves the right to award the bid in its best interest and within fiscal constraints.

West Hickman WWTP Odor Control Improvements

Total Lump Sum Base Bid must be shown below:

ONE MILLION THIRTY-NINE THOUSAND DOLLARS AND ZERO CENTS

Dollars (\$ 1,039,000.00)

Amount shall be shown in both words and figures. In case of discrepancy, the amount shown in words will govern.

Respectfully Submitted,

FIRM: Smith Contractors, Inc.

ADDRESS: P.O. Box 480, 1241 Bypass North

CITY/STATE/ZIP: Lawrenceburg, KY 40342

DATE: 10-10-12

BY:  Kerry Smith
(must be original signature)

TITLE: President

PHONE: 502-839-4196 FAX: 502-839-8348

(area code, number & extension)
EMAIL ADDRESS: ks@sci82.com

OFFICIAL ADDRESS AND PHONE:

Smith Contractors, Inc. 502-839-4196

P.O. Box 480, 1241 Bypss North

Lawrenceburg, KY 40342 (Seal if Bid is by Corporation)

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

SCHEDULE OF EQUIPMENT/SUPPLIER ALTERNATES

For determination of the apparent low Bidder, Bids will be compared on the basis of the Total Base Bid Amount listed above, which shall include the use of equipment manufacturers and suppliers listed with a designation of (A) in the table below. Bidders **MAY** propose alternate manufacturers or suppliers by or writing in a proposed alternate and listing any applicable change to the base bid amount in the provided spaces, for the Owner's consideration. The alternate must comply with the design specifications. Any changes in amounts proposed shall not be unit prices but shall be the total amount to deduct from the Base Bid if the alternate is selected by the Owner.

OWNER-SELECTED EQUIPMENT/SUPPLIER SCHEDULE			
Section Number	Description	Equipment Supplier	Change in Base Bid Amount for Alternate Equipment
13251	Modular Odor Control Scrubber	(A) Siemens (B) _____ (Write-in Alternate)	XXXXXXX \$ _____
13209	Chemical Storage Tanks	(A) Fiberglass (B) Polyethylene, LDPE (must match required dimensions)	XXXXXXXXX (\$ 3,000.00)

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: Smith Contractors, Inc.
2. Permanent Place of Business: 1241 Bypass North, Lawrenceburg, KY 40342
3. When Organized: 01-27-82
4. Where Incorporated: Kentucky
5. Construction Plant and Equipment Available for this Project:

See attached

(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:

LIBERTY MUTUAL INSURANCE CO

(Surety)

Signed: 

(Representative of Surety)

DAVID P. O'BRYAN
ATTORNEY-IN-FACT

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

SMITH CONTRACTORS, INC. EQUIPMENT LISTING

TYPE
BACKHOES, DOZERS, LOADERS & EXCAVATORS:
36" 312C Bucket
Caterpillar 320-HC Hydraulic Excavator
Bobcat Compact Track Loader T190
Case 590SM Loader Backhoe - 2003
Caterpillar 330DL Excavator
Yanmar VIO 35 Mini Excavator VIO35
1997 Cat D6M XL Crawler Tractor
24" Compaction Wheel for a Cat 320
Caterpillar 330DL Excavator
Case 580M Loader Backhoe w/ 24" Bucket
Caterpillar 312C 30" Bucket
963D Caterpillar Track Loader
Caterpillar 324DL Long Reach Excavator
Case 580L Backhoe
Caterpillar 385 Excavator w/Bucket
2005 Caterpillar 963C Crawler Loader
2002 Cat D8R Series II Crawler Tractor
T250K Bobcat Loader
Case 590 Super Series II Backhoe
Caterpillar 336EL Hydraulic Excavator
Caterpillar 320DL Excavator
2010 Caterpillar 320DL Hydraulic Excavator
2009 Caterpillar Medium Hydraulic Excavator Model 321 DLCR
CRANES:
Terex RT175 Crane
1990 Link Belt LS-138H Crane
1981 Link Belt 100 Ton Crawler Crane LS-338
Link Belt 50 Ton Hydraulic Rough Terrain Crane
Terex TC4792 23.5 Ton Hydraulic Crane behind cab on 1999 Mack Flatbed Truck
Link-Belt LS 138H 75 Ton Crawler Crane
1999 Link Belt RTC8040 II 40 Ton 4x4x4 Rough Terrain Crane

SMITH CONTRACTORS, INC. EQUIPMENT LISTING

TYPE
DRILLS & AIR COMPRESSORS:
Jaegen Rock Drill
Sullair Compressor
Champion Air Compressor
I-R 250 CFM Compressor
Model 155 Drill
Model 155 Drill
Allied 730 Hy Ram
I-R 175 CFM Compressor
Rock Drill
Sullair Compressor/Breaker
1" Rock Drill
I-R P185 Compressor
Sullair Rock Drill
Air Compressor
I-R Air Compressor
Furukawa Hydraulic Drill
2004 Ingersoll-Rand P185WJD Portable Air Compressor
TRENCHERS:
4010 Ditch Witch
OTHER:
Genie Scissor Man Lift
Pettibone 636 Telescopic Material Handler
1994 Caterpillar D400D Articulated Dump
Grove AMZ50 Manlift
Bobcat Landscape Rake, 6B
1999 JCB 560C Telescopic Forklift

SMITH CONTRACTORS, INC. EQUIPMENT LISTING

TYPE	
Finn B40 Straw Blower	
John Deere 7220 Tractor & John Deere 726 Loader	
Kubota RTV 900	
Kubota 26 HP 60" Commercial Mower	
MX19 Upright Scissor Lift	
Ice 216 Vibro Pile Hammer	
72" Bobcat Seeder	
Godwin Heidra 150 Power Pack Hydraulic Pump & 6" Pump End	
GEHL 1083 Telescopic Forklift	
2005 Ingersoll-Rand SD45DTF Vibratory Smooth Drum Roller	
2004 Lincoln Classic 300D Portable Welder	
Tamp Vibrator Plate	
40' Rough Terrain Scissor	
1998 Gradall Forklift, Model 534D-42	
Genie 19' Scissor Lift	
Cat D400 6x6 40 ton Dump Truck	
<p style="text-align: center;">Note: This list is for insurance purposes, it is not all inclusive.</p>	

SMITH CONTRACTORS, INC.

PREVIOUS WWTP PROJECTS

Schedule A

<i>Project Name, Location & Description</i>	<i>Owner</i>	<i>Design Engineer</i>	<i>Date Completed</i>	<i>Contract Price</i>	<i>Reference - Phone & Address</i>
<i>Auxiliary Raw Water Intake</i> Murfreesboro, Tennessee	Murfreesboro Water & Sewer District	Smith Seckman Reid	June, 2001	\$ 3,713,198.11	Frank Smith, P.E. 615-383-1113 3319 West End Drive, Suite 700, Nashville, TN 37203
<i>Nine Mile WWTP Expansion</i> Clermont County, Ohio	Clermont County Sewer District	Earth Tech	June, 2002	\$ 5,359,426.27	Eric Van Orman, P.E. 616-940-4448 P.O. Box 874, Grand Rapids, MI 49588
<i>WWTP Improvements</i> Charlestown, Indiana	City of Charlestown	Saegesser Engineers, Inc.	November, 2002	\$ 4,029,807.70	Bill Saegesser, P.E. 812-752-8123 88 West McClain Avenue, Scottsburg, IN 47170
<i>WWTP Expansion</i> Columbia, Kentucky	City of Columbia	Monarch Engineering	July, 2003	\$ 3,854,819.73	David Bowles, P.E. 502-839-1310 556 Carlton Drive, Lawrenceburg, KY 40342
<i>Wastewater Treatment Plant Improvement</i> Morehead, Kentucky	Morehead Utility Plant Board	Tetra Tech, Inc.	November, 2005	\$ 9,613,212.60	Herb Lemaster, P.E. 859-223-8000 800 Corporate Drive, Lexington, KY 40503
<i>Wastewater Treatment Plant Upgrade</i> Lawrenceburg, Kentucky	City of Lawrenceburg	GRW Engineers, Inc.	August, 2006	\$ 7,430,813.27	John Martin, P.E. 859-223-3999 801 Corporate Drive, Lawrenceburg, KY 40342
<i>Shaylor Run Segment "C"</i> Clermont County, Ohio	Clermont Co. Sewer District	Balke American	July, 2007	\$ 6,436,222.64	Lyle Bloom, P.E. 513-732-7943 2379 Clermont Center Drive, Batavia, OH 45103

SMITH CONTRACTORS, INC.

PREVIOUS WWTP PROJECTS

Schedule A

<i>Project Name, Location & Description</i>	<i>Owner</i>	<i>Design Engineer</i>	<i>Date Completed</i>	<i>Contract Price</i>	<i>Reference - Phone & Address</i>
<i>Contract 4 - Jessamine Creek Env. Facility</i> Nicholasville, Kentucky	City of Nicholasville	Tetra Tech, Inc.	October, 2008	\$ 5,278,831.58	Morey Lampson, P.E. 800 Corporate Drive, Lexington, KY 40503
<i>Contract 1 - Whitesburg WWTP</i> Whitesburg, Kentucky	City of Whitesburg	Summit Engineering	March, 2009	\$ 5,800,543.70	Kevin Howard, P.E. 120 Prosperous Place, Ste 101, Lexington, KY 40509
<i>Contract 536-07-01 Wastewater Treatment Facility</i> Owingsville, Kentucky	City of Owingsville	Bell Engineers	September, 2009	\$ 3,551,695.83	Ronald Rogers, P.E. P.O. Box 546, Lexington, KY 40588
<i>Contract 207 - Wastewater Treatment Plant Expansion</i> Gallatin, Tennessee	City of Gallatin	James C. Hailey Engineers	May, 2012	\$ 23,472,935.94	James Hailey, P.E. 7518 Hwy 70S, st. 100, Nashville, TN 37221
<i>WWTP Biosolids Facilities</i> Gallatin, Tennessee	City of Gallatin	James C. Hailey Engineers		\$ 6,350,549.00	James Hailey, P.E. 7518 Hwy 70S, st. 100, Nashville, TN 37221

<u>NAME</u>	<u>LOCATION</u>	<u>CONTRACT SUM</u>
See attached		

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

<u>NAME</u>	<u>LOCATION</u>	<u>CONTRACT SUM</u>
See attached		

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>
Kerry Smith	President	30

Smith Contractors, Inc.

Current Projects

Schedule B

<i>Project Name & Location</i>	<i>Owner</i>	<i>Engineer</i>	<i>Contract Amount</i>	<i>Percent Complete</i>	<i>Scheduled Completion</i>	<i>Reference Including Address & Phone #</i>
<i>Lower Howards Creek Infl PS & WWT</i> Winchester, Kentucky	Winchester Municipal Utilities	Palmer Engineering	\$ 28,178,980.00	79%	790 days	Brian Ward, P.E. 859-744-1218 P.O. Box 747, Winchester, KY 40392
<i>WTP Expansion & PS Upgrade</i> Grayson, Kentucky	Rattlesnake Ridge Water District	Sisler-Maggard Engineering	\$ 4,001,789.24	95%	365 days	Joe Sisler, P.E. 859-271-2978 P.O. Box 23279, Lexington, KY 40523
<i>Raw Water Intake</i> Dover, Tennessee	North Stewart Utility District	James C. Hailey & Company	\$ 2,046,000.00	27%	480 days	Neal Westerman, P.E. 615-883-4933 7518 Hwy 70S, Nashville, TN 37221
<i>Water Treatment Plant</i> Dover, Tennessee	North Stewart Utility District	James C. Hailey & Company	\$ 3,826,000.00	42%	480 days	Neal Westerman, P.E. 615-883-4933 7518 Hwy 70S, Nashville, TN 37221
<i>Buechel Basin WW System</i> Louisville, Kentucky	Metropolitan Sewer District	Metropolitan Sewer District	\$ 2,453,890.00	45%	270 days	Jacob Brown, P.E. 502-540-6000 700 West Liberty Street, Louisville, KY 40203
<i>Red River WWT</i> Stanton, Kentucky	Red River Wastewater Authority	Bell Engineering	\$ 9,093,000.00	13%	420 days	Ron Rogers, P.E. 859-278-5412 2480 Fortune Dr., Ste 350, Lexington, KY 40509
<i>Louisville Hill Road Stormwater Separation Project</i> Frankfort, Kentucky	City of Frankfort	Qk4 Engineering	\$ 1,219,079.00	23%	210 days	Kenny Kingsbury, P.E. 502-585-2222 815 West Mkt Street, Ste 300, Lexington, KY 40202
<i>WWT Improvements</i> Monticello, Kentucky	City of Monticello	Bell Engineering	\$ 5,808,600.00		365 days	Ron Rogers, P.E. 859-278-5412 2480 Fortune Dr., Ste 350, Lexington, KY 40509

Smith Contractors, Inc.

Current Projects

Schedule B

Project Name & Location	Owner	Engineer	Contract		Schedul Completion	Percent		Reference Including Address & Phone #
			Amount	Complete		Complete	Complete	
Lexington Pump Station Expansion Area 2A WW System Lexington, Kentucky	LFUCG	GRW Engineers	\$ 4,861,000.00		430 days			Joe Henry, P.E. 801 Corporate Drive, Lexington, KY 40503 859-223-3999
Town Branch/West Hickman Creek WWTP Lexington, Kentucky	LFUCG	Strand Associates	\$ 12,518,000.00					Mike Davis, P.E. 1525 Bull Lea Rd., Ste 100, Lexington, KY 40511 859-225-8500

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>
See attached			

(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.

Current DBE Subcontractor Participation

Subcontractor Name		Project (Specific Type)	DBE	% of Work
Ideal Construction Inc.	Buechel Basin W/W System (MSD) Sewer	MBE	11%	
Bancroft Group, LLC	Buechel Basin W/W System (MSD) Sewer	MBE	4%	
TEM Electric Company, Inc.	Buechel Basin W/W System (MSD) Sewer	MBE	2%	
United Construction & Design	Buechel Basin W/W System (MSD) Sewer	MBE	1%	
Lykins Reinforcing Inc.	Buechel Basin W/W System (MSD) Sewer	WBE	4%	
Industrial Floors & Lining	Buechel Basin W/W System (MSD) Sewer	WBE	2%	
C.A. Fulkerson, LLC	Buechel Basin W/W System (MSD) Sewer	WBE	1%	
Kentuckiana Seismic Survey	Buechel Basin W/W System (MSD) Sewer	WBE	1%	
Bison Services LLC	Expansion Area 2A W/W System Improvements	MBE	6%	
Lykins Reinforcing, LLC	Expansion Area 2A W/W System Improvements	WBE	5%	

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>	<u>% of Work</u>
1. <u>ELECTRICAL</u>	Name: <u>TEM</u> Address: <u>LOUISVILLE KY</u>	<u>Yes</u>	<u>5%</u>
2. _____	Name: _____ Address: _____	_____	_____
3. _____	Name: _____ Address: _____	_____	_____
4. _____	Name: _____ Address: _____	_____	_____
5. _____	Name: _____ Address: _____	_____	_____
6. _____	Name: _____ Address: _____	_____	_____
7. _____	Name: _____ Address: _____	_____	_____

(Attach additional sheet(s) if necessary.)



7. LFUCG MBE/WBE PARTICIPATION FORM

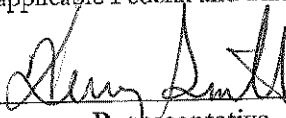
Bid/RFP/Quote Reference # 139-2012 West Hickman WWTP Odor Control Improvements

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. TEM Louisville, KY 502-454-0101	ELECTRICAL	\$57,414.00	5%
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.

Smith Contractors, Inc.
Company


Company Representative Kerry Smith

10-10-12
Date

President
Title



8. LFUCG MBE/WBE SUBSTITUTION FORM

Bid/RFP/Quote Reference # 139-2012 West Hickman WWTP Odor Control Improvements

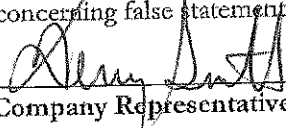
The substituted MBE/WBE subcontractors listed below have agreed to participate on this Bid/RFP/Quote. These substitutions were made prior to or after the job was in progress. These substitutions were made for reasons stated below and are now being submitted to Central Purchasing for approval. By the 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.					
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.

Smith Contractors, Inc.
Company

10-10-12
Date


Company Representative Kerry Smith
President
Title



9. MBE/WBE QUOTE SUMMARY FORM

Bid/RFP/Quote Reference # 139-2012 West Hickman WWTP Odor Control Improvements

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

Company Name	Smith Contractors, Inc.	Contact Person	Kerry Smith
Address/Phone/Email	P.O. Box 480, 1241 Bypass North Lawrenceburg, Ky 40342 502-839-4196 ks@sci82.com	Bid Package / Bid Date	139-2012 West Hickman WWTP Odor Control Improvements 10-10-12

MBE/WBE Company Address	Contact Person	Contact Information (work phone, Email, cell)	Date Contacted	Services to be performed	Method of Communication (email, phone meeting, ad, event etc)	Total dollars \$\$ Do Not Leave Blank (Attach Documentation)	MBE * AA HA AS NA Female

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

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

Smith Contractors, Inc.
Company

10-10-12
Date

Company Representative Kerry Smith

President
Title



10. LFUCG MBE/WBE SUBCONTRACTOR MONTHLY PAYMENT REPORT

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

Bid/RFP/Quote # 139-2012 West Hickman WWTP Odor Control Improvements
Total Contract Amount Awarded to Prime Contractor for this Project _____

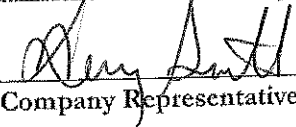
Project Name/ Contract # <u>139-2012</u> <u>West Hickman WWTP Odor Control Improvements</u>	Work Period/ From: _____ To: _____
Company Name: <u>Smith Contractors, Inc.</u>	Address: <u>P.O. Box 480, 1241 Bypass North</u> <u>Lawrenceburg, KKY 40342</u>
Federal Tax ID: <u>61-0999373</u>	Contact Person: <u>Kerry Smith</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.

Smith Contractors, Inc.
Company

10-10-12
Date


Company Representative Kerry Smith
President
Title



11. LFUCG STATEMENT OF GOOD FAITH EFFORTS

Bid/RFP/Quote # 139-2012 West Hickman WWTP Odor Control Improvements

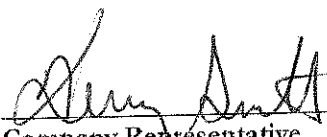
By the signature below of an authorized company representative, we certify that we have utilized the following methods to obtain the maximum practicable participation by minority and women owned business enterprises on the project. Please indicate which methods you used by placing an X in the appropriate 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.
Provided access to plans, specifications and requirements to interested
MBE/WBE subcontractors

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.

Smith Contractors, Inc.
Company

10-10-12
Date


Company Representative Kerry Smith

President
Title

Billy Holiday

From: Billy Holiday <bh@sci82.com>
Sent: Tuesday, September 25, 2012 4:09 PM
To: 'adv.kyconstruction@gmail.com'
Subject: West Hickman WWTP Odor Control Improvements RFQ
Attachments: Advance Construction rfq.pdf

Attached is RFQ for above project.

Regards,
Billy Holiday
Smith Contractors, Inc.
502-839-4196
502-839-8348 fax

SMITH CONTRACTORS, INC.

***P.O. Box 480
1241 Bypass North
Lawrenceburg, KY 40342***

***502 -839-4196
502-839-8348 – Fax #***

September 24, 2012

Advance Construction of KY, LLC
341 Preakness Drive
Lexington, KY 40516-9664

Fax: email: adv.kyconstruction@gmail.com

Re: West Hickman WWTP Odor Control Improvements
Lexington, KY

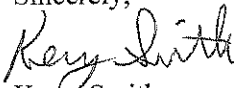
We will be bidding as a general contractor on the above referenced project that bids on Wednesday, October 10, 2012 at 2:00 p.m. local time.

We are soliciting DISADVANTAGED BUSINESS ENTERPRISE firms.

Plans are available for viewing at Lexington-Fayette Urban County Government, Division of Central Purchasing, 200 East Main Street, Third Floor, Room 338, Lexington, KY 40507, 859-258-3320; Bidders Exchange of Louisville, 2300 Meadow Drive, Louisville, KY 40205, 502-459-9800; LFUCG, DIVISION OF WATER QUALITY, 125 LISLE INDUSTRIAL AVE., LEXINGTON KY 40511, 859-425-2400; AGC/McGraw-Hill Const., 950 Contract St., Suite 100, Lexington, KY 40505, 859-425-6630, Builders Exchange of Louisville, Inc., 2300 Meadow Dr., Louisville, KY 40218, 502-459-9800 and Smith Contractors, Inc., 1241 Bypass N, Lawrenceburg, KY 40342.

If you are interested in submitting a bid, please email your quote to bh@sci82.com or fax to 502-839-8348 by noon on Tuesday, October 9, 2012. Attached to this letter is a reply to indicate whether you are or you are not interested in quoting. Please complete and return via email above or fax to number above for our files as soon as possible. If you have any questions, please call our office at 502-839-4196.

Sincerely,



Kerry Smith
President

Attachment

Smith Contractors, Inc is an Equal Opportunity Employer

Subcontractor: Advance Construction of KY, LLC

Fax:

***Requesting a competitive DISADVANTAGED BUSINESS
ENTERPRISE subcontractor bid for:***

Project: West Hickman WWTP Odor Control Improvements

Location: Lexington, KY

 YES, I am interested in submitting a DISADVANTAGED
BUSINESS ENTERPRISE Subcontractor Proposal for this project.

 NO, I am not interested in submitting a DISADVANTAGED
BUSINESS ENTERPRISE Subcontractor Proposal for this project.

Signature – In Writing

Signature – Typed or Written

Date

*****Please fax reply to 502-839-8348 as soon as possible for our records.*****

Smith Contractors, Inc., P.O. Box 480, Lawrenceburg, KY 40342 502-839-4196

Smith Contractors, Inc is an Equal Opportunity Employer

Billy Holiday

From: Billy Holiday <bh@sci82.com>
Sent: Tuesday, September 25, 2012 4:10 PM
To: 'antoineadams1@yahoo.com'
Subject: West Hickman WWTP Odor Control Improvements RFQ
Attachments: Antoine Adams Painting rfq.pdf

Attached is RFQ for above project.

Regards,
Billy Holiday
Smith Contractors, Inc.
502-839-4196
502-839-8348 fax

SMITH CONTRACTORS, INC.

***P.O. Box 480
1241 Bypass North
Lawrenceburg, KY 40342***

***502 -839-4196
502-839-8348 – Fax #***

September 24, 2012

Antoine Adams Painting
627 Ohio Street
Lexington, KY 40408
Fax: email: antoineadams1@yahoo.com

Re: West Hickman WWTP Odor Control Improvements
Lexington, KY

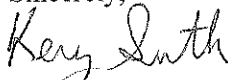
We will be bidding as a general contractor on the above referenced project that bids on Wednesday, October 10, 2012 at 2:00 p.m. local time.

We are soliciting DISADVANTAGED BUSINESS ENTERPRISE firms.

Plans are available for viewing at Lexington-Fayette Urban County Government, Division of Central Purchasing, 200 East Main Street, Third Floor, Room 338, Lexington, KY 40507, 859-258-3320; Bidders Exchange of Louisville, 2300 Meadow Drive, Louisville, KY 40205, 502-459-9800; LFUCG, DIVISION OF WATER QUALITY, 125 LISLE INDUSTRIAL AVE., LEXINGTON KY 40511, 859-425-2400; AGC/McGraw-Hill Const., 950 Contract St., Suite 100, Lexington, KY 40505, 859-425-6630, Builders Exchange of Louisville, Inc., 2300 Meadow Dr., Louisville, KY 40218, 502-459-9800 and Smith Contractors, Inc., 1241 Bypass N, Lawrenceburg, KY 40342.

If you are interested in submitting a bid, please email your quote to bh@sci82.com or fax to 502-839-8348 by noon on Tuesday, October 9, 2012. Attached to this letter is a reply to indicate whether you are or you are not interested in quoting. Please complete and return via email above or fax to number above for our files as soon as possible. If you have any questions, please call our office at 502-839-4196.

Sincerely,



Kerry Smith
President

Attachment

Subcontractor: Antoine Adams Painting

Fax:

Requesting a competitive DISADVANTAGED BUSINESS ENTERPRISE subcontractor bid for:

Project: West Hickman WWTP Odor Control Improvements

Location: Lexington, KY

____ **YES**, I am interested in submitting a DISADVANTAGED BUSINESS ENTERPRISE Subcontractor Proposal for this project.

____ **NO**, I am not interested in submitting a DISADVANTAGED BUSINESS ENTERPRISE Subcontractor Proposal for this project.

Signature – In Writing

Signature – Typed or Written

Date

*****Please fax reply to 502-839-8348 as soon as possible for our records.*****

Smith Contractors, Inc., P.O. Box 480, Lawrenceburg, KY 40342 502-839-4196

Smith Contractors, Inc is an Equal Opportunity Employer

Billy Holiday

From: Billy Holiday <bh@sci82.com>
Sent: Tuesday, September 25, 2012 4:15 PM
To: 'bmurask@controlpanelsinc.net'
Subject: West Hickman WWTP Odor Control Improvements RFQ
Attachments: Control Panels rfq.pdf

Attached is RFQ for above project.

Regards,
Billy Holiday
Smith Contractors, Inc.
502-839-4196
502-839-8348 fax

SMITH CONTRACTORS, INC.

***P.O. Box 480
1241 Bypass North
Lawrenceburg, KY 40342***

***502 -839-4196
502-839-8348 – Fax #***

September 24, 2012

Control Panels Inc.
1275 Turret Drive
Machesney, PA 61115
Fax: email: bmuraski@controlpanelsinc.net

Re: West Hickman WWTP Odor Control Improvements
Lexington, KY

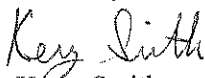
We will be bidding as a general contractor on the above referenced project that bids on Wednesday, October 10, 2012 at 2:00 p.m. local time.

We are soliciting DISADVANTAGED BUSINESS ENTERPRISE firms.

Plans are available for viewing at Lexington-Fayette Urban County Government, Division of Central Purchasing, 200 East Main Street, Third Floor, Room 338, Lexington, KY 40507, 859-258-3320; Bidders Exchange of Louisville, 2300 Meadow Drive, Louisville, KY 40205, 502-459-9800; LFUCG, DIVISION OF WATER QUALITY, 125 LISLE INDUSTRIAL AVE., LEXINGTON KY 40511, 859-425-2400; AGC/McGraw-Hill Const., 950 Contract St., Suite 100, Lexington, KY 40505, 859-425-6630, Builders Exchange of Louisville, Inc., 2300 Meadow Dr., Louisville, KY 40218, 502-459-9800 and Smith Contractors, Inc., 1241 Bypass N, Lawrenceburg, KY 40342.

If you are interested in submitting a bid, please email your quote to bh@sci82.com or fax to 502-839-8348 by noon on Tuesday, October 9, 2012. Attached to this letter is a reply to indicate whether you are or you are not interested in quoting. Please complete and return via email above or fax to number above for our files as soon as possible. If you have any questions, please call our office at 502-839-4196.

Sincerely,


Kerry Smith
President

Attachment

Subcontractor: Control Panels Inc.

Fax:

***Requesting a competitive DISADVANTAGED BUSINESS
ENTERPRISE subcontractor bid for:***

Project: West Hickman WWTP Odor Control Improvements

Location: Lexington, KY

____ **YES**, I am interested in submitting a DISADVANTAGED
BUSINESS ENTERPRISE Subcontractor Proposal for this project.

____ **NO**, I am not interested in submitting a DISADVANTAGED
BUSINESS ENTERPRISE Subcontractor Proposal for this project.

Signature – In Writing

Signature – Typed or Written

Date

*****Please fax reply to 502-839-8348 as soon as possible for our records.*****

Smith Contractors, Inc., P.O. Box 480, Lawrenceburg, KY 40342 502-839-4196

Billy Holiday

From: Billy Holiday <bh@sci82.com>
Sent: Tuesday, September 25, 2012 4:12 PM
To: robert@mckinneypainting.com
Subject: West Hickman WWTP Odor Control Improvements RFQ
Attachments: McKinney Painting rfq.pdf

Attached is RFQ for above project.

Regards,
Billy Holiday
Smith Contractors, Inc.
502-839-4196
502-839-8348 fax

SMITH CONTRACTORS, INC.

***P.O. Box 480
1241 Bypass North
Lawrenceburg, KY 40342***

***502 -839-4196
502-839-8348 – Fax #***

September 24, 2012

McKinney Painting, Inc.
104 Kuhlman Blvd
Versailles, KY 40383
Fax: email: robert@mckinneypainting.com

Re: West Hickman WWTP Odor Control Improvements
Lexington, KY

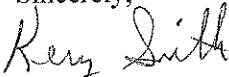
We will be bidding as a general contractor on the above referenced project that bids on Wednesday, October 10, 2012 at 2:00 p.m. local time.

We are soliciting DISADVANTAGED BUSINESS ENTERPRISE firms.

Plans are available for viewing at Lexington-Fayette Urban County Government, Division of Central Purchasing, 200 East Main Street, Third Floor, Room 338, Lexington, KY 40507, 859-258-3320; Bidders Exchange of Louisville, 2300 Meadow Drive, Louisville, KY 40205, 502-459-9800; LFUCG, DIVISION OF WATER QUALITY, 125 LISLE INDUSTRIAL AVE., LEXINGTON KY 40511, 859-425-2400; AGC/McGraw-Hill Const., 950 Contract St., Suite 100, Lexington, KY 40505, 859-425-6630, Builders Exchange of Louisville, Inc., 2300 Meadow Dr., Louisville, KY 40218, 502-459-9800 and Smith Contractors, Inc., 1241 Bypass N, Lawrenceburg, KY 40342.

If you are interested in submitting a bid, please email your quote to bh@sci82.com or fax to 502-839-8348 by noon on Tuesday, October 9, 2012. Attached to this letter is a reply to indicate whether you are or you are not interested in quoting. Please complete and return via email above or fax to number above for our files as soon as possible. If you have any questions, please call our office at 502-839-4196.

Sincerely,



Kerry Smith
President

Attachment

Subcontractor: McKinney Painting, Inc.

Fax:

***Requesting a competitive DISADVANTAGED BUSINESS
ENTERPRISE subcontractor bid for:***

Project: West Hickman WWTP Odor Control Improvements

Location: Lexington, KY

____ **YES**, I am interested in submitting a DISADVANTAGED
BUSINESS ENTERPRISE Subcontractor Proposal for this project.

____ **NO**, I am not interested in submitting a DISADVANTAGED
BUSINESS ENTERPRISE Subcontractor Proposal for this project.

Signature – In Writing

Signature – Typed or Written

Date

*****Please fax reply to 502-839-8348 as soon as possible for our records.*****

Smith Contractors, Inc., P.O. Box 480, Lawrenceburg, KY 40342 502-839-4196

Smith Contractors, Inc is an Equal Opportunity Employer

Billy Holiday

From: Billy Holiday <bh@sci82.com>
Sent: Tuesday, September 25, 2012 4:14 PM
To: kbjmgmt@aol.com
Subject: West Hickman WWTP Odor Control Improvements RFQ
Attachments: Minnifield rfq.pdf

Attached is RFQ for above project.

Regards,
Billy Holiday
Smith Contractors, Inc.
502-839-4196
502-839-8348 fax

SMITH CONTRACTORS, INC.

***P.O. Box 480
1241 Bypass North
Lawrenceburg, KY 40342***

***502 -839-4196
502-839-8348 – Fax #***

September 24, 2012

Minnifield Enterprize, Inc. dba All Pro Electric
3364 Leestown Road
Lexington, KY 40511
Fax: email: kbjmgmt@aol.com

Re: West Hickman WWTP Odor Control Improvements
Lexington, KY


We will be bidding as a general contractor on the above referenced project that bids on Wednesday, October 10, 2012 at 2:00 p.m. local time.

We are soliciting DISADVANTAGED BUSINESS ENTERPRISE firms.

Plans are available for viewing at Lexington-Fayette Urban County Government, Division of Central Purchasing, 200 East Main Street, Third Floor, Room 338, Lexington, KY 40507, 859-258-3320; Bidders Exchange of Louisville, 2300 Meadow Drive, Louisville, KY 40205, 502-459-9800; LFUCG, DIVISION OF WATER QUALITY, 125 LISLE INDUSTRIAL AVE., LEXINGTON KY 40511, 859-425-2400; AGC/McGraw-Hill Const., 950 Contract St., Suite 100, Lexington, KY 40505, 859-425-6630, Builders Exchange of Louisville, Inc., 2300 Meadow Dr., Louisville, KY 40218, 502-459-9800 and Smith Contractors, Inc., 1241 Bypass N, Lawrenceburg, KY 40342.

If you are interested in submitting a bid, please email your quote to bh@sci82.com or fax to 502-839-8348 by noon on Tuesday, October 9, 2012. Attached to this letter is a reply to indicate whether you are or you are not interested in quoting. Please complete and return via email above or fax to number above for our files as soon as possible. If you have any questions, please call our office at 502-839-4196.

Sincerely,


Kerry Smith
President

Attachment

Subcontractor: Minnifield Enterprize, Inc. dba All Pro Electric

Fax:

***Requesting a competitive DISADVANTAGED BUSINESS
ENTERPRISE subcontractor bid for:***

Project: West Hickman WWTP Odor Control Improvements

Location: Lexington, KY

____ **YES**, I am interested in submitting a DISADVANTAGED
BUSINESS ENTERPRISE Subcontractor Proposal for this project.

____ **NO**, I am not interested in submitting a DISADVANTAGED
BUSINESS ENTERPRISE Subcontractor Proposal for this project.

Signature – In Writing

Signature – Typed or Written

Date

*****Please fax reply to 502-839-8348 as soon as possible for our records.*****

Smith Contractors, Inc., P.O. Box 480, Lawrenceburg, KY 40342 502-839-4196

Smith Contractors, Inc is an Equal Opportunity Employer

Billy Holiday

From: Billy Holiday <bh@sci82.com>
Sent: Tuesday, September 25, 2012 4:17 PM
To: 'rohit@rdmcusa.com'
Subject: West Hickman WWTP Odor Control Improvements RFQ
Attachments: Research Development rfq.pdf

Attached is RFQ for above project.

Regards,
Billy Holiday
Smith Contractors, Inc.
502-839-4196
502-839-8348 fax

SMITH CONTRACTORS, INC.

***P.O. Box 480
1241 Bypass North
Lawrenceburg, KY 40342***

***502 -839-4196
502-839-8348 – Fax #***

September 24, 2012

Research Development Manufacturing Company
6400 Innisbrook Drive
Louisville, KY 40059
Fax: email: rohit@rdmcusa.com

Re: West Hickman WWTP Odor Control Improvements
Lexington, KY

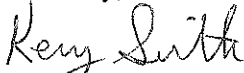
We will be bidding as a general contractor on the above referenced project that bids on Wednesday, October 10, 2012 at 2:00 p.m. local time.

We are soliciting DISADVANTAGED BUSINESS ENTERPRISE firms.

Plans are available for viewing at Lexington-Fayette Urban County Government, Division of Central Purchasing, 200 East Main Street, Third Floor, Room 338, Lexington, KY 40507, 859-258-3320; Bidders Exchange of Louisville, 2300 Meadow Drive, Louisville, KY 40205, 502-459-9800; LFUCG, DIVISION OF WATER QUALITY, 125 LISLE INDUSTRIAL AVE., LEXINGTON KY 40511, 859-425-2400; AGC/McGraw-Hill Const., 950 Contract St., Suite 100, Lexington, KY 40505, 859-425-6630, Builders Exchange of Louisville, Inc., 2300 Meadow Dr., Louisville, KY 40218, 502-459-9800 and Smith Contractors, Inc., 1241 Bypass N, Lawrenceburg, KY 40342.

If you are interested in submitting a bid, please email your quote to bh@sci82.com or fax to 502-839-8348 by noon on Tuesday, October 9, 2012. Attached to this letter is a reply to indicate whether you are or you are not interested in quoting. Please complete and return via email above or fax to number above for our files as soon as possible. If you have any questions, please call our office at 502-839-4196.

Sincerely,



Kerry Smith
President

Attachment

Subcontractor: Research Development Manufacturing Company

Fax:

***Requesting a competitive DISADVANTAGED BUSINESS
ENTERPRISE subcontractor bid for:***

Project: West Hickman WWTP Odor Control Improvements

Location: Lexington, KY

____ **YES**, I am interested in submitting a DISADVANTAGED
BUSINESS ENTERPRISE Subcontractor Proposal for this project.

____ **NO**, I am not interested in submitting a DISADVANTAGED
BUSINESS ENTERPRISE Subcontractor Proposal for this project.

Signature – In Writing

Signature – Typed or Written

Date

*****Please fax reply to 502-839-8348 as soon as possible for our records.*****

Smith Contractors, Inc., P.O. Box 480, Lawrenceburg, KY 40342 502-839-4196

Smith Contractors, Inc is an Equal Opportunity Employer

Billy Holiday

From: Billy Holiday <bh@sci82.com>
Sent: Tuesday, September 25, 2012 4:19 PM
To: 'rcc@dishmail.net'
Subject: West Hickman WWTP Odor Control Improvements RFQ
Attachments: River City Controls rfq.pdf

Attached is RFQ for above project.

Regards,
Billy Holiday
Smith Contractors, Inc.
502-839-4196
502-839-8348 fax

SMITH CONTRACTORS, INC.

***P.O. Box 480
1241 Bypass North
Lawrenceburg, KY 40342***

***502-839-4196
502-839-8348 – Fax #***

September 24, 2012

River City Controls, Inc.
753 Tracy Lynn Lane
Lebanon Junction, KY 40150
Fax: email: rcc@dishmail.net

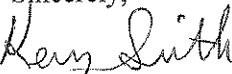
Re: West Hickman WWTP Odor Control Improvements
Lexington, KY

We will be bidding as a general contractor on the above referenced project that bids on Wednesday, October 10, 2012 at 2:00 p.m. local time.

We are soliciting DISADVANTAGED BUSINESS ENTERPRISE firms.

Plans are available for viewing at Lexington-Fayette Urban County Government, Division of Central Purchasing, 200 East Main Street, Third Floor, Room 338, Lexington, KY 40507, 859-258-3320; Bidders Exchange of Louisville, 2300 Meadow Drive, Louisville, KY 40205, 502-459-9800; LFUCG, DIVISION OF WATER QUALITY, 125 LISLE INDUSTRIAL AVE., LEXINGTON KY 40511, 859-425-2400; AGC/McGraw-Hill Const., 950 Contract St., Suite 100, Lexington, KY 40505, 859-425-6630, Builders Exchange of Louisville, Inc., 2300 Meadow Dr., Louisville, KY 40218, 502-459-9800 and Smith Contractors, Inc., 1241 Bypass N, Lawrenceburg, KY 40342.

If you are interested in submitting a bid, please email your quote to bh@sci82.com or fax to 502-839-8348 by noon on Tuesday, October 9, 2012. Attached to this letter is a reply to indicate whether you are or you are not interested in quoting. Please complete and return via email above or fax to number above for our files as soon as possible. If you have any questions, please call our office at 502-839-4196.

Sincerely,

Kerry Smith
President

Attachment

Subcontractor: River City Controls, Inc.

Fax:

Requesting a competitive DISADVANTAGED BUSINESS ENTERPRISE subcontractor bid for:

Project: West Hickman WWTP Odor Control Improvements

Location: Lexington, KY

____ **YES**, I am interested in submitting a DISADVANTAGED BUSINESS ENTERPRISE Subcontractor Proposal for this project.

____ **NO**, I am not interested in submitting a DISADVANTAGED BUSINESS ENTERPRISE Subcontractor Proposal for this project.

Signature – In Writing

Signature – Typed or Written

Date

*****Please fax reply to 502-839-8348 as soon as possible for our records.*****

Smith Contractors, Inc., P.O. Box 480, Lawrenceburg, KY 40342 502-839-4196

Smith Contractors, Inc is an Equal Opportunity Employer

Billy Holiday

From: Billy Holiday <bh@sci82.com>
Sent: Tuesday, September 25, 2012 4:16 PM
To: dswain@temelectric.com
Subject: West Hickman WWTP Odor Control Improvements RFQ
Attachments: TEM Electric rfq.pdf

Attached is RFQ for above project.

Regards,
Billy Holiday
Smith Contractors, Inc.
502-839-4196
502-839-8348 fax

SMITH CONTRACTORS, INC.

***P.O. Box 480
1241 Bypass North
Lawrenceburg, KY 40342***

***502 -839-4196
502-839-8348 – Fax #***

September 24, 2012

T.E.M Electric Co, Inc.
1129 Commercial Drive
Lexington, KY 40505
Fax: email: dswain@temelectric.com

Re: West Hickman WWTP Odor Control Improvements
Lexington, KY

We will be bidding as a general contractor on the above referenced project that bids on Wednesday, October 10, 2012 at 2:00 p.m. local time.

We are soliciting DISADVANTAGED BUSINESS ENTERPRISE firms.

Plans are available for viewing at Lexington-Fayette Urban County Government, Division of Central Purchasing, 200 East Main Street, Third Floor, Room 338, Lexington, KY 40507, 859-258-3320; Bidders Exchange of Louisville, 2300 Meadow Drive, Louisville, KY 40205, 502-459-9800; LFUCG, DIVISION OF WATER QUALITY, 125 LISLE INDUSTRIAL AVE., LEXINGTON KY 40511, 859-425-2400; AGC/McGraw-Hill Const., 950 Contract St., Suite 100, Lexington, KY 40505, 859-425-6630, Builders Exchange of Louisville, Inc., 2300 Meadow Dr., Louisville, KY 40218, 502-459-9800 and Smith Contractors, Inc., 1241 Bypass N, Lawrenceburg, KY 40342.

If you are interested in submitting a bid, please email your quote to bh@sci82.com or fax to 502-839-8348 by noon on Tuesday, October 9, 2012. Attached to this letter is a reply to indicate whether you are or you are not interested in quoting. Please complete and return via email above or fax to number above for our files as soon as possible. If you have any questions, please call our office at 502-839-4196.

Sincerely,



Kerry Smith
President

Attachment

Subcontractor: T.E.M. Electric Co., Inc.

Fax:

Requesting a competitive DISADVANTAGED BUSINESS ENTERPRISE subcontractor bid for:

Project: West Hickman WWTP Odor Control Improvements

Location: Lexington, KY

____ **YES**, I am interested in submitting a DISADVANTAGED BUSINESS ENTERPRISE Subcontractor Proposal for this project.

____ **NO**, I am not interested in submitting a DISADVANTAGED BUSINESS ENTERPRISE Subcontractor Proposal for this project.

Signature – In Writing

Signature – Typed or Written

Date

*****Please fax reply to 502-839-8348 as soon as possible for our records.*****

Smith Contractors, Inc., P.O. Box 480, Lawrenceburg, KY 40342 502-839-4196

Smith Contractors, Inc is an Equal Opportunity Employer

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

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

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

13. STATEMENT OF EXPERIENCE

NAME OF INDIVIDUAL: _____ See attached

POSITION/TITLE: _____

STATEMENT OF EXPERIENCE: _____

NAME OF INDIVIDUAL: _____

POSITION/TITLE: _____

STATEMENT OF EXPERIENCE: _____

NAME OF INDIVIDUAL: _____

POSITION/TITLE: _____

STATEMENT OF EXPERIENCE: _____

Smith Contractors, Inc.

KEY PERSONNEL

Schedule C

<i>Employee Name</i>	<i>Position</i>	<i>Date Started with SCI</i>	<i>Date Started In Construction</i>	<i>Prior Positions and Experience In Construction</i>
Kerry Smith	President/Owner	January, 1982	1970	Superintendent/Project Manager
Joe Smith	Vice-President	June, 1999	1998	Superintendent/Project Manager
Vandra Guffey	Treasurer	December, 1989	1982	Accounting Controller Asst.
Jerry Powell	Superintendent/ Project Manager	May, 1992	1972	Resume provided upon request
J.B. Rutledge	Superintendent	September, 1996	1973	Resume provided upon request
Jack Pennington	Superintendent	November, 1984	1983	Resume provided upon request
Dennis Muse	Superintendent	April, 2004	1984	Resume provided upon request
Jason Steinmetz	Superintendent/ Project Manager	December, 2001	2000	Resume provided upon request
Mike Craft	Superintendent	June, 2004	1994	Resume provided upon request
Dwayne Hall	Superintendent	August, 2012	1978	Resume provided upon request

NAME OF INDIVIDUAL: _____

POSITION/TITLE: _____

STATEMENT OF EXPERIENCE: _____

NAME OF INDIVIDUAL: _____

POSITION/TITLE: _____

STATEMENT OF EXPERIENCE: _____

NAME OF INDIVIDUAL: _____

POSITION/TITLE: _____

STATEMENT OF EXPERIENCE: _____

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

14. EQUAL OPPORTUNITY AGREEMENT

The Law

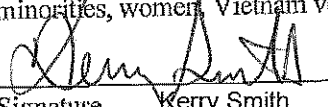
- * Title VII of the Civil Rights Act of 1964 (amended 1972) states that it is unlawful for an employer to discriminate in employment because of race, color, religion, sex, age (40-70 years) or national origin.
- * Executive Order No. 11246 on Nondiscrimination under Federal contract prohibits employment discrimination by contractor and subcontractor doing business with the Federal Government or recipients of Federal funds. This order was later amended by Executive Order No. 11375 to prohibit discrimination on the basis of sex.
- * Section 503 of the Rehabilitation Act of 1973 States:
The Contractor will not discriminate against any employee or applicant for employment because of physical or mental handicap.
- * Section 2012 of the Vietnam Era Veterans Readjustment Act of 1973 requires Affirmative Action on behalf of disabled veterans and veterans of the Vietnam Era by contractors having Federal Contracts.
- * Section 206 (A) of Executive Order 12086, Consolidation of Contract Compliance Functions for Equal Employment Opportunity, states:
The Secretary of Labor may investigate the employment practices of any Government contractor or sub-contractor to determine whether or not the contractual provisions specified in Section 202 of this order have been violated.

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

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

Bidders

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


Signature Kerry Smith

Smith Contractors, Inc.
Name of Business

The Entity (regardless of whether construction contractor, non-construction contractor or supplier) agrees to provide equal opportunity in employment for all qualified persons, to prohibit discrimination in employment because of race, color, creed, national origin, sex or age, and to promote equal employment through a positive, continuing program from itself and each of its sub-contracting agents. This program of equal employment opportunity shall apply to every aspect of its employment policies and practices.

The Kentucky equal Employment Opportunity Act of 1978 (KRS 45.560-45.640) requires that any count, city, town, school district, water district, hospital district, or other political subdivision of the state shall include in directly or indirectly publicly funded contracts for supplies, materials, services, or equipment hereinafter entered into the following provisions:

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

- (1) *The contractor will not discriminate against any employee or applicant for employment because of race, color, religion, sex, age or national origin;*
- (2) *The contractor will state in all solicitations or advertisements for employees placed by or on behalf of the contractors that all qualified applicants will receive consideration for employment without regard to race, color, religion, sex, age or national origin;*
- (3) *The contract will post notices in conspicuous places, available to employees and applicants for employment, setting forth the provisions of the non-discrimination clauses required by this section; and*
- (4) *The contractor will send a notice to each labor union or representative of workers with which he has a collective bargaining agreement or other contract or understanding advising the labor union or workers' representative of the contractor's commitments under the nondiscrimination clauses.*

The Act further provides:

KRS 45.610. Hiring minorities – Information required

- (1) *For the length of the contract, each contractor shall hire minorities from other sources within the drawing area, should the union with which he has collective bargaining agreements be unwilling to supply sufficient minorities to satisfy the agreed upon goals and timetable.*
- (2) *Each contractor shall, for the length of the contract, furnish such information as required by KRS 45.560 to KRS 45.640 and by such rules, regulations and orders issued pursuant thereto and will permit access to all books and records pertaining to his employment practices and work sites by the contracting agency and the department for purposes of investigation to ascertain compliance with KRS 45.560 to 45.640 and such rules, regulations and orders issued pursuant thereto.*

KRS 45.620. Action against contractor – Hiring of minority contractor or subcontractor

- (1) *If any contractor is found by the department to have engaged in an unlawful practice under this chapter during the course of performing under a contract or subcontract covered under KRS 45.560 to 45.640, the department shall so certify to the contracting agency and such certification shall be binding upon the contracting agency unless it is reversed in the course of judicial review.*
- (2) *If the contractor is found to have committed an unlawful practice under KRS 45.560 to 45.640, the contracting agency may cancel or terminate the contract, conditioned upon a program for future compliance approved by the contracting agency and the department. The contracting agency may declare such a contractor ineligible to bid on further contracts with that agency until such time as the contractor complies in full with the requirements of KRS 45.560 – 45.640.*
- (3) *The equal employment provisions of KRS 45.560 to 45.640 may be met in part by a contractor by subcontracting to a minority contractor or subcontractor. For the provisions of KRS 45.560 to 45.640, a minority contractor or subcontractor shall mean a business that is owned and controlled by one or more persons disadvantaged by racial or ethnic circumstances.*

KRS 45.630 Termination of existing employee not required, when

Any provision of KRS 45.560 to 45.640 notwithstanding, no contractor shall be required to terminate an existing employee upon proof that that employee was employed prior to the date of the contract.

KRS 45.640 Minimum skills

Nothing in KRS 45.560 to 45.640 shall require a contractor to hire anyone who fails to demonstrate the minimum skills required to perform a particular job.

It is recommended that all of the provisions quoted above to be included as special conditions in each contract. In the case of a contract exceeding \$250,000, the contractor is required to furnish evidence that his work-force in Kentucky is representative of the available work-force in the area from which he draws employees, or to supply an Affirmative Action plan which will achieve such representation during the life of the contract.

15. EQUAL EMPLOYMENT OPPORTUNITY AFFIRMATIVE ACTION POLICY

It is the policy of _____ Smith Contractors, 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.

16. WORKFORCE ANALYSIS FORM

Name of Organization: Smith Contractors, Inc. Date: 10 / 10 / 2012

Categories	Total	White		Black		Other		Total	
		M	F	M	F	M	F	M	F
Administrators	2	2						2	
Professionals									
Superintendents	7	7						7	
Supervisors									
Foremen									
Laborers Technicians	28	26				2		28	
Protective Service operators	14	14						14	
Para-Professionals	6	2	3		1			2	4
Office/Clerical operators	11	9				2		11	
Skilled Craft									
Service/Maintenance	5	5						5	
Total:	73	65	3		1	4		69	4

Prepared By: Kerry Smith

17. EVIDENCE OF INSURABILITY

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

Names Insured: Smith Contractors, Inc. Employee ID: _____
Address: P.O. Box 480, Lawrenceburg, Ky 40342 Phone: 502-839-4196

Project to be insured: West Hickman WWTP Odor Control 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-3, Section 2, Part 4.1 - see provisions	CGL	\$1,000,000 per occ. And \$2,000,000 aggregate	\$1,000,000 Per. Occ. \$2,000,000 Agg.	Amerisure	000604	A
SC-3, Section 2, Part 4.1 - see provisions	AUTO	\$2,000,000/per occ.	\$1,000,000 Per. Occ. \$10,000,000 Umb.	Amerisure	000604	A
SC-3, Section 2, Part 4.1 - see provisions	WC	Statutory w/endorsement as noted	\$4,000,000 EL	KY - AGC	055002	A-

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

Garrett - Stutz Company Steven M. Garrett
Agency or Brokerage Name of Authorized Representative
1601 Aliant Ave. Producer
Street Address Title
Louisville Ky 40299
City State Zip
502-415-7000 10/2/12
Telephone Number Date
Authorized Signature

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.

18. DEBARRED FIRMS

PROJECT NAME: West Hickman WWTP Odor Control Improvements

BID NUMBER: 139-2012

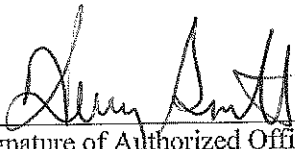
**LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT
LEXINGTON, KY**

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 Smith Contractors, Inc. has not and will not award a subcontract, in connection with any contract award to it as the result of this bid, to any firm that has been debarred for noncompliance with the Federal labor Standards, Title VI of the civil Rights Act of 1964, Executive Order 11246 as amended or any Federal Law.

Smith Contractors, Inc.
Name of Firm Submitting Bid


Signature of Authorized Official Kerry Smith

President
Title

10-10-12
Date

19. DEBARMENT CERTIFICATION

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

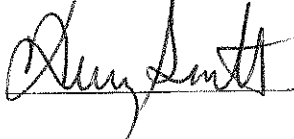
The contractor/subcontractor certifies in accordance with Executive Order 12549 (Debarment and Suspension 2/18/86) that to the best of its knowledge and belief, that it and its principals:

- 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: Smith Contractors, Inc.

Project: West Hickman WWTP Odor Control Improvements

Printed Name and Title of Authorized Representative: Kerry Smith, President

Signature: 

Date: 10-10-12

END OF SECTION

Interchange Corporate Center
450 Plymouth Road, Suite 400
Plymouth Meeting, PA. 19462-1644
Ph. (610) 832-8240

BID BOND

Bond Number: N/A

KNOW ALL MEN BY THESE PRESENTS, that we SMITH CONTRACTORS, INC., PO BOX 480,
LAWRENCEBURG, KY 40342

_____, as principal (the "Principal"),
and LIBERTY MUTUAL INSURANCE COMPANY, a Massachusetts stock insurance company, as surety (the
"Surety"), are held and firmly bound unto LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT, 200 EAST
MAIN ST, LEXINGTON, KY 40507

_____, as obligee (the "Obligee"), in
the penal sum of FIVE PERCENT BID AMOUNT

_____ Dollars (\$5% BID AMOUNT _____),
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: WEST HICKMAN ODOR CONTROL IMPROVEMENTS


NOW, THEREFORE, if the Oblige shall accept the bid of the Principal within the period specified therein, or, if no period be specified, within sixty (60) days after opening, and the Principal shall enter into a contract with the Oblige in accordance with the terms of such bid, and give such bond or bonds as may be specified in the bidding or contract documents, or in the event of the failure of the Principal to enter into such contract and give such bond or bonds, if the Principal shall pay to the Oblige the difference in money not to exceed the penal sum hereof between the amount specified in said bid and such larger amount for which the Oblige 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. In no event shall the liability hereunder exceed the penal sum thereof.

PROVIDED AND SUBJECT TO THE CONDITION PRECEDENT, that any claim by Oblige under this bond must be submitted in writing by registered mail, to the attention of the Surety Law Department at the address above, within 120 days of the date of this bond. Any suit under this bond must be instituted before the expiration of one (1) year from the date of this bond. If the provisions of this paragraph are void or prohibited by law, the minimum period of limitation available to sureties as a defense in the jurisdiction of the suit shall apply.


DATED as of this 10th day of OCTOBER, 2012

WITNESS / ATTEST

Sandra Gurney
VANDRA GURNEY, TREASURER

SMITH CONTRACTORS, INC.
(Principal)
By:  (Seal)
Name: KERRY SMITH
Title: PRESIDENT

LIBERTY MUTUAL INSURANCE COMPANY
(Surety)

By: (Surrey)  (Seal)
Attorney-in-Fact
DAVID P. O'BRYAN

THIS POWER OF ATTORNEY IS NOT VALID UNLESS IT IS PRINTED ON RED BACKGROUND.

This Power of Attorney limits the acts of those named herein, and they have no authority to bind the Company except in the manner and to the extent herein stated.

5174991
Certificate No. _____

American Fire and Casualty Company
The Ohio Casualty Insurance Company
West American Insurance Company

Liberty Mutual Insurance Company
Peerless Insurance Company

POWER OF ATTORNEY

KNOWN ALL PERSONS BY THESE PRESENTS: That American Fire & Casualty Company and The Ohio Casualty Insurance Company are corporations duly organized under the laws of the State of Ohio, that Liberty Mutual Insurance Company is a corporation duly organized under the laws of the State of Massachusetts, that Peerless Insurance Company is a corporation duly organized under the laws of the State of New Hampshire, and West American Insurance Company is a corporation duly organized under the laws of the State of Indiana (herein collectively called the "Companies"), pursuant to and by authority herein set forth, does hereby name, constitute and appoint, **DAVID P. O'BRYAN, CHRISTOPHER A. CYTERSKI, DAVID DOUGLAS,**

all of the city of LOUISVILLE, state of KENTUCKY each individually if there be more than one named, its true and lawful attorney-in-fact to make, execute, seal, acknowledge and deliver, for and on its behalf as surety and as its act and deed, any and all undertakings, bonds, recognizances and other surety obligations, in pursuance of these presents and shall be as binding upon the Companies as if they have been duly signed by the president and attested by the secretary of the Companies in their own proper persons.

IN WITNESS WHEREOF, this Power of Attorney has been subscribed by an authorized officer or official of the Companies and the corporate seals of the Companies have been affixed thereto this 15th day of February, 2012.



American Fire and Casualty Company
The Ohio Casualty Insurance Company
Liberty Mutual Insurance Company
Peerless Insurance Company
West American Insurance Company

By: Gregory W. Davenport
Gregory W. Davenport, Assistant Secretary

STATE OF WASHINGTON ss
COUNTY OF KING

On this 15th day of February, 2012, before me personally appeared Gregory W. Davenport, who acknowledged himself to be the Assistant Secretary of American Fire and Casualty Company, Liberty Mutual Insurance Company, The Ohio Casualty Company, Peerless Insurance Company and West American Insurance Company, and that he, as such, being authorized so to do, execute the foregoing instrument for the purposes therein contained by signing on behalf of the corporations by himself as a duly authorized officer.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my notarial seal at Seattle, Washington, on the day and year first above written.



By: KD Riley
KD Riley, Notary Public

This Power of Attorney is made and executed pursuant to and by authority of the following By-laws and Authorizations of American Fire and Casualty Company, The Ohio Casualty Insurance Company, Liberty Mutual Insurance Company, West American Insurance Company and Peerless Insurance Company, which resolutions are now in full force and effect reading as follows:

ARTICLE IV - OFFICERS - Section 12. Power of Attorney. Any officer or other official of the Corporation authorized for that purpose in writing by the Chairman or the President, and subject to such limitation as the Chairman or the President may prescribe, shall appoint such attorneys-in-fact, as may be necessary to act in behalf of the Corporation to make, execute, seal, acknowledge and deliver as surety any and all undertakings, bonds, recognizances and other surety obligations. Such attorneys-in-fact, subject to the limitations set forth in their respective powers of attorney, shall have full power to bind the Corporation by their signature and execution of any such instruments and to attach thereto the seal of the Corporation. When so executed, such instruments shall be as binding as if signed by the President and attested to by the Secretary. Any power or authority granted to any representative or attorney-in-fact under the provisions of this article may be revoked at any time by the Board, the Chairman, the President or by the officer or officers granting such power or authority.

ARTICLE XIII - Execution of Contracts - SECTION 5. Surety Bonds and Undertakings. Any officer of the Company authorized for that purpose in writing by the chairman or the president, and subject to such limitations as the chairman or the president may prescribe, shall appoint such attorneys-in-fact, as may be necessary to act in behalf of the Company to make, execute, seal, acknowledge and deliver as surety any and all undertakings, bonds, recognizances and other surety obligations. Such attorneys-in-fact subject to the limitations set forth in their respective powers of attorney, shall have full power to bind the Company by their signature and execution of any such instruments and to attach thereto the seal of the Company. When so executed such instruments shall be as binding as if signed by the president and attested by the secretary.

Certificate of Designation - The President of the Company, acting pursuant to the Bylaws of the Company, authorizes Gregory W. Davenport, Assistant Secretary to appoint such attorney-in-fact as may be necessary to act on behalf of the Company to make, execute, seal, acknowledge and deliver as surety any and all undertakings, bonds, recognizances and other surety obligations.

Authorization - By unanimous consent of the Company's Board of Directors, the Company consents that facsimile or mechanically reproduced signature of any assistant secretary or other officer of the Company, wherever appearing upon a certified copy of any power of attorney issued by the Company in connection with surety bonds, shall be valid and binding upon the Company with the same force and effect as though manually affixed.

I, David M. Carey, the undersigned, Assistant Secretary, of American Fire and Casualty Company, The Ohio Casualty Insurance Company, Liberty Mutual Insurance Company, West American Insurance Company and Peerless Insurance Company do hereby certify that the original power of attorney of which the foregoing is a full above and foregoing is a true and correct copy of the Power of Attorney executed by said Companies, which is in full force and effect and has not been revoked.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the seals of said Companies this 16th day of October, 2012.



By: David M. Carey
David M. Carey, Assistant Secretary

Not valid for mortgage, note, loan, letter of credit, bank deposit, currency rate, interest rate or residual value guarantees.

To confirm the validity of this Power of Attorney call 1-610-832-8240 between 9:00 am and 4:30 pm EST on any business day.