

**PART III**  
**FORM OF PROPOSAL**

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**PART III**

**Invitation to Bid No. 47-2014**

**FIBER-OPTIC PATHWAY AND CABLE INSTALLATION PROJECT**

**1. FORM OF PROPOSAL**

Place: Lexington, Kentucky

Date: March 31, 2014

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

This Proposal Submitted by Arrow Electric Company

317 Wabasso Ave. Louisville, KY 40209

(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 **FIBER-OPTIC PATHWAY AND CABLE INSTALLATION** 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 provided in the Purchase Order or Work Orders issued by the OWNER. BIDDER further agrees to pay liquidated damages, the sum of \$350 for each consecutive calendar day thereafter.

The Bidder hereby acknowledges receipt of the following addenda:

Addendum No. 1 Date 3/19/14

Addendum No. 2 Date 3/24/14

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 Arrow Electric Company

Date March 31, 2014

\* 1. A corporation duly organized and doing business under the laws of the State of Kentucky \_\_\_\_\_, for whom Scott A. Saylor, bearing the official title of Vice 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)

N/A  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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


N/A  
\_\_\_\_\_  
\_\_\_\_\_

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

3. **BIDDERS AFFIDAVIT**

Comes the Affiant, Scott A. Saylor, and after being first duly sworn, states under penalty of perjury as follows:

1. His/her name is Scott A. Saylor and he/she is the individual submitting the bid or is the authorized representative of Arrow Electric Company, 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.

  
 \_\_\_\_\_  
 (Affiant)

STATE OF Kentucky

COUNTY OF Jefferson

The foregoing instrument was subscribed, sworn to and acknowledged before me by \_\_\_\_\_ on this the 31st day of March, 20 14.

My Commission expires: 10/29/2017

  
 \_\_\_\_\_  
 NOTARY PUBLIC, STATE AT LARGE

#### 4. BID SCHEDULE – SCHEDULE OF VALUES

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

Form of proposal must include unit bid prices written in words, unit price written in numbers and total amount bid (unit price x quantity) per line item OR bid may be considered non-responsive. In case of price discrepancy, unit bid price written in words will prevail followed by unit price written in numbers then total amount bid per line item.

If a discrepancy between the unit price and the item total exists, the unit price prevails except:

If the unit price is illegible, omitted, or the same as the item total, item total prevails and the unit price is the quotient of the item total and the quantity.

If the unit price and the item total are illegible or are omitted, the bid may be determined nonresponsive. If a lump sum total price is illegible or is omitted, the bid may be determined nonresponsive.

For a lump sum based bid, the item total is the bid amount the Division uses for bid comparison.

For a unit price based bid, the sum of the item totals is the bid amount the Division uses for bid comparison.

The LFUCG's decision on the bid amount is final.

The contract, if awarded, will be on the basis of materials and equipment specified in the specifications without consideration of possible substitute or "or equal" items.

The estimated quantities of items of unit price work are not guaranteed and are solely for the purpose of comparison of bids and determining an initial Contract price. Determination of the actual quantities and classification of unit price work performed by the Contractor will be made by the Engineer in accordance with the General Conditions.

<b>Corridor 1- US 68</b>					
	<b>Bid Item</b>	<b>Unit</b>	<b>Quantity</b>	<b>Unit Price</b>	<b>Bid</b>
1	Conduit, 2" Orange	FT	6,891	\$ 14.75	\$ 101,642.25
2	Communication Box	EA	13	\$ 675.00	\$ 8,775.00
5	Drop to Cabinet	EA	3	\$ 1,250.00	\$ 3,750.00
	<b>Total</b>				\$ 114,167.25

<b>Corridor 2 - US 60</b>					
	<b>Bid Item</b>	<b>Unit</b>	<b>Quantity</b>	<b>Unit Price</b>	<b>Bid</b>
1	Conduit, 2" Orange	FT	500	\$ 14.75	\$ 7,375.00
5	Drop to Cabinet	EA	11	\$ 1,250.00	\$ 13,750.00
6	Span Wire	FT	14,200	\$ 3.15	\$ 44,730.00
7	Demolition	FT	11,850	\$ 2.50	\$ 29,625.00
8	Maintain Communications	LUMP	1	\$ 1,000.00	\$ 1,000.00
9	Fiber Optic Cable (72 Count)	FT	17,700	\$ 1.65	\$ 29,205.00
10	Novice Kit	EA	11	\$ 1,300.00	\$ 14,300.00
3	<del>Total</del> - Class IV Wood Pole	EA	1	\$ 1,000.00	\$ 1,000.00
Total					\$ 140,985.00

<b>Corridor 3 - US 421</b>					
	<b>Bid Item</b>	<b>Unit</b>	<b>Quantity</b>	<b>Unit Price</b>	<b>Bid</b>
1	Conduit, 2" Orange	FT	4,800	\$ 14.75	\$ 70,800.00
2	Communication Box	EA	6	\$ 675.00	\$ 4,050.00
3	Class IV Wood Pole	EA	1	\$ 1,000.00	\$ 1,000.00
4	<del>Pole Anchor</del> - Provide and Install Transition	EA	4	\$ 355.00	\$ 1,420.00
5	Drop to Cabinet	EA	5	\$ 1,250.00	\$ 6,250.00
6	Span Wire	FT	3,100	\$ 3.15	\$ 9,765.00
<b>Total</b>					<b>\$ 93,285.00</b>

<b>Total - All Corridors</b>					<b>\$ 348,437.25</b>
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## Add Alternates

	Bid Item	Unit	Quantity	Unit Price	Bid
<b>A</b>	<b>Corridor 3 - Add Alternate</b>				
9	Fiber Optic Cable (72 Count)	FT	10,118	\$ 2.10	\$ 21,247.80
10	Novice Kit	EA	5	\$ 1,250.00	\$ 6,250.00
	<b>Total</b>				\$ 27,497.80

<b>B</b>	<b>Corridor 1 - Add Alternate</b>				
9	Fiber Optic Cable (72 Count)	FT	7,330	\$ 2.10	\$ 15,393.00
10	Novice Kit	EA	3	\$ 1,250.00	\$ 3,750.00
	<b>Total</b>				\$ 19,143.00

	<b>Total - All Corridors and Add Alternates</b>				\$ 395,078.05
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\*If sufficient funds are available, the Add Alternates will be awarded in the order listed above. (A then B)

TOTAL OF ALL BID PRICES FOR **FIBER-OPTIC PATHWAY AND CABLE INSTALLATION** Project. Total for Corridors 1-3 in words and figures. In case of discrepancy, the amount shown in words will govern.

Three hundred forty eight thousand, four hundred and thirty-seven dollars and twenty-five cents

\_\_\_\_\_ (\$ 348,437.25 \_\_\_\_\_).



Submitted by:

Arrow Electric Company

*Firm*

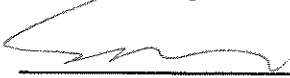
317 Wabasso Avenue

*Address*

Louisville, KY 40209

*City, State & Zip*

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



Vice President

***Signature of Authorized Company Representative – Title***

Scott A. Saylor

*Representative/s Name (Typed or Printed)*

502-836-4201 (Phone) 502-367-7907 (Fax)

*Area Code – Phone – Extension*

*Fax #*

scott@arrowelectric.com

*E-Mail Address*

**OFFICIAL ADDRESS:**

Arrow Electric Company

317 Wabasso Avenue

Louisville, KY 40209

(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: Arrow Electric Company, Scott A. Saylor, Vice President

2. Permanent Place of Business: 317 Wabasso Avenue Louisville, KY 40209

3. When Organized: May 1957

4. Where Incorporated: Kentucky

5. Construction Plant and Equipment Available for this Project:

Arrow Electric Company 2321 Maggard Dr. Lexington, KY 40511

See attached Equipment List

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

(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:

See attached Bid Bond (Surety)

Signed: \_\_\_\_\_ (Representative of Surety)

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

NO	DESCRIPTION	FUEL	WEIGHT
E-76	2005 SOLAR SIGN (ARROW) BOARD SER #0059AB05	DIESEL	
E-78	DITCH WITCH JT-2020 DIRECT BORING UNIT S/N #CMWJ2020H600D217 2006 BETTER BUILT TRAILER 4MNDP252461002000 MODEL #PH2522DTE VERMEER MARK III SYSTEM ELECTRONICS		
E-79	KAESER M26 AIR COMPRESSOR S/N 1040		
E_81	60HP TURBO DIESEL SAW 20" BLADE SER #138877	DIESEL	
E-83	60 HP FLOOR SAW 20 INCH Model CC6560 XLS Serial #140046	GAS	
TRAILERS			
T28	1955 TRAILER T2199		
T29	1965 TRAILMOBILE B13865		
OFFICE TRAILERS			
OT1	MODEL 830 FIELD OFFICE TRAILER 12-9245		
WORK TRAILERS			
WT2	HUDSON 9 TON TRAILER 10HHTD1D7J1000033		
WT9	5X8 SINGLE AXLE FLAT BED TRAILER MOBILE WORK TRAILER THREADING		
WT13	1990 HUDSON BACKHOE 28FT TRAILER 10HHTD1D4L1000235		
WT14	1988 WIL-RO FLATBED TRAILER 1W9F252D2J1012479		
WT17	1991 HARROD FLATBED TRAILER 118004284 - 16 FOOT		
WT24	TRUCO 3 REEL WIRE TRAILER 3394TMR1230PN		
WT25	1992 HUDSON TRAILER 10HHTD1D1N1000244		
WT26	1992 BRYANT 18' FLATBED LOOP TRL 4GZ131828NB000950		
WT31	1989 HUDSON 9 TON TRAILER 10HHTD1D4K1000413		
WT33	12' FLATBED - DOUBLE AXLE 1S9FT3122SK065769 FOR HAULING SCISSOR LIFT	INC IN SCISSOR LIFT RATES	
WT34	1996 PTB SERIES POLE TRAILER 1B9BS1113TM274038		
WT35	1996 5X8 UTILITY TRAILER 48MUS0813TSD22640		
WT 36	1999 5X8 SINGLE AXLE FLAT BED TRAILER 5 X 8 PORTABLE THREADING UNIT 0099B000000101188		
WT37	1999 HUDSON 16 FOOT - 5 TON TILT 10HHD1405X1000092		
WT38	HUDSON 16 FOOT - 5 TON TILT 10HHD140571000157		
WT40	WELLS CARGO TRAILER VIN #1WC200FL3K1040440 6' x 12' ENCLOSED TRAILER		
WT44	WIRE TRAILER - CUSTOM BUILT - 040344 KYT36202		
WT45	WIRE TRAILER - CUSTOM BUILT - 040348 KYT36203		
WT46	4' X 6' UTILITY TRAILER 4YMUL06149G014543		
WT47	2011 BGTM UTILITY TRAILER 6' X 16' 002011S0000110552		
WT48	2011 BGTM UTILITY TRAILER 6' X 16' 002011S0000110551		

NO	DESCRIPTION	FUEL	WEIGHT
148	2007 FORD 550 BUCKET TRUCKTL38P 1FDAF56Y27EA85199	GAS	22,000
149	2005 INTL 4300 LOOP TRUCK 1HTMMAAN45H697237	DIESEL	44,000
180	2000 INTERNATIONAL 4900 1HTSDAAN91H387716 DIGGER DERRICK	DIESEL	38,000
200	drilling rig ... no info available	DIESEL	77,000
203	2010 CHRYSLER TOWN & COUNTRY VAN 2A4RR6DX3AR142996		
312	2010 DODGE 5500 3DBWC7EL5AG113561	DIESEL	
L-321	2008 FORD TRUCK F450 1FDXF46R58ED75919		22,000
L-322	2008 FORD F-450 UTILITY BODY 1FDXF47R48EB67349	DIESEL	18,000
L-324	2007 INTL 4300 LOOP TRUCK 1HTMMAAL57H426804		
L-325	2007 FORD F450 UTILITY BODY 1FDXF47Y973B39486	GAS	18,000
327	2012 FORD 550 4X2 BUCKET TRUCK 1FDUF5GTQCEB55163	DIESEL	19,500
328	2012 FORD 550 4X2 BUCKET TRUCK 1FDUF5GT2CEB55164	DIESEL	19,500
L-329	2008 FORD F450 SUPER DUTY 4X4 1FDXF47R08EA02270	DIESEL	18,000
<b>EQUIPMENT</b>			
E-16	LINCOLN WELDER PORTABLE N/A	GAS	
E-17	ONAN GENERATOR 15KW E800507427	GAS	
E-24	CLARK FORKLIFT Y356-695-4323	GAS	
E-26	FORD 3600 GAS TRACTOR N/A	GAS	
E-27	ALLIS CHAMBERS TRACTORS D-17 N/A	GAS	
E-28	185 CFM SULLIVAN AIR COMPRESSOR 211249	DIESEL	
E-29	185 CFM SULLIVAN AIR COMPRESSOR 211250	DIESEL	
E-34	6510 COMBO TRENCHER/PLOW 6G2165	DIESEL	
E-36	MUTIQUIP 90 CFM AIR COMP. (MOUNTED ON WT 26) SAW -108202	DIESEL	
E-38	HONDA PORTA MOLE (CARRIED ON WT-23) 3014660	GAS	
E-42	PIERCE ARROW 3/05 A LONG SHOT 3' 9K0470	AIR POWER	
E-50	ARROW 3 REEL WIRE STAND NEEDS HUDSON 9 TON TRAILER FOR PORTABILITY MAX DIA SPOOLS-(3)-5" (2)-7"		
E-60	DITCH WITCH R-100 PLOW S/N #3E0194	DIESEL	
E-61	410SX VIBRATORY PLOW & H400 DIGGING ATTACHMENT SERIAL #'S 4R0782 & 2R2928	DIESEL	
E-62	CABLE LOCATOR TOW MOTOR - V50D 1999 JCB 214 4x4 BACKHOE		
E-70	SER #476740 W/JCB 360 HAMMER SER #846387	Diesel	
E-71	2003 JCB 214 4x4 BACKHOE SER #903460 EXTEND A DIG / P-21	Diesel	
E-73	2003 JCB HAMMER SER #846387 HAMMER IS MOUNTED ON E-70		
E-74	MODEL: LM42 VERMEER WALK BEHIND ROCKWHEEL TRENCHER SN/ #411002082		
E-75	2005 SOLAR SIGN (ARROW) BOARD SER #0060AB05	DIESEL	

NO	DESCRIPTION	FUEL	WEIGHT
<b>TRUCKS &amp; VANS</b>			
2	2001 FORD TAURUS 1FAFP53271G229211	GAS	6,000
5	1993 INTL 8100 SINGLE AXEL TRACTOR 1HSHBA2NXP513108	DIESEL	44,000
8	1997 F-450 UTILITY BODY 1FDLF47F2VEC14507	DIESEL	22,000
11	1997 DODGE P/U 1B7KC26D6VJ604492	DIESEL	10,000
12	1997 FORD F-250 UTILITY 1FTHF25HOVEB41950	GAS	6,000
16	1996 GMC K3500 1GTGC34R4TZ537759	GAS	6,000
17	2000 F-350 4 WHEEL DR. UTILITY BED 1FDSF35S6YEB79030	GAS	6,000
21	2006 FORD F-450 11' UTILITY BODY 1FDXF46YX6EB83366	GAS	18,000
22	1979 CHEVY HI-CUBE G-30 CGL3490166534	GAS	10,000
27	1995 CHEVY WT-1500 P/U 1GCEC14Z8S2189751	GAS	10,000
29	2001 DODGE QUAD CAB 3B7HC13ZX1G242768	GAS	22,000
78	2007 CHEVY 2500 HD 1GCHC29V7E179640	GAS	22,000
79	2009 GMC 2500 HD SIERRA PICK UP 3/4 TON 1GTHC49K49E106201	GAS	22,000
80	2006 GMC SIERRA 2500 HD PICK UP 3/4 TON 1GTHC24U56E260182	GAS	22,000
82	1990 INTL 4700 DP/TR 5-6YD CAP 1HTSCCFMOLH228939 DUMP TRUCK	DIESEL	38,000
86	1979 MACK TANDEM W/330-20 TEXOMA 28' DIGGING DPTH 48' DIA-DIGGING DPTH RS612LST54283 PRESSURE DIGGER	DIESEL	38,000
90	1988 F-700 DP/TR 5-6 YD CAP 1FDPK74P6JVA19273 DUMP TRUCK	DIESEL	38,000
91	2009 FORD F-450 1FDAF46YQ9EB29178		22,000
92	2010 FORD F-450 1FDAF4GY8AEB09800		22,000
109	1997 CHEVY 3500 FLATBED 1GBKC34J5VJ108480	GAS	22,000
112	1999 FORD F450 UTILITY BODY 1FDXF46F8XEC62020	DIESEL	22,000
118	2000 FORD F-150 P/U 1FTPF17L6YNB71398	GAS	22,000
122	1997 DODGE PICKUP 1B7HC16X4VS136880	GAS	6,000
127	2002 CHEVY SILVERADO PICKUP 1500 1GCEC14V62E159961	GAS	10,000
130	2002 INTL #4400 BUCKET TRUCK 1HTMKAAN52H533738 AERIAL TOWER	DIESEL	38,000
133	2002 Chevy 2500 HD Utility Body 1GBHC24U72E233872	GAS	10,000
135	2003 Chevy 4500 Duramax 1 Ton 1GBC4E11X3F500954	DIESEL	26,000
136	2003 Chevy 4500 Duramax 1 Ton 1GBC4E1193F500993	DIESEL	38,000
137	2003 Chevy 2500 HD Silverado 4 wheel drive ext cab 1GCHK29103E129030	DIESEL	14,000
139	1992 FORD F800 1FDXK84A4NVA38368	DIESEL	26,000
140	1992 GMC TOPKICK/ 48' HI-RANGER 1GDM7HJ8NJ521807 AERIAL TOWER	DIESEL	38,000
142	2000 INTERNATIONAL 4900 1HT8DAAN01H387717 DIGGER DERRICK	DIESEL	38,000
147	2007 FORD 550 BUCKET TRUCKTL38P 1FDAF56Y57EA85200	GAS	22,000

<u>NAME</u>	<u>LOCATION</u>	<u>CONTRACT SUM</u>
KYTC #ARRA 114	Fayette Co, KY	\$500,248.60
LFUCG- Contract ID 721-2009	Fayette Co, KY	\$81,015.00

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

<u>NAME</u>	<u>LOCATION</u>	<u>CONTRACT SUM</u>
KYTC- HSIP 0451 006	Graves Co., KY	\$129,403.51
Commonwealth of KY RFB-98-14	Burma Rd. Lexington, KY	\$147,528.00
KYTC- HSIP 1601 024	US 60 Lexington, KY	\$120,375.52

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>
Scott A. Saylor	Vice President	30 years
Lorne A. Smith	Project MGR	11 years
Steve Price	Project MGR	8 years

11. DBE Participation on current bonded projects under contract:

<u>SUBCONTRACTORS (LIST)</u>	<u>PROJECT (SPECIFIC TYPE)</u>	<u>DBE</u>	<u>% of WORK</u>
<u>Toni Levy &amp; Associates</u>	<u>KYTC Signals &amp; Loops</u>	<u>MFBE</u>	<u>8.89%</u>
<u>Toni Levy &amp; Associates</u>	<u>City of J-Town Streetscape</u>	<u>MFBE</u>	<u>26.00%</u>
<u>Toni Levy &amp; Associates</u>	<u>KYTC Lightng &amp; Signalization</u>	<u>MFBE</u>	<u>18.00%</u>
<u>_____</u>	<u>_____</u>	<u>_____</u>	<u>_____</u>
<u>_____</u>	<u>_____</u>	<u>_____</u>	<u>_____</u>
<u>_____</u>	<u>_____</u>	<u>_____</u>	<u>_____</u>
<u>_____</u>	<u>_____</u>	<u>_____</u>	<u>_____</u>

(USE ADDITIONAL SHEETS IF NECESSARY)

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

**6. LIST OF PROPOSED SUBCONTRACTORS**

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

<b><u>BRANCH OF WORK - LIST EACH MAJOR ITEM</u></b> Such as: Grading, bituminous paving, concrete, seeding and protection, construction staking, etc.	<b><u>SUBCONTRACTOR</u></b>	<b><u>DBE</u></b> <b><u>Yes/No</u></b>	<b><u>% of Work</u></b>
1. <u>Directional Boring</u>	Name: <u>C &amp; R Cable</u>	<u>NO</u>	<u>50%</u>
	Address: <u>400 Blue Sky PKWY</u>		
2. <u>Overhead</u>	Name: <u>C &amp; R Cable</u>	<u>NO</u>	<u>50%</u>
	Address: <u>400 Blue Sky PKWY</u>		
3. _____	Name: _____	_____	_____
	Address: _____		
4. _____	Name: _____	_____	_____
	Address: _____		
5. _____	Name: _____	_____	_____
	Address: _____		
6. _____	Name: _____	_____	_____
	Address: _____		
7. _____	Name: _____	_____	_____
	Address: _____		

(Attach additional sheet(s) if necessary.)



7. **LEXINGTON FAYETTE URBAN COUNTY GOVERNMENT MWDBE PARTICIPATION GOALS, FORMS, AND GOOD FAITH EFFORTS**

A. GENERAL

- 1) The LFUCG request all potential contractors to make a concerted effort to include Minority-Owned (MBE), Woman-Owned (WBE) and Disadvantaged (DBE) Business Enterprises as subcontractors or suppliers in their bids.
- 2) Toward that end, the LFUCG has established 10% of total procurement costs as a Goal for participation of Minority-Owned, Woman-Owned and Disadvantaged Businesses on this contract.
- 3) **It is therefore a request of each Bidder to include in its bid, the same goal (10%) for MWDBE participation and other requirements as outlined in this section.**

B. PROCEDURES

- 1) The successful bidder will be required to report to the LFUCG, the dollar amounts of all payments submitted to Minority-Owned or Woman-Owned subcontractors and suppliers for work done or materials purchased for this contract. (See Subcontractor Monthly Payment Report)
- 2) Replacement of a Minority-Owned or Woman-Owned subcontractor or supplier listed in the original submittal must be requested in writing and must be accompanied by documentation of Good Faith Efforts to replace the subcontractor / supplier with another MWDBE Firm; this is subject to approval by the LFUCG. (See LFUCG MWDBE Substitution Form)
- 3) For assistance in identifying qualified, certified businesses to solicit for potential contracting opportunities, bidders may contact:
  - a) The Lexington-Fayette Urban County Government, Division of Central Purchasing (859-258-3320)
- 4) The LFUCG will make every effort to notify interested MWDBE subcontractors and suppliers of each Bid Package, including information on the scope of work, the pre-bid meeting time and location, the bid date, and all other pertinent information regarding the project.

C. DEFINITIONS

- 1) A Minority-Owned Business Enterprise (MBE) is defined as a business which is certified as being at least 51% owned and operated by persons of African American, Hispanic, Asian, Pacific Islander, American Indian or Alaskan Native Heritage.
- 2) A Woman-Owned Business Enterprise (WBE) is defined as a business which is certified as being at least 51% owned and operated by one or more Non-Minority Females.

- 3) A Disadvantaged Business (DBE) is defined as a business which is certified as being at least 51% owned and operated by a person(s) that are economically and socially disadvantaged.
- 4) Good Faith Efforts are efforts that, given all relevant circumstances, a bidder or proposer actively and aggressively seeking to meet the goals, can reasonably be expected to make. In evaluating good faith efforts made toward achieving the goals, whether the bidder or proposer has performed the efforts outlined in the Obligations of Bidder for Good Faith Efforts outlined in this document will be considered, along with any other relevant factors.

D. OBLIGATION OF BIDDER FOR GOOD FAITH EFFORTS

- 1) **The bidder shall make a Good Faith Effort to achieve the Participation Goal for MWDBE subcontractors/suppliers. The failure to meet the goal shall not necessarily be cause for disqualification of the bidder; however, bidders not meeting the goal are required to furnish with their bids written documentation of their Good Faith Efforts to do so.**
- 2) Award of Contract shall be conditioned upon satisfaction of the requirements set forth herein.
- 3) The Form of Proposal includes a section entitled "MWDBE Participation Form". The applicable information must be completed and submitted as outlined below.
- 4) **Failure to submit this information as requested may be cause for rejection of bid.**

E. DOCUMENTATION REQUIRED FOR GOOD FAITH EFFORTS

- 1) Bidders reaching the Goal are required to submit only the MWDBE Participation Form." The form must be fully completed including names and telephone number of participating MWDBE firm(s); type of work to be performed; estimated value of the contract and value expressed as a percentage of the total Lump Sum Bid Price. The form must be signed and dated, and is to be submitted with the bid.
- 2) Bidders not reaching the Goal must submit the "MWDBE Participation Form", the "Quote Summary Form" and a written statement documenting their Good Faith Effort to do so. If bid includes no MWDBE participation, bidder shall enter "None" on the subcontractor / supplier form). In addition, the bidder must submit written proof of their Good Faith Efforts to meet the Participation Goal:
  - a. Advertised opportunities to participate in the contract in at least two (2) publications of general circulation media; trade and professional association publications; small and minority business or trade publications; and publications or trades targeting minority, women and disadvantaged businesses not less than fifteen (15) days prior to the deadline for submission of bids to allow MWDBE firms to participate.
  - b. Included documentation of advertising in the above publications with the bidders good faith efforts package

- c. Attended LFUCG Central Purchasing Economic Inclusion Outreach event
- d. Attended pre-bid meetings that were scheduled by LFUCG to inform MWDBEs of subcontracting opportunities
- e. Sponsored Economic Inclusion event to provide networking opportunities for prime contractors and MWDBE firms
- f. Requested a list of MWDBE subcontractors or suppliers from LFUCG Economic Engine and showed evidence of contacting the companies on the list(s).
- g. Contacted organizations that work with MWDBE companies for assistance in finding certified MWDBE firms to work on this project. Those contacted and their responses should be a part of the bidder's good faith efforts documentation.
- h. Sent written notices, by certified mail, email or facsimile, to qualified, certified MWDBEs soliciting their participation in the contract not less than seven (7) days prior to the deadline for submission of bids to allow them to participate effectively.
- i. Followed up initial solicitations by contacting MWDBEs to determine their level of interest.
- j. Provided the interested MWDBE firm with adequate and timely information about the plans, specifications, and requirements of the contract.
- k. Selected portions of the work to be performed by MWDBE firms in order to increase the likelihood of meeting the contract goals. This includes, where appropriate, breaking out contract work items into economically feasible units to facilitate MWDBE participation, even when the prime contractor may otherwise perform these work items with its own workforce
- l. Negotiated in good faith with interested MWDBE firms not rejecting them as unqualified without sound reasons based on a thorough investigation of their capabilities. Any rejection should be so noted in writing with a description as to why an agreement could not be reached.
- m. Included documentation of quotations received from interested MWDBE firms which were not used due to uncompetitive pricing or were rejected as unacceptable and/or copies of responses from firms indicating that they would not be submitting a bid.
- n. Bidder has to submit sound reasons why the quotations were considered unacceptable. The fact that the bidder has the ability and/or desire to perform the contract work with its own forces will not be considered a sound reason for rejecting a

MWDBE quote. Nothing in this provision shall be construed to require the bidder to accept unreasonable quotes in order to satisfy MWDBE goals.

o. Made an effort to offer assistance to or refer interested MWDBE firms to obtain the necessary equipment, supplies, materials, insurance and/or bonding to satisfy the work requirements of the bid proposal

p. Made efforts to expand the search for MWBE firms beyond the usual geographic boundaries.

q. Other--any other evidence that the bidder submits which may show that the bidder has made reasonable good faith efforts to include MWDBE participation.

Failure to submit any of the documentation requested in this section may be cause for rejection of bid. Bidders may include any other documentation deemed relevant to this requirement. Documentation of Good Faith Efforts are to be submitted with the Bid, if the participation Goal is not met.



## MINORITY BUSINESS ENTERPRISE PROGRAM

Marilyn Clark  
Minority Business Enterprise Liaison  
Division of Central Purchasing  
Lexington-Fayette Urban County Government  
200 East Main Street  
Lexington, KY 40507  
[mclark@lexingtonky.gov](mailto:mclark@lexingtonky.gov)  
859-258-3323

OUR MISSION: The mission of the Minority Business Enterprise Program is to facilitate the full participation of minority and women owned businesses in the procurement process and to promote economic inclusion as a business imperative essential to the long term economic viability of Lexington-Fayette Urban County Government.

To that end the city council adopted and implemented resolution 167-91—Disadvantaged Business Enterprise (DBE) 10% Goal Plan in July of 1991. The resolution states in part (a full copy is available in Central Purchasing):

*“A Resolution supporting adoption of the administrative plan for a ten percent (10%) Minimum goal for disadvantaged business enterprise participation in Lexington-Fayette Urban County Government construction and professional services contracts; Providing that as part of their bids on LFUCG construction contracts, general Contractors shall make a good faith effort to award at least ten percent (10%) of All subcontracts to disadvantaged business enterprises; providing that divisions of LFUCG shall make a good faith effort to award at least ten percent of their Professional services and other contracts to disadvantaged business enterprises...”*

A Disadvantaged Business Enterprise is defined as a business that has been certified as being at least 51% owned, operated and managed by a U.S. Citizen of the following groups:

- African-American
- Hispanic-American
- Asian/Pacific Islander
- Native American/Native Alaskan
- Non-Minority Female
- Economically and Socially Disadvantaged

We have compiled the list below to help you locate certified MBE, WBE and DBE certified businesses. Below is a listing of contacts for LFUCG Certified MWDBEs in Economic Engine (<https://lfucg.economicengine.com>)

<b>Business</b>	<b>Contact</b>	<b>Email Address</b>	<b>Phone</b>
<b>LFUCG</b>	Marilyn Clark	<a href="mailto:mclark@lexingtonky.gov">mclark@lexingtonky.gov</a>	859-258-3323
<b>Commerce Lexington – Minority Business Development</b>	Tyrone Tyra	<a href="mailto:ttyra@commercelexington.com">ttyra@commercelexington.com</a>	859-226-1625
<b>Tri-State Minority Supplier Diversity Council</b>	Sonya Brown	<a href="mailto:sbrown@tsmsdc.com">sbrown@tsmsdc.com</a>	502-625-0137
<b>Small Business Development Council</b>	Dee Dee Harbut UK SBDC	<a href="mailto:dlharbut@uky.edu">dlharbut@uky.edu</a>	
	Shiree Mack	<a href="mailto:smack@uky.edu">smack@uky.edu</a>	
<b>Community Ventures Corporation</b>	James Coles	<a href="mailto:jcoles@cvcvky.org">jcoles@cvcvky.org</a>	859-231-0054
<b>KY Department of Transportation</b>	Melvin Bynes	<a href="mailto:Melvin.bynes@ky.gov">Melvin.bynes@ky.gov</a>	502-564-3601
	Sheila Eagle	<a href="mailto:Sheila.Eagle@ky.gov">Sheila.Eagle@ky.gov</a>	502-564-3601
<b>Ohio River Valley Women's Business Council (WBENC)</b>	Rea Waldon	<a href="mailto:rwaldon@gcul.org">rwaldon@gcul.org</a>	513-487-6534
<b>Kentucky MWBE Certification Program</b>	Yvette Smith, Kentucky Finance Cabinet	<a href="mailto:Yvette.Smith@ky.gov">Yvette.Smith@ky.gov</a>	502-564-8099
<b>National Women Business Owner's Council (NWBOC)</b>	Janet Harris-Lange	<a href="mailto:janet@nwbo.org">janet@nwbo.org</a>	800-675-5066
<b>Small Business Administration</b>	Robert Coffey	<a href="mailto:robertcoffey@sba.gov">robertcoffey@sba.gov</a>	502-582-5971
<b>LaVoz de Kentucky</b>	Andres Cruz	<a href="mailto:lavozyky@yahoo.com">lavozyky@yahoo.com</a>	859-621-2106
<b>The Key News Journal</b>	Patrice Muhammad	<a href="mailto:paaticem@keynewsjournal.com">paaticem@keynewsjournal.com</a>	859-373-9428



**LFUCG MWDBE PARTICIPATION FORM**  
 Bid/RFP/Quote Reference # 47-2014

The MWDBE 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.

MWDBE Company, Name, Address, Phone, Email	Work to be Performed	Total Dollar Value of the Work	% Value of Total Contract
1. Blue Diamond Ind. 2117 Winchester Ave. Middlesboro, KY 40965 606-248-8078	Supply material	\$8,289.88	2.40%
2.			
3.			
4.			

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

Arrow Electric Company  
 Company

Scott A. Saylor  
 Company Representative

March 31, 2014  
 Date

Vice President  
 Title



**LFUCG MWDBE SUBSTITUTION FORM**

Bid/RFP/Quote Reference # 47-2014

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

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

Arrow Electric Company  
Company

Scott A. Saylor  
Company Representative

3/31/14  
Date

Vice President  
Title





**MWDBE QUOTE SUMMARY FORM**

Bid/RFP/Quote Reference # 47-2014

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

Company Name Arrow Electric Company	Contact Person Scott A. Saylor
Address/Phone/Email 317 Wabasso Avenue Louisville, KY 40209 502-836-4201 scott@arrowelectric.com	Bid Package / Bid Date Bid No. 47-2014 Bid date: April 1, 2014 @ 2:00 PM

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

(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.

Arrow Electric Company  
Company  
March 31, 2014  
Date

Scott A. Saylor  
Company Representative  
Vice President  
Title



## LFUCG SUBCONTRACTOR MONTHLY PAYMENT REPORT

The LFUCG has a 10% goal plan adopted by city council to increase the participation of minority and women owned businesses in the procurement process. In order to measure that goal LFUCG will track spending with MWDBE 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 #** 47-2014

**Total Contract Amount Awarded to Prime Contractor for this Project** \_\_\_\_\_

<b>Project Name/ Contract #</b>	<b>Work Period/ From:</b> _____ <b>To:</b> _____
<b>Company Name:</b> Arrow Electric Company	<b>Address:</b> 317 Wabasso Ave. Louisville KY 40209
<b>Federal Tax ID:</b> 61-0532542	<b>Contact Person:</b> _____

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.

Arrow Electric Company  
 Company  
3/31/14  
 Date

Scott A. Saylor  
 Company Representative  
Vice President  
 Title

**LFUCG STATEMENT OF GOOD FAITH EFFORTS**

Bid/RFP/Quote # 47-2014

By the signature below of an authorized company representative, we certify that we have utilized the following Good Faith Efforts to obtain the maximum participation by MWDBE business enterprises on the project and can supply the appropriate documentation.


- Advertised opportunities to participate in the contract in at least two (2) publications of general circulation media; trade and professional association publications; small and minority business or trade publications; and publications or trades targeting minority, women and disadvantaged businesses not less than fifteen (15) days prior to the deadline for submission of bids to allow MWDBE firms to participate.
- Included documentation of advertising in the above publications with the bidders good faith efforts package
- Attended LFUCG Central Purchasing Economic Inclusion Outreach event
- Attended pre-bid meetings that were scheduled by LFUCG to inform MWDBEs of subcontracting opportunities
- Sponsored Economic Inclusion event to provide networking opportunities for prime contractors and MWDBE firms
- Requested a list of MWDBE subcontractors or suppliers from LFUCG Economic Engine and showed evidence of contacting the companies on the list(s).
- Contacted organizations that work with MWDBE companies for assistance in finding certified MWBDE firms to work on this project. Those contacted and their responses should be a part of the bidder's good faith efforts documentation.
- Sent written notices, by certified mail, email or facsimile, to qualified, certified MWDBEs soliciting their participation in the contract not less than seven (7) days prior to the deadline for submission of bids to allow them to participate effectively.
- Followed up initial solicitations by contacting MWDBEs to determine their level of interest.
- Provided the interested MWBDE firm with adequate and timely information about the plans, specifications, and requirements of the contract.
- Selected portions of the work to be performed by MWDBE firms in order to increase the likelihood of meeting the contract goals. This includes, where appropriate, breaking out contract work items into economically feasible units to facilitate MWDBE participation, even when the prime contractor may otherwise perform these work items with its own workforce

- \_\_\_\_\_ Negotiated in good faith with interested MWDBE firms not rejecting them as unqualified without sound reasons based on a thorough investigation of their capabilities. Any rejection should be so noted in writing with a description as to why an agreement could not be reached.
- \_\_\_\_\_ Included documentation of quotations received from interested MWDBE firms which were not used due to uncompetitive pricing or were rejected as unacceptable and/or copies of responses from firms indicating that they would not be submitting a bid.
- \_\_\_\_\_ Bidder has to submit sound reasons why the quotations were considered unacceptable. The fact that the bidder has the ability and/or desire to perform the contract work with its own forces will not be considered a sound reason for rejecting a MWDBE quote. Nothing in this provision shall be construed to require the bidder to accept unreasonable quotes in order to satisfy MWDBE goals.
- \_\_\_\_\_ Made an effort to offer assistance to or refer interested MWDBE firms to obtain the necessary equipment, supplies, materials, insurance and/or bonding to satisfy the work requirements of the bid proposal
- \_\_\_\_\_ Made efforts to expand the search for MWBE firms beyond the usual geographic boundaries.
- \_\_\_\_\_ Other - any other evidence that the bidder submits which may show that the bidder has made reasonable good faith efforts to include MWDBE participation.

Failure to submit any of the documentation requested in this section may cause for rejection of bid. Bidders may include any other documentation deemed relevant to this requirement. Documentation of Good Faith Efforts are to be submitted with the Bid, if the participation Goal is not met.

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

Arrow Electric Company  
 \_\_\_\_\_  
**Company**  
 March 31, 2014  
 \_\_\_\_\_  
**Date**

  
 \_\_\_\_\_  
**Company Representative**  
 Vice President  
 \_\_\_\_\_  
**Title**

8. **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.

9. **STATEMENT OF EXPERIENCE**

NAME OF INDIVIDUAL: Scott A. Saylor

POSITION/TITLE: Vice President

STATEMENT OF EXPERIENCE: Mr. Saylor is a college graduate, Master Electrician and his continued education contributes to his experience as an estimator, an executive officer, purchasing, and project management.

NAME OF INDIVIDUAL: Lorne A. Smith

POSITION/TITLE: Project MGR

STATEMENT OF EXPERIENCE: Mr. Smith has over 20 years in the electrical and communications field. His experience ranges from estimating, management, on & off site safety control, material ordering, scheduling manpower and equipment for multiple jobs.

NAME OF INDIVIDUAL: Steve Price

POSITION/TITLE: Project MGR

STATEMENT OF EXPERIENCE: Mr. Price has formal training and/or education in electronics, business, mining engineering as well as traffic engineering. His knowledge and experience have carried into his current position here at Arrow creating successful job management.

NAME OF INDIVIDUAL: Robert Allgeier

POSITION/TITLE: CEO/ CFO

STATEMENT OF EXPERIENCE: Mr. Allgeier has over 30 years with Fortune 500 companies.

His last assignment, Vice President of Operations. He is currently the CFO at Arrow Electric Co.

NAME OF INDIVIDUAL: Alan Kopp

POSITION/TITLE: Safety Director & HR

STATEMENT OF EXPERIENCE: Mr. Kopp has over 25 years experience in construction

safety and EHS Training and education, certified OSHA and job site training.

NAME OF INDIVIDUAL: H. Barry Saylor

POSITION/TITLE: President

STATEMENT OF EXPERIENCE: Mr. Saylor has over 35 years experience in the electrical

as an Electrician, Supervisor, Project MGR, Vice President. He now serves as President of

Arrow Electric company.

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

**10. 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

Arrow Electric Company

Name of Business



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

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

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

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

The Act further provides:

#### KRS 45.610. Hiring minorities – Information required

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

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

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

**KRS 45.630 Termination of existing employee not required, when**

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

**KRS 45.640 Minimum skills**

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

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

11. EQUAL EMPLOYMENT OPPORTUNITY AFFIRMATIVE ACTION POLICY

It is the policy of Arrow Electric Company  
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.

Robert Allgeier has been appointed Equal Employment Compliance (EEOC) Officer and shall be available for counseling, answering of questions in regards to this company policy, and to hear any complaints of discrimination. The EEOC Office may be reached by calling 502-367-0141.

Signature:   
(Bidding Contractor)

Title: Vice President

Date: March 31, 2014

12. **WORKFORCE ANALYSIS FORM**

Name of Organization: Arrow Electric Co., Inc.

Date: 03 / 24 / 2014

Categories	Total	White		Black		Other		Total	
		M	F	M	F	M	F	M	F
Administrators	16	15	1	0	0	0	0	15	1
Professionals	6	5	0	1	0	0	0	6	0
Superintendents	3	3	0	0	0	0	0	3	0
Supervisors	3	3	0	0	0	0	0	3	0
Foremen	6	5	0	1	0	0	0	6	0
Technicians	4	3	0	0	0	1	0	4	0
Protective Service	0	0	0	0	0	0	0	0	0
Para-Professionals	29	27	0	2	0	0	0	29	0
Office/Clerical	8	0	8	0	0	0	0	0	8
Skilled Craft	68	66	0	2	0	0	0	68	0
Service/Maintenance	5	5	0	0	0	0	0	5	0
<b>Total:</b>	<b>148</b>	<b>141</b>	<b>0</b>	<b>6</b>	<b>0</b>	<b>1</b>	<b>0</b>	<b>139</b>	<b>9</b>

Prepared By: *Alan...*

**13. EVIDENCE OF INSURABILITY**

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

Names Insured: See attached Certificate of Insurance \_\_\_\_\_ Employee ID: \_\_\_\_\_  
 Address: \_\_\_\_\_ Phone: \_\_\_\_\_

Project to be insured: \_\_\_\_\_

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	CGIL	\$1,000,000 per occ. And \$2,000,000 aggregate	\$			
SC-3, Section 2, Part 4.1 - see provisions	AUTO	\$2,000,000/per occ.	\$			
SC-3, Section 2, Part 4.1 - see provisions	WC	Statutory w /endorsement as noted	\$			

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.

Agency or Brokerage \_\_\_\_\_ Name of Authorized Representative \_\_\_\_\_  
 Street Address \_\_\_\_\_ Title \_\_\_\_\_  
 City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_ Authorized Signature \_\_\_\_\_  
 Telephone Number \_\_\_\_\_ Date \_\_\_\_\_

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

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



**14. DEBARRED FIRMS**

**PROJECT NAME:** Fiber Optic Pathway & Cable Installation Project

**BID NUMBER:** 47-2014

**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 Arrow Electric Company 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.

**Excluded Party List Website: [www.sam.gov/portal/public/SAM](http://www.sam.gov/portal/public/SAM)**

Arrow Electric Company  
Name of Firm Submitting Bid

  
Signature of Authorized Official

President  
Title

3/31/14  
Date

**15. DEBARMENT CERTIFICATION**

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

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

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

Firm Name: Arrow Electric Company

Project: Fiber Optic & Cable Installation 47-2014

Printed Name and Title of Authorized Representative: H. Barry Saylor, President

Signature: 

Date: 3/31/14



**16. REQUIRED AFFIDAVIT FOR BIDDERS, OFFERORS AND CONTRACTORS FOR BIDS AND CONTRACTS IN GENERAL:**

**I. Each bidder or offeror swears and affirms under penalty of perjury, that:**

- a. In accordance with KRS 45A.110 and KRS 45A.115, neither the bidder or offeror as defined in KRS 45A.070(6), nor the entity which he/she represents, has knowingly violated any provisions of the campaign finance laws of the Commonwealth of Kentucky; and the award of a contract to the bidder or offeror or the entity which he/she represents will not violate any provisions of the campaign finance laws of the Commonwealth.
- b. The bidder or offeror swears and affirms under penalty of perjury that, to the extent required by Kentucky law, the entity bidding, and all subcontractors therein, are aware of the requirements and penalties outlined in KRS 45A.485; have properly disclosed all information required by this statute; and will continue to comply with such requirements for the duration of any contract awarded.
- c. The bidder or offeror swears and affirms under penalty of perjury that, to the extent required by Kentucky law, the entity bidding, and its affiliates, are duly registered with the Kentucky Department of Revenue to collect and remit the sales and use tax imposed by KRS Chapter 139, and will remain registered for the duration of any contract awarded.
- d. The bidder or offeror swears and affirms under penalty of perjury that the entity bidding is not delinquent on any state taxes or fees owed to the Commonwealth of Kentucky and will remain in good standing for the duration of any contract awarded.

**FOR "NON-BID" CONTRACTS (I.E. SOLE-SOURCE; NOT-PRACTICAL OR FEASIBLE TO BID; OR EMERGENCY CONTRACTS, ETC):**

**II. Each contractor further swears and affirms under penalty of perjury, that:**

- a. In accordance with KRS 121.056, and if this is a non-bid contract, neither the contractor, nor any member of his/her immediate family having an interest of 10% or more in any business entity involved in the performance of any contract awarded, have contributed more than the amount specified in KRS 121.150 to the campaign of the gubernatorial slate elected in the election last preceding the date of contract award.
- b. In accordance with KRS 121.330(1) and (2), and if this is a non-bid contract, neither the contractor, nor officers or employees of the contractor or any entity affiliated with the contractor, nor the spouses of officers or employees of the contractor or any entity affiliated with the contractor, have knowingly contributed more than \$5,000 in aggregate to the campaign of a candidate elected in the election last preceding the date of contract award that has jurisdiction over this contract award.

**REQUIRED AFFIDAVIT FOR BIDDERS, OFFERORS AND CONTRACTORS PAGE 2 OF 2**

c. In accordance with KRS 121.330(3) and (4), and if this is a non-bid contract, neither the contractor, nor any member of his/her immediate family, his/her employer, or his/her employees, or any entity affiliated with any of these entities or individuals, have directly solicited contributions in excess of \$30,000 in the aggregate for the campaign of a candidate elected in the election last preceding the date of contract award that has jurisdiction over this contract.

As a duly authorized representative for the bidder, offeror, or contractor, I have fully informed myself regarding the accuracy of all statements made in this affidavit, and acknowledge that the Commonwealth is reasonably relying upon these statements, in making a decision for contract award and any failure to accurately disclose such information may result in contract termination, repayment of funds and other available remedies under law.

  
\_\_\_\_\_  
Signature

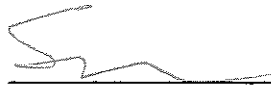
Scott A. Saylor  
\_\_\_\_\_  
Printed Name

Vice President  
\_\_\_\_\_  
Title

March 31, 2014  
\_\_\_\_\_  
Date

Company Name Arrow Electric Company  
Address 317 Wabasso Avenue  
Louisville, KY 40209  
\_\_\_\_\_

Subscribed and sworn to before me by

  
\_\_\_\_\_  
(Affiant)

Vice President  
\_\_\_\_\_  
(Title)

of Arrow Electric Company  
(Company Name)

this 31st day of March, 2014

  
\_\_\_\_\_  
Notary Public

[seal of notary]

My commission expires: 10/29/2017

END OF SECTION



Lexington-Fayette Urban County Government  
DEPARTMENT OF FINANCE & ADMINISTRATION

Jim Gray  
Mayor

William O'Mara  
Commissioner

**ADDENDUM #1**

Bid Number: 47-2014

Date: March 18, 2014

Subject: Fiber Optic Pathway and Cable Installation Project

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

**TO ALL PROSPECTIVE BIDDERS:**

Pre-bid sign-in sheet attached.

Todd Slatin, 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: Arrow Electric Company

ADDRESS: 317 Wabasso Avenue Louisville, KY 40209

SIGNATURE OF BIDDER:

**SIGN-IN SHEET**  
**Pre-Bid #47-2014 -Fiber Optic Pathway and Cable Installation Project**  
**March 18, 2014 @ 1:00 PM**

Representative	Company Name	Phone#	Email Address
Sondra Stone	LFUGG	859-258-3320	sstone@lexingtonky.gov
Jim McGuire	Team Fishel	502-456-2900	jc McGuire@teamfishel.com
RICK FADMAN	WINNITUBAM	859-357-6020	RICK.FADMAN@WINNITUBAM.COM
DON ROYSTER	WATH'S BRAS	859-621-2128	
TOM WERNER	WINNITUBAM	859-357-6006	Tom.werner@Winnitubam.com
Jeff Neal	LFUGG Traffic	859-258-3330	jneal@lexingtonky.gov
Tim Lujan	Thayer Power	740-322-3089	timlujan@thayerpc.com
Tony M. Sparks	Davis & Elliot	859-263-5148	tharms@davishe-lliot.com
Nathan Stuart	DHE	859-263-5148	nstuart@davishe-lliot.com
WALTER HALL	TRAFFIC ENG., LFUGG	859-258-3493	walterh@LEXINGTONKY.GOV
Steve Price	ARROW ELECTRIC	759-509-7941	Stephen@ARROWELECTRIC.COM
Josh Miller	OnPoint Contractors Monmouth	317-339-9403	Josh Miller 9403@gmail.com
Marilyn Clark	LFUGG	859-258-3323	MClark@lexingtonky.gov
Scott McMahon	Team Fishel	502-664-9312	Scmcmah@TeamFishel.com
Rich Mandy	Team Fishel	502-639-6664	Rich.Mandy@TeamFishel.com
James Mink	Davis H Elliot Co.	859-421-3011	j.mink@davishe-lliot.com
Joe Kendall	Cleary Construction	270-606-5100	JKendall@MinkletInc.com
Michael F. Leary	Sturgeon Cooper & Co. LLC	606-333-0199	floram29@aol.com



Lexington-Fayette Urban County Government  
DEPARTMENT OF FINANCE & ADMINISTRATION

Jim Gray  
Mayor

William O'Mara  
Commissioner

ADDENDUM #2

Bid Number: 47-2014

Date: March 24, 2014

Subject: Fiber Optic Pathway and Cable Installation Project

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

**TO ALL PROSPECTIVE BIDDERS:**

1) Links to Kentucky Department of Transportation certified DBE lists follow:

<http://transportation.ky.gov/Civil-Rights-and-Small-Business-Development/Pages/Certified-and-Prequalified-DBEs.aspx>  
(DBE certificated and pre-qualified list)

<http://transportation.ky.gov/Civil-Rights-and-Small-Business-Development/Pages/Certified-DBE-Directory.aspx> (DBE certified list)

2) Bid Item #5 – Provide and Install Drop to Cabinet:

Although core drilling existing cabinet bases is incidental, the information below should be referred to when determining your bid for this item.

Corridor	Route	Intersecting Street	Cabinet type	Needs Drilled
<b>Harrodsburg</b>				
US 68	Underground	Fort Harrod	Base Mount	No
US 68	Underground	Wellington	Base Mount	Yes
US 68	Underground	Man O War	Base Mount	Yes
<b>Versailles</b>				
US 60	Overhead	Parkers Mill	Base Mount	No
US 60	Overhead	Alexandria	Base Mount	Yes
US 60	Overhead	Village	Base Mount	No
US 60	Overhead	Mason Headley	Base Mount	No
US 60	Overhead	Oxford Circle	Pole Mount	N/A
US 60	Overhead	Terrace View	Base Mount	Yes

US 60	Overhead	Delmont	Pole Mount	N/A
US 60	Overhead	Forbes / Red Mile	Base Mount	No
US 60	Overhead	Bennet	Pole Mount	Rebuild
US 60	Overhead	Angliana / Robinson	Base Mount	Rebuild
US 60	Underground	Oliver Lewis Way	Base Mount	No
US 60	Overhead	Broadway / Maxwell	Base Mount	Yes
<b>Leestown</b>				
US 421	Overhead	Buchanan	Pole Mount	N/A
US 421	Underground	Forbes	Base Mount	No
US 421	Underground	Lisle Industrial	Pole Mount	N/A
US 421	Underground	Boiling Springs	Base Mount	Yes
US 421	Underground	Towne Center	Base Mount	Yes

## 3) Corridor 2 – US 60

Add Bid Item # 3 – Class IV Wood Pole / EACH / Quantity = 1 (Station 506+00)

## 4) Corridor 3 – US 421

Bid Item #4 should read "Provide and Install Transition" as described in the specifications and plans.

## Q &amp; A:

## 5) Are all road and driveway crossings required to be open cut. If not, is directional an option or a pipe push?

Answer – No. Directional bores are preferred.

## 6) If directional is an option may the HDPE be placed instead of steel pipe?

Answer – Yes. As long as required depths are achieved it is not necessary to encase the HDPE in steel pipe.

## 7) What is the length required for the Class IV pole.


Answer – 35 feet. Approx. 6' below ground and 29' above.




---

 Todd Slatin, 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: Arrow Electric CompanyADDRESS: 317 Wabasso Avenue Louisville, KY 40209SIGNATURE OF BIDDER: 

# AIA® Document A310™ – 2010

## Bid Bond

**CONTRACTOR:**

(Name, legal status and address)

ARROW ELECTRIC CO., INC.  
P. O. Box 36215  
Louisville, KY 40233

**SURETY:**

(Name, legal status and principal place of business)

Great American Insurance Company  
301 E. 4th Street  
Cincinnati, OH 45202

**OWNER:**

(Name, legal status and address) Lexington Fayette Urban County Government  
Division of Purchasing  
200 East Main St.  
Lexington, KY 40507

**BOND AMOUNT:** Five Percent of the Amount Bid

( \$ 5% of Bid )

**PROJECT:**

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

Construction of Fiber Optic Pathways & Fiber Installation along 3 Corridors in Lexington-Fayette County, KY

This document has important legal consequences. Consultation with an attorney is encouraged with respect to its completion or modification.

Any singular reference to Contractor, Surety, Owner or other party shall be considered plural where applicable.

The Contractor and Surety are bound to the Owner in the amount set forth above, for the payment of which the Contractor and Surety bind themselves, their heirs, executors, administrators, successors and assigns, jointly and severally, as provided herein. The conditions of this Bond are such that if the Owner accepts the bid of the Contractor within the time specified in the bid documents, or within such time period as may be agreed to by the Owner and Contractor, and the Contractor either (1) enters into a contract with the Owner in accordance with the terms of such bid, and gives such bond or bonds as may be specified in the bidding or Contract Documents, with a surety admitted in the jurisdiction of the Project and otherwise acceptable to the Owner, for the faithful performance of such Contract and for the prompt payment of labor and material furnished in the prosecution thereof; or (2) pays to the Owner the difference, not to exceed the amount of this Bond, between the amount specified in said bid and such larger amount for which the Owner may in good faith contract with another party to perform the work covered by said bid, then this obligation shall be null and void, otherwise to remain in full force and effect. The Surety hereby waives any notice of an agreement between the Owner and Contractor to extend the time in which the Owner may accept the bid. Waiver of notice by the Surety shall not apply to any extension exceeding sixty (60) days in the aggregate beyond the time for acceptance of bids specified in the bid documents, and the Owner and Contractor shall obtain the Surety's consent for an extension beyond sixty (60) days.

If this Bond is issued in connection with a subcontractor's bid to a Contractor, the term Contractor in this Bond shall be deemed to be Subcontractor and the term Owner shall be deemed to be Contractor.

When this Bond has been furnished to comply with a statutory or other legal requirement in the location of the Project, any provision in this Bond conflicting with said statutory or legal requirement shall be deemed deleted herefrom and provisions conforming to such statutory or other legal requirement shall be deemed incorporated herein. When so furnished, the intent is that this Bond shall be construed as a statutory bond and not as a common law bond.

Signed and sealed this 1st day of April 2014

ARROW ELECTRIC CO., INC.

(Principal)

(Seal)

(Witness)

(Title)

Great American Insurance Company

(Surety)

(Seal)

  
(Witness)

(Title)   
Barbara Duncan  
Attorney-in-Fact

Init.

**GREAT AMERICAN INSURANCE COMPANY®**

Administrative Office: 301 E 4TH STREET • CINCINNATI, OHIO 45202 • 513-369-5000 • FAX 513-723-2740

The number of persons authorized by this power of attorney is not more than **ELEVEN**

No. 0 20317

**POWER OF ATTORNEY**

**KNOW ALL MEN BY THESE PRESENTS:** That the GREAT AMERICAN INSURANCE COMPANY, a corporation organized and existing under and by virtue of the laws of the State of Ohio, does hereby nominate, constitute and appoint the person or persons named below, each individually if more than one is named, its true and lawful attorney-in-fact, for it and in its name, place and stead to execute on behalf of the said Company, as surety, any and all bonds, undertakings and contracts of suretyship, or other written obligations in the nature thereof; provided that the liability of the said Company on any such bond, undertaking or contract of suretyship executed under this authority shall not exceed the limit stated below.

	Name	Address	Limit of Power
DEBORAH NEICHTER	MARGIE M. LOWRY	SHERYON QUINN	ALL
JILL KEMP	MARK A. GUIDRY	JACKIE C. KOESTEL	\$100,000,000
BONNIE J. WORTHAM	SANDRA L. FUSINETTI	AMY MEREDITH	
BARBARA DUNCAN	LYNNETTE LONG	ALL OF LOUISVILLE, KENTUCKY	

This Power of Attorney revokes all previous powers issued on behalf of the attorney(s)-in-fact named above.

IN WITNESS WHEREOF the GREAT AMERICAN INSURANCE COMPANY has caused these presents to be signed and attested by its appropriate officers and its corporate seal hereunto affixed this **10TH** day of **JANUARY**, 2014

Attest

GREAT AMERICAN INSURANCE COMPANY



*Margie M. Lowry*  
Assistant Secretary

*David C. Kitchin*  
Divisional Senior Vice President

STATE OF OHIO, COUNTY OF HAMILTON - ss:

DAVID C. KITCHIN (877-377-2405)

On this **10TH** day of **JANUARY**, 2014, before me personally appeared **DAVID C. KITCHIN**, to me known, being duly sworn, deposes and says that he resides in Cincinnati, Ohio, that he is a Divisional Senior Vice President of the Bond Division of Great American Insurance Company, the Company described in and which executed the above instrument; that he knows the seal of the said Company; that the seal affixed to the said instrument is such corporate seal; that it was so affixed by authority of his office under the By-Laws of said Company, and that he signed his name thereto by like authority.



**Shelle Clontz**  
Notary Public, State of Ohio  
My Commission Expires 08-09-2015

*Shelle Clontz*

This Power of Attorney is granted by authority of the following resolutions adopted by the Board of Directors of Great American Insurance Company by unanimous written consent dated June 9, 2008.

*RESOLVED: That the Divisional President, the several Divisional Senior Vice Presidents, Divisional Vice Presidents and Divisional Assistant Vice Presidents, or any one of them, be and hereby is authorized, from time to time, to appoint one or more Attorneys-in-Fact to execute on behalf of the Company, as surety, any and all bonds, undertakings and contracts of suretyship, or other written obligations in the nature thereof; to prescribe their respective duties and the respective limits of their authority; and to revoke any such appointment at any time.*

*RESOLVED FURTHER: That the Company seal and the signature of any of the aforesaid officers and any Secretary or Assistant Secretary of the Company may be affixed by facsimile to any power of attorney or certificate of either given for the execution of any bond, undertaking, contract of suretyship, or other written obligation in the nature thereof, such signature and seal when so used being hereby adopted by the Company as the original signature of such officer and the original seal of the Company, to be valid and binding upon the Company with the same force and effect as though manually affixed.*

**CERTIFICATION**

I, **STEPHEN C. BERAHA**, Assistant Secretary of Great American Insurance Company, do hereby certify that the foregoing Power of Attorney and the Resolutions of the Board of Directors of June 9, 2008 have not been revoked and are now in full force and effect.

Signed and sealed this **1<sup>ST</sup>** day of **April**

*Stephen C. Beraha*  
Assistant Secretary

