

PART III

Invitation to Bid No. 42-2014

CANINE FACILITY PUMP STATION

1. FORM OF PROPOSAL

Place: Lexington, Kentucky

Date: MARCH 27, 2014

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

This Proposal Submitted by Melvin Jones Excavating, LLC
330 Jarve Hollow Rd, Manchester, KY 40962
(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 CANINE FACILITY PUMP STATION 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 **30 calendar days**. BIDDER further agrees to pay liquidated damages, the sum of \$1,000 for each consecutive calendar day thereafter.

The Bidder hereby acknowledges receipt of the following addenda:

- Addendum No. ____ Date _____
- Addendum No. ____ Date _____
- Addendum No. ____ Date _____
- Addendum No. ____ Date _____
- Addendum No. ____ Date _____
- Addendum No. ____ Date _____
- Addendum No. ____ Date _____
- 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 Melvin Jones Excavating LLC

Date 3-27-14

* 1. A corporation duly organized and doing business under the laws of the State of Kentucky, for whom Melvin Jones, bearing the official title of owner/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, Melvin Jones Excavating LLC, and after being first duly sworn, states under penalty of perjury as follows:

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

Melvin Jones
(Affiant)

STATE OF _____

COUNTY OF _____

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

_____ on this the _____ day of _____, 20_____.

My Commission expires: _____

NOTARY PUBLIC, STATE AT LARGE

Submitted by:

Melvin Jones Excavating LLC
Firm

330 Jarve Hollow Rd.
Address

Manchester, KY. 40962
City, State & Zip

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

Melvin Jones - Owner/President
Signature of Authorized Company Representative – Title

Melvin Jones
Representative/s Name (Typed or Printed)

606-599-5823
Area Code – Phone – Extension

606-598-4268
Fax #

E-Mail Address

OFFICIAL ADDRESS:

(Seal if Bid is by Corporation)

By signing this form you agree to ALL terms, conditions, and associated forms in this bid package

(Seal if Bid is by Corporation)

FORM OF PROPOSAL

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: Melvin Jones Excavating, Inc.
2. Permanent Place of Business: 330 Jarve Hollow Rd., Manchester, KY 40962
3. When Organized: 2002
4. Where Incorporated: Manchester, KY
5. Construction Plant and Equipment Available for this Project:
2 Backhoes, trencher, boring machine

(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:

Western Surety Company _____ (Surety)

Signed: _____ (Representative of Surety)
Roger A. Neal, Attorney-In-Fact

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

<u>NAME</u>	<u>LOCATION</u>	<u>CONTRACT SUM</u>
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

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

<u>NAME</u>	<u>LOCATION</u>	<u>CONTRACT SUM</u>
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

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

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

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

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

<u>NAME</u>	<u>POSITION DESCRIPTION</u>	<u>NO. OF YEARS WITH BIDDER</u>
Melvin Jones	Supervisor of project, equipment operator, laborer	35
Louie Jones	equipment operator, laborer	15
Stanley Bowling	laborer	5

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>
<i>None</i>			

(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.

<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>None</u>	Name: _____	_____	_____
	Address: _____		
2. _____	Name: _____	_____	_____
	Address: _____		
3. _____	Name: _____	_____	_____
	Address: _____		
4. _____	Name: _____	_____	_____
	Address: _____		
5. _____	Name: _____	_____	_____
	Address: _____		
6. _____	Name: _____	_____	_____
	Address: _____		
7. _____	Name: _____	_____	_____
	Address: _____		

(Attach additional sheet(s) if necessary.)

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: Melvin Jones Excavating LLC
- 2. Permanent Place of Business: 330 Jarve Hollow Rd., Manchester, KY, 40962
- 3. When Organized: 2002
- 4. Where Incorporated: Manchester, KY
- 5. Construction Plant and Equipment Available for this Project:

(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:

_____ (Surety)

Signed: _____ (Representative of Surety)

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

Item No.	Description w/Unit Bid Price Written in Words	Estimated Quantity	Unit	Unit Price	Total Bid Amount
1	Mobilization	LS	1	\$ 1785.00	\$ 1785.00
2	Bonds and Insurance	LS	1	\$ 2800.00	\$ 2800.00
3	General Requirements	LS	1	\$ 800.00	\$ 800.00
4	Demobilization	LS	1	\$ 1000.00	\$ 1000.00
5	Erosion and Sediment Control and Conformance with SWPPP	LS	1	\$ 905.00	\$ 905.00
6	Rock Removal	CY	72	\$ 52.00	\$ 3744.00
7	4-inch Gravity Sewer Lateral, PVC (SDR 35), 0-6' depth	LF	30	\$ 21.50	\$ 645.00
8	6-inch Gravity Sewer Lateral, PVC (SDR 35), 0-6' depth	LF	30	\$ 27.00	\$ 810.00
9	8-inch Gravity Sewer Pipe, PVC (SDR 35), 0-6' depth	LF	80	\$ 22.50	\$ 1800.00
10	2-inch Force Main (PVC)	LF	550	\$ 8.45	\$ 4647.50
11	8-inch Tee Fittings for Gravity Sewer Lateral Connection (FRP, RCP, PVC)	EA	4	\$ 63.45	\$ 253.80
12	Partially demolish and fill manhole	EA	1	\$ 400.00	\$ 400.00
13	Install 4-inch Cleanout	EA	3	\$ 47.00	\$ 141.00
14	Standard Manhole, 4-foot diameter (depth 5.1 to 6.0 ft)	EA	1	\$ 2801.00	\$ 2801.00
15	Package Wastewater Pump Station	EA	1	\$ 14500.00	\$ 14500.00
16	Connect FM to existing FM	EA	1	\$ 800.00	\$ 800.00
17	Bituminous Pavement Surface Replacement (with Concrete or Bituminous Base)	SY	267	\$ 923	\$ 2464.41

Item No.	Description w/Unit Bid Price Written in Words	Estimated Quantity	Unit	Unit Price	Total Bid Amount
18	Seeding, Temporary, Extra as directed by Engineer	SY	684	\$	\$ 245.00
19	Seeding, Permanent	SY	684	\$	\$ 735.00
20	Dense Graded Aggregate - DGA, Extra as directed by Engineer	Ton	10	\$ 26.00	\$ 260.00
21	No. 9 Crushed Stone, Extra as directed by Engineer	Ton	10	\$ 26.00	\$ 260.00
22	No. 57 Crushed Stone, Extra as directed by Engineer	Ton	10	\$ 26.00	\$ 260.00
23	No. 2 Crushed Stone, Extra as directed by Engineer	Ton	10	\$ 26.00	\$ 260.00
24	Flowable (Controlled Density) Fill	CY	10	\$ 120.00	\$ 1200.00
25	Safety Fence	LF	200	\$	\$ 150.00
26	Backhoe/Extend-a-hoe, extra as directed by Engineer	HR	10	\$ 50.00	\$ 500.00
27	Hoe Ram, extra as directed by Engineer	HR	10	\$ 130.00	\$ 1300.00
28	Dump Truck, Single Axle, extra as directed by Engineer	HR	10	\$ 60.00	\$ 600.00
29	Roller/Compactor, extra as directed by Engineer	HR	10	\$ 25.00	\$ 250.00

TOTAL OF ALL BID PRICES FOR Canine Facility Pump Station Project (Items 1 through 30) in words and figures. In case of discrepancy, the amount shown in words will govern.

Forty seven thousand thirty six dollars seventy one

(\$ 47,036.71)

CNA SURETY

Bid Bond

CONTRACTOR:

(Name, legal status and address)

Melvin Jones Excavating, Inc.
330 Jarve Hollow Road
Manchester, KY 40962

SURETY: Western Surety Company: South Dakota Corporation

(Name, legal status and principal place
of business)

333 S. Wabash Avenue
41st Floor
Chicago, IL 60604

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.

OWNER:

(Name, legal status and address)

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

BOND AMOUNT: 5% of amount bid**PROJECT:**

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

Canine Facility Pump Station Waste Water System Improvements

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.

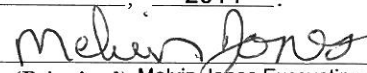
If this Bond is issued in connection with a subcontractor's bid to a Contractor, the term Contractor in this Bond shall be deemed to be Subcontractor and the term Owner shall be deemed to be Contractor.


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 27th day of March, 2014.

(Witness)


(Witness) Linda Kapfhammer


(Principal) Melvin Jones Excavating, Inc. (Seal)

(Title)

(Surety) Western Surety Company (Seal)
Roger A. Neal Attorney-In-Fact
(Title)

CAUTION: You should sign an original AIA Contract Document, on which this text appears in RED. An original assures that changes will not be obscured.

Printed in cooperation with the American Institute of Architects (AIA).

The language in this document conforms exactly to the language used in AIA Document A310 - Bid Bond - 2010 Edition.

Western Surety Company

POWER OF ATTORNEY APPOINTING INDIVIDUAL ATTORNEY-IN-FACT

Know All Men By These Presents, That WESTERN SURETY COMPANY, a South Dakota corporation, is a duly organized and existing corporation having its principal office in the City of Sioux Falls, and State of South Dakota, and that it does by virtue of the signature and seal herein affixed hereby make, constitute and appoint

Steven M Garrett, Jeffrey A Brown, Roger A Neal, Linda Kapfhammer, Diane L Phelps, Christopher E Von Allmen, Thomas J Mitchell, William A Kantlehner III, Deborah A Yates, Individually

of Louisville, KY, its true and lawful Attorney(s)-in-Fact with full power and authority hereby conferred to sign, seal and execute for and on its behalf bonds, undertakings and other obligatory instruments of similar nature

- In Unlimited Amounts -

and to bind it thereby as fully and to the same extent as if such instruments were signed by a duly authorized officer of the corporation and all the acts of said Attorney, pursuant to the authority hereby given, are hereby ratified and confirmed.

This Power of Attorney is made and executed pursuant to and by authority of the By-Law printed on the reverse hereof, duly adopted, as indicated, by the shareholders of the corporation.

In Witness Whereof, WESTERN SURETY COMPANY has caused these presents to be signed by its Vice President and its corporate seal to be hereto affixed on this 19th day of October, 2012.

WESTERN SURETY COMPANY

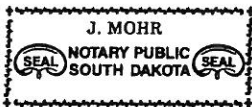


Paul T. Bruflat
Paul T. Bruflat, Vice President

State of South Dakota }
County of Minnehaha } ss

On this 19th day of October, 2012, before me personally came Paul T. Bruflat, to me known, who, being by me duly sworn, did depose and say: that he resides in the City of Sioux Falls, State of South Dakota; that he is the Vice President of WESTERN SURETY COMPANY described in and which executed the above instrument; that he knows the seal of said corporation; that the seal affixed to the said instrument is such corporate seal; that it was so affixed pursuant to authority given by the Board of Directors of said corporation and that he signed his name thereto pursuant to like authority, and acknowledges same to be the act and deed of said corporation.

My commission expires
June 23, 2015



J. Mohr
J. Mohr, Notary Public

CERTIFICATE

I, L. Nelson, Assistant Secretary of WESTERN SURETY COMPANY do hereby certify that the Power of Attorney hereinabove set forth is still in force, and further certify that the By-Law of the corporation printed on the reverse hereof is still in force. In testimony whereof I have hereunto subscribed my name and affixed the seal of the said corporation this 27th day of March, 2014



WESTERN SURETY COMPANY

L. Nelson
L. Nelson, Assistant Secretary