

PART III

Invitation to Bid No. 94-2024

North Broadway Median Greening Project

1. FORM OF PROPOSAL

Place: Lexington, Kentucky

Date: 9-19-24

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

This Proposal Submitted by Ground Hog Exvacating & Farm Service Inc

PO Box 910470 Lexington KY 40591

(Name and Address of Bidding Contractor)

(Hereinafter called "Bidder"), organized and existing under the laws of the State of Kentucky, doing business as Ground Hog Excavating & Farm Service Inc "a corporation," "a partnership", or an "individual" as applicable.

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

Gentlemen:

The Bidder, in compliance with your Invitation for Bids for the **North Broadway Median Greening Project** having examined the Plans and Specifications with related documents, having examined the site for proposed Work, and being familiar with all of the conditions surrounding the construction of the proposed Project, including the availability of materials and labor, hereby proposes to furnish all labor, materials, and supplies, and to construct the Project in accordance with the Contract Documents, within the time set forth therein, and at the lump sum and/or unit prices stated hereinafter. These prices are to cover all expenses incurred in performing the Work required under the Contract Documents, of which this proposal is a part.

The Bidder hereby acknowledges receipt of the following addenda:

Addendum No. 1 Date 9-3-24

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 Ground Hog Excavating & Farm Service Inc

Date 9-19-24

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

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

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

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

MAYOR LINDA GORTON



LEXINGTON

TODD SLATIN
DIRECTOR
DIVISION OF PROCUREMENT

ADDENDUM #1

Bid Number: #94-2024

Date: September 3, 2024

Subject: North Broadway Median Greening Project

Address Inquiries to:
Sondra Stone
sstone@lexingtonky.gov

TO ALL PROSPECTIVE SUBMITTERS:

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

Addendum is issued to correct the quantity for water in line item tab.

A handwritten signature in black ink that reads "Todd Slatin".

Todd Slatin, Director
Division of Procurement

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 submittal.

COMPANY NAME: _____

ADDRESS: _____

SIGNATURE OF BIDDER: _____



3.

BIDDERS AFFIDAVIT

Comes the Affiant, Ground Hog Excavating & Farm Service Inc, and after being first duly sworn, states under penalty of perjury as follows:

1. His/her name is Matt E Miniard President and he/she is the individual submitting the bid or is the authorized representative of Ground Hog Excavating & Farm Service Inc, the entity submitting the bid (hereinafter referred to as "Bidder").
2. Bidder will pay all taxes and fees, which are owed to the Lexington-Fayette Urban County Government at the time the bid is submitted, prior to award of the contract and will maintain a "current" status in regard to those taxes and fees during the life of the contract.
3. Bidder will obtain a Lexington-Fayette Urban County Government business license, if applicable, prior to award of the contract.
4. Bidder has authorized the Division of Procurement 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 Chapter 25 of the Lexington-Fayette Urban County Government Code of Ordinances, known as the "Ethics Act."
6. 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.

Matt E Miniard
 Signature

 President

 Title

Matt E Miniard
 Printed Name

09-19-2024
 Date

Company Name Ground Hog Excavating & Farm Service Inc

Address PO Box 910470 Lexington KY 40591

Subscribed and sworn to before me by Matt Miniard
 (Affiant)
President
 (Title)

of Ground Hog Excavating & Farm Service this 18 day of Sept, 2024.
 (Company Name)

Timothy Logan Johnson
 Notary Public
 [seal of notary] My commission expires: 6-21-28

TIMOTHY LOGAN JOHNSON
 Commonwealth of Kentucky
 Notary Public - Comm. # KYNP89630
 My Commission Expires 06-21-2028

Submitted by:

Ground Hog Excavating & Farm Service Inc

Firm

PO Box 910470

Address

Lexington KY 40591

City, State & Zip

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

Signature of Authorized Company Representative – Title

Matt Miniard President

Representative/s Name (Typed or Printed)

859-489-7611

Area Code – Phone –Fax #

mminiard@windstream.net

E-Mail Address

OFFICIAL ADDRESS:

124 Burley Ave Rear

Lexington KY 40503



(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: Ground Hog Excavating & Farm Service Inc

2. Permanent Place of Business: 124 Burley Ave Rear Lexington KY 40503

3. When Organized: 12-18-2018

4. Where Incorporated: 12-18-2018

5. Construction Plant and Equipment Available for this Project:

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 Procurement 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:

Capitol Indemnity Corporation (Surety)

Signed: Thomas J Lincoln (Representative of Surety)

** See Attached**

Capitol Indemnity Corporation
1600 Aspen Commons, Middleton, WI 53562

BID BOND

Bond Number CIC1955425

KNOW ALL PERSONS BY THESE PRESENTS,

That we, Ground Hog Excavating & Farm Service Inc (hereinafter called the "Principal"), as Principal, and the Capitol Indemnity Corporation of Madison, Wisconsin a corporation duly organized under the laws of the State of Wisconsin (hereinafter called the "Surety"), as Surety, are held and firmly bound unto LFUCG Division of Purchasing (hereinafter called the "Obligee"), in the sum of Five Percent (\$5%), for the payment of which sum well and truly to be made, the said Principal and the said Surety, bind ourselves, our heirs, executors, administrators, successors and assigns, jointly and severally, firmly by these presents.

WHEREAS, the Principal has submitted a bid for North Broadway Landscaped Medians.

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

Signed and sealed this 12th day of September, 2024.

This bond automatically expires ninety (90) days from the original bid date.

Ground Hog Excavating & Farm Service Inc
(Print Name of Principal) (Seal)

(Signature of Officer of the Principal)

(Witness)

(Print Name of Officer of the Principal and Title)

Capitol Indemnity Corporation

Thomas J Lincoln
(Signature of Attorney-in-Fact) (Seal)

Heather Matheny

(Witness)



Thomas J. Lincoln / Attorney-In-Fact
(Print Name of Attorney-in-Fact and title)

CAPITOL INDEMNITY CORPORATION
THIS POWER OF ATTORNEY LEFT BLANK

CIC1955425

Bond Number

KNOW ALL MEN BY THESE PRESENTS, That the **CAPITOL INDEMNITY CORPORATION**, a corporation of the State of Wisconsin, having its principal offices in the City of Middleton, Wisconsin, does make, constitute and appoint

-----THOMAS J. LINCOLN-----

its true and lawful Attorney(s)-in-fact, to make, execute, seal and deliver for and on its behalf, as surety, and as its act and deed, any and all bonds, undertakings and contracts of suretyship, provided that no bond or undertaking or contract of suretyship executed under this authority shall exceed in amount the sum of

-----ALL WRITTEN INSTRUMENTS IN AN AMOUNT NOT TO EXCEED: \$20,000,000.00-----

This Power of Attorney is granted and is signed and sealed by facsimile under and by the authority of the following Resolution adopted by the Board of Directors of **CAPITOL INDEMNITY CORPORATION** at a meeting duly called and held on the 15th day of May, 2002.

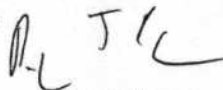
“**RESOLVED**, that the President, Executive Vice President, Vice President, Secretary or Treasurer, acting individually or otherwise, be and they hereby are granted the power and authorization to appoint by a Power of Attorney for the purposes only of executing and attesting bonds and undertakings, and other writings obligatory in the nature thereof, one or more resident vice-presidents, assistant secretaries and attorney(s)-in-fact, each appointee to have the powers and duties usual to such offices to the business of this company; the signature of such officers and seal of the Company may be affixed to any such power of attorney or to any certificate relating thereto by facsimile, and any such power of attorney or certificate bearing such facsimile signatures or facsimile seal shall be valid and binding upon the Company, and any such power so executed and certified by facsimile signatures and facsimile seal shall be valid and binding upon the Company in the future with respect to any bond or undertaking or other writing obligatory in the nature thereof to which it is attached. Any such appointment may be revoked, for cause, or without cause, by any of said officers, at any time.”

In connection with obligations in favor of the Florida Department of Transportation only, it is agreed that the power and authority hereby given to the Attorney-in-Fact includes any and all consents for the release of retained percentages and/or final estimates on engineering and construction contracts required by the State of Florida Department of Transportation. It is fully understood that consenting to the State of Florida Department of Transportation making payment of the final estimate to the Contractor and/or its assignee, shall not relieve this surety company of any of its obligations under its bond.

In connection with obligations in favor of the Kentucky Department of Highways only, it is agreed that the power and authority hereby given to the Attorney-in-Fact cannot be modified or revoked unless prior written personal notice of such intent has been given to the Commissioner – Department of Highways of the Commonwealth of Kentucky at least thirty (30) days prior to the modification or revocation.

IN WITNESS WHEREOF, the **CAPITOL INDEMNITY CORPORATION** has caused these presents to be signed by its officer undersigned and its corporate seal to be hereto affixed duly attested, this 1st day of September, 2022.

Attest



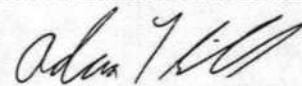
Ryan J. Byrnes
Senior Vice President,
Chief Financial Officer



Todd Burrick
Chief Underwriting Officer



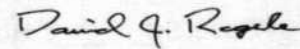
CAPITOL INDEMNITY CORPORATION



Adam L. Sills
Chief Executive Officer and President

STATE OF WISCONSIN }
COUNTY OF DANE } S.S.:

On the 1st day of September, 2022 before me personally came Adam L. Sills, to me known, who being by me duly sworn, did depose and say: that he resides in the County of New York, State of New York; that he is Chief Executive Officer and President of **CAPITOL INDEMNITY CORPORATION**, the corporation described in and which executed the above instrument; that he knows the seal of the said corporation; that the seal affixed to said instrument is such corporate seal; that it was so affixed by order of the Board of Directors of said corporation and that he signed his name thereto by like order.

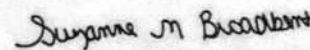


David J. Regele
Notary Public, Dane Co., WI
My Commission Is Permanent

STATE OF WISCONSIN }
COUNTY OF DANE } S.S.:

I, the undersigned, duly elected to the office stated below, now the incumbent in **CAPITOL INDEMNITY CORPORATION**, a Wisconsin Corporation, authorized to make this certificate, **DO HEREBY CERTIFY** that the foregoing attached Power of Attorney remains in full force and has not been revoked; and furthermore, that the Resolution of the Board of Directors, set forth in the Power of Attorney is now in force.

Signed and sealed at the City of Middleton, State of Wisconsin this 12th day of September, 2024



Suzanne M. Broadbent
Secretary

01620 - 2

THIS DOCUMENT HAS BEEN GENERATED FOR A SPECIFIC BOND. IF YOU HAVE ANY QUESTIONS CONCERNING THE AUTHENTICITY OF THIS DOCUMENT CALL 800-475-4450.

CIC-ePOA-M (Rev. 09-2022)

GROUND HOG EXCAVATING & FARM SERVICE INC

DUMP TRUCKS

	Service Date	Book Cost	VIN
1986 INTERNATIONAL Dump	12/18/2018	\$ 4,000.00	VIN # 1HTZPGCT0GHA31462
1987 INTERNATIONAL DUMP	12/18/2018	\$ 6,500.00	VIN # 1FDXK80U7JVA30963
1988 FORD L 8000 Dump	12/18/2018	\$ 4,000.00	VIN # 1HTSCAAR8VH488290

HEAVY EQUIPMENT

1994 International Boom Truck	7/1/2021	\$ 10,234.90	Vin # 1HTGLA6T5RH583115
1985 RayGo Compactor PadFoot	1/23/2020	\$ 5,250.00	VIN #
1983 CASE 580 D	8/31/2018	\$ 7,000.00	Vin # 9082279
2000 Case 590SL	9/3/2020	\$ 18,705.00	VIN # T031ODA778282
2006 VERMEER CHIPPER 10"	10/15/2018	\$ 6,750.00	VIN 1VRY1119X61007267
1988 CAT 931 LOADER	12/18/2018	\$ 8,000.00	Vin # 2BJ88

TRAILERS

16 UTILITY TRAILER RAMP	12/18/2018	\$ 1,000.00	No Title
18 UTILITY TRAILER DOVE TAIL	11/12/2018	\$ 100.00	No Title
20 TILT DECK TRAILER	12/18/2018	\$ 2,000.00	No Title
25 EAGER BEAVER	4/22/2021	\$ 7,098.80	VIN # 112HZN32XBL075389

BACKHOE BUCKETS

12" CASE	12/22/2018	\$ 350.00	VIN #
18" CASE	1/20/2018	\$ 410.22	
18" CASE	12/22/2018	\$ 350.00	VIN #
24" CASE		\$ 350.00	
36" CASE	1/20/2018	\$ 296.27	VIN #
41" CASE		\$ 365.74	
46" CASE		\$ 269.26	
TOTAL		\$ 2,391.49	

4' BUSH HOG \$ 1,262.00

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>
_____	_____	_____	_____
** NONE **	**NONE**	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

(USE ADDITIONAL SHEETS IF NECESSARY)

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

Respectfully submitted:

Ground Hog Excavating & Farm Service Inc

(Name of Contracting Firm)

BY: Matt Minaird President

TITLE: Matt Minaird

DATE 9-19-24

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</u>	<u>DBE Work</u>	<u>% of EACH MAJOR ITEM</u>
Turley and Turley Concrete	YES	100% Bid Tab # 6
Landscapers Corner	Yes	100% Bid Tabs #3, #4 #10 #11
Thoroughbred Traffice	No	100% Bid Tabs #14, #15, #16

LIST OF MATERIALS/ SUPPLIERS

Bidders are hereby advised that this list must be complete and submitted with the Bid. Cut sheets for all mechanical system must be included with bid submittal.

Listing "as per plans and specifications", will not be considered as sufficient identification. Where more than one "Make or Brand" is listed for any one item, the Owner has the right to select the one to be used.

Item	Brand Name, Manufacturer and Supplier
# 3	Landscapers Corner
# 4	Landscapers Corner
# 10	Fertilzer
# 11	Mulch
# 5	Lexington quarry
# 6	IMMI Concrete
# 8, #9 #	Kellys Nursery LLC
# 14,15, 16	Thoroughbred Traffice
# 18	Transpo



LFUCG MWDBE PARTICIPATION FORM

Bid/RFP/Quote Reference # 94-2024

The MWDBE and/or veteran 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 Procurement for approval immediately. **Failure to submit a completed form may cause rejection of the bid.**

MWDBE Company, Name, Address, Phone, Email	MBE WBE or DBE	Work to be Performed	Total Dollar Value of the Work	% Value of Total Contract
1. Turley & Turley Concr 803 Holly Hock Dr Lexington KY 40511	MBE	Concrete	\$10,500	5%
2. Landscapers Corner 1305 Old Frankfort D Lexington KY	WBE	Landscapering	\$ 74,133	35%
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.

Ground Hog Excavating Farm Service

Matt Miniard

Company

Company Representative

9-19-24

President

Date

Title



LFUCG MWDBE SUBSTITUTION FORM

Bid/RFP/Quote Reference # 94-2024

The substituted MWDBE and/or veteran 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 Procurement 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. ** Unable Find	Veteran Subcontractor or		MWDBE other than those	listed	**
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.

Ground Hog Excavating Farm Service

Matt Miniard

Company

Company Representative

9-19-2024

President

Date

Title



MWDBE QUOTE SUMMARY FORM

Bid/RFP/Quote Reference # 94-2024

The undersigned acknowledges that the minority and/or veteran subcontractors listed on this form did submit a quote to participate on this project. Failure to submit this form may cause rejection of the bid.

Company Name Ground Hog Excavating Farm Service Inc	Contact Person Matt Miniard
Address/Phone/Email PO Box 910470 Lexington KY 40591	Bid Package / Bid Date 94-2024

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	Veteran
1020 Enterprize Dr Lexington KY	Jim Barrier				Phone 859-621-9901			Yes

(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.

Company

Company Representative

Date

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. The LFUCG also has a 3% goal plan adopted by cited council to increase the participation of veteran owned businesses in the procurement process. In order to measure that goal LFUCG will track spending with MWDBE and Veteran contractors 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 Procurement/ 200 East Main Street / Room 338 / Lexington, KY 40507.

Bid/RFP/Quote # 94-2024

Total Contract Amount Awarded to Prime Contractor for this Project _____

Project Name/ Contract #	Work Period/ From: _____ To: _____
Company Name:	Address:
Federal Tax ID:	Contact Person:

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.

Ground Hog Excavating Farm Service

Company

9-19-2024

Date

Matt Miniard

Company Representative

President

Title

LFUCG STATEMENT OF GOOD FAITH EFFORTS

Bid/RFP/Quote # 94-2024

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 and Veteran-Owned 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 and Veteran-Owned businesses to participate.

Included documentation of advertising in the above publications with the bidders good faith efforts package

Attended LFUCG Procurement Economic Inclusion Outreach event

Attended pre-bid meetings that were scheduled by LFUCG to inform MWDBEs and/or Veteran-Owned Businesses of subcontracting opportunities

Sponsored Economic Inclusion event to provide networking opportunities for prime contractors and MWDBE firms and Veteran-Owned businesses

Requested a list of MWDBE and/or Veteran subcontractors or suppliers from LFUCG and showed evidence of contacting the companies on the list(s).

Contacted organizations that work with MWDBE companies for assistance in finding certified MWDBE firms and Veteran-Owned businesses 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 and Veteran-Owned businesses to determine their level of interest.

Provided the interested MWDBE firm and/or Veteran-Owned business 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 and/or Veteran-Owned businesses 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 and Veteran participation,

even when the prime contractor may otherwise perform these work items with its own workforce

X Negotiated in good faith with interested MWDBE firms and Veteran-Owned businesses 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.

X Included documentation of quotations received from interested MWDBE firms and Veteran-Owned businesses 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.

X 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 and/or Veteran-Owned business's quote. Nothing in this provision shall be construed to require the bidder to accept unreasonable quotes in order to satisfy MWDBE and Veteran goals.

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

X Made efforts to expand the search for MWBE firms and Veteran-Owned businesses beyond the usual geographic boundaries.

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

NOTE: 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 which is subject to approval by the MBE Liaison. Documentation of Good Faith Efforts must 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.

Ground Hog Excavating Farm Service

Company
9-19-2024

Date

Matt Miniard

Company Representative
President

Title

Matt E. Miniard
GROUND HOG EXCAVATING & FARM SERVICE INC
PO Box 910470
Lexington KY 40591
Phone 859-271-7611
Email; mminiard@windstream.net

DATE 09 / 19 / 2024

RE: North Broadway Landscaped Medians

Dear LFUCG Purchasing

Looking forward to working with you on this Lone Oak Sewer project. My main vocation is was that of Real Estate Appraiser for past 40 years. During which time I was VA appraiser and construction inspector for 28 years. I hold currently septic installers license for past 25 years. Typically I install septic systems on my own properties having done approximately total of 12 systems to date back in the late 1990's.

While I have a lot of excavating experience; however, it all been limited to my personally properties, were I am both owner of the property, and the excavating contractor for myself. All of my past projects have required bonding for various items real estate developers typically have to post performance bond for; sanitary sewer, storm sewer, water lines, underground electric, asphalt street access's onto state, county, and city street roads all of which required bonding. I have the capacity to bond \$ 10,000,000 and I never have been in default of bond. More so, all my past bonds have been released to date. Thus I have no outstanding bonds to date.

Construction In Process; Owner Realty Unlimited Blue Grass LLC aka RUBG, Matt Miniard sole 100% stock holder owns entirely Ground Hog Excavating & Farm Service Inc. Thus Ground Hog performs site work for the parent company RUBG, but is seeking to gain entry into public projects that have some level of contamination or require remediation similar to some of my in field developments.

Construction Pending; 2137 Old Paris RD Lexington KY; 1.3 Acre development consist of fill from various Lexington pipe lines contractors. Old Paris will be filled so to create level lot for future development. Scope of work includes sanitary sewer bore under existing city street, the under road bore will be subcontracted to specialty boring contractor. Ground Hogs will excavated and install sewer taps, water lines, excavating for relocation of utility lines electric and communication lines. Ground Hog will do the excavation for the utility lines; specialty subcontracts will remove and connect the new utility lines.

Construction Pending 940 Higbee Mill Lexington KY ; .52 acre lot Excavating for Townhouse project; Cut Fill building pads relocation of utility lines water, electric, connect then built sanitary sewer lines, en-large expand retention basin remove contaminated asphalt abandon county road, abate evasive Honey Sucker bushes permitting solar applications for new style GREEN CONSTRUCTION being Urban Infield.

Completed 1760 N Broadway Lexington KY being environment sensitive site; Now 100% Complete .70 Acre development filling lot this property required work-around concealed 6" high metal pressure gas line circa 1965 at the toe of property line, resolved minor encroachments with gas company, entailed US CORP 404 permit, whereby existing urban containment ditch was channeled into 300' RCP 36" pipe, setting two massive concrete head walls one with velocity reducers, custom built RCP Concrete 5' square X 9' high junction box that required retaining large speclity crane to set in place. Final end user was green friendly retail lot selling back yard sheds.

Completed Hyannisport Court Lexington KY; environmentally sensitive site Urban Lexington See Resume Matt Miniard was award by the "LFUCG Environmental Commission Certificate of Appreciation" Low Impact Development. Bonded; Storm Sewer, Sanitary Sewer, Sidewalks and Streets, etc.

Engineering References

Lee Rice Engineer RETIRED Phone no longer available LFUCG Storm Water Division Supervisor "Native of Powell County" Inspector 1760 N Broadway, and 2137 Old Paris, and various other projects around Lexington Various other projects Urban Lexington

Brent Combs Engineer Phone 859-699-6800; Engineer for 1760 North Broadway and Hyanniport Court

Brian Ward Engineer Phone 859-585-4366; Engineer 1760 N Broadway retention finial

Daniel Stamps Estimating Consultant Phone 859-749-1156

References Trade Credit

Typically paid CASH ! Have active WEX Fleet fuel card, no contract information because but they well not disclose anything. But first time you 10 days late paying bill that freezes your account.

Wilson Equipment Lexington KY Phone 859-254-6443; Equipment Parts and Supplies

Janelle Concrete Products 859-254-3509

Lines of Credit again typically paid CASH !

U of K Federal Credit Union \$ 13,000 line of Credit \$ 0 balance

GTKY Federal Credit Union \$ 5,000 line of credit \$ 0 balance

Transcend Federal Credit Union \$ 3,500 Balance \$ 2,500

Keep Project Moving Forward

Thank You In Advance



Matt Miniard President Ground Hog's



Certificate No.

B - 2024

03854

Certificate of Eligibility

Issued By

Commonwealth of Kentucky

Transportation Cabinet

This certifies that **GROUND HOG EXCAVATING & FARM SERVICES INC**
P O BOX 910470
LEXINGTON, KY 40591

is hereby qualified to accept a contract or subcontract on projects of the Department of Highways for such a period as uncompleted work under prime contract at any time does not exceed the aggregate amount of **\$6**. This certificate which expires **December 31, 2024**

is subject to revision or revocation, and is extended to 120 days from this expiration date. An application for renewal of this certificate must be filed within ninety days after the above date.

Types of Work

126 BUILDINGS AND RELATED CONSTRUCTION

127 DEMOLITION

Date Issued: **August 20, 2024**

By

State Highway Engineer

Department of Highways

9. STATEMENT OF EXPERIENCE

NAME OF INDIVIDUAL: Matt E Miniard

POSITION/TITLE: President

STATEMENT OF EXPERIENCE: See Attached Resume

NAME OF INDIVIDUAL: _____

POSITION/TITLE: _____

STATEMENT OF EXPERIENCE: _____

NAME OF INDIVIDUAL: _____

POSITION/TITLE: _____

STATEMENT OF EXPERIENCE: _____

NAME OF INDIVIDUAL: _____

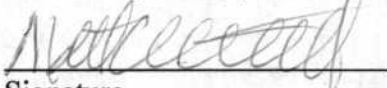
POSITION/TITLE: _____

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

Ground Hog Excavating Farm Service Inc

Name of Business

The Entity (regardless of whether construction contractor, non-construction contractor or supplier) agrees to provide equal opportunity in employment for all qualified persons, to prohibit discrimination in employment because of race, color, religion, sex (including pregnancy, sexual orientation or gender identity), national origin, disability, age, genetic information, political affiliation, or veteran status, 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*

11. **EQUAL EMPLOYMENT OPPORTUNITY AFFIRMATIVE ACTION POLICY**

It is the policy of Ground Hog Excavating Farm Service Inc

to assure that all applicants for employment and all employees are treated on a fair and equitable basis without regard to their race, religion, sex, color, handicap, natural origin or age.

Such action shall include employment, promotion, demotion, recruitment or recruitment advertising, layoff or termination, rates of pay and other forms of compensation, and selection for training, whether apprenticeship and/or on-the-job-training.

Furthermore, this company agrees to make special recruitment efforts to hire the protected class whenever feasible. This company also agrees to adhere to all applicable federal, state, and local laws relating to Equal Employment Opportunity for all individuals.

WORKFORCE ANALYSIS FORM

Organization: _____

	Total	White (Not Hispanic or Latino)		Hispanic or Latino		Black or African-American (Not Hispanic or Latino)		Native Hawaiian and Other Pacific Islander (Not Hispanic or Latino)		Asian (Not Hispanic or Latino)		American Indian or Alaskan Native (not Hispanic or Latino)		Two or more races (Not Hispanic or Latino)	
		M	F	M	F	M	F	M	F	M	F	M	F	M	F
	1	1													

Matt Miniard President
Ground Hog Excavating Farm Service Inc

Date: 9 / 19 / 24

(Name and Title)

Revised 2015-Dec-15

13. EVIDENCE OF INSURABILITY

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

Address: See Attached

Employee ID: _____

Phone: _____

Insured: _____

By signing 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 Attachment 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 Code
Provisions	CGL	\$1,000,000 per occ. And \$2,000,000 aggregate	\$		
Provisions	AUTO	\$1,000,000/per occ.	\$		
Provisions	WC	Statutory w /endorsement as noted	\$		
Provisions	EXC	\$5,000,000 per occ.	\$		

The undersigned agrees to provide the above Named Insured with the minimum coverage listed above unless otherwise specified. The undersigned agrees to abide by all provisions for the coverage's checked above unless otherwise specified.

Agency Name: _____

Name of Authorized Representative: _____

Address: _____

Title: _____

State: _____ Zip: _____

Authorized Signature: _____

Phone Number: _____

Date: _____

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 representative of insurer.

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



GROUHOG-01

WELLIS

CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)
4/29/2024

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER Smart Choice Partners KY 1792 Alysheba Way, Suite 170 Lexington, KY 40509	CONTACT NAME: PHONE (A/C, No, Ext): (859) 214-6051 FAX (A/C, No): (859) 214-6064 E-MAIL ADDRESS:	
	INSURER(S) AFFORDING COVERAGE NAIC #	
INSURED Ground Hog Excavating and Farm Services 124 BURLEY AVE LEXINGTON, KY 40503-1049	INSURER A : Nautilus Insurance Company 17370	
	INSURER B : KEMI	
	INSURER C :	
	INSURER D :	
	INSURER E :	
	INSURER F :	

COVERAGES **CERTIFICATE NUMBER:** **REVISION NUMBER:**

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

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: <input checked="" type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC OTHER:			NN1397351	4/25/2024	4/25/2025	EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 100,000 MED EXP (Any one person) \$ 5,000 PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 2,000,000 PRODUCTS - COMPI/OP AGG \$ 2,000,000
	AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO <input type="checkbox"/> OWNED AUTOS ONLY <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> HIRED AUTOS ONLY <input type="checkbox"/> NON-OWNED AUTOS ONLY						COMBINED SINGLE LIMIT (Ea accident) \$ BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$
	<input type="checkbox"/> UMBRELLA LIAB <input type="checkbox"/> OCCUR <input type="checkbox"/> EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE DED RETENTION \$						EACH OCCURRENCE \$ AGGREGATE \$
B	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) <input type="checkbox"/> If yes, describe under DESCRIPTION OF OPERATIONS below	Y/N	N/A	438876	6/2/2023	6/2/2024	PER STATUTE OTH-ER E.L. EACH ACCIDENT \$ 100,000 E.L. DISEASE - EA EMPLOYEE \$ 100,000 E.L. DISEASE - POLICY LIMIT \$ 500,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

CERTIFICATE HOLDER LFUCG 200 E Main St Lexington, KY 40507	CANCELLATION SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS. AUTHORIZED REPRESENTATIVE <i>William Ellis</i>
--	--

14. DEBARRED FIRMS

PROJECT NAME: North Broadway Landscaped Medians

BID NUMBER: 94-2024

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

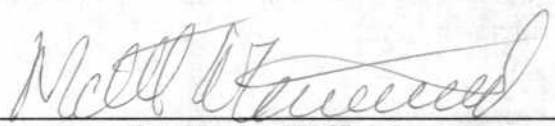
All prime Contractors shall certify that Subcontractors have not and will not be awarded to any firms that has been debarred for noncompliance with the Federal Labor Standards, Title VI of the Civil Rights Act of 1964 As Amended, Executive Order 11246 As Amended or any other Federal Law.

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 Ground Hog Excavating Farm Service 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.

Ground Hog Excavating Farm Service Inc

Name of Firm Submitting Bid



Signature of Authorized Official Matt Miniard

President

Title

9-19-2024

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: Ground Hog Excavating Farm Service Inc

Project: 94-2024 North Broadway Landscaping Median

Printed Name and Title of Authorized Representative: Matt Miniard

Signature: 

Date: 9-19-2024

END OF SECTION

PART VI

CONTRACT AGREEMENT

THIS AGREEMENT, made on the 19 day of September, 2024, by and between **Lexington-Fayette Urban County Government**, acting herein called "OWNER" and **(bidder's name) Ground Hog Excavating Farm Service Inc** doing business as *(an individual) (a partnership) (a corporation) located in the City of Lexington, County of Fayette, and State of Kentucky, hereinafter called "CONTRACTOR."

** Two Hundred Twelve Thousand Two Hundred Thirty Eight Dollars No Cents **

WITNESSETH: That the CONTRACTOR and the OWNER in consideration of** ** Dollars and Cents (\$ 212,238.00) quoted in the proposal by the CONTRACTOR, dated 9-19-2024, hereby agree to commence and complete the construction described as follows:

1. SCOPE OF WORK

The CONTRACTOR shall furnish all the materials, supplies, machinery, equipment, tools, superintendence, labor, insurance, and other accessories and services necessary to complete the said project in accordance with the conditions and prices stated in the Proposal, the General Conditions, and the Special Conditions of the Contract, the Specifications and Contract Documents therefore as prepared by Lord Aeck Sargent for the **North Broadway Median Greening** project.

2. TIME OF COMPLETION

The time estimated and authorized by the OWNER for the proper execution of the Work by the Contract, in full, is hereby fixed as forty-five (45) calendar days to final completion. The time shall begin in accordance with the Notice to Proceed provided by OWNER.

3. ISSUANCE OF WORK ORDERS

Notice to begin Work will be given in whole or for part of the Work as determined by the OWNER pending the availability of funds. The order of construction will be as determined after consultation between the CONTRACTOR and the OWNER.

4. THE CONTRACT SUM

The OWNER agrees to pay the CONTRACTOR in current funds for the performance of the Contract, as quoted in the proposal, subject to any additions and deductions, as provided therein.