

PART III

Idle Hour North Stormwater Improvements, Lexington, KY

Invitation to Bid No. 69-2013

1. **FORM OF PROPOSAL**

Place: Lexington, Kentucky

Date: June 11, 2013

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

This Proposal Submitted by DMH Construction, Inc.
336 Old Muddy Creek Rd.
Winchester, KY 40391
(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 **Idle Hour North Stormwater Improvements**, having examined the Plans and Specifications with related documents, having examined the site for proposed Work, and being familiar with all of the conditions surrounding the construction of the proposed Project, including the availability of materials and labor, hereby proposes to furnish all labor, materials, and supplies, and to construct the Project in accordance with the Contract Documents, within the time set forth therein, and at the lump sum and/or unit prices stated hereinafter. These prices are to cover all expenses incurred in performing the Work required under the Contract Documents, of which this proposal is a part. The OWNER will issue work orders for work to be performed under this Contract.

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 **ninety (90)** consecutive days. BIDDER further agrees to pay liquidated damages, the sum of \$500 for each consecutive calendar day thereafter.

The Bidder hereby acknowledges receipt of the following addenda:

Addendum No. 1 Date May 31, 2013

Addendum No. 2 Date June 11, 2013

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 DMH Construction, Inc.

Date 6-13-13

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

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

~~_____~~
~~_____~~
~~_____~~
~~_____~~
~~_____~~

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

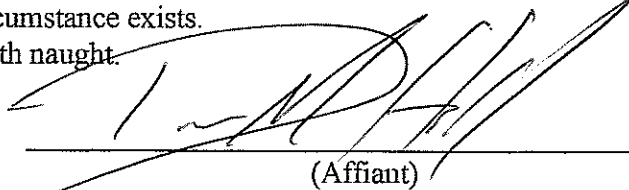
~~_____~~
~~_____~~
~~_____~~

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

3. **BIDDERS AFFIDAVIT**

Comes the Affiant, Dan M. Hall, and after being first duly sworn, states under penalty of perjury as follows:

1. His/her name is Dan M. Hall and he/she is the individual submitting the bid or is the authorized representative of DMH Construction, Inc., the entity submitting the bid (hereinafter referred to as "Bidder").
 2. Bidder will pay all taxes and fees, which are owed to the Lexington-Fayette Urban County Government at the time the bid is submitted, prior to award of the contract and will maintain a "current" status in regard to those taxes and fees during the life of the contract.
 3. Bidder will obtain a Lexington-Fayette Urban County Government business license, if applicable, prior to award of the contract.
 4. Bidder has authorized the Division of Central Purchasing to verify the above-mentioned information with the Division of Revenue and to disclose to the Urban County Council that taxes and/or fees are delinquent or that a business license has not been obtained.
 5. Bidder has not knowingly violated any provision of the campaign finance laws of the Commonwealth of Kentucky within the past five (5) years and the award of a contract to the Bidder will not violate any provision of the campaign finance laws of the Commonwealth.
 6. Bidder has not knowingly violated any provision of Chapter 25 of the Lexington-Fayette Urban County Government Code of Ordinances, known as the "Ethics Act."
 7. Bidder acknowledges that "knowingly" for purposes of this Affidavit means, with respect to conduct or to circumstances described by a statute or ordinance defining an offense, that a person is aware or should have been aware that his conduct is of that nature or that the circumstance exists.
- Further, Affiant sayeth naught.



 (Affiant)

STATE OF Kentucky
 COUNTY OF Clark

The foregoing instrument was subscribed, sworn to and acknowledged before me by
Dan M. Hall on this the 13th day of June, 2013.

My Commission expires: May 21, 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.

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.

BASE BID

Item No.	Description w/Unit Bid Price Written in Words	Estimated Quantity	Unit	Unit Price	Total Bid Amount
1.	Public Improvement Sign for <u>Five Hundred</u> Dollars <u>Zero</u> Cents (Each)	1	EA	<u>\$500.00</u>	<u>\$500.00</u>
2.	Mobilization and Demobilization <u>Twelve Thousand</u> Dollars <u>Zero</u> Cents (Lump Sum)	1	LS	<u>\$12,000.00</u>	<u>\$12,000.00</u>
3.	Erosion Control Measures, SWPPP and Permits <u>Five Thousand</u> Dollars <u>Zero</u> Cents (Lump Sum)	1	LS	<u>\$5,000.00</u>	<u>\$5,000.00</u>
4.	Erosion Control Measure Maintenance <u>Five Thousand</u> Dollars <u>Zero</u> Cents (Lump Sum)	1	LS	<u>\$5,000.00</u>	<u>\$5,000.00</u>
5.	48" diameter Manhole (6'0" deep or less) <u>Thirty-five Hundred</u> Dollars <u>Zero</u> Cents (Each)	2	EA	<u>\$3500.00</u>	<u>\$7,000.00</u>
6.	60" diameter Manhole (6'0" deep or less) <u>Forty-nine Hundred</u> Dollars <u>Zero</u> Cents (Each)	7	EA	<u>\$4900.00</u>	<u>\$34,300.00</u>
7.	48" Manhole Barrel Extension <u>Two hundred</u> Dollars <u>Zero</u> Cents (per Vertical Linear Foot)	3	VLF	<u>\$200.00</u>	<u>\$600.00</u>
8.	60" Manhole Barrel Extension <u>Three hundred fifty</u> Dollars <u>Zero</u> Cents (per Vertical Linear Foot)	21	VLF	<u>\$350.00</u>	<u>\$7,350.00</u>
9.	Curb Inlet, KYTC Type B (6'0" deep or less) <u>Three thousand</u> Dollars <u>Zero</u> Cents (Each)	13	EA	<u>\$3,000.00</u>	<u>\$39,000.00</u>

Item No.	Description w/Unit Bid Price Written in Words	Estimated Quantity	Unit	Unit Price	Total Bid Amount
10.	Cast In Place Headwall <u>Fifteen thousand</u> Dollars <u>zero</u> Cents (Each)	1	EA	<u>\$15,000.00</u>	<u>\$15,000.00</u>
11.	Connection to Existing Drainage Structures <u>Two thousand</u> Dollars <u>zero</u> Cents (Each)	3	EA	<u>\$2,000.00</u>	<u>\$6,000.00</u>
12.	Safeloading Abandoned Pipe <u>Two hundred fifty</u> Dollars <u>zero</u> Cents (per cubic yard)	2	CY	<u>\$250.00</u>	<u>\$500.00</u>
13.	Removal of Existing Drainage or Sanitary Structure <u>Fifteen hundred</u> Dollars <u>zero</u> Cents (Each)	3	EA	<u>\$1,500.00</u>	<u>\$4,500.00</u>
14.	Concrete Pipe Cradles <u>Three hundred</u> Dollars <u>zero</u> Cents (per cubic yard)	10	CY	<u>\$300.00</u>	<u>\$3,000.00</u>
15.	Crushed Stone for Subgrade Replacement <u>Twenty</u> Dollars <u>zero</u> Cents (per Ton)	20	TON	<u>\$20.00</u>	<u>\$400.00</u>
16.	Remove and Replace Concrete Curb and Gutter <u>Twenty</u> Dollars <u>zero</u> Cents (per Linear Foot)	700	LF	<u>\$20.00</u>	<u>\$14,000.00</u>
17.	Remove and Replace Concrete Sidewalk <u>Twenty-five</u> Dollars <u>zero</u> Cents (per Linear Foot)	20	LF	<u>\$25.00</u>	<u>\$500.00</u>
18.	Driveway Removal and Replacement <u>Twenty-five</u> Dollars <u>zero</u> Cents (Each)	25	SY	<u>\$25.00</u>	<u>\$625.00</u>
19.	Mill Existing Asphalt Pavement (1.5") <u>Two</u> Dollars <u>zero</u> Cents (per Square Yard)	6920	SY	<u>\$2.00</u>	<u>\$13,840.00</u>
20.	Bituminous Concrete Overlay (1.5") <u>Six</u> Dollars <u>fifty</u> Cents (per Square Yard)	6920	SY	<u>\$6.50</u>	<u>\$44,980.00</u>
21.	Fence Removal and Replacement <u>Two thousand</u> Dollars <u>zero</u> Cents (Each)	1	EA	<u>\$2,000.00</u>	<u>\$2,000.00</u>

TOTAL BASE BID PRICES FOR The Idle Hour North Stormwater Improvements Project (Items 1 through 21) in words and figures. In case of discrepancy, the amount shown in words will govern.

Two hundred-Sixteen thousand, ninety-five Dollars & ⁰⁰/₁₀₀ (\$ 216,095.00)

ALTERNATE 1 REINFORCED CONCRETE PIPE

Item No.	Description w/Unit Bid Price Written in Words	Estimated Quantity	Unit	Unit Price	Total Bid Amount
1.	15" RCP Storm Sewer Pipe One hundred Forty Dollars <u>Zero</u> Cents (per Linear Foot)	525	LF	140.00	73,500.00
2.	18" RCP Storm Sewer Pipe One hundred Sixty Dollars <u>Zero</u> Cents (per Linear Foot)	320	LF	160.00	51,200.00
3.	24" RCP Storm Sewer Pipe One hundred Sixty Five Dollars <u>Zero</u> Cents (per Linear Foot)	189	LF	165.00	31,185.00
4.	30" RCP Storm Sewer Pipe One hundred Eighty Dollars <u>Zero</u> Cents (per Linear Foot)	5	LF	180.00	900.00
5.	36" RCP Storm Sewer Pipe One hundred Ninety Dollars <u>Zero</u> Cents (per Linear Foot)	769	LF	190.00	146,110.00
6.	42" RCP Storm Sewer Pipe Two hundred Thirty Dollars <u>Zero</u> Cents (per Linear Foot)	226	LF	230.00	51,980.00

TOTAL ALTERNATE 1 BID FOR RCP Storm Sewer Pipe, Items 1 through 6 in the table above, in words and figures. In case of discrepancy, the amount shown in words will govern.

Three hundred fifty-four thousand, eight hundred seventy-five \$ 354,875.00 Dollars + 00/100.

ALTERNATE 2 HDPE PIPE

Item No.	Description w/Deductive Bid Price Written in Words	Estimated Quantity	Unit	Unit Price	Total Bid Amount
1.	15" HDPE Storm Sewer Pipe One hundred Twenty Dollars <u>zero</u> Cents (per Linear Foot)	525	LF	125.00	65,625.00
2.	18" HDPE Storm Sewer Pipe One hundred Thirty Dollars <u>zero</u> Cents (per Linear Foot)	320	LF	130.00	41,600.00
3.	24" HDPE Storm Sewer Pipe One hundred Forty Dollars <u>zero</u> Cents (per Linear Foot)	189	LF	140.00	26,460.00
4.	30" HDPE Storm Sewer Pipe One hundred Sixty Dollars <u>zero</u> Cents (per Linear Foot)	5	LF	160.00	800.00
5.	36" HDPE Storm Sewer Pipe One hundred Sixty Dollars <u>zero</u> Cents (per Linear Foot)	769	LF	165.00	126,885.00
6.	42" HDPE Storm Sewer Pipe Two hundred Dollars <u>zero</u> Cents (per Linear Foot)	226	LF	200.00	45,200.00

TOTAL ALTERNATE 2 BID FOR **HDPE Storm Sewer pipe** Items 1 through 6 in the table above, in words and figures. In case of discrepancy, the amount shown in words will govern.

Three hundred Sixty-Six Thousand, Five hundred Seventy Dollars (\$ 306,570.00)
+ 00/100

BASE BID WITH ALTERNATE 1 BID PRICE

Five hundred Seventy Thousand, Nine hundred Seventy Dollars & 00/100 570,970.00
(Use Words) (Figures)

BASE BID WITH ALTERNATE 2 BID PRICE

Five hundred Twenty-Two Thousand, Six hundred Sixty-Five Dollars & 00/100 522,665.00
(Use Words) (Figures)

The best, lowest Bidder will be determined by adding the Base Bid proposal to the amount of the alternate selected by the Owner for each Bidder.

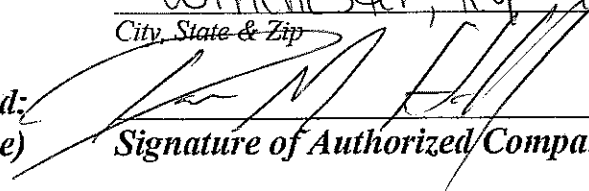
Submitted by:

DMH Construction, Inc.
Firm

336 Old Muddy Creek Rd.
Address

Winchester, KY 40391
City, State & Zip

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

 President
Signature of Authorized Company Representative - Title

Dan M. Hall
Representative/s Name (Typed or Printed)

859-808-1681 859-744-1702
Area Code - Phone - Extension Fax #

dan9632@att.net
E-Mail Address

OFFICIAL ADDRESS:

336 Old Muddy Creek Rd.

Winchester, KY 40391

(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: DMH Construction, Inc.
- 2. Permanent Place of Business: 336 Old Muddy Creek Rd, Winchester, KY 40391
- 3. When Organized: October, 2011 (Formerly Hall's Mechanical)
- 4. Where Incorporated: Kentucky
- 5. Construction Plant and Equipment Available for this Project:
130 Takeuchi Track loader, 2004, 70 Kobelco Excavator, 2006
135 Kobelco Excavator, 2000, Case Super L Backhoe, 1999
Freightliner Dump Truck, 1996
Physical Plant Located at 336 Old Muddy Creek Rd, Winchester, KY

(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:

Granite Re (Surety)
Signed: Joy Phillips (Representative of Surety)

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

<u>NAME</u>	<u>LOCATION</u>	<u>CONTRACT SUM</u>
Earlymead Subdivision Sewer Lines	Winchester, KY	350,000.00
Sunset Heights Sewer & Water Lines	Winchester, KY	280,000.00
Stoneybrook Subdivision Sewer & Waterline	Winchester, KY	400,000.00
Parcel 606 & 607 Sanitary Sewer Ext.	Winchester, KY	125,000.00

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

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

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>
Dan M. Hall	President / Operator	30 yrs.
Colton M. Hall	Vice-President / Operator	15 yrs.
Richard Reed	Operator / Laborer	2 yrs.
Tonya Swan	Office Manager	7 yrs.

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>
N/A			

(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>Milling & Blacktop</u>	Name: <u>ATS Construction</u> Address: <u>3009 Atkinson Ave Lexington, KY</u>	<u>NO</u>	<u>9%</u>
2. <u>Curbs</u>	Name: <u>Fox Enterprises</u> Address: <u>408 Jason Dr, Richmond, KY</u>	<u>NO</u>	<u>3%</u>
3. _____	Name: _____	_____	_____
_____	Address: _____	_____	_____
4. _____	Name: _____	_____	_____
_____	Address: _____	_____	_____
5. _____	Name: _____	_____	_____
_____	Address: _____	_____	_____
6. _____	Name: _____	_____	_____
_____	Address: _____	_____	_____
7. _____	Name: _____	_____	_____
_____	Address: _____	_____	_____

(Attach additional sheet(s) if necessary.)



LFUCG MWDBE PARTICIPATION FORM

Bid/RFP/Quote Reference # 09-2013

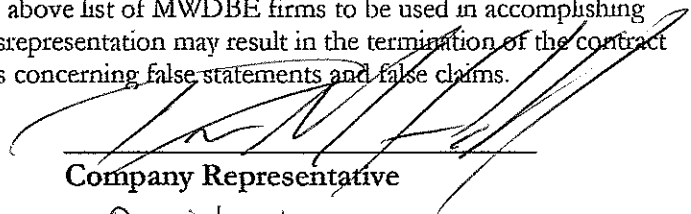
The MWDBE subcontractors listed have agreed to participate on this Bid/RFP/Quote. If any substitution is made or the total value of the work is changed prior to or after the job is in progress, it is understood that those substitutions must be submitted to Central Purchasing for approval immediately.

MWDBE Company, Name, Address, Phone, Email	Work to be Performed	Total Dollar Value of the Work	% Value of Total Contract
1. N/A			
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.

DMH Construction, Inc.
Company

6-13-13
Date


Company Representative

President
Title



LFUCG MWDBE SUBSTITUTION FORM

Bid/RFP/Quote Reference # 69,2013

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. N/A					
2.					
3.					
4.					

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

DMH Construction, Inc
Company

6-13-13
Date

[Signature]
Company Representative

President
Title



MWDBE QUOTE SUMMARY FORM

Bid/RFP/Quote Reference # 09-2013

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

Company Name <u>DMH Construction, Inc.</u>	Contact Person <u>Tonya Sloan</u>
Address/Phone/Email <u>336 Old Muddy Creek Rd. Winchester, KY 40391</u>	Bid Package / Bid Date <u>6-13-13</u>

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
<u>N/A</u>							

(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.

DMH Construction

Company

6-13-13

Date

Company Representative

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.

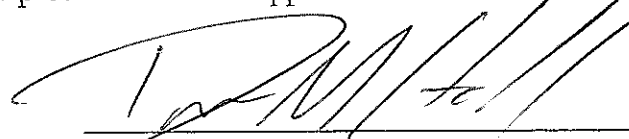
Bid/RFP/Quote # 69-2013
 Total Contract Amount Awarded to Prime Contractor for this Project _____

Project Name/ Contract # <u>Tole Near Noah Stormwater Improv.</u>	Work Period/ From: _____ To: _____
Company Name: <u>DH Construction, Inc.</u>	Address: <u>336 Old Muddy Creek Rd, Winchester, KY 40391</u>
Federal Tax ID: <u>27-4430293</u>	Contact Person: <u>Tanya Sloan</u>

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

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

DH Construction, Inc.
 Company
6-13-13
 Date


 Company Representative
President
 Title

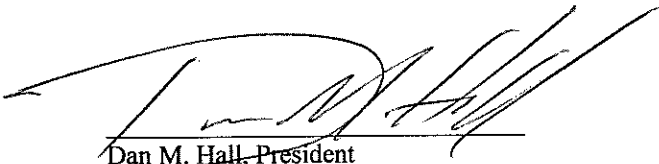
LFUCG STATEMENT OF GOOD FAITH EFFORTS
 Bid/RFP/Quote # 69-2013

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 MWDBE 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 MWDBE 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

June 13, 2013

I, Dan M. Hall, President, do hereby attest that DMH Construction, Inc. has made a good-faith effort to obtain disadvantaged contractors and/or suppliers on this project. We used the Kentucky Transportation Cabinet's Certified DBE Directory to attempt to contact subcontractor/vendors to utilize on this project. We attempted to contact Abbie Jones, a WBE corporation for engineering staking and as-built drawings. She stated she would provide us a quote, but as of the bid date we have not heard from her. Attached is documentation of the emails. If awarded the contract, we intend to attempt further cooperation with DBE firms for subcontractor/supplier services.



Dan M. Hall, President

Subscribed and sworn to before me by Dan M. Hall President,
of DMH Construction, Inc., this 13 day of June, 2013.



Notary Public

My commission expires: 5-21-17

Subject: Databases to Locate Small, Minority, Women-owned and Veteran-owned Businesses in Kentucky
From: LeBourveau, Marilyn (GED) (Marilyn.LeBourveau@ky.gov)
To: dan9632@att.net;
Date: Thursday, December 27, 2012 9:16 AM

Dear Ms. *Tonya Sloan, DMH Construction, Inc., Winchester, KY,*

Thank you for your inquiry to the **Small Business Services Division** regarding information on certified small, minority, women-owned and veteran-owned businesses located in Kentucky. I am pleased to help you with your request.

Listed below are links to six online directories/databases of small, minority, women-owned and veteran-owned businesses located in Kentucky. These lists can be used to identify subcontractors and/or partners for potential contracting opportunities. Some of the businesses are certified by an independent third-party agency, while others are self-certified.

In addition to utilizing the resources below, government agencies and prime contractors that want to disseminate information about government contracting/subcontracting opportunities can contact the **Kentucky Procurement Assistance Program** (KPAP www.thinkkentucky.com/kpap/) at ced.kpap@ky.gov. KPAP, a program of the Kentucky Cabinet for Economic Development, can send notification of potential government contracting/subcontracting opportunities to small, minority, women-owned and veteran-owned firms through an automated bid match system. Contact KPAP in Frankfort at (800) 838-3266 or online at www.thinkkentucky.com/kpap/ for further information.

Online directories/databases:

- **Kentucky Minority and Women Business Enterprise Certification Program** visit <http://mwbe.ky.gov>, email finance.mwbe@ky.gov or call (502) 564-8099.
- **KY Transportation Cabinet** list of certified **Disadvantaged Business Enterprise** (DBE) firms: <http://transportation.ky.gov/Civil-Rights-and-Small-Business-Development/Pages/Certified-DBE-Directory.aspx>
- **Louisville-Jefferson County Metropolitan Sewer District** list of certified minority/women-owned firms: <http://www.msdlouky.org/insidemsd/diverse/find.html>
- **Louisville/Jefferson County Human Relations Commission** list of certified minority, women-owned, and handicapped firms: <http://www.louisvilleky.gov/HumanRelations/IWantTo/Find+a+certified+business.htm>
- **Commonwealth of Kentucky SMALL BUSINESS CONNECTION** list of small, minority, and women-owned businesses: <https://secure.kentucky.gov/sbc/database.aspx>

- ***U.S. Small Business Administration Dynamic Small Business Search*** (DSBS) list of small, minority, women-owned, veteran-owned and HUB Zone firms (you may want to limit the search to firms in Kentucky):

http://dsbs.sba.gov/dsbs/dsp_dsbs.cfm

The ***Small Business Support*** web site also has valuable information on many topics of interest to small business owners in Kentucky <http://www.thinkkentucky.com/KYEDC/BusStart.aspx> .

Please let me know if you need further information or assistance. Our office is open weekdays from 8 a.m. to 4:30 p.m. ET.

Marilyn LeBourveau

Business Development Coordinator

Small Business Services Division

Cabinet for Economic Development

Old Capitol Annex Building

300 West Broadway

Frankfort, KY 40601

(502) 782-1959 Direct

(800) 626-2930 Ext.21959 Toll Free

(502) 564-7697 Fax

E-Mail: Marilyn.LeBourveau@ky.gov

Website: www.thinkkentucky.com

www.Facebook.com/ThinkKentucky

www.Twitter.com/ThinkKentucky

Subject: Request Quote
From: Dan Hall (dan9632@att.net)
To: abbie@abbie-jones.com;
Date: Tuesday, June 11, 2013 11:05 AM

Hi Abbie,

The project is Idle Hour Stormwater Improvements and it bids 6/13 at 2:00 p.m. The staking will consist of 9 manholes and 13 Curb Inlet, KYTC Type B (6' deep or less). Records shall be submitted in ESRI ArcView Geographical Information System format.

Thank you so much!

Tonya Sloan
DMH Construction, Inc.

Subject: Quote
From: Dan Hall (dan9632@att.net)
To: abbie@abbie-jones.com;
Date: Wednesday, June 12, 2013 12:05 PM

Hi Abbie,

Just checking to see if you received the information I sent you on the Idle Hour job.

Thanks,

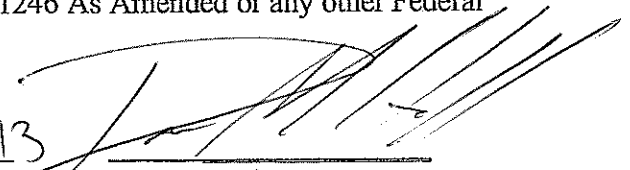
Tonya Sloan
DMH Construction, Inc.

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 90 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 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.

DMH Construction, Inc.
Company

6.13.13 
Date Representative

9. STATEMENT OF EXPERIENCE

NAME OF INDIVIDUAL: Dan m. Hall

POSITION/TITLE: President

STATEMENT OF EXPERIENCE: Owned & operated Sewer & Water
Construction Company for over 30 years. Previously
Owned Hall's Mechanical Contracting

NAME OF INDIVIDUAL: Colton m Hall

POSITION/TITLE: Vice-President

STATEMENT OF EXPERIENCE: Started out as laborer with
Hall's Mechanical Contracting. Promoted to Equipment
operator and eventually Vice-President. Responsible
for Estimating projects

NAME OF INDIVIDUAL: Richard Reed

POSITION/TITLE: Laborer/operator

STATEMENT OF EXPERIENCE: 20 years experience in
Concrete, Sewer, Water & Building.

NAME OF INDIVIDUAL: Tonya Sloan

POSITION/TITLE: office manager

STATEMENT OF EXPERIENCE: 28 years office management
experience. 7 years with Hall's mechanical &
DMH Construction. Responsible for all office duties

NAME OF INDIVIDUAL: _____

POSITION/TITLE: _____

STATEMENT OF EXPERIENCE: _____

NAME OF INDIVIDUAL: _____

POSITION/TITLE: _____

STATEMENT OF EXPERIENCE: _____

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

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

DMH Construction, Inc.
Name of Business

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

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

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

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

The Act further provides:

KRS 45.610. Hiring minorities – Information required

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

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

- (1) *If any contractor is found by the department to have engaged in an unlawful practice under this chapter during the course of performing under a contract or subcontract covered under*

KRS 45.560 to 45.640, the department shall so certify to the contracting agency and such certification shall be binding upon the contracting agency unless it is reversed in the course of judicial review.

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

KRS 45.630 Termination of existing employee not required, when

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

KRS 45.640 Minimum skills

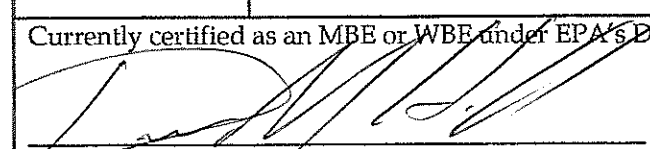
Nothing in KRS 45.560 to 45.640 shall require a contractor to hire anyone who fails to demonstrate the minimum skills required to perform a particular job.

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



Environmental
 Protection Agency

Disadvantaged Business Enterprise Program
 DBE Subcontractor Performance Form

NAME OF SUBCONTRACTOR' N/A		PROJECT NAME
ADDRESS		BID/PROPOSAL NO.
TELEPHONE NO.		E-MAIL ADDRESS
PRIME CONTRACTOR NAME		
CONTRACT ITEM NO.	ITEM OF WORK OR DESCRIPTION OF SERVICES BID TO PRIME	PRICE OF WORK SUBMITTED TO PRIME CONTRACTOR
Currently certified as an MBE or WBE under EPA's DBE Program? <input type="checkbox"/> Yes <input type="checkbox"/> No		
 _____ Signature of Prime Contractor		_____ Date
Dan M. Hall _____ Print Name		6-13-13 _____ Title
_____ Signature of Subcontractor		_____ Date
_____ Print Name		_____ Title

'Subcontractor is defined as a company, firm, joint venture, or individual who enters into an agreement with a contractor to provide services pursuant to an EPA award of financial assistance.



Environmental
Protection Agency

OMB Control No: 2090-0030
Approved: 05/01/2008
Approval Expires: 01/31/2011

Disadvantaged Business Enterprise Program DBE Subcontractor Performance Form

The public reporting and recordkeeping burden for this collection of information is estimated to average fifteen (15) minutes. Burden means the total time, effort, or financial resources expended by persons to generate, maintain, retain, or disclose or provide information to or for a Federal agency. This includes the time needed to review instructions; develop, acquire, install, and utilize technology and systems for the purposes of collecting, validating, and verifying information, processing and maintaining information, and disclosing and providing information; adjust the existing ways to comply with any previously applicable instructions and requirements; train personnel to be able to respond to a collection of information; search data sources; complete and review the collection of information; and transmit or otherwise disclose the information. An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number.

Send comments on the Agency's need for this information, the accuracy of the provided burden estimates, and any suggested methods for minimizing respondent burden, including the use of automated collection techniques to the Director, Collection Strategies Division, U.S. Environmental Protection Agency (2822), 1200 Pennsylvania Ave., NW, Washington, D.C. 20460. Include the OMB control number in any correspondence. Do not send the completed EPA DBE Subcontractor Performance Form to this address.



Environmental
Protection Agency

OMB Control No: 2090-0030
Approved: 05/01/2008
Approval Expires: 01/31/2011

Disadvantaged Business Enterprise Program
DBE Subcontractor Utilization Form

BID/PROPOSAL NO. <u>69-2013</u>	PROJECT NAME <u>Idle Hour North Storm Improvements</u>
NAME OF PRIME BIDDER/PROPOSER <u>DMH Construction, Inc.</u>	E-MAIL ADDRESS <u>dan9632@att.net</u>
ADDRESS <u>336 Old Muddy Creek Rd. Winchester, KY 40391</u>	
TELEPHONE NO. <u>859-595-2503</u>	FAX NO. <u>859-744-1702</u>

The following subcontractors will be used on this project:

COMPANY NAME, ADDRESS, PHONE NUMBER, AND E-MAIL ADDRESS	TYPE OF WORK TO BE PERFORMED	ESTIMATED DOLLAR AMOUNT	CURRENTLY CERTIFIED AS AN MBE OR WBE?

I certify under penalty of perjury that the foregoing statements are true and correct. In the event of a replacement of a subcontractor, I will adhere to the replacement requirements set forth in 40 CFR Part 33 Section 33.302(c).

[Signature]
 Signature of Prime Contractor

6-13-13
 Date

Dan M. Hall
 Print Name

President
 Title

Subcontractor is defined as a company, firm, joint venture, or individual who enters into an agreement with a contractor to provide services pursuant to an EPA award of financial assistance.



Environmental
Protection Agency

OMB Control No: 2090-0030
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DISADVANTAGED BUSINESS ENTERPRISE PARTICIPATION POLICY

PROJECT NAME: Idle Hour North Stormwater Improvements,
Lexington-Fayette County Government
Bid No. 69-2013

BID DATE: June 11, 2013

1. Name, address and telephone number of contact person on all DBE matters:

Prime Contractor's Name: DMH Construction, Inc.
Contact Person: TONGA SLAN
Address: 336 Old Muddy Creek Rd., Winchester, KY 40391
Phone: 859-595-2503
Cell Phone: 859-595-2503
Email: dan@1632@att.net
Total Contract Amount: _____

2. Total dollar amount/percent of contract of MBE participation: 0

3. Total dollar amount/percent of contract of WBE participation: 0

4. Are certifications* for each MBE/WBE/DBE subcontractor enclosed; if no, please explain: Yes No
not available

5. Are MBE/WBE/DBE subcontracts or letters of intent signed by both parties enclosed; if no, please explain: Yes No
not available

6. List of MBE Subcontractors:

Name: N/A
Contact Person: _____
Address: _____
Phone: _____
Cell Phone: _____
Email: _____
Type of Contract: _____
Work to be Done: _____
Amount: _____

7. List of WBE Subcontractors:

Name: N/A
Contact Person: _____
Address: _____
Phone: _____
Cell Phone: _____
Email: _____
Type of Contract: _____
Work to be Done: _____
Amount: _____

Attach Additional Sheets, If Necessary

*Self-certification: Self certification of MBE/WBE/DBE firms will NOT be accepted as a valid form of certification of MBE/WBE/DBE status.

8. **Information and documentation concerning efforts taken to comply with EPA's "six good faith efforts"**

- (i). Ensure DBE construction firms or material suppliers are made aware of contracting opportunities to the fullest extent practicable through outreach and recruitment activities; including placing DBEs on solicitation lists and soliciting them whenever they are potential sources. A good source for a list of DBEs is the Kentucky Transportation's website: <http://transportation.ky.gov/Civil-Rights-and-Small-Business-Development/Pages/Certified-DBE-Directory.aspx>.
- The prime contractor certifies that a bidders list (see example sheet below) of qualified vendors, including DBEs, was developed for current and future solicitations and that the list will be maintained. *Submit a copy of the list as documentation.*
- (ii). Make information on forthcoming opportunities available to DBEs and arrange time frames for contracts and establish delivery schedules, where the requirements permit, in a way that encourages and facilitates participation by DBEs in the competitive process; including, whenever possible, posting solicitation for bids or proposals for a sufficient amount of time as to receive a competitive bid or proposal pool.

The prime contractor certifies that every opportunity was provided to a number of DBEs to encourage their participation in the competitive process and that an adequate amount of time was provided for response.

- a. List each DBE construction firm or material supplier to which a solicitation was attempted. *Submit copies of letters, emails, faxes, telecommunication logs, certified mail receipts, returned envelopes, certified mail return receipts, etc. as documentation.*

Company name and phone number: Abbie Jones 859-559-3443

Area of work expertise: ENGINEER

Date of any follow-ups and person spoke to: 6-11-13, 6-12-13,

- b. Advertisements, if applicable: List each publication in which an announcement or notification was placed. *Submit a tear sheet of each announcement from each publication as documentation.*

Name of publication: _____

Date(s) of advertisement: _____

Specific subcontract areas announced: _____

- c. Other, if applicable: List each notification method in which an announcement or outreach was used; list serve, public meeting, etc. *Submit applicable information to document effort.*

Method of notification: _____

Date(s) of notification: _____

- (iii). Consider in the contracting process whether firms competing for large contracts could subcontract with DBEs; including dividing total requirements, when economically feasible, into smaller tasks or quantities to permit maximum participation by DBEs in the competitive process.

- The prime contractor certifies that the project was broken into its basic elements (i.e., dirt hauling, landscaping, painting, pipe installation, material supplies, etc.) and that a determination was made whether it's economically feasible to bid the elements separately and that the analysis of this effort was documented with a short memo to the project file.

- (iv). Establishing delivery schedules, where the requirement permits, which encourage participation by small and minority business, and women's business enterprises.
 - The prime contractor certifies that they established delivery schedules which would allow DBEs to participate in the projects.

- (v). Use the services and assistance of the Small Business Administration (SBA) and the Minority Business Development Agency (MBDA) of the U.S. Department of Commerce. The easiest way to utilize the services of SBA and MBDA is to visit their websites: www.sba.gov and www.mbda.gov and use the electronic tools available there or you may send the nearest SBA and MBDA office a certified letter that generally describes the solicitation, the dates it will be open, the types of vendors you are seeking and applicable SIC or NAIC codes if known. You may also use the services and assistance of the Kentucky Procurement Assistance Program (KPAP). The easiest way to utilize the services of KPAP is to send an email: ced_kpap@ky.gov and provide information on forthcoming opportunities available to DBEs.
 - The prime contractor certifies that the assistance of the SBA, MBDA, and/or KPAP was utilized. *Submit pages printed off the SBA and MBDA websites which evidence efforts to register a solicitation on those sites or submit copies of the letter sent and certified mail receipt as documentation; submit copies of emails with KPAP as documentation.*

- (vi). If a subcontractor awards any subcontracts, require the subcontractor to take the steps in numbers (i) through (v) above.
 - The prime contractor certifies that subcontractors used for this project will be required to follow the steps of the "six good faith efforts" as listed above.

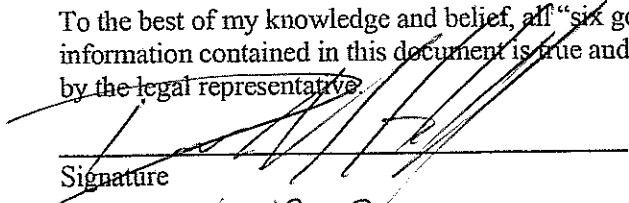
9. **Signature and date:**

To the best of my knowledge and belief, all "six good faith efforts" have been met and the information contained in this document is true and correct; the document has been duly authorized by the legal representative

Signature

Print name and title

Date

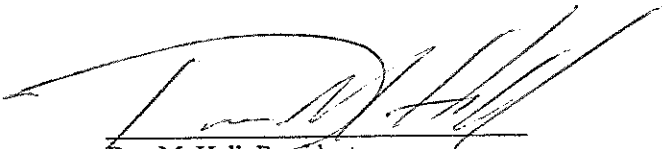


 6-13-13

Dan M. Hall, President

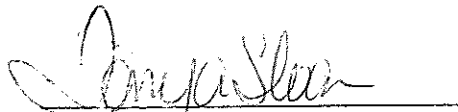
June 13, 2013

I, Dan M. Hall, President, do hereby attest that DMH Construction, Inc. has made a good-faith effort to obtain disadvantaged contractors and/or suppliers on this project. We used the Kentucky Transportation Cabinet's Certified DBE Directory to attempt to contact subcontractor/vendors to utilize on this project. We attempted to contact Abbie Jones, a WBE corporation for engineering staking and as-built drawings. She stated she would provide us a quote, but as of the bid date we have not heard from her. Attached is documentation of the emails. If awarded the contract, we intend to attempt further cooperation with DBE firms for subcontractor/supplier services.



Dan M. Hall, President

Subscribed and sworn to before me by Dan M. Hall President
of DMH Construction, Inc. , this 13 day of June , 20 13 .



Notary Public

My commission expires: 5-21-17

Subject: Databases to Locate Small, Minority, Women-owned and Veteran-owned Businesses in Kentucky
 From: LeBourveau, Marilyn (GED) (Marilyn.LeBourveau@ky.gov)
 To: dan9632@att.net;
 Date: Thursday, December 27, 2012 9:16 AM

Dear Ms. *Tonya Sloan, DMH Construction, Inc., Winchester, KY,*

Thank you for your inquiry to the *Small Business Services Division* regarding information on certified small, minority, women-owned and veteran-owned businesses located in Kentucky. I am pleased to help you with your request.

Listed below are links to six online directories/databases of small, minority, women-owned and veteran-owned businesses located in Kentucky. These lists can be used to identify subcontractors and/or partners for potential contracting opportunities. Some of the businesses are certified by an independent third-party agency, while others are self-certified.

In addition to utilizing the resources below, government agencies and prime contractors that want to disseminate information about government contracting/subcontracting opportunities can contact the *Kentucky Procurement Assistance Program* (KPAP www.thinkkentucky.com/kpap/) at ced.kpap@ky.gov. KPAP, a program of the Kentucky Cabinet for Economic Development, can send notification of potential government contracting/subcontracting opportunities to small, minority, women-owned and veteran-owned firms through an automated bid match system. Contact KPAP in Frankfort at (800) 838-3266 or online at www.thinkkentucky.com/kpap/ for further information.

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To: abbie@abbie-jones.com;
Date: Tuesday, June 11, 2013 11:05 AM

Hi Abbie,

The project is Idle Hour Stormwater Improvements and it bids 6/13 at 2:00 p.m. The staking will consist of 9 manholes and 13 Curb Inlet, KYTC Type B (6' deep or less). Records shall be submitted in ESRI ArcView Geographical Information System format.

Thank you so much!

Tonya Sloan
DMH Construction, Inc.

11. EQUAL EMPLOYMENT OPPORTUNITY AFFIRMATIVE ACTION POLICY

It is the policy of DMH Construction, 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.

13. **EVIDENCE OF INSURABILITY**

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

Name of Insured: DH Construction, Inc Employee ID: 27-4436293
 Address: 336 Old Middle Creek Rd, Winchester, KY 40391 Phone: 859-595-2803
 Project to be insured: Idle Hour Wash Sumpwater Improvement

In lieu of obtaining certificates of insurance at this time, the undersigned agrees to provide the above Named Insured with the minimum coverage listed below. These are outlined in the Insurance and Risk Management of Part V (Special Conditions), including all requirements, and conditions:

Section Items	Coverage	Minimum Limits and Policy Requirements	Limits Provided To Insured	Name of Insurer	A.M. Best's Code	Rating
SC-3, Section 2, Part 4.1 - see provisions	CGL	\$1,000,000 per occ. And \$2,000,000 aggregate	\$1,000,000 per occ	Motors Mutual		A
SC-3, Section 2, Part 4.1 - see provisions	AUTO	\$2,000,000 per occ.	\$1,000,000	Motors Mutual		A
SC-3, Section 2, Part 4.1 - see provisions	W/C	Statutory w/ endorsement as noted	\$4,000,000	KY A&C		A-

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

Agency or Brokerage: Winchester Insurance Agency Inc Name of Authorized Representative: Sarah Smith
 Title: Agent

Street Address: 41 S Main St
 City: Winchester State: KY Zip: 40391
 Telephone Number: 859-744-2200
 Authorized Signature: Sarah Smith Date: 6/13/13

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


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.

Motorists Mutual Insurance Company

[Print this page](#)

A.M. Best #: 000652 NAIC #: 14621 FEIN #: 314269650
 Address: 471 East Broad Street
 Columbus, OH 43215-3861
 United States
 Web: www.motoristsgroup.com
 Phone: 614-225-8211
 Fax: 614-225-8330

Assigned to companies that have, in our opinion, an excellent ability to meet their ongoing insurance obligations.



Based on A.M. Best's analysis, [018236 - Motorists Insurance Pool](#) is the AMB Ultimate Parent and identifies the topmost entity of the corporate structure. View a list of [operating insurance entities](#) in this structure.

Best's Credit Ratings

View all of the [companies](#) assigned this rating as a part of an [AMB Rating Unit](#).

Financial Strength Rating [View Definition](#)

Rating: A (Excellent)
 Financial Size: X (\$500 Million to \$750 Million)
 Category:
 Outlook: Negative
 Action: Affirmed
 Effective Date: April 23, 2013
 Initial Rating Date: June 30, 1934

u Denotes Under Review Best's Rating

Best's Credit Rating Analyst

Office: A.M. Best Company, Oldwick NJ
 Senior Financial Analyst: Kenneth E. Tappen
 Assistant Vice President: Joseph A. Burtone

Long-Term Issuer Credit Rating [View Definition](#)

Long-Term: a
 Outlook: Negative
 Action: Affirmed
 Effective Date: April 23, 2013
 Initial Rating Date: April 17, 2007

Related Financial and Analytical Data

The following links provide access to related data records that A.M. Best utilizes to provide financial and analytical data on a consolidated or branch basis.

019475 Motorists Insurance Pool	Represents the "as filed" Company Consolidated financials for the Property/ Casualty business of this legal entity.
018236 Motorists Insurance Pool	Represents the A.M. Best Consolidated financials for the Property/ Casualty business of this legal entity.

Reports and News

Visit Best's News and Analysis site for the latest [news and press releases](#) for this company and its A.M. Best Group.

[AMB Credit Report - Insurance Professional](#) - Includes Best's Financial Strength Rating and rationale along with comprehensive analytical commentary, detailed business overview and key financial data.
 Report Revision Date: 5/1/2013 (represents the latest significant change).

Historical Reports are available in [AMB Credit Report - Insurance Professional Archive](#).

[Best's Executive Summary Reports \(Financial Overview\)](#) - available in three versions, these presentation style reports feature balance sheet, income statement, key financial performance tests including profitability, liquidity and reserve analysis.
 Data Status: 2013 Best's Statement File - P/C, US Contains data compiled as of 8/7/2013 Quality Cross Checked.

- [Single Company](#) - five years of financial data specifically on this company.
- [Comparison](#) - side-by-side financial analysis of this company with a peer group of up to five other companies you select.
- [Composite](#) - evaluate this company's financials against a peer group composite. Report displays both the average and total composite of your selected peer group.

[Best's Key Rating Guide Presentation Report](#) - Includes Best's Financial Strength Rating and financial data as provided in the most current edition of Best's Key Rating Guide products. (Quality Cross Checked).

Financial and Analytical Products

- [Best's Insurance Reports - Online - P/C, US & Canada](#)
- [Best's Key Rating Guide - P/C, US & Canada](#)
- [Best's Statement File - P/C, US](#)
- [Best's Executive Summary Report - Comparison - Property/Casualty](#)
- [Best's Executive Summary Report - Composite - Property/Casualty](#)
- [Best's Statement File - Global](#)
- [Best's Regulatory Center Market Share Reports](#)
- [Best's State Line - P/C, US](#)
- [Best's Insurance Expense Exhibit \(IEE\) - P/C, US](#)
- [Best's Schedule P \(Loss Reserves\) - P/C, US](#)
- [Best's Regulatory Center](#)
- [Best's Schedule D \(Corporate Bonds\) - US](#)
- [Best's Schedule D \(Common Stocks\) - US](#)
- [Best's Schedule D \(Municipal Bonds\) - US](#)
- [Best's Schedule F \(Reinsurance\) - P/C, US](#)

[Best's Schedule D - Hybrid - P/C & L/H, US](#)

[Best's Schedule DA \(Short Term Investments\) - P/C & L/H, US](#)

[Best's Schedule BA \(Other Long Term Investments\) - P/C & L/H, US](#)

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
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Kentucky Associated Gen Cont Self Ins Fd

 [Print this page](#) (2)

A.M. Best #: 055002
 Address: 320 N. Evergreen Road
 Louisville, KY 40243
[United States](#)

Phone: 502-245-2007
 Fax: 502-245-6062

Assigned to companies that have, in our opinion, an excellent ability to meet their ongoing insurance obligations.



Best's Credit Ratings

Financial Strength Rating [View Definition](#)

Rating: A- (Excellent)
 Financial Size: VII (\$50 Million to \$100 Million)
 Category: Million
 Outlook: Stable
 Action: Affirmed
 Effective Date: January 03, 2013
 Initial Rating Date: January 12, 1998
u Denotes Under Review Best's Rating

Best's Credit Rating Analyst


Office: A.M. Best Company, Oldwick NJ
 Financial Analyst: Scott Mangan
 Assistant Vice President: Peter Dickay


Long-Term Issuer Credit Rating [View Definition](#)


Long-Term: a-
 Outlook: Stable
 Action: Affirmed
 Effective Date: January 03, 2013
 Initial Rating Date: January 07, 2008

Reports and News

Visit Best's News and Analysis site for the latest [news and press releases](#) for this company and its A.M. Best Group.

 [AMB Credit Report - Insurance Professional](#) - Includes Best's Financial Strength Rating and rationale along with comprehensive analytical commentary, detailed business overview and key financial data.
 Report Revision Date: 1/3/2013 (represents the latest significant change).

 Historical Reports are available in [AMB Credit Report - Insurance Professional Archive](#).

 [Best's Key Rating Guide Presentation Report](#) - includes Best's Financial Strength Rating and financial data as provided in the most current edition of Best's Key Rating Guide products. (Qualify Cross Checked).

Financial and Analytical Products

[Best's Insurance Reports - Online - P/C, US & Canada](#)
[Best's Key Rating Guide - P/C, US & Canada](#)
[Best's Statement File - Global](#)
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14. DEBARRED FIRMS

PROJECT NAME: Idle Hour North Stormwater Improvements

BID NUMBER: 69-2013

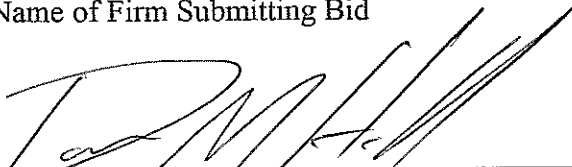
LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT
LEXINGTON, KY

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

All bidders shall complete the attached certification in duplicate and submit both copies to the Owner with the bid proposal. The Owner (grantee) shall transmit one copy to the Lexington-Fayette Urban County Government, Division of Community Development, within fourteen (14) days after bid opening.

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

DMH Construction, Inc.
Name of Firm Submitting Bid


Signature of Authorized Official

President
Title

6-13-13
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: DMH Construction, Inc.

Project: Idle Hour North Wastewater Improvements

Printed Name and Title of Authorized Representative: Dan M. Hall, President

Signature: 

Date: 6-13-13

16. EPA Form 5700-49

**CERTIFICATION REGARDING DEBARMENT,
SUSPENSION AND OTHER RESPONSIBILITY MATTERS**

The prospective participant certifies to the best of its knowledge and belief that it and its principals:

- (a) Are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from covered transactions by any Federal department or agency;
- (b) 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;
- (c) 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)(b) of this certification; and
- (d) Have not within a three-year period preceding this application/proposal had one or more public transactions (Federal, State, or local) terminated for cause or default.

I understand that a false statement on this certification may be grounds for rejection of this proposal or termination of the award. In addition, under 18 USC Sec. 1001, a false statement may result in a fine of up to \$10,000 or imprisonment for up to 5 years, or both.

Dan M. Hall, President
Typed Name & Title of Authorized Representative

[Signature]
Signature of Authorized Representative

6-13-13

Date

I am unable to certify to the above statements. My explanation is attached.

17. CERTIFICATION REGARDING LOBBYING


**Certification for Contracts, Grants,
Loans, and Cooperative Agreements**

The undersigned certifies, to the best of his or her knowledge and belief, that:

- (1) No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of an agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.
- (2) If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions.
- (3) The undersigned shall require that the language of this certification be included in the award documents for all sub-awards at all tiers (including subcontracts, sub-grants, and contracts under grants, loans, and cooperative agreements) and that all sub-recipients shall certify and disclose accordingly.

This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by section 1352, title 31, U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

Dan M. Hall, President
Typed Name & Title of Authorized Representative


Signature of Authorized Representative

6-13-13
Date

I am unable to certify to the above statements. My explanation is attached.

THE AMERICAN INSTITUTE OF ARCHITECTS



AIA Document A310

Bid Bond

KNOW ALL MEN BY THESE PRESENTS, that we

DMH Construction, Inc.
336 Old Muddy Creek Rd., Winchester, KY 40391

as Principal, hereinafter called Principal, and

Granite Re, Inc.
14001 Quailbrook Dr, Oklahoma City, OK 73134

a corporation duly organized under the laws of the State of **OK**
as Surety, hereinafter called Surety, are held and firmly bound unto

Lexington-Fayette Urban County Government
200 E. Main St., 3rd Fl, Rm. 338, Lexington, KY 40507

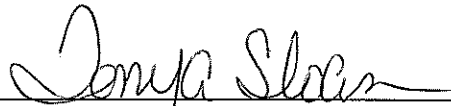
as Obligee, hereinafter called Obligee, in the sum of **5% of Amount Bid**

Dollars (**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 _____ (Here insert full name, address and description of project)
Idle Hour North Stormwater Improvements

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 13th day of June, 2013

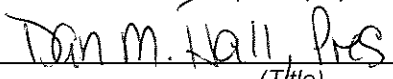


(Witness)

DMH Construction, Inc.

(Principal)

(Seal)



(Title)

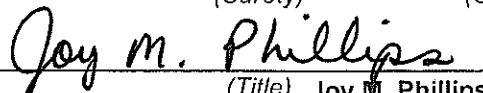


(Witness)

Granite Re, Inc.

(Surety)

(Seal)



(Title) **Joy M. Phillips**
Attorney in Fact

GRANITE RE, INC.
GENERAL POWER OF ATTORNEY

Know all Men by these Presents:

That GRANITE RE, INC., a corporation organized and existing under the laws of the State of OKLAHOMA and having its principal office at the City of OKLAHOMA CITY in the State of OKLAHOMA does hereby constitute and appoint:

STEVEN M. BAAS; BRIAN L. SEWELL; JOY M. PHILLIPS; MELISSA NAPIER; BENJAMIN P. DYCUS its true and lawful Attorney-in-Fact(s) for the following purposes, to wit:

To sign its name as surety to, and to execute, seal and acknowledge any and all bonds, and to respectively do and perform any and all acts and things set forth in the resolution of the Board of Directors of the said GRANITE RE, INC. a certified copy of which is hereto annexed and made a part of this Power of Attorney; and the said GRANITE RE, INC. through us, its Board of Directors, hereby ratifies and confirms all and whatsoever the said:

STEVEN M. BAAS; BRIAN L. SEWELL; JOY M. PHILLIPS; MELISSA NAPIER; BENJAMIN P. DYCUS may lawfully do in the premises by virtue of these presents.

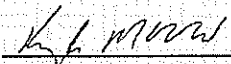
In Witness Whereof, the said GRANITE RE, INC. has caused this instrument to be sealed with its corporate seal, duly attested by the signatures of its President and Secretary/Treasurer, this 5th day of September, 2012.

STATE OF OKLAHOMA)
) SS:
COUNTY OF OKLAHOMA)





Kenneth D. Whittington, President




Kyle P. McDonald, Treasurer

On this 5th day of September, 2012, before me personally came Kenneth D. Whittington, President of the GRANITE RE, INC. Company and Kyle P. McDonald, Secretary/Treasurer of said Company, with both of whom I am personally acquainted, who being by me severally duly sworn, said, that they, the said Kenneth D. Whittington and Kyle P. McDonald were respectively the President and the Secretary/Treasurer of GRANITE RE, INC., the corporation described in and which executed the foregoing Power of Attorney; that they each knew the seal of said corporation; that the seal affixed to said Power of Attorney was such corporate seal, that it was so fixed by order of the Board of Directors of said corporation, and that they signed their name thereto by like order as President and Secretary/Treasurer, respectively, of the Company.

My Commission Expires:
August 8, 2013
Commission #: 01013257





Kathleen E. Carlson
Notary Public

GRANITE RE, INC.
Certificate

THE UNDERSIGNED, being the duly elected and acting Secretary/Treasurer of Granite Re, Inc., an Oklahoma Corporation, HEREBY CERTIFIES that the following resolution is a true and correct excerpt from the July 15, 1987, minutes of the meeting of the Board of Directors of Granite Re, Inc. and that said Power of Attorney has not been revoked and is now in full force and effect.

"RESOLVED, that the President, any Vice President, the Secretary, and any Assistant Vice President shall each have authority to appoint individuals as attorneys-in-fact or under other appropriate titles with authority to execute on behalf of the company fidelity and surety bonds and other documents of similar character issued by the Company in the course of its business. On any instrument making or evidencing such appointment, the signatures may be affixed by facsimile. On any instrument conferring such authority or on any bond or undertaking of the Company, the seal, or a facsimile thereof, may be impressed or affixed or in any other manner reproduced; provided, however, that the seal shall not be necessary to the validity of any such instrument or undertaking."

IN WITNESS WHEREOF, the undersigned has subscribed this Certificate and affixed the corporate seal of the Corporation this

13 day of June, 2013.





Kyle P. McDonald, Secretary/Treasurer

18. ITEMS TO BE SUBMITTED IN BID PACKAGE

The following documents are attached to and made a condition of this bid:

- FORM OF PROPOSAL (P-1 THRU P-10)
- STATEMENT OF BIDDER'S QUALIFICATIONS (P-11 THRU P-13)
- LIST OF PROPOSED SUBCONTRACTORS (P-14)
- LFUCG MWDBE PARTICIPATION FORM (P-21 thru P-26)
- AUTHENTICATION OF BID AND STATEMENT OF NON-COLLUSION, NON-CONFLICT OF INTEREST (P-17)
- STATEMENT OF EXPERIENCE (P-28 THRU P-29)
- EQUAL OPPORTUNITY AGREEMENT (P-30 THRU P-32)
- EPA FORM 6100-3 (P-33)
- EPA FORM 6100-4 (P-35)
- **DISADVANTAGED BUSINESS ENTERPRISE PARTICIPATION POLICY (P-37 THRU P-39)**
- EQUAL OPPORTUNITY AFFIRMATIVE ACTION POLICY (P-40)
- WORKFORCE ANALYSIS (P-41)
- EVIDENCE OF INSURABILITY FORM (P-42)
- DEBARRED FIRMS (P-43)
- DEBARRMENT CERTIFICATION (P-44)
- EPA FORM 5700-49 (P-45)
- CERTIFICATION REGARDING LOBBYING (P-46)
- BID BOND WITH POWER OF ATTORNEY
- DAVIS BACON/ HUD FORM 4720 (FOLLOWING PART IX)

END OF SECTION