



Lexington-Fayette Urban County Government
DEPARTMENT OF FINANCE & ADMINISTRATION

Jim Gray
Mayor

RECEIVED

SEP 19 2013

MAC CONSTRUCTION &
EXCAVATING, INC.

William O'Mara
Commissioner

ADDENDUM #1

Bid Number: 118-2013

Date: September 17, 2013

Subject: Bob-O-Link Trunk Sewer Replacement

Please address inquiries to:
Betty Landrum @
bettyb@lexingtonky.gov

TO ALL PROSPECTIVE BIDDERS:

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

Specifications:

Table of Contents: Replace in its entirety: see Attachments.

Section 00410 – Bid Form: Replace this section in its entirety: see Attachments.

Drawings: - Sheet C1, General Notes, add the following:

“9. The Contractor is responsible for providing by-pass pumping of sewage in accordance with Section 01520 of the Contract Documents to construct this project and to insure that no bypass or overflow of sanitary sewage occurs. By-pass pumping shall not be permitted between the hours of 6:00 p.m. and 7:00 a.m. without the written authorization from the Owner.

The following is provided for information only and in no way is meant to serve as a by-pass pump sizing guide. The Contractor shall select the pump and test/demonstrate the ability of the selected pump to pump the required flow per Section 01520 of the Contract Documents. The gravity sewer pipe sizes in the project include:

Pipe Size	Capacity @ Existing Slope
15-inch	2,360 gpm
18-inch	2,590 gpm
21-inch	4,780 gpm
24-inch	3,770 gpm”

Attachments: Table of Contents, Section 00410 – Bid Form, Pre-Bid Meeting Minutes, Attendees List – Pre-Bid Meeting, ESC Procedures for RMP Projects.

Questions: see below

Questions	Answers
What is the Engineer's Estimate?	Between \$2.0 - \$3.0 million.
What is the length of pipe on the project?	See the Bid Schedule in Section 00410.
What are Liquidated Damages?	\$1,000.00 per day.
Will the entire right-of-way be expected to be cleared, including large trees?	Contractor shall clear only that area necessary to complete the work.
For dig and replacement of the existing line, does the new line need to be lowered?	The design intent is to match the crown elevation of the existing sanitary sewer pipe. See the plan and profile sheets.
Will Columbia Gas allow blasting within 15 feet of their high pressure gas line across Picadome Golf Course?	Blasting will not be allowed on this project. See the revised Bid Schedule in the Bid Form Section 00410.
Is telemetry required for the bypass pumping system?	No. See Section 01520.
Is wet weather flow data available?	See General Note #9.
What are the Average Daily / Peak Dry Weather flows?	See General Note #9.
What are the Peak Wet Weather flows?	See General Note #9.
Are we able to surcharge the sewer lines during pumping?	See Sections 01520 and 01530. Contractor is reminded that they are responsible for damages and/or fines resulting from sanitary sewer overflows or backups into buildings.

Todd Slatin, Director
Division of Central Purchasing

All other terms and conditions of the Bid and specifications are unchanged. This letter should be signed, attached to and become a part of your Bid.

COMPANY NAME: MAC Construction & Excavating, Inc.

ADDRESS: 1908 Unruh Ct., New Albany, IN 47150

SIGNATURE OF BIDDER:
Travis O. Unruh - President



Lexington-Fayette Urban County Government
DEPARTMENT OF FINANCE & ADMINISTRATION

RECEIVED

SEP 23 2013

MAC CONSTRUCTION &
EXCAVATING, INC.

William O'Mara
Commissioner

Jim Gray
Mayor

ADDENDUM #2

Bid Number: **118-2013**

Date: September 20, 2013

Subject: **Bob-O-Link Trunk Sewer Replacement**

Please address inquiries to:
Betty Landrum @
bettyb@lexingtonky.gov

TO ALL PROSPECTIVE BIDDERS:

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

Questions	Answers
Is it possible to show the sounding locations and numbers on the plan sheets or add the pipe stationing to the sounding summary table? There appears to be an issue with the way the sounding is plotted on the golf course. For instance, sounding 707 is shown near station 4+00 with rock at 17.5'. However, on the profile it looks like sounding 708 has been plotted at station 4+00.	Please disregard the sounding identification numbers in the geotechnical report and refer to the depths of the soundings that are graphically depicted within the profile on the construction plans for determining the quantities of rock removal. There is one additional sounding @ Station 5+50 that has a rock elevation at 915.00.
It was stated in the pre-bid meeting that traffic was to be maintained on Shaker Drive. Can Shaker be closed to thru traffic while maintaining local traffic only? If thru traffic has to be maintained the alignment of the proposed sewer will have to shifted away from the centerline of the pavement.	Traffic on Shaker Drive can be closed to thru traffic but local traffic must have access at all times during construction.
Is it the intent of the designer to locate the jacking pit for the 324' casing at Harrodsburg Rd. at the upstream end and bore down-grade?	The design intent of the jacking pit associated with the 324' casing at Harrodsburg Road is that it be located within the existing Right Of Way of Shaker Drive. However it will be up to the Contractor's means and methods of construction to determine the most effective jacking alternative.
The access gate to the golf course is approximately 650' from the sewer alignment. Will the disturbed area between the gate and the sewer also have to be restored with sod?	The location access to the golf course has now been changed. Its closer location is depicted in Attachment B for reference. All disturbed areas no matter if it is access or construction related will be restored in accordance with the Picadome Golf Course Restoration Specifications on Sheet C1.

Is it possible to show the elevation and size of the existing sewer on the profiles where it is in the same alignment as the proposed sewer?	Please refer to Attachment C of Addendum #2 for the invert depth elevation differences between the existing and proposed manholes along the dig and replace alignment.
Can approximate flow rates be provided for dry and wet weather flows at proposed MH's D-1, D-14, D-25 and D-31?	Please see Addendum 1 for pipe capacities @ existing slopes.
Addendum #1 states that new pipe is match the crown elevation of existing pipe. Is all existing pipe the same size as the replacement new pipe? If no- please provide existing pipe sizes.	All of the existing sanitary sewer pipe along the main sanitary sewer trunk line of the project is 15" VCP.
There are not bid items set for bypass pump set ups and bypass pumping time for 21" and 24" pipe- will these be added to the bid form?	All bypass pumping will be priced by existing sanitary sewer pipe sizes and not proposed pipe sizes.
Bid item #52 for additional backfill allowance Zone 2 at Shaker Drive- the detail on plan sheet C2 shows slopes extending to curb lines. Is the intent for this bid item to include all stone backfill at Shaker Drive, including excavation, from a point above pipe bedding?	The intent in determining the allowance of the additional backfill for Zone 2 is to include all stone backfill above Zone 1 as depicted on Sheet C2. Bid Item #52 will now be bid as Lump Sum instead of by the Ton. Please See Attachment A.
The above referenced detail shows removing all asphalt within curb limits- what bid item is the removal of asphalt to be included in?	The removal of all existing asphalt on the existing concrete curb of Shaker Drive is considered incidental to Bid Item #53 (Bituminous Pavement Surface Replacement - Shaker Drive). Please See Section 2.31 of Section 01025 - Measurement and Payment.

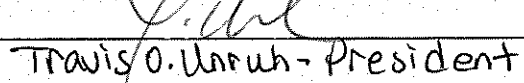


Todd Slatin, Director
Division of Central Purchasing

All other terms and conditions of the Bid and specifications are unchanged. This letter should be signed, attached to and become a part of your Bid.

COMPANY NAME: MAC Construction & Excavating, Inc.

ADDRESS: 1908 Unruh Ct., New Albany, IN 47150

SIGNATURE OF BIDDER: 
Travis O. Unruh - President

1.20 BID BOND

BID BOND

Bond Number: Bid Bond

KNOW ALL MEN BY THESE PRESENTS, that we MAC Construction & Excavating, Inc.
as principal (the "Principal") and Travelers Casualty and Surety Company of America
hereinto called Surety, are held and firmly bound unto

LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT
200 East Main Street, Third Floor
Lexington, Kentucky 40507

as obligee (the "Obligee"), in the penal sum of Five Percent of amount bid (5%) dollars
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
Bob-O-Link Trunk Sewer Replacement

NOW, THEREFORE, if the Obligee shall accept the bid of the Principal within the period specified therein,
or, if no period be specified, within ninety (90) days after opening, 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, or in the event of the failure of the Principal to enter into
such contract and give such bond or bonds, if the Principal shall pay to the Obligee the difference in
money not to exceed the penal sum hereof between the amount specified in said bid and such larger
amount for which the 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. In no event
shall the liability hereunder exceed the penal sum thereof.

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

DATED as of this 26th day of September, 20 13.

WITNESS / ATTEST:

Bryan Wickens
Principal (Secretary)
BRYAN WICKENS - CORP. SECRETARY

MAC Construction & Excavating, Inc.
Principal

By: Travis O. Unruh (seal)
Name: TRAVIS O. UNRUH
Title: PRESIDENT

Monica A. Kaiser
Surety (Secretary)
Monica A. Kaiser, Witness

Travelers Casualty and Surety Company of America
Surety

By: Todd P. Loehnert (seal)
Name: Todd P. Loehnert
Title: Attorney-in-Fact

POWER OF ATTORNEY

(Attach to Bid Bond)

END OF SECTION



POWER OF ATTORNEY

Farmington Casualty Company
Fidelity and Guaranty Insurance Company
Fidelity and Guaranty Insurance Underwriters, Inc.
St. Paul Fire and Marine Insurance Company
St. Paul Guardian Insurance Company

St. Paul Mercury Insurance Company
Travelers Casualty and Surety Company
Travelers Casualty and Surety Company of America
United States Fidelity and Guaranty Company

Surety Bond No. Bid Bond

Principal: Mac Construction & Excavating, Inc.

OR

Project Description: Bob-O-Link Trunk Sewer Replacement

Obligee: Lexington/Fayette Urban County Government

KNOW ALL MEN BY THESE PRESENTS: That Farmington Casualty Company, St. Paul Fire and Marine Insurance Company, St. Paul Guardian Insurance Company, St. Paul Mercury Insurance Company, Travelers Casualty and Surety Company, Travelers Casualty and Surety Company of America, and United States Fidelity and Guaranty Company, are corporations duly organized under the laws of the State of Connecticut, that Fidelity and Guaranty Insurance Company is a corporation duly organized under the laws of the State of Iowa, and that Fidelity and Guaranty Insurance Underwriters, Inc. is a corporation duly organized under the laws of the State of Wisconsin (herein collectively called the "Companies"), and that the Companies do hereby make, constitute and appoint Todd P. Loehnert of the City of Louisville, State of KY, their true and lawful Attorney-in-Fact, to sign, execute, seal and acknowledge the surety bond(s) referenced above.

IN WITNESS WHEREOF, the Companies have caused this instrument to be signed and their corporate seals to be hereto affixed, this 10th day of September, 2012.

Farmington Casualty Company
Fidelity and Guaranty Insurance Company
Fidelity and Guaranty Insurance Underwriters, Inc.
St. Paul Fire and Marine Insurance Company
St. Paul Guardian Insurance Company

St. Paul Mercury Insurance Company
Travelers Casualty and Surety Company
Travelers Casualty and Surety Company of America
United States Fidelity and Guaranty Company



State of Connecticut

City of Hartford ss.

By:

[Signature]
Robert L. Raney, Senior Vice President

On this the 10th day of September, 2012, before me personally appeared Robert L. Raney, who acknowledged himself to be the Senior Vice President of Farmington Casualty Company, Fidelity and Guaranty Insurance Company, Fidelity and Guaranty Insurance Underwriters, Inc., St. Paul Fire and Marine Insurance Company, St. Paul Guardian Insurance Company, St. Paul Mercury Insurance Company, Travelers Casualty and Surety Company, Travelers Casualty and Surety Company of America, and United States Fidelity and Guaranty Company, and that he, as such, being authorized so to do, executed the foregoing instrument for the purposes therein contained by signing on behalf of the corporations by himself as a duly authorized officer.

In Witness Whereof, I hereunto set my hand and official seal.

My Commission expires the 30th day of June, 2016.



[Signature]
Marie C. Tetreault, Notary Public

This Power of Attorney is granted under and by the authority of the following resolutions adopted by the Boards of Directors of Farmington Casualty Company, Fidelity and Guaranty Insurance Company, Fidelity and Guaranty Insurance Underwriters, Inc., St. Paul Fire and Marine Insurance Company, St. Paul Guardian Insurance Company, St. Paul Mercury Insurance Company, Travelers Casualty and Surety Company, Travelers Casualty and Surety Company of America, and United States Fidelity and Guaranty Company, which resolutions are now in full force and effect, reading as follows:

RESOLVED, that the Chairman, the President, any Vice Chairman, any Executive Vice President, any Senior Vice President, any Vice President, any Second Vice President, the Treasurer, any Assistant Treasurer, the Corporate Secretary or any Assistant Secretary may appoint Attorneys-in-Fact and Agents to act for and on behalf of the Company and may give such appointee such authority as his or her certificate of authority may prescribe to sign with the Company's name and seal with the Company's seal bonds, recognizances, contracts of indemnity, and other writings obligatory in the nature of a bond, recognizance, or conditional undertaking, and any of said officers or the Board of Directors at any time may remove any such appointee and revoke the power given him or her; and it is

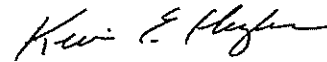
FURTHER RESOLVED, that the Chairman, the President, any Vice Chairman, any Executive Vice President, any Senior Vice President or any Vice President may delegate all or any part of the foregoing authority to one or more officers or employees of this Company, provided that each such delegation is in writing and a copy thereof is filed in the office of the Secretary; and it is

FURTHER RESOLVED, that any bond, recognizance, contract of indemnity, or writing obligatory in the nature of a bond, recognizance, or conditional undertaking shall be valid and binding upon the Company when (a) signed by the President, any Vice Chairman, any Executive Vice President, any Senior Vice President or any Vice President, any Second Vice President, the Treasurer, any Assistant Treasurer, the Corporate Secretary or any Assistant Secretary and duly attested and sealed with the Company's seal by a Secretary or Assistant Secretary; or (b) duly executed (under seal, if required) by one or more Attorneys-in-Fact and Agents pursuant to the power prescribed in his or her certificate or their certificates of authority or by one or more Company officers pursuant to a written delegation of authority; and it is

FURTHER RESOLVED, that the signature of each of the following officers: President, any Executive Vice President, any Senior Vice President, any Vice President, any Assistant Vice President, any Secretary, any Assistant Secretary, and the seal of the Company may be affixed by facsimile to any Power of Attorney or to any certificate relating thereto appointing Resident Vice Presidents, Resident Assistant Secretaries or Attorneys-in-Fact for purposes only of executing and attesting bonds and undertakings and other writings obligatory in the nature thereof, and any such Power of Attorney or certificate bearing such facsimile signature or facsimile seal shall be valid and binding upon the Company and any such power so executed and certified by such facsimile signature and facsimile seal shall be valid and binding on the Company in the future with respect to any bond or understanding to which it is attached.

I, Kevin E. Hughes, the undersigned, Assistant Secretary, of Farmington Casualty Company, Fidelity and Guaranty Insurance Company, Fidelity and Guaranty Insurance Underwriters, Inc., St. Paul Fire and Marine Insurance Company, St. Paul Guardian Insurance Company, St. Paul Mercury Insurance Company, Travelers Casualty and Surety Company, Travelers Casualty and Surety Company of America, and United States Fidelity and Guaranty Company, do hereby certify that the above and foregoing is a true and correct copy of the Power of Attorney executed by said Companies, which is in full force and effect and has not been revoked.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the seals of said Companies this 26th day of September, 2013.



Kevin E. Hughes, Assistant Secretary



To verify the authenticity of this Power of Attorney, call 1-800-421-3880 or contact us at www.travelersbond.com. Please refer to the Attorney-In-Fact number, the above-named individuals and the details of the bond to which the power is attached.

SECTION 00410 – BID FORM

Bob-O-Link Trunk Sewer Replacement

Division of Water Quality
Lexington-Fayette Urban County Government

LFUCG Bid No. 118-2013

1.01 GENERAL

Place: Lexington, Kentucky

Date: September 26, 2013

The following Bid Form shall be followed exactly in submitting a Bid for this Work.

This Bid Form Submitted by MAC Construction & Excavating, Inc.
1908 Unruh Ct., New Albany, IN 47150
(Name and Address of Bidder)

(Hereinafter called "Bidder"), organized and existing under the laws of the State of Indiana, 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 Central Purchasing
200 East Main Street, Room 338
Lexington, KY 40507

The Bidder, in compliance with your Advertisement for Bids for the **Bob-O-Link Trunk Sewer Replacement**; Lexington, Kentucky, having examined the Contract Documents including the Plans and Specifications with related documents, having examined the site for proposed Work, and being familiar with all of the conditions and any and all addendums 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 unit prices stated hereinafter. These prices are to cover all expenses incurred in performing the Work required under the Contract Documents, of which this Bid is a part.

The Bidder hereby agrees to commence Work under this Contract on a date to be specified in a written "Notice to Proceed" of the Owner and to substantially complete the Project within Two-Hundred and Seventy (270) consecutive calendar days. Bidder further agrees to pay liquidated damages, the sum of One Thousand Dollars and /zero cents (\$1,000.00) for each consecutive day thereafter.

The Bidder hereby acknowledges receipt of the following addenda:

Addendum No. 1 Date 09/17/2013; Addendum No. ___ Date _____
Addendum No. 2 Date 09/20/2013; 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.

1.02 LEGAL STATUS OF BIDDER

Bidder MAC Construction & Excavating, Inc.
Date Sept. 24, 2013

*A. A corporation duly organized and doing business under the laws of the State of IN,
for whom Travis O. Urruh, bearing the
official title of President, whose signature is
affixed to this Bid is duly authorized to execute contracts.

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

_____~~

*C. An individual, whose signature is affixed to this Bid. (Print name)
~~_____

_____~~

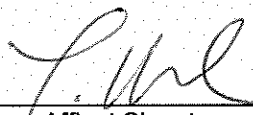
* The Bidder shall fill out the appropriate form and strike out the other two.

1.03 BIDDERS AFFIDAVIT

Comes the Affiant, Travis O. Unruh, and after being first duly sworn, states under penalty of perjury as follows:

- A. His/her name is Travis O. Unruh and he/she is the individual submitting the Bid or is the authorized representative of MAC Construction & Excavating, Inc., the entity submitting the Bid (hereinafter referred to as "Bidder").
- B. 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 Agreement and will maintain a "current" status in regard to those taxes and fees during the life of the Agreement.
- C. Bidder will obtain a Lexington-Fayette Urban County Government business license, if applicable, prior to award of the Agreement.
- D. 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.
- E. 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 an Agreement to the Bidder will not violate any provision of the campaign finance laws of the Commonwealth.
- F. 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."
- G. 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 Signature
 Travis O. Unruh - President

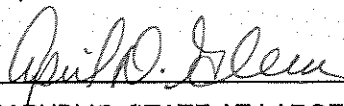
STATE OF Indiana

COUNTY OF Floyd

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

Travis O. Unruh on this the 26th day of Sept., 2013.

My Commission expires: Nov. 30, 2013


 NOTARY PUBLIC, STATE AT LARGE
 April D. Glover

1.04 BID SCHEDULE

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. In all cases of discrepancies or math errors the amount written in for the unit price of an item shall govern.

SCHEDULE A – ALL WORK EXCLUDING ROCK REMOVAL

BID ITEM NO.	UNIT DESCRIPTION	UNIT	APPROX. QUANTITY	UNIT PRICE	TOTAL AMOUNT BID
1	Mobilization	LS	1	\$ 42,000 ⁻	\$ 42,000 ⁻
2	Bonds and Insurance	LS	1	\$ 20,000 ⁻	\$ 20,000 ⁻
3	General Requirements	LS	1	\$ 297,000 ⁻	\$ 297,000 ⁻
4	Demobilization	LS	1	\$ 10,000 ⁻	\$ 10,000 ⁻
5	Erosion and Sediment Control and Conformance with SWPPP	LS	1	\$ 42,000 ⁻	\$ 42,000 ⁻
6	6-inch Gravity Sewer Lateral, PVC (SDR 35), 0-6' depth	LF	165	\$ 115 ⁻	\$ 18,975 ⁻
7	6-inch Gravity Sewer Lateral, PVC (SDR 35), 6.1'-10' depth	LF	345	\$ 116 ⁻	\$ 40,020 ⁻

8	8-inch Gravity Sewer Pipe, PVC (SDR 35), 0-6' depth	LF	292	\$ 75-	\$ 21,900-
9	12-inch Gravity Sewer Pipe (DIP, RCP, PVC), 0-6' depth	LF	242	\$ 78-	\$ 18,876-
10	12-inch Gravity Sewer Pipe (DIP, RCP, PVC), 6.1'-10' depth	LF	60	\$ 77-	\$ 4,620-
11	15-inch (RCP, PVC) or 14- inch (DIP) Gravity Sewer Pipe, 0-6' depth	LF	624	\$ 66-	\$ 41,184-
12	15-inch (RCP, PVC) or 14- inch (DIP) Gravity Sewer Pipe, 6.1'-10' depth	LF	230	\$ 66-	\$ 15,180-
13	18-inch Gravity Sewer Pipe (DIP, FRP, RCP, PVC), 0-6' depth	LF	146	\$ 78-	\$ 11,388-
14	18-inch Gravity Sewer Pipe (DIP, FRP, RCP, PVC), 6.1'-10' depth	LF	576	\$ 110-	\$ 63,360-
15	18-inch Gravity Sewer Pipe (DIP, FRP, RCP, PVC), 10.1'-14' depth	LF	152	\$ 110-	\$ 16,720-
16	21-inch (RCP, PVC) or 20- inch (DIP, FRP) Gravity Sewer Pipe, 0-6' depth	LF	236	\$ 80-	\$ 18,880-
17	21-inch (RCP, PVC) or 20- inch (DIP, FRP) Gravity Sewer Pipe, 6.1'-10' depth	LF	978	\$ 81-	\$ 79,218-
18	21-inch (RCP, PVC) or 20- inch (DIP, FRP) Gravity Sewer Pipe, 10.1'-14' depth	LF	168	\$ 83-	\$ 13,944-

19	24-inch Gravity Sewer Pipe (DIP, FRP, RCP, PVC), 0-6' depth	LF	20	\$ 230 ⁻	\$ 4,600 ⁻
20	24-inch Gravity Sewer Pipe (DIP, FRP, RCP, PVC), 6.1'-10' depth	LF	1,034	\$ 100 ⁻	\$ 103,400 ⁻
21	24-inch Gravity Sewer Pipe (DIP, FRP, RCP, PVC), 10.1'-14' depth	LF	1,008	\$ 175 ⁻	\$ 176,400 ⁻
22	24-inch Gravity Sewer Pipe (DIP, FRP, RCP, PVC), greater than 14' depth	LF	140	\$ 215 ⁻	\$ 30,100 ⁻
23	24-inch Tee Fittings for Gravity Sewer Lateral Connection (FRP, RCP, PVC, DI)	EA	4	\$ 1200 ⁻	\$ 4,800 ⁻
24	21-inch Tee Fittings for Gravity Sewer Lateral Connection (FRP, RCP, PVC, DI)	EA	21	\$ 710 ⁻	\$ 14,910 ⁻
25	18-inch Tee Fittings for Gravity Sewer Lateral Connection (FRP, RCP, PVC, DI)	EA	10	\$ 480 ⁻	\$ 4,800 ⁻
26	15-inch Tee Fittings for Gravity Sewer Lateral Connection (FRP, RCP, PVC,)	EA	9	\$ 230 ⁻	\$ 2,070 ⁻
27	12-inch Tee Fittings for Gravity Sewer Lateral Connection (FRP, RCP, PVC, DI)	EA	2	\$ 135 ⁻	\$ 270 ⁻
28	10-inch Tee Fittings for Gravity Sewer Lateral Connection (FRP, RCP, PVC, DI)	EA	2	\$ 120 ⁻	\$ 240 ⁻
29	8-inch Tee Fittings for Gravity Sewer Lateral Connection (FRP, RCP, PVC, DI)	EA	2	\$ 35 ⁻	\$ 70 ⁻

30	36-inch Steel Encasement Pipe, bore and jack	LF	474	\$ 1,000	\$ 474,000
31	Connect to existing 8-inch sewer	EA	8	\$ 440	\$ 3,520
32	Connect to existing 15-inch sewer	EA	3	\$ 460	\$ 1,380
33	Partially demolish and fill manhole	EA	13	\$ 600	\$ 7,800
34	Install 6-inch Cleanout (HS 20 Rated for Traffic Loading)	EA	6	\$ 710	\$ 4,260
35	Install 6-inch Cleanout	EA	42	\$ 400	\$ 16,800
36	Standard Manhole, 4-foot diameter (depth 5.1 to 6.0 ft)	EA	8	\$ 2,300	\$ 18,400
37	Standard Manhole, 4-foot diameter (depth 6.1 to 10.0 ft)	EA	19	\$ 2,600	\$ 49,400
38	Standard Manhole, 4-foot diameter (depth 10.1 to 14.0 ft)	EA	7	\$ 3,700	\$ 25,900
39	Standard Manhole, 4-foot diameter (greater than 14' depth)	EA	2	\$ 5,300	\$ 10,600
40	Standard Manhole, 6-foot diameter (depth to 6.1 to 10.0 ft)	EA	1	\$ 4,700	\$ 4,700

41	Standard Manhole, 6-foot diameter (depth to 10.1 to 14.0 ft)	EA	1	\$ 6800 ⁻	\$ 6,800 ⁻
42	Standard Manhole, 10-foot diameter (6.1' - 10' Depth)	EA	1	\$ 12,560 ⁻	\$ 12,560 ⁻
43	Manhole Drop Connection (8"-10")	EA	2	\$ 660 ⁻	\$ 1,320 ⁻
44	Manhole Diaphragm, Manhole Anti-Flotation Collar, & Watertight Cover (4-foot diameter Manhole)	EA	14	\$ 380 ⁻	\$ 5,320 ⁻
45	Manhole Diaphragm, Manhole Anti-Flotation Collar, & Watertight Cover (10-foot diameter Manhole)	EA	1	\$ 460 ⁻	\$ 460 ⁻
46	Reconnect new MH to existing service lateral	EA	8	\$ 900 ⁻	\$ 7,200 ⁻
47	Cut and cap existing 8-inch sewer	EA	4	\$ 380 ⁻	\$ 1,520 ⁻
48	Cut and cap existing 15-inch sewer	EA	8	\$ 380 ⁻	\$ 3,040 ⁻
49	Creek Crossing and Bank / Bed Restoration	LS	1	\$ 42,000 ⁻	\$ 42,000 ⁻
50	Video inspection of new sewer pipe	LF	6,392	\$ 2 ⁻	\$ 12,784 ⁻
51	Tree Removal, > 12-inch diameter	EA	50	\$ 800 ⁻	\$ 40,000 ⁻

52	#9 or #57 Stone for Shaker Drive Reconstruction (Additional Backfill Allowance - Zone 2)	LS	1	\$ 32,000	\$ 32,000
53	Bituminous Pavement Surface Replacement (Shaker Drive - Zone 3)	SY	4,200	\$ 40	\$ 168,000
54	Dense Graded Aggregate (DGA) Replacement Shaker Drive - Zone 3)	SY	4,200	\$ 9	\$ 37,800
55	Bituminous Pavement Surface Replacement (Bob-O-Link Drive)	SY	120	\$ 60	\$ 7,200
56	Dense Graded Aggregate (DGA) Replacement (Bob O Link Drive) (6" depth)	SY	120	\$ 13	\$ 1,560
57	Bituminous Pavement Surface Replacement (Rear Parking Lot of 1600, 1604, 1608, 1610, 1614, & 1618 Harrodsburg Rd)	SY	450	\$ 14	\$ 6,300
58	Bituminous Pavement Surface & Binder Replacement (Rear Parking Lot of 1600, 1604, 1608, 1610, 1614, & 1618 Harrodsburg Rd)	SY	250	\$ 40	\$ 10,000
59	Bituminous Pavement Surface & Binder Replacement (Driveway of 586 Bob-O-Link Drive)	SY	80	\$ 56	\$ 4,480
60	Bituminous Pavement Surface Replacement (Driveway4 of 586 Bob-O-Link Drive)	SY	95	\$ 24	\$ 2,280
61	Bituminous Pavement Surface & Binder Replacement (Driveway of 345 Bob-O-Link Drive)	SY	10	\$ 50	\$ 500
62	Bituminous Pavement Surface Replacement (Driveway of 345 Bob-O-Link Drive)	SY	330	\$ 18	\$ 5,940

63	Asphalt Pavement Milling, 1.5 - inch Depth	SY	10	\$ 10 ⁻	\$ 100 ⁻
64	20 ft x 40 ft Paved Truck Turnaround (345 Bob-O-Link)	SY	90	\$ 65 ⁻	\$ 5,850 ⁻
65	Roadway Striping	LF	1,100	\$ 1 ⁻	\$ 1,100 ⁻
66	Storm Sewer Replacement (12"), RCP	LF	48	\$ 42 ⁻	\$ 2,016 ⁻
67	Storm Sewer Replacement (15"), RCP	LF	56	\$ 45 ⁻	\$ 2,520 ⁻
68	Storm Sewer Replacement (24"), RCP	LF	24	\$ 62 ⁻	\$ 1,488 ⁻
69	Storm Sewer Replacement (30"), RCP	LF	48	\$ 77 ⁻	\$ 3,696 ⁻
70	Storm Sewer Replacement (36"), RCP	LF	32	\$ 99 ⁻	\$ 3,168 ⁻
71	Seeding, Temporary, Extra as directed by Engineer	SY	100	\$ 2.50	\$ 250 ⁻
72	Seeding, Permanent	SY	19,500	\$.48	\$ 9,360 ⁻
73	Monolithic Concrete Curb & Gutter Replacement	LF	100	\$ 17 ⁻	\$ 1,700 ⁻

74	Concrete Curb Replacement	LF	10	\$ 15 ⁻	\$ 150 ⁻
75	Bituminous Curb Replacement	LF	10	\$ 14 ⁻	\$ 140 ⁻
76	Dense Graded Aggregate - DGA, Extra as directed by Engineer	Ton	10	\$ 25 ⁻	\$ 250 ⁻
77	No. 9 Crushed Stone, Extra as directed by Engineer	Ton	10	\$ 30 ⁻	\$ 300 ⁻
78	No. 57 Crushed Stone, Extra as directed by Engineer	Ton	10	\$ 30 ⁻	\$ 300 ⁻
79	No. 2 Crushed Stone, Extra as directed by Engineer	Ton	10	\$ 28 ⁻	\$ 280 ⁻
80	Concrete Sidewalk 4.5 - inch thick	SY	32	\$ 45 ⁻	\$ 1440 ⁻
81	4.0 ft. Chain Link Fence	LF	600	\$ 15 ⁻	\$ 9,000 ⁻
82	Safety Fence, Extra as directed by Engineer	LF	100	\$ 6 ⁻	\$ 600 ⁻
83	Bypass Pumping Setup, <12-inch Sewer Line	EA	8	\$ 1000 ⁻	\$ 8,000 ⁻
84	Bypass Pumping Setup, ≥15-inch <18-inch Sewer Line	EA	12	\$ 1000 ⁻	\$ 12,000 ⁻

85	Bypass Pumping, <12-inch Sewer Line	HR	160	\$ 40 ⁻	\$ 6,400 ⁻
86	Bypass Pumping, ≥15-inch <18-inch Sewer Line	HR	700	\$ 40 ⁻	\$ 28,000 ⁻
87	Picadome Golf Course Restoration	LS	1	\$ 85,000 ⁻	\$ 85,000 ⁻
88	Reconstruction of Concrete Manhole Spillway (380 Bob- O-Link Drive)	LS	1	\$ 3,000 ⁻	\$ 3,000 ⁻
89	Miscellaneous Construction Items (1604, 1608, 1610, 1614, and 1618 Harrodsburg Road)	LS	1	\$ 43,000 ⁻	\$ 43,000 ⁻
90	Road ramps (as directed by Engineer)	EA	1	\$ 2,500 ⁻	\$ 2,500 ⁻
91	SSO Site Cleanup	EA	1	\$ 1,500 ⁻	\$ 1,500 ⁻
92	Maintenance of Traffic	LS	1	\$ 12,000 ⁻	\$ 12,000 ⁻
93	Combination Vacuum/Hydraulic Jet/Hydro Excavator, extra as directed by Engineer	HR	10	\$ 260 ⁻	\$ 2,600 ⁻
94	Backhoe/Extend-a-hoe, extra as directed by Engineer	HR	150	\$ 95 ⁻	\$ 14,250 ⁻
95	Hoe Ram, extra as directed by Engineer	HR	10	\$ 360 ⁻	\$ 3,600 ⁻

96	Dump Truck, Single Axle, extra as directed by Engineer	HR	10	\$ 85 ⁻	\$ 850 ⁻
97	Dump Truck, Tandem or Tri-Axle, extra as directed by Engineer	HR	10	\$ 88 ⁻	\$ 880 ⁻
98	Large Track Hoe, CAT 311 or Equivalent, extra as directed by Engineer	HR	10	\$ 235 ⁻	\$ 2350 ⁻
99	Small Track Hoe, CAT 301.6C or Equivalent, extra as directed by Engineer	HR	10	\$ 125 ⁻	\$ 1250 ⁻
100	Skid-Steer Loader, extra as directed by Engineer	HR	10	\$ 110 ⁻	\$ 1110 ⁻
101	Roller/Compactor, extra as directed by Engineer	HR	10	\$ 120 ⁻	\$ 1200 ⁻
102	Traffic Maintenance - Type 1 (Flagger), extra as directed by Engineer	HR	10	\$ 55 ⁻	\$ 550 ⁻
103	Electronic Arrow Board, extra as directed by Engineer	HR	10	\$ 10 ⁻	\$ 100 ⁻
104	Electronic Message Board, extra as directed by Engineer	WK	10	\$ 500 ⁻	\$ 5000 ⁻
Schedule A (Items 1 Thru 104), all work excluding Rock Removal					\$ 2,421,569.2

Total Schedule A Amount (In Words):

Two Million Four Hundred Twenty-one Thousand Five hundred Sixty Nine Dollars and Seventy Two cents

SCHEDULE B – ROCK REMOVAL

BID ITEM NO.	UNIT DESCRIPTION	UNIT	APPROX. QUANTITY	UNIT PRICE	TOTAL AMOUNT BID
B1	Rock Removal (Mechanical Methods Only)	CY	2,650	\$ 70	\$ 185,500

Total Schedule B Bid Amount	\$ 185,500
------------------------------------	-------------------

TOTAL BID AMOUNT (Sum of Schedule A and Schedule B):

Two Million Six hundred Seven Thousand Sixty Nine Dollars
Seventy Two cents Dollars (\$ 2,607,069.72)

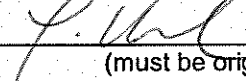
Respectfully Submitted,

FIRM: MAC Construction & Excavating, Inc.

ADDRESS: 1908 Unruh Ct.

CITY/STATE/ZIP: New Albany, IN 47150

DATE: Sept. 26, 2013

BY: 
 (must be original signature)

TITLE: Travis O. Unruh - President

PHONE: 812-941-7895-5340 FAX: 812-941-0699
 (area code, number & extension)

EMAIL ADDRESS: rustyc@macconstruction.com

OFFICIAL ADDRESS AND PHONE:

1908 Unruh Ct.

New Albany, IN 47150

812-941-7895 (Seal if Bid is by Corporation)

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

1.05 STATEMENT OF BIDDER'S QUALIFICATIONS

The following statement of the Bidder's qualifications is required to be filled in, executed, and submitted with the Bid:

- A. Name of Bidder: MAC Construction + Excavating, Inc.
- B. Permanent Place of Business: 1908 Unruh Ct., New Albany, IN 47150
- C. When Organized: July 1, 1980
- D. Where Incorporated: New Albany, IN
- E. 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.

- F. In the event the Agreement is awarded to the undersigned, Performance, Payment, Erosion and Sediment Control, and Warranty bonds will be furnished by:

Travelers Casualty and Surety Company of America (Surety)

Signed: Todd P. Loehnert (Representative of Surety)

Todd P. Loehnert, Attorney-in-Fact

- G. 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>
<u>See Attached-A</u>		

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

<u>NAME</u>	<u>LOCATION</u>	<u>CONTRACT SUM</u>
<u>See Attached-B</u>		

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

<u>NAME</u>	<u>POSITION DESCRIPTION</u>	<u>NO. OF YEARS WITH BIDDER</u>
See Attached - C		

J. MWDBE Participation on current bonded projects under contract:

<u>SUBCONTRACTORS (LIST)</u>	<u>PROJECT (SPECIFIC TYPE)</u>	<u>MWDBE</u>	<u>% of WORK</u>
See Attached - E			

(USE ADDITIONAL SHEETS IF NECESSARY)

K. We acknowledge that, if we are the apparent low Bidder, we may be required to submit to the Owner within seven (7) calendar days following the Bid Opening, a sworn statement regarding all office management and field management personnel. Additionally, if requested by the Owner, we will within seven (7) days following the request submit audited financial statements and loss history for insurance claims for the three (3) most recent years (or a lesser period if stipulated by the Owner)

1.06 LIST OF PROPOSED SUBCONTRACTORS

The following list of proposed subcontractors is required by the Owner to be executed, completed and submitted with the Bid Form. 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.

BRANCH OF WORK** (List each major item)	SUBCONTRACTOR	MWDBE (yes/no)	% of WORK
1. <u>JACK & BORE</u>	Name: <u>Price Backhoe</u>		<u>13%</u>
	Address: <u>2580 Sci Heaton Ford Rd</u> <u>Science Hill, KY</u>		
2. <u>SEED - SOD</u>	Name: <u>EARTH IMAGES</u>	<u>Y</u>	<u>3.1%</u>
	Address: <u>FLOYDS KNOBS, IN</u>		
3. _____	Name: _____	_____	_____
	Address: _____		
4. _____	Name: _____	_____	_____
	Address: _____		
5. _____	Name: _____	_____	_____
	Address: _____		
6. _____	Name: _____	_____	_____
	Address: _____		

** Such as: Grading, bituminous paving, concrete, seeding and protection, construction staking, etc.


1.07 AUTHENTICATION OF BID AND STATEMENT OF NON-COLLUSION AND NON-CONFLICT OF INTEREST

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

- A. 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); *Corporation - See Attached - D Authority to Sign*
- B. 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 Advertisement for Bid, designed to limit independent bidding or competition;
- C. 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;
- D. 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;
- E. (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 N/A or, that as a domestic corporation, we are in good standing with the Secretary of State, Commonwealth of Kentucky ✓ yes. [Check the statement applicable.]
- F. This offer is for ninety (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, an Agreement shall thereby be created with respect to the items accepted.
- G. That I have fully informed myself regarding the accuracy of the statements made in this statement.
- H. That I certify that Subcontractors have not and will not be awarded to any firm(s) that have been debarred from noncompliance with the Federal Labor Standards, Title VI of the Civil Rights Act of 1964 As Amended, Executive Order 11246 As Amended or any other Federal Law.

MAC Construction & Excavating
Company Inc.

Sept. 26, 2013
Date


Representative
Travis O. Unruh - President

1.08 STATEMENT OF EXPERIENCE

NAME OF INDIVIDUAL: See Attached - C

POSITION/TITLE: _____

STATEMENT OF EXPERIENCE: _____

NAME OF INDIVIDUAL: _____

POSITION/TITLE: _____

STATEMENT OF EXPERIENCE: _____

NAME OF INDIVIDUAL: _____

POSITION/TITLE: _____

STATEMENT OF EXPERIENCE: _____

NAME OF INDIVIDUAL: _____

POSITION/TITLE: _____

STATEMENT OF EXPERIENCE: _____

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

1.09 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:

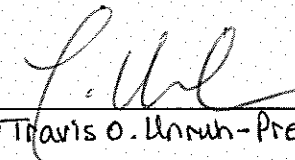
The Secretary of Labor may investigate the employment practices of any Government contractor or sub-contractor to determine whether or not the contractual provisions specified in Section 202 of this order have been violated.

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 an Agreement 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 Travis O. Unruh - President

MAC Construction & Excavating, 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 county, 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 contractor 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 to 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.

In the case of an Agreement exceeding \$250,000, the Contractor will be required within seven (7) days following the Bid Opening 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.

1.10 MWDBE SUBCONTRACTOR PARTICIPATION FORM



OMB Control No: 2090-0030
 Approved: 8/13/2013
 Approval Expires: 8/31/2015

**Disadvantaged Business Enterprise (DBE) Program
 DBE Subcontractor Participation Form**

An EPA Financial Assistance Agreement Recipient must require its prime contractors to provide this form to its DBE subcontractors. This form gives a DBE¹ subcontractor² the opportunity to describe work received and/or report any concerns regarding the EPA-funded project (e.g., in areas such as termination by prime contractor, late payments, etc.). The DBE subcontractor can, as an option, complete and submit this form to the EPA DBE Coordinator at any time during the project period of performance.

Subcontractor Name		Project Name	
Bid/ Proposal No.	Assistance Agreement ID No. (if known)	Point of Contact	
Address			
Telephone No.		Email Address	
Prime Contractor Name		Issuing/Funding Entity:	

Contract Item Number	Description of Work Received from the Prime Contractor Involving Construction, Services, Equipment or Supplies	Amount Received by Prime Contractor

¹ A DBE is a Disadvantaged, Minority, or Woman Business Enterprise that has been certified by an entity from which EPA accepts certifications as described in 40 CFR 33.204-33.205 or certified by EPA. EPA accepts certifications from entities that meet or exceed EPA certification standards as described in 40 CFR 33.202.

² 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.

EPA FORM 6100-2 (DBE Subcontractor Participation Form)

1.11 MWDBE SUBCONTRACTOR PERFORMANCE FORM



OMB Control No: 2090-0030

Approved: 8/13/2013

Approval Expires: 8/31/2015

**Disadvantaged Business Enterprise (DBE) Program
DBE Subcontractor Performance Form**

This form is intended to capture the DBE¹ subcontractor's² description of work to be performed and the price of the work submitted to the prime contractor. An EPA Financial Assistance Agreement Recipient must require its prime contractor to have its DBE subcontractors complete this form and include all completed forms in the prime contractor's bid or proposal package.

Subcontractor Name		Project Name	
Bid/ Proposal No.	Assistance Agreement ID No. (if known)	Point of Contact	
Address			
Telephone No.		Email Address	
Prime Contractor Name		Issuing/Funding Entity:	

Contract Item Number	Description of Work Submitted to the Prime Contractor Involving Construction, Services, Equipment or Supplies	Price of Work Submitted to the Prime Contractor
DBE Certified By: ___ DOT ___ SBA ___ Other: _____		Meets/ exceeds EPA certification standards? ___ YES ___ NO ___ Unknown

¹ A DBE is a Disadvantaged, Minority, or Woman Business Enterprise that has been certified by an entity from which EPA accepts certifications as described in 40 CFR 33.204-33.205 or certified by EPA. EPA accepts certifications from entities that meet or exceed EPA certification standards as described in 40 CFR 33.202.

² 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.

EPA FORM 6100-3 (DBE Subcontractor Performance Form)



OMB Control No: 2090-0030
 Approved: 8/13/2013
 Approval Expires: 8/31/2015

**Disadvantaged Business Enterprise (DBE) Program
 DBE Subcontractor Performance Form**

I certify under penalty of perjury that the forgoing statements are true and correct. Signing this form does not signify a commitment to utilize the subcontractors above. I am aware of that 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).

Prime Contractor Signature	Print Name
Title	Date

Subcontractor Signature	Print Name
Title	Date

The public reporting and recordkeeping burden for this collection of information is estimated to average three (3) hours per response. 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 through the use of automated collection techniques to the Director, Collection Strategies Division, U.S. Environmental Protection Agency (2822T), 1200 Pennsylvania Ave., NW, Washington, D.C. 20460. Include the OMB control number in any correspondence. Do not send the completed form to this address.

EPA FORM 6100-3 (DBE Subcontractor Performance Form)

1.11 MWDBE SUBCONTRACTOR PERFORMANCE FORM



OMB Control No: 2070-0030
 Approved: 8/13/2013
 Approval Expires: 8/31/2015

Disadvantaged Business Enterprise (DBE) Program
 DBE Subcontractor Performance Form

This form is intended to capture the DBE¹ subcontractor's² description of work to be performed and the price of the work submitted to the prime contractor. An EPA Financial Assistance Agreement Recipient must require its prime contractor to have its DBE subcontractors complete this form and include all completed forms in the prime contractor's bid or proposal package.

Subcontractor Name <i>GECO Enterprises, INC.</i>		Project Name <i>800-0-LINK TRUNK SEWER</i>	
Bid/ Proposal No. <i>118-2013</i>	Assistance Agreement ID No. (if known)	Point of Contact	
Address <i>1221 E 4th Street - P.O. Box 463 - London, Ky 40143-0463</i>			
Telephone No. <i>606-864-7550</i>		Email Address <i>gco@ecoenterprises.net</i>	
Prime Contractor Name <i>ARAC CONSTRUCTION & EXC.</i>		Issuing/Funding Entity: <i>LEXINGTON FAYETTE URBAN CO. GOV.</i>	

Contract Item Number	Description of Work Submitted to the Prime Contractor Involving Construction, Services, Equipment or Supplies	Price of Work Submitted to the Prime Contractor
<i>PIPE ITEM</i>	<i>SUPPLY VARIOUS PIPE - SEE ATTACHED QUOTE</i>	<i>\$213,195.26</i>
DBE Certified By: <input checked="" type="checkbox"/> DOT <input type="checkbox"/> SBA <input type="checkbox"/> Other: _____		Meets/ exceeds EPA certification standards? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> Unknown

¹ A DBE is a Disadvantaged, Minority, or Woman Business Enterprise that has been certified by an entity from which EPA accepts certifications as described in 40 CFR 33.204-33.205 or certified by EPA. EPA accepts certifications from entities that meet or exceed EPA certification standards as described in 40 CFR 33.202.

² 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.

EPA FORM 6100-3 (DBE Subcontractor Performance Form)

Addendum #2 -- Attachment A



OMB Control No: 2090-0030
 Approved: 8/13/2013
 Approval Expires: 8/31/2015

**Disadvantaged Business Enterprise (DBE) Program
 DBE Subcontractor Performance Form**

I certify under penalty of perjury that the foregoing statements are true and correct. Signing this form does not signify a commitment to utilize the subcontractors above. I am aware of that 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).

Prime Contractor Signature <i>[Signature]</i>	Print Name TRAVIS UNRUH
Title PRESIDENT	Date 9-26-13

Subcontractor Signature <i>[Signature]</i>	Print Name GIGI BACON
Title President	Date 9/25/13

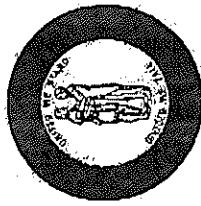
The public reporting and recordkeeping burden for this collection of information is estimated to average three (3) hours per response. Send comments on the Agency's need for this information, the accuracy of the provided burden estimates, and any suggested methods for minimizing respondent burden, including through the use of automated collection techniques to the Director, Collection Strategies Division, U.S. Environmental Protection Agency (2822T), 1200 Pennsylvania Ave., NW, Washington, D.C. 20460. Include the OMB control number in any correspondence. Do not send the completed form to this address.

EPA FORM 6100-3 (DBE Subcontractor Performance Form)

Steven L. Beshear
Governor

Mike W. Hancock, P.E.
Secretary
Kentucky Transportation Cabinet

COMMONWEALTH OF KENTUCKY



Transportation Cabinet

certifies that

GECO ENTERPRISES, INC.

P. O. Box 463, London, KY 40741

*has met all eligibility requirements
to participate in the
Disadvantaged Business Enterprise Program*

This certificate is issued pursuant to 49 CFR Part 26 and is subject to suspension or revocation.

February 28, 2015

Renewal Date

DBE Liaison Officer



GECO ENTERPRISES, INC.

P.O. Box 463

London, KY 40743

9/25/13

PAGE 1

Gigi Bacon, President

PHONE (606) 864-7550
 CELL (606) 682-2210
 FAX (606) 864-6390
 EMAIL gigibacon@
 windstream.net

Re: BOB-O-LINK

ITEM	DESCRIPTION	QTY	NET PRICE	EXTENDED PRICE
	3 X 100 FT SILT FENCE W/STKS 6 FT	100	0.284 FT	28.40
	STRAW BLKT 7.5 X 120	100	0.309 SY	30.90
	6 X 14 SDR35 PVC GJ SWR PIPE	165	1.718 FT	283.47
	6 X 14 SDR35 PVC GJ SWR PIPE	345	1.718 FT	592.71
	8 X 14 SDR35 PVC GJ SWR PIPE	292	3.085 FT	900.82
	12 X 14 SDR35 PVC GJ SWR PIPE	242	6.948 FT	1681.42
	12 X 14 SDR35 PVC GJ SWR PIPE	60	6.948 FT	416.88
	15 X 14 SDR35 PVC GJ SWR PIPE	624	10.341 FT	6452.78
	15 X 14 SDR35 PVC GJ SWR PIPE	230	10.341 FT	2378.43
	18 X 14 F679 PS46 PVC GJ SWR PIPE	146	15.697 FT	2291.76
	18 X 14 F679 PS46 PVC GJ SWR PIPE	576	15.697 FT	9041.47
	18 X 14 F679 PS46 PVC GJ SWR PIPE	152	15.697 FT	2385.94
	21 X 14 F679 PS46 PVC GJ SWR PIPE	236	21.805 FT	5145.98
	21 X 14 F679 PS46 PVC GJ SWR PIPE	978	21.805 FT	21325.29
	21 X 14 F679 PS46 PVC GJ SWR PIPE	168	21.805 FT	3663.24
	24 X 14 F679 PS46 PVC GJ SWR PIPE	20	27.759 FT	555.18
	24 X 14 F679 PS46 PVC GJ SWR PIPE	1034	27.759 FT	28702.81

24 X 14 F679 PS46 PVC GJ SWR PIPE	1008	27.759 FT	27981.07
24 X 14 F679 PS46 PVC GJ SWR PIPE	140	27.759 FT	3886.26
WIRE 12 THHN SLD COP BLK	500	139.05 M	69.53
2 X 1000 FT DET TAPE BLK/GRN SWR	1	25.75 EA	25.75
18 X 14 F679 PS115 HW PVC GJ SWR	14	20.796 FT	291.14
21 X 14 F679 PS115 HW PVC GJ SWR PIPE	14	29.190 FT	408.66
24 X 14 F679 PS115 HW PVC GJ SWR	14	37.08 FT	519.12
24 X 6 PVC SWR GXGXG WYE	1	908.203 EA	908.20
6 PVC SWR GXS 45 BEND	4	7.419 EA	29.68
21 X 6 PVC SWR GXGXG WYE	21	563.884 EA	11841.56
6 PVC SWR GXS 45 BEND	21	7.419 EA	155.80
18 X 6 PVC SWR GXGXG TEE WYE	10	377.928 EA	3779.28
15 X 6 PVC SWR GXGXG TEE WYE	9	180.147 EA	1621.32
12 X 6 PVC SWR GXGXG TEE WYE	2	107.573 EA	215.15
10 X 6 PVC SWR GXGXG TEE WYE	2	93.874 EA	187.75
8 X 6 PVC SWR GXGXG TEE WYE	2	25.029 EA	50.06
36.469 STL CASING	474	125.073 FT	59284.60
24 X 36 MODEL C END SEAL	8	79.238 EA	633.90
24 X 36 SS CASING SPACER	102	108.15 EA	11031.30
6 NL LVL TROL ADJ FLR CO W/CI TOP	6	190.55 EA	1143.30
6 PVC SWR GSKT 2 WAY CO TEE	6	101.064 EA	606.38
6 PVC SWR GXGXG TEE WYE	42	22.166 EA	930.97
6 PVC SWR HUB FEM CO ADPT	42	10.352 EA	434.78
6 PVC SWR RH THRD CO PLUG	42	6.692 EA	281.06

8 PVC SWR GSKT CAP

4

19.57 EA

78.28

15 PVC SWR GSKT CAP

8

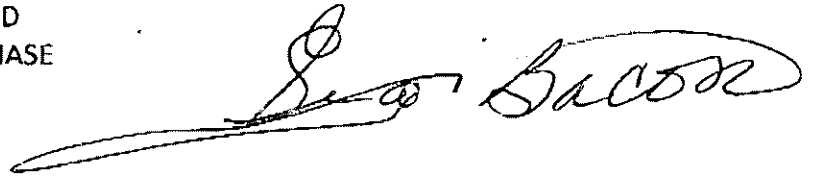
115.36 EA

922.88

TOTAL

\$213,195.26

PIPE PRICES BASED ON A PO WITHIN 30 DAYS AND
SHIPMENT WITHIN ANOTHER 30 DAYS OF PURCHASE

A handwritten signature in black ink, appearing to read "Greg Bacon", is written over a horizontal line.

Addendum #2 – Attachment A

1.11 MWDBE SUBCONTRACTOR PERFORMANCE FORM



OMB Control No: 2090-0030
 Approved: 8/13/2013
 Approval Expires: 8/31/2015

**Disadvantaged Business Enterprise (DBE) Program
 DBE Subcontractor Performance Form**

This form is intended to capture the DBE¹ subcontractor's² description of work to be performed and the price of the work submitted to the prime contractor. An EPA Financial Assistance Agreement Recipient must require its prime contractor to have its DBE subcontractors complete this form and include all completed forms in the prime contractors bid or proposal package.

Subcontractor Name Earth Images Inc		Project Name Bob O Link Trunk Sewer	
Bid/ Proposal No.	Assistance Agreement ID No. (if known)	Point of Contact	
Address 5868 Stiller Road Floyds Knobs IN 47119			
Telephone No. 823-923-8386		Email Address jeffd@earthimagesinc.com	
Prime Contractor Name MAC CONST		Issuing/Funding Entity: LFUCG	

Contract Item Number	Description of Work Submitted to the Prime Contractor Involving Construction, Services, Equipment or Supplies	Price of Work Submitted to the Prime Contractor
VARIOUS ITEMS	SILT PERCE - SEED - SOD SEE ATTACHED QUOTE	86,703-
DBE Certified By: <input checked="" type="checkbox"/> DOT <input type="checkbox"/> SBA		Meets/ exceeds EPA certification standards? <input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> Unknown
Other: _____		

¹ A DBE is a Disadvantaged, Minority, or Woman Business Enterprise that has been certified by an entity from which EPA accepts certifications as described in 40 CFR 33.204-33.205 or certified by EPA. EPA accepts certifications from entities that meet or exceed EPA certification standards as described in 40 CFR 33.202.

² 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.

EPA FORM 6100-3 (DBE Subcontractor Performance Form)

Addendum #2 – Attachment A



OMB Control No: 2090-0030
 Approved: 8/13/2013
 Approval Expires: 8/31/2015

**Disadvantaged Business Enterprise (DBE) Program
 DBE Subcontractor Performance Form**

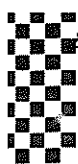
I certify under penalty of perjury that the forgoing statements are true and correct. Signing this form does not signify a commitment to utilize the subcontractors above. I am aware of that in the event of a replacement of a subcontractor, I will adhere to the replacement requirements set forth in 40 CFR Part 33 Section 33.302 (c).

Prime Contractor Signature 	Print Name TRAVIS UNRUH
Title PRESIDENT	Date 9-26-13

Subcontractor Signature 	Print Name Laura Yurs
Title President	Date 09/25/13

The public reporting and recordkeeping burden for this collection of information is estimated to average three (3) hours per response. 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 through the use of automated collection techniques to the Director, Collection Strategies Division, U.S. Environmental Protection Agency (2822T), 1200 Pennsylvania Ave., NW, Washington, D.C. 20460. Include the OMB control number in any correspondence. Do not send the completed form to this address.

EPA FORM 6100-3 (DBE Subcontractor Performance Form)



5868 Stiller Road
Floyds Knobs IN 47119
Phone: (812)923-8386
Fax: (812) 923-7505
www.earthimagesinc.com

Customer: **MACCON**
MAC Construction & Excavating, Inc.
 Post Office Box 6787
 New Albany IN 47151-6787
 Phone: (812) 283-7895
 Fax: (812) 941-0699
 Attention: Estimating

Date Quoted:
 Bid Date: **9/26/13**
 Job Name: **BOB O LINK TRUNK SEWER REPLACEMENT**
 Location: **LEXINGTON KY**
 Revised:
 Revisions:
 Estimated by: **JEFF DETHY**

LINE ITEM	BID ITEM	DESCRIPTION	QTY	UNIT	UNIT PRICE	AMOUNT
	5	TEMPORARY SILT FENCE	5200.00	LFT	\$ 1.53	\$ 7,956.00
	49	CREEK XING & BANK/BED REST, OPTION 1	4.00	EACH	\$ 3,977.00	\$ 15,908.00
	71	TEMPORARY SEEDING	100.00	SYS	\$ 1.15	\$ 115.00
	72	PERMANENT SEEDING	19500.00	SYS	\$ 0.46	\$ 8,970.00
		SODDING, 1604 TO 1626 HARRODSBURG RD	3450.00	SYS	\$ 4.76	\$ 16,422.00
		SODDING, FESCUE / BLUEGRASS, PICADOME	2750.00	SYS	\$ 4.76	\$ 13,090.00
		SODDING, BERMUDA, PICADOME GC	2600.00	SYS	\$ 8.92	\$ 23,192.00
		MOB AND DEMOB FOR SEEDING	1.00	EACH	\$ 1,050.00	\$ 1,050.00
OPTION 1 CROSSING RETORATION INCLUDES SEED, BLANKET AND PLANTINGS ONLY.						

TOTAL: \$ 66,703.00

SPECIAL CONDITIONS

1	Quantities are estimated. Payment will be based on actual installed quantities.
2	Performance and payment bonds are available, but have not been included in this quotation.
3	Traffic control has not been included in this quotation.
4	Topsoil, topsoil placement, soil amendments other than commercial fertilizer, and sod notching are not included in this quotation.
5	Erosion control items do not include maintenance or removal.
6	Removal of rocks, existing vegetation, and debris from seed, sod and planting areas has not been included in this quotation.
7	Mobilization for seeding shall be charged for each move in. (Seeding operations only)
8	Lawn and plant maintenance, including watering, mowing, spraying and post fertilization is not included.
9	Sod price includes watering for 30 days.




hereby grants

National Women's Business Enterprise Certification

to
Earth Images, Inc.

who has successfully met WBENC's standards as a Women's Business Enterprise (WBE).
This certification affirms the business is woman-owned, operated and controlled; and is valid through the date herein.

WBENC National WBE Certification was processed and validated by Women's Business Enterprise Council - Great Lakes, a WBENC Regional Partner Organization.


Authorized by Michelle Richards, President,
Women's Business Enterprise Council - Great Lakes



Expiration Date: 03/09/2013
WBENC National Certificate Number: 2005119993

NAICS Codes: 238910, 238990, 237990, 561730

UNSPSC Codes: 72140000, 30120000, 70131503, 72153900



Indiana DBE Certification Program

In accordance with 49 CFR Part 26 as published in the code of federal regulations, the Indiana Department of Transportation acknowledge

Earth Images, Inc.

as a certified DBE.

Date Issued: December 5, 2011 Annual Renewal Due: December 31 (each year)

Reference the Indiana Department of Transportation's DBE Public Search at <http://www.in.gov/indot/2392.htm> for the most current information regarding this certification

This certificate is valid through: March 31, 2015



Derrick Casson, DBE Certification
Manager



1.12 MWDBE SUBCONTRACTOR UTILIZATION FORM



OMB Control No: 2090-0030
 Approved: 8/13/2013
 Approval Expires: 8/31/2015

**Disadvantaged Business Enterprise (DBE) Program
 DBE Subcontractor Utilization Form**

This form is intended to capture the prime contractor's actual and/or anticipated use of identified certified DBE¹ subcontractors² and the estimated dollar amount of each subcontract. An EPA Financial Assistance Agreement Recipient must require its prime contractors to complete this form and include it in the bid or proposal package. Prime contractors should also maintain a copy of this form on file.

Prime Contractor Name <i>MAC CONSTRUCTION² EXC.</i>		Project Name <i>BOB-O-LINK TRUNK SEWER</i>	
Bid/ Proposal No. <i>118-2013</i>	Assistance Agreement ID No. (if known)	Point of Contact <i>RUSTY CROSIER</i>	
Address <i>1908 UNRUH COURT, NEW ALBANY, INDIANA 47150</i>			
Telephone No. <i>812-941-7895</i>		Email Address <i>rustyc@macconstruction.com</i>	
Issuing/Funding Entity: <i>COXINGTON FAYETTE URBAN COUNTY GOVERNMENT</i>			

I have identified potential DBE certified subcontractors	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO
--	---	-----------------------------

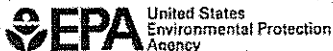
If yes, please complete the table below. If no, please explain:

Subcontractor Name/ Company Name	Company Address/ Phone/ Email	Est. Dollar Amt	Currently DBE Certified?
<i>CAECO ENTERPRISES</i>	<i>P.O. Box 463 LONDON, KY (606) 864-7550</i>	<i>213,195²⁶</i>	<i>YES</i>
<i>EARTH IMAGES</i>	<i>5868 STILLER TRL FLOYDS KNOBS, IN (812) 903-5386</i>	<i>66,703⁻</i>	<i>YES</i>
Continue on back if needed			

¹ A DBE is a Disadvantaged, Minority, or Woman Business Enterprise that has been certified by an entity from which EPA accepts certifications as described in 40 CFR 33.204-33.205 or certified by EPA. EPA accepts certifications from entities that meet or exceed EPA certification standards as described in 40 CFR 33.202.

² 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.

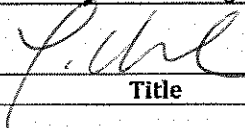
EPA FORM 6100-4 (DBE Subcontractor Utilization Form)



OMB Control No: 2090-0030
 Approved: 8/13/2013
 Approval Expires: 8/31/2015

**Disadvantaged Business Enterprise (DBE) Program
 DBE Subcontractor Utilization Form**

I certify under penalty of perjury that the forgoing statements are true and correct. Signing this form does not signify a commitment to utilize the subcontractors above. I am aware of that 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).

Prime Contractor Signature	Print Name
	TRAVIS UNRUH
Title	Date
PRESIDENT	SEPT. 26, 2013

The public reporting and recordkeeping burden for this collection of information is estimated to average three (3) hours per response. 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 through the use of automated collection techniques to the Director, Collection Strategies Division, U.S. Environmental Protection Agency (2822T), 1200 Pennsylvania Ave., NW, Washington, D.C. 20460. Include the OMB control number in any correspondence. Do not send the completed form to this address.

EPA FORM 6100-4 (DBE Subcontractor Utilization Form)

1.13 MWDBE PARTICIPATION POLICY

PROJECT NAME: **Bob-O-Link Trunk Sewer Replacement**
 Lexington-Fayette Urban County Government

LFUCG BID NO. 118-2013 BID DATE: September 26, 2013

A. Name, address and telephone number of contact person on all MWDBE matters:

Prime Contractor's Name MAC Construction & Excavating, Inc.
 Contact Person: Rusty Crosier - VP - Operations
 Address: 1908 Unruh Ct, New Albany, IN 47150
 Phone: 812-941-7895 Cell: 812-786-4974
 Email: rustyc@macconstruction.com
 Total Contract Amount: \$ 2,607,069.72

B. Total dollar amount/percent of contract of DBE participation: 299,898.26

C. Total dollar amount/percent of contract of MBE participation: _____

D. Total dollar amount/percent of contract of WBE participation: _____

E. Are certifications* for each MWDBE subcontractor enclosed; if no, please explain:

Yes No _____

F. Are MWDBE subcontracts or letters of intent signed by both parties enclosed; if no, please explain: Yes No SEE ATTACHED QUOTES

G. List of DBE Subcontractors:

Name: GECO ENTERPRISES
 Contact Person: GIGI BACON
 Address: PO BOX 463 LONDON, KY
 Phone: 606-864-7550 Cell: _____
 Email: _____
 Type of Contract: UNIT PRICE - P.O.
 Work to be Done: SUPPLY PIPE
 Amount: \$ 213,195.26

H. List of ^{DBE} MBE Subcontractors:

Name: EARTH IMAGES
 Contact Person: LAURA VUT
 Address: 5800 STILLER RD, FLOYDS KNOBS, KY
 Phone: 812-923-8386 Cell: _____
 Email: _____
 Type of Contract: UNIT PRICE - SUBCONTRACT
 Work to be Done: SEED - SOD - SILT FENCE RESTORATION
 Amount: \$ 86,707-

I. List of WBE Subcontractors:

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

Attach additional sheets, if necessary.

*Self-certification: Self-certification of MWDBE firms will NOT be accepted as a valid form of certification of MWDBE status.

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

1. Ensure MWDBE construction firms or material suppliers are made aware of contracting opportunities to the fullest extent practicable through outreach and recruitment activities; including placing MWDBEs on solicitation lists and soliciting them whenever they are potential sources. A good source for a list of MWDBEs 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 MWDBEs, was developed for current and future solicitations and that the list will be maintained. *Submit a copy of the list as documentation. SEE ATTACHED KYTC DIRECTORY*

2. Make information on forthcoming opportunities available to MWDBEs and arrange time frames for contracts and establish delivery schedules, where the requirements permit, in a way that encourages and facilitates participation by MWDBEs 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 MWDBEs to encourage their participation in the competitive process and that an adequate amount of time was provided for response.

a. List each MWDBE 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. SEE ATTACHED CONTACT LISTING*

Company Name and Phone Number: _____

Area of Work Expertise: _____

Date of any Follow-Ups and Person Spoke to: _____

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. N/A*

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.* *N/A*

Method of Notification: _____

Date(s) of Notification: _____

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

4. 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 MWDBEs to participate in the projects.

5. 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 MWDBEs.

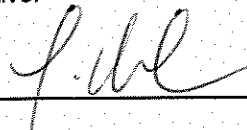
The prime contractor certifies that the assistance of the SBA, MBDA, and/or KPAP was utilized. *Submit pages printed off the SBA and MBDA websites which evidence efforts to register a solicitation on those sites or submit copies of the letter sent and certified mail receipt as documentation; submit copies of emails with KPAP as documentation.*

6. If a subcontractor awards any subcontracts, require the subcontractor to take the steps in numbers 1 and 5 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.

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

Travis O. Unruh - President

Print Name and Title

Sept. 26, 2013

Date

1.14 EQUAL EMPLOYMENT OPPORTUNITY AFFIRMATIVE ACTION POLICY

It is the policy of MAC Construction & Excavating, Inc.
(Name of Bidder)

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.

1.15 WORKFORCE ANALYSIS FORM

Name of Organization: MAC Construction & Excavating, Inc. Date 09/25/2013

Categories	Total	White		Black		Other		Total	
		M	F	M	F	M	F	M	F
Administrators									
Professionals	10	8	2					8	2
Superintendents	9	9						9	
Supervisors	17	15	2					15	2
Foremen	14	14						14	
Technicians	1	1						1	
Protective Service									
Para-Professionals									
Office/Clerical	27	14	13					14	13
Skilled Craft	165	146	4	14		1		161	4
Service/Maintenance	7	7						7	
Total	250								

Prepared By: Robert J. Smith

1.16 EVIDENCE OF INSURABILITY

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


Names Insured: Mac Construction & Excavating Inc
 Address: P.O. Box 6787 New Albany IN 47151-6787
 Project to be insured: Lexington Fayette Urban County Government - Bob-O-Link Trunk Sewer Replacement

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 Section 00600 - Bonds and Certifications, including all requirements, and conditions:

Article Items	Coverage	Minimum Limits and Policy Requirements	Limits Provided to Insured	Name of Insurer	A.M. Best's	
					Code	Rating
1.05.D.1	CGL	\$1,000,000/per occ., \$2,000,000/aggregate or \$2,000,000 combined single limit Requirements (a) through (e)	\$2,000,000 AGG \$1,000,000 Per OCC	Travelers	18647	A+
1.05.D.1	Auto	Combined single \$1,000,000/per occ. aggregate Requirements (a) through (c)	\$1,000,000	Travelers	18647	A+
1.05.D.1	WC	\$ 1,000,000 Statutory	\$1,000,000 Statutory	Travelers	18647	A+
1.05.D.1	Employer's Liability	\$500,000	\$1,000,000	Travelers	18647	A+

Section 00600 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

Wells Fargo Insurance Services USA Inc.
 Agency or Brokerage
 950 Brackentridge Lane, Suite 50
 Street Address
 Louisville KY 40207
 City
 502.425.9444
 Telephone Number

Jeff Duncan, Producer
 Name of Authorized Representative
 Sr VP
 Title

 Authorized Signature
 9/25/2013
 Date

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

IMPORTANT: CONTRACT MAY NOT BE AWARDED IF A COMPLETED AND SIGNED COPY OF THIS FORM FOR ALL COVERAGES LISTED ABOVE IS NOT PROVIDED.

1.18 DEBARMENT CERTIFICATION

All Contractors/Subcontractors shall complete this certification.

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:

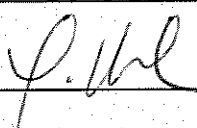
- 1) Are not presently debarred, suspended, proposed for debarment, declared negligible, or voluntarily excluded from covered transactions or contract by any Federal department or agency for noncompliance with the Federal Labor Standards, Title VI of the Civil Rights Act of 1964 As Amended, Executive Order 11246 As Amended or any other Federal Law.
 - a) Have not within a three year period preceding this Bid 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 (3) 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: MAC Construction & Excavating, Inc.

Project: Bob-O-Link Trunk Sewer Replacement

Printed Name: Travis O. Unruh

Title of Authorized Representative: President

Signature: 

Date: Sept. 24, 2013

1.19 CERTIFICATION REGARDING LOBBYING

Certification for Contracts, Grants, Loans, and Cooperative Agreements

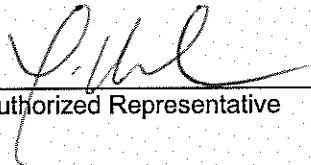
The undersigned certifies, to the best of his or her knowledge and belief, that:

- (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 for not less than \$10,000 and not more than \$100,000 for each such failure.

TRAVIS O. UNRUH – PRESIDENT

Typed Name & Title of Authorized Representative



Signature of Authorized Representative

SEPT. 26, 2013
Date

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

1.24 LFUCG MWDBE PARTICIPATION FORM

LFUCG Bid/RFP/Quote Reference No. 118-2013



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
GECD ENTERPRISES LONDON, KY	Supply APE	213,195.26	8.1%
EARTH IMAGES FLOYD KNOPS, KY	Seed-Sod- Restoration	86,705	TOU 3.3% 3.1%

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.

MAC Construction & Excavating, Inc.
Company

J. W. H.
Company Representative

Sept. 26, 2013
Date

Travis D. Unruh - President
Title

1.26 MWDBE QUOTE SUMMARY FORM

LFUCG Bid/RFP/Quote Reference No. 118-2013



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

Company Name <u>MAC CONSTRUCTION & EXC.</u>	Contact Person <u>RUSTY CROSIER</u>
Address/Phone/Email <u>1908 UNRUH COURT NEW ALBANY, INDIANA 47150 (812) 941-7895 rusty@macconstruction.com</u>	Bid Package / Bid Date <u>BOB-O-LINK SEWER SEPT. 26, 2013</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)	DBE * AA HA AS NA Female
<u>GEICO</u>	<u>GILGI BACCHI</u>		<u>9/23</u>	<u>SMALL PIPE</u>	<u>PHONE</u>	<u>213,195²⁵</u>	<u>DBE</u>
<u>EMERIT IMAGES</u>	<u>JEFF DENTY</u>		<u>9/24</u>	<u>SEED-SOD</u>	<u>PHONE</u>	<u>56,703-</u>	<u>DBE</u>

*(DBE 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.

MAC Construction & Excavating, Inc.
Company

Company Representative

Sept. 26, 2013
Date

Travis O. Unruh - President
Title

1.28 LFUCG STATEMENT OF GOOD FAITH EFFORTS

LFUCG Bid/RFP/Quote No. 118-2013



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 MWDBEs 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 their capabilities. Any rejection should be so noted in writing with a description as to why an agreement could not be reached.
- Included documentation of quotations received from interested MWDBE firms which were not used due to uncompetitive pricing or were rejected as unacceptable and/or copies of responses from firms indicating that they would not be submitting a bid.
- Bidder has to submit sound reasons why the quotations were considered unacceptable. The fact that the bidder has the ability and/or desire to perform the contract work with its

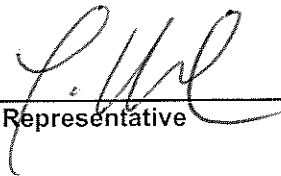
own forces will not be considered a sound reason for rejecting a MWDBE quote. Nothing in this provision shall be construed to require the bidder to accept unreasonable quotes in order to satisfy MWDBE goals.

- Made an effort to offer assistance to or refer interested MWDBE firms to obtain the necessary equipment, supplies, materials, insurance and/or bonding to satisfy the work requirements of the bid proposal
- Made efforts to expand the search for MWBE firms beyond the usual geographic boundaries.
- Other - any other evidence that the bidder submits which may show that the bidder has made reasonable good faith efforts to include MWDBE participation.

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

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.

MAC Construction & Excavating,
Company Inc.


Company Representative

Sept. 26, 2013
Date

Travis O. Unruh - President
Title

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

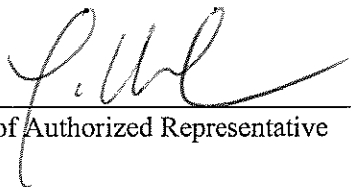
The prospective participant certifies to the best of its knowledge and belief that it and its principals:

- (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.

TRAVIS O. UNRUH - PRESIDENT

Typed Name & Title of Authorized Representative



SEPT. 26, 2013

Signature of Authorized Representative

Date

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

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.

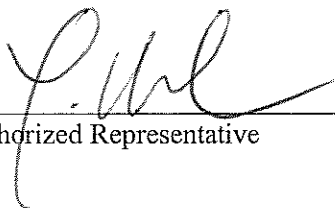
(2) If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this 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.

TRAVIS O. UNRUH - PRESIDENT

Typed Name & Title of Authorized Representative



SEPT. 26, 2013

Signature of Authorized Representative

Date

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

EPA DISADVANTAGED BUSINESS ENTERPRISE PROGRAM

EPA's Disadvantaged Business Enterprise Program rule applies to contract procurement actions funded in part by EPA assistance agreements awarded after May 27, 2008. The rule is found at Federal regulation Title 40, Part 33. Specific responsibilities are highlighted below.

Grant recipient responsibilities:

- Conduct an Availability Analysis and negotiate fair share objectives with EPA (§33.411), or adopt the fair share objectives of the oversight state agency revolving loan fund for comparable infrastructure. (§33.405(b)(3)).
- Include the Appendix A term and condition in each contract with a primary contractor (§3.106). The term and condition is included in the EPA Region 4 contract specifications insert *FEDERAL REQUIREMENTS AND CONTRACT PROVISIONS FOR SPECIAL APPROPRIATION ACT PROJECTS US ENVIRONMENTAL PROTECTION AGENCY, Region III, June 2008*.
- Employ the six Good Faith Efforts during prime contractor procurement (§33.301).
- Require prime contractor to comply with the following prime contractor requirements of Title 40 Part 33:
 - To employ the six Good Faith Efforts steps in paragraphs (a) through (e) of §33.301 if the prime contractor awards subcontracts (§33.301(f)).
 - To provide EPA form 6100-2 – *DBE Subcontractor Participation Form* to all DBE subcontractors (§33.302(e)).
 - To submit EPA forms 6100-3 – *DBE Program Subcontractor Performance Form* and 6100-4 – *DBE Program Subcontractor Utilization Form* with bid package or proposal. (§33.302 (f) and (g)).
 - To pay its subcontractor for satisfactory performance no more than 30 days from the prime contractor's receipt of payment from the recipient (§33.302(a)).
 - To notify recipient in writing by its prime contractor prior to any termination of a DBE subcontractor for convenience by the prime contractor (§33.302(b)).
 - To employ the six good faith efforts described in §33.301 if soliciting a replacement subcontractor after a DBE subcontractor fails to complete work under the subcontract for any reason. (§33.302(c)).
 - To employ the six good faith efforts described in §33.301 even if the prime contractor has achieved its fair share objectives under subpart D of Part 33. (§33.302(d)).

- Semiannually complete and submit to Charles Hayes, EPA Region 4 DBE Coordinator EPA form 5700-52A summarizing DBE participation achieved during the previous six months (§33.502).
- Maintain records documenting its compliance with the requirements of Title 40 Part 33, including documentation of its, and its prime contractors', good faith efforts (§33.501(a)).

Prime Contractor Responsibilities:

- Employ the six Good Faith Efforts steps in paragraphs (a) through (e) of §33.301 if the prime contractor awards subcontracts (§33.301(f)).
- Provide EPA form number 6100-2 – *DBE Program Subcontractor Participation Form* and form number 6100-3 – *DBE Program Subcontractor Performance Form* to each DBE subcontractor prior to opening of the contractor's bid or proposal (§33.302(e) and (f)).
- Complete EPA form number 6100-4 – *DBE Program Subcontractor Utilization Form* (§33.302(g)).
- Submit to recipient with its bid package or proposal the completed EPA form number 6100-4, plus an EPA form number 6100-3 for each DBE subcontractor used in the contractor's bid or proposal (§33.302(f) and (g)).
- Pay subcontractors for satisfactory performance no more than 30 days from the prime contractor's receipt of payment from the recipient (§33.302(a)).
- Notify the recipient in writing prior to prime contractor termination of a DBE subcontractor for convenience (§33.302(b)).
- Employ the six good faith efforts described in §33.301 if soliciting a replacement subcontractor after a DBE subcontractor fails to complete work under the subcontract for any reason. (§33.302(c)).
- Employ the six good faith efforts described in §33.301 even if the prime contractor has achieved its fair share objectives under subpart D of Part 33. (§33.302(d)).
- Semiannually inform recipient of DBE participation achieved (§33.502).
- Maintain records documenting its compliance with the requirements of Title 40 Part 33, including documentation of its, and its prime contractors', good faith efforts (§33.501(a)).

Subcontractor Responsibilities:

- May submit EPA form 6100-2 – *DBE Subcontractor Participation Form* to Charles Hayes, EPA Region 4 DBE Coordinator (§33.302(e)).
- Must complete EPA form 6100-3 – *DBE Program Subcontractor Performance Form*, and submit it to the prime contractor soliciting services from the subcontractor prior to the opening of bids for the prime contract.

SPAP Requirements:

Form	Requirement	Provided By:	Completed By:	Submitted To:
EPA Form 6100-2	Grant Recipients required to have prime contractors provide form to Subcontractors	Prime Contractors	DBE Subcontractors	EPA Region 4 DBE Coordinator Charles Hayes
EPA Form 6100-3	Grant Recipients required to have prime contractors provide form to Subcontractors	Prime Contractors	DBE Subcontractors	Grant Recipients as part of a bid or proposal package
EPA Form 6100-4	Grant Recipients required to have prime contractors complete the form	Grant Recipients	Prime Contractors	Grant Recipients as part of a bid or proposal package

SRF Requirements:

Form	Requirement	Provided By:	Completed By:	Submitted To:
EPA Form 6100-2	Recipients required to have prime contractors provide form to Subcontractors	Prime Contractors	DBE Subcontractors	DOW Project Administrator
EPA Form 6100-3	Recipients required to have prime contractors provide form to Subcontractors	Prime Contractors	DBE Subcontractors	Dow Project Administrator w/ATA Package
EPA Form 6100-4	Recipients required to have prime contractors complete the form	Recipients	Prime Contractors	DOW Project Administrator w/ATA Package
Pay Request DBE Form	Recipients required to have prime contractors complete the form	Recipients	Prime Contractors	DOW Project Administrator w/EACH PAYMENT

DISADVANTAGED BUSINESS ENTERPRISE PARTICIPATION POLICY

PROJECT NAME: Bob-O-Link Trunk Sewer Replacement BID DATE: Sept. 24, 2013

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

Prime Contractor's Name: MAC Construction + Excavating, Inc.
Contact Person: Rusty Crosier - VP Operations
Address: 1908 Unruh Ct., New Albany, IN 47150
Phone: 812-941-7895
Cell Phone: 812-786-4974
Email: rustyc@macconstruction.com
Total Contract Amount: _____

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

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

4. Are certifications* for each MBE/WBE/DBE subcontractor enclosed; if no, please explain: Yes No

5. Are MBE/WBE/DBE subcontracts or letters of intent signed by both parties enclosed; if no, please explain: Yes No

6. List of MBE Subcontractors:

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

SEE FORM 1.13 / 0010-29 FOR IDENTIFICATION INFORMATION

7. List of WBE Subcontractors:

Name: _____
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.

BIDDER'S LIST FORM

OWNER: Lexington-Fayette Urban Co. Gov. **LOAN NO:** _____

PROJECT TITLE: Bob-O-Link Trunk Sewer Replacement **BID DATE:** Sept. 26, 2013

Instructions:

1. This list must include all firms that were solicited for participation, bid on, or quoted for a prime contract or subcontracts under EPA assisted projects, included both DBE's and non DBE's.
2. SRF loan participants must keep the Bidder's List until the project period for the identified loan has ended and no funds are remaining.
3. This list must be submitted to DOW in the ATA Package. Contract Award Approval cannot be given until this form has been received by DOW.
4. The following information must be obtained from all prime and subcontractors. Please complete the form below:

ENTITY'S NAME	MAILING ADDRESS	CONTACT PERSON	PHONE#	E-MAIL ADDRESS	M/WBE?
ShermanDixie	Lexington, KY	Chris Nicholson	859-254-4242	Shermandixie.com	
G E C O Enter.	London, KY	Gigi Bacon	606-664-7550	gigibacon@windstream.net	YES
Earthimages	Floyds Knobs, IN	Jeff Dethy	812-923-8386	earthimages.com	YES
Allied Pump Rentals	Cincinnati, OH	Earl Norris	502-377-4694	atsnorris@fuse.net	
Sunbelt Rentals	Independence, KY	Jeff Janson	859-393-7454		
Price Backhoe	Science Hill, KY	John Sheppard	606-308-0248	jeffrey.janson@sunbeltrental.com	
Bigmeadow Oil	Floresce, KY	Bethy Gentry	270-432-7081	bigmadi@scrtc.com	YES
Hobas Pipe USA	Houston, KY	Joe Schmits	832-622-7202	jschmitse.hobaspipe.com	
Hayes Pipe Supply	Lexington, KY	Matt Jeter	859-231-8323	mjeter@hayespipe.com	
Ferguson Waterworks	Richmond, KY	Tim Alcorn	859-624-2800	Tim.Alcorn@Ferguson.com	
HD Supply Waterworks	Lexington, KY	Bill Saali	859-253-3464	William.Saali@hdsupply.com	
Sam Precast	Henryville, IN	Ed Mayfield	812-246-6258	rwhitaker@samprecast.com	YES
Lexington Quarry	Nicholasville, KY	Charlie Lindsay	859-885-6051		

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: _____
Area of work expertise: _____
Date of any follow-ups and person spoke to: _____
- 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.*

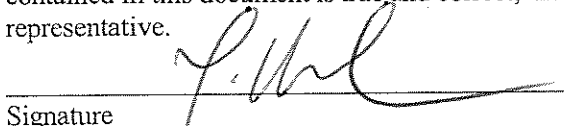
(vi). If a subcontractor awards any subcontracts, require the subcontractor to take the steps in numbers (i) through (v) above.

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

Travis O. Unruh - President

Date

Sept. 26, 2013