

BIDDER: HERRICK COMPANY, INC.

BID FORMS

WEST HICKMAN CREEK WASTEWATER TREATMENT PLANT
AERATION BLOWER IMPROVEMENTS
CONTRACT 64-2019
LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT,
KENTUCKY

Prepared by:

STRAND ASSOCIATES, INC.®
1525 Bull Lea Road, Suite 100
Lexington, KY 40511
www.strand.com

Issued for Bid
May 30, 2019



PART III

FORM OF PROPOSAL

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PART III
FORM OF PROPOSAL

**WEST HICKMAN CREEK WASTEWATER TREATMENT PLANT
AERATION BLOWER IMPROVEMENTS
BID NO. 64-2019**

Place: Lexington, Kentucky

Date: June 21, 2019

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

This Proposal Submitted by Herrick Company, Inc.

2176 Waddy Road, Lawrenceburg, KY 40342

(Name and Address of Bidding Contractor)

(Hereinafter called "Bidder"), organized and existing under the laws of the State of Kentucky, doing business as a corporation
"a corporation," "a partnership", or an "individual" as applicable.

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

Gentlemen:

The Bidder, in compliance with your Invitation for Bids for the **WEST HICKMAN CREEK WASTEWATER TREATMENT PLANT AERATION BLOWER IMPROVEMENTS** having examined the Plans and Specifications with related documents, having examined the site for proposed Work, and being familiar with all of the conditions surrounding the construction of the proposed Project, including the availability of materials and labor, hereby proposes to furnish all labor, materials, and supplies, and to construct the Project in accordance with the Contract Documents, within the time set forth therein, and at the lump sum and/or unit prices stated hereinafter. These prices are to cover all expenses incurred in performing the Work required under the Contract Documents, of which this proposal is a part. The OWNER will issue work orders for work to be performed under this Contract.

BIDDER hereby agrees to commence work under this contract on or before a date to be specified in the Notice to Proceed and to fully complete the project within the time provided in the Purchase Order or Work Orders issued by the OWNER. BIDDER further agrees to pay liquidated damages, the sum of **\$500.00** for each consecutive calendar day thereafter.

MAYOR LINDA GORTON



LEXINGTON

TODD SLATIN
DIRECTOR
CENTRAL PURCHASING

ADDENDUM #2

Bid#64-2019

Date: June 12, 2019

Subject: West Hickman Blower Project

Address inquiries to:
Brian Marcum
(859) 258-3320

TO ALL PROSPECTIVE SUBMITTERS:

The bid opening date has been extended until June 19, 2019 at 2:00 PM EST.

See the attached clarifications.

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 submittal.

COMPANY NAME: HERRICK COMPANY, INC.

ADDRESS: 2176 Waddy Road, Lawrenceburg, KY 40342

SIGNATURE OF BIDDER: *Donna S Herrick* Chief Executive Officer
Donna S. Herrick



MAYOR LINDA GORTON



LEXINGTON

TODD SLATIN
DIRECTOR
CENTRAL PURCHASING

ADDENDUM #3

Bid #64-2019

Date: June 14, 2019

Subject: Blower at West Hickman WWTP

Address inquiries to:
Brian Marcum
(859) 258-3320

TO ALL PROSPECTIVE SUBMITTERS:

The bid opening date has been extended until June 21, 2019 at 2:00 PM EST.

See the attached clarifications.

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 submittal.

COMPANY NAME: HERRICK COMPANY, INC.

ADDRESS: 2176 Waddy Road, Lawrenceburg, KY 40342

SIGNATURE OF BIDDER:  Chief Executive Officer
Donna S. Herrick



The Bidder hereby acknowledges receipt of the following addenda:

Addendum No. 1 Date May 31, 2019

Addendum No. 2 Date June 12, 2019

Addendum No. 3 Date June 14, 2019

Addendum No. Date

Addendum No. Date

Addendum No. Date

Addendum No. Date

Addendum No. Date

Insert above the number and the date of any Addendum issued and received. If none has been issued and received, the word "NONE" should be inserted.

2. **LEGAL STATUS OF BIDDER**

Bidder HERRICK COMPANY, INC.

Date June 21, 2019

* 1. A corporation duly organized and doing business under the laws of the State of Kentucky, for whom Donna S. Herrick, bearing the official title of Chief Executive Officer, whose signature is affixed to this Bid/Proposal, is duly authorized to execute contracts.

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

n/a

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

n/a

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

3. **BIDDERS AFFIDAVIT**

Comes the Affiant, Donna S. Herrick, and after being first duly sworn, states under penalty of perjury as follows:

1. His/her name is Donna S. Herrick and he/she is the individual submitting the bid or is the authorized representative of Herrick Company, Inc., the entity submitting the bid (hereinafter referred to as "Bidder").

2. Bidder will pay all taxes and fees, which are owed to the Lexington-Fayette Urban County Government at the time the bid is submitted, prior to award of the contract and will maintain a "current" status in regard to those taxes and fees during the life of the contract.

3. Bidder will obtain a Lexington-Fayette Urban County Government business license, if applicable, prior to award of the contract.

4. Bidder has authorized the Division of Central Purchasing to verify the above-mentioned information with the Division of Revenue and to disclose to the Urban County Council that taxes and/or fees are delinquent or that a business license has not been obtained.

5. Bidder has not knowingly violated any provision of the campaign finance laws of the Commonwealth of Kentucky within the past five (5) years and the award of a contract to the Bidder will not violate any provision of the campaign finance laws of the Commonwealth.

6. Bidder has not knowingly violated any provision of Chapter 25 of the Lexington-Fayette Urban County Government Code of Ordinances, known as the "Ethics Act."

7. Bidder acknowledges that "knowingly" for purposes of this Affidavit means, with respect to conduct or to circumstances described by a statute or ordinance defining an offense, that a person is aware or should have been aware that his conduct is of that nature or that the circumstance exists.

Further, Affiant sayeth naught.

Donna S Herrick

(Affiant)

STATE OF Kentucky

COUNTY OF Anderson

The foregoing instrument was subscribed, sworn to and acknowledged before me by Donna S. Herrick on this the 21st day of June, 2019.

My Commission expires:

May 8, 2022

Ryan P. Gabbard
NOTARY PUBLIC, STATE AT LARGE

Ryan P. Gabbard

4. LUMP SUM BID

The Bidder agrees to perform all the Work described in the Specifications and shown on the Plans for the following lump sum and/or unit prices which shall include the furnishing of all labor, materials, supplies, services, equipment and/or vehicle usage, all items of cost, overhead, taxes (federal, state, local), and profit for the CONTRACTOR and any Subcontractor involved. The Bidder must make the extensions and additions showing the total amount of bid. The contract, if awarded, will be on the basis of material and equipment specified in the specification without consideration of possible substitute or "Or equal" items. (Per article 18 of the Information for Bidders). The LFUCG reserves the right to award the bid in its best interest and within fiscal constraints.

Amount shall be shown in both words and figures. In case of discrepancy, the amount shown in words will govern.

LUMP SUM BID:

Ninety Five Thousand (Words) Dollars \$ 95,000.⁰⁰ (Numbers)

Contract award will be made based on the Lump Sum Base Bid.

Submitted by: Herrick Company, Inc.
Firm

2176 Waddy Road
Address

Lawrenceburg, KY 40342
City, State & Zip

***Bid must be signed:
(original signature)*** *Donna S Herrick* **Chief Executive Officer**
Signature of Authorized Company Representative – Title

Donna S. Herrick
Representative/s Name (Typed or Printed)

502-839-3484 502-839-0939
Area Code – Phone – Extension *Fax #*

hci@dcr.net
E-Mail Address

OFFICIAL ADDRESS:

2176 Waddy Road

Lawrenceburg, KY 40342

(Seal if Bid is by Corporation)

by signing this form you agree to ALL of the terms and associated forms.

5. STATEMENT OF BIDDER'S QUALIFICATIONS

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

- 1. Name of Bidder: Herrick Company, Inc.
- 2. Permanent Place of Business: 2176 Waddy Rd, Lawrenceburg, KY 40342
- 3. When Organized: 1/26/1996
- 4. Where Incorporated: Kentucky
- 5. Construction Plant and Equipment Available for this Project:

See Attached

(Attach Separate Sheet If Necessary)

6. Financial Condition:

If specifically requested by the OWNER, the apparent low Bidder is required to submit its latest three (3) years audited financial statements to the OWNER'S Division of Central Purchasing within seven (7) calendar days following the bid opening.

7. In the event the Contract is awarded to the undersigned, surety bonds will be furnished by:

United Fire & Casualty Company - Smith Manus, agent (Surety)

Signed: Leigh McCarthy (Representative of Surety)
Leigh McCarthy, Attorney-in-Fact

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

<u>NAME</u>	<u>LOCATION</u>	<u>CONTRACT SUM</u>
WWTP Clarifier Improvements	Middlesboro, KY	\$84,721.00
WWTP Improvements/Chem Fee	Hardinsburg, KY	\$1,930,382.19
WWTP Clarifier Improvements	Frankfort, KY	\$186,500.00
WWTP Zone 2 Improvements	West Hickman Plant Lexington, KY	\$531,400.00
WWTP Pump Station	Lexington Road Station Paris, KY	\$303,624.00

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

<u>NAME</u>	<u>LOCATION</u>	<u>CONTRACT SUM</u>
See attached schedule.		

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

<u>NAME</u>	<u>POSITION DESCRIPTION</u>	<u>NO. OF YEARS WITH BIDDER</u>
See attached schedule		

11. DBE Participation on current bonded projects under contract:

<u>SUBCONTRACTORS</u> <u>(LIST)</u>	<u>PROJECT</u> <u>(SPECIFIC TYPE)</u>	<u>DBE</u>	<u>MAJORITY</u>
See attached schedule.	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

(USE ADDITIONAL SHEETS IF NECESSARY)

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

6. LIST OF PROPOSED SUBCONTRACTORS

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

<u>BRANCH OF WORK - LIST EACH MAJOR ITEM</u> Such as: Grading, bituminous paving, concrete, seeding and protection, construction staking, etc.	<u>SUBCONTRACTOR</u>	<u>DBE</u>	
		<u>Yes/No</u>	<u>% of Work</u>
1. <u>ELECTRIC</u>	Name: <u>T. E. M.</u> Address: <u>LEXINGTON, Ky</u>	<u>YES</u>	<u>3%</u>
2. _____	Name: _____ Address: _____	_____	_____
3. _____	Name: _____ Address: _____	_____	_____
4. _____	Name: _____ Address: _____	_____	_____
5. _____	Name: _____ Address: _____	_____	_____
6. _____	Name: _____ Address: _____	_____	_____
7. _____	Name: _____ Address: _____	_____	_____

(Attach additional sheet(s) if necessary.)

7. AUTHENTICATION OF BID AND STATEMENT OF NON-COLLUSION AND NON-CONFLICT OF INTEREST

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

1. That I am the Bidder (if the Bidder is an individual), a partner of the Bidder (if the Bidder is a partnership), or an officer or employee of the bidding corporation having authority to sign on its behalf (if the Bidder is a corporation);
2. That the attached bid has been arrived at by the Bidder independently, and has been submitted without collusion with, and without any agreement, understanding or planned common course of action, with any other contractor, vendor of materials, supplies, equipment or services described in the Invitation to Bid, designed to limit independent bidding or competition;
3. That the contents of the bid or bids have not been communicated by the Bidder or its employees or agents to any person not an employee or agent of the Bidder or its surety on any bond furnished, with the bid or bids, and will not be communicated to any such person, prior to the official opening of the bid or bids;
4. That the Bidder is legally entitled to enter into the contracts with the Lexington-Fayette Urban County Government, and is not in violation of any prohibited conflict of interest;
5. (Applicable to corporation only) That as a foreign corporation, we are registered with the Secretary of State, Commonwealth of Kentucky, and authorized to do business in the State _____ or, that as a domestic corporation, we are in good standing with the Secretary of State, Commonwealth of Kentucky X . Check the statement applicable.
6. This offer is for 60 calendar days from the date this bid is opened. In submitting the above, it is expressly agreed that, upon proper acceptance by the Lexington-Fayette Urban County Government of any or all items bid above, a contract shall thereby be created with respect to the items accepted.
7. That I have fully informed myself regarding the accuracy of the statements made in this statement.

READ CAREFULLY – SIGN IN SPACE BELOW – FAILURE TO SIGN INVALIDATES BID.

Signed by Donna S Herrick Chief Executive Officer
Donna S. Herrick

Firm Herrick Company, Inc.

Address 2176 Waddy Road
Lawrenceburg, KY 40342

Telephone 502-839-3484

Date June 21, 2019

8. STATEMENT OF EXPERIENCE

(this section must be completed or your bid will be considered as non-responsive)

Please see attached schedule.

NAME OF INDIVIDUAL: _____

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: _____

NAME OF INDIVIDUAL: _____

POSITION/TITLE: _____

STATEMENT OF EXPERIENCE: _____

BY: HERRICK COMPANY, INC.
Name of Firm

DATE: June 21, 2019

BY: *Donna S Herrick*
Donna S. Herrick

TITLE: Chief Executive Officer

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

9. EQUAL OPPORTUNITY AGREEMENT

The Law

- * Title VII of the Civil Rights Act of 1964 (amended 1972) states that it is unlawful for an employer to discriminate in employment because of race, color, religion, sex, age (40-70 years) or national origin.
- * Executive Order No. 11246 on Nondiscrimination under Federal contract prohibits employment discrimination by contractor and subcontractor doing business with the Federal Government or recipients of Federal funds. This order was later amended by Executive Order No. 11375 to prohibit discrimination on the basis of sex.
- * Section 503 of the Rehabilitation Act of 1973 States:

The Contractor will not discriminate against any employee or applicant for employment because of physical or mental handicap.

- * Section 2012 of the Vietnam Era Veterans Readjustment Act of 1973 requires Affirmative Action on behalf of disabled veterans and veterans of the Vietnam Era by contractors having Federal Contracts.
- * Section 206 (A) of Executive Order 12086, Consolidation of Contract Compliance Functions for Equal Employment Opportunity, states:

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

The Lexington-Fayette Urban County Government practices Equal Opportunity in recruiting, hiring and promoting. It is the Government's intent to affirmatively provide employment opportunities for those individuals who have previously not been allowed to enter into the mainstream of society. Because of its importance to the local Government, this policy carries the full endorsement of the Mayor, Commissioners, Directors, and all supervisory personnel. In following this commitment to Equal Employment Opportunity and because the Government is the benefactor of the Federal funds, it is both against the Urban County Government policy and illegal for the Government to let contracts to companies which knowingly or unknowingly practice discrimination in their employment practices. Violation of the above mentioned ordinances may cause a contract to be canceled and the contractor may be declared ineligible for future consideration.

Please sign this statement in the appropriate space acknowledging that you have read and understand the provisions contained herein. Return this document as part of your application packet.

Bidders

I/We agree to comply with the Civil Rights Laws listed above that govern employment rights of minorities, women, Vietnam veterans, handicapped, and aged persons.

Donna S Herrick
Signature Donna S. Herrick

HERRICK COMPANY, INC.
Name of Business

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

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

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

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

The Act further provides:

KRS 45.610. Hiring minorities – Information required

- a. *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.*
- b. *Each contractor shall, for the length of the contract, furnish such information as required by KRS 45.560 to KRS 45.640 and by such rules, regulations and orders issued pursuant thereto and will permit access to all books and records pertaining to his employment practices and work sites by the contracting agency and the department for purposes of investigation to ascertain compliance with KRS 45.560 to 45.640 and such rules, regulations and orders issued pursuant thereto.*

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

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

KRS 45.630 Termination of existing employee not required, when

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

KRS 45.640 Minimum skills

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

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

10. EQUAL EMPLOYMENT OPPORTUNITY AFFIRMATIVE ACTION POLICY

It is the policy of HERRICK COMPANY, INC.

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

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

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

Signature: *Donna S Herrick*
(Bidding Contractor)

Title: Chief Executive Officer

Date: June 21, 2019

11. WORKFORCE ANALYSIS FORM

Name of Organization: HERRICK COMPANY, INC.

Date: / /

Categories	Total	White		Black		Other		Total	
		M	F	M	F	M	F	M	F
Administrators	1		1						1
Professionals									
Superintendents	3	3						3	
Supervisors	1	1						1	
Foremen	1	1						1	
Technicians									
Protective Service									
Para-Professionals									
Office/Clerical	2	1	1					1	1
Skilled Craft	11	11						11	
Service/Maintenance									
Total:	19	17	2					17	2

Prepared By: *Donna S Herrick*
 Donna S. Herrick, CEO

12. EVIDENCE OF INSURABILITY

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

Names Insured: Herrick Company, Inc. Employee ID: 61-1296034
 Address: 2176 Waddy Road Phone: 502-839-3484
Lawrenceburg, KY 40342

Project to be insured: West Hickman Creek Wastewater Treatment Plant Aeration Blower Improvements - Bid # 64-2019

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

Section Items	Coverage	Minimum Limits and Policy Requirements	Limits Provided To Insured	Name of Insurer	A.M. Best's Code	Rating
SC 1.3.D.1 - see provisions	CGL	\$1,000,000 per occ. And \$2,000,000 aggregate	\$ 1,000,000 2,000,000	Cincinnati Insurance Co	004289	A+·XV
SC 1.3.D.1 - see provisions	AUTO	\$2,000,000/per occ.	\$ 1,000,000	Cincinnati Insurance Co	004289	A+·XV
SC 1.3.D.1 - see provisions	WC	Statutory w/endorsement as noted	\$4,000,000 4,000,000 4,000,000	Associated General Contractors of KY	055002	A·VII

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

J. Smith Lanier & Co., A Marsh & McLennan Agency, LLC company
 Agency or Brokerage
 360 E. Vine Street

Chris Barnett
 Name of Authorized Representative
 Senior Vice President

Street Address

Lexington

City

859-254-8023

Telephone Number

KY

State

40507

Zip

Title

Authorized Signature

June 14, 2019

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.

*Umbrella \$5,000,000 Cincinnati Ins Co 004289 A+·XV
 Excess Umbrella \$5,000,000 Travelers Property & Casualty Co. 004461 A+··XV

13. DEBARRED FIRMS

PROJECT NAME: West Hickman Creek Wastewater Treatment Plant Aeration Blower Improvements

BID NUMBER: XX-2019

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

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

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

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

HERRICK COMPANY, INC.
Name of Firm Submitting Bid

Donna S Herrick
Signature of Authorized Official Donna S. Herrick

Chief Executive Officer
Title

June 21, 2019
Date

14. DEBARMENT CERTIFICATION

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

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

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

Firm Name: HERRICK COMPANY, INC.

Project: West Hickman Creek WWTP Aeration Blower Improvments

Printed Name and Title of Authorized Representative: Donna S. Herrick, CEO

Signature: 

Date: June 21, 2019

END OF SECTION

13. DEBARRED FIRMS

PROJECT NAME: West Hickman Creek Wastewater Treatment Plant Aeration Blower Improvements

BID NUMBER: XX-2019

LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT
LEXINGTON, KY

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

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

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

HERRICK COMPANY, INC.
Name of Firm Submitting Bid

Donna S Herrick
Signature of Authorized Official Donna S. Herrick

Chief Executive Officer
Title

June 21, 2019
Date

14. DEBARMENT CERTIFICATION

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

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

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

Firm Name: HERRICK COMPANY, INC.

Project: West Hickman Creek WWTP Aeration Blower Improvements

Printed Name and Title of Authorized Representative: Donna S. Herrick, CEO

Signature: 

Date: June 21, 2019

END OF SECTION

14. DEBARMENT CERTIFICATION

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

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

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

Firm Name: HERRICK COMPANY, INC.

Project: West Hickman Creek WWTP Aeration Blower Improvments

Printed Name and Title of Authorized Representative: Donna S. Herrick, CEO

Signature: _____

Date: June 21, 2019

END OF SECTION

***This form for any Subcontractors will be provided within 7 days of bid opening if Bidder is low bidder. Bidder is not able to choose subcontractors until very close to actual bid time leaving no time to insert signed forms into the bid package.**

Herrick Company, Inc.
2176 Tracy Road
Lawrenceburg, KY 40342
502-839-3484
502-839-0939 Fax

Bid: West Hickman Creek WWTP Aeration Blower Improvements
Bid Number 64-2019
Lexington-Fayette Urban County Government, Kentucky

Page P-8: Qualification Statement - Item 5: Equipment Available

- 35 ton Crane
- 15 ton Boom Truck
- 50 ton Crane
- CAT D5 Dozer
- CAT 953 Loader
- CAT 315 Excavator
- CAT 416 Backhoe
- CAT 420 Backhoe
- CAT 420E Backhoe
- CAT 302.5 Excavator
- Hyundai R35ZCR Mini-Excavator
- Bobcat Skid Steer Loader
- International Flat Bed Dump
- (2) 185 Air Compressors
- 6" Diesel Pump
- Kundel 8' x 20' trench box
- (8) pickup trucks
- Miscellaneous small equipment and tools

BID: West Hickman Creek WWTP Aeration Blower Improvements - Bid # 64-2019

Bidder Qualification Statement

**Required Attachments - Page P-9 Item 10 "Key Personnel"
& Page P-13 Item No. 8" Statement of Experience"**

Donna S. Herrick - Chief Executive Officer

HCI Start Date: 1/26/96 (Years in construction - 26)

Experience: Management, cost-tracking, asset acquisition, budgeting, financial planning, risk management and control, project analysis, corporate taxes, human resources and payroll, new business start-ups

H. Douglas Herrick - President

HCI Start Date: 1/26/96 (Years in construction - 47)

Experience: Management, SFR contract builder, carpentry, estimating, supervisor on water- and waste-water treatment projects, including new construction, renovation, maintenance and emergency work

Eddie R. Johnson - Superintendent

HCI Start Date: 5/22/99 (Years in construction - 49)

Experience: Carpentry, electrical, plumber, layout & design, supervisory

Ryan P. Gabbard - Project Manager / Superintendent

HCI Start Date: 12/30/00 (Years in construction - 19)

Experience: Laborer, rebar foreman, layout, carpentry, tower construction, supervisory; project manager

Larry T. Boian - Superintendent

HCI Start Date: 3/29/99 (Years in construction - 37)

Experience: Operator, rebar, carpentry, welding, supervisory

Chadrick D. Holbrook - Superintendent

HCI Start Date: 1/19/18 (Years in construction - 18)

Experience: Operator, carpentry, supervisory

Sabrina K. Gabbard - Office Manager / Payroll Administrator

HCI Start Date: 10/09/06 (Years in construction - 13)

Experience: Payroll administrator, project reporting, equipment control & maintenance, payables & receivables, year-end information reporting, quarterly tax filing, field work as labor & forklift operator

BY: HERRICK COMPANY, INC.

DATE: June 21, 2019

BY:



Donna S. Herrick

TITLE: Chief Executive Officer

Herrick Company, Inc
1385 Tracy Road
Lawrenceburg, KY 40342
502-839-3484

BID: West Hickman Creek WWTP Aeration Blower Improvements
Page P-9 Qualifications Statement – Item 9 Current Bonded Projects

<u>Project Name</u>	<u>Amount</u>	<u>% Completion</u>
Lincoln Trail Lift Station Rehab Project Radcliff, KY – Wastewater Treatment Plant Owner: Hardin County Water District No. 1, Daniel Clifford, 1400 Rogersville Road, Radcliff, KY (270-351-3222) Bell Engineering: David Schrader, 2480 Fortune Drive, Suite 350, Lexington, KY (859-278-5412)	\$798,631.61	62%
WTP Improvements Contract 1 – Residual Sludge & Handling System Campbellsville, KY – Water Treatment Plant Owner: City of Campbellsville, KY, Millie Ramsey, 135 City Park Road, Campbellsville, KY (270-465-7011) Monarch Engineering, Inc.: Deron Byrne, 556 Carlton Drive, Lawrenceburg, KY (502-839-1310)	\$5,568,318.68	41%
West Hickman WWTP Scum Removal Addition and Aerated Sludge Holding Tank No. 3 Cover Project Nicholasville, KY – Wastewater Treatment Plant Owner: LFUCG, Lexington, KY, Tiffany Rank, 125 Lisle Industrial Avenue, Lexington, KY (859-425-2400) Strand Associates, Inc.: Mike Davis, 1525 Bull Lea Road, Ste. 100, Lexington, KY (859-225-8500)	\$1,433,202.00	87%
WWTP Aeration System Improvements Morehead, KY Owner: Morehead Utility Plant Board, Holly McGrath-Rosas, 135 S Wilson Avenue, Morehead, KY (606-784-5538) Eclipse Engineers, PLLC: Alan Robinson, 113 W Mt. Vernon Street, Somerset, KY 42501 (606-451-0959)	\$315,500.00	5%
WTP Sedimentation Basin Sludge Valve Replacement Frankfort, KY Owner: Electric & Water Plant Board, Sharmista Dutta, 151 Flynn Avenue, Frankfort, KY (502-352-4372) Engineer: In-house – Sharmista Dutta	\$82,151.00	1%
Big Springs Park Aerial Sewer Pier Replacement Versailles, KY Owner: City of Versailles, Brian Traugott, 196 South Main Street, Versailles, KY (877-786-7537) GRW: Mike Jacobs, 801 Corporate Drive, Lexington, KY (859-223-3999)	\$186,750.00	1%

Herrick Company, Inc
 1385 Tracy Road
 Lawrenceburg, KY 40342
 502-839-3484

BID: West Hickman Creek WWTP Aeration Blower Improvements
Page P-10 Qualifications Statement – Item 11 DBE Participation on Current Bonded Projects

Subcontractor	Project Type	DBE	Majority
J. L. Davis Electrical, Inc.	WTP	N	8.40%
McKinney Painting, Inc.	WTP	Y	5.40%
The Fence Company, LLC	WTP	Y	1.00%
JSC Electric, Inc.	WTP	N	8.96%
Richmond Mechanical, Inc.	WTP	N	1.03%
Wiglesworth Plumbing & Heating	WTP	N	0.83%
McKinney Painting, Inc.	WTP	Y	5.60%
Nationwide Fence Company, Inc.	WTP	N	0.18%
Hume Masonry, Inc.	WTP	N	0.54%
Cave City Contracting, Inc.	WTP	N	3.38%
Bedrock Contracting, Inc.	WTP	N	2.81%
Haydon Materials, In c.	WTP	N	1.65%
Overhead Door of Campbellsville	WTP	N	0.95%
Lykins Reinforcing, Inc.	WTP	N	1.11%
T.E.M. Electric Company, Inc.	WWTP	Y	6.13%
Richmond Mechanical, Inc.	WWTP	N	2.95%
McKinney Painting, Inc.	WWTP	Y	1.70%
Kentuckiana Building & Development	WWTP	N	4.29%
Brown Sprinkler Corporation	WWTP	N	1.13%
Ultraflote, LLC	WWTP	N	6.71%
JSC Electric, Inc.	WWTP	N	8.75%
Richmond Mechanical, Inc.	WWTP	N	1.23%
J. L. Davis Electrical, Inc.	WTP	N	10.23%
McKinney Painting, Inc.	WTP	Y	5.96%

AIA Document A310™ - 2010

Bid Bond

CONTRACTOR:
(Name, legal status and address)

Herrick Company, Inc.
2176 Waddy Road
Lawrenceburg, KY 40342

SURETY:
(Name, legal status and principal place of business)

United Fire & Casualty Company
PO Box 73909
Cedar Rapids, IA 52407-3909

OWNER:
(Name, legal status and address) Lexington-Fayette Urban County Government
200 East Main Street
Lexington, KY 40507

BOND AMOUNT: Five Percent of the Amount Bid (\$ 5% of Bid)

PROJECT:
(Name, location or address, and Project number, if any)
West Hickman WWTP Aeration Blower Improvements, Lexington, KY

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

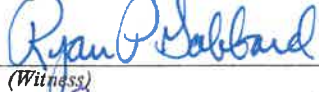
Any singular reference to Contractor, Surety, Owner or other party shall be considered plural where applicable.

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

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

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


Signed and sealed this 18th day of June 2019


(Witness)

Herrick Company, Inc.
(Principal)  (Seal)

(Title) CEO
United Fire & Casualty Company


(Witness)

(Surety)  (Seal)
(Title) Leigh McCarthy
Attorney-in-Fact

Init.



UNITED FIRE & CASUALTY COMPANY, CEDAR RAPIDS, IA
 UNITED FIRE & INDEMNITY COMPANY, WEBSTER, TX
 FINANCIAL PACIFIC INSURANCE COMPANY, ROCKLIN, CA
 CERTIFIED COPY OF POWER OF ATTORNEY
 (original on file at Home Office of Company - See Certification)

Inquiries: Surety Department
 118 Second Ave SE
 Cedar Rapids, IA 52401

KNOW ALL PERSONS BY THESE PRESENTS, That United Fire & Casualty Company, a corporation duly organized and existing under the laws of the State of Iowa; United Fire & Indemnity Company, a corporation duly organized and existing under the laws of the State of Texas; and Financial Pacific Insurance Company, a corporation duly organized and existing under the laws of the State of California (herein collectively called the Companies), and having their corporate headquarters in Cedar Rapids, State of Iowa, does make, constitute and appoint

JAMES T. SMITH, JAMES H. MARTIN, BROOK T. SMITH, RAYMOND M. HUNDLEY, DEBORAH NEICHTER, MICHELE LACROSSE, SUMMER BETTING, JASON CROWELL, LEIGH MCCARTHY, EACH INDIVIDUALLY

their true and lawful Attorney(s)-in-Fact with power and authority hereby conferred to sign, seal and execute in its behalf all lawful bonds, undertakings and other obligatory instruments of similar nature provided that no single obligation shall exceed \$75,000,000.00 and to bind the Companies thereby as fully and to the same extent as if such instruments were signed by the duly authorized officers of the Companies and all of the acts of said Attorney, pursuant to the authority hereby given and hereby ratified and confirmed.

The Authority hereby granted shall expire the 15th day of June, 2020 unless sooner revoked by United Fire & Casualty Company, United Fire & Indemnity Company, and Financial Pacific Insurance Company.

This Power of Attorney is made and executed pursuant to and by authority of the following bylaw duly adopted on May 15, 2013, by the Boards of Directors of United Fire & Casualty Company, United Fire & Indemnity Company, and Financial Pacific Insurance Company.

"Article VI - Surety Bonds and Undertakings"

Section 2, Appointment of Attorney-in-Fact. "The President or any Vice President, or any other officer of the Companies may, from time to time, appoint by written certificates attorneys-in-fact to act in behalf of the Companies in the execution of policies of insurance, bonds, undertakings and other obligatory instruments of like nature. The signature of any officer authorized hereby, and the Corporate seal, may be affixed by facsimile to any power of attorney or special power of attorney or certification of either authorized hereby; such signature and seal, when so used, being adopted by the Companies as the original signature of such officer and the original seal of the Companies, to be valid and binding upon the Companies with the same force and effect as though manually affixed. Such attorneys-in-fact, subject to the limitations set forth in their respective certificates of authority shall have full power to bind the Companies by their signature and execution of any such instruments and to attach the seal of the Companies thereto. The President or any Vice President, the Board of Directors or any other officer of the Companies may at any time revoke all power and authority previously given to any attorney-in-fact.

IN WITNESS WHEREOF, the COMPANIES have each caused these presents to be signed by its vice president and its corporate seal to be hereto affixed this 15th day of June, 2018

UNITED FIRE & CASUALTY COMPANY
 UNITED FIRE & INDEMNITY COMPANY
 FINANCIAL PACIFIC INSURANCE COMPANY

By: *Dennis J. Richmann*
 Vice President



State of Iowa, County of Linn, ss:

On 15th day of June, 2018, before me personally came Dennis J. Richmann to me known, who being by me duly sworn, did depose and say; that he resides in Cedar Rapids, State of Iowa; that he is a Vice President of United Fire & Casualty Company, a Vice President of United Fire & Indemnity Company, and a Vice President of Financial Pacific Insurance Company the corporations described in and which executed the above instrument; that he knows the seal of said corporations; that the seal affixed to the said instrument is such corporate seal; that it was so affixed pursuant to authority given by the Board of Directors of said corporations and that he signed his name thereto pursuant to like authority, and acknowledges same to be the act and deed of said corporations.



Patti Waddell
 Notary Public
 My commission expires: 10/26/2019

I, Mary A. Bertsch, Assistant Secretary of United Fire & Casualty Company and Assistant Secretary of United Fire & Indemnity Company, and Assistant Secretary of Financial Pacific Insurance Company, do hereby certify that I have compared the foregoing copy of the Power of Attorney and affidavit, and the copy of the Section of the bylaws and resolutions of said Corporations as set forth in said Power of Attorney, with the ORIGINALS ON FILE IN THE HOME OFFICE OF SAID CORPORATIONS, and that the same are correct transcripts thereof, and of the whole of the said originals, and that the said Power of Attorney has not been revoked and is now in full force and effect.

In testimony whereof I have hereunto subscribed my name and affixed the corporate seal of the said Corporations this 15th day of June, 2018.



By: *Mary A. Bertsch*
 Assistant Secretary,
 UF&C & UF&I & FPIC

BPOA0045-122017