

PART III

Invitation to Bid No. 24-2024

Phoenix Park Reimagined Construction Project

1. **FORM OF PROPOSAL**

Place: Lexington, Kentucky

Date: 5.3.2024

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

This Proposal Submitted by Haire Construction

11214 Decimal Dr. Louisville, KY 40299
(Name and Address of Bidding Contractor)

(Hereinafter called "Bidder"), organized and existing under the laws of the State of KY, doing business as Haire Construction "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 **Phoenix Park Reimagined Construction Project** having examined the Plans and Specifications with related documents, having examined the site for proposed Work, and being familiar with all of the conditions surrounding the construction of the proposed Project, including the availability of materials and labor, hereby proposes to furnish all labor, materials, and supplies, and to construct the Project in accordance with the Contract Documents, within the time set forth therein, and at the lump sum and/or unit prices stated hereinafter. These prices are to cover all expenses incurred in performing the Work required under the Contract Documents, of which this proposal is a part.

The Bidder hereby acknowledges receipt of the following addenda:

Addendum No. 1 Date 4/29/2024

Addendum No. _____ Date _____

Addendum No. _____ Date _____

Addendum No. _____ Date _____

Addendum No. _____ Date _____

Addendum No. _____ Date _____

Addendum No. _____ Date _____

Addendum No. _____ Date _____

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

2. LEGAL STATUS OF BIDDER

Bidder Haire Construction

Date 5-1-2024

* 1. A corporation duly organized and doing business under the laws of the State of KY, for whom Luke Haire, bearing the official title of OWNER, 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)

Katie Haire - owner

Luke Haire - owner

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

Luke Haire

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

3.

BIDDERS AFFIDAVIT

Comes the Affiant, Luke Haire, and after being first duly sworn, states under penalty of perjury as follows:

1. His/her name is Luke Haire and he/she is the individual submitting the bid or is the authorized representative of Haire Construction, the entity submitting the bid (hereinafter referred to as "Bidder").

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

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

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

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

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

[Signature]
Signature

Luke Haire
Printed Name

owner
Title

5-1-2024
Date

Company Name Haire Construction

Address 11214 Decimal Dr. Louisville, KY 40299

Subscribed and sworn to before me by Luke Haire
(Affiant)

Owner
(Title)

of Haire Construction this 6th day of May, 2024.
(Company Name)

[Signature]
Notary Public
[seal of notary] My commission expires: 1/12/28



4. BID SCHEDULE – SCHEDULE OF VALUES

The Bidder agrees to perform all the Work described in the Specifications and shown on the Plans for the following proposed lump sum and/or unit prices, if applicable, which shall include the furnishing of all labor, materials, supplies, equipment and/or vehicle usage, services, all items of cost, overhead, taxes (federal, state, local), and profit for the Contractor and any Subcontractor involved, within the time set forth herein. If unit prices are applicable, Bidder must make the extensions and additions showing the total amount of bid.

Form of proposal must include unit bid prices written in words, unit price written in numbers and total amount bid (unit price x quantity) per line item OR bid may be considered non-responsive. In case of price discrepancy, unit bid price written in words will prevail followed by unit price written in numbers then total amount bid per line item.

If a discrepancy between the unit price and the item total exists, the unit price prevails except: If the unit price is illegible, omitted, or the same as the item total, item total prevails and the unit price is the quotient of the item total and the quantity.

If the unit price and the item total are illegible or are omitted, the bid may be determined nonresponsive. If a lump sum total price is illegible or is omitted, the bid may be determined nonresponsive.

For a unit price based bid, the sum of the item totals is the bid amount the Division uses for bid comparison.

The LFUCG’s decision on the bid amount is final.

Pricing should be submitted in the Line Items tab on IonWave. Page P-7 must be fully executed and attached to bid submission or bid will be considered non-responsive.

BID ITEM NO.	UNIT DESCRIPTION	UNIT	QTY	COST
1	Phoenix Park Reimagined Construction Project, as per specs.	LS	1	XXXXXXXXXX
2	Allowance #1. Modular Restroom Building, as per specs.	LS	1	\$275,000.00

Submitted by:

Haire Construction
Firm

11214 Decimal Dr. Louisville, KY 40299
Address

Louisville, KY 40299
City, State & Zip

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

 - owner
Signature of Authorized Company Representative - Title

Luke A. Haire
Representative/s Name (Typed or Printed)

502-541-8788
Area Code - Phone - Fax #

Lukehaire@haireconstruction.com
E-Mail Address

OFFICIAL ADDRESS:

11214 Decimal Dr
Louisville, KY 40299

(Seal if Bid is by Corporation)

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

5. STATEMENT OF BIDDER'S QUALIFICATIONS

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

- 1. Name of Bidder: Haire Construction
- 2. Permanent Place of Business: 11214 Decimal Dr. Louisville, KY 40289
- 3. When Organized: 2008
- 4. Where Incorporated: 2008
- 5. Construction Plant and Equipment Available for this Project:
CAT 320 Excavator
Bobcat skidsteer
Bobcat miniexcavator
JGL Lull

(Attach Separate Sheet If Necessary)

6. Financial Condition:

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

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

Frankenmuth Insurance Company (Surety)

Signed: William O. Walker (Representative of Surety)

William O. Walker
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>
See Attached for References		

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

<u>NAME</u>	<u>LOCATION</u>	<u>CONTRACT SUM</u>
Coral Ridge Elementary	Louisville	\$123,000
Seelbach Parking	Louisville	\$ 800,000
LFUCG	Lexington	\$ 250,000

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>
Luke Haire	Owner	16
Chad Huffman	Project Manager	10
Jose Garcia	Superintendent	10
Franklin Herrera	Foreman	8



11214 Decimal dr.
Louisville, KY 40299
502-493-4822 (office) 502-541-8788
(cell) 502-493-4865 (Fax)
lukehaire@Haireconstruction.com

May 5th, 2024

REFERENCES

Mayor Park Bardstown KY Job: Create a new park in the heart of downtown Bardstown. Including concrete sidewalks, seat walls, sitting areas, water foundation, irrigation, pergolas, retaining walls, and curbing. 4/1/2024 General Contractor: Haire Reference Contact: City Inspector Dylan Durbin 502-337-0032	\$1,980,000.00
Kentucky School for the Blind Job: Remove and install a new state of the art playground, sitting areas, seat walls, concrete sidewalks, park area. 11/1/2024 General Contractor: Haire Reference Contact: Senler Campbell & Associates Senior Partner: Joseph Lenzi 502-636-3569	\$1,899,000.00
Marion County Pavilions Job: Create 6 outdoor classroom pavilions and walking sidewalks for 6 separate schools in Marion County. Included steel erection of pavilions, concrete landings and sidewalks. 10/1/2024 General Contractor: Haire Reference Contact: Rosstarrant Architects: Kevin McCalla 859-254-4018. Randy Brookshire 859-254-4018	\$2,790,000.00
Seelbach Parking Garage Job: Install new vertical elevated concrete walls for parking garage 4/1/2024 General Contractor: Haire Reference Contact: THP Architects: David Morehead: 513-241-3222	\$1,650,000.00
Northern Kentucky University Job: New concrete sitting area/ playground/ memorial site 12/1/2021 General Contractor: Haire Construction Owner: NKU, Contact: Rodney Theimann, Project manager for NKU	\$2,899,000.00
University of Louisville Bridge Repair Job: Repair and replace all broken concrete on walking bridge 5/4/2020 General Contractor: Haire Construction Owner: University of Louisville	\$199,000
Kenwood Elementary School Job: Install foundation supports around the school for the new HVAC and roofing systems 4/5/2020 General Contractor: Morel Construction 859-442-7100 Contact Joe Wagner	\$419,000
Frazier History Museum Job: 45 micropiles installed for new foundation, 200 kip cored 8' into bedrock. Installed near Ohio River, same soils as Aloft. 11/1/2017 General Contractor: Weber Construction 812-246-2100 Contact: Mike Van Hoose	\$87,000
Holy Family Church Job: Install 16 micropiles for new stair tower/ elevator pit for the school.	\$113,000

HAIRE CONSTRUCTION LLC

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Louisville, KY 40299
502-493-4822 (office) 502-541-8788
(cell) 502-493-4865 (Fax)
lukehaire@Haireconstruction.com

General Contractor: Wehr Constructors
6/1/2016
502-491-9250
Contact: Mike 817-3715 project manager)

Stearns Depot Concrete Passenger Platform \$249,000
Job: Install concrete platform for Polar Express Train stop
11/1/2019
General Contractor: Haire
Owner Contact: Ray Mocreif 606-376-5021

IU Sidewalk and retaining wall Construction \$178,000
Job: Install 1,000 LF of concrete sidewalk and 4' retaining wall
7/1/2020
General Contractor: Haire
Owner Contact: Chad Schaeffer 812-855-6571

Metropolitan Apartments \$55,000
Job: Install all sidewalks around apartment complex
10/1/2018
General Contractor: Contractors INC.
Contact: David Austin 502-548-9918

New Albany City Hall \$650,000
Job: Underpinning and all concrete work for New City Hall
3/1/2020
General Contractor: Denton Floyd
Contact: Scott McGraw 502-901-2923

Riverside Parking Garage \$119,000
Job: Install 38 micropiles in basement of parking garage for stair towers.
3/1/2019
General Contractor: Schnell Contractors
502-968-3445
Contact: Billy Winters (Mike 502-931-4623 Project manager)

Grocers Ice House \$98,000
Job: Install 28 micropiles for new foundation, 180 kip, 50' depth. Needed for new elevator/ stair tower
12/1/2019
General contractor: Denton Floyd
502-339-0677
Contact Warren Thomas project manager

Good Samaritan Hospital Lexington \$64,000
Job: Install 25 micropiles for hospital elevator/ stair tower addition.
General Contractor: Wehr Constructors
3/1/2018
502-491-9250
Contact: Brandon Berry (Greg Williams 457- 0764 Project manager)

21C Museum Hotel \$380,000
Job: Underpin existing foundation to add weight to additional stories:
General contractor: Wehr Constructors
1/1/2017
502-491-9250
Contact: Cam Ruddle

HAIRE
CONSTRUCTION
LLC

11214 Decimal dr.
Louisville, KY 40299
502-493-4822 (office) 502-541-8788
(cell) 502-493-4865 (Fax)
lukchaire@Haireconstruction.com

If you have any further questions or need additional referrals, please don't hesitate to reach out.

Luke A. Haire
HAIRE Construction LLC.
502-493-4822
lukchaire@haireconstruction.com

11. DBE Participation on current bonded projects under contract:

<u>SUBCONTRACTORS</u> <u>(LIST)</u>	<u>PROJECT</u> <u>(SPECIFIC TYPE)</u>	<u>DBE</u>	<u>% of WORK</u>
N/A			

(USE ADDITIONAL SHEETS IF NECESSARY)

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

Respectfully submitted:

Haire Construction
(Name of Contracting Firm)

BY: John C. Haire Luke Haire

TITLE: OWNER

DATE 5-1-2024

6. LIST OF PROPOSED SUBCONTRACTORS

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

<u>BRANCH OF WORK-LIST</u>	<u>DBE</u> <u>Work</u>	<u>% of EACH MAJOR ITEM</u>
Stewart Iron Works	Railing/Screen	
Kiefers Contracting	Site Prep/Storm/Drainage	
Koolfog	Fog system	
Electric	Walker Electric	
Masonry	Precision Stone Works LLC	
Pavers	Precision Stone Works	
Irrigation	Willetts Lawn & Landscape Inc.	
Turf	Foreverlawn	
Landscaping	Willetts Lawn & Landscape	

LIST OF MATERIALS/ SUPPLIERS

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

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

Item	Brand Name, Manufacturer and Supplier
Concrete	IMI
Fog System	Koolfog
Turf	ForeverLawn
Railing	Stewart Ironworks
Fence	Barnett Bates (Orsogrill Pleione)
Landscaping	Willetts Lawn & Landscape



LFUCG MWDBE PARTICIPATION FORM

Bid/RFP/Quote Reference # 24-2024

The MWDBE and/or veteran subcontractors listed have agreed to participate on this Bid/RFP/Quote. If any substitution is made or the total value of the work is changed prior to or after the job is in progress, it is understood that those substitutions must be submitted to Procurement for approval immediately. **Failure to submit a completed form may cause rejection of the bid.**

MWDBE Company, Name, Address, Phone, Email	MBE WBE or DBE	Work to be Performed	Total Dollar Value of the Work	% Value of Total Contract
1. Lightly LLC	WBE	Electrical	Unresponsive 3 - emails / 2 phone calls	
2. Metro Fence	MBE	Fencing	unresponsive. Never emailed quote. 3 emails 3 phone calls	
3. Overflow Services	MBE	Plumbing	unresponsive 3 emails 3 phone calls	
4. Professional Fence	WBE	Fencing	Never sent bid 3 emails 4 calls	

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.

Haire Construction
Company

Luka Haire
Company Representative

5/6/24
Date

Owner
Title



LFUCG MWDBE SUBSTITUTION FORM

Bid/RFP/Quote Reference # 24-2024

The substituted MWDBE and/or veteran subcontractors listed below have agreed to participate on this Bid/RFP/Quote. These substitutions were made prior to or after the job was in progress. These substitutions were made for reasons stated below and are now being submitted to Procurement for approval. By the authorized signature of a representative of our company, we understand that this information will be entered into our file for this project.

SUBSTITUTED MWDBE Company Name, Address, Phone, Email	MWDBE Formally Contracted/ Name, Address, Phone, Email	Work to Be Performed	Reason for the Substitution	Total Dollar Value of the Work	% Value of Total Contract
1.					
2.			I Couldn't get responses or interest from any MWDBE subs.		
3.					
4.					

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

Haire Construction
Company

Luke Haire
Company Representative

5.6.24
Date

OWNER
Title



MWDBE QUOTE SUMMARY FORM

Bid/RFP/Quote Reference # 24-2024

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

Company Name <i>Haire Const.</i>	Contact Person <i>Luke Haire</i>
Address/Phone/Email <i>11214 Decimal Dr. Louisville KY 40299</i>	Bid Package / Bid Date <i>24-2024 5-6-24</i>

MWDBE Company Address	Contact Person	Contact Information (work phone, Email, cell)	Date Contacted	Services to be performed	Method of Communication (email, phone meeting, ad, event etc)	Total dollars \$\$ Do Not Leave Blank (Attach Documentation)	MBE * AA HA AS NA Female	Veteran
<i>No one submitted a bid</i>								

(MBE designation / AA=African American / HA= Hispanic American/AS = Asian American/Pacific Islander/ NA= Native American)

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

Haire Construction
Company

Luke Haire
Company Representative

5-6-24
Date

owner
Title



LFUCG SUBCONTRACTOR MONTHLY PAYMENT REPORT

The LFUCG has a 10% goal plan adopted by city council to increase the participation of minority and women owned businesses in the procurement process. The LFUCG also has a 3% goal plan adopted by cited council to increase the participation of veteran owned businesses in the procurement process. In order to measure that goal LFUCG will track spending with MWDBE and Veteran contractors on a monthly basis. By the signature below of an authorized company representative, you certify that the information is correct, and that each of the representations set forth below is true. Any misrepresentation may result in termination of the contract and/or prosecution under applicable Federal and State laws concerning false statements and false claims. Please submit this form monthly to the Division of Procurement/ 200 East Main Street / Room 338 / Lexington, KY 40507.

Bid/RFP/Quote # 24 - 2024

Total Contract Amount Awarded to Prime Contractor for this Project _____

Project Name/ Contract # <u>Phoenix Park Reimagined</u>	Work Period/ From: <u>6-1-24 -</u> To: <u>1-30-25</u>
Company Name: <u>Haire Construction</u>	Address: <u>11214 Decimal Dr. Lou. KY 40299</u>
Federal Tax ID: <u>83-2722623</u>	Contact Person: <u>Luka Hair</u>

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

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

Haire Const.

Company

Luka Hair

Company Representative

5-6-24

Date

owner

Title

LFUCG STATEMENT OF GOOD FAITH EFFORTS

Bid/RFP/Quote # 2024-0303

By the signature below of an authorized company representative, we certify that we have utilized the following Good Faith Efforts to obtain the maximum participation by MWDBE and Veteran-Owned business enterprises on the project and can supply the appropriate documentation.

Advertisements opportunities to participate in the contract in at least two (2) publications of general circulation media; trade and professional association publications; small and minority business or trade publications; and publications or trades targeting minority, women and disadvantaged businesses not less than fifteen (15) days prior to the deadline for submission of bids to allow MWDBE firms and Veteran-Owned businesses to participate.

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

Attended LFUCG Procurement Economic Inclusion Outreach event

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

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

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

Contacted organizations that work with MWDBE companies for assistance in finding certified MWDBE firms and Veteran-Owned businesses to work on this project. Those contacted and their responses should be a part of the bidder's good faith efforts documentation.

Sent written notices, by certified mail, email or facsimile, to qualified, certified MWDBEs soliciting their participation in the contract not less than seven (7) days prior to the deadline for submission of bids to allow them to participate effectively.

Followed up initial solicitations by contacting MWDBEs and Veteran-Owned businesses to determine their level of interest.

Provided the interested MWDBE firm and/or Veteran-Owned business with adequate and timely information about the plans, specifications, and requirements of the contract.

Selected portions of the work to be performed by MWDBE firms and/or Veteran-Owned businesses in order to increase the likelihood of meeting the contract goals. This includes, where appropriate, breaking out contract work items into economically feasible units to facilitate MWDBE and Veteran participation,

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

Negotiated in good faith with interested MWDBE firms and Veteran-Owned businesses not rejecting them as unqualified without sound reasons based on a thorough investigation of their capabilities. Any rejection should be so noted in writing with a description as to why an agreement could not be reached.

Included documentation of quotations received from interested MWDBE firms and Veteran-Owned businesses which were not used due to uncompetitive pricing or were rejected as unacceptable and/or copies of responses from firms indicating that they would not be submitting a bid.

Bidder has to submit sound reasons why the quotations were considered unacceptable. The fact that the bidder has the ability and/or desire to perform the contract work with its own forces will not be considered a sound reason for rejecting a MWDBE and/or Veteran-Owned business's quote. Nothing in this provision shall be construed to require the bidder to accept unreasonable quotes in order to satisfy MWDBE and Veteran goals.

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

Made efforts to expand the search for MWBE firms and Veteran-Owned businesses 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 and Veteran participation.

NOTE: Failure to submit any of the documentation requested in this section may cause for rejection of bid. Bidders may include any other documentation deemed relevant to this requirement which is subject to approval by the MBE Liaison. Documentation of Good Faith Efforts must be submitted with the Bid, if the participation Goal is not met.

The undersigned acknowledges that all information is accurate. Any misrepresentations may result in termination of the contract and/or be subject to applicable Federal and State laws concerning false statements and claims.

Haire Construction
Company
5/1/2024
Date

Luke Haire
Company Representative
owner
Title

8. **AUTHENTICATION OF BID AND STATEMENT OF NON-COLLUSION, NON-CONFLICT OF INTEREST**

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

1. That I am the Bidder (if the Bidder is an individual), a partner of the Bidder (if the Bidder is a partnership), or an officer or employee of the bidding corporation having authority to sign on its behalf (if the Bidder is a corporation);
2. That the attached bid has been arrived at by the Bidder independently, and has been submitted without collusion with, and without any agreement, understanding or planned common course of action, with any other contractor, vendor of materials, supplies, equipment or services described in the Invitation to Bid, designed to limit independent bidding or competition;
3. That the contents of the bid or bids have not been communicated by the Bidder or its employees or agents to any person not an employee or agent of the Bidder or its surety on any bond furnished, with the bid or bids, and will not be communicated to any such person, prior to the official opening of the bid or bids;
4. That the Bidder is legally entitled to enter into the contracts with the Lexington-Fayette Urban County Government, and is not in violation of any prohibited conflict of interest;
5. (Applicable to corporation only) That as a foreign corporation, we are registered with the Secretary of State, Commonwealth of Kentucky, and authorized to do business in the State KY or, that as a domestic corporation, we are in good standing with the Secretary of State, Commonwealth of Kentucky _____. Check the statement applicable.
6. This offer is for 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.
8. 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.

9. STATEMENT OF EXPERIENCE

NAME OF INDIVIDUAL: Luke Haire

POSITION/TITLE: owner

STATEMENT OF EXPERIENCE: Been in Construction Industry for 25 years. Expert in concrete, masonry, and Project Management. Has done thousands of projects over the years similar to this one.

NAME OF INDIVIDUAL: Chad Huffman

POSITION/TITLE: VP of Operations

STATEMENT OF EXPERIENCE: Been with Haire for over a decade. He has overseen hundreds of concrete construction projects over the years. Expert in concrete construction and project management.

NAME OF INDIVIDUAL: Jose Garcia

POSITION/TITLE: Superintendent

STATEMENT OF EXPERIENCE: Worked with Haire for 10 years and previously 15 years with another concrete company. He has overseen hundreds of concrete projects including parks, bridges, and large site work contracts

NAME OF INDIVIDUAL: Franklin Herrera

POSITION/TITLE: Worked with Haire for 8 years and

STATEMENT OF EXPERIENCE: has previously been in the concrete industry for 15 years. Supervised large concrete projects throughout the years

NAME OF INDIVIDUAL: _____

POSITION/TITLE: _____

STATEMENT OF EXPERIENCE: _____

NAME OF INDIVIDUAL: _____

POSITION/TITLE: _____

STATEMENT OF EXPERIENCE: _____

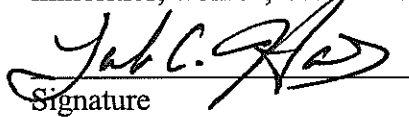
* Include all officers, office management's, Affirmative Action officials, and field management personnel. (Attach separate sheets if necessary.)

following this commitment to Equal Employment Opportunity and because the Government is the benefactor of the Federal funds, it is both against the Urban County Government policy and illegal for the Government to let contracts to companies which knowingly or unknowingly practice discrimination in their employment practices. Violation of the above mentioned ordinances may cause a contract to be canceled and the contractor may be declared ineligible for future consideration.

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

Bidders

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


Signature


Name of Business

The Entity (regardless of whether construction contractor, non-construction contractor or supplier) agrees to provide equal opportunity in employment for all qualified persons, to prohibit discrimination in employment because of race, color, religion, sex (including pregnancy, sexual orientation or gender identity), national origin, disability, age, genetic information, political affiliation, or veteran status, and to promote equal employment through a positive, continuing program from itself and each of its sub-contracting agents. This program of equal employment opportunity shall apply to every aspect of its employment policies and practices.

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

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

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

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

It is the policy of Haire Construction

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.

12. WORKFORCE ANALYSIS FORM

Name of Organization: Haire Construction

Categories	Total	White (Not Hispanic or Latino)		Hispanic or Latino		Black or African-American (Not Hispanic or Latino)		Native Hawaiian and Other Pacific Islander (Not Hispanic or Latino)		Asian (Not Hispanic or Latino)		American Indian or Alaskan Native (not Hispanic or Latino)		Two or more races (Not Hispanic or Latino)		Total	
		M	F	M	F	M	F	M	F	M	F	M	F	M	F	M	F
Administrators	1		1														
Professionals																	
Superintendents	2			2													
Supervisors	3	3															
Foremen	2	2															
Technicians	1	1															
Protective Service																	
Para-Professionals																	
Office/Clerical	1		1														
Skilled Craft	12	3		9													
Service/Maintenance	1			1													
Total:	23	9	2	12													

Prepared by: Luke Haire Owner Date: 5/1/2024

(Name and Title)

Revised 2015-Dec-15

13. EVIDENCE OF INSURABILITY

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

Names Insured: Haim Construction Employee ID: 83-2722623
 Address: 11214 Decimal Dr. Louisville KY 40299 Phone: 502-493-4822

Project to be insured: CBI Insurance

See Attached

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-2 - see provisions	CGL	\$1,000,000 per occ. And \$2,000,000 aggregate	\$			
SC-2 - see provisions	AUTO	\$1,000,000/per occ.	\$			
SC-2 - see provisions	WC	Statutory w/endorsement as noted	\$			
SC-2 - see provisions	EXC	\$5,000,000 per occ.	\$			

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

Agency or Brokerage _____
 Name of Authorized Representative Lula Haire
 Title owner
 Authorized Signature [Signature]
 Date 5-6-24
 Street Address _____
 City _____ State _____ Zip _____
 Telephone Number _____

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

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

14. DEBARRED FIRMS

PROJECT NAME: Phoenix Park Reimagined Construction Project

BID NUMBER: 2024 - 0303

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 Haire Construction 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.

Haire Construction
Name of Firm Submitting Bid


Signature of Authorized Official

OWNER
Title

5.1.2024
Date

15. DEBARMENT CERTIFICATION

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


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

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

Firm Name: Haire Construction

Project: Phoenix Park Reimagined

Printed Name and Title of Authorized Representative: Luke Haire owner

Signature: 

Date: 5.1.2024.

END OF SECTION

AIA Document A310™ – 2010

Bid Bond

CONTRACTOR:
(Name, legal status and address)

Haire Construction, LLC
11214 Decimal Dr.
Louisville, KY 40299

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

Frankenmuth Insurance Company
One Mutual Ave
Frankenmuth, MI 48787-0001

OWNER:
(Name, legal status and address) Lexington-Fayette Urban County Government
200 E 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)

Phoenix Park Reimagined Construction
Project - Bid No. 24-2024

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

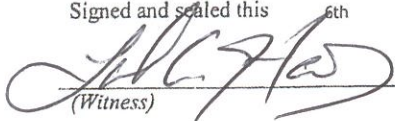
Any singular reference to Contractor, Surety, Owner or other party shall be considered plural where applicable.

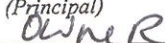
The Contractor and Surety are bound to the Owner in the amount set forth above, for the payment of which the Contractor and Surety bind themselves, their heirs, executors, administrators, successors and assigns, jointly and severally, as provided herein. The conditions of this Bond are such that if the 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.

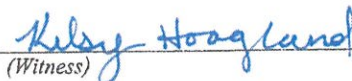
If this Bond is issued in connection with a subcontractor's bid to a Contractor, the term Contractor in this Bond shall be deemed to be Subcontractor and the term Owner shall be deemed to be Contractor.

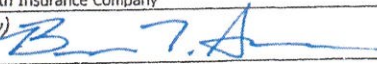
When this Bond has been furnished to comply with a statutory or other legal requirement in the location of the Project, any provision in this Bond conflicting with said statutory or legal requirement shall be deemed deleted herefrom and provisions conforming to such statutory or other legal requirement 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 6th day of May 2024


(Witness)

Haire Construction, LLC
(Principal)  (Seal)
Owner
(Title)


(Witness)

Frankenmuth Insurance Company
(Surety)  (Seal)
(Title) Brook T. Smith
Attorney-in-Fact

Init.
/

FRANKENMUTH INSURANCE COMPANY

POWER OF ATTORNEY

KNOW ALL MEN BY THESE PRESENTS, that Frankenmuth Insurance Company (the "Company"), a corporation duly organized and existing under the laws of the State of Michigan, having its principal office at 1 Mutual Avenue, Frankenmuth, Michigan 48787, does hereby nominate, constitute and appoint:

Brook T. Smith, James T. Smith, Michael W. Dix, Jason D. Cromwell, Raymond M. Hundley, Deborah S. Neichter, William Precious, Ryan Britt, Mark Guidry, Theresa Hintzman, Jennifer Edwards, Susan Ritter, Lynnette Long, Leigh Mccarthy, Amy Smith, Barbara Duncan, Beth Frymire, Jill Kemp, Jacob Motto

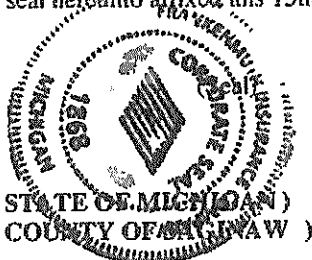
Their true and lawful attorney(s)-in-fact, each in their separate capacity if more than one is named above, to make, execute, seal, acknowledge and deliver any and all bonds, contracts and undertakings of suretyship, with the exception of Financial Guaranty Insurance, provided, however, that the penal sum of any one such instrument shall not exceed the sum of:

Fifty Million and 00/100 Dollars (\$50,000,000)

This Power of Attorney is granted pursuant to the following Resolution duly adopted at a meeting of the Board of Directors of Frankenmuth Insurance Company:

"RESOLVED, that the President, Senior Vice President or Vice President and each of them under their respective designations, hereby is authorized to execute powers of attorney, and such authority can be executed by use of facsimile signature, which may be attested or acknowledged by any officer of the Company, qualifying the attorney(s) named in the given power of attorney, to execute on behalf of, and acknowledge as the act and deed of Frankenmuth Insurance Company on all bonds, contracts and undertakings of suretyship, and to affix the corporate seal thereto."

IN WITNESS WHEREOF, the Company has caused these presents to be signed and attested by its appropriate officers and its corporate seal herewith affixed this 15th day of December, 2022.



Frankenmuth Insurance Company

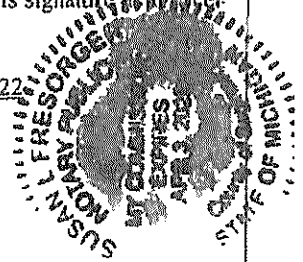
By Frederick A. Edmond, Jr., President and Chief Executive Officer

ss:

Sworn to before me, a Notary Public in the State of Michigan, by Frederick A. Edmond, Jr., to me personally known to be the individual and officer described in, and who executed the preceding instrument, deposed and said the Corporate Seal and his signature as officer were affixed and subscribed to said instrument by the authority of the Company.

IN TESTIMONY WHEREOF, I have set my hand, and affixed my Official Seal this 15th day of December, 2022.

Susan L. Fresorger, Notary Public, Saginaw County, State of Michigan, My Commission Expires: April 3, 2028



I, the undersigned, Executive Vice President of Frankenmuth Insurance Company, do hereby certify that the foregoing is a true, correct and complete copy of the original Power of Attorney; that said Power of Attorney has not been revoked or rescinded and is in full force and effect as of this date.

IN WITNESS WHEREOF, I have set my hand and affixed the Seal of the Company, this 6th day of May, 2024

Andrew H. Knudsen, Executive Vice President, Chief Operating Officer and Secretary

ALL CORRESPONDENCE RELATED TO BOND VALIDATION AND/OR A CLAIM SHOULD BE DIRECTED TO VP SURETY, 701 U.S. ROUTE ONE, SUITE 1, YARMOUTH, ME 04096