

PART III

Invitation to Bid No. 94-2012

2012 Construction Unit Price Contract

1. FORM OF PROPOSAL

Place: Lexington, Kentucky

Date: 6-26-2012

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

This Proposal Submitted by Woodall Construction Co., Inc.  
1332 Cabell Drive Lexington, Ky 40504  
(Name and Address of Bidding Contractor)

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

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

Gentlemen:

The Bidder, in compliance with your Invitation for Bids for the **2012 Construction Unit Price Contract** having examined the Specifications and Contract Documents, having intent to examine each site for proposed Work hereby proposes to furnish all labor, materials, and supplies, and to construct the Project(s) 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.

BIDDER hereby agrees to commence work under agreed-to Purchase Order accepted under this Contract and to complete the Project(s) within the time provided by the Purchase Order..

The Bidder hereby acknowledges receipt of the following addenda:

Addendum No. \_\_\_\_\_ Date \_\_\_\_\_

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 Parde Construction Co., Inc.

Date 6-26-2012

\* 1. A corporation duly organized and doing business under the laws of the State of Ky,  
for whom Scott L. Wood, bearing the official title of  
President, whose signature is affixed to this Bid/Proposal, is duly authorized to  
execute contracts.

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

~~\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_~~

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

\_\_\_\_\_  
\_\_\_\_\_

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

3. BIDDERS AFFIDAVIT

Comes the Affiant, Eric H. Woodell, and after being first duly sworn, states under penalty of perjury as follows:

1. His/her name is Eric H. Woodell and he/she is the individual submitting the bid or is the authorized representative of Woodell Construction Co., 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.

[Signature]  
(Affiant)

STATE OF Kentucky

COUNTY OF Fayette

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

Scott Woodall on this the 25 day of June  
2012

My Commission expires: 4/27/15

[Signature]  
NOTARY PUBLIC, STATE AT LARGE

**4. BID SCHEDULE – SCHEDULE OF VALUES**

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

The bidder is not required to bid on every item listed in the bid schedule. The Bid Schedule is an Excel Spreadsheet (Titled “2012 Construction Unit Price Contract BID SCHEDULE.xls”) and must be downloaded.

**\*\*\*\*\*BIDDER’S MUST COMPLETE THE SPREADSHEET AND RETURN IT WITH THEIR SUBMITTAL ON A CD OR FLASHDRIVE\*\*\*\*\***

**\*\*\*\*\*BIDDER’S MUST RETURN A PRINTED & SIGNED VERSION OF THE SPREADSHEET WITH THEIR SUBMITTAL\*\*\*\*\***

|  |   |                                     |
|--|---|-------------------------------------|
|  | Payment and Performance Bond Cost for Projects over \$50,000<br><u>two</u> Per cent of Total Project Cost   | <u>2</u> %                          |
|  | Unspecified, Incidental Materials at Cost Plus 15% Overhead and Profit<br>(To be submitted as Contract progresses and as needed)<br>Check if interested             | <input checked="" type="checkbox"/> |
|  | Unspecified, Incidental Labor at Direct Wages Plus Certified Overhead Plus 15% Profit (To be submitted as Contract progresses and as needed)<br>Check if interested | <input checked="" type="checkbox"/> |
|  | Minimum Project Total For Which Contractor will consider the project.<br>(See Special Conditions, Section 3, Contractors Performance)                               | <input checked="" type="checkbox"/> |

Mobilization, Traffic Control, and Construction Staking will be paid on a sliding percentage scale for increments of the final price for Work

(For example, if the final total of Bid Item Prices for the work is \$24,000, Mobilization would be (\$10,000 X 15%) plus (\$10,000 X 10%) plus (\$4,000 X 5%) = \$2,700)

Applicability of Traffic Control and Construction Staking will be agreed upon individually for each Purchase Order.

| Increment<br>Price for work | (a)Mobilization<br>Cost % | (b)Traffic Control<br>Cost % | (c) Construction<br>Staking Cost % |
|-----------------------------|---------------------------|------------------------------|------------------------------------|
| \$ 0 - 10,000               | <u>15</u>                 | <u>7.5</u>                   | <u>7.5</u>                         |
| \$ 10,000 - 20,000          | <u>10</u>                 | <u>4.5</u>                   | <u>4.5</u>                         |
| \$ 20,000 - 30,000          | <u>5</u>                  | <u>3.0</u>                   | <u>3.0</u>                         |
| \$ 30,000 - 50,000          | <u>5</u>                  | <u>2.5</u>                   | <u>2.5</u>                         |
| \$ 50,000 - 75,000          | <u>5</u>                  | <u>2.5</u>                   | <u>2.5</u>                         |
| \$ 75,000 - 100,000         | <u>4</u>                  | <u>2.0</u>                   | <u>2.0</u>                         |

Submitted by: Woodall Construction Co., Inc.  
Firm

1332 Cabell Drive  
Address

Lexington, Ky 40504  
City, State & Zip

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

[Signature] President  
Signature of Authorized Company Representative – Title

Scott L. Woodall  
Representative/s Name (Typed or Printed)

859-233-2909      859-281-6259  
Area Code – Phone – Extension      Fax #

swoodall@woodallconst.com  
E-Mail Address

OFFICIAL ADDRESS:

1332 Cabell Drive  
Lexington, Ky 40504

\_\_\_\_\_ (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: Woodall Construction Co., Inc.
2. Permanent Place of Business: 1332 Cabell Drive Lex., Ky 40504
3. When Organized: 1988
4. Where Incorporated: Ky
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:

\_\_\_\_\_(Surety)

Signed: \_\_\_\_\_(Representative of Surety)

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

| <u>NAME</u> | <u>LOCATION</u> | <u>CONTRACT SUM</u> |
|-------------|-----------------|---------------------|
| MAW St.     | here            | 3 m                 |
| Chays mill  | here            | 4 m                 |
| AWNISTON    | here            | 450 K               |
|             |                 |                     |
|             |                 |                     |

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

| <u>NAME</u> | <u>LOCATION</u> | <u>CONTRACT SUM</u> |
|-------------|-----------------|---------------------|
| Chays mill  | here            | 4 m                 |
| Haggin HALL | here            | 1 m                 |
| AWNISTON    | here            | 450 K               |
|             |                 |                     |
|             |                 |                     |

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> |
|---------------|-----------------------------|---------------------------------|
| Robert Maw    | Eng.                        | 3                               |
| Scott woodall | Pres.                       | 20                              |
|               |                             |                                 |
|               |                             |                                 |

11. DBE Participation on current bonded projects under contract:

| <u>SUBCONTRACTORS</u><br><u>(LIST)</u> | <u>PROJECT</u><br><u>(SPECIFIC TYPE)</u> | <u>DBE</u> | <u>% of WORK</u> |
|--|--|------------|------------------|
| ADBY Jones                             | ANNISTON                                 | ✓          | 2                |
| ADBY Jones                             | HAYM,                                    | ✓          | 2                |
|  |  |            |                  |
|  |  |            |                  |
|  |  |            |                  |
|  |  |            |                  |
|  |  |            |                  |

(USE ADDITIONAL SHEETS IF NECESSARY)

**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><br><u>Yes/No</u> | % of Work |
|--|----------------------|-----------------------------|-----------|
| 1. _____   | Name: _____          | _____                       | _____     |
|  | Address: _____       |                             |           |
| 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. LFUCG MBE/WBE PARTICIPATION FORM**

Bid/RFP/Quote Reference # \_\_\_\_\_

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

| MBE/WBE Company, Name, Address, Phone, Email | Work to be Performed | Total Dollar Value of the Work | % Value of Total Contract |
|--|----------------------|--------------------------------|---------------------------|
| 1.   |                      |                                |                           |
| 2.   |                      |                                |                           |
| 3.   |                      |                                |                           |
| 4.   |                      |                                |                           |

The undersigned company representative submits the above list of MBE/WBE 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.

\_\_\_\_\_  
Company

\_\_\_\_\_  
Company Representative

\_\_\_\_\_  
Date

\_\_\_\_\_  
Title



**8. LFUCG MBE/WBE SUBSTITUTION FORM**

Bid/RFP/Quote Reference # \_\_\_\_\_

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

| SUBSTITUTED<br>MBE/WBE Company<br>Name, Address, Phone,<br>Email | MBE/WBE<br>Formally<br>Contracted/ Name,<br>Address, Phone,<br>Email | Work to Be Performed | Reason for the<br>Substitution | Total Dollar<br>Value of the Work | % Value of Total<br>Contract |
|--|--|----------------------|--------------------------------|-----------------------------------|------------------------------|
| 1.   |  |                      |                                |                                   |                              |
| 2.   |  |                      |                                |                                   |                              |
| 3.   |  |                      |                                |                                   |                              |
| 4.   |  |                      |                                |                                   |                              |

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

\_\_\_\_\_  
Company

\_\_\_\_\_  
Company Representative

\_\_\_\_\_  
Date

\_\_\_\_\_  
Title



**9. MBE/WBE QUOTE SUMMARY FORM**

Bid/RFP/Quote Reference # \_\_\_\_\_

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

|                     |                        |
|---------------------|------------------------|
| Company Name        | Contact Person         |
| Address/Phone/Email | Bid Package / Bid Date |

| MBE/WBE 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 *<br>AA<br>HA<br>AS<br>NA<br>Female |
|-------------------------|----------------|---|----------------|--------------------------|---|--|---|
|                         |                |   |                |                          |   |  |   |
|                         |                |   |                |                          |   |  |   |
|                         |                |   |                |                          |   |  |   |
|                         |                |   |                |                          |   |  |   |
|                         |                |   |                |                          |   |  |   |
|                         |                |   |                |                          |   |  |   |
|                         |                |   |                |                          |   |  |   |
|                         |                |   |                |                          |   |  |   |

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

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

\_\_\_\_\_  
Company

\_\_\_\_\_  
Company Representative

\_\_\_\_\_  
Date

\_\_\_\_\_  
Title



## 10. LFUCG MBE/WBE SUBCONTRACTOR MONTHLY PAYMENT REPORT

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

Bid/RFP/Quote # \_\_\_\_\_

Total Contract Amount Awarded to Prime Contractor for this Project \_\_\_\_\_

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

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

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

\_\_\_\_\_  
Company

\_\_\_\_\_  
Company Representative

\_\_\_\_\_  
Date

\_\_\_\_\_  
Title





**11. LFUCG STATEMENT OF GOOD FAITH EFFORTS**

Bid/RFP/Quote # \_\_\_\_\_

By the signature below of an authorized company representative, we certify that we have utilized the following methods to obtain the maximum practicable participation by minority and women owned business enterprises on the project. Please indicate which methods you used by placing an X in the appropriate place.

- Attended LFUCG Central Purchasing Economic Inclusion Outreach Event
- Sponsored Economic Inclusion event to provide networking opportunities
- Requested a list of MBE/WBE subcontractors or suppliers from LFUCG Economic Engine
- Advertised for MBE/WBE subcontractors or suppliers in local or regional newspapers
- Showed evidence of written notice of contracting and/or supplier opportunities to MBE/WBE firms at least seven days prior to the bid opening date
- Provided copies of quotations submitted by MBE/WBE firms which were not used and/or responses from firms indicating they would not be submitting a quote
- Provided plans, specifications, and requirements to interested MBE/WBE subcontractors
- Other  
Please list any other methods utilized that aren't covered above.  
\_\_\_\_\_  
\_\_\_\_\_

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

Woodall Construction Co, Inc  
Company

[Signature]  
Company Representative

6-26-2018  
Date

Pres. [Signature]  
Title

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

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

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

13. STATEMENT OF EXPERIENCE

NAME OF INDIVIDUAL: W. H. Woodell

POSITION/TITLE: President

STATEMENT OF EXPERIENCE: 23 years

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

NAME OF INDIVIDUAL: Robert Myers

POSITION/TITLE: Engineer

STATEMENT OF EXPERIENCE: 25 years

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

NAME OF INDIVIDUAL: Lester Carpenter

POSITION/TITLE: Foreman

STATEMENT OF EXPERIENCE: 25 years

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

NAME OF INDIVIDUAL: Sgt Shuckford  
POSITION/TITLE: Foreman  
STATEMENT OF EXPERIENCE: 25 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.)

14. EQUAL OPPORTUNITY AGREEMENT

The Law


- \* Title VII of the Civil Rights Act of 1964 (amended 1972) states that it is unlawful for an employer to discriminate in employment because of race, color, religion, sex, age (40-70 years) or national origin.
- \* Executive Order No. 11246 on Nondiscrimination under Federal contract prohibits employment discrimination by contractor and subcontractor doing business with the Federal Government or recipients of Federal funds. This order was later amended by Executive Order No. 11375 to prohibit discrimination on the basis of sex.
- \* Section 503 of the Rehabilitation Act of 1973 States:  
*The Contractor will not discriminate against any employee or applicant for employment because of physical or mental handicap.*
- \* Section 2012 of the Vietnam Era Veterans Readjustment Act of 1973 requires Affirmative Action on behalf of disabled veterans and veterans of the Vietnam Era by contractors having Federal Contracts.
- \* Section 206 (A) of Executive Order 12086, Consolidation of Contract Compliance Functions for Equal Employment Opportunity, states:  
*The Secretary of Labor may investigate the employment practices of any Government contractor or sub-contractor to determine whether or not the contractual provisions specified in Section 202 of this order have been violated.*

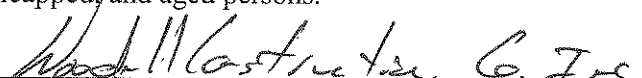
The Lexington-Fayette Urban County Government practices Equal Opportunity in recruiting, hiring and promoting. It is the Government's intent to affirmatively provide employment opportunities for those individuals who have previously not been allowed to enter into the mainstream of society. Because of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

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

Bidders

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

  
\_\_\_\_\_  
Signature

  
\_\_\_\_\_  
Name of Business

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

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

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

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

The Act further provides:

KRS 45.610. Hiring minorities – Information required

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

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

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

KRS 45.630 Termination of existing employee not required, when

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

KRS 45.640 Minimum skills

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

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

15. EQUAL EMPLOYMENT OPPORTUNITY AFFIRMATIVE ACTION POLICY

It is the policy of Landall Construction Co., Inc.

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

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

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



WORKFORCE ANALYSIS FORM

Name of Organization: Woodall Construction Co., Inc.

Date:      /      /     

| Categories                     | Total | White |   | Black |   | Other |   | Total |   |
|--------------------------------|-------|-------|---|-------|---|-------|---|-------|---|
|                                |       | M     | F | M     | F | M     | F | M     | F |
| Administrators                 | 5     | 4     | 1 |       |   |       |   | 4     | 1 |
| Professionals                  | 2     | 2     |   |       |   |       |   | 2     |   |
| Superintendents                | 1     | 1     |   |       |   |       |   | 1     |   |
| Supervisors                    |       |       |   |       |   |       |   |       |   |
| Foremen                        | 5     | 5     |   |       |   |       |   | 5     |   |
| Technicians <del>Helpers</del> | 27    | 26    |   | 1     |   |       |   | 27    |   |
| Truck Drivers                  | 8     | 5     | 1 | 2     |   |       |   | 7     | 1 |
| Protective Service             |       |       |   |       |   |       |   |       |   |
| Para-Professionals             |       |       |   |       |   |       |   |       |   |
| Office/Clerical                | 1     |       | 1 |       |   |       |   |       | 1 |
| Skilled Craft                  | 34    | 30    | 1 | 3     |   |       |   | 33    | 1 |
| Service/Maintenance            | 5     | 5     |   |       |   |       |   |       |   |
| Total:                         | 88    | 78    | 4 | 6     |   |       |   | 84    | 4 |

Prepared By: S. O. Crawford, Controller

17. EVIDENCE OF INSURABILITY

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

Names Insured: WOODROW COMST. CO. INC. Employee ID: 61-1138771  
 Address: 1332 Skill Dr. Lexington, KY 40504 Phone: 859.233.2909  
 Project to be insured: 2012 UNIT PRICE CONTRACT - LFUGG

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

| Section Items                              | Coverage | Minimum Limits and Policy Requirements         | Limits Provided To Insured                              | Name of Insurer | A.M. Best's Code | Rating |
|--|----------|--|---|-----------------|------------------|--------|
| SC-3, Section 2, Part 4.1 - see provisions | CGI      | \$1,000,000 per occ. And \$2,000,000 aggregate | \$3,000,000 agg<br>\$1,000,000 per occ                  | Selective Ins   | 000826           | A+     |
| SC-3, Section 2, Part 4.1 - see provisions | AUTO     | \$2,000,000 per occ.                           | \$1,000,000   | Selective Ins   | 000826           | A+     |
| SC-3, Section 2, Part 4.1 - see provisions | WC       | Statutory w/endorsement as noted               | \$4,000,000 per accident<br>\$4,000,000 disease per emp |                 | KY AGC<br>055002 | A-     |

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

**BB&T Insurance Services**

Howard See, Jr.

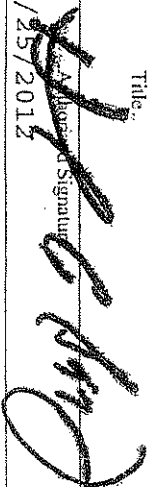
Agency or Brokerage

Name of Authorized Representative

Street Address  
 200 W Vine St Ste 300

Title:  
 Vice President/Producer

City Lexington KY 40507  
 State KY 40507  
 Zip 40507  
 Telephone Number 859-224-8899

Signature:   
 Date: 06/25/2012

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.

18. DEBARRED FIRMS

PROJECT NAME: VPC 2012

BID NUMBER: 94-2012

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 Wood Construction Co., 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.

Wood Construction Co., Inc.  
Name of Firm Submitting Bid

[Signature]  
Signature of Authorized Official

President  
Title

6-26-2012  
Date

**19. 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: Hadell Construction Co., Inc.

Project: 94-2012

Printed Name and Title of Authorized Representative: Scott Hadell President

Signature: [Handwritten Signature]

Date: 6-26-2012

END OF SECTION

## Asset List

| Asset No | Description          |
|----------|----------------------|
| 12002    | CAT GRADER 120G      |
| 12003    | CAT GRADER 12 G      |
| 12004    | CAT 12G GRADER       |
| 12005    | CAT 12G MOTOR GRADER |
| 12006    | CAT 140H GRADER 99   |
| 12501    | GALION CRANE         |
| 16001    | VOLVO 1996 A25C TRK  |
| 16002    | 1997 VOLVO A35C TRK  |
| 16003    | VOLVO A25C DUMP      |
| 16004    | 1999 VOLVO A25C DUMP |
| 16005    | 1999 VOLVO A25C DUMP |
| 18001    | KOMATSU WA180 LOADER |
| 18002    | KOMATSU WA180 LOADER |
| 18003    | KOMATSU 180 LOADER   |
| 18004    | KOMATSU WA250 LOADER |
| 18005    | KOMATSU LOADER WA250 |
| 19001    | JD 190E HOE          |
| 20200    | KOMATSU              |
| 20220    | KOMATSU PC220 LC5    |
| 20225    | KOMATSU PC220LC6     |
| 20226    | KOMATSU PC220        |
| 20227    | KOMATSU PC300LC6     |
| 20228    | KOMATSU MINI EXCAV   |
| 20229    | KOMATSU PC200        |
| 20231    | KOMATSU              |
| 20232    | KOMATSU PC220        |
| 20233    | KOMATSU 98 PC220     |
| 20234    | CAT 330BL EXCAVATOR  |
| 20235    | CAT 330CL EXCAVATO   |
| 20236    | KOMATSU PC220LC8     |
| 30002    | 2000 CAT D3CXL DOZER |
| 30124    | GEHL SKID LOADER     |
| 30126    | TAKEUCHI TRAC LOADER |
| 30127    | TAKEUCHI LOADER 7430 |
| 32308    | FURUKAWA             |
| 32309    | FURUKAWA HCR DRILL   |
| 32311    | FURUKAWA HCR9ES      |
| 32370    | INGERSOL RAND ECM370 |
| 33028    | LASERPLANE LEVEL     |
| 36000    | ENSCO 36 BUCKET      |
| 36003    | STIHL CUTOFF SAW 12  |
| 36004    | STIHL CUTOFF SAW 14  |
| 36005    | TWO WAY RADIOS       |
| 36007    | HOTSY PRESSURE WASH  |
| 36008    | DESCO 5HP AIR COMP   |
| 36011    | SAWMOBILE CRANEPRE   |
| 36012    | VIBRA PLATE COMPACTO |
| 36013    | 90 LB PAVEMENT BREAK |
| 36014    | WYCO CONCRETE VIBRAT |
| 36015    | GENERATOR 3800 WATT  |
| 36016    | 34 ROTARY HAMMER     |
| 36017    | 38 VACUUM TEST MACH  |
| 36019    | HYD CONCRETE VIBRATO |
| 36020    | ROLL CURB MOLD       |
| 36021    | AIR TEST MACHILE     |

|       |                              |
|-------|------------------------------|
| 36022 | D8 4 ROP WBRACKET            |
| 36024 | PIT BURNER AQUA SYS          |
| 36026 | DYNAMITE BOX                 |
| 36027 | CONCRETE FORMS               |
| 36029 | TRACTOR MOWER                |
| 36030 | BOBCAT 225 WELDER            |
| 36032 | MONARCH MORTAR MIXER         |
| 36033 | 8 X 16 TRENCH BOX            |
| 36039 | CAT                          |
| 36040 | NIKON                        |
| 36043 | BODINE DEMOL GRAPPLE         |
| 36044 | GOMACO CURB MOLD             |
| 36046 | CRAFTSMAN 2400 GENER         |
| 36047 | TRUCK MOUNTED CRANE          |
| 36050 | WALDON SWEEPMASTER           |
| 36051 | JD 480 FORKLIFT              |
| 36052 | BULLDOG TRENCH COMPA         |
| 36053 | THORNBERRY WELDING           |
| 36054 | SHOP AIR COMPRESSOR          |
| 36055 | 953 ENCLOSED CAB             |
| 36056 | 953 ENCLOSED CAB             |
| 36057 | ESCO 42 BUCKET               |
| 36058 | ROCKRAM HYD HAMMER           |
| 36059 | DIALGRADE PIPE LASER         |
| 36060 | 2" ALUM 8'X12' TRENCH SHIELD |
| 36061 | DIALGRADE PIPE LASER         |
| 36062 | 2001 ROCKRAM 775             |
| 36063 | 2001 ROCKRAM 685             |
| 36064 | EXCAVATOR BUCKET 60          |
| 36065 | DIALGRADE LASER 1280         |
| 36066 | GME TRENCH BOX               |
| 36067 | GME TRENCH BOX               |
| 36068 | SUBMERSIBLE PUMP             |
| 36069 | GORMANRUPP TRASPUMP          |
| 36070 | GOMACO CURB MOLD             |
| 36071 | SEISMOGRAPH 5400             |
| 36072 | BODINE GRAPPLE               |
| 36073 | INGERSOLLRAND COMPR          |
| 36074 | ROCKRAM 778EP HAMMER         |
| 36075 | POWERHEAD MACHINE            |
| 36076 | YAMAHA GENERATOR             |
| 36077 | BOMAG PLATE COMPACTO         |
| 36078 | ROCKRAM 778EPX HAMME         |
| 36079 | ROCKRAM 778EPX HAMME         |
| 36080 | ESCO 36 BUCKET               |
| 36081 | DIALGRADE PIPE LASER         |
| 36082 | LANDA PRESSURE WASH          |
| 36083 | 2006 ROCK RAM 778EX          |
| 36084 | TRUCK MOUNTED CRANE          |
| 36085 | ALUM MANDREL SET             |
| 36086 | HYDRALIC HAMMER              |
| 36087 | HYDRALIC HAMMER              |
| 36088 | BRANDEIS ESCO 36" BUCKEY     |
| 36089 | LINCOLN WELDER               |
| 36090 | TRENCH BOX 10X20 EFFICIENCY  |
| 40001 | CAT D4                       |
| 40002 | CAT D4C SERIES II            |
| 41659 | CAT 416B BACKHOE             |
| 41661 | CATERPILLAR                  |
| 41663 | CATERPILLAR 416C 98          |
| 43002 | VERMEER V4150                |

|       |                      |
|-------|----------------------|
| 44601 | CAT 446B HOE         |
| 50001 | AMERICAN SHEEPFOOT   |
| 50006 | CATERPILLAR D5C      |
| 50007 | CATERPILLAR D5C III  |
| 56130 | BOMAG                |
| 56185 | IR VIBR ROLLER       |
| 56187 | INGERSOL RAND ROLLER |
| 56189 | INGERSOLLRAND DD110  |
| 56190 | INGERSOLLRAND DD110  |
| 56191 | CAT CP433C VIB ROLLE |
| 56192 | IR DD110 VIB ROLLER  |
| 58002 | CASE 580E            |
| 58003 | CASE 580E            |
| 58052 | CASE 580K 4 X 4      |
| 58053 | CASE 580K 4 X 4      |
| 58058 | CASE 580K 4X4        |
| 58064 | CASE 580L 2WD        |
| 59056 | CASE 590 TURBO 4X4   |
| 60092 | GOMACO CURB MACH     |
| 60125 | IR 125 COMPRES       |
| 60650 | MILLER CURBUILDER    |
| 61323 | CATERPILLAR 613C     |
| 62120 | CAT 621E SCRAPER     |
| 62121 | CAT 621E SCRAPER     |
| 62122 | CATERPILLAR 621B     |
| 62124 | CATERPILLAR 621B     |
| 62125 | CATERPILLAR 621B     |
| 62126 | CATERPILLAR 621B     |
| 62127 | CATERPILLAR 621F     |
| 62128 | CAT 621F SCRAPER     |
| 63115 | CAT 631              |
| 65001 | INGERSOLL RAND DD65  |
| 70003 | CAT D7F              |
| 70065 | KOMATSU D65EX12      |
| 70066 | KOMATSU D65EX12      |
| 80005 | CAT D8H              |
| 80006 | CAT D8K              |
| 80008 | CAT D8N              |
| 80009 | CATERPILLAR D8N 87   |
| 80010 | CATERPILLAR D8N      |
| 80011 | CAT D8N CRAWLER TRAC |
| 80012 | CATERPILLAR D8N      |
| 80014 | CATERPILLAR D8R      |
| 81502 | CAT 815 COMP         |
| 81503 | CAT 815 COMP         |
| 81504 | CAT 815 COMPACTOR    |
| 81505 | CATERPILLAR 815B     |
| 81506 | CAT 815F 96 COMPACT  |
| 95339 | CATERPILLAR 953      |
| 95340 | CATERPILLAR 953LGP   |
| 95341 | CATERPILLAR 953 1993 |
| 95342 | CATERPILLAR          |
| 95529 | CAT 955L             |
| 95535 | 1973 CAT 955L        |
| 96309 | CATERPILLAR 963      |
| 96310 | CATERPILLAR 963      |
| 96311 | CAT 963C LOADER      |
| 97706 | CAT 977              |
| 97707 | CAT 977              |