

1.20 BID BOND

BID BOND

Bond Number: _____

KNOW ALL MEN BY THESE PRESENTS, that we L-M Asphalt Partners, Ltd. dba ATS Construction

as principal (the "Principal") and Hartford Fire Insurance Company

hereinto called Surety, are held and firmly bound unto

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

as obligee (the "Obligee"), in the penal sum of five percent of the amount bid (5% of amt bid) dollars for the payment of which sum well and truly to be made, the said Principal and the said Surety, bind ourselves, our heirs, executors, administrators, successors and assigns, jointly and severally, firmly by these presents.

WHEREAS, the Principal has submitted a bid for Invitation to Bid #59-2017, Expansion Area 3 Trunk Sewer Project, Lexington, Kentucky

NOW, THEREFORE, if the Obligee shall accept the bid of the Principal within the period specified therein, or, if no period be specified, within ninety (90) days after opening, and the Principal shall enter into a contract with the Obligee in accordance with the terms of such bid, and give such bond or bonds as may be specified in the bidding or contract documents, or in the event of the failure of the Principal to enter into such contract and give such bond or bonds, if the Principal shall pay to the Obligee the difference in money not to exceed the penal sum hereof between the amount specified in said bid and such larger amount for which the Obligee may in good faith contract with another party to perform the work covered by said bid, then this obligation shall be null and void; otherwise to remain in full force and effect. In no event shall the liability hereunder exceed the penal sum thereof.

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

DATED as of this 8th day of August, 2017.

WITNESS / ATTEST:

Paul E. Corum III
Principal (Secretary)

Paul E. Corum III, Secretary

Mary Crouch
Surety (Secretary) Mary Crouch

L-M Asphalt Partners, Ltd.
dba ATS Construction
Principal

By: Brian R. Billings (seal)
Name: **Brian R. Billings, Vice President**
Title: **Brian R. Billings, Vice President**
Hartford Fire Insurance Company

Surety
By: Kim Watson (seal)
Name: **Kim Watson**
Title: **Attorney-In-Fact**

POWER OF ATTORNEY

Direct Inquiries/Claims to:

THE HARTFORD
BOND, T-4
One Hartford Plaza
Hartford, Connecticut 06155

call: 888-266-3488 or fax: 860-757-5835

Agency Code: 33-751009 & 14-732421

KNOW ALL PERSONS BY THESE PRESENTS THAT:

- Hartford Fire Insurance Company, a corporation duly organized under the laws of the State of Connecticut
- Hartford Casualty Insurance Company, a corporation duly organized under the laws of the State of Indiana
- Hartford Accident and Indemnity Company, a corporation duly organized under the laws of the State of Connecticut
- Hartford Underwriters Insurance Company, a corporation duly organized under the laws of the State of Connecticut
- Twin City Fire Insurance Company, a corporation duly organized under the laws of the State of Indiana
- Hartford Insurance Company of Illinois, a corporation duly organized under the laws of the State of Illinois
- Hartford Insurance Company of the Midwest, a corporation duly organized under the laws of the State of Indiana
- Hartford Insurance Company of the Southeast, a corporation duly organized under the laws of the State of Florida

having their home office in Hartford, Connecticut, (hereinafter collectively referred to as the "Companies") do hereby make, constitute and appoint, up to the amount of unlimited:

Russell Griffith, David Henry, Jerry Catlett, Kim Watson, Betty Royalty, John W. Hampton, Tina Carpenter
of
Lexington, KY

their true and lawful Attorney(s)-in-Fact, each in their separate capacity if more than one is named above, to sign its name as surely(ies) only as delineated above by , and to execute, seal and acknowledge any and all bonds, undertakings, contracts and other written instruments in the nature thereof, on behalf of the Companies in their business of guaranteeing the fidelity of persons, guaranteeing the performance of contracts and executing or guaranteeing bonds and undertakings required or permitted in any actions or proceedings allowed by law.

In Witness Whereof, and as authorized by a Resolution of the Board of Directors of the Companies on August 1, 2009 the Companies have caused these presents to be signed by its Vice President and its corporate seals to be hereto affixed, duly attested by its Assistant Secretary. Further, pursuant to Resolution of the Board of Directors of the Companies, the Companies hereby unambiguously affirm that they are and will be bound by any mechanically applied signatures applied to this Power of Attorney.



Wesley W. Cowling

Wesley W. Cowling, Assistant Secretary

M. Ross Fisher

M. Ross Fisher, Vice President

STATE OF CONNECTICUT }
COUNTY OF HARTFORD } ss. Hartford

On this 12th day of July, 2012, before me personally came M. Ross Fisher, to me known, who being by me duly sworn, did depose and say: that he resides in the County of Hartford, State of Connecticut; that he is the Vice President of the Companies, the corporations described in and which executed the above instrument; that he knows the seals of the said corporations; that the seals affixed to the said instrument are such corporate seals; that they were so affixed by authority of the Boards of Directors of said corporations and that he signed his name thereto by like authority.



CERTIFICATE

Kathleen T. Maynard

Kathleen T. Maynard
Notary Public
My Commission Expires July 31, 2016

I, the undersigned, Vice President of the Companies, DO HEREBY CERTIFY that the above and foregoing is a true and correct copy of the Power of Attorney executed by said Companies, which is still in full force effective as of August 8, 2017 .

Signed and sealed at the City of Hartford.



Gary W. Stumper

Gary W. Stumper, Vice President



3009 Atkinson Avenue
Suite 400
Lexington, Kentucky 40509

MAYOR JIM GRAY



LEXINGTON

TODD SLATIN
DIRECTOR
CENTRAL PURCHASING

ADDENDUM #2

Bid Number: #59-2017

Date: August 1, 2017

Subject: Expansion Area 3 Trunk Sewer

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

TO ALL PROSPECTIVE SUBMITTERS:

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

Questions 1 and 33 in Addendum#1 were related to the award of the bid, the City of Lexington will evaluate the pricing differential related to wage rates from KIA funding versus local funding and determine what is in our best interest. KIA funding does involve additional paperwork and time on both sides and wage rates, but does offer low interest rates. LFUCG will look at all these factors to determine which funding to use.

Todd Slatin, Director
Division of Central Purchasing

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

COMPANY NAME: L-M Asphalt Partner, Ltd. dba ATS Construction

ADDRESS: 3009 Atkinson Avenue, Suite 400
Lexington, Kentucky 40509

SIGNATURE OF BIDDER: Brian R. Billings, V.P.
Brian R. Billings, Vice President



MAYOR JIM GRAY



LEXINGTON

CHARLES MARTIN
 DIRECTOR
 WATER QUALITY

ADDENDUM No. 1

Bid Number: **#59-2017**

Date: August 1, 2017

Subject: Expansion Area 3 Trunk Sewer

Address inquiries to:
 Brian Marcum
brianm@lexingtonky.gov
 (859) 258-3325

TO ALL PROSPECTIVE SUBMITTERS:

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

	Questions	Answers
1.	Basis of award – two bid schedules, one for KIA and one for local option.	
2.	DBE participation goal required on both schedules?	Yes.
3.	Backfilling of the trench required daily?	Open excavations must be backfilled daily. When backfill cannot be completed daily, excavation shall be protected with chain link fence.
4.	Is access to the training facility required to be maintained?	Yes
5.	What are the working hours on these farms?	Construction hours shall be from 7am to 5pm, Monday through Friday. Farm operating hours are as follows: Eaton Farms: 7:00am to 4:00pm (2 employees live on farm in a mobile home and a guard runs between tenant's properties at night.) Victory Haven: 4:30am to 6:00pm Dr. Cummins: Farm: 7:00am to 4:30 pm. Office: 8:00am to 6:00pm.
6.	Will there be horses in the paddocks during construction?	Yes.
7.	Can trees along road on Victory Haven be cut?	Yes.





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MAYOR JIM GRAY



LEXINGTON

CHARLES MARY IV
DIRECTOR
WATER QUALITY

8.	How will stone backfill be calculated for payment?	Shown on Plan Sheet D-1 and described in Spec. Section 1025.
9.	How will the allowances for the Rock Fences be calculated?	Dry stacked stone walls are considered a historic resource and must be repaired by qualified stone masons. Pre-Qualified stone masons can be found at: http://www.drystone.org/masons/ . The contractor must submit documentation indicating a qualified mason has been selected to perform the work and must then be approved by the engineer of record prior to doing the work. Invoices for this work, not exceeding the allowance, will be submitted for payment.
10.	Will traffic have to be maintained on the farms?	Yes.
11.	Will there be alternate parking for the farm employees on Victory Haven?	Yes.
12.	Can rock removed from the trench be crushed and used for stone bedding/backfill?	Yes. As long as the crushed rock meets the requirements of the backfill in the plans/specs. Crushed stone may only be used outside of the pipe envelope. The pipe envelope must remain as No. 9 stone.
13.	Who will make the connection at the pump station?	The pump station contractor.
14.	Will the job have to be recorded by camera?	Yes. A pre-construction video of the site must be made. A copy of the video is to be submitted to the DWQ.
15.	What is the compaction required for the trench backfill in the paddocks?	In order to minimize settling contractor shall compact the backfill in appropriate lifts in order to achieve 95% of the standard proctor density test throughout.
16.	Can you address which manholes will require Conshield and Xypex per spec 20608-1 Sections D. It states 2000' downstream. I don't see any manhole within 2000'. But I know that there is a force main that will connect to this job in the future.	All manholes require Xypex, no manholes require Conshield.





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CHARLES MARTIN
DIRECTOR
WATER QUALITY

MAYOR JIM GRAY



LEXINGTON

17.	When do you expect a Notice to Proceed will be granted or your expectation of the project getting started?	It is anticipated that the notice to proceed will follow within 10-14 days after the bid is awarded.
18.	MH-10-MH-18 is designed to be constructed in the middle of the road will this road be able to be completely closed during construction due to extremely large machines taking up all the roadway prior and during installation of sewer?	No. Per the MOU requirements, the contractor shall keep the farms in operation during construction. This would include traffic to and from barns, paddocks, the track on Victory Haven and other facilities as required per individual farm.
19.	Could you send me any contact information for the property owners? I glanced in the specs and didn't see any information on the easements I apologize if I overlooked this information.	The arranged site visit following the pre-bid meeting was the only approved access time prior to bidding. No property owner contact information will be provided at this time.
20.	Can I get a copy of the sign in sheet from the Pre Bid meeting we had on Tuesday for the sewer trunk line?	A scanned copy of the sign in sheet is attached the end of this addendum.
21.	Can the manholes be moved horizontally to avoid obstacles?	Any changes to the contract documents will require approval by the engineer of record and the owner.
22.	Can the easement be widened? It seems exceptionally inadequate for laying 30" pipe, 20'-30' deep.	No.
23.	We were advised in the pre bid that contacting the owners was not allowed. Therefore, please advise as to whether or not the owners would be open to a wider easement.	Due to lengthy negotiations to obtain the current easements, it is unlikely that the owners would be open to additional easement widths.
24.	If pond is affected by blasting, who is responsible for cost of repairs?	The contractor.
25.	Will dust control be more stringent, due to horses nearby?	Dust Control shall be per spec section 01560-1.04, Dust Control.





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MAYOR JIM GRAY



LEXINGTON

CHARLES MARTIN
DIRECTOR
WATER QUALITY

26.	Are there any noise restrictions, due to horses?	Noise Control shall be per spec section 01560-1.03, Noise Control.
27.	Can the water flow in the asbestos concrete pipe be shut off or decreased during blasting?	That would need to be coordinated with Kentucky American Water, the owner of the water line and the engineer of record.
28.	What type of surface must be maintained for farm traffic? Width?	A 10-foot wide (minimum) gravel (DGA or #57 stone) temporary road.
29.	What is the longest allowable delay for traffic passing through work area?	Access to training facility must be maintained at all times. Any proposed delays must be submitted to the engineer and owner as part of the traffic control submittal.
30.	Are temporary utility interruptions allowed and if so, for what period of time?	No utility interruptions are permissible, temporary connections shall be made if a disruption in service is required.
31.	Please clarify the disposition of trees removed inside the easement. Leave stumps? Replaced? Etc.	The trees along the fence line separating Anderson-Ramsey and Victory Haven (60+56.42 to 61+98.50) are to be removed, including their stumps and roots, and are NOT to be replaced. The remaining trees may be removed, but must be replaced with 1.5-inch caliper minimum trees during restoration. The tree type and placement shall be approved by the engineer.
32.	Is there any other geotechnical data available that would include information on soils, rock, etc.	No.
33.	How will the project be awarded if one contractor is low on schedule A and a different contractor is low on schedule B? Please be specific.	





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DIRECTOR
WATER QUALITY

1. CLARIFICATIONS

- A. "Thrust blocks" indicated in the general information below, in the detail on plan sheet D-3, and elsewhere in the contract documents may also be referred to as "concrete cap blocks".

2. DRAWINGS

- A. None.

3. SPECIFICATIONS

- A. None.

4. GENERAL INFORMATION

- A. There was water found at a shallow depth when locating the pond discharge pipe.
B. Rock Boring information shown in the plans is depth to rock (depth to refusal) and was taken at each manhole and intervals of 50' between manholes.
C. There are thrust blocks on the lateral and the contractor's attention is necessary to insure these blocks are secure as the main truck line could be active prior to the lateral connections.

DBE Clarifications

LFUCG has a 10% MWDBE and a 3% veteran participation goals on projects that contractors must make a Good Faith Effort to meet. Due to both federal and local government funding being used on this project the EPA MWDBE Subcontractor Participation forms must be submitted with the bids.

1. There are no mandated or required goals for this project.
2. If the MWDBE 10% goal and 3% veteran goals are not met, the Contractor is required to submit the EPA's Six Good Faith Efforts on pages 00410-21 & 0410-22, and LFUCG's Good Faith Effort documentation that is included in the Addendum.





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MAYOR JIM GRAY



LEXINGTON

CHARLES MARTIN
DIRECTOR
WATER QUALITY

Please complete the attached forms along with the EPA DBE Compliance forms in the Project specification book and submit with your bid.

Todd Slatin, Director
Division of Central Purchasing

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

COMPANY NAME: L-M Asphalt Partners, Ltd. dba ATS Construction

ADDRESS: 3009 Atkinson Avenue, Suite 400
Lexington, Kentucky 40509

SIGNATURE OF BIDDER: Brian R. Billings V.P.
Brian R. Billings, Vice President



Expansion Area 3 Trunk Sewer Project

**Division of Water Quality
Lexington-Fayette Urban County Government**

LFUCG Bid No. 59-2017

1.01 GENERAL

Place: Lexington, Kentucky

Date: August 8, 2017

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

This Bid Form Submitted by L-M Asphalt Partners, Ltd. dba ATS Construction
3009 Atkinson Avenue, Suite 400, Lexington, Kentucky 40509
(Name and Address of Bidder)

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

To: Lexington-Fayette Urban County Government
(Hereinafter called "Owner")
Office of the Director of Central Purchasing
200 East Main Street, Room 338
Lexington, KY 40507

The Bidder, in compliance with your Advertisement for Bids for the **Expansion Area 3 Trunk Sewer Project**; Lexington, Kentucky, having examined the Contract Documents including the Plans and Specifications with related documents, having examined the site for proposed Work, and being familiar with all of the conditions and any and all addendums surrounding the construction of the proposed Project, including the availability of materials and labor, hereby proposes to furnish all labor, materials, and supplies, and to construct the Project in accordance with the Contract Documents, within the time set forth therein, and at the unit prices stated hereinafter. These prices are to cover all expenses incurred in performing the Work required under the Contract Documents, of which this Bid is a part.

The Bidder hereby agrees to commence Work under this Contract on a date to be specified in a written "Notice to Proceed" of the Owner and to substantially complete the Project within [three hundred and sixty-five (365)] consecutive calendar days. Bidder further agrees to pay liquidated damages, the sum of 1,000. Dollars and 00 cents (\$1,000.00)] for each consecutive day thereafter.

The Bidder hereby acknowledges receipt of the following addenda:

Addendum No. 1 Date 8/1/2017 ; Addendum No. Date
Addendum No. 2 Date 8/1/2017 ; 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.



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Lexington, Kentucky 40509

1.02 LEGAL STATUS OF BIDDER

Bidder L-M Asphalt Partners, Ltd. dba ATS Construction

Date August 8, 2017

~~XXXXX Bidder is a corporation organized and existing under the laws of the State of _____,
XXXXX for whom _____, bearing the
XXXXX of _____, whose signature is
XXXXX affixed to this Bid is the authorized officer of the Bidder.~~

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

<u>L-M Holdings, Inc.</u>	<u>Sole General Partner</u>
<u>Steven L. Lawson</u>	<u>Limited Partner</u>
<u>Steven Adam Lawson</u>	<u>Limited Partner</u>
<u>Tyler George Lawson</u>	<u>Limited Partner</u>
<u>Shelby Mary Ann Lawson</u>	<u>Limited Partner</u>

~~XXXXX Bidder is a partnership organized and existing under the laws of the State of _____,~~

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

1.03 BIDDERS AFFIDAVIT

Comes the Affiant, Brian R. Billings, and after being first duly sworn, states under penalty of perjury as follows:

Brian R. Billings

- A. His/her name is _____ and he/she is the individual submitting the Bid or is the authorized representative of L-M Asphalt Partners, Ltd. dba ATS Construction, the entity submitting the Bid (hereinafter referred to as "Bidder").
- B. Bidder will pay all taxes and fees, which are owed to the Lexington-Fayette Urban County Government at the time the Bid is submitted, prior to award of the Agreement and will maintain a "current" status in regard to those taxes and fees during the life of the Agreement.
- C. Bidder will obtain a Lexington-Fayette Urban County Government business license, if applicable, prior to award of the Agreement.
- D. Bidder has authorized the Division of Central Purchasing to verify the above-mentioned information with the Division of Revenue and to disclose to the Urban County Council that taxes and/or fees are delinquent or that a business license has not been obtained.
- E. Bidder has not knowingly violated any provision of the campaign finance laws of the Commonwealth of Kentucky within the past five (5) years and the award of an Agreement to the Bidder will not violate any provision of the campaign finance laws of the Commonwealth.
- F. Bidder has not knowingly violated any provision of Chapter 25 of the Lexington-Fayette Urban County Government Code of Ordinances, known as the "Ethics Act."
- G. Bidder acknowledges that "knowingly" for purposes of this Affidavit means, with respect to conduct or to circumstances described by a statute or ordinance defining an offense, that a person is aware or should have been aware that his conduct is of that nature or that the circumstance exists.

Further, Affiant sayeth naught.

Brian R. Billings, V.P.

Affiant Signature

Brian R. Billings, Vice President

STATE OF Kentucky

COUNTY OF Fayette

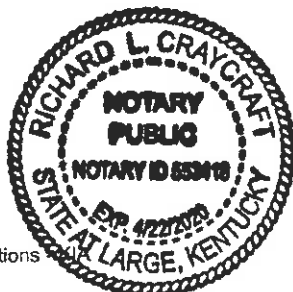
The foregoing instrument was subscribed, sworn to and acknowledged before me by

Brian R. Billings on this the 8th. day of August, 20 17.

My Commission expires:

April 22, 2020

Richard L. Craycraft
NOTARY PUBLIC, STATE AT LARGE
Richard L. Craycraft





1.04 BID SCHEDULE(S)

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

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 lump sum based bid, the item total is the bid amount the Owner uses for bid comparison.

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

The Owner's decision on the bid amount is final.

Notice to Bidders

There are two Bid Forms for this Project. Both forms must be completed and submitted to comply with being a responsive bidder;

Bid Schedule A – Unit prices on this schedule shall be determined including Davis Bacon Wage Rates

Bid Schedule B – Unit prices on this schedule shall be determined without including Davis Bacon Wage Rates.

BID SCHEDULE-A
(using Davis Bacon Wage Rates)

ATS CONSTRUCTION

Project; LFUCG # 59-2017

rev 6-12-17

Item	Description	Qty	Unit	Unit Price	Item Price
1	Mobilization	1	LS	60,000.00	60,000.00
2	Bonds and Insurance	1	LS	58,000.00	58,000.00
3	General Requirements	1	LS	177,000.00	177,000.00
4	Demobilization	1	LS	2,000.00	2,000.00
5	Erosion and Sediment Control and Conformance with SWPPP	1	LS	49,400.00	49,400.00
6a	30" Gravity Sewer Pipe (DIP, FRPM, PVC) 10.1' – 14.0' Depth	826	LF	125.00	103,250.00
6b	30" Gravity Sewer Pipe (DIP, FRPM, PVC) 14.1' – 18.0' Depth	2,227	LF	150.00	334,050.00
6c	30" Gravity Sewer Pipe (DIP, FRPM, PVC) 18.1' -22.0' Depth	1,537	LF	200.00	307,400.00
6d	30" Gravity Sewer Pipe (DIP, FRPM, PVC) 22.1' -26.0' Depth	1,274	LF	215.00	273,910.00
6e	30" Gravity Sewer Pipe (DIP, FRPM, PVC) Greater than 26.0' Depth	835	LF	305.00	254,675.00
7	48-inch Steel Encasement Pipe, 30-inch carrier pipe, bore and jack	56	LF	1,300.00	72,800.00
8	Stone Backfill under pavement for Sewer Pipe	7,250	Ton	20.00	145,000.00
9a	Manholes, 5-foot diameter (depth 10.1' – 14.0')	3	EA	9,500.00	28,500.00
9b	Manholes, 5-foot diameter (depth 14.1' – 18.0')	9	EA	10,000.00	90,000.00
9c	Manholes, 5-foot diameter (depth 18.1'-22.0')	7	EA	11,000.00	77,000.00
9d	Manholes, 5-foot diameter (depth 22.1'-26.0')	4	EA	13,500.00	54,000.00
9e	Manholes, 5-foot diameter greater than 26.0'	6	EA	14,000.00	84,000.00
10	Manhole Barrel Extensions, 5 - ft. diameter	10	VF	220.00	2,200.00
11	Video Inspection - Sewer Pipe including MH's	6,773	LF	2.00	13,546.00

BID SCHEDULE-A

ATS CONSTRUCTION

(using Davis Bacon Wage Rates)

12	Seeding, Temporary, Extra as directed by Engineer	19,082	SY	0.31	5,915.42
13a	Site Restoration Method A	5,000	SY	5.50	27,500.00
13b	Site Restoration Method B	15,189	SY	0.74	11,239.86
13c	Site Restoration Method C	5,000	SY	1.35	6,750.00
14	Tree Removal, > 12" Diameter	5	EA	1,500.00	7,500.00
15	Bituminous Concrete: Full Width Paving, Private Rd.	12,967	SY	14.88	192,948.96
16	Existing Fence/Gate Removal	4,235	LF	3.50	14,822.50
17	Temporary 5 - ft.Woven Wire Fencing & Gates with steel "T" posts	4,200	LF	6.50	27,300.00
18	Temporary 4-Plank Oak Fencing (unpainted)	390	LF	14.00	5,460.00
19	Plank Fence/Gate Replacement	4,400	LF	16.00	70,400.00
20	Rock Removal	1,875	CY	90.00	168,750.00
21a	Storm Sewer Replacement (12" - RCP)	85	LF	42.00	3,570.00
21b	Storm Sewer Replacement (15" - RCP)	65	LF	45.00	2,925.00
21c	Storm Sewer Replacement (18" - RCP)	50	LF	55.00	2,750.00
21d	Storm Sewer Replacement (24" - RCP)	50	LF	75.00	3,750.00
21e	Storm Sewer Replacement (30" - RCP)	50	LF	90.00	4,500.00
22a	Precast Concrete Headwall (12" RCP Pipe)	2	EA	750.00	1,500.00
22b	Precast Concrete Headwall (15" RCP Pipe)	2	EA	850.00	1,700.00

BID SCHEDULE-A

ATS CONSTRUCTION

(using Davis Bacon Wage Rates)

22c	Precast Concrete Headwall (18" RCP Pipe)	2	EA	1,050.00	2,100.00
22d	Precast Concrete Headwall (24" RCP Pipe)	2	EA	1,200.00	2,400.00
22e	Precast Concrete Headwall (30" RCP Pipe)	2	EA	1,500.00	3,000.00
23	Dense Grade Aggregate – DGA, Extra as directed by Engineer	100	Ton	24.00	2,400.00
24	No. 9 Crushed Stone, Extra as directed by Engineer	100	Ton	25.00	2,500.00
25	No. 57 Crushed Stone, Extra as directed by Engineer	100	Ton	22.00	2,200.00
26	No. 2 Crushed Stone, Extra as directed by Engineer	100	Ton	26.00	2,600.00
27	Flowable (Controlled Density) Fill	100	CY	120.00	12,000.00
28	Combination Vacuum/Hydraulic Jet/Hydro Excavator, extra as directed by Engineer	40	HR	285.00	11,400.00
29	Backhoe/Extend-a-hoe, extra as directed by Engineer	40	HR	95.00	3,800.00
30	Hoe Ram, extra as directed by Engineer	40	HR	195.00	7,800.00
31	Dump Truck, Single Axle, extra as directed by Engineer	40	HR	70.00	2,800.00
32	Dump Truck, Tandem or Tri-Axle, extra as directed by Engineer	40	HR	95.00	3,800.00
33	Large Track Hoe, CAT 311 or Equivalent, extra as directed by Engineer	40	HR	65.00	2,600.00
34	Small Track Hoe, CAT 301 6C or Equivalent, extra as directed by Engineer	40	HR	60.00	2,400.00
35	Skid-Steer Loader, extra as directed by Engineer	40	HR	90.00	3,600.00
36	Roller/Compactor, extra as directed by Engineer	40	HR	95.00	3,800.00
37	Site Work Concrete, 3500 PSI	25	SY	250.00	6,250.00

BID SCHEDULE-A

ATS CONSTRUCTION

(using Davis Bacon Wage Rates)

38	Rock Fence (See Photo RC - 50-ft. dry laid) (Allowance)	1	LS	20,000.00	20,000.00
39	Rock Fence (See Photo VH- 200-ft. mortar laid) (Allowance)	1	LS	20,000.00	20,000.00
40	Miscellaneous Site Improvements (Allowance)	1	LS	350,000.00	350,000.00
TOTAL BID (Items 1 thru 40)				\$	3,213,462.74
Schedule A (using Davis Bacon Wage Rates)					

All quantities shall be verified from Final Plans, prior to bidding.

Total Base Bid Amount - Schedule A (In Words):

Three Million Two Hundred Thirteen Thousand Four Hundred Sixty-Two Dollars and Seventy-Four Cents



3009 Atkinson Avenue
Suite 400
Lexington, Kentucky 40509

SCHEDULE A

TOTAL BID AMOUNT:

Three Million Two Hundred Thirteen Thousand Four Hundred Sixty Two Dollars

and Seventy Four Cents Dollars (\$ 3,213,462.74)

Respectfully Submitted,

FIRM: L-M Asphalt Partners, Ltd. dba ATS Construction

ADDRESS: 3009 Atkinson Avenue, Suite 400

CITY/STATE/ZIP: Lexington, Kentucky 40509

DATE: August 8, 2017

BY: *Brian R. Billings V.P.*
(must be original signature)

TITLE: Brian R. Billings, Vice President

PHONE: Cell (859) 327-4533 FAX: (859) 231-0946
(area code, number & extension)

EMAIL ADDRESS: bbillings@atsconstruction.com

OFFICIAL ADDRESS AND PHONE:

L-M Asphalt Partners, Ltd. dba ATS Construction

3009 Atkinson Avenue, Suite 400

Lexington, Kentucky 40509 (Seal if Bid is by Corporation)

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

(without using Davis Bacon Wage Rates)

Project; LFUCG # 59-2017

rev 6-12-17

Item	Description	Qty	Unit	Unit Price	Item Price
1	Mobilization	1	LS	60,000.00	60,000.00
2	Bonds and Insurance	1	LS	58,000.00	58,000.00
3	General Requirements	1	LS	158,000.00	158,000.00
4	Demobilization	1	LS	2,000.00	2,000.00
5	Erosion and Sediment Control and Conformance with SWPPP	1	LS	45,100.00	45,100.00
6a	30" Gravity Sewer Pipe (DIP, FRPM, PVC) 10.1' – 14.0' Depth	826	LF	120.00	99,120.00
6b	30" Gravity Sewer Pipe (DIP, FRPM, PVC) 14.1' – 18.0' Depth	2,227	LF	125.00	278,375.00
6c	30" Gravity Sewer Pipe (DIP, FRPM, PVC) 18.1' -22.0' Depth	1,537	LF	175.00	268,975.00
6d	30" Gravity Sewer Pipe (DIP, FRPM, PVC) 22.1' -26.0' Depth	1,274	LF	190.00	242,060.00
6e	30" Gravity Sewer Pipe (DIP, FRPM, PVC) Greater than 26.0' Depth	835	LF	270.00	225,450.00
7	48-inch Steel Encasement Pipe, 30-inch carrier pipe, bore and jack	56	LF	1,050.00	58,800.00
8	Stone Backfill under pavement for Sewer Pipe	7,250	Ton	20.00	145,000.00
9a	Manholes, 5-foot diameter (depth 10.1' – 14.0')	3	EA	7,500.00	22,500.00
9b	Manholes, 5-foot diameter (depth 14.1' – 18.0')	9	EA	8,000.00	72,000.00
9c	Manholes, 5-foot diameter (depth 18.1'-22.0')	7	EA	8,500.00	59,500.00
9d	Manholes, 5-foot diameter (depth 22.1'-26.0')	4	EA	9,500.00	38,000.00
9e	Manholes, 5-foot diameter greater than 26.0'	6	EA	10,000.00	60,000.00
10	Manhole Barrel Extensions, 5 - ft. diameter	10	VF	150.00	1,500.00
11	Video Inspection - Sewer Pipe including MH's	6,773	LF	2.00	13,546.00

(without using Davis Bacon Wage Rates)

12	Seeding, Temporary, Extra as directed by Engineer	19,082	SY	0.31	5,915.42
13a	Site Restoration Method A	5,000	SY	5.50	27,500.00
13b	Site Restoration Method B	15,189	SY	0.74	11,239.86
13c	Site Restoration Method C	5,000	SY	1.35	6,750.00
14	Tree Removal, > 12" Diameter	5	EA	1,500.00	7,500.00
15	Bituminous Concrete: Full Width Paving, Private Rd.	12,967	SY	14.13	183,223.71
16	Existing Fence/Gate Removal	4,235	LF	3.50	14,822.50
17	Temporary 5 - ft.Woven Wire Fencing & Gates with steel "T" posts	4,200	LF	6.50	27,300.00
18	Temporary 4-Plank Oak Fencing (unpainted)	390	LF	14.00	5,460.00
19	Plank Fence/Gate Replacement	4,400	LF	16.00	70,400.00
20	Rock Removal	1875	CY	90.00	168,750.00
21a	Storm Sewer Replacement (12" - RCP)	85	LF	38.00	3,230.00
21b	Storm Sewer Replacement (15" - RCP)	65	LF	40.00	2,600.00
21c	Storm Sewer Replacement (18" - RCP)	50	LF	45.00	2,250.00
21d	Storm Sewer Replacement (24" - RCP)	50	LF	64.00	3,200.00
21e	Storm Sewer Replacement (30" - RCP)	50	LF	92.00	4,600.00
22a	Precast Concrete Headwall (12" RCP Pipe)	2	EA	760.00	1,520.00
22b	Precast Concrete Headwall (15" RCP Pipe)	2	EA	760.00	1,520.00

(without using Davis Bacon Wage Rates)

22c	Precast Concrete Headwall (18" RCP Pipe)	2	EA	900.00	1,800.00
22d	Precast Concrete Headwall (24" RCP Pipe)	2	EA	900.00	1,800.00
22e	Precast Concrete Headwall (30" RCP Pipe)	2	EA	1,400.00	2,800.00
23	Dense Grade Aggregate – DGA, Extra as directed by Engineer	100	Ton	22.00	2,200.00
24	No. 9 Crushed Stone, Extra as directed by Engineer	100	Ton	24.00	2,400.00
25	No. 57 Crushed Stone, Extra as directed by Engineer	100	Ton	20.50	2,050.00
26	No. 2 Crushed Stone, Extra as directed by Engineer	100	Ton	24.00	2,400.00
27	Flowable (Controlled Density) Fill	100	CY	120.00	12,000.00
28	Combination Vacuum/Hydraulic Jet/Hydro Excavator, extra as directed by Engineer	40	HR	285.00	11,400.00
29	Backhoe/Extend-a-hoe, extra as directed by Engineer	40	HR	60.00	2,400.00
30	Hoe Ram, extra as directed by Engineer	40	HR	160.00	6,400.00
31	Dump Truck, Single Axle, extra as directed by Engineer	40	HR	65.00	2,600.00
32	Dump Truck, Tandem or Tri-Axle, extra as directed by Engineer	40	HR	90.00	3,600.00
33	Large Track Hoe, CAT 311 or Equivalent, extra as directed by Engineer	40	HR	80.00	3,200.00
34	Small Track Hoe, CAT 301 6C or Equivalent, extra as directed by Engineer	40	HR	60.00	2,400.00
35	Skid-Steer Loader, extra as directed by Engineer	40	HR	70.00	2,800.00
36	Roller/Compactor, extra as directed by Engineer	40	HR	65.00	2,600.00
37	Site Work Concrete, 3500 PSI	25	SY	250.00	6,250.00

BID SCHEDULE-B

ATS CONSTRUCTION

(without using Davis Bacon Wage Rates)

38	Rock Fence (See Photo RC - 50-ft. dry laid) (Allowance)	1	LS	20,000.00	20,000.00
39	Rock Fence (See Photo VH- 200-ft. mortar laid) (Allowance)	1	LS	20,000.00	20,000.00
40	Miscellaneous Site Improvements (Allowance)	1	LS	350,000.00	350,000.00
TOTAL BID (Items 1 thru 40)				\$	2,916,807.49
Schedule B (w/o Davis Bacon Wage Rates)					

All quantities shall be verified from Final Plans, prior to bidding.

Total Base Bid Amount - Schedule B (In Words):

Two Million Nine Hundred Sixteen Thousand Eight Hundred Seven Dollars and Forty-Nine Cents

SCHEDULE B

TOTAL BID AMOUNT:

Two Million Nine Hundred Sixteen Thousand Eight Hundred Seven Dollars and
Fourty Nine Cents Dollars (\$ 2,916,807.49)

Respectfully Submitted,

FIRM: L-M Asphalt Partners, Ltd. dba ATS Construction

ADDRESS: 3009 Atkinson Avenue, Suite 400

CITY/STATE/ZIP: Lexington, Kentucky 40509

DATE: August 8, 2017

BY: 
(must be original signature)

TITLE: Brian R. Billings, Vice President

PHONE: Cell (859) 327-4533 FAX: (859) 231-0946
(area code, number & extension)

EMAIL ADDRESS: bbillings@atsconstruction.com

OFFICIAL ADDRESS AND PHONE:

L-M Asphalt Partners, Ltd. dba ATS Construction

3009 Atkinson Avenue, Suite 400

Lexington, Kentucky 40509 (Seal if Bid is by Corporation)

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



3009 Atkinson Avenue
Suite 400
Lexington, Kentucky 40509

1.05 STATEMENT OF BIDDER'S QUALIFICATIONS

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

- A. Name of Bidder: L-M Asphalt Partners, Ltd. dba ATS Construction
- B. Permanent Place of Business: 3009 Atkinson Avenue, Suite 400
Lexington, Kentucky 40509
- C. When Organized: April 1992
- D. Where Incorporated: Kentucky
- E. Financial Condition:

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

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

Hartford Fire Insurance Company (Surety)

Signed: Kim Watson (Representative of Surety)

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

<u>NAME</u>	<u>LOCATION</u>	<u>CONTRACT SUM</u>
	See Attachment " B "	

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

<u>NAME</u>	<u>LOCATION</u>	<u>CONTRACT SUM</u>
	See Attachment " C "	



3009 Atkinson Avenue
Suite 400
Lexington, Kentucky 40509

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

<u>NAME</u>	<u>POSITION DESCRIPTION</u>	<u>NO. OF YEARS WITH BIDDER</u>
	See Attachment " D "	

J. MWDBE Participation on current bonded projects under contract:

<u>SUBCONTRACTORS (LIST)</u>	<u>PROJECT (SPECIFIC TYPE)</u>	<u>MWDBE</u>	<u>% of WORK</u>

(USE ADDITIONAL SHEETS IF NECESSARY)

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



3009 Atkinson Avenue
Suite 400
Lexington, Kentucky 40509

1.06 LIST OF PROPOSED SUBCONTRACTORS

The following list of proposed subcontractors is required by the Owner to be executed, completed and submitted with the Bid Form. All subcontractors are subject to approval of the Lexington-Fayette Urban County Government. Failure to submit this list completely filled out may be cause for rejection of Bid.

<u>BRANCH OF WORK**</u> (List each major item)	<u>SUBCONTRACTOR</u>	<u>MWDBE (yes/no)</u>	<u>% of WORK</u>
1. <u>Bore and Jack Pipe</u>	Name: <u>Down TA Earth, LLC</u> Address: <u>2580 Heaton Ford Road</u> <u>Science Hill, Kentucky 42553-7222</u>	<u>No</u>	<u>1.3</u>
2. <u>Pipe Cleaning and Inspection</u>	Name: <u>Pipe Eyes, LLC</u> Address: <u>145 Smith Lane</u> <u>Louisville, Kentucky 40229</u>	<u>No</u>	<u>0.4</u>
3. <u>Material Supplier (Sewer Pipe)</u>	Name: <u>GECO Enterprises, Inc.</u> Address: <u>P. O. Box 463</u> <u>London, Kentucky 40743</u>	<u>Yes</u>	<u>4.3</u>
4. <u>Material Supplier (Pre-Cast Structures)</u>	Name: <u>Semper Tek, Inc.</u> Address: <u>848 Nandino Boulevard</u> <u>Lexington, Kentucky 40511</u>	<u>Yes</u> Veteran	<u>3.4</u>
5. <u>Seeding / Fencing</u>	Name: <u>N. H. Stone, Inc.</u> Address: <u>P. O. Box 239</u> <u>Sharpsburg, Kentucky 40374</u>	<u>Yes</u>	<u>5.8</u>
6. _____	Name: _____ Address: _____	_____	_____

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

NOTE:
=====

The above % of Work is Based on the Bid Schedule " A " - Using Davis Bacon Wage Rates

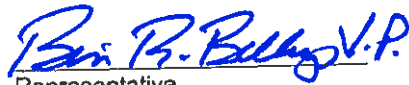
1.07 AUTHENTICATION OF BID AND STATEMENT OF NON-COLLUSION AND NON-CONFLICT OF INTEREST

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

- A. That I am the Bidder (if the Bidder is an individual), a partner of the Bidder (if the Bidder is a partnership), or an officer or employee of the Bidding corporation having authority to sign on its behalf (if the Bidder is a corporation);
- B. That the attached Bid has been arrived at by the Bidder independently, and has been submitted without collusion with, and without any agreement, understanding or planned common course of action, with any other contractor, vendor of materials, supplies, equipment or services described in the Advertisement for Bid, designed to limit independent bidding or competition;
- C. That the contents of the Bid or Bids have not been communicated by the Bidder or its employees or agents to any person not an employee or agent of the Bidder or its surety on any bond furnished, with the Bid or Bids, and will not be communicated to any such person, prior to the official opening of the Bid or Bids;
- D. That the Bidder is legally entitled to enter into the contracts with the Lexington-Fayette Urban County Government, and is not in violation of any prohibited conflict of interest;
- E. (Applicable to corporation only) That as a foreign corporation, we are registered with the Secretary of State, Commonwealth of Kentucky, and authorized to do business in the State _____ or, that as a domestic corporation, we are in good standing with the Secretary of State, Commonwealth of Kentucky _____. [Check the statement applicable.]
- F. This offer is for ninety (90) calendar days from the date this Bid is opened. In submitting the above, it is expressly agreed that, upon proper acceptance by the Lexington-Fayette Urban County Government of any or all items Bid above, an Agreement shall thereby be created with respect to the items accepted.
- G. That I have fully informed myself regarding the accuracy of the statements made in this statement.
- H. That I certify that Subcontractors have not and will not be awarded to any firm(s) that have been debarred from noncompliance with the Federal Labor Standards, Title VI of the Civil Rights Act of 1964 As Amended, Executive Order 11246 As Amended or any other Federal Law.

L-M Asphalt Partners, Ltd.
dba ATS Construction
Company

August 8, 2017
Date


Representative

Brian R. Billings, Vice President



3009 Atkinson Avenue
Suite 400
Lexington, Kentucky 40509

1.08 STATEMENT OF EXPERIENCE

NAME OF INDIVIDUAL: See Attachment " D "

POSITION/TITLE: _____

STATEMENT OF EXPERIENCE: _____

NAME OF INDIVIDUAL: _____

POSITION/TITLE: _____

STATEMENT OF EXPERIENCE: _____

NAME OF INDIVIDUAL: _____

POSITION/TITLE: _____

STATEMENT OF EXPERIENCE: _____

NAME OF INDIVIDUAL: _____

POSITION/TITLE: _____

STATEMENT OF EXPERIENCE: _____

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



3009 Atkinson Avenue
Suite 400
Lexington, Kentucky 40509

1.09 EQUAL OPPORTUNITY AGREEMENT

The Law

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

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

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

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

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

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

Bidders

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

Signature

Brian R. Billings, Vice President

L-M Asphalt Partners, Ltd. dba ATS Construction
Name of Business

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

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

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

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

The Act further provides:

KRS 45.610. Hiring minorities - Information required

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

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

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



3009 Atkinson Avenue
Suite 400
Lexington, Kentucky 40509

KRS 45.630 Termination of existing employee not required, when

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

KRS 45.640 Minimum skills

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

In the case of an Agreement exceeding \$250,000, the Contractor will be required within seven (7) days following the Bid Opening to furnish evidence that his work-force in Kentucky is representative of the available work-force in the area from which he draws employees, or to supply an Affirmative Action plan which will achieve such representation during the life of the Contract.

1.10 MWDBE SUBCONTRACTOR PARTICIPATION FORM



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

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

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

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

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

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

² Subcontractor is defined as a company, firm, joint venture, or individual who enters into an agreement with a contractor to provide services pursuant to an EPA award of financial assistance.

EPA FORM 6100-2 (DBE Subcontractor Participation Form)

1.11 MWDBE SUBCONTRACTOR PERFORMANCE FORM



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

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

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

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

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

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

² Subcontractor is defined as a company, firm, joint venture, or individual who enters into an agreement with a contractor to provide services pursuant to an EPA award of financial assistance.

EPA FORM 6100-3 (DBE Subcontractor Performance Form)



3009 Atkinson Avenue
Suite 400
Lexington, Kentucky 40509



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

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

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

Prime Contractor Signature	Print Name
Title	Date

Subcontractor Signature	Print Name
Title	Date

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

EPA FORM 6100-3 (DBE Subcontractor Performance Form)

1.12 MWDBE SUBCONTRACTOR UTILIZATION FORM



3009 Atkinson Avenue
Suite 400
Lexington, Kentucky 40509



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

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

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

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

I have identified potential DBE certified subcontractors	__ YES	__ NO	
If yes, please complete the table below. If no, please explain:			
Subcontractor Name/ Company Name	Company Address/ Phone/ Email	Est. Dollar Amt	Currently DBE Certified?

Continue on back if needed

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

² Subcontractor is defined as a company, firm, joint venture, or individual who enters into an agreement with a contractor to provide services pursuant to an EPA award of financial assistance.

EPA FORM 6100-4 (DBE Subcontractor Utilization Form)



3009 Atkinson Avenue
Suite 400
Lexington, Kentucky 40509



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

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

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

Prime Contractor Signature	Print Name
Title	Date

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

EPA FORM 6100-4 (DBE Subcontractor Utilization Form)



1.13 MWDBE PARTICIPATION POLICY

PROJECT NAME: Expansion Area 3 Trunk Sewer Project
Lexington-Fayette Urban County Government

LFUCG BID NO. _____ BID DATE: _____

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

Prime Contractor's Name _____
Contact Person: _____
Address: _____
Phone: _____ Cell: _____
Email: _____
Total Contract Amount: _____

B. Total dollar amount/percent of contract of DBE participation: _____

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

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

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

Yes No _____

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

G. List of DBE Subcontractors:

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

H. List of MBE Subcontractors:

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

I. List of WBE Subcontractors:

Name _____

Contact Person: _____

Address: _____

Phone: _____ Cell: _____

Email: _____

Type of Contract: _____

Work to be Done: _____

Amount: _____

Attach additional sheets, if necessary.

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

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

1. Ensure MWDBE construction firms or material suppliers are made aware of contracting opportunities to the fullest extent practicable through outreach and recruitment activities; including placing MWDBEs on solicitation lists and soliciting them whenever they are potential sources. A good source for a list of MWDBEs is the Kentucky Transportation's website: <http://transportation.ky.gov/Civil-Rights-and-Small-Business-Development/Pages/Certified-DBE-Directory.aspx>.

The prime contractor certifies that a bidders list (see example sheet below) of qualified vendors, including MWDBEs, was developed for current and future solicitations and that the list will be maintained. *Submit a copy of the list as documentation.*

2. Make information on forthcoming opportunities available to MWDBEs and arrange time frames for contracts and establish delivery schedules, where the requirements permit, in a way that encourages and facilitates participation by MWDBEs in the competitive process; including, whenever possible, posting solicitation for bids or proposals for a sufficient amount of time as to receive a competitive bid or proposal pool.

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

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

Company Name and Phone Number: _____

Area of Work Expertise: _____

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

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

Name of Publication: _____

Date(s) of Advertisement: _____

Specific Subcontract Areas Announced: _____

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

Method of Notification: _____

Date(s) of Notification: _____

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

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

4. Establishing delivery schedules, where the requirement permits, which encourage participation by small and minority business, and women's business enterprises.

The prime contractor certifies that they established delivery schedules which would allow MWDBEs to participate in the projects.

5. Use the services and assistance of the Small Business Administration (SBA) and the Minority Business Development Agency (MBDA) of the U.S. Department of Commerce. The easiest way to utilize the services of SBA and MBDA is to visit their websites: www.sba.gov and www.mbda.gov and use the electronic tools available there or you may send the nearest SBA and MBDA office a certified letter that generally describes the solicitation, the dates it will be open, the types of vendors you are seeking and applicable SIC or NAIC codes if known. You may also use the services and assistance of the Kentucky Procurement Assistance Program (KPAP). The easiest way to utilize the services of KPAP is to send an email: ced.kpap@ky.gov and provide information on forthcoming opportunities available to MWDBEs.

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

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

The prime contractor certifies that subcontractors used for this project will be required to follow the steps of the "six good faith efforts" as listed above.

Signature and Date:

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

Signature

Print Name and Title

Date

1.15 WORKFORCE ANALYSIS FORM

Name of Organization: L-M Asphalt Partners, Ltd. dba ATS Construction Date 8 / 8 / 17

Categories	Total	White		Black		Other		Total
		M	F	M	F	M	F	
Administrators								
Professionals		See Page 24A - Attached						
Superintendents								
Supervisors								
Foremen								
Technicians								
Protective Service								
Para-Professionals								
Office/Clerical								
Skilled Craft								
Service/Maintenance								
Total								

Prepared By: Brian R. Billings, V.P.
 Brian R. Billings, Vice President

PR Department of Labor EEO-1 Report

Company: 6 ATS CONSTRUCTION

Job Categories	Number of Employees (Report employees in only one category)																	Total Col A - N
	Hispanic or Latino		Not-Hispanic or Latino													Two or more races	Total Col A - N	
	Male	Female	White	Black or African American	Native Hawaiian or Other Pacific Islander	Asian	American Indian or Alaska Native	Two or more races	White	Black or African American	Native Hawaiian or Other Pacific Islander	Asian	American Indian or Alaska Native	Two or more races				
A	B	C	D	E	F	G	H	I	J	K	L	M	N	O				
Unassigned	0	0	3	0	0	0	0	0	0	0	0	0	0	0	0	0	0	3
Professionals	0	0	4	0	0	0	0	0	0	0	0	0	0	0	0	0	0	4
Technicians	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1
Laborer	3	0	85	1	0	0	0	0	0	0	0	0	0	0	0	0	0	97
Foremen	0	0	26	0	0	0	0	0	0	0	0	0	0	0	0	0	0	26
Equipment Operators	2	0	77	1	0	1	0	0	0	0	0	0	0	0	0	0	0	87
Mechanics	0	0	14	0	0	0	0	0	0	0	0	0	0	0	0	0	0	14
Truck Drivers	0	0	14	0	0	0	0	0	0	0	0	0	0	0	0	0	0	15
Carpenters	0	0	8	0	0	0	0	0	0	0	0	0	0	0	0	0	0	8
Clerical	0	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1
Total	5	0	232	2	0	1	0	0	0	0	0	0	0	0	0	0	0	256
Previous Year Total	9	0	325	1	0	1	0	0	0	0	0	0	0	0	0	0	0	362



Date(s) of payroll period used: 07/17/17-07/23/17 (Omit on the Consolidated Report.)

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

Names Insured: _____
 Address: _____
 Project to be insured: _____

In lieu of obtaining certificates of insurance at this time, the undersigned agrees to provide the above Named Insured with the minimum coverage listed below. These are outlined in the Insurance and Risk Management of Section 00600 - Bonds and Certifications, including all requirements, and conditions:

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

Section 00600 includes required provisions, statements regarding insurance requirements, and the undersigned agrees to abide by all provisions for the coverage's checked above unless stated otherwise when submitting

Agency or Brokerage _____ Name of Authorized Representative _____
 Street Address _____ Title _____
 City _____ Authorized Signature _____
 Telephone Number _____ Date _____

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

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

1.17 DEBARRED FIRMS

PROJECT NAME: Expansion Area 3 Trunk Sewer Project

LFUCG BID NO.: 59-2017

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 Debarment Certification in duplicate and submit both copies to the Owner with the Bid Form. 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 L-M Asphalt Partners, Ltd.
dba ATS Construction has not and will not award a subcontract, in connection with any Agreement 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.

L-M Asphalt Partners, Ltd. dba ATS Construction
Name of Firm Submitting Bid


Signature of Authorized Official

Brian R. Billings, Vice President
Title

August 8, 2017
Date



3009 Atkinson Avenue
Suite 400
Lexington, Kentucky 40509

1.18 DEBARMENT CERTIFICATION

All Contractors/Subcontractors shall complete this certification.

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


- 1) Are not presently debarred, suspended, proposed for debarment, declared negligible, or voluntarily excluded from covered transactions or contract by any Federal department or agency for noncompliance with the Federal Labor Standards, Title VI of the Civil Rights Act of 1964 As Amended, Executive Order 11246 As Amended or any other Federal Law.
 - a) Have not within a three year period preceding this Bid been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State or local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements or receiving stolen property;
 - b) Are not presently indicted for or otherwise criminally or civilly charged by a government entity (Federal, State or local) with commission of any of the offenses enumerated in paragraph (1)(a) of this certification; and
 - c. Have not within a three (3) year period preceding this Bid has one or more public (Federal, State or local) transactions or contracts terminated for cause or default.
- 2) Where the Contractor is unable to certify to any of the statements in this certification, such prospective contractors shall attach an explanation to this certification form.

Firm Name: L-M Asphalt Partners, Ltd. dba ATS Construction

Project: LFUCG Bid No.: 59-2017
Expansion Area 3 Trunk Sewer Project

Printed Name: Brian R. Billings

Title of Authorized Representative: Vice President

Signature: 

Date: August 8, 2017



1.19 CERTIFICATION REGARDING LOBBYING

Certification for Contracts, Grants, Loans, and Cooperative Agreements

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

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

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

**Brian R. Billings, Vice President
L-M Asphalt Partners, Ltd. dba ATS Construction**

Typed Name & Title of Authorized Representative

Brian R. Billings V.P.
Signature of Authorized Representative

August 8, 2017

Date

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



3009 Atkinson Avenue
Suite 400
Lexington, Kentucky 40509

POWER OF ATTORNEY

(Attach to Bid Bond)

END OF SECTION