



LEXINGTON

Bid 61-2022 Addendum 1

Tom Chesnut Excavation & Construction, LLC

Supplier Response

Event Information

Number: Bid 61-2022 Addendum 1
Title: Parks Construction UPC
Type: Competitive Bid
Issue Date: 6/6/2022
Deadline: 6/22/2022 02:00 PM (ET)
Notes: ONLY ONLINE BIDS WILL BE ACCEPTED FOR THIS SOLICITATION.

Contact Information

Contact: Kristie Thomas
Address: Central Purchasing
Government Center Building
Room 338
200 East Main Street
Lexington, KY 40507
Phone: (859) 2583320
Fax: (859) 2583322
Email: kthomas@lexingtonky.gov

Tom Chesnut Excavation & Construction, LLC Information

Address: 220 Industry Parkway
Nicholasville, KY 40356
Phone: (859) 333-8080
Fax: (859) 881-8983

ONLY ONLINE BIDS WILL BE ACCEPTED! By submitting your response, you certify that you are authorized to represent and bind your company and that you agree to all bid terms and conditions as stated in the attached bid/RFP/RFQ/Quote/Auction documents.

Melinda Chesnut

Signature

Submitted at 6/16/2022 9:49:16 AM

tcconstruction@windstream.net

Email

Response Attachments

TOM CHESNUT 61-2022_UPC_BID_SCHEDULE_ELECTRONIC_FORM.xlsx

BID 61-2022 EXCEL UNIT PRICES

TOM CHESNUT EXC. & CONST. 61-2022 PARKS CONST UPC FORMS.pdf

TOM CHESNUT EXCAVATION & CONSTRUCTION, LLC
61-2022 PARK CONSTRUCTION UPC FORMS

PARKS CONST. UPC BID ADDENDUM1.pdf

Tom Chesnut Excavation & Construction, LLC
ADDENDUM 1 BID: 61-2022 PARKS CONST. UPC



ADDENDUM #1

Bid Number: #61-2022

Date: June 15, 2022

Subject: Parks Construction UPC

Address Inquiries to:
Kristie Thomas
kthomas@lexingtonky.gov

TO ALL PROSPECTIVE SUBMITTERS:

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

1. Bid opening has been moved to 2pm, June 22, 2022.
2. Plexipave and DecoColor have been approved as equals to Latex-ite and may be used per Section 2 Athletic Court Re-surfacing in the Technical Specifications.

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: Tom Chesnut Excavation + Construction, LLC

ADDRESS: 1794 High Bridge Rd Concaster, Ky

SIGNATURE OF BIDDER: Malinda Chesnut



ADVERTISEMENT FOR BIDS

1. INVITATION

Sealed proposals for the following work will be received by the Lexington-Fayette Urban County Government (LFUCG) via Ionwave until 2:00 p.m., local time, **June 21, 2022**, for furnishing all labor and/or materials and performing all work as set forth by this advertisement, conditions (general and special), IonWave Q&A, specifications, and/or the drawings prepared by Lexington-Fayette Urban County Government, Division of Parks & Recreation. Immediately following the scheduled closing time for reception of bids, all proposals which have been submitted in accordance with the above will be opened electronically and tabulation spreadsheet will be available on Ionwave.

LFUCG will only be accepting bids on-line through Ion Wave for this solicitation. All forms normally provided with bid submission should be downloaded from Ion Wave, filled out, notarized if required* and attached with bid submission, including Excel spreadsheet of unit prices. THESE INSTRUCTIONS SUPERCEDE ALL OTHER BID SUBMISSION INSTRUCTIONS PROVIDED IN THIS PACKAGE. PLEASE SUBMIT ALL QUESTIONS VIA THE Q&A MODULE ON ION WAVE.

2. DESCRIPTION OF WORK

Consisting of the construction and/or furnishing of items as listed in the Bid Schedule beginning on page P-6, Part III, Form of Proposal, of this document, for the Parks Construction Unit Price Contract, Lexington-Fayette County, Kentucky.

3. OBTAINING PLANS, SPECIFICATIONS, AND BID DOCUMENTS

Specifications, Plans, and Bid Documents may be examined at the following places:

<https://lexingtonky.ionwave.net>

4. METHOD OF RECEIVING BIDS

Bids will be received from Prime Contracting firms on a **Line Item Unit Price basis**. The Bidder is not required to bid on every item listed on Bid Schedule. Bids shall be submitted in the manner and subject to the conditions as set forth and described in the Information for Bidders, Form of Proposal, General Conditions, and Special Conditions.

Bids will only be accepted via Ion Wave.

5. METHOD OF AWARD

All qualified responsible bidders will be included in the overall award. Individual projects utilizing the prices of this contract will generally be offered to the lowest bidder able to provide all work elements of the project. It is anticipated that a Project Contract will be awarded to the lowest, qualified responsible bidder for the total Project area, according to the alternative(s) selected by the OWNER.

6. BID WITHDRAWAL

No bidder may withdraw his bid for a period of sixty (60) calendar days after the closing date for receipt of bids. Errors and omissions will not be cause for withdrawal of bid without forfeit of bid bond. Bids may be withdrawn in person prior to the closing date of receipt of bids.

7. BID SECURITY

No bid security is required at the time of submission.

8. SUBMISSION OF BIDS

CONTRACTORS shall submit their bids via Ionwave not later than 2:00 p.m. local time, **June 21, 2022**. Bids will remain sealed until 2:00 p.m. local time **June 21, 2022**, the official Bid closure time. Bids cannot be submitted after the scheduled closing time for receipt of bids.

9. RIGHT TO REJECT

The Lexington-Fayette Urban County Government reserves the right to reject any and all bids and to waive all informalities and/or technicalities where the best interest of the Lexington-Fayette Urban County Government may be served.

10. NOTIFICATION TO THE LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT FOR AFFIRMATIVE ACTION PLAN AND CURRENT WORKFORCE

The successful bidder must submit with their bid the following items to the Lexington-Fayette Urban County Government:

1. Affirmative Action Plan for his/her firm.
2. Current Workforce Analysis Form.

Failure to submit these items as required herein may result in disqualification of the Bidder from the award of the contract.

All submissions should be directed to:

22. LFUCG NON-APPROPRIATION CLAUSE

Contractor acknowledges that the LFUCG is a governmental entity, and the contract validity is based upon the availability of public funding under the authority of its statutory mandate.

In the event that public funds are unavailable and not appropriated for the performance of the LFUCG's obligations under this contract, then this contract shall automatically expire without penalty to the LFUCG thirty (30) days after written notice to Contractor of the unavailability and non-appropriation of public funds. It is expressly agreed that the LFUCG shall not activate this non-appropriation provision for its convenience or to circumvent the requirements of this contract, but only as an emergency fiscal measure during a substantial fiscal crisis, which affects generally its governmental operations.

In the event of a change in the LFUCG's statutory authority, mandate and mandated functions, by state and federal legislative or regulatory action, which adversely affects the LFUCG's authority to continue its obligations under this contract, then this contract shall automatically terminate without penalty to the LFUCG upon written notice to Contractor of such limitation or change in the LFUCG's legal authority.

23. REQUIRED SUBMITTALS

The following must be submitted with your bid at **minimum** or your bid may be considered non-responsive and rejected:

- Part III
 - o Form of Proposal ✓
 - o Legal Status of Bidder ✓
 - o Bidder's Affidavit (must be signed and notarized) ✓
 - o Bid Schedule (Excel Format) ✓
 - o Statement of Bidder's Qualifications ✓
 - o List of proposed subcontractors (excluding percentages) ✓
 - o LFUCG MBE/WBE Participation Form (filled out as completely as possible) ✓
 - o MBE/WBE Quote Summary Form (filled out as completely as possible) ✓
 - o LFUCG Statement of Good Faith Efforts ✓
 - o Authentication of Bid and Statement of Non-Collusion/Non-Conflict ✓
 - o Statement of Experience ✓
 - o EEO Agreement ✓
 - o EEO Affirmative Action Policy ✓
 - o Workforce Analysis Form ✓
 - o Evidence of Insurability Form or Certificate of Insurance ✓
 - o Debarred Firms Form ✓
 - o Debarment Certification ✓
 - o Printed Version of Excel Spreadsheet with Unit Prices ✓

Note: Applicable to Unit Price Contract (UPC) bidding, the following forms, (some of which will be partially completed and submitted with the original bid), will be required in full when a specific project is Awarded:

- Part III –
 - o List of Proposed Subcontractors, (including percentages)
 - o LFUCG MBE/WBE Participation Form
 - o LFUCG MBE/WBE Substitution Form (if MBE/WBE is not listed on the original Participation Form)
 - o MBE/WBE Quote Summary Form
 - o LFUCG MBE/WBE Subcontractor Monthly Payment Report
 - o LFUCG Statement of Good Faith Efforts

END OF SECTION

PART III

Invitation to Bid No. 61-2022

Parks Construction UPC

1. FORM OF PROPOSAL

Place: Lexington, Kentucky

Date: 6-14-2022

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

This Proposal Submitted by Tom Chesnut Excavation + Construction, LLC
1794 High Bridge Rd Lancaster, Ky 40444
(Name and Address of Bidding Contractor)

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

BIDDER hereby agrees to commence work under 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.

3. **BIDDERS AFFIDAVIT**

Comes the Affiant, Tom Chesnut Excavation, and after being first duly sworn, states under penalty of perjury as follows: CONSTRUCTION, LLC

1. His/her name is Melinda Chesnut and he/she is the individual submitting the bid or is the authorized representative of Tom Chesnut Excavation & CONSTRUCTION, LLC, 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.

Melinda Chesnut
(Affiant)

STATE OF Kentucky
COUNTY OF Jessamine

The foregoing instrument was subscribed, sworn to and acknowledged before me by Melinda Chesnut on this the 10th day of June, 2022.

My Commission expires: 6-25-24

Sharon Black
NOTARY PUBLIC, STATE AT LARGE



2. **LEGAL STATUS OF BIDDER**

Bidder Tom Chesnut Excavation & Construction, LLC

Date 6-14-2022

~~* 1.~~ A corporation duly organized and doing business under the laws of the State of _____, for whom _____, bearing the official title of _____, 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)

Melinda Chesnut - 1794 High Bridge Rd Lancaster, Ky
Tom Chesnut (AKA Nathan Chesnut - 1794 High Bridge Rd
Lancaster, Ky 40444

~~* 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.)

Submitted by:

Tom Chesnut Excavation & Construction, LLC
Firm

1794 High Bridge Rd
Address

Lancaster, Ky 40444
City, State & Zip

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

Melinda Chesnut - managing member
Signature of Authorized Company Representative - Title

Melinda Chesnut
Representative/s Name (Typed or Printed)

859-333-8080
Area Code - Phone - Extension

859-881-8983
Fax #

tconstruction@windstream.net
E-Mail Address

OFFICIAL ADDRESS:

220 Industry Parkway
Nicholasville, Ky 40356

_____ (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: Dom Chesnut Excavation + Construction, LLC
- 2. Permanent Place of Business: 220 Industry Parkway Nicholasville, Ky
40356
- 3. When Organized: 1998
- 4. Where Incorporated: Kentucky
- 5. Construction Plant and Equipment Available for this Project:
6 skidsteers, 2 excavators, 1 dozer, 2 land planes,
drag box, 3 dump trucks

(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:

CNA Surety (Surety)

Signed: Michael Cunningham - NFP (Representative of Surety)
Property + Casualty

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>
Concrete Ed Replacement	Labor Lake DR Key	139,000. ⁰⁰
Diecast Foundation	AISUN Automotive London, KY	360,000. ⁰⁰
Concrete Trenches	Trademark, LLC Frankfort, Ky	42,000. ⁰⁰
Driveway + patio Repl.	Susan Bell	12,190.
Kroger - Banner Parking Area Repl.	W.R. Construction	8500. ⁰⁰

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

<u>NAME</u>	<u>LOCATION</u>	<u>CONTRACT SUM</u>
No Bonded projects @ this time		
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

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>
Tom Chesnut	Pres - Field Supervisor	37 yrs
Melinda Chesnut	VP - Administration	23 yrs
Jason Chesnut	Equipment Operator	20 yrs
Marcus Parker	Concrete Finisher	1 yrs
Jason Harmon	Equipment Operator	1 month

11. DBE Participation on current bonded projects under contract:

<u>SUBCONTRACTORS</u> <u>(LIST)</u>	<u>PROJECT</u> <u>(SPECIFIC TYPE)</u>	<u>DBE</u>	<u>% of WORK</u>
None @ this time			

(USE ADDITIONAL SHEETS IF NECESSARY)

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

6. LIST OF PROPOSED SUBCONTRACTORS

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

<u>BRANCH OF WORK - LIST EACH MAJOR ITEM</u> Such as: Grading, bituminous paving, concrete, seeding and protection, construction staking, etc.	<u>SUBCONTRACTOR</u>	<u>DBE</u> <u>Yes/No</u>	% of Work
1. <u>Concrete</u>	Name: <u>UCT Concrete Const.</u> <u>4025 Willow Lane</u> Address: <u>Lexington, Ky</u>	<u>Yes</u>	_____
2. _____	Name: _____	_____	_____
3. _____	Address: _____	_____	_____
3. _____	Name: _____	_____	_____
4. _____	Address: _____	_____	_____
4. _____	Name: _____	_____	_____
4. _____	Address: _____	_____	_____

LIST OF PROPOSED MATERIALS/MANUFACTURER

MANUFACTURER'S REPRESENTATIVE FIRM

1. MMI of Kentucky
Lexington, Ky
Name: Audrey
Address: _____
2. Slm Concrete Jason
Nicholasville, Ky
3. Landscapers Corner, Inc. (Attach additional sheet(s) if necessary.) Bill - Lexington, Ky
4. Harrod Concrete - Lexington, Ky
5. Janell's Inc. - Lexington, Ky



MWDBE QUOTE SUMMARY FORM

Bid/RFP/Quote Reference # 61-2022

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

Company Name <u>Tom Chesnut Excavation & Construction, LLC</u>	Contact Person <u>Melinda Chesnut</u>
Address/Phone/Email <u>1794 High Bridge Rd Lancaster, KY 40444 tconstruction@windstream.net</u>	Bid Package / Bid Date

MWDBE Company Address	Contact Person	Contact Information (work phone, Email, cell)	Date Contacted	Services to be performed	Method of Communication (email, phone meeting, ad, event etc)	Total dollars \$\$ Do Not Leave Blank (Attach Documentation)	MBE * AA HA AS NA Female	Veteran

(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.

Tom Chesnut Excavation & Construction, LLC
Company

Melinda Chesnut
Company Representative

6-14-22
Date

VP
Title



LFUCG MWDBE PARTICIPATION FORM

Bid/RFP/Quote Reference # 61-2022

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

MWDBE Company, Name, Address, Phone, Email	MBE WBE or DBE	Work to be Performed	Total Dollar Value of the Work	% Value of Total Contract
1. MCT concrete construction 4025 Willow Ln Lexington, KY James Coffey 859-621-9499	MBE	Concrete finishing		
2.				
3.				
4.				

The undersigned company representative submits the above list of MWDBE firms to be used in accomplishing the work contained in this Bid/RFP/Quote. Any misrepresentation may result in the termination of the contract and/or be subject to applicable Federal and State laws concerning false statements and false claims.

Tom Chesnut Excavation + Construction, LLC
Company

Melinda Chesnut
Company Representative

6-14-22
Date

JP
Title

LFUCG STATEMENT OF GOOD FAITH EFFORTS

Bid/RFP/Quote # 61-2022

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

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

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

Attended LFUCG Central Purchasing Economic Inclusion Outreach event

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

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

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

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

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

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

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

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

items with its own workforce

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

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

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

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

_____ Made efforts to expand the search for MWBE firms and Veteran-Owned businesses beyond the usual geographic boundaries.

_____ Other--any other evidence that the bidder submits which may show that the bidder has made reasonable good faith efforts to include MWDBE and Veteran participation.

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

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

<u>Dom Chesnut Excavation +</u> Company	<u>Melinda Chesnut</u> Company Representative
<u>6-14-22</u> Date	<u>VP</u> Title

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

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

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

Melinda Chesnut - managing member 6-14-2022
Jon Chesnut Excavation & Construction, LLC

9. STATEMENT OF EXPERIENCE

NAME OF INDIVIDUAL: Tom Chesnut

POSITION/TITLE: Owner - Field Supervisor / mgmt

STATEMENT OF EXPERIENCE: Over 30 yrs equipment operator, excavation + Road construction; over 20 yrs of concrete construction; Reads blueprints; Lasers; coordinates projects; Bid projects; cdl license

NAME OF INDIVIDUAL: Jason Chesnut

POSITION/TITLE: Equipment Operator

STATEMENT OF EXPERIENCE: Over 15 yrs equipment operator experience; finish grade; cdl license; concrete forming + finishing; Reads blueprints

NAME OF INDIVIDUAL: Marcus Parker

POSITION/TITLE: Concrete finisher

STATEMENT OF EXPERIENCE: over 15 yrs of concrete forming + finishing; over 5 yrs equipment operator experience

NAME OF INDIVIDUAL: Jason Harmon

POSITION/TITLE: Equipment Operator

STATEMENT OF EXPERIENCE: over 5 years of equipment operator experience

NAME OF INDIVIDUAL: Brian Tucker

POSITION/TITLE: Concrete Finisher

STATEMENT OF EXPERIENCE: over 15 years concrete forming + finishing

NAME OF INDIVIDUAL: Melinda Chesnut

POSITION/TITLE: Administration / Field Mgmt

STATEMENT OF EXPERIENCE: over 20 yrs construction mgmt & concrete field experience; Bids jobs Administrative duties

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

10. EQUAL OPPORTUNITY AGREEMENT

Standard Title VI Assurance

The Lexington Fayette-Urban County Government, (hereinafter referred to as the "Recipient") hereby agrees that as a condition to receiving any Federal financial assistance from the U.S. Department of Transportation, it will comply with Title VI of the Civil Rights Act of 1964, 78Stat.252, 42 U.S.C. 2000d-4 (hereinafter referred to as the "Act"), and all requirements imposed by or pursuant to Title 49, Code of Federal Regulations, U.S. Department of Transportation, Subtitle A, Office of the Secretary, (49 CFR, Part 21) Nondiscrimination in Federally Assisted Program of the Department of Transportation – Effectuation of Title VI of the Civil Rights Act of 1964 (hereinafter referred to as the "Regulations") and other pertinent directives, no person in the United States shall, on the grounds of race, color, national origin, sex, age (over 40), religion, sexual orientation, gender identity, veteran status, or disability be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity for which the Recipient receives Federal financial assistance from the U.S. Department of Transportation, including the Federal Highway Administration, and hereby gives assurance that will promptly take any necessary measures to effectuate this agreement. This assurance is required by subsection 21.7(a) (1) of the Regulations.

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.

W. Linda Chesnut
Signature

Tom Chesnut Excavation & Construction, LLC
Name of Business

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

The Kentucky equal Employment Opportunity Act of 1978 (KRS 45.560-45.640) requires that any 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.*

11. EQUAL EMPLOYMENT OPPORTUNITY AFFIRMATIVE ACTION POLICY

It is the policy of Tom Chesnut Excavation & Construction, LLC 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.

13. EVIDENCE OF INSURABILITY

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

Names Insured: Tom Chesnut Excavation + Construction, LLC Employee ID: 101-1333328
 Address: 1794 High Bridge Rd Lancaster, Ky 40444 Phone: 859-333-8080
 Project to be insured: Bid No. 61-2023 Parks Construction LLC

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	CGL	\$1,000,000 per occ. And \$2,000,000 aggregate	\$1,000,000 Occ 2,000,000 Agg	Employers Mutual Casualty Co	21415	A
SC-3, Section 2, Part 4.1 - see provisions	AUTO	\$1,000,000/per occ.	\$1,000,000 OCC	Employers Mutual Casualty Co	21415	A
SC-3, Section 2, Part 4.1 - see provisions	WC	Statutory w/ endorsement as noted	\$2,000,000/2,000,000/2,000,000	CleerPath Mutual Insurance Co	16273	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.

Agency or Brokerage NFP Property & Casualty Insurance

Michael Cunningham
Name of Authorized Representative

Street Address 4384 Clearwater Way Suite 200

Agent
Title

City Lexington State KY Zip 40515

Michael Cunningham
Authorized Signature

Telephone Number 859-269-1044

06-10-2022
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 coverage's listed above is not provided with the bid.

12. WORKFORCE ANALYSIS FORM

Name of Organization: Tom Chesnut Excavation + Construction

Categories	Total	White (Not Hispanic or Latino)		Hispanic or Latino		Black or African-American (Not Hispanic or Latino)		Native Hawaiian and Other Pacific Islander (Not Hispanic or Latino)		Asian (Not Hispanic or Latino)		American Indian or Alaskan Native (not Hispanic or Latino)		Two or more races (Not Hispanic or Latino)		Total		
		M	F	M	F	M	F	M	F	M	F	M	F	M	F	M	F	
Administrators			1															
Professionals		1																
Superintendents		1																
Supervisors																		
Foremen																		
Technicians																		
Protective Service																		
Para-Professionals																		
Office/Clerical																		
Skilled Craft			5															
Service/Maintenance																		
Total:		7	1														7	1

Prepared by: Melinda Chesnut
 (Name and Title)

Date: 12/14/22

14. DEBARRED FIRMS

PROJECT NAME: Parks Construction UPC 61-2022

BID NUMBER: 61-2022

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 Tom Chesnut Excavation + Construction, LLC 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.

Tom Chesnut Excavation + Construction, LLC
Name of Firm Submitting Bid

Wendy Chesnut
Signature of Authorized Official

Managing member
Title

6-12-2022
Date

15. DEBARMENT CERTIFICATION

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

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

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

Firm Name: Tom Chesnut Excavation + Construction, LLC

Project: Parks Construction UPC 61-2022

Printed Name and Title of Authorized Representative: Melinda Chesnut

Signature: Melinda Chesnut

Date: 6-14-22

END OF SECTION

Project: Parks Construction UPC Bid# 61-2022
 Bid Date: 6/21/2022

*Tom Chesnut Excavation + Construction, LLC
 Malinda Chesnut
 6-14-2022*

Contractor: Tom Chesnut Excavation & Construction, LLC

#	Item	Unit	Unit Price
1	Bituminous pavement for athletic courts: Surface	TN	
2	Bituminous pavement for athletic courts reinforced with aramid fibers: Base	TN	NO BID
3	Bituminous pavement for athletic courts reinforced with aramid fibers: Surface	TN	NO BID
4	Bituminous pavement for athletic courts reinforced with aramid fibers: Surface	TN	NO BID
5	Bituminous pavement milling for athletic courts	TN	NO BID
6	Bituminous pavement crack filler	LF	NO BID
7	Bituminous pavement full depth crack repair	LF	NO BID
8	Athletic court color coating	SY	NO BID
9	Athletic court patch and level surface	SY	NO BID
10	Athletic court striping	LF	NO BID
11	Asphalt sealing	SY	NO BID
12	Parking lot striping	LF	NO BID
13	Chain link fencing; galvanized; 6 ft.	LF	NO BID
14	Chain link fencing; galvanized; 8 ft.	LF	NO BID
15	Chain link fencing; galvanized; 10 ft.	LF	NO BID
16	Chain link fencing;; galvanized; 12 ft.	LF	NO BID
17	Chain link fencing; vinyl coated; 6 ft.	LF	NO BID
18	Chain link fencing; vinyl coated; 8 ft.	LF	NO BID
19	Chain link fencing; vinyl coated; 10 ft.	LF	NO BID
20	Chain link fencing; vinyl coated; 12 ft.	LF	NO BID
21	4 board wood fence	LF	NO BID
22	Security fence	LF	NO BID
23	Dense grade aggregate placed base	TN	\$ 50.00
24	No. 2 stone	TN	\$ 50.00
25	No. 9 stone	TN	\$ 50.00
26	No. 57 stone	TN	\$ 50.00
27	Concrete sidewalk	SY	\$ 81.00
28	Finished Concrete	CY	\$ 600.00

29	Concrete pavement; 4 in. depth	SY	\$	81.00
30	Concrete pavement; 6 in. depth	SY	\$	108.00
31	Concrete pavement; 8 in. depth	SY	\$	110.00
32	Playground header curb installation	LF	\$	50.00
33	Topsoil	CY	\$	40.00
34	Excavation	CY	\$	35.00
35	Embankment	CY	\$	35.00
36	Finish grading	CY	\$	35.00
37	Laser grading	CY	NO BID	
38	Standard staked silt fence-installed	LF	\$	8.00
39	Wire back silt fence-installed	LF	\$	15.00
40	Tree protection fence	LF	NO BID	
41	Seeding & protection; General (standard seed mix)	SY	\$	4.00
42	Seeding & protection; Athletic Field (special seed mix)	SY	\$	8.00
43	Sod: provide & installation	SY	\$	3.00
44	Site amenity install; trash/recycling receptacle	EA	\$	250.00
45	Site amenity install; standard bench	EA	\$	400.00
46	Site amenity install: covered single bench	EA	\$	500.00
47	Site amenity install: covered double bench	EA	\$	800.00
48	Site amenity install: square picnic table	EA	\$	500.00
49	Site amenity install: covered square picnic table	EA	\$	1,800.00
50	Site amenity installation: 6 ft. rectangle picnic table	EA	\$	600.00
51	Site amenity installation: 8 ft. rectangle handicap picnic table	EA	\$	600.00
52	Site amenity installation: covered 6 ft. rectangle picnic table	EA	\$	1,500.00
53	Single block masonry retention wall	SF	NO BID	
54	Supply and install ADA parking sign	EA	\$	300.00
55	Solid drain pipe	LF	\$	12.00
56	4 in. HDPE perforated pipe	LF	\$	12.00
57	6 in. HDPE perforated pipe	LF	\$	14.00
58	Jackhammer with operator	HR	\$	125.00
59	Skid steer loader with operator	HR	\$	100.00
60	Backhoe (small) with operator	HR	\$	100.00
61	Roller/compactor with operator	HR	\$	100.00
62	Grader with operator	HR	\$	200.00

63		Dump truck (single axle) with driver	HR	\$	100.00
64		Dump truck (tri-axle) with driver	HR	\$	105.00

Payment and Performance Bond Cost for Projects over \$50,000 (See Special Conditions, Section 6) - Up to 5% allowance for total construction cost			5% Max Allowance
Unspecified Incidental Materials at Cost Plus 15% - Check if Interested			<input checked="" type="checkbox"/>
Unspecified Incidental Labor at Direct Wages Plus Certified Overhead Plus 15% - Check if Interested			<input checked="" type="checkbox"/>
Minimum Total Project for Consideration (See Special Conditions, Section 3) - Enter dollar amount			\$ 3,500.00

Project: Parks Construction UPC Bid# 61-2022
Bid Date: 6/21/2022

Contractor: Tom Chesnut Excavation & Construction, LLC

#	Item	Unit	Unit Price
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Unspecified Incidental Labor at Direct Wages Plus Certified Overhead Plus 15% - Check if Interested	<input checked="" type="checkbox"/>
Minimum Total Project for Consideration (See Special Conditions, Section 3) - Enter dollar amount	\$ 3,500.00