



LEXINGTON

**CONTRACT
DOCUMENTS
AND
SPECIFICATIONS**

PROJECT NAME: CONSTRUCTION UNIT PRICE CONTRACT

LFUCG Bid No.: 10-2025

**PREPARED BY: DIVISION OF ENGINEERING,
DEPARTMENT OF PLANNING, PRESERVATION AND DEVELOPMENT
LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT
101 E. VINE STREET, LEXINGTON, KY 40507**

PART III
FORM OF PROPOSAL

INDEX

1.	FORM OF PROPOSAL	P-2
2.	LEGAL STATUS OF BIDDER.....	P-4
3	BIDDERS AFFIDAVIT	P-5
4.	BID SCHEDULE – SCHEDULE OF VALUES	P-6
5.	STATEMENT OF BIDDER'S QUALIFICATIONS	P-10
6.	LIST OF PROPOSED SUBCONTRACTORS	P-14
7.	LEXINGTON FAYETTE URBAN COUNTY GOVERNMENT MWD PARTICIPATION GOALS, FORMS, AND GOOD FAITH EFFORTS	P-16
8.	AUTHENTICATION OF BID AND STATEMENT OF NON-COLLUSION AND NON-CONFLICT OF INTEREST.....	P-29
9.	STATEMENT OF EXPERIENCE.....	P-30
10.	EQUAL OPPORTUNITY AGREEMENT.....	P-32
11.	EQUAL EMPLOYMENT OPPORTUNITY AFFIRMATIVE ACTION POLICY	P-36
12.	WORKFORCE ANALYSIS	P-37
13.	EVIDENCE OF INSURABILITY.....	P-38
14.	DEBARRED FIRMS.....	P-39
15.	DEBARRED CERTIFICATION	P-40

PART III

Invitation to Bid No. 10-2025

Construction UPC

1. FORM OF PROPOSAL

Place: Lexington, Kentucky

Date: February 20, 2025

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

This Proposal Submitted by Bluegrass Contracting Corporation

1075 Red Mile Road, Lexington, KY 40504

(Name and Address of Bidding Contractor)

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

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

Gentlemen:

The Bidder, in compliance with your Invitation for Bids for the **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 Bidder hereby acknowledges receipt of the following addenda:

Addendum No. 1 Date 1/30/25

Addendum No. 2 Date 2/13/25

Addendum No. _____ Date _____

Addendum No. _____ Date _____

Addendum No. _____ Date _____

Addendum No. _____ Date _____

Addendum No. _____ Date _____

Addendum No. _____ Date _____

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

2. LEGAL STATUS OF BIDDER

Bidder Bluegrass Contracting Corporation

Date February 20, 2025

* 1. A corporation duly organized and doing business under the laws of the State of Kentucky, for whom Tanner McKenzie, bearing the official title of Vice President, whose signature is affixed to this Bid/Proposal, is duly authorized to execute contracts.

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

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

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

3.

BIDDERS AFFIDAVIT

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

- 1. His/her name is Tanner McKenzie and he/she is the individual submitting the bid or is the authorized representative of Bluegrass Contracting Corporation, the entity submitting the bid (hereinafter referred to as "Bidder").
- 2. Bidder will pay all taxes and fees, which are owed to the Lexington-Fayette Urban County Government at the time the bid is submitted, prior to award of the contract and will maintain a "current" status in regard to those taxes and fees during the life of the contract.
- 3. Bidder will obtain a Lexington-Fayette Urban County Government business license, if applicable, prior to award of the contract.
- 4. Bidder has authorized the Division of Procurement to verify the above-mentioned information with the Division of Revenue and to disclose to the Urban County Council that taxes and/or fees are delinquent or that a business license has not been obtained.
- 5. Bidder has not knowingly violated any provision of Chapter 25 of the Lexington-Fayette Urban County Government Code of Ordinances, known as the "Ethics Act."
- 6. Bidder acknowledges that "knowingly" for purposes of this Affidavit means, with respect to conduct or to circumstances described by a statute or ordinance defining an offense, that a person is aware or should have been aware that his conduct is of that nature or that the circumstance exists.


Signature

Tanner McKenzie
Printed Name

Vice President
Title

2/20/25
Date


Company Name Bluegrass Contracting Corporation

Address 1075 Red Mile Road, Lexington, KY 40504

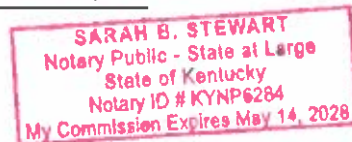
Subscribed and sworn to before me by Tanner McKenzie
(Affiant)

Vice President
(Title)

of Bluegrass Contracting Corporation this 20th day of February, 2025.
(Company Name)


Notary Public
[seal of notary]

My commission expires: 5-14-2028



4. BID SCHEDULE – SCHEDULE OF VALUES

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

In addition to completing the following schedule of values, Bidders shall enter their unit prices on the attached Excel spreadsheet (Available through the LFUCG Ion Wave Procurement website), titled *2025 Construction Unit Price Contract Bid Schedule.xlsx*, and submit it through Ion Wave.

The Bidder is not required to bid on every item listed in the bid schedule. In instances where the Bidder chooses not to bid on a specific item, the Bidder shall enter the phrase “no bid” in the unit price column for that respective item. However, Bidders are cautioned that failure to submit a unit bid price on an item will disqualify the Bidder from any project requiring that item, even if they have submitted unit bid prices for all other work items pertaining to that particular project.

BIDDERS MUST COMPLETE THE EXCEL SPREADSHEET AVAILABLE ON THE LFUCG IONWAVE PROCUREMENT SITE at <https://lexingtonky.ionwave.net/Login.aspx> AND SUBMIT EXCEL SPREADSHEET, AS WELL AS, PRINTED AND SIGNED COPY OF SPREADSHEET VIA THE RESPONSE ATTACHMENTS TAB AND FULLY EXECUTE AND INCLUDE PAGE P-14 WITH BID RESPONSE OR BID SUBMITTAL WILL BE CONSIDERED NON-RESPONSIVE.

#	Spec Sec.	Item	Unit
1	3	Excavation and Placement	CY
2	5	Rock Excavation (Mechanical)	CY
3	6	Remove Portland Cement Concrete Pavement	SY
4	6	Remove Curb and Gutter	LF
5	6	Remove Sidewalk, Entrance Pavement	SY
6	6	Remove Bituminous Concrete Pavement	SY
7	6	Remove Pipes less than 24" - up to 8' deep	LF
8	6	Remove Pipes 30"- 48" - up to 8' deep	LF
9	6	Remove Fence	LF
10	6	Remove Headwalls and Inlet Structures	EA
11	7	Remove Tree (5" dia. to 12" dia.)	EA
12	7	Remove Tree (>12" dia. to 24" dia.)	EA
13	7	Remove Tree (>24" dia. to 36" dia.)	EA
14	7	Remove Tree (>36" dia. and up)	EA

15	8	Dense Graded Aggregate	TN
16	9	No. 2 Stone	TN
17	9	No. 9 Stone	TN
18	9	No. 57 Stone	TN
19	10	Steel Reinforcement for Concrete	LB
20	11	Unfinished Concrete less than 10 CY	CY
21	11	Unfinished Concrete more than 10 CY	CY
22	11	Formed Class A Concrete less than 10 CY	CY
23	11	Formed Class A Concrete more than 10 CY	CY
24	11	Form Liner for Retaining Walls	SF
25	12	4-1/2" Concrete Sidewalk	SY
26	12	6" Concrete Sidewalk	SY
27	13	6" Concrete Entrance Pavement	SY
28	14	Sidewalk Ramp	SY
29	15, 70	Header Curb	LF
30	15	Curb and Gutter, Type 1	LF
31	15	Curb and Gutter, Type 4	LF
32	16	Bituminous Pavement Milling and Texturing	TN
33	17	Bituminous Base	TN
34	18	Class 3, Bituminous Surface PG 64-22, less than 50 tons	TN
35	18	Class 3, Bituminous Surface PG 64-22, greater than 50 tons	TN
36	18	Class 3, Bituminous Surface PG 76-22, less than 50 tons	TN
37	18	Class 3, Bituminous Surface PG 76-22, greater than 50 tons	TN
38	19	Polymer Fibers for Bituminous Pavement	LB
39	20	Type A Surface Inlet	EA
40	20	Type B Surface Inlet	EA
41	21	Curb Box Inlet Type A (LFUCG)	EA
42	21	Curb Box Inlet Type B (LFUCG)	EA
43	21	Curb Box Inlet Type C (LFUCG)	EA
44	21	Curb Box Inlet Type D (LFUCG)	EA
45	21	Curb Box Inlet Type B (KDOH)	EA
46	21	Drop Box Inlet Type 13 (KDOH)	EA
47	21	Drop Box Inlet Type 16 (KDOH)	EA
48	22	Sewer Manhole (4' dia.) (0-8' No rock)	EA

49	22	Sewer Manhole (5' dia.) (0-8' No rock)	EA
50	22	Sewer Manhole (6' dia.) (0-8' No rock)	EA
51	22	Sewer Manhole - Additional Vertical Depth (4' dia.)	VF
52	22	Sewer Manhole - Additional Vertical Depth (5' dia.)	VF
53	22	Sewer Manhole - Additional Vertical Depth (6' dia.)	VF
54	23	Adjusting Manhole Frames & Cover to Grade	EA
55	24	Pipe Tie-in into Manhole or Curb Box Inlet	EA
56	25	15" RCP Storm Sewer (0-8' No rock)	LF
57	25	18" RCP Storm Sewer (0-8' No rock)	LF
58	25	24" RCP Storm Sewer (0-8' No rock)	LF
59	25	30" RCP Storm Sewer (0-8' No rock)	LF
60	25	36" RCP Storm Sewer (0-8' No rock)	LF
61	25	42" RCP Storm Sewer (0-8' No rock)	LF
62	25	48" RCP Storm Sewer (0-8' No rock)	LF
63	25	15" HDPE Storm Sewer (0-8' No rock)	LF
64	25	18" HDPE Storm Sewer (0-8' No rock)	LF
65	25	24" HDPE Storm Sewer (0-8' No rock)	LF
66	25	30" HDPE Storm Sewer (0-8' No rock)	LF
67	25	36" HDPE Storm Sewer (0-8' No rock)	LF
68	25	15" PP Storm Sewer (0-8' No rock)	LF
69	25	18" PP Storm Sewer (0-8' No rock)	LF
70	25	24" PP Storm Sewer (0-8' No rock)	LF
71	25	30" PP Storm Sewer (0-8' No rock)	LF
72	25	36" PP Storm Sewer (0-8' No rock)	LF
73	25	15" Elliptical RCP Storm Sewer	LF
74	25	18" Elliptical RCP Storm Sewer	LF
75	25	24" Elliptical RCP Storm Sewer	LF
76	25	30" Elliptical RCP Storm Sewer	LF
77	25	36" Elliptical RCP Storm Sewer	LF
78	25	42" Elliptical RCP Storm Sewer	LF
79	25	48" Elliptical RCP Storm Sewer	LF
80	26	Internal Inspection of Sewer Pipe: CCTV	LF
81	27	15" Straight Headwall - Standard or Raised	EA
82	27	18" Straight Headwall - Standard or Raised	EA
83	27	24" Straight Headwall - Standard or Raised	EA
84	27	15" Pipe Culvert Headwall	EA

85	27	18" Pipe Culvert Headwall	EA
86	27	24" Pipe Culvert Headwall	EA
87	27	30" Pipe Culvert Headwall	EA
88	27	36" Pipe Culvert Headwall	EA
89	27	42" Pipe Culvert Headwall	EA
90	27	48" Pipe Culvert Headwall	EA
91	27	18" Sloped and Flared Box Inlet-Outlet	EA
92	27	24" Sloped and Flared Box Inlet-Outlet	EA
93	27	30" Sloped and Flared Box Inlet-Outlet	EA
94	27	36" Sloped and Flared Box Inlet-Outlet	EA
95	28	15" Impact Stilling Basin	EA
96	28	18" Impact Stilling Basin	EA
97	28	24" Impact Stilling Basin	EA
98	28	30" Impact Stilling Basin	EA
99	28	36" Impact Stilling Basin	EA
100	28	48" Impact Stilling Basin	EA
101	29	Bottom Paved Ditch	SY
102	30	Aggregate Channel Lining for Slope Protection	TN
103	31	Seeding and Protection	SY
104	32	Sodding	SY
105	33	Gabion Mattress Channel Lining and Gabbion Basket Retaining Walls	CY
106	34	4" HDPE Perforated Pipe	LF
107	34	6" HDPE Perforated Pipe	LF
108	35	4" PVC Pipe	LF
109	35	6" PVC Pipe	LF
110	35	8" PVC Sanitary Sewer (0-8' No Rock)	LF
111	35	10" PVC Sanitary Sewer (0-8' No Rock)	LF
112	35	12" PVC Sanitary Sewer (0-8' No Rock)	LF
113	35	15" PVC Sanitary Sewer (0-8' No Rock)	LF
114	35	18" PVC Sanitary Sewer (0-8' No Rock)	LF
115	35	8" Ductile Iron Sewer Pipe (0-8' No Rock)	LF
116	35	10" Ductile Iron Sewer Pipe (0-8' No Rock)	LF
117	35	12" Ductile Iron Sewer Pipe (0-8' No Rock)	LF
118	35	14" Ductile Iron Sewer Pipe (0-8' No Rock)	LF
119	35	Sanitary Sewer By-Pass Pumping	DAY

120	36	Two Way Sewer Service Cleanout	EA
121	37	4"x 8" Sanitary Sewer Tee & up to 6' of lateral pipe	EA
122	37	6"x 8" Sanitary Sewer Tee & up to 6' of lateral pipe	EA
123	22	Lex Sanitary Sewer Manhole (4' dia.) (0-8' No rock)	EA
124	22	Lex Sanitary Sewer Manhole (5' dia.) (0-8' No rock)	EA
125	22	Lex Sanitary Sewer Manhole (6' dia.) (0-8' No rock)	EA
126	22	Manhole-Additional vertical depth > 8' (4' dia.)	VF
127	22	Manhole-Additional vertical depth > 8' (5' dia.)	VF
128	22	Manhole-Additional vertical depth > 8' (6' dia.)	VF
129	22	Manhole-Additional for adjustable frame and cover	EA
130	38	Woven Wire Fence 4' height	LF
131	38	Woven Wire Gate 4' height	LF
132	38	Chain Link Fence 4' height	LF
133	38	Chain Link Fence 6' height	LF
134	38	Split Rail Fence 5' height	LF
135	38	Privacy Fence (installation)	LF
136	39	Backhoe (small) with Operator	HR
137	40	Dump Truck (single axle) with driver	HR
138	40	Dump Truck (tri-axle) with driver	HR
139	39	Jackhammer with Operator	HR
140	39	Skid Loader with Operator	HR
141	41	Check Dam	TN
142	41	Sediment Trap	CY
143	41	Sediment Pond	CY
144	41	Silt Fence	LF
145	41	Storm Drain Inlet Protection	EA
146	41	Filter Strip	SY
147	41	Stream Crossing	EA
148	41	Pump-Around Flow Diversion	DAY
149	41	Construction Dewatering	DAY
150	42	Geotextile Construction Type I	SY
151	42	Geotextile Construction Type II	SY
152	42	Geotextile Construction Type III	SY
153	42	Geotextile Construction Type IV	SY
154	43	Edge Key	LF
155	44	Pipe Plugging for Pipes less than or equal to 24"	EA

156	44	Pipe Plugging for Pipes 30"- 48"	EA
157	45	Flowable Fill	CY
158	46	Fiber Reinforced PCC Pavement	CY
159	47	Single Block Masonry Retaining Wall	SF
160	48	Degradable Erosion Control Mat	SY
161	48	Turf Reinforcement Mat	SY
162	50	Steel W Beam Guardrail and End Treatments	LF
163	51	Articulating Concrete Block	SY
164	52	Reinf Conc Pipe Crack Repairs and Manhole Rehab	LF
165	53	Sawcutting	LF
166	54	Precast Reinforced Concrete Box Culvert 3' X 2'	LF
167	54	Precast Reinforced Concrete Box Culvert 3' X 3'	LF
168	54	Precast Reinforced Concrete Box Culvert 4' X 2'	LF
169	54	Precast Reinforced Concrete Box Culvert 4' X 3'	LF
170	55	Detectable Warning Surface Tile-Overlay	SF
171	55	Detectable Warning Surface Tile-Imbedded	SF
172	56	Colorized Pavement Demarcation	SF
173	57	Thermoplastic Pavement Markings - Stop Bar 24"	LF
174	57	Thermoplastic Pavement Markings - Crosswalk Bar 12"	LF
175	57	Thermoplastic Pavement Markings - Arrow	EA
176	57	Thermoplastic Pavement Markings - Combo Arrow	EA
177	57	Thermoplastic Pavement Markings - Bike Lane	EA
178	58	Thermoplastic Pavement Striping - White or Yellow	LF
179	60	Removal of Existing Pavement Striping	LF
180	59	Pavement Striping - Temp Paint 4"	LF
181	71	Grader with Operator	HR
182	61	Roller/Compactor with Operator	HR
183	62	Furnish and Place Topsoil	CY
184	62	Spreading Stockpiled Topsoil	CY
185	63	2" PVC Conduit Under Non-traffic Surface	LF
186	63	2" PVC Conduit Under Roadway or Driveway	LF
187	64	Junction Box, KYTC Type A	EA
188	64	Junction Box, KYTC Type C	EA
189	65	Pedestal Base for Pedestrian Pole	EA
190	67	Ornamental Tree, 1-3/4" Caliper	EA

191	67	Shade Tree, 1-3/4" Caliper	EA
192	67	Mulch	CY
193	B	Barricade-Type III	EA
194	B	Portable Changeable Message Sign	EA
195	B	Flagger	DAY
196	B	Temporary Signs	SF
197	70	Bulb-out: Gutter Cover	LF
198	70	Bulb-out: Asphalt Repair	SF

	<p>Payment and Performance Bond Cost, required for Projects over \$50,000 5.0% Allowance of Total Project Cost*</p> <p>* See Special Conditions, Section 6, Payment for Cost of P&P Bonds</p>
	<p>Unspecified, Incidental Materials at Cost Plus 15% Overhead and Profit (To be submitted as Contract progresses and as needed)</p> <p>* See Special Conditions, Section 7, Payment for Unspecified Materials and Labor.</p> <p style="text-align: right;">Check if interested</p>
	<p>Unspecified, Incidental Labor at Direct Wages Plus Certified Overhead Plus 15% Profit (To be submitted as Contract progresses and as needed)</p> <p>* See Special Conditions, Section 7, Payment for Unspecified Materials and Labor.</p> <p style="text-align: right;">Check if interested</p>
	<p>Minimum Project Total For Which Contractor will consider the project. (See Special Conditions, Section 2, Contractors Performance)</p>
	<p>Testing Allowance (provided by Owner at execution of individual Purchase Orders under this Contract).</p>

Mobilization, Traffic Control (Maintenance of Traffic), Construction Staking and E&S Permitting will be paid on a sliding percentage scale for increments of the final price for Work, per the table below.

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

No additional compensation will be paid beyond a contract price of \$100,000. For example, the mobilization cost for a \$100,000 price of work will be identical to that for a \$110,000 price of work.

Applicability of Traffic Control, Construction Staking and E&S Permitting will be agreed upon individually for each Purchase Order.

Table of Incremental Costs for Mobilization and Additional Services

Increment Price for Work	(a) Mobilization Cost %	(b) Traffic Control Cost %	(c) Construction Staking Cost %	(d) E&S Permitting (SWPP etc). Cost %
\$0 - 10,000	15.0	7.5	7.5	5.0
\$10,000 - 20,000	10.0	4.5	4.5	0.5
\$20,000 - 30,000	5.0	3.0	3.0	0.5
\$30,000 - 50,000	5.0	2.5	2.5	0.5
\$50,000 - 75,000	5.0	2.5	2.5	0.5
\$75,000 - 100,000	4.0	2.0	2.0	0.5

Submitted by:

Bluegrass Contracting Corporation

Firm

1075 Red Mile Road

Address

Lexington, KY 40504

City, State & Zip

Bid must be signed:
(original signature)



Signature of Authorized Company Representative – Title

Tanner McKenzie

Representative/s Name (Typed or Printed)

(859) 231-0069

(859) 281-6457

Area Code – Phone –Fax #

tannerm@bluegrasscontracting.com

E-Mail Address

OFFICIAL ADDRESS:

1075 Red Mile Road

P.O. Box 11638

Lexington, KY 40504



(Seal if Bid is by Corporation)

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

5. **STATEMENT OF BIDDER'S QUALIFICATIONS**

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

- 1. Name of Bidder: Bluegrass Contracting Corporation

- 2. Permanent Place of Business: 1075 Red Mile Rd, Lexington, KY 40504

- 3. When Organized: April 3, 1969

- 4. Where Incorporated: Kentucky
- 5. Construction Plant and Equipment Available for this Project:
See Attached Corporate Resume

(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:
Fidelity and Deposit Company of Maryland (Surety)
Signed: Madison Haller (Representative of Surety)
Madison Haller, Attorney-in-Fact

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



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

<u>NAME</u>	<u>LOCATION</u>	<u>CONTRACT SUM</u>
See Corporate Resume		

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

<u>NAME</u>	<u>LOCATION</u>	<u>CONTRACT SUM</u>
Georgetown Streetscape	Georgetown, KY	\$1,485,068.00
Lake Cumberland Kendall	Jamestown, KY	\$2,846,106.00

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

<u>NAME</u>	<u>POSITION DESCRIPTION</u>	<u>NO. OF YEARS WITH BIDDER</u>
See Corporate Resume		

11. DBE Participation on current bonded projects under contract:


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

(USE ADDITIONAL SHEETS IF NECESSARY)

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

Respectfully submitted:

Bluegrass Contracting Corporation
(Name of Contracting Firm)

BY: 
Tanner McKenzie

TITLE: Vice President

DATE 2/20/25

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.

BRANCH OF WORK - LIST EACH MAJOR ITEM Such as: Grading, bituminous paving, concrete, seeding and protection, construction staking, etc.

<u>SUBCONTRACTOR</u>	<u>DBE</u> <u>Yes/No</u>	<u>% of Work</u>
----------------------	-----------------------------	------------------

1. <u>TBD</u>	Name: _____	_____	_____
	Address: _____		
2. _____	Name: _____	_____	_____
	Address: _____		
3. _____	Name: _____	_____	_____
	Address: _____		
4. _____	Name: _____	_____	_____
	Address: _____		
5. _____	Name: _____	_____	_____
	Address: _____		
6. _____	Name: _____	_____	_____
	Address: _____		
7. _____	Name: _____	_____	_____
	Address: _____		
8. _____	Name: _____	_____	_____
	Address: _____		

(Attach additional sheet(s) if necessary.)



LEXINGTON

MINORITY BUSINESS ENTERPRISE PROGRAM

Sherita Miller, MPA, CPSD
Minority Business Enterprise Liaison
Division of Procurement
Lexington-Fayette Urban County Government
200 East Main Street
Lexington, KY 40507
smiller@lexingtonky.gov
859-258-3323

OUR MISSION: The mission of the Minority Business Enterprise Program (MBEP) is to facilitate the full participation of minority and women owned businesses in the procurement process and to promote economic inclusion as a business imperative essential to the long-term economic viability of Lexington-Fayette Urban County Government.

To that end the urban county council adopted and implemented Resolution 272-2024 – a Certified Minority and Women Business Enterprise seventeen percent (17%) minimum goal including minimum subgoals of five percent (5%) for Minority Business Enterprises (MBE) and a subgoal of twelve percent (12%) for Women Business Enterprises (WBE); a three (3%) minimum goal for Certified Veteran-Owned Small Businesses and/or Certified Service- Disabled Veteran Owned Businesses; and a goal of utilizing Disadvantaged Business Enterprises (DBE), where applicable, for government contracts.

The resolution states the following definitions shall be used for the purposes of reaching these goals:

Certified Disadvantaged Business Enterprise (DBE) – a business in which at least fifty-one percent (51%) is owned, managed and controlled by a person(s) who is socially and economically disadvantaged as defined by 49 CFR subpart 26.

Certified Minority Business Enterprise (MBE) – a business in which at least fifty-one percent (51%) is owned, managed and controlled by an ethnic minority (i.e. Black American, Asian American, Hispanic American, Native American)

Certified Women Business Enterprise (WBE) – a business in which at least fifty-one percent (51%) is owned, managed and controlled by a woman.

Certified Veteran-Owned Small Business (VOSB) – a business in which at least fifty-one percent (51%) is owned, managed and controlled by a veteran who served on active duty with the U.S. Army, Air Force, Navy, Marines or Coast Guard.

Certified Service -Disabled Veteran Owned Small Business (SDVOSB) – a business in which at least fifty-one percent (51%) is owned, managed and controlled by a disabled veteran who served on active duty with the U.S. Army, Air Force, Navy, Marines or Coast Guard.

The term "Certified" shall mean the business is appropriately certified, licensed, verified, or validated by an organization or entity recognized by the Division of Procurement as having the appropriate credentials to make a determination as to the status of the business.

The following certifications are recognized and accepted by the MBEP:

Kentucky Transportation Cabinet (KYTC), Disadvantaged Business Enterprise (DBE)
Kentucky Minority and Women Business Enterprise (MWBE)
Women's Business Enterprise National Council (WBENC)
National Women Business Owners Corporation (NWBOC)
National Minority Supplier Development Council (NMSDC)
Tri-State Minority Supplier Development Council (TSMSSDC)
U.S. Small Business Administration Veteran Small Business Certification (VetCert)
Kentucky Service- Disabled Veteran Owned Small Business (SDVOSB)

To comply with Resolution 272-2024, prime contractors, minority and women business enterprises, veteran owned small businesses, and service-disabled veteran owned small businesses must complete monthly contract compliance audits in the Diverse Business Management Compliance system, <https://lexingtonky.diversitycompliance.com/>

A list of organizations that certify and/or maintain lists of certified businesses (i.e. DBE, MBE, WBE, VOSB and/or SDVOSB) is available upon request by emailing, Sherita Miller, smiller@lexingtonky.gov.



LEXINGTON

LFUCG MWDBE PARTICIPATION FORM

Bid/RFP/Quote Reference # _____

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 the Division of Procurement for approval immediately. **Failure to submit a completed form may cause rejection of the bid.**

MWBE Company, Name, Address, Phone, Email	DBE/MBE WBE/VOSB/SDVOSB	Work to be Performed	Total Dollar Value of the Work	% Value of Total Contract
1. TBD				
2.				
3.				
4.				

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

Company

Company Representative

Date

Title



LEXINGTON

LFUCG MWDBE SUBSTITUTION FORM

Bid/RFP/Quote Reference # _____

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

SUBSTITUTED DBE/MBE/WBE/VOSB Company Name, Address, Phone, Email	DBE/MBE/WBE/VOSB/SDVOSB Formally Contracted/ Name, Address, Phone, Email	Work to Be Performed	Reason for the Substitution	Total Dollar Value of the Work	% Value of Total Contract
1. TBD					
2.					
3.					
4.					

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

Company

Company Representative

Date

Title



LEXINGTON

DOCUMENTATION REQUIRED FOR GOOD FAITH EFFORTS AND OUTREACH PLANS

As affirmed in Resolution Number 272-2024, the Urban County Council has adopted an annual aspirational goal of utilizing at least seventeen percent (17%) of public funds spend from certain discretionary agreements with certified Minority Business Enterprises (MBEs) and certified Woman Business Enterprises (WBEs); utilizing at least three percent (3%) of public funds from certain discretionary agreements with Certified Veteran-Owned Small Business and Certified Service-Disabled Veteran-Owned Small Businesses (VOSBs); and utilizing Disadvantaged Business Enterprises (DBEs) where applicable. Bidders should make every effort to achieve these goals.

Therefore, as an element of the responsiveness of the bid, all Bidders are required to submit documentation of their good faith and outreach efforts to ensure all businesses, including small and disadvantaged businesses such as minority-, woman-, and veteran-owned businesses, have an equal opportunity to compete for and participate in the performance of any subcontracts resulting from this procurement. Examples of good faith and outreach efforts that satisfy this requirement to encourage the participation of, DBEs, MBEs, WBEs, VOSBs and/or SDVOSBs include:

1. 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, DBEs, MBEs, WBEs, VOSBs and/or SDVOSBs to participate.
2. Attended LFUCG Procurement Economic Inclusion Outreach event(s) within the past year to meet new small businesses, DBEs, MBEs, WBEs, VOSBs and/or SDVOSBs to partner with on LFUCG contracts and procurements.
3. Attended pre-bid/pre-proposal meetings that were scheduled by LFUCG to inform small businesses, DBEs, MBEs, WBEs, VOSBs and/or SDVOSBs of subcontracting opportunities.
4. Sponsored Economic Inclusion event to provide networking opportunities for prime contractors and small businesses, DBEs, MBEs, WBEs, VOSBs and/or SDVOSBs.
5. Requested a list of certified small, DBE, MBE, WBE, VOSB and/or SDVOSB subcontractors or suppliers from LFUCG and showed evidence of contacting the companies on the list(s).
6. Contacted organizations that work with small, DBE, MBE, WBE, and VOSB companies for assistance in finding certified DBEs, MBEs, WBEs, VOSB and/or SDVOSBs to work on this project. Those contacted and their responses must be a part of the bidder's outreach efforts documentation.

7. Sent written notices, by certified mail, email, or facsimile, to qualified, certified small businesses, DBEs, MBEs, WBEs, VOSBs and/or SDVOSBs 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.
8. Followed up initial solicitations by contacting small businesses, DBEs, MBEs, WBEs, VOSBs and/or SDVOSBs via tailored communications to determine their level of interest.
9. Provided the interested small businesses, DBEs, MBEs, WBEs, VOSBs and/or SDVOSBs with adequate and timely information about the plans, specifications, and requirements of the contract.
10. Selected portions of the work to be performed by small businesses, DBEs, MBEs, WBEs, VOSBs and/or SDVOSBs in order to increase the likelihood of subcontracting participation. This includes, where appropriate, breaking out contract work items into economically feasible units to facilitate small, DBE, MBE, WBE, VOSB and/or SDVOSB participation, even when the prime contractor may otherwise perform these work items with its own workforce.
11. Negotiated in good faith with interested small businesses, DBEs, MBEs, WBEs, VOSBs and/or SDVOSBs, not rejecting them as unqualified without sound reasons based on a thorough investigation of their capabilities. Any rejection must be so noted in writing with a description as to why an agreement could not be reached.
12. Included documentation of quotations received from interested small businesses, DBEs, MBEs, WBEs, VOSBs and/or SDVOSBs that 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.
 - a. 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 small business', DBE's MBE's, WBE's, VOSB's and/or SDVOSB's quote. Nothing in this provision shall be construed to require the bidder to accept unreasonable quotes in order to satisfy the participation goals.
13. Made an effort to offer assistance to or refer interested small businesses, DBEs, MBEs, WBEs, VOSBs and/or SDVOSBs to obtain the necessary equipment, supplies, materials, insurance and/or bonding to satisfy the work requirements of the bid proposal.
14. Made efforts to expand the search for small businesses, DBEs, MBEs, WBEs, VOSBs and/or SDVOSBs beyond the usual geographic boundaries.

15. Other – any other evidence that the bidder submits that may demonstrate that the bidder has made reasonable efforts to include small, DBE, MBE, WBE, VOSB and/or SDVOSB participation.

Bidder must document, with specificity, each of the efforts it made to include small businesses, DBEs, MBEs, WBEs, VOSBs and/or SDVOSBs as subcontractors in the procurement, including the date on which each effort was made, the medium through which each effort was made, and the outcome of each effort.

Note: Failure to submit 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 review by the MBE Liaison. Documentation of Good Faith and Outreach Efforts must be submitted with the Bid, regardless of the proposed level of small, DBE, MBE, WBE, VOSB and/or SDVOSB participation in the procurement. If the Good Faith and Outreach Effort documentation is not submitted with the bid response, the bid may be rejected.

OUTREACH EFFORTS EVALUATION

Outreach efforts demonstrated by the bidder or respondent will be evaluated on a pass/fail basis.

ATTACHMENT A – SMALL AND DISADVANTAGED, MINORITY-, WOMEN-, AND VETERAN-OWNED BUSINESS OUTREACH PLAN

Proposer Name: _____	Date: _____
Project Name: _____	Project Number: _____
Contact Name: _____	Telephone: _____
Email: _____	

The mission of the Minority Business Enterprise Program is to facilitate the full participation of disadvantaged businesses, minority-, women-, veteran-, and service-disabled veteran-owned businesses in the procurement process and to promote economic inclusion as a business imperative essential to the long -term economic viability of Lexington-Fayette Urban County Government.

To that end, small and disadvantaged businesses, including minority-, woman-, veteran-, and service-disabled veteran-owned businesses, must have an equal opportunity to be utilized in the performance of contracts with public funds spent from certain discretionary agreements. By submitting its offer, Bidder/Proposer certifies that it has taken, and if there are further opportunities will take, reasonable steps to ensure that small and disadvantaged businesses, including minority-, woman-, veteran-, and service-disabled veteran-owned businesses, are provided an equal opportunity to compete for and participate in the performance of any subcontracts resulting from this procurement.

The information submitted in response to this clause will not be considered in any scored evaluation. Failure to submit this form may cause the bid or proposal to be rejected.

Is the Bidder/ Proposer a certified firm? Yes No

If yes, indicate all certification type(s):

DBE

MBE

WBE

SBE

VOSB/SDVOSB

and supply a copy of the certificate and/or certification letter if not currently listed on the city's Minority Business Enterprise Program's (MBEP) certified list.

1. Include a list of firms that Bidder/ Proposer has had a contractual relationship with within the last two years that are minority-owned, woman-owned, veteran-owned or small businesses, regardless of their certification status.

2. Does Bidder/Proposer foresee any subcontracting opportunities for this procurement?

Yes No

If no, please explain why in the field below. Do not complete the rest of this form and submit this first page with your bid and/or proposal.

If yes, please complete the following pages and submit all pages with your bid and/or proposal.

Describe the steps Bidder/Proposer took to solicit small and disadvantaged businesses, including MBEs, WBEs, VOSBs, and SDVOSBs, for subcontracting opportunities for this procurement.

3. Check the good faith and outreach efforts the Bidder/Proposer used to encourage the participation of small and disadvantaged businesses including, MBEs, WBEs, VOSBs and SDVOSBs:

- Bidder placed advertisements in search of prospective small businesses, DBEs, MBEs, WBEs, VOSBs and/or SDVOSBs for the solicitation.
- Bidder attended LFUCG Procurement Economic Inclusion Outreach event(s) within the past year.
- Bidder attended pre-bid and/or pre-proposal meetings for this solicitation.
- Bidder sponsored an Economic Inclusion Outreach event.
- Bidder requested a list of certified small, DBE, MBE, WBE, VOSB and/or SDVOSB subcontractors or suppliers from LFUCG.
- Bidder contacted organizations that work with small, DBE, MBE, WBE, VOSB and/or SDVOSB companies.
- Bidder sent written notices to certified small, DBE, MBE, WBE, VOSB and SDVOSB businesses.
- Bidder followed up to initial solicitations with interested small, DBE, MBE, WBE, VOSB and/or SDVOSB.
- Bidder provided small, DBE, MBE, WBE, VOSB and/or SDVOSB businesses interested in performing the solicited work with prompt access to the plans, specifications, scope of work, and requirements of the solicitation.
- Bidder made efforts to segment portions of the work to be performed by small businesses, DBEs, MBEs, WBEs, VOSBs and/or SDVOSBs, including dividing sub-bid/partnership opportunities into economically feasible units/parcels, to facilitate participation.

- Bidder negotiated in good faith with interested small, DBE, MBE, WBE, VOSB and/or SDVOSB businesses.
- Bidder provided adequate rationale for rejecting any small business', DBEs, MBEs, WBEs, VOSBs or SDVOSBs for lack of qualifications.
- Bidder offered assistance in obtaining bonding, insurance, financial, equipment, or other resources to small businesses, DBEs, MBEs, WBEs, VOSBs and/or SDVOSBs, in an effort to assist them in meeting project requirements.
- Bidder made efforts to expand the search for small businesses, DBEs MBEs, WBEs, VOSBs and/or SDVOSBs beyond the usual geographic boundaries.
- Bidder made other reasonable efforts to include small businesses, DBEs, MBEs, WBEs, VOSBs and/or SDVOSBs participation.

4. Bidder/Proposer must include documentation, including the date each effort was made, the medium through which each effort was made, and the outcome of each effort with this form, regardless of the level of small, DBE, MBE, WBE, VOSB and/or SDVOSB participation. Examples of required documentation include copies of email communications, copies of newspaper advertisements, or copies of quotations received from interested small businesses, DBEs, MBEs, WBEs, VOSBs or SDVOSBs.

For detailed information regarding outreach efforts that satisfy the MBE Program's requirements, please see "Documentation Required for Good Faith Efforts and Outreach Plans" page.

Note: The Bidder/Proposer must be willing to report the identity of each subcontractor and the value of each subcontract to MBEP if awarded a contract from this procurement.

Failure to submit the documentation requested may be cause for rejection of the bid. Bidders may include any other documentation deemed relevant to this requirement, which is subject to review by the MBE Liaison. Documentation of Good Faith and Outreach Efforts must be submitted with the bid, regardless of the proposed level of SBEs, DBEs, MBEs, WBEs, VOSBs and/or SDVOSBs participation in the procurement. If the Good Faith and Outreach Effort Form and associated documentation is not submitted with the bid response, the bid may be rejected.

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.

Company

Date

4870-1925-6809, v. 1

Company Representative

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 X . Check the statement applicable.
6. This offer is for 60 calendar days from the date this bid is opened. In submitting the above, it is expressly agreed that, upon proper acceptance by the Lexington-Fayette Urban County Government of any or all items bid above, a contract shall thereby be created with respect to the items accepted.
7. That I have fully informed myself regarding the accuracy of the statements made in this statement.
8. That I certify that Subcontractors have not and will not be awarded to any firm(s) that have been debarred from noncompliance with the Federal Labor Standards, Title VI of the Civil Rights Act of 1964 As Amended, Executive Order 11246 As Amended or any other Federal Law.

9. STATEMENT OF EXPERIENCE

NAME OF INDIVIDUAL: See Corporate Resume

POSITION/TITLE: _____

STATEMENT OF EXPERIENCE: _____

NAME OF INDIVIDUAL: _____

POSITION/TITLE: _____

STATEMENT OF EXPERIENCE: _____

NAME OF INDIVIDUAL: _____

POSITION/TITLE: _____

STATEMENT OF EXPERIENCE: _____

NAME OF INDIVIDUAL: _____

POSITION/TITLE: _____

STATEMENT OF EXPERIENCE: _____

NAME OF INDIVIDUAL: _____

POSITION/TITLE: _____

STATEMENT OF EXPERIENCE: _____

NAME OF INDIVIDUAL: _____

POSITION/TITLE: _____

STATEMENT OF EXPERIENCE: _____

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

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.

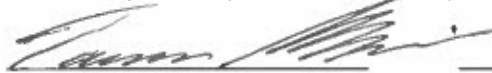
The Lexington-Fayette Urban County Government practices Equal Opportunity in recruiting, hiring and promoting. It is the Government's intent to affirmatively provide employment opportunities for those individuals who have previously not been allowed to enter into the mainstream of society. Because of 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.



Signature

Bluegrass Contracting Corporation

Name of Business

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

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

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

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

The Act further provides:

KRS 45.610. Hiring minorities – Information required

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

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

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

KRS 45.630 Termination of existing employee not required, when

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

KRS 45.640 Minimum skills

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

It is recommended that all of the provisions quoted above to be included as special conditions in each contract. In the case of a contract exceeding \$250,000, the contractor is required to furnish evidence that his work-force in Kentucky is representative of the available work-force in the area from which

he draws employees, or to supply an Affirmative Action plan which will achieve such representation during the life of the contract.

11. EQUAL EMPLOYMENT OPPORTUNITY AFFIRMATIVE ACTION POLICY

It is the policy of Bluegrass Contracting Corporation

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

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

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

12. WORKFORCE ANALYSIS FORM

Name of Organization: Bluegrass Contracting Corporation

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	4		4														4
Professionals	3	3															3
Superintendents	2	1	1														1 1
Supervisors																	
Foremen	4	4															4
Technicians																	
Protective Service																	
Para-Professionals																	
Office/Clerical																	
Skilled Craft	41	35				6											41
Service/Maintenance	3	3															3
Total:	57	46	5			6											52 5

Prepared by: Tanner McKenzie, VP
(Name and Title)

Date: 02 / 20 / 25

Revised 2015-Dec-15

14. DEBARRED FIRMS

PROJECT NAME: Construction UPC Contract

BID NUMBER: 10-2025

**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 Bluegrass Contracting Corp 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.

Bluegrass Contracting Corporation
Name of Firm Submitting Bid


Signature of Authorized Official

Vice President
Title

02/20/25
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: Bluegrass Contracting Corporation

Project: Construction UPC Contract

Printed Name and Title of Authorized Representative: Tanner McKenzie, Vice President

Signature: 

Date: 02/20/25

END OF SECTION



ADDENDUM #1

Bid Number: #10-2025

Date: January 30, 2025

Subject: Construction Unit Price Contract

Address Inquiries to:
Sondra Stone
sstone@lexingtonky.gov

TO ALL PROSPECTIVE SUBMITTERS:

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

1. See attached 09-2023 Certified Bid Tabulation.
2. See attached revisions to Technical Specifications Sections 25.3 and 25.6.
3. Replace **Information for Bidders, 17. Contract Time**, with the following:

“Unit Price Contract (UPC) is anticipated to be in effect for two years. For individual projects undertaken under this UPC, the time to completion for each project will be agreed upon between the OWNER and the CONTRACTOR and reflected in the Notice to Proceed.”

4. Contract will become effective with Council approval and will be in place for two (2) years. No extensions are expected.
5. **Question:** Can the difference between excavation and placement and embankment be elaborated on?

Answer: There is no bid item for Embankment in this contract. Work for shaping embankments is described in Technical Specification Section 3. Please see Item E in Section 25 of Part 2 of the Contract Documents which describes changes made to the Earthwork Technical Specification: E. Technical Specification, Section 3: Earthwork. This section was revised to clarify that forming embankments, including compacting materials to density requirements, is included in the scope of



work for Excavation and Placement and will not be measured and paid for separately. The bid item for Embankment is removed. Additionally, the definition of rock excavation was moved to Section 5: Rock Excavation (Mechanical).

Additionally, some non-exhaustive examples are given here:

- If earthen material, classified by the Engineer as Excavation and Placement, is removed and transported offsite for disposal, the Contractor will be paid once at the Contract Unit Price for Excavation and Placement per cubic yard of material based on the calculated quantity of materials removed.
- If earthen material is removed, placed on-site for embankment, and compacted to conform to lines, grades, and cross-sections specified on the Plans or Purchase Order, the Contractor will be paid once at the Contract Unit Price for Excavation and Placement per cubic yard of material based on the calculated quantity of materials removed.
- If fill material is required to be delivered from off-site because of a deficit of suitable excavated material, the Contractor will be paid once at the Contact Unit Price for Excavation and Placement per cubic yard of material delivered, based on weight tickets and an assumed soil density of 1.55 tons per cubic yard. This payment shall include placement and compaction to conform to lines, grades, and cross-sections specified on the Plans or Purchase Order.



Todd Slatin, Director
Division of Procurement

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

COMPANY NAME: Bluegrass Contracting Corporation

ADDRESS: 1075 Red Mile Road, Lexington, KY 40504

SIGNATURE OF BIDDER: 



MAYOR LINDA GORTON



LEXINGTON

TODD SLATIN
DIRECTOR
DIVISION OF PROCUREMENT

ADDENDUM #2

Bid Number: #10-2025

Date: February 13, 2025

Subject: Construction Unit Price Contract

Address Inquiries to:
Sondra Stone
ssone@lexingtonky.gov

TO ALL PROSPECTIVE SUBMITTERS:

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

1. Bid opening has been extended to February 20, 2025, 2:00 pm.
2. **Question:** The unit prices for pipe removal and pipe installation spec section 6 indicate all materials are incidental to removal of pipe. If the pipe removed requires stone backfill due to the above surface or otherwise, will we be paid for the stone on the unit price per ton?
Answer: If a pipe is to be removed but not replaced with new pipe and is to be backfilled with any material other than borrow/earthwork, then the quantity for the backfill material (stone, flowable, etc.) will be paid for separately.
3. **Question:** Spec section 25 Indicates all bedding and backfilling (even if flowable fill) is incidental. Also it includes concrete cap in this section as incidental. Will those be paid out by their respective unit prices for stone backfill or flowable fill, and would concrete cap need to be included or would it fall under unfinished concrete unit prices?



Answer: Those items listed in the question (bedding, backfilling, flowable fill, and concrete cap) will not be paid out by their respective unit prices but shall be incidental to the cost of the pipe. This is described in the Basis of Payment for Storm Sewer Pipe (Sections 25.3 and 25.6).



Todd Slatin, Director
Division of Procurement

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

COMPANY NAME: Bluegrass Contracting Corporation

ADDRESS: 1075 Red Mile Road, Lexington, KY 40504

SIGNATURE OF BIDDER: 

