

PART III
Invitation to Bid No. 129-2023

Pebble Creek Bank Stabilization

1. FORM OF PROPOSAL

Place: Lexington, Kentucky

Date: 3/24/24

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

This Proposal Submitted by Del Mae LLC

204 Jackson Fariston Rd, London, KY 40344
(Name and Address of Bidding Contractor)

(Hereinafter called "Bidder"), organized and existing under the laws of the State of Kentucky, doing business as Del Mae LLC "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 **Pebble Creek Bank Stabilization** 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 this contract on or before a date to be specified in the Notice to Proceed and to fully complete the project within the time provided in the Purchase Order or Work Orders issued by the OWNER. BIDDER further agrees to pay liquidated damages, the sum of \$400 for each consecutive calendar day thereafter.

The Bidder hereby acknowledges receipt of the following addenda:

Addendum No. ____ Date _____

Addendum No. ____ Date _____

Addendum No. ____ Date _____

Addendum No. ____ Date _____

Addendum No. ____ Date _____

Addendum No. ____ Date _____

Addendum No. ____ Date _____

Addendum No. ____ Date _____

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

2. LEGAL STATUS OF BIDDER

Bidder DelMar LLC

Date 3/24/24

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

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

N/A

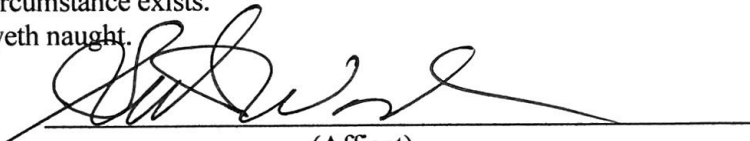
* 3. An individual, whose signature is affixed to this Bid/Proposal (please print name)

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

3. **BIDDERS AFFIDAVIT**

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

1. His/her name is Samantha Woods and he/she is the individual submitting the bid or is the authorized representative of DelMae 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.



 (Affiant)

STATE OF Kentucky
 COUNTY OF Laurel

The foregoing instrument was subscribed, sworn to and acknowledged before me by Samantha Woods on this the 26th day of March, 2024.

My Commission expires: 03-02-2028



 NOTARY PUBLIC, STATE AT LARGE

4. BID SCHEDULE – SCHEDULE OF VALUES

The Bidder agrees to perform all the Work described in the Specifications and shown on 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.

All pricing must be submitted correctly in Ionwave to reflect the correct total of your bid. Contractors are responsible for this if items are entered incorrectly your bid will be rejected. Please pay close attention to how the units are specified and enter the unit amounts. Ionwave will calculate the totals and the total bid amount.

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

The contract, if awarded, will be on the basis of materials and equipment specified in the specifications without consideration of possible substitute or “or equal” items.

The estimated quantities of items of unit price work are not guaranteed and are solely for the purpose of comparison of bids and determining an initial Contract price. Determination of the actual quantities and classification of unit price work performed by the Contractor will be made by the Engineer in accordance with the General Conditions.

BID ITEM NO.	UNIT DESCRIPTION	UNIT	APPROX QTY.	UNIT PRICE WITH WRITTEN DESCRIPTION	TOTAL
1	Mobilization (max. 2% of Bid)	LS	1	SUBMIT IN IONWAVE ONLY	\$1,600.00
2	General Conditions (max. 2% of Bid)	LS	1	SUBMIT IN IONWAVE ONLY	\$1,600.00
3	Demobilization (min. 1% of Bid)	LS	1	SUBMIT IN IONWAVE ONLY	\$280.00
4	Project Sign	EA	1	SUBMIT IN IONWAVE ONLY	\$3,000.00
5	Construction Staking	LS	1	SUBMIT IN IONWAVE ONLY	\$5,000.00
6	Erosion and Sediment Control	LS	1	SUBMIT IN IONWAVE ONLY	\$5,000.00
7	Protective Matting	SY	150 <i>0.60</i>	SUBMIT IN IONWAVE ONLY	\$9,000.00

8	Embankment	CY	50 @ 60.00	SUBMIT IN IONWAVE ONLY	8,000.00
9	TRM Lining (InstaTurf or Approved Equal)	SY	350 @ 10.00	SUBMIT IN IONWAVE ONLY	\$35,000.00
10	Class II Channel Lining	TN	30 @ 250.00	SUBMIT IN IONWAVE ONLY	\$7,500.00
11	Seeding and Protection	SY	1,200 @ 4.00	SUBMIT IN IONWAVE ONLY	\$4,800.00
Total Bid Price					

TOTAL OF ALL BID PRICES FOR **Pebble Creek Bank Stabilization** (Items 1 through 11) in words and figures. In case of discrepancy, the amount shown in words will govern.

Eighty three thousand three hundred and zero dollars,
(\$ 83,300.00)

The ENGINEER'S Estimated Quantities shown in the Construction Plans are to be considered approximate. It is the CONTRACTOR'S responsibility to verify and determine quantities and unit costs that reflect the Total Lump Sum Cost for the entire project. Once the bid is submitted, the CONTRACTOR will not be permitted to alter the unit prices identified in the Bid Schedule.

Submitted by:

DelMae LLC

Firm

204 Jackson Farison Rd

Address

London, KY 40744

City, State & Zip

Bid must be signed:
(original signature)

[Handwritten Signature]

Signature of Authorized Company Representative - Title

Samantha Woods

Representative/s Name (Typed or Printed)

606-682-2914

Area Code - Phone - Extension

Fax #

Samantha@delmaelk.com

E-Mail Address

OFFICIAL ADDRESS:

204 Jackson Farison Rd

London, KY 40744



(Seal if Bids 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: DelMae LLC
- 2. Permanent Place of Business: 204 Jackson Farm Rd Lndn Ky 40244
- 3. When Organized: 11/2020
- 4. Where Incorporated: Kentucky
- 5. Construction Plant and Equipment Available for this Project:
CAT 309 Excavator
CAT 249 Skid Steer

(Attach Separate Sheet If Necessary)

6. Financial Condition:

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

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

(Surety)

Signed: _____ (Representative of Surety)

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

<u>NAME</u>	<u>LOCATION</u>	<u>CONTRACT SUM</u>
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

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

<u>NAME</u>	<u>LOCATION</u>	<u>CONTRACT SUM</u>
<u>Flasksteel Works</u>	<u>Middlesboro, ky</u>	<u>987,176.⁸⁵</u>
<u>Harlan Athletic Field</u>	<u>Harlan, ky</u>	<u>925,000.⁰⁰</u>
<u>Certain High Football Stadium</u>	<u>Corbin, ky</u>	<u>900,000.⁰⁰</u>
<u>Williamsburg Ind. Football Field</u>	<u>Williamsburg, ky</u>	<u>1.7 mill.m</u>
_____	_____	_____

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>
<u>Chad Woods</u>	<u>Project Manager</u>	<u>2+</u>
<u>Shane Whit's</u>	<u>Foreman</u>	<u>4+</u>
_____	_____	_____
_____	_____	_____
_____	_____	_____

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>
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

(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

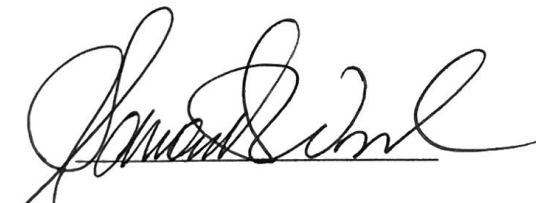
The following list of proposed subcontractors is required by the OWNER to be executed, completed, and submitted with the BIDDER'S FORM OF PROPOSAL. All subcontractors are subject to approval of the Lexington-Fayette Urban County Government. Failure to submit this list completely filled out may be cause 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>	<u>% of Work</u>
1. <u>N/A</u>	Name: _____ Address: _____	_____	_____
2. _____	Name: _____ Address: _____	_____	_____
3. _____	Name: _____ Address: _____	_____	_____
4. _____	Name: _____ Address: _____	_____	_____
5. _____	Name: _____ Address: _____	_____	_____
6. _____	Name: _____ Address: _____	_____	_____
7. _____	Name: _____ Address: _____	_____	_____

(Attach additional sheet(s) if necessary.)

15. Contractors who apply or bid for an award of \$100,000 or more shall file the required certification that it will not and has not used federal appropriated funds to pay any person or organization for influencing or attempting to influence an officer or employee of any agency. Each tier certifies to the tier above that it will not and has not used federal appropriated funds to pay any person or organization for influencing or attempting to influence an officer or employee of any agency, a member of Congress, officer or employee of Congress, or an employee of a member of Congress in connection with obtaining any federal contract, grant, or any other award covered by 31 U.S.C. § 1352. Each tier shall also disclose any lobbying with non-federal funds that takes place in connection with obtaining any federal award. Such disclosures are forwarded from tier to tier, up to the recipient. The required certification is included here:

- a. The undersigned certifies, to the best of his or her knowledge and belief, that:
 - (1) No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of an agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.
 - (2) If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions.
 - (3) The undersigned shall require that the language of this certification be included in the award documents for all subawards at all tiers (including subcontracts, subgrants, and contracts under grants, loans, and cooperative agreements) and that all subrecipients shall certify and disclose accordingly.
- b. This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by section 1352, title 31, U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.



Signature



Date