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November 7, 2017

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Statement of Qualifications

# RFP#45-2017 Audit of Capacity Assurance Program and Collected Fees

Lexington-Fayette Urban County Government  
Lexington, Kentucky

Firm Submitting Proposal: Bell Engineering

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November 7, 2017

Mr. Todd Slatin, Purchasing Director  
Lexington-Fayette Urban County Government  
Room 338, Government Center  
200 East Main Street  
Lexington, KY 40507

**Re: Statement of Qualifications – RFQ#45-2017 Review & Audit of CAP**

Dear Mr. Slatin,

Bell Engineering is pleased to submit our qualifications to provide auditing services to the Lexington-Fayette Urban County Government (LFUCG) on its Capacity Assurance Program (CAP). As the **longest continually operating consulting engineering firm** in Kentucky, Bell is a name that has been associated with **reliability and innovation for 103 years**. We are confident that upon your review of our qualifications, you will conclude that **the Bell team would be an excellent choice to guide and assist you the review and audit of the CAP program**. We offer the following to LFUCG:

- ***Understanding of project goals/objectives***

What this means for LFUCG: Through completion of the 2015 Audit, the Bell team understands the goals and objectives of the review and audit.

- ***Extensive industry experience***

What this means for LFUCG: Our assembled project team has a *minimum* of 24 years of industry experience each. They have the knowledge base to perform an accurate and technically sound review in a timely and efficient manner. They also offer existing relationships with many of LFUCG's project managers which can assist with expediting the information review process.

- ***Familiarity with CAP programs***

What this means for LFUCG: The CAP program which Lexington utilizes is very similar in nature to CAP programs Bell has helped to develop for other communities. We are very familiar with how this program works, how it is integrated with a dynamic model, how it supports capital improvements and how it aids with achieving EPA compliance.

- ***100% locally owned and operated***

What this means for LFUCG: Bell provides a responsive and detailed approach. The owners of our firm are involved and invested in achieving a successful project. Our corporate headquarters is located here in Lexington which means our entire project team is minutes away and available on short notice.

On behalf of Bell Engineering, we thank you for the opportunity to showcase our experience and **outline the strengths that our team can provide**. We look forward to providing quality engineering and auditing services to LFUCG through this and many future projects.

Sincerely,  
BELL ENGINEERING

A handwritten signature in blue ink that reads "D. F. Schrader".

David F. Schrader, PE  
Principal-In-Charge/Project Manager

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**bell engineering. creating. improving. planning for the future.**

**STATEMENT OF QUALIFICATIONS  
Audit & Review of Capacity Assurance  
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**ADDENDA**

# STATEMENT OF QUALIFICATIONS

## Audit & Review of Capacity Assurance Program (CAP) & Collected Fees



### 1.0 FEES

Bell Engineering proposes to complete the review and audit of the Lexington-Fayette Urban County Government's (LFUCG) Capacity Assurance Program (CAP) for a lump sum fee of \$14,900. The scope of services is as follows:

1. Coordinate the random selection process and obtain copies of 29 application records from LFUCG,
2. Compare the process to program requirements as outlined in the Ordinance,
3. Compare the 29 applications for process consistency,
4. By request or interview, verify that no changes have been made to the following items since Bell Engineering completed the 2015 CAP:
  - a. A written description of the existing process for CAP applications,
  - b. Information on how capacity conditions are publicized,
  - c. The modeling consultant's review process description and review the same for adequacy in each of three system capacity areas, WWTP, Collection, Transmission,
  - d. From the model consultant, the initial model development, calibration efforts, field verification, and the extent of modeled system compared to the physical system,
  - e. Information on the model and CAP process integration,
  - f. Information on how credits are developed and tracked,
  - g. Information on inflow/infiltration removal projects and how they are identified and tracked for credit,
  - h. Information on connection removal and tracking,
  - i. Information on how aggressively the balance is maintained on credits,
  - j. Information on the relationship of the model to credit tracking,
  - k. Information on the documentation of repairs and credit tracking,
  - l. Information on the relationship of the model to tracking and updating applications, permits, and reservations,
  - m. Information on the relationship of the model to wait list tracking,
  - n. Information on collection of fees,
  - o. Information on financial deposits of collected fees,
  - p. Information on how the fees are spent, what projects receive the funding, and how each is CAP related,
5. Complete a comparison of the Ordinance to the implemented program and assess the risk of under-performing,
6. For the 29 applications, verify that fees are being calculated correctly,
7. Review, compare and develop an opinion on each aspect of the information collected,
8. Write a preliminary report of findings with an appendix of collected data,
9. Submit and review the draft with LFUCG,
10. Finalize the document and submit to LFUCG.

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## Audit & Review of Capacity Assurance Program (CAP) & Collected Fees

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The work to be performed excludes the following:

1. No financial audit will be performed. LFUCG will coordinate with its financial branch to provide requested information related to fee collection, deposits, and project payments for comparison to program requirements only.
2. No independent investigation for data collection will be performed beyond a request through LFUCG for data and/or staff interviews.
3. No modeling software or model database audit will be performed. LFUCG will coordinate with its modeling consultant to provide the requested data or authorize interviews as needed.

# STATEMENT OF QUALIFICATIONS

## Audit & Review of Capacity Assurance Program (CAP) & Collected Fees



## 2.0 EXPERIENCE

### 2.1 SPECIALIZED EXPERIENCE

**Bell Engineering** is a name that has been associated with **reliability and innovation for 103 years**. As the longest continually operating consulting engineering firm in the state, we have completed projects across Kentucky and in many surrounding states. **We are licensed to practice in Kentucky** and are a **registered small business with the SBA**. As a locally owned firm, our team has the ability to provide clients with a **responsive and detailed approach** and **knowledge specific to the central Kentucky area**. This also gives us the ability to operate with **lower overhead costs; maximizing project budgets**.

Since 1914, Bell has provided civil engineering services to communities large and small. We work in many different markets including municipal, industrial, commercial, federal, energy and natural gas, transportation and education. The **firm has grown to include a multitude of services** including landscape architecture and certified planning services providing clients the opportunity to work with one firm for all of their engineering needs. Our firm is well-staffed to complete a variety of projects in a **timely, efficient and cost-effective manner**.

In 2015, **Bell Engineering was selected to conduct a formal review and audit of LFUCG's Capacity Assurance Program (CAP)**. From that experience, our team became familiar with the CAP's technical review process, how capacity assurance calculations and allocations are made, as well as how collection fees are being assessed and tracked. We learned the roles of the CAP Manager, the Tap Desk Manager, and their support staff. During the audit, we observed firsthand how these roles interact to achieve the goal of the program.

In addition, **Bell staff have worked closely with four other communities**, Winchester, Richmond and Berea, Kentucky, and South Charleston, West Virginia, **to develop similar programs**. Bell owns a license for and utilizes an InfoWorks CS sewer system model of the Winchester, Kentucky, system to provide simulations to certify capacity for proposed connections to the system. Bell provides ongoing monitoring, calibration, and updates for the high-end sewer model. The model is used to forecast the impacts of proposed construction related to inflow and infiltration repairs. A member of Bell's staff was instrumental in the development of the Winchester and Richmond Capacity Assurance Program, its implementation and ongoing support. Bell can bring this experience and understanding to your CAP audit project. We have a unique working knowledge of the components of a CAP program.

Bell has also provided support to South Charleston, West Virginia for the development of several aspects of their emerging Capacity Assurance Program including the initial model for a credit database. Additionally, Bell has provided CSO monitoring and reporting for several years for 11 permitted points in South Charleston's system and reflected those points in the SWIMM V5.0 model

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## Audit & Review of Capacity Assurance Program (CAP) & Collected Fees



that Bell developed and maintains for South Charleston. Bell is working closely with the South Charleston Sanitary Board and the West Virginia Department of Environmental Protection to draft and develop a Capacity Assurance Program and its component functions to meet impending Agreed Order requirements. Bell brings this experience and understanding to your CAP audit project.

### 2.2 PROFESSIONAL PERSONNEL

The team assembled to perform a review and audit of LFUCG's Capacity Assurance Program (CAP) includes the same team members who completed the 2015 Audit for LFUCG. With a **minimum of 24 years' of industry experience**, David Schrader, James Roberts, and Jim Buckles offer knowledge central to accomplishing the goals of the CAP review and audit. This includes **program development, maintenance, management and auditing as well as previous LFUCG experience**.

Mr. Schrader will serve as the **Principal-In-Charge** and **Project Manager** for your project. As a Principal in the firm and Assistant Director of Bell's Engineering Department, Mr. Schrader has designed and managed numerous water and wastewater treatment, collection and distribution projects. He has **24 years of industry experience** serving as client/project manager and project engineer and is currently drafting a CMOM and CAP program for Richmond, Kentucky. He offers **existing relationships with many LFUCG staff and project managers** along with the successful completion of **numerous LFUCG projects**.

**Mr. Buckles and Mr. Roberts** will perform review and audit services. **Mr. Jim D. Buckles** is a professional engineer and board certified environmental engineer. With **45 years of experience** in civil and environmental engineering, he will serve as **Project Coordinator**. His background includes degrees in biology, microbiology and civil engineering and he specializes in on-call environmental services, Local Limits and industrial pretreatment and EPA consent decree programs including **review and audits of existing programs**.

Mr. James Roberts is a professional engineer and professional land surveyor. He is a **Principal in the firm** and also serves as Executive Vice President and Director of Engineering Operations. He **specializes in the analysis of sewer collection and pumping systems** and brings over **39 years of industry experience**.

Resumes for each team member can be found in the following section. Our team will not waiver from our commitment to quality service and accurate technical evaluation.

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### David F. Schrader, PE Principal-In-Charge/Project Manager

As a **Principal in the firm** and Assistant Director of Bell's Engineering Department, Mr. Schrader has designed and managed numerous water and wastewater treatment, collection and distribution projects. He has **24 years' experience** serving as client manager, process designer, project manager and construction administrator. Over the last 10 years, Mr. Schrader has **managed \$340 million in construction** of water and wastewater treatment plants.

#### Education

B.S. Civil Engineering, University of Kentucky

#### Registrations

Professional Engineer, KY – 20981  
Professional Engineer, OH – 72615  
Professional Engineer, WV – 18569  
Professional Engineer, IN – 11011548  
Professional Engineer, PA – PE086002  
Professional Engineer, NC – 044733  
Pretreatment Coordinator

#### Relevant Experience

- Principal-In-Charge and project manager for 2015 Audit and Review of LFUCG's Capacity Assurance Program – Lexington-Fayette Urban County Government; Lexington, KY
- Project manager/lead engineer for Blue Sky Pump Station & Force Main project eliminating the existing Blue Sky WWTP – LFUCG; Lexington, KY
- Project manager/lead engineer for replacement of 80 gpm Griffin Gate Pump Station to address overflow issues experienced during high rain events – LFUCG; Lexington, KY
- Project manager/lead engineer for the refurbishment of South Elkhorn Sewage Lift Station including new chemical feed system to eliminate odors and new motor controls – LFUCG; Lexington, KY
- Project Manager for CMOM development and implementation – Richmond Utilities; Richmond, KY
- Project Manager for CAP development and implementation – Richmond Utilities; Richmond, KY
- Project engineer for wastewater treatment plant expansion to 1.4 mgd utilizing UV disinfection and rotary fan press for solids processing – Monticello, KY
- Project manager for wastewater treatment plant expansion to 1.411 mgd including belt filter press for solids processing – Red River Wastewater Authority; Stanton, KY
- Project manager/lead engineer for new biological nutrient removal activated sludge wastewater treatment facility including three 2-stage screw pumps to lift influent to a screening facility and belt filter presses for solids dewatering – Richmond, KY
- Project manager/lead engineer for new biological nutrient removal activated sludge wastewater treatment facility including belt filter presses for solids dewatering – Winchester, KY
- Project manager/lead engineer for new 3.0 mgd biological nutrient removal activated sludge wastewater treatment facility including belt filter press for solids processing – Mt. Sterling, KY
- Project manager/lead engineer for replacement of 4 sewage lift stations, including replacing 3 horizontal centrifugal pumps located in a confined space that accumulated hazardous gases, with 2 new suction lift systems eliminating confined space problems – Junction City, KY
- Project manager/project engineer for new 250,000 gpd Sequence Batch Reactor (SBR) wastewater treatment plant – Mt. Water District; Pikeville, KY

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Jim D. Buckles, PE, BCEE  
Project Coordinator

Mr. Buckles has 45 years of experience in civil and environmental engineering. His background includes degrees in biology, microbiology and civil engineering and he specializes in on-call environmental services, Local Limits and industrial pretreatment and EPA consent decree programs including **review and audits of existing programs**. Mr. Buckles has presented and published over 50 papers related to water and wastewater projects. He is a past-president of the KY-TN Water Environment Association and a recipient of the Arthur Sidney Bedell Award recognizing **extraordinary service in the water pollution control field**.

### Education

B.S. Civil Engineering, University of Kentucky  
M.S. Microbiology, University of Kentucky  
B.S. Biology, Kentucky Wesleyan College

### Registrations

Professional Engineer, KY – 13055  
Professional Engineer, AZ – 35040  
Professional Engineer, TN – 110922  
AAEE – 91-10036  
HAZWOPER Cert. – 1910.120 Confined Space  
Entry/CPR/First Aid

### Relevant Experience

- Project coordinator for 2015 Audit and Review of LFUCG's Capacity Assurance Program – Lexington-Fayette Urban County Government; Lexington, KY
- Project manager for CMOM Development and Implementation including response to EPA Consent Decree – Winchester Municipal Utilities (WMU); Winchester, KY
- Project manager for ongoing maintenance and review of Capacity Assurance Program – WMU; Winchester, KY
- Project engineer for ongoing maintenance and review of Capacity Assurance Program – South Charleston Sanitary Board; South Charleston, WV
- Assisted with establishment and implementation of Fats, Oils and Grease (FOG) Control Program including permitting, updating ordinance, design criteria for grease control devices, inspections, and best management practices in response to Consent Decree – Winchester Municipal Utilities; Winchester, KY
- Project manager for on-going Industrial Pretreatment Management Program including inspections, categorical determinations, permit writing, and other support tasks – Winchester Municipal Utilities; Winchester, KY
- Project manager for Contract Water Treatment/Wastewater Treatment Operations leading a staff of certified operators that operate both water and wastewater facilities, collection and distribution systems – Blue Grass Army Depot; Richmond, KY
- Project manager for Spill Prevention Control and Countermeasures Plan (SPCC) including preparation of SPCC Plan, update and submittal of an Industrial Pretreatment Application and completion and submittal of a General Storm Water Discharge Notice of Intent – Metalforming Technologies, Inc., dba MTI Lexington; Lexington, KY
- Project manager for alternate metals stormwater permit study including reviewing the facility's history, conducting an initial site visit, developing and implementing a study plan and test protocols and preparing an NPDES Permit Modification Application – YUASA, Inc.; Richmond, KY
- Project manager for quarterly service and calibration of industrial discharge meter – Intertape Polymer Group, Richmond, KY
- Project manager for data collection, testing and analysis – Brake Parts, Inc.; Stanford, KY

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Jim D. Buckles, PE, BCEE  
Project Coordinator

- Client manager for UK/Nicholasville Road Flood Mitigation Project utilizing FEMA Hazard Mitigation Grant Funds: serves to remedy stormwater quantity and quality control issues, includes pervious pavement, modeling and utility relocations (estimated project cost: \$8,000,000) – University of Kentucky; Lexington, KY
- Project engineer to evaluate and audit collection system sampling and discharge metering system for 250 mgd municipal system – Phoenix, AZ
- Project manager for Municipal Industrial Pretreatment Program with 15 significant industries – Winchester Municipal Utilities; Winchester, KY
- Project manager for G&J Pepsi-Cola Bottling Facility project including the evaluation, design and construction of stormwater conveyance system and annual environmental monitoring of the system along with data collection and reporting for stormwater and industrial user pretreatment permits – Lexington, KY
- Field project manager and quality assurance officer for collection of TMDL data including leading the field team responsible for all dye tracing studies and collection of water quality measurement samples, evaluation of the standard operating procedures, specifying and checking calibration procedures, overseeing data recording and reporting and performing internal QA/QC - Caney River; Bartlesville, OK
- Project manager for assisting the Louisville and Jefferson County Metropolitan Sewer District with verification of stormwater conveyance system – CH2M Hill; Louisville, KY
- Project manager for collection, analysis and reporting of stormwater and assistance with achieving compliance with general and individual stormwater permits for numerous industrial facilities in Kentucky
- Project oversight for KPDES Stormwater Sampling and Testing as required by the KPDES Stormwater Permit Application. Stormwater samples were collected and analyzed for a comprehensive list of conventional, nutrient, toxic and organic pollutants and herbicide and pesticide concentrations. The work also included collecting dry weather and wet weather samples from the major streams in Fayette County – Lexington, KY
- Project manager for Winchester Municipal Utilities Modeling project for which Bell has been retained to provide sewer system modeling support for an existing 3,500 node InfoWorks CS model and capacity certification for compliance with an EPA Consent Decree – Winchester Municipal Utilities; Winchester, KY
- Metering specialist for yearly audit of the 91<sup>st</sup> Avenue Wastewater Treatment Plant including accurate flow measurement and representative sampling – Owned by SROG, a subregional operating group that includes Phoenix, Glendale, Scottsdale, Mesa, and Tempe, AZ
- Technical lead for Town Branch Illicit Discharge Investigation including a hydrogeologic investigation to narrow the search area, interpretation of Karst groundwater flow paths leading to the impacted spring and systematic fluorometric dye tracing that ultimately revealed the source of the illicit release – Lexington, KY

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## Audit & Review of Capacity Assurance Program (CAP) & Collected Fees



James K. Roberts, PE, PLS  
Project Engineer

Mr. Roberts is a **Principal in the firm** and serves as Executive Vice President and Director of Engineering Operations at Bell Engineering. He specializes in the **analysis of sewer collection and pumping systems (SSES)** and brings over **39 years of experience** in the industry. Mr. Roberts has advanced training in the use of EPA SWMM v5.0 sewer modeling and analysis software and is currently using it on several collection and treatment system studies. He has completed design work on both water and wastewater treatment projects and has experience in site development and utility relocation projects. He serves as our **in-house quality assurance coordinator** on most projects. Client satisfaction and meeting budgets and schedules are his main focus throughout a project.

### Education

B.S. Civil Engineering, University of Kentucky  
Value Engineering Workshop Training  
CAD Production Technology & Workshop

### Registrations

Professional Engineer, KY – 15736  
Professional Engineer, WV – 13391  
Professional Land Surveyor, KY – 3010  
Professional Land Surveyor, WV – 1619

### Relevant Experience

- Project engineer for 2015 Audit and Review of LFUCG's Capacity Assurance Program – Lexington-Fayette Urban County Government; Lexington, KY
- Project engineer for ongoing maintenance and review of Capacity Assurance Program – WMU; Winchester, KY
- Project manager for ongoing maintenance and review of Capacity Assurance Program – South Charleston Sanitary Board; South Charleston, WV
- Project manager for emergency main trunk sewer replacement including 5,000 L.F. of 12- and 18-inch sewer which was designed, bid and constructed in 60 days – Pendleton Co. Fiscal Court and Falmouth, KY
- Project manager and lead designer for Maple Avenue Sewers & Sewage Collection and Transportation System including 3,000 L.F. of 8-inch gravity sewers replacing existing sewers in place (\$180,000) – Falmouth, KY
- Project manager and lead designer for Sewage Collection and Transportation System including 7 pump stations, 4-, 6- and 8-inch gravity sewers and 6 miles of 6-inch force main (\$2,100,000) – Henry & Shelby Counties and Pleasureville, KY
- Project manager for Sewage Collection and Transportation System including 7 pump stations and 10 miles of 8-inch force main (\$2,200,000) – Webster County Fiscal Court; Dixon, KY
- Project manager/professional engineer for Longwood and Transcraft Pump Station Improvement Project including sewage pump station expansion (500 - 1,200 gpm) and upsizing 10,000 L.F. of force main from 6- to 8-inch (\$450,000) – Mt. Sterling Water and Sewer System; Mt. Sterling, KY
- Project manager for Fishpool Interceptor and Keeneland Whipp's Mill Garden Collectors project including 9,750 L.F. of 18- to 27-inch sewer (\$1,500,000) – Louisville-Jefferson County MSD; Louisville, KY
- Project engineer and quality assurance for major maintenance upgrade for extended wastewater treatment plant life including sewer system rehabilitation – Falmouth, KY
- Principal-in-charge for Wastewater System Improvements project including replacement of valves, pumps and motors for 75 grinder pumps within a low pressure sewer system serving 105 customers – Berry, KY

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## Audit & Review of Capacity Assurance Program (CAP) & Collected Fees



James K. Roberts, PE, PLS

Project Engineer

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- Project manager for sanitary sewer rehabilitation including manhole sealing, line replacement, and point repairs – Falmouth, KY
  - Project manager for McDonald's Sewage Pump Station design to serve restaurant facility - McDonald's Corporation; Mt. Vernon, KY
  - Property survey for Blackey Wastewater Treatment Plant site – Letcher County, KY
  - Property survey for Little Cowan Tank site survey to assess slip area – Letcher County, KY
  - Installation, monitoring and data analysis of 3 flow monitors at Eastern Kentucky University – Richmond, KY
  - Installation of 5 gravity flow monitors in the Allen Drive area and investigation of major inflow and infiltration causing manhole overflows – Richmond, KY
  - Installation of 2 gravity flow monitors in the Reynolds Drive area and investigation of major inflow and infiltration causing manhole overflows – Richmond, KY
  - Completed the North Middletown collection system smoke testing, flow monitoring and physical inspection and provided recommendations for rehabilitation – Kentucky American Water Company; Lexington, KY
  - Project engineer for Hillcrest Subdivision Preliminary Study and letter report regarding feasibility of sewer service including field investigation, preliminary alignment plans for selected alternatives and cost estimates – City of Richmond, KY
  - Project engineer for Dreaming Creek Trunk Sewer Study and report regarding condition of system, remaining capacity determination and prioritization of problems discovered. Project included field investigation, pump station capacity measurement, sewer grade analysis, preparation of capacity charts and final report with recommendations – City of Richmond, KY
  - Capacity analysis of primary pump station to treatment plant – Danville, KY
  - Windsor Drive Pump Station analysis and capacity needs to add a new elementary school – Richmond, KY
  - Eastway Drive and Southland Drive Pump Station study, capacity and operations analysis – Richmond, KY
  - Industrial park (Rice property) and Lake Reba Pump Stations capacity analysis – Richmond, KY

# STATEMENT OF QUALIFICATIONS

## Audit & Review of Capacity Assurance Program (CAP) & Collected Fees



### 3.0 CAPACITY TO PERFORM

The Bell Engineering team values each client and looks to create partnerships that offer knowledge and guidance on projects that span from planning through construction. We are committed to meeting and exceeding project goals through conscientious budget management and dedicated resource allocation, ensuring budgets and schedules are maintained. We understand the importance of adhering to outlined project schedules and require 100% commitment of the entire project team to ensure they are completed as efficiently as possible.

Our team can begin as soon as the Lexington-Fayette Urban County Government authorizes the Review and Audit of the Capacity Assurance Program. Our team has the knowledge, experience, available personnel and desire to perform the required services in addition to the available capacity to complete the job according to schedule.

The following shows the personnel assigned to the team, their role and the percentage of their time currently committed to other projects. As you can see, the Bell team has ample capacity to complete your project in a timely manner.

	Role in Project	Time Committed to Other Projects
<i>David F. Schrader, PE</i>	Principal-In-Charge/Project Manager	50%
<i>Jim D. Buckles, PE, BCEE</i>	Project Coordinator	55%
<i>James K. Roberts, PE, PLS</i>	Engineering Review/Audit Services	60%

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### 4.0 CHARACTER, INTEGRITY & REPUTATION

Bell Engineering's vision statement is "Creating. Improving. Planning for the future." and our mission statement is "To meet client needs with quality professional services, through a satisfied and competent staff, in a growing and expanding firm."

These beliefs are evident in every project we complete through innovative solutions designed not only to satisfy today's needs, but to also take into consideration future conditions and regulations. Additionally, our firm is constantly diversifying. By hiring the most qualified people we are able to provide new services in addition to our core business giving clients the ability to work with one firm for all of their engineering needs. We firmly believe in equal opportunity regulations, policies and procedures and a copy of our Equal Opportunity Policy is included.

Bell has a reputation of providing quality engineering services to our clients. As part of our professional duty, projects are designed in accordance with appropriate governmental guidelines and engineering standards. We are aware of the laws and protocols that pertain to our work and regularly attend professional conferences in an effort to be well-versed in current and future regulations. At times, our staff also presents at these conferences demonstrating our commitment to be stewards of our profession.

Additionally, our firm has established relationships with funding and other governing agencies and maintains compliance with all regulatory agencies and environmental regulations. This allows us to get honest feedback regarding funding opportunities and project feasibility saving our clients time and money.

From the design of sound infrastructure projects to participation in community organizations and governing boards, Bell Engineering is committed to making a difference in the communities in which we serve. Our employees are highly active not only in Lexington and Hopkinsville, Kentucky, where our offices are located, but also in all of the communities we serve throughout the Commonwealth.

The employees of Bell's Lexington office are currently involved in many aspects of the community including Kiwanis and CommerceLex. Staff members also volunteer their time to promote education including speaking about engineering to classes at the University of Kentucky and the local Boy Scouts, and providing opportunities for students to complete job shadowing and internships.

Our employees strive to make Lexington a great place to live and work. LFUCG will benefit from our commitment to the community because we understand the impact of this project. For this reason, we understand the importance of maintaining the schedules as outlined in the RFP and that management of the project budget is critical for success.

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## Audit & Review of Capacity Assurance Program (CAP) & Collected Fees



### 5.0 PAST RECORD OF PERFORMANCE

Bell Engineering has an excellent record of past performance with LFUCG. Our team has completed a variety of projects both Consent Decree-related and other. These include:

#### Wastewater Projects

- 2015 CAP Review & Audit
- Griffin Gate Pump Station Replacement & Force Main
- Blue Sky Pump Station Replacement & Force Main (*Consent Decree*)
- Boonesboro Manor Pump Station & Force Main
- Blue Sky WWTP decommissioning in August of 2014
- Boonesboro Manor WWTP decommissioning
- Wolf Run Sanitary Sewer Rehabilitation (*Consent Decree*)
- Haley Pike Landfill Irrigation Pipe Routing & Design (*Consent Decree*)

In 2012 and 2014, respectively, we designed the Class C Griffin Gate Pump Station and Blue Sky Pump Station. The project manager for this project was Steve Farmer. We worked closely with Dallas Taylor to ensure that all components of the pump stations met LFUCG requirements. These upgrades prevent the pump stations from experiencing overflows and they have operated without interruption.

#### Bike Trails

- Brighton East Rail Trail Phase 4
- Alumni Drive Separated Bike Lanes

#### Stormwater Projects

- Lyon/Riviera/Silverleaf Stormwater Projects
- Dartmouth Drive Culvert Replacement
- Stormwater IDIQ Projects (Higbee Mill, Tanbark, Hunters Wood)
- Cardinal Lane Stormwater Improvements Phase 1 & 3
- Cephus Way Drainage Improvements Phase 1
- Cane Run Road Drainage Improvements Phases 1 & 2
- Haven Ct. Drainage Improvements Phases 1 & 2
- Gettysburg Road Storm Sewer Replacement

Bell has assigned David Schrader as Principal-In-Charge/Project Manager and Jim Buckles as Project Coordinator for the Capacity Assurance Program (CAP) Audit. David and Jim have over 69 years of combined experience as project managers on a wide variety of projects. They also have a history of successful project management on several LFUCG projects.

As project manager and engineer for the Blue Sky Pump Station project, Mr. Schrader coordinated the easement acquisition for the force main and developed a program to track the progress of the

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acquisition process. This program was adopted by LFUCG to be used on future easement acquisitions. Bell will utilize the same organized approach to track the audit progress for the CAP program.

Bell approaches every project with this type of creative thinking to help our clients receive the best value for their budget. This, along with open lines of communication, leads to successful projects. Additionally, our team has a unique ability to serve LFUCG due to the number of qualified and experienced staff located right here in Lexington. Not only does our team have an unmatched level of experience, we have a high level of knowledge of the LFUCG collection system from current and past projects.

The first step in our approach includes meeting with the appropriate LFUCG staff to confirm LFUCG's needs and desired schedule. Our team has reviewed the existing CAP program and will apply the knowledge we gained in completing the 2015 Audit to ensure that our project understanding remains in-line with the program goals. We take pride in working closely with the client to meet or exceed project schedules and expectations. We understand the importance of adhering to outlined project schedules and require 100% commitment of the entire team to ensure work is completed as efficiently as possible.

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### 6.0 DEGREE OF LOCAL EMPLOYMENT

- Founded in Lexington, KY in 1914
- 100% Lexington owned and operated
- Longest continually operating consulting engineering firm in Kentucky

Bell Engineering has remained a locally owned and operated civil engineering firm since Mr. Howard K. Bell formed the company in Lexington, Kentucky in 1914. Originally located on Limestone Street, **Howard K. Bell Consulting Engineers, Inc. provided water, wastewater and stormwater engineering services** to a variety of clients throughout Kentucky and West Virginia.

Prior to Mr. Bell's death in 1939, his son Mr. Grant S. Bell and Mr. James K. Latham were made partners in the firm. In 1960, **operations were changed from a partnership to a corporation** and the firm adopted an Employee Stock Ownership Plan (ESOP) in 1992. In 2005, the **firm rebranded under the name Bell Engineering** and the Lexington headquarters moved to its current location on Fortune Drive in August 2010.

Responsiveness, quality and satisfaction are the Bell team's primary goals. Bell Engineering is truly a locally owned and operated firm with our corporate headquarters centrally located in Lexington.

#### **Bell Engineering Corporate Office**

2480 Fortune Drive, Suite 350  
Lexington, KY 40509  
Phone: 859/278-5412

Our entire project team is minutes away from the project location. Staff can be on-site as needed or for emergencies with little notice. The Lexington-Fayette Urban County Government can feel confident that our team will be available to offer guidance and receive input throughout completion of the Audit and Review of the Capacity Assurance Program. Additionally, our team is **available 24 hours a day, 7 days a week** to ensure that you are satisfied with our services and that your needs are being met.

100% of the work performed on this project will be completed in-house by the Bell team; all of whom are located in the Lexington area.

# STATEMENT OF QUALIFICATIONS

## Audit & Review of Capacity Assurance Program (CAP) & Collected Fees



### 7.0 FAMILIARITY

After graduating from the University of Kentucky with a degree in Engineering and serving as the Chief Engineer and General Manager of the Lexington Water Company, Howard K. Bell founded the firm as one of the first consulting engineering firms in the state of Kentucky. With a vision to provide professional engineering services to city, county, state and federal governments, Mr. Bell quickly earned a reputation as a pioneer in the field providing solutions-based, original engineering applications. Leading the company that bore his name until his death in 1939, Mr. Bell set the tone for the employee-owned, client focused environment we still operate on today.

One of the many great things about Bell Engineering is the unwavering focus on our mission and a dedication to the principles our founder knew were critical to our success. We have focused on and been dedicated to Lexington and the Commonwealth of Kentucky by remaining locally owned and operated; something we are proud of in a market where many of our competitors have been acquired by national and international companies. Our offices have moved several times throughout the past 100 years. From humble beginnings at Mr. Bell's house, to the First Security Bank Building on Main Street, to South Limestone Street, Waller Avenue and on to our current location on Fortune Drive; the one constant is that our headquarters has always remained in Lexington. Bell is truly a Lexington firm and has been involved in a number of valuable infrastructure projects that helped the City grow including design of the first concrete streets in the 1920's, work on the Lexington Railroad in the 1930's and 40's and construction of the Lexington Signal Depot during World War II.

In more recent years we have worked with LFUCG on the development of the early Sewer System Evaluation Surveys and have followed the growth and development of Lexington's sewer system management programs. Through a number of consent decree projects, our team is familiar with many of the project managers employed by LFUCG and the processes and procedures they utilize. The Capacity Assurance Program that has been developed for Lexington is very similar in nature to other CAP programs that Bell helped to develop for other communities. While Bell did not develop LFUCG's program, through completing the 2015 Audit and Review we are very familiar with how the program works, how it is integrated with a dynamic model, how it is used to support and aid in directing capital improvements targeted at inflow and infiltration reduction and how it forms the basic pathway to achieving long-term compliance with EPA mandates.

**STATEMENT OF QUALIFICATIONS  
Audit & Review of Capacity Assurance  
Program (CAP) & Collected Fees**

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**APPENDIX A**

Bell Engineering Affirmative Action Plan

Required Affidavit

Equal Opportunity Agreement

MWDBE Participation Form

MWDBE Quote Form

MWDBE Good Faith Efforts

General Provisions

**AFFIRMATIVE ACTION PLAN FOR  
EQUAL EMPLOYMENT OPPORTUNITY AT  
BELL ENGINEERING**

1. Policy

It is the policy of this firm to provide equal employment opportunity to all persons without regard to their race, color, religion, sex, age, veteran status, handicap, or national origin, and to promote the full realization of equal employment opportunity through a positive continuing program. The firm will assure that applicants are recruited and hired, and that employees are treated without regard to their race, color, religion, sex, age, veteran status, handicap, or national origin. Equal opportunity and equal consideration will be afforded to all applicants and employees in personnel actions which include recruiting and hiring, selection for training, promotion, fixing rates of pay or other compensation, transfer and layoff or termination. It is our intention, in the implementation of this policy, to provide full employment opportunities for members of minority groups. Furthermore, it is our policy to coordinate the affirmative action program directed at seeking personnel from minority groups for employment with the firm and to provide encouragement and direction to our staff to advance within the limits of each individual's capabilities.

2. Dissemination of Policy

Our equal employment opportunity is and will be communicated to all relevant audiences within and outside the firm. These include non-discrimination policy statements in our personnel manuals and memoranda, and employee information literature; posting of EEO posters on bulletin boards; periodic written and oral statements of policy from the firm to its management staff; discussion of policy and affirmative action plans in management meetings and development sessions; recruiting practices that will provide equal opportunity to all persons possessing requisite skills seeking employment with this firm.

3. Responsibility for Implementation of Policy

A firm officer will be responsible for the implementation of our affirmative action policy and will direct our equal employment opportunity program. His responsibilities will include: (1) developing policy statements, affirmative action programs, internal and external communication techniques; (2) assisting in the identification of problem areas; (3) assisting project engineers and project managers in arriving at solutions to problems; (4) designing and implementing audit and report systems that will measure the effectiveness of the program, indicate a need for remedial action, and determine the degree to which the goals and objectives of the firm's progress have been attained; (5) serving as liaison between the firm and enforcement agencies, minority organizations and community action groups; (6) keeping

the management informed of the latest developments in the entire equal employment opportunity area.

4. Analysis of Firm Employment

The attached Table 1 provides a breakdown of total employment into job categories based on position description having equivalent pay grades. Also, the table contains minority and women employment per job category, overall percentage within our recruiting area, and the percentage of those possessing the necessary employment skills. Our recruiting area for engineers is nationwide while that for designers/planners, engineering technicians, inspectors, draftspersons, and economists is mostly state-wide. Beginning inspectors, draftspersons, administrative assistants and secretaries are recruited within the Standard Metropolitan Statistical Area.

In analyzing our utilization in each job category, we have arrived at the following conclusions:

a. Job Category: Consultant

Discussion: Consultants are long-term employees, presently retired from full-time service but still working part-time, providing a special expertise to the firm.

Conclusion: This is not an under-utilization area. In furthering our equal employment opportunity policy, we will continue to encourage and promote full opportunity to minority and women employees with the requisite skill and tenure to advance to this position.

b. Job Category: Principal

Discussion: Principals are the owners of the firm. Openings for these positions are created only through action of the Board of Directors. All principals own stock in the firm and any new principal will have to purchase available stock.

Conclusion: Because openings in this category are extremely limited, the establishment of specific goals cannot realistically be accomplished. In furthering our equal employment opportunity policy, we will encourage and promote full opportunity for minority and women employees with the requisite skill and tenure to advance to this position.

c. Job Category: Engineer

Discussion: Within the recruiting area, minorities possessing the requisite skills for this category represent approximately 5.3 percent of the experienced work force.

Conclusion: This is not an under-utilization area. However, in furthering our equal employment opportunity policy, we will encourage and promote full opportunity for minority and women employees with the requisite skills and education.

- d. Job Category: Architect  
Discussion: Within the recruiting area, minorities possessing the requisite skills for this category represent approximately 5.3 percent of the experienced work force.  
Conclusion: This is not an under-utilization area. However, in furthering our equal employment opportunity policy, we will encourage and promote full opportunity for minority and women employees with the requisite skills and education.
  
- e. Job Category: Designer/Planner  
Discussion: Within the recruiting area, minorities possessing the requisite skills for this category represent approximately 20.1 percent of the experienced work force.  
Conclusion: When an opening occurs, we will encourage and promote full opportunity for minority and women employees with the requisite skills and education.
  
- f. Job Category: Engineering Technician  
Discussion: Within the recruiting area, minorities possessing the requisite skills for this category represent approximately 20.1 percent of the experienced work force.  
Conclusion: When an opening occurs we will encourage and promote full opportunity for minority and women employees with the requisite skills and education.
  
- g. Job Category: Inspector/Operations Specialist  
Discussion: Within the recruiting area, minorities possessing the requisite skills for this category represent approximately 20.1 percent of the experienced work force.  
Conclusion: When an opening occurs, we will encourage and promote full opportunity for minority and women employees with the requisite skills to fill such positions.
  
- h. Job Category: Draftsperson  
Discussion: Within the recruiting area, minorities possessing the requisite skills for this category represent approximately 23.7 percent of the experienced work force.  
Conclusion: When an opening occurs, we will encourage and promote full opportunity for minority and women employees with the requisite skills to fill such positions.
  
- i. Job Category: Accountant/Economist  
Discussion: Within the recruiting area, minorities and women possessing the requisite skills for this position represent approximately 49.1 percent of the experienced work force. When an opening occurs, we will encourage and promote full opportunity for minority and women employees with the requisite skills to fill such positions.  
Conclusion: This is not an under-utilization area.
  
- j. Job Category: Administrative Assistant  
Discussion: Within the recruiting area minorities and women possessing the requisite skills for this category represent approximately 49.1 percent of the experi-

enced work force. When an opening occurs, we will encourage and promote full opportunity for minority and women employees with the requisite skills to fill such positions.

Conclusion: This is not an under-utilization area.

k. Job Category: Secretary

Discussion: Within the recruiting area minorities and women possessing the requisite skills for this category represent approximately 98.9 percent of the experienced work force. When an opening occurs, we will encourage and promote full opportunity for minority and women employees with the requisite skills to fill such positions.

Conclusion: This is not an under-utilization area.

5. Goals and Timetables

Because of the current business climate, we do not anticipate an increase in our total number of employees in the next six to 12 months. During this time it is expected that new employees will be hired only to replace those employees who resign or leave for other reasons. Any immediate goals in terms of specific numbers will be on the conservative side if we expect to realistically attain these goals. The largest turn-over of employment is in the job categories of draftspersons and secretaries, so our maximum emphasis of recruiting minorities will be in these categories.

Although primarily dependent upon the work load and the needs to fill vacancies, the immediate goals of this firm are to increase minority and women employment in the job categories of engineering technician, inspector/operations specialist, draftsperson and secretary.

The firm will strive to fill any vacancies in a manner that will meet the goals set forth as follows:

<u>Position</u>	<u>New Minority Employees</u>	<u>Target Date</u>
Secretary	1	1 year
Engineering Technician	2	2 years
Inspector/Operations Spec.	1	1 year
Draftsperson	1	1 year

These goals, together with 16 present minority and women employees, project a total minority employment by our firm of 20, for approximately 21 percent at the end of one year, and 21 for approximately 22 percent by the end of two years.

At every six-month period our goals will be reevaluated in light of business conditions and the success of our recruiting efforts. Our long-range goal is to employ a percentage of minorities and women with requisite skills at least equal to the percentage of minorities within our recruiting area.

6. Development and Execution of Program

a. Recruiting

Our recruiting program will be conducted in a manner to ensure we are reaching minority and women prospects. At such times that openings may occur within our staff, we will place notices of employment in appropriate media readily available to all persons seeking employment.

b. Training

We have previously hired minorities from the local technical institute and plan to utilize this source in the future. It is our present policy to provide on-the-job training for new employees. This policy is and will continue to be applicable to minority and women employees. As employees progress, they will be promoted to a higher position of responsibility and compensation commensurate to their skills and contributions.

c. Personnel Actions

Personnel actions of every type including hiring, upgrading, promotion, transfer, demotion, layoff, and termination will be periodically reviewed to ensure the action was taken without bias. During meetings with supervisory personnel, their actions will be reviewed to ensure their support of the firm's equal employment policy.

d. Community Relations

Representatives of the firm will cooperate with the appropriate agencies and groups within the community in the further development of community acceptance and adoption of nondiscrimination practices in employment.

7. Audit Report and Evaluate

The firm has instituted an audit and reporting system which consists of the following:

a. Job Openings

A list of applicants will be kept for each job opening. An informal record solely for statistical purposes will be maintained to identify minority and women applicants where practical. If the minority and women applicant is not hired, the reason will be recorded.

b. Separation

A record of separation and the reason of separation will be maintained and minority and women group employees will be specifically identified. A thorough check will be made to ensure that discrimination did not enter the separation.

c. Promotions

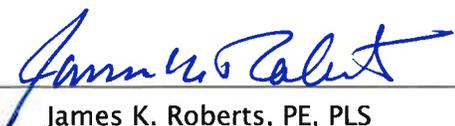
A record of promotions by employee name and category will be maintained with minority and women employees specifically identified. Again this information will be maintained solely for statistical purposes.

The firm member in charge will periodically review and evaluate the status of the affirmative action program, and will report at each meeting of the firm members and associates on the progress and success of our program.

8. Adoption of Policy

The Affirmative Action Plan for equal employment opportunity is hereby adopted the first day of January, 1997.

By   
Roy L. Bohon, II  
Secretary-Treasurer

By   
James K. Roberts, PE, PLS  
Executive Vice President

Date November 7, 2017

## AFFIDAVIT

Comes the Affiant, James K. Roberts, PE, PLS, and after being first duly sworn, states under penalty of perjury as follows:

1. His/her name is James K. Roberts, PE, PLS and he/she is the individual submitting the proposal or is the authorized representative of Bell Engineering, the entity submitting the proposal (hereinafter referred to as "Proposer").

2. Proposer will pay all taxes and fees, which are owed to the Lexington-Fayette Urban County Government at the time the proposal 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. Proposer will obtain a Lexington-Fayette Urban County Government business license, if applicable, prior to award of the contract.

4. Proposer 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. Proposer 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 Proposer will not violate any provision of the campaign finance laws of the Commonwealth.

6. Proposer has not knowingly violated any provision of Chapter 25 of the Lexington-Fayette Urban County Government Code of Ordinances, known as "Ethics Act."

**Continued on next page**

7. Proposer 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.

James K. Roberts PE, PLS

STATE OF Kentucky

COUNTY OF Fayette

The foregoing instrument was subscribed, sworn to and acknowledged before me by James K. Roberts, PE, PLS on this the 7th day of November, 2017.

My Commission expires: October 14, 2021

David Ball  
NOTARY PUBLIC, STATE AT LARGE

## EQUAL OPPORTUNITY AGREEMENT

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### 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 sub-contractor 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 contractors 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

Bell Engineering  
Name of Business

**WORKFORCE ANALYSIS FORM**

Name of Organization: Bell Engineering

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		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		2	2														
Professionals		15															
Superintendents																	
Supervisors		1															
Foremen		5															
Technicians		10	2														
Protective Service																	
Para-Professionals		1															
Office/Clerical		1	3														
Skilled Craft																	
Service/Maintenance																	
<b>Total:</b>		<b>35</b>	<b>7</b>														

Prepared By: Megan Hogan, Director of Marketing Date: 11 / 7 / 2017  
 (Name & Title)



LFUCG MWDBE PARTICIPATION FORM

Bid/RFP/Quote Reference # RFP #45-2017 CAP Audit & Review

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. None				
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.

Bell Engineering  
Company

11/7/2017  
Date

*James W. Calvert, PE, PLC*  
Company Representative

Executive Vice President  
Title



**MWDBE QUOTE SUMMARY FORM**

**Bid/RFP/Quote Reference # RFP #45-2017 CAP Audit & Review**

**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.**

<b>Company Name</b>	<b>Contact Person</b>
<b>Address/Phone/Email</b>	<b>Bid Package/Bid Date</b>

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
None								

(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.

Bell Engineering  
Company

11/7/2017  
Date

*James Calvert PE, PLS*  
Company Representative

Executive Vice President  
Title

LFUCG STATEMENT OF GOOD FAITH EFFORTS  
Bid/RFP/Quote # 45-2017

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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 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 subcontractors or suppliers from LFUCG Economic Engine 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 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 MWDBE 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. Documentation of Good Faith Efforts are to 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.

Bell Engineering  
Company

11/7/2017  
Date

  
Company Representative

Executive Vice President  
Title

## GENERAL PROVISIONS

1. Each Respondent shall comply with all Federal, State & Local regulations concerning this type of service or good.

The Respondent agrees to comply with all statutes, rules, and regulations governing safe and healthful working conditions, including the Occupational Health and Safety Act of 1970, *29 U.S.C. 650 et. seq.*, as amended, and KRS Chapter 338. The Respondent also agrees to notify the LFUCG in writing immediately upon detection of any unsafe and/or unhealthful working conditions at the job site. The Respondent agrees to indemnify, defend and hold the LFUCG harmless from all penalties, fines or other expenses arising out of the alleged violation of said laws.

2. Failure to submit ALL forms and information required in this RFP may be grounds for disqualification.
3. Addenda: All addenda, if any, shall be considered in making the proposal, and such addenda shall be made a part of this RFP. Before submitting a proposal, it is incumbent upon each proposer to be informed as to whether any addenda have been issued, and the failure to cover in the bid any such addenda may result in disqualification of that proposal.
4. Proposal Reservations: LFUCG reserves the right to reject any or all proposals, to award in whole or part, and to waive minor immaterial defects in proposals. LFUCG may consider any alternative proposal that meets its basic needs.
5. Liability: LFUCG is not responsible for any cost incurred by a Respondent in the preparation of proposals.
6. Changes/Alterations: Respondent may change or withdraw a proposal at any time prior to the opening; however, no oral modifications will be allowed. Only letters, or other formal written requests for modifications or corrections of a previously submitted proposal which is addressed in the same manner as the proposal, and received by LFUCG prior to the scheduled closing time for receipt of proposals, will be accepted. The proposal, when opened, will then be corrected in accordance with such written request(s), provided that the written request is contained in a sealed envelope which is plainly marked "modifications of proposal".
7. Clarification of Submittal: LFUCG reserves the right to obtain clarification of any point in a bid or to obtain additional information from a Respondent.
8. Bribery Clause: By his/her signature on the bid, Respondent certifies that no employee of his/hers, any affiliate or Subcontractor, has bribed or attempted to bribe an officer or employee of the LFUCG.

9. **Additional Information:** While not necessary, the Respondent may include any product brochures, software documentation, sample reports, or other documentation that may assist LFUCG in better understanding and evaluating the Respondent's response. Additional documentation shall not serve as a substitute for other documentation which is required by this RFP to be submitted with the proposal.
10. **Ambiguity, Conflict or other Errors in RFP:** If a Respondent discovers any ambiguity, conflict, discrepancy, omission or other error in the RFP, it shall immediately notify LFUCG of such error in writing and request modification or clarification of the document if allowable by the LFUCG.
11. **Agreement to Bid Terms:** In submitting this proposal, the Respondent agrees that it has carefully examined the specifications and all provisions relating to the work to be done attached hereto and made part of this proposal. By acceptance of a Contract under this RFP, proposer states that it understands the meaning, intent and requirements of the RFP and agrees to the same. The successful Respondent shall warrant that it is familiar with and understands all provisions herein and shall warrant that it can comply with them. No additional compensation to Respondent shall be authorized for services or expenses reasonably covered under these provisions that the proposer omits from its Proposal.
12. **Cancellation:** If the services to be performed hereunder by the Respondent are not performed in an acceptable manner to the LFUCG, the LFUCG may cancel this contract for cause by providing written notice to the proposer, giving at least thirty (30) days notice of the proposed cancellation and the reasons for same. During that time period, the proposer may seek to bring the performance of services hereunder to a level that is acceptable to the LFUCG, and the LFUCG may rescind the cancellation if such action is in its best interest.

A. Termination for Cause

- (1) LFUCG may terminate a contract because of the contractor's failure to perform its contractual duties
- (2) If a contractor is determined to be in default, LFUCG shall notify the contractor of the determination in writing, and may include a specified date by which the contractor shall cure the identified deficiencies. LFUCG may proceed with termination if the contractor fails to cure the deficiencies within the specified time.
- (3) A default in performance by a contractor for which a contract may be terminated shall include, but shall not necessarily be limited to:
  - (a) Failure to perform the contract according to its terms, conditions and specifications;
  - (b) Failure to make delivery within the time specified or according to a delivery schedule fixed by the contract;

- (c) Late payment or nonpayment of bills for labor, materials, supplies, or equipment furnished in connection with a contract for construction services as evidenced by mechanics' liens filed pursuant to the provisions of KRS Chapter 376, or letters of indebtedness received from creditors by the purchasing agency;
- (d) Failure to diligently advance the work under a contract for construction services;
- (e) The filing of a bankruptcy petition by or against the contractor; or
- (f) Actions that endanger the health, safety or welfare of the LFUCG or its citizens.

#### B. At Will Termination

Notwithstanding the above provisions, the LFUCG may terminate this contract at will in accordance with the law upon providing thirty (30) days written notice of that intent, Payment for services or goods received prior to termination shall be made by the LFUCG provided these goods or services were provided in a manner acceptable to the LFUCG. Payment for those goods and services shall not be unreasonably withheld.

13. **Assignment of Contract:** The contractor shall not assign or subcontract any portion of the Contract without the express written consent of LFUCG. Any purported assignment or subcontract in violation hereof shall be void. It is expressly acknowledged that LFUCG shall never be required or obligated to consent to any request for assignment or subcontract; and further that such refusal to consent can be for any or no reason, fully within the sole discretion of LFUCG.
14. **No Waiver:** No failure or delay by LFUCG in exercising any right, remedy, power or privilege hereunder, nor any single or partial exercise thereof, nor the exercise of any other right, remedy, power or privilege shall operate as a waiver hereof or thereof. No failure or delay by LFUCG in exercising any right, remedy, power or privilege under or in respect of this Contract shall affect the rights, remedies, powers or privileges of LFUCG hereunder or shall operate as a waiver thereof.
15. **Authority to do Business:** The Respondent must be a duly organized and authorized to do business under the laws of Kentucky. Respondent must be in good standing and have full legal capacity to provide the services specified under this Contract. The Respondent must have all necessary right and lawful authority to enter into this Contract for the full term hereof and that proper corporate or other action has been duly taken authorizing the Respondent to enter into this Contract. The Respondent will provide LFUCG with a copy of a corporate resolution authorizing this action and a letter from an attorney confirming that the proposer is authorized to do business in the State of Kentucky if requested. All proposals must be signed by a duly authorized officer, agent or employee of the Respondent.

- 16. **Governing Law:** This Contract shall be governed by and construed in accordance with the laws of the Commonwealth of Kentucky. In the event of any proceedings regarding this Contract, the Parties agree that the venue shall be the Fayette County Circuit Court or the U.S. District Court for the Eastern District of Kentucky, Lexington Division. All parties expressly consent to personal jurisdiction and venue in such Court for the limited and sole purpose of proceedings relating to this Contract or any rights or obligations arising thereunder. Service of process may be accomplished by following the procedures prescribed by law.
- 17. **Ability to Meet Obligations:** Respondent affirmatively states that there are no actions, suits or proceedings of any kind pending against the Respondent or, to the knowledge of the Respondent, threatened against the Respondent before or by any court, governmental body or agency or other tribunal or authority which would, if adversely determined, have a materially adverse effect on the authority or ability of Respondent to perform its obligations under this Contract, or which question the legality, validity or enforceability hereof or thereof.
- 18. Contractor understands and agrees that its employees, agents, or subcontractors are not employees of LFUCG for any purpose whatsoever. Contractor is an independent contractor at all times during the performance of the services specified.
- 19. If any term or provision of this Contract shall be found to be illegal or unenforceable, the remainder of the contract shall remain in full force and such term or provision shall be deemed stricken.

  
Signature

11/7/2017  
Date

MAYOR JIM GRAY



**LEXINGTON**

TODD SLATIN  
DIRECTOR  
CENTRAL PURCHASING

**ADDENDUM #1**

RFP Number: #45-2017

Date: November 2, 2017

Subject: Audit of Capacity Assurance Program and Collected Fees

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

**TO ALL PROSPECTIVE SUBMITTERS:**

**Please be advised of the following clarifications to the above referenced RFP:**

Q1. Have the services been performed previously?

Answer: Yes and the previous report is attached.

Q2. Provide the fees charged and estimated hours.

Answer: The project was bid lump sum, so there are no itemized hour sheets. The lump sum was \$ 27,100.00.

Q3. If a firm is located in Tennessee, can they bid on the project if the employees hold a CPA license in Kentucky?

Answer: Yes



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: Bell Engineering

ADDRESS: 2480 Fortune Drive, Suite 350 Lexington, KY 40509

SIGNATURE OF BIDDER: Megan Hogan



**bell**  
engineering



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