



# UNIVERSITY OF KENTUCKY Purchasing Division

## INVITATION FOR BIDS

CCK-2672-23

ADDENDUM # 2

11/15/2022

**ATTENTION: This is not an order. Read all instructions, terms and conditions carefully.**

**IMPORTANT: BID AND ADDENDUM MUST BE RECEIVED BY 11/22/22 @ 3:00 P.M. LEXINGTON, KY TIME**

Bidder must acknowledge receipt of this and any addendum as stated in the Invitation for Bids.

This Addendum is to being posted to with an attached updated Form of Proposal sheet to be used in place of the original.

The updated Form of Proposal sheet has added under unit prices – Rock Removal – Post Excavations.

**OFFICIAL APPROVAL**  
**UNIVERSITY OF KENTUCKY**

**SIGNATURE**



Contracting Officer / (859) 257-5792

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Typed or Printed Name

004100B01

UNIVERSITY OF KENTUCKY  
CAPITAL CONSTRUCTION PROCUREMENT SECTION  
FORM OF PROPOSAL

Project Title: CCK-2672-23 UKREC EQUIPMENT SHED PACKAGE

Purchasing Officer: David D. Stefanic

NOTE: The following Form of Proposal shall be followed exactly in submitting a proposal for this work. If this copy is lost, an additional copy will be furnished upon written request to the authority issuing Contract Documents.

This Proposal is submitted by: \_\_\_\_\_  
(NAME AND ADDRESS OF BIDDER)

Date: \_\_\_\_\_

Telephone: \_\_\_\_\_

TO: BID CLERK  
UNIVERSITY OF KENTUCKY  
CAPITAL CONSTRUCTION  
PROCUREMENT  
RM. 322 SERVICE BUILDING  
LEXINGTON, KY. 40506-0005

INVITATION TO BID: CCK-2672-23  
BID OPENING DATE: November 22, 2022  
TIME: 3:00 P.M. E.D.T.

The Bidder, in compliance with your Invitation for Bids for the above referenced Project, having carefully examined the site of the Work, the Drawings and complete Contract Documents as defined in Article I of the General Conditions, as well as the Specifications affecting the work as prepared by the Consultant, hereby proposes to furnish all labor, materials, supplies and services required to construct the Project in accordance with the Contract Documents, within the time set forth therein, and at the price stated below without qualification.

The Bidder hereby acknowledges receipt of the following Addenda:

ADDENDUM NO. \_\_\_\_\_ DATED \_\_\_\_\_

ADDENDUM NO. \_\_\_\_\_ DATED \_\_\_\_\_

ADDENDUM NO. \_\_\_\_\_ DATED \_\_\_\_\_

(Here insert the number and date of any Addenda issued and received. If none has been issued and received, the word NONE should be inserted.)

Contractor Report of Prior Violations of  
Chapters 136,139, 141, 337, 338, 341, and 342

Pursuant to KRS 45A.485, the Contractor shall, prior to the award of a Contract, reveal final determinations of any violations of the provisions of KRS Chapters 136, 139, 141, 337, 338, 341, and 342 by the Contractor that have occurred in the previous five (5) year period.

This statute also requires for the duration of the Contract established, the Contractor be in continuous compliance with the provisions of Chapters 136, 139, 141, 337, 338, 341, and 342 that apply to the Contractor’s operations. The Contractor’s failure to reveal a final determination of a violation of KRS Chapters 136, 139, 141, 337, 338, 341, and 342, or failure to comply with any of the above cited statutes for the duration of the Contract shall be grounds for the cancellation of the Contract, and the disqualification from eligibility for future contracts for a period of two (2) years.

The Contractor, by signing and submitting a Bid on this Invitation, agrees as required by KRS 45A.485 to submit final determinations of any violations of the provisions of KRS Chapters 136, 139, 141, 337, 338, 341, and 342 that have occurred in the previous five (5) years prior to the award of a Contract and agrees to remain in continuous compliance with the provisions of these statutes during the duration of any contract that may be established. Final determinations of any violations of these statutes, must be provided to the University by the successful Contractor prior to the award of a Contract.

LUMP SUM PROPOSAL

The Bidder agrees to furnish all labor, materials, supplies and services required to complete the Work, for the above referenced Project, for the Capital Construction Procurement Section, University of Kentucky, as described in the Specifications and Contract Documents and shown on the Drawings enumerated below and as modified by the Addenda listed above.

FOR THE LUMP SUM OF \_\_\_\_\_  
(USE WORDS)

\_\_\_\_\_ DOLLARS AND \_\_\_\_\_ CENTS.  
(USE WORDS) (USE WORDS)

(\$ \_\_\_\_\_)  
(USE FIGURES)

**FOR UK ACCOUNTING PURPOSES – BREAKOUT PRICING (must have breakout):**

|  |                 |
|--|-----------------|
| Base Bid for Shed #1                                     | \$ _____        |
| Base Bid for Shed #2                                     | \$ _____        |
| Base Bid for Shed #3                                     | \$ _____        |
| Base Bid for Shed #4                                     | \$ _____        |
| Base Bid for Shed #5                                     | \$ _____        |
| Base Bid for Shed #6                                     | \$ _____        |
| <b>Total for all Sheds</b>                               | <b>\$ _____</b> |
| <b>(this total should match your above lump sum bid)</b> |                 |

**004100B01**

FORM OF PROPOSAL

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

I hereby certify:

1. That I am the Bidder (if the Bidder is an individual), a partner in the Bidder (if the Bidder is a partnership), or an officer or employee of the bidding corporation having authority to sign on its behalf (if the Bidder is a corporation);
2. That the submitted Bid or Bids covering Capital Construction Procurement Section Invitation No. CCK-2672-23 UKREC Equipment Shed Package have been arrived at by the Bidder independently and have been submitted without collusion with, and without any agreement, understanding or planned common course of action with, any other contractor, vendor of materials, supplies, equipment or services described in the Invitation to Bid, designed to limit independent bidding or competition; as prohibited by provision KRS 45A.325;
3. That the contents of the Bid or Bids have not been communicated by the Bidder or its employees or agents to any person not an employee or agent of the Bidder or its surety on any bond furnished with the Bid or Bids and will not be communicated to any such person prior to the official opening of the Bid or Bids;
4. That the Bidder is legally entitled to enter into the contracts with the University of Kentucky and is not in violation of any prohibited conflict of interest, including those prohibited by the provisions of KRS 164.390, and 45A.330 to 45A.340 and 45A.455;
5. This offer is good for 60 calendar days from the date this Bid is opened. In submitting the above, it is expressly agreed that upon proper acceptance by the Capital Construction Procurement Section of any or all items Bid above, a contract shall thereby be created with respect to the items accepted;
6. That I have fully informed myself regarding and affirm the accuracy of all statements made in this Form of Proposal including Bid Amount.
7. Unless otherwise exempted by KRS 45.590, the Bidder intends to comply in full with all requirements of the Kentucky Civil Rights Act and to submit data required by the Kentucky Equal Employment Act upon being designated the successful contractor.
8. That the bidding contractor and all subcontractors to be employed do not and will not maintain any facilities they provide for employees in a segregated manner and they are in full compliance with provisions of 41 CFR 60-1.8 that prohibits the maintaining of segregated facilities.
9. In accordance with KRS45A.110(2), the undersigned hereby swears under penalty of perjury that he/she has not knowingly violated any provision of the campaign finance laws of the Commonwealth of Kentucky and that the award of a contract to the bidder will not violate any provision of the campaign finance laws of the Commonwealth of Kentucky.

READ CAREFULLY - SIGN IN SPACE BELOW - FAILURE TO SIGN INVALIDATES BID

SIGNED BY \_\_\_\_\_ TITLE \_\_\_\_\_

PRINT NAME \_\_\_\_\_ FIRM \_\_\_\_\_

ADDRESS \_\_\_\_\_ AREA CODE & PHONE \_\_\_\_\_

\_\_\_\_\_  
CITY STATE ZIP CODE FAX \_\_\_\_\_

BIDDER'S EMAIL \_\_\_\_\_ DATE \_\_\_\_\_

**BUSINESS CLASSIFICATION**

Please complete this form which is necessary for the University of Kentucky vendor database. Mark only one classification. Refer to "Definitions" for assistance in determining correct classification.

- (01)\_\_\_ Small Business
- (02)\_\_\_ Large Business
- (03)\_\_\_ Disadvantaged Small Business
- (04)\_\_\_ Disadvantaged Large Business
- (05)\_\_\_ Woman-Owned Small Business
- (06)\_\_\_ Woman-Owned Large Business
- (07)\_\_\_ Disadvantaged Woman-Owned Small Business
- (08)\_\_\_ Disadvantaged Woman-Owned Large Business
- (09)\_\_\_ Other

**DEFINITIONS**

- (01) **SMALL BUSINESS:** A business concern that is organized for profit, is independently owned and operated, is not dominant in the field of operations in which it is bidding, and meets the size standards as prescribed in the Code of Federal Regulations, Title 13, Part 121. Consult your local or district Small Business Administration (SBA) office if further clarification is needed.
- (02) **LARGE BUSINESS:** A business concern that exceeds the small business size code standards established by SBA.
- (03) **DISADVANTAGED SMALL BUSINESS:** A business concern (a) that is at least 51 percent owned by one or more socially and economically disadvantaged individuals (as defined below), or a publicly owned business, having at least 51 percent of its stock owned by one or more socially and economically disadvantaged individuals; and (b) has its management and daily business operations controlled by one or more such individuals. Socially and economically disadvantaged individuals include: Asian, Black/African American, Hispanic or Latino, Native American, Native Hawaiian/Pacific Islander, Women, Disabled, Veteran and Disabled Veteran and other minorities or individuals found to be disadvantaged by the SBA.
- (04) **DISADVANTAGED LARGE BUSINESS:** A concern that meets the definition of socially and economically disadvantaged individuals as defined above, but which is not a small business by the SBA's size standards.
- (05) **WOMAN-OWNED SMALL BUSINESS:** A small business that is at least 51 percent owned by a woman or women who also control and operate it. "Control" in this context means exercising the power to make policy decisions. "Operate" means actively involved in the day to day management.
- (06) **WOMAN-OWNED LARGE BUSINESS:** A concern that meets the definition of woman owned and operated, but which is not a small business by the SBA's standards.
- (07) **DISADVANTAGED, WOMAN-OWNED SMALL BUSINESS:** A concern that meets the definition of both (03) and (05) above.
- (08) **DISADVANTAGED, WOMAN OWNED LARGE BUSINESS:** A concern that meets the definition of both (04) and (06) above.
- (09) **OTHER:** A concern that does not meet any of the above definitions.

**004100B01**

THE FOLLOWING ITEMS ARE HEREWITH ENCLOSED AS REQUIRED BY KRS 45A.185

1. Bid Bond or Certified Check in an amount not less than five percent (5%) of total Bid.
2. List of Proposed Subcontractors and Unit Prices. (if required)
3. Authentication of Bid and Statement of Non-Collusion and Non-Conflict of Interest.
4. List of Materials and Equipment.
5. **VENDOR NUMBER:** It is imperative that you furnish your Federal Employer Identification Number in the space provided below. Failure to do so may delay the processing of purchase orders issued to your firm.

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(Nine Digit Number)

**BIDDER'S QUALIFICATIONS**

The Commonwealth of Kentucky Model Procurement Code (KRS 45A.080) requires contracts to be awarded, "to the responsive and responsible bidder whose bid offers the best value" to the University of Kentucky. In order to determine if the Bidder has the experience, qualifications, resources and necessary attributes to provide the quality workmanship, materials and management required by the plans and specifications, the Bidder may be required to complete and submit the information requested on the University of Kentucky Contractor Bidder Determination of Responsibility questionnaire. Failure to provide the information requested on the questionnaire or failure to provide any additional submittals or information that may be requested to make this determination may be grounds for a declaration of non-responsibility with respect to the Bidder. A copy of the Contractor Determination of Responsibility questionnaire is available upon request to all Bidders.

**TIME LIMIT FOR EXECUTION OF CONTRACT DOCUMENTS**

It is further agreed, that in the event this Proposal is accepted by the Owner and the undersigned shall fail to execute the Contract and furnish satisfactory Payment and Performance Bond within ten (10) consecutive calendar days from the date of notification of the award of the Contract, the Owner may at his option, determine that the undersigned has abandoned the Contract and thereupon, the Proposal shall become null and void and the Bid guarantee, check or Bid bond which accompanied it shall be forfeited and become the property of the Owner as liquidated damages for each failure and no protest pursuant to such action will be made. If the Undersigned shall execute the Contract, and furnish satisfactory Payment Bond and Performance Bond, it is understood that the Bid Guarantee or Bid Bond will be returned to the undersigned by the Owner.

UNIT PRICES

NOTE: Unit Prices shall include the furnishing of all labor, materials, supplies and services and shall include all items of cost, overhead and profit for the Contractor and any subcontractor involved, and shall be used uniformly without modifications for either additions or deductions. The Unit Prices as established shall be used to determine the equitable adjustment of the Contract Price in connection with changes, deletions or extra work performed under the Contract and the "Rules of Measurement" set forth in the General Conditions shall govern.

*All Bidders will be required to complete and submit the following Unit Prices with the bid.*

*The apparent low bidder is requested to attend a post bid meeting which will be scheduled at a later date.*

| DESCRIPTION OF WORK             | UNIT PRICE | Type |
|---------------------------------|------------|------|
| Rock Removal – Post Excavations |            |      |

**PRIMARY LIST OF PROPOSED SUBCONTRACTORS**

All subcontractors are subject to the approval of the Capital Construction Procurement Section and Capital Project Management Division, University of Kentucky, Lexington, KY.

If certain branches of the Work are to be done by the Prime Contractor, so state.

**The apparent low bidders will be required to complete and submit to the University the following information by twelve o'clock (12) noon of the first working day following the bid opening. The information requested in this submittal is required to assist the University in determining contractor responsibility to complete the project being bid.**

**The apparent low bidder is requested to attend a post bid meeting which will be scheduled at a later date.**

DIVISION OF WORK

NAME AND ADDRESS OF SUBCONTRACTOR

|    |       |
|----|-------|
| 1. | _____ |
| 2  | _____ |
| 3  | _____ |
|    | _____ |
|    | _____ |
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|    | _____ |



**LIST OF MATERIALS AND EQUIPMENT**

Each item listed under the different phases of construction must be clearly identified so that the Owner will definitely know what the Bidder proposes to furnish.

The use of a manufacturer's or dealer's name only, or stating "as per Plans and Specifications," will not be considered as sufficient identification.

Where more than one "Make" or "Brand" is listed for any one item, the Owner has the right to select the one to be used.

**The apparent low bidders will be required to complete and submit to the University the following information by twelve o'clock (12) noon of the first working day following the bid opening. The information requested in this submittal is required to assist the University in determining contractor responsibility to complete the project being bid.**

**The apparent low bidder is requested to attend a post bid meeting which will be scheduled at a later date.**

| ITEM | MATERIALS AND EQUIPMENT | BRAND OR MANUFACTURER |
|------|-------------------------|-----------------------|
| 1.   |                         | _____                 |
| 2.   |                         | _____                 |
| 3.   |                         | _____                 |
|      |                         | _____                 |
|      |                         | _____                 |
|      |                         | _____                 |
|      |                         | _____                 |
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|      |                         | _____                 |
|      |                         | _____                 |

**004100B01**

**IDENTIFICATION OF DIVERSE BUSINESS ENTERPRISE SUBCONTRACTORS AND MATERIAL SUPPLIERS**

Diverse Business Enterprises (DBE) consist of minority, women, disabled, veteran and disabled veteran owned business firms that are at least fifty-one percent owned and operated by an individual(s) of the aforementioned categories. Also included in this category are disabled business enterprises and non-profit work centers for the blind and severely disabled.

MBE, WBE, Veterans, Disable Veterans and Disabled make up Diverse Business Enterprises, DBE.

**Participation of DBE owned Contractors and businesses.**

The University of Kentucky encourages and supports the participation Diverse Business Enterprises. Please list Subcontractors and Material Suppliers according to following Ethnic Vendor List or if they are a Woman Owned Business:

- Asian
- Black/African American
- Hispanic or Latino
- Native American Native Hawaiian/Pacific Islander
- White
- Other

1. DBE (Ethnic or Woman) Subcontractors

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2. DBE (Ethnic or Woman) Material Suppliers

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**SUPERINTENDENT**

In accordance with Article 17 of the General Conditions a full-time superintendent will be required on this project. Below, please list the superintendent your firm will employ on this project. The successful Bidder will be required to furnish a resume of the superintendent’s qualifications and or past projects.

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List the Superintendent’s Name