

**CONSTRUCTION ORDER FOR
DEERING ROAD SIDEWALK EXTENSION PHASE 2 PROJECT**

CONSTRUCTION ORDER NO. 2008-13

I. SCOPE OF WORK

This Construction Order (CO) provides for the installation of 350 square yards of sidewalks, 300 linear feet of 24 inch pipe, 40 linear feet of road crossing, 550 linear feet of 10-12 inch pipe, 8 yard drains, 2 catch basins, 350 square yards of concrete driveway replacement, restoration, and other appurtenant work along the Deering Road and Andalee Drive..

Please use the attached Bid Proposal.

II. MBE/WBE REQUIREMENTS

15% MBE and 6 % WBE participation is required for this project. When MBE/WBE participation is required, the Bid will be evaluated on a total point system of 100 points allotted in the following manner:

Bid Amount:	Max evaluated points of 75
MBE/WBE Participation:	Max evaluated points of 25

III. COMPLETION DATE

Completed by November 15, 2007.

The Contractor should note that the date of completion is established based on an MSD approval date of September 24, 2007.. The Contractor should allow five working days from the MSD approval date for administrative processing. A Notice-to-Proceed can be issued as soon as bonding requirements are satisfied. If MBE/WBE participation is required, Sub-Contactor agreements must also be approved prior to issuance of Notice-to-Proceed. The Contractor agrees to pay liquidated damages at the sum of \$300.00 for each consecutive calendar day exceeding the completion date specified on the Notice-to-Proceed, per Article 2 of the Contract.

If through no fault of the Contractor this project is not approved by MSD on the above-indicated date, the time of completion (that time at which liquidated damages can be invoked) will be adjusted by the number of days between the anticipated MSD approval date and the actual MSD approval date, with no change in the Contract Price.

See attached “**Contractor’s Insurance and Bonding**” for insurance limits of coverage and bonding requirements.

IV. ADDITIONAL PROVISIONS

All work is to be done in accordance with MSD's Standard Specifications as referenced in the Contract under which this CO is to be administered. A unit price breakdown must be submitted with this CO, as detailed in the attached **Bid Proposal**. See attached "**General Notes**" for other project specific provisions.

V. PRICE QUOTE

TOTAL PRICE QUOTE = \$_____

CONTRACTOR

By

[illegible]

I, the undersigned Notary Public, within and for the State and County aforesaid, do hereby certify that the foregoing instrument was this day presented to me by _____, who, being by me first duly sworn, declared that he is the _____ of _____, that he signed the foregoing instrument as _____, and that the statements therein contained are true.

WITNESS my hand this _____ day of _____, 20__.

My Commission expires: _____

NOTARY PUBLIC

APPROVED BY:

David M. Schaftlein, P.E.
Pc/Mc Area Team Leader

Derek R. Guthrie, P.E.
Director of Engineering/
Chief Engineer

Herbert J. Schardein, Jr.
Executive Director

CONTRACTOR'S INSURANCE AND BONDING

Prior to beginning any work, the CONTRACTOR shall produce for its services, and furnish proof of, Workers' Compensation Insurance, Employer's Liability Insurance, Commercial (Comprehensive) General Liability Insurance (including contractual liability insurance), Comprehensive Automobile Liability Insurance, Professional Liability Insurance, if required, Excess or Umbrella Liability Insurance if required. MSD shall be named as an additional insured on the CONTRACTOR'S Commercial (Comprehensive) General Liability policy. CONTRACTOR shall procure and maintain at all times during the course of the Work (including corrective or warranty work) the required insurance with limits of liability not less than those listed. Policies shall be in a form satisfactory to MSD, and issued by insurers licensed to do business in the Commonwealth of Kentucky.

Certificate of Insurance and Additional Insured

Prior to beginning of any work, the CONTRACTOR shall furnish MSD with a certificate of insurance (or certified copies of its insurance policies) that discloses limits, expiration date, names and types of policies which CONTRACTOR warrants and represents is a true and accurate representation of CONTRACTOR'S existing insurance coverage. The CONTRACTOR shall include Additional Insured and Certificate Holder as:

Louisville and Jefferson County Metropolitan Sewer District (MSD)
Attn: Risk & Benefits Manager
AMC Program
700 West Liberty Street
Louisville, Kentucky 40203-1911

Required Insurance

A. Workers' Compensation:

Employer's Liability:

\$100,000 – Each Accident Bodily Injury
\$500,000 – Policy Limit Bodily Injury by Disease
\$100,000 – Each Employee Bodily Injury by Disease
Kentucky state minimum limits

B. Commercial General Liability:

Limits of Liability:

\$1,000,000 – General Aggregate
\$1,000,000 – Products and Completed Operations Aggregate
\$1,000,000 – Each Occurrence

Coverage Details: Standard Commercial General Liability Occurrence Form including:
Premise/Operations Personal and Advertising Injury
Contractual Liability
Explosion, Collapse, and Underground Liability (if applicable)
Broad Form Property Damage
Independent Contractors
Products and Completed Operations

- C. Comprehensive Automobile Liability Any motor vehicle owned, hired, or non-owned and used to conduct the Contractor/Seller's business activities.

Bodily Injury:

\$1,000,000 – Combined Single Limit or \$1,000,000 – Per Person

Property Damage:

\$1,000,000 – Per Accident and

\$1,000,000 – Property Damage

- D. Excess or Umbrella Liability (Additional Excess Liability may be required for large projects or for projects that have potential impact on major facilities):

\$2,000,000 – Per Occurrence

\$2,000,000 – General Aggregate

- E. Insurance Company Rating:

Rated "A" or better by A.M. Best

- F. Cancellation, Renewal or Modification

All insurance policies shall contain a provision that the coverage afforded there under shall not be canceled or not renewed, nor restrictive modifications added, until at least thirty (30) days prior written notice has been given to MSD.

- G. Railroad Protective Liability Insurance (Required ONLY if working in or adjacent to Railroad Right of Way or Easement):

Contractor will execute a Railroad Protective Liability Policy with the respective Railroad as Named Insured with Limits of Insurance of:

\$2,000,000 for Each Occurrence and \$6,000,000 Aggregate

- H. Blasting Insurance (Required ONLY if blasting is necessary for completion of the Work):

\$2,000,000 – Per Occurrence

\$2,000,000 – General Aggregate

- I. Builders Risk Insurance (May be required for large projects or for projects that have potential impact on major facilities):

\$2,000,000 – Per Occurrence

\$2,000,000 – General Aggregate

- J. The following will appear in the Declarations page of the Policy furnished to MSD as proof of coverage:

1. The specific job location will be stipulated.

2. Description of work.

3. Designated Contractor name and mailing address.

4. Name and address of the governmental authority as:

Louisville & Jefferson County Metropolitan Sewer District

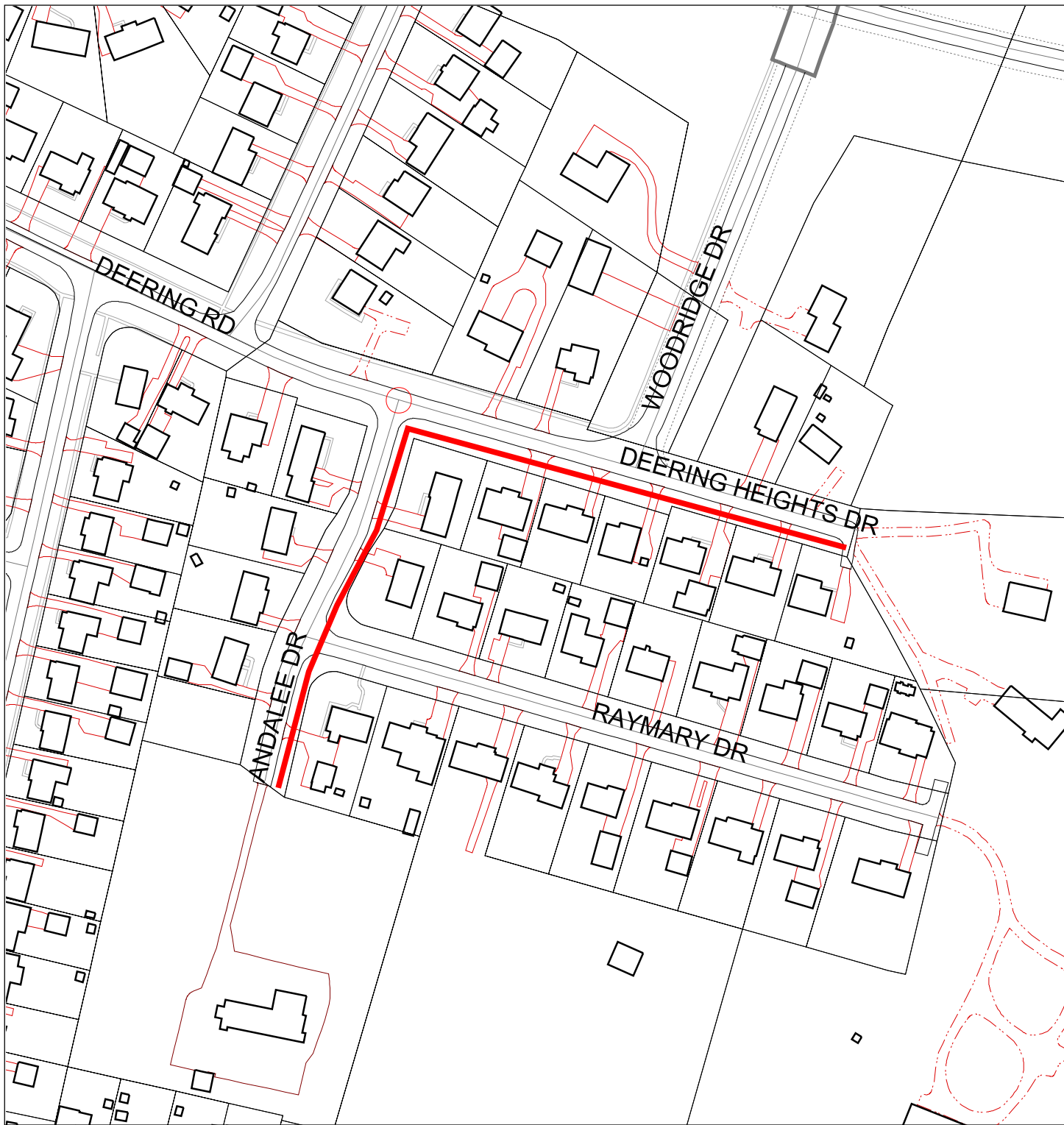
700 W. Liberty St.

Louisville, KY 40203-1911

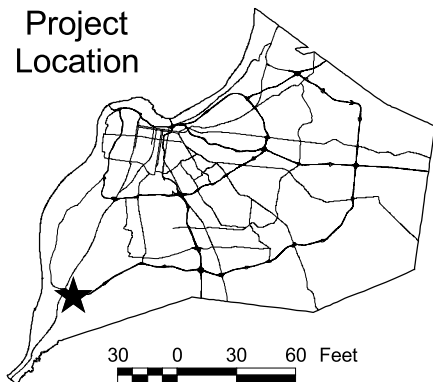
- K. Bid Bond is required: 7.5% of Total (Required for all Contracts or Construction Orders in excess of \$50,000)
- L. Performance Bond is required: 100% of Contract Price (Required for all Contracts or Construction Orders in excess of \$25,000)
- M. Payment Bond is required: 100% of Contract Price (Required for all Contracts or Construction Orders in excess of \$25,000)
- N. Maintenance Bond is required: In most cases this amount will be 100% of the cost of pavement restoration, if any, included in the Contract Price or a specific amount per project.

General Notes
Deering Road Sidewalk
Extension Project Phase 2
C. O. NO. 2008-13

- 1.) Contractor should visit the site and become familiar with the general conditions of the area prior to bid.
- 2.) All work and materials shall comply with MSD Standard Specifications and Standard Drawings.
- 3.) All easement staking/construction layout is the responsibility of the Contractor. Grades will be adjusted as needed to maintain a minimum of 4" of cover over driveway culverts. Paved ditches shall be installed at a minimum grade of .50 %, and the invert of all paved ditches shall be a minimum of 1' below the lowest adjacent property at the edge of easement/right-of-way. All roadside ditches shall be no more than 18" below edge of pavement. Any necessary deviations from these general guidelines shall be approved by MSD's Inspector or Project Manager.
- 4.) Contractor is responsible for the installation, maintenance, self-inspection, and removal of all erosion and sediment controls necessary to maintain best management practices.
- 5.) Prior to any other construction activity, the Contractor shall verify the location and elevation of all utilities which might impact construction, so that grades might be adjusted to avoid potential utility conflicts.
- 6.) All disturbed areas will be restored with seed/erosion control blanket, Futerra F4Netless, or approved equivalent. Contractor shall regrade/restore all areas between the edge of pavement and the sidewalk, right-of-way or limits of easement as necessary to provide positive drainage of the yards, sidewalk and street.
- 7.) All seed shall comply with MSD Specification 9.2.4(A), Turf Quality Tall Fescue. All MSD requirements related to seed bed preparation will be enforced, including topsoiling, fertilization, and other work as described in MSD Standard Specifications, Section 9.
- 8.) Contractor is required to haul all spoil material excavated from this project to an approved or permitted site. This site must be approved by MSD prior to construction.



Project
Location



Deering Road Sidewalk Extension Phase 2

MSD Department: PC/MC Area Team
MSD Project Manager: Jill M. Allen



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COUNTY METROPOLITAN SEWER DISTRICT (MSD),
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LOUISVILLE METRO GOVERNMENT, and
JEFFERSON COUNTY PROPERTY VALUATION ADMINISTRATOR (PVA)
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Date: AUGUST 20, 2007