



CONTRACT

CONTRACT #1941

THIS AGREEMENT, made the 16th day of December, 2009, between Louisville-Jefferson County Metro Government, of the first part, and Schardein Mechanical, 1810 Outer Loop, Louisville, KY 40219 and the Surety, of the second part.

That the said parties of the second part agree and bind themselves that the said labor and materials and that said material shall be furnished in accordance with the above specifications; and that said Contract shall expire on the (see below). In the event of failure on the part of second party to perform according to plans and specifications, the Louisville/Jefferson County Metro Government Purchasing Director may cancel this Contract upon written notice to second party.

It is further made a part of this contract that if said labor and materials are not furnished within time specified after ordered, the said LOUISVILLE/JEFFERSON COUNTY METRO GOVERNMENT PURCHASING DIRECTOR shall go on the open market and purchase said labor and materials and charge any difference, if any, to parties of the second part.

For the said work the said money is to be paid as follows:

A contract to furnish all labor, material and necessary equipment for the Louisville Free Public Library Flood Damage Repair: HVAC, Electrical & Miscellaneous General Construction, per specifications of Bid 1941. The contract total is:

\$1,732,243.00

All bidders are required to visit the job site to completely familiarize themselves with all existing conditions, measurements, etc., and be responsible for it.

Louisville/Jefferson County Metro Government Revenue Commission Number: [REDACTED]
The successful bidder:

1. Shall have an approved Affirmative Action plan.
2. Shall furnish the Metro Government a copy of all subcontractors on all Metro Government jobs.
3. Shall be required to furnish monthly workforce analysis.
4. Shall give Metro Government representative access to the worksite.
5. Shall give the Metro Government representative reasonable access to Contractor's personnel records.

F.O.B. Delivered to Destination

FAX NUMBER: (502) 814-5271 EMAIL: erich@schardein.com PHONE NUMBER: (502) 368-7678

All work to be performed in a neat and workmanlike manner conforming to all existing codes governing same and be approved by Louisville/Jefferson County Metro Government.

The successful bidder will be required to furnish a Performance Bond and a Labor & Materials Payment Bond in the full amount of the contract.

Successful bidder will be required to furnish insurance coverage as stated in the specifications.
Louisville/Jefferson County Metro Government must be added as additional insured.

Assignment of contract: The bidder shall not assign or subcontract any portion of the contract without the express written consent of the Metro Government. Any purported assignment or subcontract in violation hereof shall be void. It is expressly acknowledged that the Metro Government 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 the Metro Government.

The LOUISVILLE/JEFFERSON COUNTY METRO GOVERNMENT PURCHASING DIRECTOR of said Metro Government hereto subscribes the names and affixes the seal of said Metro Government and the parties of the second part hereto subscribe their names, the day and year first above written. The Contractor agrees that in the performance of this agreement with the Metro Government, it will comply with all applicable state and local laws and regulations and will not discriminate against any employee because of race, creed, color, religion, national origin. The Contractor further agrees that he will not discriminate in his employment practices, which would include recruitment, demotion or transfer, lay-off or termination, or in rate of compensation.

PROHIBITION AGAINST CONFLICTS OF INTEREST, GRATUITIES AND KICKBACKS any employee or official of the Louisville/Jefferson County Metro Government, elective or appointive, who shall take, receive, or offer to take or receive, either directly or indirectly, any rebate, percentage of contract, money or other things of value, as an inducement or intended inducement, in the procurement of business, or the giving of business for, or to, or from, any person, partnership, firm or corporation, offering, bidding for, or in open market seeking to make sale to the Louisville/Jefferson County Metro Government, shall be deemed guilty of a felony and upon conviction such person or persons shall be punished by a fine not to exceed five thousand dollars (\$5,000) or by imprisonment in the penitentiary for not more than ten (10) years, or both so fined and imprisoned in the discretion of the jury.

Every person, firm, or corporation offering to make, or pay, or give any rebate, percentage of contract, money or any other thing of value as an inducement or intended inducement, in the procurement of business, or the giving of business, to any employee or to any official of the Louisville/Jefferson County Metro Government, elective or appointive, in his efforts to bid for, or offer for sale, or to seek in the open market, shall be deemed guilty of a felony and shall be punished by a fine not to exceed five thousand dollars (\$5,000) or by imprisonment in the penitentiary for not more than ten (10) years, or both so fined and imprisoned in the discretion of the jury.

C. Eric Baum Date: 12-17-09
SIGNATURE

Schardein Mechanical
CONTRACTOR

Craig A. Bowen /tb 12/17/09
LOUISVILLE/JEFFERSON COUNTY METRO
GOVERNMENT PURCHASING DIRECTOR