

S T O L L | K E E N O N | & | P A R K | L L P

300 WEST VINE STREET | SUITE 2100 | LEXINGTON, KENTUCKY 40507-1801  
(859) 231-3000 PHONE | (859) 253-1093 FAX | WWW.SKP.COM

Direct Dial: 859-231-3982 Direct Fax: 859-246-3672 E-mail: l.ingram@skp.com

March 14, 2005

RECEIVED

MAR 14 2005

PUBLIC SERVICE  
COMMISSION

**VIA HAND DELIVERY**

Beth O'Donnell  
Executive Director  
Public Service Commission  
211 Sower Boulevard  
Frankfort, Kentucky 40601

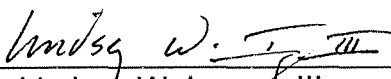
Re: *In the Matter of Application of Kentucky-American Water Company for a Certificate of Public Convenience and Necessity Authorizing the Construction of a Two (2) Million Gallon Elevated Storage Tank and 1200 Feet of 24-Inch Water Main, Case No. 2005-00039*

Dear Ms. O'Donnell:

Enclosed please find an original and three copies of a Notice for filing in the above-captioned matter today.

Very truly yours,

STOLL, KEENON & PARK, LLP

By   
Lindsey W. Ingram III

Enclosure  
cc: Gerald E. Wuetcher (w/ encl.)

COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION

RECEIVED

MAR 14 2005

PUBLIC SERVICE  
COMMISSION

IN THE MATTER OF:

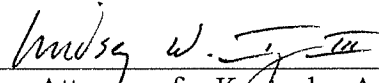
APPLICATION OF KENTUCKY-AMERICAN WATER)  
COMPANY FOR A CERTIFICATE OF PUBLIC )  
CONVENIENCE AND NECESSITY AUTHORIZING ) CASE NO. 2005-00039  
THE CONSTRUCTION OF A TWO (2) MILLION )  
GALLON ELEVATED STORAGE TANK AND )  
1200 FEET OF 24-INCH WATER MAIN )

NOTICE

Comes Kentucky-American Water Company, by counsel, and files Notice herewith that the lowest bid for the construction of the storage tank contemplated herein will expire on April 11, 2005 and that, if the lowest bidder is allowed a substantial completion date of May 30, 2006, a deduction in the bid amount of \$216,000 will be realized, all as shown by Exhibit A attached hereto.

Respectfully submitted,

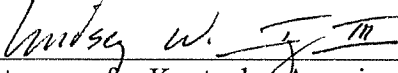
Lindsey W. Ingram, Jr.  
Lindsey W. Ingram III  
STOLL, KEENON & PARK, LLP  
300 West Vine Street  
Suite 2100  
Lexington, Kentucky 40507-1801  
(859) 231-3000

By   
Attorneys for Kentucky-American  
Water Company

CERTIFICATE OF SERVICE

This is to certify that a true and accurate copy of the foregoing has been served, via U.S. Mail, this 14th day of March, 2005, upon the following:

Gregory D. Stumbo  
David Edward Spenard  
Office of Attorney General  
1024 Capital Center Drive, Suite 200  
Frankfort, Kentucky 40601-8204

  
\_\_\_\_\_  
Attorneys for Kentucky American  
Water Company

C. Swindland

SECTION 00400

BID

TWO MILLION GALLON ELEVATED WATER STORAGE TANK  
CONTRACT 1-2004  
KENTUCKY-AMERICAN WATER

Bids to be received until 2:00 P.M., Local Time, Tuesday, January 11, 2005.

THIS BID IS SUBMITTED TO: Kentucky-American Water  
Rich Svindland, P.E., Project Manager  
2300 Richmond Road  
Lexington, KY 40502

1.01 The undersigned Bidder proposes and agrees, if this Bid is accepted, to enter into an Agreement with OWNER in the form included in the Bidding Documents to perform all work as specified or indicated in the Bidding Documents for the Prices and within the times indicated in this Bid and in accordance with the other terms and conditions of the Bidding Documents.

2.01 Bidder accepts all of the terms and conditions of the Advertisement to Bid and Instructions to Bidders, including without limitation those dealing with the disposition of Bid security. The Bid will remain subject to acceptance for 90 days after the Bid opening or for such longer period of time that Bidder may agree to in writing upon request of OWNER. Bidder will sign and deliver the required number of counterparts of the Agreement with the bonds, insurance certificates and other documents required by the Bidding Requirements within fifteen days after the date of OWNER's Notice of Award.

3.01 In submitting this Bid, Bidder represents, as set forth in the Agreement, that:

A. Bidder has examined and carefully studied the Bidding Documents, the other related data identified in the Bidding Documents, and the following Addenda (list Addenda by date and Addendum number), receipt of all which is hereby acknowledged:

Date:	Addendum No.:
12/28/04	1
12/30/04	2
1/06/05	3

- B. Bidder has visited the Site and become familiar with and is satisfied as to the general, local, and Site conditions that may affect cost, progress, and performance of the work.
- C. Bidder is familiar with and is satisfied as to all federal, state and local laws and Regulations that may affect cost, progress, and performance of the Work.
- D. Bidder has carefully studied all: (1) reports of explorations and tests of subsurface conditions at or contiguous to the Site (Report by QORE Property Sciences) and all drawings of physical conditions in or relating to existing surface or subsurface structures at or contiguous to the Site (except Underground Facilities) and (2) reports and Drawings of a Hazardous Environmental condition, if any, which has been identified.



- E. Bidder has obtained and carefully studied (or assumes responsibility for having done so) all additional or supplementary examinations, investigations, explorations, tests, studies, and data concerning conditions (surface, subsurface, and Underground Facilities) at or contiguous to the Site which may affect cost, progress, or performance of the Work or which relate to any aspect of the means, methods, techniques, sequences, and procedures of construction to be employed by Bidder including applying the specific means, methods, techniques, sequences, and procedures of construction expressly required by the Bidding Documents to be employed by Bidder, thereto, and safety precautions and programs incident.
- F. Bidder does not consider that any additional examinations, investigations, explorations, tests, studies, or data are necessary for the determination of this Bid for performance and furnishing of the work in accordance with the times, price, and other terms and conditions of the Contract Documents.
- G. Bidder is aware of the general nature of work to be performed by OWNER and others at the Site that relates to the Work as indicated in the Bidding Documents.
- H. Bidder has correlated the information known to Bidder, information and observations obtained from visits to the Site, reports and drawings identified in the Bidding Documents, and all additional examinations, investigations, explorations, tests, studies, and data with the Bidding Documents.
- I. Bidder has given ENGINEER written notice of all conflicts, errors, ambiguities, or discrepancies that Bidder has discovered in the Bidding Documents and the written resolution thereof by ENGINEER is acceptable to Bidder.
- J. The Bidding Documents are generally sufficient to indicate and convey understanding of all terms and conditions for performing and furnishing the Work for which this Bid is submitted.

4.01 Bidder further represents that this Bid is genuine and not made in the interest of or on behalf of any undisclosed individual or entity and is not submitted in conformity with any agreement or rules of any group, association, organization, or corporation; Bidder has not directly or indirectly induced or solicited any other Bidder to submit a false or sham Bid; Bidder has not solicited or induced any individual or entity to refrain from bidding; and Bidder has not sought by collusion to obtain for itself any advantage over any other Bidder or over OWNER.

5.01 Bidder will complete the work for the following price(s):

The following abbreviations may be used in this Bid:

CIP	- Complete in Place	LF	- Linear Foot
CY	- Cubic Yard	LS	- Lump Sum
DI	- Ductile Iron	LT	- Left
DIA	- Diameter	MBF	- Thousand Board Feet
EA	- Each	MH	- Manhole
EST	- Estimate(d)	RCP	- Reinforced Concrete Pipe
EXCL	- Excluding	RT	- Right
FT	- Feet	SF	- Square Foot
GAL	- Gallon	STA	- Station
HERCP	- Horizontal Elliptical RCP	SY	- Square Yard
HRS	- Hours	T	- Ton
IN	- Inch	VLF	- Vertical Linear Foot
INCL	- Including	W/	- With
LBS	- Pounds	W/O	- Without

**BIDDERS SHOULD NOT ADD ANY CONDITIONS OR QUALIFYING STATEMENTS TO THIS BID OR THE BID MAY BE DECLARED IRREGULAR AS NOT BEING RESPONSIVE TO THE INSTRUCTIONS TO BIDDERS.**

SECTION 00400

BID

TWO MILLION GALLON ELEVATED WATER STORAGE TANK  
 CONTRACT 1-2004  
 KENTUCKY-AMERICAN WATER

The following prices per item shall be for furnishing and installing the various items of material and work as specified and shown on the drawings. Bidder agrees to perform all work as shown on the drawings and described in the specifications for the following listed prices. Bidder acknowledges that unit prices have been computed in accordance with paragraph 11.03.B of the General Conditions. Bidder acknowledges that quantities are not guaranteed and final payment will be based on actual quantities.

NOTE: A price must be bid for each item in the Bid, even though the estimated quantity is zero. The Bidder shall provide a price for one or more tank types. To be responsive, the Bidder is not required to bid all tank types. Unbalanced or unreasonable unit prices may cause rejection of the Bid. All words and numbers shall be in ink.

ITEM NO.	DESCRIPTION	QUANTITY	UNIT	LS OR UNIT PRICE BID (Words and Numbers)	EXTENSION
1.	For complete construction of 2 Million Gallon Multi-leg Elevated Tank as shown on Project Plans. Includes site regrading, access road, (gravel and asphalt), fencing, valve vault and all piping and valves, electrical service, telemetry system, cathodic protection, 24-inch ductile iron water main and appurtenances as shown on project plans, and all items depicted on project plans and project manual. Services include all material, means, and methods to construct all portions of project (Unclassified excavation, trench, and backfilling).	1	LS	<u>two million three hundred thirty-seven thousand and 00/100</u> (Words)	Dollars
				<u>\$ 2,337,000.<sup>00</sup></u> (Numbers)	<u>\$ 2,337,000.<sup>00</sup></u> (Numbers)
2.	5% of Bid (Extra work if ordered by ENGINEER).	1	LS	<u>one hundred sixteen thousand eight hundred fifty and 00/100</u> (Words)	Dollars
				<u>\$ 116,850.<sup>00</sup></u> (Numbers)	<u>\$ 116,850.<sup>00</sup></u> (Numbers)
3.	Deduction in Bid amount if substantial completion date moved to May 30, 2006.	1	LS	<u>two hundred sixteen thousand and 00/100</u> (Words)	Dollars
				<u>\$ 216,000.<sup>00</sup></u> (Numbers)	<u>\$ 216,000.<sup>00</sup></u> (Numbers)

ITEM NO.	DESCRIPTION	QUANTITY	UNIT	LS OR UNIT PRICE BID (Words and Numbers)	EXTENSION
ALTERNATE NO. 1					
1.	For complete construction of 2 Million Gallon Fluted Column Elevated Tank as shown on Project Plans. Includes site regrading, access road, (gravel and asphalt), fencing, all piping and valves in tank pedestal, electrical service, telemetry system, cathodic protection, 24-inch ductile iron water main and appurtenances as shown on project plans, and all items depicted on project plans and project manual. Services include all material, means, and methods to construct all portions of project (Unclassified excavation, trench, and backfilling).	1	LS	<i>two million six hundred six thousand and 00/100</i> (Words)	Dollars
				\$ <u>2,606,000.<sup>00</sup></u> (Numbers)	\$ <u>2,606,000.<sup>00</sup></u> (Numbers)
2.	5% of Bid (Extra work if ordered by ENGINEER).	1	LS	<i>one hundred thirty thousand three hundred and 00/100</i> (Words)	Dollars
				\$ <u>130,300.<sup>00</sup></u> (Numbers)	\$ <u>130,300.<sup>00</sup></u> (Numbers)
3.	Deduction in Bid amount if substantial completion date moved to May 30, 2006.	1	LS	<i>two hundred sixteen thousand and 00/100</i> (Words)	Dollars
				\$ <u>216,000.<sup>00</sup></u> (Numbers)	\$ <u>216,000.<sup>00</sup></u> (Numbers)

ITEM NO.	DESCRIPTION	QUANTITY	UNIT	LS OR UNIT PRICE BID (Words and Numbers)	EXTENSION
ALTERNATE NO. 2					
1.	For complete construction of 2 Million Gallon Composite Elevated Tank as shown on Project Plans. Includes site regrading, access road, (gravel and asphalt), fencing, all piping and valves in tank pedestal, electrical service, telemetry system, cathodic protection, 24-inch ductile iron water main and appurtenances as shown on project plans, and all items depicted on project plans and project manual. Services include all material, means, and methods to construct all portions of project (Unclassified excavation, trench, and backfilling). Size of form work, in linear feet, proposed for construction of composite tank support shaft.	1	LS	<u>two million two hundred two thousand and <math>\frac{00}{100}</math></u> (Words)	Dollars
				<u>\$ 2,202,000.<sup>00</sup></u> (Numbers)	<u>\$ 2,202,000.<sup>00</sup></u> (Numbers)
				<u>four</u> (Words)	
				<u>4</u> (Numbers)	
2.	5% of Bid (Extra work if ordered by ENGINEER).	1	LS	<u>one hundred ten thousand</u> <u>one hundred and <math>\frac{00}{100}</math></u> (Words)	Dollars
				<u>\$ 110,100.<sup>00</sup></u> (Numbers)	<u>\$ 110,100.<sup>00</sup></u> (Numbers)
3.	Deduction in Bid amount if substantial completion date moved to May 30, 2006.	1	LS	<u>two hundred sixteen thousand and <math>\frac{00}{100}</math></u> (Words)	Dollars
				<u>\$ 216,000.<sup>00</sup></u> (Numbers)	<u>\$ 216,000.<sup>00</sup></u> (Numbers)

COMPUTED TOTAL BID CONTRACT 1-2004 (ITEMS 1 AND 2)

two million four hundred fifty-three thousand eight hundred Dollars \$ 2,453,850.<sup>00</sup>  
(Words) fifty and  $\frac{00}{100}$  (Numbers)

COMPUTED TOTAL BID CONTRACT 1-2004 (ALTERNATE NO.1 – Items 1 and 2)

two million seven hundred thirty-six thousand three Dollars \$ 2,736,300.<sup>00</sup>  
(Words) hundred and  $\frac{00}{100}$  (Numbers)

COMPUTED TOTAL BID CONTRACT 1-2004 (ALTERNATE NO.2 – Items 1 and 2)

two million three hundred twelve thousand Dollars \$ 2,312,100.<sup>00</sup>  
(Words) one hundred and  $\frac{00}{100}$  (Numbers)



6.01 Bidder agrees that the work will be substantially complete November 30, 2005 and completed and ready for final payment within 30 calendar days after substantial completion date when the Contract Time commences to run as provided in the General Conditions. These completion dates are based on the OWNER issuing a Notice to Proceed by February 15, 2005 and providing access to site by April 1, 2005.

6.02 Bidder accepts the provisions of the Agreement as to liquidated damages in the event of failure to complete the Work within the times specified, above, which shall be stated in the Agreement.

7.01 The following documents are attached to and made a condition of this Bid:

A. Required Bid Security in the form of Bid Bond in the  
(Bond or Certified Check)  
amount of Five Percent Bid Bond Amount Dollars  
(\$ 5% Bid Bond Amount) as required by the Instructions to Bidders.

8.01 The terms used in this Bid with initial capital letters have the meanings indicated in the Instructions to Bidders, the General Conditions, and the Supplementary Conditions.

9.01 Communications concerning this Bid shall be addressed to the address of Bidder indicated below:

Name: Caldwell Tanks, Inc.  
Street: 4000 Tower Road  
City, State, Zip Code: Louisville, KY 40219  
Phone: 502/964-3361

Submitted on January 11, 2005

If Bidder is:

An Individual

Name (typed or printed): \_\_\_\_\_

By: \_\_\_\_\_  
(Individual's signature)

Doing business as: \_\_\_\_\_  
Business address: \_\_\_\_\_

Phone No.: \_\_\_\_\_ FAX No.: \_\_\_\_\_

A Partnership

Partnership Name: \_\_\_\_\_ (SEAL)  
By: \_\_\_\_\_  
(Signature of general partner -- attach evidence of authority to sign)

Name (typed or printed): \_\_\_\_\_  
Business address: \_\_\_\_\_

Phone No.: \_\_\_\_\_ FAX No.: \_\_\_\_\_

A Corporation

Corporation Name: Caldwell Tanks, Inc. (SEAL)  
State of Incorporation: Kentucky  
Type (General Business, Professional, Service, Limited Liability): General Business  
By: C.R. Spangler, III  
(Signature -- attach evidence of authority to sign)

Name (typed or printed): C.R. Spangler, III  
Title: Regional Sales Manager (CORPORATE SEAL)

Attest Barry L. Geswein  
Barry L. Geswein (Signature of Corporate Secretary)

Business address: 4000 Tower Road  
Louisville, KY 40219

Phone No.: 502/964-3361 FAX No.: 502/966-8732

Date of Qualification to do business is 2/1/1892

Sworn and subscribed to before me this  
11th day of January, 2005  
Linda Marie Wells  
Linda Marie Wells, State At Large, KY

Notary Public or Other Officer  
Authorized to Administer Oaths.  
My Commission expires: June 23, 2007

A Joint Venture

Joint Venturer Name: \_\_\_\_\_ (SEAL)

By: \_\_\_\_\_  
(Signature of joint venture partner -- attach evidence of authority to sign)

Name (typed or printed): \_\_\_\_\_

Title: \_\_\_\_\_

Business address: \_\_\_\_\_

Phone No.: \_\_\_\_\_ FAX No.: \_\_\_\_\_

Joint Venturer Name: \_\_\_\_\_ (SEAL)

By: \_\_\_\_\_  
(Signature -- attach evidence of authority to sign)

Name (typed or printed): \_\_\_\_\_

Title: \_\_\_\_\_

Business address: \_\_\_\_\_

Phone No.: \_\_\_\_\_ FAX No.: \_\_\_\_\_

Phone and FAX Number, and Address for receipt of official communications:

\_\_\_\_\_  
\_\_\_\_\_

(Each joint venturer must sign. The manner of signing for each individual, partnership, and corporation that is a party to the joint venture should be in the manner indicated above.)

Sworn and subscribed to before me this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_

Notary Public or Other Officer  
Authorized to Administer Oaths.  
My Commission expires: \_\_\_\_\_

END OF SECTION

**POWER OF ATTORNEY**

**KNOW ALL MEN BY THESE PRESENTS**, that **CALDWELL TANKS, INC.**, Louisville, Kentucky, a Kentucky Corporation, has constituted and appointed, and does constitute and appoint the persons named below as its true and lawful Attorneys-in-Fact, to execute proposals for the sale of materials or the construction of work, to make contracts for same, and execute Surety Bonds to be used in connection therewith:

JOHN R. BICKEL  
BRANDON W. BYRD  
CHRISTOPHER A. OLIVER  
JOHN E. SKRYPEK  
CONRAD R. SPANGLER, III  
KEVIN J. GALLAGHER

This appointment is made in accordance with Article V, Section 1 of the By-Laws of the Corporation as amended January 16, 1986, and still in full force and effect.

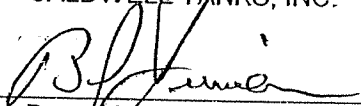
**IN WITNESS WHEREOF, CALDWELL TANKS, INC.** has caused these presents to be signed by its President, and its corporate seal to be thereunto affixed and duly attested by its Secretary this 5th day of January, 2004.

ATTEST:

(SEAL) \_\_\_\_\_

STATE OF KENTUCKY     )  
  ) SS:  
COUNTY OF JEFFERSON )

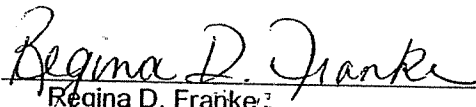
CALDWELL TANKS, INC.

BY:   
Bernard S. Fineman  
President

On this 5th day of January, 2004, before me personally appeared Bernard S. Fineman, President of CALDWELL TANKS, INC., who being duly sworn, said he resides in the state of Kentucky; that he is President of CALDWELL TANKS, INC., the Corporation described in and which executed the foregoing instrument; that he knows the Corporate seal; that it was so affixed by order of the Board of Directors of said Corporation; and that he signed his name thereto as President of said Corporation by like authority.

(SEAL) \_\_\_\_\_


STATE OF KENTUCKY     )  
  ) SS:  
COUNTY OF JEFFERSON )

BY:   
Regina D. Franke  
Notary Public, State at Large  
MY COMMISSION EXPIRES 5-29-05

I, Barry L. Geswein, Secretary of CALDWELL TANKS, INC. do hereby certify that the above and foregoing is a true and correct copy of the Power of Attorney executed by CALDWELL TANKS, INC., which is still in full force and effect.

IN WITNESS WHEREOF, I have signed this certificate at Louisville, Kentucky, this 11th day of January, 2005.

(SEAL) \_\_\_\_\_

BY:   
Barry L. Geswein, Secretary  
Caldwell Tanks, Inc.

SECTION 00430

5% BID BOND

BIDDER (Name and Address):

Caldwell Tanks, Inc.  
4000 Tower Road  
Louisville, KY 40219

SURETY (Name and Address of Principal Place of Business):

Great American Insurance Company  
580 Walnut Street  
Cincinnati, OH 45202

OWNER (Name and Address):

Kentucky-American Water  
2300 Richmond Road  
Lexington, KY 40502

BID:

BID DUE DATE: January 11, 2005

PROJECT (Brief Description Including Location):

Two Million Gallon Elevated Water Storage Tank - Contract 1-2004

BOND:

BOND NUMBER:

DATE: (Not later than Bid Due Date): January 11, 2005

PENAL SUM: Five Percent (5%) of the Bid Amount

IN WITNESS WHEREOF, Surety and Bidder, intending to be legally bound hereby, subject to the terms printed on the reverse side hereof, do each cause this Bid Bond to be duly executed on its behalf by its authorized officer, agent, or representative.

SURETY

Great American Insurance Company (Seal)  
Surety's Name and Corporate Seal

By:

*Deborah Pinkerton* Attorney-in-Fact  
Signature and Title  
(Attach Power of Attorney)

Attest:

*Jenny Williams*, witness  
Signature and Title

BIDDER

Caldwell Tanks, Inc. (Seal)  
Bidder's Name and Corporate Seal

By:

*C.R. Spangler III*  
Signature and Title  
C.R. Spangler, III, Regional Sales Manager

Attest:

*Barry Geswein*  
Signature and Title  
Barry L. Geswein, Secretary

Note:

- (1) Above addresses are to be used for giving required notice.
- (2) Any singular reference to Bidder, Surety, OWNER or other party shall be considered plural where applicable.

1. Bidder and Surety, jointly and severally, bind themselves, their heirs, executors, administrators, successors and assignees to pay to OWNER upon default of Bidder the penal sum set forth on the face of this Bond.
2. Default of Bidder shall occur upon the failure of Bidder to deliver within the time required by the Bidding Documents the executed Agreement required by the Bidding Documents and any performance and payment bonds required by the Bidding Documents and Contract Documents.
3. This obligation shall be null and void if:
  - 3.1 OWNER accepts Bidder's Bid and Bidder delivers within the time required by the Bidding Documents (or any extension thereof agreed to in writing by OWNER) the executed Agreement required by the Bidding Documents and any Performance and Payment Bonds required by the Bidding Documents and Contract Documents, or
  - 3.2 All Bids are rejected by OWNER, or
  - 3.3 OWNER fails to issue a Notice of Award to Bidder within the time specified in the Bidding Documents (or any extension thereof agreed to in writing by Bidder and, if applicable, consented to by Surety when required by paragraph 5 hereof).
4. Payment under this Bond will be due and payable upon default of Bidder and within 30 calendar days after receipt by Bidder and Surety of written notice of default from OWNER, which notice will be given with reasonable promptness, identifying this Bond and the project and including a statement of the amount due.
5. Surety waives notice of and any and all defenses based on or arising out of any time extension to issue notice of award agreed to in writing by OWNER and Bidder, provided that the time for issuing notice of award including extensions shall not in the aggregate exceed 120 days from Bid Due Date without Surety's written consent.
6. No suit or action shall be commenced under this Bond prior to 30 calendar days after the notice of default required in paragraph 4 above is received by Bidder and Surety, and in no case later than one year after Bid Due Date.
7. Any suit or action under this Bond shall be commenced only in a court of competent jurisdiction located in the state in which the project is located.
8. Notice required hereunder shall be in writing and sent to Bidder and Surety at their respective addresses shown on the face of this Bond. Such notices may be sent by personal delivery, commercial courier, or by United States Registered or Certified Mail, return receipt requested, postage prepaid, and shall be deemed to be effective upon receipt by the party concerned.
9. Surety shall cause to be attached to this Bond a current and effective Power of Attorney evidencing the authority of the officer, agent, or representative who executed this Bond on behalf of Surety to execute, seal, and deliver such Bond and bind Surety thereby.
10. This Bond is intended to conform to all applicable statutory requirements. Any applicable requirement of any applicable statute that has been omitted from this Bond shall be deemed to be included herein as if set forth at length. If any provision of the Bond conflicts with any applicable provision of any applicable statute, then the provision of said statute shall govern and the remainder of this Bond that is not in conflict therewith shall continue in full force and effect.
11. The term "bid" as used herein includes a bid, offer, or proposal as applicable.

END OF SECTION

# GREAT AMERICAN INSURANCE COMPANY®

Administrative Office: 580 WALNUT STREET • CINCINNATI, OHIO 45202 • 513-369-5000 • FAX 513-723-2740

The number of persons authorized by this power of attorney is not more than Eight

No. 0 17906

## POWER OF ATTORNEY

**KNOW ALL MEN BY THESE PRESENTS:** That the GREAT AMERICAN INSURANCE COMPANY, a corporation organized and existing under and by virtue of the laws of the State of Ohio, does hereby nominate, constitute and appoint the person or persons named below its true and lawful attorney-in-fact, for it and in its name, place and stead to execute in behalf of the said Company, as surety, any and all bonds, undertakings and contracts of suretyship, or other written obligations in the nature thereof; provided that the liability of the said Company on any such bond, undertaking or contract of suretyship executed under this authority shall not exceed the limit stated below.

Name	Address	Limit of Power
John F. Neace	Larry P. Schaeffer	all of
Deborah S. Pinkerton	Douglas A. Stough	Louisville, Kentucky
Sharon L. Rose	Jennifer K. Williams	Unlimited
John A. Stough	Kathleen M. Stich	

This Power of Attorney revokes all previous powers issued in behalf of the attorney(s)-in-fact named above.

IN WITNESS WHEREOF the GREAT AMERICAN INSURANCE COMPANY has caused these presents to be signed and attested by its appropriate officers and its corporate seal hereunto affixed this 8th day of June, 2004  
GREAT AMERICAN INSURANCE COMPANY



*[Signature]*  
Assistant Secretary

*[Signature]*  
Divisional Senior Vice President

DAVID C. KITCHIN (513-412-4602)

STATE OF OHIO, COUNTY OF HAMILTON - ss:

On this 8th day of June, 2004, before me personally appeared DAVID C. KITCHIN, to me known, being duly sworn, deposes and says that he resides in Cincinnati, Ohio, that he is the Divisional Senior Vice President of the Bond Division of Great American Insurance Company, the Company described in and which executed the above instrument; that he knows the seal of the said Company; that the seal affixed to the said instrument is such corporate seal; that it was so affixed by authority of his office under the By-Laws of said Company, and that he signed his name thereto by like authority.



KAREN L. BERRY  
NOTARY PUBLIC, STATE OF OHIO  
My Commission Expires 02-16-09

*[Signature]*  
Karen L. Berry

This Power of Attorney is granted by authority of the following resolutions adopted by the Board of Directors of Great American Insurance Company by unanimous written consent dated March 1, 1993.

**RESOLVED:** That the Division President, the several Division Vice Presidents and Assistant Vice Presidents, or any one of them, be and hereby is authorized, from time to time, to appoint one or more Attorneys-in-Fact to execute on behalf of the Company, as surety, any and all bonds, undertakings and contracts of suretyship, or other written obligations in the nature thereof; to prescribe their respective duties and the respective limits of their authority; and to revoke any such appointment at any time.

**RESOLVED FURTHER:** That the Company seal and the signature of any of the aforesaid officers and any Secretary or Assistant Secretary of the Company may be affixed by facsimile to any power of attorney or certificate of either given for the execution of any bond, undertaking, contract or suretyship, or other written obligation in the nature thereof, such signature and seal when so used being hereby adopted by the Company as the original signature of such officer and the original seal of the Company, to be valid and binding upon the Company with the same force and effect as though manually affixed.

## CERTIFICATION

I, RONALD C. HAYES, Assistant Secretary of Great American Insurance Company, do hereby certify that the foregoing Power of Attorney and the Resolutions of the Board of Directors of March 1, 1993 have not been revoked and are now in full force and effect.

Signed and sealed this

*[Signature]* day of January, 2005



*[Signature]*  
Assistant Secretary

# **C** CALDWELL TANKS

TANK BUILDERS SINCE 1887

Kentucky-American Water  
Lexington, Kentucky

## LIST OF MAJOR SUBCONTRACTORS

### Foundations/Site Work/Piping

CAISSON ONLY - FALCO DRILLING  
LOUISVILLE, KY

### Field Painting

CURRENS COMPANY - HARRODSBURG, KY

### Electrical

J&G ELECTRIC - BUFFALO, KY

### Fence

FLENER BROTHERS - LEITCHFIELD, KY

**Proof of Insurance** for our subcontractors will be provided if we are the low bidder.

S12.DOC

- 4000 Tower Road, Louisville, KY 40219 / P. O. Box 35770, Louisville, KY 40232 / (502) 964-3361 / (502) 966-8732 FAX
- 57 East Broad Street, Newnan, GA 30263 / P. O. Box 608, Newnan, GA 30264 / (770) 253-3232 / (770) 251-9253 FAX



# **C** CALDWELL TANKS

TANK BUILDERS SINCE 1887

## CERTIFICATE

This is to certify that Caldwell Tanks, Inc. has met all requirements and is licensed in to do business in the State of Kentucky.

### OUR STATUTORY AND PROCESS AGENT IS:

Bernard S. Fineman  
4000 Tower Road  
Louisville, Kentucky 40219

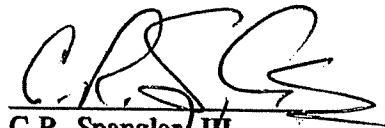
DATE QUALIFIED: 2/1/1892

ATTEST

CALDWELL TANKS, INC.

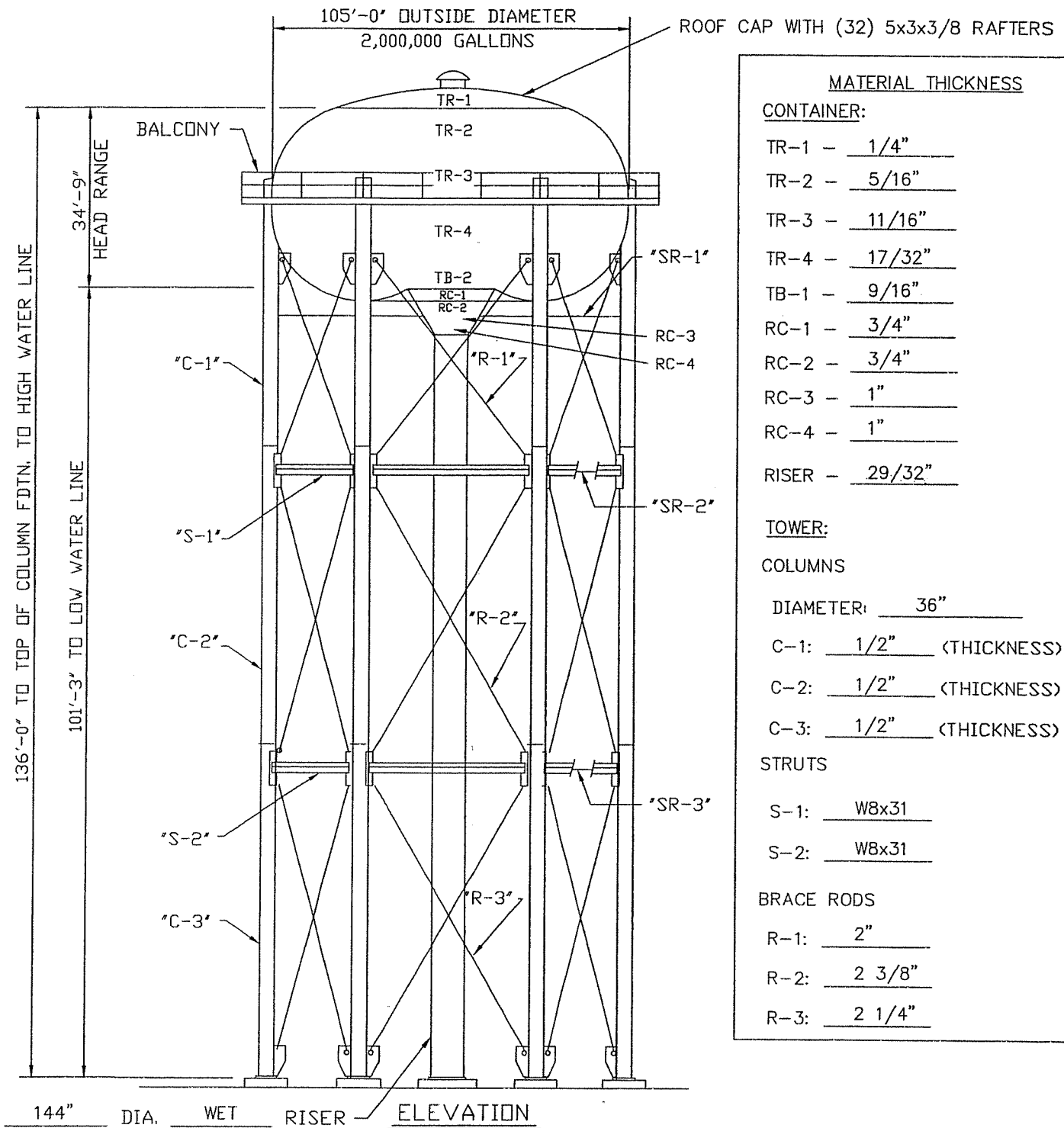


Barry L. Geswein  
Secretary



C.R. Spangler, III  
Regional Sales Manager

KYQUAL.DOC



MATERIAL THICKNESS	
<u>CONTAINER:</u>	
TR-1	1/4"
TR-2	5/16"
TR-3	11/16"
TR-4	17/32"
TB-1	9/16"
RC-1	3/4"
RC-2	3/4"
RC-3	1"
RC-4	1"
RISER	29/32"
<u>TOWER:</u>	
<u>COLUMNS</u>	
DIAMETER: 36"	
C-1:	1/2" (THICKNESS)
C-2:	1/2" (THICKNESS)
C-3:	1/2" (THICKNESS)
<u>STRUTS</u>	
S-1:	W8x31
S-2:	W8x31
<u>BRACE RODS</u>	
R-1:	2"
R-2:	2 3/8"
R-3:	2 1/4"

DESIGN PARAMETERS

DESIGN PER AWWA D100-96 AND PROJECT SPECIFICATIONS.  
 ALL ACCESSORIES TO BE INCLUDED AS PER SPECIFICATIONS.  
 SIZES AND THICKNESSES SUBJECT TO CHANGE WITH FINAL DESIGN.

SEISMIC LOAD - ZONE 1

WIND LOAD - 100 MPH

14 PLUMB COLUMNS

DIAMETER AT TOP OF FOUNDATION - 105'-0"

**CALDWELL TANKS, INC.**  
 LOUISVILLE, KY.

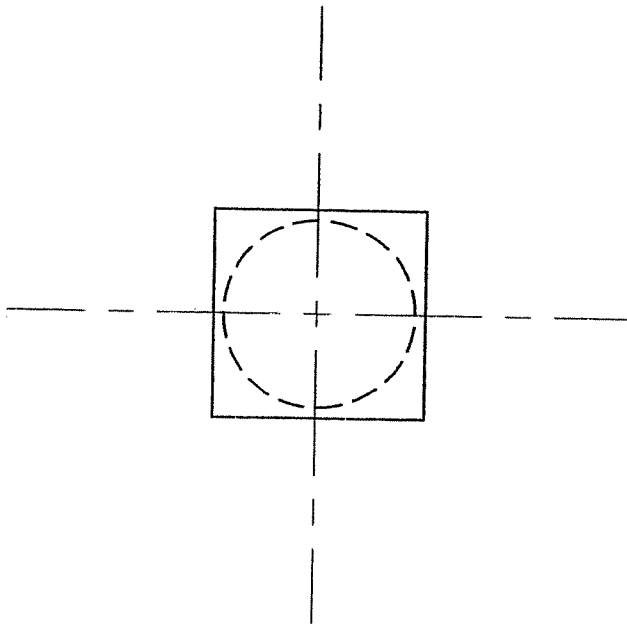
LEXINGTON, KY  
 2,000,000 GALLON TORUS BOTTOM TANK

BY: SCC *[Signature]*

TITLE: BID DRAWING

DATE: 01/06/05

DRAWING NO.: SB-1MM-3P

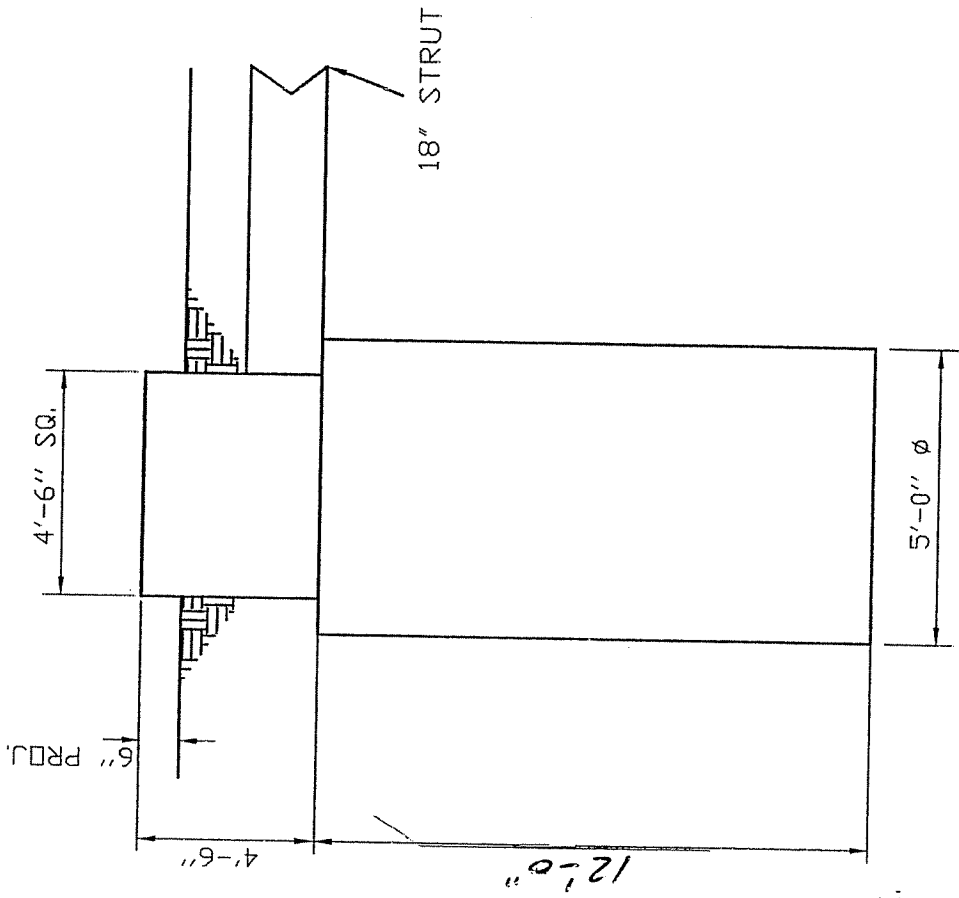


COLUMN PEDESTAL AND CAISSON  
PLAN VIEW (TYP. 14 COLUMNS)

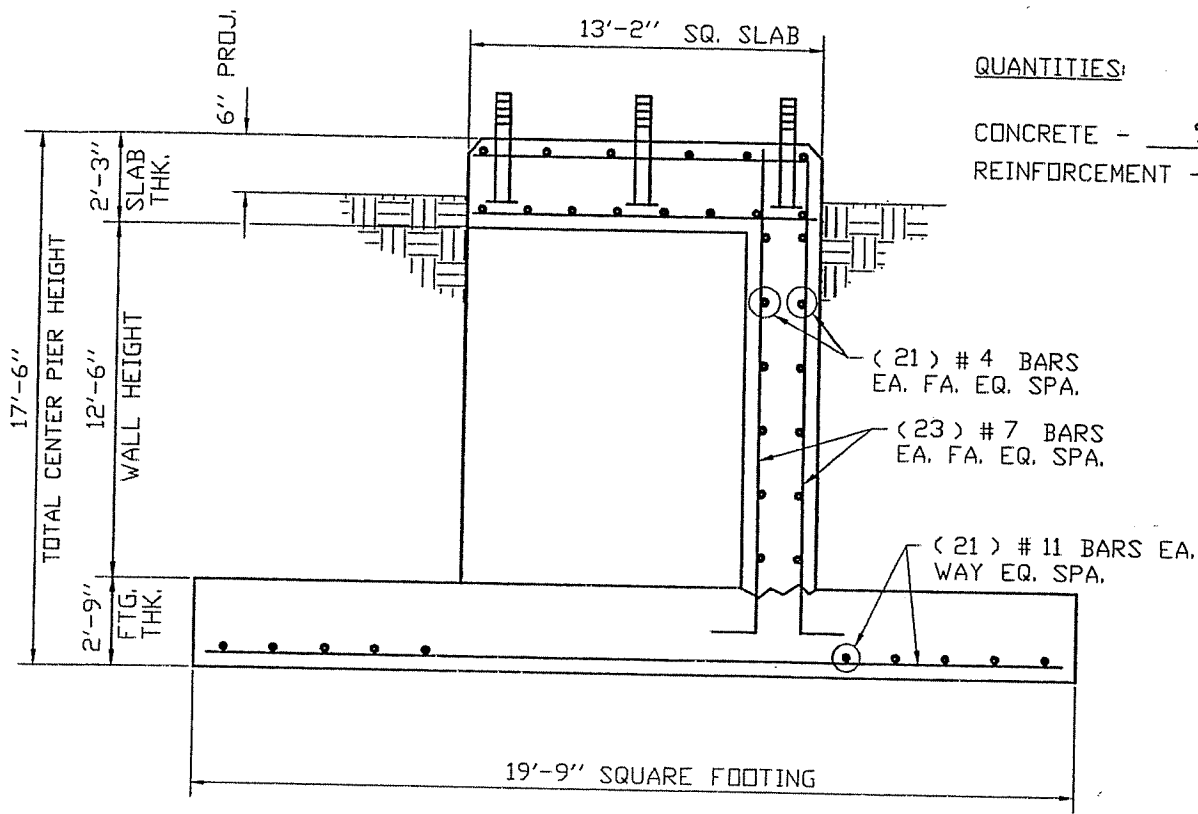
**589 TON CAPACITY CAISSONS**

NOTES:

- ANCHOR BOLTS NOT SHOWN.
- FOUNDATION DESIGNED IN ACCORDANCE WITH THE PROJECT SOILS REPORT.
- QUANTITIES ARE TOTAL FOR 14 COLUMNS
- CONCRETE: 28 DAY COMPRESSIVE STRENGTH OF 4000 PSI.  
 50 CU. YDS. - CAP  
 150 CU. YDS. - CAISSON  
 27 CU. YDS. - STRUT
- REINFORCEMENT: ASTM SPEC. A-615 GRADE 60.  
 12,000 LBS. - CAP  
 14,000 LBS. - CAISSON  
 5,000 LBS. - STRUT
- SUBJECT TO CHANGE WITH FINAL DESIGN.
- **PROBE HOLE INSPECTION BY GEOTECH REQUIRED.**



<b>CALDWELL TANKS, INC.</b> LOUISVILLE, KY NEWNAN, GA	
2,000,000 GALLON TORUS BOTTOM TANK LEXINGTON, KY	
BY: SCC	TITLE: COLUMN CAISSON DETAIL
DATE: 01/07/05	DRAWING NO.:
CK: BA	PRELIMINARY DESIGN



QUANTITIES:  
 CONCRETE - 95 CU. YDS.  
 REINFORCEMENT - 15,000 LBS.

( 21 ) # 4 BARS  
 EA. FA. EQ. SPA.  
 ( 23 ) # 7 BARS  
 EA. FA. EQ. SPA.  
 ( 21 ) # 11 BARS EA.  
 WAY EQ. SPA.

CENTER PIER SECTION  
 ( 3 ) WALLS REQUIRED

FOOTING SHALL BEAR ON ROCK.

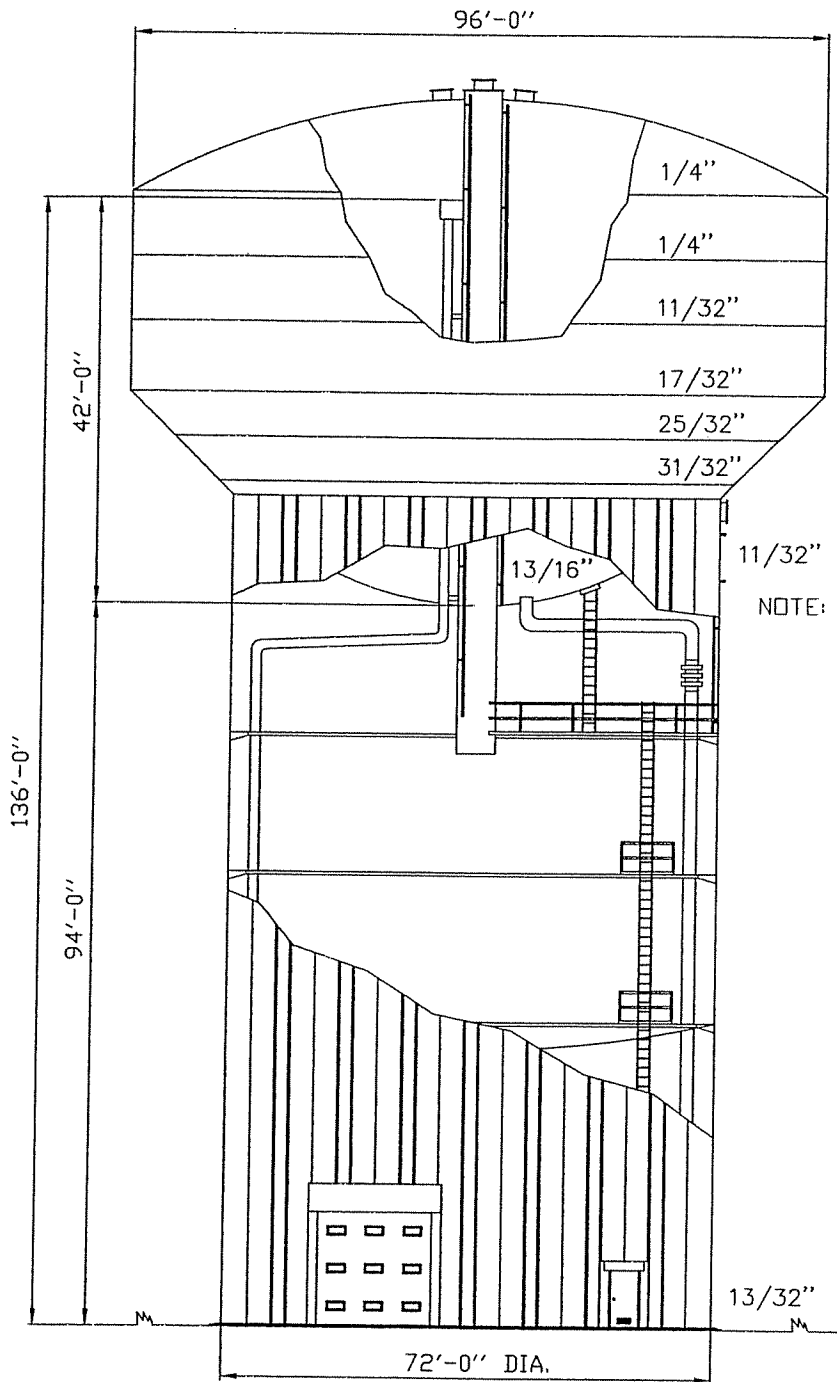
DESIGN PARAMETERS

DESIGN PER AWWA D100-96, ACI 318-99, AND PROJECT SPECIFICATIONS.

SUBJECT TO CHANGE WITH FINAL DESIGN.

SEISMIC LOAD - ZONE 1  
 WIND LOAD - 100 MPH  
 NET ALLOWABLE BEARING CAPACITY - 60,000 PSF  
 CONCRETE STRENGTH - 4,000 PSI  
 REINFORCING STEEL PER ASTM A615 GR. 60.

<b>CALDWELL TANKS, INC.</b> LOUISVILLE, KY      NEWNAN, GA	
LEXINGTON, KY 2,000,000 GALLON TORUS BOTTOM TANK	
BY: SCC	TITLE: CENTER PIER DETAIL
DATE: 01/06/05	DRAWING NO.: BID DRAWING



NOTE: DESIGN PER AWWA D100-96 AND ENGINEER'S SPECIFICATIONS.

ALL ACCESSORIES TO BE INCLUDED AS PER SPECIFICATIONS.

ORIENTATION OF ACCESSORIES SHOWN FOR CLARITY.

SUBJECT TO CHANGE WITH FINAL DESIGN.

100 MPH WIND  
SEISMIC ZONE 1  
25 PSF SNOW

TANK DIAMETER: 96'-0"  
NET CAPACITY: 2,000,000 GALLONS

CALDWELL TANKS, INC.  
LOUISVILLE, KY.

LEXINGTON, KY  
2,000,000 GALLON FLUTED COLUMN TANK

BY: SCC *[Signature]*

TITLE: FLUTED COLUMN TANK

DATE: 01/04/05

DRAWING NO.: BID-FLC

NOTES:

FOUNDATION DESIGN BASED ON CAISSONS AT APPROXIMATELY 17' BELOW GRADE. ALLOWABLE BEARING CAPACITY = 589 TONS

18 CAISSONS REQUIRED

CONCRETE: 28 DAY COMPRESSIVE STRENGTH (4000 PSI)

235 CU. YDS. - RINGWALL  
140 CU. YDS. - CAISSONS

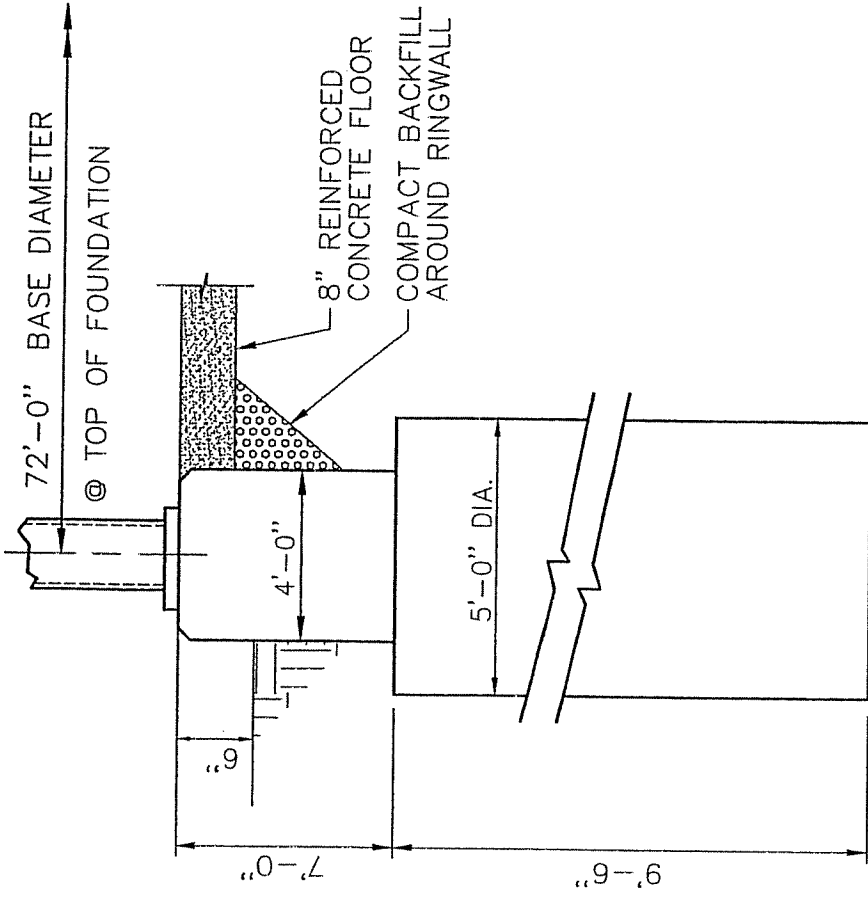
REINFORCEMENT: ASTM SPEC. A615 GR. 60

20,000 LBS. - RINGWALL  
16,000 LBS. - CAISSONS

FOUNDATION IS SUBJECT TO CHANGE WITH FINAL DESIGN.

PIPING PIT NOT SHOWN.

NOTE: PROBE HOLES REQUIRED PER SOIL REPORT



CALDWELL TANKS, INC.  
LOUISVILLE, KY.

2,000,000 GALLON FLUTED COLUMN  
LEXINGTON, KY

BY: SCC

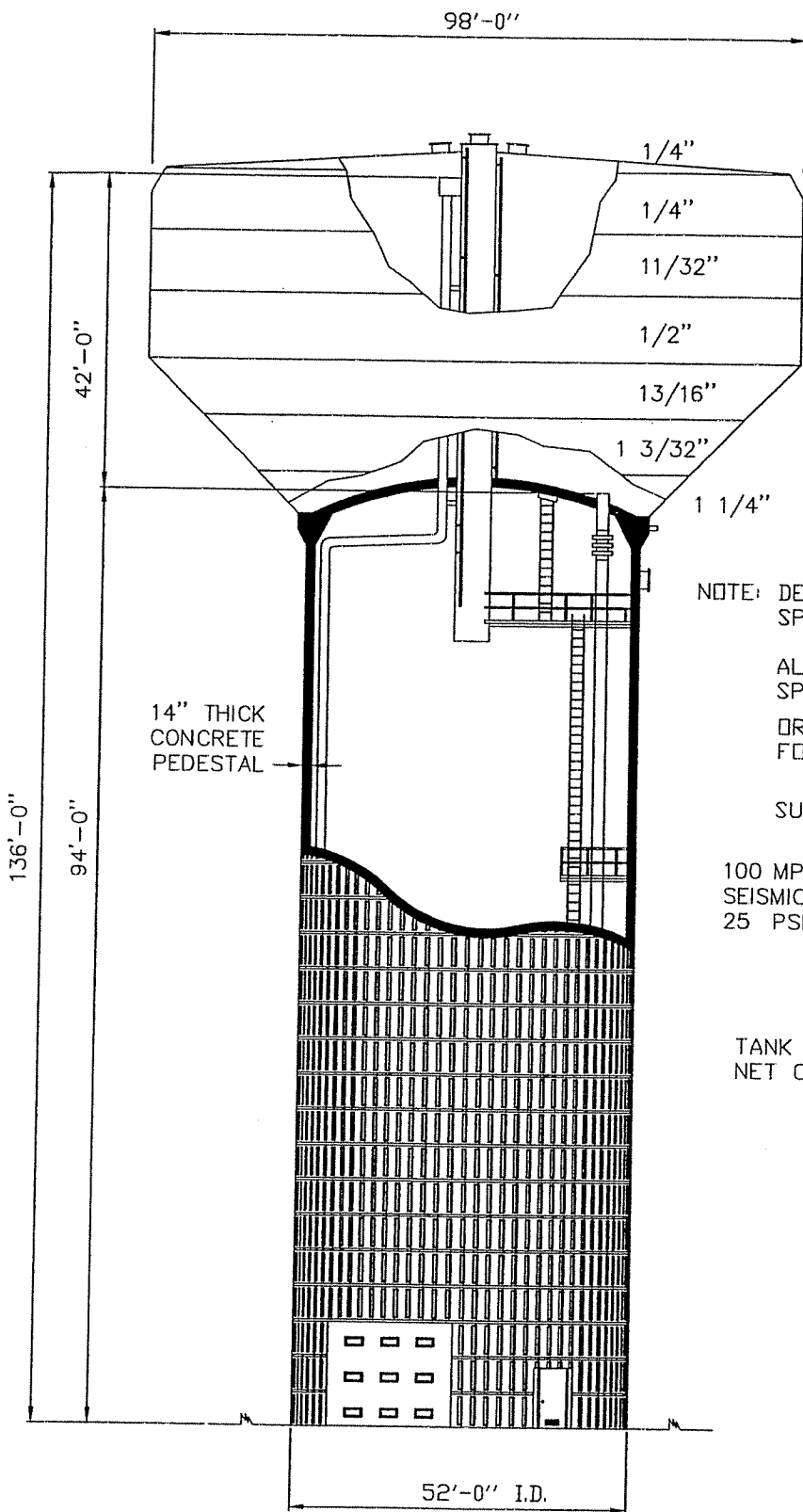
TITLE:

DATE: 01/06/05

PRELIMINARY FOUNDATION DESIGN

DRAWING NO.:

CK.



NOTE: DESIGN PER AWWA D100-96 AND ENGINEER'S SPECIFICATIONS.

ALL ACCESSORIES TO BE INCLUDED AS PER SPECIFICATIONS.

ORIENTATION OF ACCESSORIES SHOWN FOR CLARITY.

SUBJECT TO CHANGE WITH FINAL DESIGN.

100 MPH WIND  
SEISMIC ZONE 1  
25 PSF SNOW

TANK DIAMETER: 98'-0"  
NET CAPACITY: 2,000,000 GALLONS

<b>CALDWELL TANKS, INC.</b> LOUISVILLE, KY.	
LEXINGTON, KY 2,000,000 GALLON COMPOSITE ELEVATED TANK	
BY: SCC <i>[Signature]</i>	TITLE: COMPOSITE ELEVATED TANK
DATE: 01/04/05	DRAWING NO.: BID-CON

**NOTES:**

FOUNDATION DESIGN BASED ON A NET ALLOWABLE SOIL BEARING OF 60,000PSF.

CONCRETE: 28 DAY COMPRESSIVE STRENGTH OF 3500 PSI. (< 329 CU. YDS.)

REINFORCEMENT: ASTM SPEC. A615 GR. 60. (< 19,200 LBS.)

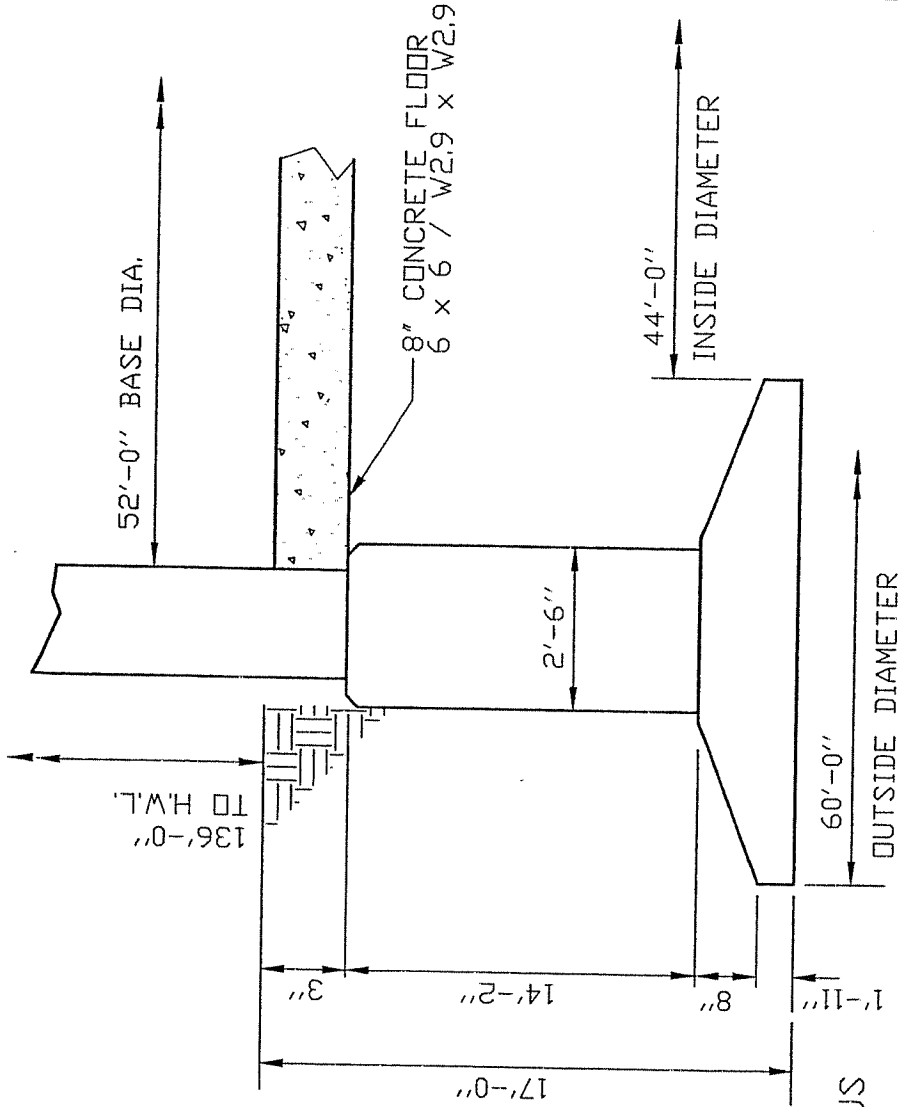
FOUNDATION IS SUBJECT TO CHANGE WITH FINAL DESIGN.

PIPING PIT NOT SHOWN.

FLOOR, PIPING PIT AND MISCELLANEOUS ACCESSORIES ARE NOT INCLUDED IN QUANTITIES SHOWN ABOVE.

FOUNDATION SHALL BEAR ON COMPETANT ROCK

PROJ. GEO TECHNICAL ENGINEER SHALL VERIFY SUBGRADE.



**CALDWELL TANKS, INC.**  
LOUISVILLE, KY      NEWNAN, GA

2,000,000 GALLON COMPOSITE ELEVATED TANK  
LEXINGTON, KY

BY: SCC *JA*  
DATE: 01/04/05  
CK:

TITLE:  
PRELIMINARY FOUNDATION DESIGN  
DRAWING NO.: