

STATE OF NORTH CAROLINA
DEPARTMENT OF TRANSPORTATION
RALEIGH, N.C.

C202619

CONTRACT AND
CONTRACT BONDS
FOR CONTRACT NO. C202619

WBS 38683.3.1 STATE FUNDED

T.I.P NO. F-4004A

COUNTY OF HYDE

THIS IS THE FERRY CONTRACT

ROUTE NUMBER . LENGTH 0.000 MILES

LOCATION 2ND SOUND CLASS FERRY.

CONTRACTOR ORANGE SHIPBUILDING CO., INC.

ADDRESS P.O. BOX 1670
ORANGE, TX 776311670

BIDS OPENED SEPTEMBER 21, 2010

CONTRACT EXECUTION OCT 11 2010

STATE OF NORTH CAROLINA
DEPARTMENT OF TRANSPORTATION
RALEIGH, N. C.

PROPOSAL FORM

Vendor#: **2989** **PQ**

ORANGE SHIPBUILDING CO., INC.

P.O. Box 1670

ORANGE TX 776311670

DATE AND TIME OF OPENING BIDS: **2:00 PM, September 21, 2010**

PROJECT NO. WBS 38683.3.1

TIP NO. F-4004A

Hyde County

State Funded

Contract No. C202619

VESSEL CLASS: SOUND CLASS VESSEL NAME: N/A

DESCRIPTION: CONSTRUCTION OF ONE (1) 220' x 50' x 12'-6"

PASSENGER/VEHICLE FERRY WITH STANDARD PROPULSION

TYPE OF WORK: NEW CONSTRUCTION

Bids Will Be Received As Shown:

NEW CONSTRUCTION:

REPAIR:

5% BID BOND REQUIRED, SECURED BY EITHER A CORPORATE SURETY OR CERTIFIED CHECK.

PROPOSAL FOR THE CONSTRUCTION OF:

Project No WBS 38683.3.1

in Hyde County, North Carolina

Date: August 24, 2010

Department of Transportation

Raleigh, North Carolina

The Bidder has carefully examined the specifications and plans of the proposed work to be known as Project No. **WBS 38683.3.1**, which are acknowledged to be part of the proposal, the special provisions, the proposal, the form of contract, and the forms of contract payment bond and contract performance bond; and thoroughly understands the stipulations, requirements and provisions. The undersigned Bidder further agrees to provide all necessary machinery, tools, labor, and other means of construction; and to do all the work and to furnish all materials, except as otherwise noted, necessary to perform and complete the said contract by **MAY 1, 2012** and in accordance with the requirements of the Engineer, and at the unit or lump sum prices, as the case may be, for the various items given on the sheets contained herein.

The Bidder shall provide and furnish all the materials, machinery, implements, appliances and tools, and perform the work and required labor to construct and complete State Highway Project No. **WBS 38683.3.1 for Hyde County**, for the unit or lump sum prices, as the case may be, bid by the Bidder in his bid and according to the proposal, plans, and specifications prepared by said Department, which proposal, plans, and specifications show the details covering this project, and hereby become a part of this contract.

If the proposal is accepted and the award is made, the contract is valid only when signed either by the Contract Officer or such other person as may be designated by the Secretary to sign for the Department of Transportation. The conditions and provisions herein cannot be changed except over the signature of the said Contract Officer.

Accompanying this bid is a bid bond secured by a corporate surety, or certified check payable to the order of the Department of Transportation, for five percent of the total bid price, which deposit is to be forfeited as liquidated damages in case this bid is accepted and the Bidder shall fail to provide the required payment and performance bonds with the Department of Transportation, under the condition of this proposal, within 14 calendar days after the written notice of award is received by him, as provided in the Standard Specifications; otherwise said deposit will be returned to the Bidder.

PROJECT: WBS 38683.3.1 TIP F-4004A

NEW CONSTRUCTION SOUND CLASS PASSENGER/VEHICLE FERRY

INSTRUCTIONS: Contractor shall complete each item below by inserting the appropriate value for each. Lump Sum per vessel shall be equal to the total of individual item cost. Please use pen for completion.

<u>ITEM</u>	<u>DESCRIPTION</u>	<u>COST (Labor & Material)</u>
1.	Engineering & As-built	<u>98,650.00</u>
2.	Stability	<u>7,469.00</u>
3.	Hull Steel	<u>3,230,493.00</u>
4.	Superstructure	<u>778,687.00</u>
5.	Bulwarks & Tire Guards	<u>346,296.00</u>
6.	Machinery	<u>1,395,349.00</u>
7.	Piping	<u>1,985,865.00</u>
8.	Electrical	<u>1,179,499.00</u>
9.	Joiner (Passenger Lounge & Crew Quarters)	<u>1,411,907.00</u>
10.	Elevator	<u>241,628.00</u>
11.	Stairways, Ladders & Handrails	<u>219,885.00</u>
12.	Outfitting	<u>325,487.00</u>
13.	Doors, Windows & Manholes	<u>311,821.00</u>
14.	Shafting	<u>222,395.00</u>
15.	Rudders & Steering	<u>201,790.00</u>
16.	Electronics	<u>363,118.00</u>
17.	Fire, Safety & Rescue Boat	<u>281,694.00</u>
18.	Painting	<u>1,019,550.00</u>
19.	Names & Tags	<u>24,814.00</u>
20.	Testing & Trials	<u>195,720.00</u>
21.	Delivery	<u>277,283.00</u>
22.	Bonding	<u>151,107.00</u>
23.	Profit	<u>713,717.00</u>

PROJECT: WBS 38683.3.1, TIP F-4004A

NEW CONSTRUCTION PASSENGER/VEHICLE FERRY

<u>LABOR AND MATERIALS</u>	<u>PER HOUR COST</u>
a. Price of Chipper	\$ <u>57.50</u>
b. Price of Shipfitter	\$ <u>63.25</u>
c. Price of Machinist	\$ <u>88.00</u>
d. Price of Carpenter	\$ <u>63.25</u>
e. Price of Electrician	\$ <u>71.50</u>
f. Price of Rigger	\$ <u>63.25</u>
g. Price of Pattern Maker	\$ <u>63.25</u>
h. Price of Pipe Fitter	\$ <u>63.25</u>
i. Price of Welder	\$ <u>63.25</u>
j. Price of Sheet Metal Worker	\$ <u>63.25</u>
k. Price of Painter	\$ <u>63.25</u> ^{Plus} Equipment
l. Price of Welder Helper	\$ <u>57.50</u>
m. Price of Pipe Fitter Helper	\$ <u>57.50</u>
n. Price of Electrician Helper	\$ <u>57.50</u>
o. Price of General Labor (helper)	\$ <u>57.50</u>
p. Price of Crane Operator	\$ <u>63.25</u>
q. Price of Crane Service (overhead shop crane)	\$ <u>75.00</u>
r. Price of Crane Service (crawler crane)	\$ <u>200.00</u> ^{Plus} Operator
s. Price of Metal Prep (sand blasting or shot blast)	\$ <u>200.00</u> ^{PER} NOZZLE
t. Price of Welding (per linear foot /pass)	\$ <u>32.50</u>
u. Price of Galvanizing (hot dip process)	\$ <u>2.00/#</u>

The price charged as itemized opposite each of the above listed artificers will, except as noted, include the cost of materials and tools such as gas, electricity, heat, compressed air, torches, air hammers, forges, welding equipment, welding iron, and all other materials normally employed by artificers in performing operations under their trades, but will exclude the cost of any other materials actually used by the artificers in these processes. When welding is performed, the required number of passes over one (1) foot of seam shall constitute one (1) linear welded foot. Materials used in work, if purchased from the Contractor, shall be priced at his invoiced cost, plus 15 %.

PROJECT: WBS 38683.3.1 TIP F-4004A

NEW CONSTRUCTION PASSENGER/VEHICLE FERRY

***** LUMP SUM BID *****

C202619

Amount to complete plans, construction, testing and delivery of one (1) passenger/vehicle ferry in accordance with the plans and specifications.

Lump Sum \$ 14,984,224

* NOTE *

All bidders shall specify, in the space provide below, the physical location of the construction facility, which will be used for the construction of this project.

This information shall be used by the Board of Transportation when award is made to the Lowest Responsible Bidder. Any substitution of construction site after award of contract shall be approved by the Department. The Contractor shall submit any request for substitution through the Marine Engineer of the Ferry Division, and the request must provide a valid basis or reason for proposed substitution.

FACILITY LOCATION

ORANGE SHIPBUILDING Co., Inc.

P.O. Box 11670

ORANGE, TEXAS 77631

LISTING OF MBE & WBE SUBCONTRACTORS

Sheet / of /

FIRM NAME AND ADDRESS	MBE OR WBE	ITEM NO.	ITEM DESCRIPTION	AGREED UPON UNIT PRICE (*)	DOLLAR VOLUME OF ITEM

(*) The Dollar Volume shown in this Column shall be Dollar Volume of MBE Subcontractor.....\$ 0

Actual Price Agreed Upon by the Prime Contractor and the MBE Percentage of Total Contract Bid Price..... 0 %

MBE and/or WBE Subcontractor, and these prices will be used Dollar Volume of WBE Subcontractor\$ 0

used to determine the percentage of the MBE and/or WBE participation in this Contract. WBE Percentage of Total Contract Bid Price..... 0 %

THIS FORM MUST BE COMPLETED IN ORDER FOR THE BID TO BE CONSIDERED RESPONSIVE AND BE PUBLICLY READ. BIDDERS WITH NO DBE PARTICIPATION MUST SO INDICATE THIS ON THE FORM BY ENTERING THE WORD OR NUMBER ZERO.

LISTING OF MBE & WBE SUBCONTRACTORS

Sheet of

FIRM NAME AND ADDRESS	MBE OR WBE	ITEM NO.	ITEM DESCRIPTION	AGREED UPON UNIT PRICE (*)	DOLLAR VOLUME OF ITEM

(*) The Dollar Volume shown in this Column shall be
 Actual Price Agreed Upon by the Prime Contractor and the _____ \$ _____ %
 MBE and/or WBE Subcontractor, and these prices will be used
 used to determine the percentage of the MBE and/or WBE
 participation in this Contract.

Dollar Volume of MBE Subcontractor.....\$
 MBE Percentage of Total Contract Bid Price..... %
 Dollar Volume of WBE Subcontractor\$
 WBE Percentage of Total Contract Bid Price..... %

**THIS FORM MUST BE COMPLETED IN ORDER FOR THE BID TO BE CONSIDERED RESPONSIVE AND BE PUBLICLY READ.
 BIDDERS WITH NO DBE PARTICIPATION MUST SO INDICATE THIS ON THE FORM BY ENTERING THE WORD OR NUMBER ZERO.**

MBE GOAL SET 0.0 WBE GOAL SET 0.0
 MBE GOAL MET 0.0 WBE GOAL MET 0.0

PROJECT: WBS 38683.3.1 TIP F-4004A

NEW CONSTRUCTION SOUND CLASS PASSENGER/VEHICLE FERRY

INSTRUCTIONS: Contractor shall complete each item below by inserting the appropriate value for each. Lump Sum per vessel shall be equal to the total of individual item cost. Please use pen for completion.

<u>ITEM</u>	<u>DESCRIPTION</u>	<u>COST (Labor & Material)</u>
1.	Engineering & As-built	<u>98,650.00</u>
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16.	Electronics	<u>363,118.00</u>
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19.	Names & Tags	<u>24,814.00</u>
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PROJECT: WBS 38683.3.1, TIP F-4004A

NEW CONSTRUCTION PASSENGER/VEHICLE FERRY

<u>LABOR AND MATERIALS</u>	<u>PER HOUR COST</u>
a. Price of Chipper	\$ <u>57.50</u>
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FACILITY LOCATION

ORANGE SHIPBUILDING Co., Inc.

P.O. Box 1670

ORANGE, TEXAS 77631

County : Hyde

**EXECUTION OF BID
NON-COLLUSION AFFIDAVIT, DEBARMENT CERTIFICATION AND GIFT BAN CERTIFICATION
CORPORATION**

The person executing the bid, on behalf of the Bidder, being duly sworn, solemnly swears (or affirms) that neither he, nor any official, agent or employee of the bidder has entered into any agreement, participated in any collusion, or otherwise taken any action which is in restraint of free competitive bidding in connection with any bid or contract, that the bidder has not been convicted of violating N.C.G.S. § 133-24 within the last three years, and that the Bidder intends to do the work with its own bonafide employees or subcontractors and is not bidding for the benefit of another contractor.

In addition, execution of this bid in the proper manner also constitutes the Bidder's certification of status under penalty of perjury under the laws of the United States in accordance with the Debarment Certification attached, provided that the Debarment Certification also includes any required statements concerning exceptions that are applicable.

N.C.G.S. § 133-32 and Executive Order 24 prohibit the offer to, or acceptance by, any State Employee of any gift from anyone with a contract with the State, or from any person seeking to do business with the State. By execution of any response in this procurement, you attest, for your entire organization and its employees or agents, that you are not aware that any such gift has been offered, accepted, or promised by any employees of your organization.

SIGNATURE OF CONTRACTOR

ORANGE SHIPBUILDING Co., Inc.
Full name of Corporation

P.O. Box 1670 ORANGE, TX 77631
Address as Prequalified

Attest Cecil A. Hernandez By John P. Conrad, Jr.
Secretary/Assistant Secretary President/Vice President/Assistant Vice President
Select appropriate title Select appropriate title

CECIL A. HERNANDEZ
Print or type Signer's name

JOHN P. CONRAD, JR.
Print or type Signer's name

CORPORATE SEAL

AFFIDAVIT MUST BE NOTARIZED

Subscribed and sworn to before me this the

17th day of SEPTEMBER 2010.

[Signature]
Signature of Notary Public

of ST. MARY PARISH
County

State of LOUISIANA

My Commission Expires: at death

NOTARY SEAL

County : Hyde

**EXECUTION OF BID
NON-COLLUSION AFFIDAVIT, DEBARMENT CERTIFICATION AND GIFT BAN CERTIFICATION
PARTNERSHIP**

The person executing the bid, on behalf of the Bidder, being duly sworn, solemnly swears (or affirms) that neither he, nor any official, agent or employee of the bidder has entered into any agreement, participated in any collusion, or otherwise taken any action which is in restraint of free competitive bidding in connection with any bid or contract, that the bidder has not been convicted of violating *N.C.G.S. § 133-24* within the last three years, and that the Bidder intends to do the work with its own bonafide employees or subcontractors and is not bidding for the benefit of another contractor.

In addition, execution of this bid in the proper manner also constitutes the Bidder's certification of status under penalty of perjury under the laws of the United States in accordance with the Debarment Certification attached, provided that the Debarment Certification also includes any required statements concerning exceptions that are applicable.

N.C.G.S. § 133-32 and Executive Order 24 prohibit the offer to, or acceptance by, any State Employee of any gift from anyone with a contract with the State, or from any person seeking to do business with the State. By execution of any response in this procurement, you attest, for your entire organization and its employees or agents, that you are not aware that any such gift has been offered, accepted, or promised by any employees of your organization.

SIGNATURE OF CONTRACTOR

_____ Full Name of Partnership

_____ Address as Prequalified

_____ By _____
Signature of Witness Signature of Partner

_____ Print or type Signer's name _____ Print or type Signer's name

AFFIDAVIT MUST BE NOTARIZED

Subscribed and sworn to before me this the

NOTARY SEAL

_____ day of _____ 20__.

_____ Signature of Notary Public

of _____ County

State of _____

My Commission Expires: _____

County : Hyde

**EXECUTION OF BID
NON-COLLUSION AFFIDAVIT, DEBARMENT CERTIFICATION AND GIFT BAN CERTIFICATION
LIMITED LIABILITY COMPANY**

The person executing the bid, on behalf of the Bidder, being duly sworn, solemnly swears (or affirms) that neither he, nor any official, agent or employee of the bidder has entered into any agreement, participated in any collusion, or otherwise taken any action which is in restraint of free competitive bidding in connection with any bid or contract, that the bidder has not been convicted of violating *N.C.G.S. § 133-24* within the last three years, and that the Bidder intends to do the work with its own bonafide employees or subcontractors and is not bidding for the benefit of another contractor.

In addition, execution of this bid in the proper manner also constitutes the Bidder's certification of status under penalty of perjury under the laws of the United States in accordance with the Debarment Certification attached, provided that the Debarment Certification also includes any required statements concerning exceptions that are applicable.

N.C.G.S. § 133-32 and Executive Order 24 prohibit the offer to, or acceptance by, any State Employee of any gift from anyone with a contract with the State, or from any person seeking to do business with the State. By execution of any response in this procurement, you attest, for your entire organization and its employees or agents, that you are not aware that any such gift has been offered, accepted, or promised by any employees of your organization.

SIGNATURE OF CONTRACTOR

_____ Full Name of Firm

_____ Address as Prequalified

_____ Signature of Manager
Signature of Witness _____ Individually _____

_____ Print or type Signer's name _____ Print or type Signer's Name

AFFIDAVIT MUST BE NOTARIZED

Subscribed and sworn to before me this the _____ day of _____ 20__.

NOTARY SEAL

_____ Signature of Notary Public

of _____ County

State of _____

My Commission Expires: _____

County : Hyde

**EXECUTION OF BID
NON-COLLUSION AFFIDAVIT, DEBARMENT CERTIFICATION AND GIFT BAN CERTIFICATION
JOINT VENTURE (2) or (3)**

The person executing the bid, on behalf of the Bidder, being duly sworn, solemnly swears (or affirms) that neither he, nor any official, agent or employee of the bidder has entered into any agreement, participated in any collusion, or otherwise taken any action which is in restraint of free competitive bidding in connection with any bid or contract, that the bidder has not been convicted of violating N.C.G.S. § 133-24 within the last three years, and that the Bidder intends to do the work with its own bonafide employees or subcontractors and is not bidding for the benefit of another contractor.

In addition, execution of this bid in the proper manner also constitutes the Bidder's certification of status under penalty of perjury under the laws of the United States in accordance with the Debarment Certification attached, provided that the Debarment Certification also includes any required statements concerning exceptions that are applicable.

N.C.G.S. § 133-32 and Executive Order 24 prohibit the offer to, or acceptance by, any State Employee of any gift from anyone with a contract with the State, or from any person seeking to do business with the State. By execution of any response in this procurement, you attest, for your entire organization and its employees or agents, that you are not aware that any such gift has been offered, accepted, or promised by any employees of your organization.

SIGNATURE OF CONTRACTOR

Instructions: **2 Joint Venturers** Fill in lines (1), (2) and (3) and execute. **3 Joint Venturers** Fill in lines (1), (2), (3) and (4) and execute. On Line (1), fill in the name of the Joint Venture Company. On Line (2), fill in the name of one of the joint venturers and execute below in the appropriate manner. On Line (3), print or type the name of the other joint venturer and execute below in the appropriate manner. On Line (4), fill in the name of the third joint venturer, if applicable and execute below in the appropriate manner.

(1) _____
Name of Joint Venture

(2) _____
Name of Contractor

Address as Prequalified

Signature of Witness or Attest By Signature of Contractor

Print or type Signer's name Print or type Signer's name

If Corporation, affix Corporate Seal and

(3) _____
Name of Contractor

Address as Prequalified

Signature of Witness or Attest By Signature of Contractor

Print or type Signer's name Print or type Signer's name

If Corporation, affix Corporate Seal and

(4) _____
Name of Contractor (for 3 Joint Venture only)

Address as Prequalified

Signature of Witness or Attest By Signature of Contractor

Print or type Signer's name Print or type Signer's name

If Corporation, affix Corporate Seal

NOTARY SEAL

Affidavit must be notarized for Line (2)

Subscribed and sworn to before me this _____ day of _____ 20____

Signature of Notary Public of _____ County

State of _____

My Commission Expires: _____

NOTARY SEAL

Affidavit must be notarized for Line (3)

Subscribed and sworn to before me this _____ day of _____ 20____

Signature of Notary Public of _____ County

State of _____

My Commission Expires: _____

NOTARY SEAL

Affidavit must be notarized for Line (4)

Subscribed and sworn to before me this _____ day of _____ 20____

Signature of Notary Public of _____ County

State of _____

My Commission Expires: _____

County : Hyde

**EXECUTION OF BID
NON-COLLUSION AFFIDAVIT, DEBARMENT CERTIFICATION AND GIFT BAN CERTIFICATION
INDIVIDUAL DOING BUSINESS UNDER A FIRM NAME**

The person executing the bid, on behalf of the Bidder, being duly sworn, solemnly swears (or affirms) that neither he, nor any official, agent or employee of the bidder has entered into any agreement, participated in any collusion, or otherwise taken any action which is in restraint of free competitive bidding in connection with any bid or contract, that the bidder has not been convicted of violating *N.C.G.S. § 133-24* within the last three years, and that the Bidder intends to do the work with its own bonafide employees or subcontractors and is not bidding for the benefit of another contractor.

In addition, execution of this bid in the proper manner also constitutes the Bidder's certification of status under penalty of perjury under the laws of the United States in accordance with the Debarment Certification attached, provided that the Debarment Certification also includes any required statements concerning exceptions that are applicable.

N.C.G.S. § 133-32 and Executive Order 24 prohibit the offer to, or acceptance by, any State Employee of any gift from anyone with a contract with the State, or from any person seeking to do business with the State. By execution of any response in this procurement, you attest, for your entire organization and its employees or agents, that you are not aware that any such gift has been offered, accepted, or promised by any employees of your organization.

SIGNATURE OF CONTRACTOR

Name of Contractor

_____ Individual name

Trading and doing business as

_____ Full name of Firm

_____ Address as Prequalified

_____ Signature of Witness

_____ Signature of Contractor, Individually

_____ Print or type Signer's name

_____ Print or type Signer's name

AFFIDAVIT MUST BE NOTARIZED

Subscribed and sworn to before me this the

NOTARY SEAL

_____ day of _____ 20__.

_____ Signature of Notary Public

of _____ County

State of _____

My Commission Expires: _____

County : Hyde

EXECUTION OF BID
NON-COLLUSION AFFIDAVIT, DEBARMENT CERTIFICATION AND GIFT BAN CERTIFICATION
INDIVIDUAL DOING BUSINESS IN HIS OWN NAME

The person executing the bid, on behalf of the Bidder, being duly sworn, solemnly swears (or affirms) that neither he, nor any official, agent or employee of the bidder has entered into any agreement, participated in any collusion, or otherwise taken any action which is in restraint of free competitive bidding in connection with any bid or contract, that the bidder has not been convicted of violating *N.C.G.S. § 133-24*, within the last three years, and that the Bidder intends to do the work with its own bonafide employees or subcontractors and is not bidding for the benefit of another contractor.

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SIGNATURE OF CONTRACTOR

Name of Contractor _____
Print or type Individual name

Address as Prequalified

Signature of Contractor, Individually

Print or type Signer's Name

Signature of Witness

Print or type Signer's name

AFFIDAVIT MUST BE NOTARIZED

Subscribed and sworn to before me this the _____
 _____ day of _____ 20__.

NOTARY SEAL

Signature of Notary Public

of _____ County

State of _____

My Commission Expires: _____

Contract No: C202619

County: Hyde

ACCEPTED BY THE
DEPARTMENT OF TRANSPORTATION

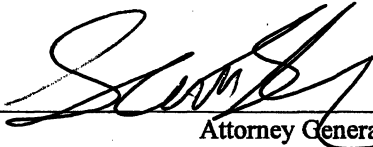


State Contract Officer

10/11/10

Date

Execution of Contract and Bonds
Approved as to Form:



Attorney General

County : Hyde

DEBARMENT CERTIFICATION

Conditions for certification:

1. The prequalified bidder shall provide immediate written notice to the Department if at any time the bidder learns that his certification was erroneous when he submitted his debarment certification or explanation filed with the Department, or has become erroneous because of changed circumstances.
2. The terms *covered transaction, debarred, suspended, ineligible, lower tier covered transaction, participant, person, primary covered transaction, principal, proposal, and voluntarily excluded*, as used in this provision, have the meanings set out in the Definitions and Coverage sections of the rules implementing Executive Order 12549. A copy of the Federal Rules requiring this certification and detailing the definitions and coverages may be obtained from the Contract Officer of the Department.
3. The prequalified bidder agrees by submitting this form, that he will not knowingly enter into any lower tier covered transaction with a person who is debarred, suspended, declared ineligible, or voluntarily excluded from participation in NCDOT contracts, unless authorized by the Department.
4. For Federal Aid projects, the prequalified bidder further agrees that by submitting this form he will include the Federal-Aid Provision titled *Required Contract Provisions Federal-Aid Construction Contract (Form FHWA PR 1273)* provided by the Department, without subsequent modification, in all lower tier covered transactions.
5. The prequalified bidder may rely upon a certification of a participant in a lower tier covered transaction that he is not debarred, suspended, ineligible, or voluntarily excluded from the covered transaction, unless he knows that the certification is erroneous. The bidder may decide the method and frequency by which he will determine the eligibility of his subcontractors.
6. Nothing contained in the foregoing shall be construed to require establishment of a system of records in order to render in good faith the certification required by this provision. The knowledge and information of a participant is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.
7. Except as authorized in paragraph 6 herein, the Department may terminate any contract if the bidder knowingly enters into a lower tier covered transaction with a person who is suspended, debarred, ineligible, or voluntarily excluded from participation in this transaction, in addition to other remedies available by the Federal Government.

County : Hyde

DEBARMENT CERTIFICATION

The prequalified bidder certifies to the best of his knowledge and belief, that he and his principals:

- a. Are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from covered transactions by any Federal department or agency;
- b. Have not within a three-year period preceding this proposal been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State or local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records; making false statements; or receiving stolen property;
- c. Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, State or local) with commission of any of the offenses enumerated in paragraph b. of this certification; and
- d. Have not within a three-year period preceding this proposal had one or more public transactions (Federal, State or local) terminated for cause or default.
- e. Will submit a revised Debarment Certification immediately if his status changes and will show in his bid proposal an explanation for the change in status.

If the prequalified bidder cannot certify that he is not debarred, he shall provide an explanation with this submittal. An explanation will not necessarily result in denial of participation in a contract.

Failure to submit a non-collusion affidavit and debarment certification will result in the prequalified bidder's bid being considered non-responsive.

Check here if an explanation is attached to this certification.

Contract Item Sheets For C202619

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
ROADWAY ITEMS						
0001	0000900000-N	SP	GENERIC MISCELLANEOUS ITEM CONST OF 220' X 50' X 12'-6" PASSENGER/ VEHICLE FERRY WITH STANDARD PROPULSION	Lump Sum LS	14,984,224.00	14,984,224.00
TOTAL AMOUNT OF BID FOR ENTIRE PROJECT						\$14,984,224.00 ✓

1128/Sep30/Q1/D900000/E1

Contract No. C202619
County Hyde

Rev 2-1-10

CONTRACT PAYMENT BOND

Bond No. 24S102287

Date of Payment Bond Execution September 30, 2010
Name of Principal Contractor Orange Shipbuilding Co., Inc.
Name of Surety: Safeco Insurance Company of America
Name of Contracting Body: **North Carolina Department of Transportation**
Raleigh, North Carolina
Amount of Bond: \$14,984,224.00
Contract ID No.: C202619
County Name: Hyde

KNOW ALL MEN BY THESE PRESENTS, That we, the PRINCIPAL CONTRACTOR (hereafter, PRINCIPAL) and SURETY above named, are held and firmly bound unto the above named Contracting Body, hereinafter called the Contracting Body, in the penal sum of the amount stated above for the payment of which sum well and truly to be made, we bind ourselves, our heirs, executors, administrators, and successors, jointly and severally, firmly by these presents.

THE CONDITION OF THIS OBLIGATION IS SUCH, that whereas the principal entered into a certain contract with the Contracting Body, numbered as shown above and hereto attached:

NOW THEREFORE, if the principal shall promptly make payment to all persons supplying labor and material in the prosecution of the work provided for in said contract, and any and all duly authorized modifications of said contract that may hereafter be made, notice of which modifications to the surety being hereby waived, then this obligation to be void; otherwise to remain in full force and virtue.

IN WITNESS WHEREOF, the above-bound parties have executed this instrument under their several seals on the date indicated above, the name and corporate seal of each corporate party being hereto affixed and these presents duly signed by its undersigned representative, pursuant to authority of its governing body.

Contract No. C202619
County Hyde

Rev 2-1-10

CONTRACT PAYMENT BOND

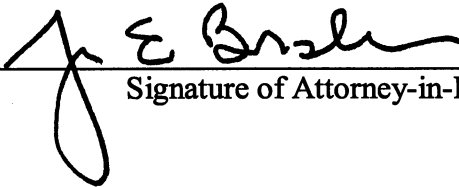
Affix Seal of Surety Company

Safeco Insurance Company of America

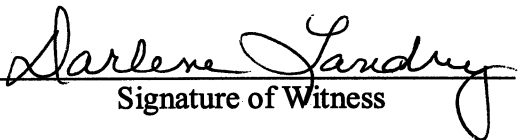
Print or type Surety Company Name

By Jim E. Brashier, Attorney-In-Fact

Print, stamp or type name of Attorney-in-Fact



Signature of Attorney-in-Fact



Signature of Witness

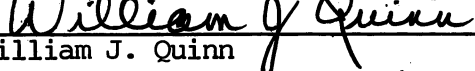
Darlene Landry

Print or type Signer's name

213 Porter Avenue, Biloxi, MS 39530

Address of Attorney-in-Fact

North Carolina Countersigning Agent:



William J. Quinn
Wells Fargo Insurance Services USA, Inc.
6100 Fairview Road, Suite 800
Charlotte, NC 28210

CONTRACT PAYMENT BOND

CORPORATION

SIGNATURE OF CONTRACTOR (Principal)

Orange Shipbuilding Co., Inc.

Full name of Corporation

P. O. Box 1670, Orange, TX 77631-1670

Address as prequalified

By John P. Conrad, Jr.
Signature of President, Vice President, Assistant Vice President
Select appropriate title

JOHN P. CONRAD, JR.
Print or type Signer's name

Affix Corporate Seal

Attest Cecil A. Hernandez
Signature of Secretary, ~~Assistant Secretary~~
Select appropriate title

Cecil A. Hernandez
Print or type Signer's name



POWER OF ATTORNEY

Safeco Insurance Company of America
General Insurance Company of America
1001 4th Avenue
Suite 1700
Seattle, WA 98154

No. 9958

KNOW ALL BY THESE PRESENTS:

That SAFECO INSURANCE COMPANY OF AMERICA and GENERAL INSURANCE COMPANY OF AMERICA, each a Washington corporation, does each hereby appoint

KIMBERLY B. BARHUM; DAVID ROBIN FORTENBERRY; RICHARD TEB JONES; MARY JONES NORVAL; Hattiesburg, Mississippi; CHRIS BOONE; JOHN R. PITTMAN, SR.; SHARON TUTEN; Jackson, Mississippi; JIM E. BRASHIER; TROY P. WAGENER; NORMA J. MCMAHON; LOREN RICHARD HOWELL, JR.; KATHLEEN SCARBOROUGH; Biloxi Mississippi; SCOTT NAUGLE; JOHN B SNEED; WAYNE TIDSALE; Gulfport, Mississippi

its true and lawful attorney(s)-in-fact, with full authority to execute on its behalf fidelity and surety bonds or undertakings and other documents of a similar character issued in the course of its business, and to bind the respective company thereby.

IN WITNESS WHEREOF, SAFECO INSURANCE COMPANY OF AMERICA and GENERAL INSURANCE COMPANY OF AMERICA have each executed and attested these presents

this 21st day of March, 2009

Dexter R. Legg

TAMIKOLAJEWSKI

Dexter R. Legg, Secretary

Timothy A. Mikolajewski, Vice President

CERTIFICATE

Extract from the By-Laws of SAFECO INSURANCE COMPANY OF AMERICA and of GENERAL INSURANCE COMPANY OF AMERICA:

"Article V, Section 13. - FIDELITY AND SURETY BONDS ... the President, any Vice President, the Secretary, and any Assistant Vice President appointed for that purpose by the officer in charge of surety operations, shall each have authority to appoint individuals as attorneys-in-fact or under other appropriate titles with authority to execute on behalf of the company fidelity and surety bonds and other documents of similar character issued by the company in the course of its business...

Extract from a Resolution of the Board of Directors of SAFECO INSURANCE COMPANY OF AMERICA and of GENERAL INSURANCE COMPANY OF AMERICA adopted July 28, 1970.

"On any certificate executed by the Secretary or an assistant secretary of the Company setting out,

- (i) The provisions of Article V, Section 13 of the By-Laws, and
(ii) A copy of the power-of-attorney appointment, executed pursuant thereto, and
(iii) Certifying that said power-of-attorney appointment is in full force and effect,

the signature of the certifying officer may be by facsimile, and the seal of the Company may be a facsimile thereof."

I, Dexter R. Legg, Secretary of SAFECO INSURANCE COMPANY OF AMERICA and of GENERAL INSURANCE COMPANY OF AMERICA, do hereby certify that the foregoing extracts of the By-Laws and of a Resolution of the Board of Directors of these corporations, and of a Power of Attorney issued pursuant thereto, are true and correct, and that both the By-Laws, the Resolution and the Power of Attorney are still in full force and effect.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the facsimile seal of said corporation

this 30th day of September, 2010



Dexter R. Legg

Dexter R. Legg, Secretary

CONTRACT PERFORMANCE BOND

Bond No. 24S102287

Date of Performance Bond Execution: September 30, 2010

Name of Principal Contractor: Orange Shipbuilding Co., Inc.

Name of Surety: Safeco Insurance Company of America

Name of Contracting Body: **North Carolina Department of Transportation**
Raleigh, North Carolina

Amount of Bond: \$14,984,224.00

Contract ID No.: C202619

County Name: Hyde

KNOW ALL MEN BY THESE PRESENTS, That we, the PRINCIPAL CONTRACTOR (hereafter, PRINCIPAL) and SURETY above named, are held and firmly bound unto the above named Contracting Body, hereinafter called the Contracting Body, in the penal sum of the amount stated above for the payment of which sum well and truly to be made, we bind ourselves, our heirs, executors, administrators, and successors, jointly and severally, firmly by these presents.

THE CONDITION OF THIS OBLIGATION IS SUCH, that whereas the principal entered into a certain contract with the Contracting Body, numbered as shown above and hereto attached:

NOW THEREFORE, if the principal shall well and truly perform and fulfill all the undertakings, covenants, terms, conditions, and agreements of said contract during the original term of said contract and any extensions thereof that may be granted by the Contracting Body, with or without notice to the Surety, and during the life of any guaranty required under the contract, and shall also well and truly perform and fulfill all the undertakings, covenants, terms, conditions, and agreements of any and all duly authorized modifications of said contract that may hereafter be made, notice of which modifications to the surety being hereby waived, then this obligation to be void; otherwise to remain in full force and virtue.

IN WITNESS WHEREOF, the above-bound parties have executed this instrument under their several seals on the date indicated above, the name and corporate seal of each corporate party being hereto affixed and these presents duly signed by its undersigned representative, pursuant to authority of its governing body.

Contract No. C202619
County Hyde

Rev 2-1-10

CONTRACT PERFORMANCE BOND

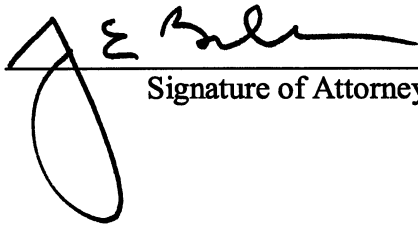
Affix Seal of Surety Company

Safeco Insurance Company of America

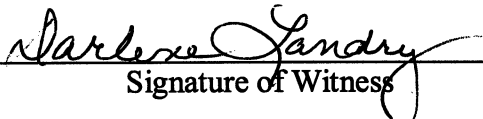
Print or type Surety Company Name

By Jim E. Brashier, Attorney-In-Fact

Print, stamp or type name of Attorney-in-Fact



Signature of Attorney-in-Fact



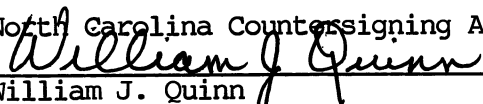
Signature of Witness

Darlene Landry

Print or type Signer's name

213 Porter Avenue, Biloxi, MS 39530

Address of Attorney-in-Fact

North Carolina Countersigning Agent:


William J. Quinn
Wells Fargo Insurance Services USA, Inc.
6100 Fairview Road, Suite 800
Charlotte, NC 28210

Contract No.
County

C202619

Hyde

Rev 2-1-10

CONTRACT PERFORMANCE BOND

CORPORATION

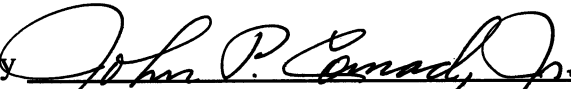
SIGNATURE OF CONTRACTOR (Principal)

Orange Shipbuilding Co., Inc.

Full name of Corporation


P. O. Box 1670, Orange, TX 77631-1670

Address as prequalified

By 
Signature of President, Vice President, Assistant Vice President
Select appropriate title

JOHN P. CONRAD, JR
Print or type Signer's name

Affix Corporate Seal

Attest 
Signature of Secretary, Assistant Secretary
Select appropriate title

CECIL A. HERNANDEZ
Print or type Signer's name



POWER OF ATTORNEY

Safeco Insurance Company of America
General Insurance Company of America
1001 4th Avenue
Suite 1700
Seattle, WA 98154

No. 9958

KNOW ALL BY THESE PRESENTS:

That SAFECO INSURANCE COMPANY OF AMERICA and GENERAL INSURANCE COMPANY OF AMERICA, each a Washington corporation, does each hereby appoint

KIMBERLY B. BARHUM; DAVID ROBIN FORTENBERRY; RICHARD TEB JONES; MARY JONES NORVAL; Hattiesburg, Mississippi; CHRIS BOONE; JOHN R. PITTMAN, SR.; SHARON TUTEN; Jackson, Mississippi; JIM E. BRASHIER; TROY P. WAGENER; NORMA J. MCMAHON; LOREN RICHARD HOWELL, JR.; KATHLEEN SCARBOROUGH; Biloxi Mississippi; SCOTT NAUGLE; JOHN B SNEED; WAYNE TIDSALE; Gulfport, Mississippi

its true and lawful attorney(s)-in-fact, with full authority to execute on its behalf fidelity and surety bonds or undertakings and other documents of a similar character issued in the course of its business, and to bind the respective company thereby.

IN WITNESS WHEREOF, SAFECO INSURANCE COMPANY OF AMERICA and GENERAL INSURANCE COMPANY OF AMERICA have each executed and attested these presents

this 21st day of March, 2009

Dexter R. Legg

T. Mikolajewski

Dexter R. Legg, Secretary

Timothy A. Mikolajewski, Vice President

CERTIFICATE

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"Article V, Section 13. - FIDELITY AND SURETY BONDS ... the President, any Vice President, the Secretary, and any Assistant Vice President appointed for that purpose by the officer in charge of surety operations, shall each have authority to appoint individuals as attorneys-in-fact or under other appropriate titles with authority to execute on behalf of the company fidelity and surety bonds and other documents of similar character issued by the company in the course of its business... On any instrument making or evidencing such appointment, the signatures may be affixed by facsimile. On any instrument conferring such authority or on any bond or undertaking of the company, the seal, or a facsimile thereof, may be impressed or affixed or in any other manner reproduced; provided, however, that the seal shall not be necessary to the validity of any such instrument or undertaking."

Extract from a Resolution of the Board of Directors of SAFECO INSURANCE COMPANY OF AMERICA and of GENERAL INSURANCE COMPANY OF AMERICA adopted July 28, 1970.

"On any certificate executed by the Secretary or an assistant secretary of the Company setting out,

- (i) The provisions of Article V, Section 13 of the By-Laws, and
(ii) A copy of the power-of-attorney appointment, executed pursuant thereto, and
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IN WITNESS WHEREOF, I have hereunto set my hand and affixed the facsimile seal of said corporation

this 30th day of September, 2010



Dexter R. Legg

Dexter R. Legg, Secretary