

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

C202577

CONTRACT AND
CONTRACT BONDS

FOR CONTRACT NO. C202577

WBS 33426.3.1 BRZ-1880(1)

T.I.P NO. B-4062

COUNTY OF CATAWBA

THIS IS THE ROADWAY & CULVERT CONTRACT

ROUTE NUMBER SR 1880 LENGTH 0.110 MILES

LOCATION CULVERT OVER PINCH GUT CREEK AND APPROACHES ON SR-1880.

CONTRACTOR APPLE TUCK & ASSOCIATES, INC.

ADDRESS P.O. BOX 904
RUTHERFORDTON, NC 28139

BIDS OPENED JANUARY 18, 2011

CONTRACT EXECUTION FEB 17 2011

Apple Tuck Associates, Inc (3534).

Vendor 4 of 8 Vendors for Call Order 019 (Proposal ID C202577).

County: CATAWBA
Address: P O Box 904
200 Highway 221
Rutherfordton, NC 28139

Phone Number: 8282873767

Signature Check: This bid has been properly signed by David_Charges_Bare_3534.

Time Bid Received: Tue Jan 18 10:07:45 2011

Bid Checksum: 41DA2BA3

Amendment Count: 0

Bidding Errors: No bidding errors.

DBE GOAL SET 5.0

Bid Total: \$419,007.44 ✓

Bond ID: vy33-aj6l-us6r-str7

DBE GOAL MET 5.5

Bond was Verified: Yes.

Bond Required Percent: 5.00%

Minimum Check Amount: \$20,950.37

Bid Security Maximum: \$

Bond Agency Name:

Agency Execution Date: 1/18/2011

Surety Name: Fidelity and Deposit Company of Maryland

Surety State of Incorporation:

Bond Company:

Bond Type:

Bond Appr Flag:

Bond Affirm:

Bond was Paid by Check: No.

LIST OF DBE PARTICIPANTS

VENDOR NUMBER	DBE NAME ADDRESS	WORK CODE TYPE OF WORK	CERT TYPE	AMOUNT	
3765 WB	STAY ALERT SAFETY SERVICES INC POST OFFICE BOX 467 , KERNERSVILLE, NC 27285		Sub	6,409.29	✓ am.
3168 WB	HUTCHISON-BIGGS & ASSOCIATES, I POST OFFICE BOX 2778 , ASHEVILLE, NC 28802		Sub	3,500.00	✓ am.
4898 WB	BULLINGTON CONSTRUCTION INC 417 FOXGLOVE LANE , INDIAN TRAIL, NC 28079		Sub	12,965.00	✓ am.
TOTAL:				\$22,874.29	5.46%

Miscellaneous Data Info - Contractor Responses:

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NON-COLLUSION AND DEBARMENT CERTIFICATION

Explanation of the prospective bidder that is unable to certify to any of the statements in this certification:

Explanation:
 NOT ANSWERED
 NOT ANSWERED
 NOT ANSWERED
 NOT ANSWERED

AWARD LIMITS ON MULTIPLE PROJECTS

By answering YES to this statement, the bidder acknowledges that they are using the award limits on multiple projects. No

It is the desire of the Bidder to be awarded contracts, the value of which will not exceed a total of NOT ANSWERED for those projects indicated herein, for which bids will be opened on (MM/DD/YY)

The Award Limits shall apply to the following projects:

Contract Number	County
NOT ANSWERED	
NOT ANSWERED	
NOT ANSWERED	
NOT ANSWERED	
NOT ANSWERED	
NOT ANSWERED	

Bid Bond Data Info - Contractor Responses:

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BondID: vy33-aj61-us6r-str7
 Surety Registry Agency: SurePathNetwork
 Verified?: Yes
 Surety Agency: Fidelity and Deposit Company of Maryland
 Bond Execution Date: 1/18/2011
 Bond Amount: \$20,950.37 (Five Percent of Bid)

State of NC
Dept of Transportation

Date: 12-20-10
Revised.

Contract ID. C202577 Project(s): BRZ-1880(1)
Letting Date. 01-18-11 Call Order: 019
Bidder: 3534 - Apple Tuck & Associates, Inc

Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Cts

Section 0001 ROADWAY ITEMS

Alt Group

0001	0000100000-N MOBILIZATIO N	LUMP		LUMP		15,000.00
0002	0000400000-N CONSTRUCTIO N SURVEYING	LUMP		LUMP		4,500.00
0003	0038000000-E SHALLOW UNDERCUT	CY	100.000	5.00000		500.00
0004	0050000000-E SUPPLEMENTA RY CLEARING & GRUB-BING	ACR	1.000	1.00000		1.00
0005	0057000000-E UNDERCUT EXCAVATION	CY	350.000	5.00000		1,750.00
0006	0063000000-N GRADING	LUMP		LUMP		20,000.00
0007	0080000000-E CLASS IV SUBGRADE STABILIZA- TION	TON	200.000	5.00000		1,000.00
0008	0106000000-E BORROW EXCAVATION	CY	2,020.000	6.00000		12,120.00
0009	0134000000-E DRAINAGE DITCH EXCAVATION	CY	336.000	5.00000		1,680.00
0010	0196000000-E FABRIC FOR SOIL STABILIZATION	SY	950.000	1.50000		1,425.00
0011	0318000000-E FOUNDATION CONDITIONING MATE- RIAL, MINOR STRS	TON	10 000	29.50000		295.00

State of NC
 Dept of Transportation

Date: 12-20-10
 Revised:

Contract ID: C202577 Project(s): BRZ-1880(1)
 Letting Date: 01-18-11 Call Order: 019
 Bidder: 3534 - Apple Tuck & Associates, Inc

Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
0012	0320000000-E FOUNDATION CONDITIONING FABRIC	30.000 SY	1.50000		45.00	
0013	0335200000-E 15" DRAINAGE PIPE	64.000 LF	20.00000		1,280.00	
0014	0995000000-E PIPE REMOVAL	60.000 LF	10.00000		600.00	
0015	1220000000-E INCIDENTAL STONE BASE	100.000 TON	15.00000		1,500.00	
0016	1489000000-E ASPHALT CONC BASE COURSE, TYPE B25 0B	200.000 TON	53.25000		10,650.00	
0017	1498000000-E ASPHALT CONC INTERMEDIATE COURSE, TYPE I19.0B	190.000 TON	52.65000		10,003.50	
0018	1519000000-E ASPHALT CONC SURFACE COURSE, TYPE S9 5B	320.000 TON	54.85000		17,552.00	
0019	1560000000-E ASPHALT BINDER FOR PLANT MIX, GRADE PG 64-22	40.000 TON	525.00000		21,000.00	
0020	1693000000-E ASPHALT PLANT MIX, PAVEMENT REPAIR	25.000 TON	25.00000		625.00	
0021	2022000000-E SUBDRAIN EXCAVATION	45.000 CY	5.00000		225.00	
0022	2033000000-E SUBDRAIN FINE AGGREGATE	34.000 CY	10.00000		340.00	
0023	2044000000-E 6" PERFORATED SUBDRAIN PIPE	200.000 LF	1.00000		200.00	

State of NC
Dept of Transportation

Date 12-20-10
Revised.

Contract ID: C202577 Project(s): BRZ-1880(1)
Letting Date. 01-18-11 Call Order. 019
Bidder. 3534 - Apple Tuck & Associates, Inc

Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
0024	2070000000-N SUBDRAIN PIPE OUTLETS	EA 1.000	10.00000		10.00	
0025	2077000000-E 6" OUTLET PIPE (SUBDRAINS)	LF 6.000	1.00000		6.00	
0026	3030000000-E STEEL BM GUARDRAIL	LF 150 000	30 00000		4,500.00	
0027	3150000000-N ADDITIONAL GUARDRAIL POSTS	EA 5.000	13 00000		65.00	
0028	3270000000-N GUARDRAIL ANCHOR UNITS, TYPE 350	EA 4.000	2,100.00000		8,400.00	
0029	3628000000-E RIP RAP, CLASS I	TON 50 000	32.00000		1,600.00	
0030	3635000000-E RIP RAP, CLASS II	TON 20 000	34 00000		680 00	
0031	3649000000-E RIP RAP, CLASS B	TON 56.000	32.00000		1,792.00	
0032	3656000000-E FILTER FABRIC FOR DRAINAGE	SY 730.000	1 50000		1,095.00	
0033	4072000000-E SUPPORTS, 3-LB STEEL U-CHANNEL	LF 28.000	5.48000		153.44	
0034	4116100000-N SIGN ERECTION, RELOCATE, TYPE **** (GROUND MOUNTED) (E)	EA 2 000	285.00000		570 00	
0035	4155000000-N DISPOSAL OF SIGN SYSTEM, U- CHANNEL	EA 7.000	5 00000		35.00	

State of NC
Dept of Transportation

Date: 12-20-10
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Bidder: 3534 - Apple Tuck & Associates, Inc

Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
0036	4400000000-E WORK ZONE SIGNS (STATIONARY)	SF 361.000	10.00000		3,610.00	
0037	4410000000-E WORK ZONE SIGNS (BARRICADE MOUNTED)	SF 94.000	10.00000		940.00	
0038	4445000000-E BARRICADES (TYPE III)	LF 80.000	40.00000		3,200.00	
0039	4685000000-E THERMOPLAST IC PAVEMENT MARKING LINES (4", 90 MILS)	LF 1,090.000	1.65000		1,798.50	
0040	4686000000-E THERMOPLAST IC PAVEMENT MARKING LINES (4", 120 MILS)	LF 1,090.000	1.65000		1,798.50	
0041	4905000000-N SNOWPLOWABLE PAVEMENT MARKERS	EA 9.000	140.00000		1,260.00	
0042	6000000000-E TEMPORARY SILT FENCE	LF 1,100.000	2.00000		2,200.00	
0043	6006000000-E STONE FOR EROSION CONTROL, CLASS A	TON 225.000	32.00000		7,200.00	
0044	6009000000-E STONE FOR EROSION CONTROL, CLASS B	TON 120.000	32.00000		3,840.00	
0045	6012000000-E SEDIMENT CONTROL STONE	TON 70.000	29.50000		2,065.00	
0046	6015000000-E TEMPORARY MULCHING	ACR 1.500	1,375.00000		2,062.50	
0047	6018000000-E SEED FOR TEMPORARY SEEDING	LB 50.000	5.00000		250.00	

State of NC
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Date: 12-20-10
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Bidder: 3534 - Apple Tuck & Associates, Inc

Project(s): BRZ-1880(1)

Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
0048	6021000000-E FERTILIZER FOR TEMPORARY SEED-ING	1.250 TON	500.00000		625.00	
0049	6024000000-E TEMPORARY SLOPE DRAINS	315.000 LF	15.00000		4,725.00	
0050	6027000000-N INLET PROTECTION AT TEMPORARY SLOPE DRAINS	4.000 EA	315.00000		1,260.00	
0051	6029000000-E SAFETY FENCE	400.000 LF	1.75000		700.00	
0052	6030000000-E SILT EXCAVATION	240.000 CY	10.00000		2,400.00	
0053	6036000000-E MATTING FOR EROSION CONTROL	2,400 000 SY	1.60000		3,840.00	
0054	6037000000-E COIR FIBER MAT	400.000 SY	4 00000		1,600.00	
0055	6042000000-E 1/4" HARDWARE CLOTH	150.000 LF	3.12000		468.00	
0056	6069000000-E STILLING BASINS	170.000 CY	5.00000		850.00	
0057	6071010000-E WATTLE	500.000 LF	6.50000		3,250.00	
0058	6071020000-E POLYACRYLAMIDE (PAM)	300.000 LB	15.50000		4,650.00	
0059	6071030000-E COIR FIBER BAFFLES	350.000 LF	4.25000		1,487.50	

State of NC
Dept of Transportation

Date: 12-20-10
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Letting Date: 01-18-11 Call Order. 019
Bidder: 3534 - Apple Tuck & Associates, Inc

Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
0060	6071050000-E *** SKIMMER (1-1/2")	EA 1.000	350.00000		350.00	
0061	6084000000-E SEEDING & MULCHING	ACR 1.500	2,750.00000		4,125.00	
0062	6087000000-E MOWING	ACR 1.000	25.00000		25.00	
0063	6090000000-E SEED FOR REPAIR SEEDING	LB 50.000	5.00000		250.00	
0064	6093000000-E FERTILIZER FOR REPAIR SEEDING	TON 0.250	500.00000		125.00	
0065	6096000000-E SEED FOR SUPPLEMENTAL SEEDING	LB 50.000	5.00000		250.00	
0066	6108000000-E FERTILIZER TOPDRESSING	TON 0.750	3,300.00000		2,475.00	
0067	6111000000-E IMPERVIOUS DIKE	LF 210.000	20.00000		4,200.00	
0068	6114500000-N SPECIALIZED HAND MOWING	MHR 20.000	10.00000		200.00	
0069	6117000000-N RESPONSE FOR EROSION CONTROL	EA 12.000	210.00000		2,520.00	
0070	6120000000-E CULVERT DIVERSION CHANNEL	CY 150.000	10.00000		1,500.00	
0071	6123000000-E REFORESTATION	ACR 0.200	5,250.00000		1,050.00	

State of NC
 Dept of Transportation

Date 12-20-10
 Revised:

Contract ID: C202577 Project(s): BRZ-1880(1)
 Letting Date. 01-18-11 Call Order. 019
 Bidder. 3534 - Apple Tuck & Associates, Inc

Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
Section 0001 Total					214,347.94	
Section 0002 CULVERT ITEMS						
Alt Group						
0072	8056000000-N REMOVAL OF EXISTING STRUCTURE AT STATION ***** (13+52.00-L-)	LUMP	LUMP		20,000.00	
0073	8126000000-N CULVERT EXCAVATION, STA ***** (13+52 00-L-)	LUMP	LUMP		20,000.00	
0074	8133000000-E FOUNDATION CONDITIONING MATER-IAL, BOX CULVERT	TON	147.000	50.00000	7,350.00	
0075	8196000000-E CLASS A CONCRETE (CULVERT)	CY	319.700	285.00000	91,114.50	
0076	8245000000-E REINFORCING STEEL (CULVERT)	LB	52,650.000	1.10000	57,915.00	
0077	8818000000-E GENERIC CULVERT ITEM BOULDERS	TON	110.000	60.00000	6,600.00	
0078	8822000000-E GENERIC CULVERT ITEM COIR FIBER MAT (STRUCTURES)	SY	420 000	4.00000	1,680.00	
Section 0002 Total					204,659.50	
Bid Total					419,007.44	

NON-COLLUSION AND DEBARMENT CERTIFICATION

The bidder certifies 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 this bid, 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, submitting this electronic bid constitutes the bidder's certification of Status under penalty of perjury under the laws of the United States and in accordance with the Debarment Certification on file with the Department.

By submitting this bid, the 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.

Where the prospective bidder is unable to certify to any of the statements in this certification, the bidder shall submit an explanation in the blanks provided herein. The explanation will not necessarily result in denial of participation in a contract.

Explanation.
NOT ANSWERED
NOT ANSWERED
NOT ANSWERED
NOT ANSWERED

If the prequalified bidder's status changes, he shall immediately submit a new fully executed non-collusion affidavit and debarment certification with an explanation of the change to the Contract Office prior to submitting the bid.

Failure to furnish a certification or an explanation will be grounds for rejection of a bid

AWARD LIMITS ON MULTIPLE PROJECTS

By answering YES to this statement, the bidder acknowledges that they are using the award limits on multiple projects. No

A bidder who desires to bid on more than one project on which bids are to be opened on the same date, and who also desires to avoid receiving an award of more projects than he is equipped to handle, may bid on any number of projects but may limit the total amount of work awarded to him on selected projects by completing the AWARD LIMITS ON MULTIPLE PROJECTS.

The Award Limits on Multiple Projects must be filled in on each project bid for which the Bidder desires protection.

It is the desire of the Bidder to be awarded contracts, the value of which will not exceed a total of NOT ANSWERED for those projects indicated herein, for which bids will be opened on (MM/DD/YY)

The Award Limits shall apply to the following projects.

Contract Number	County
NOT ANSWERED	
NOT ANSWERED	
NOT ANSWERED	
NOT ANSWERED	
NOT ANSWERED	
NOT ANSWERED	

It is agreed that if I am (we are) the low Bidder(s) on indicated projects, the total value of which is more than the above stipulated award limits, the Board of Transportation will award me (us) projects from among those indicated that have a total value not to exceed the award limit and will result in the lowest total bids to the Department of Transportation.

NORTH CAROLINA STATE DEPARTMENT OF TRANSPORTATION
DBE COMMITMENT ITEMS

DATE:12-20-10
PAGE: 10

PROPOSAL: C202577
LETTING: L110118 CALL: 019
VENDOR: 3534 Apple Tuck & Associates, Inc

LINE ITEM ITEM UNIT SUBCONTRACTOR SUBCONTRACTOR EXTENDED
NO. NO. DESC. TYPE QUANTITY UNIT PRICE AMOUNT

DBE SUBCONTRACTOR: 3765 STAY ALERT SAFETY SERVICES INC
Will Use Quote: Yes

0001	0000100000-N	MOBILIZATION LS		1.000	250.00000	250.00
0033	4072000000-E	SUPPORT, 3-L LF		28.000	5.48000	153.44
0034	4116100000-N	SIGN ERECT, EA		2.000	250.00000	500.00
0035	4155000000-N	DISPOSE SIGN EA		7.000	5.00000	35.00
0036	4400000000-E	WORK ZONE SI SF		361.000	4.95000	1786.95
0037	4410000000-E	WORK ZONE SI SF		94.000	6.85000	643.90
0038	4445000000-E	BARRICADES (LF		80.000	38.00000	3040.00

DBE COMMITMENT TOTAL FOR SUBCONTRACTOR: 6,409.29 ✓ amm
DBE COMMITMENT TOTAL FOR VENDOR (SubContractor) 6,409.2

DBE SUBCONTRACTOR: 3168 HUTCHISON-BIGGS & ASSOCIATES, INC.
Will Use Quote: Yes

0002	0000400000-N	CONSTRUCTION LS		1.000	3500.00000	3500.00
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DBE COMMITMENT TOTAL FOR SUBCONTRACTOR: 3,500.00 ✓ amm
DBE COMMITMENT TOTAL FOR VENDOR (SubContractor) 3,500.0

DBE SUBCONTRACTOR: 4898 BULLINGTON CONSTRUCTION INC
Will Use Quote: Yes

0026	3030000000-E	STL BM GUARD LF		150.000	30.00000	4500.00
0027	3150000000-N	ADDIT GUARDR EA		5.000	13.00000	65.00
0028	3270000000-N	GR ANCHOR TY EA		4.000	2100.00000	8400.00

DBE COMMITMENT TOTAL FOR SUBCONTRACTOR: 12,965.00 ✓ amm
DBE COMMITMENT TOTAL FOR VENDOR (SubContractor) 12,965.

TOTAL DBE COMMITMENT FOR VENDOR: Entered: 5.46% or 22874.29 ✓ amm
 Required: 5.00% or 20950.37
 <GOAL MET>

Contract Item Sheets For C202577

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
ROADWAY ITEMS						
0001	0000100000-N	800	MOBILIZATION	Lump Sum LS	15,000.00	15,000.00
0002	0000400000-N	801	CONSTRUCTION SURVEYING	Lump Sum LS	4,500.00	4,500.00
0003	0038000000-E	SP	SHALLOW UNDERCUT	100 CY	5.00	500.00
0004	0050000000-E	226	SUPPLEMENTARY CLEARING & GRUB-BING	1 ACR	1.00	1.00
0005	0057000000-E	226	UNDERCUT EXCAVATION	350 CY	5.00	1,750.00
0006	0063000000-N	SP	GRADING	Lump Sum LS	20,000.00	20,000.00
0007	0080000000-E	SP	CLASS IV SUBGRADE STABILIZATION	200 TON	5.00	1,000.00
0008	0106000000-E	230	BORROW EXCAVATION	2,020 CY	6.00	12,120.00
0009	0134000000-E	240	DRAINAGE DITCH EXCAVATION	336 CY	5.00	1,680.00
0010	0196000000-E	270	FABRIC FOR SOIL STABILIZATION	950 SY	1.50	1,425.00
0011	0318000000-E	SP	FOUNDATION CONDITIONING MATERIAL, MINOR STRS	10 TON	29.50	295.00
0012	0320000000-E	SP	FOUNDATION CONDITIONING FABRIC	30 SY	1.50	45.00
0013	0335200000-E	SP	15" DRAINAGE PIPE	64 LF	20.00	1,280.00
0014	0995000000-E	340	PIPE REMOVAL	60 LF	10.00	600.00
0015	1220000000-E	545	INCIDENTAL STONE BASE	100 TON	15.00	1,500.00
0016	1489000000-E	610	ASPHALT CONC BASE COURSE, TYPE B25.0B	200 TON	53.25	10,650.00
0017	1498000000-E	610	ASPHALT CONC INTERMEDIATE COURSE, TYPE I19.0B	190 TON	52.65	10,003.50
0018	1519000000-E	610	ASPHALT CONC SURFACE COURSE, TYPE S9.5B	320 TON	54.85	17,552.00
0019	1560000000-E	620	ASPHALT BINDER FOR PLANT MIX, GRADE PG 64-22	40 TON	525.00	21,000.00

Contract Item Sheets For C202577

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
0020	1693000000-E	654	ASPHALT PLANT MIX, PAVEMENT REPAIR	25 TON	25.00	625.00
0021	2022000000-E	SP	SUBDRAIN EXCAVATION	45 CY	5.00	225.00
0022	2033000000-E	SP	SUBDRAIN FINE AGGREGATE	34 CY	10.00	340.00
0023	2044000000-E	SP	6" PERFORATED SUBDRAIN PIPE	200 LF	1.00	200.00
0024	2070000000-N	SP	SUBDRAIN PIPE OUTLETS	1 EA	10.00	10.00
0025	2077000000-E	SP	6" OUTLET PIPE (SUBDRAINS)	6 LF	1.00	6.00
0026	3030000000-E	862	STEEL BM GUARDRAIL	150 LF	30.00	4,500.00
0027	3150000000-N	862	ADDITIONAL GUARDRAIL POSTS	5 EA	13.00	65.00
0028	3270000000-N	SP	GUARDRAIL ANCHOR UNITS, TYPE 350	4 EA	2,100.00	8,400.00
0029	3628000000-E	876	RIP RAP, CLASS I	50 TON	32.00	1,600.00
0030	3635000000-E	876	RIP RAP, CLASS II	20 TON	34.00	680.00
0031	3649000000-E	876	RIP RAP, CLASS B	56 TON	32.00	1,792.00
0032	3656000000-E	876	FILTER FABRIC FOR DRAINAGE	730 SY	1.50	1,095.00
0033	4072000000-E	903	SUPPORTS, 3-LB STEEL U-CHANNEL	28 LF	5.48	153.44
0034	4116100000-N	904	SIGN ERECTION, RELOCATE, TYPE **** (GROUND MOUNTED) (E)	2 EA	285.00	570.00
0035	4155000000-N	907	DISPOSAL OF SIGN SYSTEM, U-CHANNEL	7 EA	5.00	35.00
0036	4400000000-E	1110	WORK ZONE SIGNS (STATIONARY)	361 SF	10.00	3,610.00
0037	4410000000-E	1110	WORK ZONE SIGNS (BARRICADE MOUNTED)	94 SF	10.00	940.00
0038	4445000000-E	1145	BARRICADES (TYPE III)	80 LF	40.00	3,200.00

Contract Item Sheets For C202577

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
0039	4685000000-E	1205	THERMOPLASTIC PAVEMENT MARKING LINES (4", 90 MILS)	1,090 LF	1.65	1,798.50
0040	4686000000-E	1205	THERMOPLASTIC PAVEMENT MARKING LINES (4", 120 MILS)	1,090 LF	1.65	1,798.50
0041	4905000000-N	1253	SNOWPLOWABLE PAVEMENT MARKERS	9 EA	140.00	1,260.00
0042	6000000000-E	1605	TEMPORARY SILT FENCE	1,100 LF	2.00	2,200.00
0043	6006000000-E	1610	STONE FOR EROSION CONTROL, CLASS A	225 TON	32.00	7,200.00
0044	6009000000-E	1610	STONE FOR EROSION CONTROL, CLASS B	120 TON	32.00	3,840.00
0045	6012000000-E	1610	SEDIMENT CONTROL STONE	70 TON	29.50	2,065.00
0046	6015000000-E	1615	TEMPORARY MULCHING	1.5 ACR	1,375.00	2,062.50
0047	6018000000-E	1620	SEED FOR TEMPORARY SEEDING	50 LB	5.00	250.00
0048	6021000000-E	1620	FERTILIZER FOR TEMPORARY SEEDING	1.25 TON	500.00	625.00
0049	6024000000-E	1622	TEMPORARY SLOPE DRAINS	315 LF	15.00	4,725.00
0050	6027000000-N	1622	INLET PROTECTION AT TEMPORARY SLOPE DRAINS	4 EA	315.00	1,260.00
0051	6029000000-E	SP	SAFETY FENCE	400 LF	1.75	700.00
0052	6030000000-E	1630	SILT EXCAVATION	240 CY	10.00	2,400.00
0053	6036000000-E	1631	MATTING FOR EROSION CONTROL	2,400 SY	1.60	3,840.00
0054	6037000000-E	SP	COIR FIBER MAT	400 SY	4.00	1,600.00
0055	6042000000-E	1632	1/4" HARDWARE CLOTH	150 LF	3.12	468.00
0056	6069000000-E	1638	STILLING BASINS	170 CY	5.00	850.00
0057	6071010000-E	SP	WATTLE	500 LF	6.50	3,250.00

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
0058	6071020000-E	SP	POLYACRYLAMIDE (PAM)	300 LB	15.50	4,650.00
0059	6071030000-E	SP	COIR FIBER BAFFLES	350 LF	4.25	1,487.50
0060	6071050000-E	SP	*** SKIMMER (1-1/2")	1 EA	350.00	350.00
0061	6084000000-E	1660	SEEDING & MULCHING	1.5 ACR	2,750.00	4,125.00
0062	6087000000-E	1660	MOWING	1 ACR	25.00	25.00
0063	6090000000-E	1661	SEED FOR REPAIR SEEDING	50 LB	5.00	250.00
0064	6093000000-E	1661	FERTILIZER FOR REPAIR SEEDING	0.25 TON	500.00	125.00
0065	6096000000-E	1662	SEED FOR SUPPLEMENTAL SEEDING	50 LB	5.00	250.00
0066	6108000000-E	1665	FERTILIZER TOPDRESSING	0.75 TON	3,300.00	2,475.00
0067	6111000000-E	SP	IMPERVIOUS DIKE	210 LF	20.00	4,200.00
0068	6114500000-N	SP	SPECIALIZED HAND MOWING	20 MHR	10.00	200.00
0069	6117000000-N	SP	RESPONSE FOR EROSION CONTROL	12 EA	210.00	2,520.00
0070	6120000000-E	SP	CULVERT DIVERSION CHANNEL	150 CY	10.00	1,500.00
0071	6123000000-E	1670	REFORESTATION	0.2 ACR	5,250.00	1,050.00

Contract Item Sheets For C202577

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
0072	8056000000-N	402	REMOVAL OF EXISTING STRUCTURE AT STATION ***** (13+52.00-L-)	Lump Sum LS	20,000.00	20,000.00
0073	8126000000-N	414	CULVERT EXCAVATION, STA ***** (13+52.00-L-)	Lump Sum LS	20,000.00	20,000.00
0074	8133000000-E	414	FOUNDATION CONDITIONING MATER- IAL, BOX CULVERT	147 TON	50.00	7,350.00
0075	8196000000-E	420	CLASS A CONCRETE (CULVERT)	319.7 CY	285.00	91,114.50
0076	8245000000-E	425	REINFORCING STEEL (CULVERT)	52,650 LB	1 10	57,915.00
0077	8818000000-E	SP	GENERIC CULVERT ITEM BOULDERS	110 TON	60.00	6,600.00
0078	8822000000-E	SP	GENERIC CULVERT ITEM COIR FIBER MAT (STRUCTURES)	420 SY	4.00	1,680.00

TOTAL AMOUNT OF BID FOR ENTIRE PROJECT

\$419,007.44 ✓

0921/Jan27/Q70003.15/D326008410000/E78

Contract No. C202577
County CATAWBA

Rev. 7-12-10

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

CORPORATION

The Contractor being duly sworn, solemnly swears (or affirms) that neither he, nor any official, agent or employee 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 this Contract, that the Contractor has not been convicted of violating *N.C.G.S. § 133-24* within the last three years, and that the Contractor intends to do the work with its own bonafide employees or subcontractors and did not bid for the benefit of another contractor.

By submitting this Execution of Contract, Non-Collusion Affidavit and Debarment Certification, the Contractor is certifying his 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

APPLE TUCK & ASSOC INC
Full name of Corporation

P.O. Box 904 RUTHERFORD NC 28135
Address as Prequalified

Attest Christy Bae
~~Secretary/Assistant Secretary~~
Select appropriate title

By [Signature]
~~President/Vice President/Assistant Vice President~~
Select appropriate title

CHRISTY BAE
Print or type Signer's name

DAVID C BAE
Print or type Signer's name

CORPORATE SEAL

AFFIDAVIT MUST BE NOTARIZED

Subscribed and sworn to before me this the
15th day of February 2011

Deborah A. Dodson
Signature of Notary Public

NOTARY SEAL

of Rutherford County

State of North Carolina

My Commission Expires: 2/26/2011

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.

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.

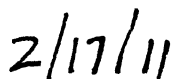
Contract No **C202577**

County (ies): **Catawba**

**ACCEPTED BY THE
DEPARTMENT OF TRANSPORTATION**

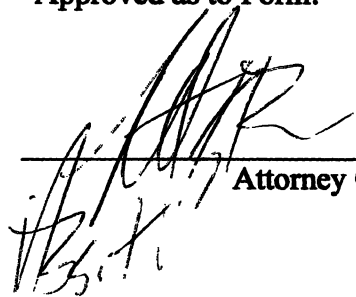


Contract Officer



Date

**Execution of Contract and Bonds
Approved as to Form:**



Attorney General

Contract No. C202577
County Catawba

Rev 2-1-10

Bond No. 9001691

CONTRACT PAYMENT BOND

Date of Payment Bond Execution February 1, 2011

Name of Principal Contractor Apple Tuck & Associates, Inc.

Name of Surety: Fidelity and Deposit Company of Maryland
Contract Surety Bond Claims, c/o ZURICH, 1400 American Lane, Schaumburg, IL 60196-1056

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

Amount of Bond: Four Hundred Nineteen Thousand Seven Dollars and 44/100 (\$419,007 44)

Contract ID No.: C202577

County Name: Catawba

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 PAYMENT BOND
CORPORATION

SIGNATURE OF CONTRACTOR (Principal)

Apple Tuck & Associates, Inc.
Full name of Corporation

PO Box 904, Rutherfordton, NC 28139
Address as prequalified

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

DAVID C BARE
Print or type Signer's name

Affix Corporate Seal

Attest 
Signature of ~~Secretary, Assistant Secretary~~
Select appropriate title

CHRISTY BARE
Print or type Signer's name

Contract No. C202577
County Catawba

Rev 2-1-10

Bond No. 9001691

CONTRACT PERFORMANCE BOND

Date of Performance Bond Execution: February 1, 2011

Name of Principal Contractor: Apple Tuck & Associates, Inc.

Name of Surety: Fidelity and Deposit Company of Maryland
Contract Surety Bond Claims, c/o ZURICH, 1400 American Lane, Schaumburg, IL 60196-1056

Name of Contracting Body: North Carolina Department of Transportation

Raleigh, North Carolina

Amount of Bond: Four Hundred Nineteen Thousand Seven Dollars and 44/100 (\$419,007 44)

Contract ID No.: C202577

County Name: Catawba

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. C202577
County Catawba

Rev 2-1-10

CONTRACT PERFORMANCE BOND

Affix Seal of Surety Company

Fidelity and Deposit Company of Maryland
Print or type Surety Company Name

By Angela M. Yount
Print, stamp or type name of Attorney-in-Fact



Angela M. Yount
Signature of Attorney-in-Fact

Ramona Fewell
Signature of Witness

Ramona Fewell
Print or type Signer's name

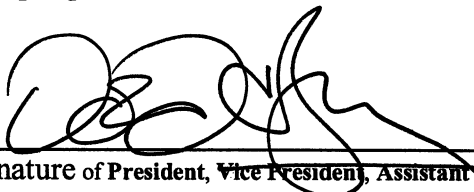
6230 Fairview Road, Suite 230
Charlotte, NC 28210
Charlotte, NC 28210
Address of Attorney-in-Fact

CONTRACT PERFORMANCE BOND
CORPORATION

SIGNATURE OF CONTRACTOR (Principal)

Apple Tuck & Associates, Inc.
Full name of Corporation

PO Box 904, Rutherfordton, NC 28139
Address as prequalified

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

DAVID C BARE
Print or type Signer's name

Affix Corporate Seal

Attest 
Signature of Secretary, ~~Assistant Secretary~~
Select appropriate title

Christy BARE
Print or type Signer's name

**Power of Attorney
FIDELITY AND DEPOSIT COMPANY OF MARYLAND**

KNOW ALL MEN BY THESE PRESENTS: That the FIDELITY AND DEPOSIT COMPANY OF MARYLAND, a corporation of the State of Maryland, by Frank E. Martin, Jr., Vice President and Gerald F. Haley, Assistant Secretary, in pursuance of authority granted by Article VI, Section 2, of the By-Laws of said Company, which are set forth on the next page hereof and are hereby certified to be in full force and effect on the date hereof, does hereby nominate, constitute and appoint:

Angela M. Yount

of Charlotte, NC, its true and lawful agent and Attorney-in-Fact, to make, execute, seal and deliver, for, and on its behalf as surety, and as its act and deed: Bond or undertaking number 9001691, issued on behalf of Apple Tuck & Associates, Inc., as Principal in a penalty not to exceed the sum of See Bond Form (\$See Bond Form) and the execution of such bond or undertaking in pursuance of these presents, shall be as binding upon said company, as fully and amply, to all intents and purposes, as if it had been duly executed and acknowledged by the regularly elected officers of the Company at its office in Baltimore, MD, in their own proper persons.

The said Assistant Secretary does hereby certify that the extract set forth on the next page hereof is a true copy of Article VI, Section 2, of the By-Laws of said Company, and is now in force.

IN WITNESS WHEREOF, the said Vice-President and Assistant Secretary have hereunto subscribed their names and affixed the Corporate Seal of the said FIDELITY AND DEPOSIT COMPANY OF MARYLAND this 4th day of September, A.D. 2007.

ATTEST:

FIDELITY AND DEPOSIT COMPANY OF MARYLAND



Gerald F. Haley

Gerald F Haley Assistant Secretary

Frank E. Martin Jr

Frank E. Martin, Jr. Vice President

State of Maryland }
County of Baltimore } ss:

On this 4th day of September, A.D. 2007, before the subscriber, a Notary Public of the State of Maryland, duly commissioned and qualified, came Frank E. Martin, Jr., Vice President, and Gerald F. Haley, Assistant Secretary of the FIDELITY AND DEPOSIT COMPANY OF MARYLAND to me personally known to be the individuals and officers described in and who executed the preceding instrument, and they each acknowledged the execution of the same, and being by me duly sworn, severally and each for himself deposed and saith, that they are the said officers of the Company aforesaid, and that the seal affixed to the preceding instrument is the Corporate Seal of said Company, and that the said Corporate Seal and their signatures as such officers were duly affixed and subscribed to the said instrument by the authority and direction of the said Corporation.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my Official Seal the day and year first above written.



Constance A. Dunn

Connie A. Dunn Notary Public
My Commission Expires: July 14, 2011

EXTRACT FROM BY-LAWS OF FIDELITY AND DEPOSIT COMPANY OF MARYLAND

“Article VI, Section 2. The Chairman of the Board, or the President, or any Executive Vice-President or any Vice President that is specially authorized by the Board of Directors or the Chairman in concurrence with the Corporate Secretary, shall have the power, by and with the concurrence of the Secretary, to appoint Attorney-in-Fact as the business of the Company may require, or to authorize any person or persons to execute on behalf of the Company any bonds, undertakings, recognizances, stipulations, policies, contracts, agreements, deeds, and releases and assignments of judgments, decrees, mortgages and instruments in the nature of mortgages, and also all other instruments and documents which the business of the Company may require, and to affix the seal of the Company thereto.”

CERTIFICATE

I, the undersigned, Assistant Secretary of the FIDELITY AND DEPOSIT COMPANY OF MARYLAND, do hereby certify that the original Power of Attorney of which the foregoing is a full, true and correct copy, is in full force and effect on the date of this certificate; and I do further certify that the Vice-President who executed the said Power of Attorney was one of the additional Vice-Presidents specially authorized by the Board of Directors to appoint any Attorney-in-Fact as provided in Article VI, Section 2, of the By-Laws of the FIDELITY AND DEPOSIT COMPANY OF MARYLAND.

This Power of Attorney and Certificate may be signed by facsimile under and by authority of the following resolution of the Board of Directors of the FIDELITY AND DEPOSIT COMPANY OF MARYLAND at a meeting duly called and held on the 5th day of May, 1994.

RESOLVED: “That the facsimile or mechanically reproduced seal of the company and facsimile or mechanically reproduced signature of any Vice-President, Secretary, or Assistant Secretary of the Company, whether made heretofore or hereafter, wherever appearing upon a certified copy of any power of attorney issued by the Company, shall be valid and binding upon the Company with the same force and effect as though manually affixed.”

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed the corporate seal of the said Company, this 1st day of February, 2011



L.L. Goucher

Assistant Secretary

