

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

C202776

CONTRACT AND
CONTRACT BONDS

FOR CONTRACT NO. C202776

WBS 33547.3.1 BRSTP-2120(2)

T.I.P NO. B-4200

COUNTY OF MECKLENBURG

THIS IS THE ROADWAY & STRUCTURE CONTRACT

ROUTE NUMBER SR 2120 LENGTH 0.109 MILES

LOCATION BRIDGE OVER GAR CREEK AND APPROACHES ON SR-2120 (MCCOY RD).

CONTRACTOR APPLE TUCK & ASSOCIATES, INC.

ADDRESS P.O. BOX 904

RUTHERFORDTON, NC 28139

BIDS OPENED APRIL 17, 2012

CONTRACT EXECUTION MAY 15 2012

Vendor 3 of 6: APPLE TUCK & ASSOCIATES, INC. (3534)
Call Order 012 (Proposal: C202776)

Bid Information

County: MECKLENBURG

Address: POB 904
Rutherfordton , NC , 28139

Signature Check: David_Charles_Bare_3534

Time Bid Received: April 17, 2012 01:37 PM

Amendment Count: 0

Bid Checksum: AB8374D4

Bid Total: \$680,479.15

Items Total: \$680,479.15 ✓

Time Total: \$0.00

Bidding Errors:

None.

DBE GOAL SET 10.0

DBE GOAL MET 10.0

Vendor 3 of 6: APPLE TUCK & ASSOCIATES, INC. (3534)
Call Order 012 (Proposal: C202776)

Bid Bond Information

Projects:	Bond Maximum:
Counties:	State of Incorporation:
Bond ID: 9TCB-SYJ7-XU9H-L586	Agency Execution Date: 4/17/2012
Paid by Check: No	Surety Name: SurePathNetwork
Bond Percent: 5%	Bond Agency Name: Fidelity and Deposit Company of Maryland

Vendor 3534's Bid Information for Call 012, Letting L120417, 04/17/12

Apple Tuck & Assoc Inc (3534)
Call Order 012 (Proposal ID C202776)

LIST OF DBE PARTICIPANTS

VENDOR NUMBER	DBE NAME ADDRESS	WORK CODE TYPE OF WORK	CERT TYPE	AMOUNT	
2008 WB	LYNN THOMAS GRADING INC ROUTE 2, BOX 283C , POLKTON, NC 28135		Sub	218,477.00	committed
				TOTAL:	\$218,477.00 32.11%

Vendor 3534's Bid Information for Call 012, Letting L120417, 04/17/12

Apple Tuck & Assoc Inc (3534)
Call Order 012 (Proposal ID C202776)

Miscellaneous Data Info - Contractor Responses:

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:

BondID: 9TCB-SYJ7-XU9H-L586
Surety Registry Agency: SurePathNetwork
Verified?: Yes

Surety Agency: Fidelity and Deposit Company of Maryland
Bond Execution Date: 4/17/2012
Bond Amount: \$34,023.96 (Five Percent of Bid)

Contract ID: C202776

Project(s): BRSTP-2120(2)

Letting Date: 04-17-12 Call Order: 012

Bidder: 3534 - Appple Tuck & Assoc Inc

Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
Section 0001 ROADWAY ITEMS						
Alt Group						
0001	0000100000-N MOBILIZATIO N	LUMP				30,000.00
0002	0000400000-N CONSTRUCTIO N SURVEYING	LUMP				5,000.00
0003	0030000000-N BRIDGE APPROACH FILL - SUB REGIONAL TIER, STATION ***** (16+17.00 -L-)	LUMP				2,700.00
0004	0043000000-N GRADING	LUMP				105,000.00
0005	0050000000-E SUPPLEMENTA RY CLEARING & GRUB-BING	ACR	1.000	100.00000		100.00
0006	0057000000-E UNDERCUT EXCAVATION	CY	500.000	6.00000		3,000.00
0007	0134000000-E DRAINAGE DITCH EXCAVATION	CY	223.000	9.00000		2,007.00
0008	0195000000-E SELECT GRANULAR MATERIAL	CY	2,500.000	5.00000		12,500.00
0009	0196000000-E GEOTEXTILE FOR SOIL STABILIZA-TION	SY	2,600.000	1.50000		3,900.00
0010	0318000000-E FOUNDATION CONDITIONING MATE- RIAL, MINOR STRUCTURES	TON	18.000	33.00000		594.00

Dept of Transportation

Revised:

Contract ID: C202776

Project(s): BRSTP-2120(2)

Letting Date: 04-17-12 Call Order: 012

Bidder: 3534 - Appple Tuck & Assoc Inc

Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
0011	0320000000-E FOUNDATION CONDITIONING GEO-TEXTILE	82.000 SY	2.00000		164.00	
0012	0582000000-E 15" CS PIPE CULVERTS, 0.064" THICK	64.000 LF	37.00000		2,368.00	
0013	0636000000-E *** CS PIPE ELBOWS, *****" THICK (15", 0.064")	2.000 EA	125.00000		250.00	
0014	1099500000-E SHALLOW UNDERCUT	175.000 CY	12.00000		2,100.00	
0015	1099700000-E CLASS IV SUBGRADE STABILIZATION	350.000 TON	19.50000		6,825.00	
0016	1220000000-E INCIDENTAL STONE BASE	100.000 TON	20.00000		2,000.00	
0017	1308000000-E MILLING ASPHALT PAVEMENT, ***"TO *****" (0" TO 1-1/2")	340.000 SY	13.00000		4,420.00	
0018	1330000000-E INCIDENTAL MILLING	270.000 SY	13.00000		3,510.00	
0019	1489000000-E ASPHALT CONC BASE COURSE, TYPE B25.0B	150.000 TON	95.00000		14,250.00	
0020	1498000000-E ASPHALT CONC INTERMEDIATE COURSE, TYPE I19.0B	100.000 TON	95.00000		9,500.00	
0021	1519000000-E ASPHALT CONC SURFACE COURSE, TYPE S9.5B	220.000 TON	95.00000		20,900.00	
0022	1575000000-E ASPHALT BINDER FOR PLANT MIX	25.000 TON	667.00000		16,675.00	

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Project(s): BRSTP-2120(2)

Letting Date: 04-17-12 Call Order: 012

Bidder: 3534 - Appple Tuck & Assoc Inc

Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
0023	1693000000-E ASPHALT PLANT MIX, PAVEMENT REPAIR	50.000 TON	100.00000		5,000.00	
0024	2022000000-E SUBDRAIN EXCAVATION	56.000 CY	4.00000		224.00	
0025	2033000000-E SUBDRAIN FINE AGGREGATE	42.000 CY	14.00000		588.00	
0026	2044000000-E 6" PERFORATED SUBDRAIN PIPE	250.000 LF	2.50000		625.00	
0027	2070000000-N SUBDRAIN PIPE OUTLET	1.000 EA	100.00000		100.00	
0028	2077000000-E 6" OUTLET PIPE	6.000 LF	2.50000		15.00	
0029	2286000000-N MASONRY DRAINAGE STRUCTURES	2.000 EA	1,300.00000		2,600.00	
0030	2366000000-N FRAME WITH TWO GRATES, STD 840.24	1.000 EA	325.00000		325.00	
0031	2367000000-N FRAME WITH TWO GRATES, STD 840.29	1.000 EA	320.00000		320.00	
0032	2556000000-E SHOULDER BERM GUTTER	10.000 LF	100.00000		1,000.00	
0033	3420000000-E GENERIC GUARDRAIL ITEM PAINTED GALVANIZED STEEL BEAM GUARDRAIL	75.000 LF	42.00000		3,150.00	

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Project(s): BRSTP-2120(2)

Letting Date: 04-17-12 Call Order: 012

Bidder: 3534 - Appple Tuck & Assoc Inc

Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
0034	3435000000-N GENERIC GUARDRAIL ITEM PAINTED GALVANIZED ADDITIONAL GUARDRAIL POSTS	5.000 EA	45.00000		225.00	
0035	3435000000-N GENERIC GUARDRAIL ITEM PAINTED GALVANIZED ANCHOR UNITS, TYPE 350	4.000 EA	2,850.00000		11,400.00	
0036	3435000000-N GENERIC GUARDRAIL ITEM PAINTED GALVANIZED ANCHOR UNITS, TYPE III	4.000 EA	2,650.00000		10,600.00	
0037	3503000000-E WOVEN WIRE FENCE, 47" FABRIC	1,200.000 LF	2.60000		3,120.00	
0038	3509000000-E 4" TIMBER FENCE POSTS, 7'-6" LONG	60.000 EA	16.00000		960.00	
0039	3515000000-E 5" TIMBER FENCE POSTS, 8'-0" LONG	60.000 EA	21.00000		1,260.00	
0040	3557000000-E ADDITIONAL BARBED WIRE	500.000 LF	0.25000		125.00	
0041	3575000000-E GENERIC FENCING ITEM REMOVE & RESET ELECTRIC FENCE	1,150.000 LF	5.00000		5,750.00	
0042	3578000000-N GENERIC FENCING ITEM REMOVE & RESET METAL GATES	5.000 EA	200.00000		1,000.00	
0043	3649000000-E RIP RAP, CLASS B	10.000 TON	44.00000		440.00	
0044	3656000000-E GEOTEXTILE FOR DRAINAGE	486.000 SY	2.00000		972.00	

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Project(s): BRSTP-2120(2)

Setting Date: 04-17-12 Call Order: 012

Bidder: 3534 - Appple Tuck & Assoc Inc

Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
0045	4400000000-E WORK ZONE SIGNS (STATIONARY)	366.000 SF	5.45000		1,994.70	
0046	4410000000-E WORK ZONE SIGNS (BARRICADE MOUNTED)	104.000 SF	6.05000		629.20	
0047	4445000000-E BARRICADES (TYPE III)	80.000 LF	30.00000		2,400.00	
0048	5326600000-E 16" WATER LINE	155.000 LF	143.00000		22,165.00	
0049	5810000000-E ABANDON 16" UTILITY PIPE	155.000 LF	18.00000		2,790.00	
0050	6000000000-E TEMPORARY SILT FENCE	1,200.000 LF	1.70000		2,040.00	
0051	6006000000-E STONE FOR EROSION CONTROL, CLASS A	225.000 TON	20.00000		4,500.00	
0052	6009000000-E STONE FOR EROSION CONTROL, CLASS B	60.000 TON	27.00000		1,620.00	
0053	6012000000-E SEDIMENT CONTROL STONE	100.000 TON	24.00000		2,400.00	
0054	6015000000-E TEMPORARY MULCHING	1.500 ACR	900.00000		1,350.00	
0055	6018000000-E SEED FOR TEMPORARY SEEDING	100.000 LB	2.30000		230.00	
0056	6021000000-E FERTILIZER FOR TEMPORARY SEED-ING	1.250 TON	800.00000		1,000.00	

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Bidder: 3534 - Appple Tuck & Assoc Inc

Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
0057	6024000000-E TEMPORARY SLOPE DRAINS	200.000 LF	11.00000		2,200.00	
0058	6029000000-E SAFETY FENCE	100.000 LF	2.40000		240.00	
0059	6030000000-E SILT EXCAVATION	130.000 CY	2.00000		260.00	
0060	6036000000-E MATTING FOR EROSION CONTROL	3,700.000 SY	1.50000		5,550.00	
0061	6037000000-E COIR FIBER MAT	10.000 SY	40.00000		400.00	
0062	6042000000-E 1/4" HARDWARE CLOTH	435.000 LF	2.40000		1,044.00	
0063	6071030000-E COIR FIBER BAFFLE	100.000 LF	8.00000		800.00	
0064	6071050000-E *** SKIMMER (1-1/2")	1.000 EA	750.00000		750.00	
0065	6084000000-E SEEDING & MULCHING	3.000 ACR	1,600.00000		4,800.00	
0066	6087000000-E MOWING	3.000 ACR	75.00000		225.00	
0067	6090000000-E SEED FOR REPAIR SEEDING	50.000 LB	3.50000		175.00	
0068	6093000000-E FERTILIZER FOR REPAIR SEEDING	0.250 TON	880.00000		220.00	

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Letting Date: 04-17-12 Call Order: 012

Bidder: 3534 - Appple Tuck & Assoc Inc

Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
0069	6096000000-E SEED FOR SUPPLEMENTAL SEEDING	50.000 LB	3.50000		175.00	
0070	6108000000-E FERTILIZER TOPDRESSING	1.000 TON	750.00000		750.00	
0071	6114500000-N SPECIALIZED HAND MOWING	10.000 MHR	18.00000		180.00	
0072	6117000000-N RESPONSE FOR EROSION CONTROL	18.000 EA	1.00000		18.00	
0073	7279000000-E TRACER WIRE	42.000 LF	2.50000		105.00	
0074	7301000000-E DIRECTIONAL DRILL (*****) (2, 2")	40.000 LF	50.00000		2,000.00	
Section 0001 Total						360,572.90

Section 0004 STRUCTURE ITEMS

Alt Group

0075	8035000000-N REMOVAL OF EXISTING STRUCTURE AT STATION ***** (16+17.00-L-)	LUMP	LUMP		20,000.00	
0076	8121000000-N UNCLASSIFIED STRUCTURE EXCAVATION AT STATION ***** (16+17.00-L-)	LUMP	LUMP		5,000.00	
0077	8156000000-E CONCRETE WEARING SURFACE	1,700.000 SF	15.00000		25,500.00	

Dept of Transportation

Revised:

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Project(s): BRSTP-2120(2)

Letting Date: 04-17-12 Call Order: 012

Bidder: 3534 - Appple Tuck & Assoc Inc

Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
0078	8161000000-E GROOVING BRIDGE FLOORS	2,300.000 SF	1.50000		3,450.00	
0079	8182000000-E CLASS A CONCRETE (BRIDGE)	36.000 CY	1,200.00000		43,200.00	
0080	8210000000-N BRIDGE APPROACH SLABS, STATION***** (16+17.00-L-)	LUMP	LUMP		25,000.00	
0081	8217000000-E REINFORCING STEEL (BRIDGE)	4,814.000 LB	1.00000		4,814.00	
0082	8224000000-E EPOXY COATED REINFORCING STEEL (BRIDGE)	382.000 LB	3.00000		1,146.00	
0083	8384000000-E HP14X73 STEEL PILES	400.000 LF	40.00000		16,000.00	
0084	8475000000-E TWO BAR METAL RAIL	96.500 LF	200.00000		19,300.00	
0085	8517000000-E 1'-**"X *****" CONCRETE PARA- PET (1'-2" x 2'-10")	111.500 LF	76.00000		8,474.00	
0086	8608000000-E RIP RAP CLASS II (2'-0" THICK)	35.000 TON	50.00000		1,750.00	
0087	8622000000-E GEOTEXTILE FOR DRAINAGE	39.000 SY	5.00000		195.00	
0088	8657000000-N ELASTOMERIC BEARINGS	LUMP	LUMP		5,000.00	

Dept of Transportation

Revised:

Contract ID: C202776

Project(s): BRSTP-2120(2)

Letting Date: 04-17-12 Call Order: 012

Bidder: 3534 - Appple Tuck & Assoc Inc

Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
0089	8762000000-E 3'-0" X 1'-9" PRESTRESSED CONCCORED SLABS	613.250 LF	153.00000		93,827.25	
0090	8892000000-E GENERIC STRUCTURE ITEM 18" STEEL SHEET PILES	1,125.000 SF	42.00000		47,250.00	
	Section 0004 Total				319,906.25	
	Bid Total				✓ 680,479.15	

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.

PROPOSAL: C202776
 LETTING: L120417 CALL: 012
 VENDOR: 3534 Appple Tuck & Assoc Inc

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

DBE SUBCONTRACTOR: 2008 LYNN THOMAS GRADING INC committed						
Will Use Quote: Yes						
0001	0000100000-N	MOBILIZATION	LS	1.000	10000.00000	10000.00
0004	0043000000-N	GRADING	LS	1.000	94000.00000	94000.00
0005	0050000000-E	SUPP CLEARIN	ACR	1.000	100.00000	100.00
0006	0057000000-E	UNDERCUT EXC	CY	500.000	6.00000	3000.00
0007	0134000000-E	DRAINAGE DIT	CY	223.000	9.00000	2007.00
0008	0195000000-E	SELECT GRANU	CY	2500.000	5.00000	12500.00
0009	0196000000-E	GEOTEXTILE S	SY	2600.000	1.50000	3900.00
0010	0318000000-E	FND CONDIT M	TON	18.000	33.00000	594.00
0011	0320000000-E	FND CONDIT G	SY	82.000	2.00000	164.00
0012	0582000000-E	15" CS PIPE	LF	64.000	37.00000	2368.00
0013	0636000000-E	**" CS ELBOW	EA	2.000	125.00000	250.00
0014	1099500000-E	SHALLOW UNDE	CY	175.000	12.00000	2100.00
0015	1099700000-E	CLASS IV SUB	TON	350.000	19.50000	6825.00
0016	1220000000-E	INCIDENTAL S	TON	100.000	20.00000	2000.00
0017	1308000000-E	MILLN ASPHAL	SY	340.000	13.00000	4420.00
0018	1330000000-E	INCIDENTAL M	SY	270.000	13.00000	3510.00
0024	2022000000-E	SUBDRAIN EXC	CY	56.000	4.00000	224.00
0025	2033000000-E	SUBDRAIN FIN	CY	42.000	14.00000	588.00
0026	2044000000-E	6" PERF SUBD	LF	250.000	2.50000	625.00
0027	2070000000-N	SUBDRN PIPE	EA	1.000	100.00000	100.00
0028	2077000000-E	6" OUTLET PI	LF	6.000	2.50000	15.00
0029	2286000000-N	MASNRY DRAIN	EA	2.000	1300.00000	2600.00
0030	2366000000-N	FRAME W/2GRT	EA	1.000	325.00000	325.00
0031	2367000000-N	FRAME W/2GRT	EA	1.000	320.00000	320.00
0043	3649000000-E	RIP RAP, CLA	TON	10.000	44.00000	440.00
0044	3656000000-E	GEOTEXTILE F	SY	486.000	2.00000	972.00
0048	5326600000-E	16" WATER LI	LF	155.000	143.00000	22165.00
0049	5810000000-E	ABANDON 16"	LF	155.000	18.00000	2790.00
0050	6000000000-E	TEMPORARY SI	LF	1200.000	1.70000	2040.00
0051	6006000000-E	EROS CONTRL	TON	225.000	20.00000	4500.00
0052	6009000000-E	EROS CONTRL	TON	60.000	27.00000	1620.00
0053	6012000000-E	SEDIMENT CON	TON	100.000	24.00000	2400.00
0054	6015000000-E	TEMPORARY MU	ACR	1.500	900.00000	1350.00
0055	6018000000-E	SEED FOR TEM	LB	100.000	2.30000	230.00
0056	6021000000-E	FERT FOR TEM	TON	1.250	800.00000	1000.00
0057	6024000000-E	TEMPORARY SL	LF	200.000	11.00000	2200.00
0058	6029000000-E	SAFETY FENCE	LF	100.000	2.40000	240.00
0059	6030000000-E	SILT EXCAVAT	CY	130.000	2.00000	260.00
0060	6036000000-E	MATTING FOR	SY	3700.000	1.50000	5550.00
0061	6037000000-E	COIR FIBER M	SY	10.000	40.00000	400.00
0062	6042000000-E	1/4" HARDWAR	LF	435.000	2.40000	1044.00
0063	6071030000-E	COIR FIBER B	LF	100.000	8.00000	800.00
0064	6071050000-E	**" SKIMMER	EA	1.000	750.00000	750.00
0065	6084000000-E	SEEDING AND	ACR	3.000	1600.00000	4800.00

DBE COMMITMENT ITEMS

PROPOSAL: C202776
 SETTING: L120417 CALL: 012
 VENDOR: 3534 Appple Tuck & Assoc Inc

LINE NO.	ITEM NO.	ITEM DESC.	UNIT TYPE	SUBCONTRACTOR QUANTITY	SUBCONTRACTOR UNIT PRICE	EXTENDED AMOUNT
0066	6087000000-E	MOWING	ACR	3.000	75.00000	225.00
0067	6090000000-E	SEED FOR REP	LB	50.000	3.50000	175.00
0068	6093000000-E	FERT FOR REP	TON	0.250	880.00000	220.00
0069	6096000000-E	SEED FOR SUP	LB	50.000	3.50000	175.00
0070	6108000000-E	FERTILIZER T	TON	1.000	750.00000	750.00
0071	6114500000-N	SPECIALIZED	MHR	10.000	18.00000	180.00
0072	6117000000-N	RESPONSE FOR	EA	18.000	1.00000	18.00
0075	8035000000-N	REMV EXIST S	LS	1.000	5600.00000	5600.00
0076	8121000000-N	UNCL STR EXC	LS	1.000	1850.00000	1850.00
0086	8608000000-E	RIP RAP II (TON	35.000	32.00000	1120.00
0087	8622000000-E	GEOTEXTILE F	SY	39.000	2.00000	78.00

DBE COMMITMENT TOTAL FOR SUBCONTRACTOR: arm 218,477.00
 DBE COMMITMENT TOTAL FOR VENDOR (SubContractor) arm 218,477

TOTAL DBE COMMITMENT FOR VENDOR: Entered: 32.11% or 218477.00
 Required: 10.00% or 68047.91
 <GOAL MET>

Contract Item Sheets For C202776

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
ROADWAY ITEMS						
0001	0000100000-N	800	MOBILIZATION	Lump Sum LS	30,000.00	30,000.00
0002	0000400000-N	801	CONSTRUCTION SURVEYING	Lump Sum LS	5,000.00	5,000.00
0003	0030000000-N	SP	BRIDGE APPROACH FILL - SUB REGIONAL TIER, STATION ***** (16 + 17.00 -L-)	Lump Sum LS	2,700.00	2,700.00
0004	0043000000-N	226	GRADING	Lump Sum LS	105,000.00	105,000.00
0005	0050000000-E	226	SUPPLEMENTARY CLEARING & GRUB- BING	1 ACR	100.00	100.00
0006	0057000000-E	226	UNDERCUT EXCAVATION	500 CY	6.00	3,000.00
0007	0134000000-E	240	DRAINAGE DITCH EXCAVATION	223 CY	9.00	2,007.00
0008	0195000000-E	265	SELECT GRANULAR MATERIAL	2,500 CY	5.00	12,500.00
0009	0196000000-E	270	GEOTEXTILE FOR SOIL STABILIZA- TION	2,600 SY	1.50	3,900.00
0010	0318000000-E	300	FOUNDATION CONDITIONING MATE- RIAL, MINOR STRUCTURES	18 TON	33.00	594.00
0011	0320000000-E	300	FOUNDATION CONDITIONING GEO- TEXTILE	82 SY	2.00	164.00
0012	0582000000-E	310	15" CS PIPE CULVERTS, 0.064" THICK	64 LF	37.00	2,368.00
0013	0636000000-E	310	*** CS PIPE ELBOWS, ***** THICK (15", 0.064")	2 EA	125.00	250.00
0014	1099500000-E	505	SHALLOW UNDERCUT	175 CY	12.00	2,100.00
0015	1099700000-E	505	CLASS IV SUBGRADE STABILIZA- TION	350 TON	19.50	6,825.00
0016	1220000000-E	545	INCIDENTAL STONE BASE	100 TON	20.00	2,000.00
0017	1308000000-E	607	MILLING ASPHALT PAVEMENT, **** TO ***** (0" TO 1-1/2")	340 SY	13.00	4,420.00

Contract Item Sheets For C202776

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
0018	1330000000-E	607	INCIDENTAL MILLING	270 SY	13.00	3,510.00
0019	1489000000-E	610	ASPHALT CONC BASE COURSE, TYPE B25.0B	150 TON	95.00	14,250.00
0020	1498000000-E	610	ASPHALT CONC INTERMEDIATE COURSE, TYPE I19.0B	100 TON	95.00	9,500.00
0021	1519000000-E	610	ASPHALT CONC SURFACE COURSE, TYPE S9.5B	220 TON	95.00	20,900.00
0022	1575000000-E	620	ASPHALT BINDER FOR PLANT MIX	25 TON	667.00	16,675.00
0023	1693000000-E	654	ASPHALT PLANT MIX, PAVEMENT REPAIR	50 TON	100.00	5,000.00
0024	2022000000-E	815	SUBDRAIN EXCAVATION	56 CY	4.00	224.00
0025	2033000000-E	815	SUBDRAIN FINE AGGREGATE	42 CY	14.00	588.00
0026	2044000000-E	815	6" PERFORATED SUBDRAIN PIPE	250 LF	2.50	625.00
0027	2070000000-N	815	SUBDRAIN PIPE OUTLET	1 EA	100.00	100.00
0028	2077000000-E	815	6" OUTLET PIPE	6 LF	2.50	15.00
0029	2286000000-N	840	MASONRY DRAINAGE STRUCTURES	2 EA	1,300.00	2,600.00
0030	2366000000-N	840	FRAME WITH TWO GRATES, STD 840.24	1 EA	325.00	325.00
0031	2367000000-N	840	FRAME WITH TWO GRATES, STD 840.29	1 EA	320.00	320.00
0032	2556000000-E	846	SHOULDER BERM GUTTER	10 LF	100.00	1,000.00
0033	3420000000-E	SP	GENERIC GUARDRAIL ITEM PAINTED GALVANIZED STEEL BEAM GUARDRAIL	75 LF	42.00	3,150.00
0034	3435000000-N	SP	GENERIC GUARDRAIL ITEM PAINTED GALVANIZED ADDITIONAL GUARDRAIL POSTS	5 EA	45.00	225.00

Contract Item Sheets For C202776

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
0035	3435000000-N	SP	GENERIC GUARDRAIL ITEM PAINTED GALVANIZED ANCHOR UNITS, TYPE 350	4 EA	2,850.00	11,400.00
0036	3435000000-N	SP	GENERIC GUARDRAIL ITEM PAINTED GALVANIZED ANCHOR UNITS, TYPE III	4 EA	2,650.00	10,600.00
0037	3503000000-E	866	WOVEN WIRE FENCE, 47" FABRIC	1,200 LF	2.60	3,120.00
0038	3509000000-E	866	4" TIMBER FENCE POSTS, 7'-6" LONG	60 EA	16.00	960.00
0039	3515000000-E	866	5" TIMBER FENCE POSTS, 8'-0" LONG	60 EA	21.00	1,260.00
0040	3557000000-E	866	ADDITIONAL BARBED WIRE	500 LF	0.25	125.00
0041	3575000000-E	SP	GENERIC FENCING ITEM REMOVE & RESET ELECTRIC FENCE	1,150 LF	5.00	5,750.00
0042	3578000000-N	SP	GENERIC FENCING ITEM REMOVE & RESET METAL GATES	5 EA	200.00	1,000.00
0043	3649000000-E	876	RIP RAP, CLASS B	10 TON	44.00	440.00
0044	3656000000-E	876	GEOTEXTILE FOR DRAINAGE	486 SY	2.00	972.00
0045	4400000000-E	1110	WORK ZONE SIGNS (STATIONARY)	366 SF	5.45	1,994.70
0046	4410000000-E	1110	WORK ZONE SIGNS (BARRICADE MOUNTED)	104 SF	6.05	629.20
0047	4445000000-E	1145	BARRICADES (TYPE III)	80 LF	30.00	2,400.00
0048	5326600000-E	1510	16" WATER LINE	155 LF	143.00	22,165.00
0049	5810000000-E	1530	ABANDON 16" UTILITY PIPE	155 LF	18.00	2,790.00
0050	6000000000-E	1605	TEMPORARY SILT FENCE	1,200 LF	1.70	2,040.00
0051	6006000000-E	1610	STONE FOR EROSION CONTROL, CLASS A	225 TON	20.00	4,500.00

Contract Item Sheets For C202776

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
0052	6009000000-E	1610	STONE FOR EROSION CONTROL, CLASS B	60 TON	27.00	1,620.00
0053	6012000000-E	1610	SEDIMENT CONTROL STONE	100 TON	24.00	2,400.00
0054	6015000000-E	1615	TEMPORARY MULCHING	1.5 ACR	900.00	1,350.00
0055	6018000000-E	1620	SEED FOR TEMPORARY SEEDING	100 LB	2.30	230.00
0056	6021000000-E	1620	FERTILIZER FOR TEMPORARY SEED- ING	1.25 TON	800.00	1,000.00
0057	6024000000-E	1622	TEMPORARY SLOPE DRAINS	200 LF	11.00	2,200.00
0058	6029000000-E	SP	SAFETY FENCE	100 LF	2.40	240.00
0059	6030000000-E	1630	SILT EXCAVATION	130 CY	2.00	260.00
0060	6036000000-E	1631	MATTING FOR EROSION CONTROL	3,700 SY	1.50	5,550.00
0061	6037000000-E	SP	COIR FIBER MAT	10 SY	40.00	400.00
0062	6042000000-E	1632	1/4" HARDWARE CLOTH	435 LF	2.40	1,044.00
0063	6071030000-E	1640	COIR FIBER BAFFLE	100 LF	8.00	800.00
0064	6071050000-E	SP	*** SKIMMER (1-1/2")	1 EA	750.00	750.00
0065	6084000000-E	1660	SEEDING & MULCHING	3 ACR	1,600.00	4,800.00
0066	6087000000-E	1660	MOWING	3 ACR	75.00	225.00
0067	6090000000-E	1661	SEED FOR REPAIR SEEDING	50 LB	3.50	175.00
0068	6093000000-E	1661	FERTILIZER FOR REPAIR SEEDING	0.25 TON	880.00	220.00
0069	6096000000-E	1662	SEED FOR SUPPLEMENTAL SEEDING	50 LB	3.50	175.00
0070	6108000000-E	1665	FERTILIZER TOPDRESSING	1 TON	750.00	750.00
0071	6114500000-N	1667	SPECIALIZED HAND MOWING	10 MHR	18.00	180.00

Contract Item Sheets For C202776

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
0072	6117000000-N	SP	RESPONSE FOR EROSION CONTROL	18 EA	1.00	18.00
0073	7279000000-E	1715	TRACER WIRE	42 LF	2.50	105.00
0074	7301000000-E	1715	DIRECTIONAL DRILL (***** (2, 2")	40 LF	50.00	2,000.00

Contract Item Sheets For C202776

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
0075	8035000000-N	402	REMOVAL OF EXISTING STRUCTURE AT STATION ***** (16 + 17.00-L-)	Lump Sum LS	20,000.00	20,000.00
0076	8121000000-N	412	UNCLASSIFIED STRUCTURE EXCAVATION AT STATION ***** (16 + 17.00-L-)	Lump Sum LS	5,000.00	5,000.00
0077	8156000000-E	SP	CONCRETE WEARING SURFACE	1,700 SF	15.00	25,500.00
0078	8161000000-E	420	GROOVING BRIDGE FLOORS	2,300 SF	1.50	3,450.00
0079	8182000000-E	420	CLASS A CONCRETE (BRIDGE)	36 CY	1,200.00	43,200.00
0080	8210000000-N	422	BRIDGE APPROACH SLABS, STATION ***** (16 + 17.00-L-)	Lump Sum LS	25,000.00	25,000.00
0081	8217000000-E	425	REINFORCING STEEL (BRIDGE)	4,814 LB	1.00	4,814.00
0082	8224000000-E	425	EPOXY COATED REINFORCING STEEL (BRIDGE)	382 LB	3.00	1,146.00
0083	8384000000-E	450	HP14X73 STEEL PILES	400 LF	40.00	16,000.00
0084	8475000000-E	460	TWO BAR METAL RAIL	96.5 LF	200.00	19,300.00
0085	8517000000-E	460	1'-***X ***** CONCRETE PARAPET (1'-2" x 2'-10")	111.5 LF	76.00	8,474.00
0086	8608000000-E	876	RIP RAP CLASS II (2'-0" THICK)	35 TON	50.00	1,750.00
0087	8622000000-E	876	GEOTEXTILE FOR DRAINAGE	39 SY	5.00	195.00
0088	8657000000-N	430	ELASTOMERIC BEARINGS	Lump Sum LS	5,000.00	5,000.00
0089	8762000000-E	430	3'-0" X 1'-9" PRESTRESSED CONC CORED SLABS	613.25 LF	153.00	93,827.25
0090	8892000000-E	SP	GENERIC STRUCTURE ITEM 18" STEEL SHEET PILES	1,125 SF	42.00	47,250.00

TOTAL AMOUNT OF BID FOR ENTIRE PROJECT

✓ \$680,479.15

Contract No. C202776
County Mecklenburg

Rev. 5-19-11

**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 & Associates, Inc

Full name of Corporation

PO Box 904 Rutherfordton NC 28139

Address as Prequalified

Attest Christy Bare
Secretary/Assistant Secretary
Select appropriate title

By David C Bare
President/Vice President/Assistant Vice President
Select appropriate title

Christy Bare

Print or type Signer's name

David C Bare

Print or type Signer's name

CORPORATE SEAL

AFFIDAVIT MUST BE NOTARIZED

Subscribed and sworn to before me this the
3rd day of May 20 .

Deborah A. Dodson
Signature of Notary Public

NOTARY SEAL

of Rutherford County

State of North Carolina

My Commission Expires: 2/26/2016

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.

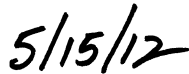
Contract No. C202776

County (ies): Mecklenburg

ACCEPTED BY THE
DEPARTMENT OF TRANSPORTATION

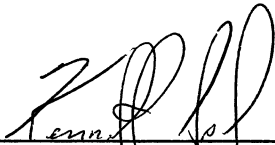


Contract Officer



Date

Execution of Contract and Bonds
Approved as to Form:



Attorney General

Bond No. 9085514

Contract No. C202776
County Mecklenburg

Rev 5-17-11

CONTRACT PAYMENT BOND

Date of Payment Bond Execution May 1, 2012

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: (\$680,479.15) Six Hundred Eighty Thousand Four
Hundred Seventy Nine Dollars and 15/100

Contract ID No.: C202776

County Name: Mecklenburg

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. C202776
County Mecklenburg

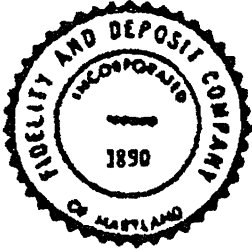
Rev 5-17-11

CONTRACT PAYMENT 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
Address of Attorney-in-Fact

Contract No. C202776
County Mecklenburg

Rev 5-17-11

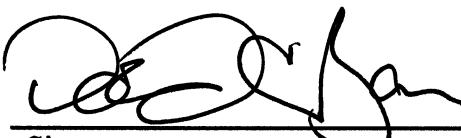
CONTRACT PAYMENT BOND

CORPORATION

SIGNATURE OF CONTRACTOR (Principal)

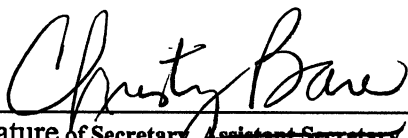
Apple Tuck & Associates, Inc.
Full name of Corporation

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. C202776
County Mecklenburg

CONTRACT PERFORMANCE BOND

Date of Performance Bond Execution: May 1, 2012

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: (\$680,479.15) Six Hundred Eighty Thousand Four Hundred Seventy Nine Dollars and 15/100

Contract ID No.: C202776

County Name: Mecklenburg

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. C202776
County Mecklenburg

Rev 5-17-11


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

**ZURICH AMERICAN INSURANCE COMPANY
COLONIAL AMERICAN CASUALTY AND SURETY COMPANY
FIDELITY AND DEPOSIT COMPANY OF MARYLAND
POWER OF ATTORNEY**

KNOW ALL MEN BY THESE PRESENTS: That the ZURICH AMERICAN INSURANCE COMPANY, a corporation of the State of New York, the COLONIAL AMERICAN CASUALTY AND SURETY COMPANY, a corporation of the State of Maryland, and the FIDELITY AND DEPOSIT COMPANY OF MARYLAND a corporation of the State of Maryland (herein collectively called the "Companies"), by **Geoffrey Delisio, Vice President**, in pursuance of authority granted by Article V, Section 8, of the By-Laws of said Companies, which are set forth on the reverse side hereof and are hereby certified to be in full force and effect on the date hereof, do hereby nominate, constitute, and appoint Angela M. Yount, 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: **any and all bonds and undertakings**, and the execution of such bonds or undertakings in pursuance of these presents, shall be as binding upon said Companies, as fully and amply, to all intents and purposes, as if they had been duly executed and acknowledged by the regularly elected officers of the ZURICH AMERICAN INSURANCE COMPANY at its office in New York, New York., the regularly elected officers of the COLONIAL AMERICAN CASUALTY AND SURETY COMPANY at its office in Owings Mills, Maryland., and the regularly elected officers of the FIDELITY AND DEPOSIT COMPANY OF MARYLAND at its office in Owings Mills, Maryland., in their own proper persons.

The said Vice President does hereby certify that the extract set forth on the reverse side hereof is a true copy of Article V, Section 8, of the By-Laws of said Companies, and is now in force.

IN WITNESS WHEREOF, the said Vice President and Assistant Secretary have hereunto subscribed their names and affixed the Corporate Seals of the said ZURICH AMERICAN INSURANCE COMPANY, COLONIAL AMERICAN CASUALTY AND SURETY COMPANY, and FIDELITY AND DEPOSIT COMPANY OF MARYLAND, this 22nd day of September, A.D. 2011.

ATTEST:

**ZURICH AMERICAN INSURANCE COMPANY
COLONIAL AMERICAN CASUALTY AND SURETY COMPANY
FIDELITY AND DEPOSIT COMPANY OF MARYLAND**



By: Gerald F. Haley
Assistant Secretary – Gerald F. Haley

By: Geoffrey Delisio
Vice President – Geoffrey Delisio

State of Maryland
County of Baltimore

On this 22nd day of September, A.D. 2011, before the subscriber, a Notary Public of the State of Maryland, duly commissioned and qualified, Assistant Secretary, Vice President of the Companies, to me personally known to be the individuals and officers described in and who executed the preceding instrument, and acknowledged the execution of same, and being by me duly sworn, deposed and saith, that they are the said officers of the Company aforesaid, and that the seals affixed to the preceding instrument are the Corporate Seals of said Companies, and that the said Corporate Seals and the signatures as such officers were duly affixed and subscribed to the said instrument by the authority and direction of the said Corporations.

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



Constance A. Dunn
Constance A. Dunn - Notary Public
My Commission Expires: July 14, 2015

EXTRACT FROM BY-LAWS OF THE COMPANIES

"Article V, Section 8, Attorneys-in-Fact. The Chief Executive Officer, the President, or any Executive Vice President or Vice President may, by written instrument under the attested corporate seal, appoint attorneys-in-fact with authority to execute bonds, policies, recognizances, stipulations, undertakings, or other like instruments on behalf of the Company, and may authorize any officer or any such attorney-in-fact to affix the corporate seal thereto; and may with or without cause modify or revoke any such appointment or authority at any time."

CERTIFICATE

I, the undersigned, Vice President of the ZURICH AMERICAN INSURANCE COMPANY, the COLONIAL AMERICAN CASUALTY AND SURETY COMPANY, and the FIDELITY AND DEPOSIT COMPANY OF MARYLAND, do hereby certify that the foregoing Power of Attorney is still in full force and effect on the date of this certificate; and I do further certify that Article V, Section 8, of the By-Laws of the Companies is still in force.

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 ZURICH AMERICAN INSURANCE COMPANY at a meeting duly called and held on the 15th day of December 1998.

RESOLVED: "That the signature of the President or a Vice President and the attesting signature of a Secretary or an Assistant Secretary and the Seal of the Company may be affixed by facsimile on any Power of Attorney...Any such Power or any certificate thereof bearing such facsimile signature and seal shall be valid and binding on the Company."

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 COLONIAL AMERICAN CASUALTY AND SURETY COMPANY at a meeting duly called and held on the 5th day of May, 1994, and 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 10th day of May, 1990.

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 seals of the said Companies,

This 1st day of May, 2012.



Frank E. Martin, Jr.

Frank E. Martin, Jr.

Vice President