

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

C202809

CONTRACT AND  
CONTRACT BONDS

FOR CONTRACT NO. C202809

WBS 33412.3.1 BRZ-1901(2)

T.I.P NO. B-4046

COUNTY OF BURKE  
THIS IS THE ROADWAY & STRUCTURE CONTRACT  
ROUTE NUMBER SR 1901 LENGTH 0.251 MILES  
LOCATION BRIDGES #175 AND 38 OVER WHITE OAK CREEK AND JACOBS FORK  
RIVER ON SR-1901.

CONTRACTOR APPLE TUCK & ASSOCIATES, INC.  
ADDRESS P.O. BOX 904  
RUTHERFORDTON, NC 28139

BIDS OPENED APRIL 17, 2012  
CONTRACT EXECUTION **MAY 15 2012**

Vendor 4 of 8: APPLE TUCK & ASSOCIATES, INC. (3534)  
Call Order 017 (Proposal: C202809)

**Bid Information**

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**County:** BURKE  
**Address:** PO Box 904  
**Signature Check:** David\_Charles\_Bare\_3534  
**Time Bid Received:** April 17, 2012 12:35 PM  
**Amendment Count:** 0

**Bid Checksum:** 023A934A  
**Bid Total:** \$1,134,256.30  
**Items Total:** \$1,134,256.30 ✓  
**Time Total:** \$0.00

**Bidding Errors:**

None.

DBE GOAL SET	8.0
DBE GOAL MET	8.0

Vendor 4 of 8: APPLE TUCK & ASSOCIATES, INC. (3534)  
Call Order 017 (Proposal: C202809)

**Bid Bond Information**

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<b>Projects:</b>	<b>Bond Maximum:</b>
<b>Counties:</b>	<b>State of Incorporation:</b>
<b>Bond ID:</b> E4K7-VSR1-YYVN-TSBJ	<b>Agency Execution Date:</b> 4/17/2012
<b>Paid by Check:</b> No	<b>Surety Name:</b> SurePathNetwork
<b>Bond Percent:</b> 5%	<b>Bond Agency Name:</b> Fidelity and Deposit Company of Maryland

Vendor 3534's Bid Information for Call 017, Letting L120417, 04/17/12

Apple Tuck And Assoc Inc (3534)  
 Call Order 017 (Proposal ID C202809)

LIST OF DBE PARTICIPANTS

VENDOR NUMBER	DBE NAME ADDRESS	WORK CODE TYPE OF WORK	CERT TYPE AMOUNT
4898 WB	BULLINGTON CONSTRUCTION INC 417 FOXGLOVE LANE , INDIAN TRAIL, NC 28079		Sub 26,052.50 confirmed
2855 WB	BOSS CONSTRUCTION CO., INC. 229 BOXWOOD CHURCH ROAD , MOCKSVILLE, NC 27028		Sub 17,107.09 confirmed
4761 WB	TRAFFIC CONTROL SAFETY SERVICES POST OFFICE BOX 24511 , WINSTON-SALEM, NC 27114		Sub 13,510.99 confirmed
9454 WB	MID ATLANTIC EROSION CONTROL, I P.O. BOX 505 , DENVER, NC 28037		Sub 27,674.20 confirmed
3792 MB	SOUTH EAST GROUP, P. A. POST OFFICE BOX 2483 , CORNELIUS, NC 28031		Sub 10,000.00 confirmed
TOTAL:			\$94,344.78 ✓ arm 8.32%

Vendor 3534's Bid Information for Call 017, Letting L120417, 04/17/12

Apple Tuck And Assoc Inc (3534)  
 Call Order 017 (Proposal ID C202809)

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:**

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BondID: E4K7-VSR1-YYVN-TSBJ  
Surety Registry Agency: SurePathNetwork  
Verified?: Yes  
Surety Agency: Fidelity and Deposit Company of Maryland  
Bond Execution Date: 4/17/2012  
Bond Amount: \$56,712.82 (Five Percent of Bid)

Contract ID: C202809 Project(s): BRZ-1901(2)  
Letting Date: 04-17-12 Call Order: 017  
Bidder: 3534 - Apple Tuck And 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 MOBILIZATION	LUMP	LUMP		40,000.00	
0002	0000400000-N CONSTRUCTION SURVEYING	LUMP	LUMP		13,000.00	
0003	0030000000-N BRIDGE APPROACH FILL - SUB REGIONAL TIER, STATION ***** (11+42.00-L-)	LUMP	LUMP		6,500.00	
0004	0030000000-N BRIDGE APPROACH FILL - SUB REGIONAL TIER, STATION ***** (18+89.00-L-)	LUMP	LUMP		6,500.00	
0005	0043000000-N GRADING	LUMP	LUMP		49,000.00	
0006	0050000000-E SUPPLEMENTARY CLEARING & GRUB-BING	ACR 1.000	1.00000		1.00	
0007	0057000000-E UNDERCUT EXCAVATION	CY 50.000	12.00000		600.00	
0008	0134000000-E DRAINAGE DITCH EXCAVATION	CY 12.000	15.00000		180.00	
0009	0195000000-E SELECT GRANULAR MATERIAL	CY 100.000	5.00000		500.00	
0010	0196000000-E GEOTEXTILE FOR SOIL STABILIZATION	SY 220.000	3.00000		660.00	

Dept of Transportation

Revised:

Contract ID: C202809

Project(s): BRZ-1901(2)

Letting Date: 04-17-12 Call Order: 017

Bidder: 3534 - Apple Tuck And Assoc Inc

Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
0011	0318000000-E FOUNDATION CONDITIONING MATE- RIAL, MINOR STRUCTURES	30.000 TON	25.00000		750.00	
0012	0320000000-E FOUNDATION CONDITIONING GEO-TEXTILE	90.000 SY	11.50000		1,035.00	
0013	0335200000-E 15" DRAINAGE PIPE	52.000 LF	16.00000		832.00	
0014	0335300000-E 18" DRAINAGE PIPE	148.000 LF	20.00000		2,960.00	
0015	0448200000-E 15" RC PIPE CULVERTS, CLASS IV	48.000 LF	22.00000		1,056.00	
0016	0995000000-E PIPE REMOVAL	76.000 LF	5.00000		380.00	
0017	1099500000-E SHALLOW UNDERCUT	50.000 CY	10.00000		500.00	
0018	1099700000-E CLASS IV SUBGRADE STABILIZA- TION	100.000 TON	27.00000		2,700.00	
0019	1220000000-E INCIDENTAL STONE BASE	50.000 TON	32.00000		1,600.00	
0020	1489000000-E ASPHALT CONC BASE COURSE, TYPE B25.0B	730.000 TON	62.40000		45,552.00	
0021	1525000000-E ASPHALT CONC SURFACE COURSE, TYPE SF9.5A	630.000 TON	62.40000		39,312.00	
0022	1575000000-E ASPHALT BINDER FOR PLANT MIX	75.000 TON	650.00000		48,750.00	

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Project(s): BRZ-1901(2)

Letting Date: 04-17-12 Call Order: 017

Bidder: 3534 - Apple Tuck And 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	25.000 TON	100.00000		2,500.00	
0024	2000000000-N RIGHT OF WAY MARKERS	21.000 EA	300.00000		6,300.00	
0025	2022000000-E SUBDRAIN EXCAVATION	25.000 CY	1.00000		25.00	
0026	2033000000-E SUBDRAIN FINE AGGREGATE	20.000 CY	5.00000		100.00	
0027	2044000000-E 6" PERFORATED SUBDRAIN PIPE	100.000 LF	1.00000		100.00	
0028	2070000000-N SUBDRAIN PIPE OUTLET	1.000 EA	10.00000		10.00	
0029	2077000000-E 6" OUTLET PIPE	6.000 LF	10.00000		60.00	
0030	2286000000-N MASONRY DRAINAGE STRUCTURES	4.000 EA	1,100.00000		4,400.00	
0031	2367000000-N FRAME WITH TWO GRATES, STD 840.29	4.000 EA	660.00000		2,640.00	
0032	2556000000-E SHOULDER BERM GUTTER	220.000 LF	35.00000		7,700.00	
0033	3030000000-E STEEL BM GUARDRAIL	187.500 LF	15.00000		2,812.50	
0034	3045000000-E STEEL BM GUARDRAIL, SHOP CURVED	25.000 LF	17.00000		425.00	



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Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
0035	3150000000-N ADDITIONAL GUARDRAIL POSTS	5.000 EA	13.00000		65.00	
0036	3165000000-N GUARDRAIL ANCHOR UNITS, TYPE ***** (350 TL-2)	7.000 EA	1,575.00000		11,025.00	
0037	3195000000-N GUARDRAIL ANCHOR UNITS, TYPE AT-1	1.000 EA	525.00000		525.00	
0038	3215000000-N GUARDRAIL ANCHOR UNITS, TYPE III	8.000 EA	1,400.00000		11,200.00	
0039	3628000000-E RIP RAP, CLASS I	5.000 TON	100.00000		500.00	
0040	3656000000-E GEOTEXTILE FOR DRAINAGE	1,570.000 SY	1.00000		1,570.00	
0041	3659000000-N PREFORMED SCOUR HOLES WITH LEVEL SPREADER APRON	4.000 EA	1,000.00000		4,000.00	
0042	4072000000-E SUPPORTS, 3-LB STEEL U-CHANNEL	249.000 LF	4.95000		1,232.55	
0043	4096000000-N SIGN ERECTION, TYPE D	6.000 EA	55.00000		330.00	
0044	4102000000-N SIGN ERECTION, TYPE E	3.000 EA	90.00000		270.00	
0045	4155000000-N DISPOSAL OF SIGN SYSTEM, U- CHANNEL	14.000 EA	1.00000		14.00	
0046	4158000000-N DISPOSAL OF SIGN SYSTEM, WOOD	1.000 EA	1.00000		1.00	

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Letting Date: 04-17-12 Call Order: 017

Bidder: 3534 - Apple Tuck And Assoc Inc

Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
0047	4400000000-E WORK ZONE SIGNS (STATIONARY)	SF 632.000	3.92000		2,477.44	
0048	4405000000-E WORK ZONE SIGNS (PORTABLE)	SF 96.000	7.25000		696.00	
0049	4410000000-E WORK ZONE SIGNS (BARRICADE MOUNTED)	SF 156.000	6.00000		936.00	
0050	4430000000-N DRUMS	EA 30.000	47.00000		1,410.00	
0051	4435000000-N CONES	EA 25.000	20.00000		500.00	
0052	4445000000-E BARRICADES (TYPE III)	LF 112.000	30.00000		3,360.00	
0053	4455000000-N FLAGGER	DAY 59.000	100.00000		5,900.00	
0054	4507000000-E WATER FILLED BARRIER	LF 90.000	35.00000		3,150.00	
0055	4508000000-E RESET WATER FILLED BARRIER	LF 90.000	5.00000		450.00	
0056	4650000000-N TEMPORARY RAISED PAVEMENT MARKERS	EA 61.000	8.00000		488.00	
0057	4810000000-E PAINT PAVEMENT MARKING LINES (4")	LF 22,687.000	0.40000		9,074.80	
0058	4835000000-E PAINT PAVEMENT MARKING LINES (24")	LF 136.000	3.00000		408.00	

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Letting Date: 04-17-12 Call Order: 017

Bidder: 3534 - Apple Tuck And Assoc Inc

Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
0059	4850000000-E REMOVAL OF PAVEMENT MARKING LINES (4")	480.000 LF	1.50000		720.00	
0060	4870000000-E REMOVAL OF PAVEMENT MARKING LINES (24")	35.000 LF	3.50000		122.50	
0061	6000000000-E TEMPORARY SILT FENCE	2,000.000 LF	1.75000		3,500.00	
0062	6006000000-E STONE FOR EROSION CONTROL, CLASS A	360.000 TON	28.00000		10,080.00	
0063	6009000000-E STONE FOR EROSION CONTROL, CLASS B	175.000 TON	28.00000		4,900.00	
0064	6012000000-E SEDIMENT CONTROL STONE	450.000 TON	28.00000		12,600.00	
0065	6015000000-E TEMPORARY MULCHING	4.000 ACR	682.50000		2,730.00	
0066	6018000000-E SEED FOR TEMPORARY SEEDING	150.000 LB	9.19000		1,378.50	
0067	6021000000-E FERTILIZER FOR TEMPORARY SEED-ING	1.500 TON	1,260.00000		1,890.00	
0068	6024000000-E TEMPORARY SLOPE DRAINS	200.000 LF	10.00000		2,000.00	
0069	6029000000-E SAFETY FENCE	500.000 LF	1.50000		750.00	
0070	6030000000-E SILT EXCAVATION	480.000 CY	12.00000		5,760.00	

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Letting Date: 04-17-12 Call Order: 017

Bidder: 3534 - Apple Tuck And Assoc Inc

Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
0071	6036000000-E MATTING FOR EROSION CONTROL	7,000.000 SY	1.73000		12,110.00	
0072	6037000000-E COIR FIBER MAT	20.000 SY	62.40000		1,248.00	
0073	6042000000-E 1/4" HARDWARE CLOTH	675.000 LF	5.10000		3,442.50	
0074	6070000000-N SPECIAL STILLING BASINS	12.000 EA	300.00000		3,600.00	
0075	6071010000-E WATTLE	300.000 LF	5.00000		1,500.00	
0076	6071020000-E POLYACRYLAMIDE (PAM)	100.000 LB	16.00000		1,600.00	
0077	6071030000-E COIR FIBER BAFFLE	135.000 LF	3.85000		519.75	
0078	6071050000-E *** SKIMMER (1-1/2")	2.000 EA	800.00000		1,600.00	
0079	6084000000-E SEEDING & MULCHING	3.000 ACR	2,073.75000		6,221.25	
0080	6087000000-E MOWING	3.000 ACR	25.00000		75.00	
0081	6090000000-E SEED FOR REPAIR SEEDING	50.000 LB	9.19000		459.50	
0082	6093000000-E FERTILIZER FOR REPAIR SEEDING	0.250 TON	1,260.00000		315.00	

Dept of Transportation

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Project(s): BRZ-1901(2)

Letting Date: 04-17-12 Call Order: 017

Bidder: 3534 - Apple Tuck And Assoc Inc

Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
0083	6096000000-E SEED FOR SUPPLEMENTAL SEEDING	100.000 LB	9.19000		919.00	
0084	6108000000-E FERTILIZER TOPDRESSING	2.500 TON	1,260.00000		3,150.00	
0085	6114500000-N SPECIALIZED HAND MOWING	10.000 MHR	25.00000		250.00	
0086	6117000000-N RESPONSE FOR EROSION CONTROL	18.000 EA	250.00000		4,500.00	
0087	6123000000-E REFORESTATION	0.200 ACR	2,000.00000		400.00	
Section 0001 Total						437,364.29

Section 0004 STRUCTURE ITEMS

Alt Group

0088	8021000000-N REMOVAL OF EXISTING STRUCTURE AT STATION ***** (11+42.00-L-)	LUMP	LUMP		20,000.00	
0089	8021000000-N REMOVAL OF EXISTING STRUCTURE AT STATION ***** (18+89.00-L-)	LUMP	LUMP		22,600.00	
0090	8105520000-E 3'-0" DIA DRILLED PIERS IN SOIL	64.420 LF	868.00000		55,916.56	
0091	8105640000-E 3'-6" DIA DRILLED PIERS NOT IN SOIL	45.000 LF	868.00000		39,060.00	

Dept of Transportation

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Project(s): BRZ-1901(2)

Letting Date: 04-17-12 Call Order: 017

Bidder: 3534 - Apple Tuck And Assoc Inc

Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
0092	8111200000-E PERMANENT STEEL CASING FOR 3'-0" DIA DRILLED PIER	22.150 LF	312.00000		6,910.80	
0093	8113000000-N SID INSPECTIONS	1.000 EA	500.00000		500.00	
0094	8114000000-N SPT TESTING	2.000 EA	250.00000		500.00	
0095	8115000000-N CSL TESTING	1.000 EA	1,300.00000		1,300.00	
0096	8121000000-N UNCLASSIFIED STRUCTURE EXCAVATION AT STATION ***** (11+42.00-L-)	LUMP	LUMP		10,000.00	
0097	8121000000-N UNCLASSIFIED STRUCTURE EXCAVATION AT STATION ***** (18+89.00-L-)	LUMP	LUMP		3,500.00	
0098	8182000000-E CLASS A CONCRETE (BRIDGE)	102.200 CY	1,000.00000		102,200.00	
0099	8210000000-N BRIDGE APPROACH SLABS, STATION***** (11+42.00-L-)	LUMP	LUMP		19,000.00	
0100	8210000000-N BRIDGE APPROACH SLABS, STATION***** (18+89.00-L-)	LUMP	LUMP		19,000.00	
0101	8217000000-E REINFORCING STEEL (BRIDGE)	28,070.000 LB	1.00000		28,070.00	
0102	8238000000-E SPIRAL COLUMN REINFORCING STEEL (BRIDGE)	2,981.000 LB	3.00000		8,943.00	

Dept of Transportation

Revised:

Contract ID: C202809

Project(s): BRZ-1901(2)

Letting Date: 04-17-12 Call Order: 017

Bidder: 3534 - Apple Tuck And Assoc Inc

Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
0103	8364000000-E HP12X53 STEEL PILES	545.000 LF	35.00000		19,075.00	
0104	8505000000-E VERTICAL CONCRETE BARRIER RAIL	401.010 LF	65.00000		26,065.65	
0105	8608000000-E RIP RAP CLASS II (2'-0" THICK)	759.000 TON	35.00000		26,565.00	
0106	8622000000-E GEOTEXTILE FOR DRAINAGE	843.000 SY	2.00000		1,686.00	
0107	8657000000-N ELASTOMERIC BEARINGS	LUMP	LUMP		10,000.00	
0108	8762000000-E 3'-0" X 1'-9" PRESTRESSED CONCCORED SLABS	600.000 LF	117.00000		70,200.00	
0109	8763000000-E 3'-0" X 2'-0" PRESTRESSED CONCCORED SLABS	1,400.000 LF	147.00000		205,800.00	
	Section 0004 Total				696,892.01	
	Bid Total				1,134,256.30	

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: C202809  
 LETTING: L120417 CALL: 017  
 VENDOR: 3534 Apple Tuck And Assoc Inc

LINE NO.	ITEM NO.	ITEM DESC.	UNIT TYPE	SUBCONTRACTOR QUANTITY	SUBCONTRACTOR UNIT PRICE	EXTENDED AMOUNT
DBE SUBCONTRACTOR: 4898 BULLINGTON CONSTRUCTION INC committed						
Will Use Quote: Yes						
0033	3030000000-E	STL BM GUARD	LF	187.500	15.00000	2812.50
0034	3045000000-E	SBGR SHOP CU	LF	25.000	17.00000	425.00
0035	3150000000-N	ADDIT GUARDR	EA	5.000	13.00000	65.00
0037	3195000000-N	GR ANCHOR TY	EA	1.000	525.00000	525.00
0038	3215000000-N	GR ANCHOR TY	EA	8.000	1400.00000	11200.00
0036	3165000000-N	GR ANCHOR TY	EA	7.000	1575.00000	11025.00

DBE COMMITMENT TOTAL FOR SUBCONTRACTOR: ✓ arm 26,052.50  
 DBE COMMITMENT TOTAL FOR VENDOR (SubContractor ) 26,052.

DBE SUBCONTRACTOR: 2855 BOSS CONSTRUCTION CO., INC. committed  
 Will Use Quote: Yes

0104	8505000000-E	VERT CONC BA	LF	401.010	42.66000	17107.09
DBE COMMITMENT TOTAL FOR SUBCONTRACTOR: ✓ arm 17,107.09						
DBE COMMITMENT TOTAL FOR VENDOR (SubContractor ) 17,107.						

DBE SUBCONTRACTOR: 4761 TRAFFIC CONTROL SAFETY SERVICES, INC. committed  
 Will Use Quote: Yes

0042	4072000000-E	SUPPORT, 3-L	LF	249.000	4.95000	1232.55
0043	4096000000-N	SIGN ERECTIO	EA	6.000	55.00000	330.00
0044	4102000000-N	SIGN ERECTIO	EA	3.000	90.00000	270.00
0045	4155000000-N	DISPOSE SIGN	EA	14.000	1.00000	14.00
0046	4158000000-N	DISPOSE SIGN	EA	1.000	1.00000	1.00
0047	4400000000-E	WORK ZONE SI	SF	632.000	3.92000	2477.44
0048	4405000000-E	WORK ZONE SI	SF	96.000	7.25000	696.00
0049	4410000000-E	WORK ZONE SI	SF	156.000	6.00000	936.00
0050	4430000000-N	DRUMS	EA	30.000	47.00000	1410.00
0051	4435000000-N	CONES	EA	25.000	20.00000	500.00
0052	4445000000-E	BARRICADES (	LF	112.000	18.25000	2044.00
0054	4507000000-E	WATER FILLED	LF	90.000	35.00000	3150.00
0055	4508000000-E	RESET WATER	LF	90.000	5.00000	450.00

DBE COMMITMENT TOTAL FOR SUBCONTRACTOR: ✓ arm 13,510.99  
 DBE COMMITMENT TOTAL FOR VENDOR (SubContractor ) 13,510.

DBE SUBCONTRACTOR: 9454 MID ATLANTIC EROSION CONTROL, INC. committed  
 Will Use Quote: Yes

0061	6000000000-E	TEMPORARY SI	LF	2000.000	1.65000	3300.00
0069	6029000000-E	SAFETY FENCE	LF	500.000	1.40000	700.00
0073	6042000000-E	1/4" HARDWAR	LF	675.000	2.51000	1694.25

LINE NO.	ITEM NO.	ITEM DESC.	UNIT TYPE	SUBCONTRACTOR QUANTITY	SUBCONTRACTOR UNIT PRICE	EXTENDED AMOUNT
0075	6071010000-E	WATTLE	LF	300.000	2.28000	684.00
0076	6071020000-E	POLYACRYLAMI	LB	100.000	7.76000	776.00
0077	6071030000-E	COIR FIBER B	LF	135.000	3.65000	492.75
0072	6037000000-E	COIR FIBER M	SY	20.000	30.86000	617.20
0086	6117000000-N	RESPONSE FOR	EA	18.000	250.00000	4500.00
0071	6036000000-E	MATTING FOR	SY	7000.000	1.73000	12110.00
0078	6071050000-E	**" SKIMMER	EA	2.000	800.00000	1600.00
0074	6070000000-N	SPECIAL STIL	EA	12.000	100.00000	1200.00

DBE COMMITMENT TOTAL FOR SUBCONTRACTOR:  arm 27,674.20  
 DBE COMMITMENT TOTAL FOR VENDOR (SubContractor ) 27,674.

DBE SUBCONTRACTOR: 3792 SOUTH EAST GROUP, P. A. committed  
 Will Use Quote: Yes

0002	0000400000-N	CONSTRUCTION	LS	1.000	10000.00000	10000.00
DBE COMMITMENT TOTAL FOR SUBCONTRACTOR: <input checked="" type="checkbox"/> arm 10,000.00						
DBE COMMITMENT TOTAL FOR VENDOR (SubContractor )						10,000.

TOTAL DBE COMMITMENT FOR VENDOR: Entered: 8.32% or 94344.78  
 Required: 8.00% or 90740.50  
 <GOAL MET>

## Contract Item Sheets For C202809

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
<b>ROADWAY ITEMS</b>						
0001	0000100000-N	800	MOBILIZATION	Lump Sum LS	40,000.00	40,000.00
0002	0000400000-N	801	CONSTRUCTION SURVEYING	Lump Sum LS	13,000.00	13,000.00
0003	0030000000-N	SP	BRIDGE APPROACH FILL - SUB REGIONAL TIER, STATION ***** (11 + 42.00-L-)	Lump Sum LS	6,500.00	6,500.00
0004	0030000000-N	SP	BRIDGE APPROACH FILL - SUB REGIONAL TIER, STATION ***** (18 + 89.00-L-)	Lump Sum LS	6,500.00	6,500.00
0005	0043000000-N	226	GRADING	Lump Sum LS	49,000.00	49,000.00
0006	0050000000-E	226	SUPPLEMENTARY CLEARING & GRUB- BING	1 ACR	1.00	1.00
0007	0057000000-E	226	UNDERCUT EXCAVATION	50 CY	12.00	600.00
0008	0134000000-E	240	DRAINAGE DITCH EXCAVATION	12 CY	15.00	180.00
0009	0195000000-E	265	SELECT GRANULAR MATERIAL	100 CY	5.00	500.00
0010	0196000000-E	270	GEOTEXTILE FOR SOIL STABILIZA- TION	220 SY	3.00	660.00
0011	0318000000-E	300	FOUNDATION CONDITIONING MATE- RIAL, MINOR STRUCTURES	30 TON	25.00	750.00
0012	0320000000-E	300	FOUNDATION CONDITIONING GEO- TEXTILE	90 SY	11.50	1,035.00
0013	0335200000-E	305	15" DRAINAGE PIPE	52 LF	16.00	832.00
0014	0335300000-E	305	18" DRAINAGE PIPE	148 LF	20.00	2,960.00
0015	0448200000-E	310	15" RC PIPE CULVERTS, CLASS IV	48 LF	22.00	1,056.00
0016	0995000000-E	340	PIPE REMOVAL	76 LF	5.00	380.00
0017	1099500000-E	505	SHALLOW UNDERCUT	50 CY	10.00	500.00
0018	1099700000-E	505	CLASS IV SUBGRADE STABILIZA- TION	100 TON	27.00	2,700.00

## Contract Item Sheets For C202809

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
0019	1220000000-E	545	INCIDENTAL STONE BASE	50 TON	32.00	1,600.00
0020	1489000000-E	610	ASPHALT CONC BASE COURSE, TYPE B25.0B	730 TON	62.40	45,552.00
0021	1525000000-E	610	ASPHALT CONC SURFACE COURSE, TYPE SF9.5A	630 TON	62.40	39,312.00
0022	1575000000-E	620	ASPHALT BINDER FOR PLANT MIX	75 TON	650.00	48,750.00
0023	1693000000-E	654	ASPHALT PLANT MIX, PAVEMENT REPAIR	25 TON	100.00	2,500.00
0024	2000000000-N	806	RIGHT OF WAY MARKERS	21 EA	300.00	6,300.00
0025	2022000000-E	815	SUBDRAIN EXCAVATION	25 CY	1.00	25.00
0026	2033000000-E	815	SUBDRAIN FINE AGGREGATE	20 CY	5.00	100.00
0027	2044000000-E	815	6" PERFORATED SUBDRAIN PIPE	100 LF	1.00	100.00
0028	2070000000-N	815	SUBDRAIN PIPE OUTLET	1 EA	10.00	10.00
0029	2077000000-E	815	6" OUTLET PIPE	6 LF	10.00	60.00
0030	2286000000-N	840	MASONRY DRAINAGE STRUCTURES	4 EA	1,100.00	4,400.00
0031	2367000000-N	840	FRAME WITH TWO GRATES, STD 840.29	4 EA	660.00	2,640.00
0032	2556000000-E	846	SHOULDER BERM GUTTER	220 LF	35.00	7,700.00
0033	3030000000-E	862	STEEL BM GUARDRAIL	187.5 LF	15.00	2,812.50
0034	3045000000-E	862	STEEL BM GUARDRAIL, SHOP CURVED	25 LF	17.00	425.00
0035	3150000000-N	862	ADDITIONAL GUARDRAIL POSTS	5 EA	13.00	65.00
0036	3165000000-N	SP	GUARDRAIL ANCHOR UNITS, TYPE ***** (350 TL-2)	7 EA	1,575.00	11,025.00

## Contract Item Sheets For C202809

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
0037	3195000000-N	862	GUARDRAIL ANCHOR UNITS, TYPE AT-1	1 EA	525.00	525.00
0038	3215000000-N	862	GUARDRAIL ANCHOR UNITS, TYPE III	8 EA	1,400.00	11,200.00
0039	3628000000-E	876	RIP RAP, CLASS I	5 TON	100.00	500.00
0040	3656000000-E	876	GEOTEXTILE FOR DRAINAGE	1,570 SY	1.00	1,570.00
0041	3659000000-N	SP	PREFORMED SCOUR HOLES WITH LEVEL SPREADER APRON	4 EA	1,000.00	4,000.00
0042	4072000000-E	903	SUPPORTS, 3-LB STEEL U-CHANNEL	249 LF	4.95	1,232.55
0043	4096000000-N	904	SIGN ERECTION, TYPE D	6 EA	55.00	330.00
0044	4102000000-N	904	SIGN ERECTION, TYPE E	3 EA	90.00	270.00
0045	4155000000-N	907	DISPOSAL OF SIGN SYSTEM, U-CHANNEL	14 EA	1.00	14.00
0046	4158000000-N	907	DISPOSAL OF SIGN SYSTEM, WOOD	1 EA	1.00	1.00
0047	4400000000-E	1110	WORK ZONE SIGNS (STATIONARY)	632 SF	3.92	2,477.44
0048	4405000000-E	1110	WORK ZONE SIGNS (PORTABLE)	96 SF	7.25	696.00
0049	4410000000-E	1110	WORK ZONE SIGNS (BARRICADE MOUNTED)	156 SF	6.00	936.00
0050	4430000000-N	1130	DRUMS	30 EA	47.00	1,410.00
0051	4435000000-N	1135	CONES	25 EA	20.00	500.00
0052	4445000000-E	1145	BARRICADES (TYPE III)	112 LF	30.00	3,360.00
0053	4455000000-N	1150	FLAGGER	59 DAY	100.00	5,900.00
0054	4507000000-E	1170	WATER FILLED BARRIER	90 LF	35.00	3,150.00
0055	4508000000-E	1170	RESET WATER FILLED BARRIER	90 LF	5.00	450.00

## Contract Item Sheets For C202809

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
0056	4650000000-N	1251	TEMPORARY RAISED PAVEMENT MARKERS	61 EA	8.00	488.00
0057	4810000000-E	1205	PAINT PAVEMENT MARKING LINES (4")	22,687 LF	0.40	9,074.80
0058	4835000000-E	1205	PAINT PAVEMENT MARKING LINES (24")	136 LF	3.00	408.00
0059	4850000000-E	1205	REMOVAL OF PAVEMENT MARKING LINES (4")	480 LF	1.50	720.00
0060	4870000000-E	1205	REMOVAL OF PAVEMENT MARKING LINES (24")	35 LF	3.50	122.50
0061	6000000000-E	1605	TEMPORARY SILT FENCE	2,000 LF	1.75	3,500.00
0062	6006000000-E	1610	STONE FOR EROSION CONTROL, CLASS A	360 TON	28.00	10,080.00
0063	6009000000-E	1610	STONE FOR EROSION CONTROL, CLASS B	175 TON	28.00	4,900.00
0064	6012000000-E	1610	SEDIMENT CONTROL STONE	450 TON	28.00	12,600.00
0065	6015000000-E	1615	TEMPORARY MULCHING	4 ACR	682.50	2,730.00
0066	6018000000-E	1620	SEED FOR TEMPORARY SEEDING	150 LB	9.19	1,378.50
0067	6021000000-E	1620	FERTILIZER FOR TEMPORARY SEEDING	1.5 TON	1,260.00	1,890.00
0068	6024000000-E	1622	TEMPORARY SLOPE DRAINS	200 LF	10.00	2,000.00
0069	6029000000-E	SP	SAFETY FENCE	500 LF	1.50	750.00
0070	6030000000-E	1630	SILT EXCAVATION	480 CY	12.00	5,760.00
0071	6036000000-E	1631	MATTING FOR EROSION CONTROL	7,000 SY	1.73	12,110.00
0072	6037000000-E	SP	COIR FIBER MAT	20 SY	62.40	1,248.00
0073	6042000000-E	1632	1/4" HARDWARE CLOTH	675 LF	5.10	3,442.50

## Contract Item Sheets For C202809

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
0074	6070000000-N	1639	SPECIAL STILLING BASINS	12 EA	300.00	3,600.00
0075	6071010000-E	SP	WATTLE	300 LF	5.00	1,500.00
0076	6071020000-E	SP	POLYACRYLAMIDE (PAM)	100 LB	16.00	1,600.00
0077	6071030000-E	1640	COIR FIBER BAFFLE	135 LF	3.85	519.75
0078	6071050000-E	SP	*** SKIMMER (1-1/2")	2 EA	800.00	1,600.00
0079	6084000000-E	1660	SEEDING & MULCHING	3 ACR	2,073.75	6,221.25
0080	6087000000-E	1660	MOWING	3 ACR	25.00	75.00
0081	6090000000-E	1661	SEED FOR REPAIR SEEDING	50 LB	9.19	459.50
0082	6093000000-E	1661	FERTILIZER FOR REPAIR SEEDING	0.25 TON	1,260.00	315.00
0083	6096000000-E	1662	SEED FOR SUPPLEMENTAL SEEDING	100 LB	9.19	919.00
0084	6108000000-E	1665	FERTILIZER TOPDRESSING	2.5 TON	1,260.00	3,150.00
0085	6114500000-N	1667	SPECIALIZED HAND MOWING	10 MHR	25.00	250.00
0086	6117000000-N	SP	RESPONSE FOR EROSION CONTROL	18 EA	250.00	4,500.00
0087	6123000000-E	1670	REFORESTATION	0.2 ACR	2,000.00	400.00



## Contract Item Sheets For C202809

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
0088	8021000000-N	SP	REMOVAL OF EXISTING STRUCTURE AT STATION ***** (11 + 42.00-L-)	Lump Sum LS	20,000.00	20,000.00
0089	8021000000-N	SP	REMOVAL OF EXISTING STRUCTURE AT STATION ***** (18 + 89.00-L-)	Lump Sum LS	22,600.00	22,600.00
0090	8105520000-E	411	3'-0" DIA DRILLED PIERS IN SOIL	64.42 LF	868.00	55,916.56
0091	8105640000-E	411	3'-6" DIA DRILLED PIERS NOT IN SOIL	45 LF	868.00	39,060.00
0092	8111200000-E	411	PERMANENT STEEL CASING FOR 3'-0" DIA DRILLED PIER	22.15 LF	312.00	6,910.80
0093	8113000000-N	411	SID INSPECTIONS	1 EA	500.00	500.00
0094	8114000000-N	411	SPT TESTING	2 EA	250.00	500.00
0095	8115000000-N	411	CSL TESTING	1 EA	1,300.00	1,300.00
0096	8121000000-N	412	UNCLASSIFIED STRUCTURE EXCAVA- TION AT STATION ***** (11 + 42.00-L-)	Lump Sum LS	10,000.00	10,000.00
0097	8121000000-N	412	UNCLASSIFIED STRUCTURE EXCAVA- TION AT STATION ***** (18 + 89.00-L-)	Lump Sum LS	3,500.00	3,500.00
0098	8182000000-E	420	CLASS A CONCRETE (BRIDGE)	102.2 CY	1,000.00	102,200.00
0099	8210000000-N	422	BRIDGE APPROACH SLABS, STATION ***** (11 + 42.00-L-)	Lump Sum LS	19,000.00	19,000.00
0100	8210000000-N	422	BRIDGE APPROACH SLABS, STATION ***** (18 + 89.00-L-)	Lump Sum LS	19,000.00	19,000.00
0101	8217000000-E	425	REINFORCING STEEL (BRIDGE)	28,070 LB	1.00	28,070.00
0102	8238000000-E	425	SPIRAL COLUMN REINFORCING STEEL (BRIDGE)	2,981 LB	3.00	8,943.00
0103	8364000000-E	450	HP12X53 STEEL PILES	545 LF	35.00	19,075.00

## Contract Item Sheets For C202809

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
0104	8505000000-E	460	VERTICAL CONCRETE BARRIER RAIL	401.01 LF	65.00	26,065.65
0105	8608000000-E	876	RIP RAP CLASS II (2'-0" THICK)	759 TON	35.00	26,565.00
0106	8622000000-E	876	GEOTEXTILE FOR DRAINAGE	843 SY	2.00	1,686.00
0107	8657000000-N	430	ELASTOMERIC BEARINGS	Lump Sum LS	10,000.00	10,000.00
0108	8762000000-E	430	3'-0" X 1'-9" PRESTRESSED CONC CORED SLABS	600 LF	117.00	70,200.00
0109	8763000000-E	430	3'-0" X 2'-0" PRESTRESSED CONC CORED SLABS	1,400 LF	147.00	205,800.00

TOTAL AMOUNT OF BID FOR ENTIRE PROJECT

✓ \$1,134,256.30

Contract No. C202809  
County Burke

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 2012

Deborah Dodson  
Signature of Notary Public

**NOTARY SEAL**

of Rutherford County

State of North Carolina

My Commission Expires: 02/26/2016

## 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. C202M09

County (ies): Burke

ACCEPTED BY THE  
DEPARTMENT OF TRANSPORTATION

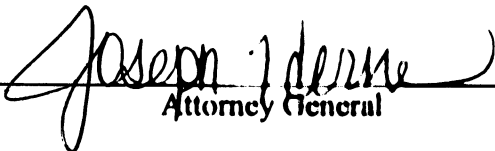


\_\_\_\_\_  
Contract Officer

5/15/12

\_\_\_\_\_  
Date

Execution of Contract and Bonds  
Approved as to Form:



\_\_\_\_\_  
Attorney General

Bond No. 9085512

Contract No. C202809  
County Burke

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: (\$1,134,256.30 ) One Million One Hundred Thirty Four  
Thousand Two Hundred Fifty Six Dollars and 30/100

Contract ID No.: C202809

County Name: Burke

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. C202809  
County Burke

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 Christy Bare  
Signature of Secretary ~~Assistant Secretary~~  
Select appropriate title

Christy Bare  
Print or type Signer's name

Contract No. C202809  
County Burke

**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: (\$1,134,256.30) One Million One Hundred Thirty Four Thousand Two Hundred Fifty Six Dollars and 30/100

Contract ID No.: C202809

County Name: Burke

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. C202809  
County Burke


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 Christy Bare  
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.



A handwritten signature in cursive script that reads "Frank E. Martin, Jr.".

Frank E. Martin, Jr.

Vice President