

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

C202963

CONTRACT AND  
CONTRACT BONDS

FOR CONTRACT NO. C202963

WBS 17BP.5.P.2 STATE FUNDED

COUNTY OF WAKE  
THIS IS THE STRUCTURE CONTRACT  
ROUTE NUMBER I 440 LENGTH 0.000 MILES  
LOCATION BRIDGES #210, 211, 223, 238, 239 & 242 ON I-440 AND #197  
OVER I-440.

CONTRACTOR AMERICAN CONTRACTING & SERVICES INC  
ADDRESS 6200 EAST HIGHWAY 62, BUILDING 2501, SUI  
TE 20  
JEFFERSONVILLE, IN 47130

BIDS OPENED MAY 15, 2012  
CONTRACT EXECUTION JUN 19 2012

**Vendor 1 of 1: AMERICAN CONTRACTING & SERVICES INC  
(7877)  
Call Order 003 (Proposal: C202963)**

**Bid Information**

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**County:** WAKE  
**Address:** 6200 East Highway 62  
 Building 2501, Suite 200  
 Jeffersonville , IN , 47130  
**Signature Check:** Roy\_Zimmerman\_7877  
**Time Bid Received:** May 15, 2012 01:02 PM  
**Amendment Count:** 0

**Bid Checksum:** 96C20FA6  
**Bid Total:** \$3,416,103.42  
**Items Total:** \$3,416,103.42 ✓  
**Time Total:** \$0.00

**Bidding Errors:**

None.

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

**Vendor 1 of 1: AMERICAN CONTRACTING & SERVICES INC  
(7877)  
Call Order 003 (Proposal: C202963)**

**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> X14C-2H61-JFAA-4MS6	<b>Agency Execution Date:</b> 5/15/2012
<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 7877's Bid Information for Call 003, Letting L120515, 05/15/12

American Contracting & Services, Inc. (7877)  
Call Order 003 (Proposal ID C202963)

Miscellaneous Data Info - Contractor Responses:

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NON-COLLUSION AND DEBARMENT CERTIFICATION

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

Explanation:  
NOT ANSWERED  
NOT ANSWERED  
NOT ANSWERED  
NOT ANSWERED

AWARD LIMITS ON MULTIPLE PROJECTS

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

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

The Award Limits shall apply to the following projects:

Contract Number	County
NOT ANSWERED	

Bid Bond Data Info - Contractor Responses:

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BondID: X14C-2H61-JFAA-4MS6  
Surety Registry Agency: SurePathNetwork  
Verified?: Yes  
Surety Agency: Fidelity and Deposit Company of Maryland  
Bond Execution Date: 5/15/2012  
Bond Amount: \$170,805.17 (Five Percent of Bid)

State of NC  
Dept of Transportation

Date: 04-17-12  
Revised:

Contract ID: C202963 Project(s): STATE FUNDED  
Letting Date: 05-15-12 Call Order: 003  
Bidder: 7877 - American Contracting & Services, Inc.

Line No.	Item Description	Approx. Quantity and Units	Unit Price Dollars   Cts	Bid Amount Dollars   Ct
Section 0001 ROADWAY ITEMS				
Alt Group				
0001	0000100000-N MOBILIZATIO N	LUMP	LUMP	170,805.17
0002	1297000000-E MILLING ASPHALT PAVEMENT, ***"DEPTH (5/8")	771.000 SY	10.00000	7,710.00
0003	1330000000-E INCIDENTAL MILLING	156.000 SY	20.00000	3,120.00
0004	1525000000-E ASPHALT CONC SURFACE COURSE, TYPE SF9.5A	13.000 TON	300.00000	3,900.00
0005	1575000000-E ASPHALT BINDER FOR PLANT MIX	1.000 TON	658.50000	658.50
0006	4400000000-E WORK ZONE SIGNS (STATIONARY)	224.000 SF	5.00000	1,120.00
0007	4405000000-E WORK ZONE SIGNS (PORTABLE)	664.000 SF	8.00000	5,312.00
0008	4410000000-E WORK ZONE SIGNS (BARRICADE MOUNTED)	64.000 SF	5.00000	320.00
0009	4415000000-N FLASHING ARROW BOARD	4.000 EA	1,200.00000	4,800.00
0010	4420000000-N PORTABLE CHANGEABLE MESSAGE SIGN	4.000 EA	4,000.00000	16,000.00
0011	4430000000-N DRUMS	101.000 EA	30.00000	3,030.00

Dept of Transportation

Revised:

Contract ID: C202963

Project(s): STATE FUNDED

Letting Date: 05-15-12 Call Order: 003

Bidder: 7877 - American Contracting & Services, Inc.

Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
0012	4435000000-N CONES	26.000 EA	25.00000		650.00	
0013	4445000000-E BARRICADES (TYPE III)	100.000 LF	16.00000		1,600.00	
0014	4455000000-N FLAGGER	20.000 DAY	500.00000		10,000.00	
0015	4480000000-N TMA	3.000 EA	8,500.00000		25,500.00	
0016	4510000000-N LAW ENFORCEMENT	1,000.000 HR	30.00000		30,000.00	
0017	4516000000-N SKINNY DRUM	35.000 EA	27.00000		945.00	
0018	4726100000-E HEATED-IN-P LACE THERMOPLASTIC PAVEMENT MARKING CHARACTER (120 MILS)	4.000 EA	250.00000		1,000.00	
0019	4810000000-E PAINT PAVEMENT MARKING LINES (4")	428.000 LF	1.00000		428.00	
0020	4815000000-E PAINT PAVEMENT MARKING LINES (6")	5,583.000 LF	1.50000		8,374.50	
0021	4845000000-N PAINT PAVEMENT MARKING SYMBOL	4.000 EA	100.00000		400.00	
0022	4847000000-E POLYUREA PAVEMENT MARKING LINES (4", *****) (HIGHLY REFLECTIVE ELEMENTS)	856.000 LF	2.75000		2,354.00	

Dept of Transportation

Revised:

Contract ID: C202963

Project(s): STATE FUNDED

Letting Date: 05-15-12 Call Order: 003

Bidder: 7877 - American Contracting & Services, Inc.

Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
0023	4847100000-E POLYUREA PAVEMENT MARKING LINES (6", *****)(HIGHLY REFLECTIVE ELEMENTS)	5,583.000 LF	3.25000		18,144.75	
0024	4900000000-N PERMANENT RAISED PAVEMENT MARKERS	64.000 EA	50.00000		3,200.00	
0025	5255000000-N PORTABLE LIGHTING	LUMP	LUMP		5,000.00	
0026	8161000000-E GROOVING BRIDGE FLOORS	36,756.000 SF	0.75000		27,567.00	
0027	8217000000-E REINFORCING STEEL (BRIDGE)	40.000 LB	2.00000		80.00	
0028	8660000000-E CONCRETE REPAIRS	58.000 CF	450.00000		26,100.00	
0029	8664000000-E SHOTCRETE REPAIRS	83.000 CF	298.00000		24,734.00	
0030	8692000000-N FOAM JOINT SEALS	LUMP	LUMP		195,000.00	
0031	8860000000-N GENERIC STRUCTURE ITEM BRIDGE JACKING	LUMP	LUMP		42,000.00	
0032	8860000000-N GENERIC STRUCTURE ITEM CLEANING & PAINTING EXISTING BEARING PLATES	LUMP	LUMP		8,000.00	
0033	8881000000-E GENERIC STRUCTURE ITEM LATEX MODIFIED CONCRETE OVER-LAY - VERY EARLY STRENGTH	239.000 CY	1,100.00000		262,900.00	

Dept of Transportation

Revised:

Contract ID: C202963

Project(s): STATE FUNDED

Letting Date: 05-15-12 Call Order: 003

Bidder: 7877 - American Contracting & Services, Inc.

Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
0034	8892000000-E GENERIC STRUCTURE ITEM CLASS II CONC DECK REPAIRS FOR EPOXY OR ASPHALT OVERLAY	19,486.000	68.00000		1,325,048.00	
0035	8892000000-E GENERIC STRUCTURE ITEM PLACEMENT OF EPOXY OVERLAY	62,450.000	5.00000		312,250.00	
0036	8892000000-E GENERIC STRUCTURE ITEM PLACEMENT OF PRE-TREATMENT	62,450.000	0.75000		46,837.50	
0037	8893000000-E GENERIC STRUCTURE ITEM HYDRO-DEMOLITION OF BRIDGE DECK	4,439.000	85.00000		377,315.00	
0038	8893000000-E GENERIC STRUCTURE ITEM PLACING & FINISHING LATEX MOD CONC OVERLAY - VERY EARLY STRENGTH	4,439.000	60.00000		266,340.00	
0039	8893000000-E GENERIC STRUCTURE ITEM SCARIFYING BRIDGE DECK	4,439.000	40.00000		177,560.00	
	Section 0001 Total				3,416,103.42	
	Bid Total				3,416,103.42	

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	

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.

THIS PROPOSAL CONTAINS THE FOLLOWING ERRORS/WARNINGS (IF ANY)

This Bid contains 0 amendment files

Electronic Bid Submission

By submitting this bid electronically, I hereby acknowledge that all requirements included in the hard copy proposal, addendum, amendments, plans, standard specifications, supplemental specifications and special provisions are part of the bid and contract. Further, I acknowledge that I have read, understand, accept, acknowledge and agree to comply with all statements in this electronic bid.

I Hereby certify that I have the authority to submit this bid.

Signature

Agency

Date

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DBE COMMITMENT ITEMS

PAGE: 7

PROPOSAL: C203049  
 LETTING: L120515 CALL: 004  
 VENDOR: 3760 S. T. Wooten Corporation

LINE NO.	ITEM NO.	ITEM DESC.	UNIT TYPE	SUBCONTRACTOR QUANTITY	SUBCONTRACTOR UNIT PRICE	EXTENDED AMOUNT	
DBE SUBCONTRACTOR: 3765 STAY ALERT SAFETY SERVICES INC Will Use Quote: Yes							
0001	0000100000-N	MOBILIZATION LS		1.000	4420.00000	4420.00	
		Install and remove stationary construction signs.					
		DBE COMMITMENT TOTAL FOR SUBCONTRACTOR:					4,420.00 C
		DBE COMMITMENT TOTAL FOR VENDOR (SubContractor )					4,420.0
DBE SUBCONTRACTOR: 2446 HAROLD A. PURYEAR TRUCKING CO. Will Use Quote: Yes							
0012	1575000000-E	ASP FOR PLAN TON		4205.000	20.34000	85529.70	
		Haul liquid to asphalt plant.					
0006	1297000000-E	MILL ASP PVM SY		312467.000	0.25000	78116.75	
		Haul millings back to site.					
0005	1297000000-E	MILL ASP PVM SY		47206.000	0.10000	4720.60	
		Haul millings back to site.					
0008	1498000000-E	ASP CONC INT TON		12822.000	3.50000	44877.00	
		Haul stockpile to Plant.					
0009	1503000000-E	ASP CONC INT TON		22300.000	3.50000	78050.00	
		Haul stockpile to plant.					
0010	1519000000-E	ASP CONC SUR TON		9878.000	3.50000	34573.00	
		Haul stockpile to plant.					
0011	1523000000-E	ASP CONC SUR TON		14818.000	3.50000	51863.00	
		Haul stockpile to plant.					
		DBE COMMITMENT TOTAL FOR SUBCONTRACTOR:					377,730.05 C
		DBE COMMITMENT TOTAL FOR VENDOR (SubContractor )					377,730
DBE SUBCONTRACTOR: 3304 FULFORD & JONES ASPHALT INC. Will Use Quote: Yes							
0015	2830000000-N	ADJ MANHOLES EA		18.000	900.00000	16200.00	
		Price includes lowering manhole before milling.					
0016	2845000000-N	ADJ METER OR EA		35.000	800.00000	28000.00	
		Price includes lowering manhole before milling.					
		DBE COMMITMENT TOTAL FOR SUBCONTRACTOR:					44,200.00 C
		DBE COMMITMENT TOTAL FOR VENDOR (SubContractor )					44,200.
DBE SUBCONTRACTOR: 11197 MOSES ASPHALT PAVING & REPAIR Will Use Quote: Yes							
0001	0000100000-N	MOBILIZATION LS		1.000	1000.00000	1000.00	
0034	6000000000-E	TEMPORARY SI LF		1499.000	1.85000	2773.15	
0035	6071010000-E	WATTLE LF		3750.000	3.95000	14812.50	

DBE COMMITMENT ITEMS

LINE NO.	ITEM NO.	ITEM DESC.	UNIT TYPE	SUBCONTRACTOR QUANTITY	SUBCONTRACTOR UNIT PRICE	EXTENDED AMOUNT
0036	6071020000-E	POLYACRYLAMI	LB	300.000	10.00000	3000.00
0037	6084000000-E	SEEDING AND	ACR	14.990	1450.00000	21735.50
DBE COMMITMENT TOTAL FOR SUBCONTRACTOR:						43,321.15 C
DBE COMMITMENT TOTAL FOR VENDOR (SubContractor )						43,321.

DBE SUBCONTRACTOR: 8847 KAP TRANSPORT INC  
Will Use Quote: Yes

0008	1498000000-E	ASP CONC INT	TON	4274.000	3.75000	16027.50
Haul asphalt.						
0009	1503000000-E	ASP CONC INT	TON	7433.000	3.75000	27873.75
Haul asphalt.						
DBE COMMITMENT TOTAL FOR SUBCONTRACTOR:						43,901.25 C
DBE COMMITMENT TOTAL FOR VENDOR (SubContractor )						43,901.

DBE SUBCONTRACTOR: 11110 JOHN COLLINS DBA J M COLLINS HAUNING  
Will Use Quote: Yes

0010	1519000000-E	ASP CONC SUR	TON	3293.000	3.75000	12348.75
0011	1523000000-E	ASP CONC SUR	TON	4938.000	3.75000	18517.50
DBE COMMITMENT TOTAL FOR SUBCONTRACTOR:						30,866.25 C
DBE COMMITMENT TOTAL FOR VENDOR (SubContractor )						30,866.

DBE SUBCONTRACTOR: 11106 J & N HAULING LLC  
Will Use Quote: Yes

0008	1498000000-E	ASP CONC INT	TON	3000.000	3.75000	11250.00
Haul asphalt.						
0009	1503000000-E	ASP CONC INT	TON	4000.000	3.75000	15000.00
Haul asphalt						
DBE COMMITMENT TOTAL FOR SUBCONTRACTOR:						26,250.00 C
DBE COMMITMENT TOTAL FOR VENDOR (SubContractor )						26,250.

DBE SUBCONTRACTOR: 4948 BURTCH TRUCKING CO.  
Will Use Quote: Yes

0011	1523000000-E	ASP CONC SUR	TON	10000.000	3.75000	37500.00
Haul asphalt.						
0010	1519000000-E	ASP CONC SUR	TON	5500.000	3.75000	20625.00
Haul asphalt.						
DBE COMMITMENT TOTAL FOR SUBCONTRACTOR:						58,125.00 C
DBE COMMITMENT TOTAL FOR VENDOR (SubContractor )						58,125.



TOTAL DBE COMMITMENT FOR VENDOR:

Entered: 10.52% or 628813.70  
Required: 10.00% or 597914.14  
<GOAL MET>

## Contract Item Sheets For C202963

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
<b>ROADWAY ITEMS</b>						
0001	0000100000-N	800	MOBILIZATION	Lump Sum LS	170,805.17	170,805.17
0002	1297000000-E	607	MILLING ASPHALT PAVEMENT, **** DEPTH (5/8")	771 SY	10.00	7,710.00
0003	1330000000-E	607	INCIDENTAL MILLING	156 SY	20.00	3,120.00
0004	1525000000-E	610	ASPHALT CONC SURFACE COURSE, TYPE SF9.5A	13 TON	300.00	3,900.00
0005	1575000000-E	620	ASPHALT BINDER FOR PLANT MIX	1 TON	658.50	658.50
0006	4400000000-E	1110	WORK ZONE SIGNS (STATIONARY)	224 SF	5.00	1,120.00
0007	4405000000-E	1110	WORK ZONE SIGNS (PORTABLE)	664 SF	8.00	5,312.00
0008	4410000000-E	1110	WORK ZONE SIGNS (BARRICADE MOUNTED)	64 SF	5.00	320.00
0009	4415000000-N	1115	FLASHING ARROW BOARD	4 EA	1,200.00	4,800.00
0010	4420000000-N	1120	PORTABLE CHANGEABLE MESSAGE SIGN	4 EA	4,000.00	16,000.00
0011	4430000000-N	1130	DRUMS	101 EA	30.00	3,030.00
0012	4435000000-N	1135	CONES	26 EA	25.00	650.00
0013	4445000000-E	1145	BARRICADES (TYPE III)	100 LF	16.00	1,600.00
0014	4455000000-N	1150	FLAGGER	20 DAY	500.00	10,000.00
0015	4480000000-N	1165	TMA	3 EA	8,500.00	25,500.00
0016	4510000000-N	SP	LAW ENFORCEMENT	1,000 HR	30.00	30,000.00
0017	4516000000-N	1180	SKINNY DRUM	35 EA	27.00	945.00
0018	4726100000-E	1205	HEATED-IN-PLACE THERMOPLASTIC PAVEMENT MARKING CHARACTER (120 MILS)	4 EA	250.00	1,000.00

## Contract Item Sheets For C202963

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
0019	4810000000-E	1205	PAINT PAVEMENT MARKING LINES (4")	428 LF	1.00	428.00
0020	4815000000-E	1205	PAINT PAVEMENT MARKING LINES (6")	5,583 LF	1.50	8,374.50
0021	4845000000-N	1205	PAINT PAVEMENT MARKING SYMBOL	4 EA	100.00	400.00
0022	4847000000-E	1205	POLYUREA PAVEMENT MARKING LINES (4", *****) (HIGHLY REFLECTIVE ELEMENTS)	856 LF	2.75	2,354.00
0023	4847100000-E	1205	POLYUREA PAVEMENT MARKING LINES (6", *****) (HIGHLY REFLECTIVE ELEMENTS)	5,583 LF	3.25	18,144.75
0024	4900000000-N	1251	PERMANENT RAISED PAVEMENT MARKERS	64 EA	50.00	3,200.00
0025	5255000000-N	1413	PORTABLE LIGHTING	Lump Sum LS	5,000.00	5,000.00
0026	8161000000-E	420	GROOVING BRIDGE FLOORS	36,756 SF	0.75	27,567.00
0027	8217000000-E	425	REINFORCING STEEL (BRIDGE)	40 LB	2.00	80.00
0028	8660000000-E	SP	CONCRETE REPAIRS	58 CF	450.00	26,100.00
0029	8664000000-E	SP	SHOTCRETE REPAIRS	83 CF	298.00	24,734.00
0030	8692000000-N	SP	FOAM JOINT SEALS	Lump Sum LS	195,000.00	195,000.00
0031	8860000000-N	SP	GENERIC STRUCTURE ITEM BRIDGE JACKING	Lump Sum LS	42,000.00	42,000.00
0032	8860000000-N	SP	GENERIC STRUCTURE ITEM CLEANING & PAINTING EXISTING BEARING PLATES	Lump Sum LS	8,000.00	8,000.00
0033	8881000000-E	SP	GENERIC STRUCTURE ITEM LATEX MODIFIED CONCRETE OVER- LAY - VERY EARLY STRENGTH	239 CY	1,100.00	262,900.00
0034	8892000000-E	SP	GENERIC STRUCTURE ITEM CLASS II CONC DECK REPAIRS FOR EPOXY OR ASPHALT OVERLAY	19,486 SF	68.00	1,325,048.00

## Contract Item Sheets For C202963

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
0035	8892000000-E	SP	GENERIC STRUCTURE ITEM PLACEMENT OF EPOXY OVERLAY	62,450 SF	5.00	312,250.00
0036	8892000000-E	SP	GENERIC STRUCTURE ITEM PLACEMENT OF PRE-TREATMENT	62,450 SF	0.75	46,837.50
0037	8893000000-E	SP	GENERIC STRUCTURE ITEM HYDRO-DEMOLITION OF BRIDGE DECK	4,439 SY	85.00	377,315.00
0038	8893000000-E	SP	GENERIC STRUCTURE ITEM PLACING & FINISHING LATEX MOD CONC OVERLAY - VERY EARLY STRENGTH	4,439 SY	60.00	266,340.00
0039	8893000000-E	SP	GENERIC STRUCTURE ITEM SCARIFYING BRIDGE DECK	4,439 SY	40.00	177,560.00

TOTAL AMOUNT OF BID FOR ENTIRE PROJECT

\$3,416,103.42

1154/Jun04/Q210592/D220443300000/E39

Contract No. C202963

Rev. 5-19-11

County Wake

**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**

American Contracting & Services, Inc.

Full name of Corporation

6200 East Highway 62, Building 2501, Suite 200, Jeffersonville, IN 47130

Address as Prequalified

Attest

*Chad Perkins*  
Secretary/Assistant Secretary  
Select appropriate title

By

*Roy A. Zimmerman*  
President/Vice President/Assistant Vice President  
Select appropriate title

Chad Perkins

Print or type Signer's name

Roy A. Zimmerman

Print or type Signer's name

**CORPORATE SEAL**

**AFFIDAVIT MUST BE NOTARIZED**

Subscribed and sworn to before me this the

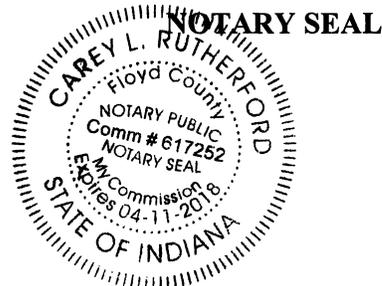
12th day of June, 2012.

*Carey L. Rutherford*  
Signature of Notary Public  
Carey L. Rutherford

of Clark County

State of Indiana

My Commission Expires: April 11, 2018



## 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.**    C202963

**County (ies):**    Wake

ACCEPTED BY THE  
DEPARTMENT OF TRANSPORTATION



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



\_\_\_\_\_  
Date

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



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

Contract No. C202963  
County Wake

Rev. 5-13-08

Bond No. 7630119

### CONTRACT PAYMENT BOND

Date of Payment Bond Execution: June 12, 2012

Name of Principal Contractor: American Contracting & Services, Inc.

Name of Surety: Fidelity and Deposit Company of Maryland

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

Amount of Bond: Three Million Four Hundred Sixteen Thousand One Hundred Three Dollars and 42/100 (\$3,416,103.42)

Contract ID No.: C202963

County Name(s): Wake

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. C202963

Rev 02-13-04

County Wake

## CONTRACT PAYMENT BOND

*Affix Seal of Surety Company*

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



By Timothy J. Taylor  
Print, stamp or type name of Attorney-in-Fact

A handwritten signature in black ink, consisting of several loops and a long horizontal stroke extending to the right.

\_\_\_\_\_  
Signature of Attorney-in-Fact

A handwritten signature in black ink, appearing to be "R. Sherfick", with a long horizontal stroke extending to the right.

\_\_\_\_\_  
Signature of witness

Robert Sherfick  
Print or type witness' name

9247 N. Meridian Street, Suite 300  
Indianapolis, IN 46260  
\_\_\_\_\_  
Address of Attorney-in-Fact

Contract No. C202963

Rev 02-13-04

County Wake

### CONTRACT PAYMENT BOND

### CORPORATION

### SIGNATURE OF CONTRACTOR (Principal)

American Contracting & Services, Inc.  
Print or type full name of Corporation

2501 Place, 6200 E. Hwy 62, 200, Jeffersonville, IN 47130  
Address as prequalified

By *Roy A. Zimmerman*  
Signature of President, Vice President, Assistant Vice President  
*Delete inappropriate title*

Roy A. Zimmerman  
\_\_\_\_\_  
Print or type signer's name

Attest *Chad Perkins*  
Signature of Secretary, Assistant Secretary  
*Delete inappropriate title*

Chad Perkins  
\_\_\_\_\_  
Print or type signer's name

*Affix Corporate Seal*

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 Timothy J. Taylor 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 has hereunto subscribed his/her 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 17th day of May, A.D. 2012.

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

Geoffrey Delisio
Vice President
Geoffrey Delisio

State of Maryland
County of Baltimore

On this 17th day of May, A.D. 2012, before the subscriber, a Notary Public of the State of Maryland, duly commissioned and qualified, Geoffrey Delisio, Vice President and Gerald F. Haley, Assistant Secretary 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, deposeth and saith, that he/she is the said officer 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 signature as such officer 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 12th day of June, 2012.



*Thomas O. McClellan*

Thomas O. McClellan, Vice President

Contract No. C202963  
County Wake

Rev. 5-13-08

Bond No. 7630119

## CONTRACT PERFORMANCE BOND

Date of Contract Bond Execution June 12, 2012

Name of Principal Contractor: American Contracting & Services, Inc.

Name of Surety: Fidelity and Deposit Company of Maryland

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

Amount of Bond: Three Million Four Hundred Sixteen  
Thousand One Hundred Three Dollars and 42/100 (\$3,416,103.42 )

Contract ID No.: C202963

County Name(s): Wake

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 Number C202963  
County Wake

Rev 02-13-04

## CONTRACT PERFORMANCE BOND

*Affix Seal of Surety Company*

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



By Timothy J. Taylor  
Attorney-in-Fact  
Print, stamp, or type name of Attorney-in Fact

A handwritten signature in black ink, appearing to be "TJ Taylor", written over a horizontal line.

Signature of Attorney-in-Fact

A handwritten signature in black ink, appearing to be "R Sherfick", written over a horizontal line.

Signature of witness

Robert Sherfick  
Print or type witness' name

9247 N. Meridian Street, Suite 300  
Indianapolis, IN 46260  
Address of Attorney-in-Fact

**CONTRACT PERFORMANCE BOND**  
**CORPORATION**

**SIGNATURE OF CONTRACTOR (Principal)**

American Contracting & Services, Inc.  
Print full name of Corporation

2501 Place, 6200 E. Hwy 62, 200, Jeffersonville, IN 47130  
Address as prequalified

By Roy A. Zimmerman  
Signature of President, ~~Vice President, Assistant Vice President~~  
*Delete inappropriate title*

Roy A. Zimmerman  
Print or type signer's name

Attest Chad Perkins  
Signature of ~~Secretary~~, Assistant Secretary  
*Delete inappropriate title*

Chad Perkins  
Print or type signer's name

*Affix Corporate Seal*

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 Timothy J. Taylor 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 has hereunto subscribed his/her 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 17th day of May, A.D. 2012.

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

Geoffrey Delisio
Vice President
Geoffrey Delisio

State of Maryland
County of Baltimore

On this 17th day of May, A.D. 2012, before the subscriber, a Notary Public of the State of Maryland, duly commissioned and qualified, Geoffrey Delisio, Vice President and Gerald F. Haley, Assistant Secretary 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, depose and saith, that he/she is the said officer 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 signature as such officer 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 12th day of June, 2012.



A handwritten signature in cursive script, appearing to read "Thomas O. McClellan".

Thomas O. McClellan, Vice President