

BID FORM ATTACHMENT A



**Tuscaloosa County**  
**Bridge Replacement on Old Jasper Road Over North River,**

February 27, 2019

PREPARED BY: BURK-KLEINPETER, INC.

The following items shall be constructed in accordance with the 2018 Alabama Department of Transportation Standard Specifications for Highway Construction, except as modified in this contract:

APPROX. QTY.	UNIT	ITEM	ITEM DESCRIPTION	UNIT PRICE	AMOUNT
1	Lump Sum	600A-000	Mobilization		
				\$108,000.00	\$108,000.00
34700	Pound	502A-001	Steel Reinforcement (Grade 60)	\$1.20	\$41,840.00
1	Lump Sum	502B-000	Steel Reinforcement for Bridge Superstructure, STA 4+83.00 APP 28400 lbs	\$42,600.00	\$42,600.00
58	Linear Foot	506A-003	Drilled Shaft Excavation, 5'-0" Diameter	\$960.00	\$55,680.00
50	Linear Foot	508B-005	Special Drilled Shaft Excavation, 5'-0" Diameter	\$960.00	\$48,000.00
108	Linear Foot	506C-044	Drilled Shaft Construction, 5'-0" Diameter, Class DS1 Concrete	\$142.80	\$15,422.40
1170	Pound	508A-000	Structural Steel	\$2.85	\$3,334.50
94	Cubic Yard	510A-007	Bridge Substructure Concrete	\$575.00	\$54,050.00
1	Lump Sum	510C-051	Bridge Concrete Superstructure, STA 4+83.00 APP 120 CY	\$78,000.00	\$78,000.00
320	Square Yard	510E-000	Grooving Concrete Bridge Decks	\$13.68	\$4,377.60
8	Each	511A-053	Elastomeric Bearing Type 2 (Mark B4)	\$525.00	\$4,200.00
477	Linear Foot	513B-019	Pretensioned-Prestressed Concrete Girders, Type BT-63 (Specialty Item)	\$590.00	\$281,430.00
200	Ton	610C-001	Loose Riprap, Class 2	\$45.00	\$9,000.00
300	Square Yard	610D-003	Filter Blanket, Geotextile	\$2.50	\$750.00
1	Lump Sum	680A-001	Geometric Controls	\$5,000.00	\$5,000.00
1	Lump Sum	689A-000	Construction Fuel (Maximum bid limited to \$24000)	\$0.00	\$0.00
<b>TOTAL BASE BID</b>					<b>\$751,484.50</b>
<b>ALTERNATE NO. 1</b>					
APPROX. QTY.	UNIT	ITEM	ITEM DESCRIPTION	UNIT PRICE	AMOUNT
58	Linear Foot	506F-006	Permanent Drilled Shaft Casing, 5'-0" Diameter	\$410.00	\$23,780.00
<b>TOTAL ALTERNATE NO. 1</b>					<b>\$23,780.00</b>
<b>TOTAL BASE BID + ALTERNATE NO. 1</b>					<b>\$775,264.50</b>

EX 3-4

Bridge Replacement on Old Jasper Road Over North River  
Tuscaloosa County

SECTION 00410 – BID BOND

KNOW ALL MEN BY THESE PRESENTS that we, the undersigned,

Newell & Bush, Inc. as PRINCIPAL,  
and

Fidelity and Deposit Company of Maryland as SURETY, are  
held and firmly bound unto TUSCALOOSA COUNTY, hereinafter called the "OWNER", in the penal sum  
of:

Five Percent of Total Bid, Not to Exceed Ten Thousand DOLLARS

(\$ 5% of Total Bid, Not to Exceed \$10,000.00) lawful money of the United States, for the  
payment of which sum well and truly to be made, we bind ourselves, our heirs, executors, administrators,  
successors, and assigns, jointly and severally, firmly by these presents.

THE CONDITION OF THIS OBLIGATION IS SUCH, that whereas the Principal has submitted the  
accompanying Bid dated March 6, 2019, for

Bridge Replacement on Old Jasper Road Over North River

Tuscaloosa County

NOW, THEREFORE, if the PRINCIPAL shall not withdraw said Bid within the period specified therein  
after the opening of the same or, if no period be specified, within thirty (30) days after the said opening,  
and shall within the period specified therefore or, if no period be specified, within ten (10) days after the  
prescribed forms are presented to him for signature, enter into a written Contract with the OWNER in  
accordance with the Bid as accepted, and give bond with good and sufficient SURETY or sureties, as  
may be required, for the faithful performance and proper fulfillment of such Contract; or in the event of the  
withdrawal of said Bid within the period specified, or the failure to enter into such Contract and give such  
bond within the time specified, if the PRINCIPAL shall pay the OWNER the difference between the  
amount specified in said Bid and the amount for which the OWNER may procure the required work or  
supplies, or both, if the latter be in excess of the former, then the above obligation shall be void and of no  
effect, otherwise, to remain in full force and virtue.

IN WITNESS WHEREOF, the above bounded parties have executed this instrument under their several  
seals this 6th day of March, 2019, the name and corporate seal of each  
corporate party being hereto affixed and these presents signed by its undersigned representative,  
pursuant to authority of its governing body.

BID BOND  
Project No. TU.17.005

00410-1  
BURK-KLEINPETER, INC.

EX 3-4

Bridge Replacement on Old Jasper Road Over North River  
Tuscaloosa County

In Presence of:

\_\_\_\_\_  
(Individual Principal)

\_\_\_\_\_  
(Business Address, including Zip Code)

\_\_\_\_\_  
(Partnership)

\_\_\_\_\_  
(Seal)

\_\_\_\_\_  
(Business Address, including Zip Code)

ATTEST:

\_\_\_\_\_  
*Robin Turner*

BY: \_\_\_\_\_

Newell & Bush, Inc.  
(Corporate Principal)

P.O. Box 240397, Montgomery, AL 36124

(Business Address, including Zip Code)

BY: *A. B. H.*  
AFFIX CORPORATE SEAL

ATTEST:

\_\_\_\_\_  
*Kim Duncan*

Fidelity and Deposit Company of Maryland  
(Corporate Surety)  
*Sabrina Donaldson*

BY: Sabrina Donaldson, Attorney-in-Fact  
AFFIX SEAL

Countersigned:

BY: *Sabrina Donaldson*  
Attorney-in-Fact\*

State of Alabama

END OF SECTION 00410

BID BOND  
Project No. TU.17.005

00410-2  
BURK-KLEINPETER, INC.

EX-34

**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 **DAVID MCVICKER, 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 **George W. THOMPSON, III, Jamie L. HOOIE, LaVera D. BROWN, Charles E. CARPER, IV, Douglas K. AMAN, James A. GUNN, Donna P. MOCK and Sabrina DONALDSON, all of Montgomery, Alabama, EACH** 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 27th day of November, A.D. 2018.

ATTEST:

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



*Dawn E. Brown*

By: \_\_\_\_\_  
*Assistant Secretary  
 Dawn E. Brown*

*David McVicker*

\_\_\_\_\_  
*Vice President  
 David McVicker*

State of Maryland  
 County of Baltimore

On this 27th day of November, A.D. 2018, before the subscriber, a Notary Public of the State of Maryland, duly commissioned and qualified, **DAVID MCVICKER, Vice President, and DAWN E. BROWN, 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 9, 2019



POA-F-033-3110

*Ex 34*

**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 6th day of March, 2019.



*Brian M. Hodges*

Brian M. Hodges, Vice President

**TO REPORT A CLAIM WITH REGARD TO A SURETY BOND, PLEASE SUBMIT ALL REQUIRED INFORMATION TO:**

Zurich American Insurance Co.  
Attn: Surety Claims  
1299 Zurich Way  
Schaumburg, IL 60196-1056



Ex 3-4

Bridge Replacement on Old Jasper Road Over North River  
Tuscaloosa County

SECTION 00480 – NON-COLLUSION AFFIDAVIT

(State of Alabama)  
(Tuscaloosa County)  
TUSCALOOSA COUNTY

BEFORE ME, the undersigned authority, personally came and appeared  
M. Ben Hibon, who after being by me duly sworn, deposed and said that he is  
the fully authorized PRESIDENT of  
Newell & Bush, Inc. (hereinafter referred to as  
bidder) the party who submitted a bid for \_\_\_\_\_  
Newell & Bush, Inc. which bid was  
received by the TUSCALOOSA COUNTY COMMISSION on March 06, 2019  
and said affiant further said:

(1) That bidder employed no person, corporation, firm, association, or other organization, either directly or indirectly, to secure the public contract under which he received payment, other than persons regularly employed by the bidder whose services in connection with the construction of the public building or project or in securing the public contract were in the regular course of their duties for bidder; and

(2) That no part of the contract price received by bidder was paid or will be paid to any person, corporation, firm, association, or other organization for soliciting the contract, other than the payment of their normal compensation to persons regularly employed by the bidder whose services in connection with the construction of the public building or project were in the regular course of their duties for bidder.

(3) Said bid is genuine and the bidder has not colluded, conspired or agreed directly or indirectly with any other bidder to offer a sham or collusive bid.

(4) Said bidder has not in any manner directly or indirectly agreed with any other person to fix the bid price of affiant or any other bidder, or to fix any overhead profit or cost element of said bid price, or that of any other bidder, or to induce any other person to refrain from bidding.

(5) Said bid is not intended to secure an unfair advantage of benefit from Tuscaloosa County or in favor of any person interested in the proposed contract.

(6) All statements contained in said bid are true and correct.

(7) Neither affiant nor any member of his company has divulged information regarding said bid or any data relative thereto to any other person, firm or corporation.

SWORN TO AND SUBSCRIBED  
BEFORE ME THIS 06  
DAY OF March, 2019  
Debra Turner  
NOTARY PUBLIC

Signed:

M. Ben Hibon  
President  
Title

END OF SECTION 00480

NON-COLLUSION AFFIDAVIT  
Project No. TU.17.005

00480-1  
BURK-KLEINPETER, INC.

Ex 3-4

**NEWELL & BUSH, INC  
CORPORATE RESOLUTION**

WHEREAS, the Corporation desires to grant signing and authority to certain person(s) described hereunder.

RESOLVED, that the Board of Directors is hereby authorized and approved to grant signing and authority to conduct business to any one of the following person(s) Michael B. Hitson, William S. Newell, III, Daniel Keith Newell. The foregoing signing and authority granted shall include, but shall not be limited to, the execution of Deeds, powers of attorney, transfers, assignments, contracts, obligations, certificates, and other instruments of whatever nature entered into by this Corporation.

The undersigned hereby certifies that he/she is the duly elected and qualified Secretary and the custodian of the books and records and seal of Newell & Bush, Inc., Inc., a corporation duly formed pursuant to the laws of the state of Alabama and that the foregoing is a true record of a resolution duly adopted at a meeting of the board of directors and that said meeting was held in accordance with state law and the Bylaws of the above-named Corporation on November 1, 2018, and that said resolution is now in full force and effect without modification or rescission.

IN WITNESS WHEREOF, I have executed my name as Secretary and have hereunto affixed the corporate seal of the above-named Corporation this 5<sup>th</sup> day of March, 2019.

Keith Jewell  
Secretary

EX 3-4

STATE OF ALABAMA



LICENSE NO.: 17495

TYPE: RENEWAL

BID LIMIT: U

AMOUNT: UNLIMITED

State Licensing Board for General Contractors

THIS IS TO CERTIFY THAT

NEWELL & BUSH INC

MONTGOMERY, AL 36124

is hereby licensed a General Contractor in the State of Alabama and is authorized to perform the following type(s) of work:

H/R-R-S: FOUNDATIONS, PILING, AND COFFERDAMS, HS: HIGHWAYS AND STREETS

until April 30, 2019, when this Certificate expires.

Witness our hands and seal of the Board, dated Montgomery, Ala.,

1st day of April, 2018

141080

SECRETARY-TREASURER

CHAIRMAN

*Greg N. Denny*

*Wesley White*

EX-3-4



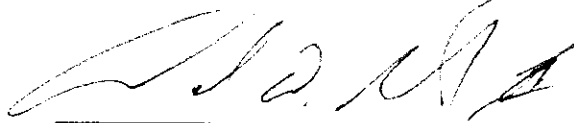
**RESOLUTION AUTHORIZING THE CHAIRMAN TO EXECUTE A FURTHER  
AMENDMENT TO THE TUSCALOOSA METRO ANIMAL SHELTER SUPPLEMENTAL  
FUNDING AGREEMENT**

**WHEREAS**, the City of Tuscaloosa, the City of Northport and Tuscaloosa County entered into a supplemental funding agreement on July 5<sup>th</sup> 2017 to refurbish the former Community Corrections building adjacent to the shelter for shelter use. The Governing Bodies authorized the Tuscaloosa Metro Animal Shelter Advisory Committee to bind the governing bodies for repairs and improvements to the former community corrections building adjacent to the shelter not to exceed \$668,200.00 for work to be completed by June, 1 2019 with work to be completed and funded in three phases through fiscal year 2017, 2018 and 2019.

**WHEREAS**, there have been several unanticipated costs that exceed the budget for the project of \$668,200 due to the moving of the power pole to serve the building and the cost of 19 concrete and steel kennels that were not included in the bid specifications for the project. The governing bodies now desire to increase that budget by \$40,000 to an amount not to exceed \$708,200.00 with the additional amount of the funding due and payable as a fourth phase on May 1, 2019 as outlined in amended paragraph 5.

**NOW, THEREFORE, BE IT RESOLVED BY THE TUSCALOOSA COUNTY COMMISSION** that the Chairman is authorized to execute an amendment to the Supplemental Funding Agreement between the City of Tuscaloosa, the City of Northport and Tuscaloosa County to increase that budget by \$40,000 to an amount not to exceed \$708,200 with the additional amount of the funding due and payable on May 1, 2019 as outlined in amended paragraph 5, "phasing."

**IN WITNESS WHEREOF**, the Tuscaloosa County Commission has caused this Resolution to be executed in its name on its behalf by its Chairman on this the 6<sup>th</sup> day of March, 2019.



Rob Robertson, Chairman  
Tuscaloosa County Commission

ATTEST:

  
Melvin Vines, County Administrator

Ex 3-5