

SECTION 00300 - BID

To: City of Rock Hill, Attn: Scott Turner 349 Columbia Avenue, Rock Hill, SC 29730

Gentlemen:

The undersigned, having familiarized (himself) (themselves) (itself) with the existing conditions on the project area affecting the cost of the work and with the Contract Documents, which include an Invitation for Bids, Instructions to Bidders, the Form of Bid, the Form of Bid Bond, the Form of Contract (or Agreement), Form of Non-Collusion Affidavit, Addenda (if any), General Conditions, Technical Specifications, Drawings (as listed in the Schedule of Drawings), and Form of Surety Bond or Bonds as prepared by:

Keck & Wood, Inc.

and on file in the office of the Project Manager, hereby proposes to furnish all supervision, technical personnel, labor, materials, machinery, tools, appurtenances, equipment, and services, including utility and transportation services required to construct and complete:

White Street Sewer Rehabilitation Project

The Bidder will complete the work for the following price(s):

ITEM NO.	ITEM	QUANTITY	UNIT	UNIT PRICE	AMOUNT
A	START-UP / GENERAL				
1	Mobilization	1	LS	7200.00	7200.00
2	Construction Staking	1	LS	3675.00	3675.00
3	Temporary Measures	1	LS	10,500.00	10,500.00
4	Demolition	1	LS	525.00	525.00
5	Erosion Control	1	LS	3675.00	3675.00
6	Grassing	1	LS	1575.00	1575.00

SUBTOTAL \$ 27,150.00

B	ROADWAY / TRAFFIC	QUANTITY	UNIT	UNIT PRICE	AMOUNT
7	Crosswalk Re-Striping	1	LS	1575.00	1575.00
8	Cut & Patch for Sewer Main	850	SY	54.19	46,061.50
9	Cut & Patch for Sewer Services	70	SY	53.67	3756.90
10	18" Curb & Gutter (Barrier)	20	LF	40.00	800.00
11	5' Wide Sidewalk	20	LF	40.00	800.00

SUBTOTAL \$ 52,993.40

C	SANITARY SEWER	QUANTITY	UNIT	UNIT PRICE	AMOUNT
12	4' Diameter Manhole	8	EA	2552.55	20,420.40
13	4' Diameter Doghouse Manhole	1	EA	2414.54	2414.54
14	4' Diameter Outside Drop Manhole	1	EA	3801.00	3801.00
15	8" Ductile Iron Sewer Line	1,915	LF	52.01	99,599.15
16	10" Ductile Iron Sewer Line	10	LF	71.64	716.40
17	10" Stub-Out Assembly	1	EA	2967.45	2967.45
18	Replace Existing 4" Sewer Service to Right-of-Way	5	EA	1415.06	7075.30
19	Replace Existing 6" Sewer Service to Right-of-Way	5	EA	1504.55	7522.75
20	Tie to EX MH 21	1	EA	445.20	445.20

21	Concrete Patch	195	SQ	55.99	10,918.05
22	Rock	100	CY	68.25	6825.00
23	Permanent Pavement Markings	1	LS	5250.00	5250.00

SUBTOTAL \$ 167,955.24

GRAND TOTAL \$ 248,098.64

Two hundred forty eight Thousand, ninety-eight dollars and sixty four cents
 Grand Total (use words)

In submitting this Bid, the Bidder understands that the right is reserved by the City of Rock Hill to reject any and all Bids, to accept any Bid submitted, to waive any informalities, and to negotiate with the low Bidder or Bidders on any changes which it considers necessary or desirable for its own interests. If written notice of the acceptance of the bid is mailed, telegraphed, or delivered to the undersigned within 60 days after the opening thereof, or at any time thereafter, before the Bid is withdrawn, the undersigned agrees to execute and deliver an agreement in the prescribed form and furnish the required bond within ten (10) days after the Agreement is presented to him for signature.

Security in the form of (bid bond) (5% of bid) is submitted herewith in accordance with the Instructions to Bidders. Attached hereto is an affidavit in proof that the undersigned Bidder has not entered into a collusive agreement with any person in respect to this Bid or any other Bid or the submitting of Bids for the Contract for which this Bid is submitted.

CONSTRUCTION TIME AND LIQUIDATED DAMAGES:

As set forth in the Owner – Contractor Agreement (Section 00501).

CONTRACTOR'S QUALIFICATION STATEMENT:

Attached hereto is a completed Contractor's Qualification Statement, AIA Document A305. Contractor is to complete and attach AIA Document A305 to his bid.

CONTRACTOR'S LICENSE:

The undersigned further states that he is a duly licensed Contractor, for the type of work proposed, in the State of South Carolina, and that all fees, permits, etc. pursuant to the submission of this proposal have been paid in full.

ADDENDA:

The undersigned acknowledges receipt of the following addenda, which will be considered as part of the Contract Documents:

Addendum No. 1 11/7/11 Dated
Addendum No. _____ Dated
Addendum No. _____ Dated

White Street Sewer Rehabilitation

K&W Project No. 116568.00

IN WITNESS HEREOF, this 8th day of Nov., 2011, the undersigned hereby certifies that (s)he is a duly authorized representative of the Bidder and as such hereby submits the within Bid on (his) (their) (its) behalf pursuant to the authority of its governing body.

WITNESSES:

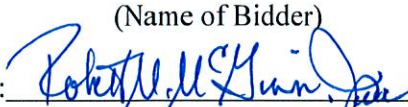


Witness No. 1

Jennifer A. Edens

Witness No. 2

(Name of Bidder)

By:  (Seal)

Typed Name: Robert M. McGinn, Jr

Title: President

Address of Bidder:

2017 N. Hwy 25
Travelers Rest, SC 29690

Contractor's License No.: 16265

ATTEST: Clare W Cummins
Corporate Secretary

END OF SECTION



AIA® Document A305™ – 1986

Contractor's Qualification Statement

The Undersigned certifies under oath that the information provided herein is true and sufficiently complete so as not to be misleading.

SUBMITTED TO: *City of Rock Hill*
ADDRESS: *349 Columbia Ave.*
Rock Hill, SC 29731 - 1706

SUBMITTED BY: *Payne, McGinn and Cummins, Inc.*
NAME: *Wyatt Westmoreland*
ADDRESS: *2017 N. Hwy 25*
Travelers Rest, SC 29690

PRINCIPAL OFFICE:

- Corporation
- Partnership
- Individual
- Joint Venture
- Other

NAME OF PROJECT (if applicable): *White Street Sewer Rehabilitation Project*

TYPE OF WORK (file separate form for each Classification of Work):

- General Construction
- HVAC
- Electrical
- Plumbing
- Other (please specify)

§ 1. ORGANIZATION

§ 1.1 How many years has your organization been in business as a Contractor? *15+ years*

§ 1.2 How many years has your organization been in business under its present business name? *15+ years*

§ 1.2.1 Under what other or former names has your organization operated? *N/A*

ADDITIONS AND DELETIONS:

The author of this document has added information needed for its completion. The author may also have revised the text of the original AIA standard form. An *Additions and Deletions Report* that notes added information as well as revisions to the standard form text is available from the author and should be reviewed. A vertical line in the left margin of this document indicates where the author has added necessary information and where the author has added to or deleted from the original AIA text.

This document has important legal consequences. Consultation with an attorney is encouraged with respect to its completion or modification.

This form is approved and recommended by the American Institute of Architects (AIA) and The Associated General Contractors of America (AGC) for use in evaluating the qualifications of contractors. No endorsement of the submitting party or verification of the information is made by AIA or AGC.

§ 1.3 If your organization is a corporation, answer the following:

§ 1.3.1 Date of incorporation: 1/1995
§ 1.3.2 State of incorporation: South Carolina
§ 1.3.3 President's name: Robert M. McGinn, Jr
§ 1.3.4 Vice-president's name(s): Darrell G. Payne, Jr

§ 1.3.5 Secretary's name: Claire W Cummins
§ 1.3.6 Treasurer's name: Robert W Cummins, Jr

§ 1.4 If your organization is a partnership, answer the following:

§ 1.4.1 Date of organization:
§ 1.4.2 Type of partnership (if applicable):
§ 1.4.3 Name(s) of general partner(s)

§ 1.5 If your organization is individually owned, answer the following:

§ 1.5.1 Date of organization:
§ 1.5.2 Name of owner:

§ 1.6 If the form of your organization is other than those listed above, describe it and name the principals:

§ 2. LICENSING

§ 2.1 List jurisdictions and trade categories in which your organization is legally qualified to do business, and indicate registration or license numbers, if applicable.

South Carolina - General Contractor - 16265 - (WLS, APS, WPS)
North Carolina - General Contractor - 41441 - (PU - Water lines & sewer

§ 2.2 List jurisdictions in which your organization's partnership or trade name is filed. lines) (PU - Water Pur. & Sewerage Disp.)
South & North Carolina

§ 3. EXPERIENCE

§ 3.1 List the categories of work that your organization normally performs with its own forces.

Water & sewer line placement and appurtenances

§ 3.2 Claims and Suits. (If the answer to any of the questions below is yes, please attach details.)

§ 3.2.1 Has your organization ever failed to complete any work awarded to it?

NO

§ 3.2.2 Are there any judgments, claims, arbitration proceedings or suits pending or outstanding against your organization or its officers?

NO

§ 3.2.3 Has your organization filed any law suits or requested arbitration with regard to construction contracts within the last five years?

NO

§ 3.3 Within the last five years, has any officer or principal of your organization ever been an officer or principal of another organization when it failed to complete a construction contract? (If the answer is yes, please attach details.)

No

§ 3.4 On a separate sheet, list major construction projects your organization has in progress, giving the name of project, owner, architect, contract amount, percent complete and scheduled completion date.

See attached

§ 3.4.1 State total worth of work in progress and under contract:

see attached

§ 3.5 On a separate sheet, list the major projects your organization has completed in the past five years, giving the name of project, owner, architect, contract amount, date of completion and percentage of the cost of the work performed with your own forces.

see attached

§ 3.5.1 State average annual amount of construction work performed during the past five years:

7-10 million

§ 3.6 On a separate sheet, list the construction experience and present commitments of the key individuals of your organization.

See attached

§ 4. REFERENCES

§ 4.1 Trade References:

Ferguson

§ 4.2 Bank References:

Bank of Travelers Rest
PO Box 1067

Travelers Rest, SC 29690

§ 4.3 Surety:

§ 4.3.1 Name of bonding company:

Companion Property & Casualty Ins. Co.

§ 4.3.2 Name and address of agent:

Insurance Office of America - Phil Hook
5175 Sunset Blvd Suite J Lexington, SC

§ 5. FINANCING

§ 5.1 Financial Statement.

See attached

§ 5.1.1 Attach a financial statement, preferably audited, including your organization's latest balance sheet and income statement showing the following items:

Current Assets (e.g., cash, joint venture accounts, accounts receivable, notes receivable, accrued income, deposits, materials inventory and prepaid expenses);

Net Fixed Assets;

QUALIFICATIONS OF BIDDERS

3.4, 3.6 & 5

In order to assist the Owner in determining whether the Bidder is qualified to perform the Work, as set forth in the Contract Documents, the Bidder is requested to furnish the following information.

1. List of references (minimum of three) who are qualified to judge as to financial responsibility and his experience in work of similar nature to that Bid upon:
Mr. Brad Powers- Blue Ridge Water- 2241 Fewes Chapel Rd Greer, SC 29651 864-895-1719
Mr. Murray Dodd-Greenville Water System- 407 Broad Street Greenville, SC 29602
864-241-6100
Mr. Randy Olson- Greer CPW-301 McCall Street Greer, SC 29650 864-848-5518
2. List of previous contracting experience within North Carolina within the past 4 years, including dollar values of Contracts:

<u>Project (Yr.)</u>	<u>Owner (& Info)</u>	<u>Dollar Value of Contract</u>
Wellington (2011)	Metro Sewerage Dist. of Buncombe County, NC Ms. Denise Moore 2028 Riverside Dr. Asheville, NC 28804 (828) 232-5537	\$144,118
Boiling Springs (2010)	Town of Boiling Springs Engineer: Odom & Associates Mr. David Odom 152 E. Main Street Forest City, NC 28043 (828) 247-4495	\$290,000
Mount Airy (2010)	City of Mount Airy Engineer: Adams Heath Engineering Mr. Ed Turner 119 N. Main Street Galax, VA 24333 (276) 236-4588	\$3,330,000

<u>Project</u>	<u>Owner (& Info)</u>	<u>Dollar Value of Contract</u>
Central Business District (2009)	City of Asheville Mr. Chad Pierce 70 Court Plaza Asheville, NC 28801 (828) 259-5617	\$10.6 Million
Francis Farm Landfill (In Progress)	Haywood County Engineer: McGill Associates Mr. Bill Sperry 55 Broad Street Asheville, NC 28801 (828) 252-0575	\$684,265

3. List of facilities or equipment that is available for use:

<u>Equipment Description</u>	<u>Number of Pieces</u>
Ford Trucks	(15)
Caterpillar 314	(3)
Caterpillar 420	(5)
Caterpillar 325	(1)
Caterpillar 315	(1)
Caterpillar 312	(1)
Caterpillar 2887	(1)
Komatsu PC50	(1)
Volvo EC210	(1)
New Holland Tractors	(5)

4. Name, residence, and title of the individual who will give personal attention to the work:

Darrell G. Payne, Jr.
2559 Hwy 25
Travelers Rest, SC 29690
Cell (864) 483-0550
Vice President

5. Financial Statement:

ASSETS

CURRENT ASSETS:

Cash	<u>\$53,418</u>
Notes & Accounts	
Receivable	<u>\$531,146</u>
Inventories	<u>\$0.00</u>

PLANT ASSETS:

Real Estate	<u>\$1,200,000</u>
Machinery	<u>\$475,135</u>
Good Will, Patents, etc.	<u>\$0.00</u>
Totals	<u>\$2,259,699</u>

LIABILITIES

Notes Payable	<u>\$185,328</u>
Accounts Payable	<u>\$683,744</u>
Accrued Wages	<u>\$10,254</u>
Other Liabilities	<u>\$924,474</u>
Totals	<u>\$1,803,800</u>

EXCESS OF ASSETS OR NET WORTH \$455,899

PAYNE, MCGINN & CUMMINS, INC.

2017 N. HWY 25
TRAVELERS REST, SC 29690
S. C. CONTRACTORS LICENSE # 16265
N. C. CONTRACTORS LICENSE # 41441

TELEPHONE 864-834-8221
FAX 864-834-5175

3.5

A. Firm Information

Payne, McGinn & Cummins, Inc. was incorporated in 1995. The officers are as follows:

Robert M. McGinn, Jr., President
Darrell G. Payne, Jr., Vice President
Robert W. Cummins, Jr., Treasurer
Claire W. Cummins, Corporate Secretary

It was started with a handful of employees, including Claire W. Cummins, Corporate Secretary and Wyatt Westmoreland, General Manager. Our first year annual revenues were \$340,000.00. Today Payne, McGinn & Cummins, Inc. employs over thirty people with annual revenues of approximately six million dollars.

We are licensed in the Unlimited Category in both North Carolina (Water and Sewer Lines) and South Carolina (Water and Sewer Lines, Asphalt Paving and Water and Sewer Plants). Our approximate distribution of customer base is 95% Municipal, Industrial and Commercial and 5% Private Development.

Payne, McGinn & Cummins, Inc. is an established Utility Contractor with fifteen years of serving South Carolina and Western North Carolina. Presently we have five crews that have modern and up to date equipment. Supporting the field crews are four office personnel and a two man shop that performs repairs and maintenance on the Company's equipment.

No project has ever been charged liquidated damages for failure to meet the Owner's schedule. Wyatt Westmoreland is in charge of the Estimating Department.

To date, no litigation or major disputes or contract defaults or liens have been filed against our Company.

B. Firm Experience

We have performed approximately five hundred projects in the past years. Listed below are some of the major ones with required information.

Laurens Highway 14
69,000' of 8" D.I.P. Waterline
\$986,566.85
150 Days
Darrell G. Payne, Jr.
Laurens County Water & Sewer District
BP Barber and Associates (864-949-1111)

Avery Creek Sewer Phase 1 & 2
1,787' of 8" and 10,428' of 6" with 18 manholes
\$657,916.00
150 Days
Darrell G. Payne, Jr.
The Cliffs Communities
The Cliffs Communities, Mark Maxwell (864-561-4351)

Cowan Court
Live Sewer Replacement
\$ 159,000.00
100 Days
Darrell G. Payne, Jr.
City of Greenville
City of Greenville, Marty Fiorito (864-467-4411)

Brockman McClimon Road
8,700' of 14" and 6" D.I.P. for sewer force mains
\$416,122.00
150 Days
Jim Lambert
Greer Commission of Public Works
Contact: Mr. Randy Olsen
Rogers & Callcott (864-232-1556)

McKelvey Road
39,896' of 12" and 8" D.I.P. waterlines
\$1,070,692.00
210 Days
Marboni Galvez
Greenville Water System
Contact: Mr. Murray Dodd (864-241-6100)

Camp Old Indian
Force main and sewer disposal plus utilities
\$646,770.00
196 Days
Matt Edens
Blue Ridge Boy Scouts of America
Design South Professionals
Contact: Chris Eberhart (864-226-0980)

Cliffs Valley West/Cliffs Mountain Park, Cliffs East
39,700' various D.I.P. water and sewer lines
\$606,867.0
Jim Lambert
The Cliffs Communities
Goldie & Associates
Contact: Mr. Paul Lewis (864-882-8194)

Anderson Divisions 2, 3A, 3B and 3D
34,267' D.I.P. waterlines
\$2,828,544.00
360 Days
Darrell G. Payne, Jr.
City of Anderson
Design South Professionals
Contact: Mr. Ben Wofford (864-226-6111)

Six Mile
54,000' of 12" and 14" D.I.P. sanitary sewer
\$1,700,000.00
180 Days
Devin Westmoreland
Six Mile Rural Water
Beeson-Rosier
Contact: Mr. Troy Rosier (864-859-6900)

Central Business District
24-Inch Water Main Project
\$10,000,000.00
City of Asheville, NC
Camp, Dresser & McKee
Contact: Mr. Dawayne Crite, PE

Other Assets;

Current Liabilities (e.g., accounts payable, notes payable, accrued expenses, provision for income taxes, advances, accrued salaries and accrued payroll taxes);

Other Liabilities (e.g., capital, capital stock, authorized and outstanding shares par values, earned surplus and retained earnings).

§ 5.1.2 Name and address of firm preparing attached financial statement, and date thereof:

In house; can get one upon request
from CPA.

§ 5.1.3 Is the attached financial statement for the identical organization named on page one?

yes

§ 5.1.4 If not, explain the relationship and financial responsibility of the organization whose financial statement is provided (e.g., parent ~~subsidiary~~).

§ 5.2 Will the organization whose financial statement is attached act as guarantor of the contract for construction?

yes

§ 6. SIGNATURE

§ 6.1 Dated at this 8th day of November, 2011

Name of Organization:

Payne McGinn & Cummins, Inc

By:

Wyatt [Signature]

Title:

Estimator

| (Paragraphs deleted)

BIDDER'S SECTION 3 ESTIMATED NEW HIRES

Job Category	Total Estimated Positions Needed for Project	No. Positions Occupied by Permanent Employees	Number of Positions Not Occupied	Number of Positions to be Filled with Section 3 Residents
Officer/Supervisors				
Professionals				
Technical				
Hsq. Sales/Rental Mgmt.				
Office/Clerical				
Service Workers				
Others				
TRADE:				
Journeymen				
Apprentices				
Trainees				
Others				
TRADE:				
Journeymen				
Apprentices				
Trainees				
Others				

MA

Section 3 Resident
 Individual residing in a public housing project or within the non-metropolitan county in which the project is located and whose income does not exceed 80% of the higher of the median income, adjusted by family size, for the county of residence or the non-metropolitan area of the state.

Payne, McGinn & Cunningham, Inc

Company
 White St. Sewer Rehab. Project

Project Name

Project Number
 [Signature]

Person Completing Form

Date 11/8/11

Attachments:

- Section 00300 – Bid Form
- Section 00501 – Owner / Contractor Agreement
- Exhibit A1

If you have any questions, please contact Matt Crawford 803-324-3192x239.

Sincerely,
KECK & WOOD, INC.



Matthew D. Crawford, PE
Project Manager

Please confirm that you have received Addendum No. 1 by replying via email or signing below and faxing or emailing this sheet to Keck & Wood, Inc. at 803-324-8919 or mcrawford@keckwood.com.

Name & Date: Claire W. Cummins Company Payne, McGinn & Cummins, Inc
11/8/11

NON-COLLUSION AFFIDAVIT OF PRIME BIDDER

State of South Carolina

County of Greenville

Robert M. McGinn, Jr. being first duly sworn, deposes and says that:

- 1.) (S)he is President of Payne, McGinn & Cummins, Inc., the Bidder that has submitted the attached Bid;
- 2.) (S)he is fully informed respecting the preparation and contents of the attached Bid and of all pertinent circumstances respecting such Bid;
- 3.) Neither the said Bidder nor any of its officers, partners, owners, agents, representatives, employees or parties in interest, including this affiant, has in any way colluded, conspired, connived or agreed, directly or indirectly with any other Bidder, firm or person to submit a collusive or sham Bid in connection with the Contract for which the attached Bid has been submitted or to refrain from bidding in connection with such Contract, or has in any manner, directly or indirectly, sought by agreement or collusion or communication or conference with any other Bidder, firm or person to fix the price or prices in the attached Bid or of any other Bidder, or to fix any overhead, profit or cost element of the Bid price or the Bid price of any other Bidder, or to secure through any collusion, conspiracy, conveyance or unlawful agreement any advantage against the City of Rock Hill, South Carolina or any person interested in the proposed contract;
- 4.) The price or prices quoted in the attached Bid are fair and proper and are not tainted by any collusion, conspiracy, connivance, or unlawful agreement on the part of the Bidder or any of its agents, representatives, owners, employees, or parties in interest, including this affiant.

(Signed)

Robert M. McGinn, Jr.
President

(Title)

Subscribed and sworn to before me
this 8 day of Nov., 20 11

Clare W. Cummins
Corporation Sec./Notary Public
(Title)

My commission expires ~~My Commission Expires~~
April 12, 2017

U.S. DEPARTMENT OF AGRICULTURE

Certification Regarding Debarment, Suspension, and Other
Responsibility Matters - Primary Covered Transactions

This certification is required by the regulations implementing Executive Order 12549, Debarment and Suspension, 7 CFR Part 3017, Section 3017.510, Participants' responsibilities. The regulations were published as Part IV of the January 30, 1989, Federal Register (pages 4722-4733). Copies of the regulations may be obtained by contacting the Department of Agriculture agency offering the proposed covered transaction.

(BEFORE COMPLETING CERTIFICATION, READ INSTRUCTIONS ON REVERSE)

- (1) The prospective primary participant certifies to the best of its knowledge and belief, that it and its 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 (1)(b) of this certification; and
 - (d) have not within a three-year period preceding this application/proposal had one or more public transactions (Federal, State or local) terminated for cause or default.
- (2) Where the prospective primary participant is unable to certify to any of the statements in this certification, such prospective participant shall attach an explanation to this proposal.

Payne, McGinn, and Commens Inc
Organization Name

White Street Sewer Rehab
PR/Award Number or Project Name

Robert McGinn Jr.
Name(s) and Title(s) of Authorized Representative(s)

President

[Signature]
Signature(s)

11/8/01
Date

BID BOND (See Instructions on reverse)				DATE BOND EXECUTED (Must be same or later than date of contract) 11/08/11		
PRINCIPAL (Legal name and business address) Payne, McGinn and Cummins, Inc. 2017 North Hwy 25 Travelers Rest, SC 29690				TYPE OF ORGANIZATION ("X" one) <input type="checkbox"/> INDIVIDUAL <input type="checkbox"/> PARTNERSHIP <input type="checkbox"/> JOINT VENTURE <input checked="" type="checkbox"/> CORPORATION		
SURETY (Name and business address) Companion Property and Casualty Insurance Company PO Box 500698 Atlanta, GA 31150						
PERCENT OF BID PRICE 20%	PENAL SUM OF BOND				BID IDENTIFICATION	
	AMOUNT NOT TO EXCEED				BID DATE 11/08/11	CONTRACT NO.
	MILLION(S) 000	THOUSAND(S) 090	HUNDRED(S) 000	CENTS 00	FOR (Construction Supplies or Services) White Street Sewer Rehabilitation Project	
<p>KNOW ALL MEN BY THESE PRESENTS, That we, the PRINCIPAL and SURETY above named are held and firmly bound unto the City of Rock Hill, South Carolina, hereinafter called the City, 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.</p> <p>The condition of this obligation is such as to operate as a guarantee that the Principal will fully and promptly execute a contract and cause to be executed bonds acceptable to the City, all as set forth in the proposal or bid, should the same be accepted, and that not longer than twenty (20) days after the receipt by the Principal of contract forms from the City, he will execute a contract on the basis of the terms, conditions and unit prices set forth in his proposal or bid together with and accompanied by a Performance Bond satisfactory to the City, in the total amount of said contract, and a Payment Bond in the total amount of the contract, and that failure to perform or comply with any or all the foregoing requirements, within the times set forth above, shall be just and adequate cause for the annulment of the award; and it is disposal of the City, not as a penalty, but as an agreed liquidated damage. Should each and all of the foregoing conditions be fulfilled and Performance and Payment Bonds, as set forth in the proposal, be executed, bonds being satisfactory to the City, this obligation shall be null and void; otherwise to remain in full force and effect.</p> <p>IN WITNESS WHEREOF, the above-bounden 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.</p>						
In Presence of:			INDIVIDUAL OR PARTNERSHIP PRINCIPAL			
WITNESS (2)						
1. _____			(Seal)			
2. _____			(Seal)			
ATTEST: <u>Claire W Cummins</u> Corporate Secretary			CORPORATE PRINCIPAL Payne, McGinn and Cummins, Inc.			
1. <u>Wyatt Wilson</u> WITNESS (2)			BY <u>[Signature]</u> AFFIX CORPORATE SEAL			
2. <u>Claire W Cummins</u>			BY <u>Robert M Ginn Jr</u> President			
1. <u>Judy McDonald</u> WITNESS (2)			CORPORATE SURETY Companion Property and Casualty Insurance Company			
2. <u>Doug Seal</u>			BY <u>David R. Brett</u> AFFIX CORPORATE SEAL			
			TITLE David R. Brett, Attorney-in-Fact			
Countersigned By: <u>David R. Brett</u> Resident SC Agent David R. Brett			Address: The Atrium - 140 Stoneridge Dr. Suite 260 Columbia, SC 29210			

COMPANION PROPERTY AND CASUALTY INSURANCE COMPANY

P.O. Box 100165 (29202)

51 Clemson Road

Columbia, SC 29229

GENERAL POWER OF ATTORNEY

Know all men by these Presents, that the COMPANION PROPERTY AND CASUALTY INSURANCE COMPANY had made, Constituted and appointed, and by these presents does make, Constitute and appoint Andrew C. Heaner of Atlanta, Georgia; Richard L. Shanahan of Atlanta, Georgia; Stefan E. Tauger of Parker, Colorado; Arthur S. Johnson of Atlanta, Georgia; Martha G. Ross of Charlotte, North Carolina; James E. Feldner of West Lake, Ohio; Jeffery L. Booth of Parma, Ohio; Cheryl L. Torrao of Lutz, Florida; Melanie J. Stokes of Atlanta, Georgia; Garry W. Black of Murfreesboro, Tennessee; David R. Brett of Columbia, South Carolina; Donald J. Kersey of Birmingham, Alabama; Diane L. McLain of Fitchburg, Wisconsin; Julie Klinner of Birmingham, Alabama; Brian A. O'Neal of Parker, Colorado; Jason S. Centrella of Jacksonville, Florida; Kelley E.M. Nys of Decatur, Georgia; Michael K. Thompson of Atlanta, GA; or Brian Clark of Charlotte, North Carolina, EACH as its true and lawful attorney for it and its name, place and stead to execute on behalf of the said company, as surety, bonds, undertakings and contracts of suretyship to be given to all obligees provided that no bond or undertaking or contract of suretyship executed under this authority shall exceed in amount of the sum of **\$1,000,000 (One Million Dollars)** including but not limited to consents of surety for the release of retained percentages and / or final estimates on construction contracts or similar authority requested by the Department of Transportation, State of Florida and the execution of such undertakings, bonds, recognizances and other surety obligations, in pursuance of the presents, shall be binding upon the Company as if they had been duly signed by the president and attested by any officer of the company in their own proper persons.

This Power of Attorney is granted and is signed and sealed by facsimile under and by the authority of the following Resolution adopted pursuant to due authorization by the Executive Committee of the Board of Directors of the COMPANION PROPERTY AND CASUALTY INSURANCE COMPANY on the 24th day of December, 2003.

RESOLVED, that the Chairman, President or any Vice President of the Company be, and that each or any of them hereby is, authorized to execute Powers of Attorney qualifying the attorney named in the given Power of Attorney to execute in behalf of the COMPANION PROPERTY AND CASUALTY INSURANCE COMPANY bonds, undertakings and all contracts of suretyship; and that any Officer, Secretary or any Assistant Secretary be, and that each or any of them hereby is, authorized to attest the execution of any such Power of Attorney, and to attach thereto the seal of the Company.

FURTHER RESOLVED, that the signature of such officers and the seal of the Company may be affixed to any such Power of Attorney or to any certificate relating thereto by facsimile, and any such Power of Attorney or certificate bearing such facsimile signatures or facsimile seal shall be valid and binding upon the Company when so affixed and in the future, with respect to any bond undertaking or contract of suretyship to which it is attached.

In Witness Whereof, the COMPANION PROPERTY AND CASUALTY INSURANCE COMPANY has caused its official seal to be hereto affixed, and these presents to be signed by its President and attested by its Vice President this 4th day of AUGUST, 2011.

Attest:

Kevin M. Elmore
Kevin M. Elmore, Assistant Vice President

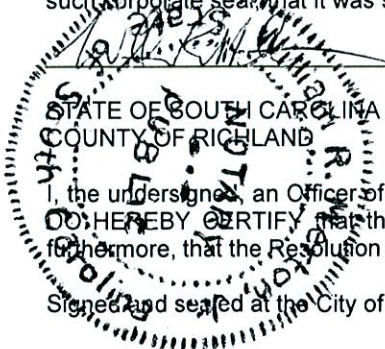
COMPANION PROPERTY AND CASUALTY
INSURANCE COMPANY

By: Judith M. Davis
Judith M. Davis, Executive Vice President

STATE OF SOUTH CAROLINA
COUNTY OF RICHLAND

On this 6th day of August, 2011, before me personally came Judith M. Davis to me known, who being by me duly sworn, did depose and say that she resides in Columbia, in the County of Richland, State of SC, at Columbia; that she is the Executive Vice President of COMPANION PROPERTY AND CASUALTY INSURANCE COMPANY, the corporation described in and which executed the above instrument; that she knows the seal of the said corporation; that the seal affixed to the said instrument is such appropriate seal that it was so affixed and that she signed her name thereto pursuant to due authorization.

Notary Public, State of SC, Qualified in Richland County Commission Expires: MAY 25, 2015



I, the undersigned, an Officer of COMPANION PROPERTY AND CASUALTY INSURANCE COMPANY, a South Carolina Corporation, DO HEREBY CERTIFY that the foregoing and attached Power of Attorney remains in full force and has not been revoked; and, furthermore, that the Resolution of the Executive Committee of the Board of Directors set forth in the Power of Attorney is now in force.

Signed and sealed at the City of Columbia, Dated the 8th day of November, 2011.

Judith M. Davis
Judith M. Davis, Executive Vice President