

SECTION 00 41 00 - BID FORM

LOUISIANA UNIFORM PUBLIC WORKS BID FORM

TO: Town of Golden Meadow
P. O. Box 307
Golden Meadow, LA 70357

(Owner to provide name and address of owner)

BID FOR: Oakridge Park Water System
Improvements, Phase 3

(Owner to provide name of project and other identifying information)

The undersigned bidder hereby declares and represents that she/he; a) has carefully examined and understands the Bidding Documents, b) has not received, relied on, or based his bid on any verbal instructions contrary to the Bidding Documents or any addenda, c) has personally inspected and is familiar with the project site, and hereby proposes to provide all labor, materials, tools, appliances and facilities as required to perform, in a workmanlike manner, all work and services for the construction and completion of the referenced project, all in strict accordance with the Bidding Documents prepared by: J. Wayne Plaisance, Inc. and dated: July 25, 2013.

Bidders must acknowledge all addenda. The Bidder acknowledges receipt of the following ADDENDA:

No. _____ Dated: _____ No. _____ Dated: _____ No. _____ Dated: _____
No. _____ Dated: _____ No. _____ Dated: _____ No. _____ Dated: _____

BASE BID: For all work required by the Bidding Documents (including any and all unit prices but not alternates) the sum of:

THIRTY SIX THOUSAND EIGHT HUNDRED Dollars (\$ 36,875.00)
SEVENTY FIVE DOLLARS & NO CENTS

ALTERNATES: For any and all work required by the Bidding Documents for Alternates.

Alternate No. 1: (Owner to provide description of alternate and state whether add or deduct) for the lump sum of:

N/A Dollars (\$ N/A)

Alternate No. 2 (Owner to provide description of alternate and state whether add or deduct) for the lump sum of:

N/A Dollars (\$ N/A)

Alternate No. 3 (Owner to provide description of alternate and state whether add or deduct) for the lump sum of:

N/A Dollars (\$ N/A)

NAME OF BIDDER: Phylway Construction, LLC
ADDRESS OF BIDDER: 1074-A Hwy. 1
Thibodaux, LA 70301

LOUISIANA CONTRACTOR'S LICENSE NUMBER: 27634

NAME OF AUTHORIZED SIGNATORY OF BIDDER: Phyllis A. Adams

TITLE OF AUTHORIZED SIGNATORY OF BIDDER: Manager

SIGNATURE OF AUTHORIZED SIGNATORY OF BIDDER *: 

DATE: 9/12/13

* If someone other than a corporate officer signs for the Bidder/Contractor, a copy of a corporate resolution or other signature authorization shall be required for submission of bid. Failure to include a copy of the appropriate signature authorization, if required, may result in the rejection of the bid unless bidder has complied with La. R.S. 38:2212(A)(1)(c) or RS 38:2212(O).

BID SECURITY in the form of a bid bond, certified check or cashier's check as prescribed by LA RS 38:2218.A is attached to and made a part of this bid. If a bid bond is provided it shall be on the attached form and only on the attached form.

END SECTION 00 41 00

SECTION 00 43 00 - BID BOND

BID BOND
FOR

Town of Golden Meadow
Oakridge Park Water System Improvements, Phase 3

Date: SEPTEMBER 12, 2013

KNOW ALL MEN BY THESE PRESENTS:

That PHYLWAY CONSTRUCTION, LLC of P.O. BOX 1277, THIBODAUX, LA 70302, as Principal, and HARTFORD FIRE INSURANCE COMPANY, as Surety, are held and firmly bound unto the TOWN OF GOLDEN MEADOW (Obligee), in the full and just sum of five (5%) percent of the total amount of this bid, including all alternates, lawful money of the United States, for payment of which sum, well and truly be made, we bind ourselves, our heirs, executors, administrators, successors and assigns, jointly and severally firmly by these presents.

Surety represents that it is listed on the current U. S. Department of the Treasury Financial Management Service list of approved bonding companies as approved for an amount equal to or greater than the amount for which it obligates itself in this instrument or that it is a Louisiana domiciled insurance company with at least an A - rating in the latest printing of the A. M. Best's Key Rating Guide. If surety qualifies by virtue of its Best's listing, the Bond amount may not exceed ten percent of policyholders' surplus as shown in the latest A. M. Best's Key Rating Guide.

Surety further represents that it is licensed to do business in the State of Louisiana and that this Bond is signed by surety's agent or attorney-in-fact. This Bid Bond is accompanied by appropriate power of attorney.


THE CONDITION OF THIS OBLIGATION IS SUCH that, whereas said Principal is herewith submitting its proposal to the Obligee on a Contract for:


OAKRIDGE PARK WATERLINE SYSTEM IMPROVEMENTS, PHASE 3

NOW, THEREFORE, if the said Contract be awarded to the Principal and the Principal shall, within such time as may be specified, enter into the Contract in writing and give a good and sufficient bond to secure the performance of the terms and conditions of the Contract with surety acceptable to the Obligee, then this obligation shall be void; otherwise this obligation shall become due and payable.

PHYLWAY CONSTRUCTION, LLC
PRINCIPAL (BIDDER)

HARTFORD FIRE INSURANCE COMPANY
SURETY

BY: 
AUTHORIZED OFFICER-OWNER-PARTNER
ATTORNEY-IN-FACT (SEAL)
PHYLLIS A. ADAMS, MANAGER

BY: 
AGENT
ALEXANDER J. ELLSWORTH
ATTORNEY-IN-FACT OR

END SECTION 00 43 00

POWER OF ATTORNEY

Direct Inquiries/Claims to:

THE HARTFORD

BOND, T-4

One Hartford Plaza

Hartford, Connecticut 06155

call: 888-266-3488 or fax: 860-757-5835

Agency Code: 43-480815

KNOW ALL PERSONS BY THESE PRESENTS THAT:

- ☒ Hartford Fire Insurance Company, a corporation duly organized under the laws of the State of Connecticut
- ☒ Hartford Casualty Insurance Company, a corporation duly organized under the laws of the State of Indiana
- ☒ Hartford Accident and Indemnity Company, a corporation duly organized under the laws of the State of Connecticut
- ☐ Hartford Underwriters Insurance Company, a corporation duly organized under the laws of the State of Connecticut
- ☐ Twin City Fire Insurance Company, a corporation duly organized under the laws of the State of Indiana
- ☐ Hartford Insurance Company of Illinois, a corporation duly organized under the laws of the State of Illinois
- ☐ Hartford Insurance Company of the Midwest, a corporation duly organized under the laws of the State of Indiana
- ☐ Hartford Insurance Company of the Southeast, a corporation duly organized under the laws of the State of Florida

having their home office in Hartford, Connecticut, (hereinafter collectively referred to as the "Companies") do hereby make, constitute and appoint, **up to the amount of unlimited:**

Ralph J. LeBlanc, Alexander J. Ellsworth, William F. Wunderlich, Charles F. Coward, Anthony Currera, Lauren Nuss
of
Metairie, LA

their true and lawful Attorney(s)-in-Fact, each in their separate capacity if more than one is named above, to sign its name as surety(ies) only as delineated above by ☒, and to execute, seal and acknowledge any and all bonds, undertakings, contracts and other written instruments in the nature thereof, on behalf of the Companies in their business of guaranteeing the fidelity of persons, guaranteeing the performance of contracts and executing or guaranteeing bonds and undertakings required or permitted in any actions or proceedings allowed by law.

In Witness Whereof, and as authorized by a Resolution of the Board of Directors of the Companies on August 1, 2009 the Companies have caused these presents to be signed by its Vice President and its corporate seals to be hereto affixed, duly attested by its Assistant Secretary. Further, pursuant to Resolution of the Board of Directors of the Companies, the Companies hereby unambiguously affirm that they are and will be bound by any mechanically applied signatures applied to this Power of Attorney.



Wesley W. Cowling

Wesley W. Cowling, Assistant Secretary

M. Ross Fisher

M. Ross Fisher, Vice President

STATE OF CONNECTICUT

COUNTY OF HARTFORD

ss. Hartford

On this 12th day of July, 2012, before me personally came M. Ross Fisher, to me known, who being by me duly sworn, did depose and say: that he resides in the County of Hartford, State of Connecticut; that he is the Vice President of the Companies, the corporations described in and which executed the above instrument; that he knows the seals of the said corporations; that the seals affixed to the said instrument are such corporate seals; that they were so affixed by authority of the Boards of Directors of said corporations and that he signed his name thereto by like authority.



CERTIFICATE

Kathleen T. Maynard

Kathleen T. Maynard
Notary Public

My Commission Expires July 31, 2016

I, the undersigned, Vice President of the Companies, DO HEREBY CERTIFY that the above and foregoing is a true and correct copy of the Power of Attorney executed by said Companies, which is still in full force effective as of SEPTEMBER 12, 2013.

Signed and sealed at the City of Hartford.



Gary W. Stumper

Gary W. Stumper, Vice President

SECTION 00 45 48 - ATTESTATION CLAUSE

OAKRIDGE PARK WATER SYSTEM IMPROVEMENTS, PHASE 3
NAME OF PROJECT

September 12, 2013
PROJECT NUMBER DATE OF BID

**ATTESTATION CLAUSE REQUIRED BY
LA. R.S. 38:2227 (PAST CRIMINAL CONVICTIONS OF BIDDERS)**

Appearer, as a Bidder on the above-entitled Public Works Project, does hereby attest that:

- A. No sole proprietor or individual partner, incorporator, director, manager, officer, organizer, or member who has a minimum of a ten percent (10%) ownership in the bidding entity named below has been convicted of, or has entered a plea of guilty or nolo contendere to any of the following state crimes or equivalent federal crimes:

- | | |
|---------------------------------------|-----------------------------------|
| (a) Public bribery (R.S. 14:118) | (c) Extortion (R.S. 14:66) |
| (b) Corrupt influencing (R.S. 14:120) | (d) Money laundering (R.S. 14:23) |

- B. Within the past five years from the project bid date, no sole proprietor or individual partner, incorporator, director, manager, officer, organizer, or member who has a minimum of a ten percent (10%) ownership in the bidding entity named below has been convicted of, or has entered a plea of guilty or nolo contendere to any of the following state crimes or equivalent federal crimes, during the solicitation or execution of a contract or bid awarded pursuant to the provisions of Chapter 10 of Title 38 of the Louisiana Revised Statutes:

- | | |
|---|--|
| (a) Theft (R.S. 14:67) | (f) Bank fraud (R.S. 14:71.1) |
| (b) Identity Theft (R.S. 14:67.16) | (g) Forgery (R.S. 14:72) |
| (c) Theft of a business record
(R.S. 14:67.20) | (h) Contractors; misapplication of
payments (R.S. 14:202) |
| (d) False accounting (R.S. 14:70) | (i) Malfeasance in office (R.S. 14:134) |
| (e) Issuing worthless checks
(R.S. 14:71) | |

Phylway Construction, LLC

NAME OF BIDDER

9/12/13


DATE

Phyllis A. Adams

NAME OF AUTHORIZED SIGNATORY OF BIDDER

Manager

TITLE OF AUTHORIZED SIGNATORY OF BIDDER


SIGNATURE OF AUTHORIZED
SIGNATORY OF BIDDER

END SECTION 00 45 48

SECTION 00 45 49 - AFFIDAVIT REGARDING VERIFICATION OF EMPLOYEES

STATE OF Louisiana

PARISH/COUNTY OF Lafourche


AFFIDAVIT REGARDING VERIFICATION OF EMPLOYEES

BEFORE ME, the undersigned Notary, came and appeared Phyllis A. Adams
(name), Manager (office/position) of Phylway Construction, LLC
(name of Bidder/Proposer)(hereinafter, "Appearer") who after being duly sworn
did depose and say

- A. He/She is an authorized signatory of Appearer and is authorized to legally execute this Affidavit on behalf of Appearer.
- B. Appearer is registered and participates in a status verification system to verify that all employees in the State of Louisiana are legal citizens of the United States or are legal aliens.
- C. If awarded the contract, Appearer shall continue, during the term of the contract, to utilize a status verification system to verify the legal status of all new employees in the state of Louisiana.
- D. If awarded the contract, Appearer shall require all subcontractors to submit to it a sworn affidavit verifying compliance with Paragraphs (A) and (B) of this Subsection.

 (Sign name)
Phyllis A. Adams (Print name)

SWORN TO AND SUBSCRIBED BEFORE ME,
this 11th day of September, 2013

 (Sign Notary name)

DONNA T. HOTARD, ID#15392
NOTARY PUBLIC (Print Notary name)
MY COMMISSION IS FOR LIFE.

Notary Public No. _____

END SECTION 00 45 49

RESOLUTION OF PHYLWAY CONSTRUCTION, L.L.C.

The undersigned, being the sole manager and the members of Phylway Construction, L.L.C. (hereinafter referred to as the "Company"), a Louisiana limited liability company with its principal address at 1074-A Highway 1, Thibodaux, Louisiana 70301, hereby adopts the following resolutions pursuant to LSA-R.S. 12:1305(C)(5), Article VII of the Company Articles of Organization, and Article V, Section 5.3 of the Company Operating Agreement:

BE IT RESOLVED, that Phyllis A. Adams, sole manager and a member of the Company, is hereby authorized to negotiate for and sign any and all bid proposals and/or contracts which the Company may enter into for the furnishing of Company services under such terms, conditions, and stipulations, and for such consideration, as she deems to be in the best interest of the Company.

THUS DONE AND SIGNED this 12th day of SEPTEMBER, 2013.

Witnesses:

Kelly Dano
Name: KELLY DANO

Dawn Massey
Name: Dawn Massey

Phylway Construction, L.L.C.

By: [Signature]
Phyllis A. Adams,
Manager and Member

Phyllis Adams Phylway Family Trust,
Member of Phylway Construction, L.L.C.

By: Iris Dempster
Iris Dempster, Co-Trustee

By: Tammy Ratley
Tammy Ratley, Co-Trustee

CERTIFICATION OF AUTHORITY

Pursuant to the requirements of LSA-R.S. 38:2212-O, the undersigned does certify that she is the manager of Phywlay Construction, LLC, and that Phyllis A. Adams is duly authorized to submit bids and to execute contracts with all public entities.

THUS DONE AND SIGNED this 12th day of SEPTEMBER, 2013
At Thibodaux, Louisiana.

A handwritten signature in dark ink, appearing to read 'Phyllis A. Adams', written over a horizontal line.

Phyllis A. Adams, *Manager*

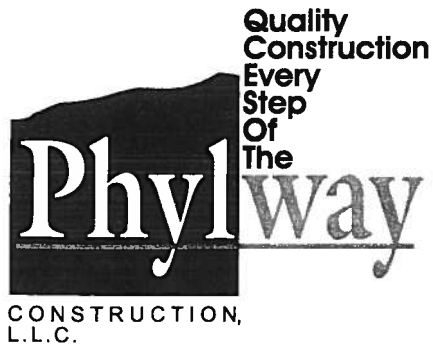
CERTIFICATE AS TO COMPANY PRINCIPAL

The undersigned, being a member and the sole manager of Phylway Construction, L.L.C. (hereinafter referred to as the "Company"), hereby certifies, pursuant to LSA-R.S. 12:1305(C)(5), Article VII of the Company Articles of Organization, and Article V, Section 5.3 of the Company Operating Agreement, that she signed the bond on behalf of the Company while acting as Manager of the Company, that her signature on the bond is genuine, and that the bond was duly signed for and on behalf of the Company and by authority of the Company.

THUS DONE AND SIGNED on this 12th day of SEPTEMBER, 2013.

A handwritten signature in dark ink, appearing to read 'Phyllis A. Adams', written over a horizontal line.

Phyllis A. Adams, Manager and
Member



Any and all communications regarding this bid shall be directed to Ms. Phyllis Adams at any of the following:

Mail:
1074-A Hwy 1
Thibodaux, LA. 70301

Phone:
985-446-9644 ext. 112

Email:
padams@phylway.com



CERTIFICATE OF LIABILITY INSURANCE

OP ID: AB

DATE (MM/DD/YYYY)

03/05/13

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER HUB International Gulf South 11100 Mead Road; Suite 300 Baton Rouge, LA 70816 Jim Tassin	225-218-2400	CONTACT NAME:	
	225-218-2401	PHONE (A/C, No, Ext):	FAX (A/C, No):
		E-MAIL ADDRESS:	
		PRODUCER CUSTOMER ID #: PHYLW-1	
		INSURER(S) AFFORDING COVERAGE	
		INSURER A: Liberty Mutual Insurance Co.	NAIC #
		INSURER B: First Specialty Insurance Corp	23043
		INSURER C:	
		INSURER D:	
		INSURER E:	
		INSURER F:	

COVERAGES**CERTIFICATE NUMBER:****REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

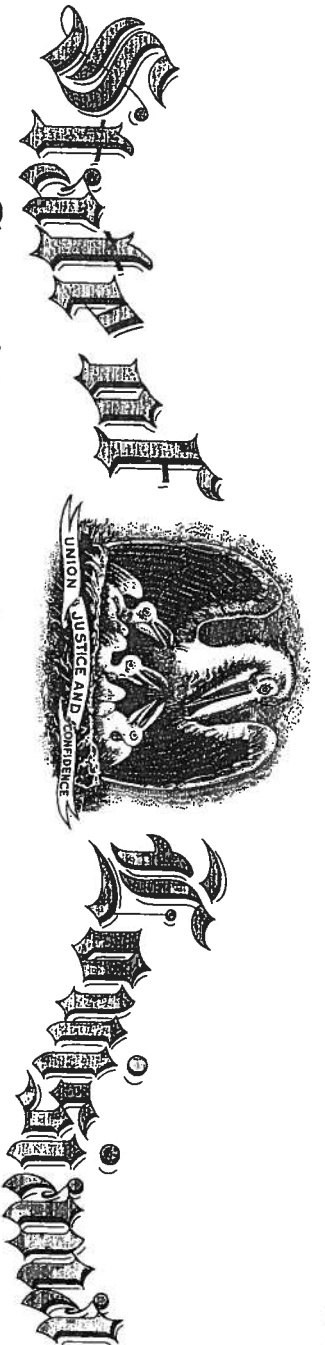
INSR LTR	TYPE OF INSURANCE	ADDL INSR	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	<input checked="" type="checkbox"/> GENERAL LIABILITY			YV2-Z91-420327-033	03/01/13	03/01/14	EACH OCCURRENCE \$ 1,000,000
	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY						DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 300,000
	<input type="checkbox"/> CLAIMS-MADE <input type="checkbox"/> OCCUR						MED EXP (Any one person) \$ 5,000
	GEN'L AGGREGATE LIMIT APPLIES PER:						PERSONAL & ADV INJURY \$ 1,000,000
	<input checked="" type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC						GENERAL AGGREGATE \$ 2,000,000
							PRODUCTS - COMP/OP AGG \$ 2,000,000
							\$
A	<input checked="" type="checkbox"/> AUTOMOBILE LIABILITY			AS7-Z91-420327-023	03/01/13	03/01/14	COMBINED SINGLE LIMIT (Ea accident) \$ 1,000,000
	<input checked="" type="checkbox"/> ANY AUTO						BODILY INJURY (Per person) \$
	<input checked="" type="checkbox"/> ALL OWNED AUTOS						BODILY INJURY (Per accident) \$
	<input checked="" type="checkbox"/> SCHEDULED AUTOS						PROPERTY DAMAGE (Per accident) \$
	<input checked="" type="checkbox"/> HIRED AUTOS						\$
	<input checked="" type="checkbox"/> NON-OWNED AUTOS						\$
B	<input checked="" type="checkbox"/> UMBRELLA LIAB <input checked="" type="checkbox"/> OCCUR			IRE 15279	03/01/13	03/01/14	EACH OCCURRENCE \$ 5,000,000
	<input type="checkbox"/> EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE						AGGREGATE \$ 5,000,000
	<input type="checkbox"/> DEDUCTIBLE						\$
	<input type="checkbox"/> RETENTION \$						\$
A	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY			WC2-Z91-420327-583	03/01/13	03/01/14	WC STATUTORY LIMITS <input checked="" type="checkbox"/> OTHER
	ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH)	<input type="checkbox"/> Y <input type="checkbox"/> N	N/A				E.I. EACH ACCIDENT \$ 1,000,000
	If yes, describe under DESCRIPTION OF OPERATIONS below						E.I. DISEASE - EA EMPLOYEE \$ 1,000,000
							E.I. DISEASE - POLICY LIMIT \$ 1,000,000
A	Contractors Equip			YM2-Z91-720327-063	03/01/13	03/01/14	Equipment 7,434,195 Lsd/Rtd 700,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (Attach ACORD 101, Additional Remarks Schedule, if more space is required)
Workers Comp policy grants Waiver of Subrogation status "if" required by written contract. Auto, General Liability, Umbrella grants Additional Insured and Waiver of Subrogation status "if" required by written contract.

CERTIFICATE HOLDER**CANCELLATION**

PHYLW-1	SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.
Phylway Construction LLC 1074 A Highway 1 Thibodaux, LA 70301	AUTHORIZED REPRESENTATIVE

© 1988-2009 ACORD CORPORATION. All rights reserved.



State Licensing Board for Contractors

This is to Certify that:

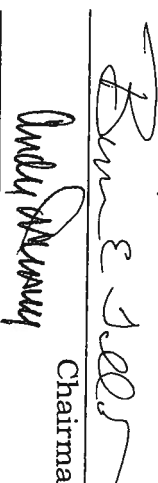
PHYLWAY CONSTRUCTION, L.L.C.
1074 A Highway 1
Thibodaux, LA 70301

is duly licensed and entitled to practice the following classifications

BUILDING CONSTRUCTION; ELECTRICAL WORK (RESTRICTED); HEAVY CONSTRUCTION; HIGHWAY,
STREET AND BRIDGE CONSTRUCTION; MECHANICAL WORK (RESTRICTED); MUNICIPAL AND PUBLIC
WORKS CONSTRUCTION; SPECIALTY: COASTAL RESTORATION & HABITAT ENHANCEMENT

Witness our hand and seal of the Board dated,
Baton Rouge, LA 18th day of September 2012

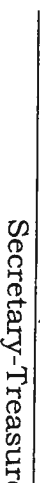

Director


Chairman

Expiration Date: September 17, 2015

License No: 27634

This License Is Not Transferrable


Secretary-Treasurer