



# Hobbs Architects, P.A.

159 W. Salisbury St.  
Pittsboro, North Carolina 27312

919.545.2004  
www.hobbsarchitects.com

Date: September 16, 2021

To: Mr. Daniel Edwards  
Capital Projects Manager  
Town of Apex  
Apex, NC 27502

Re: Town of Apex Mason Street Municipal Building – Bid Award Recommendation

Dear Mr. Edwards,

The purpose of this letter is to provide you with the Certified Bid Tabulation and our recommendations regarding the Town of Apex Mason Street Municipal Building Project. Six (6) qualified contractors submitted bids for this project, and the low bidder is MLB Construction Services, LLC with a Base Bid of \$6,459,600.00.

In addition to the Base Bid for the project, bid alternates may be accepted. Below is a listing of the recommended alternates:

Base Bid:	\$ 6,459,600.00
Alternate # G-1: Preferred Brand Alternate for Door Hardware	\$ 0.00
Alternate # G-2: Window Coverings	\$ 25,000.00
Alternate # G-3: Detached Storage Building	\$ 61,000.00
Alternate # G-4: Terrazzo Town Seal	\$ 7,600.00
Alternate # P-1: Preferred Brand Alternates for Sink Faucets	\$ 0.00
Alternate # M-2: Preferred Brand Alternate for Direct Digital Control (DDC) System for HVAC	\$ 100,000.00
Alternate # E-1: Preferred Brand Alternate for Parking Lot Lighting	\$ 4,000.00
Total Contract Amount with Alternates:	\$ 6,657,200.00

I have been in contact with MLB Construction Services, LLC, who indicated that there are no issues with the bid as submitted and the owner and designer references provided by the contractor provided positive feedback. The bid submission included all the necessary documentation for bonding, MBE, and unit prices. As a result, I recommend the award of the construction contract to MLB Construction Services, LLC.

If you have any questions or need additional information, please contact me.

Sincerely,

Chevon (File) Moore, AIA  
Hobbs Architects, PA

Enclosures:

- MLB Construction – Bid Proposal
- Certified Bid Tab

# FORM OF PROPOSAL

Town of Apex Mason Street Municipal Building  
Town of Apex, North Carolina

Contract: Single Prime Contract  
Bidder: MLB Construction Services, LLC  
Date: 9/7/2022

The undersigned, as bidder, hereby declares that the only person or persons interested in this proposal as principal or principals is or are named herein and that no other person than herein mentioned has any interest in this proposal or in the contract to be entered into; that this proposal is made without connection with any other person, company or parties making a bid or proposal; and that it is in all respects fair and in good faith without collusion or fraud. The bidder further declares that he has examined the site of the work and the contract documents relative thereto, and has read all special provisions furnished prior to the opening of bids; that he has satisfied himself relative to the work to be performed. The bidder further declares that he and his subcontractors have fully complied with NCGS 64, Article 2 in regards to E-Verification as required by Section 2.(c) of Session Law 2013-418, codified as N.C. Gen. Stat. § 143-129(j).

The Bidder proposes and agrees if this proposal is accepted to contract with the

## Town of Apex

in the form of contract specified below, to furnish all necessary materials, equipment, machinery, tools, apparatus, means of transportation and labor necessary to complete the construction of

## Town of Apex Mason Street Municipal Building

in full in complete accordance with the plans, specifications and contract documents, to the full and entire satisfaction of the laws of the State of North Carolina, and the

## Town of Apex and Hobbs Architects, PA

with a definite understanding that no money will be allowed for extra work except as set forth in the General Conditions and the contract documents, for the sum of:

### SINGLE PRIME CONTRACT:

Base Bid:

Six million Four hundred <sup>six hundred</sup> thousand Dollars(\$) 6,459,600<sup>00</sup>

General Subcontractor:

MLB Construction Services, LLC Lic 56418

Plumbing Subcontractor:

San Joaquin Lic 20820

Mechanical Subcontractor:

Par Formine Lic 13303

Electrical Subcontractor:

Integrity Service Lic 25950

GS143-128(d) requires all single prime bidders to identify their subcontractors for the above subdivisions of work. A contractor whose bid is accepted shall not substitute any person as subcontractor in the place of the subcontractor listed in the original bid, except (i) if the listed subcontractor's bid is later determined by the contractor to be non-responsible or non-responsive or the listed subcontractor refuses to enter into a contract for the complete performance of the bid work, or (ii) with the approval of the awarding authority for good cause shown by the contractor.

**ALTERNATES:**

Should any of the alternates as described in the contract documents be accepted, the amount written below shall be the amount to be "added to" or "deducted from" the base bid. (Strike out "Add" or "Deduct" as appropriate.)

**GENERAL CONTRACT:**

Alternate No. G-1 Preferred Brand Alternate for Door Hardware

1. Base bid: Provide rough-in, infrastructure, and complete door hardware by acceptable manufacturers as indicated in Section 08 71 00.
2. Alternate G-1: To include the total cost of all labor, materials, and equipment required to provide rough-in, infrastructure, and complete door hardware by owner- preferred brand manufacturers as scheduled in Section 08 71 00.

(Add) NO change Dollars(\$) Ø

Alternate No. G-2 Window Coverings

1. Base bid: No window coverings, blinds, or shades.
2. Alternate G-2: To include the total cost of all labor, materials, and equipment required to provide and install window coverings as shown in the contract drawings and specified in Sections 122113 Horizontal Louver Blinds and 122413 Roller Window Shades.

(Add) Twenty five thousand or 25,000 Dollars(\$) 25,000<sup>00</sup>

Alternate No. G-3 Detached Storage Building

1. Base bid: No detached storage building
2. Alternate G-3: To include the total cost of all labor, materials, and equipment required to provide and construct the detached storage building as shown in Civil Drawings, A-303, and ES-201.

(Add) with one thousand Dollars(\$) 6,000<sup>00</sup>

Alternate No. G-4 Terrazzo Town Seal

1. Base bid: No custom seal at epoxy terrazzo on Lobby 100.
2. Alternate G-4: To include the total cost of all labor, materials, and equipment required to provide custom epoxy terrazzo seal in Lobby 100 as shown in Finish Floor Plan 1/A-1001 and Detail 9/A-1003 and in Specification Section 09 66 23.

(Add) Seven thousand six hundred or 7,600 Dollars(\$) 7,600<sup>00</sup>

Alternate No. P-1 Preferred brand alternate for Sink Faucets

1. Base Bid: Base bid: Provide and install lavatory sink faucets by acceptable manufacturers as indicated in Section 22 42 16.13.
2. Alternate P-1: To include the total cost of all labor, materials, and equipment required to provide and install lavatory sink faucets by Sloan Valve Company.

(Add)

No Change

Dollars(\$)

0

Alternate No. M-1 Direct Digital Control (DDC) System for HVAC

1. Base Bid: Provide factory standard packaged equipment standalone controls.
2. Alternate M-1: To include the total cost of all labor, materials, and equipment required to provide complete DDC system as specified in Section 23 09 23.

(Add)

thirty five thousand

Dollars(\$)

35,000<sup>w</sup>

Alternate No. M-2 Preferred brand alternate for Direct Digital Control (DDC) System for HVAC

1. Base Bid: Provide factory standard packaged equipment standalone controls.
2. Alternate M-2: To include the total cost of all labor, materials, and equipment required to provide complete DDC system as specified in Section 23 09 23 by Siemens.

(Add)

one hundred thousand

Dollars(\$)

100,000<sup>w</sup>

Alternate No. E-1 Preferred brand alternate for Parking Lot Lighting

1. Base Bid: Provide and install parking lot lighting by acceptable manufacturer.
2. Alternate M-2: To include the total cost of all labor, materials, and equipment required to provide and install the parking lot lighting by the manufacturers scheduled on ES-101 Electrical Site Plan

(Add)

Four thousand dollars

Dollars(\$)

4,000<sup>w</sup>

**UNIT PRICES**

Unit prices quoted and accepted shall apply throughout the life of the contract, except as otherwise specifically noted. Unit prices shall be applied, as appropriate, to compute the total value of changes in the base bid quantity of the work all in accordance with the contract documents.

No. 1 Mass Rock removal and disposal off-site

(CY)

Unit Price (\$)

183<sup>w</sup>

No. 2 Trench Rock removal and disposal off-site

(CY)

Unit Price (\$)

210<sup>w</sup>

No. 3	<u>Unsuitable Soils removal and disposal on-site</u>	(CY)	Unit Price (\$)	<u>13<sup>50</sup></u>
No. 4	<u>Unsuitable Soils removal and disposal off-site</u>	(CY)	Unit Price (\$)	<u>21<sup>00</sup></u>
No. 5	<u>Replacement of Unsuitable Soils with on-site Satisfactory Soil</u>	(CY)	Unit Price (\$)	<u>34<sup>50</sup></u>
No. 6	<u>Replacement of Unsuitable Soils with off-site Satisfactory Soil</u>	(CY)	Unit Price (\$)	<u>34<sup>50</sup></u>
No. 7	<u>Replacement of Unsuitable Soils with Compacted ABC</u>	(CY)	Unit Price (\$)	<u>37<sup>50</sup></u>
No. 8	<u>Replacement of Unsuitable Soils with #57 Washed Stone</u>	(CY)	Unit Price (\$)	<u>39<sup>50</sup></u>
No. 9	<u>Replacement of Unsuitable Soils with Flowable Fill</u>	(CY)	Unit Price (\$)	<u>39<sup>50</sup></u>
No. 10	<u>Wetland Impervious Clay Liner</u>	(CY)	Unit Price (\$)	<u>42<sup>00</sup></u>
No. 11	<u>Separation/Stabilization Geotextile Fabric</u>	(SY)	Unit Price (\$)	<u>2<sup>00</sup></u>
No. 12	<u>Biaxial Geogrid</u>	(SY)	Unit Price (\$)	<u>4<sup>00</sup></u>
No. 13	<u>Full-Depth Asphalt Pavement Repair</u>	(SY)	Unit Price (\$)	<u>134<sup>00</sup></u>

The bidder further proposes and agrees hereby to commence work under this contract on a date to be specified in a written order of the designer and shall fully complete all work thereunder within the time specified in the Contract Documents. Applicable liquidated damages amount is also stated in the Contract Documents.

### MINORITY BUSINESS PARTICIPATION REQUIREMENTS

Provide with the bid - Under GS 143-128.2(c) the undersigned bidder shall identify **on its bid** (Identification of Minority Business Participation Form) the minority businesses that it will use on the project with the total dollar value of the bids that will be performed by the minority businesses. **Also** list the good faith efforts (Affidavit A) made to solicit minority participation in the bid effort.

**NOTE:** A contractor that performs all of the work with its own workforce may submit an Affidavit (B) to that effect in lieu of Affidavit (A) required above. The MB Participation Form must still be submitted even if there is zero participation.

After the bid opening - The Owner will consider all bids and alternates and determine the lowest responsible, responsive bidder. Upon notification of being the apparent low bidder, the bidder shall then file within 72 hours of the notification of being the apparent lowest bidder, the following:

An Affidavit (C) that includes a description of the portion of work to be executed by minority businesses, expressed as a percentage of the total contract price, which is equal to or more than the 10% goal established. This affidavit shall give rise to the presumption that the bidder has made the required good faith effort and Affidavit D is not necessary;

**\* OR \***

If less than the 10% goal, Affidavit (D) of its good faith effort to meet the goal shall be provided. The document must include evidence of all good faith efforts that were implemented, including any advertisements, solicitations and other specific actions demonstrating recruitment and selection of minority businesses for participation in the contract.

**Note:** Bidders must always submit **with their bid** the Identification of Minority Business Participation Form listing all MB contractors, vendors and suppliers that will be used. If there is no MB participation, then enter none or zero on the form. Affidavit A or Affidavit B, as applicable, also must be submitted with the bid. Failure to file a required affidavit or documentation with the bid or after being notified apparent low bidder is grounds for rejection of the bid.



**Proposal Signature Page**

The undersigned further agrees that in the case of failure on his part to execute the said contract and the bonds within ten (10) consecutive calendar days after being given written notice of the award of contract, the certified check, cash or bid bond accompanying this bid shall be paid into the funds of the owner's account set aside for the project, as liquidated damages for such failure; otherwise the certified check, cash or bid bond accompanying this proposal shall be returned to the undersigned.

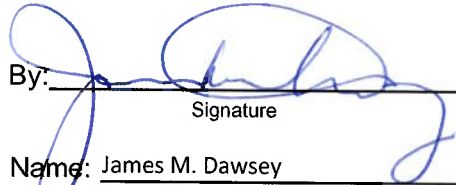
Respectfully submitted this day of Wednesday, September 7th, 2022

MLB Construction Services, LLC

(Name of firm or corporation making bid)

WITNESS:

\_\_\_\_\_  
(Proprietorship or Partnership)

By:   
Signature

Name: James M. Dawsey  
Print or type

Title: President  
(Owner/Partner/Pres./V.Pres)

Address 1 Stonebreak Road Malta, NY 12020

1930 N. Salem Street Suite 201 Apex, NC 27523

License No. 56418

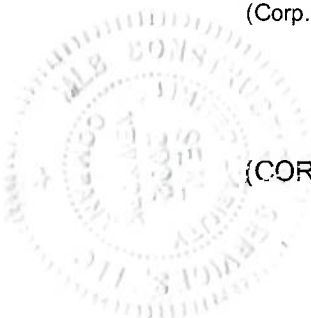
Federal I.D. No. 04-3747984

Email Address: jmdawsey@mlbind.com

ATTEST:

By:   
Scott A. Shepherd

Title: Corporate Secretary  
(Corp. Sec. or Asst. Sec. only)



(CORPORATE SEAL)

Addendum received and used in computing bid:

Addendum No. 1 X Addendum No. 3 X Addendum No. 5 \_\_\_\_\_ Addendum No. 7 \_\_\_\_\_

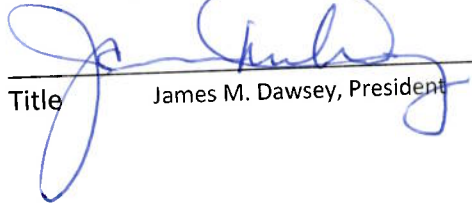
Addendum No. 2 X Addendum No. 4 X Addendum No. 6 \_\_\_\_\_ Addendum No. 8 \_\_\_\_\_

E-VERIFY ADDENDUM

CONTRACTOR/VENDOR agrees that it shall comply with the requirements of Article 2 of Chapter 64 of the General Statutes. Further, if CONTRACTOR/VENDOR utilizes a subcontractor, CONTRACTOR/VENDOR agrees that it shall require the subcontractor to comply with the requirements of Article 2 of Chapter 64 of the General Statutes.

Dated this the 7th day of September, 2022.

MLB Construction Services, LLC  
Contractor/Vendor

  
Title James M. Dawsey, President



IRAN DIVESTMENT ACT CERTIFICATION

Vendor/Contractor Name: MLB Construction Services, LLC

James M. Dawsey

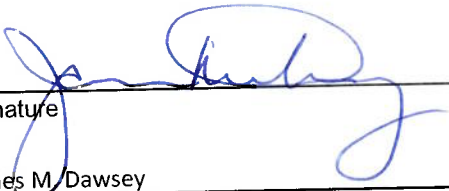
**IRAN DIVESTMENT ACT CERTIFICATION  
REQUIRED BY N.C.G.S. 147-86.59**

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As of the date listed below, the entity listed above is not listed on the Final Divestment List created by the State Treasurer pursuant to N.C.G.S. 147-86.58.

The undersigned hereby certifies that he/she is authorized by the entity listed above to make the foregoing statement

  
\_\_\_\_\_  
Signature  
  
James M. Dawsey  
\_\_\_\_\_  
Printed Name

9/7/2022  
\_\_\_\_\_  
Date  
  
President  
\_\_\_\_\_  
Printed Title

## Identification of HUB Certified/ Minority Business Participation

I, MLB Construction Services, LLC (Name of Bidder)

do hereby certify that on this project, we will use the following HUB Certified/ minority business as construction subcontractors, vendors, suppliers or providers of professional services.

Firm Name, Address and Phone #	Work Type	*Minority Category	**HUB Certified (Y/N)
<u>Integrity Services</u>	<u>Electrical</u>	<u>mbe</u>	<u>✓</u>
<u>SAM JOHNS PLUMBING</u>	<u>PLUMBING</u>	<u>mbe</u>	<u>✓</u>
<u>ETC Contractors</u>	<u>MASON</u> <del>MA</del>	<u>F</u>	<u>✓</u>

\*Minority categories: Black, African American (B), Hispanic (H), Asian American (A) American Indian (I), Female (F) Socially and Economically Disadvantaged (D)

\*\* HUB Certification with the state HUB Office required to be counted toward state participation goals.

The total value of minority business contracting will be (\$) 1,002,000.

# State of North Carolina AFFIDAVIT A - Listing of Good Faith Efforts

County of WAKE

(Name of Bidder)

Affidavit of MLB Construction Services, LLC

I have made a good faith effort to comply under the following areas checked:

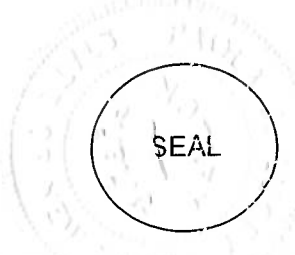
**Bidders must earn at least 50 points from the good faith efforts listed for their bid to be considered responsive.** (1 NC Administrative Code 30 I.0101)

- 1 - (10 pts)** Contacted minority businesses that reasonably could have been expected to submit a quote and that were known to the contractor, or available on State or local government maintained lists, at least 10 days before the bid date and notified them of the nature and scope of the work to be performed.
- 2 --(10 pts)** Made the construction plans, specifications and requirements available for review by prospective minority businesses, or providing these documents to them at least 10 days before the bids are due.
- 3 - (15 pts)** Broken down or combined elements of work into economically feasible units to facilitate minority participation.
- 4 - (10 pts)** Worked with minority trade, community, or contractor organizations identified by the Office of Historically Underutilized Businesses and included in the bid documents that provide assistance in recruitment of minority businesses.
- 5 - (10 pts)** Attended prebid meetings scheduled by the public owner.
- 6 - (20 pts)** Provided assistance in getting required bonding or insurance or provided alternatives to bonding or insurance for subcontractors.
- 7 - (15 pts)** Negotiated in good faith with interested minority businesses and did not reject them as unqualified without sound reasons based on their capabilities. Any rejection of a minority business based on lack of qualification should have the reasons documented in writing.
- 8 - (25 pts)** Provided assistance to an otherwise qualified minority business in need of equipment, loan capital, lines of credit, or joint pay agreements to secure loans, supplies, or letters of credit, including waiving credit that is ordinarily required. Assisted minority businesses in obtaining the same unit pricing with the bidder's suppliers in order to help minority businesses in establishing credit.
- 9 - (20 pts)** Negotiated joint venture and partnership arrangements with minority businesses in order to increase opportunities for minority business participation on a public construction or repair project when possible.
- 10 - (20 pts)** Provided quick pay agreements and policies to enable minority contractors and suppliers to meet cash-flow demands.

The undersigned, if apparent low bidder, will enter into a formal agreement with the firms listed in the Identification of Minority Business Participation schedule conditional upon scope of contract to be executed with the Owner. Substitution of contractors must be in accordance with GS143-128.2(d) Failure to abide by this statutory provision will constitute a breach of the contract.

The undersigned hereby certifies that he or she has read the terms of the minority business commitment and is authorized to bind the bidder to the commitment herein set forth.

Date: 9/11/22 Name of Authorized Officer: James M. Dawsey  
Signature: \_\_\_\_\_  
Title: President



State of New York, County of Saratoga  
Subscribed and sworn to before me this 1st day of September 2022  
Notary Public Paula J. Lucey  
My commission expires 6/22/25

STATEMENT OF SURETY'S INTENT

To: Town of Apex Public Works  
(Owner)

We have reviewed the Bid of MLB Construction Services, LLC  
(Contractor)

of 1 Stone Break Road, Malta, NY 12020  
(Address)

for Town of Apex - Mason Street Municipal Building

(Project)

Bids for which will be received on September 07, 2022  
(Bid Opening Date)

and wish to advise that should this Bid of the Contractor be accepted and the Contract awarded to him, it is our present intention to become surety on the performance bond and labor and material bond required by the Contract.

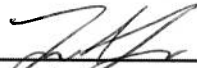
Any arrangement for the bonds required by the Contract is a matter between the Contractor and ourselves and we assume no liability to you or third parties if for any reason we do not execute the requisite bonds.

We are duly authorized to do business in the State of North Carolina

Attest:

  
\_\_\_\_\_

**Philadelpha Indemnity Insurance Company**  
\_\_\_\_\_

  
\_\_\_\_\_  
Surety's Authorized Signature(s)  
**Francis A. Lowther, Attorney-in-Fact**

Attach Power of Attorney

(Corporate seal if any. If no seal, write "No Seal" across this place and sign.)



(This Form Must Be Completed and Submitted with the Bid)

FORM OF BID BOND

KNOW ALL MEN BY THESE PRESENTS THAT MLB Construction Services, LLC as principal, and Philadelphia Indemnity Insurance Company, as surety, who is duly licensed to act as surety in North Carolina, are held and firmly bound unto the Town of Apex through Town of Apex Public Works as obligee, in the penal sum of **\*\*\* FIVE PERCENT OF AMOUNT BID \*\*\* (5% of Bid) DOLLARS**, lawful money of the United States of America, for the payment of which, well and truly to be made, we bind ourselves, our heirs, executors, administrators, successors and assigns, jointly and severally, firmly by these presents.

Signed, sealed and dated this 26th day of August 2022

WHEREAS, the said principal is herewith submitting proposal for **Town of Apex - Mason Street Municipal Building** and the principal desires to file this bid bond in lieu of making the cash deposit as required by G.S. 143-129.

NOW, THEREFORE, THE CONDITION OF THE ABOVE OBLIGATION is such, that if the principal shall be awarded the contract for which the bid is submitted and shall execute the contract and give bond for the faithful performance thereof within ten days after the award of same to the principal, then this obligation shall be null and void; but if the principal fails to so execute such contract and give performance bond as required by G.S. 143-129, the surety shall, upon demand, forthwith pay to the obligee the amount set forth in the first paragraph hereof. Provided further, that the bid may be withdrawn as provided by G.S. 143-129.1

MLB Construction Services, LLC (SEAL)

[Signature] (SEAL)  
[Signature] (SEAL)  
**Philadelphia Indemnity Insurance Company** (SEAL)

[Signature] (SEAL)  
Francis A. Lowther, Attorney in Fact



**ACKNOWLEDGMENT OF PRINCIPAL, IF A LIMITED LIABILITY COMPANY**

State of NEW YORK  
County of SARATOGA

On this 1st day of September, 2022 before me personally came and appeared JAMES N. DANSEY, to me known, who being by me duly sworn, did depose and say that he resides in the City of Saratoga Springs, NY; that he is the President of MLB Construction Services, LLC, the limited liability company described in and which executed the foregoing instrument; that he knows the seal of said limited liability company; that one of the seals affixed to said instrument is such seal; that it was so affixed by order of the managing members of said limited liability company, and that he signed his name thereto by like order.



Notary Public  
PAULA J. LUCEY  
Notary Public, State of New York  
No. 01LU6207945  
Qualified in Saratoga County, 2025  
Commission Expires June 22, 2025

**SURETY ACKNOWLEDGMENT**

State of New York  
County of Onondaga

On this 26th day of August, 2022, before me personally appeared Francis A. Lowther to me known, who being by me duly sworn, did depose and say: that he resides in the City of Syracuse, NY; that he is the Attorney-In-Fact of the above signed surety, the corporation described in and which executed the within instrument; that he knows the corporate seal of said corporation; that the seal affixed to said instrument is such corporate seal; that it was so affixed by order of the Board of Directors of said corporation; and that he signed his name thereto by like order.



ASHALIN C. O'CONNELL  
Notary Public - State of New York  
No. 01OC6422928  
Qualified in Onondaga County  
My Commission Expires October 4, 2025

**PHILADELPHIA INDEMNITY INSURANCE COMPANY**

One Bala Plaza, Suite 100  
Bala Cynwyd, PA 19004-0950

**Power of Attorney**

KNOW ALL PERSONS BY THESE PRESENTS: That **PHILADELPHIA INDEMNITY INSURANCE COMPANY** (the Company), a corporation organized and existing under the laws of the Commonwealth of Pennsylvania, does hereby constitute and appoint **Natalie M. Jimenez; Francis A. Lowther; Joseph P. Campbell; Chelsea Follett; Sarah E. Peterson; Monique Kocienski OF THE TOWN OF MARCELLUS, STATE OF NEW YORK**, its true and lawful Attorney-in-fact with full authority to execute on its behalf bonds, undertakings, recognizances and other contracts of indemnity and writings obligatory in the nature thereof, issued in the course of its business and to bind the Company thereby, in an amount not to exceed **\$50,000,000**.

This Power of Attorney is granted and is signed and sealed by facsimile under and by the authority of the following Resolution adopted by the Board of Directors of PHILADELPHIA INDEMNITY INSURANCE COMPANY on the 14<sup>th</sup> of November, 2016.

**RESOLVED:** That the Board of Directors hereby authorizes the President or any Vice President of the Company: (1) Appoint Attorney(s) in Fact and authorize the Attorney(s) in Fact to execute on behalf of the Company bonds and undertakings, contracts of indemnity and other writings obligatory in the nature thereof and to attach the seal of the Company thereto; and (2) to remove, at any time, any such Attorney-in-Fact and revoke the authority given. And, be it

**FURTHER RESOLVED:** That the signatures of such officers and the seal of the Company may be affixed to any such Power of Attorney or certificate relating thereto by facsimile, and any such Power of Attorney so executed and certified by facsimile signatures and facsimile seal shall be valid and binding upon the Company in the future with respect to any bond or undertaking to which it is attached.

IN TESTIMONY WHEREOF, PHILADELPHIA INDEMNITY INSURANCE COMPANY HAS CAUSED THIS INSTRUMENT TO BE SIGNED AND ITS CORPORATE SEAL TO BE AFFIXED BY ITS AUTHORIZED OFFICE THIS 5TH DAY OF MARCH, 2021.

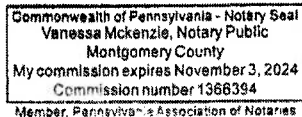


(Seal)

John Glomb, President & CEO  
Philadelphia Indemnity Insurance Company

On this 5<sup>th</sup> day of March, 2021 before me came the individual who executed the preceding instrument, to me personally known, and being by me duly sworn said that he is the therein described and authorized officer of the **PHILADELPHIA INDEMNITY INSURANCE COMPANY**; that the seal affixed to said instrument is the Corporate seal of said Company; that the said Corporate Seal and his signature were duly affixed.

Notary Public:



residing at:

Bala Cynwyd, PA

My commission expires:

November 3, 2024

I, Edward Sayago, Corporate Secretary of PHILADELPHIA INDEMNITY INSURANCE COMPANY, do hereby certify that the foregoing resolution of the Board of Directors and the Power of Attorney issued pursuant thereto on the 5<sup>th</sup> day March, 2021 are true and correct and are still in full force and effect. I do further certify that John Glomb, who executed the Power of Attorney as President, was on the date of execution of the attached Power of Attorney the duly elected President of PHILADELPHIA INDEMNITY INSURANCE COMPANY.

In Testimony Whereof I have subscribed my name and affixed the facsimile seal of each Company this 26<sup>th</sup> day of August, 2022



Edward Sayago, Corporate Secretary  
PHILADELPHIA INDEMNITY INSURANCE COMPANY

**PHILADELPHIA INDEMNITY INSURANCE COMPANY**  
**Statutory Statements of Admitted Assets, Liabilities and Capital and Surplus**  
 (in thousands, except par value and share amounts)

<u>Admitted Assets</u>	As of December 31,	
	2021	2020
Bonds (fair value \$8,447,694 and \$8,041,263)	\$ 8,102,447	\$ 7,601,946
Preferred stocks (fair value \$19,262 and \$16,537)	19,262	15,673
Common stocks (cost \$44,923 and \$52,609)	43,194	43,373
Mortgage loans	957,986	821,250
Real estate	29,408	29,973
Other invested assets (cost \$194,229 and \$203,028)	218,926	215,589
Receivables for securities sold	152	943
Cash, cash equivalents and short-term investments	128,587	34,279
Cash and invested assets	<u>9,499,957</u>	<u>8,763,026</u>
Premiums receivable, agents' balances and other receivables	914,676	908,602
Reinsurance recoverable on paid loss and loss adjustment expenses	45,200	38,737
Accrued investment income	74,000	74,070
Receivable from affiliates	5,171	7,586
Federal income taxes receivable	8,144	-
Net deferred tax assets	141,943	138,129
Other assets	9,953	4,997
Total admitted assets	<u>\$ 10,699,044</u>	<u>\$ 9,935,147</u>
 <u>Liabilities and Capital and Surplus</u>		
Liabilities:		
Unpaid loss and loss adjustment expenses	\$ 5,436,808	\$ 5,218,304
Unearned premiums	1,658,339	1,582,116
Reinsurance payable on paid loss and loss adjustment expenses	35,820	30,398
Ceded reinsurance premiums payable	130,474	108,936
Commissions payable, contingent commissions and other similar charges	228,628	214,389
Federal income taxes payable	-	8,480
Funds held	77,317	77,256
Payable to affiliates	19,465	18,486
Provision for reinsurance	471	87
Payable for securities purchased	19,045	17,820
Accrued expenses and other liabilities	47,213	32,170
Total liabilities	<u>7,653,580</u>	<u>7,308,442</u>
Capital:		
Common stock, par value of \$10 per share; 1,000,000 shares authorized, 450,000 shares issued and outstanding	4,500	4,500
Surplus:		
Gross paid-in and contributed surplus	386,071	386,071
Unassigned surplus	2,654,893	2,236,134
Total surplus	<u>3,040,964</u>	<u>2,622,205</u>
Total capital and surplus	<u>3,045,464</u>	<u>2,626,705</u>
Total liabilities and capital and surplus	<u>\$ 10,699,044</u>	<u>\$ 9,935,147</u>

The undersigned, being duly sworn, says: That she is the Executive Vice President and Chief Financial Officer of Philadelphia Indemnity Insurance Company; that said Company is a corporation duly organized in the state of Pennsylvania, and licensed and engaged in the State of Pennsylvania and has duly complied with all the requirements of the laws of the said State applicable of the said Company and is duly qualified to act as Surety under such laws; that said Company has also complied with and is duly qualified to act as Surety under the Act of Congress. And that to the best of her knowledge and belief the above statement is a full, true and correct statement of

Attest:

DocuSigned by:  
*Karen Gilmer-Pauciello*  
 Karen Gilmer-Pauciello, EVP & CFO

Sworn to before me this 2<sup>nd</sup> day of June 2022.

*Kimberly Kessleski*  
 Kimberly Kessleski, Notary

Commonwealth of Pennsylvania - Notary Seal  
 Kimberly A. Kessleski, Notary Public  
 Montgomery County  
 My commission expires December 18, 2024  
 Commission number 1245769  
 Member, Pennsylvania Association of Notaries



**BID TABULATION - September 7, 2022**  
**BID - Town of Apex Mason Street Municipal Building**

This is a true and accurate bid tab as received and tabulated.



Chevon M. Moore, AIA

CONTRACTOR	License Number	Add. Rcv'd 1-2-3-4	MBE Cert	Bid Bond	BASE BID	Plumbing Sub-Contractor	Mechanical Sub-Contractor	Electrical Sub-Contractor
Cooper Tacia	65299	1-4	X	X	\$ 6,690,000.00	Flow - Rite	Performance	Integrity
Daniels & Daniels	23697	1-3	X	X	\$ 6,920,000.00	Samjokar	Performance	All Phase
H.M. Kern	8542	1-4	x	X	\$ 7,192,000.00	Hockaday	JR Mechanical	All Phase
MLB Construction	56418	1-4	X	X	\$ 6,459,600.00	Samjokar	Performance	Integrity
Mohammad Construction	87476	1-4	X	X	\$ 8,240,000.00	Hunts	Arnold Service	Integrity
Resolute	14397	1-4	X	X	\$ 6,991,300.00	Earnhardt	Sims	RTP

**Town of Apex Mason Street Municipal Building ALTERNATES**

<b>CONTRACTOR</b>	<b>BID ALT #G-1</b>	<b>BID ALT #G-2</b>	<b>BID ALT #G-3</b>	<b>BID ALT #G-4</b>	<b>BID ALT #P-1</b>	<b>BID ALT #M-1</b>	<b>BID ALT #M-2</b>	<b>BID ALT #E-1</b>
Cooper Tacia	\$0.00	\$18,956.00	\$43,000.00	\$7,110.00	\$0.00	\$0.00	\$95,000.00	\$3,700.00
Daniels & Daniels	\$13,758.00	\$20,102.00	\$71,411.00	\$7,734.00	\$0.00	\$103,337.00	\$0.00	\$0.00
H.M. Kern	\$0.00	\$21,000.00	\$71,000.00	\$8,000.00	\$3,000.00	\$28,000.00	\$120,500.00	\$0.00
MLB Construction	\$0.00	\$25,000.00	\$61,000.00	\$7,600.00	\$0.00	\$35,000.00	\$100,000.00	\$4,000.00
Mohammad Construction	\$0.00	\$33,000.00	\$75,000.00	\$15,000.00	\$29,000.00	\$30,000.00	\$30,000.00	\$72,000.00
Resolute	\$0.00	\$29,000.00	\$50,000.00	\$7,500.00	\$0.00	\$68,000.00	\$68,000.00	\$0.00

**ALTERNATES**

**Alternate # G-1:** Preferred Brand Alternat for Door Hardware

**Alternate # G-2:** Window Coverings

**Alternate # G-3:** Detached Storage Building

**Alternate # G-4:** Terrazzo Town Seal

**Alternate # P-1:** Preferred Brand Alternates for Sink Faucets

**Alternate # M-1:** Direct Digital Control (DDC) System for HVAC

**Alternate # M-2:** Preferred Brand Alternate for Direct Digital Control (DDC) System for HVAC

**Alternate # E-1:** Preferred Brand Alternate for Parking Lot Lighting

**Town of Apex Mason Street Municipal Building UNIT PRICES**

CONTRACTOR	Unit Price #1	Unit Price #2	Unit Price #3	Unit Price #4	Unit Price #5	Unit Price #6	Unit Price #7	Unit Price #8	Unit Price #9	Unit Price #10	Unit Price #11	Unit Price #12	Unit Price #13
Cooper Tacia	\$ 105.00	\$ 115.00	\$ 10.00	\$ 33.58	\$ 18.00	\$ 54.00	\$ 72.14	\$ 78.34	\$ 160.00	\$ 60.00	\$ 4.00	\$ 5.00	\$ 32.00
Daniels & Daniels	\$ 175.00	\$ 200.00	\$ 13.00	\$ 20.00	\$ 33.00	\$ 33.00	\$ 36.00	\$ 38.00	\$ 38.00	\$ 40.00	\$ 2.00	\$ 4.00	\$ 130.00
H.M. Kern	\$ 175.00	\$ 200.00	\$ 13.00	\$ 20.00	\$ 25.00	\$ 35.00	\$ 54.00	\$ 55.00	\$ 55.00	\$ 40.00	\$ 2.00	\$ 4.00	\$ 226.00
MLB Construction	\$ 183.00	\$ 210.00	\$ 13.50	\$ 21.00	\$ 34.50	\$ 34.50	\$ 37.50	\$ 39.50	\$ 39.50	\$ 42.00	\$ 2.00	\$ 4.00	\$ 134.00
Mohammad Construction	\$ 38.00	\$ 38.00	\$ 35.00	\$ 27.00	\$ 35.00	\$ 40.00	\$ 100.00	\$ 227.00	\$ 52.00	\$ 71.00	\$ 8.00	\$ 7.00	\$ 74.00
Resolute	\$ 185.00	\$ 210.00	\$ 15.00	\$ 22.00	\$ 27.00	\$ 35.00	\$ 75.00	\$ 80.00	\$ 110.00	\$ 45.00	\$ 3.00	\$ 5.00	\$ 110.00

**UNIT PRICES**

- UNIT PRICE #1: Mass rock removal and disposal off-site.
- UNIT PRICE #2: Trench rock removal and disposal off-site.
- UNIT PRICE #3: Unsuitable soils removal and disposal on-site
- UNIT PRICE #4: Unsuitable soils removal and disposal off-site
- UNIT PRICE #5: Replacement of unsuitable soils with on-site satisfactory soil
- UNIT PRICE #6: Replacement of unsuitable soils with off-site satisfactory soil
- UNIT PRICE #7: Replacement of unsuitable soils with compacted ABC
- UNIT PRICE #8: Replacement of unsuitable soils with #57 washed stone
- UNIT PRICE #9: Replacement of unsuitable soils with flowable fill
- UNIT PRICE #10: Wetland impervious clay liner
- UNIT PRICE #11: Separation/Stabilization geotextile fabric
- UNIT PRICE #12: Biaxial geogrid
- UNIT PRICE #13: Full-depth asphalt pavement repair