

# Document A310<sup>TM</sup> – 2010

Conforms with The American Institute of Architects AIA Document 310

Bond Number: 69453-CHU-25-171

## Bid Bond

### CONTRACTOR:

(Name, legal status and address)

APAC - Mississippi, Inc.

P. O. Box 24508

Jackson, MS 39225

### OWNER:

(Name, legal status and address)

City of Tupelo

71 East Troy Street

Tupelo, MS 38804

### SURETY:

(Name, legal status and principal place of business)

Federal Insurance Company

202B Halls Mill Road

Whitehouse Station, NJ 08889-3454

State of Inc: Indiana

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

Any singular reference to Contractor, Surety, Owner or other party shall be considered plural where applicable.

**BOND AMOUNT:** Five Percent of Amount Bid (5%)

### PROJECT:

(Name, location or address, and Project number, if any)

Bid No. 2025-016PW, Major Thoroughfare Mill & Overlay Program - 2025 Annual Bid

The Contractor and Surety are bound to the Owner in the amount set forth above, for the payment of which the Contractor and Surety bind themselves, their heirs, executors, administrators, successors and assigns, jointly and severally, as provided herein. The conditions of this Bond are such that if the Owner accepts the bid of the Contractor within the time specified in the bid documents, or within such time period as may be agreed to by the Owner and Contractor, and the Contractor either (1) enters into a contract with the Owner in accordance with the terms of such bid, and gives such bond or bonds as may be specified in the bidding or Contract Documents, with a surety admitted in the jurisdiction of the Project and otherwise acceptable to the Owner, for the faithful performance of such Contract and for the prompt payment of labor and material furnished in the prosecution thereof; or (2) pays to the Owner the difference, not to exceed the amount of this Bond, between the amount specified in said bid and such larger amount for which the Owner may in good faith contract with another party to perform the work covered by said bid, then this obligation shall be null and void, otherwise to remain in full force and effect. The Surety hereby waives any notice of an agreement between the Owner and Contractor to extend the time in which the Owner may accept the bid. Waiver of notice by the Surety shall not apply to any extension exceeding sixty (60) days in the aggregate beyond the time for acceptance of bids specified in the bid documents, and the Owner and Contractor shall obtain the Surety's consent for an extension beyond sixty (60) days.

If this Bond is issued in connection with a subcontractor's bid to a Contractor, the term Contractor in this Bond shall be deemed to be Subcontractor and the term Owner shall be deemed to be Contractor.

When this Bond has been furnished to comply with a statutory or other legal requirement in the location of the Project, any provision in this Bond conflicting with said statutory or legal requirement shall be deemed deleted herefrom and provisions conforming to such statutory or other legal requirement shall be deemed incorporated herein. When so furnished, the intent is that this Bond shall be construed as a statutory bond and not as a common law bond.

Signed and sealed this 7th day of May, 2025

Ashley Greenwood  
(Witness)

[Signature]  
(Principal)  
APAC - Mississippi, Inc.  
Vice President  
(Title)



[Signature]  
(Witness) April Perez

[Signature]  
(Surety)  
Federal Insurance Company  
[Signature]  
(Title) Kimberly Leonard, Attorney-in-Fact

# CHUBB

## Power of Attorney

Federal Insurance Company | Vigilant Insurance Company | Pacific Indemnity Company


Westchester Fire Insurance Company | ACE American Insurance Company

Know All by These Presents, that FEDERAL INSURANCE COMPANY, an Indiana corporation, VIGILANT INSURANCE COMPANY, a New York corporation, PACIFIC INDEMNITY COMPANY, a Delaware corporation, WESTCHESTER FIRE INSURANCE COMPANY and ACE AMERICAN INSURANCE COMPANY corporations of the Commonwealth of Pennsylvania, do each hereby constitute and appoint

Kimberly Leonard

each as their true and lawful Attorney-in-Fact to execute under such designation in their names and to affix their corporate seals to and deliver for and on their behalf as surety thereon or otherwise, bonds and undertakings and other writings obligatory in the nature thereof (other than bail bonds) given or executed in the course of business, and any instruments amending or altering the same, and consents to the modification or alteration of any instrument referred to in said bonds or obligations.

In Witness Whereof, said FEDERAL INSURANCE COMPANY, VIGILANT INSURANCE COMPANY, PACIFIC INDEMNITY COMPANY, WESTCHESTER FIRE INSURANCE COMPANY and ACE AMERICAN INSURANCE COMPANY have each executed and attested these presents and affixed their corporate seals on this 19<sup>th</sup> day of July, 2024.

  
Rupert HD Swindells, Assistant Secretary

  
Warren Eichhorn, Vice President



STATE OF NEW JERSEY

County of Hunterdon


SS.

On this 19<sup>th</sup> day of July, 2024 before me, a Notary Public of New Jersey, personally came Rupert HD Swindells and Warren Eichhorn, to me known to be Assistant Secretary and Vice President, respectively, of FEDERAL INSURANCE COMPANY, VIGILANT INSURANCE COMPANY, PACIFIC INDEMNITY COMPANY, WESTCHESTER FIRE INSURANCE COMPANY and ACE AMERICAN INSURANCE COMPANY, the companies which executed the foregoing Power of Attorney, and the said Rupert HD Swindells and Warren Eichhorn, being by me duly sworn, severally and each for himself did depose and say that they are Assistant Secretary and Vice President, respectively, of FEDERAL INSURANCE COMPANY, VIGILANT INSURANCE COMPANY, PACIFIC INDEMNITY COMPANY, WESTCHESTER FIRE INSURANCE COMPANY and ACE AMERICAN INSURANCE COMPANY and know the corporate seals thereof, that the seals affixed to the foregoing Power of Attorney are such corporate seals and were thereto affixed by authority of said Companies; and that their signatures as such officers were duly affixed and subscribed by like authority.

Notarial Seal



Albert Contarsi  
NOTARY PUBLIC OF NEW JERSEY  
No 50202369  
Commission Expires August 22, 2027

  
Notary Public

### CERTIFICATION

Resolutions adopted by the Boards of Directors of FEDERAL INSURANCE COMPANY, VIGILANT INSURANCE COMPANY, and PACIFIC INDEMNITY COMPANY on August 30, 2016; WESTCHESTER FIRE INSURANCE COMPANY on December 11, 2006; and ACE AMERICAN INSURANCE COMPANY on March 20, 2009:

"RESOLVED, that the following authorizations relate to the execution, for and on behalf of the Company, of bonds, undertakings, recognizances, contracts and other written commitments of the Company entered into in the ordinary course of business (each a "Written Commitment"):

- (1) Each of the Chairman, the President and the Vice Presidents of the Company is hereby authorized to execute any Written Commitment for and on behalf of the Company, under the seal of the Company or otherwise.
- (2) Each duly appointed attorney-in-fact of the Company is hereby authorized to execute any Written Commitment for and on behalf of the Company, under the seal of the Company or otherwise, to the extent that such action is authorized by the grant of powers provided for in such person's written appointment as such attorney-in-fact.
- (3) Each of the Chairman, the President and the Vice Presidents of the Company is hereby authorized, for and on behalf of the Company, to appoint in writing any person the attorney-in-fact of the Company with full power and authority to execute, for and on behalf of the Company, under the seal of the Company or otherwise, such Written Commitments of the Company as may be specified in such written appointment, which specification may be by general type or class of Written Commitments or by specification of one or more particular Written Commitments.
- (4) Each of the Chairman, the President and the Vice Presidents of the Company is hereby authorized, for and on behalf of the Company, to delegate in writing to any other officer of the Company the authority to execute, for and on behalf of the Company, under the Company's seal or otherwise, such Written Commitments of the Company as are specified in such written delegation, which specification may be by general type or class of Written Commitments or by specification of one or more particular Written Commitments.
- (5) The signature of any officer or other person executing any Written Commitment or appointment or delegation pursuant to this Resolution, and the seal of the Company, may be affixed by facsimile on such Written Commitment or written appointment or delegation.

FURTHER RESOLVED, that the foregoing Resolution shall not be deemed to be an exclusive statement of the powers and authority of officers, employees and other persons to act for and on behalf of the Company, and such Resolution shall not limit or otherwise affect the exercise of any such power or authority otherwise validly granted or vested."

I, Rupert HD Swindells, Assistant Secretary of FEDERAL INSURANCE COMPANY, VIGILANT INSURANCE COMPANY, PACIFIC INDEMNITY COMPANY, WESTCHESTER FIRE INSURANCE COMPANY and ACE AMERICAN INSURANCE COMPANY (the "Companies") do hereby certify that

- (i) the foregoing Resolutions adopted by the Board of Directors of the Companies are true, correct and in full force and effect,
- (ii) the foregoing Power of Attorney is true, correct and in full force and effect.

Given under my hand and seals of said Companies at Whitehouse Station, NJ, this May 7, 2025



  
Rupert HD Swindells, Assistant Secretary

IN THE EVENT YOU WISH TO VERIFY THE AUTHENTICITY OF THIS BOND OR NOTIFY US OF ANY OTHER MATTER, PLEASE CONTACT US AT:  
Telephone (908) 903-3493 Fax (908) 903-3656 e-mail: surety@chubb.com

**FEDERAL INSURANCE COMPANY**  
**STATEMENT OF ASSETS, LIABILITIES AND SURPLUS TO POLICYHOLDERS**

Statutory Basis

December 31, 2024

(in thousands)

ASSETS		LIABILITIES AND SURPLUS TO POLICYHOLDERS	
Cash, Cash Equivalents, and ST Investments	\$ (355,746)	Outstanding Losses and Loss Expenses	\$ 10,612,083
United States Government, State and Municipal Bonds	3,847,216	Reinsurance Payable on Losses and Expenses	1,730,804
Other Bonds	9,063,626	Unearned Premiums	3,117,855
Stocks	361,554	Ceded Reinsurance Premiums Payable	417,703
Other Invested Assets	<u>1,562,503</u>	Other Liabilities	<u>583,379</u>
<b>TOTAL INVESTMENTS</b>	<u><b>14,479,193</b></u>	<b>TOTAL LIABILITIES</b>	<u><b>16,461,834</b></u>
Investments in Affiliates:		Capital Stock	20,980
Great Northern Ins. Co.	444,946	Paid-In Surplus	2,711,474
Vigilant Ins. Co.	392,348	Unassigned Funds	<u>2,245,956</u>
Chubb National Ins. Co.	204,099	<b>SURPLUS TO POLICYHOLDERS</b>	<u><b>4,978,410</b></u>
Chubb Indemnity Ins. Co.	185,760		
Chubb Ins. Co. of New Jersey	41,523		
Chubb Lloyds Ins. Co. of Texas	6,140		
Other Affiliates	71,980		
Premiums Receivable	2,574,791		
Other Assets	<u>3,039,474</u>		
<b>TOTAL ADMITTED ASSETS</b>	<u><b>\$ 21,440,244</b></u>	<b>TOTAL LIABILITIES AND SURPLUS</b>	<u><b>\$ 21,440,244</b></u>

Investments are valued in accordance with requirements of the National Association of Insurance Commissioners. At December 31, 2024, investments with a carrying value of \$569,829,993 were deposited with government authorities as required by law.

STATE OF PENNSYLVANIA  
 COUNTY OF PHILADELPHIA

John Taylor, being duly sworn, says that he is Senior Vice President of Federal Insurance Company and that to the best of his knowledge and belief the foregoing is a true and correct statement of the said Company's financial condition as of the 31st day of December, 2024.

Sworn before me this March 20, 2025

[Signature]  
 Senior Vice President

[Signature]  
 Notary Public

August 8, 2027  
 My commission expires

Commonwealth of Pennsylvania - Notary Seal  
 Diane Wright, Notary Public  
 Philadelphia County  
 My commission expires August 8, 2027  
 Commission number 1235745  
 Member, Pennsylvania Association of Notaries

SECTION D - BID FORM  
 TUPELO PUBLIC WORKS BID NO. 2025-016PW  
 TUPELO MAJOR THOROUGHFARE  
 MILL & OVERLAY PROGRAM - 2025 ANNUAL BID  
 APRIL 2025

ITEM NO.	DESCRIPTION	UNIT	QTY	UNIT COST	TOTAL COST
1	Cold Milling, All Depths	SY	136,722	\$ 3.75	\$512,707.50
2	Asphalt Surface Course, 9.5mm Mix	TON	15,689	\$ 165.00	\$2,588,685.00
3	Granular Shoulder Material, In Place	CY	1	\$400.00	\$ 400.00
4	4" Temporary Traffic Stripe, Cont. White	LF	1	\$3.00	\$3.00
5	4" Temporary Traffic Stripe, Cont. Yellow	LF	1	\$3.00	\$3.00
6	4" Temporary Traffic Stripe, Skip White/Yellow	LF	1	\$3.00	\$3.00
<b>GRAND TOTAL (ALL ITEMS)</b>					<b>\$3,101,801.50</b>

NOTE: QUANTITIES REPRESENTED HEREIN ARE NOT NECESSARILY ACTUAL QUANTITIES, BUT ARE ESTIMATED BASED ON PROPOSED PROJECT CONDITIONS.

IN ACCORDANCE WITH THE PUBLISHED BID NOTICE, GENERAL CONDITIONS OF WORK AND CONTRACT DOCUMENTS FOR THE REFERENCED BID, THE UNDERSIGNED DOES HEREBY AGREE TO FURNISH THE DEFINED MATERIALS, SUPPLIES, AND SERVICES TO THE CITY OF TUPELO, MISSISSIPPI FOR THE PRICES AS SPECIFIED HEREIN. BIDDER AGREES TO SPECIFIED PRICES TO BE PROVIDED TO THE CITY UNTIL THE END OF THE PROJECT. FURTHERMORE, BIDDER AGREES TO ALL TERMS & CONDITIONS AS DEFINED IN THE CONTRACT DOCUMENTS FOR THIS PROJECT.

RESPECTFULLY SUBMITTED BY: APAC - MISSISSIPPI, INC.  
 (PLEASE PRINT)

SIGNATURE: 

NAME AND TITLE: ROBERT BOGUE VP OF OPERATIONS

(SEAL)  
 IF BY CORPORATION


ADDRESS: 101 RIVERVIEW DRIVE  
RICHLAND, MS 39218

PHONE NUMBER: (662) 348-5482

**CORPORATE CERTIFICATE**

(To Be Executed If Bidder Is A Corporation)

I, Eric Pnyfer certify that I am the Secretary of the Corporation named as Contractor in the foregoing proposal; that Robert Boguer who signed said Proposal on behalf of the Contractor, was then VP Operations of said Corporation; that said Proposal was duly signed for and in behalf of said Corporation by authority of its governing body and is within the scope of its corporate powers.

Name: Eric Pnyfer  
Title: Controller  
Signature:   
Date: 5-28-25

(CORPORATE SEAL)

**PARTNERSHIP CERTIFICATE**

(To Be Executed If Bidder Is A Partnership)

STATE OF \_\_\_\_\_ )

) ss:

COUNTY OF \_\_\_\_\_ )

On this \_\_\_\_\_ day of \_\_\_\_\_, 2025, before me personally appeared,

Known to be and known by me to be the person who executed the above instrument, who being by me first duly sworn, did depose and say that he is general partner in the firm of:

\_\_\_\_\_ ; that said firm consists of

himself and \_\_\_\_\_ ; and that he executed the foregoing

instrument for and on behalf of said firm for the uses and purposes stated herein.

Name: \_\_\_\_\_

Signature: \_\_\_\_\_

Notary Public in and for the

County of \_\_\_\_\_

State of \_\_\_\_\_

(NOTARY SEAL)

My Commission Expires: \_\_\_\_\_

**LIMITED LIABILITY COMPANY CERTIFICATE**

(To Be Executed If Bidder Is A Limited Liability Company)

I, the undersigned \_\_\_\_\_, hereby certify that I am the Manager of \_\_\_\_\_ (the "Company") or if the Company does not have a Manager, a Member of the Company with full power and authority to bind the Company; that \_\_\_\_\_ who executed the Proposal on behalf of the Company is \_\_\_\_\_ of the Company with full power and authority to execute same on behalf of the company, and that the Proposal and the Contract, if awarded to the Company, are within the powers and authority of the Company.

Name: \_\_\_\_\_

Title: \_\_\_\_\_

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

Name: \_\_\_\_\_

Signature: \_\_\_\_\_

Notary Public in and for the

County of \_\_\_\_\_

State of \_\_\_\_\_

(NOTARY SEAL)

My Commission Expires: \_\_\_\_\_

**NONRESIDENT BIDDER CERTIFICATE**

(to be executed if BIDDER is a nonresident)

I, \_\_\_\_\_, hereby certify that the CONTRACTOR  
\_\_\_\_\_, is domiciled in the State of \_\_\_\_\_

And (check and complete one)

attached is a copy of the State of \_\_\_\_\_'s current law pertaining to the treatment of nonresident CONTRACTORS. Paragraph \_\_\_\_\_, page \_\_\_\_\_ of said law grants resident CONTRACTORS a \_\_\_\_\_ percent preference over nonresident CONTRACTORS for similar projects.

the State of \_\_\_\_\_ has no current law pertaining to the treatment of nonresident contractors.

I claim "resident contractor" status based upon having been qualified to do business in this state and having maintained a permanent full-time office in the State of Mississippi for two (2) years prior to January 1, 1986. Proof of such claim must be submitted and approved before Contract is signed.

Signature: \_\_\_\_\_

Title: \_\_\_\_\_

(SEAL)

Sworn before me this \_\_\_\_\_ day of \_\_\_\_\_, 2025

\_\_\_\_\_, Notary Public

My commission expires \_\_\_\_\_



**NON-COLLUSION AFFIDAVIT**

(TO BE EXECUTED IN DUPLICATE)

STATE OF MISSISSIPPI

COUNTY OF LEE

I, ROBERT BOGUE

(name of person signing affidavit)

Individually, and in my capacity as VICE PRESIDENT OF OPERATIONS

(title)

of APAC- MISSISSIPPI, INC.

(name of firm, partnership, limited liability company, or corporation.)

Being duly sworn, on oath do depose and say as follows:

- a. That APAC- MISSISSIPPI, INC. Bidder on the **Local Street Maintenance Mill & Overlay Program – 2024 Annual Bid** in the **City of Tupelo, Mississippi**, has not either directly or indirectly entered into any agreement, participated in any collusion, or otherwise taken any action in restraint of free competitive bidding with this contract; nor have any of its officers, partners, employees, or principal owners.
- b. further, that neither said legal entity nor any of its directors, officers, partners, principal owners, or managerial employees are currently debarred from bidding on public contracts by the State of Mississippi or any of its agencies; or by one or more of the other states or any of their agencies; or by the Federal Highway Administration.

Signature: *Robert Bogue*

PRESIDENT OF OPERATIONS



Witness before me this 29<sup>th</sup> day of May, 2025

Tammy Conn Notary Public

My commission expires 3/14/2028

**NOTE: FAILURE TO PROPERLY SIGN AND NOTARIZE THIS AFFIDAVIT WILL DISQUALIFY THE BID.**

**NON-COLLUSION AFFIDAVIT**

(TO BE EXECUTED IN DUPLICATE)

STATE OF MISSISSIPPI

COUNTY OF LEE

I, ROBERT BOGUE

(name of person signing affidavit)

Individually, and in my capacity as VICE PRESIDENT OF OPERATIONS  
(title)

of APAC - MISSISSIPPI, INC.  
(name of firm, partnership, limited liability company, or corporation.)

Being duly sworn, on oath do depose and say as follows:

- c. That APAC - MISSISSIPPI, INC. Bidder on the **Local Street Maintenance Mill & Overlay Program – 2024 Annual Bid** in the **City of Tupelo, Mississippi**, has not either directly or indirectly entered into any agreement, participated in any collusion, or otherwise taken any action in restraint of free competitive bidding with this contract; nor have any of its officers, partners, employees, or principal owners.
- d. further, that neither said legal entity nor any of its directors, officers, partners, principal owners, or managerial employees are currently debarred from bidding on public contracts by the State of Mississippi or any of its agencies; or by one or more of the other states or any of their agencies; or by the Federal Highway Administration.

Signature: Robert Bogue

Title: VICE PRESIDENT OF OPERATIONS



Sworn before me this 29<sup>th</sup> day of May, 2025

Tammy Conn Notary Public

My commission expires 3/14/2028

**NOTE: FAILURE TO PROPERLY SIGN AND NOTARIZE THIS AFFIDAVIT WILL DISQUALIFY THE BID.**