

XCAVATORS, INC.
20831A HIGHWAY 15 N
FALKNER, MS 38629

**BOARD OF SUPERVISORS OF PANOLA
COUNTY**

PROJECT NUMBER LSBP-54(30)
PANOLA COUNTY

JULY 9TH, 2021 @ 9:00 AM

COR: 19302-MC



CENTRALBIDDING
FROM CENTRAL AUCTION HOUSE

LSBP 54(30) BOX CULVERT AND APPROACHES
Panola County

Project documents obtained from www.CentralBidding.com

06-Jul-2021 09:24:22 AM

Office of State Aid Road Construction

Jackson, Mississippi
and
Board of Supervisors

Panola County

PROPOSAL AND CONTRACT DOCUMENTS



FOR THE CONSTRUCTION OF

LSBP Project No.

(Strike out if no Federal Funds Involved)

LSBP-54(30)

Being a Section of County Road

River Road

On Route No. N/A

In PANOLA

County MISSISSIPPI

Type of Construction BOX CULVERT AND APPROACHES

Net Length 0.065 Miles

Gross Length 0.065 Miles Contract Time 60 Working Days

By _____

Address _____

Surety _____

Note

Standard Specifications for State Aid Road and Bridge Construction currently approved by the Office of State Aid Road Construction and the Federal Highway Administration are made a part hereof fully and completely as if attached hereto, except where superseded by the Special Provisions, or amended by revisions.

BIDDER CHECKLIST FOR STATE FUNDED PROJECTS

(ITEMS REQUIRING COMPLETION AND/OR SIGNATURE AT BID LETTING)

<p>This checklist is to assist the contractor in the submission of a complete Bid Proposal. This checklist in no way relieves the contractor of the responsibility to submit a complete Proposal. Failure to complete any or all of the applicable requirements will be cause for the proposal to be considered irregular.</p>			
If Submitting a Paper Bid		If Submitting a Bid Electronically	
<input type="checkbox"/>	Envelope has required information on outside and is sealed . (See Subsection S-102.01 and S-102.09)	<input type="checkbox"/>	Include a cover sheet as the first page of the .pdf document containing the same information required on the outside of the envelope for a paper bid submission. (See Subsection S-102.01 and S-102.09)
<input type="checkbox"/>	Bid Proposal submitted containing entire proposal document bound and in order received.	<input type="checkbox"/>	Bid Proposal submitted as a .pdf document containing entire proposal document as received (in order received) including front cover.
<input type="checkbox"/>	Affidavit regarding Non-Collusion, Debarment and Suspension, etc. executed (signed and notarized) in duplicate .	<input type="checkbox"/>	Affidavit regarding Non-Collusion, Debarment and Suspension, etc. executed (signed and notarized) in duplicate .
<input type="checkbox"/>	EEV Certification	<input type="checkbox"/>	EEV Certification
<input type="checkbox"/>	Section 902 Proposal - Complete the following	<input type="checkbox"/>	Section 902 Proposal - Complete the following
<input type="checkbox"/>	Bid sheets : unit prices and item totals, subtotals and project totals, etc. entered.	<input type="checkbox"/>	Bid sheets : unit prices and item totals, subtotals and project totals, etc. entered.
<input type="checkbox"/>	Combination Bid Proposal of Section 902, where applicable: completed and signed for each project which is to be considered in combination. (See Subsection S-102.11)	<input type="checkbox"/>	Combination Bid Proposal of Section 902, where applicable: completed and signed for each project which is to be considered in combination. (See Subsection S-102.11)
<input type="checkbox"/>	Section 902 Proposal, page 3: completed and signed .	<input type="checkbox"/>	Section 902 Proposal, page 3: completed and signed .
<input type="checkbox"/>	Proposal Guaranty (Bid Bond) : attached. (See Subsection S-103.05)	<input type="checkbox"/>	Proposal Guaranty (Bid Bond) : attached. (See Subsection S-103.05)
<input type="checkbox"/>	Any issued addenda included and acknowledged as required.	<input type="checkbox"/>	Any issued addenda included and acknowledged as required.
<input type="checkbox"/>	Non-resident Bidders: ON STATE FUNDED PROJECTS ONLY , a copy of the current laws regarding any preference for local Contractors from State wherein domiciled have been included. (See Subsection S-103.01)	<input type="checkbox"/>	Non-resident Bidders: ON STATE FUNDED PROJECTS ONLY , a copy of the current laws regarding any preference for local Contractors from State wherein domiciled have been included. (See Subsection S-103.01)
<p>DO NOT REMOVE any part of the contract documents. A stripped proposal is considered as an irregular bid and will be cause for rejection.</p>		<p>INCLUDE ALL PARTS of the contract documents. A stripped proposal is considered as an irregular bid and will be cause for rejection.</p>	

Revised December 20, 2018

OFFICE OF STATE AID ROAD CONSTRUCTION

(03-14-19)

STATE AID PROJECT NO. LSBP-54(30)

PANOLA COUNTY

MISSISSIPPI STANDARD SPECIFICATIONS FOR STATE AID ROAD AND BRIDGE
CONSTRUCTION, 2004 EDITION
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OFFICE OF STATE AID ROAD CONSTRUCTION
MISSISSIPPI DEPARTMENT OF TRANSPORTATION
AND
PANOLA COUNTY BOARD OF SUPERVISORS

SECTION 900

NOTICE TO CONTRACTORS:

Sealed bids will be received by the Board of Supervisors of Panola County, Mississippi at the Panola County Courthouse, 151 Courthouse Square, Batesville, Mississippi, until 9:00 A.M. local time on the 9th day of July, 2021 and shortly thereafter publicly opened for the construction of 0.065 miles of BOX CULVERT AND APPROACHES on RIVER ROAD being known as Project No. LSBP-54(30) in Panola County, Mississippi.

PRINCIPAL ITEMS OF WORK ARE APPROXIMATELY AS FOLLOWS:

ITEM	QUANTITY	UNIT
<u>ROADWAY ITEMS:</u>		
MOBILIZATON	LUMP SUM	LS
CLEARING AND GRUBBING	LUMP SUM	LS
REMOVAL OF BRIDGE (STA. 10+34)	1.000	UN
REMOVAL OF CONCRETE	150.000	SY
REMOVAL OF PIPE (ALL SIZES)	22.000	LF
UNCLASSIFIED EXCAVATION (F.M.)	8,288.000	CY
EXCESS EXCAVATION (F.M.)	5,489.000	CY
STRUCTURE EXCAVATION	750.000	CY
TEMPORARY STREAM DIVERSION	1.000	EA
GRANULAR MATERIAL (CLASS 4, GROUP "C")	396.000	TON
CLASS "B" STRUCTURAL CONCRETE	298.870	CY
REINFORCING STEEL	74,276.000	LB
24" CORRUGATED POLYETHYLENE PIPE	75.000	LF
RIGHT-OF-WAY MARKERS (TYPE I)	8.000	EA
MAINTENANCE OF TRAFFIC	LUMP SUM	LS
ADDITIONAL CONSTRUCTION SIGNS	0.000	SF
<u>EROSION CONTROL ITEMS:</u>		
COMMERCIAL FERTILIZER (13:13:13)	1.200	TON
AMONIUM NITRATE	0.120	TON
SEEDING	1.200	AC
VEGETATIVE MATERIALS FOR MULCH	3.600	TON
TEMPORARY SILT FENCE (TYPE I) (AOS 0.15 mm - 0.84 mm)	200.000	LF
WATTLES, 20"	80.000	LF
LOOSE RIPRAP, 300 LB.	625.000	TON
GEOTEXTILE UNDER RIPRAP, TYPE V, (AOS 0.21 mm - 0.43 mm)	750.000	SY

NOTICE TO CONTRACTORS:

CONTRACT TIME: 60 Working Days

BASIS OF AWARD

The award, if made, will be made to the lowest qualified bidder on the basis of published quantities.

The Board of Supervisors hereby notifies all bidders that it will affirmatively insure that in any contract entered into pursuant to this advertisement; minority business enterprise will be afforded full opportunity to submit bids in response to this invitation and will not be discriminated against on the grounds of race, color, or national origin in consideration for an award.

PLANS AND SPECIFICATIONS are on file in the Office of the Chancery Clerk of Panola County, the County Engineer's office and the Office of the State Aid Engineer, 412 E. Woodrow Wilson Avenue, Jackson, Mississippi. This project shall be constructed in accordance with the latest edition of the Mississippi Standard Specifications for State Aid Road and Bridge Construction.

PLANS AND PROPOSALS may be secured from Larry L. Britt, County Engineer for Panola County, Mississippi, P.O. Box 308, 823 North Lamar Blvd., Oxford, MS 38655, 662-234-1763. The Cost is seventy-five dollars (\$75.00) for plans and thirty dollars (\$30.00) for the proposal, non-refundable.

Certified check or bid bond for five percent (5%) of the total bid, made payable to Panola County and the State of Mississippi must accompany each proposal.

Official bid documents can be downloaded at www.centralbidding.com. Electronic bids may be submitted at www.centralbidding.com. For any questions relating to the electronic bidding process, please call Central Bidding at 225-810-4814.

Bidders are hereby notified that any proposal accompanied by letters qualifying in any manner the condition under which the proposal is tendered will be considered an irregular bid and such proposal will not be considered in making the award.

Bidders are hereby notified that any proposal that is submitted as a stripped bid will be considered an irregular bid and such proposal will not be considered in making the award.

/s/ _____
Cole Flint, President
Panola County Board of Supervisors

SPECIAL NOTICE TO BIDDERS

CONSTRUCTION SAFETY AND HEALTH STANDARDS

It is a condition of this contract, and shall be make a condition of each subcontract entered into pursuant to this contract, that the contractor and any subcontractor shall not require any laborer or mechanic employed in performance of the contract to work in surroundings or under working conditions which are unsanitary, hazardous, or dangerous to his health or safety, as determined under the following Federal regulations:

1. (a) Occupational Safety and Health Standards, Department of Labor, Occupational Safety and Health Administration, Federal Register of October 18, 1972, pages 22102 to 22356.
(b) General Industry Guide for Applying Safety and Health Standards, OSHA Publication No. 2072, U. S. Department of Labor, Occupational Safety and Health Administration.
2. Safety and Health Regulations for Construction, Department of Labor, Occupational Safety and Health Administration, Federal Register of December 16, 1972, pages 27503 to 27600.
3. Safety and Health Standards for Maritime Employment, Department of Labor, Occupational Safety and Health Administration, Federal Register of October 19, 1972, pages 22458 to 22564.

**OFFICE OF STATE AID ROAD CONSTRUCTION
MISSISSIPPI DEPARTMENT OF TRANSPORTATION**

NOTICE TO BIDDERS NO. 1

DATE: July 1, 2005

SUBJECT: BIDDING REQUIREMENTS AND CONDITIONS

REFERENCE: Section S-102.02 of 2004 Edition of the Standard Specifications for Road and Bridge Construction

NOTICE TO BIDDERS
(ALL PROJECTS)

The current (2004) Edition of the Mississippi Standard Specifications for State Aid Road and Bridge Construction adopted by this Office on July 1, 2005, and approved by the Federal Highway Administration on July 1, 2005 is made a part hereof fully and completely as if it were attached hereto, except where superseded by special provisions, or amended by revisions of the Specifications contained herein. Copies of the specification book may be purchased from the Office of State Aid Road Construction.

A reference in any contract document to controlling requirements in another portion of the contract documents shall be understood to apply equally to any revision or amendment thereof included in the contract.

In the event the plans or proposal inadvertently contain references to the 1982 or 1989 Edition of the Mississippi Standard Specifications for State Aid Road and Bridge Construction, it is to be understood that such references shall mean the comparable provisions of the 2004 Edition of the Standard Specifications.

NOTICE TO BIDDERS
(FEDERAL AID PROJECTS)

The Contractor and sub-contractors shall submit one copy each of FORMS CAD-880, "Weekly Summary of Wage Rates" and CAD-881, "Weekly Statement of Compliance" each week to the State Aid Engineer and to the County Engineer. The Contractor and sub-contractors may at their discretion, submit two (2) copies of each form to the County Engineer, who in turn, shall forward one copy to State Aid. The forms may be obtained from:

Office Supervisor
Office of State Aid Road Construction
P.O. Box 1850
Jackson, Mississippi 39215-1850

**OFFICE OF STATE AID ROAD CONSTRUCTION
MISSISSIPPI DEPARTMENT OF TRANSPORTATION**

NOTICE TO BIDDERS NO. 2

DATE: July 1, 2004

SUBJECT: HIGH VOLTAGE OVERHEAD LINES

**NOTICE OF WORK TO BE PERFORMED
IN PROXIMITY OF HIGH VOLTAGE POWER LINES**

In accordance with Section 45-15-1, et seq., Mississippi Code of 1972 (as amended effective July 1, 1988), _____ (herein after referred to as "Applicant") (Supervisor in Charge: _____), whose address is _____, and whose telephone number is _____, hereby gives notice to the electric utility (hereinafter referred to as "Utility") that Applicant will be performing functions or activities at the location of _____ and that the estimated starting date of this work is _____. This work could reasonably be expected to cause persons, equipment or parts of tools or materials to be brought within ten (10) feet of Utility's high voltage lines at the proposed work area. Applicant hereby requests the Utility to confer with Applicant or his representative at the work site to ascertain the type of work activity that will take place and if further safety measures need to be taken by either the Applicant or the Utility. The Utility will give the Applicant a written cost estimate for safety arrangements to deter contact with on-site power lines. Applicant agrees not to perform such functions or activities until mutually satisfactory arrangements as provided by Section 45-15-9 have been made to deter contact with Utility's line.

Nothing contained in this Notice shall diminish or affect the obligation imposed upon the Utility under Section 45-15-1, et seq., or under existing laws or be construed as a waiver of the Applicant's or the Utility's rights under the law.

NOTICE GIVEN THIS, the _____ day of _____, _____.

APPLICANT

BY: _____

(Title)

Notice received by the Utility this the _____ day of _____, _____

**OFFICE OF STATE AID ROAD CONSTRUCTION
MISSISSIPPI DEPARTMENT OF TRANSPORTATION**

NOTICE TO BIDDERS NO. 3

DATE: March 5, 2020

SUBJECT: SPECIALTY ITEMS

STATE AID PROJECT LSBP-54(30) COUNTY PANOLA

Pursuant to the provisions of Section S-108 of the Mississippi Standard Specifications for State Aid Road and Bridge Construction, 2004 Edition, the following work items are hereby designated as "Specialty Items" for this contract.

<u>Pay Item No.</u>	<u>Description</u>
S-618-A	MAINTENANCE OF TRAFFIC
S-618-B	ADDITIONAL CONSTRUCTION SIGNS
S-212-B	COMMERCIAL FERTILIZER (13:13:13)
S-212-F	AMMONIUM NITRATE
S-214-A	SEEDING
S-215-A	VEGETATIVE MATERIALS FOR MULCH
S-233-A	TEMPORARY SILT FENCE (TYPE I) (AOS 0.21 mm – 0.84 mm)
237-A	WATTLES, 20"
S-815-A	LOOSE RIPRAP, 300 LB
S-815-E	GEOTEXTILE UNDER RIPRAP, TYPE V, (AOS 0.21 mm – 0.43 mm)

**OFFICE OF STATE AID ROAD CONSTRUCTION
MISSISSIPPI DEPARTMENT OF TRANSPORTATION**

NOTICE TO BIDDERS NO. 5- LSBP-54(30)

DATE: March 5, 2020

**SUBJECT: STATUS OF UTILITY ADJUSTMENTS AND RIGHT-OF-WAY
ACQUISITION**

I. All known utilities within the construction limits of this project are shown on the plans. The owners and addresses of these utilities are as follows:

1. No Utilities in Conflict
- 2.
- 3.

The Status of the adjustment of each of the utilities is as follows:
conflicting with proposed construction to be adjusted by others.

1. No Utilities in Conflict
- 2.
- 3.

Subsection S-105.06 of the 2004 Edition of the Standard Specifications provides for cooperation between the Contractor and Owner of utilities. All utility agreements are available for inspection by the Contractor in the Chancery Clerk's office. Additional assistance may be obtained by contacting the following:

**MISSISSIPPI ONE-CALL CENTER
BEFORE YOU DIG CALL:
MS 1-800-227-6477 – JACKSON 362-4374
OUT-OF-STATE 1-800-445-1988**

II. Panola County has certified to the Office of State Aid Road Construction that it has title to all rights-of-way within the limits shown on the plans for this project.

(7-01-2004)

Section 900 Notice to Bidders No. 6

OFFICE OF STATE AID ROAD CONSTRUCTION

May 5, 2020

In accordance with Senate Bill No. 2241 of the Mississippi Legislature Regular Session 1981, the industry wide current petroleum products base prices for contracts for the month of May 2021 are furnished as follows.

FUELS

	<u>Per Gallon</u>	<u>Per Liter</u>
Gasoline	\$2.3508	\$0.6210
Diesel	\$2.4592	\$0.6497

MATERIALS OF CONSTRUCTION

<u>ASPHALT CEMENT</u>	<u>Per Gallon</u>	<u>Per Ton</u>	<u>Per Liter</u>	<u>Per Metric Ton</u>
Viscosity Grade AC-5	\$2.0738	\$492.00	\$0.5478	\$542.33
Viscosity Grade AC-10	\$2.0974	\$497.60	\$0.5541	\$548.50
Viscosity Grade AC-20	\$2.0738	\$492.00	\$0.5478	\$542.33
Viscosity Grade AC-30	\$2.0738	\$492.00	\$0.5478	\$542.33
Grade PG-64-22	\$2.0991	\$498.00	\$0.5545	\$548.94
Grade PG-67-22	\$2.0617	\$489.13	\$0.5446	\$539.16
Grade PG-76-22	\$2.6464	\$627.86	\$0.6991	\$692.09
Grade PG-82-22	\$3.0208	\$716.67	\$0.7980	\$789.98

EMULSIFIED ASPHALTS, PRIMES, & TACK COATS

Grade SS-1	\$1.9389	\$0.5122
Grade RS-2C (CRS-2)	\$2.3799	\$0.6287
Grade CRS-2P	\$2.6941	\$0.7117
Grade EA-1, EPR-1, & AE-P	\$3.4500	\$0.9114
Grade CSS-1 & 1H (Undiluted)	\$2.1856	\$0.5774
Grade CSS-1 & 1H (Diluted 1 to 1 Fog Seal)	\$1.7400	\$0.4597

EARL GLENN, P.E.
STATE CONSTRUCTION ENGINEER

EG: wcc

**OFFICE OF STATE AID ROAD CONSTRUCTION
MISSISSIPPI DEPARTMENT OF TRANSPORTATION**

NOTICE TO BIDDERS NO. 7

DATE: January 10, 2020

SUBJECT: PAYMENTS TO SUBCONTRACTORS

Bidders are hereby advised that each month, the Contractor will submit to the County/LSBP Engineer form OCR-484-SA certifying payments to all subcontractors. Form OCR-484-SA can be obtained from the Office Of State Aid Road Construction, MDOT Lab Building, 412 Woodrow Wilson Avenue, Jackson, MS, or on the State Aid website (<https://www.osarc.ms.gov>) under Documents->Contract Documents.

**OFFICE OF STATE AID ROAD CONSTRUCTION
MISSISSIPPI DEPARTMENT OF TRANSPORTATION**

NOTICE TO BIDDERS NO. 8

DATE: November 8, 2011

SUBJECT: **Errata and Modifications to the 2004 Edition of the Standard Specifications for State Aid Road and Bridge Construction**

<u>Page</u>	<u>Subsection</u>	<u>Change</u>
1-21	S-103.02	In the third line of the last paragraph, change "contracts in the same" to "contracts, financed wholly with State funds, in the same".
1-42	S-105.17	In line (b) of the third paragraph, add "claim." at the end of the sentence.
1-47	S-106.04	In the next to last paragraph, change "TMD-22-0100-000" to "TMD-22-01-00-000" and change "TMD-21-0100-000" to "TMD-21-01-00-000".
1-84	S-109.06.2	In the eleventh line of the second paragraph, change "of material invoices" to "of paid material invoices".
<u>1-85</u>	<u>S-109.08</u>	Replace 4 th paragraph in it's entirety with "The established base prices for bituminous products and fuels shall be the prices for the month prior to the month of the bid date and are available on the State Aid Website."
1-87	S-109.08	On page 1-87, insert the following after item (A6) and before the paragraph in the middle of the page: "(A7) Asphalt for Fog Seal Mixture -- One half pay quantity in gallons."
1-87	S-109.08	Delete the last paragraph on the page in toto.
1-88	S-109.08	Under ADJUSTMENTS, change paragraph 5 to read as follows: No adjustment will be made for items of work accomplished after the expiration of Contract Time except for cases involving natural or manmade disasters or other reasons not inherent to the construction industry. The contractor will submit documentation for the adjustment to the Engineer for approval/disapproval. If approved, the Engineer will prepare a supplemental agreement explaining the adjustment and submit the proper number of copies of the agreement to the Board of Supervisors for their consideration and action. If approved by the Board, all copies will be forwarded to the State Aid Engineer for concurrence. Upon concurrence, the State Aid Engineer will, if necessary, forward the agreement to any other involved parties for their action. A copy of the approved agreement will be furnished to all parties by the State Aid Engineer.
2-7	S-202.07	In the first sentence of the first paragraph, change "S-202" To "S-202-A". In the first sentence of the second paragraph, delete "S-202-A".

<u>Page</u>	<u>Subsection</u>	<u>Change</u>
		No measurement for payment will be made for cut-off of a test pile.
8-50	S-803	Under <u>COMPENSATION</u> , In the seventh pay item, change " <u>S-803-G: Blank</u> " to " <u>S-803-G: Concrete Piling Cut-off, Size</u> - per each "
8-60	S-804.02.11	In the last sentence of the first paragraph, change "automatically" to "automatic".
8-64	S-804.02.13	In the second line of paragraph (c), place a period after psi and delete "provided both the QC and QA test results are equal to or exceed the minimum compressive strength requirements."
8-66	S-804.02.13.1.3	In the last sentence change, "S-804.02.13.1" to "S-804.02.12".
8-67	S-804.02.13.1.5	Change the equation for % Reduction to:
		$\% \text{ Reduction} = \frac{(f'_c - X)}{f'_c} \times 100$
8-121	S-806.04	In the first sentence of the third paragraph, change "by the unit (one unit consists of one wing on each side and end of the abutment cap)" to "per each".
8-121	S-806.08	Change " <u>S-806.08--Basis of Payment</u> ." to " <u>S-806.05--Basis of Payment</u> "
8-122	S-806.08	In the first pay item, change " _ ' Interior" to " _ ' Interior".
<u>8-122</u>	<u>S-806.08</u>	On pay item S-806-H, add "or Steel Posts"

**OFFICE OF STATE AID ROAD CONSTRUCTION
MISSISSIPPI DEPARTMENT OF TRANSPORTATION**

NOTICE TO BIDDERS NO. 10

DATE: July 1, 2005

SUBJECT: MONTHLY ESTIMATE RETAINAGE

The monthly retainage for this project shall be two and one half (2-1/2) percent (%) subject to the provisions found in Subsection **S-109.06.3--Retainage** on page 1-84 of the 2004 Edition of the Mississippi Standard Specifications for State Aid Road and Bridge Construction.

**OFFICE OF STATE AID ROAD CONSTRUCTION
MISSISSIPPI DEPARTMENT OF TRANSPORTATION**

NOTICE TO BIDDERS NO. 11

DATE: November 19, 2009

SUBJECT: CERTIFICATION OF 100 % PAYMENT TO SUBCONTRACTORS

Bidders are hereby advised that within thirty (30) days of any Subcontractor completing 100% of any subcontracted work, the Prime Contractor shall make full payment to the Subcontractor (including retainage), complete the following certification, attach it to form OCR-484-S or OCR-484-SA, as applicable, and submit it to the County/LSBP Engineer. Retainage on the subcontract will then be released to the Prime Contractor on a subsequent estimate.

CERTIFICATION OF 100% OF PAYMENT TO SUBCONTRACTOR

Date: _____
Project No.: _____
County: _____
Prime Contractor: _____
Subcontractor: _____

I, _____, hereby certify
(Printed or typed name of Subcontractor)

that I have been paid 100% (including retainage) of the amount of work subcontracted on the above mentioned project in the amount of _____ and that I was paid within thirty (30) Days of when I completed said work.

(Signature of Subcontractor)

(Signature of Prime Contractor)

Falsification of this Certification is subject to prosecution.

**OFFICE OF STATE AID ROAD CONSTRUCTION
MISSISSIPPI DEPARTMENT OF TRANSPORTATION**

NOTICE TO BIDDERS NO. 16

DATE: November 3, 2008

SUBJECT: Safety Apparel

Bidders are advised that the Code of Federal Regulations CFR 23 Part 634 final rule was adopted November 24, 2006 with an effective date of November 24, 2008. This rule requires that **“ All workers within the right of way of a Federal-Aid Highway who are exposed either to traffic (vehicles using the highway for the purposes of travel) or to construction equipment within the work area shall wear high-visibility safety apparel”**. High-visibility safety apparel is defined in the CFR as **“personnel protective safety clothing that is intended to provide conspicuity during both daytime and nighttime usage, and that meets the Performance Class 2 or 3 requirements of the ANSI/ISEA 107-2004 publication entitled American Nation Standard for High-Visibility Safety Apparel and Headwear”**. All workers on County right-of-way shall comply with the Federal Regulation. Workers are defined by the CFR as **“people on foot whose duties place them within the right-of-way of a Federal-Aid Highway, such as highway construction and maintenance forces, survey crews, utility crews, responders to incidents within the highway right-of-way, and law enforcement personnel when directing traffic, investigating crashes, and handling lane closures, obstructed roadways, and disasters within the right-of-way of a Federal-Aid Highway”**.

You can access this final rule at the following link:

<http://a257.g.akamaitech.net/7/257/2422/01jan20061800/edocket.access.gpo.gov/2006/pdf/E6-19910.pdf>

**Supplemental Specification
901-S-102-1
Bidding Requirements and
Conditions**

**OFFICE OF STATE AID ROAD CONSTRUCTION
MISSISSIPPI DEPARTMENT OF TRANSPORTATION**

DATE: March 11, 2010

SUBJECT: Bid Bond Agent

Delete the first sentence of the second paragraph of S-102.08 on page 1-19, and substitute the following:

If a bid bond is offered as guaranty, the bond must be on a form approved by the State Aid Engineer, made by a Surety, and must be acceptable to the Board and the State Aid Engineer and signed or countersigned by a Mississippi Agent or Qualified Nonresident Agent and the bidder.

OFFICE OF STATE AID ROAD CONSTRUCTION
MISSISSIPPI DEPARTMENT OF TRANSPORTATION

DATE: March 11, 2010

SUBJECT: Contract Bond Agent or Liability Insurance Agent

Delete the last sentence of the paragraph of S-103.05 on page 1-22, and substitute the following:

The bond or bonds shall be negotiated for, procured from, signed or countersigned by, and the premium paid to a Mississippi Agent or Qualified Nonresident Agent of the Surety.

Delete the last sentence of the first paragraph of S-103.06.1 on page 1-22, and substitute the following:

Each policy shall be signed or countersigned by a Mississippi Agent or Qualified Nonresident Agent of the insurance company.

Delete the last sentence of the second paragraph of S-103.06.1 on page 1-23, and substitute the following:

Each policy shall be signed or countersigned by a Mississippi Agent or Qualified Nonresident Agent of the insurance company.

OFFICE OF STATE AID ROAD CONSTRUCTION
MISSISSIPPI DEPARTMENT OF TRANSPORTATION

DATE: July 1, 2005

SUBJECT: Changes in Character of Work and Changed Physical Conditions and Removal and Disposal of Structures and Obstructions:

Section S-104 - SCOPE OF WORK; of the MISSISSIPPI STANDARD SPECIFICATIONS FOR STATE AID ROAD AND BRIDGE CONSTRUCTION 2004 EDITION is hereby amended as follows:

901-S-104.02.1--Changes in Character of the Work and Changed Physical Conditions: Delete the last sentence of the first paragraph and add the following paragraphs:

Upon written notification, the Engineer will investigate the conditions, and if it is determined that the conditions materially differ and cause an increase or decrease in the cost or time required for the performance of any work under the contract, an adjustment, excluding anticipated profits, will be made and the contract modified in writing accordingly. The Engineer will notify the Contractor, in writing, of the determination whether or not an adjustment of the contract is warranted.

No contract adjustment which results in a benefit to the contractor will be allowed unless the contractor has provided the required written notice.

In the second paragraph, after the words " cannot be reached," delete "the State Aid Engineer" and insert "the Board, with the approval of the State Engineer,". Then delete the words "which the State Aid Engineer has" and insert "which the Board and the State Aid Engineer have".

901-S-104.05--Removal and Disposal of Structures and Obstructions: After the last paragraph on page 1-27, add the following paragraph:

The Contractor shall also furnish the Engineer a certified letter stating that the area of disposal is not in a wetland.

901-S-104.06--Rights in and Use of Materials Found on the Work: After the first sentence of the third paragraph insert the following sentence:

The Contractor shall also furnish the Engineer a certified letter stating that the area of disposal is not in a wetland.

PROJECT NUMBER: LSBP-54(30)
COUNTY: Panola

GENERAL

A Small Construction General Permit is on file in the County Engineer's office. The Contractor should acquire a copy of the permit and the forms that accompany the permit. The Contractor is required to fill out these forms, have them on file, and be prepared to submit any of the forms required ONLY at the request of MDEQ.

SITE INFORMATION

The construction of the proposed bridge and approaches will disturb 1.20 acres. An unnamed creek that is a branch of the Tallahatchie River is draining north to south under the project road. The project is located in the Yazoo River Watershed Basin.

SEDIMENT AND EROSION CONTROL REQUIREMENTS

VEGETATIVE CONTROLS: Permanent erosion controls (soil preparation, fertilizing, seeding and mulching, sodding and matting) will be placed as shown on the plans. Any disturbed areas laid-up for over 30 days will be seeded (temporary or permanent seeding) within 7 days unless otherwise directed by the engineer at no additional cost to the project. (Other vegetative practices should be considered. For example, additional mulching, tree preservation, surface roughening, topsoiling, vegetative buffers and turf reinforcing mats.)

STRUCTURAL CONTROLS: Temporary silt fence, hay bales, detention ponds and riprap will be placed as shown on the plans. (Other structural controls should be considered. For example, check dams, diversions, inlet protection and slope drains. Appropriate standard drawings and details should be included in the plans. Reference to MDEQ publications and best management practices are recommended to discuss where these practices apply, correct installation and maintenance of these practices.)

HOUSEKEEPING PRACTICES: The contractor is reminded of his responsibilities as outlined in Section 107 of the Specifications which include equipment maintenance and repair, concrete chute wash off, trash/debris, storage of chemicals and other toxic materials, and sanitary facilities. Storm water pollution prevention best management practice techniques are to be applied throughout the construction of this project, the cost of which is to be included in regular bid items.

POST CONSTRUCTION CONTROL MEASURES: Upon completion of construction, vegetative growth along the roadway foreslopes will provide a

buffer zone for loose material originating from the roadway. Ditch diversions reduce flow and velocity along the project. Vegetative growth on the backslopes will provide a buffer zone for loose material originating beyond the backslope. Flatter grades and ditch treatments minimize erosion. Riprap ditches shown on the plans dissipate energy and reduce flow velocity. Paved ditches and flumes along with rock outlets are required. (The permit requires that post construction control measures be addressed. See Chapter 5 of the MDEQ Planning and Design Manual for additional permanent practices.)

IMPLEMENTATION SEQUENCE

Temporary silt fence will be installed before construction operations begin along the creek and at all cross drains. The rest of the silt fence, hay bales and detention ponds will be installed immediately after clearing and grubbing. Permanent erosion control measures should be placed as construction progresses and no later than 7 days after substantial completion of grade and drain operations.

MAINTENANCE PLAN

The contractor and engineer will inspect all disturbed areas, erosion and sediment controls after each significant rainfall but not less than once per week and record the results of this inspection on the "Monthly Inspection Report and Certification Form for Erosion and Sediment Controls" included with the permit. The monthly inspection reports and this SWPPP will be available for inspection during construction, and submitted to MDEQ with the Notice of Termination as required. The contractor shall make needed repairs to installed erosion control items weekly and after each significant rainfall as necessary. This includes, but is not limited to, removing sediment, repairing, reinstalling, or replacing silt fence, hay bales, or other temporary erosion control measures, repairing washes, ditches, or other permanent erosion control devices.

OFFICE OF STATE AID ROAD CONSTRUCTION

MISSISSIPPI DEPARTMENT OF TRANSPORTATION

DATE: July 01, 2005

SUBJECT: Material Pits:

Section **S-107- LEGAL RELATIONS AND RESPONSIBILITY TO PUBLIC:** of the MISSISSIPPI STANDARD SPECIFICATIONS FOR STATE AID ROAD AND BRIDGE CONSTRUCTION 2004 EDITION is hereby amended as follows:

901-S-107.23--Material Pits: Delete the first and second paragraph on page 1-66 and replace with the following paragraphs:

Before a pit (quarry) is opened (area cleared or overburden disturbed), furnish to the County Engineer a letter from the Executive Director of the Department of Archives and History, P. O. Box 571, Jackson, Mississippi 39205 (telephone number 601/576-6850), stating that the pit site is satisfactory from an archaeological and historical standpoint. Additionally, the contractor will furnish the Engineer either a copy of the " Notification of Exempt Operations" or a copy of the (permanent or temporary) Class II Permit approval from the Mississippi Department of Environmental Quality, Office of Geology.

For material pits located in Clarke, Covington, Forrest, George, Greene, Hancock, Harrison, Jackson, Jones, Lamar, Pearl River, Perry, Stone and Wayne Counties, the Contractor will be required to make special considerations regarding gopher tortoises. In addition to the normal required documentation associated with material pits, the Contractor shall, for each site used to obtain or dispose of materials associated with material pits located in these Counties, provide the Engineer with a letter from a qualified biologist certifying that the site was inspected prior to any clearing of vegetation or disposal of project materials and that the site is not inhabited by gopher tortoises, or appropriate avoidance measures have been installed. No individual lacking the proper State or Federal license shall touch or otherwise harass a gopher tortoise.

All costs involved in obtaining letters of clearance shall be born by the Contractor

OFFICE OF STATE AID ROAD CONSTRUCTION
MISSISSIPPI DEPARTMENT OF TRANSPORTATION

DATE: May 10, 2006

SUBJECT: Permits, Licenses and Taxes:

Section S-107-LEGAL RELATIONS AND RESPONSIBILITY TO PUBLIC; of the MISSISSIPPI STANDARD SPECIFICATIONS FOR STATE AID ROAD AND BRIDGE CONSTRUCTION 2004 EDITION is hereby amended as follows:

901-S-107.02-Permits, Licenses and Taxes. Delete in toto Subsection 107.02 on page 1-50, and substitute the following:

Except as provided in S-107.09, and S-107.22, the Contractor or Subcontractor shall procure all permits and licenses, pay all charges, fees, and taxes, and give all notices necessary and incidental to the due and lawful prosecution of the work. At any time during the life of this contract, State Aid may audit the Contractor's or Subcontractor's compliance with the requirements of this section.

The Contractor or Subcontractor is advised that the "Mississippi Special Fuel Tax Law", Section 27-55-501, et seq. and the Mississippi Use Tax Law, Section 27-67-1, et seq., Mississippi Code of 1972, Annotated, and their requirements and penalties apply to any contract or subcontract for construction, reconstruction, maintenance or repairs, for contracts or subcontracts entered into with the State of Mississippi, any political subdivision of the State of Mississippi, or any Department, Agency, Institute of the State of Mississippi or any political subdivision thereof.

The Mississippi State Tax Commission will be notified of the name and address of Contractors or any Subcontractors that are awarded State Aid contracts. The Contractor or Subcontractor will be subject one or more audits during the life of this contract to make certain that all applicable fuel taxes are being paid promptly as outlined in Section 27-55-501, et seq., Mississippi Code of 1972, Annotated, and any sales and/or use taxes, as outlined in Section 27-67-1, et seq., Mississippi Code of 1972, Annotated are being paid in compliance with the law.

SPECIAL PROVISION
901-S-618-1-LSBP
Project No. LSBP-54(30)
County: PANOLA

January, 2020

SUBJECT: SUPPLEMENT TO TRAFFIC CONTROL PLAN

The Project Road shall be closed to all traffic within the project limits. Thru traffic can detour around the work by means of local county roads.

The Contractor shall provide access of local traffic to properties fronting on the roadway at all times from one end of the construction area to the other.

Signs advising traffic of the alterations in normal traffic flow shall be posted as designated by the Traffic Control Plan Sheet No.2-C of the plans and shall be removed when no longer needed.

The specific requirements of the Contractor's responsibility are as required by Subsection S-104.04, S-105.15, S-107.07 and S-107.10, the Traffic Control Plans, General Notes and Construction Notes on Sheets No.2-C of the plans and Part VI of the MUTCD, Latest Edition.

The requirements of this Special Provision do not alter or in any way change the requirements of foregoing or any other requirement of the contract except as specifically stated herein as an alteration or change.

To this end Larry L. Britt, PE, is designated as the responsible person to insure the Contractor constructs, installs, and maintains the devices called for on the Traffic Control Plan. An inspection of the traffic control signs and devices shall be performed at periods not exceeding one week, regardless of construction activity within the project. The Contractor will be required to immediately rectify any noted deficiencies.

OFFICE OF STATE AID ROAD CONSTRUCTION
 MISSISSIPPI DEPARTMENT OF TRANSPORTATION

DATE: May 10, 2006

SUBJECT: Portland Cement

Section **S-701 - HYDRAULIC CEMENT**; of the MISSISSIPPI STANDARD SPECIFICATIONS FOR STATE AID ROAD AND BRIDGE CONSTRUCTION 2004 EDITION is hereby amended as follows:

901-S-701.01--Portland Cement. Delete the third paragraph and table in Subsection 701.01 on page 7-9, and substitute the following:

When Portland cement concrete or cement for soil stabilization is exposed to moderate or severe soluble sulfates, or to seawater, cement types and replacement of cement by Class F fly ash (FA), ground granulated blast furnace slag (GGBFS), or metakaolin shall be as follows:

Cementitious Materials for Soluble Sulfate Conditions

Sulfate Exposure	Water-soluble sulfate (SO ₄) in soil, % by mass	Sulfate (SO ₄) in water, ppm	Cementitious material required
Negligible	0.00 - 0.10	0.0 - 150	---
Moderate and Seawater	0.10 - 0.20	150 - 1500	Type II*** cement, or Type I cement with one of the following replacements of cement: 25% Class F, FA, or 50% GGBFS, or 10% metakaolin
Severe	0.20 - 2.00	1500 - 10,000	Type II* cement with one of the following replacements of cement: 25% Class F, FA, or 50% GGBFS, or 10% metakaolin

* Type I cement with a maximum 8% tricalcium aluminate may be used in lieu of Type II Cement.

** Class F, FA or GGBFS may be added as a replacement for Portland cement in accordance with the proportions as listed in this table.

Class C fly ash shall not be used as a replacement for Portland cement in any of the sulfate exposure conditions listed above.

OFFICE OF STATE AID ROAD CONSTRUCTION
MISSISSIPPI DEPARTMENT OF TRANSPORTATION

DATE: May 10, 2006

SUBJECT: Non-Metal Drainage Structures:

Section S-708 - NON-METAL STRUCTURES AND CATTLEPASSES; of the MISSISSIPPI STANDARD SPECIFICATIONS FOR STATE AID ROAD AND BRIDGE CONSTRUCTION 2004 EDITION is hereby amended as follows:

901-S-708.02.3.2-Marking: Delete the second sentence of Subsection 708.02.3.2 on page 7-53, and substitute the following:

Machine made Pipe shall be marked in accordance with one of the following methods: 1) the pipe shall be inscribed on the outside of the pipe and stenciled on the inside of the pipe, or 2) the pipe shall be inscribed on the inside of the pipe, only. All other pipe may be stenciled.

901-S-708.22.2-Exceptions to AASHTO: Delete the sixth paragraph of Subsection 708.22.2 on page 7-61.

Supplemental Specification
901-S-714-1
Geotextile Certification

OFFICE OF STATE AID ROAD CONSTRUCTION
MISSISSIPPI DEPARTMENT OF TRANSPORTATION

DATE: July 1, 2005

SUBJECT: Geotextile Certification:

Section S-714 - MISCELLANEOUS MATERIALS; of the MISSISSIPPI STANDARD SPECIFICATION FOR STATE AID ROAD AND BRIDGE CONSTRUCTION 2004 EDITION is hereby amended as follows:

901-S-714.13.10--Acceptance By Certification. After the second sentence of Subsection S-714.13.10 on page 7-105 insert the following:

Additionally, at least one certified test report, as per S-700.05.2, for each manufacturer's lot shall be furnished to the Engineer by the Contractor at no additional cost to the project.

OFFICE OF STATE AID ROAD CONSTRUCTION
MISSISSIPPI DEPARTMENT OF TRANSPORTATION

DATE: May 10, 2006

SUBJECT: **Miscellaneous Materials:**

Section S-714-MISCELLANEOUS MATERIALS; of the MISSISSIPPI STANDARD SPECIFICATIONS FOR STATE AID ROAD AND BRIDGE CONSTRUCTION 2004 EDITION is hereby amended as follows:

Delete Subsection 714.07 on page 7-92 and substitute the following:

901-S-714.07--Other Cementitious Materials:

901-S-714.07.1--Metakaolin:

901-S-714.07.1.1--Metakaolin--General: Metakaolin shall only be used to bring the cementitious materials in Portland cement concrete and cement for soil stabilization into compliance with the requirements for cementitious materials exposed to soluble sulfate conditions. The approval of each metakaolin source shall be on a case by case basis as determined by the MDOT State Materials Engineer. Source approval will be based on, but not limited to, review of the proposed source's quality control program, production history, certified test reports, certification of shipment from the supplier, and job control sampling and testing requirements.

The Contractor shall provide suitable means for storing and protecting the metakaolin against dampness and contamination Metakaolin which has become partially set, caked, or contains lumps shall not be used.

The MDOT State Materials Engineer shall be notified in writing of the nature, amount and identity of any processing, or other additions made to the metakaolin during production.

Metakaolin from different sources shall not be mixed or used alternately in any one class of construction or structure without written permission from the Engineer. In addition to these requirements, metakaolin shall meet the following specific requirements.

901-S-714.07.1.2--Specific Requirements: Metakaolin shall meet the requirements of AASHTO Designation: M 295 Class N with the following modifications:

1. The sum of $\text{SiO}_2 + \text{Al}_2\text{O}_3 + \text{Fe}_2\text{O}_3$ Shall be at least 85%. The Material Safety Data Sheet shall indicate the amount of crystalline silica, as measure by National Institute of Occupation Safety and Health (NIOSH) 7500 method, after removal of the mica interference, is less than 1.0%.
2. The loss on ignition shall be less than 3.0%.
3. The available alkalis, as equivalent Na_2O , shall not exceed 1.0%.
4. The amount of material retained on the No. 325 Mesh sieve shall not exceed 1.0%.
5. The strength activity index at seven (7) days shall be at least 85%.

OFFICE OF STATE AID ROAD CONSTRUCTION
MISSISSIPPI DEPARTMENT OF TRANSPORTATION

DATE: May 5, 2006

SUBJECT: **Concrete Bridges And Structures:**

Section **S-804 - CONCRETE BRIDGES AND STRUCTURES**; of the MISSISSIPPI STANDARD SPECIFICATIONS FOR STATE AID ROAD AND BRIDGE CONSTRUCTION 2004 EDITION is hereby amended as follows:

901-S-804.02.1-General. Add the following materials to the list of materials in Subsection 804.02.01 on page 8-51.

Ground Granulated Blast Furnace Slag (GGBFS) S-714.06
Metakaolin 901-S-714.07.01

901-S-804.02.10-Portland Cement Concrete Mix Design. Change Note ***** of Subsection S-804.02.10 on page 8-56 as follows:

***** Class DS Concrete for drilled shafts shall have an 8± 1-inch slump. In the event of free fall method of concrete placement is used, the slump shall be 6± 1 inch.

Delete the last paragraph of Subsection S-804.02.10 on page 8-57 and substitute the following:

Either Type A, D, F, G or mid-range chemical admixture shall be used in all classes of concrete. Any combination of water reducing admixtures shall be approved by the Engineer before their use.

901-S-804.05-Basis of Payment. Add "901" prefix to the pay items listed on page 8-108.

OFFICE OF STATE AID ROAD CONSTRUCTION
MISSISSIPPI DEPARTMENT OF TRANSPORTATION
AFFIDAVIT

(To be Executed in Duplicate)

State of Mississippi
County of Benton

I, Kenneth W. Hill JR. (Name of person signing affidavit), individually, and in my capacity as Vice President (Title) of Xcavators, Inc. (Name of Firm, Partnership, or Corporation) being duly sworn, on oath, do depose and say as follows:

That Kenneth W Hill JR. (Name of Firm, Partnership, or Corporation), Bidder on Project No. LSBP-54 (30) in Panola County, 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 in connection with this contract; nor have any of its officers, partners, employees, or principal owners.

Further, being duly sworn or under penalty of perjury under the laws of the United States and the State of Mississippi; certifies that, except as noted below, the company or any person associated therewith in the capacity of owner, partner, director, manager, auditor, or any position involving the administration of federal funds:

- (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 judgement 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 statues 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 Item (b) of this subsection; 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.

Initial here " _____ " if exceptions are attached and made a part thereof. Any exceptions shall address to whom it applies, initiating agency and dates of such action.

The Bidder shall provide immediate written notice to the Board of Supervisors and the State Aid Engineer at any time, prior to or after award, that it is known a certification was erroneous when executed or has become erroneous by reason of changed circumstances.

NOTE: Exceptions will not necessarily result in denial of award but will be considered in determining bidder responsibility. Providing false information may result in criminal prosecution or administrative sanctions.

All of the foregoing and attachments (when indicated) are true and correct.



Signature: [Handwritten Signature]

Title: Vice President

Sworn before me this 9th day of July 2021
My commission expires Sept. 8, 2024

Notary Public: [Handwritten Signature]

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

OFFICE OF STATE AID ROAD CONSTRUCTION
MISSISSIPPI DEPARTMENT OF TRANSPORTATION
AFFIDAVIT

(To be Executed in Duplicate)

State of Mississippi
County of Benton

I, Kenneth W. Hill, JR. (Name of person signing affidavit), individually, and in my
capacity as Vice President (Title) of Xcavators, Inc.
(Name of Firm, Partnership, or Corporation) being duly sworn, on oath, do depose and say as follows:

That Xcavators, Inc. (Name of Firm, Partnership, or Corporation), Bidder
on Project No. LSBP-54 (30) in Panola County, 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 in connection with this contract; nor have any of its officers, partners, employees, or principal owners.

Further, being duly sworn or under penalty of perjury under the laws of the United States and the State of Mississippi; certifies
that, except as noted below, the company or any person associated therewith in the capacity of owner, partner, director,
manager, auditor, or any position involving the administration of federal funds:

- (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 judgement 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 Item (b) of this subsection; 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.

Initial here " _____ " if exceptions are attached and made a part thereof. Any exceptions shall address to whom it applies, initiating agency and dates of such action.

The Bidder shall provide immediate written notice to the Board of Supervisors and the State Aid Engineer at any time, prior to or after award, that it is known a certification was erroneous when executed or has become erroneous by reason of changed circumstances.

NOTE: Exceptions will not necessarily result in denial of award but will be considered in determining bidder responsibility. Providing false information may result in criminal prosecution or administrative sanctions.

All of the foregoing and attachments (when indicated) are true and correct.



Signature: [Handwritten Signature]

Title: Vice President

Sworn before me this 9th day of July 2021

Notary Public: [Handwritten Signature]

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

EEV Certification
REV. 06-12

**MISSISSIPPI DEPARTMENT OF TRANSPORTATION
OFFICE OF STATE AID ROAD CONSTRUCTION**

CONTRACTOR EEV CERTIFICATION AND AGREEMENT

Project No: LSBP-54 (30) County: Panola

By executing this Certification and Agreement, the undersigned verifies its compliance with Senate Bill 2988 from the 2008 Mississippi Legislative Session, "Mississippi Employment Protection Act," as published in Laws, 2008 and codified in the Mississippi Code of 1972, as amended, and any rules or regulations promulgated by Office of State Aid Road Construction, Department of Employment Security, State Tax Commission, Secretary of State, and Department of Human Services in accordance with the Mississippi Administrative Procedures Law (Section 25-43-1 et seq., Mississippi Code of 1972, as amended), stating affirmatively that the individual, firm, or corporation which is contracting with the County and the Office of State Aid Road Construction has registered with and is participating in a federal work authorization program* operated by the United States Department of Homeland Security to electronically verify information of newly hired employees pursuant to the Immigration Reform and Control Act of 1986, Pub.L. 99-603, 100 Stat 3359, as amended. The undersigned agrees to inform the Office of State Aid Road Construction if the undersigned is no longer registered or participating in the program.

The undersigned agrees that, should it employ or contract with any subconsultant(s) and/or subcontractor(s) in connection with the performance of this Contract, the undersigned will secure from such subconsultant(s) and/or subcontractor(s) verification of compliance with the Mississippi Employment Protection Act. The undersigned further agrees to maintain records of such compliance and provide a copy of each such verification to the Office of State Aid Road Construction, if requested, for the benefit of the County and the Office of State Road Construction or this Contract.

703459

EEV* Company Identification Number [Required]

The undersigned certifies that the above information is complete, true and correct to the best of my knowledge and belief. The undersigned acknowledges that any violation may be subject to the cancellation of the contract, ineligibility for any state or public contract for up to three (3) years, the loss of any license, permit, certificate or other document granted by any agency, department or government entity for the right to do business in Mississippi for up to one (1) year, or both, any and all additional costs incurred because of the contract cancellation or the loss of any license or permit, and may be subject to additional felony prosecution for knowingly or recklessly accepting employment for compensation from an unauthorized alien as defined by 8 U.S.C §1324a(h)(3), said action punishable by imprisonment for not less than one (1) year nor more than five (5) years, a fine of not less than One Thousand Dollars (\$1,000.00) nor more than Ten Thousand Dollars (\$10,000.00) or both, in addition to such prosecution and penalties as provided by Federal law.

BY: Kenneth W. Hill JR.
Authorized Officer or Agent

July 9th, 2021
Date

Kenneth W. Hill JR.
Printed Name of Authorized Officer or Agent

Vice President
Title of Authorized Officer or Agent of Contractor

SWORN TO AND SUBSCRIBED before me on this the 9th day of July, 20 21.



[Signature]
NOTARY PUBLIC

My Commission Expires: Sept. 8, 2024

* As of the effective date of the Mississippi Employment Protection Act, the applicable federal work authorization program is E-Verify™ operated by the U. S. Citizenship and Immigration Services of the U.S. Department of Homeland Security, in conjunction with the Social Security Administration.

SECTION 902
PROPOSAL

Date July 9th, 2021

Proposal of Xcavators, Inc.

of 20831A Highway 15 N, Falkner, MS 38629

for constructing the following designated project within the time hereinafter specified.

The Plans are composed of drawings and blue prints on file in the office of the Chancery Clerk of Panola
County at Batesville, Mississippi.

The Specifications are the currently approved Standard Specifications of the Office of State Aid Road Construction of the Mississippi Department of Transportation and the Federal Highway Administration, except where superseded or amended by Special Provisions and Revisions of the Specifications attached hereto and made a part thereof.

Board of Supervisors

Panola County, Batesville, Mississippi

Sirs: The following is made on behalf of Xcavators, Inc.

And, no others. Evidence of my (our) authority to submit the Proposal is hereby furnished. The Proposal is made without collusion on the part of any person, firm or corporation. I (we) certify that I (we) have carefully examined the Plans, and the Specifications, including the Special Provisions and Revisions herein, and have personally examined the site of the work. On the basis of the Specifications, Special Provisions, Revisions and Plans I (we) propose to furnish all necessary machinery, tools, apparatus and other means of construction and do all the work and furnish all materials in the manner specified. I (we) understand that the quantities mentioned below are approximate only and are subject to increase or decrease, and hereby propose to perform any increased or decreased quantities of work at the unit prices bid.

The following is my (our) itemized Proposal:

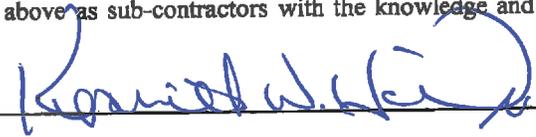
SECTION 902 – Proposal (Continued)

In the event of award of the Contract to me (us) under this Proposal, I (we) contemplate the sub-contracting of the following items, to the persons or firms named after each item in accordance with Special Provisions providing for the sub-contracting attached hereto if such sub-contracting thereof is approved by the Board of Supervisors and the State Aid Engineer. In the event of disapproval of such sub-contracting, I (we) agree to perform such item or items of work with my (our) own organization, in full compliance with all applicable terms of this Proposal.

NOTE: Bidder will insert below a list of the specific Pay Items and Quantities thereof which he proposes to sub-contract, and the names and addresses of the persons or firms to whom he proposes to sub-contract, and the names and addresses of the persons or firms to whom he proposes to sub-contract each Item.

Pay Item No. _____	:	_____		_____
		(quantity)	of	(description)
To _____				
Pay Item No. _____	:	_____		_____
		(quantity)	of	(description)
To _____				
Pay Item No. _____	:	_____		_____
		(quantity)	of	(description)
To _____				
Pay Item No. _____	:	_____		_____
		(quantity)	of	(description)
To _____				
Pay Item No. _____	:	_____		_____
		(quantity)	of	(description)
To _____				
Pay Item No. _____	:	_____		_____
		(quantity)	of	(description)
To _____				

I hereby certify that the persons or firms are names above as sub-contractors with the knowledge and consent of the persons or firms names.

Signed 
 By Kenneth W. Hill JR.

In the event of the award of this contract to the above named bidder, for the performance of the work, and in the further event that the sub-contractor(s) named herein are approved by the Board of Supervisors and the State Aid Engineer, the sub-contractor or subcontractors shall execute the following:

I (we) hereby certify that the use of our names as sub-contractors on the above items was and is with our knowledge and consent.

_____	20	_____
_____	20	_____
_____	20	_____
_____	20	_____

SECTION 902
PROPOSAL SHEET (2-A)

PROJECT NO. LSBP-54 (30)
PANOLA COUNTY, MISSISSIPPI

For the construction of: BOX CULVERT AND APPROACHES on 0.065 mile(s) of county road known as RIVER ROAD in Panola County, Mississippi under Local System Bridge Program Project No. LSBP-54 (30).

I (We) agree to complete the entire project within 60 Working Days.

SPECIAL NOTICE TO BIDDERS
BIDS WILL NOT BE CONSIDERED UNLESS BOTH UNIT PRICES AND ITEM TOTALS ARE ENTERED

Ref. No.	Pay Item No.	Description	Approx. Quantity	Unit	Unit Price		Item Total	
					Dollars	Cents	Dollars	Cents
Roadway Items								
1	S-200-A	MOBILIZATION	Lump Sum	LS	XXXXXXXXXXXX	XXXXXXXXXXXX	\$25,000	00
2	S-201-A	CLEARING AND GRUBBING	Lump Sum	LS	XXXXXXXXXXXX	XXXXXXXXXXXX	\$25,000	00
3	S-202-B	REMOVAL OF BRIDGE (STA. 10+34)	1.000	UN	\$32,000	00	\$32,000	00
4	S-202-D	REMOVAL OF CONCRETE	150.000	SY	\$15	00	\$2,250	00
5	S-202-E	REMOVAL OF PIPE (ALL SIZES)	22.000	LF	\$17	00	\$374	00
6	S-203-A	UNCLASSIFIED EXCAVATION (F.M.)	8,288.000	CY	\$6	00	\$49,728	00
7	S-203-H	EXCESS EXCAVATION (F.M.)	5,489.000	CY	\$6	00	\$32,934	00
8	S-206-A	STRUCTURE EXCAVATION	750.000	CY	\$6	00	\$4,500	00
9	247-A	TEMPORARY STREAM DIVERSION	1.000	EA	\$9,000	00	\$9,000	00
10	S-304-B	GRANULAR MATERIAL, (CLASS 4, GROUP "C")	396.000	TON	\$35	00	\$13,860	00
11	S-601-A	CLASS "B" STRUCTURAL CONCRETE	298.870	CY	\$695	00	\$207,714	65
12	S-602-A	REINFORCING STEEL	74,276.000	LB	\$1	20	\$89,131	20
13	S-603-PE	24" CORRUGATED POLYETHYLENE PIPE	75.000	LF	\$55	00	\$4,125	00
14	S-617-A	RIGHT-OF-WAY MARKERS (TYPE I)	8.000	EA	\$300	00	\$2,400	00
15	S-618-A	MAINTENANCE OF TRAFFIC	Lump Sum	LS	XXXXXXXXXXXX	XXXXXXXXXXXX	\$4,375	00
16	S-618-B	ADDITIONAL CONSTRUCTION SIGNS	0.000	SF	10	00	0	00
Subtotal Roadway Items							\$502,391	85
Erosion Control Items								
17	S-212-B	COMMERCIAL FERTILIZER (13:13:13)	1.200	TON	\$1,000	00	\$1,200	00
18	S-212-F	AMMONIUM NITRATE	0.120	TON	\$2,200	00	\$264	00

SECTION 902

PROPOSAL SHEET (2-B)

PROJECT NO. LSBP-54(30)
PANOLA COUNTY, MISSISSIPPI

Ref. No.	Pay Item No.	Description	Approx. Quantity	Unit	Unit Price		Item Total	
					Dollars	Cents	Dollars	Cents
19	S-214-A	SEEDING	1.200	AC	\$1,000	00	\$1,200	00
20	S-215-A	VEGETATIVE MATERIALS FOR MULCH	3.600	TON	\$680	00	\$2,448	00
21	S-233-A	TEMPORARY SILT FENCE (TYPE I) (AOS 0.15 mm - 0.84 mm)	200.000	LF	\$5	00	\$1000	00
22	237-A	WAFFLES, 20"	80.000	LF	\$5	00	\$400	00
23	S-815-A	LOOSE RIPRAP, 300 LB.	625.000	TON	\$55	00	\$34,375	00
24	S-815-E	GEOTEXTILE UNDER RIPRAP, TYPE V, (AOS 0.21 mm - 0.43 mm)	750.000	SY	\$5	00	\$3,750	00
Subtotal Erosion Control Items							\$44,637	00
Total Bid							\$547,028	85

SECTION 902 – Proposal (Continued)

I (we) further propose to perform all "force account or extra work" that may be required of me(us) on the basis provided in the Specifications and to give such work my(our) personal attention in order to see that it is economically performed.

I (we) further propose to execute the attached contract agreement (Section 903) as soon as the work is awarded to me (us) and to begin and complete the work within the time limit provided for in the Specifications and Notice to Contractors. I (we) also propose to execute the attached contract bond (Section 904) in an amount not less than one hundred (100) per cent of the total of my (our) bid. This bond shall not only serve to guarantee the completion of the work on my (our) part, but also to guarantee the excellence of both workmanship and materials until the work is finally accepted.

I (we) enclose a certified check (bid bond) for Five Percent (\$) Dollars and hereby agree that in case of my (our) failure to execute the contract and furnish bond within FIFTEEN (15) days after notice of award, the amount of this check (bid bond) will be forfeited to the County of Panola, State of Mississippi, as liquidated damages arising out of my (our) failure to execute the contract as proposed. It is understood that in case I am (we are) not awarded the work, the check will be returned as provided in the Specifications.

Respectfully submitted,

By *Kenneth W. Hill*

Signed

Title Vice President

Address 20831A Highway 15

Falkner MS, 38629

Date July 9th, 2021

(To be filled in if a corporation)

Our corporation is chartered under the Laws of the State of Mississippi, and the names, titles and business addresses of the executives are as follows:

Robert E. Hill
President

Address

Danny C. McAlister
Secretary

Address

Danny C. McAlister
Treasurer

Address



POWER OF ATTORNEY
BERKLEY INSURANCE COMPANY
WILMINGTON, DELAWARE

NOTICE: The warning found elsewhere in this Power of Attorney affects the validity thereof. Please review carefully.

KNOW ALL MEN BY THESE PRESENTS, that BERKLEY INSURANCE COMPANY (the "Company"), a corporation duly organized and existing under the laws of the State of Delaware, having its principal office in Greenwich, CT, has made, constituted and appointed, and does by these presents make, constitute and appoint: *Cooper W. Permenter of HUB International Midwest Limited dba HUB International Mid-South of Oxford, MS* its true and lawful Attorney-in-Fact, to sign its name as surety only as delineated below and to execute, seal, acknowledge and deliver any and all bonds and undertakings, with the exception of Financial Guaranty Insurance, providing that no single obligation shall exceed Fifty Million and 00/100 U.S. Dollars (U.S.\$50,000,000.00), to the same extent as if such bonds had been duly executed and acknowledged by the regularly elected officers of the Company at its principal office in their own proper persons.

This Power of Attorney shall be construed and enforced in accordance with, and governed by, the laws of the State of Delaware, without giving effect to the principles of conflicts of laws thereof. This Power of Attorney is granted pursuant to the following resolutions which were duly and validly adopted at a meeting of the Board of Directors of the Company held on January 25, 2010:

RESOLVED, that, with respect to the Surety business written by Berkley Surety, the Chairman of the Board, Chief Executive Officer, President or any Vice President of the Company, in conjunction with the Secretary or any Assistant Secretary are hereby authorized to execute powers of attorney authorizing and qualifying the attorney-in-fact named therein to execute bonds, undertakings, recognizances, or other suretyship obligations on behalf of the Company, and to affix the corporate seal of the Company to powers of attorney executed pursuant hereto; and said officers may remove any such attorney-in-fact and revoke any power of attorney previously granted; and further

RESOLVED, that such power of attorney limits the acts of those named therein to the bonds, undertakings, recognizances, or other suretyship obligations specifically named therein, and they have no authority to bind the Company except in the manner and to the extent therein stated; and further

RESOLVED, that such power of attorney revokes all previous powers issued on behalf of the attorney-in-fact named; and further

RESOLVED, that the signature of any authorized officer and the seal of the Company may be affixed by facsimile to any power of attorney or certification thereof authorizing the execution and delivery of any bond, undertaking, recognizance, or other suretyship obligation of the Company; and such signature and seal when so used shall have the same force and effect as though manually affixed. The Company may continue to use for the purposes herein stated the facsimile signature of any person or persons who shall have been such officer or officers of the Company, notwithstanding the fact that they may have ceased to be such at the time when such instruments shall be issued.

IN WITNESS WHEREOF, the Company has caused these presents to be signed and attested by its appropriate officers and its corporate seal hereunto affixed this 28th day of April, 2020.

Attest:

Berkley Insurance Company

(Seal)

By

Ira S. Lederman
Executive Vice President & Secretary

By

Jeffrey M. Hafter
Senior Vice President

WARNING: THIS POWER INVALID IF NOT PRINTED ON BLUE "BERKLEY" SECURITY PAPER.

STATE OF CONNECTICUT)

COUNTY OF FAIRFIELD)

) ss:

Sworn to before me, a Notary Public in the State of Connecticut, this 28th day of April, 2020, by Ira S. Lederman and Jeffrey M. Hafter who are sworn to me to be the Executive Vice President and Secretary, and the Senior Vice President, respectively, of Berkley Insurance Company.

MARIA C RUNDRAKEN
NOTARY PUBLIC
CONNECTICUT
MY COMMISSION EXPIRES
APRIL 30, 2024

Maria C. Rundraken
Notary Public, State of Connecticut

CERTIFICATE

I, the undersigned, Assistant Secretary of BERKLEY INSURANCE COMPANY, DO HEREBY CERTIFY that the foregoing is a true, correct and complete copy of the original Power of Attorney; that said Power of Attorney has not been revoked or rescinded and that the authority of the Attorney-in-Fact set forth therein, who executed the bond or undertaking to which this Power of Attorney is attached, is in full force and effect as of this date.

Given under my hand and seal of the Company, this 9th day of July, 2021.

Vincent P. Forte
Vincent P. Forte

WARNING - Any unauthorized reproduction or alteration of this document is prohibited. This power of attorney is void unless seals are readable and the certification seal at the bottom is embossed. The background imprint, warning and verification instructions (on reverse) must be in blue ink.



Proposed Guaranty

Insert here or attached hereto certified check or Proposal Guaranty Bond in the amount as required in the Notice to Contractors.

Each agent representing such Surety Company must file with the contracting county his power of attorney duly executed by said Surety Company.

The Contractor agrees that all labor as outlined in the Special Provisions will be secured from list furnished by

Panola County Employment Office

It is agreed and understood that each and every provision of law and clause required by law to be inserted in this contract shall be deemed to be inserted herein and this contract shall be read and enforced as though it were included herein and, if through mere mistake or otherwise any such provision is not inserted, or is not correctly inserted, then upon the application of either party hereto, the contract shall forthwith be physically amended to make such insertion.

The Contractor agrees that he has read each and every clause of this Contract, and fully understands the meaning of same and that he will comply with all the terms, covenants and agreements therein set forth.

Witness our signatures this the _____ day of _____ 20 _____

(1) _____ APPROVED _____ 20 _____
Contractor(s)

By _____

(3) _____
State Aid Engineer

TITLE _____
Signed and Sealed in the presence of:
(names and addresses of witnesses)

APPROVED _____ 20 _____

(1) _____

(4) TRANSPORTATION COMMISSION OF THE
STATE OF MISSISSIPPI (Approval of the
Commission not Required when no Federal Funds are
involved.)

(2) BOARD OF SUPERVISORS

Tate _____ County

By _____
President

By _____
Executive Director

Award authorized by the Board of Supervisors of _____ Tate _____

County in session on the _____ Day of _____ 20 _____

Minute Book No. _____, Page no. _____

MISSISSIPPI DEPARTMENT OF TRANSPORTATION

SECTION 904

CONTRACT BOND (Rev. 03-11-2010)

CONTRACT BOND FOR LSBP-54(30)

LOCATED IN THE COUNTY OF PANOLA

STATE OF MISSISSIPPI

COUNTY OF PANOLA

Know all men by these presents: that we, _____
Principal, a _____ residing at _____ in the State of _____
and _____ residing at _____ in the State of _____ authorized to do
business in the State of Mississippi, under the laws thereof, as surety, are held and firmly bound
unto the Board of Supervisors of _____ Tate County, State of Mississippi, in the Penal sum
of (_____) Dollars, lawful money of the United States of America.
To be paid to it for which payment well and truly to be made, we bind ourselves, our heirs,
administrators, successors, or assigns jointly and severally by these presents.

Signed and sealed this the ____ day of _____ A. D., 20 ____ .

The conditions of this bond are such, that whereas the said _____
principal, has (have) entered into a contract with the Board of Supervisors of PANOLA
County of the State of Mississippi, bearing the date of the ____ day of _____ A. D.,
20 ____ hereto annexed, for the construction of certain highways in the said county as mentioned in
said contract in accordance with the plans, specifications and special provisions therefore, on file in
the office of the Chancery Clerk of the county and state herein named.

Now, therefore, if the above bounden _____ in all things shall stand to and
abide by and well and truly observe, do, keep and perform all and singular the terms, covenants,
conditions, guarantees and agreements in said contract, contained on his (their) part to be observed,
done, kept and performed and each of them, at the time and in the manner and form and furnish all
of the material and equipment specified in said contract in strict accordance with the terms of said
contract which said plans, specifications and special provisions are included in and form a part of
said contract and shall maintain, the said work contemplated until

its final completion and acceptance as specified in the currently approved specifications, and save
harmless said Board of Supervisors from any loss or damage arising out of or occasioned by the
negligence, wrongful or criminal act, overcharge, fraud, or any other loss or damage whatsoever,
on the part of said principal(s), his (their) agents, servants, or employees in the performance of said

work or in any manner connected therewith, an shall be liable and responsible in a civil action instituted by the Board of Supervisors at the instance of the State Aid Engineer or any officer of the said county authorized in such cases, for double any amount in money or property, the Board of Supervisors may lose or be overcharged or otherwise defrauded of, by reason of any wrongful or criminal act, if any, of the Contractor(s), his (their) agents, or employees, and shall promptly pay the said agents, servants and employees and all persons furnishing labor, material, equipment or supplies therefore, including premiums incurred, for Surety Bonds, Liability Insurance, and Workmen's Compensation Insurance; with the additional obligation that such Contractor shall promptly make payment of all taxes, licenses, assessments, contributions, damages, penalties and interest thereon, when and as the same may be due this State, or any county, municipality, board, department Commission or political Subdivision; in the course of the performance of said work, and in accordance with Sections 31-5-51 et seq. of the Mississippi Code of 1972, and other State statutes applicable thereto, and shall carry out to the letter and to the satisfaction of both the Board of Supervisors of the aforesaid county and the State Aid Engineer all, each and every one of the stipulations, obligations, conditions, covenants and agreements and terms of said contract in accordance with all terms thereof and all of the expense and cost and Attorney's fees that may be incurred in the enforcement of the performance of said contract, or in the enforcement of the conditions and obligations of this bond, then this obligation shall be null and void, otherwise to be and remain in full force and virtue.

Witness our signatures this the _____ day of _____ A. D., 20 ____

(CONTRACTORS) Principal

SURETY

By: _____

By: _____

(Signature) ATTORNEY IN FACT.

TITLE: _____

(Contractor's Seal)

Name and address of MS agent or qualified non-resident agent

(Surety Seal)