

State of Rhode Island and Providence Plantations Contract Offer  
**RIVIP GENERATED BIDDER CERTIFICATION COVER FORM**

**SECTION 1 - VENDOR INFORMATION**

**Bid/RFP Number:** 7448174  
**Bid/RFP Title:** CONSTRUCTION OF EAST MATUNUCK STATE BEACH FACILITY, DEM (3 PGS AND ZIP FIL  
**Opening Date & Time:** 2/11/2011 1:45 PM  
**RIVIP Vendor ID #:** 25220  
**Vendor Name:** ADS Construction, Inc.  
**Address:** 300 Wampanoag Trail  
East Providence, RI 02915  
USA  
**Telephone:** (401) 431-1228  
**Fax:** (401) 431-0617  
**E-Mail:** adepasquale@adsconst.com  
**Contact Person:** Anthony L. DePasquale  
**Title:** President  
**R.I. Foreign Corp #:**

**\*\*\*NOTICE TO VENDORS\*\*\***

Effective January 1, 2011 all public works project related bids or proposals exceeding one million (\$1,000,000) dollars are required to include a "public copy". All agency contract solicitations, requests for proposals, invitations for bids, etc. shall state that any bid or proposal that exceeds one million (\$1,000,000) dollars must include a copy to be available for public inspection upon the opening of the bids. Any bid or proposal in excess of one million (\$1,000,000) dollars which does not include a copy for public inspection shall be deemed to be non-responsive. For further information, please see R. I. Gen. Laws §37-2-18 (P.L. 221) <http://www.rilin.state.ri.us/PublicLaws/law10/law10221.htm> and Purchasing Rules & amendment at <http://www.purchasing.ri.gov/Notices2.aspx>.

In addition, the Division of Purchases has promulgated proposed regulations pursuant to R.I. Gen. Laws § 37-2-18 that implements the "public copy" requirement. Public hearing on the proposed regulations was held on Friday, December 17, 2010. The proposed regulations will become final on January 11, 2011. For further information please visit [www.sos.ri.gov](http://www.sos.ri.gov).

NOTE: AWARD OF CONTRACTS AND PURCHASE ORDERS SHALL BE SUBJECT, AT THE DISCRETION OF THE PURCHASING AGENT, TO THE OFFEROR COMPLETING AN ON-LINE RIVIP REGISTRATION at [www.purchasing.ri.gov](http://www.purchasing.ri.gov). It is THE RESPONSIBILITY OF THE VENDOR to make on-line corrections/updates using the Vendor maintenance program on the RI Division of Purchases Web Site.

**SECTION 2 - REQUIREMENTS**

ALL OFFERS ARE SUBJECT TO THE REQUIREMENTS, PROVISIONS AND PROCEDURES CONTAINED IN THIS THREE-PAGE CERTIFICATION FORM. Offerors are expected to READ, SIGN and COMPLY with all requirements. Failure to do so may be grounds for disqualification of the offer contained herein.

**Section 2.1 - RULES FOR SUBMITTING OFFERS**

2.1A. This CERTIFICATION FORM MUST BE ATTACHED IN ITS ENTIRETY TO THE FRONT OF THE OFFER and shall be considered an integral part of each offer made by a vendor to enter into a contract with the State of Rhode Island, Division of Purchases. As such, submittal of the entire Bidder Certification Cover Form, signed by a duly authorized representative of the offeror attesting that he/she (1) has read and agrees to comply with the requirements set forth herein and (2) to the accuracy of the information provided and the offer extended, is a mandatory part of any contract award.

To assure that offers are considered on time, each offer must be submitted with the specific Bid/RFP/LOI number (provided above), date and time of opening marked in the upper left hand corner of envelope. Each bid/offer must be submitted in separate sealed envelopes.

A complete, signed (in ink) offer package, must be delivered to the division of purchases (via any mail or messenger service) by the time and date specified for the opening of responses in a sealed envelope.

Bids must be submitted on the RI bid solicitation forms provided, indicating brand and part numbers of items offered, as appropriate. Bidders must submit detailed cuts and specs on items offered as equivalent to brands requested WITH THE OFFER. Bidders must be able to submit samples if requested.

**Mail To: Division of Purchases, One Capitol Hill, Second Floor, Providence, RI 02908-5855.**

Documents misdirected to other State locations or which are not present in the Division of Purchases at the time of opening for whatever cause will be deemed to be late and will not be considered. For the purposes of this requirement, the official time and date shall be that of the time clock in the Division of Purchases. Postmarks shall not be considered proof of timely submission.

2.1B. RIVIP SOLICITATIONS. To assure maximum access opportunities for users, public bid/RFP solicitations shall be posted on the RIVIP for a minimum of seven days and no amendments shall be made within the last five days before the date an offer is due. When copies of plans and specifications are too large to make available on-line and are issued with a requirement for a refundable deposit, vendors on the known lists of depositors will receive direct notification of amendments. Except when access to the Web Site has been severely curtailed and it is determined by the State Purchasing Agent that special circumstances preclude extending a solicitation due date, requests to mail or fax hard copies of solicitations will not be honored. When the result of an Internet solicitation is unsuccessful, the State of Rhode Island will cancel the original solicitation and resolicit the original offer directly from vendors.

2.2. PRICING. Offers are irrevocable for sixty (60) days from the opening date (or such other extended period set forth in the solicitation) and may not be withdrawn, except with the express permission of the State Purchasing Agent. All pricing will be considered to be firm and fixed unless otherwise indicated. The State of Rhode Island is exempt from Federal excise taxes and State Sales and Use Taxes. Such taxes shall not be included in the bid price. PRICES QUOTED ARE FOB DESTINATION.

2.3. DELIVERY and PRODUCT QUALITY. All offers must define delivery dates for all items; if no delivery date is specified, it is assumed that immediate delivery from stock will be made. The contractor will be responsible for delivery of materials in first class condition. Rejected materials will be at vendor's expense.

2.4. PREVAILING WAGE, OSHA and APPRENTICESHIP.

2.4.1 Prevailing Wage and OSHA Safety Training Requirements. The provisions of the State labor laws and OSHA Safety Training, including but not limited to Rhode Island General Laws 37-13-1 et seq. and 28-20-1 et seq., shall apply for all public works contracts. Prevailing wage rates are posted in the information section of the RIVIP. The RI Department of Labor and Training should be contacted for regulatory requirements.

2.4.2 Apprenticeship. Rhode Island General Laws §37-13-3 1 requires all general contractors and subcontractors who perform work on any public works contract awarded by the state valued at one million dollars (\$1,000,000) or more shall employ apprentices required for the performance of the awarded contract. The number of apprentices shall comply with the apprentice to journeyman ratio for each trade approved by the apprenticeship council of the department of labor and training.

2.5. PUBLIC RECORDS. Offerors are advised that all materials submitted to the State for consideration in response to this solicitation will be considered without exception to be Public Records pursuant to Title 38 Chapter 2 of the Rhode Island General Laws, and will be released for inspection immediately upon request once an award has been made. Offerors are encouraged to attend public bid/RFP openings to obtain information; however, bid/RFP response summaries may be reviewed after award(s) have been made by using the RIVIP at any time or appearing in person at the Division of Purchases Mondays through Fridays between 8:30 a.m. and 3:30 p.m. Telephone requests for results will not be honored. Written requests for results will only be honored if the information is not available on the RIVIP.

### SECTION 3. AWARD DETERMINATION.

Award will be made to the responsive and responsible offeror quoting the lowest net price in accordance with specifications, for any individual item(s), for major groupings of items, or for all items listed, at the State's sole option.

3.1. BID SURETY. Where bid surety is required, bidder must furnish a bid bond or certified check for 5% of the bid total with the bid, or for such other amount as may be specified. Bids submitted without a required bid surety will not be considered.

3.2. SPECIFICATIONS. Unless specified "no substitute," product offerings equivalent in quality and performance will be considered (at the sole option of the State) on the condition that the offer is accompanied by detailed product specifications. Offers which fail to include alternate specifications may be deemed nonresponsive.

### SECTION 4 – CONTRACT PROVISIONS.

4.1. VENDOR AUTHORIZATION TO PROCEED.

4.1A. When a purchase order, change order, contract/agreement or contract/agreement amendment is issued by the RI Division of Purchases, no claim for payment for services rendered or goods delivered contrary to or in excess of the contract terms and scope shall be considered valid unless the vendor has obtained a written change order or contract amendment issued by the Division of Purchases PRIOR TO delivery.

4.1B. Any offer, whether in response to a solicitation for proposals or bids, or made without a solicitation, which is accepted in the form of an order OR Pricing Agreement made in writing by the Purchasing Agent, or a state official with purchasing authority delegated by the Purchasing Agent, shall be considered a binding contract.

4.2. REGULATIONS, GENERAL TERMS AND CONDITIONS GOVERNING STATE CONTRACTS. This solicitation and any contract or purchase order arising from it are issued in accordance with the specific requirements described herein, and the State's Purchasing Laws and Regulations and other applicable State Laws. The Regulations, General Terms and Conditions are incorporated into all state contracts. These regulations and basic information on How To Do Business with the State of Rhode Island are posted on the Rhode Island Vendor Information Program Website ([www.purchasing.ri.gov](http://www.purchasing.ri.gov)).

4.2A. ARRA SUPPLEMENTAL TERMS AND CONDITIONS. Contracts and sub-awards funded in whole or in part by the American Recovery and Reinvestment Act of 2009, Pub.L.No. 111-5 and any amendments thereto, such contracts and sub-awards, shall be subject to the Supplemental Terms and Conditions For Contracts and Sub-awards Funded in Whole or in Part by the American Recovery and Reinvestment Act of 2009, Pub.L.No. 111-5 and any amendments thereto located on the Division of Purchases website at [www.purchasing.ri.gov](http://www.purchasing.ri.gov).

4.3. EQUAL EMPLOYMENT OPPORTUNITY. Compliance certificate and agreement procedures will apply to all awards for supplies or services valued at \$10,000 and more. Minority Business Enterprise policies and procedures, including subcontracting opportunities as described in Title 37 Chapter 14.1, of the Rhode Island General Laws, also apply.

4.4. PERFORMANCE BONDS. Where indicated, successful bidder must furnish a 100% performance bond and labor and payment bond for contracts subject to Title 37 Chapters 12 and 13 of the Rhode Island General Laws. All bonds must be furnished by a surety company authorized to conduct business in the State of Rhode Island. Performance bonds must be submitted within 21 calendar days of the issuance of a tentative notice of award.

Revised: 1/24/11

RIVIP Certification Form Page 2 of 3

4.5. DEFAULT and NON-COMPLIANCE. Default and/or non-compliance with the RIVIP requirements and any other aspects of the award may result in withholding of payment(s), contract termination, debarment, suspension, or any other remedy necessary that is in the best interest of the state.

4.6. COMPLIANCE. Vendor must comply with all applicable federal, state and local laws, regulations and ordinances.

4.7. SPRINKLER IMPAIRMENT AND HOT WORK. The Contractor agrees to comply with the practices of the State's insurance carrier for sprinkler impairment and hot work. Prior to performing any work, the Contractor shall obtain the necessary information for compliance from the Risk Management Office at the Department of Administration or the agency for which work will be performed.

**SECTION 5 – CERTIFICATIONS AND DISCLOSURES**  
**ALL CONTRACT AWARDS ARE SUBJECT TO THE FOLLOWING DISCLOSURES & CERTIFICATIONS**

**Offerors must respond to every disclosure statement.**

**A person authorized to enter into contracts must sign the offer and attest to the accuracy of all statements.**

Indicate Yes (Y) or No (N):

- N   1. Has your firm (or any principal) been subject to any of the following findings by the Federal Government, the State of Rhode Island or any other jurisdiction? Suspension, Debarment, Indictment, Criminal Conviction. CIRCLE APPROPRIATE ITEM(S).
- N   2. Has your firm (or any principal) been fined more than \$5000 for a single violation by the Rhode Island Department of Environmental Management for violation of Rhode Island Wetlands law?
- Y   3. I/we certify that I/we will immediately disclose, in writing, to the Chief Purchasing Officer any potential conflict of interest, which may occur during the course of the engagement authorized pursuant to this contract.
- Y   4. I/we acknowledge that, in accordance with Chapter 37-2-54(3) of the Rhode Island General Laws "no purchase or contract shall be binding on the state or any agency thereof unless approved by the Department [of Administration] or made under general regulations which the Chief Purchasing Officer may prescribe", including change orders and other types of contracts and under State Purchasing Regulation 8.2.1.1.2, "any alleged oral agreement or arrangements made by a bidder or contractor with any agency or an employee of the Office of Purchases may be disregarded and shall not be binding on the state".
- Y   5. I/we certify that the above vendor information is correct and complete.
- Y   6. I/we certify that I or my firm possesses all licenses required by Federal and State laws and regulations as they pertain to the requirements of the solicitation and offer made herein and shall maintain such required license(s) during the entire course of the contract resulting from the offer contained herein and should my/our license lapse or be suspended, I/we shall immediately inform the Rhode Island State Purchasing Agent in writing of such circumstance.
- Y   7. I/we certify that I/we will maintain required insurance during the entire course of the contract resulting from the offer contained herein and should my/our insurance lapse or be suspended, I/we shall immediately inform the Rhode Island State Purchasing Agent in writing of such circumstance.
- Y   8. I/we certify that I/we understand that falsification of any information herein or failure to notify the Rhode Island State Purchasing Agent as certified herein may be grounds for suspension, debarment and/or prosecution for fraud.
- Y   9. I/we acknowledge that the provisions and procedures set forth in this three-page form apply to any contract arising from this offer.
- Y   10. I/we acknowledge that I/we understand the State's Purchasing Laws (37-2 of the General Laws of Rhode Island) and Purchasing Regulations and General Terms and Conditions available at the Rhode Island Division of Purchases Website ([www.purchasing.ri.gov](http://www.purchasing.ri.gov)) apply as the governing conditions for any contract or purchase order I/we may receive from the State of Rhode Island, including the offer contained herein.
- Y   11. I/we certify that I/we have registered to utilize the E-Verify program ([www.dhs.gov/E-Verify](http://www.dhs.gov/E-Verify)) to ensure compliance with federal and state law. I understand and agree that I am required to continue to utilize the services of the E-Verify program for as long as I continue to do business with the State of Rhode Island. I further understand that my failure to continue to utilize the services of the E-Verify program will adversely affect my ability to continue to do business with the State of Rhode Island and my ability to do business with the State of Rhode Island in the future.
- X   12. **NEW REQUIREMENT\* - IMPORTANT!!!** I/we hereby acknowledge that I/we understand that effective January 1, 2011 all public works related project bids or proposals exceeding one million (\$1,000,000) dollars, inclusive of all proposed alternates, are required to include a "public copy" as required by R.I. Gen. Laws § 37-2-18 and the "Rules, Regulations and General Conditions of Purchases.". It is further understood that any bid or proposal in excess of one million (\$1,000,000) dollars which does not include a copy for public inspection shall be deemed to be non-responsive.

For further information, please see R.I Gen. Laws § 37-2-18 and specific instructions at [www.purchasing.ri.gov](http://www.purchasing.ri.gov) .

**IF YOU HAVE ANSWERED "YES" TO QUESTIONS #1 – 2 OR IF YOU ARE UNABLE TO CERTIFY YES TO ITEMS #3 – 11 OF THE FOREGOING, PROVIDE DETAILS/EXPLANATION BELOW AND/OR IN AN ATTACHED STATEMENT. INCOMPLETE CERTIFICATION FORMS SHALL BE GROUNDS FOR DISQUALIFICATION OF OFFER.**

\_\_\_\_\_  
\_\_\_\_\_

Signature below commits vendor to the attached offer and certifies (1) that the offer has taken into account all solicitation amendments, (2) that the above statements and information are accurate and that vendor understands and has complied with the requirements set forth herein. When delivering offers in person to One Capitol Hill, vendors are advised to allow at least one hour additional time for clearance through security checkpoints.

Anthony L. DePasquale Date 2/11/11  
Vendor's Signature (Person authorized to enter into contracts; signature must be in ink.)

Anthony L. DePasquale, President Print  
Name and Title of company official signing offer

East Matunuck State Beach  
Burgin Lambert Architects, Inc

East Matunuck State Beach  
Succotash Road  
South Kingstown, Rhode Island

Name of Bidder ADS Construction, Inc.

Address 300 Wampanoag Trail

Address East Providence, RI 02915

**BID PROPOSAL - GENERAL BIDS**

TO THE CHIEF PURCHASING OFFICER OF THE STATE OF RHODE ISLAND, acting in the name and on behalf of the Department of Environmental Management, Division of Planning and Development.

The undersigned proposes to furnish all labor and materials required for the **East Matunuck State Beach, Succotash Road, South Kingstown, RI**, in accordance with the accompanying Contract Documents, plans and specifications prepared by **Burgin Lambert Architects, Inc.**, 150 Bellevue Avenue, Newport, Rhode Island, for the Bid Price specified below, subject to additions and deductions according to the terms of the contract documents

**A. ADDENDA**

This bid includes Addenda numbered: 1 and dated: 1/5/11  
This bid includes Addenda numbered: 2 and dated: 1/19/11  
This bid includes Addenda numbered: 3 and dated: 1/26/11  
This Bid includes Addenda numbered: 4 and dated: 2/1/11  
5 dated 2/3/11

**B. BASE BID** (Note, TOTAL BASE BID PRICE includes Owner Controlled Contingency amount \$240,000)

The proposed Total Base Bid Price is:

Four million six hundred forty three DOLLARS (\$ 4,643,000.00 )  
(Price in Words) (Numbers)

thousand dollars

BASE BID BREAKDOWN:

PROVIDE A DETAILED BREAKDOWN FOR THE PROJECT BASED ON THE FOLLOWING CATAGORIES:

<u>DESCRIPTION</u>	<u>PRICE</u>
General Conditions	\$ 275,000.00
Demolition	\$ 35,000.00
Construction Waste Management	\$ 7,000.00
Dewatering	\$ 0.00
Earthwork	\$ 108,000.00
Erosion Control	\$ 0.00
Prestressed 12" x 12" Concrete Piles	\$ 212,000.00

BID PROPOSAL FORM  
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East Matunuck State Beach  
Burgin Lambert Architects, Inc

	Unit Price 12" x 12" per lineal foot		\$ 130.00 /lf
	Prestressed 16" x 16" Concrete Piles	\$ 246,000.00	
	Unit Price 16" x 16" per lineal foot		\$ 135.00 /lf
	Crushed Asphalt Aggregate	\$ 48,000.00	
	Hot-Mixed Asphalt Paving	\$ 8,000.00	
	<u>Water Systems</u>	\$ 20,000.00	
	Septic Systems	\$ 40,000.00	
	Site Improvements	\$ 50,000.00	
	Transportable Composting Toilets	\$ 161,000.00	
	Landscaping	\$ 35,000.00	
	Concrete reinforcement	\$ 25,000.00	
	Concrete General	\$ 151,000.00	
	Metal Fabrications	\$ 120,000.00	
	Pipe and Tube Railings	\$ 270,000.00	
	Rough Carpentry	\$ 500,000.00	
	Wood Decking	\$ 180,000.00	
	Laminated Veneer Lumber	\$ 50,000.00	
	Plybead	\$ 20,000.00	
	Exterior Architectural Woodwork	\$ 20,000.00	
	Cellular PVC Trim	\$ 20,000.00	
	Decking	\$ 0.00	
	Manufactured PVC Components	\$ 10,000.00	
	Sheet Membrane Waterproofing	\$ 20,000.00	
	Cedar Wall Shingles	\$ 72,000.00	
	Flashing and Sheet Metal	\$ 13,000.00	
	Sheet Metal Roofing	\$ 128,000.00	
	Joint Sealants	\$ 3,000.00	
	Flush Fiberglass Doors	\$ 18,000.00	
	Watertight Doors	\$ 32,000.00	
	Overhead Coiling Doors	\$ 11,000.00	
	Coiling Storm Shutters	\$ 71,000.00	
	Wood Windows	\$ 19,000.00	
	Door Hardware	\$ 20,000.00	
	Resilient Flooring	\$ 7,000.00	
	Resinous Flooring	\$ 13,000.00	
	Wood Stains	\$ 29,300.00	
	Toilet Compartments	\$ 43,000.00	
	Louvers and Vents	\$ 9,000.00	

BID PROPOSAL FORM  
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East Matunuck State Beach  
Burgin Lambert Architects, Inc

Sign	\$ 15,000.00
Lockers	\$ 0.00
Fire Extinguishers	\$ 1,000.00
Toilet and Bath Accessories	\$ 14,000.00
Coin operated Shower Control Devices	\$ 0.00
Appliances	\$ 600.00
Safe	\$ 0.00
Lightning Protection	\$ 18,000.00
Plumbing	\$ 260,000.00
Clivus Composting Waste System	\$ 300,000.00
Electrical	\$ 240,000.00
Miscellaneous Uncategorized	\$ 435,100.00
<b>TOTAL OF BASE BID BREAKDOWN</b>	<b>\$ 4,403,000.00</b>
<b>OWNER CONTROLLED CONTINGENCY</b>	<b>\$240,000</b>
<b>TOTAL BASE BID PRICE</b>	<b>\$ 4,643,000.00</b>

C ALTERNATES

For Alternate No. 1 Add \$ \_\_\_\_\_ OR Deduct \$ 39,000.00

For Alternate No. 2 Add \$ \_\_\_\_\_ OR Deduct \$ 16,000.00

For Alternate No. 3 Add \$ \_\_\_\_\_ OR Deduct \$ 32,500.00

For Alternate No. 4 Add \$ \_\_\_\_\_ OR Deduct \$ 176,000.00

Unit Price for Alternate No. 5 -Quantity 923 tons. Unit cost per ton \$ 73.85

Extended Cost for Alternate No. 5 \$ 68,165.00

For Alternate No. 6 Add \$ \_\_\_\_\_ OR Deduct \$ 59,000.00

For Alternate No. 7 Add \$ \_\_\_\_\_ OR Deduct \$ 15,000.00

For Alternate No. 8 Add \$ \_\_\_\_\_ OR Deduct \$ 6,200.00

BID PROPOSAL FORM  
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East Matunuck State Beach  
Burgin Lambert Architects, Inc

D BASE BID PRICE BREAKDOWN

The PROPOSED BASE BID PRICE IS SUBDIVIDED AS FOLLOWS:

ITEM 1. The work of the General Contractor, being all work performed by the General Contractor's own work force:

Three million eighty three thousand dollars DOLLARS  
(Price in Words)  
\$ 3,083,000.00  
(Price in Numbers)

ITEM 2. The work of the General Contractor, being all work performed by a subcontractor not part of the General Contractor's own work force covered by ITEM 1 above:

SUB-TRADE	NAME OF SUBCONTRACTOR	AMOUNT
<u>Sitework</u>	<u>In Site</u>	\$260,000.00
<u>Steel</u>	<u>RI Welding</u>	\$410,000.00
<u>Plumbing</u>	<u>A. D'Amario</u>	\$250,000.00
<u>Electrical</u>	<u>Alpha Electrical</u>	\$240,000.00
<u>Piles</u>	<u>C. White</u>	\$400,000.00
<u>                    </u>	<u>                    </u>	\$
<u>                    </u>	<u>                    </u>	\$
<u>                    </u>	<u>                    </u>	\$
<u>                    </u>	<u>                    </u>	\$

TOTAL OF ITEM NO. 2 : One million five hundred sixty thousand  
(Price in Words)  
\$1,560,000.00  
(Price in Numbers)

E QUALIFICATIONS OF SUBCONTRACTORS

The undersigned agrees that each of the above-named will be used for the work indicated at the amounts stated, unless a substitution is made with prior written approval of the Owner

The undersigned further agrees to pay the premiums for the performance and payment bonds furnished by the subcontractors as required herein and that all of the cost of all such premiums is included in the amount set forth in item 1 of this bid.

The undersigned agrees that if selected as General Contractor, the bidder will promptly confer with the Chief Purchasing Agent on the question of Subcontractors. The Purchasing Agent shall reject as a Subcontractor and require a substitute for any Subcontractor listed above against whose qualifications and ability the Department of Environmental Management rejects

BID PROPOSAL FORM  
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East Matunuck State Beach  
Burgin Lambert Architects, Inc

F. LEGAL ORGANIZATION

The undersigned is a (an) Corporation (Individual-Partnership-Corporation-Joint Venture). Attach copies of articles of incorporation or partnership agreement, and Rhode Island Secretary of State's Certificate of Good Standing.

G. QUALIFICATIONS TO PERFORM WORK

The undersigned offers the following information as evidence of its organizational qualifications to perform the work as bid upon according to all requirements of the plans and the specifications.

1. The undersigned has been in business as a General Contractor under present business name for 10 years
2. List at least two and no more than five recent projects on which the undersigned served as the General Contractor for work of similar character as required for the above named project, along with the date of the project, the name of the Architect/Engineer, and the contract price

PROJECT NAME	DATE	ARCHITECT/ENGINEER	CONTRACT PRICE
1. <u>see attached document</u>			\$
2. _____	_____	_____	\$
3. _____	_____	_____	\$
4. _____	_____	_____	\$
5. _____	_____	_____	\$

3. List all construction contracts between the undersigned and the State of Rhode Island in the past five (5) years:

PROJECT NAME	DATE	STATE AGENCY	CONTACT PERSON	PRICE
1. <u>see attached document</u>				\$
2. _____	_____	_____	_____	\$
3. _____	_____	_____	_____	\$
4. _____	_____	_____	_____	\$
5. _____	_____	_____	_____	\$

H. VIOLATION OF RI/DEM LAWS AND REGULATIONS

BID PROPOSAL FORM  
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In reference to item #2 on pg. 5

Projects of Similar Character

Project Name	Date	Architect/Engineer	Contract Price
1. Charlestown Police Station Ashton & Cumberland Hills Elementary	2005-2007	Azzinaro Larson Architects, Inc.	\$ 2,600,000.00
2. Schools	2007-2008	Kaestle Boos Architects	\$ 3,830,000.00
3. North Kingstown Senior Center	2008-2009	Graham Meus Architects	\$ 3,880,000.00

In reference to item #3 on pg. 5

Contracts between ADS & State of RI

Project Name	Date	State Agency	Contact Person	Price
1. Lafayette Trout Hatchery	2004-2005	DEM	James McGinn	\$ 850,000.00
2. Veterans Memorial Auditorium	2005-2006	DOA	Tom Wright	\$ 890,000.00
3. Water Tower Renovations at Bristol Veterans' Home	2006-2007	MHRH	Denise Breckel	\$ 485,000.00
4. Eastman House	2006-2007	MHRH	Denise Breckel	\$ 2,654,000.00
5. RIC - Bldg #7 Addition & Renovations	2008-2009	RI College	Frank Montanaro	\$ 3,673,000.00

East Matunuck State Beach  
Burgin Lambert Architects, Inc.

The undersigned is/ is not (Please circle one) currently cited as being in violation of any law or regulation administered by the Department of Environmental Management. If yes please explain

I. REQUIREMENTS FOR LICENSE NUMBER

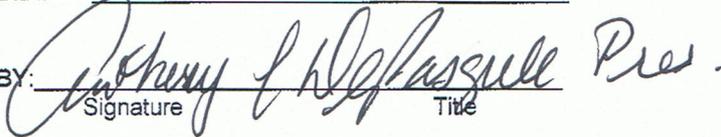
In compliance with the requirements of Rhode Island General Law, Section 5-65-23, my Rhode Island license number for work to be performed by this firm as prime contractor is:

LICENSE NUMBER: 18780

The undersigned acknowledges by signature below that the undersigned has read and understands the Information to Bidders, the terms of which are hereby incorporated into this Proposal.

DATE: 2/11/11

BIDDER: ADS Construction, Inc.

BY:   
Signature Title

BUSINESS ADDRESS:

300 Wampanoag Trail

East Providence, RI 02915

TELEPHONE NUMBER: (401) 431-1228

FEIN NO. 05-0511208

END OF PROPOSAL

BID PROPOSAL FORM  
00310 - 6

THE AMERICAN INSTITUTE OF ARCHITECTS



AIA Document A310

Bid Bond

KNOW ALL MEN BY THESE PRESENTS, that we ADS Construction, Inc. of 300 Wampanoag Trail, East Providence, RI 02915 as Principal, hereinafter called the Principal, and The Ohio Casualty Insurance Company a corporation duly organized under the laws of the state of Ohio as Surety, hereinafter called the Surety, are held and firmly bound unto State of Rhode Island as Obligee, hereinafter called the Obligee, in the sum of Five Percent of the Amount of the Attached Bid

Dollars (\$5% of Bid),

for the payment of which sum well and truly to be made, the said Principal and the said Surety, bind ourselves, our heirs, executors, administrators, successors and assigns, jointly and severally, firmly by these presents.

WHEREAS, the Principal has submitted a bid for East Matunuck State Beach Facility

NOW, THEREFORE, if the Obligee shall accept the bid of the Principal and the Principal shall enter into a Contract with the Obligee in accordance with the terms of such bid, and give such bond or bonds as may be specified in the bidding or Contract Documents with good and sufficient surety for the faithful performance of such Contract and for the prompt payment of labor and material furnished in the prosecution thereof, or in the event of the failure of the Principal to enter such Contract and give such bond or bonds, if the Principal shall pay to the Obligee the difference not to exceed the penalty hereof between the amount specified in said bid and such larger amount for which the Obligee 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.

Signed and sealed this 11th day of February, 2011.

[Signature] (Witness)

ADS CONSTRUCTION, INC. (Principal) (Seal)
By: [Signature] Pres. (Title)

[Signature] (Witness)

THE OHIO CASUALTY INSURANCE COMPANY (Surety) (Seal)
By: [Signature] Charles A Byrne (Title) Attorney-in-Fact

THE OHIO CASUALTY INSURANCE COMPANY  
WEST AMERICAN INSURANCE COMPANY

Know All Men by These Presents: THE OHIO CASUALTY INSURANCE COMPANY, an Ohio Corporation, and WEST AMERICAN INSURANCE COMPANY, an Indiana Corporation pursuant to the authority granted by Article III, Section 9 of the Code of Regulations and By-Laws of The Ohio Casualty Insurance Company and West American Insurance Company, do hereby nominate, constitute and appoint: David J. Byrne, II I, Kathleen A. Byrne, Denise A. Chianese or Charles A. Byrne of E Providence, Rhode Island its true and lawful agent (s) and attorney (s)-in-fact, to make, execute, seal and deliver for and on its behalf as surety, and as its act and deed any and all BONDS, UNDERTAKINGS, and RECOGNIZANCES, not exceeding in any single instance FIVE MILLION (\$5,000,000.00) DOLLARS, excluding, however, any bond(s) or undertaking(s) guaranteeing the payment of notes and interest thereon.

And the execution of such bonds or undertakings in pursuance of these presents, shall be as binding upon said Companies, as fully and amply, to all intents and purposes, as if they had been duly executed and acknowledged by the regularly elected officers of the Companies at their administrative offices in Fairfield, Ohio, in their own proper persons. The authority granted hereunder supersedes any previous authority heretofore granted the above named attorney(s)-in-fact.

In WITNESS WHEREOF, the undersigned officer of the said The Ohio Casualty Insurance Company and West American Insurance Company has hereunto subscribed his name and affixed the Corporate Seal of each Company this 24th day of May, 2006.



*Sam Lawrence*

Sam Lawrence Assistant Secretary

STATE OF OHIO,  
COUNTY OF BUTLER

On this 24th day of May, 2006 before the subscriber, a Notary Public of the State of Ohio, in and for the County of Butler, duly commissioned and qualified, came Sam Lawrence, Assistant Secretary of, to me personally known to be the individual and officer described in, and who executed the preceding instrument, and he acknowledged the execution of the same, and being by me duly sworn deposes and says that he is the officer of the Companies aforesaid, and that the seals affixed to the preceding instrument are the Corporate Seals of said Companies, and the said Corporate Seals and his signature as officer were duly affixed and subscribed to the said instrument by the authority and direction of the said Corporations.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my Official Seal at the City of Hamilton, State of Ohio, the day and year first above written.



*Cheryl E. Gregory*

Notary Public in and for County of Butler, State of Ohio  
My Commission expires August 6, 2007

This power of attorney is granted under and by authority of Article III, Section 9 of the Code of Regulations and By-Laws of The Ohio Casualty Insurance Company and West American Insurance Company, extracts from which read:

Article III, Section 9. Appointment of Attorneys-in-Fact. The Chairman of the Board, the President, any Vice-President, the Secretary or any Assistant Secretary of the corporation shall be and is hereby vested with full power and authority to appoint attorneys-in-fact for the purpose of signing the name of the corporation as surety to, and to execute, attach the seal of the corporation to, acknowledge and deliver any and all bonds, recognizances, stipulations, undertakings or other instruments of suretyship and policies of insurance to be given in favor of any individual, firm, corporation, partnership, limited liability company or other entity, or the official representative thereof, or to any county or state, or any official board or boards of any county or state, or the United States of America or any agency thereof, or to any other political subdivision thereof

This instrument is signed and sealed as authorized by the following resolution adopted by the Boards of Directors of the Companies on October 21, 2004:  
RESOLVED, That the signature of any officer of the Company authorized under Article III, Section 9 of its Code of Regulations and By-laws and the Company seal may be affixed by facsimile to any power of attorney or copy thereof issued on behalf of the Company to make, execute, seal and deliver for and on its behalf as surety any and all bonds, undertakings or other written obligations in the nature thereof; to prescribe their respective duties and the respective limits of their authority; and to revoke any such appointment. Such signatures and seal are hereby adopted by the Company as original signatures and seal and shall, with respect to any bond, undertaking or other written obligations in the nature thereof to which it is attached, be valid and binding upon the Company with the same force and effect as though manually affixed.

CERTIFICATE

I, the undersigned Assistant Secretary of The Ohio Casualty Insurance Company, American Fire and Casualty Company and West American Insurance Company, do hereby certify that the foregoing power of attorney, the referenced By-Laws of the Companies and the above resolution of their Boards of Directors are true and correct copies and are in full force and effect on this date.

IN WITNESS WHEREOF, I have hereunto set my hand and the seals of the Companies this 11th day of February, 2011



*Mark E. Schmidt*

Mark E. Schmidt Assistant Secretary



**State of Rhode Island and Providence Plantations  
Office of the Secretary of State**

Division Of Business Services  
148 W. River Street  
Providence RI 02904-2615  
(401) 222-3040



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**Entity Name:** ADS Construction, Inc.

Type of Filing	Year Filed	Filed Date	FilingNum	File(s)
Annual Report	2010	2/8/2010 2:34:00 PM	201058116420	<a href="#">201058116420_1.pdf</a> , 2 pgs, 32315 bytes
Annual Report	2009	2/4/2009 1:43:00 PM	200941536510	<a href="#">200941536510_1.pdf</a> , 2 pgs, 32323 bytes
Annual Report	2008	3/4/2008 1:51:00 PM	200807733060	<a href="#">200807733060_1.pdf</a> , 2 pgs, 32068 bytes
Annual Report	2007	2/13/2007		Index Number = (0 pages)

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