LETTER OF SUBMITTAL

SUBMITTED BY:

ORION MARINE CONSTRUCTION, INC.

TRANSYSTEMS CORPORATION
ATTACHMENT 3.4

COMMONWEALTH OF VIRGINIA
DEPARTMENT OF TRANSPORTATION

RFP NO.       C00081457DB57
PROJECT NO.:  (NFO) 0035-087-112, PE-101, RW-201, C-501, B-604

ACKNOWLEDGEMENT OF RFP, REVISION AND/OR ADDENDA

Acknowledgement shall be made of receipt of the Request for Proposals (RFP) and/or any and all revisions and/or addenda pertaining to the above designated project which are issued by the Department prior to the Letter of Submittal submission date shown herein. Failure to include this acknowledgement in the Letter of Submittal may result in the rejection of your proposal.

By signing this Attachment 3.4, the Offeror acknowledges receipt of the RFP and/or following revisions and/or addenda to the RFP for the above designated project which were issued under cover letter(s) of the date(s) shown hereon:

   (Date)

2. Cover letter of ___________________________ August 13, 2013 – RFP Addendum No. 1  
   (Date)

3. Cover letter of ___________________________ August 20, 2013 – RFP Addendum No. 2  
   (Date)

   (Date)

______________________________  ___________________________
SIGNATURE                          DATE

David G. Thornton               Sr. Vice President
______________________________  ___________________________
PRINTED NAME                       TITLE
# LETTER OF SUBMITTAL CHECKLIST AND CONTENTS

Offerors shall furnish a copy of this Letter of Submittal Checklist, with the page references added, with the Letter of Submittal.

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<th>RFP Part 1 Cross Reference</th>
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<td>NA</td>
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<td>Offeror’s full legal name and address</td>
<td>NA</td>
<td>Section 4.1.1</td>
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<tr>
<td>Authorized representative’s original signature</td>
<td>NA</td>
<td>Section 4.1.1</td>
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<td>NA</td>
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<td>NA</td>
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<td>NA</td>
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<td>NA</td>
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<td>NA</td>
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<td>DBE statement confirming Offeror is committed to achieving the required 12% DBE goal</td>
<td>NA</td>
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## ATTACHMENT 4.0.1.1
### ROUTE 35 BRIDGE REPLACEMENT
#### LETTER OF SUBMITTAL CHECKLIST AND CONTENTS

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<td>NA</td>
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September 11, 2013

Virginia Department of Transportation
1401 East Broad Street
Annex Building, 8th Floor
Richmond, VA 23219

Attn: Mr. Joseph Clarke, P.E.

RE: Route 35 Bridge Replacement; Project No. 0035-087-112

Dear Mr. Clarke:

Orion Marine Construction, Inc. located at 5440 W. Tyson Avenue, Tampa, Florida 33611 is the offeror defined as the legal entity who will execute the Contract with Virginia Department of Transportation should we be the lowest responsive offeror on the above referenced project.

It is the intent of Orion Marine Construction, Inc. to enter into a contract with VDOT for the Project in accordance with the terms of this RFP.

Pursuant to Part 1, Section 8.2, Orion Marine Construction, Inc. declares that the offer represented by the Price Proposal will remain in full force and effect for one hundred twenty (120) days after the date the Proposal is submitted to VDOT.

Laurie Simpson, Office Manager/Assistant Secretary at 5440 W. Tyson Avenue, Tampa, Florida 33611. (813) 839-8441 – phone, (813) 831-7498 – fax and LSimpson@orionmarinegroup.com e-mail address will serve as the Point of Contact for the Offeror.

David G. Thornton, Senior Vice President at 5440 W. Tyson Avenue, Tampa, Florida 33611, (813) 839-8441 – phone, (813) 831-7498 – fax and DGT Thornton@orionmarinegroup.com e-mail address will serve as the Principal Officer for the Offeror.

Orion Marine Construction, Inc. is a Florida Corporation who will be responsible for providing a single 100% performance bond and single 100% payment bond for the project as evidenced by our Bonding Company Liberty Mutual Insurance, through our agent, McGriff, Seibels & Williams.

Orion Marine Construction, Inc. will serve as the Lead Contractor for this Project and TranSystems Corporation will serve as the Lead Designer for this project.
Orion Marine Construction, Inc.’s VDOT Prequalification No. is M040, and has a current status of Prequalified (Currently Inactive), valid through 7/31/14. We have received approval from Mr. Don Silles to have the $2M PCI qualification limit of $2M waived for this project as evidenced on the attached e-mail document included with the Attachments to this Letter of Submittal. We are in good standing and prequalified to bid on the Project as outlined in VDOT’s Rules Governing Prequalification Privileges at the time of this Letter of Submittal and Price Proposal Due Date of September 11, 2013.

Orion Marine Construction, Inc. is committed to achieving a twelve percent (12%) DBE participation goal for the entire value of the contract.

Orion Marine Construction, Inc.’s proposed Interim Milestone date is August 30, 2015 and the Final Completion date is November 30, 2015.

Please find the required Attachments to this letter:

- Affiliated and/or Subsidiary Companies
- Certification Regarding Debarment Forms
- Offeror’s VDOT prequalification certificate
- Evidence of obtaining bonding
- Full size copies of DPOR licenses and SCC registrations
- SCC registration information – businesses
- DPOR registration information – businesses
- Lead Contractor Work History form
- Lead Designer Work History Form
- Conceptual Roadway Plans
- Conceptual Bridge Plans

As detailed within this letter and attachments, the Orion Team has the proven qualifications and relevant project experience to provide the expertise required for this project. We have an understanding of VDOT’s needs and are immediately available to design and deliver a successful, cost effective, and quality product. We look forward to your favorable consideration during the selection process.

Sincerely,

ORION MARINE CONSTRUCTION, INC.

David G. Thornton  
Senior Vice President
ATTACHMENT 4.2.1

State Project No. 0035-087-112, PE-101, RW-201, C-501, B-604

Affiliated and Subsidiary Companies of the Offeror

Offerors shall complete the table and include the addresses of affiliates or subsidiary companies as applicable. By completing this table, Offerors certify that all affiliated and subsidiary companies of the Offeror are listed.

- The Offeror does not have any affiliated or subsidiary companies.
- Affiliated and/ or subsidiary companies of the Offeror are listed below.

<table>
<thead>
<tr>
<th>Relationship with Offeror (Affiliate or Subsidiary)</th>
<th>Full Legal Name</th>
<th>Address</th>
</tr>
</thead>
<tbody>
<tr>
<td>Parent</td>
<td>Orion Construction, LP</td>
<td>12550 Fuqua St., Houston, TX 77034</td>
</tr>
<tr>
<td>Affiliate</td>
<td>Orion Marine Contractors, Inc.</td>
<td>1112 Alexander St., Tacoma, WA 98421</td>
</tr>
<tr>
<td>Affiliate</td>
<td>West Construction</td>
<td>6120 A Street, Anchorage, AK 99518</td>
</tr>
<tr>
<td>Affiliate</td>
<td>OMG (ME) FZ – Middle East</td>
<td>PO Box 12355 Office 8, Amenity Tower 2, Al Hamra Ras Al Khamah, United Arab Emirates</td>
</tr>
<tr>
<td>Subsidiary</td>
<td>SSL South, LLC</td>
<td>5440 W. Tyson Ave., Tampa, FL 33611</td>
</tr>
<tr>
<td>Affiliate</td>
<td>Schneider Engineering &amp; Consulting, Inc.</td>
<td>5440 W. Tyson Ave., Suite 200, Tampa, FL 33611</td>
</tr>
</tbody>
</table>
ATTACHMENT 4.2.2(a)
CERTIFICATION REGARDING DEBARMENT
PRIMARY COVERED TRANSACTIONS

Project No.: 0035-087-112, PE-101, RW-201, C-501, B-604

1) The prospective primary participant certifies to the best of its knowledge and belief, that it and its principals:

   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 judgment 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; and have not been convicted of any violations 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 paragraph 1) b) of this certification; 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.

2) Where the prospective primary participant is unable to certify to any of the statements in this certification, such prospective participant shall attach an explanation to this proposal.

The undersigned makes the foregoing statements to be filed with the proposal submitted on behalf of the Offeror for contracts to be let by the Commonwealth Transportation Board.

[Signature] 09/11/2013  [Senior Vice President]  [Date]  [Title]

Orion Marine Construction, Inc.
Name of Firm
ATTACHMENT 4.2.2(b)
CERTIFICATION REGARDING DEBARMENT
LOWER TIER COVERED TRANSACTIONS

Project No.: 0035-087-112, PE-101, RW-201, C-501, B-604

1) The prospective lower tier participant certifies, by submission of this proposal, that neither it nor its principals is presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this transaction by any Federal department or agency.

2) Where the prospective lower tier participant is unable to certify to any of the statements in this certification, such prospective participant shall attach an explanation to this proposal.

The undersigned makes the foregoing statements to be filed with the proposal submitted on behalf of the Offeror for contracts to be let by the Commonwealth Transportation Board.

Signature August 13, 2013 Vice President
Date Title

TranSystems Corporation
Name of Firm
ATTACHMENT 4.2.2(b)
CERTIFICATION REGARDING DEBARMENT
LOWER TIER COVERED TRANSACTIONS

Project No.: 0035-087-112, PE-101, RW-201, C-501, B-604

1) The prospective lower tier participant certifies, by submission of this proposal, that neither it nor its principals is presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this transaction by any Federal department or agency.

2) Where the prospective lower tier participant is unable to certify to any of the statements in this certification, such prospective participant shall attach an explanation to this proposal.

The undersigned makes the foregoing statements to be filed with the proposal submitted on behalf of the Offeror for contracts to be let by the Commonwealth Transportation Board.

Signature: Leighton S. Gaddy
Title: Vice President

HIGGERSO-BOUCHANAN, INC.
Name of Firm
ATTACHMENT 4.2.2(b)
CERTIFICATION REGARDING DEBARMENT
LOWER TIER COVERED TRANSACTIONS

Project No.: 0035-087-112, PE-101, RW-201, C-501, B-604

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The undersigned makes the foregoing statements to be filed with the proposal submitted on behalf of the Offeror for contracts to be let by the Commonwealth Transportation Board.

Signature  8/9/13  President

Date  Title

Accompany Engineering Group LLC
Name of Firm
ATTACHMENT 4.2.2(b)
CERTIFICATION REGARDING DEBARMENT
LOWER TIER COVERED TRANSACTIONS

Project No.: 0035-087-112, PE-101, RW-201, C-501, B-604

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The undersigned makes the foregoing statements to be filed with the proposal submitted on behalf of the Offeror for contracts to be let by the Commonwealth Transportation Board.

July 30, 2013

VP/Director of Engineering

Signature Date

ECS Mid-Atlantic, LLC

Title

Name of Firm
ATTACHMENT 4.2.2(b)
CERTIFICATION REGARDING DEBARMENT
LOWER TIER COVERED TRANSACTIONS

Project No.: 0035-087-112, PE-101, RW-201, C-501, B-604

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2) Where the prospective lower tier participant is unable to certify to any of the statements in this certification, such prospective participant shall attach an explanation to this proposal.

The undersigned makes the foregoing statements to be filed with the proposal submitted on behalf of the Offeror for contracts to be let by the Commonwealth Transportation Board.

[Signature] 8/19/13 [PRESIDENT]
Signature Date Title

[Name of Firm]

KDR REAL ESTATE SERVICES
ATTACHMENT 4.2.2(b)
CERTIFICATION REGARDING DEBARMENT
LOWER TIER COVERED TRANSACTIONS

Project No.: 0035-087-112, PE-101, RW-201, C-501, B-604

1) The prospective lower tier participant certifies, by submission of this proposal, that neither it nor its principals is presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this transaction by any Federal department or agency.

2) Where the prospective lower tier participant is unable to certify to any of the statements in this certification, such prospective participant shall attach an explanation to this proposal.

The undersigned makes the foregoing statements to be filed with the proposal submitted on behalf of the Offeror for contracts to be let by the Commonwealth Transportation Board.

[Signature] August 23, 2013 [President]
[Signature] Date [Title]

NXL Construction Services, Inc.
Name of Firm
ATTACHMENT 4.2.2(b)
CERTIFICATION REGARDING DEBARMENT
LOWER TIER COVERED TRANSACTIONS


1) The prospective lower tier participant certifies, by submission of this proposal, that neither it nor its principals is presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this transaction by any federal department or agency.

2) Where the prospective lower tier participant is unable to certify to any of the statements in this certification, such prospective participant shall attach an explanation to this proposal.

The undersigned makes the foregoing statements to be filed with the proposal submitted on behalf of the offeror for contracts to be let by the Commonwealth Transportation Board.

[Signature]
August 2, 2013

Volkert, Inc.
Name of Firm

Senior Vice President
Date
Title
ATTACHMENT 4.2.2(b)  
CERTIFICATION REGARDING DEBARMENT  
LOWER TIER COVERED TRANSACTIONS  

Project No.: 0035-087-112, PE-101, RW-201, C-501, B-604

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2) Where the prospective lower tier participant is unable to certify to any of the statements in this certification, such prospective participant shall attach an explanation to this proposal.

The undersigned makes the foregoing statements to be filed with the proposal submitted on behalf of the Offeror for contracts to be let by the Commonwealth Transportation Board.

[Signature]  8/28/2013  [President]  
Name of Firm

[Signature]  [Date]  [Title]

P.T. Read Steel Co., Inc.
M040
ORION MARINE CONSTRUCTION, INC.
PREQ. EXP : 07/31/2014

--PREQ ADDRESS --------------- WORK CLASSES (LISTED BUT NOT LIMITED TO)
5440 W. TYSON AVE. 003 - MAJOR STRUCTURES
TAMPA, FL 33611-0000 007 - MINOR STRUCTURES
PHONE : 813-839-8441 011 - CLEARING AND GRUBBING
FAX : 813-831-7498 030 - PILE DRIVING AND CAISSONS

BUSINESS CONTACT: SIMPSON, LAURIE
EMAIL: LSIMPSON@ORIONMARINEGROUP.COM

-------DBE INFORMATION-------

DBE TYPE : N/A
DBE CONTACT: N/A

O177
THE OSBORNE COMPANY OF NORTH CAROLINA, INC.
PREQ. EXP : 09/30/2013

--PREQ ADDRESS --------------- WORK CLASSES (LISTED BUT NOT LIMITED TO)
P.O. BOX 1107 020 - FENCE INSTALLATION
EDEN, NC 27289-0000 036 - SOIL STABILIZATION
PHONE : 336-623-2111 044 - UNDERDRAINS
FAX : 336-623-2114 070 - EROSION CONTROL

BUSINESS CONTACT: NEWELL, JAMES WESLEY
EMAIL: NEWELL@BACKWATER.BIZ

-------DBE INFORMATION-------

DBE TYPE : N/A
DBE CONTACT: N/A

-------------------------------------------------------------

14
Laurie Simpson

From: Silies, Don E. (VDOT) <Don.Silies@VDOT.Virginia.gov>
Sent: Wednesday, July 31, 2013 4:20 PM
To: Laurie Simpson; Prequalification (VDOT)
Cc: Wayne Roberts; Greg Thornton; Dave Thornton; Jennifer Prueser; Lucas, Suzanne F. (VDOT)
Subject: RE: Request for Waiver to Bid the D/B Route 35 Bridge project

I have reviewed the qualifications of ORION MARINE CONSTRUCTION, INC. and I find them acceptable for the purpose of bidding this project. Therefore, I hereby waive the bidding restriction on your firm for this project. If in the future you desire to bid beyond what your prequalification status allows, please make a request to me by email. State which project you wish to bid on and that I have granted a waiver in the past. I will keep the supportive information on file so you do not need to send it again. I would welcome additional supportive information if available. I look forward to your bid.

Don Silies
Assistant Division Administrator
Construction Division
Virginia Department of Transportation
(804) 786-1630
Don.Silies@VDOT.Virginia.gov

---

From: Laurie Simpson [mailto:L.Simpson@orionmarinegroup.com]
Sent: Tuesday, July 30, 2013 2:53 PM
To: Silies, Don E. (VDOT); Prequalification (VDOT)
Cc: Wayne Roberts; Greg Thornton; Dave Thornton; Jennifer Prueser
Subject: RE: Request for Waiver to Bid
Importance: High

Dear Mr. Silies,

I am following up on my e-mail of last Monday, July 22, 2013 in hopes that we might get an answer as soon as possible regarding our request to be approved to bid the D/B Route 35 Bridge project, which is due on August 21. Due to the nature of this project and what is required to be submitted, we are hoping to get an answer before we expend too much effort on preparations for this project. If you could please acknowledge receipt of my e-mail and advise when we might receive a decision it would be most appreciated.

Kindest Regards,

Laurie Simpson
Office Manager
 ORION MARINE CONSTRUCTION, INC.
 f/k/a Misener Marine Construction, Inc.
 5440 W. Tyson Ave. Tampa, FL 33611
 (813) 835-2832 - direct | (813) 839-8441 - office | (813) 831-7498 - fax
 L.Simpson@orionmarinegroup.com


Dear Mr. Silies,

Orion Marine Construction, Inc. is a Prequalified (Currently Inactive) with Virginia Department of Transportation as we have not performed any work for VDOT in recent years under our current FEID. We are interested in bidding on the upcoming Design/Build Route 35 Bridge Replacement, however the anticipated value is above the current restrictions in bidding of $2M. We kindly request a waiver in order to be able to submit a bid for this project.

We are prequalified for up to $4,404,550,000.00 with Florida DOT and have an excellent reputation with the Department. While we have not performed recent work for VDOT, we have performed work for USACE in multiple locations in Virginia, as well as private clients in the State. (Colonna’s Shipyards, Plains Marketing)

Please let us know if this request needs to be submitted in a more formal format, or if it can be considered by way of this e-mail.

Your prompt consideration in this matter is greatly appreciated, as this project bids in less than a month.

Kindest Regards,

Laurie Simpson
Office Manager

ORION MARINE CONSTRUCTION, INC.
f/k/a Misener Marine Construction, Inc.
5440 W. Tyson Ave. Tampa, FL 33611
(813) 835-2832 - direct | (813) 839-8441 - office | (813) 831-7498 - fax
LSimpson@orionmarinegroup.com
August 21, 2013

Virginia Department of Transportation
1401 East Broad Street
Annex Building, 8th Floor
Richmond, VA 23219
Attn: Mr. Joseph Clarke, P.E.

RE: Route 35 Bridge Replacement
Contract ID #C00081457DB57

To Whom It May Concern:

It is our understanding that our valued client, Orion Marine Construction, Inc. will submit a proposal for the above captioned project.

Orion Marine Construction, Inc. is one of our most valued surety clients. We consider the Company to be properly equipped, capably staffed, and well financed. It is our privilege to extend and/or support Suretyship to this Company on single contracts up to $100,000,000 and contracts aggregating in excess of $400,000,000. At no time has there ever been a problem while they have demonstrated the ability to perform sizeable and difficult projects. In addition, we feel management is of the utmost integrity and willingly deal in good faith.

Subject to the usual underwriting review of contract details at the time bonds are requested, we anticipate no problem in being able to provide the 100% Performance Bond and 100% Labor and Material Payment Bond in the amount of the anticipated cost of construction for Orion Marine Construction, Inc. This letter is not an assumption of liability and is issued only as a reference request from our client.

We look forward to being called upon whenever it is felt we can be of service. Liberty Mutual Insurance Company is rated A with a Financial Size Category of XV from A.M. Best and is licensed to do business in the State of Virginia.

Sincerely,

Joseph R. Aulbert
Attorney-in-Fact
Liberty Mutual Insurance Company
THIS POWER OF ATTORNEY IS NOT VALID UNLESS IT IS PRINTED ON RED BACKGROUND.
This Power of Attorney limits the acts of those named herein, and they have no authority to bind the Company except in the manner and to the extent herein stated.

American Fire and Casualty Company
The Ohio Casualty Insurance Company
Liberty Mutual Insurance Company
West American Insurance Company

POWER OF ATTORNEY

KNOWN ALL PERSONS BY THESE PRESENTS: That American Fire & Casualty Company and The Ohio Casualty Insurance Company are corporations duly organized under the laws of the State of New Hampshire, that Liberty Mutual Insurance Company is a corporation duly organized under the laws of the State of Massachusetts, and West American Insurance Company is a corporation duly organized under the laws of the State of Indiana (herein collectively called the "Companies"); pursuant to and by authority herein set forth, does hereby name, constitute and appoint Joseph R. Aultman, Marc W. Boots, Maria D. Zuniga, P. T. Oubrun, Richard Covington; Vickie Lacy

all of the city of Houston, state of TX each individually if there be more than one named, its true and lawful attorney-in-fact to make, execute, seal, acknowledge and deliver, and for and on its behalf as surety and as its act and deed, any and all undertakings, bonds, recognizances and other surety obligations, in pursuance of these presents and shall be as binding upon the Companies as if they have been duly signed by the president and attested by the secretary of the Companies in their own proper persons.

IN WITNESS WHEREOF, this Power of Attorney has been subscribed by an authorized officer or official of the Companies and the corporate seals of the Companies have been affixed thereto this 6th day of May 2013

STATE OF WASHINGTON
COUNTY OF KING

On this 6th day of May 2011, before me personally appeared Gregory W. Davenport, who acknowledged himself to be the Assistant Secretary of American Fire and Casualty Company, Liberty Mutual Insurance Company, The Ohio Casualty Company, and West American Insurance Company, and that he, as such, being authorized as to do, execute the foregoing instrument for the purpose therein contained by signing on behalf of the corporations by himself as a duly authorized officer.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my notarial seal at Seattle, Washington, on the day and year first above written.

By:  
Gregory W. Davenport, Assistant Secretary

This Power of Attorney is made and executed pursuant to and by authority of the following By-laws and Authorizations of American Fire and Casualty Company, The Ohio Casualty Insurance Company, Liberty Mutual Insurance Company, and West American Insurance Company which resolutions are now in full force and effect as reading follows:

ARTICLE IV - OFFICERS - Section 12. Power of Attorney. Any officer or other official of the Corporation authorized for that purpose in writing by the Chairman or the President, and subject to such limitations as the Chairman or the President may prescribe, shall appoint such attorneys-in-fact, as may be necessary to act in behalf of the Corporation to make, execute, seal, acknowledge and deliver as surety any and all undertakings, bonds, recognizances and other surety obligations. Such attorneys-in-fact, subject to the limitations set forth in their respective powers of attorney, shall have full power to bind the Corporation by their signature and execution of any such instruments and to attach thereto the seal of the Corporation. When so executed, such instruments shall be as binding as if signed by the President and attested to by the Secretary. Any power or authority granted to any representative or attorney-in-fact under the provisions of this article may be revoked at any time by the Board, the Chairman, the President or by the officer or officers granting such power or authority.

ARTICLE XIII - Execution of Contracts - SECTION 5. Surety Bonds and Undertakings. Any officer of the Company authorized for that purpose in writing by the Chairman or the President, and subject to such limitations as the Chairman or the President may prescribe, shall appoint such attorneys-in-fact, as may be necessary to act in behalf of the Corporation to make, execute, seal, acknowledge and deliver as surety any and all undertakings, bonds, recognizances and other surety obligations. Such attorneys-in-fact subject to the limitations set forth in their respective powers of attorney, shall have full power to bind the Company by their signature and execution of any such instruments and to attach thereto the seal of the Company. When so executed such instruments shall be as binding as if signed by the President and attested to by the Secretary.

Certificate of Designation - The President of the Company, acting pursuant to the Bylaws of the Company, authorizes Gregory W. Davenport, Assistant Secretary to appoint such attorneys-in-fact as may be necessary to act on behalf of the Company to make, execute, seal, acknowledge and deliver as surety any and all undertakings, bonds, recognizances and other surety obligations.

Authorization - By unanimous consent of the Company's Board of Directors, the Company consents that facsimile or mechanically reproduced signature of any assistant secretary of the Company, wherever appearing upon a certified copy of any power of attorney issued by the Company in connection with surety bonds, shall be valid and binding upon the Company with the same force and effect as though manually affixed.

I, David M. Carey, the undersigned, Assistant Secretary of American Fire and Casualty Company, The Ohio Casualty Insurance Company, Liberty Mutual Insurance Company, and West American Insurance Company do hereby certify that the original power of attorney of which the foregoing is a full, true and correct copy of the Power of Attorney executed by said Companies is in full force and effect and has not been revoked.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the seals of said Companies this 21st day of August 2013

By:  
David M. Carey, Assistant Secretary
BOARD FOR CONTRACTORS
CLASS A CONTRACTOR
"CLASSIFICATIONS" H/H

ORION MARINE CONSTRUCTION INC
12000 AEROSPACE AVE
SUITE 300
HOUSTON, TX 77034

(SEE REVERSE SIDE FOR NAME AND/OR ADDRESS CHANGE)
CERTIFICATE OF GOOD STANDING

I Certify the Following from the Records of the Commission:

That Orion Marine Construction, Inc., a corporation incorporated under the law of Florida, is authorized to transact business in the Commonwealth of Virginia;

That it obtained a certificate of authority to transact business in Virginia from the Commission on June 14, 2004; and

That the corporation is in good standing in the Commonwealth of Virginia as of the date set forth below.

Nothing more is hereby certified.

Signed and Sealed at Richmond on this Date:
August 13, 2013

Joel H. Peck, Clerk of the Commission
Orion Marine Construction, Inc.

General

SCC ID: F1591017
Entity Type: Foreign Corporation
Jurisdiction of Formation: FL
Date of Formation/Registration: 6/14/2004
Status: Active
Shares Authorized: 50

Principal Office

5440 W TYSON AVE
TAMPA FL33611

Registered Agent/Registered Office

CORPORATION SERVICE COMPANY
BANK OF AMERICA CENTER, 16TH FLOOR
1111 EAST MAIN STREET
RICHMOND VA 23219
RICHMOND CITY 216
Status: Active
Effective Date 2/21/2012

Screen ID: e1000
Need additional information? Contact sccefile@scc.virginia.gov. Website questions? Contact webmaster@scc.virginia.gov.
BOARD FOR ARCHITECTS, PROFESSIONAL ENGINEERS, LAND SURVEYORS, CERTIFIED INTERIOR DESIGNERS AND LANDSCAPE ARCHITECTS
BUSINESS ENTITY BRANCH OFFICE REGISTRATION

PROFESSIONS: ENG

TRANSYSTEMS CORPORATION
6800 PARAGON PLACE
SUITE 106
RICHMOND, VA 23230

ALERTATION OF THIS DOCUMENT, USE AFTER EXPIRATION, OR USE BY PERSONS OR FIRMS OTHER THAN THOSE NAMED MAY RESULT IN CRIMINAL PROSECUTION UNDER THE CODE OF VIRGINIA.
TranSystems Corporation

General

- SCC ID: F1150408
- Entity Type: Foreign Corporation
- Jurisdiction of Formation: MO
- Date of Formation/Registration: 8/23/1993
- Status: Active
- Shares Authorized: 13500000

Principal Office

- 2400 PERSHING RD STE 400
- KANSAS CITY MO64108

Registered Agent/Registered Office

- CT CORPORATION SYST BM
- 4701 COX RD STE 301
- GLEN ALLEN VA 23060
- HENRICO COUNTY 143
- Status: Active
- Effective Date: 1/5/2004

Screen ID: e1000

Need additional information? Contact sccmail@scc.virginia.gov. Website questions? Contact webmaster@scc.virginia.gov.
DEPARTMENT OF PROFESSIONAL AND OCCUPATIONAL REGULATION
COMMONWEALTH OF VIRGINIA
9960 Mayland Dr., Suite 400, Richmond, VA 23233
Telephone: (804) 367-8500

BOARD FOR CONTRACTORS
CLASS A CONTRACTOR
*CLASSIFICATIONS* BLD H/H

HIGGERSON-BUCHANAN INCORPORATED
PO BOX 1128
CHESAPEAKE, VA 23327

(SEE REVERSE SIDE FOR NAME AND/OR ADDRESS CHANGE)
COMMONWEALTH OF VIRGINIA - STATE CORPORATION COMMISSION
CORPORATION - ANNUAL REGISTRATION FEE ASSESSMENT NOTICE
2012

On October 1, 2012, the State Corporation Commission assessed against the corporation identified below, an annual registration fee pursuant to § 13.1-775.1 or § 13.1-938.1 of the Code of Virginia.

Payment of the annual registration fee must be received by the Commission on or before December 31, 2012 (the “due date”) to avoid imposition of a late payment penalty of 10% of the annual registration fee or $10.00, whichever is greater. Note: If the due date falls on a weekend or scheduled holiday, your payment, if delivered by mail or in person, will need to be received in time for it to be processed on or before the last business day that precedes the due date. Postmarks cannot be considered and extensions of time cannot be granted.

CORP NAME: HIGGERSOON-BUCHANAN, INCORPORATED

SCC ID NO.: 0076904-2

HIGGERSOON-BUCHANAN, INCORPORATED
VONDA W CHAPPELL
KAUFMAN & CANOLES, P.C.
501 INDEPENDENCE PKWY STE 100
CHESAPEAKE, VA 23320-5173

This annual registration fee may be paid online at sccfile.scc.virginia.gov.

If the corporation has not paid all annual registration fees and/or penalties assessed in any previous year, those amounts are included in the total amount due. If less than the total amount due is tendered, the amount paid will be applied against the fees and penalties that have remained unpaid for the longest period of time, as directed by §§ 13.1-815 of the Code of Virginia. Failure to submit payment for the total amount due could result in underpayment of the assessment for the current year, imposition of the statutory penalty and, ultimately, termination of the corporation’s existence or revocation of its certificate of authority.

If this year’s annual registration fee is not paid in full on or before the last day of the fourth month following its due date, the corporation’s existence or certificate of authority to transact business in Virginia, as the case may be, will be automatically terminated or revoked as of that day. See §§ 13.1-752 and 13.1-914 of the Code for Virginia stock and nonstock corporations, and §§ 13.1-769 and 13.1-950 of the Code for foreign stock and nonstock corporations.

REGISTRATION FEE $ 100.0
PRIOR YEARS BALANCE $ 0.0
PENALTY $ 0.0
TOTAL AMOUNT DUE $ 100.0

Pay online at sccfile.scc.virginia.gov or send a check (made payable to: Treasurer of Virginia) with this coupon to:

STATE CORPORATION COMMISSION
CLERK'S OFFICE
P. O. BOX 7607
MERRIFIELD, VA 22116-7607

(804) 371-9733 OR TOLL-FREE IN VIRGINIA 1-866-722-2551

REGISTRATION FEE $ 100.0
PRIOR YEARS BALANCE $ 0.0
PENALTY $ 0.0
TOTAL AMOUNT DUE $ 100.0
# HIGGERSON-BUCHANAN, INCORPORATED

## General

| SCC ID: 00769042  
| Entity Type: Corporation  
| Jurisdiction of Formation: VA  
| Date of Formation/Registration: 12/31/1996  
| Status: Active  
| Shares Authorized: 2000 |

## Principal Office

| S300 BANBRIDGE BLVD  
| CHESAPEAKE VA 23320 |

## Registered Agent/Registered Office

| VONDA W CHAPPELL  
| KAUFMAN & CANIOLES, P.C.  
| 901 INDEPENDENCE PKWY STE 100  
| CHESAPEAKE VA 23320  
| CHESAPEAKE CITY Z36  
| Status: Active  
| Effective Date: 6/26/2012 |

Screen ID: e1000

Need additional information? Contact publicinfo@scc.virginia.gov. Website questions? Contact: webmaster@scc.virginia.gov.
DEPARTMENT OF PROFESSIONAL AND OCCUPATIONAL REGULATION
COMMONWEALTH OF VIRGINIA
0800 Mayland Dr., Suite 400, Richmond, VA 23233
Telephone: (804) 367-8500

BOARD FOR ARCHITECTS, PROFESSIONAL ENGINEERS, LAND SURVEYORS, CERTIFIED INTERIOR DESIGNERS
AND LANDSCAPE ARCHITECTS
BUSINESS ENTITY REGISTRATION

PROFESSIONS: ENG

ACCOMPONG ENGINEERING GROUP, LLC
9510 IRON BRIDGE RD
SUITE 200
CHESTERFIELD, VA 23832

(SEE REVERSE SIDE FOR NAME AND/OR ADDRESS CHANGES)

ALTERATION OF THIS DOCUMENT, USE AFTER EXPIRATION, OR USE BY PERSONS OR FOR USE OTHER THAN THOSE NAMED MAY RESULT IN CRIMINAL PROSECUTION UNDER THE CODE OF VIRGINIA.
State Corporation Commission

Richmond, February 17, 2009

This is to certify that the certificate of organization of

Accompong Engineering Group, LLC

was this day issued and admitted to record in this office and that the said limited liability company is authorized to transact its business subject to all Virginia laws applicable to the company and its business. Effective date: February 17, 2009

State Corporation Commission
Attest:

Joel S. Herr
Clerk of the Commission
Please note: The SCC website will be unavailable Thursday, August 15, from 6-10 p.m. for system maintenance. We apologize for the inconvenience and appreciate your patience.

Accompong Engineering Group, LLC

<table>
<thead>
<tr>
<th>General</th>
<th>Select an action</th>
</tr>
</thead>
<tbody>
<tr>
<td>SCC ID: S2835215</td>
<td>File a registered agent change</td>
</tr>
<tr>
<td>Entity Type: Limited Liability Company</td>
<td>File a registered office address change</td>
</tr>
<tr>
<td>Jurisdiction of Formation: VA</td>
<td>Resign as registered agent</td>
</tr>
<tr>
<td>Date of Formation/Registration: 2/17/2009</td>
<td>File a principal office address change</td>
</tr>
<tr>
<td>Status: Active</td>
<td>Pay annual registration fee</td>
</tr>
</tbody>
</table>

Principal Office

<table>
<thead>
<tr>
<th>Registered Agent/Registered Office</th>
</tr>
</thead>
<tbody>
<tr>
<td>CONRAD A SCOTT</td>
</tr>
<tr>
<td>8425 LYLWOOD CT</td>
</tr>
<tr>
<td>CHESTERFIELD VA 23838</td>
</tr>
<tr>
<td>Status: Active</td>
</tr>
<tr>
<td>Effective Date: 12/27/2011</td>
</tr>
</tbody>
</table>

Screen ID: e1000

Need additional information? Contact sccinfo@scc.virginia.gov Website questions? Contact: webmaster@scc.virginia.gov

We provide external links throughout our site.
BOARD FOR ARCHITECTS, PROFESSIONAL ENGINEERS, LAND SURVEYORS, CERTIFIED INTERIOR DESIGNERS
AND LANDSCAPE ARCHITECTS
BUSINESS ENTITY BRANCH OFFICE REGISTRATION

PROFESSIONS: ENG

ECS-MID-ATLANTIC LLC
108 INGRAM RD STE 1
WILLIAMSBURG, VA 23188
Please note: The SCC website will be unavailable Thursday, August 15, from 6-10 p.m. for system maintenance. We apologize for the inconvenience and appreciate your patience.

ECS - Mid-Atlantic, LLC

**General**

- SCC ID: S1208216
- Entity Type: Limited Liability Company
- Jurisdiction of Formation: VA
- Date of Formation/Registration: 4/16/2004
- Status: Active

**Principal Office**

- 14026 THUNDERBOLT PL STE 100
- CHANTILLY VA 20151

**Registered Agent/Registered Office**

- JAMES A ECKERT
- 14026 THUNDERBOLT PL STE 100
- CHANTILLY VA 20151
- FAIRFAX COUNTY 129
- Status: Active
- Effective Date: 4/16/2004

Select an action

- File a registered agent change
- File a registered office address change
- Resign as registered agent
- File a principal office address change
- Pay annual registration fee
- Order a certificate of fact of existence
- Submit a PDF for processing (What can I submit?)
- View eFile transaction history
- Manage email notifications

Screen ID: e1000

Need additional information? Contact: sconf@sccefile.scc.virginia.gov Website questions? Contact: webmaster@scc.virginia.gov

We provide external links throughout our site. PDF (.pdf) Reader Excel (.xls) Viewer PowerPoint (.ppt) Viewer Word (.doc) Viewer
DEPARTMENT OF PROFESSIONAL AND OCCUPATIONAL REGULATION
COMMONWEALTH OF VIRGINIA

REAL ESTATE BOARD
REAL ESTATE CORPORATION, PARTNERSHIP, ASSOCIATION LICENSE
POST IN A CONSPICUOUS PLACE
THIS LICENSE TO BE KEPT IN CUSTODY AND CONTROL OF PRINCIPAL BROKER

KDR REAL ESTATE SERVICES INC
2500 GRENOBLE RD
RICHMOND, VA 23294

Gordon N. Dixon, Director

(Date and Signature)

(SEE REVERSE SIDE FOR NAME AND/OR ADDRESS CHANGE)
Commonwealth of Virginia

STATE CORPORATION COMMISSION

Richmond, January 30, 2002

This is to Certify that the certificate of incorporation of

KDR Real Estate Services, Inc.

was this day issued and admitted to record in this office and that the said corporation is authorized to transact its business subject to all Virginia laws applicable to the corporation and its business.

Effective date: January 30, 2002

State Corporation Commission
Attest:

[Signature]
Clerk of the Commission
<table>
<thead>
<tr>
<th>General</th>
<th>Select an action</th>
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<tr>
<td>SCC ID: 05712104</td>
<td>File a registered agent change</td>
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<tr>
<td>Entity Type: Corporation</td>
<td>File a registered office address change</td>
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<td>Jurisdiction of Formation: VA</td>
<td>Resign as registered agent</td>
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<tr>
<td>Date of Formation/Registration: 1/30/2002</td>
<td>File an annual report</td>
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<tr>
<td>Status: Active</td>
<td>Pay annual registration fee</td>
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<td>Shares Authorized: 100</td>
<td>Order a certificate of good standing</td>
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<table>
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<tr>
<th>Principal Office</th>
<th>Submit a PDF for processing (What can I submit?)</th>
</tr>
</thead>
<tbody>
<tr>
<td>2500 GRENOBLE RD</td>
<td>View eFile transaction history</td>
</tr>
<tr>
<td>RICHMOND VA 23294</td>
<td>Manage email notifications</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Registered Agent/Registered Office</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>ALLEN G DORIN JR</td>
<td></td>
</tr>
<tr>
<td>2500 GRENOBLE RD</td>
<td></td>
</tr>
<tr>
<td>RICHMOND VA 23294</td>
<td></td>
</tr>
<tr>
<td>HENRICO COUNTY</td>
<td></td>
</tr>
<tr>
<td>143</td>
<td></td>
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<tr>
<td>Status: Active</td>
<td></td>
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<tr>
<td>Effective Date: 7/9/2003</td>
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</table>
BOARD FOR ARCHITECTS, PROFESSIONAL ENGINEERS, LAND SURVEYORS, CERTIFIED INTERIOR DESIGNERS
AND LANDSCAPE ARCHITECTS
BUSINESS ENTITY REGISTRATION

PROFESSIONS: ENG, LS

NXL CONSTRUCTION CO INC
NXL CONSTRUCTION SERVICES INC
114 E CARY ST STE 200
RICHMOND, VA 23219

Gordon N. Dixon, Director

(SEE REVERSE SIDE FOR NAME AND/OR ADDRESS CHANGE)
NXL Construction Co., Inc.

General

SCC ID: 03497427
Entity Type: Corporation
Jurisdiction of Formation: VA
Date of Formation/Registration: 11/17/1989
Status: Active
Shares Authorized: 5000

Principal Office

114 E CARY STREET SUITE 200
RICHMOND VA 23219

Registered Agent/Registered Office

MCOMDES L DE LDON
9606 GEORGES BLUFF RD
RICHMOND VA 23229
HENRICO COUNTY 143
Status: Active
Effective Date: 10/8/1998
DEPARTMENT OF PROFESSIONAL AND OCCUPATIONAL REGULATION
COMMONWEALTH OF VIRGINIA

BOARD FOR ARCHITECTS, PROFESSIONAL ENGINEERS, LAND SURVEYORS, CERTIFIED INTERIOR DESIGNERS
AND LANDSCAPE ARCHITECTS
BUSINESS ENTITY REGISTRATION

PROFESSIONS: ENG, LA

VOLKERT INC
5400 SHAWNEE RD
STE 301
ALEXANDRIA, VA 22312

Gordon N. Dixon, Director

ALERT: THE DECORATIVE SEAL, WITH EXPRESSION OF AUTHORITY, IS A PROPRIETARY DEVICE AND IS NOT TO BE REPRODUCED. A LEGAL COPY IS PRODUCED BY A SERIES OF IMPRESSIONS OF THE SEAL. ANY REPRODUCTION OF THIS DOCUMENT, FOR USE AFTER EXPIRATION, OR USE BY PERSONS OTHER THAN THOSE NAMED MAY RESULT IN CRIMINAL PROSECUTION UNDER THE CODE OF VIRGINIA.
STATE CORPORATION COMMISSION

Richmond, December 7, 2009

This is to certify that a certificate of authority to transact business in Virginia was issued and admitted to record in this office for

Volkert, Inc.
(Formerly known as Volkert & Associates, Inc.)
(Formerly known as David Volkert & Associates, Inc.)
(Date of qualification – January 21, 1999)

a corporation organized under the laws of ALABAMA and that the said corporation is authorized to transact business in Virginia, subject to all Virginia laws applicable to the corporation and its business.

State Corporation Commission
Attest:

Clerk of the Commission
DEPARTMENT OF PROFESSIONAL AND OCCUPATIONAL REGULATION
COMMONWEALTH OF VIRGINIA

BOARD FOR CONTRACTORS
CLASS A CONTRACTOR
"CLASSIFICATIONS" BLD H/H HVA

D T READ STEEL CO INC
D T READ CONTRACTING INC
1725 WEST ROAD
CHESAPEAKE, VA 23323

Expires on 06-30-2015

Gordon R. Davis, Executive
Commonwealth of Virginia

State Corporation Commission

CERTIFICATE OF GOOD STANDING

I Certify the Following from the Records of the Commission:

That D. T. Read Steel Co., Inc. is duly incorporated under the law of the Commonwealth of Virginia;

That the date of its incorporation is May 31, 1995;

That the period of its duration is perpetual; and

That the corporation is in existence and in good standing in the Commonwealth of Virginia as of the date set forth below.

Nothing more is hereby certified.

Signed and Sealed at Richmond on this Date:
August 28, 2013

Joel H. Peck, Clerk of the Commission
### ATTACHMENT 4.2.5

**State Project No. 0035-087-112, PE-101, RW-201, C-501, B-604**

Offerors shall complete the table and include the required state registration and licensure information. By completing this table, Offerors certify that their team complies with the requirements set forth in Section 4.2.5 and that all businesses listed are active and in good standing.

<table>
<thead>
<tr>
<th>Business Name</th>
<th>SCC Number</th>
<th>SCC Type of Corporation</th>
<th>SCC Status</th>
<th>DPOR Registered Address</th>
<th>DPOR Registration Type</th>
<th>DPOR Registration Number</th>
<th>DPOR Expiration Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>Orion Marine Construction, Inc.</td>
<td>F159101</td>
<td>Foreign Corporation</td>
<td>Active</td>
<td>12000 Aerospace Ave., Suite 300, Houston, TX 77034</td>
<td>Board of Contractors Class A</td>
<td>2705116225</td>
<td>07/31/2015</td>
</tr>
<tr>
<td>TranSystems Corporation</td>
<td>F1150400</td>
<td>Foreign Corporation</td>
<td>Active</td>
<td>240 Pershing Rd., Suite 400, Kansas City, MO 64106</td>
<td>Architechts, Engineers ENG</td>
<td>0411000801</td>
<td>02/28/2014</td>
</tr>
<tr>
<td>Higgerson-Buchanan, Inc.</td>
<td>0076904-2</td>
<td>VA Corporation</td>
<td>Active</td>
<td>PO Box 1128 Chesapeake, VA 23327</td>
<td>Board of Contractors Class A</td>
<td>2701004389</td>
<td>04/30/2015</td>
</tr>
<tr>
<td>Accompong Engineering Group, LLC</td>
<td>S2835215</td>
<td>VA LLC</td>
<td>Active</td>
<td>9510 Iron Bridge Road, Suite 200 Chesterfield, VA 23832</td>
<td>Architechts, Engineers ENG</td>
<td>0407005442</td>
<td>12/31/2013</td>
</tr>
<tr>
<td>ECS-Mid-Atlantic, LLC</td>
<td>S1208216</td>
<td>VA LLC</td>
<td>Active</td>
<td>108 Ingram Rd. Suite 1 Williamsburg, VA 23188</td>
<td>Architechts, Engineers ENG</td>
<td>0411000382</td>
<td>02/28/2014</td>
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<td>KDR Real Estate Services, Inc.</td>
<td>05712104</td>
<td>VA Corporation</td>
<td>Active</td>
<td>2500 Grenoble Rd. Richmond, VA 23294</td>
<td>Real Estate Board</td>
<td>0226007129</td>
<td>12/31/2014</td>
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<tr>
<td>NXL Construction Co., Inc.</td>
<td>03497427</td>
<td>VA Corporation</td>
<td>Active</td>
<td>114 E. Cary St., Suite 200 Richmond, VA 23219</td>
<td>Architechts, Engineers ENG, LS</td>
<td>0407003031</td>
<td>12/31/2013</td>
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<tr>
<td>Volkert, Inc.</td>
<td>F1366592</td>
<td>Foreign Corporation</td>
<td>Active</td>
<td>2100 Shawnee Rd., Suite 301 Alexandria, VA 22312</td>
<td>Architechts, Engineers ENG, LS</td>
<td>0407002610</td>
<td>12/31/2013</td>
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<tr>
<td>D.T. Read Steel Co., Inc.</td>
<td>0447740</td>
<td>VA Corporation</td>
<td>Active</td>
<td>1725 West Road Chesapeake, VA 23323</td>
<td>Board of Contractors Class A</td>
<td>2705029510</td>
<td>06/30/2015</td>
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## ATTACHMENT 4.2.5

State Project No. 0035-087-112, PE-101, RW-201, C-501, B-604

<table>
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</tr>
</tbody>
</table>
**ATTACHMENT 4.2.6(a)**

**LEAD CONTRACTOR - WORK HISTORY FORM**

*LIMIT 1 PAGE PER PROJECT*

<table>
<thead>
<tr>
<th>a. Project Name &amp; Location</th>
<th>b. Name of the prime design consulting firm responsible for the overall project design.</th>
<th>c. Contact information of the Client or Owner and their Project Manager who can verify Firm's responsibilities.</th>
<th>d. Contract Completion Date (Original)</th>
<th>e. Contract Completion Date (Actual or Estimated)</th>
<th>f. Contract Value (in thousands)</th>
<th>g. Dollar Value of Work Performed by the Firm identified as the Lead Contractor for this procurement (in thousands)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Biscarroll Beach Causeway Replacement - Contract #922142 &amp; 1212</td>
<td>HDR Engineering, Inc. 2202 N. West Shore Blvd, Suite 250 Tampa, FL 33607</td>
<td>Name of Client / Owner: Pinellas County BOCC Phone: 727-464-3640 Project Manager: Tony Hornik Phone: 727-464-3640 Email: <a href="mailto:THornik@pinellascounty.org">THornik@pinellascounty.org</a></td>
<td>10/01/2009</td>
<td>12/22/2009</td>
<td>$72,219</td>
<td>$73,100</td>
</tr>
</tbody>
</table>

b. Narrative describing the Work Performed by the Firm identified as the Lead Contractor for this procurement. If the Offeror chooses to submit work completed by an affiliated or subsidiary company of the Lead Contractor, identify the full legal name of the affiliate or subsidiary and the role they will have on this Project, so the relevancy of that work can be considered accordingly.

This was a JV project with a total value of $73 million and included the replacement of a multiple bridge causeway and adjacent park. Orion Marine Construction (FKA Misener Marine) performed $25M of the work. Marine facilities included a high-level fixed bridge over the Intracoastal Waterway. Work included roadway reconstruction and bridge replacement from Gulf Blvd. to Sunset Blvd., including: drilled shafts, large cast-in-place footings, columns and pier caps, pre-stressed concrete beam erection, fender system installation, seawalls, boat ramps, floating docks, and demolition of existing bascule bridge. Required the use of (46) 20' x 40' cofferdams with steel sheet piling and water systems to facilitate the dewatering of the interior of the cofferdams at each pier location for the purpose of construction. Project also included the setting of Haunch/drop in and anchor beam girders which required the use of temporary shoring towers.
<table>
<thead>
<tr>
<th>Project Name &amp; Location</th>
<th>Name of the Prime Design Consulting Firm responsible for the overall project design.</th>
<th>Contact Information of the Client or Owner and their Project Manager who can verify Firm's responsibilities.</th>
<th>Contract Completion Date (Original)</th>
<th>Contract Completion Date (Actual or Estimated)</th>
<th>Contract Value (in thousands)</th>
<th>Dollar Value of Work performed by the Firm identified as the Lead Contractor for this procurement. (in thousands)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Name: Sebastian River Bridge Replacement Contract #T5208</td>
<td>Location: Brevard County, Florida</td>
<td>Name: PBS&amp;J 482 South Keller Rd. Orlando, FL 32810</td>
<td>Name of Client / Owner: Florida Department of Transportation Phone: 386-943-5000  Project Manager: Hector Matos Phone: 321-690-3250 Email: <a href="mailto:hectore.matos@dot.state.fl.us">hectore.matos@dot.state.fl.us</a></td>
<td>12/21/2009</td>
<td>08/28/2009</td>
<td>$18,032</td>
</tr>
</tbody>
</table>

**Orion Marine Construction, Inc. (FKA Misener Marine Construction, Inc.)** was the prime contractor for this replacement of two existing bridges crossing the Sebastian River including the demolition and removal of existing pile supported structures, driving 200 ea 24" concrete piles, casting of 13 pier caps, pouring approximately 1,000 LF of bridge deck and construct approaches. The two separate existing spans were replaced with one single 4-lane span. The project was completed 3 months ahead of schedule and received the highest possible FDOT contractor rating score of 110 of a possible 110 for successful execution of the project.
ATTACHMENT 4.2.6(a)

LEAD CONTRACTOR - WORK HISTORY FORM

(LIMIT 1 PAGE PER PROJECT)

<table>
<thead>
<tr>
<th>Project Name &amp; Location</th>
<th>Prime Design Consulting Firm Responsible for Overall Project Design</th>
<th>Contact Information of Client or Owner and their Project Manager who can verify Firm's responsibilities</th>
<th>Contract Completion Date (Original)</th>
<th>Contract Completion Date (Actual or Estimated)</th>
<th>Contract Value (in thousands)</th>
<th>Dollar Value of Work Performed by Firm identified as the Lead Contractor for this procurement (in thousands)</th>
<th>Original Contract Value</th>
<th>Final or Estimated Contract Value</th>
</tr>
</thead>
<tbody>
<tr>
<td>Name: D/B SR 46 Bridge Over Lake Jesup Contract #E5K99</td>
<td>Name: Wilbur Smith &amp; Associates 3191 Magui re Blvd., Suite 200 Orlando, FL 32803</td>
<td>Name of Client / Owner: Florida Department of Transportation Phone: 386-943-5000 Project Manager: Todd Long Phone: 386-943-5558 Email: <a href="mailto:Todd.Long@dot.state.fl.us">Todd.Long@dot.state.fl.us</a></td>
<td>02/07/2010</td>
<td>12/08/2009</td>
<td>$37,749</td>
<td>$17,599</td>
<td>$37,749</td>
<td></td>
</tr>
</tbody>
</table>
**ATTACHMENT 4.2.6(b)**

**LEAD DESIGNER - WORK HISTORY FORM**

*(LIMIT 1 PAGE PER PROJECT)*

<table>
<thead>
<tr>
<th>Project Name &amp; Location</th>
<th>Prime/General Contractor Responsible for Overall Construction of the Project</th>
<th>Contact Information of Client and their Project Manager who can verify Firm's responsibilities</th>
<th>Construction Completion Date (Original)</th>
<th>Construction Completion Date (Actual or Estimated)</th>
<th>Contract Value (in thousands)</th>
<th>Design Fee for the Work performed by the Firm identified as the Lead Designer for this procurement (in thousands)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Royal Park Temporary Bascul Bridge over the ICWW</td>
<td>TraneSystems was the engineer of record on a Design/Build team for the replacement of a bascul bridge and fixed approach spans crossing the Intracoastal Waterway between the City of West Palm Beach and the Town of Palm Beach. Services included the fast track design of fixed steel stringer approach spans on fabricated steel bent caps founded on steel pipe piers, and re-locating an existing rolling lift bascul span onto new steel pipe and steel framed bascul piers. The project was approximately 1 kilometer long, including the 600 meter temporary bridge. The bridge carried two lanes of traffic east bound and two lanes west bound over the Intracoastal Waterway. At least two lanes of traffic were maintained during construction, and marine traffic was only interrupted during two 48-hour periods for installation of the four rolling lift bascul leaves. The existing mechanical drive machinery was relocated with the...</td>
<td>12/18/2002</td>
<td>12/18/2002</td>
<td>11,200</td>
<td>11,200</td>
<td>1,016</td>
</tr>
</tbody>
</table>
**ATTACHMENT 4.2 (b)**

**LEAD DESIGNER - WORK HISTORY FORM**

**(LIMIT 1 PAGE PER PROJECT)**

<table>
<thead>
<tr>
<th>Project Name &amp; Location</th>
<th>Name of the prime/general contractor responsible for overall construction of the project.</th>
<th>Contact information of the Client and their Project Manager who can verify Firm's responsibilities.</th>
<th>Construction Contract Completion Date (Original)</th>
<th>Construction Contract Completion Date (Actual or Estimated)</th>
<th>Construction Contract Value (in thousands)</th>
<th>Design Fee for the work performed by the Firm identified as the Lead Designer for this procurement. (in thousands)</th>
</tr>
</thead>
<tbody>
<tr>
<td>MOT-75-14.60 (I-75 over the Great Miami River)</td>
<td>N/A</td>
<td>Ohio DOT - District 7 Phone: (937) 492-1141 Project Manager: Scott Boyer Phone: (937) 497-6807 Email: <a href="mailto:scott.boyer@dot.state.oh.us">scott.boyer@dot.state.oh.us</a></td>
<td>5/1/2011</td>
<td>5/1/2011</td>
<td>16,000</td>
<td>1,132</td>
</tr>
</tbody>
</table>

**TranSystems** was retained by the Ohio Department of Transportation (ODOT) to complete roadway and bridge plans through final drawings for a proposed $13.5 million bridge replacement with minor modifications to two interchanges on I-75 in Dayton. Services included roadway and bridge design, geotechnical, lighting, signal design, traffic control, signage, retaining wall justification and design, and design, maintenance of traffic alternatives documentation, design exception documentation. The TranSystems team also prepared a project construction schedule using Critical Path Method. The Interchange Modification and Bridge Type study for Part 1A of the project was completed in 2004. Of note is that our team received ODOT and FHWA approval for the Interchange Modification Study (IMS) with no comments.

The main purpose of the project is to replace a deteriorating bridge over the Great Miami River. Additional project goals included improving safety at the interchange of I-75 with Stanley Avenue. The entrance and exit terminal designs were also improved to conform to current...-beam structure. The replacement of both the substructure and superstructure will provide a safer and more efficient environment for the traveling public. Bridge hydraulic analysis was performed using US Army Corps' HEC-RAS. A 36-inch water main was also relocated due to conflicts with the proposed bridge substructure. Right-of-way plans were prepared for several parcels that were either permanent takes or easement takes from properties adjacent to the highway right-of-way.

TranSystems' design accommodated future work within the project area, which will save money and make future work easier to implement.

Design work was performed from the Cleveland, OH office.
<table>
<thead>
<tr>
<th>Project Name &amp; Location</th>
<th>Name of the prime/general contractor responsible for overall construction of the project.</th>
<th>Contact information of the Client and their Project Manager who can verify Firm's responsibilities.</th>
<th>Construction Contract Completion Date (Original)</th>
<th>Construction Contract Completion Date (Actual or Estimated)</th>
<th>Construction Contract Value (in thousands)</th>
<th>Design Fee for the work performed by the Firm identified as the Lead Designer for this procurement. (in thousands)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Route 24 Interchange 8B</td>
<td>SPS New England, Inc. Name: SPS New England, Inc. Phone: (617) 266-5525 Project Manager: Christine Miziuch Phone: (617) 973-8291 Email: <a href="mailto:christine.miziuch@hm.d.state.ma.us">christine.miziuch@hm.d.state.ma.us</a></td>
<td>5/1/2012 5/1/2012 35,000 35,000 3,000</td>
<td>Descriptive of the work performed by the Firm identified as the Lead Designer or a subconsultant.</td>
<td>Transystems was the lead design firm as part of a design-build team for the construction of a new interchange to be located between Exit 8 and 9 on Route 24 in Fall River / Fairhaven, MA. The project consists of the construction of Executive Park Drive, a new 1.4-mile long roadway between South Main Street and Riggenbach Road, which provides access to the Fall River Executive Park; and construction of a new interchange (Interchange 8B), which connects Executive Park Drive with northbound and southbound Route 24. The new interchange includes a bridge over Route 24, designed to accommodate a future third lane mainline widening. The project also includes relocation of approximately 2000 feet of South Main Street adjacent to the interchange area. The interchange is being constructed in an area restricted for the duration of construction. The project is an example of Transystems providing a variety of design services for Mass DOT in a condensed schedule. This project includes the design of Executive Park Drive and its intersection with realigned South Main Street including a completely new drainage system, paving, sidewalks, crosswalks, medians and associated improvements. In addition, Transystems designed the new interchange ramps associated with this interchange. The project progress was expedited by over a year by using design-build on this project vs. conventional design-bid-build.</td>
<td><img src="image1.jpg" alt="Image 1" /> <img src="image2.jpg" alt="Image 2" /> <img src="image3.jpg" alt="Image 3" /> <img src="image4.jpg" alt="Image 4" /></td>
<td></td>
</tr>
<tr>
<td>SHEET NUMBER</td>
<td>DESCRIPTION</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
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<td></td>
<td></td>
</tr>
<tr>
<td>1</td>
<td>TITLE SHEET</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>2</td>
<td>INDEX OF SHEETS</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>3-3A</td>
<td>TYPICAL SECTIONS</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>4-4A</td>
<td>PLAN SHEET AND PROFILE SHEET 10000 TO 15000</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>5-5A</td>
<td>PLAN SHEET AND PROFILE SHEET 15000 TO 20000</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>5-6A</td>
<td>PLAN SHEET AND PROFILE SHEET 20000 TO 27000</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>6-6A</td>
<td>PLAN SHEET AND PROFILE SHEET 27000 TO 30000</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**Note:**

These plans are unfinished and unapproved and are not to be used for any type of construction or the acquisition of right of way.
These plans are unfinished and unapproved and are not to be used for any type of construction or the acquisition of right of way.

Additional easements for utility relocations may be required beyond the proposed right-of-way shown on these plans.
THERE ARE NO EXCUSES.
AND THEREFORE ARE NOT
TO BE USED IN ANY
OR CONSTRUCTION OF THE
PLACED ON 13 MARCH 1956.
These plans are unfinished and unapproved and are not to be used for any type of construction or the acquisition of right of way.

Additional easements for utility relocations may be required beyond the proposed right-of-way shown on these plans.
ABUTMENT ELEVATION

ABUTMENT PLAN

Preliminary Plans
These plans not to be used for construction

Scale: 1/4" = 1'-0"
Route 35 Bridge Replacement

State Project No.: (NFO) 0035-087-112, PE-101, RW-201, C-501, B-604
Federal Project No.: BR-087-5(014) / Contract ID Number: C00081457DB57

PRICE PROPOSAL

SUBMITTED BY:

ORION MARINE CONSTRUCTION, INC.

TRANSYSTEMS CORPORATION
ATTACHMENT 4.0.1.2

DESIGN-BUILD PRICE PROPOSAL CHECKLIST

Project Name: Route 35 Bridge Replacement
Contract ID Number: C00081457DB57

Contents of Price Proposal:

☑ Cost Breakdown Summary in whole numbers and Proposal Price in both numbers and words (Attachment 4.3.1)
☑ Total number of Bridge Closure Days (BCDs) in both words and numbers (Attachment 4.3.1)
☑ Price Adjustment Information and Forms for Fuel, Asphalt and Steel, including identification of pay items and associated quantities eligible for adjustment (Part 3, Section 6.3, Attachments 6.3)
☑ Proposal Guaranty (C-24) required by Section 102.07 of Part 5, Division I Amendments to the Standard Specifications
☑ Sworn Statement Forms (C-104, C-105, Attachments 4.3.4(a) and 4.3.4(b))
☑ DBE Requirements Forms (C-111, C-49 and C-112) as applicable (Attachments 4.3.5(a), 4.3.5(b) and 4.3.5(c))
☑ CD-ROM containing the entire Price Proposal in a single cohesive Adobe PDF file
ATTACHMENT 4.3.1

PRICE PROPOSAL FORM

4.3.1 Offeror shall specify the pricing information for the items below, the dollars amount shall be in whole numbers:

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Design Services, LS</td>
<td>$1,707,000.00</td>
</tr>
<tr>
<td>Mobilization (Construction), LS</td>
<td>$1,520,000.00</td>
</tr>
<tr>
<td>QA/QC (Construction), LS</td>
<td>$1,082,000.00</td>
</tr>
<tr>
<td>Dismantle and Remove Existing Structure, LS</td>
<td>$526,000.00</td>
</tr>
<tr>
<td>Earthwork, LS</td>
<td>$1,050,000.00</td>
</tr>
<tr>
<td>Roadway Incidentals, LS</td>
<td>$542,000.00</td>
</tr>
<tr>
<td>Bridge (Structures), LS</td>
<td>$4,900,000.00</td>
</tr>
<tr>
<td>Drainage, LS</td>
<td>$19,000.00</td>
</tr>
<tr>
<td>Utilities, LS</td>
<td>$116,000.00</td>
</tr>
<tr>
<td>Environmental Permitting, LS</td>
<td>$59,500.00</td>
</tr>
<tr>
<td>ROW Acquisition, LS</td>
<td>$135,000.00</td>
</tr>
<tr>
<td>All Others Costs, LS</td>
<td>$177,000.00</td>
</tr>
</tbody>
</table>

Proposal Price; (Specify the Total Lump Sum price in both numbers and words, this price shall equal to the total sum of the items listed above)

Lump Sum (LS): Eleven Million Eight Hundred Thirty Three Thousand Five Hundred Dollars and zero cents ($11,833,500.00)

4.3.2 Offeror shall specify the total number of Bridge Closure Days (BCDs) in both numbers and words:

BCDs = Three Hundred Thirty Bridge Closure Days (330) days

Signature: ___________________________ Date: 09/04/2013

Design-Builder: Orion Marine Construction, Inc.

Vendor No.: M040
EXHIBIT 6.3(a)
ADJUSTMENT FOR ASPHALT

SPECIAL PROVISION FOR
ASPHALT MATERIAL PRICE ADJUSTMENT
DESIGN-BUILD PROJECTS

June 30, 2011

In the event the Design-Builders elect to seek adjustment for asphalt items designated in the Price Proposal/Contract as Price Adjustment Items such items will be subject to price adjustment as set forth herein. Other items will not be adjusted, except as otherwise specified in the contract. If new pay items which contain Asphalt Material are established by Work Order, they will not be subject to Price Adjustment unless specifically designated in the Work Order to be subject to Price Adjustment.

Each month, the Department will publish an average state-wide PG 64-22 f.o.b. price per ton developed from the average terminal prices provided to the Department from suppliers of asphalt cement to contractors doing work in Virginia. The Department will collect terminal prices from approximately 12 terminals each month. These prices will be received once each month from suppliers on or about the last weekday of the month. The high and low prices will be eliminated and the remaining values averaged to establish the average state-wide price for the following month. That monthly state-wide average price will be posted on the Scheduling and Contract Division website on or about the first weekday of the following month.

This monthly state-wide average price will be the Base Index for all contracts on which bids are received during the calendar month of its posting and will be the Current Index for all asphalt placed during the calendar month of its posting. In the event an index changes radically from the apparent trend, as determined by the Engineer, the Department may establish an index which is determined to best reflect the trend.

The amount of adjustment applied will be based on the difference between the Price Proposal/Contract Base Index and the Current Index for the applicable calendar month during which the work is performed. Adjustment of any asphalt material item designated as a price adjustment item which does not contain PG 64-22, except PG 76-22, will be based on the indexes for PG 64-22. The quantity of asphalt cement for asphalt concrete pavement to which adjustment will be applied will be the quantity based on the percent of asphalt cement shown on the appropriate approved job mix formula.

The quantity of asphalt emulsion for surface treatments to which adjustment will be applied will be the quantity based on 65 percent residual asphalt.

Price adjustment will be shown as a separate entry on the monthly application of payment for work packages completed; however, such adjustment will not be included in the total cost of the work for progress determination or for extension of contract time.

In order to be eligible for asphalt price adjustment under this provision, the Design-Builders shall clearly identify in its Price Proposal those pay items and the associated quantities it chooses to have asphalt price adjustment applied to in its work packages. Items the Design-Builders claims in its application of payment for asphalt adjustments must be properly designated in order to be considered for adjustment. Items not properly designated or left out of the Design-Builders’ Price Proposal will automatically not be considered for adjustment.

Any apparent attempt to unbalance bids in favor of items subject to price adjustment or failure to submit required cost and price data as noted hereinbefore may result in rejection of items for asphalt adjustment.

☐ I elect to use this provision
☐ I elect not to use this provision

Date: 09/05/2013
Signature: 

Design-bulder: Orion Marine Construction, Inc.

Vendor No.: M040
COMMONWEALTH OF VIRGINIA  
DEPARTMENT OF TRANSPORTATION  
PRICE ADJUSTMENT

INSTRUCTIONS - This form is to be completed and returned ONLY when asphalt concrete items are designated for price adjustment on the bid price sheets.

PROJECT NUMBER:  (NFO) 0035-087-112, PE-101, RW-201, C-501, B-604

DISTRICT:

Bid Prices in this contract for items containing PG 64-22 asphalt cement were developed using an f.o.b. price of $ 581.50 per IMPERIAL ton for PG 64-22. This quote will be averaged into the monthly price index.

Bid Prices in this contract for items containing PG 76-22 asphalt cement were developed using an f.o.b. price of $ Not Applicable per IMPERIAL ton for PG 76-22. This quote is project specific. (When required by provisions)

Price quotes signed by each supplier from which the Design-Builder proposes to obtain PG 64-22 or PG 76-22 shall be maintained by the successful bidder. These quotes shall be retained on site during the life of the Contract for review by the Engineer upon request.

X I elect to use this provision  DATE:  09/05/2013  
__ I elect not to use this provision

SIGNATURE: ___________________________________________  David G. Thornton, Sr. VP

Orion Marine Construction, Inc.  
(Firm or Corporation)  
M040  
(Vendor No.)
EXHIBIT 6.3 (c)
ADJUSTMENT FOR FUEL

VIRGINIA DEPARTMENT OF TRANSPORTATION
SPECIAL PROVISION FOR
OPTIONAL ADJUSTMENT FOR FUEL
DESIGN-BUILD PROJECTS

June 30, 2011

In the event the Design-Builder elects to seek adjustment for fuel items designated in the Price Proposal Contract as Price Adjustment Items such items will be subject to price adjustment as set forth herein. Other items will not be adjusted, except as otherwise specified in the contract.

The Design-Builder will submit their monthly application for payment associated with eligible work packages with an adjustment up or down as appropriate for cost changes in fuel used on specific items of work identified in this provision. A master listing of standard items eligible for fuel adjustment is provided by the Department on its website at the following link http://www.virginiadot.org/business/resources/masteroptionalfuelitems.pdf. The listing on the web site also includes the corresponding fuel factor for each item. The fuel usage factor for each item is considered inclusive of all fuel usage.

The amount of adjustment will be computed from the change in the indexes and the on-site fuel use as shown in the Department's master listing of eligible items.

In order to be eligible for fuel adjustment under this provision, the Design-Builder shall clearly identify in its Price Proposal those pay items and the associated quantities it chooses to have fuel adjustment applied to in its work packages. Items the Design-Builder claims in its application of payment for fuel adjustments must be properly designated in order to be considered for adjustment. Items not properly designated or left out of the Design-Builder's Price Proposal will automatically not be considered for adjustment.

The monthly index price to be used in the administration of this provision will be calculated by the Department from the Diesel fuel prices published by the U. S. Department of Energy, Energy Information Administration on highway diesel prices, for the Lower Atlantic region. The monthly index price will be the price for diesel fuel calculated by averaging each of the weekly posted prices for that particular month.

For the purposes of this provision, the base index price will be calculated using the data from the month preceding the receipt of bids. The base index price will be posted by the Department at the beginning of the month for all bids received during that month.

The current index price will be posted by the Department and will be calculated using the data from the month preceding the particular estimate being vouchered for payment.

The current monthly quantity for eligible items of work selected by the Design-Builder for fuel adjustment in its work packages will be multiplied by the appropriate fuel factor to determine the gallons of fuel to be cost adjusted. The amount of adjustment per gallon will be the net difference between the current index price and the base index price. Computation for adjustment will be made as follows:

\[ S = (E - B) \times Q \]

Where; \( S \) = Monetary amount of the adjustment (plus or minus)
\( B \) = Base index price
\( E \) = Current index price
Q = Quantity of individual units of work
F = Appropriate fuel factor

Adjustments will not be made for work performed beyond the original contract time limit unless the original time limit has been changed by an executed Work Order.

If new pay items are added to this contract by Work Order and they are listed in the Department’s master listing of eligible items, the Work Order must indicate which of these individual items will be fuel adjusted; otherwise, those items will not be fuel adjusted. If applicable, designating which new pay items will be added for fuel adjustment must be determined during development of the Work Order and clearly shown on the Work Order form. The Base Index price on any new eligible pay items added by Work Order will be the Base Index price posted for the month in which bids were received for that particular project. The Current Index price for any new eligible pay items added by Work Order will be the Index price posted for the month preceding the estimate on which the Work Order is paid.

When quantities differ between the last monthly application of payment prepared upon final acceptance and the final application of payment, adjustment will be made using the appropriate current index for the period in which that specific item of work was last performed.

In the event any of the base fuel prices in this contract increase more than 100 percent (i.e. fuel prices double), the Department will review each affected item of work and give the Design-Build written notice if work is to stop on any affected item of work. The Department reserves the right to reduce, eliminate or renegotiate the price for remaining portions of affected items of work.

Any amounts resulting from fuel adjustment will not be included in the total cost of work for determination of progress or for extension of contract time.

___ I elect to use this provision

X I elect not to use this provision

Date: 09/05/2013
Signature:

Design-builder: Orion Marine Construction, Inc.

Vendor No.: M040
In the event the Design-Builder elects to seek adjustment for steel items designated in the Price Proposal/Contract as Price Adjustment Items such items will be subject to price adjustment as set forth herein. If new pay items which involve steel are established by Work Order, they will not be subject to Price Adjustment unless specifically designated in the Work Order to be subject to Price Adjustment.

The Design-Builder will submit their monthly application for payment associated with eligible work packages with an adjustment up or down as appropriate for cost changes in steel used on specific items of work identified in the Price Proposal/contract in accordance with this provision. Provided at the end of this provision is a master listing of standard bid items the Department has determined are eligible for steel price adjustment. Inventoried materials from the listing of eligible items are specifically excluded for consideration. In addition, concrete items where reinforcing steel is normally included in the unit bid price for the item such as (but not limited to) drop inlets, median barriers, sound barrier walls, bridge railing and parapets, are not eligible for consideration under this provision.

The requirements of this provision shall apply only to material cost changes that occur between the date of the opening of the Price Proposal and the date the material is shipped to the fabricator. To be eligible for this price adjustment, Design-Builder is required to fill out the accompanying Form for Price Adjustment for Eligible Steel Items on Design-Build Projects and submit the same with its Price Proposal for the Project. By signing the Form and submitting it with its Price Proposal Design-Builder declares its intention to participate in the price adjustment in its contract with the Department. For the purposes of this provision, the prices listed on the Form for Price Adjustment for Eligible Steel Items on Design-Build projects are fixed for cost and adjustment calculations regardless of quantities incorporated into final design. Further, in order for steel items to be eligible for adjustment, once shipped to the fabricator, the items shall be specifically stored, labeled, or tagged, recognizable by color marking, and identifiable by project for inspection and audit verification.

Design-Builder shall upon request furnish documentation supporting the price per pound for eligible steel items as shown on the Form for Price Adjustment for Eligible Steel Items on Design-Build Projects furnished with its Price Proposal. Design-Builder must use the format as shown with this Form; no other format for presenting this information will be permitted. Design-Builder shall certify that all items of documentation are original and were used in the computation of the price per pound amount for the represented eligible pay items for the month the Price Proposal was opened. This documentation shall support the base line material price (“Base Price”) of the steel item only. Base price per pound shall not include the following cost components: fabrication, shipping, storage, handling, and erection.

Failure to submit all documentation required or requested supporting the per pound prices on eligible steel items will result in Design-Builder being ineligible for a price adjustment of any or all steel items.

Price adjustment of each qualifying item under consideration will be subject to the following condition:

There is an increase or decrease in the cost of eligible steel materials in excess of 10 percent up to a maximum of 60 percent from the Base Price when compared with the latest published price index (“Price Index”) in effect at the time material is shipped to the fabricator.
The Price Index the Department is using is based on The U.S. Department of Labor, Bureau of Labor Statistics, Producers Price Index (PPI) which measures the average price change over time of the specific steel eligible item from the perspective of the seller of goods. The Master List table provided at the end of this provision indicates the Producers Price Index (PPI) steel category index items and the corresponding I.D. numbers to which VDOT items will be compared. Please note: The Producers Price Index (PPI) is subject to revision 4 months after original publication, therefore, price adjustments and payments will not be made until the index numbers are finalized.

The price adjustment will be determined by computing the percentage of change in index value beyond 10 percent above or below the index on the date of opening of Design-Build’s Price Proposal to the index value on the date the steel material is shipped to the fabricator (Please see included sample examples). Weights and date of shipment must be documented by a bill of lading provided to the Department. The final price adjustment dollar value will be determined by multiplying this percent increase or decrease in the index (after 10%) by the represented quantity of steel shipped, by the Base Price per pound subject to the limitations herein.

**Price increase/decrease will be computed as follows:**

\[
A = B \times P \times Q
\]

Where:

- \( A \) = Steel price adjustment in lump sum dollars
- \( B \) = Average weighted price of steel submitted in Design-Build’s Price Proposal for project in price per pound as listed on the Form for Price Adjustment for Eligible Steel Items on Design-Build Project
- \( P \) = Adjusted percentage change in PPI average from shipping date to date of opening of Price Proposal minus 10% (0.10) threshold
- \( Q \) = Total quantity of steel in pounds shipped to fabricator for specific project

The need for application of the adjustments herein to extra work will be determined by the Engineer on an individual basis and, if appropriate, will be specified on the Work Order.

This price adjustment is capped at 60 percent. This means the maximum “\( P \)” value for increase or decrease that can be used in the above equation is 50% (60%-10% threshold).

Calculations for price adjustment shall be shown separate from the monthly progress payment for work packages and will not be included in the total cost of work for determination of progress or for extension of contract time.

Upon Department review and due process consideration for redress by Design-Build, any apparent evidence to unbalance the price supplied by Design-Build in favor of items subject to price adjustment will result in ineligibility for Department participation under this provision.
**FORM FOR PRICE ADJUSTMENT FOR ELIGIBLE STEEL ITEMS ON DESIGN-BUILD PROJECTS**

Must be supplied with Price Proposal for Department Participation

(All prices to be supported by project-specific quotes)

**DATE FOR RECEIPT OF PRICE PROPOSAL** 09/05/2013

**Note:** All prices (costs) are to include any surcharges on materials quoted. Vendors must include this surcharge with their cost. All prices (costs) are F.O.B. from the originating mill.

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<tr>
<th>Item Number</th>
<th>Item Description</th>
<th>Quantity</th>
<th>Unit</th>
<th>Unit Price</th>
<th>Supplier</th>
<th>Date of Quote</th>
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</table>

We/I, the undersigned, understand that by supplying prices for the steel items listed above and signing this form we are declaring our desire to apply the Special Provision For Steel Adjustment for Design-Build Projects to this Price Proposal and contract. The terms and conditions for participation are as stated in the Special Provision For Steel Adjustment for Design-Build Projects.

Orion Marine Construction, Inc. 09/05/2013
Design-Builder Date
Sample Calculation of a Price Adjustment (increase)


Project has 450,000 lb. of eligible structural steel.

Design Builder's *f.o.b. supplier price for structural steel submitted in the Price Proposal is $0.2816 per pound. *free on board

Adjusted** BLS Producers Price Index (PPI) most recently published average at time of opening of the Price Proposal is 139.6.

All eligible steel shipped to fabricator in same month, October 2004.

Adjusted BLS Producers Price Index (PPI) most recently published average for month of October is 161.1

Adjustment formula is as follows:

\[ A = B \times P \times Q \]

Where;

- \( A \) = Steel price adjustment in lump sum dollars
- \( B \) = Average weighted price of steel submitted in the Price Proposal for Design-Build project in $ per pound
- \( P \) = Adjusted percentage change in PPI average from shipping date to date of submitted Price Proposal minus 10% (0.10) threshold
- \( Q \) = Total quantity of eligible steel shipped to fabricator in October 2004 for this project in pounds

\[ B = \$0.2816 \]

\[ P = \frac{(161.1 - 139.6)}{139.6} - 0.10 = 0.054 \]

\[ Q = 450,000 \text{ lb.} \]

\[ A = 0.2816 \times 0.054 \times 450,000 \]

\[ A = \$6,842.88 \text{ pay adjustment to Design-Builder} \]
Sample Calculation of a Price Adjustment (decrease)


Project has 450,000 lb. of eligible structural steel.

Design-Builder's *f.o.b. supplier price for structural steel submitted in the Price Proposal is $0.2816 per pound. *free on board

Adjusted BLS Producers Price Index (PPI) most recently published average at time of opening of the Price Proposal is 156.6.

All eligible steel shipped to fabricator in same month, October 2004.

Adjusted BLS Producers Price Index (PPI) most recently published average for month of October is 136.3

Adjustment formula is as follows:

\[ A = B \times P \times Q \]

Where;

\[ A = \text{Steel price adjustment in lump sum dollars} \]
\[ B = \text{Average weighted price of steel submitted in the Price Proposal for Design-Build project in $ per pound} \]
\[ P = \text{Adjusted percentage change in PPI average from shipping date to date of submitted Price Proposal minus 10% (0.10) threshold} \]
\[ Q = \text{Total quantity of eligible steel shipped to fabricator in October 2004 for this project in pounds} \]

\[ B = \$0.2816 \]
\[ P = (156.6 - 136.3)/156.6 - 0.10 = 0.030 \]
\[ Q = 450,000 \text{ lb.} \]

\[ A = 0.2816 \times 0.030 \times 450,000 \]

\[ A = \$3,801.60 \text{ credit to Department} \]
# MASTER LISTING

## STANDARD BID ITEMS ELIGIBLE FOR STEEL PRICE ADJUSTMENT

March 18, 2009

<table>
<thead>
<tr>
<th>ITEM NUMBER</th>
<th>ITEM DESCRIPTION</th>
<th>UNITS</th>
<th>Number WPU used in $ adjust.</th>
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<td>Description</td>
<td>Unit</td>
<td>Weight</td>
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<td>DRIVING TEST FOR 12&quot; STEEL PILE</td>
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<td>avg. 1017 &amp; 101</td>
</tr>
</tbody>
</table>

**I elect to use this provision**

**I elect not to use this provision**

---

Date: 09/05/2013

Signature: 

Design-Builder: Orion Marine Construction, Inc.

Vendor No.: M040
COMMONWEALTH OF VIRGINIA
DEPARTMENT OF TRANSPORTATION
PROPOSAL GUARANTY

KNOW ALL MEN BY THESE PRESENTS, THAT WE Orion Marine Construction, Inc. As principal, and Liberty Mutual Insurance Company Surety, are held and firmly bound unto the Commonwealth of Virginia as obligee, in the amount of FIVE PERCENT OF THE DOLLAR VALUE OF THE BID, lawful money of the United States of America, for the payment of which, well and truly to be made, we bind ourselves, our heirs, executors, administrators, successors and assigns, jointly and severally and firmly by these presents.

SIGNED, sealed and cated this 21st Day of August, 2013

WHEREAS, the above said principal is herewith submitting its proposal for: Route 35 Bridge Replacement

PROJECT NUMBER: C00081457DB57

NOW, THEREFORE, the condition of the above obligee is such, that if the aforesaid principal shall be awarded the contract upon said proposal and shall within the time specified in the Specifications after the notice of such award enter into a contract and give bond for the faithful performance of the contract, then this obligation shall be null and void; otherwise to remain in full force and effect and the principal and surety will pay unto the obligee the difference in money between the amount of the bid of the said principal and the amount for which the obligee may legally contract with another party to perform the said work if the latter amount be in excess of the former; but in no event shall the liability exceed the penal sum hereof,

Orion Marine Construction, Inc.
(Principal)
By: 
(Officer, Partner or Owner) (Seal)

Liberty Mutual Insurance Company
(Surety)
By: 
(Attorney-in-Fact) (Seal)

175 Berkeley Street, Boston, MA 02116
(Address)

*Note: If the principal is a joint venture, each party thereof must be named and execution made by same hereon. If there is more than one surety to the bid bond, each surety must be named and execution shall be made by same hereon.

Electronic Bid Only: In lieu of completing the above section of the Contract Performance Bond, the Principal shall file an Electronic Bid Bond when bidding electronically. By signing below the Principal is ensuring the identified electronic bid bond has been executed and the Principal and Surety are firmly bound unto the Commonwealth of Virginia under the same conditions of the bid bond as shown above.

Electronic Bid Bond ID# Company/Bidder Name Signature and Title

**Attach copy of Power of Attorney
POWER OF ATTORNEY

KNOWN ALL PERSONS BY THESE PRESENTS: That American Fire & Casualty Company and The Ohio Casualty Insurance Company are corporations duly organized under the laws of the State of New Hampshire, that Liberty Mutual Insurance Company is a corporation duly organized under the laws of the State of Massachusetts, and West American Insurance Company is a corporation duly organized under the laws of the State of Indiana (herein collectively called the "Companies"), pursuant to and by authority herein set forth, does hereby name, constitute and appoint, Joseph R. Ault, Marc W. Boots, Maria D. Zuniga, P. T. Osburn, Richard Covington, Vickie Lacy

all of the city of Houston, state of TX, each individually if there be more than one named, its true and lawful attorney-in-fact to make, execute, seal acknowledge and deliver, for and on its behalf as surety and as its act and deed, any and all undertakings, bonds, recognizances and other surety obligations, in pursuance of these presents and shall be as binding upon the Companies as if they have been duly signed by the president and attested by the secretary of the Companies in their own proper persons.

IN WITNESS WHEREOF, this Power of Attorney has been subscribed by an authorized officer or official of the Companies and the corporate seals of the Companies have been affixed thereeto this ______ day of May ______, 2013.

American Fire and Casualty Company
The Ohio Casualty Insurance Company
Liberty Mutual Insurance Company
West American Insurance Company

By:

Gregory W. Davenport, Assistant Secretary

STATE OF WASHINGTON
COUNTY OF KING

On this ______ day of May _______, 2013, before me personally appeared Gregory W. Davenport, who acknowledged himself to be the Assistant Secretary of American Fire and Casualty Company, Liberty Mutual Insurance Company, The Ohio Casualty Company, and West American Insurance Company, and that he, as such, being authorized so to do, execute the foregoing instrument for the purposes herein contained by signing on behalf of the corporations by himself as a duly authorized officer.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my notarial seal at Seattle, Washington, on the day and year first above written.

By:

KD Riley, Notary Public

This Power of Attorney is made and executed pursuant to and by authority of the following By-laws and Authorization of American Fire and Casualty Company, The Ohio Casualty Insurance Company, Liberty Mutual Insurance Company, and West American Insurance Company which resolutions are now in full force and effect reading as follows:

ARTICLE IV — OFFICERS — Section 12. Power of Attorney. Any officer or other official of the Corporation authorized for that purpose in writing by the Chairman or the President, and subject to such limitations as the Chairman or the President may prescribe, shall appoint such attorneys-in-fact, as may be necessary to act in behalf of the Corporation to make, execute, seal, acknowledge and deliver as surety any and all undertakings, bonds, recognizances and other surety obligations. Such attorneys-in-fact, subject to the limitations set forth in their respective powers of attorney, shall have full power to bind the Corporation by their signature and execution of any such instruments and to attach the seal of the Corporation. When so executed, such instruments shall be as binding as if signed by the President and attested to by the Secretary. Any power or authority granted to any representative or attorney-in-fact under the provisions of this article may be revoked at any time by the Board, the Chairman, the President or by the officer or officers granting such power or authority.

ARTICLE XIII — Execution of Contracts — SECTION 5. Surety Bonds and Undertakings. Any officer of the Company authorized for that purpose in writing by the chairman or the president, and subject to such limitations as the chairman or the president may prescribe, shall appoint such attorneys-in-fact, as may be necessary to act in behalf of the Company to make, execute, seal, acknowledge and deliver as surety any and all undertakings, bonds, recognizances and other surety obligations. Such attorneys-in-fact subject to the limitations set forth in their respective powers of attorney, shall have full power to bind the Company by their signature and execution of any such instruments and to attach the seal of the Company. When so executed such instruments shall be as binding as if signed by the president and attested by the secretary.

Certificate of Designation — The President of the Company, acting pursuant to the Bylaws of the Company, authorizes Gregory W. Davenport, Assistant Secretary to appoint such attorneys-in-fact as may be necessary to act on behalf of the Company to make, execute, seal, acknowledge and deliver as surety any and all undertakings, bonds, recognizances and other surety obligations.

Authorization — By unanimous consent of the Company's Board of Directors, the Company consents that facsimile or mechanically reproduced signature of any assistant secretary of the Company, wherever appearing upon a certified copy of any power of attorney issued by the Company in connection with surety bonds, shall be valid and binding upon the Company with the same force and effect as though manually affixed.

I, David M. Carey, the undersigned, Assistant Secretary, of American Fire and Casualty Company, The Ohio Casualty Insurance Company, Liberty Mutual Insurance Company, and West American Insurance Company do hereby certify that the original power of attorney of which the foregoing is a full, true and correct copy of the Power of Attorney executed by said Companies, is in full force and effect and has not been revoked.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the seals of said Companies this ______ day of August, ______ , 2013.

By:

David M. Carey, Assistant Secretary
COMMONWEALTH OF VIRGINIA
DEPARTMENT OF TRANSPORTATION

PROJECT: 0035-087-112, PE-101, RW-201, C-501, B-604

FHWA: BR-087-5(014)

This form must be completed, signed and returned with bid; and failure to do so may result in the rejection of your bid. THE CONTRACTOR SHALL AFFIRM THE FOLLOWING STATEMENT EITHER BY SIGNING THE AFFIDAVIT AND HAVING IT NOTARIZED OR BY SIGNING THE UNSWORN DECLARATION UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE UNITED STATES. A SEPARATE FORM MUST BE SUBMITTED BY EACH PRINCIPAL OF A JOINT VENTURE BID.

STATEMENT. In preparation and submission of this bid, I, the firm, corporation or officers, agents or employees thereof did not, either directly or indirectly, enter into any combination or arrangement with any persons, firm or corporation or enter into any agreement, participate in any collusion, or otherwise take any action in the restraint of free, competitive bidding in violation of the Sherman Act (15 U.S.C. Section 1) or Article 1.1 or Chapter 12 of Title 18.2 (Virginia Governmental Frauds Act), Sections 59.1-9.1 through 59.1-9.17 or Sections 59.1-58.6 through 59.1-58.8 of the Code of Virginia.

AFFIDAVIT

The undersigned is duly authorized by the bidder to make the foregoing statement to be filed with bids submitted on behalf of the bidder for contracts to be let by the Commonwealth Transportation Board.

Signed at Hillsborough County, Florida, this 4th day of September, 2013
Orion Marine Construction, Inc.
(State of Firm)
By: (Signature) Senior Vice President

STATE of Florida
COUNTY (CITY) of Tampa
To-wit: 
I, Laurie A. Simpson, hereby certify that this day, David G. Thornton personally appeared before me and made oath that he is duly authorized to make the above statements and that such statements are true and correct.

Subscribed and sworn to before me this 4th day of September, 2013
My Commission expires 11/07/2016

Notary Public, LAURIE A. SIMPSON
My Commission expires 11/07/2016

UNSWORN DECLARATION

The undersigned is duly authorized by the bidder to make the foregoing statement to be filed with bids submitted on behalf of the bidder for contracts to be let by the Commonwealth Transportation Board.

Signed at , this ___ day of ___ , 20___

(Name of Firm) By: (Signature) Title (print)
COMMONWEALTH OF VIRGINIA
DEPARTMENT OF TRANSPORTATION
AFFIDAVIT

PROJECT: 0035-087-112, PE-101, RW-201, C-501, B-604

FHWA: BR-087-5014

This form must be completed, signed, notarized and returned with bid; and failure to do so, may result in the rejection of your bid. A separate form must be submitted by each principal of a joint venture bid.

1. I, the firm, corporation or officers, agents or employees thereof have neither directly nor indirectly entered into any combination or arrangement with any person, firm or corporation or entered into any agreement, participated in any collusion, or otherwise taken any action in restraint of free competitive bidding in connection with such contract, the effect of which is to prevent competition or increase the cost of construction or maintenance of roads or bridges.

During the preceding twelve months, I (we) have been a member of the following Highway Contractor’s Associations, as defined in Section 33.1-336 of the Code of Virginia (1970). (If none, so state).

<table>
<thead>
<tr>
<th>NAME</th>
<th>Location of Principal Office</th>
</tr>
</thead>
<tbody>
<tr>
<td>FTBA</td>
<td>Tallahassee, Florida</td>
</tr>
</tbody>
</table>

2. I (we) have ☑, have not ☐, participated in a previous contract or subcontract subject to the equal opportunity clause, as required by Executive Orders 10925, 11114, or 11246, and that I/We have ☑, have not ☐, filed with the Joint Reporting Committee, the Director of the Office of Federal Contract Compliance, a Federal Government contracting or administering agency, or the former President’s Committee on Equal Employment Opportunity, all reports due under the applicable filing requirements.

Note: The above certification is required by the Equal Employment Opportunity Regulations of the Secretary of Labor [41 CFR 60-1.7(b)(1)], and must be submitted by bidders and proposed subcontractors only in connection with contracts and subcontracts which are subject to the equal opportunity clause. Contracts and subcontracts which are exempt from the equal opportunity clause are set forth in 41 CFR 60-1.5. (Generally only contract or subcontracts of $10,000 or under are exempt.)

Currently, Standard Form 100 (EEO-1) is the only report required by the Executive Orders or their implementing regulations.

Proposed prime contractors and subcontractors who have participated in a previous contract or subcontract subject to the Executive Orders and have not filed the required reports should note that 41 CFR 60-1.7(b) (1) prevents the award of contract and subcontract unless such contractor submits a report covering the delinquent period or such other period specified by the Federal Highway Administration or by the Director, Office of Federal Contract Compliance, U.S. Department of Labor.

(Continued)
3. The bidder certifies to the best of its knowledge and belief, that it and its principals:

(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 offence 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 above; and

(d) Where the bidders is unable to certify to any of the statements in this certification, the bidder shall show an explanation below.

Explanations will not necessarily result in denial of award, but will be considered in determining bidder responsibility. For any explanation noted, indicate below to whom it applies, initiating agency, and dates of action. Providing false information may result in federal criminal prosecution or administration sanctions. The bidder shall provide immediate written notice to the Department if at any time the bidder learns that its certification was erroneous when submitted or has become erroneous by reason of change circumstances.

The undersigned is duly authorized by the bidder to make the foregoing statements to be filed with bids submitted on behalf of the bidder for contracts to be let by the Commonwealth Transportation Board.

Signed at Hillsborough County, Florida, County (City), STATE of Florida, COUNTY (CITY) of Tampa, this 4th day of September, 2013.

Orion Marine Construction, Inc. | By: ____________________________
(Name of Firm) | (Signature) | Senior Vice President

STATE of Florida | COUNTY (CITY) of Tampa

I, Laurie A. Simpson, a Notary Public in and for the State and County(City) aforesaid, hereby certify that this day David G. Thornton personally appeared before me and made oath that he is duly authorized to make the above statements and that such statements are true and correct.

Subscribed and sworn to before me this 4th day of September, 2013.

Notary Public

My Commission expires 11/07/2016
COMMONWEALTH OF VIRGINIA  
DEPARTMENT OF TRANSPORTATION  
MINIMUM DBE REQUIREMENTS

PROJECT NO.  0035-087-112, PE-101, RW-201, C-501, B-604  
FHWA NO.  BR-087-5(014)

*** INSTRUCTIONS ***

This form can be used by the contractor to submit the names of DBE firms to be utilized on the project. The contractor shall indicate the description of the category (S, M, SP or H) and the type of work that each DBE will perform and the allowable credit per item(s). Additional sheets to show the allowable credit per item may be attached if necessary. Please note: the amount of allowable credit for a DBE supplier is 60% of the total cost of the materials or supplies obtained and 100% for a DBE manufacturer of the materials and supplies obtained. A contractor may count 100% of the fees paid to a DBE hauler for the delivery of materials and supplies to the project site, but not for the cost of the materials and supplies themselves.

DBE REQUIREMENT  12  %  
PERCENT ATTAINED BY BIDDER  12.2  %

<table>
<thead>
<tr>
<th>NAMES(S) AND CERTIFICATION NO. OF DBE(S) TO BE USED</th>
<th>USED AS</th>
<th>MFG. (M)</th>
<th>SUPPLIER (SP)</th>
<th>TYPE OF WORK AND ITEM NO(S)</th>
<th>$ AMOUNT OF ALLOWABLE CREDIT PER ITEM</th>
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<td>Roadway Design Services</td>
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<td>DT Read Steel Co, Inc. 626596</td>
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<td></td>
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<td>Rebar Supply and Install</td>
<td>$573,618.00</td>
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TOTAL  $ 1,438,439.00

TOTAL CONTRACT VALUE  $ 11,833,500.00  x  REQUIRED DBE  12  %  =  $ 1,420,020.00

I/we certify that the proposed DBE(s) submitted will be used on this contract as stated hereon and assure that during the life of the contract. I/we will meet or exceed the participation established hereon by the department.

Orion Marine Construction, Inc.  
BIDDER  
Senior Vice President  
TITLE  

BY  
SIGNATURE

09/04/2013  
DATE
COMMONWEALTH OF VIRGINIA
DEPARTMENT OF TRANSPORTATION
CERTIFICATION OF BINDING AGREEMENT
WITH
DISADVANTAGED BUSINESS ENTERPRISE FIRMS

Project No.: (NFO) 0035-087-112, PE-101, RW-201, C-501, B-604
Federal Project No.: BR-087-5(014)

This form is to be submitted in accordance with the Department's Special Provision for Section 107.15.

It is hereby certified by the below signed Contractors that there exists a written quote, acceptable to the parties involved preliminary to a binding subcontract agreement stating the details concerning the work to be performed and the price which will be paid for the aforementioned work. This document is not intended to, nor should it be construed to, contain the entire text of the agreement between the contracting parties. This document does not take the place of, nor may it be substituted for, an official subcontracting agreement in those situations that may require such an agreement. A copy of the fully executed subcontract agreement shall be submitted to the Engineer within fourteen (14) business days after contract execution.

It is further certified that the aforementioned mutually acceptable quote and fully executed subcontract agreement represent the entire agreement between the parties involved and that no conversations, verbal agreements, or other forms of non-written representations shall serve to add to, delete, or modify the terms as stated.

The prime Contractor further represents that the aforementioned mutually acceptable quote and fully executed subcontract agreement shall remain on file for a period of not less than one year following completion of the prime's contract with the Department or for such longer period as provisions of governing Federal or State law or regulations may require. For purposes of this form, the term Prime Contractor shall refer to any Contractor utilizing a DBE subcontractor, regardless of tier, in which they are claiming DBE credit toward the contract goal.

Contractors further jointly and severally represent that said binding agreement is for the performance of a "commercially useful function" as that term is employed in 49 C.F.R. Part 26.55 (c), (d).

TO BE SIGNED BY THE SUBCONTRACTOR TO THE PRIME CONTRACTOR, AND ANY LOWER TIER SUBCONTRACTORS HAVING A CONTRACT WITH THE BELOW NAMED DBE FIRM

Prime Contractor
Orion Marine Construction, Inc.

By: ___________________________ Signature

Senior Vice President

Date: 08/22/2013

First Tier Subcontractor if Applicable
TranSystems Corporation

By: ___________________________ Signature

Vice President

Date: 8/22/2013
Second Tier Subcontractor if Applicable

By: ___________________________ Signature ___________________________ Title ___________________________

Date: ___________________________

Third Tier Subcontractor if Applicable

By: ___________________________ Signature ___________________________ Title ___________________________

Date: ___________________________

DBE Contractor Accompong Engineering Group LLC

By: ___________________________ President ___________________________

Signature ___________________________ Title ___________________________

Date: 8/22/13
COMMONWEALTH OF VIRGINIA
DEPARTMENT OF TRANSPORTATION
CERTIFICATION OF BINDING AGREEMENT
WITH
DISADVANTAGED BUSINESS ENTERPRISE FIRMS

Project No.: (NFO) 0035-087-112, PE-101, RW-201, C-501, B-604

Federal Project No.: BR-087-5(014)

This form is to be submitted in accordance with the Department’s Special Provision for Section 107.15.

It is hereby certified by the below signed Contractors that there exists a written quote, acceptable to the parties involved preliminary to a binding subcontract agreement stating the details concerning the work to be performed and the price which will be paid for the aforementioned work. This document is not intended to, nor should it be construed to, contain the entire text of the agreement between the contracting parties. This document does not take the place of, nor may it be substituted for, an official subcontracting agreement in those situations that may require such an agreement. A copy of the fully executed subcontract agreement shall be submitted to the Engineer within fourteen (14) business days after contract execution.

It is further certified that the aforementioned mutually acceptable quote and fully executed subcontract agreement represent the entire agreement between the parties involved and that no conversations, verbal agreements, or other forms of non-written representations shall serve to add to, delete, or modify the terms as stated.

The prime Contractor further represents that the aforementioned mutually acceptable quote and fully executed subcontract agreement shall remain on file for a period of not less than one year following completion of the prime's contract with the Department or for such longer period as provisions of governing Federal or State law or regulations may require. For purposes of this form, the term Prime Contractor shall refer to any Contractor utilizing a DBE subcontractor, regardless of tier, in which they are claiming DBE credit toward the contract goal.

Contractors further jointly and severally represent that said binding agreement is for the performance of a "commercially useful function" as that term is employed in 49 C.F.R. Part 26.55 (c), (d).

TO BE SIGNED BY THE SUBCONTRACTOR TO THE PRIME CONTRACTOR, AND ANY LOWER TIER SUBCONTRACTORS HAVING A CONTRACT WITH THE BELOW NAMED DBE FIRM

Prime Contractor: Orion Marine Construction, Inc.

By: ___________________________ Signature ___________________________ Senior Vice President ___________________________ Title ___________________________

Date: 09/04/2013

First Tier Subcontractor if Applicable

By: ___________________________ Signature ___________________________ Title ___________________________

Date: ___________________________
Second Tier Subcontractor if Applicable

By: ___________________________ Signature ___________________________ Title ___________________________

Date: ___________________________

Third Tier Subcontractor if Applicable

By: ___________________________ Signature ___________________________ Title ___________________________

Date: ___________________________

DBE Contractor D.T. READ STEEL CO., INC.

By: ___________________________ Signature ___________________________ Title ___________________________

Date: 8/26/2013
COMMONWEALTH OF VIRGINIA
DEPARTMENT OF TRANSPORTATION
CERTIFICATION OF BINDING AGREEMENT
WITH
DISADVANTAGED BUSINESS ENTERPRISE FIRMS

Project No.: (NFO) 0035-087-112, PE-101, RW-201, C-501, B-604

Federal Project No.: BR-087-5(014)

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TO BE SIGNED BY THE SUBCONTRACTOR TO THE PRIME CONTRACTOR, AND ANY LOWER TIER SUBCONTRACTORS HAVING A CONTRACT WITH THE BELOW NAMED DBE FIRM

Prime Contractor
Orion Marine Construction, Inc.

By: ___________________________ Signature

Senior Vice President  ________________ Title

Date: 09/04/2013

First Tier Subcontractor if Applicable

By: ___________________________ Signature

______________________________ Title

Date: ___________________________
Second Tier Subcontractor if Applicable

By: ____________________________  ____________________________
    Signature                   Title
    Date: ____________________________

Third Tier Subcontractor if Applicable

By: ____________________________  ____________________________
    Signature                   Title
    Date: ____________________________

DBE Contractor

NXL Construction Services, Inc.

By: ____________________________  ____________________________
    Signature                   Title
    Date: August 27, 2013