

PLEASE COMPLETE THIS PAGE AND SUBMIT WITH YOUR PROPOSAL

ACKNOWLEDGEMENT OF ADDENDUM

(if applicable)

Addendum Number

Signature of Bidder

1

6

2

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3

4

5

COMPANY NAME: PowerSecure, Inc

COMPANY ADDRESS: 4068 Stirrup Creek Drive

COMPANY ADDRESS: Durham NC 27703

BIDDER'S SIGNATURE: James G. Smith

BIDDER'S NAME (PRINT): James G. Smith

TITLE: COO TEL. NO.: 336.706.1529

EMAIL ADDRESS: srandall@powersecure.com *

*Please include your email address. Future proposals will be emailed, unless otherwise noted.

BID FORM

Bid Number – ITB JTN-21-500
Street Light Maintenance and LED Conversion

To: Town of Jamestown
Address: 93 Narragansett Ave., Jamestown, RI 02835

From:

PowerSecure, Inc.
Name of Proposer

4068 Stirrup Creek Dr.
Mailing Address

Durham, NC 27703

Town, State & Zip

THE PRICE OF EACH ITEM MUST BE WRITTEN IN WORDS AND FIGURES. IN CASE OF
DISCREPANCY, THE AMOUNT SHOWN IN WORDS WILL GOVERN.

All items shall be completely filled out in writing

Please provide the following cost items in writing:

Base Cost:


Total Cost of LED Conversion Option 1:	One Hundred Eighteen Thousand, One Hundred Ten Dollars
Total Cost of LED Conversion Option 2:	One Hundred Thirty One Thousand, Nine Hundred Eighty Five Dollars
Total Cost of Controls Option1:	Forty Eight Thousand, Two Hundred Seventy Six Dollars
Total Cost of Controls Option 2:	No Bid - Network Option 2
Total Cost of Controls Option 3:	Eight Thousand, Nine Hundred Twenty Dollars - Photocell
Total Cost of Decorative Lights Option 1:	Twenty Four Thousand, Seven Hundred Sixty Six Dollars
Total Cost of Decorative Lights Option 2:	Eight Thousand, One Hundred Twenty Dollars
Total Pre-Conversion Maintenance:	Six Thousand, Two Hundred Fifty Three Dollars
Total Post-Conversion Maintenance:	Three Thousand, Thirty Eight Dollars
Total GIS Lighting Survey:	Seven Thousand, One Hundred Sixty Nine Dollars

PowerSecure, Inc
Company Name of Proposer

1609 Heritage Commerce Court
Mailing Address (PO Box or street)

Wake Forest, North Carolina 27587
Town, State, and Zip Code

Cathy Stevens
Name of Authorized Representative

 Vice President, Treasurer, Comptroller
Signature Title

Corporation
Type of Business (Corp, Partnership, Sole Proprietorship)

919-536-3056 _____
Telephone Number Facsimile

CONTRACTOR'S PROPOSAL

The undersigned Proposer agrees that he will contract with the Town to provide all necessary labor, supervision, tools, and other means to do all the work and furnish all the materials specified in the contract in the manner and time therein prescribed, and that he will take in full payment the amount set forth hereon.

The Town will have the sole authority to enter into an Agreement under this Invitation for Bid with the Bidder of its choice based on the evaluation criteria referenced herein. The Town has the sole right to select any Bid Item or combination of Bid Items when making an award.

To Be Completed, Notarized, and Submitted with Bid

NON-COLLUSION AFFIDAVIT

Bid Number – ITB JTN-21-500

Street Light Maintenance and LED Conversion

State of Rhode Island Counties of Newport and Providence“.
PowerSecure, Inc, Bidder, being first duly sworn, deposes and says that he or she is Owner of the party making the foregoing bid that the bid is not made in the interest of, or on behalf of, any undisclosed person, partnership, company, association, organization, or corporation; that the bid is genuine and not collusive or sham; that the Bidder has not directly or indirectly induced or solicited any other Bidder to put in a false or sham bid; and has not directly or indirectly colluded, conspired, connived, or agreed with any Bidder or anyone else to put in a sham bid, or that anyone shall refrain from bidding; that the Bidder has not in any manner, directly or indirectly, sought by agreement, communication, or conference with anyone to fix the bid price of the Bidder or any other Bidder, or to fix any overhead, profit, or cost element of the bid price, or of that of any other Bidder, or to secure any advantage against the public body awarding the contract of anyone interested in the proposed contract; that all statements contained in the bid are true; and further, that the Bidder has not, directly or indirectly, submitted his or her bid price or any breakdown thereof, or the contents thereof, or divulged information or data relative thereto, or paid, and will not pay, any fee to any corporation, partnership, company, association, organization, bid depository, or to any member or agent thereof to effectuate a collusive or sham bid."

Catherine Stevens
VP, Treasurer, Comptroller

Jan 25, 2021

Date

(Signed at)

PowerSecure, Inc

Bidder name

(Person, Firm, Corp.)

Authorized Representative

1609 Heritage Commerce Court

Address

Cathy Stevens

Representative's Name

Wake Forest, NC 27587

City, State, Zip

Vice President, Treasurer, Comptroller

Representative's Title

BIDDER STATEMENT REGARDING INSURANCE COVERAGE

Bid Number – ITB JTN-21-500
Street Light Maintenance and LED Conversion

BIDDER HEREBY CERTIFIES that the Bidder has reviewed and understands the insurance coverage requirements specified in the Request for Proposal No2020-07. Should the Bidder be awarded the contract for the work, Bidder further certifies that the Bidder can meet the specified requirements for insurance and agrees to name the Town as Additional Insured for the work specified.

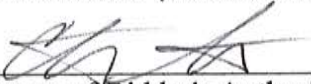
Insurance Required:

Workmen's Compensation and Employment Liability Insurance in compliance with statutory limits.
Comprehensive General Liability Insurance including Products Completed, Contractual, Property, and Personal Injury coverage with combined single limits of \$1,000,000 per occurrence and in the aggregate.
Professional Liability Insurance with a limit of \$1,000,000 per claim and in the aggregate. Automobile Liability Insurance including non-owned and hired automobiles with the limits listed below.

Bodily Injury	\$1,000,000 each person \$1,000,000 each occurrence
Property Damage	\$1,000,000 each occurrence

PowerSecure Inc

Name of Bidder (Person, Firm, or Corporation)



Signature of Bidder's Authorized Representative

Cathy Stevens, Vice President, Treasurer, Comptroller

Name & Title of Authorized Representative

Jan 25, 2021

Date of Signing

BIDDER STATEMENT OF RELEVANT EXPERIENCE

Bidders should provide a minimum of three (3) references from similar projects performed for any local government clients within the last five years. Information provided shall include:

Client/Business name;

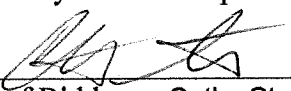
Project description;

Project dates (starting and ending);

Client/Business project manager name and telephone number;

Contract amount.

I hereby certify that I have performed the work listed below.



 Signature of Bidder **Cathy Stevens**
 Vice President, Treasurer, Comptroller

CLIENT/ BUSINESS NAME	PROJECT DESCRIPTION	PROJECT DATES	CLIENT/BUSINESS CONTACT	CONTRACT AMOUNT
Town of Bradford, Ontario, Canada	Retrofit/Replace 2,600 Roadway & Post Top fixtures	December 2015 - July 2016	Kyle Wittle, Kyle.Whittle@Honeywell.com	\$1,377,515 CAD
Town of Clinton, CT	Retrofit/Replace 19,714 Interior, and 695 Roadway & Post Top fixtures	July 2016 - January 2017	Peter Neff, Dir. Public Works Town of Clinton, CT (860) 664-1100	\$409,148 USD
Town of Enfield, CT	Retrofit/Replace 3,695 Roadway Fixtures	August 2017 - March 2018	Robert Platt, Honeywell Robert.Platt@Honeywell.com	\$1,828,438 USD

BID BOND

KNOW ALL MEN BY THESE PRESENTS, that we, the undersigned PowerSecure, Inc., as Principal, and , as Surety, are hereby held and firmly bound unto the TOWN OF JAMESTOWN, RHODE ISLAND, as OWNER in the penal sum of (\$ **see below), for the payment of which, well and truly to be made, we hereby jointly and severally bind ourselves, successors and assigns.

Signed, this 29th day of January, 20 21 .

The condition of the above obligation is such that whereas the Principal has submitted to the Town of Jamestown, Rhode Island, a certain BID, attached hereto and hereby made a part hereof to enter into a Contract in writing, for Street Light Maintenance and LED Conversion ITB JTN-21-500

NOW, THEREFORE,

If said BID shall be rejected, or

If said BID shall be accepted and the Principal shall execute and deliver a Contract in the Form Of Contract attached hereto (properly completed in accordance with said BID) and shall furnish a Performance Bond and a Labor and Material Payment Bond for his/her faithful performance of said Contract, and for the payment of all persons performing labor or furnishing materials in connection therewith, and shall in all other respects perform the Agreement created by the acceptance of said BID, then this obligation shall be void, otherwise the same shall remain in force and effect; it being expressly understood and agreed that the liability of the Surety for any and all claims hereunder shall, in no event, exceed the penal amount of this obligation as herein stated.

The Surety, for value received, hereby stipulates and agrees that the obligations of said Surety and its BOND shall be in no way impaired or affected by any extension of the time with which the OWNER may accept such BID; and said Surety does hereby waive notice of any such extension.

*Fidelity and Deposit Company of Maryland

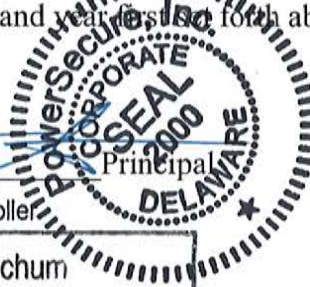
**Ten Percent (10%) of Principal's Bid*

IN WITNESS WHEREOF, the Principal and the Surety have hereunto set their hands and seals, and such of them as are corporations have caused their corporate seals to be hereto affixed and these presents to be signed by their proper officers, the day and year first so forth above.

PowerSecure, Inc.

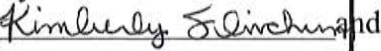

Jennifer L. Friedley
VP, Assistant Secretary


Catherine Stevens
VP, Treasurer, Comptroller



Notary
Seal

Notary

By: 
Seal

Kimberly Flinchum
NOTARY PUBLIC
Wake County, NC
My Commission Expires May 19, 2023

Surety - Fidelity and Deposit Company of Maryland


Deborah B. Sasser, Attorney-in-Fact

IMPORTANT: Surety companies executing BONDS must appear on the Treasury Department's most current list (Circular 570 as amended) and be authorized to transact business in the State where the project is located.

PROPOSED SUBCONTRACTORS

THE BIDDER SHALL STATE THE NAMES OF ALL THE SUBCONTRACTORS
THAT THEY PROPOSE TO USE

Note: If more than two (2) subcontractors are proposed, provide multiple copies of this form with the
various entities' information filled in below.

If none, write "None" _____

*Description of Work - Labor Installation & Maintenance

Proposed Subcontractor, Name: Scott

Collard _____

Address: _____

Collard Enterprises

17 Highland Ave.

Coventry, RI 02816

Description of Work - Labor Installation & Maintenance

Proposed Subcontractor, Name:

Robert Kelman _____

Address: _____

C & K Electric

166 Doyle Ave.

Providence, RI 02906

*Insert description of Work and subcontractors' names as may be required.

This is to certify that all names of the above-mentioned subcontractors are submitted with full
knowledge and consent of the respective parties.

The Bidder warrants that none of the proposed subcontractors have any conflict of interest in
respect to this Contract.

(Signature and Title)

Cathy Steven, Vice President, Treasurer, Comptroller

Bidder PowerSecure Inc

Catherine Stevens

VP, Treasurer, Comptroller
(Fill in Name)

By _____

Cathy Stevens, Vice President, Treasurer, Comptroller

EXTRACT FROM BY-LAWS OF THE COMPANIES

"Article V, Section 8, Attorneys-in-Fact. The Chief Executive Officer, the President, or any Executive Vice President or Vice President may, by written instrument under the attested corporate seal, appoint attorneys-in-fact with authority to execute bonds, policies, recognizances, stipulations, undertakings, or other like instruments on behalf of the Company, and may authorize any officer or any such attorney-in-fact to affix the corporate seal thereto; and may with or without cause modify or revoke any such appointment or authority at any time."

CERTIFICATE

I, the undersigned, Secretary of the ZURICH AMERICAN INSURANCE COMPANY, the COLONIAL AMERICAN CASUALTY AND SURETY COMPANY, and the FIDELITY AND DEPOSIT COMPANY OF MARYLAND, do hereby certify that the foregoing Power of Attorney is still in full force and effect on the date of this certificate; and I do further certify that Article V, Section 8, of the By-Laws of the Companies is still in force.

This Power of Attorney and Certificate may be signed by facsimile under and by authority of the following resolution of the Board of Directors of the ZURICH AMERICAN INSURANCE COMPANY at a meeting duly called and held on the 15th day of December 1998.

RESOLVED: "That the signature of the President or a Vice President and the attesting signature of a Secretary or an Assistant Secretary and the Seal of the Company may be affixed by facsimile on any Power of Attorney...Any such Power or any certificate thereof bearing such facsimile signature and seal shall be valid and binding on the Company."

This Power of Attorney and Certificate may be signed by facsimile under and by authority of the following resolution of the Board of Directors of the COLONIAL AMERICAN CASUALTY AND SURETY COMPANY at a meeting duly called and held on the 5th day of May, 1994, and the following resolution of the Board of Directors of the FIDELITY AND DEPOSIT COMPANY OF MARYLAND at a meeting duly called and held on the 10th day of May, 1990.

RESOLVED: "That the facsimile or mechanically reproduced seal of the company and facsimile or mechanically reproduced signature of any Vice-President, Secretary, or Assistant Secretary of the Company, whether made heretofore or hereafter, wherever appearing upon a certified copy of any power of attorney issued by the Company, shall be valid and binding upon the Company with the same force and effect as though manually affixed.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed the corporate seals of the said Companies,
this 29th day of January, 2021.



Brian M. Hodges

By: Brian M. Hodges
Vice President

TO REPORT A CLAIM WITH REGARD TO A SURETY BOND, PLEASE SUBMIT A COMPLETE DESCRIPTION OF THE CLAIM INCLUDING THE PRINCIPAL ON THE BOND, THE BOND NUMBER, AND YOUR CONTACT INFORMATION TO:

Zurich Surety Claims
1299 Zurich Way
Schaumburg, IL 60196-1056
www.reportsfclaims@zurichna.com
800-626-4577

**ZURICH AMERICAN INSURANCE COMPANY
COLONIAL AMERICAN CASUALTY AND SURETY COMPANY
FIDELITY AND DEPOSIT COMPANY OF MARYLAND
POWER OF ATTORNEY**

KNOW ALL MEN BY THESE PRESENTS: That the ZURICH AMERICAN INSURANCE COMPANY, a corporation of the State of New York, the COLONIAL AMERICAN CASUALTY AND SURETY COMPANY, a corporation of the State of Illinois, and the FIDELITY AND DEPOSIT COMPANY OF MARYLAND a corporation of the State of Illinois (herein collectively called the "Companies"), by **Robert D. Murray, Vice President**, in pursuance of authority granted by Article V, Section 8, of the By-Laws of said Companies, which are set forth on the reverse side hereof and are hereby certified to be in full force and effect on the date hereof, do hereby nominate, constitute, and appoint **Travis G. HUFFINES, Rachel FELL, Chancey J. SHEPHERD, Kaylan FILA, Brian E. MADDEN, Joshua BRIDGES, Brittany TRIPLETT, Deborah B. SASSER and Felisa H. VAUGHAN, all of Alpharetta, Georgia, EACH**, its true and lawful agent and Attorney-in-Fact, to make, execute, seal and deliver, for, and on its behalf as surety, and as its act and deed: any and all bonds and undertakings, and the execution of such bonds or undertakings in pursuance of these presents, shall be as binding upon said Companies, as fully and amply, to all intents and purposes, as if they had been duly executed and acknowledged by the regularly elected officers of the ZURICH AMERICAN INSURANCE COMPANY at its office in New York, New York., the regularly elected officers of the COLONIAL AMERICAN CASUALTY AND SURETY COMPANY at its office in Owings Mills, Maryland, and the regularly elected officers of the FIDELITY AND DEPOSIT COMPANY OF MARYLAND at its office in Owings Mills, Maryland, in their own proper persons.

The said Vice President does hereby certify that the extract set forth on the reverse side hereof is a true copy of Article V, Section 8, of the By-Laws of said Companies and is now in force.

IN WITNESS WHEREOF, the said Vice-President has hereunto subscribed his/her names and affixed the Corporate Seals of the said **ZURICH AMERICAN INSURANCE COMPANY, COLONIAL AMERICAN CASUALTY AND SURETY COMPANY, and FIDELITY AND DEPOSIT COMPANY OF MARYLAND**, this 10th day of March, A.D. 2020.



ATTEST:
**ZURICH AMERICAN INSURANCE COMPANY
COLONIAL AMERICAN CASUALTY AND SURETY COMPANY
FIDELITY AND DEPOSIT COMPANY OF MARYLAND**

By: Robert D. Murray
Vice President

By: Dawn E. Brown
Secretary

**State of Maryland
County of Baltimore**

On this 10th day of March, A.D. 2020, before the subscriber, a Notary Public of the State of Maryland, duly commissioned and qualified, **Robert D. Murray, Vice President and Dawn E. Brown, Secretary** of the Companies, to me personally known to be the individuals and officers described in and who executed the preceding instrument, and acknowledged the execution of same, and being by me duly sworn, depose and saith, that he/she is the said officer of the Company aforesaid, and that the seals affixed to the preceding instrument are the Corporate Seals of said Companies, and that the said Corporate Seals and the signature as such officer were duly affixed and subscribed to the said instrument by the authority and direction of the said Corporations.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my Official Seal the day and year first above written.



Constance A. Dunn, Notary Public
My Commission Expires: July 9, 2023