

RESOLUTION
of the
BOROUGH OF NEW PROVIDENCE
Resolution No. 2011-324

Council Meeting Date: 12-12-2011

Date Adopted: 12-12-2011

TITLE: RESOLUTION APPROVING FINAL CLOSEOUT OF THE PROJECT
COMMONLY KNOWN AS "CENTRAL AVENUE (SECTION 6) ROADWAY
IMPROVEMENTS"

Councilperson Lesnewich submitted the following resolution, which was duly seconded
by Councilperson Galluccio.

WHEREAS, the Borough of New Providence awarded a contract to Top Line
Construction Corp. for the project commonly known as "Central Avenue (Section 6)
Roadway Improvements", and

WHEREAS, the Engineering Department has determined that the project has
been completed; and

WHEREAS, the Borough Engineer recommends the release of the final payment,
in the amount of \$5,157.98.

NOW THEREFORE BE IT RESOLVED by the Mayor and Borough Council of the
Borough of New Providence, County of Union and State of New Jersey that they hereby
approve final payment in the amount of \$ \$5,157.98 to Top Line Construction
Corporation, 22 fifth Street, Somerville, N.J. 08876.

APPROVED, this 12th day of December, 2011.

RECORD OF VOTE

	AYE	NAY	ABSENT	NOT VOTING
CUCCO	X			
GALLUCCIO	X			
GENNARO	X			
LESNEWICH	X			
MUÑOZ	X			
VYZAS	X			
HERN			TO BREAK COUNCIL TIE VOTE	

I hereby certify that the above resolution was adopted at a meeting of the Borough Council held on the 12th day of December, 2011

Wendi B. Barry, Borough Clerk

MEMORANDUM

To: Doug Marvin, Borough Administrator

From: Mark Demareski, Assistant Borough Engineer *MD*

CC: Wendi Barry, Borough Clerk (w/attachments)
Carl Woodward, Esq., Borough Attorney (w/attachments)
Andrew Hipolit, P.E., Borough Engineer

Dated: December 7, 2011

**RE: Resolution for Final Payment
Central Avenue (Section 6) Roadway Improvements**

With reference to the above captioned project, I hereby transmit Final Payment in the amount of \$5,157.98 for approval through Resolution by the Mayor and Council.

Top Line Construction Corporation has completed the entire project and of the all required NJDOT information and final closeout documents have been reviewed by the Engineering Department:

Final closeout documents for Top Line Construction Corporation are as follows:

1. NJDOT Local Aid Project Change Order (No. 1 and Final)
2. Final Payment
3. Invoice for Final Payment
4. Contractor's Affidavit of Release of Liens
5. Contractor's Consent of Surety Company to Final Payment
6. Maintenance Bond valid for a period of 2 year from the date of acceptance
7. Affidavit
8. Release

I hereby recommend that the Mayor and Council approve Final Payment to Top Line Construction, Inc. in the amount of \$5,157.98.

Attached are copies for your reference.

File: Central Avenue (Section 6) Roadway Improvements
Capital Account # 20-10--G37001-2-

ATTACHMENT 1

**NEW JERSEY DEPARTMENT OF TRANSPORTATION
LOCAL AID PROJECTS
CHANGE ORDER NUMBER - 1 (FINAL)
Bureau of Local Aid**

Project	CENTRAL AVENUE ROAD IMPROVEMENTS (SECTION 6)
Municipality	Borough of New Providence
County	Union
Contractor	Top Line Construction Corporation

In accordance with the project Supplementary Specification, the following are changes in the contract.
Location and Reason for Change (Attach additional sheets if required) -
 (Final) Change Order No. 1

<u>Item No.</u>	<u>Description</u>		<u>Quantity (+/-)</u>		<u>Unit Price</u>		<u>Amount</u>
EXTRA							
8	Asphalt Price Adjsutment	L.S.	0.178	@	\$ 1,600.00	=	\$ 284.76
12	Hot Mix Asphalt 9.5M64 Surface	TONS	4.5	@	\$ 58.74	=	\$ 264.33
21	Concerete Sidewalk, 4"	S.Y.	416	@	\$ 57.60	=	\$ 23,961.60
22	Hot Mix Aphalt Driveway, 6" Thick	S.Y.	77	@	\$ 26.25	=	\$ 2,021.25
26	Granite Curb	L.F.	188	@	\$ 31.00	=	\$ 5,828.00
27	Traffic Stripes, Thermoplastic 4"	L.F.	479	@	\$ 1.20	=	\$ 574.80
30	Topsoiling, 4" Thick	UN	506	@	\$ 11.50	=	\$ 5,819.00
						TOTAL EXTRA	\$ 38,753.74
REDUCTION							
5	Construction Signs	S.F.	200	@	\$ 0.01	=	\$ 2.00
7	Fuel Price Adjustment	L.S.	0.47	@	\$ 400.00	=	\$ 211.27
9	Excavation, Unclassified	CY	90	@	\$ 28.00	=	\$ 2,520.00
10	Dense- Grade Base Course 6" Thick	S.Y.	750	@	\$ 1.00	=	\$ 750.00
11	HMA Milling, 3" or Less (2" Average)	S.Y.	1,490	@	\$ 2.10	=	\$ 3,129.00
13	Hot Mix Asphalt 19M64 Base	TONS	101.98	@	\$ 67.32	=	\$ 6,865.29
23	Concrete Driveway, 4" Thick	SY	7	@	\$ 62.20	=	\$ 435.40
29	Tree Removal, Over 6" Diameter	U.N.	1	@	\$ 890.00	=	\$ 890.00
31	Fertilizing and Seeding, Type A-3	S.Y.	1	@	\$ 75.00	=	\$ 75.00
32	Straw Mulching	S.Y.	1	@	\$ 75.00	=	\$ 75.00
33	Police Traffic Directors	M.H.	22.84	@	\$ 70.00	=	\$ 1,598.77
						TOTAL REDUCTION	\$ (16,551.73)
SUPPLEMENTAL							
EXTRA							
S1	Install New Manhole Casting	U.N.	1	@	\$ 350.00	=	\$ 350.00
REDUCTION							
S2	Penalty for Air Voids per Key Tech	L.S.	1	@	\$ 7,721.37	=	\$ 7,721.37
						SUPPLEMENTAL	\$ (7,371.37)

Amount of Original Contract	\$243,068.15	Extra	\$ 38,753.74
Adjusted Amount Based on Change		Supplemental	\$ (7,371.37)
Orders 1,	\$257,898.79	Reduction	\$ (16,551.73)
		Total Change	\$ 14,830.64

% Change in Contract 6.10% (+)
 [(+) Increase or (-) Decrease]

..... Approved:
 (Engineer) (Date) (District Engineer) (Date)
 (Bureau of Local Aid)

 (Presiding Officer) (Date)

 (Contractor) (Date)



12/6/11
 (Date)

ATTACHMENT 2

FINAL PAYMENT

Central Avenue (Section 6) Road Improvements

Contractor: Top Line Construction Corporation
22 Fifth Street
Somerville, NJ 08876

Original Base Bid = \$243,068.15

Owner: Borough of New Providence
360 Elkwood Ave
New Providence, NJ 07974

DESCRIPTION

QUANTITIES

ITEM NO.	BASE BID - CENTRAL AVENUE (SECTION 6)	UNITS	BID	ACTUAL	UNIT PRICE	TOTAL
1.	CLEARING SITE	LS	1	1	@ \$ 13,000.00	\$ 13,000.00
2.	BREAKAWAY BARRICADES	UN	5	5	@ \$ 5.00	\$ 25.00
3.	DRUMS	UN	20	20	@ \$ 5.00	\$ 100.00
4.	TRAFFIC CONES	UN	30	30	@ \$ 5.00	\$ 150.00
5.	CONSTRUCTION SIGNS	SF	200	-	@ \$ 0.01	\$ -
6.	NO ITEM	----	----	-	@ \$ -	\$ -
7.	FUEL PRICE ADJUSTMENT	LS	1	47%	@ \$ 400.00	\$ 188.73
8.	ASPHALT PRICE ADJUSTMENT	LS	1	118%	@ \$ 1,600.00	\$ 1,884.76
9.	EXCAVATION, UNCLASSIFIED	CY	250	160.00	@ \$ 28.00	\$ 4,480.00
10.	DENSE-GRADED AGGREGATE BASE COURSE, 6" THICK	SY	750	-	@ \$ 1.00	\$ -
11.	HMA MILLING, 3" OR LESS (2" AVERAGE DEPTH)	SY	10,490	9,000	@ \$ 2.10	\$ 18,900.00
12.	HOT MIX ASPHALT 9.5M64 SURFACE COURSE	TONS	1,310	1,314.5	@ \$ 58.74	\$ 77,213.73
13.	HOT MIX ASPHALT 19M64 BASE COURSE	TONS	200	98.02	@ \$ 67.32	\$ 6,598.71
14.	NO ITEM	----	----	-	@ \$ -	\$ -
15.	15" REINFORCED CONCRETE PIPE	LF	360	360	@ \$ 68.65	\$ 24,714.00
16.	NO ITEM	----	----	-	@ \$ -	\$ -
17.	INLET, TYPE B	UN	4	4	@ \$ 2,115.00	\$ 8,460.00
18.	NO ITEM	----	----	-	@ \$ -	\$ -
19.	BICYCLE SAFE GRATE (PHASE II STORM WATER COMPLIANT GRATE)	UN	10	10	@ \$ 215.00	\$ 2,150.00
20.	CURB PIECES (NJDEP TYPE 'N' ECO CURB PIECE)	UN	10	10	@ \$ 300.00	\$ 3,000.00
21.	CONCRETE SIDEWALK, 4" THICK	SY	170	586	@ \$ 57.60	\$ 33,753.60
22.	HOT MIX ASPHALT DRIVEWAY, 6" THICK	SY	205	282	@ \$ 26.25	\$ 7,402.50
23.	CONCRETE DRIVEWAY, 4" THICK	SY	120	113	@ \$ 62.20	\$ 7,028.60
24.	DETECTABLE WARNING SURFACES	UN	9	9	@ \$ 145.00	\$ 1,305.00
25.	NO ITEM	----	----	-	@ \$ -	\$ -
26.	GRANITE CURB	LF	1,110	1,298	@ \$ 31.00	\$ 40,238.00
27.	TRAFFIC STRIPES, THERMOPLASTIC, 4"	LF	2,850	3,329	@ \$ 1.20	\$ 3,994.80
28.	NO ITEM	----	----	-	@ \$ -	\$ -
29.	TREE REMOVAL, OVER 6" DIAMETER	UN	1	-	@ \$ 890.00	\$ -
30.	TOPSOILING, 4" THICK	SY	75	581	@ \$ 11.50	\$ 6,681.50
31.	FERTILIZING AND SEEDING, TYPE A-3	SY	75	-	@ \$ 1.00	\$ -
32.	STRAW MULCHING	SY	75	-	@ \$ 1.00	\$ -
33.	POLICE TRAFFIC DIRECTORS	MH	80	57.2	@ \$ 70.00	\$ 4,001.23
S1	INSTALL NEW MANHOLE CASTING	UN	-	1	@ \$ 350.00	\$ 350.00
S2	PENALTY FOR AIR VOIDS PER KEY TECH	LS	-	1	@ \$ (7,721.37)	\$ (7,721.37)

Total Cost of work completed = \$257,898.79

PARTIAL PAYMENT #1 = \$36,714.72
PARTIAL PAYMENT #2 = \$198,065.45
PARTIAL PAYMENT #3 = \$17,960.64
FINAL PAYMENT = \$5,157.98

RECOMMENDED BY:

Mark Demarsh
For
Andrew R. Hipolito, P.E.
Borough Engineer

12/7/11
Date

ATTACHMENT 3

TOP LINE CONSTRUCTION CORP.
 22 FIFTH STREET
 SOMERVILLE, NJ 08876
 FINAL PAYMENT REQUEST

TOWNSHIP OF NEW PROVIDENCE IMPROVEMENTS TO CENTRAL AVENUE

12/06/11

ITEM #	DESCRIPTION	QTY	UN	Unit Price	Total	PREVIOUS TO DATE		CURRENT (3)		TO DATE		OVER/UNDER AMOUNT
						QTY	AMT	QUANTITY	AMOUNT	TOTAL QUANTITY	TOTAL AMOUNT	
1	1 Clearing Site	1.00		\$13,000.00	\$13,000.00	1.00	\$0.00	0.00	\$0.00	1.00	\$13,000.00	\$0.00
2	1 Breakaway Barricade	5.00		\$25.00	\$125.00	5.00	\$0.00	0.00	\$0.00	5.00	\$125.00	\$0.00
3	1 Drum	20.00		\$100.00	\$2,000.00	20.00	\$0.00	0.00	\$0.00	20.00	\$2,000.00	\$0.00
4	1 Traffic Cone	30.00		\$150.00	\$4,500.00	30.00	\$0.00	0.00	\$0.00	30.00	\$4,500.00	\$0.00
5	1 Construction Signs	200		\$0.01	\$2.00	0.00	\$0.00	0.00	\$0.00	0.00	\$0.00	(\$2.00)
6	NO ITEM											
7	1 Fuel Price Adjustment (FIXED) \$400	1.00		\$188.73	\$188.73	1.00	\$0.00	0.00	\$0.00	1.00	\$188.73	(\$211.27)
8	1 Asphalt Price Adjustment (FIXED) \$1	1.00		\$1,884.76	\$1,884.76	1.00	\$0.00	0.00	\$0.00	1.00	\$1,884.76	(\$284.76)
9	1 Excavation, Unclass.	160.00		\$4,480.00	\$4,480.00	160.00	\$0.00	0.00	\$0.00	160.00	\$4,480.00	(\$2,520.00)
10	1 JGA Base Course, 6" Thick	750		\$1.00	\$750.00	0.00	\$0.00	0.00	\$0.00	0.00	\$0.00	(\$750.00)
11	1 BMA Milling, 3" or less (2" Ave. Dept	10490		\$2.10	\$22,029.00	9000.00	\$18,000.00	0.00	\$0.00	9000.00	\$18,000.00	(\$3,129.00)
12	1 Hot Mix Asphalt 9.5M64 Surf. Course.	1310		\$58.74	\$76,949.40	1314.50	\$77,213.73	0.00	\$0.00	1314.50	\$77,213.73	\$264.33
13	1 Hot Mix Asphalt 19M64 Base Course (200		\$67.32	\$13,464.00	98.02	\$6,598.71	0.00	\$0.00	98.02	\$6,598.71	(\$6,865.29)
14	NO ITEM											
15	1 5" Reinforced Conc. Pipe	360		\$68.65	\$24,714.00	360.00	\$24,714.00	0.00	\$0.00	360.00	\$24,714.00	\$0.00
16	NO ITEM											
17	1 Inlet Type B	4		\$2,115.00	\$8,460.00	4.00	\$8,460.00	0.00	\$0.00	4.00	\$8,460.00	\$0.00
18	NO ITEM											
19	1 Bicycle Safe Grate (PHASE II Storm	10		\$2,150.00	\$21,500.00	10.00	\$21,500.00	0.00	\$0.00	10.00	\$21,500.00	\$0.00
20	1 Curb Piece (NJDEP TYPE N' ECOC	10		\$3,000.00	\$30,000.00	10.00	\$30,000.00	0.00	\$0.00	10.00	\$30,000.00	\$0.00
21	1 Conc. Sidewalk, 4" Thick	170		\$57.60	\$9,792.00	170.00	\$9,792.00	0.00	\$0.00	170.00	\$9,792.00	\$0.00
22	1 Hot Mix Asphalt Driveway, 6" Thick	205		\$26.25	\$5,381.25	163.00	\$4,278.75	119.00	\$3,123.75	282.00	\$7,402.50	\$2,021.25
23	1 Conc. Driveway, 6" Thick	120		\$62.20	\$7,464.00	113.00	\$7,028.60	0.00	\$0.00	113.00	\$7,028.60	(\$435.40)
24	1 Detectable Warning Surfaces	9		\$145.00	\$1,305.00	9.00	\$1,305.00	0.00	\$0.00	9.00	\$1,305.00	\$0.00
25	NO ITEM											
26	1 Granite Curb	1110		\$31.00	\$34,410.00	1298.00	\$40,238.00	0.00	\$0.00	1298.00	\$40,238.00	\$5,828.00
27	1 Traffic Sign, Thermoplastic, 4"	2850		\$1.20	\$3,420.00	3329.00	\$3,994.80	0.00	\$0.00	3329.00	\$3,994.80	\$574.80
28	NO ITEM											
29	1 Tree Removal, over 6" Diameter	1		\$890.00	\$890.00	0.00	\$0.00	0.00	\$0.00	0.00	\$0.00	(\$890.00)
30	1 Tonsoline, 4" Thick	75		\$11.50	\$862.50	581.00	\$6,681.50	0.00	\$0.00	581.00	\$6,681.50	\$5,819.00
31	1 Fertilizer and Seeding, Type A-3	75		\$1.00	\$75.00	0.00	\$0.00	0.00	\$0.00	0.00	\$0.00	(\$75.00)
32	1 Straw Mulchime	75		\$1.00	\$75.00	0.00	\$0.00	0.00	\$0.00	0.00	\$0.00	(\$75.00)
33	1 Police Traffic Directors	80		\$70.00	\$5,600.00	1.00	\$4,001.23	0.00	\$0.00	1.00	\$4,001.23	(\$1,598.77)
S1	1 Install New Manhole Casting	1		\$350.00	\$350.00	1.00	\$350.00	0.00	\$0.00	1.00	\$350.00	\$350.00
S2	1 Penalty for Air Voids Per Key Tech	1		\$7,721.37	\$7,721.37	0.00	\$0.00	0.00	\$0.00	0.00	-\$7,721.37	\$0.00
TOTALS				\$243,068.15	\$239,571.61	\$257,898.79	\$22,552.01	\$26,048.55				

LESS PREV PMTS \$252,740.80
 FINAL PAYMENT \$5157.98

AmD 12/17/11

ATTACHMENT 4

Contractor's Affidavit of Release of Liens

DATE: 11/28/2011

Contractor: Top Line Construction Corp.
22 Fifth Street
Somerville, NJ 08876

Project: Borough of New Providence – Improvements to Central Avenue

State of: New Jersey

County of: Union

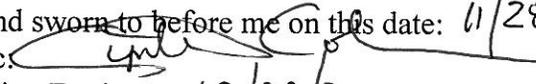
The undersigned hereby certifies that to the best of the undersigned's knowledge, information and belief, except as listed below, the Releases or Waivers of Lien attached hereto include the Contractor, all sub-contractors, all suppliers of materials and equipment, and all performers of Work, Labor or Services who have or may have items or encumbrances or the right to assert liens or encumbrances against any property of the Owner arising in any manner out of the performance of the contract referenced above.

Contractor/Material Supplier:

Top Line Construction Corp

By: 
Signature of Authorized Representative

STEVEN CASTELA, V-P
Printed Name and Title

Subscribed and sworn to before me on this date: 11/28/11
Notary Public: 
My Commission Expires: 12/29/2011

CYNTHIA COLLINS
NOTARY PUBLIC OF NEW JERSEY
My Commission Expires December 29, 2011

ATTACHMENT 5

**CONSENT OF
SURETY COMPANY
TO FINAL PAYMENT**

OWNER
ARCHITECT
CONTRACTOR
SURETY
OTHER

AIA DOCUMENT G707

Bond No. 3-25-94-30

PROJECT: Central Avenue Section 6 Roadway Improvements – NJDOT FY 2010 Municipal Aid Program
(name, address)

To (Owner) Borough of New Providence
360 Elkwood Avenue
New Providence, NJ 07974

ARCHITECT'S PROJECT NO:

CONTRACT FOR: as stated above

CONTRACTOR: Top Line Construction Corp.
22 Fifth Street
Somerville, NJ 08876

CONTRACT DATE:

In accordance with the provisions of the Contract between the Owner and the Contract and the Contractor as indicated above, the
(here insert name and address of Surety Company)

Great American Insurance Company
301 E. 4th Street
Cincinnati, OH 45202

,SURETY COMPANY,

on bond of (here insert name and address of Contractor)

Top Line Construction Corp.
22 Fifth Street
Somerville, NJ 08876

,CONTRACTOR,

hereby approves of the final payment to the Contractor, and agrees that final payment to the Contractor shall not
relieve the Surety Company of any of its obligations to (here insert name and address of Owner)

Borough of New Providence
360 Elkwood Avenue
New Providence, NJ 07974

OWNER,

as set forth in the said Surety Company's bond.

IN WITNESS WHEREOF,

the Surety Company has hereunto set is hand this 22nd day of November, 2011.

Great American Insurance Company
Surety Company

Signature of Authorized Representative

Attest: Catherine Case

(Seal): Catherine Case, witness

Dawn Jones, Attorney-in-fact
Title

NOTE: This form is to be used as a companion document to AIA DOCUMENT G706, CONTRACTOR'S AFFIDAVIT OF PAYMENT OF DEBTS AND CLAIMS, Current Edition

580 Walnut Street
 Cincinnati, OH 45202-3180
 513.369 5000

PO Box 2575
 Cincinnati, OH 45201-2575
 www.GreatAmericanInsurance.com



GREAT AMERICAN INSURANCE COMPANY

**STATEMENT OF ASSETS, LIABILITIES AND CAPITAL & SURPLUS
 AS OF DECEMBER 31, 2010**

ADMITTED ASSETS		LIABILITIES, CAPITAL AND SURPLUS	
Bonds	\$ 2,689,057,649	Unpaid losses and loss expenses	\$ 2,343,850,475
Stocks	906,525,989	Reserve for underwriting expenses	174,771,156
Mortgage loans on real estate	162,777,782	Reserve for unearned premiums	743,188,840
Real estate (net of encumbrances)	50,362,551	Ceded reinsurance premiums payable	42,529,053
Cash and short-term investments	133,403,618	Retroactive reinsurance ceded	(167,954,566)
Other invested assets	12,677,805	Other liabilities	321,429,035
Investment income due and accrued	31,117,685	Total liabilities	3,457,813,993
Agents' and premium balances	288,126,273	Capital stock	\$ 15,440,600
Reinsurance recoverable on loss and loss expense payments	57,902,675	Paid in surplus	297,877,595
Federal and foreign income taxes	8,619,805	Special surplus funds	167,945,566
Net deferred tax asset	88,584,914	Unassigned funds	995,009,232
Receivable from affiliates	4,181,818		
Other admitted assets	470,757,422		
		Policyholders' surplus	1,476,272,993
Total	\$ 4,934,095,986	Total	\$ 4,934,086,986

Securities have been valued on the basis prescribed by the National Association of Insurance Commissioners

STATE OF OHIO

SS:

COUNTY OF HAMILTON

Robert J. Schwartz, Vice President and Controller, and Stephen Beraha, Assistant Vice President and Assistant Secretary, being duly sworn, each for himself deposes and says that they are the above described officers of the Great American Insurance Company of Cincinnati, Ohio, that said Company is a corporation duly organized, existing and engaged in business as a Surety by virtue of the laws of the State of Ohio and has duly complied with all the requirements of the laws of said state applicable to said Company and is duly qualified to act as Surety under such laws; that said Company has also complied with and is duly qualified to act as Surety under Public Law 97-258 enacted September 13, 1982 (96 Stat. 1047 as amended, 31 U.S.C. 9304-9308); that to the best of their knowledge and belief the above statement is a full, true and correct Statement of the Assets, Liabilities and Capital & Surplus of the said Company as of December 31, 2010.

Subscribed and sworn to before me

this 18th day of February, 2011



J. A. Meyer
 Public Notary

JENNIFER A. MEYER
 Notary Public, State of Ohio
 My Commission Expires Nov 8, 2011

Robert J. Schwartz
 Controller
Stephen Beraha
 Assistant Secretary

GREAT AMERICAN INSURANCE COMPANY®

Administrative Office: 301 E 4TH STREET • CINCINNATI, OHIO 45202 • 513-369-5000 • FAX 513-723-2740

The number of persons authorized by this power of attorney is not more than **FOUR**

No. 0 20067

POWER OF ATTORNEY

KNOW ALL MEN BY THESE PRESENTS: That the GREAT AMERICAN INSURANCE COMPANY, a corporation organized and existing under and by virtue of the laws of the State of Ohio, does hereby nominate, constitute and appoint the person or persons named below, each individually if more than one is named, its true and lawful attorney-in-fact, for it and in its name, place and stead to execute on behalf of the said Company, as surety, any and all bonds, undertakings and contracts of suretyship, or other written obligations in the nature thereof; provided that the liability of the said Company on any such bond, undertaking or contract of suretyship executed under this authority shall not exceed the limit stated below.

Name	Address	Limit of Power
K.A. GELOK	ALL OF	ALL
DAWN JONES	FARMINGDALE, NEW JERSEY	\$75,000,000
JEANNE PRIMAVERA		
SCOTT R. KUZMIC		

This Power of Attorney revokes all previous powers issued on behalf of the attorney(s)-in-fact named above.

IN WITNESS WHEREOF the GREAT AMERICAN INSURANCE COMPANY has caused these presents to be signed and attested by its appropriate officers and its corporate seal hereunto affixed this **25TH** day of **JULY**, 2011
Attest **GREAT AMERICAN INSURANCE COMPANY**



Stephen C. Beraha

Assistant Secretary

David C. Kitchen

Divisional Senior Vice President

DAVID C. KITCHIN (877-377-2405)

STATE OF OHIO, COUNTY OF HAMILTON - ss:

On this **25TH** day of **JULY**, 2011, before me personally appeared **DAVID C. KITCHIN**, to me known, being duly sworn, deposes and says that he resides in Cincinnati, Ohio, that he is a Divisional Senior Vice President of the Bond Division of Great American Insurance Company, the Company described in and which executed the above instrument; that he knows the seal of the said Company; that the seal affixed to the said instrument is such corporate seal; that it was so affixed by authority of his office under the By-Laws of said Company, and that he signed his name thereto by like authority.



KAREN L. GROSHEIM
NOTARY PUBLIC, STATE OF OHIO
MY COMMISSION EXPIRES 02-20-16

Karen L. Grosheim

This Power of Attorney is granted by authority of the following resolutions adopted by the Board of Directors of Great American Insurance Company by unanimous written consent dated June 9, 2008.

RESOLVED: That the Divisional President, the several Divisional Senior Vice Presidents, Divisional Vice Presidents and Divisional Assistant Vice Presidents, or any one of them, be and hereby is authorized, from time to time, to appoint one or more Attorneys-in-Fact to execute on behalf of the Company, as surety, any and all bonds, undertakings and contracts of suretyship, or other written obligations in the nature thereof; to prescribe their respective duties and the respective limits of their authority; and to revoke any such appointment at any time.

RESOLVED FURTHER: That the Company seal and the signature of any of the aforesaid officers and any Secretary or Assistant Secretary of the Company may be affixed by facsimile to any power of attorney or certificate of either given for the execution of any bond, undertaking, contract of suretyship, or other written obligation in the nature thereof, such signature and seal when so used being hereby adopted by the Company as the original signature of such officer and the original seal of the Company, to be valid and binding upon the Company with the same force and effect as though manually affixed.

CERTIFICATION

I, **STEPHEN C. BERAHA**, Assistant Secretary of Great American Insurance Company, do hereby certify that the foregoing Power of Attorney and the Resolutions of the Board of Directors of June 9, 2008 have not been revoked and are now in full force and effect.

Signed and sealed this **22nd** day of **November**, 2011



Stephen C. Beraha

Assistant Secretary



State of New Jersey
DEPARTMENT OF BANKING AND INSURANCE

CERTIFICATE OF AUTHORITY

DATE: APRIL 13, 2011

NAIC COMPANY CODE: 16691

THIS IS TO CERTIFY THAT THE **GREAT AMERICAN INSURANCE COMPANY OF CINCINNATI, OHIO**, HAVING COMPLIED WITH THE LAWS OF THE STATE OF NEW JERSEY, AND ANY SUPPLEMENTS OR AMENDMENTS THERETO WITH RESPECT TO THE TRANSACTION OF THE BUSINESS OF INSURANCE, IS LICENSED TO TRANACT IN THIS STATE UNTIL THE FIRST DAY OF **MAY, 2012**, THE LINES OF INSURANCE SPECIFICALLY DESIGNATED BELOW:

- 01 - FIRE AND ALLIED LINES
- 02 - EARTHQUAKE
- 03 - GROWING CROPS
- 04 - OCEAN MARINE
- 05 - INLAND MARINE
- 06 - WORKERS COMPENSATION AND EMPLOYERS LIABILITY
- 07 - AUTOMOBILE LIABILITY BODILY INJURY
- 08 - AUTOMOBILE LIABILITY PROPERTY DAMAGE
- 09 - AUTOMOBILE PHYSICAL DAMAGE
- 10 - AIRCRAFT PHYSICAL DAMAGE
- 11 - OTHER LIABILITY
- 12 - BOILER AND MACHINERY
- 13 - FIDELITY AND SURETY
- 14 - CREDIT
- 15 - BURGLARY AND THEFT
- 16 - GLASS
- 17 - SPRINKLER LEAKAGE AND WATER DAMAGE
- 18 - LIVESTOCK
- 20 - PHYSICAL LOSS TO BUILDINGS
- 21 - RADIOACTIVE COMTAMINATION
- 22 - MECHANICAL BREAKDOWN/POWER FAILURE
- 26 - ACCIDENT AND HEALTH



THOMAS B. CONSIDINE
COMMISSIONER

ATTACHMENT 6

MAINTENANCE BOND

KNOW ALL MEN BY THESE PRESENTS, That we, the undersigned, _____
Top Line Construction Corp.,

as principal, and Great American Insurance Company,

a Corporation organized and existing under the laws of the State of Ohio

and duly authorized to do business in the State of New Jersey, as Surety, are

held and firmly bound unto Borough of New Providence

360 Elkwood Avenue, New Providence, NJ 07974

as Owner, in the penal sum of Thirty Eight Thousand Six Hundred Eighty Four and

82/100-----(\$38,684.82)

(15% of the Final Contract Price)

for payment of which, well and truly to be made, we hereby, jointly, and severally, bind ourselves, our heirs, executors, administrators, successors and assigns.

THE CONDITION OF THE ABOVE OBLIGATION IS SUCH, that whereas the above named principal did on the _____ day of _____,

enter into a Contract with the Owner for _____

Central Avenue Section 6 Roadway Improvements

NJDOT FY 2010 Municipal Aid Program

(Project Name)

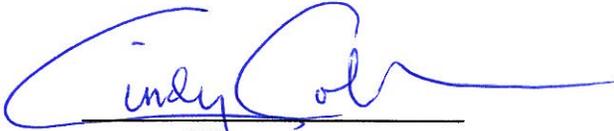
which said Contract is made a part of this bond the same as though set forth herein.

Now, if the said principal shall remedy without cost to the Owner any defects which may develop during the two (2) year guarantee period of the work performed under the said Contract, provided such defects, in the judgement of the Owner are caused by defective or inferior materials or workmanship, then this obligation shall be void, otherwise it shall be and remain in full force and effect. The two (2) year guarantee period shall commence on the date established in the Certificate of Substantial Completion.- Substantial Completion Date –November 21, 2011.

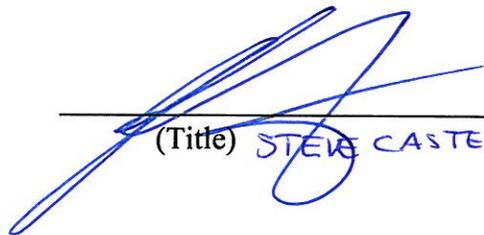
The said Surety hereby stipulates and agree that no modifications, deletions or additions in or to the terms of the said Contract or the plans or specifications therefor shall in any way affect its obligations on this bond.

Signed and Sealed this 22nd day of November, 2011.

Top Line Construction Corp.
(Principal) (Seal)



(Witness)

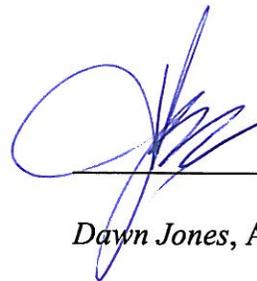


(Title) STEVE CASTELLA VICE President

Great American Insurance Company
(Surety) (Seal)

Catherine Case

(Witness)
Catherine Case, witness



(Title)
Dawn Jones, Attorney-in-fact

SURETY DISCLOSURE STATEMENT AND CERTIFICATION

pursuant to N.J.S.A. 2A:44-143

(for use when surety(ies) have a certificate from U.S. Secretary of the Treasury in accordance with 31 U.S.C. 9305)

(name of surety(ies) GREAT AMERICAN INSURANCE COMPANY

surety(ies) on the attached bond, hereby certifies(y) the following:

(1) The surety(ies) meets (meet) the applicable capital and surplus requirements of R.S. 17:17-6 or R.S. 17:17-7 as of the surety's most current annual filing with the New Jersey Department of Insurance

(2) The capital and surplus, as determined in accordance with the applicable laws of this State, of the surety(ies) participating in the issuance of the attached bond is (are) in the following amounts as of the calendar year ended December 31, 2010, (most recent calendar year which capital and surplus amounts are available), which amounts have been certified on a Consolidated Certification by Ernst & Young L.L.P. 250 E. 5th Street, Cincinnati, Ohio 45202 and are included in the Annual Statement on file with the New Jersey Department of Insurance, 20 West State Street CN-325, Trenton, New Jersey 08625-0325.

<u>SURETY COMPANIES(Y)</u>	<u>CAPITAL AND SURPLUS</u>
Great American Insurance Company	\$1,476,281,993

(3) With respect to each surety participating in the issuance of the attached bond that has received from the United States Secretary of the Treasury a certificate of authority pursuant to 31 U.S.C. 9305, the underwriting limitation established therein on July 1, 2011 (most recent calendar year available) is as follows:

<u>SURETY COMPANIES(Y)</u>	<u>LIMITATION</u>
Great American Insurance Company	\$147,628,000

(4) The amount of the bond to which the statement and certification is attached is \$ 38,684.82.
(fill in bond amount)

(5) If, by virtue of one or more contracts of reinsurance, the amount of the bond indicated under item (4) above exceeds the total underwriting limitation of all sureties on the bond as set forth in item (3) above, then for each such contract of reinsurance:

(a) The name and address of each such reinsurer under that contract and the amount of the reinsurer's participation in the contract is as follows:

<u>REINSURER</u>	<u>ADDRESS</u>	<u>AMOUNT</u>
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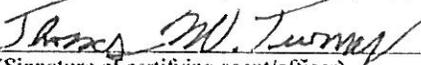
and;

(b) Each surety that is party to any such contract of reinsurance certifies that each reinsurer listed under item (5)(a) satisfies the credit for reinsurance requirement established under P.L. 1993, c.243(C.17:51B-1 et seq.) and any applicable regulations in effect as of the date on which the bond to which this statement and certification is attached shall have been filed with the appropriate public agency.

CERTIFICATE

(to be completed by an authorized certifying agent for each surety on the bond)

I, Thomas M. Turner, as Divisional Vice President - Bond Division for Great American Insurance Company, a corporation domiciled in Ohio, DO HEREBY CERTIFY that, to the best of my knowledge, the foregoing statements made by me are true, and ACKNOWLEDGE that, if any of those statements made by me are false, this bond is VOIDABLE.


 (Signature of certifying agent/officer)
 Thomas M. Turner
 (Printed name of certifying agent/officer)
 Divisional Vice President
 (Title of certifying agent/officer)

Dated: November 22, 2011
(fill in month, day, year)

580 Walnut Street
Cincinnati, OH 45202-3180
513.369.5000

PO Box 2575
Cincinnati, OH 45201-2575
www.GreatAmericanInsurance.com



GREAT AMERICAN INSURANCE COMPANY

**STATEMENT OF ASSETS, LIABILITIES AND CAPITAL & SURPLUS
AS OF DECEMBER 31, 2010**

ADMITTED ASSETS		LIABILITIES, CAPITAL AND SURPLUS	
Bonds	\$ 2,689,057,649	Unpaid losses and loss expenses	\$ 2,343,850,475
Stocks	906,525,989	Reserve for underwriting expenses	174,771,156
Mortgage loans on real estate	162,777,782	Reserve for unearned premiums	743,188,840
Real estate (net of encumbrances)	50,362,551	Ceded reinsurance premiums payable	42,529,053
Cash and short-term investments	133,403,618	Retroactive reinsurance ceded	(167,954,566)
Other invested assets	12,677,805	Other liabilities	321,429,035
Investment income due and accrued	31,117,685	Total liabilities	3,457,813,993
Agents' and premium balances	288,126,273	Capital stock	\$ 15,440,600
Reinsurance recoverable on loss and loss expense payments	57,902,675	Paid in surplus	297,877,595
Federal and foreign income taxes	8,619,805	Special surplus funds	167,945,566
Net deferred tax asset	88,584,914	Unassigned funds	995,009,232
Receivable from affiliates	4,181,818		
Other admitted assets	470,757,422		
		Policyholders' surplus	1,476,272,993
Total	\$ 4,934,095,986	Total	\$ 4,934,086,986

Securities have been valued on the basis prescribed by the National Association of Insurance Commissioners

STATE OF OHIO

SS:

COUNTY OF HAMILTON

Robert J. Schwartz, Vice President and Controller, and Stephen Beraha, Assistant Vice President and Assistant Secretary, being duly sworn, each for himself deposes and says that they are the above described officers of the Great American Insurance Company of Cincinnati, Ohio, that said Company is a corporation duly organized, existing and engaged in business as a Surety by virtue of the laws of the State of Ohio and has duly complied with all the requirements of the laws of said state applicable to said Company and is duly qualified to act as Surety under such laws; that said Company has also complied with and is duly qualified to act as Surety under Public Law 97-258 enacted September 13, 1982 (96 Stat. 1047 as amended, 31 U.S.C. 9304-9308); that to the best of their knowledge and belief the above statement is a full, true and correct Statement of the Assets, Liabilities and Capital & Surplus of the said Company as of December 31, 2010.

Subscribed and sworn to before me

this 18th day of February, 2011.

Public Notary



JENNIFER A. MEYER
Notary Public, State of Ohio
My Commission Expires Nov 8, 2011

Controller

Assistant Secretary

GREAT AMERICAN INSURANCE COMPANY®

Administrative Office: 301 E 4TH STREET • CINCINNATI, OHIO 45202 • 513-369-5000 • FAX 513-723-2740

The number of persons authorized by this power of attorney is not more than **FOUR**

No. 0 20067

POWER OF ATTORNEY

KNOW ALL MEN BY THESE PRESENTS: That the GREAT AMERICAN INSURANCE COMPANY, a corporation organized and existing under and by virtue of the laws of the State of Ohio, does hereby nominate, constitute and appoint the person or persons named below, each individually if more than one is named, its true and lawful attorney-in-fact, for it and in its name, place and stead to execute on behalf of the said Company, as surety, any and all bonds, undertakings and contracts of suretyship, or other written obligations in the nature thereof; provided that the liability of the said Company on any such bond, undertaking or contract of suretyship executed under this authority shall not exceed the limit stated below.

Name	Address	Limit of Power
K.A. GELOK	ALL OF	ALL
DAWN JONES	FARMINGDALE, NEW JERSEY	\$75,000,000
JEANNE PRIMAVERA		
SCOTT R. KUZMIC		

This Power of Attorney revokes all previous powers issued on behalf of the attorney(s)-in-fact named above.

IN WITNESS WHEREOF the GREAT AMERICAN INSURANCE COMPANY has caused these presents to be signed and attested by its appropriate officers and its corporate seal hereunto affixed this 25TH day of JULY, 2011
Attest
GREAT AMERICAN INSURANCE COMPANY



Stephen C. Beraha
Assistant Secretary

David C. Kitchin
Divisional Senior Vice President

STATE OF OHIO, COUNTY OF HAMILTON - ss:

On this 25TH day of JULY, 2011

DAVID C. KITCHIN (877-377-2405)

, before me personally appeared DAVID C. KITCHIN, to me known, being duly sworn, deposes and says that he resides in Cincinnati, Ohio, that he is a Divisional Senior Vice President of the Bond Division of Great American Insurance Company, the Company described in and which executed the above instrument; that he knows the seal of the said Company; that the seal affixed to the said instrument is such corporate seal; that it was so affixed by authority of his office under the By-Laws of said Company, and that he signed his name thereto by like authority.



KAREN L. GROSHEIM
NOTARY PUBLIC, STATE OF OHIO
MY COMMISSION EXPIRES 02-20-16

Karen L. Grosheim

This Power of Attorney is granted by authority of the following resolutions adopted by the Board of Directors of Great American Insurance Company by unanimous written consent dated June 9, 2008.

RESOLVED: That the Divisional President, the several Divisional Senior Vice Presidents, Divisional Vice Presidents and Divisional Assistant Vice Presidents, or any one of them, be and hereby is authorized, from time to time, to appoint one or more Attorneys-in-Fact to execute on behalf of the Company, as surety, any and all bonds, undertakings and contracts of suretyship, or other written obligations in the nature thereof; to prescribe their respective duties and the respective limits of their authority; and to revoke any such appointment at any time.

RESOLVED FURTHER: That the Company seal and the signature of any of the aforesaid officers and any Secretary or Assistant Secretary of the Company may be affixed by facsimile to any power of attorney or certificate of either given for the execution of any bond, undertaking, contract of suretyship, or other written obligation in the nature thereof, such signature and seal when so used being hereby adopted by the Company as the original signature of such officer and the original seal of the Company, to be valid and binding upon the Company with the same force and effect as though manually affixed.

CERTIFICATION

I, STEPHEN C. BERAHA, Assistant Secretary of Great American Insurance Company, do hereby certify that the foregoing Power of Attorney and the Resolutions of the Board of Directors of June 9, 2008 have not been revoked and are now in full force and effect.

Signed and sealed this 22nd day of November, 2011



Stephen C. Beraha
Assistant Secretary



State of New Jersey
DEPARTMENT OF BANKING AND INSURANCE

CERTIFICATE OF AUTHORITY

DATE: APRIL 13, 2011

NAIC COMPANY CODE: 16691

THIS IS TO CERTIFY THAT THE **GREAT AMERICAN INSURANCE COMPANY OF CINCINNATI, OHIO**, HAVING COMPLIED WITH THE LAWS OF THE STATE OF NEW JERSEY, AND ANY SUPPLEMENTS OR AMENDMENTS THERETO WITH RESPECT TO THE TRANSACTION OF THE BUSINESS OF INSURANCE, IS LICENSED TO TRANSACT IN THIS STATE UNTIL THE FIRST DAY OF **MAY, 2012**, THE LINES OF INSURANCE SPECIFICALLY DESIGNATED BELOW:

- 01 - FIRE AND ALLIED LINES
- 02 - EARTHQUAKE
- 03 - GROWING CROPS
- 04 - OCEAN MARINE
- 05 - INLAND MARINE
- 06 - WORKERS COMPENSATION AND EMPLOYERS LIABILITY
- 07 - AUTOMOBILE LIABILITY BODILY INJURY
- 08 - AUTOMOBILE LIABILITY PROPERTY DAMAGE
- 09 - AUTOMOBILE PHYSICAL DAMAGE
- 10 - AIRCRAFT PHYSICAL DAMAGE
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- 22 - MECHANICAL BREAKDOWN/POWER FAILURE
- 26 - ACCIDENT AND HEALTH



THOMAS B. CONSIDINE
COMMISSIONER

ATTACHMENT 7

AFFIDAVIT

STATE OF NEW JERSEY :
COUNTY OF SOMERSET : SS Borough of Somerville

I, Steve Castela, being duly sworn, according to law, on his oath say that I am Vice President, of the firm of **Top Line Construction Corporation**, which entered into contract with the Borough of New Providence, County of Union, **September 30, 2010** and entitled

Central Avenue Road Improvements (Section 6)

Deponent further swears that he has paid in full at the prevailing rate, and in accordance with the specifications and contract obligations on claims for all labor supplied in the performance of the contract and that he has paid or provided for the payment of all claims for materials and equipment used in the performance of the contract work and has paid all applicable taxes, including among others, Social Security Insurance, sales and use taxes, applicable thereto, and owes no one for any labor or materials in connection with the performance of said work or any of the said taxes nor have any claims been made against the said contractor for any unpaid material or labor.

This Affidavit is made for the purpose of inducing the Borough of New Providence, Union County, State of New Jersey, to make final payment relying upon the truth of the statement contained herein.

Top Line Construction Corp.

Name of Firm

[Signature]

Signature

Steve Castela, Vice President

Typed or Printed Name

Sworn and Subscribed to before me this 6th day of December, 2011

[Signature]

CYNTHIA COLLINS
NOTARY PUBLIC OF NEW JERSEY
My Commission Expires December 29, 2011

ATTACHMENT 8

This acknowledges the following statement between the parties,

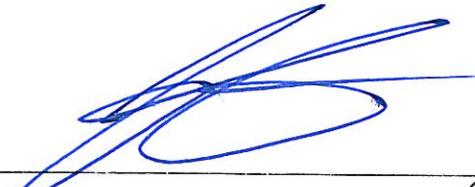
Total Construction Cost	\$ 257,898.79
Paid by Previous Payments	\$ 252,740.81
Retainage	\$ 5,157.88

Wherever in this instrument any Party shall be designated or referred to by name of general reference, such designation is intended to and shall have the same effect as if the words "heirs, executors, administrators, personal or legal representatives, successors and assigns" had been inserted after each any every designation, and all the terms, covenants and conditions herein contained shall be for and shall inure to the benefit of and shall bind the respective parties hereto, and their heirs, executors, and administrators, personal and legal representatives, successors and assigns respectfully.

In all references herein to any parties, persons, entities or corporations, the use of any particular gender or the plural of singular number is intended to include the appropriate gender or number as the text of the within instrument may require.

IN WITNESS WHEREOF, the said Releasor has hereunto set his hand and caused these presents to be signed by its proper officer this 6th day of December, 2011.

attest:



STEVE CASTELA, Vice President



RELEASE 2 OF 2

CYNTHIA COLLINS
NOTARY PUBLIC OF NEW JERSEY
My Commission Expires December 29, 2011

RELEASE

KNOW ALL MEN BY THESE PRESENTS: THAT

Top Line Construction Corporation, hereinafter known as the Releasor, for and in consideration of the sum of **\$257,898.79** dollars lawful money of the United States of America, to the Releasor in hand paid by the Borough of New Providence in the County of Union, a Municipal Corporation hereinafter designated as the Releasee, the receipt whereof is acknowledged, has remised, released, and forever discharged, and by these Presents does remise, release, and forever discharge the said Releasee of and from all debts, obligations, reckonings, promises, covenants, agreements, contracts, endorsements, bonds, specialties, controversies, suits, actions, causes of actions, trespasses, variances, judgements, extents, executions, damages, claims or demands, in law or in equity, which against the said Releasee, the Releasor ever had, now has or hereinafter can, shall, or may have, for upon or by reason of any matter, cause or think, whatsoever, from the beginning of the world to the day of date of these Presents.

More particularly, this release is given and accepted with specific reference to all matters of whatsoever kind and character in any undertaking whatsoever relating to or arising out of the work of construction under a contract dated **September 30, 2010** between the Borough of New Providence, in the County of Union, as party of the first part, and **Top Line Construction Corporation**, as contractor pursuant to plans and specifications for **Central Avenue Road Improvements (Section 6)**.