

STATE OF NORTH CAROLINA
DEPARTMENT OF TRANSPORTATION
RALEIGH, N.C.

C201788

CONTRACT AND
CONTRACT BONDS

FOR CONTRACT NO. C201788

WBS 32906.2.3 BRZ-1402(7)

T.I.P NO. B-3169

COUNTY OF DURHAM

THIS IS THE ROADWAY & STRUCTURE CONTRACT

ROUTE NUMBER SR 1402 LENGTH 0.067 MILES

LOCATION BRIDGE # 158 OVER A CREEK AND APPROACHES ON SR-1402.

CONTRACTOR SMITH-ROWE, INC.

ADDRESS 639 OLD US 52 SOUTH
MOUNT AIRY, NC 270300000

BIDS OPENED JANUARY 15, 2008

CONTRACT EXECUTION FEB 21 2008

Smith-Rowe, Inc. (2546).

Vendor 1 of 5 Vendors for Call Order 006 (Proposal ID C201788).

County: DURHAM
Address: 639 Old Hwy. 52 South
Mount Airy, NC 27030
Phone Number: 336-789-8221
Signature Check: This bid has been properly signed by William_F._Fulp_2546.
Time Bid Received: Tue Jan 15 11:40:59 2008
Bid Checksum: 5C00358B
Amendment Count: 0
Bidding Errors: No bidding errors.
Bid Total: \$539,350.81 ✓
Bond ID: SNC08904814
Bond was Verified: Yes.
Bond Required Percent: 5.00%
Minimum Check Amount: \$26,967.54
Bid Security Maximum: \$
Bond Agency Name:
Agency Execution Date: 1/9/08
Surety Name: Wachovia Insurance Services
Surety State of Incorporation:
Bond Company:
Bond Type:
Bond Appr Flag:
Bond Affirm:
Bond was Paid by Check: No.

DBE GOAL SET - 5.0%
DBE GOAL MET - 7.9%

LIST OF DBE PARTICIPANTS

| VENDOR NUMBER | DBE NAME ADDRESS | WORK CODE TYPE OF WORK | CERT TYPE AMOUNT |
|---------------|--|------------------------|------------------|
| WB 2855 ✓ | BOSS CONSTRUCTION CO., INC. 229 BOXWOOD CHURCH ROAD , MOCKSVILLE, NC 27028 | | Sub 7,998.81 |
| WB 3230 ✓ | HIATT & MASON ENTERPRISES, INC POST OFFICE BOX 1378 , MOUNT AIRY, NC 27030 | | Sub 18,334.14 |
| WB 5279 ✓ | GUARDRAIL OF GREENSBORO LLC P.O. BOX 19232 , GREENSBORO, NC 27419 | | Sub 8,400.00 |
| WB 4761 ✓ | TRAFFIC CONTROL SAFETY SERVICES POST OFFICE BOX 24511 , WINSTON-SALEM, NC 27114 | | Sub 3,535.75 |
| WB 2976 ✓ | CAROLINA ENVIRONMENTAL CONTRACT POST OFFICE BOX 1905 , MT. AIRY, NC 27030 | | Sub 4,425.00 |
| TOTAL: | | | \$42,693.70 |
| | | | 7.92% |

Miscellaneous Data Info - Contractor Responses:

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NON-COLLUSION AND DEBARMENT CERTIFICATION

Explanation of the prospective bidder that is unable to certify to any of the statements in this certification:

- Explanation:
- NOT ANSWERED
- NOT ANSWERED
- NOT ANSWERED
- NOT ANSWERED

AWARD LIMITS ON MULTIPLE PROJECTS

By answering YES to this statement, the bidder acknowledges that they are using the award limits on multiple projects. No

It is the desire of the Bidder to be awarded contracts, the value of which will not exceed a total of NOT ANSWERED for those projects indicated herein, for which bids will be opened on (MM/DD/YY)

The Award Limits shall apply to the following projects:

| Contract Number | County |
|-----------------|--------|
| NOT ANSWERED | |
| NOT ANSWERED | |
| NOT ANSWERED | |
| NOT ANSWERED | |
| NOT ANSWERED | |
| NOT ANSWERED | |

Bid Bond Data Info - Contractor Responses:

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BondID: SNC08904814
Surety Registry Agency: surety2000

State of NC
Dept of Transportation

Date: 12-18-07
Revised:

Contract ID: C201788 Project(s): BRZ-1402(7)
Letting Date: 01-15-08 Call Order: 006
Bidder: 2546 - Smith-Rowe, Inc.

| Line No. | Item Description | Approx. Quantity and Units | Unit Price | | Bid Amount | |
|----------------------------|--|----------------------------|------------|-----|------------|-----------|
| | | | Dollars | Cts | Dollars | Ct |
| Section 0001 ROADWAY ITEMS | | | | | | |
| 0001 | 0000100000-N MOBILIZATION | LUMP | LUMP | | | 26,750.00 |
| 0002 | 0029000000-N REINFORCED BRIDGE APPROACH FILL, STATION ***** (14+76.00 -L-) | LUMP | LUMP | | | 15,800.00 |
| 0003 | 0043000000-N GRADING | LUMP | LUMP | | | 42,500.00 |
| 0004 | 0050000000-E SUPPLEMENTARY CLEARING & GRUB-BING | ACR 1.000 | 100.00000 | | | 100.00 |
| 0005 | 0057000000-E UNDERCUT EXCAVATION | CY 200.000 | 10.50000 | | | 2,100.00 |
| 0006 | 0195000000-E SELECT GRANULAR MATERIAL | CY 200.000 | 1.00000 | | | 200.00 |
| 0007 | 0196000000-E FABRIC FOR SOIL STABILIZATION | SY 200.000 | 2.50000 | | | 500.00 |
| 0008 | 0318000000-E FOUNDATION CONDITIONING MATERIAL, MINOR STRS | TON 10.000 | 35.00000 | | | 350.00 |
| 0009 | 0366000000-E 15" RC PIPE CULVERTS, CLASS III | LF 52.000 | 37.50000 | | | 1,950.00 |
| 0010 | 0708000000-E 15" BIT COAT CS PIPE CULVERTS, TYPE B 0.064" THICK | LF 24.000 | 50.00000 | | | 1,200.00 |
| 0011 | 0806000000-E 15" BIT COAT CS PIPE ELBOWS, TYPE B 0.064" THICK | EA 2.000 | 250.00000 | | | 500.00 |

State of NC
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|----------|---|----------------------------|-------------|-----|------------|----|
| | | | Dollars | Cts | Dollars | Ct |
| 0012 | 1489000000-E ASPHALT CONC BASE COURSE, TYPE B25.0B | 120.000 TON | 95.00000 | | 11,400.00 | |
| 0013 | 1525000000-E ASPHALT CONC SURFACE COURSE, TYPE SF9.5A | 70.000 TON | 110.00000 | | 7,700.00 | |
| 0014 | 1560000000-E ASPHALT BINDER FOR PLANT MIX, GRADE PG 64-22 | 10.000 TON | 385.00000 | | 3,850.00 | |
| 0015 | 2286000000-N MASONRY DRAINAGE STRUCTURES | 3.000 EA | 1,650.00000 | | 4,950.00 | |
| 0016 | 2367000000-N FRAME WITH TWO GRATES, STD 840.29 | 2.000 EA | 515.00000 | | 1,030.00 | |
| 0017 | 2396000000-N FRAME WITH COVER, STD 840.54 | 1.000 EA | 420.00000 | | 420.00 | |
| 0018 | 2556000000-E SHOULDER BERM GUTTER | 30.000 LF | 100.00000 | | 3,000.00 | |
| 0019 | 3195000000-N GUARDRAIL ANCHOR UNITS, TYPE AT-1 | 4.000 EA | 650.00000 | | 2,600.00 | |
| 0020 | 3317000000-N GUARDRAIL ANCHOR UNITS, TYPE B-77 | 4.000 EA | 1,450.00000 | | 5,800.00 | |
| 0021 | 3649000000-E RIP RAP, CLASS B | 19.000 TON | 45.00000 | | 855.00 | |
| 0022 | 3656000000-E FILTER FABRIC FOR DRAINAGE | 155.000 SY | 2.50000 | | 387.50 | |
| 0023 | 4400000000-E WORK ZONE SIGNS (STATIONARY) | 269.000 SF | 7.50000 | | 2,017.50 | |

State of NC
Dept of Transportation

Date: 12-18-07
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|----------|--|----------------------------|-------------|-----|------------|----|
| | | | Dollars | Cts | Dollars | Ct |
| 0024 | 4410000000-E WORK ZONE SIGNS (BARRICADE MOUNTED) | SF 57.000 | 10.00000 | | 570.00 | |
| 0025 | 4445000000-E BARRICADES (TYPE III) | LF 64.000 | 30.00000 | | 1,920.00 | |
| 0026 | 4810000000-E PAINT PAVEMENT MARKING LINES (4") | LF 2,880.000 | 0.50000 | | 1,440.00 | |
| 0027 | 6000000000-E TEMPORARY SILT FENCE | LF 510.000 | 3.00000 | | 1,530.00 | |
| 0028 | 6006000000-E STONE FOR EROSION CONTROL, CLASS A | TON 75.000 | 40.00000 | | 3,000.00 | |
| 0029 | 6009000000-E STONE FOR EROSION CONTROL, CLASS B | TON 100.000 | 45.00000 | | 4,500.00 | |
| 0030 | 6012000000-E SEDIMENT CONTROL STONE | TON 40.000 | 45.00000 | | 1,800.00 | |
| 0031 | 6015000000-E TEMPORARY MULCHING | ACR 0.500 | 2,000.00000 | | 1,000.00 | |
| 0032 | 6018000000-E SEED FOR TEMPORARY SEEDING | LB 50.000 | 9.00000 | | 450.00 | |
| 0033 | 6021000000-E FERTILIZER FOR TEMPORARY SEED-ING | TON 0.250 | 2,000.00000 | | 500.00 | |
| 0034 | 6029000000-E SAFETY FENCE | LF 165.000 | 3.00000 | | 495.00 | |
| 0035 | 6030000000-E SILT EXCAVATION | CY 145.000 | 1.00000 | | 145.00 | |

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|----------|---|----------------------------|-------------|-----|------------|----|
| | | | Dollars | Cts | Dollars | Ct |
| 0036 | 6036000000-E MATTING FOR EROSION CONTROL | 205.000 SY | 3.00000 | | 615.00 | |
| 0037 | 6038000000-E PERMANENT SOIL REINFORCEMENT MAT | 77.000 SY | 8.00000 | | 616.00 | |
| 0038 | 6042000000-E 1/4" HARDWARE CLOTH | 40.000 LF | 10.00000 | | 400.00 | |
| 0039 | 6084000000-E SEEDING & MULCHING | 0.500 ACR | 3,000.00000 | | 1,500.00 | |
| 0040 | 6087000000-E MOWING | 0.500 ACR | 100.00000 | | 50.00 | |
| 0041 | 6090000000-E SEED FOR REPAIR SEEDING | 50.000 LB | 6.00000 | | 300.00 | |
| 0042 | 6093000000-E FERTILIZER FOR REPAIR SEEDING | 0.250 TON | 1,000.00000 | | 250.00 | |
| 0043 | 6096000000-E SEED FOR SUPPLEMENTAL SEEDING | 50.000 LB | 1.50000 | | 75.00 | |
| 0044 | 6108000000-E FERTILIZER TOPDRESSING | 0.250 TON | 500.00000 | | 125.00 | |
| 0045 | 6114000000-N SPECIALIZED HAND MOWING | 2.000 HR | 75.00000 | | 150.00 | |
| 0046 | 6117000000-N RESPONSE FOR EROSION CONTROL | 12.000 EA | 250.00000 | | 3,000.00 | |
| 0047 | 6123000000-E REFORESTATION | 0.100 ACR | 8,000.00000 | | 800.00 | |

State of NC
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| Line No. | Item Description | Approx. Quantity and Units | Unit Price | | Bid Amount | |
|------------------------------|---|----------------------------|------------|-----------|------------|----|
| | | | Dollars | Cts | Dollars | Ct |
| Section 0001 Total | | | | | 161,191.00 | |
| Section 0004 STRUCTURE ITEMS | | | | | | |
| 0048 | 8035000000-N REMOVAL OF EXISTING STRUCTURE AT STATION ***** (14+76.00-L-) | LUMP | | LUMP | 30,500.00 | |
| 0049 | 8096000000-E PILE EXCAVATION IN SOIL | LF | 90.000 | 170.00000 | 15,300.00 | |
| 0050 | 8097000000-E PILE EXCAVATION NOT IN SOIL | LF | 30.000 | 900.00000 | 27,000.00 | |
| 0051 | 8121000000-N UNCLASSIFIED STRUCTURE EXCAVATION AT STATION ***** (14+76.00-L-) | LUMP | | LUMP | 4,000.00 | |
| 0052 | 8147000000-E REINFORCED CONCRETE DECK SLAB | SF | 2,357.000 | 38.30000 | 90,273.10 | |
| 0053 | 8161000000-E GROOVING BRIDGE FLOORS | SF | 2,318.000 | 1.10000 | 2,549.80 | |
| 0054 | 8182000000-E CLASS A CONCRETE (BRIDGE) | CY | 28.000 | 871.50000 | 24,402.00 | |
| 0055 | 8210000000-N BRIDGE APPROACH SLABS, STATION***** (14+76.00-L-) | LUMP | | LUMP | 28,000.00 | |
| 0056 | 8217000000-E REINFORCING STEEL (BRIDGE) | LB | 5,739.000 | 0.96000 | 5,509.44 | |
| 0057 | 8265000000-E 54" PRESTRESSED CONCRETE GIRDERS | LF | 372.670 | 276.00000 | 102,856.92 | |

State of NC
Dept of Transportation

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Bidder: 2546 - Smith-Rowe, Inc.

| Line No. | Item Description | Approx. Quantity and Units | Unit Price | | Bid Amount | |
|--------------------|--|----------------------------|------------|-----|------------|----|
| | | | Dollars | Cts | Dollars | Ct |
| 0058 | 8364000000-E HP12X53 STEEL PILES | 280.000 LF | 66.00000 | | 18,480.00 | |
| 0059 | 8503000000-E CONCRETE BARRIER RAIL | 186.670 LF | 63.50000 | | 11,853.55 | |
| 0060 | 8608000000-E RIP RAP CLASS II (2'-0" THICK) | 161.000 TON | 41.00000 | | 6,601.00 | |
| 0061 | 8622000000-E FILTER FABRIC FOR DRAINAGE | 178.000 SY | 3.00000 | | 534.00 | |
| 0062 | 8657000000-N ELASTOMERIC BEARINGS | LUMP | LUMP | | 1,600.00 | |
| 0063 | 8692000000-N EVAZOTE JOINT SEALS | LUMP | LUMP | | 8,700.00 | |
| Section 0004 Total | | | | | 378,159.81 | |
| Bid Total | | | | | 539,350.81 | |

NON-COLLUSION AND DEBARMENT CERTIFICATION

The bidder certifies that neither he, nor any official, agent or employee of the bidder has entered into any agreement, participated in any collusion, or otherwise taken any action which is in restraint of free competitive bidding in connection with this bid, and that the bidder intends to do the work with its own bonafide employees or subcontractors and is not bidding for the benefit of another contractor. In addition, submitting this electronic bid constitutes the bidder's certification of Status under penalty of perjury under the laws of the United States and in accordance with the Debarment Certification on file with the Department.

By submitting this bid, the bidder certifies to the best of his knowledge and belief that he and his 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; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records; making false statements; or receiving stolen property;
- c. Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, State or local) with commission of any of the offenses enumerated in paragraph b. of this certification; and
- d. Have not within a three-year period preceding this proposal had one or more public transactions (Federal, State or local) terminated for cause or default.

Where the prospective bidder is unable to certify to any of the statements in this certification, the bidder shall submit an explanation in the blanks provided herein. The explanation will not necessarily result in denial of participation in a contract.

Explanation:
NOT ANSWERED
NOT ANSWERED
NOT ANSWERED
NOT ANSWERED

If the prequalified bidder's status changes, he shall immediately submit a new fully executed non-collusion affidavit and debarment certification with an explanation of the change to the Contract Office prior to submitting the bid.

Failure to furnish a certification or an explanation will be grounds for rejection of a bid

AWARD LIMITS ON MULTIPLE PROJECTS

By answering YES to this statement, the bidder acknowledges that they are using the award limits on multiple projects. No

A bidder who desires to bid on more than one project on which bids are to be opened on the same date, and who also desires to avoid receiving an award of more projects than he is equipped to handle, may bid on any number of projects but may limit the total amount of work awarded to him on selected projects by completing the AWARD LIMITS ON MULTIPLE PROJECTS.

The Award Limits on Multiple Projects must be filled in on each project bid for which the Bidder desires protection.

It is the desire of the Bidder to be awarded contracts, the value of which will not exceed a total of NOT ANSWERED for those projects indicated herein, for which bids will be opened on (MM/DD/YY)

The Award Limits shall apply to the following projects:

| Contract Number | County |
|-----------------|--------|
| NOT ANSWERED | |
| NOT ANSWERED | |
| NOT ANSWERED | |
| NOT ANSWERED | |
| NOT ANSWERED | |
| NOT ANSWERED | |

It is agreed that if I am (we are) the low Bidder(s) on indicated projects, the total value of which is more than the above stipulated award limits, the Board of Transportation will award me (us) projects from among those indicated that have a total value not to exceed the award limit and will result in the lowest total bids to the Department of Transportation.

Fuel Price Adjustment Opt-Out Clause

Bidders have the option to accept or reject Fuel Price Adjustments in accordance with the requirements of Article 109-8 Fuel Price Adjustments and the provisions in the contract. To indicate the choice, the bidder shall enter an X in one of the blocks below.

The bidder will not be permitted to change the option after the bid is accepted.

Enter X in one box only:

X Yes, the bidder accepts fuel price adjustments for this project in accordance with Article 109-8.

No, the bidder declines fuel price adjustments for this project.

In the event the bidder does not enter an X in either box, the bidder will receive fuel adjustments for the items shown in the contract.

NORTH CAROLINA STATE DEPARTMENT OF TRANSPORTATION
DBE COMMITMENT ITEMS

DATE:12-18-07
PAGE: 10

PROPOSAL: C201788
LETTING: L080115 CALL: 006
VENDOR: 2546 Smith-Rowe, Inc.

| LINE NO. | ITEM NO. | ITEM DESC. | UNIT TYPE | SUBCONTRACTOR QUANTITY | SUBCONTRACTOR UNIT PRICE | EXTENDED AMOUNT |
|----------|----------|------------|-----------|------------------------|--------------------------|-----------------|
|----------|----------|------------|-----------|------------------------|--------------------------|-----------------|

DBE SUBCONTRACTOR: 2855 BOSS CONSTRUCTION CO., INC.
Will Use Quote: Yes

| | | | | | | |
|--|--------------|-----------------|--|---------|----------|----------|
| 0059 | 8503000000-E | CONCRETE BAR LF | | 186.670 | 42.85000 | 7998.81 |
| DBE COMMITMENT TOTAL FOR SUBCONTRACTOR: | | | | | | 7,998.81 |
| DBE COMMITMENT TOTAL FOR VENDOR (SubContractor) | | | | | | 7,998.81 |

DBE SUBCONTRACTOR: 3230 HIATT & MASON ENTERPRISES, INC
Will Use Quote: Yes

| | | | | | | |
|--|--------------|-----------------|--|----------|----------|-----------|
| 0052 | 8147000000-E | REINF CONCRE SF | | 2357.000 | 6.81000 | 16051.17 |
| 0059 | 8503000000-E | CONCRETE BAR LF | | 186.670 | 12.23000 | 2282.97 |
| DBE COMMITMENT TOTAL FOR SUBCONTRACTOR: | | | | | | 18,334.14 |
| DBE COMMITMENT TOTAL FOR VENDOR (SubContractor) | | | | | | 18,334.14 |

DBE SUBCONTRACTOR: 5279 GUARDRAIL OF GREENSBORO LLC
Will Use Quote: Yes

| | | | | | | |
|--|--------------|-----------------|--|-------|------------|----------|
| 0019 | 3195000000-N | GR ANCHOR TY EA | | 4.000 | 650.00000 | 2600.00 |
| 0020 | 3317000000-N | GR ANCHOR TY EA | | 4.000 | 1450.00000 | 5800.00 |
| DBE COMMITMENT TOTAL FOR SUBCONTRACTOR: | | | | | | 8,400.00 |
| DBE COMMITMENT TOTAL FOR VENDOR (SubContractor) | | | | | | 8,400.00 |

DBE SUBCONTRACTOR: 4761 TRAFFIC CONTROL SAFETY SERVICES, INC.
Will Use Quote: Yes

| | | | | | | |
|--|--------------|-----------------|--|---------|----------|----------|
| 0023 | 4400000000-E | WORK ZONE SI SF | | 269.000 | 5.25000 | 1412.25 |
| 0024 | 4410000000-E | WORK ZONE SI SF | | 57.000 | 7.50000 | 427.50 |
| 0025 | 4445000000-E | BARRICADES (LF | | 64.000 | 26.50000 | 1696.00 |
| DBE COMMITMENT TOTAL FOR SUBCONTRACTOR: | | | | | | 3,535.75 |
| DBE COMMITMENT TOTAL FOR VENDOR (SubContractor) | | | | | | 3,535.75 |

DBE SUBCONTRACTOR: 2976 CAROLINA ENVIRONMENTAL CONTRACTING,
Will Use Quote: Yes

| | | | | | | |
|--|--------------|-----------------|--|---------|-----------|----------|
| 0027 | 6000000000-E | TEMPORARY SI LF | | 510.000 | 3.00000 | 1530.00 |
| 0034 | 6029000000-E | SAFETY FENCE LF | | 165.000 | 3.00000 | 495.00 |
| 0046 | 6117000000-N | RESPONSE FOR EA | | 12.000 | 200.00000 | 2400.00 |
| DBE COMMITMENT TOTAL FOR SUBCONTRACTOR: | | | | | | 4,425.00 |
| DBE COMMITMENT TOTAL FOR VENDOR (SubContractor) | | | | | | 4,425.00 |

TOTAL DBE COMMITMENT FOR VENDOR:

Entered: 7.92% or 42693.70
Required: 5.00% or 26967.54
<GOAL MET>

THIS PROPOSAL CONTAINS THE FOLLOWING ERRORS/WARNINGS (IF ANY)

This Bid contains 0 amendment files

Electronic Bid Submission

By submitting this bid electronically, I hereby acknowledge that all requirements included in the hard copy proposal, addendum, amendments, plans, standard specifications, supplemental specifications and special provisions are part of the bid and contract. Further, I acknowledge that I have read, understand, accept, acknowledge and agree to comply with all statements in this electronic bid.

I Hereby certify that I have the authority to submit this bid.

Signature

Agency

Date

| Line # | ItemNumber | Sec # | Description | Quantity Unit | Unit Bid Price | Amount Bid |
|----------------------|--------------|-------|---|----------------|----------------|------------|
| ROADWAY ITEMS | | | | | | |
| 0001 | 0000100000-N | 800 | MOBILIZATION | Lump Sum LS | 26,750.00 | 26,750.00 |
| 0002 | 0029000000-N | SP | REINFORCED BRIDGE APPROACH FILL, STATION ***** (14+76.00 -L-) | Lump Sum LS | 15,800.00 | 15,800.00 |
| 0003 | 0043000000-N | 226 | GRADING | Lump Sum LS | 42,500.00 | 42,500.00 |
| 0004 | 0050000000-E | 226 | SUPPLEMENTARY CLEARING & GRUB- BING | 1 ACR | 100.00 | 100.00 |
| 0005 | 0057000000-E | 226 | UNDERCUT EXCAVATION | 200 CY | 10.50 | 2,100.00 |
| 0006 | 0195000000-E | 265 | SELECT GRANULAR MATERIAL | 200 CY | 1.00 | 200.00 |
| 0007 | 0196000000-E | 270 | FABRIC FOR SOIL STABILIZATION | 200 SY | 2.50 | 500.00 |
| 0008 | 0318000000-E | 300 | FOUNDATION CONDITIONING MATE- RIAL, MINOR STRS | 10 TON | 35.00 | 350.00 |
| 0009 | 0366000000-E | 310 | 15" RC PIPE CULVERTS, CLASS III | 52 LF | 37.50 | 1,950.00 |
| 0010 | 0708000000-E | 310 | 15" BIT COAT CS PIPE CULVERTS, TYPE B 0.064" THICK | 24 LF | 50.00 | 1,200.00 |
| 0011 | 0806000000-E | 310 | 15" BIT COAT CS PIPE ELBOWS, TYPE B 0.064" THICK | 2 EA | 250.00 | 500.00 |
| 0012 | 1489000000-E | 610 | ASPHALT CONC BASE COURSE, TYPE B25.0B | 120 TON | 95.00 | 11,400.00 |
| 0013 | 1525000000-E | 610 | ASPHALT CONC SURFACE COURSE, TYPE SF9.5A | 70 TON | 110.00 | 7,700.00 |
| 0014 | 1560000000-E | 620 | ASPHALT BINDER FOR PLANT MIX, GRADE PG 64-22 | 10 TON | 385.00 | 3,850.00 |
| 0015 | 2286000000-N | 840 | MASONRY DRAINAGE STRUCTURES | 3 EA | 1,650.00 | 4,950.00 |
| 0016 | 2367000000-N | 840 | FRAME WITH TWO GRATES, STD 840.29 | 2 EA | 515.00 | 1,030.00 |
| 0017 | 2396000000-N | 840 | FRAME WITH COVER, STD 840.54 | 1 EA | 420.00 | 420.00 |
| 0018 | 2556000000-E | 846 | SHOULDER BERM GUTTER | 30 LF | 100.00 | 3,000.00 |

Contract Item Sheets For C201788

| Line # | ItemNumber | Sec # | Description | Quantity Unit | Unit Bid Price | Amount Bid |
|--------|--------------|-------|-------------------------------------|---------------|----------------|------------|
| 0019 | 3195000000-N | 862 | GUARDRAIL ANCHOR UNITS, TYPE AT-1 | 4 EA | 650.00 | 2,600.00 |
| 0020 | 3317000000-N | 862 | GUARDRAIL ANCHOR UNITS, TYPE B-77 | 4 EA | 1,450.00 | 5,800.00 |
| 0021 | 3649000000-E | 876 | RIP RAP, CLASS B | 19 TON | 45.00 | 855.00 |
| 0022 | 3656000000-E | 876 | FILTER FABRIC FOR DRAINAGE | 155 SY | 2.50 | 387.50 |
| 0023 | 4400000000-E | 1110 | WORK ZONE SIGNS (STATIONARY) | 269 SF | 7.50 | 2,017.50 |
| 0024 | 4410000000-E | 1110 | WORK ZONE SIGNS (BARRICADE MOUNTED) | 57 SF | 10.00 | 570.00 |
| 0025 | 4445000000-E | 1145 | BARRICADES (TYPE III) | 64 LF | 30.00 | 1,920.00 |
| 0026 | 4810000000-E | 1205 | PAINT PAVEMENT MARKING LINES (4") | 2,880 LF | 0.50 | 1,440.00 |
| 0027 | 6000000000-E | 1605 | TEMPORARY SILT FENCE | 510 LF | 3.00 | 1,530.00 |
| 0028 | 6006000000-E | 1610 | STONE FOR EROSION CONTROL, CLASS A | 75 TON | 40.00 | 3,000.00 |
| 0029 | 6009000000-E | 1610 | STONE FOR EROSION CONTROL, CLASS B | 100 TON | 45.00 | 4,500.00 |
| 0030 | 6012000000-E | 1610 | SEDIMENT CONTROL STONE | 40 TON | 45.00 | 1,800.00 |
| 0031 | 6015000000-E | 1615 | TEMPORARY MULCHING | 0.5 ACR | 2,000.00 | 1,000.00 |
| 0032 | 6018000000-E | 1620 | SEED FOR TEMPORARY SEEDING | 50 LB | 9.00 | 450.00 |
| 0033 | 6021000000-E | 1620 | FERTILIZER FOR TEMPORARY SEEDING | 0.25 TON | 2,000.00 | 500.00 |
| 0034 | 6029000000-E | SP | SAFETY FENCE | 165 LF | 3.00 | 495.00 |
| 0035 | 6030000000-E | 1630 | SILT EXCAVATION | 145 CY | 1.00 | 145.00 |
| 0036 | 6036000000-E | 1631 | MATTING FOR EROSION CONTROL | 205 SY | 3.00 | 615.00 |
| 0037 | 6038000000-E | SP | PERMANENT SOIL REINFORCEMENT MAT | 77 SY | 8.00 | 616.00 |

Contract Item Sheets For C201788

| Line # | ItemNumber | Sec # | Description | Quantity Unit | Unit Bid Price | Amount Bid |
|--------|--------------|-------|-------------------------------|---------------|----------------|------------|
| 0038 | 6042000000-E | 1632 | 1/4" HARDWARE CLOTH | 40 LF | 10.00 | 400.00 |
| 0039 | 6084000000-E | 1660 | SEEDING & MULCHING | 0.5 ACR | 3,000.00 | 1,500.00 |
| 0040 | 6087000000-E | 1660 | MOWING | 0.5 ACR | 100.00 | 50.00 |
| 0041 | 6090000000-E | 1661 | SEED FOR REPAIR SEEDING | 50 LB | 6.00 | 300.00 |
| 0042 | 6093000000-E | 1661 | FERTILIZER FOR REPAIR SEEDING | 0.25 TON | 1,000.00 | 250.00 |
| 0043 | 6096000000-E | 1662 | SEED FOR SUPPLEMENTAL SEEDING | 50 LB | 1.50 | 75.00 |
| 0044 | 6108000000-E | 1665 | FERTILIZER TOPDRESSING | 0.25 TON | 500.00 | 125.00 |
| 0045 | 6114000000-N | SP | SPECIALIZED HAND MOWING | 2 HR | 75.00 | 150.00 |
| 0046 | 6117000000-N | SP | RESPONSE FOR EROSION CONTROL | 12 EA | 250.00 | 3,000.00 |
| 0047 | 6123000000-E | 1670 | REFORESTATION | 0.1 ACR | 8,000.00 | 800.00 |

| Line # | ItemNumber | Sec # | Description | Quantity Unit | Unit Bid Price | Amount Bid |
|--------|--------------|-------|--|----------------|----------------|------------|
| 0048 | 8035000000-N | 402 | REMOVAL OF EXISTING STRUCTURE AT STATION ***** (14+76.00-L-) | Lump Sum LS | 30,500.00 | 30,500.00 |
| 0049 | 8096000000-E | SP | PILE EXCAVATION IN SOIL | 90 LF | 170.00 | 15,300.00 |
| 0050 | 8097000000-E | SP | PILE EXCAVATION NOT IN SOIL | 30 LF | 900.00 | 27,000.00 |
| 0051 | 8121000000-N | 412 | UNCLASSIFIED STRUCTURE EXCAVA- TION AT STATION ***** (14+76.00-L-) | Lump Sum LS | 4,000.00 | 4,000.00 |
| 0052 | 8147000000-E | 420 | REINFORCED CONCRETE DECK SLAB | 2,357 SF | 38.30 | 90,273.10 |
| 0053 | 8161000000-E | 420 | GROOVING BRIDGE FLOORS | 2,318 SF | 1.10 | 2,549.80 |
| 0054 | 8182000000-E | 420 | CLASS A CONCRETE (BRIDGE) | 28 CY | 871.50 | 24,402.00 |
| 0055 | 8210000000-N | 422 | BRIDGE APPROACH SLABS, STATION ***** (14+76.00-L-) | Lump Sum LS | 28,000.00 | 28,000.00 |
| 0056 | 8217000000-E | 425 | REINFORCING STEEL (BRIDGE) | 5,739 LB | 0.96 | 5,509.44 |
| 0057 | 8265000000-E | 430 | 54" PRESTRESSED CONCRETE GIR- DERS | 372.67 LF | 276.00 | 102,856.92 |
| 0058 | 8364000000-E | 450 | HP12X53 STEEL PILES | 280 LF | 66.00 | 18,480.00 |
| 0059 | 8503000000-E | 460 | CONCRETE BARRIER RAIL | 186.67 LF | 63.50 | 11,853.55 |
| 0060 | 8608000000-E | 876 | RIP RAP CLASS II (2'-0" THICK) | 161 TON | 41.00 | 6,601.00 |
| 0061 | 8622000000-E | 876 | FILTER FABRIC FOR DRAINAGE | 178 SY | 3.00 | 534.00 |
| 0062 | 8657000000-N | 430 | ELASTOMERIC BEARINGS | Lump Sum LS | 1,600.00 | 1,600.00 |
| 0063 | 8692000000-N | SP | EVAZOTE JOINT SEALS | Lump Sum LS | 8,700.00 | 8,700.00 |

TOTAL AMOUNT OF BID FOR ENTIRE PROJECT

\$539,350.81

**EXECUTION OF CONTRACT
NON-COLLUSION AFFIDAVIT, AND DEBARMENT CERTIFICATION
CORPORATION**

The Contractor being duly sworn, solemnly swears (or affirms) that neither he, nor any official, agent or employee has entered into any agreement, participated in any collusion, or otherwise taken any action which is in restraint of free competitive bidding in connection with this Contract, and that the Contractor intends to do the work with his own bonafide employees or subcontractors and did not bid for the benefit of another contractor.

By submitting this Execution of Contract, Non-Collusion affidavit and Debarment Certification, the Contractor is certifying his status under penalty of perjury under the laws of the United States in accordance with the Debarment Certification attached, provided that the Debarment Certification also includes any required statements concerning exceptions that are applicable.

SIGNATURE OF CONTRACTOR

Print or type full name of Corporation **SMITH-ROWE, INC.**
639 OLD HIGHWAY 52 SOUTH
MOUNT AIRY, NC 27030

Address as Prequalified

Attest William J. Gulp
Secretary/Assistant Secretary
Delete inappropriate title

By D. Rowe
President/Vice President/Assistant Vice President
Delete inappropriate title

William F. Fulp
Print or type signer's name

D.L. Rowe
Print or type signer's name

CORPORATE SEAL

AFFIDAVIT MUST BE NOTARIZED

NOTARY SEAL

Subscribed and sworn to before me this the

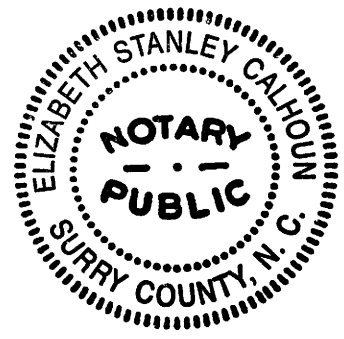
11th day of February 2008

Elizabeth Stanley Calhoun
Signature of Notary Public

of Surry County

State of North Carolina

My Commission Expires: 3/14/09



DEBARMENT CERTIFICATION OF CONTRACTOR

Conditions for certification:

1. The Contractor shall provide immediate written notice to the Department if at any time the Contractor learns that his certification was erroneous when he submitted his debarment certification or explanation that is on file with the Department, or has become erroneous because of changed circumstances.
2. The terms *covered transaction, debarred, suspended, ineligible, lower tier covered transaction, participant, person, primary covered transaction, principal, proposal, and voluntarily excluded*, as used in this provision, have the meanings set out in the Definitions and Coverage sections of the rules implementing Executive Order 12549. A copy of the Federal Rules requiring this certification and detailing the definitions and coverages may be obtained from the Contract Officer of the Department.
3. The Contractor agrees by submitting this form, that he will not knowingly enter into any lower tier covered transaction with a person who is debarred, suspended, declared ineligible, or voluntarily excluded from participation in NCDOT contracts, unless authorized by the Department.
4. For Federal Aid projects, the Contractor further agrees that by submitting this form he will include the Federal-Aid Provision titled *Required Contract Provisions Federal-Aid Construction Contract (Form FHWA PR 1273)* provided by the Department, without subsequent modification, in all lower tier covered transactions.
5. The Contractor may rely upon a certification of a participant in a lower tier covered transaction that he is not debarred, suspended, ineligible, or voluntarily excluded from the covered transaction, unless he knows that the certification is erroneous. The Contractor may decide the method and frequency by which he will determine the eligibility of his subcontractors.
6. Nothing contained in the foregoing shall be construed to require establishment of a system of records in order to render in good faith the certification required by this provision. The knowledge and information of a participant is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.
7. Except as authorized in paragraph 3 herein, the Department may terminate any contract if the Contractor knowingly enters into a lower tier covered transaction with a person who is suspended, debarred, ineligible, or voluntarily excluded from participation in this transaction, in addition to other remedies available by the Federal Government.

DEBARMENT CERTIFICATION

The Contractor certifies to the best of his knowledge and belief, that he and his 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; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records; making false statements; or receiving stolen property;
- c. Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, State or local) with commission of any of the offenses enumerated in paragraph b. of this certification; and
- d. Have not within a three-year period preceding this proposal had one or more public transactions (Federal, State or local) terminated for cause or default.
- e. If status changes, will submit a revised Debarment Certification immediately.

If the Contractor cannot certify that he is not debarred, he shall provide an explanation with this submittal. An explanation will not necessarily result in denial of participation in a contract.

Failure to submit a non-collusion affidavit and debarment certification will result in the Contractor's bid being considered non-responsive.

Check here if an explanation is attached to this certification.

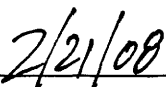
Contract No: C201788

County: Durham

ACCEPTED BY THE
DEPARTMENT OF TRANSPORTATION



Contract Officer



Date

Execution of Contract and Bonds
Approved as to Form:



Assistant Attorney General

Contract No. C201788
County Durham

Rev 02-13-04

CONTRACT PAYMENT BOND

Bond No. 105067609

Date of Payment: February 12, 2008
Bond Execution: _____

Name of Principal: Smith-Rowe, Inc.
Contractor: _____
639 Old Highway 52 South, Mount Airy, NC 27030

Name of Surety: Travelers Casualty and Surety Company of America

One Tower Square, Hartford, CT 06183

Name of Contracting Body: North Carolina Department of Transportation

Raleigh, North Carolina

Amount of Bond: \$539,350.81

Contract ID No.: C201788

County Name(s): Durham

KNOW ALL MEN BY THESE PRESENTS, That we, the PRINCIPAL and SURETY above named, are held and firmly bound unto the above named Contracting Body, hereinafter called the Contracting Body, in the penal sum of the amount stated above for the payment of which sum well and truly to be made, we bind ourselves, our heirs, executors, administrators, and successors, jointly and severally, firmly by these presents.

THE CONDITION OF THIS OBLIGATION IS SUCH, that whereas the principal entered into a certain contract with the Contracting Body, numbered as shown above and hereto attached:

NOW THEREFORE, if the principal shall promptly make payment to all persons supplying labor and material in the prosecution of the work provided for in said contract, and any and all duly authorized modifications of said contract that may hereafter be made, notice of which modifications to the surety being hereby waived, then this obligation to be void; otherwise to remain in full force and virtue.

IN WITNESS WHEREOF, the above-bounden parties have executed this instrument under their several seals on the date indicated above, the name and corporate seal of each corporate party being hereto affixed and these presents duly signed by its undersigned representative, pursuant to authority of its governing body.

Contract No. C201788
County Durham

Rev 02-13-04

CONTRACT PAYMENT BOND


Affix Seal of Surety Company

Travelers Casualty and Surety Company of America

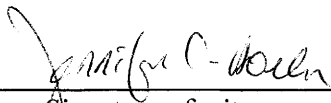
Print or type Surety Company Name

By Donna K. Ashley

Print, stamp or type name of Attorney-in-Fact



Signature of Attorney-in-Fact



Signature of witness

Jennifer C. Hoehn

Print or type witness' name

P.O. Box 220748, Charlotte, NC 28222

Address of Attorney-in-Fact

Contract No. _____
County _____

Rev 02-13-04

CONTRACT PAYMENT BOND

CORPORATION

SIGNATURE OF CONTRACTOR (Principal)

SMITH-ROWE, INC.
639 OLD HIGHWAY 62 SOUTH
MOUNT AIRY, NC 27030

Print or type full name of Corporation

Address as prequalified

By *D.L. Rowe*
Signature of President, Vice President, Assistant Vice President
Delete inappropriate title

D.L. Rowe

Print or type signer's name

Attest *William F. Fulp*
Signature of Secretary, Assistant Secretary
Delete inappropriate title

William F. Fulp

Print or type signer's name

Affix Corporate Seal



POWER OF ATTORNEY

Farmington Casualty Company
Fidelity and Guaranty Insurance Company
Fidelity and Guaranty Insurance Underwriters, Inc.
Seaboard Surety Company
St. Paul Fire and Marine Insurance Company

St. Paul Guardian Insurance Company
St. Paul Mercury Insurance Company
Travelers Casualty and Surety Company
Travelers Casualty and Surety Company of America
United States Fidelity and Guaranty Company

Attorney-In Fact No. 215238

Certificate No. 002136564

KNOW ALL MEN BY THESE PRESENTS: That Seaboard Surety Company is a corporation duly organized under the laws of the State of New York, that St. Paul Fire and Marine Insurance Company, St. Paul Guardian Insurance Company and St. Paul Mercury Insurance Company are corporations duly organized under the laws of the State of Minnesota, that Farmington Casualty Company, Travelers Casualty and Surety Company, and Travelers Casualty and Surety Company of America are corporations duly organized under the laws of the State of Connecticut, that United States Fidelity and Guaranty Company is a corporation duly organized under the laws of the State of Maryland, that Fidelity and Guaranty Insurance Company is a corporation duly organized under the laws of the State of Iowa, and that Fidelity and Guaranty Insurance Underwriters, Inc. is a corporation duly organized under the laws of the State of Wisconsin (herein collectively called the "Companies"), and that the Companies do hereby make, constitute and appoint

Ann D. Newton, Joe E. Hunnicutt, Karen Griffie, William J. Quinn, G. Timothy Wilkerson, James W. Bland, Donna K. Ashley, Wendy E. Lahm, Angela D. Ramsey, John D. Leak III, Jennifer C. Hoehn, and John F. Thomas

of the City of Charlotte, State of North Carolina, their true and lawful Attorney(s)-in-Fact, each in their separate capacity if more than one is named above, to sign, execute, seal and acknowledge any and all bonds, recognizances, conditional undertakings and other writings obligatory in the nature thereof on behalf of the Companies in their business of guaranteeing the fidelity of persons, guaranteeing the performance of contracts and executing or guaranteeing bonds and undertakings required or permitted in any actions or proceedings allowed by law.

IN WITNESS WHEREOF, the Companies have caused this instrument to be signed and their corporate seals to be hereto affixed, this 15th day of October, 2007.

Farmington Casualty Company
Fidelity and Guaranty Insurance Company
Fidelity and Guaranty Insurance Underwriters, Inc.
Seaboard Surety Company
St. Paul Fire and Marine Insurance Company

St. Paul Guardian Insurance Company
St. Paul Mercury Insurance Company
Travelers Casualty and Surety Company
Travelers Casualty and Surety Company of America
United States Fidelity and Guaranty Company



State of Connecticut
City of Hartford ss.

By: [Signature]
George W. Thompson, Senior Vice President

On this the 15th day of October, 2007, before me personally appeared George W. Thompson, who acknowledged himself to be the Senior Vice President of Farmington Casualty Company, Fidelity and Guaranty Insurance Company, Fidelity and Guaranty Insurance Underwriters, Inc., Seaboard Surety Company, St. Paul Fire and Marine Insurance Company, St. Paul Guardian Insurance Company, St. Paul Mercury Insurance Company, Travelers Casualty and Surety Company, Travelers Casualty and Surety Company of America, and United States Fidelity and Guaranty Company, and that he, as such, being authorized so to do, executed the foregoing instrument for the purposes therein contained by signing on behalf of the corporations by himself as a duly authorized officer.

In Witness Whereof, I hereunto set my hand and official seal. My Commission expires the 30th day of June, 2011.



[Signature]
Marie C. Tetreault, Notary Public

This Power of Attorney is granted under and by the authority of the following resolutions adopted by the Boards of Directors of Farmington Casualty Company, Fidelity and Guaranty Insurance Company, Fidelity and Guaranty Insurance Underwriters, Inc., Seaboard Surety Company, St. Paul Fire and Marine Insurance Company, St. Paul Guardian Insurance Company, St. Paul Mercury Insurance Company, Travelers Casualty and Surety Company, Travelers Casualty and Surety Company of America, and United States Fidelity and Guaranty Company, which resolutions are now in full force and effect, reading as follows:

RESOLVED, that the Chairman, the President, any Vice Chairman, any Executive Vice President, any Senior Vice President, any Vice President, any Second Vice President, the Treasurer, any Assistant Treasurer, the Corporate Secretary or any Assistant Secretary may appoint Attorneys-in-Fact and Agents to act for and on behalf of the Company and may give such appointee such authority as his or her certificate of authority may prescribe to sign with the Company's name and seal with the Company's seal bonds, recognizances, contracts of indemnity, and other writings obligatory in the nature of a bond, recognizance, or conditional undertaking, and any of said officers or the Board of Directors at any time may remove any such appointee and revoke the power given him or her; and it is

FURTHER RESOLVED, that the Chairman, the President, any Vice Chairman, any Executive Vice President, any Senior Vice President or any Vice President may delegate all or any part of the foregoing authority to one or more officers or employees of this Company, provided that each such delegation is in writing and a copy thereof is filed in the office of the Secretary; and it is

FURTHER RESOLVED, that any bond, recognizance, contract of indemnity, or writing obligatory in the nature of a bond, recognizance, or conditional undertaking shall be valid and binding upon the Company when (a) signed by the President, any Vice Chairman, any Executive Vice President, any Senior Vice President or any Vice President, any Second Vice President, the Treasurer, any Assistant Treasurer, the Corporate Secretary or any Assistant Secretary and duly attested and sealed with the Company's seal by a Secretary or Assistant Secretary; or (b) duly executed (under seal, if required) by one or more Attorneys-in-Fact and Agents pursuant to the power prescribed in his or her certificate or their certificates of authority or by one or more Company officers pursuant to a written delegation of authority; and it is

FURTHER RESOLVED, that the signature of each of the following officers: President, any Executive Vice President, any Senior Vice President, any Vice President, any Assistant Vice President, any Secretary, any Assistant Secretary, and the seal of the Company may be affixed by facsimile to any power of attorney or to any certificate relating thereto appointing Resident Vice Presidents, Resident Assistant Secretaries or Attorneys-in-Fact for purposes only of executing and attesting bonds and undertakings and other writings obligatory in the nature thereof, and any such power of attorney or certificate bearing such facsimile signature or facsimile seal shall be valid and binding upon the Company and any such power so executed and certified by such facsimile signature and facsimile seal shall be valid and binding on the Company in the future with respect to any bond or understanding to which it is attached.

I, Kori M. Johanson, the undersigned, Assistant Secretary, of Farmington Casualty Company, Fidelity and Guaranty Insurance Company, Fidelity and Guaranty Insurance Underwriters, Inc., Seaboard Surety Company, St. Paul Fire and Marine Insurance Company, St. Paul Guardian Insurance Company, St. Paul Mercury Insurance Company, Travelers Casualty and Surety Company, Travelers Casualty and Surety Company of America, and United States Fidelity and Guaranty Company do hereby certify that the above and foregoing is a true and correct copy of the Power of Attorney executed by said Companies, which 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 12 day of February, 2008

WARNING: THIS POWER OF ATTORNEY IS INVALID WITHOUT THE RED BORDER


Kori M. Johanson, Assistant Secretary



To verify the authenticity of this Power of Attorney, call 1-800-421-3880 or contact us at www.travelersbond.com. Please refer to the Attorney-In-Fact number, the above-named individuals and the details of the bond to which the power is attached.

Contract Number C201788
County Durham

Rev 02-13-04

CONTRACT PERFORMANCE BOND

Bond No. 105067609

Date of Contract Performance
Bond Execution: February 12, 2008

Name of Principal:
Contractor: Smith-Rowe, Inc.
639 Old Highway 52 South, Mount, Airy, NC 27030

Name of Surety:
Travelers Casualty and Surety Company of America
One Tower Square, Hartford, CT 06183

Name of Contracting Body: North Carolina Department of Transportation
Raleigh, North Carolina

Amount of Bond: \$539,350.81

Contract ID No.: C201788

County Name(s): Durham

KNOW ALL MEN BY THESE PRESENTS, That we, the PRINCIPAL and SURETY above named, are held and firmly bound unto the above named Contracting Body, hereinafter called the Contracting Body, in the penal sum of the amount stated above for the payment of which sum well and truly to be made, we bind ourselves, our heirs, executors, administrators, and successors, jointly and severally, firmly by these presents.

THE CONDITION OF THIS OBLIGATION IS SUCH that whereas the principal entered into a certain contract with the Contracting Body, numbered as shown above and hereto attached:

NOW THEREFORE, if the principal shall well and truly perform and fulfill all the undertakings, covenants, terms, conditions, and agreements of said contract during the original term of said contract and any extensions thereof that may be granted by the Contracting Body, with or without notice to the Surety, and during the life of any guaranty required under the contract, and shall also well and truly perform and fulfill all the undertakings, covenants, terms, conditions, and agreements of any and all duly authorized modifications of said contract that may hereafter be made, notice of which modifications to the surety being hereby waived, then this obligation to be void; otherwise to remain in full force and virtue.

IN WITNESS WHEREOF, the above-bounden parties have executed this instrument under their several seals on the date indicated above, the name and corporate seal of each corporate party being hereto affixed and these presents duly signed by its undersigned representative, pursuant to authority of its governing body.

Contract Number C201788
County Durham

Rev 02-13-04

CONTRACT PERFORMANCE BOND

Affix Seal of Surety Company

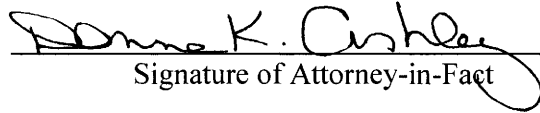
Travelers Casualty and Surety Company of America

Print or type Surety Company Name

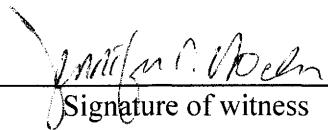
By Donna K. Ashley

Attorney-in-Fact

Print, stamp, or type name of Attorney-in Fact



Signature of Attorney-in-Fact



Signature of witness

Jennifer C. Hoehn

Print or type witness' name

P.O. Box 220748, Charlotte, NC 28222

Address of Attorney-in-Fact

CONTRACT PERFORMANCE BOND
CORPORATION

SIGNATURE OF CONTRACTOR (Principal)

SMITH-ROWE, INC.
639 OLD HIGHWAY 52 SOUTH
MOUNT AIRY, NC 27030

Print full name of Corporation

Address as prequalified

By *D. L. Rowe*
Signature of President, ~~Vice President, Assistant Vice President~~
Delete inappropriate title

D. L. Rowe
Print or type signer's name

Attest *William F. Fulp*
Signature of Secretary, ~~Assistant Secretary~~
Delete inappropriate title

William F. Fulp
Print or type signer's name

Affix Corporate Seal



POWER OF ATTORNEY

Farmington Casualty Company
Fidelity and Guaranty Insurance Company
Fidelity and Guaranty Insurance Underwriters, Inc.
Seaboard Surety Company
St. Paul Fire and Marine Insurance Company

St. Paul Guardian Insurance Company
St. Paul Mercury Insurance Company
Travelers Casualty and Surety Company
Travelers Casualty and Surety Company of America
United States Fidelity and Guaranty Company

Attorney-In Fact No. 215238

Certificate No. 002136563

KNOW ALL MEN BY THESE PRESENTS: That Seaboard Surety Company is a corporation duly organized under the laws of the State of New York, that St. Paul Fire and Marine Insurance Company, St. Paul Guardian Insurance Company and St. Paul Mercury Insurance Company are corporations duly organized under the laws of the State of Minnesota, that Farmington Casualty Company, Travelers Casualty and Surety Company, and Travelers Casualty and Surety Company of America are corporations duly organized under the laws of the State of Connecticut, that United States Fidelity and Guaranty Company is a corporation duly organized under the laws of the State of Maryland, that Fidelity and Guaranty Insurance Company is a corporation duly organized under the laws of the State of Iowa, and that Fidelity and Guaranty Insurance Underwriters, Inc. is a corporation duly organized under the laws of the State of Wisconsin (herein collectively called the "Companies"), and that the Companies do hereby make, constitute and appoint

Ann D. Newton, Joe E. Hunnicutt, Karen Griffie, William J. Quinn, G. Timothy Wilkerson, James W. Bland, Donna K. Ashley, Wendy E. Lahm, Angela D. Ramsey, John D. Leak III, Jennifer C. Hoehn, and John F. Thomas

of the City of Charlotte, State of North Carolina, their true and lawful Attorney(s)-in-Fact, each in their separate capacity if more than one is named above, to sign, execute, seal and acknowledge any and all bonds, recognizances, conditional undertakings and other writings obligatory in the nature thereof on behalf of the Companies in their business of guaranteeing the fidelity of persons, guaranteeing the performance of contracts and executing or guaranteeing bonds and undertakings required or permitted in any actions or proceedings allowed by law.

IN WITNESS WHEREOF, the Companies have caused this instrument to be signed and their corporate seals to be hereto affixed, this 15th day of October, 2007.

Farmington Casualty Company
Fidelity and Guaranty Insurance Company
Fidelity and Guaranty Insurance Underwriters, Inc.
Seaboard Surety Company
St. Paul Fire and Marine Insurance Company

St. Paul Guardian Insurance Company
St. Paul Mercury Insurance Company
Travelers Casualty and Surety Company
Travelers Casualty and Surety Company of America
United States Fidelity and Guaranty Company



State of Connecticut
City of Hartford ss.

By: [Signature]
George W. Thompson, Senior Vice President

On this the 15th day of October, 2007, before me personally appeared George W. Thompson, who acknowledged himself to be the Senior Vice President of Farmington Casualty Company, Fidelity and Guaranty Insurance Company, Fidelity and Guaranty Insurance Underwriters, Inc., Seaboard Surety Company, St. Paul Fire and Marine Insurance Company, St. Paul Guardian Insurance Company, St. Paul Mercury Insurance Company, Travelers Casualty and Surety Company, Travelers Casualty and Surety Company of America, and United States Fidelity and Guaranty Company, and that he, as such, being authorized so to do, executed the foregoing instrument for the purposes therein contained by signing on behalf of the corporations by himself as a duly authorized officer.

In Witness Whereof, I hereunto set my hand and official seal. My Commission expires the 30th day of June, 2011.



[Signature]
Marie C. Tetreault, Notary Public

This Power of Attorney is granted under and by the authority of the following resolutions adopted by the Boards of Directors of Farmington Casualty Company, Fidelity and Guaranty Insurance Company, Fidelity and Guaranty Insurance Underwriters, Inc., Seaboard Surety Company, St. Paul Fire and Marine Insurance Company, St. Paul Guardian Insurance Company, St. Paul Mercury Insurance Company, Travelers Casualty and Surety Company, Travelers Casualty and Surety Company of America, and United States Fidelity and Guaranty Company, which resolutions are now in full force and effect, reading as follows:

RESOLVED, that the Chairman, the President, any Vice Chairman, any Executive Vice President, any Senior Vice President, any Vice President, any Second Vice President, the Treasurer, any Assistant Treasurer, the Corporate Secretary or any Assistant Secretary may appoint Attorneys-in-Fact and Agents to act for and on behalf of the Company and may give such appointee such authority as his or her certificate of authority may prescribe to sign with the Company's name and seal with the Company's seal bonds, recognizances, contracts of indemnity, and other writings obligatory in the nature of a bond, recognizance, or conditional undertaking, and any of said officers or the Board of Directors at any time may remove any such appointee and revoke the power given him or her; and it is

FURTHER RESOLVED, that the Chairman, the President, any Vice Chairman, any Executive Vice President, any Senior Vice President or any Vice President may delegate all or any part of the foregoing authority to one or more officers or employees of this Company, provided that each such delegation is in writing and a copy thereof is filed in the office of the Secretary; and it is

FURTHER RESOLVED, that any bond, recognizance, contract of indemnity, or writing obligatory in the nature of a bond, recognizance, or conditional undertaking shall be valid and binding upon the Company when (a) signed by the President, any Vice Chairman, any Executive Vice President, any Senior Vice President or any Vice President, any Second Vice President, the Treasurer, any Assistant Treasurer, the Corporate Secretary or any Assistant Secretary and duly attested and sealed with the Company's seal by a Secretary or Assistant Secretary; or (b) duly executed (under seal, if required) by one or more Attorneys-in-Fact and Agents pursuant to the power prescribed in his or her certificate or their certificates of authority or by one or more Company officers pursuant to a written delegation of authority; and it is

FURTHER RESOLVED, that the signature of each of the following officers: President, any Executive Vice President, any Senior Vice President, any Vice President, any Assistant Vice President, any Secretary, any Assistant Secretary, and the seal of the Company may be affixed by facsimile to any power of attorney or to any certificate relating thereto appointing Resident Vice Presidents, Resident Assistant Secretaries or Attorneys-in-Fact for purposes only of executing and attesting bonds and undertakings and other writings obligatory in the nature thereof, and any such power of attorney or certificate bearing such facsimile signature or facsimile seal shall be valid and binding upon the Company and any such power so executed and certified by such facsimile signature and facsimile seal shall be valid and binding on the Company in the future with respect to any bond or understanding to which it is attached.

I, Kori M. Johanson, the undersigned, Assistant Secretary, of Farmington Casualty Company, Fidelity and Guaranty Insurance Company, Fidelity and Guaranty Insurance Underwriters, Inc., Seaboard Surety Company, St. Paul Fire and Marine Insurance Company, St. Paul Guardian Insurance Company, St. Paul Mercury Insurance Company, Travelers Casualty and Surety Company, Travelers Casualty and Surety Company of America, and United States Fidelity and Guaranty Company do hereby certify that the above and foregoing is a true and correct copy of the Power of Attorney executed by said Companies, which 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 12 day of February, 2008

WARNING: THIS POWER OF ATTORNEY IS INVALID WITHOUT THE RED BORDER

Kori M. Johanson
Kori M. Johanson, Assistant Secretary



To verify the authenticity of this Power of Attorney, call 1-800-421-3880 or contact us at www.travelersbond.com. Please refer to the Attorney-In-Fact number, the above-named individuals and the details of the bond to which the power is attached.

