

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

C202009

CONTRACT AND  
CONTRACT BONDS  
FOR CONTRACT NO. C202009

WBS 10CR.10131.8, 10CR.10131.9, 10CR.20131.28, 10CR.20131.29, 10CR.20131.30,  
10CR.20131.31, 10CR.20131.32, 10CR.20131.33, 10CR.20131.34, 10CR.20131.35,  
10CR.20131.36, 10CR.20131.37, 10CR.20131.38, 10CR.20131.39 STATE FUNDED

COUNTY OF CABARRUS  
THIS IS THE ROADWAY CONTRACT  
ROUTE NUMBER US 601 LENGTH 22.610 MILES  
LOCATION US-601 FROM SR-1002 TO SR-1335 AND FROM SR-2630 TO PVMT  
JOINT S OF NC-49 & 12 SECTIONS OF SECONDARY ROADS.

CONTRACTOR REA CONTRACTING LLC  
ADDRESS P.O. BOX 32487  
CHARLOTTE, NC 28232

BIDS OPENED MARCH 18, 2008  
CONTRACT EXECUTION APR 10 2008

**Rea Contracting LLC (4421).**

**Vendor 4 of 4 Vendors for Call Order 008 (Proposal ID C202009).**

County: CABARRUS  
Address: P.O. Box 32487  
Charlotte, NC 28232

Phone Number: 704-553-6500

Signature Check: This bid has been properly signed by Carey\_K.\_Tate\_4421.

Time Bid Received: Tue Mar 18 10:59:32 2008

Bid Checksum: BC2F483F

Amendment Count: 0

Bidding Errors: No bidding errors.

Bid Total: \$3,426,592.88 ✓

Bond ID: SNC08350265

Bond was Verified: Yes.

Bond Required Percent: 5.00%

Minimum Check Amount: \$171,329.64

Bid Security Maximum: \$

Bond Agency Name:

Agency Execution Date: 3/12/2008

Surety Name: Lockton Companies, Inc.

Surety State of Incorporation:

Bond Company:

Bond Type:

Bond Appr Flag:

Bond Affirm:

Bond was Paid by Check: No.

*MBE GOAL SET - 3.0 %  
WBE GOAL SET - 4.0 %*

*MBE GOAL MET - 3.0 %  
WBE GOAL MET - 4.0 %*

LIST OF MBE PARTICIPANTS

VENDOR NUMBER	DBE NAME ADDRESS	WORK CODE TYPE OF WORK	CERT TYPE AMOUNT
1956	MB HAZEL HOLMES TRUCKING, INC. P. O. BOX 667565 , CHARLOTTE, NC 28266		Sub 102,798.65
TOTAL:			\$102,798.65 3.00%

LIST OF WBE PARTICIPANTS

VENDOR NUMBER	DBE NAME ADDRESS	WORK CODE TYPE OF WORK	CERT TYPE AMOUNT
1968	WB MURRAY ENTERPRISES, INC. 1231 SHAMROCK DRIVE , BURLINGTON, NC 27215		Sub 231.60
3765	WB STAY ALERT SAFETY SERVICES INC POST OFFICE BOX 467 , KERNERSVILLE, NC 27285		Sub 7,250.00
12894	WB LITTLE L'S DUMP TRUCK SERVICE, 4393 HIGHWAY 73 , IRON STATION, NC 28080		Sub 85,136.28
3346	WB LINEBERRY, INC. POST OFFICE BOX 307 , CLIMAX, NC 27233		Sub 44,446.00
TOTAL:			\$137,063.88 4.00%

Miscellaneous Data Info - Contractor Responses:  
=====

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	

NCDOT/berc

Vendor 4421's Load Output for Call 008, Letting L080318, 2008-03-18

NOT ANSWERED

Bid Bond Data Info - Contractor Responses:

=====

BondID: SNC08350265  
Surety Registry Agency: surety2000  
Verified?: Yes  
Surety Agency: Lockton Companies, Inc.  
Bond Execution Date: 3/12/2008  
Bond Amount: \$171,329.64 (Five Percent of Bid)

State of NC  
Dept of Transportation

Date: 02-19-08  
Revised:

Contract ID: C202009 Project(s): STATE FUNDED  
Letting Date: 03-18-08 Call Order: 008  
Bidder: 4421 - Rea Contracting LLC

Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
Section 0001 ROADWAY ITEMS						
0001	0000100000-N MOBILIZATIO N	LUMP	LUMP			75,000.00
0002	1220000000-E INCIDENTAL STONE BASE	978.000 TON	34.00000			33,252.00
0003	1243000000-E SHOULDER CONSTRUCTION	6.200 SMI	4,500.00000			27,900.00
0004	1245000000-E SHOULDER RECONSTRUCTION	39.020 SMI	4,300.00000			167,786.00
0005	1264000000-E DITCHING	1,800.000 LF	5.25000			9,450.00
0006	1297000000-E MILLING ASPHALT PAVEMENT, ***"DEPTH (1-1/2")	4,000.000 SY	3.00000			12,000.00
0007	1308000000-E MILLING ASPHALT PAVEMENT, ***"TO *****" DEPTH (0" TO 1-1/2")	1,400.000 SY	4.00000			5,600.00
0008	1330000000-E INCIDENTAL MILLING	2,570.000 SY	6.00000			15,420.00
0009	1489000000-E ASPHALT CONC BASE COURSE, TYPE B25.0B	2,646.000 TON	58.00000			153,468.00
0010	1519000000-E ASPHALT CONC SURFACE COURSE, TYPE S9.5B	21,191.000 TON	37.00000			784,067.00
0011	1520000000-E ASPHALT CONC SURFACE COURSE, TYPE S9.5B (LEVELING COURSE)	4,552.000 TON	38.00000			172,976.00

State of NC  
Dept of Transportation

Date: 02-19-08  
Revised:

Contract ID: C202009  
Letting Date: 03-18-08 Call Order: 008  
Bidder: 4421 - Rea Contracting LLC

Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
0012	1523000000-E ASPHALT CONC SURFACE COURSE, TYPE S9.5C	7,107.000 TON	37.00000		262,959.00	
0013	1524000000-E ASPHALT CONC SURFACE COURSE, TYPE S9.5C (LEVELING COURSE)	580.000 TON	41.00000		23,780.00	
0014	1560000000-E ASPHALT BINDER FOR PLANT MIX, GRADE PG 64-22	1,663.000 TON	395.00000		656,885.00	
0015	1565000000-E ASPHALT BINDER FOR PLANT MIX, GRADE PG 70-22	461.000 TON	416.00000		191,776.00	
0016	1704000000-E PATCHING EXISTING PAVEMENT	6,582.000 TON	92.00000		605,544.00	
0017	2612000000-E 6" CONCRETE DRIVEWAY	169.000 SY	55.00000		9,295.00	
0018	3649000000-E RIP RAP, CLASS B	150.000 TON	50.00000		7,500.00	
0019	4685000000-E THERMOPLAST IC PAVEMENT MARKING LINES (4", 90 MILS)	243,285.000 LF	0.36000		87,582.60	
0020	4686000000-E THERMOPLAST IC PAVEMENT MARKING LINES (4", 120 MILS)	140,586.000 LF	0.41000		57,640.26	
0021	4695000000-E THERMOPLAST IC PAVEMENT MARKING LINES (8", 90 MILS)	1,300.000 LF	1.35000		1,755.00	
0022	4710000000-E THERMOPLAST IC PAVEMENT MARKING LINES (24", 120 MILS)	240.000 LF	6.24000		1,497.60	

State of NC  
 Dept of Transportation  
 Contract ID: C202009  
 Letting Date: 03-18-08 Call Order: 008  
 Bidder: 4421 - Rea Contracting LLC

Date: 02-19-08  
 Revised:

Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
0023	4721000000-E THERMOPLAST IC PAVEMENT MARKING CHARACTER (120 MILS)	12.000 EA	57.19000		686.28	
0024	4725000000-E THERMOPLAST IC PAVEMENT MARKING SYMBOL (90 MILS)	23.000 EA	114.38000		2,630.74	
0025	4810000000-E PAINT PAVEMENT MARKING LINES (4")	1,500.000 LF	0.52000		780.00	
0026	4900000000-N PERMANENT RAISED PAVEMENT MARKERS	1,693.000 EA	4.94000		8,363.42	
0027	6000000000-E TEMPORARY SILT FENCE	150.000 LF	3.50000		525.00	
0028	6009000000-E STONE FOR EROSION CONTROL, CLASS B	20.000 TON	60.50000		1,210.00	
0029	6012000000-E SEDIMENT CONTROL STONE	86.000 TON	53.33000		4,586.38	
0030	6084000000-E SEEDING & MULCHING	31.300 ACR	1,420.00000		44,446.00	
0031	7444000000-E INDUCTIVE LOOP SAWCUT	8.000 LF	28.95000		231.60	
	Section 0001 Total				3,426,592.88	
	Bid Total				3,426,592.88	

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:

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  
 MBE COMMITMENT ITEMS

DATE: 02-19-08  
 PAGE: 7

PROPOSAL: C202009  
 LETTING: L080318 CALL: 008  
 VENDOR: 4421 Rea Contracting LLC

LINE NO.	ITEM NO.	ITEM DESC.	UNIT TYPE	SUBCONTRACTOR QUANTITY	SUBCONTRACTOR UNIT PRICE	EXTENDED AMOUNT
-----						
MBE SUBCONTRACTOR: 1956 HAZEL HOLMES TRUCKING, INC.						
Will Use Quote: Yes						
0010	1519000000-E	ASP CONC SUR	TON	9650.000	4.95000	47767.50
		Partial Item Asphalt Haul				
0012	1523000000-E	ASP CONC SUR	TON	2475.300	5.30000	13119.09
		Partial Item Asphalt Haul				
0016	1704000000-E	PATCHING EXI	TON	2998.750	9.95000	29837.56
		Partial Item Patching Material Haul				
0009	1489000000-E	ASP CONC BAS	TON	995.000	5.00000	4975.00
		Partial Item Asphalt Haul				
0011	1520000000-E	ASP CONC SUR	TON	1000.000	5.00000	5000.00
		Partial Item Asphalt Haul				
0003	1243000000-E	SHOULDER CON	SMI	6.200	25.00000	155.00
		Partial Item Shoulder Construction Material Haul				
0004	1245000000-E	SHOULDER REC	SMI	39.020	25.00000	975.50
		Partial Item Shoulder Reconstruction Material Haul				
0006	1297000000-E	MILL ASP PVM	SY	4000.000	0.15000	600.00
		Partial Item Milling Material Haul				
0008	1330000000-E	INCIDENTAL M	SY	2570.000	0.10000	257.00
		Partial Item Milling Material Haul				
0007	1308000000-E	MILLN ASPHAL	SY	1400.000	0.08000	112.00
		Partial Item Milling Material Haul				

MBE COMMITMENT TOTAL FOR SUBCONTRACTOR: 102,798.65 ✓  
 MBE COMMITMENT TOTAL FOR VENDOR (SubContractor ) 102,798.65

TOTAL MBE COMMITMENT FOR VENDOR: Entered: 3.00% or 102798.65  
 Required: 3.00% or 102797.79  
 <GOAL MET>

NORTH CAROLINA STATE DEPARTMENT OF TRANSPORTATION  
WBE COMMITMENT ITEMS

DATE: 02-19-08  
PAGE: 8

PROPOSAL: C202009  
LETTING: L080318 CALL: 008  
VENDOR: 4421 Rea Contracting LLC

LINE NO.	ITEM NO.	ITEM DESC.	UNIT TYPE	SUBCONTRACTOR QUANTITY	SUBCONTRACTOR UNIT PRICE	EXTENDED AMOUNT
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WBE SUBCONTRACTOR: 1968 MURRAY ENTERPRISES, INC.  
Will Use Quote: Yes

0031	7444000000-E	INDUCTIVE LO LF		8.000	28.95000	231.60
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WBE COMMITMENT TOTAL FOR SUBCONTRACTOR: 231.60  
WBE COMMITMENT TOTAL FOR VENDOR (SubContractor ) 231.60 ✓

WBE SUBCONTRACTOR: 3765 STAY ALERT SAFETY SERVICES INC  
Will Use Quote: Yes

0001	0000100000-N	MOBILIZATION LS		1.000	7250.00000	7250.00
		Partial Traffic Control Lump Sum Item for Signs (Installation and Removal				

WBE COMMITMENT TOTAL FOR SUBCONTRACTOR: 7,250.00  
WBE COMMITMENT TOTAL FOR VENDOR (SubContractor ) 7,250.00 ✓

WBE SUBCONTRACTOR: 12894 LITTLE L'S DUMP TRUCK SERVICE, INC.  
Will Use Quote: Yes

0010	1519000000-E	ASP CONC SUR TON		7945.000	4.95000	39327.75
		Partial Item Asphalt Haul				
0012	1523000000-E	ASP CONC SUR TON		2798.750	5.30000	14833.38
		Partial Item Asphalt Haul				
0011	1520000000-E	ASP CONC SUR TON		1895.000	5.00000	9475.00
		Partial Item Asphalt Haul				
0016	1704000000-E	PATCHING EXI TON		1603.000	9.95000	15949.85
		Partial Item Patching Haul				
0004	1245000000-E	SHOULDER REC SMI		39.020	90.00000	3511.80
		Partial Item Shoulder Reconstruction Material Haul				
0003	1243000000-E	SHOULDER CON SMI		6.200	30.00000	186.00
		Partial Item Shoulder Construction Material Haul				
0006	1297000000-E	MILL ASP PVM SY		4000.000	0.25000	1000.00
		Partial Item Milling Material Haul				
0008	1330000000-E	INCIDENTAL M SY		2570.000	0.25000	642.50
		Partial Item Milling Material Haul				
0007	1308000000-E	MILLN ASPHAL SY		1400.000	0.15000	210.00
		Partial Item Milling Material Haul				

WBE COMMITMENT TOTAL FOR SUBCONTRACTOR: 85,136.28  
WBE COMMITMENT TOTAL FOR VENDOR (SubContractor ) 85,136.28 ✓

WBE SUBCONTRACTOR: 3346 LINEBERRY, INC.  
Will Use Quote: Yes

0030	6084000000-E	SEEDING AND ACR		31.300	1420.00000	44446.00
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WBE COMMITMENT TOTAL FOR SUBCONTRACTOR: 44,446.00  
WBE COMMITMENT TOTAL FOR VENDOR (SubContractor ) 44,446.00 ✓

TOTAL WBE COMMITMENT FOR VENDOR:

Entered: 4.00% or 137063.88 ✓  
Required: 4.00% or 137063.72  
<GOAL MET>

## Contract Item Sheets For C202009

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
<b>ROADWAY ITEMS</b>						
0001	0000100000-N	800	MOBILIZATION	Lump Sum LS	75,000.00	75,000.00
0002	1220000000-E	545	INCIDENTAL STONE BASE	978 TON	34.00	33,252.00
0003	1243000000-E	SP	SHOULDER CONSTRUCTION	6.2 SMI	4,500.00	27,900.00
0004	1245000000-E	SP	SHOULDER RECONSTRUCTION	39.02 SMI	4,300.00	167,786.00
0005	1264000000-E	SP	DITCHING	1,800 LF	5.25	9,450.00
0006	1297000000-E	607	MILLING ASPHALT PAVEMENT, **** DEPTH (1-1/2")	4,000 SY	3.00	12,000.00
0007	1308000000-E	607	MILLING ASPHALT PAVEMENT, **** TO ***** DEPTH (0" TO 1-1/2")	1,400 SY	4.00	5,600.00
0008	1330000000-E	607	INCIDENTAL MILLING	2,570 SY	6.00	15,420.00
0009	1489000000-E	610	ASPHALT CONC BASE COURSE, TYPE B25.0B	2,646 TON	58.00	153,468.00
0010	1519000000-E	610	ASPHALT CONC SURFACE COURSE, TYPE S9.5B	21,191 TON	37.00	784,067.00
0011	1520000000-E	SP	ASPHALT CONC SURFACE COURSE, TYPE S9.5B (LEVELING COURSE)	4,552 TON	38.00	172,976.00
0012	1523000000-E	610	ASPHALT CONC SURFACE COURSE, TYPE S9.5C	7,107 TON	37.00	262,959.00
0013	1524000000-E	SP	ASPHALT CONC SURFACE COURSE, TYPE S9.5C (LEVELING COURSE)	580 TON	41.00	23,780.00
0014	1560000000-E	620	ASPHALT BINDER FOR PLANT MIX, GRADE PG 64-22	1,663 TON	395.00	656,885.00
0015	1565000000-E	620	ASPHALT BINDER FOR PLANT MIX, GRADE PG 70-22	461 TON	416.00	191,776.00
0016	1704000000-E	SP	PATCHING EXISTING PAVEMENT	6,582 TON	92.00	605,544.00
0017	2612000000-E	848	6" CONCRETE DRIVEWAY	169 SY	55.00	9,295.00
0018	3649000000-E	876	RIP RAP, CLASS B	150 TON	50.00	7,500.00

## Contract Item Sheets For C202009

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
0019	4685000000-E	1205	THERMOPLASTIC PAVEMENT MARKING LINES (4", 90 MILS)	243,285 LF	0.36	87,582.60
0020	4686000000-E	1205	THERMOPLASTIC PAVEMENT MARKING LINES (4", 120 MILS)	140,586 LF	0.41	57,640.26
0021	4695000000-E	1205	THERMOPLASTIC PAVEMENT MARKING LINES (8", 90 MILS)	1,300 LF	1.35	1,755.00
0022	4710000000-E	1205	THERMOPLASTIC PAVEMENT MARKING LINES (24", 120 MILS)	240 LF	6.24	1,497.60
0023	4721000000-E	1205	THERMOPLASTIC PAVEMENT MARKING CHARACTER (120 MILS)	12 EA	57.19	686.28
0024	4725000000-E	1205	THERMOPLASTIC PAVEMENT MARKING SYMBOL (90 MILS)	23 EA	114.38	2,630.74
0025	4810000000-E	1205	PAINT PAVEMENT MARKING LINES (4")	1,500 LF	0.52	780.00
0026	4900000000-N	1251	PERMANENT RAISED PAVEMENT MARKERS	1,693 EA	4.94	8,363.42
0027	6000000000-E	1605	TEMPORARY SILT FENCE	150 LF	3.50	525.00
0028	6009000000-E	1610	STONE FOR EROSION CONTROL, CLASS B	20 TON	60.50	1,210.00
0029	6012000000-E	1610	SEDIMENT CONTROL STONE	86 TON	53.33	4,586.38
0030	6084000000-E	1660	SEEDING & MULCHING	31.3 ACR	1,420.00	44,446.00
0031	7444000000-E	1725	INDUCTIVE LOOP SAWCUT	8 LF	28.95	231.60

TOTAL AMOUNT OF BID FOR ENTIRE PROJECT

\$3,426,592.88 ✓

Contract Number C202009  
County Cabarrus

Rev 02-17-04

**EXECUTION OF CONTRACT  
NON-COLLUSION AFFIDAVIT, AND DEBARMENT CERTIFICATION  
LIMITED LIABILITY COMPANY**

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**


Rea Contracting LLC

Name of Contractor - Print or type Firm Name

P.O. Box 32487, Charlotte, NC 28232

Address as Prequalified

Signature of Manager \_\_\_\_\_



Individually

Richard F. Miller

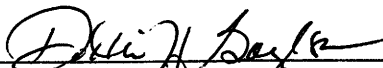
Print or type Signer's Name

**AFFIDAVIT MUST BE NOTARIZED**

**NOTARY SEAL**

Subscribed and sworn to before me this the

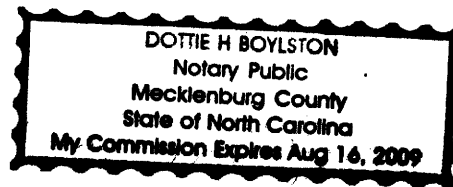
7th day of April 2008

  
Signature of Notary Public

of Mecklenburg County

State of North Carolina

My Commission Expires: 8-16-09





## 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.

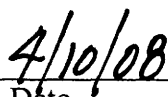
**Contract No**      **C202009**

**County (ies):**    **Cabarrus**

ACCEPTED BY THE  
DEPARTMENT OF TRANSPORTATION

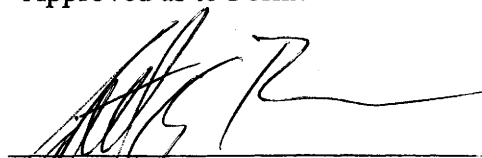


\_\_\_\_\_  
Contract Officer

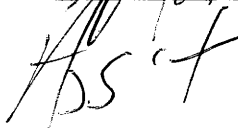


\_\_\_\_\_  
Date

Execution of Contract and Bonds  
Approved as to Form:



\_\_\_\_\_  
Attorney General



Contract No. C202009  
County Cabarrus

Rev 02-13-04

Bond 82142719 / 08909976

**CONTRACT PAYMENT BOND**

Date of Payment:  
Bond Execution: April 4, 2008

Name of Principal:  
Contractor Rea Contracting LLC  
P.O. Box 32487 Charlotte, NC 28232

Name of Surety: Federal Insurance Company / Fidelity and Deposit Company of Maryland  
15 Mountain View Rd. Warren, NJ 07059, / 60 State St., Ste. 600 Boston, MA 02109

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

Amount of Bond: Three Million Four Hundred Twenty Six Thousand Five Hundred Ninety Two Dollars and 88/100 (**\$3,426,592.88**)

Contract ID No.: C202009

County Name(s): Cabarrus County

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. C202009  
County Cabarrus

Rev 02-13-04

### CONTRACT PAYMENT BOND

*Affix Seal of Surety Company*

Federal Insurance Company /  
Fidelity and Deposit Company of Maryland  
Print or type Surety Company Name

By Christina Williams  
Print, stamp or type name of Attorney-in-Fact

Christina Williams  
Signature of Attorney-in-Fact

Holly Lynch  
Signature of witness

Holly Lynch  
Print or type witness' name

195 Scott Swamp Rd. Ste. 201, Farmington, CT 06032  
Address of Attorney-in-Fact

Contract No. C202009  
County Cabarrus

Rev 02-13-04

**CONTRACT PAYMENT BOND**

**LIMITED LIABILITY COMPANY**

SIGNATURE OF CONTRACTOR (Principal)

Name of contractor Rea Contracting LLC  
Print or type full name of Firm

P.O. Box 32487, Charlotte, NC 28232  
Address as prequalified

Signature of Manager



Individually

Richard F. Miller, Vice President

Print or type signer's name and title

Contract Number C202009  
County Cabarrus

Rev 02-13-04

Bond 82142719 / 08909976

### CONTRACT PERFORMANCE BOND

Date of Contract Performance

Bond Execution: April 4, 2008

Name of Principal: Rea Contracting LLC

Contractor P.O. Box 32487 Charlotte, NC 28232

Name of Surety: Federal Insurance Company / Fidelity and Deposit Company of Maryland

15 Mountain View Rd. Warren, NJ 07059, / 60 State St., Ste. 600 Boston, MA 02109

Name of Contracting Body: North Carolina Department of Transportation

Raleigh, North Carolina

Amount of Bond: Three Million Four Hundred Twenty Six Thousand Five Hundred Ninety Two Dollars and 88/100 ( \$3,426,592.88 )

Contract ID No.: C202009

County Name(s): Cabarrus County

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.

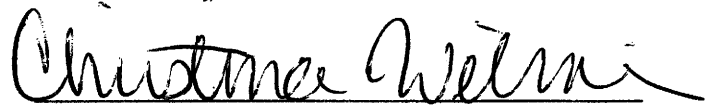
IN WITNESS WHEREOF, the above-bounden parties have executed this instrument under their several seals on the date indicated above, the name and corporate seal of each corporate party being hereto affixed and these presents duly signed by its undersigned representative, pursuant to authority of its governing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

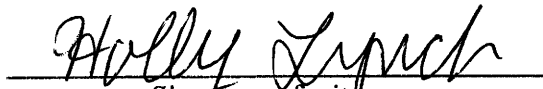
## CONTRACT PERFORMANCE BOND

*Affix Seal of Surety Company*

Federal Insurance Company /  
Fidelity and Deposit Company of Maryland  
\_\_\_\_\_  
Print or type Surety Company Name

By Christina Williams  
\_\_\_\_\_  
Attorney-in-Fact  
Print, stamp, or type name of Attorney-in Fact

  
\_\_\_\_\_  
Signature of Attorney-in-Fact

  
\_\_\_\_\_  
Signature of witness

Holly Lynch  
\_\_\_\_\_  
Print or type witness' name

195 Scott Swamp Rd. Ste. 201, Farmington, CT 06032  
\_\_\_\_\_  
Address of Attorney-in-Fact



**CONTRACT PERFORMANCE BOND**  
**LIMITED LIABILITY COMPANY**

SIGNATURE OF CONTRACTOR (Principal)

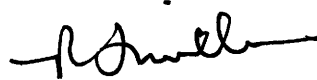
Rea Contracting LLC

Print or type full name of Firm

P.O. Box 32487, Charlotte, NC 28232

Address as prequalified

Signature of Manager



Individually

Richard F. Miller, Vice President

Print or type signer's name and title



**Chubb  
Surety**

**POWER  
OF  
ATTORNEY**

**Federal Insurance Company  
Vigilant Insurance Company  
Pacific Indemnity Company**

**Attn: Surety Department  
15 Mountain View Road  
Warren, NJ 07059**

**Know All by These Presents, That FEDERAL INSURANCE COMPANY, an Indiana corporation, VIGILANT INSURANCE COMPANY, a New York corporation, and PACIFIC INDEMNITY COMPANY, a Wisconsin corporation, do each hereby constitute and appoint John P. Bruno, Gary J. Giulietti, Holly L Lynch, Tammy Quiles, Elizabeth A. Russell and Christina Williams of Farmington, Connecticut**

each as their true and lawful Attorney- in- Fact to execute under such designation in their names and to affix their corporate seals to and deliver for and on their behalf as surety thereon or otherwise, bonds and undertakings and other writings obligatory in the nature thereof (other than bail bonds) given or executed in the course of business, and any instruments amending or altering the same, and consents to the modification or alteration of any instrument referred to in said bonds or obligations.

In Witness Whereof, said FEDERAL INSURANCE COMPANY, VIGILANT INSURANCE COMPANY, and PACIFIC INDEMNITY COMPANY have each executed and attested these presents and affixed their corporate seals on this 6<sup>th</sup> day of March, 2008

Kenneth C. Wendel, Assistant Secretary

David B. Norris, Jr., Vice President

STATE OF NEW JERSEY  
County of Somerset ss.

On this 6<sup>th</sup> day of March, 2008 before me, a Notary Public of New Jersey, personally came Kenneth C. Wendel, to me known to be Assistant Secretary of FEDERAL INSURANCE COMPANY, VIGILANT INSURANCE COMPANY, and PACIFIC INDEMNITY COMPANY, the companies which executed the foregoing Power of Attorney, and the said Kenneth C. Wendel, being by me duly sworn, did depose and say that he is Assistant Secretary of FEDERAL INSURANCE COMPANY, VIGILANT INSURANCE COMPANY, and PACIFIC INDEMNITY COMPANY and knows the corporate seals thereof, that the seals affixed to the foregoing Power of Attorney are such corporate seals and were thereto affixed by authority of the By- Laws of said Companies; and that he signed said Power of Attorney as Assistant Secretary of said Companies by like authority; and that he is acquainted with David B. Norris, Jr., and knows him to be Vice President of said Companies; and that the signature of David B. Norris, Jr., subscribed to said Power of Attorney is in the genuine handwriting of David B. Norris, Jr., and was thereto subscribed by authority of said By-Laws and in deponent's presence.

Notarial Seal



**STEPHEN B. BRADT**  
Notary Public, State of New Jersey  
No. 2321097  
Commission Expires Oct. 25, 2009

Notary Public

**CERTIFICATION**

Extract from the By- Laws of FEDERAL INSURANCE COMPANY, VIGILANT INSURANCE COMPANY, and PACIFIC INDEMNITY COMPANY:

"All powers of attorney for and on behalf of the Company may and shall be executed in the name and on behalf of the Company, either by the Chairman or the President or a Vice President or an Assistant Vice President, jointly with the Secretary or an Assistant Secretary, under their respective designations. The signature of such officers may be engraved, printed or lithographed. The signature of each of the following officers: Chairman, 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 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 upon the Company with respect to any bond or undertaking to which it is attached."

I, Kenneth C. Wendel, Assistant Secretary of FEDERAL INSURANCE COMPANY, VIGILANT INSURANCE COMPANY, and PACIFIC INDEMNITY COMPANY (the "Companies") do hereby certify that

- (i) the foregoing extract of the By- Laws of the Companies is true and correct,
- (ii) the Companies are duly licensed and authorized to transact surety business in all 50 of the United States of America and the District of Columbia and are authorized by the U.S. Treasury Department; further, Federal and Vigilant are licensed in Puerto Rico and the U.S. Virgin Islands, and Federal is licensed in American Samoa, Guam, and each of the Provinces of Canada except Prince Edward Island; and
- (iii) the foregoing Power of Attorney is true, correct and in full force and effect.

Given under my hand and seals of said Companies at Warren, NJ this

*April 4, 2008*



Kenneth C. Wendel, Assistant Secretary

IN THE EVENT YOU WISH TO NOTIFY US OF A CLAIM, VERIFY THE AUTHENTICITY OF THIS BOND OR NOTIFY US OF ANY OTHER MATTER, PLEASE CONTACT US AT ADDRESS LISTED ABOVE, OR BY Telephone (908) 903- 3493 Fax (908) 903- 3656  
e-mail: surety@chubb.com

**Power of Attorney**  
**FIDELITY AND DEPOSIT COMPANY OF MARYLAND**  
**COLONIAL AMERICAN CASUALTY AND SURETY COMPANY**

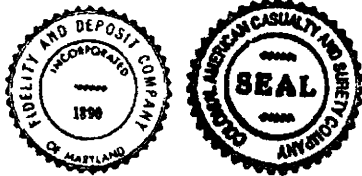
KNOW ALL MEN BY THESE PRESENTS: That the FIDELITY AND DEPOSIT COMPANY OF MARYLAND, and the COLONIAL AMERICAN CASUALTY AND SURETY COMPANY, corporations of the State of Maryland, by THEODORE G. MARTINEZ, Vice President, and GREGORY E. MURRAY, Assistant Secretary, in pursuance of authority granted by Article VI, Section 2, of the By-Laws of said Companies, which are set forth on the reverse side hereof and are hereby certified to be in full force and effect on the date hereof, do hereby nominate, constitute and appoint **Gary J. GIULIETTI, Elizabeth A. RUSSELL, John P. BRUNO, Holly L. LYNCH, Christina WILLIAMS and Tammy QUILES, all of Farmington, Connecticut,** each its true and lawful agent and Attorney-in-Fact, to make, execute, seal and deliver, for, and on its behalf as surety, and as its act and deed, **any and all bonds and undertakings**, and the execution of such bonds or undertakings in pursuance of these presents, shall be as binding upon said Companies, as fully and amply, to all intents and purposes, as if they had been duly executed and acknowledged by the regularly elected officers of the Company at its office in Baltimore, Md., in their own proper persons. This power of attorney revokes that issued on behalf of Gary J. GIULIETTI, Elizabeth A. RUSSELL, dated October 18, 2007.

The said Assistant Secretary does hereby certify that the extract set forth on the reverse side hereof is a true copy of Article VI, Section 2, of the By-Laws of said Companies, and is now in force.

IN WITNESS WHEREOF, the said Vice-President and Assistant Secretary have hereunto subscribed their names and affixed the Corporate Seals of the said FIDELITY AND DEPOSIT COMPANY OF MARYLAND, and the COLONIAL AMERICAN CASUALTY AND SURETY COMPANY, this 10th day of March, A.D. 2008.

ATTEST:

**FIDELITY AND DEPOSIT COMPANY OF MARYLAND**  
**COLONIAL AMERICAN CASUALTY AND SURETY COMPANY**



*Gregory E. Murray*  
Gregory E. Murray Assistant Secretary

By: *Theodore G. Martinez*  
Theodore G. Martinez

State of Maryland }  
City of Baltimore } ss:

On this 10th day of March, A.D. 2008, before the subscriber, a Notary Public of the State of Maryland, duly commissioned and qualified, came THEODORE G. MARTINEZ, Vice President, and GREGORY E. MURRAY, Assistant Secretary of the FIDELITY AND DEPOSIT COMPANY OF MARYLAND, and the COLONIAL AMERICAN CASUALTY AND SURETY COMPANY, to me personally known to be the individuals and officers described in and who executed the preceding instrument, and they each acknowledged the execution of the same, and being by me duly sworn, severally and each for himself depose and saith, that they are the said officers of the Companies aforesaid, and that the seals affixed to the preceding instrument is the Corporate Seals of said Companies, and that the said Corporate Seals and their signatures as such officers were duly affixed and subscribed to the said instrument by the authority and direction of the said Corporations.

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



*Maria D. Adamski*  
Maria D. Adamski Notary Public  
My Commission Expires: July 8, 2011

**EXTRACT FROM BY-LAWS OF FIDELITY AND DEPOSIT COMPANY OF MARYLAND**

“Article VI, Section 2. The Chairman of the Board, or the President, or any Executive Vice-President, or any of the Senior Vice-Presidents or Vice-Presidents specially authorized so to do by the Board of Directors or by the Executive Committee, shall have power, by and with the concurrence of the Secretary or any one of the Assistant Secretaries, to appoint Resident Vice-Presidents, Assistant Vice-Presidents and Attorneys-in-Fact as the business of the Company may require, or to authorize any person or persons to execute on behalf of the Company any bonds, undertaking, recognizances, stipulations, policies, contracts, agreements, deeds, and releases and assignments of judgements, decrees, mortgages and instruments in the nature of mortgages,...and to affix the seal of the Company thereto.”

**EXTRACT FROM BY-LAWS OF COLONIAL AMERICAN CASUALTY AND SURETY COMPANY**

“Article VI, Section 2. The Chairman of the Board, or the President, or any Executive Vice-President, or any of the Senior Vice-Presidents or Vice-Presidents specially authorized so to do by the Board of Directors or by the Executive Committee, shall have power, by and with the concurrence of the Secretary or any one of the Assistant Secretaries, to appoint Resident Vice-Presidents, Assistant Vice-Presidents and Attorneys-in-Fact as the business of the Company may require, or to authorize any person or persons to execute on behalf of the Company any bonds, undertaking, recognizances, stipulations, policies, contracts, agreements, deeds, and releases and assignments of judgements, decrees, mortgages and instruments in the nature of mortgages,...and to affix the seal of the Company thereto.”

**CERTIFICATE**

I, the undersigned, Assistant Secretary of the FIDELITY AND DEPOSIT COMPANY OF MARYLAND, and the COLONIAL AMERICAN CASUALTY AND SURETY COMPANY, do hereby certify that the foregoing Power of Attorney is still in full force and effect on the date of this certificate; and I do further certify that the Vice-President who executed the said Power of Attorney was one of the additional Vice-Presidents specially authorized by the Board of Directors to appoint any Attorney-in-Fact as provided in Article VI, Section 2, of the respective By-Laws of the FIDELITY AND DEPOSIT COMPANY OF MARYLAND, and the COLONIAL AMERICAN CASUALTY AND SURETY COMPANY.

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

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

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed the corporate seals of the said Companies,

this 4th day of April 2008

*Gerald F. Halley*

Assistant Secretary

