

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

C201930

CONTRACT AND
CONTRACT BONDS
FOR CONTRACT NO. C201930

WBS 33815.3.1 BRZ-1103(16)

T.I.P NO. B-4649

COUNTY OF UNION

THIS IS THE ROADWAY & STRUCTURE CONTRACT

ROUTE NUMBER SR 1103 LENGTH 0.161 MILES

LOCATION BRIDGE OVER WAXHAW CREEK AND APPROACHES ON SR-1103 (MAGGIE ROBINSON RD).

CONTRACTOR R.E. BURNS & SONS CO., INC.

ADDRESS P.O. BOX 7168
STATESVILLE, NC 28687

BIDS OPENED SEPTEMBER 16, 2008

CONTRACT EXECUTION OCT 13 2008

R. E. Burns & Sons Co., Inc. (3481).

Vendor 6 of 11 Vendors for Call Order 012 (Proposal ID C201930).

County: UNION
Address: P. O. B ox 7168
Statesville, NC 28687

Phone Number: 704-924-8646

Signature Check: This bid has been properly signed by Kevin_C._Burns_3481.

Time Bid Received: Tue Sep 16 12:44:41 2008

Bid Checksum: 7400EDB5

Amendment Count: 0

Bidding Errors: No bidding errors.

Bid Total: \$714,377.50 ✓

Bond ID: SNC08539725

Bond was Verified: Yes.

Bond Required Percent: 5.00%

Minimum Check Amount: \$35,718.88

Bid Security Maximum: \$

Bond Agency Name:

Agency Execution Date: 8/28/2008 2:20:52 PM

Surety Name: Liberty Mutual Insurance Company

Surety State of Incorporation:

Bond Company:

Bond Type:

Bond Appr Flag:

Bond Affirm:

Bond was Paid by Check: No.

DBE GOAL SET 6.0%
DBE GOAL MET 6.2%

LIST OF DBE PARTICIPANTS

VENDOR NUMBER	DBE NAME ADDRESS	WORK CODE TYPE OF WORK	CERT TYPE	AMOUNT
4761WB	TRAFFIC CONTROL SAFETY SERVICES POST OFFICE BOX 24511 , WINSTON-SALEM, NC 27114		Sub	3,485.50
4898WB	BULLINGTON CONSTRUCTION INC 417 FOXGLOVE LANE , INDIAN TRAIL, NC 28079		Sub	24,255.00
2855WB	BOSS CONSTRUCTION CO., INC. 229 BOXWOOD CHURCH ROAD , MOCKSVILLE, NC 27028		Sub	8,727.78
5266WB	NORTH STATE ENVIRONMENTAL, INC 2889 LOWERY ST SUITE B , WINSTON-SALEM, NC 27101		Sub	5,849.50
1991MB	MCCAIN STRIPING SERVICE, INC. 5711 CRAVEN ROAD , BROWNS SUMMIT, NC 27214		Sub	1,750.00
			TOTAL:	\$44,067.78 6.17%

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	

Bid Bond Data Info - Contractor Responses:

BondID: SNC08539725
 Surety Registry Agency: surety2000

NCDOT/berc

Vendor 3481's Load Output for Call 012, Letting L080916, 2008-09-16

Verified?: Yes

Surety Agency: Liberty Mutual Insurance Company

Bond Execution Date: 8/28/2008 2:20:52 PM

Bond Amount: \$35,718.88 (Five Percent of Bid)

State of NC
 Dept of Transportation

Date: 08-19-08
 Revised:

Contract ID: C201930 Project(s): BRZ-1103(16)
 Letting Date: 09-16-08 Call Order: 012
 Bidder: 3481 - R. E. Burns & Sons Co., Inc.

Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct

Section 0001 ROADWAY ITEMS

Alt Group

0001	0000100000-N MOBILIZATIO N	LUMP		LUMP		35,000.00
0002	0000400000-N CONSTRUCTIO N SURVEYING	LUMP		LUMP		5,000.00
0003	0029000000-N REINFORCED BRIDGE APPROACH FILL, STATION ***** (26+37.50)	LUMP		LUMP		12,400.00
0004	0043000000-N GRADING	LUMP		LUMP		49,500.00
0005	0050000000-E SUPPLEMENTA RY CLEARING & GRUB-BING	ACR	1.000	1.00000		1.00
0006	0057000000-E UNDERCUT EXCAVATION	CY	200.000	9.00000		1,800.00
0007	0134000000-E DRAINAGE DITCH EXCAVATION	CY	43.000	9.00000		387.00
0008	0195000000-E SELECT GRANULAR MATERIAL	CY	200.000	5.00000		1,000.00
0009	0318000000-E FOUNDATION CONDITIONING MATE- RIAL, MINOR STRS	TON	5.000	24.00000		120.00
0010	0708000000-E 15" BIT COAT CS PIPE CULVERTS, TYPE B 0.064" THICK	LF	36.000	55.00000		1,980.00

State of NC
Dept of Transportation

Date: 08-19-08
Revised:

Contract ID: C201930 Project(s): BRZ-1103(16)
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Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
0011	0806000000-E 15" BIT COAT CS PIPE ELBOWS, TYPE B 0.064" THICK	EA 4.000	250.00000		1,000.00	
0012	0995000000-E PIPE REMOVAL	LF 20.000	11.00000		220.00	
0013	1220000000-E INCIDENTAL STONE BASE	TON 50.000	40.00000		2,000.00	
0014	1489000000-E ASPHALT CONC BASE COURSE, TYPE B25.0B	TON 430.000	60.00000		25,800.00	
0015	1525000000-E ASPHALT CONC SURFACE COURSE, TYPE SF9.5A	TON 355.000	65.00000		23,075.00	
0016	1560000000-E ASPHALT BINDER FOR PLANT MIX, GRADE PG 64-22	TON 45.000	985.00000		44,325.00	
0017	2286000000-N MASONRY DRAINAGE STRUCTURES	EA 2.000	2,000.00000		4,000.00	
0018	2367000000-N FRAME WITH TWO GRATES, STD 840.29	EA 2.000	600.00000		1,200.00	
0019	2556000000-E SHOULDER BERM GUTTER	LF 160.000	27.00000		4,320.00	
0020	3030000000-E STEEL BM GUARDRAIL	LF 600.000	19.00000		11,400.00	
0021	3150000000-N ADDITIONAL GUARDRAIL POSTS	EA 5.000	11.00000		55.00	
0022	3215000000-N GUARDRAIL ANCHOR UNITS, TYPE III	EA 4.000	1,100.00000		4,400.00	

State of NC
Dept of Transportation

Date: 08-19-08
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Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
0023	3270000000-N GUARDRAIL ANCHOR UNITS, TYPE 350	4.000 EA	2,100.00000		8,400.00	
0024	3649000000-E RIP RAP, CLASS B	30.000 TON	55.00000		1,650.00	
0025	3656000000-E FILTER FABRIC FOR DRAINAGE	255.000 SY	2.00000		510.00	
0026	4400000000-E WORK ZONE SIGNS (STATIONARY)	303.000 SF	10.00000		3,030.00	
0027	4410000000-E WORK ZONE SIGNS (BARRICADE MOUNTED)	57.000 SF	6.50000		370.50	
0028	4445000000-E BARRICADES (TYPE III)	64.000 LF	25.00000		1,600.00	
0029	4810000000-E PAINT PAVEMENT MARKING LINES (4")	7,000.000 LF	0.25000		1,750.00	
0030	6000000000-E TEMPORARY SILT FENCE	520.000 LF	2.50000		1,300.00	
0031	6006000000-E STONE FOR EROSION CONTROL, CLASS A	75.000 TON	40.00000		3,000.00	
0032	6009000000-E STONE FOR EROSION CONTROL, CLASS B	100.000 TON	40.00000		4,000.00	
0033	6012000000-E SEDIMENT CONTROL STONE	30.000 TON	40.00000		1,200.00	
0034	6015000000-E TEMPORARY MULCHING	3.000 ACR	850.00000		2,550.00	

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Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
0035	6018000000-E SEED FOR TEMPORARY SEEDING	150.000 LB	3.25000		487.50	
0036	6021000000-E FERTILIZER FOR TEMPORARY SEED-ING	1.500 TON	1,500.00000		2,250.00	
0037	6029000000-E SAFETY FENCE	330.000 LF	2.00000		660.00	
0038	6030000000-E SILT EXCAVATION	670.000 CY	5.00000		3,350.00	
0039	6036000000-E MATTING FOR EROSION CONTROL	1,300.000 SY	2.00000		2,600.00	
0040	6037000000-E COIR FIBER MAT	25.000 SY	10.00000		250.00	
0041	6038000000-E PERMANENT SOIL REINFORCEMENT MAT	150.000 SY	12.00000		1,800.00	
0042	6042000000-E 1/4" HARDWARE CLOTH	40.000 LF	5.00000		200.00	
0043	6071030000-E COIR FIBER BAFFLES	265.000 LF	6.50000		1,722.50	
0044	6071050000-E *** SKIMMER (1-1/2")	4.000 EA	650.00000		2,600.00	
0045	6084000000-E SEEDING & MULCHING	3.500 ACR	2,200.00000		7,700.00	
0046	6087000000-E MOWING	2.000 ACR	50.00000		100.00	

State of NC
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Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
0047	6090000000-E SEED FOR REPAIR SEEDING	50.000 LB	5.00000		250.00	
0048	6093000000-E FERTILIZER FOR REPAIR SEEDING	0.250 TON	1,200.00000		300.00	
0049	6096000000-E SEED FOR SUPPLEMENTAL SEEDING	75.000 LB	3.25000		243.75	
0050	6108000000-E FERTILIZER TOPDRESSING	2.250 TON	1,000.00000		2,250.00	
0051	6114000000-N SPECIALIZED HAND MOWING	2.000 HR	100.00000		200.00	
0052	6117000000-N RESPONSE FOR EROSION CONTROL	12.000 EA	1.00000		12.00	
Section 0001 Total						285,319.25

Section 0004 STRUCTURE ITEMS

Alt Group

0053	8021000000-N REMOVAL OF EXISTING STRUCTURE AT STATION ***** (26+37.50-L-)	LUMP	LUMP		12,000.00	
0054	8121000000-N UNCLASSIFIED STRUCTURE EXCAVATION AT STATION ***** (26+37.50-L-)	LUMP	LUMP		2,500.00	
0055	8182000000-E CLASS A CONCRETE (BRIDGE)	40.500 CY	1,200.00000		48,600.00	

State of NC
Dept of Transportation

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Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
0056	8210000000-N BRIDGE APPROACH SLABS, STATION***** (26+37.50-L-)	LUMP	LUMP			28,000.00
0057	8217000000-E REINFORCING STEEL (BRIDGE)	LB 6,170.000	1.60000			9,872.00
0058	8364000000-E HP12X53 STEEL PILES	LF 500.000	15.00000			7,500.00
0059	8433000000-E *** STEEL SHEET PILES (18")	SF 980.000	35.00000			34,300.00
0060	8505000000-E VERTICAL CONCRETE BARRIER RAIL	LF 185.500	70.00000			12,985.00
0061	8608000000-E RIP RAP CLASS II (2'-0" THICK)	TON 440.000	44.00000			19,360.00
0062	8622000000-E FILTER FABRIC FOR DRAINAGE	SY 490.000	2.00000			980.00
0063	8657000000-N ELASTOMERIC BEARINGS	LUMP	LUMP			3,000.00
0064	8753100000-E 3'-0" X 2'-9" PRESTRESSED CONCBOX BEAMS	LF 1,020.250	245.00000			249,961.25
	Section 0004 Total					429,058.25
	Bid Total					714,377.50 ✓

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	

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:08-19-08
PAGE: 10

PROPOSAL: C201930
LETTING: L080916 CALL: 012
VENDOR: 3481 R. E. Burns & Sons Co., Inc.

LINE NO.	ITEM NO.	ITEM DESC.	UNIT TYPE	SUBCONTRACTOR QUANTITY	SUBCONTRACTOR UNIT PRICE	EXTENDED AMOUNT
DBE SUBCONTRACTOR: 4761 TRAFFIC CONTROL SAFETY SERVICES, INC. Will Use Quote: Yes						
0026	4400000000-E	WORK ZONE SI SF		303.000	5.00000	1515.00
0027	4410000000-E	WORK ZONE SI SF		57.000	6.50000	370.50
0028	4445000000-E	BARRICADES (LF		64.000	25.00000	1600.00
DBE COMMITMENT TOTAL FOR SUBCONTRACTOR:						3,485.50 ✓
DBE COMMITMENT TOTAL FOR VENDOR (SubContractor)						3,485.5

DBE SUBCONTRACTOR: 4898 BULLINGTON CONSTRUCTION INC Will Use Quote: Yes						
0020	3030000000-E	STL BM GUARD LF		600.000	19.00000	11400.00
0021	3150000000-N	ADDIT GUARDR EA		5.000	11.00000	55.00
0022	3215000000-N	GR ANCHOR TY EA		4.000	1100.00000	4400.00
0023	3270000000-N	GR ANCHOR TY EA		4.000	2100.00000	8400.00
DBE COMMITMENT TOTAL FOR SUBCONTRACTOR:						24,255.00 ✓
DBE COMMITMENT TOTAL FOR VENDOR (SubContractor)						24,255.

DBE SUBCONTRACTOR: 2855 BOSS CONSTRUCTION CO., INC. Will Use Quote: Yes						
0060	8505000000-E	VERT CONC BA LF		185.500	47.05000	8727.78
		SLIPFORM				
DBE COMMITMENT TOTAL FOR SUBCONTRACTOR:						8,727.78 ✓
DBE COMMITMENT TOTAL FOR VENDOR (SubContractor)						8,727.7

DBE SUBCONTRACTOR: 5266 NORTH STATE ENVIRONMENTAL, INC Will Use Quote: Yes						
0030	6000000000-E	TEMPORARY SI LF		520.000	2.10000	1092.00
0037	6029000000-E	SAFETY FENCE LF		330.000	2.00000	660.00
0040	6037000000-E	COIR FIBER M SY		25.000	7.00000	175.00
0043	6071030000-E	COIR FIBER B LF		265.000	6.50000	1722.50
0044	6071050000-E	**" SKIMMER EA		4.000	550.00000	2200.00
DBE COMMITMENT TOTAL FOR SUBCONTRACTOR:						5,849.50 ✓
DBE COMMITMENT TOTAL FOR VENDOR (SubContractor)						5,849.5

DBE SUBCONTRACTOR: 1991 MCCAIN STRIPING SERVICE, INC. Will Use Quote: Yes						
0029	4810000000-E	PAINT PVMT M LF		7000.000	0.25000	1750.00

NORTH CAROLINA STATE DEPARTMENT OF TRANSPORTATION
DBE COMMITMENT ITEMS

DATE:08-19-08
PAGE: 11

LINE NO.	ITEM NO.	ITEM DESC.	UNIT TYPE	SUBCONTRACTOR QUANTITY	SUBCONTRACTOR UNIT PRICE	EXTENDED AMOUNT
DBE COMMITMENT TOTAL FOR SUBCONTRACTOR:						1,750.00 ✓
DBE COMMITMENT TOTAL FOR VENDOR (SubContractor)						1,750.0

TOTAL DBE COMMITMENT FOR VENDOR: Entered: 6.17% or 44067.78
 Required: 6.00% or 42862.65
 <GOAL MET>

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
ROADWAY ITEMS						
0001	0000100000-N	800	MOBILIZATION	Lump Sum LS	35,000.00	35,000.00
0002	0000400000-N	801	CONSTRUCTION SURVEYING	Lump Sum LS	5,000.00	5,000.00
0003	0029000000-N	SP	REINFORCED BRIDGE APPROACH FILL, STATION ***** (26+37.50)	Lump Sum LS	12,400.00	12,400.00
0004	0043000000-N	226	GRADING	Lump Sum LS	49,500.00	49,500.00
0005	0050000000-E	226	SUPPLEMENTARY CLEARING & GRUB- BING	1 ACR	1.00	1.00
0006	0057000000-E	226	UNDERCUT EXCAVATION	200 CY	9.00	1,800.00
0007	0134000000-E	240	DRAINAGE DITCH EXCAVATION	43 CY	9.00	387.00
0008	0195000000-E	265	SELECT GRANULAR MATERIAL	200 CY	5.00	1,000.00
0009	0318000000-E	300	FOUNDATION CONDITIONING MATE- RIAL, MINOR STRS	5 TON	24.00	120.00
0010	0708000000-E	310	15" BIT COAT CS PIPE CULVERTS, TYPE B 0.064" THICK	36 LF	55.00	1,980.00
0011	0806000000-E	310	15" BIT COAT CS PIPE ELBOWS, TYPE B 0.064" THICK	4 EA	250.00	1,000.00
0012	0995000000-E	340	PIPE REMOVAL	20 LF	11.00	220.00
0013	1220000000-E	545	INCIDENTAL STONE BASE	50 TON	40.00	2,000.00
0014	1489000000-E	610	ASPHALT CONC BASE COURSE, TYPE B25.0B	430 TON	60.00	25,800.00
0015	1525000000-E	610	ASPHALT CONC SURFACE COURSE, TYPE SF9.5A	355 TON	65.00	23,075.00
0016	1560000000-E	620	ASPHALT BINDER FOR PLANT MIX, GRADE PG 64-22	45 TON	985.00	44,325.00
0017	2286000000-N	840	MASONRY DRAINAGE STRUCTURES	2 EA	2,000.00	4,000.00
0018	2367000000-N	840	FRAME WITH TWO GRATES, STD 840.29	2 EA	600.00	1,200.00

Contract Item Sheets For C201930

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
0019	2556000000-E	846	SHOULDER BERM GUTTER	160 LF	27.00	4,320.00
0020	3030000000-E	862	STEEL BM GUARDRAIL	600 LF	19.00	11,400.00
0021	3150000000-N	862	ADDITIONAL GUARDRAIL POSTS	5 EA	11.00	55.00
0022	3215000000-N	862	GUARDRAIL ANCHOR UNITS, TYPE III	4 EA	1,100.00	4,400.00
0023	3270000000-N	SP	GUARDRAIL ANCHOR UNITS, TYPE 350	4 EA	2,100.00	8,400.00
0024	3649000000-E	876	RIP RAP, CLASS B	30 TON	55.00	1,650.00
0025	3656000000-E	876	FILTER FABRIC FOR DRAINAGE	255 SY	2.00	510.00
0026	4400000000-E	1110	WORK ZONE SIGNS (STATIONARY)	303 SF	10.00	3,030.00
0027	4410000000-E	1110	WORK ZONE SIGNS (BARRICADE MOUNTED)	57 SF	6.50	370.50
0028	4445000000-E	1145	BARRICADES (TYPE III)	64 LF	25.00	1,600.00
0029	4810000000-E	1205	PAINT PAVEMENT MARKING LINES (4")	7,000 LF	0.25	1,750.00
0030	6000000000-E	1605	TEMPORARY SILT FENCE	520 LF	2.50	1,300.00
0031	6006000000-E	1610	STONE FOR EROSION CONTROL, CLASS A	75 TON	40.00	3,000.00
0032	6009000000-E	1610	STONE FOR EROSION CONTROL, CLASS B	100 TON	40.00	4,000.00
0033	6012000000-E	1610	SEDIMENT CONTROL STONE	30 TON	40.00	1,200.00
0034	6015000000-E	1615	TEMPORARY MULCHING	3 ACR	850.00	2,550.00
0035	6018000000-E	1620	SEED FOR TEMPORARY SEEDING	150 LB	3.25	487.50
0036	6021000000-E	1620	FERTILIZER FOR TEMPORARY SEEDING	1.5 TON	1,500.00	2,250.00
0037	6029000000-E	SP	SAFETY FENCE	330 LF	2.00	660.00

Contract Item Sheets For C201930

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
0038	6030000000-E	1630	SILT EXCAVATION	670 CY	5.00	3,350.00
0039	6036000000-E	1631	MATTING FOR EROSION CONTROL	1,300 SY	2.00	2,600.00
0040	6037000000-E	SP	COIR FIBER MAT	25 SY	10.00	250.00
0041	6038000000-E	SP	PERMANENT SOIL REINFORCEMENT MAT	150 SY	12.00	1,800.00
0042	6042000000-E	1632	1/4" HARDWARE CLOTH	40 LF	5.00	200.00
0043	6071030000-E	SP	COIR FIBER BAFFLES	265 LF	6.50	1,722.50
0044	6071050000-E	SP	*** SKIMMER (1-1/2")	4 EA	650.00	2,600.00
0045	6084000000-E	1660	SEEDING & MULCHING	3.5 ACR	2,200.00	7,700.00
0046	6087000000-E	1660	MOWING	2 ACR	50.00	100.00
0047	6090000000-E	1661	SEED FOR REPAIR SEEDING	50 LB	5.00	250.00
0048	6093000000-E	1661	FERTILIZER FOR REPAIR SEEDING	0.25 TON	1,200.00	300.00
0049	6096000000-E	1662	SEED FOR SUPPLEMENTAL SEEDING	75 LB	3.25	243.75
0050	6108000000-E	1665	FERTILIZER TOPDRESSING	2.25 TON	1,000.00	2,250.00
0051	6114000000-N	SP	SPECIALIZED HAND MOWING	2 HR	100.00	200.00
0052	6117000000-N	SP	RESPONSE FOR EROSION CONTROL	12 EA	1.00	12.00

Contract Item Sheets For C201930

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
0053	8021000000-N	SP	REMOVAL OF EXISTING STRUCTURE AT STATION ***** (26+37.50-L-)	Lump Sum LS	12,000.00	12,000.00
0054	8121000000-N	412	UNCLASSIFIED STRUCTURE EXCAVA- TION AT STATION ***** (26+37.50-L-)	Lump Sum LS	2,500.00	2,500.00
0055	8182000000-E	420	CLASS A CONCRETE (BRIDGE)	40.5 CY	1,200.00	48,600.00
0056	8210000000-N	422	BRIDGE APPROACH SLABS, STATION ***** (26+37.50-L-)	Lump Sum LS	28,000.00	28,000.00
0057	8217000000-E	425	REINFORCING STEEL (BRIDGE)	6,170 LB	1.60	9,872.00
0058	8364000000-E	450	HP12X53 STEEL PILES	500 LF	15.00	7,500.00
0059	8433000000-E	SP	*** STEEL SHEET PILES (18")	980 SF	35.00	34,300.00
0060	8505000000-E	SP	VERTICAL CONCRETE BARRIER RAIL	185.5 LF	70.00	12,985.00
0061	8608000000-E	876	RIP RAP CLASS II (2'-0" THICK)	440 TON	44.00	19,360.00
0062	8622000000-E	876	FILTER FABRIC FOR DRAINAGE	490 SY	2.00	980.00
0063	8657000000-N	430	ELASTOMERIC BEARINGS	Lump Sum LS	3,000.00	3,000.00
0064	8753100000-E	430	3'-0" X 2'-9" PRESTRESSED CONC BOX BEAMS	1,020.25 LF	245.00	249,961.25

TOTAL AMOUNT OF BID FOR ENTIRE PROJECT

\$714,377.50 ✓

Contract Number C201930
County Union

Rev 7-20-08

**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

R. E. Burns & Sons Co., Inc.
Full name of Corporation

P. O. Box 7168, Statesville, N. C. 28687
Address as Prequalified

Attest	<u>Nancy L Burns</u> Secretary/Assistant Secretary Select appropriate title	By	<u>KCBurn</u> President/Vice President/Assistant Vice President Select appropriate title
	<u>Nancy L. Burns</u> Print or type Signer's name		<u>Kevin C. Burns</u> Print or type Signer's name

CORPORATE SEAL

AFFIDAVIT MUST BE NOTARIZED

NOTARY SEAL

Subscribed and sworn to before me this the

3 day of October 2008

(Doris S. Renegaw)
Signature of Notary Public

of Frederic County

State of North Carolina

My Commission Expires: Sept. 13, 2009

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 C201930

County (ies): Union

ACCEPTED BY THE
DEPARTMENT OF TRANSPORTATION

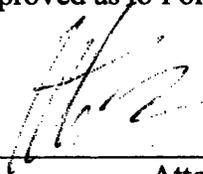


Contract Officer

10/13/08

Date

Execution of Contract and Bonds
Approved as to Form:



Attorney General

Contract No. C201930
County Union

(Rev 7-10-08)

CONTRACT PAYMENT BOND
BOND NO. 837042311

Date of Payment Bond Execution October 6, 2008

Name of Principal Contractor R.E. Burns & Sons Co., Inc.

Name of Surety: Liberty Mutual Insurance Company

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

Amount of Bond: Seven Hundred Fourteen Thousand Three Hundred Seventy Seven Dollars and 50/100ths (\$714,377.50)

Contract ID No.: C201930

County Name: Union

KNOW ALL MEN BY THESE PRESENTS, That we, the PRINCIPAL CONTRACTOR (hereafter, 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-bound 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. C201930
County Union

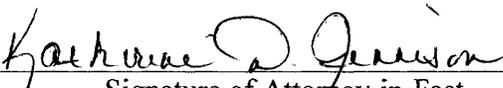
(Rev 7-10-08)

CONTRACT PAYMENT BOND

Affix Seal of Surety Company

Liberty Mutual Insurance Company
Print or type Surety Company Name

By Katherine D. Jennison
Print, stamp or type name of Attorney-in-Fact


Signature of Attorney-in-Fact


Signature of Witness

Debra Hulchanski
Print or type Witness's name

6315 Fly Rd., East Syracuse NY 13057
Address of Attorney-in-Fact

Contract No. C201930
County Union

(Rev 7-10-08)

CONTRACT PAYMENT BOND
CORPORATION

SIGNATURE OF CONTRACTOR (Principal)

R.E. Burns & Sons Co., Inc.
Full name of Corporation

P.O. Box 7168 Statesville, N.C. 28687
Address as prequalified

By KCBurns
Signature of ~~President, Vice President, Assistant Vice President~~
Select appropriate title

Kevin C. Burns
Print or type Signer's name

Affix Corporate Seal

Attest Nancy L. Burns
Signature of ~~Secretary, Assistant Secretary~~
Select appropriate title

Nancy L. Burns
Print or type Signer's name

Contract No. C201930
County Union

(Rev 7-10-08)

CONTRACT PERFORMANCE BOND
BOND NO. 837042311

Date of Performance Bond Execution: October 6, 2008

Name of Principal Contractor: R.E. Burns & Sons Co., Inc.

Name of Surety: Liberty Mutual Insurance Company

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

Amount of Bond: Seven Hundred Fourteen Thousand Three Hundred Seventy Seven Dollars and 50/100ths (\$714,377.50)

Contract ID No.: C201930

County Name: Union

KNOW ALL MEN BY THESE PRESENTS, That we, the PRINCIPAL CONTRACTOR (hereafter, 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-bound 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. C201930
County Union

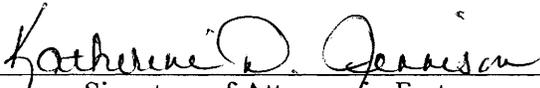
(Rev 7-10-08)

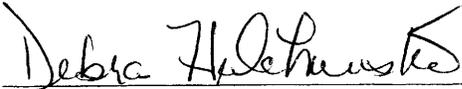
CONTRACT PERFORMANCE BOND

Affix Seal of Surety Company

Liberty Mutual Insurance Company
Print or type Surety Company Name

By Katherine D. Jennison
Print, stamp or type name of Attorney-in-Fact


Signature of Attorney-in-Fact


Signature of Witness

Debra Hulchanski
Print or type Witness's name

6315 Fly Rd., East Syracuse NY 13057
Address of Attorney-in-Fact

Contract No. C201930
County Union

(Rev 7-10-08)

CONTRACT PERFORMANCE BOND
CORPORATION

SIGNATURE OF CONTRACTOR (Principal)

R.E. Burns & Sons Co., Inc.

Full name of Corporation

P.O. Box 7168 Statesville, N.C. 28687

Address as prequalified

By KCBurns

Signature of ~~President, Vice President, Assistant Vice President~~

Select appropriate title

Kevin C. Burns

Print or type Signer's name

Affix Corporate Seal

Attest

Nancy L Burns

Signature of ~~Secretary, Assistant Secretary~~

Select appropriate title

Nancy L. Burns

Print or type Signer's name

THIS POWER OF ATTORNEY IS NOT VALID UNLESS IT IS PRINTED ON RED BACKGROUND.

This Power of Attorney limits the acts of those named herein, and they have no authority to bind the Company except in the manner and to the extent herein stated.

LIBERTY MUTUAL INSURANCE COMPANY
BOSTON, MASSACHUSETTS
POWER OF ATTORNEY

KNOW ALL PERSONS BY THESE PRESENTS: That Liberty Mutual Insurance Company (the "Company"), a Massachusetts stock insurance company, pursuant to and by authority of the By-law and Authorization hereinafter set forth, does hereby name, constitute and appoint CHARLEST. RELLER, KEITH P. BUTLER, SUZANNE H. AMO, DEBRA A. HULCHANSKI, KATHERINE D. JENNISON, ALL OF THE CITY OF EAST SYRACUSE, STATE OF NEW YORK

, each individually if there be more than one named, its true and lawful attorney-in-fact to make, execute, seal, acknowledge and deliver, for and on its behalf as surety and as its act and deed, any and all undertakings, bonds, recognizances and other surety obligations in the penal sum not exceeding TWENTY MILLION AND 00/100 DOLLARS (\$ 20,000,000.00) each, and the execution of such undertakings, bonds, recognizances and other surety obligations, in pursuance of these presents, shall be as binding upon the Company as if they had been duly signed by the president and attested by the secretary of the Company in their own proper persons.

That this power is made and executed pursuant to and by authority of the following By-law and Authorization:

ARTICLE XIII - Execution of Contracts: Section 5. Surety Bonds and Undertakings.

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

By the following instrument the chairman or the president has authorized the officer or other official named therein to appoint attorneys-in-fact:

Pursuant to Article XIII, Section 5 of the By-Laws, Garnet W. Elliott, Assistant Secretary of Liberty Mutual Insurance Company, is hereby authorized to appoint such attorneys-in-fact as may be necessary to act in behalf of the Company to make, execute, seal, acknowledge and deliver as surety any and all undertakings, bonds, recognizances and other surety obligations.

That the By-law and the Authorization set forth above are true copies thereof and are now in full force and effect.

IN WITNESS WHEREOF, this Power of Attorney has been subscribed by an authorized officer or official of the Company and the corporate seal of Liberty Mutual Insurance Company has been affixed thereto in Plymouth Meeting, Pennsylvania this 21st day of March, 2008

LIBERTY MUTUAL INSURANCE COMPANY

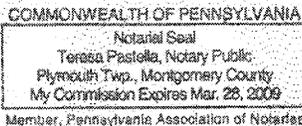
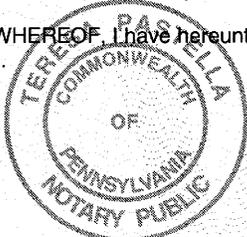
By Garnet W. Elliott, Assistant Secretary



COMMONWEALTH OF PENNSYLVANIA ss
COUNTY OF MONTGOMERY

On this 21st day of March, 2008, before me, a Notary Public, personally came Garnet W. Elliott, to me known, and acknowledged that he is an Assistant Secretary of Liberty Mutual Insurance Company; that he knows the seal of said corporation; and that he executed the above Power of Attorney and affixed the corporate seal of Liberty Mutual Insurance Company thereto with the authority and at the direction of said corporation.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed my notarial seal at Plymouth Meeting, Pennsylvania, on the day and year first above written.



By Teresa Pastella, Notary Public

CERTIFICATE

I, the undersigned, Assistant Secretary of Liberty Mutual Insurance Company, do hereby certify that the original power of attorney of which the foregoing is a full, true and correct copy, is in full force and effect on the date of this certificate; and I do further certify that the officer or official who executed the said power of attorney is an Assistant Secretary specially authorized by the chairman or the president to appoint attorneys-in-fact as provided in Article XIII, Section 5 of the By-laws of Liberty Mutual Insurance Company.

This certificate and the above power of attorney may be signed by facsimile or mechanically reproduced signatures under and by authority of the following vote of the board of directors of Liberty Mutual Insurance Company at a meeting duly called and held on the 12th day of March, 1980.

VOTED that the facsimile or mechanically reproduced signature of any assistant secretary of the company, wherever appearing upon a certified copy of any power of attorney issued by the company in connection with surety bonds, shall be valid and binding upon the company with the same force and effect as though manually affixed.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed the corporate seal of the said company, this 6th day of October, 2008.



By David M. Carey, Assistant Secretary

Not valid for mortgage, note, loan, letter of credit, bank deposit, currency rate, interest rate or residual value guarantees.

To confirm the validity of this Power of Attorney call 1-610-832-8240 between 9:00 am and 4:30 pm EST on any business day.

