

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

C202139

CONTRACT AND  
CONTRACT BONDS

FOR CONTRACT NO. C202139

WBS 2CR.10251.9, 41858.3.1 STATE FUNDED, STPNHS-0070(115)

T.I.P NO. W-5101

COUNTY OF CRAVEN  
THIS IS THE ROADWAY CONTRACT

ROUTE NUMBER US 70 LENGTH 3.740 MILES

LOCATION US-70 FROM TRADER AVE TO FOREST HILL DR IN HAVELOCK & NC-101  
FROM US-70 TO SR-1735 (CUNNINGHAM BLVD).

CONTRACTOR S. T. WOOTEN CORPORATION  
ADDRESS P.O. BOX 2408  
WILSON, NC 278942408

BIDS OPENED NOVEMBER 18, 2008

CONTRACT EXECUTION APR 30 2009

NCDOT/berc

Vendor 3760's Bid Information for Call 009, Letting L081118, 2008-11-18

**S. T. Wooten Corporation (3760).**

**Vendor 2 of 2 Vendors for Call Order 009 (Proposal ID C202139).**

County: CRAVEN

Address: PO Box 2408

Wilson, NC 27894

Phone Number: 252-291-5165

Signature Check: This bid has been properly signed by Richard\_E.\_Vick\_3760.

Time Bid Received: Tue Nov 18 11:38:42 2008

Bid Checksum: 27DDD603

Amendment Count: 0

Bidding Errors: No bidding errors.

Bid Total: \$1,142,335.80 ✓

Bond ID: UNSN-Q6NK-D6SP-U6AD

Bond was Verified: Yes.

Bond Required Percent: 5.00%

Minimum Check Amount: \$57,116.79

Bid Security Maximum: \$

Bond Agency Name:

Agency Execution Date: 11/18/2008

Surety Name: Safeco Insurance Company of America

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 - 6.3 %

LIST OF DBE PARTICIPANTS

VENDOR NUMBER	DBE NAME ADDRESS	WORK CODE TYPE OF WORK	CERT TYPE	AMOUNT
2446	<sup>WB</sup> HAROLD A. PURYEAR TRUCKING CO. 5844 LEASE LANE , RALEIGH, NC 27617		Sub	8,547.84
12393	<sup>NB</sup> ROYALS CONTRACTING, INC. 8601 BAREFOOT INDUSTRIAL RD , RALEIGH, NC 27617		Sub	63,453.96
			TOTAL:	\$72,001.80 6.30%

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	
NOT ANSWERED	

Bid Bond Data Info - Contractor Responses:

BondID: UNSN-Q6NK-D6SP-U6AD  
 Surety Registry Agency: SurePathNetwork  
 Verified?: Yes  
 Surety Agency: Safeco Insurance Company of America  
 Bond Execution Date: 11/18/2008  
 Bond Amount: \$57,116.79 (Five Percent of Bid)

State of NC  
Dept of Transportation

Date: 10-21-08  
Revised:

Contract ID: C202139 Project(s): STATE FUNDED  
Letting Date: 11-18-08 Call Order: 009  
Bidder: 3760 - S. T. Wooten Corporation

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			50,000.00
0002	0106000000-E BORROW EXCAVATION	CY	2,481.000	15.00000		37,215.00
0003	0156000000-E REMOVAL OF EXISTING ASPHALT PAVEMENT	SY	9,759.000	3.50000		34,156.50
0004	1297000000-E MILLING ASPHALT PAVEMENT, ***"DEPTH (1-1/2")	SY	73,626.000	1.10000		80,988.60
0005	1498000000-E ASPHALT CONC INTERMEDIATE COURSE, TYPE I19.0B	TON	277.000	55.00000		15,235.00
0006	1523000000-E ASPHALT CONC SURFACE COURSE, TYPE S9.5C	TON	7,232.000	45.00000		325,440.00
0007	1560000000-E ASPHALT BINDER FOR PLANT MIX, GRADE PG 64-22	TON	13.000	650.00000		8,450.00
0008	1565000000-E ASPHALT BINDER FOR PLANT MIX, GRADE PG 70-22	TON	435.000	700.00000		304,500.00
0009	2542000000-E 1'-6" CONCRETE CURB & GUTTER	LF	8,272.000	10.85000		89,751.20
0010	2647000000-E 5" MONOLITHIC CONCRETE ISLANDS (SURFACE MOUNTED)	SY	1,299.000	44.45000		57,740.55
0011	4415000000-N FLASHING ARROW PANELS, TYPE C	EA	2.000	4,000.00000		8,000.00

State of NC  
Dept of Transportation

Date: 10-21-08  
Revised:

Contract ID: C202139 Project(s): STATE FUNDED  
Letting Date: 11-18-08 Call Order: 009  
Bidder: 3760 - S. T. Wooten Corporation

Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
0012	4420000000-N CHANGEABLE MESSAGE SIGN	2.000 EA	7,000.00000		14,000.00	
0013	4430000000-N DRUMS	150.000 EA	70.00000		10,500.00	
0014	4480000000-N TMIA	2.000 EA	7,000.00000		14,000.00	
0015	4686000000-E THERMOPLAST IC PAVEMENT MARKING LINES (4", 120 MILS)	18,935.000 LF	1.00000		18,935.00	
0016	4695000000-E THERMOPLAST IC PAVEMENT MARKING LINES (8", 90 MILS)	1,264.000 LF	2.00000		2,528.00	
0017	4697000000-E THERMOPLAST IC PAVEMENT MARKING LINES (8", 120 MILS)	405.000 LF	2.00000		810.00	
0018	4705000000-E THERMOPLAST IC PAVEMENT MARKING LINES (16", 120 MILS)	352.000 LF	4.00000		1,408.00	
0019	4710000000-E THERMOPLAST IC PAVEMENT MARKING LINES (24", 120 MILS)	1,234.000 LF	6.50000		8,021.00	
0020	4721000000-E THERMOPLAST IC PAVEMENT MARKING CHARACTER (120 MILS)	60.000 EA	75.00000		4,500.00	
0021	4725000000-E THERMOPLAST IC PAVEMENT MARKING SYMBOL (90 MILS)	130.000 EA	95.00000		12,350.00	
0022	4810000000-E PAINT PAVEMENT MARKING LINES (4")	18,935.000 LF	0.15000		2,840.25	

State of NC  
Dept of Transportation

Date: 10-21-08  
Revised:

Contract ID: C202139

Project(s): STATE FUNDED

Letting Date: 11-18-08 Call Order: 009

Bidder: 3760 - S. T. Wooten Corporation

Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
0023	4820000000-E PAINT PAVEMENT MARKING LINES (8")	1,669.000 LF	0.30000		500.70	
0024	4830000000-E PAINT PAVEMENT MARKING LINES (16")	352.000 LF	1.50000		528.00	
0025	4835000000-E PAINT PAVEMENT MARKING LINES (24")	1,234.000 LF	2.00000		2,468.00	
0026	4840000000-N PAINT PAVEMENT MARKING CHARAC-TER	60.000 EA	15.00000		900.00	
0027	4845000000-N PAINT PAVEMENT MARKING SYMBOL	130.000 EA	15.00000		1,950.00	
0028	5255000000-N PORTABLE LIGHTING	LUMP	LUMP		30,000.00	
0029	6084000000-E SEEDING & MULCHING	1.540 ACR	3,000.00000		4,620.00	
	Section 0001 Total				1,142,335.80	
	Bid Total				1,142,335.80	✓

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  
DBE COMMITMENT ITEMS

DATE: 10-21-08  
PAGE: 7

PROPOSAL: C202139  
LETTING: L081118 CALL: 009  
VENDOR: 3760 S. T. Wooten Corporation

LINE NO.	ITEM NO.	ITEM DESC.	UNIT TYPE	SUBCONTRACTOR QUANTITY	SUBCONTRACTOR UNIT PRICE	EXTENDED AMOUNT
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DBE SUBCONTRACTOR: 2446 HAROLD A. PURYEAR TRUCKING CO.  
Will Use Quote: Yes

0007	1560000000-E	ASP FOR PLAN	TON	13.000	19.08000	248.04
0008	1565000000-E	ASP FOR PLAN	TON	435.000	19.08000	8299.80

DBE COMMITMENT TOTAL FOR SUBCONTRACTOR: 8,547.84 ✓  
DBE COMMITMENT TOTAL FOR VENDOR (SubContractor ) 8,547.8

DBE SUBCONTRACTOR: 12393 ROYALS CONTRACTING, INC.  
Will Use Quote: Yes

0003	0156000000-E	REMOVAL OF E	SY	9759.000	1.90000	18542.10
0004	1297000000-E	MILL ASP PVM	SY	73626.000	0.61000	44911.86

DBE COMMITMENT TOTAL FOR SUBCONTRACTOR: 63,453.96 ✓  
DBE COMMITMENT TOTAL FOR VENDOR (SubContractor ) 63,453.

TOTAL DBE COMMITMENT FOR VENDOR: Entered: 6.30% ✓ or 72001.80 ✓  
Required: 5.00% ✓ or 57116.79 ✓  
<GOAL MET>

## Contract Item Sheets For C202139

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
<b>ROADWAY ITEMS</b>						
0001	0000100000-N	800	MOBILIZATION	Lump Sum LS	50,000.00	50,000.00
0002	0106000000-E	230	BORROW EXCAVATION	2,481 CY	15.00	37,215.00
0003	0156000000-E	250	REMOVAL OF EXISTING ASPHALT PAVEMENT	9,759 SY	3.50	34,156.50
0004	1297000000-E	607	MILLING ASPHALT PAVEMENT, **** DEPTH (1-1/2")	73,626 SY	1.10	80,988.60
0005	1498000000-E	610	ASPHALT CONC INTERMEDIATE COURSE, TYPE I19.0B	277 TON	55.00	15,235.00
0006	1523000000-E	610	ASPHALT CONC SURFACE COURSE, TYPE S9.5C	7,232 TON	45.00	325,440.00
0007	1560000000-E	620	ASPHALT BINDER FOR PLANT MIX, GRADE PG 64-22	13 TON	650.00	8,450.00
0008	1565000000-E	620	ASPHALT BINDER FOR PLANT MIX, GRADE PG 70-22	435 TON	700.00	304,500.00
0009	2542000000-E	846	1'-6" CONCRETE CURB & GUTTER	8,272 LF	10.85	89,751.20
0010	2647000000-E	852	5" MONOLITHIC CONCRETE ISLANDS (SURFACE MOUNTED)	1,299 SY	44.45	57,740.55
0011	4415000000-N	1115	FLASHING ARROW PANELS, TYPE C	2 EA	4,000.00	8,000.00
0012	4420000000-N	1120	CHANGEABLE MESSAGE SIGN	2 EA	7,000.00	14,000.00
0013	4430000000-N	1130	DRUMS	150 EA	70.00	10,500.00
0014	4480000000-N	1165	TMIA	2 EA	7,000.00	14,000.00
0015	4686000000-E	1205	THERMOPLASTIC PAVEMENT MARKING LINES (4", 120 MILS)	18,935 LF	1.00	18,935.00
0016	4695000000-E	1205	THERMOPLASTIC PAVEMENT MARKING LINES (8", 90 MILS)	1,264 LF	2.00	2,528.00
0017	4697000000-E	1205	THERMOPLASTIC PAVEMENT MARKING LINES (8", 120 MILS)	405 LF	2.00	810.00

## Contract Item Sheets For C202139

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
0018	4705000000-E	1205	THERMOPLASTIC PAVEMENT MARKING LINES (16", 120 MILS)	352 LF	4.00	1,408.00
0019	4710000000-E	1205	THERMOPLASTIC PAVEMENT MARKING LINES (24", 120 MILS)	1,234 LF	6.50	8,021.00
0020	4721000000-E	1205	THERMOPLASTIC PAVEMENT MARKING CHARACTER (120 MILS)	60 EA	75.00	4,500.00
0021	4725000000-E	1205	THERMOPLASTIC PAVEMENT MARKING SYMBOL (90 MILS)	130 EA	95.00	12,350.00
0022	4810000000-E	1205	PAINT PAVEMENT MARKING LINES (4")	18,935 LF	0.15	2,840.25
0023	4820000000-E	1205	PAINT PAVEMENT MARKING LINES (8")	1,669 LF	0.30	500.70
0024	4830000000-E	1205	PAINT PAVEMENT MARKING LINES (16")	352 LF	1.50	528.00
0025	4835000000-E	1205	PAINT PAVEMENT MARKING LINES (24")	1,234 LF	2.00	2,468.00
0026	4840000000-N	1205	PAINT PAVEMENT MARKING CHARACTER	60 EA	15.00	900.00
0027	4845000000-N	1205	PAINT PAVEMENT MARKING SYMBOL	130 EA	15.00	1,950.00
0028	5255000000-N	1413	PORTABLE LIGHTING	Lump Sum LS	30,000.00	30,000.00
0029	6084000000-E	1660	SEEDING & MULCHING	1.54 ACR	3,000.00	4,620.00

TOTAL AMOUNT OF BID FOR ENTIRE PROJECT

\$1,142,335.80 ✓

Contract Number C202139  
County CRAVEN

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**

S. T. Wooten CORPORATION

Full name of Corporation

P.O. Box 2408 WILSON NC 27894

Address as Prequalified

Attest W. Reade Dawson  
Secretary/Assistant Secretary  
Select appropriate title

By [Signature]  
President/Vice President/Assistant Vice President  
Select appropriate title

W. Reade Dawson  
Print or type Signer's name

HENRY D. BUTTS JR.  
Print or type Signer's name

**CORPORATE SEAL**

**AFFIDAVIT MUST BE NOTARIZED**

**NOTARY SEAL**

Subscribed and sworn to before me this the

21 day of April 2009

Lana L. Badford  
Signature of Notary Public

of Wilson County

State of North Carolina

My Commission Expires: 2/5/13

## 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.

Contract Number C202139  
County CRAVEN

Rev 7-20-08

### 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.

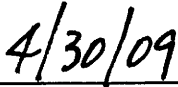
**Contract No**     C202139

**County (ies):**   Craven

ACCEPTED BY THE  
DEPARTMENT OF TRANSPORTATION



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



\_\_\_\_\_  
Date

Execution of Contract and Bonds  
Approved as to Form:



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



Contract No. C202139  
County CRAVEN

**CONTRACT PAYMENT BOND**

Bond No. 6599909

Date of Payment Bond Execution April 22, 2009

Name of Principal Contractor S. T. Wooten Corporation

Name of Surety: Safeco Insurance Co. of America  
2359 Perimeter Pointe Parkway, Suite 160  
Charlotte, NC 28208

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

Amount of Bond: \$1,142,335.80

Contract ID No.: C202139

County Name: CRAVEN

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. C202139  
County CRAVEN

**CONTRACT PAYMENT BOND**

*Affix Seal of Surety Company*

Safeco Insurance Co. of America  
Print or type Surety Company Name

By Debra S. Ritter  
Print, stamp or type name of Attorney-in-Fact

Debra S Ritter

Signature of Attorney-in-Fact

Angela M Yount  
Signature of Witness

Angela M. Yount  
Print or type Witness' Name

Thomas Rutherford, Inc.  
6230 Fairview Road Suite 230  
Charlotte, NC 28210

Address of Attorney-in-Fact

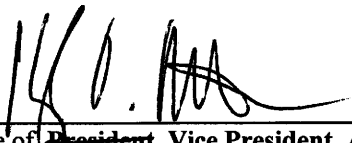
Contract No. C202139  
County CRAVEN

**CONTRACT PAYMENT BOND**  
**CORPORATION**

SIGNATURE OF CONTRACTOR (Principal)


S. T. Wooten Corporation  
Full name of Corporation

Post Office Box 2408; Wilson, North Carolina 27894-2408  
Address as prequalified

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

HENRY D. BUTTS, JR.  
Print or type Signer's name

*Affix Corporate Seal*

Attest   
Signature of ~~Secretary, Assistant Secretary~~  
Select appropriate title

W. READE DAWSON  
Print or type Signer's name

Contract No. C202139  
County CRAVEN

**CONTRACT PERFORMANCE BOND**  
Bond No. 6599909

Date of Payment Bond Execution: April 22, 2009  
Name of Principal Contractor: S. T. Wooten Corporation  
Name of Surety: Safeco Insurance Co. of America  
2359 Perimeter Pointe Parkway, Suite 160  
Charlotte, NC 28208  
Name of Contracting Body: **North Carolina Department of Transportation**  
**Raleigh, North Carolina**  
Amount of Bond: \$1,142,335.80  
Contract ID No.: C202139  
County Name: CRAVEN

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 it undersigned representative, pursuant to authority of its governing body.

Contract No. C202139  
County CRAVEN

**CONTRACT PERFORMANCE BOND**

*Affix Seal of Surety Company*

Safeco Insurance Co. of America  
Print or type Surety Company Name

By Debra S. Ritter  
Print, stamp or type name of Attorney-in-Fact

Debra S. Ritter

Signature of Attorney-in-Fact

Angela M. Yount  
Signature of witness

Angela M. Yount  
Print or type Witness' Name

Thomas Rutherford, Inc.  
6230 Fairview Road Suite 230  
Charlotte, NC 28210  
Address of Attorney-in-Fact

Contract No. C202139  
County CRAVEN

**CONTRACT PERFORMANCE BOND**  
**CORPORATION**

SIGNATURE OF CONTRACTOR (Principal)


S. T. Wooten Corporation

Full name of Corporation

Post Office Box 2408; Wilson, North Carolina 27894-2408

Address as prequalified

By:



Signature of ~~President, Vice President, Assistant Vice President~~  
*Select appropriate title*

HENRY D. BUTTS, JR.

Print or type Signer's name

*Affix Corporate Seal*

Attest



Signature of ~~Secretary, Assistant Secretary~~  
*Select appropriate title*

W. READE DAWSON

Print or type Signer's name



POWER OF ATTORNEY

Safeco Insurance Company of America
General Insurance Company of America
1001 4th Avenue
Suite 1700
Seattle, WA 98154

No. 12642

KNOW ALL BY THESE PRESENTS:

That SAFECO INSURANCE COMPANY OF AMERICA and GENERAL INSURANCE COMPANY OF AMERICA, each a Washington corporation, does each hereby appoint

\*\*\*\*\*RAMONA FEWELL; RAYMOND J. GARRUTO; BRAD W. GIBSON; MARTIN D. PALLAZZA; DEBRA S. RITTER; ANGELA M. YOUNT; Charlotte, North Carolina\*\*\*\*\*

its true and lawful attorney(s)-in-fact, with full authority to execute on its behalf fidelity and surety bonds or undertakings and other documents of a similar character issued in the course of its business, and to bind the respective company thereby.

IN WITNESS WHEREOF, SAFECO INSURANCE COMPANY OF AMERICA and GENERAL INSURANCE COMPANY OF AMERICA have each executed and attested these presents

this 21st day of March, 2009

Dexter R. Legg (handwritten signature)

T. Mikolajewski (handwritten signature)

Dexter R. Legg, Secretary

Timothy A. Mikolajewski, Vice President

CERTIFICATE

Extract from the By-Laws of SAFECO INSURANCE COMPANY OF AMERICA and of GENERAL INSURANCE COMPANY OF AMERICA:

"Article V, Section 13. - FIDELITY AND SURETY BONDS ... the President, any Vice President, the Secretary, and any Assistant Vice President appointed for that purpose by the officer in charge of surety operations, shall each have authority to appoint individuals as attorneys-in-fact or under other appropriate titles with authority to execute on behalf of the company fidelity and surety bonds and other documents of similar character issued by the company in the course of its business... On any instrument making or evidencing such appointment, the signatures may be affixed by facsimile. On any instrument conferring such authority or on any bond or undertaking of the company, the seal, or a facsimile thereof, may be impressed or affixed or in any other manner reproduced; provided, however, that the seal shall not be necessary to the validity of any such instrument or undertaking."

Extract from a Resolution of the Board of Directors of SAFECO INSURANCE COMPANY OF AMERICA and of GENERAL INSURANCE COMPANY OF AMERICA adopted July 28, 1970.

"On any certificate executed by the Secretary or an assistant secretary of the Company setting out,

- (i) The provisions of Article V, Section 13 of the By-Laws, and
(ii) A copy of the power-of-attorney appointment, executed pursuant thereto, and
(iii) Certifying that said power-of-attorney appointment is in full force and effect,

the signature of the certifying officer may be by facsimile, and the seal of the Company may be a facsimile thereof."

I, Dexter R. Legg, Secretary of SAFECO INSURANCE COMPANY OF AMERICA and of GENERAL INSURANCE COMPANY OF AMERICA, do hereby certify that the foregoing extracts of the By-Laws and of a Resolution of the Board of Directors of these corporations, and of a Power of Attorney issued pursuant thereto, are true and correct, and that both the By-Laws, the Resolution and the Power of Attorney are still in full force and effect.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the facsimile seal of said corporation

this 22nd day of April, 2009



Dexter R. Legg (handwritten signature)

Dexter R. Legg, Secretary

