

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

C202143

CONTRACT AND
CONTRACT BONDS

FOR CONTRACT NO. C202143

WBS 3CR.10311.64 STATE FUNDED

COUNTY OF DUPLIN
THIS IS THE ROADWAY CONTRACT
ROUTE NUMBER NC 24 LENGTH 7.520 MILES
LOCATION 1 SECTION OF NC-24, 1 SECTION OF NC-24BUS & 1 SECTION OF
NC-50.

CONTRACTOR **BARNHILL CONTRACTING COMPANY**
ADDRESS **P.O. BOX 1529**
TARBORO, NC 278861529

BIDS OPENED NOVEMBER 18, 2008

CONTRACT EXECUTION APR 08 2009

BARNHILL CONTRACTING COMPANY (3516).

Vendor 1 of 1 Vendor for Call Order 013 (Proposal ID C202143).

County: DUPLIN

Address: PO BOX 1509

TARBORO, NC 27886

Phone Number: 1-252-823-1021

Signature Check: This bid has been properly signed by KERMIT_L_MOSER_3516.

Time Bid Received: Tue Nov 18 11:04:59 2008

Bid Checksum: D35C9046

Amendment Count: 0

Bidding Errors: No bidding errors ✓

Bid Total: \$1,985,779.69 ✓

Bond ID: UW69-4718-TK1Q-2LGD

Bond was Verified: Yes.

Bond Required Percent: 5.00%

Minimum Check Amount: \$99,288.98

Bid Security Maximum: \$

Bond Agency Name:

Agency Execution Date: 11/18/2008

Surety Name: Travelers Casualty and Surety Company of Ame

Surety State of Incorporation:

Bond Company:

Bond Type:

Bond Appr Flag:

Bond Affirm:

Bond was Paid by Check: No.

MBE GOAL SET - 4.0%
WBE GOAL SET - 4.0%

MBE GOAL MET - 4.2%
WBE GOAL MET - 6.0%

NCDOT/berc

Vendor 3516's Load Output for Call 013, Letting L081118, 2008-11-18

Bid Bond Data Info - Contractor Responses:

=====

BondID: UW69-4718-TK1Q-2LGD
Surety Registry Agency: SurePathNetwork
Verified?: Yes
Surety Agency: Travelers Casualty and Surety Company of America
Bond Execution Date: 11/18/2008
Bond Amount: \$99,288.98 (Five Percent of Bid)

State of NC
Dept of Transportation

Date: 10-21-08
Revised:

Contract ID: C202143 Project(s): STATE FUNDED
Letting Date: 11-18-08 Call Order: 013
Bidder: 3516 - BARNHILL CONTRACTING COMPANY

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 MOBILIZATION	LUMP	LUMP			24,000.00
0002	0106000000-E BORROW EXCAVATION	CY	3,899.000	14.35000		55,950.65
0003	0264000000-E GENERIC GRADING ITEM GRADING PER SHOULDER MILE	SMI	0.050	138,000.00000		6,900.00
0004	0318000000-E FOUNDATION CONDITIONING MATERIAL, MINOR STRS	TON	36.000	31.00000		1,116.00
0005	0372000000-E 18" RC PIPE CULVERTS, CLASS III	LF	340.000	38.00000		12,920.00
0006	1220000000-E INCIDENTAL STONE BASE	TON	275.000	34.00000		9,350.00
0007	1245000000-E SHOULDER RECONSTRUCTION	SMI	13.480	2,200.00000		29,656.00
0008	1297000000-E MILLING ASPHALT PAVEMENT, ***"DEPTH (1-1/2")	SY	10,814.000	1.45000		15,680.30
0009	1297000000-E MILLING ASPHALT PAVEMENT, ***"DEPTH (4")	SY	23,608.000	1.55000		36,592.40
0010	1330000000-E INCIDENTAL MILLING	SY	2,529.000	5.50000		13,909.50
0011	1491000000-E ASPHALT CONC BASE COURSE, TYPE B25.0C	TON	162.000	64.40000		10,432.80

State of NC
Dept of Transportation

Date: 10-21-08
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Bidder: 3516 - BARNHILL CONTRACTING COMPANY

Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
0012	1503000000-E ASPHALT CONC INTERMEDIATE COURSE, TYPE I19.0C	5,541.000 TON	46.20000		255,994.20	
0013	1519000000-E ASPHALT CONC SURFACE COURSE, TYPE S9.5B	7,821.000 TON	45.20000		353,509.20	
0014	1523000000-E ASPHALT CONC SURFACE COURSE, TYPE S9.5C	4,326.000 TON	46.70000		202,024.20	
0015	1560000000-E ASPHALT BINDER FOR PLANT MIX, GRADE PG 64-22	737.000 TON	708.64000		522,267.68	
0016	1565000000-E ASPHALT BINDER FOR PLANT MIX, GRADE PG 70-22	259.000 TON	719.34000		186,309.06	
0017	1880000000-E GENERIC PAVING ITEM PATCHING EXISTING PAVEMENT (FULL DEPTH)	90.000 TON	142.00000		12,780.00	
0018	1880000000-E GENERIC PAVING ITEM PATCHING EXISTING PAVEMENT (MILL)	180.000 TON	142.00000		25,560.00	
0019	2286000000-N MASONRY DRAINAGE STRUCTURES	5.000 EA	1,500.00000		7,500.00	
0020	2364000000-N FRAME WITH TWO GRATES, STD 840.16	2.000 EA	325.00000		650.00	
0021	2374000000-N FRAME WITH GRATE & HOOD, STD 840.03, TYPE ** (E)	1.000 EA	375.00000		375.00	
0022	2605000000-N CONCRETE WHEELCHAIR RAMPS	2.000 EA	1,500.00000		3,000.00	

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
0023	2752000000-E GENERIC PAVING ITEM REMOVE & REPLACE 2'-6" CURB & GUTTER	250.000 LF	35.25000		8,812.50	
0024	4415000000-N FLASHING ARROW PANELS, TYPE C	2.000 EA	965.00000		1,930.00	
0025	4420000000-N CHANGEABLE MESSAGE SIGN	2.000 EA	3,400.00000		6,800.00	
0026	4480000000-N TMIA	2.000 EA	2,600.00000		5,200.00	
0027	4685000000-E THERMOPLAST IC PAVEMENT MARKING LINES (4", 90 MILS)	86,908.000 LF	0.38000		33,025.04	
0028	4686000000-E THERMOPLAST IC PAVEMENT MARKING LINES (4", 120 MILS)	83,646.000 LF	0.44000		36,804.24	
0029	4695000000-E THERMOPLAST IC PAVEMENT MARKING LINES (8", 90 MILS)	550.000 LF	4.00000		2,200.00	
0030	4710000000-E THERMOPLAST IC PAVEMENT MARKING LINES (24", 120 MILS)	320.000 LF	7.00000		2,240.00	
0031	4721000000-E THERMOPLAST IC PAVEMENT MARKING CHARACTER (120 MILS)	20.000 EA	72.00000		1,440.00	
0032	4725000000-E THERMOPLAST IC PAVEMENT MARKING SYMBOL (90 MILS)	83.000 EA	80.00000		6,640.00	
0033	4810000000-E PAINT PAVEMENT MARKING LINES (4")	46,246.000 LF	0.12000		5,549.52	

State of NC
Dept of Transportation

Date: 10-21-08
Revised:

Contract ID: C202143 Project(s): STATE FUNDED
Letting Date: 11-18-08 Call Order: 013
Bidder: 3516 - BARNHILL CONTRACTING COMPANY

Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
0034	4820000000-E PAINT PAVEMENT MARKING LINES (8")	LF 380.000	5.50000		2,090.00	
0035	4835000000-E PAINT PAVEMENT MARKING LINES (24")	LF 220.000	5.75000		1,265.00	
0036	4840000000-N PAINT PAVEMENT MARKING CHARAC-TER	EA 8.000	65.00000		520.00	
0037	4845000000-N PAINT PAVEMENT MARKING SYMBOL	EA 66.000	20.00000		1,320.00	
0038	4905000000-N SNOWPLOWABLE PAVEMENT MARKERS	EA 822.000	32.00000		26,304.00	
0039	5255000000-N PORTABLE LIGHTING	LUMP	LUMP		11,500.00	
0040	6000000000-E TEMPORARY SILT FENCE	LF 750.000	2.50000		1,875.00	
0041	6009000000-E STONE FOR EROSION CONTROL, CLASS B	TON 187.000	39.00000		7,293.00	
0042	6012000000-E SEDIMENT CONTROL STONE	TON 187.000	24.00000		4,488.00	
0043	6015000000-E TEMPORARY MULCHING	ACR 7.000	700.00000		4,900.00	
0044	6018000000-E SEED FOR TEMPORARY SEEDING	LB 373.000	1.80000		671.40	
0045	6021000000-E FERTILIZER FOR TEMPORARY SEED-ING	TON 2.000	1,500.00000		3,000.00	

State of NC
Dept of Transportation

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Contract ID: C202143 Project(s): STATE FUNDED
Letting Date: 11-18-08 Call Order: 013
Bidder: 3516 - BARNHILL CONTRACTING COMPANY

Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
0046	6036000000-E MATTING FOR EROSION CONTROL	225.000 SY	2.50000		562.50	
0047	6042000000-E 1/4" HARDWARE CLOTH	374.000 LF	3.75000		1,402.50	
0048	6084000000-E SEEDING & MULCHING	7.840 ACR	1,750.00000		13,720.00	
0049	7444000000-E INDUCTIVE LOOP SAWCUT	1,250.000 LF	6.20000		7,750.00	
Section 0001 Total						1,985,779.69
Bid Total						1,985,779.69

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: 10-21-08
 PAGE: 9

PROPOSAL: C202143
 LETTING: L081118 CALL: 013
 VENDOR: 3516 BARNHILL CONTRACTING COMPANY

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

MBE SUBCONTRACTOR: 10090 PORTER SCIENTIFIC DBA PORTER ENVIRONMENTAL						
Will Use Quote: Yes						
0048	6084000000-E	SEEDING AND	ACR	7.840	1750.00000	13720.00
0046	6036000000-E	MATTING FOR	SY	225.000	2.50000	562.50
0045	6021000000-E	FERT FOR TEM	TON	2.000	1500.00000	3000.00
0044	6018000000-E	SEED FOR TEM	LB	373.000	1.80000	671.40
0043	6015000000-E	TEMPORARY MU	ACR	7.000	700.00000	4900.00

MBE COMMITMENT TOTAL FOR SUBCONTRACTOR: 22,853.90 ✓

MBE SUBCONTRACTOR: 2676 PAUL D. WILLIAMS DBA PAUL D. WILLIAMS HAULING
 Will Use Quote: Yes

0012	1503000000-E	ASP CONC INT	TON	5000.000	7.50000	37500.00
0013	1519000000-E	ASP CONC SUR	TON	3000.000	7.50000	22500.00

MBE COMMITMENT TOTAL FOR SUBCONTRACTOR: 60,000.00 ✓

TOTAL MBE COMMITMENT FOR VENDOR: Entered: 4.17% or 82853.90
 Required: 4.00% or 79431.19
 <GOAL MET>

NORTH CAROLINA STATE DEPARTMENT OF TRANSPORTATION
 WBE COMMITMENT ITEMS

DATE: 10-21-08
 PAGE: 10

PROPOSAL: C202143
 LETTING: L081118 CALL: 013
 VENDOR: 3516 BARNHILL CONTRACTING COMPANY

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

WBE SUBCONTRACTOR: 2429 AMERICAN SWEEP & STRIPE INC						
Will Use Quote: Yes						
0027	4685000000-E	THERMO PVT M LF		86908.000	0.38000	33025.04
0028	4686000000-E	THERMO PVT M LF		83646.000	0.44000	36804.24
0029	4695000000-E	THERMO PVT M LF		550.000	4.00000	2200.00
0030	4710000000-E	24"WIDE THER LF		320.000	7.00000	2240.00
0031	4721000000-E	THERMO PVT M EA		20.000	72.00000	1440.00
0032	4725000000-E	THERMO PVT S EA		83.000	80.00000	6640.00
0033	4810000000-E	PAINT PVMT M LF		46246.000	0.12000	5549.52
0034	4820000000-E	PAINT PVMT M LF		380.000	5.50000	2090.00
0035	4835000000-E	PAINT PVT MK LF		220.000	5.75000	1265.00
0036	4840000000-N	PAINT PVT MK EA		8.000	65.00000	520.00
0037	4845000000-N	PAINT PVT MK EA		66.000	20.00000	1320.00
0038	4905000000-N	SNOWPLB PVMT EA		822.000	32.00000	26304.00

WBE COMMITMENT TOTAL FOR SUBCONTRACTOR: 119,397.80 ✓

TOTAL WBE COMMITMENT FOR VENDOR: Entered: 6.01% or 119397.80
 Required: 4.00% or 79431.19
 <GOAL MET>

Contract Item Sheets For C202143

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
ROADWAY ITEMS						
0001	0000100000-N	800	MOBILIZATION	Lump Sum LS	24,000.00	24,000.00
0002	0106000000-E	230	BORROW EXCAVATION	3,899 CY	14.35	55,950.65
0003	0264000000-E	SP	GENERIC GRADING ITEM GRADING PER SHOULDER MILE	0.05 SMI	138,000.00	6,900.00
0004	0318000000-E	300	FOUNDATION CONDITIONING MATE- RIAL, MINOR STRS	36 TON	31.00	1,116.00
0005	0372000000-E	310	18" RC PIPE CULVERTS, CLASS III	340 LF	38.00	12,920.00
0006	1220000000-E	545	INCIDENTAL STONE BASE	275 TON	34.00	9,350.00
0007	1245000000-E	SP	SHOULDER RECONSTRUCTION	13.48 SMI	2,200.00	29,656.00
0008	1297000000-E	607	MILLING ASPHALT PAVEMENT, **** DEPTH (1-1/2")	10,814 SY	1.45	15,680.30
0009	1297000000-E	607	MILLING ASPHALT PAVEMENT, **** DEPTH (4")	23,608 SY	1.55	36,592.40
0010	1330000000-E	607	INCIDENTAL MILLING	2,529 SY	5.50	13,909.50
0011	1491000000-E	610	ASPHALT CONC BASE COURSE, TYPE B25.0C	162 TON	64.40	10,432.80
0012	1503000000-E	610	ASPHALT CONC INTERMEDIATE COURSE, TYPE I19.0C	5,541 TON	46.20	255,994.20
0013	1519000000-E	610	ASPHALT CONC SURFACE COURSE, TYPE S9.5B	7,821 TON	45.20	353,509.20
0014	1523000000-E	610	ASPHALT CONC SURFACE COURSE, TYPE S9.5C	4,326 TON	46.70	202,024.20
0015	1560000000-E	620	ASPHALT BINDER FOR PLANT MIX, GRADE PG 64-22	737 TON	708.64	522,267.68
0016	1565000000-E	620	ASPHALT BINDER FOR PLANT MIX, GRADE PG 70-22	259 TON	719.34	186,309.06

Contract Item Sheets For C202143

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
0017	1880000000-E	SP	GENERIC PAVING ITEM PATCHING EXISTING PAVEMENT (FULL DEPTH)	90 TON	142.00	12,780.00
0018	1880000000-E	SP	GENERIC PAVING ITEM PATCHING EXISTING PAVEMENT (MILL)	180 TON	142.00	25,560.00
0019	2286000000-N	840	MASONRY DRAINAGE STRUCTURES	5 EA	1,500.00	7,500.00
0020	2364000000-N	840	FRAME WITH TWO GRATES, STD 840.16	2 EA	325.00	650.00
0021	2374000000-N	840	FRAME WITH GRATE & HOOD, STD 840.03, TYPE ** (E)	1 EA	375.00	375.00
0022	2605000000-N	848	CONCRETE WHEELCHAIR RAMPS	2 EA	1,500.00	3,000.00
0023	2752000000-E	SP	GENERIC PAVING ITEM REMOVE & REPLACE 2'-6" CURB & GUTTER	250 LF	35.25	8,812.50
0024	4415000000-N	1115	FLASHING ARROW PANELS, TYPE C	2 EA	965.00	1,930.00
0025	4420000000-N	1120	CHANGEABLE MESSAGE SIGN	2 EA	3,400.00	6,800.00
0026	4480000000-N	1165	TMIA	2 EA	2,600.00	5,200.00
0027	4685000000-E	1205	THERMOPLASTIC PAVEMENT MARKING LINES (4", 90 MILS)	86,908 LF	0.38	33,025.04
0028	4686000000-E	1205	THERMOPLASTIC PAVEMENT MARKING LINES (4", 120 MILS)	83,646 LF	0.44	36,804.24
0029	4695000000-E	1205	THERMOPLASTIC PAVEMENT MARKING LINES (8", 90 MILS)	550 LF	4.00	2,200.00
0030	4710000000-E	1205	THERMOPLASTIC PAVEMENT MARKING LINES (24", 120 MILS)	320 LF	7.00	2,240.00
0031	4721000000-E	1205	THERMOPLASTIC PAVEMENT MARKING CHARACTER (120 MILS)	20 EA	72.00	1,440.00
0032	4725000000-E	1205	THERMOPLASTIC PAVEMENT MARKING SYMBOL (90 MILS)	83 EA	80.00	6,640.00

Contract Item Sheets For C202143

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
0033	4810000000-E	1205	PAINT PAVEMENT MARKING LINES (4")	46,246 LF	0.12	5,549.52
0034	4820000000-E	1205	PAINT PAVEMENT MARKING LINES (8")	380 LF	5.50	2,090.00
0035	4835000000-E	1205	PAINT PAVEMENT MARKING LINES (24")	220 LF	5.75	1,265.00
0036	4840000000-N	1205	PAINT PAVEMENT MARKING CHARACTER	8 EA	65.00	520.00
0037	4845000000-N	1205	PAINT PAVEMENT MARKING SYMBOL	66 EA	20.00	1,320.00
0038	4905000000-N	1253	SNOWPLOWABLE PAVEMENT MARKERS	822 EA	32.00	26,304.00
0039	5255000000-N	1413	PORTABLE LIGHTING	Lump Sum LS	11,500.00	11,500.00
0040	6000000000-E	1605	TEMPORARY SILT FENCE	750 LF	2.50	1,875.00
0041	6009000000-E	1610	STONE FOR EROSION CONTROL, CLASS B	187 TON	39.00	7,293.00
0042	6012000000-E	1610	SEDIMENT CONTROL STONE	187 TON	24.00	4,488.00
0043	6015000000-E	1615	TEMPORARY MULCHING	7 ACR	700.00	4,900.00
0044	6018000000-E	1620	SEED FOR TEMPORARY SEEDING	373 LB	1.80	671.40
0045	6021000000-E	1620	FERTILIZER FOR TEMPORARY SEEDING	2 TON	1,500.00	3,000.00
0046	6036000000-E	1631	MATTING FOR EROSION CONTROL	225 SY	2.50	562.50
0047	6042000000-E	1632	1/4" HARDWARE CLOTH	374 LF	3.75	1,402.50
0048	6084000000-E	1660	SEEDING & MULCHING	7.84 ACR	1,750.00	13,720.00
0049	7444000000-E	1725	INDUCTIVE LOOP SAWCUT	1,250 LF	6.20	7,750.00

TOTAL AMOUNT OF BID FOR ENTIRE PROJECT

\$1,985,779.69 ✓

**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

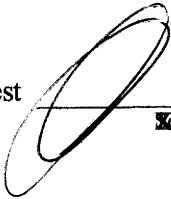
Barnhill Contracting Company

Full name of Corporation

P. O. Box 1529, Tarboro, NC 27886-1529

Address as Prequalified

Attest

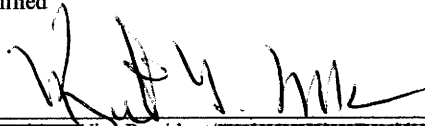


~~Secretary~~/Assistant Secretary
Select appropriate title

George R. Yourgal

Print or type Signer's name

By



~~President~~ Vice President/~~Assistant Secretary~~
Select appropriate title

Kermit L. Moser

Print or type Signer's name

CORPORATE SEAL



AFFIDAVIT MUST BE NOTARIZED

NOTARY SEAL

Subscribed and sworn to before me this the

1st day of April 2009

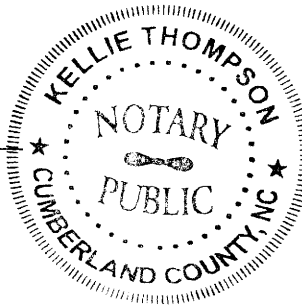
Kellie Thompson

Signature of Notary Public

of Cumberland County

State of North Carolina

My Commission Expires: 9/22/2012



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 **C202143**

County (ies): **Duplin**

ACCEPTED BY THE
DEPARTMENT OF TRANSPORTATION



Contract Officer



Date

Execution of Contract and Bonds
Approved as to Form:



Attorney General

Contract No. C202143
County Duplin

CONTRACT PAYMENT BOND

Date of Payment Bond Execution March 30, 2009

Name of Principal Contractor Barnhill Contracting Company

Name of Surety: Travelers Casualty and Surety Company of America

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

Amount of Bond: \$1,985,779.69

Contract ID No.: C202143

County Name: Duplin

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. C202143
County Duplin

(Rev 7-10-08)

CONTRACT PAYMENT BOND

Affix Seal of Surety Company

Travelers Casualty and Surety Company of America

Print or type Surety Company Name

By Bobbi D. Pendleton

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



Signature of Attorney-in-Fact



Signature of Witness

Brian P. Clair

Print or type Witness's name

4000 CentreGreen Way Suite 250, Cary, NC 27513

Address of Attorney-in-Fact

Contract No. C202143
County Duplin

(Rev 7-10-08)

CONTRACT PAYMENT BOND

CORPORATION

SIGNATURE OF CONTRACTOR (Principal)

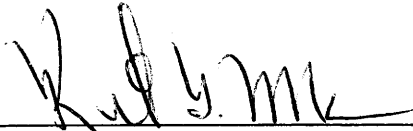
Barnhill Contracting Company

Full name of Corporation

P.O. Box 1529, Tarboro, NC 27886-1529

Address as prequalified

By

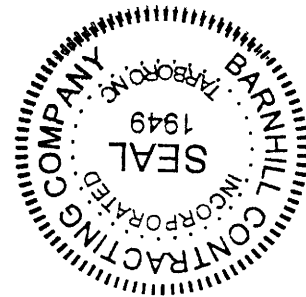


Signature of ~~President~~, Vice President, ~~Assistant Secretary~~
Select appropriate title

Kermit L. Moser

Print or type Signer's name

Affix Corporate Seal



Attest



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

George R. Yourgal

Print or type Signer's name

Contract No. C202143
County Duplin

(Rev 7-10-08)

CONTRACT PERFORMANCE BOND

Date of Performance Bond Execution: March 30, 2009
Name of Principal Contractor: Barnhill Contracting Company
Name of Surety: Travelers Casualty and Surety Company of America
Name of Contracting Body: **North Carolina Department of Transportation**
Raleigh, North Carolina
Amount of Bond: \$1,985,779.69
Contract ID No.: C202143
County Name: Duplin

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. C202143
County Duplin

(Rev 7-10-08)

CONTRACT PERFORMANCE BOND

Affix Seal of Surety Company

Travelers Casualty and Surety Company of America

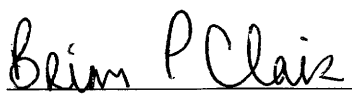
Print or type Surety Company Name

By Bobbi D. Pendleton

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



Signature of Attorney-in-Fact



Signature of Witness

Brian P. Clair

Print or type Witness's name

4000 CentreGreen Way Suite 250, Cary, NC 27513

Address of Attorney-in-Fact

Contract No. C202143
County Duplin

(Rev 7-10-08)

CONTRACT PERFORMANCE BOND
CORPORATION

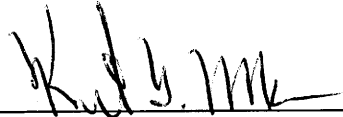
SIGNATURE OF CONTRACTOR (Principal)

Barnhill Contracting Company

Full name of Corporation

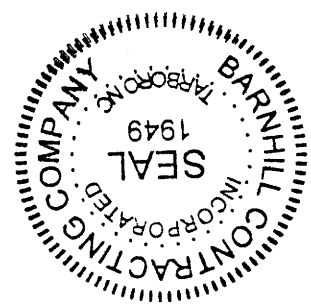
P.O. Box 1529, Tarboro, NC 27886-1529

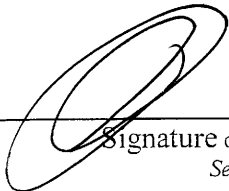
Address as prequalified

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

Kermit L. Moser
Print or type Signer's name

Affix Corporate Seal



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

George R. Yourgal
Print or type Signer's name



POWER OF ATTORNEY

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

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

Attorney-In Fact No. 214649

Certificate No. 002523170

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

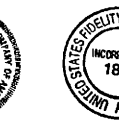
Bobbi D. Pendleton, Suzanne R. Parker, and Lucien P. Laborde

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

IN WITNESS WHEREOF, the Companies have caused this instrument to be signed and their corporate seals to be hereto affixed, this 21st day of February, 2006.

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

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



State of Connecticut
City of Hartford ss.

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

On this the 21st day of February, 2006, before me personally appeared George W. Thompson, who acknowledged himself to be the Senior Vice President of Farmington Casualty Company, Fidelity and Guaranty Insurance Company, Fidelity and Guaranty Insurance Underwriters, Inc., Seaboard Surety Company, St. Paul Fire and Marine Insurance Company, St. Paul Guardian Insurance Company, St. Paul Mercury Insurance Company, Travelers Casualty and Surety Company, Travelers Casualty and Surety Company of America, and United States Fidelity and Guaranty Company, and that he, as such, being authorized so to do, executed the foregoing instrument for the purposes therein contained by signing on behalf of the corporations by himself as a duly authorized officer.

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



[Signature]
Marie C. Tetreault, Notary Public

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

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

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

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

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

I, Kori M. Johanson, the undersigned, Assistant Secretary, of Farmington Casualty Company, Fidelity and Guaranty Insurance Company, Fidelity and Guaranty Insurance Underwriters, Inc., Seaboard Surety Company, St. Paul Fire and Marine Insurance Company, St. Paul Guardian Insurance Company, St. Paul Mercury Insurance Company, Travelers Casualty and Surety Company, Travelers Casualty and Surety Company of America, and United States Fidelity and Guaranty Company do hereby certify that the above and foregoing is a true and correct copy of the Power of Attorney executed by said Companies, which is in full force and effect and has not been revoked.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the seals of said Companies this 30th day of March, 20 09

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

Kori M. Johanson

Kori M. Johanson, Assistant Secretary



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

