

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

C201809

CONTRACT AND
CONTRACT BONDS

FOR CONTRACT NO. C201809

WBS 33653.3.1 BRZ-1153(6)

T.I.P NO. B-4316

COUNTY OF WATAUGA

THIS IS THE ROADWAY & STRUCTURE CONTRACT

ROUTE NUMBER SR 1153 LENGTH 0.106 MILES

LOCATION BRIDGE #320 OVER BEECH CREEK AND APPROACHES ON SR-1153.

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

ADDRESS P.O. BOX 7168
STATESVILLE, NC 28687

BIDS OPENED MARCH 17, 2009

CONTRACT EXECUTION APR 06 2009

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

Vendor 3 of 6 Vendors for Call Order 019 (Proposal ID C201809).

County: WATAUGA
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 Mar 17 12:40:58 2009

Bid Checksum: 1BEF32F2

Amendment Count: 0

Bidding Errors: No bidding errors.

Bid Total: \$850,686.00 ✓

Bond ID: SNC09736998

Bond was Verified: Yes.

Bond Required Percent: 5.00%

Minimum Check Amount: \$42,534.30

Bid Security Maximum: \$ -

Bond Agency Name:

Agency Execution Date: 3/3/2009 2:23:32 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

7.0% ✓

DBE GOAL MET

7.1% ✓

LIST OF DBE PARTICIPANTS

| VENDOR NUMBER | DBE NAME ADDRESS | WORK CODE TYPE OF WORK | CERT TYPE | AMOUNT |
|---------------|---|------------------------|-----------|---------------|
| 4761 | DB TRAFFIC CONTROL SAFETY SERVICES POST OFFICE BOX 24511 , WINSTON-SALEM, NC 27114 | | Sub | 14,850.74 ✓ |
| 5266 | DB NORTH STATE ENVIRONMENTAL, INC 2889 LOWERY ST SUITE B , WINSTON-SALEM, NC 27101 | | Sub | 4,686.00 ✓ |
| 3376 | DB REYNOLDS FENCE & GUARDRAIL INC 9320 MACHADO DRIVE , INDIAN TRAIL, NC 28079 | | Sub | 23,425.00 ✓ |
| 2855 | DB BOSS CONSTRUCTION CO., INC. 229 BOXWOOD CHURCH ROAD , MOCKSVILLE, NC 27028 | | Sub | 10,948.56 ✓ |
| 3792 | DB SOUTH EAST GROUP P.A. POST OFFICE BOX 2483 , CORNELIUS, NC 28031 | | Sub | 6,530.00 ✓ |
| | | | TOTAL: | \$60,440.30 ✓ |
| | | | | 7.10% ✓ |

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: SNC09736998
Surety Registry Agency: surety2000

NCDOT/berc

Vendor 3481's Load Output for Call 019, Letting L090317, 2009-03-17

Verified?: Yes

Surety Agency: Liberty Mutual Insurance Company

Bond Execution Date: 3/3/2009 2:23:32 PM

Bond Amount: \$42,534.30 (Five Percent of Bid)

State of NC
 Dept of Transportation

Date: 02-16-09
 Revised:

Contract ID: C201809 Project(s): BRZ-1153(6)
 Letting Date: 03-17-09 Call Order: 019
 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 MOBILIZATION | LUMP | LUMP | | | 42,000.00 |
| 0002 | 0000400000-N CONSTRUCTION SURVEYING | LUMP | LUMP | | | 7,000.00 |
| 0003 | 0030000000-N BRIDGE APPROACH FILL - SUB REGIONAL TIER, STATION ***** (15+37.5) | LUMP | LUMP | | | 8,000.00 |
| 0004 | 0050000000-E SUPPLEMENTARY CLEARING & GRUB-BING | 1.000 ACR | 1.00000 | | | 1.00 |
| 0005 | 0057000000-E UNDERCUT EXCAVATION | 500.000 CY | 8.00000 | | | 4,000.00 |
| 0006 | 0063000000-N GRADING | LUMP | LUMP | | | 73,100.00 |
| 0007 | 0080000000-E CLASS IV SUBGRADE STABILIZATION | 600.000 TON | 21.00000 | | | 12,600.00 |
| 0008 | 0106000000-E BORROW EXCAVATION | 1,450.000 CY | 8.00000 | | | 11,600.00 |
| 0009 | 0195000000-E SELECT GRANULAR MATERIAL | 500.000 CY | 25.00000 | | | 12,500.00 |
| 0010 | 0196000000-E FABRIC FOR SOIL STABILIZATION | 500.000 SY | 1.00000 | | | 500.00 |

State of NC
Dept of Transportation

Date: 02-16-09
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|----------|---|----------------------------|------------|-----|------------|----|
| | | | Dollars | Cts | Dollars | Ct |
| 0011 | 0199000000-E TEMPORARY SHORING | 1,503.000 SF | 0.01000 | | 15.03 | |
| 0012 | 0318000000-E FOUNDATION CONDITIONING MATERIAL, MINOR STRS | 19.000 TON | 35.00000 | | 665.00 | |
| 0013 | 0366000000-E 15" RC PIPE CULVERTS, CLASS III | 80.000 LF | 25.00000 | | 2,000.00 | |
| 0014 | 0708000000-E 15" BIT COAT CS PIPE CULVERTS, TYPE B 0.064" THICK | 64.000 LF | 35.00000 | | 2,240.00 | |
| 0015 | 0806000000-E 15" BIT COAT CS PIPE ELBOWS, TYPE B 0.064" THICK | 4.000 EA | 115.00000 | | 460.00 | |
| 0016 | 0995000000-E PIPE REMOVAL | 24.000 LF | 10.00000 | | 240.00 | |
| 0017 | 1220000000-E INCIDENTAL STONE BASE | 50.000 TON | 28.00000 | | 1,400.00 | |
| 0018 | 1489000000-E ASPHALT CONC BASE COURSE, TYPE B25.0B | 160.000 TON | 100.00000 | | 16,000.00 | |
| 0019 | 1525000000-E ASPHALT CONC SURFACE COURSE, TYPE SF9.5A | 160.000 TON | 100.00000 | | 16,000.00 | |
| 0020 | 1560000000-E ASPHALT BINDER FOR PLANT MIX, GRADE PG 64-22 | 18.000 TON | 451.00000 | | 8,118.00 | |
| 0021 | 2000000000-N RIGHT OF WAY MARKERS | 7.000 EA | 300.00000 | | 2,100.00 | |
| 0022 | 2022000000-E SUBDRAIN EXCAVATION | 68.000 CY | 1.00000 | | 68.00 | |

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|----------|--|----------------------------|--------------|-----|------------|----|
| | | | Dollars | Cts | Dollars | Ct |
| 0023 | 2033000000-E SUBDRAIN FINE AGGREGATE | 51.000 CY | 15.00000 | | 765.00 | |
| 0024 | 2044000000-E 6" PERFORATED SUBDRAIN PIPE | 300.000 LF | 3.00000 | | 900.00 | |
| 0025 | 2055000000-E 6" SUBDRAIN PIPE WYES, TEES, & ELBOWS | 9.000 EA | 10.00000 | | 90.00 | |
| 0026 | 2066000000-N CONCRETE PAD FOR SUBDRAIN PIPE OUTLET | 1.000 EA | 50.00000 | | 50.00 | |
| 0027 | 2077000000-E 6" OUTLET PIPE (SUBDRAINS) | 6.000 LF | 8.00000 | | 48.00 | |
| 0028 | 2275000000-E FLOWABLE FILL | 5.000 CY | 225.00000 | | 1,125.00 | |
| 0029 | 2286000000-N MASONRY DRAINAGE STRUCTURES | 3.000 EA | 1,000.00000 | | 3,000.00 | |
| 0030 | 2366000000-N FRAME WITH TWO GRATES, STD 840.24 | 1.000 EA | 800.00000 | | 800.00 | |
| 0031 | 2367000000-N FRAME WITH TWO GRATES, STD 840.29 | 2.000 EA | 800.00000 | | 1,600.00 | |
| 0032 | 2535000000-E ***X *** CONCRETE CURB (9" X 12") | 30.000 LF | 45.00000 | | 1,350.00 | |
| 0033 | 2577000000-E CONCRETE EXPRESSWAY GUTTER | 85.000 LF | 45.00000 | | 3,825.00 | |
| 0034 | 3000000000-N IMPACT ATTENUATOR UNIT, TYPE 350 | 1.000 EA | 12,500.00000 | | 12,500.00 | |

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|----------|--|----------------------------|-------------|-----|------------|----|
| | | | Dollars | Cts | Dollars | Ct |
| 0035 | 3030000000-E STEEL BM GUARDRAIL | 25.000 LF | 17.00000 | | 425.00 | |
| 0036 | 3150000000-N ADDITIONAL GUARDRAIL POSTS | 5.000 EA | 30.00000 | | 150.00 | |
| 0037 | 3165000000-N GUARDRAIL ANCHOR UNITS, TYPE ***** (350 TL-2) | 3.000 EA | 1,500.00000 | | 4,500.00 | |
| 0038 | 3180000000-N GUARDRAIL ANCHOR UNITS, TYPE ***** (RETROFIT) | 1.000 EA | 1,500.00000 | | 1,500.00 | |
| 0039 | 3317000000-N GUARDRAIL ANCHOR UNITS, TYPE B-77 | 3.000 EA | 1,450.00000 | | 4,350.00 | |
| 0040 | 3649000000-E RIP RAP, CLASS B | 42.000 TON | 40.00000 | | 1,680.00 | |
| 0041 | 3656000000-E FILTER FABRIC FOR DRAINAGE | 1,725.000 SY | 5.00000 | | 8,625.00 | |
| 0042 | 4072000000-E SUPPORTS, 3-LB STEEL U-CHANNEL | 44.000 LF | 5.45000 | | 239.80 | |
| 0043 | 4102000000-N SIGN ERECTION, TYPE E | 5.000 EA | 55.00000 | | 275.00 | |
| 0044 | 4155000000-N DISPOSAL OF SIGN SYSTEM, U- CHANNEL | 6.000 EA | 5.00000 | | 30.00 | |
| 0045 | 4158000000-N DISPOSAL OF SIGN SYSTEM, WOOD | 2.000 EA | 5.00000 | | 10.00 | |
| 0046 | 4400000000-E WORK ZONE SIGNS (STATIONARY) | 214.000 SF | 5.25000 | | 1,123.50 | |

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|----------|---|----------------------------|-------------|-----|------------|-----|
| | | | Dollars | Cts | Dollars | Cts |
| 0047 | 4405000000-E WORK ZONE SIGNS (PORTABLE) | SF 96.000 | 35.00000 | | 3,360.00 | |
| 0048 | 4410000000-E WORK ZONE SIGNS (BARRICADE MOUNTED) | SF 20.000 | 6.69000 | | 133.80 | |
| 0049 | 4435000000-N CONES | EA 27.000 | 25.00000 | | 675.00 | |
| 0050 | 4445000000-E BARRICADES (TYPE III) | LF 36.000 | 23.54000 | | 847.44 | |
| 0051 | 4455000000-N FLAGGER | MD 100.000 | 120.00000 | | 12,000.00 | |
| 0052 | 4465000000-N TEMPORARY CRASH CUSHIONS | EA 2.000 | 5,000.00000 | | 10,000.00 | |
| 0053 | 4470000000-N RESET TEMPORARY CRASH CUSHIONS | EA 2.000 | 2,000.00000 | | 4,000.00 | |
| 0054 | 4485000000-E PORTABLE CONCRETE BARRIER | LF 191.000 | 20.00000 | | 3,820.00 | |
| 0055 | 4500000000-E RESET PORTABLE CONCRETE BARRIER | LF 100.000 | 10.00000 | | 1,000.00 | |
| 0056 | 4770000000-E COLD APPLIED PLASTIC PAVEMENT MARKING LINES, TYPE ** (4") (IV) | LF 135.000 | 3.00000 | | 405.00 | |
| 0057 | 4810000000-E PAINT PAVEMENT MARKING LINES (4") | LF 6,352.000 | 0.44000 | | 2,794.88 | |

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|----------|---|----------------------------|-------------|-----|------------|----|
| | | | Dollars | Cts | Dollars | Ct |
| 0058 | 6000000000-E TEMPORARY SILT FENCE | 900.000 LF | 2.50000 | | 2,250.00 | |
| 0059 | 6006000000-E STONE FOR EROSION CONTROL, CLASS A | 250.000 TON | 40.00000 | | 10,000.00 | |
| 0060 | 6009000000-E STONE FOR EROSION CONTROL, CLASS B | 100.000 TON | 40.00000 | | 4,000.00 | |
| 0061 | 6012000000-E SEDIMENT CONTROL STONE | 415.000 TON | 40.00000 | | 16,600.00 | |
| 0062 | 6015000000-E TEMPORARY MULCHING | 2.500 ACR | 1,000.00000 | | 2,500.00 | |
| 0063 | 6018000000-E SEED FOR TEMPORARY SEEDING | 100.000 LB | 5.00000 | | 500.00 | |
| 0064 | 6021000000-E FERTILIZER FOR TEMPORARY SEED-ING | 1.250 TON | 1,000.00000 | | 1,250.00 | |
| 0065 | 6024000000-E TEMPORARY SLOPE DRAINS | 110.000 LF | 10.00000 | | 1,100.00 | |
| 0066 | 6027000000-N INLET PROTECTION AT TEMPORARY SLOPE DRAINS | 2.000 EA | 300.00000 | | 600.00 | |
| 0067 | 6029000000-E SAFETY FENCE | 200.000 LF | 2.50000 | | 500.00 | |
| 0068 | 6030000000-E SILT EXCAVATION | 320.000 CY | 10.00000 | | 3,200.00 | |
| 0069 | 6036000000-E MATTING FOR EROSION CONTROL | 1,250.000 SY | 2.00000 | | 2,500.00 | |

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|----------|---|----------------------------|-------------|-----|------------|----|
| | | | Dollars | Cts | Dollars | Ct |
| 0070 | 6037000000-E COIR FIBER MAT | 30.000 SY | 7.00000 | | 210.00 | |
| 0071 | 6038000000-E PERMANENT SOIL REINFORCEMENT MAT | 50.000 SY | 10.00000 | | 500.00 | |
| 0072 | 6042000000-E 1/4" HARDWARE CLOTH | 80.000 LF | 10.00000 | | 800.00 | |
| 0073 | 6070000000-N SPECIAL STILLING BASINS | 16.000 EA | 160.00000 | | 2,560.00 | |
| 0074 | 6071030000-E COIR FIBER BAFFLES | 185.000 LF | 7.00000 | | 1,295.00 | |
| 0075 | 6071050000-E *** SKIMMER (1-1/2") | 5.000 EA | 1,250.00000 | | 6,250.00 | |
| 0076 | 6084000000-E SEEDING & MULCHING | 3.500 ACR | 2,000.00000 | | 7,000.00 | |
| 0077 | 6087000000-E MOWING | 1.000 ACR | 25.00000 | | 25.00 | |
| 0078 | 6090000000-E SEED FOR REPAIR SEEDING | 50.000 LB | 1.00000 | | 50.00 | |
| 0079 | 6093000000-E FERTILIZER FOR REPAIR SEEDING | 0.250 TON | 1,000.00000 | | 250.00 | |
| 0080 | 6096000000-E SEED FOR SUPPLEMENTAL SEEDING | 50.000 LB | 1.00000 | | 50.00 | |
| 0081 | 6108000000-E FERTILIZER TOPDRESSING | 1.250 TON | 500.00000 | | 625.00 | |

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| Line No. | Item Description | Approx. Quantity and Units | Unit Price | | Bid Amount | |
|--------------------|---|----------------------------|-------------|-----|------------|------------|
| | | | Dollars | Cts | Dollars | Ct |
| 0082 | 6114000000-N SPECIALIZED HAND MOWING | 5.000 HR | 5.00000 | | 25.00 | |
| 0083 | 6117000000-N RESPONSE FOR EROSION CONTROL | 12.000 EA | 1.00000 | | 12.00 | |
| 0084 | 6123000000-E REFORESTATION | 0.100 ACR | 1,000.00000 | | 100.00 | |
| Section 0001 Total | | | | | | 373,356.45 |

Section 0004 STRUCTURE ITEMS

Alt Group

| | | | | | | |
|------|--|---------------|-------------|--|------------|--|
| 0085 | 8017000000-N CONSTRUCTION, MAINTENANCE, & REMOVAL OF TEMP ACCESS AT STA ***** (15+37.50-L-) | LUMP | LUMP | | 20,000.00 | |
| 0086 | 8021000000-N REMOVAL OF EXISTING STRUCTURE AT STATION ***** (15+37.50-L-) | LUMP | LUMP | | 8,000.00 | |
| 0087 | 8105520000-E 3'-0" DIA DRILLED PIERS IN SOIL | 133.500 LF | 200.00000 | | 26,700.00 | |
| 0088 | 8105620000-E 3'-0" DIA DRILLED PIERS NOT IN SOIL | 65.000 LF | 2,200.00000 | | 143,000.00 | |
| 0089 | 8111200000-E PERMANENT STEEL CASING FOR 3'-0" DIA DRILLED PIER | 61.000 LF | 200.00000 | | 12,200.00 | |
| 0090 | 8113000000-N SID INSPECTION | 1.000 EA | 1,500.00000 | | 1,500.00 | |

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|----------|--|----------------------------|------------|-----|------------|-----|
| | | | Dollars | Cts | Dollars | Cts |
| 0091 | 8115000000-N CROSSHOLE SONIC LOGGING | 1.000 EA | 500.00000 | | 500.00 | |
| 0092 | 8119000000-E UNCLASSIFIED STRUCTURE EXCAVATION | 550.000 CY | 7.00000 | | 3,850.00 | |
| 0093 | 8182000000-E CLASS A CONCRETE (BRIDGE) | 52.100 CY | 900.00000 | | 46,890.00 | |
| 0094 | 8217000000-E REINFORCING STEEL (BRIDGE) | 20,709.000 LB | 1.50000 | | 31,063.50 | |
| 0095 | 8238000000-E SPIRAL COLUMN REINFORCING STEEL (BRIDGE) | 4,589.000 LB | 5.00000 | | 22,945.00 | |
| 0096 | 8505000000-E VERTICAL CONCRETE BARRIER RAIL | 266.000 LF | 60.00000 | | 15,960.00 | |
| 0097 | 8608000000-E RIP RAP CLASS II (2'-0" THICK) | 290.000 TON | 50.00000 | | 14,500.00 | |
| 0098 | 8622000000-E FILTER FABRIC FOR DRAINAGE | 320.000 SY | 2.00000 | | 640.00 | |
| 0099 | 8657000000-N ELASTOMERIC BEARINGS | LUMP | LUMP | | 4,000.00 | |
| 0100 | 8762000000-E 3'-0" X 1'-9" PRESTRESSED CONCCORED SLABS | 930.230 LF | 135.00000 | | 125,581.05 | |
| | Section 0004 Total | | | | 477,329.55 | |
| | Bid Total | | | | 850,686.00 | |

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.

NORTH CAROLINA STATE DEPARTMENT OF TRANSPORTATION
DBE COMMITMENT ITEMS

DATE:02-16-09
PAGE: 12

PROPOSAL: C201809
LETTING: L090317 CALL: 019
VENDOR: 3481 R. E. Burns & Sons Co., Inc.

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

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

| | | | | | | |
|------|--------------|--------------|----|---------|------------|---------|
| 0042 | 4072000000-E | SUPPORT, 3-L | LF | 44.000 | 5.45000 | 239.80 |
| 0043 | 4102000000-N | SIGN ERECTIO | EA | 5.000 | 55.00000 | 275.00 |
| 0044 | 4155000000-N | DISPOSE SIGN | EA | 6.000 | 5.00000 | 30.00 |
| 0045 | 4158000000-N | DISPOSE SIGN | EA | 2.000 | 5.00000 | 10.00 |
| 0046 | 4400000000-E | WORK ZONE SI | SF | 214.000 | 5.25000 | 1123.50 |
| 0048 | 4410000000-E | WORK ZONE SI | SF | 20.000 | 6.25000 | 125.00 |
| 0050 | 4445000000-E | BARRICADES (| LF | 36.000 | 23.54000 | 847.44 |
| 0052 | 4465000000-N | TEMPORARY CR | EA | 2.000 | 4750.00000 | 9500.00 |
| 0053 | 4470000000-N | RESET CRASH | EA | 2.000 | 1350.00000 | 2700.00 |

DBE COMMITMENT TOTAL FOR SUBCONTRACTOR: 14,850.74 ✓
DBE COMMITMENT TOTAL FOR VENDOR (SubContractor) 14,850.

DBE SUBCONTRACTOR: 5266 NORTH STATE ENVIRONMENTAL, INC
Will Use Quote: Yes

| | | | | | | |
|------|--------------|--------------|----|---------|----------|---------|
| 0058 | 6000000000-E | TEMPORARY SI | LF | 900.000 | 2.19000 | 1971.00 |
| 0067 | 6029000000-E | SAFETY FENCE | LF | 200.000 | 2.05000 | 410.00 |
| 0070 | 6037000000-E | COIR FIBER M | SY | 30.000 | 7.00000 | 210.00 |
| 0072 | 6042000000-E | 1/4" HARDWAR | LF | 80.000 | 10.00000 | 800.00 |
| 0074 | 6071030000-E | COIR FIBER B | LF | 185.000 | 7.00000 | 1295.00 |

DBE COMMITMENT TOTAL FOR SUBCONTRACTOR: 4,686.00 ✓
DBE COMMITMENT TOTAL FOR VENDOR (SubContractor) 4,686.0

DBE SUBCONTRACTOR: 3376 REYNOLDS FENCE & GUARDRAIL INC
Will Use Quote: Yes

| | | | | | | |
|------|--------------|--------------|----|--------|-------------|----------|
| 0034 | 3000000000-N | IMPACT ATTEN | EA | 1.000 | 12500.00000 | 12500.00 |
| 0035 | 3030000000-E | STL BM GUARD | LF | 25.000 | 17.00000 | 425.00 |
| 0036 | 3150000000-N | ADDIT GUARDR | EA | 5.000 | 30.00000 | 150.00 |
| 0037 | 3165000000-N | GR ANCHOR TY | EA | 3.000 | 1500.00000 | 4500.00 |
| 0038 | 3180000000-N | GR ANCHOR TY | EA | 1.000 | 1500.00000 | 1500.00 |
| 0039 | 3317000000-N | GR ANCHOR TY | EA | 3.000 | 1450.00000 | 4350.00 |

DBE COMMITMENT TOTAL FOR SUBCONTRACTOR: 23,425.00 ✓
DBE COMMITMENT TOTAL FOR VENDOR (SubContractor) 23,425.

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

| | | | | | | |
|------|--------------|--------------|----|---------|----------|----------|
| 0096 | 8505000000-E | VERT CONC BA | LF | 266.000 | 41.16000 | 10948.56 |
| | | SLIPFORM | | | | |

Check: 1BEF32F2 Page 12

NORTH CAROLINA STATE DEPARTMENT OF TRANSPORTATION
 DBE COMMITMENT ITEMS

DATE: 02-16-09
 PAGE: 13

| LINE NO. | ITEM NO. | ITEM DESC. | UNIT TYPE | SUBCONTRACTOR QUANTITY | SUBCONTRACTOR UNIT PRICE | EXTENDED AMOUNT |
|--|--------------|--------------|-----------|------------------------|--------------------------|-----------------|
| DBE COMMITMENT TOTAL FOR SUBCONTRACTOR: | | | | | | 10,948.56 ✓ |
| DBE COMMITMENT TOTAL FOR VENDOR (SubContractor) | | | | | | 10,948. |
| DBE SUBCONTRACTOR: 3792 SOUTH EAST GROUP P.A. Will Use Quote: Yes | | | | | | |
| 0002 | 0000400000-N | CONSTRUCTION | LS | 1.000 | 6530.00000 | 6530.00 |
| DBE COMMITMENT TOTAL FOR SUBCONTRACTOR: | | | | | | 6,530.00 ✓ |
| DBE COMMITMENT TOTAL FOR VENDOR (SubContractor) | | | | | | 6,530.0 |
| TOTAL DBE COMMITMENT FOR VENDOR: | | | | Entered: | 7.10% or | 60440.30 ✓ |
| | | | | Required: | 7.00% or | 59548.02 |
| | | | | <GOAL MET> | | |

Contract Item Sheets For C201809

| Line # | ItemNumber | Sec # | Description | Quantity Unit | Unit Bid Price | Amount Bid |
|----------------------|--------------|-------|---|----------------|----------------|------------|
| ROADWAY ITEMS | | | | | | |
| 0001 | 0000100000-N | 800 | MOBILIZATION | Lump Sum LS | 42,000.00 | 42,000.00 |
| 0002 | 0000400000-N | 801 | CONSTRUCTION SURVEYING | Lump Sum LS | 7,000.00 | 7,000.00 |
| 0003 | 0030000000-N | SP | BRIDGE APPROACH FILL - SUB REGIONAL TIER, STATION ***** (15+37.5) | Lump Sum LS | 8,000.00 | 8,000.00 |
| 0004 | 0050000000-E | 226 | SUPPLEMENTARY CLEARING & GRUB- BING | 1 ACR | 1.00 | 1.00 |
| 0005 | 0057000000-E | 226 | UNDERCUT EXCAVATION | 500 CY | 8.00 | 4,000.00 |
| 0006 | 0063000000-N | SP | GRADING | Lump Sum LS | 73,100.00 | 73,100.00 |
| 0007 | 0080000000-E | SP | CLASS IV SUBGRADE STABILIZA- TION | 600 TON | 21.00 | 12,600.00 |
| 0008 | 0106000000-E | 230 | BORROW EXCAVATION | 1,450 CY | 8.00 | 11,600.00 |
| 0009 | 0195000000-E | 265 | SELECT GRANULAR MATERIAL | 500 CY | 25.00 | 12,500.00 |
| 0010 | 0196000000-E | 270 | FABRIC FOR SOIL STABILIZATION | 500 SY | 1.00 | 500.00 |
| 0011 | 0199000000-E | SP | TEMPORARY SHORING | 1,503 SF | 0.01 | 15.03 |
| 0012 | 0318000000-E | 300 | FOUNDATION CONDITIONING MATE- RIAL, MINOR STRS | 19 TON | 35.00 | 665.00 |
| 0013 | 0366000000-E | 310 | 15" RC PIPE CULVERTS, CLASS III | 80 LF | 25.00 | 2,000.00 |
| 0014 | 0708000000-E | 310 | 15" BIT COAT CS PIPE CULVERTS, TYPE B 0.064" THICK | 64 LF | 35.00 | 2,240.00 |
| 0015 | 0806000000-E | 310 | 15" BIT COAT CS PIPE ELBOWS, TYPE B 0.064" THICK | 4 EA | 115.00 | 460.00 |
| 0016 | 0995000000-E | 340 | PIPE REMOVAL | 24 LF | 10.00 | 240.00 |
| 0017 | 1220000000-E | 545 | INCIDENTAL STONE BASE | 50 TON | 28.00 | 1,400.00 |
| 0018 | 1489000000-E | 610 | ASPHALT CONC BASE COURSE, TYPE B25.0B | 160 TON | 100.00 | 16,000.00 |

Contract Item Sheets For C201809

| Line # | ItemNumber | Sec # | Description | Quantity Unit | Unit Bid Price | Amount Bid |
|--------|--------------|-------|---|---------------|----------------|------------|
| 0019 | 1525000000-E | 610 | ASPHALT CONC SURFACE COURSE, TYPE SF9.5A | 160 TON | 100.00 | 16,000.00 |
| 0020 | 1560000000-E | 620 | ASPHALT BINDER FOR PLANT MIX, GRADE PG 64-22 | 18 TON | 451.00 | 8,118.00 |
| 0021 | 2000000000-N | 806 | RIGHT OF WAY MARKERS | 7 EA | 300.00 | 2,100.00 |
| 0022 | 2022000000-E | 815 | SUBDRAIN EXCAVATION | 68 CY | 1.00 | 68.00 |
| 0023 | 2033000000-E | 815 | SUBDRAIN FINE AGGREGATE | 51 CY | 15.00 | 765.00 |
| 0024 | 2044000000-E | 815 | 6" PERFORATED SUBDRAIN PIPE | 300 LF | 3.00 | 900.00 |
| 0025 | 2055000000-E | 815 | 6" SUBDRAIN PIPE WYES, TEES, & ELBOWS | 9 EA | 10.00 | 90.00 |
| 0026 | 2066000000-N | 815 | CONCRETE PAD FOR SUBDRAIN PIPE OUTLET | 1 EA | 50.00 | 50.00 |
| 0027 | 2077000000-E | 815 | 6" OUTLET PIPE (SUBDRAINS) | 6 LF | 8.00 | 48.00 |
| 0028 | 2275000000-E | SP | FLOWABLE FILL | 5 CY | 225.00 | 1,125.00 |
| 0029 | 2286000000-N | 840 | MASONRY DRAINAGE STRUCTURES | 3 EA | 1,000.00 | 3,000.00 |
| 0030 | 2366000000-N | 840 | FRAME WITH TWO GRATES, STD 840.24 | 1 EA | 800.00 | 800.00 |
| 0031 | 2367000000-N | 840 | FRAME WITH TWO GRATES, STD 840.29 | 2 EA | 800.00 | 1,600.00 |
| 0032 | 2535000000-E | 846 | ***X*** CONCRETE CURB (9" X 12") | 30 LF | 45.00 | 1,350.00 |
| 0033 | 2577000000-E | 846 | CONCRETE EXPRESSWAY GUTTER | 85 LF | 45.00 | 3,825.00 |
| 0034 | 3000000000-N | SP | IMPACT ATTENUATOR UNIT, TYPE 350 | 1 EA | 12,500.00 | 12,500.00 |
| 0035 | 3030000000-E | 862 | STEEL BM GUARDRAIL | 25 LF | 17.00 | 425.00 |
| 0036 | 3150000000-N | 862 | ADDITIONAL GUARDRAIL POSTS | 5 EA | 30.00 | 150.00 |

Contract Item Sheets For C201809

| Line # | ItemNumber | Sec # | Description | Quantity Unit | Unit Bid Price | Amount Bid |
|--------|--------------|-------|---|---------------|----------------|------------|
| 0037 | 3165000000-N | SP | GUARDRAIL ANCHOR UNITS, TYPE ***** (350 TL-2) | 3 EA | 1,500.00 | 4,500.00 |
| 0038 | 3180000000-N | 862 | GUARDRAIL ANCHOR UNITS, TYPE ***** (RETROFIT) | 1 EA | 1,500.00 | 1,500.00 |
| 0039 | 3317000000-N | 862 | GUARDRAIL ANCHOR UNITS, TYPE B-77 | 3 EA | 1,450.00 | 4,350.00 |
| 0040 | 3649000000-E | 876 | RIP RAP, CLASS B | 42 TON | 40.00 | 1,680.00 |
| 0041 | 3656000000-E | 876 | FILTER FABRIC FOR DRAINAGE | 1,725 SY | 5.00 | 8,625.00 |
| 0042 | 4072000000-E | 903 | SUPPORTS, 3-LB STEEL U-CHANNEL | 44 LF | 5.45 | 239.80 |
| 0043 | 4102000000-N | 904 | SIGN ERECTION, TYPE E | 5 EA | 55.00 | 275.00 |
| 0044 | 4155000000-N | 907 | DISPOSAL OF SIGN SYSTEM, U- CHANNEL | 6 EA | 5.00 | 30.00 |
| 0045 | 4158000000-N | 907 | DISPOSAL OF SIGN SYSTEM, WOOD | 2 EA | 5.00 | 10.00 |
| 0046 | 4400000000-E | 1110 | WORK ZONE SIGNS (STATIONARY) | 214 SF | 5.25 | 1,123.50 |
| 0047 | 4405000000-E | 1110 | WORK ZONE SIGNS (PORTABLE) | 96 SF | 35.00 | 3,360.00 |
| 0048 | 4410000000-E | 1110 | WORK ZONE SIGNS (BARRICADE MOUNTED) | 20 SF | 6.69 | 133.80 |
| 0049 | 4435000000-N | 1135 | CONES | 27 EA | 25.00 | 675.00 |
| 0050 | 4445000000-E | 1145 | BARRICADES (TYPE III) | 36 LF | 23.54 | 847.44 |
| 0051 | 4455000000-N | 1150 | FLAGGER | 100 MD | 120.00 | 12,000.00 |
| 0052 | 4465000000-N | 1160 | TEMPORARY CRASH CUSHIONS | 2 EA | 5,000.00 | 10,000.00 |
| 0053 | 4470000000-N | 1160 | RESET TEMPORARY CRASH CUSHIONS | 2 EA | 2,000.00 | 4,000.00 |
| 0054 | 4485000000-E | 1170 | PORTABLE CONCRETE BARRIER | 191 LF | 20.00 | 3,820.00 |

Contract Item Sheets For C201809

| Line # | ItemNumber | Sec # | Description | Quantity Unit | Unit Bid Price | Amount Bid |
|--------|--------------|-------|--|---------------|----------------|------------|
| 0055 | 4500000000-E | 1170 | RESET PORTABLE CONCRETE BARRIER | 100 LF | 10.00 | 1,000.00 |
| 0056 | 4770000000-E | 1205 | COLD APPLIED PLASTIC PAVEMENT MARKING LINES, TYPE ** (4") (IV) | 135 LF | 3.00 | 405.00 |
| 0057 | 4810000000-E | 1205 | PAINT PAVEMENT MARKING LINES (4") | 6,352 LF | 0.44 | 2,794.88 |
| 0058 | 6000000000-E | 1605 | TEMPORARY SILT FENCE | 900 LF | 2.50 | 2,250.00 |
| 0059 | 6006000000-E | 1610 | STONE FOR EROSION CONTROL, CLASS A | 250 TON | 40.00 | 10,000.00 |
| 0060 | 6009000000-E | 1610 | STONE FOR EROSION CONTROL, CLASS B | 100 TON | 40.00 | 4,000.00 |
| 0061 | 6012000000-E | 1610 | SEDIMENT CONTROL STONE | 415 TON | 40.00 | 16,600.00 |
| 0062 | 6015000000-E | 1615 | TEMPORARY MULCHING | 2.5 ACR | 1,000.00 | 2,500.00 |
| 0063 | 6018000000-E | 1620 | SEED FOR TEMPORARY SEEDING | 100 LB | 5.00 | 500.00 |
| 0064 | 6021000000-E | 1620 | FERTILIZER FOR TEMPORARY SEEDING | 1.25 TON | 1,000.00 | 1,250.00 |
| 0065 | 6024000000-E | 1622 | TEMPORARY SLOPE DRAINS | 110 LF | 10.00 | 1,100.00 |
| 0066 | 6027000000-N | 1622 | INLET PROTECTION AT TEMPORARY SLOPE DRAINS | 2 EA | 300.00 | 600.00 |
| 0067 | 6029000000-E | SP | SAFETY FENCE | 200 LF | 2.50 | 500.00 |
| 0068 | 6030000000-E | 1630 | SILT EXCAVATION | 320 CY | 10.00 | 3,200.00 |
| 0069 | 6036000000-E | 1631 | MATTING FOR EROSION CONTROL | 1,250 SY | 2.00 | 2,500.00 |
| 0070 | 6037000000-E | SP | COIR FIBER MAT | 30 SY | 7.00 | 210.00 |
| 0071 | 6038000000-E | SP | PERMANENT SOIL REINFORCEMENT MAT | 50 SY | 10.00 | 500.00 |
| 0072 | 6042000000-E | 1632 | 1/4" HARDWARE CLOTH | 80 LF | 10.00 | 800.00 |

Contract Item Sheets For C201809

| Line # | ItemNumber | Sec # | Description | Quantity Unit | Unit Bid Price | Amount Bid |
|--------|--------------|-------|-------------------------------|---------------|----------------|------------|
| 0073 | 6070000000-N | SP | SPECIAL STILLING BASINS | 16 EA | 160.00 | 2,560.00 |
| 0074 | 6071030000-E | SP | COIR FIBER BAFFLES | 185 LF | 7.00 | 1,295.00 |
| 0075 | 6071050000-E | SP | *** SKIMMER (1-1/2") | 5 EA | 1,250.00 | 6,250.00 |
| 0076 | 6084000000-E | 1660 | SEEDING & MULCHING | 3.5 ACR | 2,000.00 | 7,000.00 |
| 0077 | 6087000000-E | 1660 | MOWING | 1 ACR | 25.00 | 25.00 |
| 0078 | 6090000000-E | 1661 | SEED FOR REPAIR SEEDING | 50 LB | 1.00 | 50.00 |
| 0079 | 6093000000-E | 1661 | FERTILIZER FOR REPAIR SEEDING | 0.25 TON | 1,000.00 | 250.00 |
| 0080 | 6096000000-E | 1662 | SEED FOR SUPPLEMENTAL SEEDING | 50 LB | 1.00 | 50.00 |
| 0081 | 6108000000-E | 1665 | FERTILIZER TOPDRESSING | 1.25 TON | 500.00 | 625.00 |
| 0082 | 6114000000-N | SP | SPECIALIZED HAND MOWING | 5 HR | 5.00 | 25.00 |
| 0083 | 6117000000-N | SP | RESPONSE FOR EROSION CONTROL | 12 EA | 1.00 | 12.00 |
| 0084 | 6123000000-E | 1670 | REFORESTATION | 0.1 ACR | 1,000.00 | 100.00 |

Contract Item Sheets For C201809

| Line # | ItemNumber | Sec # | Description | Quantity Unit | Unit Bid Price | Amount Bid |
|--------|--------------|-------|---|----------------|----------------|------------|
| 0085 | 8017000000-N | SP | CONSTRUCTION, MAINTENANCE, & REMOVAL OF TEMP ACCESS AT STA ***** (15+37.50-L-) | Lump Sum LS | 20,000.00 | 20,000.00 |
| 0086 | 8021000000-N | SP | REMOVAL OF EXISTING STRUCTURE AT STATION ***** (15+37.50-L-) | Lump Sum LS | 8,000.00 | 8,000.00 |
| 0087 | 8105520000-E | SP | 3'-0" DIA DRILLED PIERS IN SO IL | 133.5 LF | 200.00 | 26,700.00 |
| 0088 | 8105620000-E | SP | 3'-0" DIA DRILLED PIERS NOT IN SOIL | 65 LF | 2,200.00 | 143,000.00 |
| 0089 | 8111200000-E | SP | PERMANENT STEEL CASING FOR 3'-0" DIA DRILLED PIER | 61 LF | 200.00 | 12,200.00 |
| 0090 | 8113000000-N | SP | SID INSPECTION | 1 EA | 1,500.00 | 1,500.00 |
| 0091 | 8115000000-N | SP | CROSSHOLE SONIC LOGGING | 1 EA | 500.00 | 500.00 |
| 0092 | 8119000000-E | 412 | UNCLASSIFIED STRUCTURE EXCAVA- TION | 550 CY | 7.00 | 3,850.00 |
| 0093 | 8182000000-E | 420 | CLASS A CONCRETE (BRIDGE) | 52.1 CY | 900.00 | 46,890.00 |
| 0094 | 8217000000-E | 425 | REINFORCING STEEL (BRIDGE) | 20,709 LB | 1.50 | 31,063.50 |
| 0095 | 8238000000-E | 425 | SPIRAL COLUMN REINFORCING STEEL (BRIDGE) | 4,589 LB | 5.00 | 22,945.00 |
| 0096 | 8505000000-E | SP | VERTICAL CONCRETE BARRIER RAIL | 266 LF | 60.00 | 15,960.00 |
| 0097 | 8608000000-E | 876 | RIP RAP CLASS II (2'-0" THICK) | 290 TON | 50.00 | 14,500.00 |
| 0098 | 8622000000-E | 876 | FILTER FABRIC FOR DRAINAGE | 320 SY | 2.00 | 640.00 |
| 0099 | 8657000000-N | 430 | ELASTOMERIC BEARINGS | Lump Sum LS | 4,000.00 | 4,000.00 |
| 0100 | 8762000000-E | 430 | 3'-0" X 1'-9" PRESTRESSED CONC CORED SLABS | 930.23 LF | 135.00 | 125,581.05 |

TOTAL AMOUNT OF BID FOR ENTIRE PROJECT

\$850,686.00 ✓

Contract Number C201809
County Watauga

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, North Carolina 28687

Address as Prequalified

Attest Nancy L. Burns

Secretary/Assistant Secretary

Select appropriate title

By KCBurns

President/Vice President/Assistant Vice President

Select appropriate title

Nancy L. Burns

Print or type Signer's name

Kevin C. Burns

Print or type Signer's name

CORPORATE SEAL

AFFIDAVIT MUST BE NOTARIZED

NOTARY SEAL

Subscribed and sworn to before me this the

27 day of MARCH 2009

Douglas S. Renegar
Signature of Notary Public

of Iredell 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 C201809

County (ies): Watauga

ACCEPTED BY THE
DEPARTMENT OF TRANSPORTATION



Contract Officer



Date

Execution of Contract and Bonds
Approved as to Form:



Attorney General

Contract No. C201809
County Watauga

(Rev 7-10-08)

CONTRACT PAYMENT BOND
BOND NO. 837045418

Date of Payment Bond Execution March 31, 2009
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: Eight Hundred Fifty Thousand Six Hundred Eighty Six Dollars and 00/100ths (\$850,686.00)
Contract ID No.: C201809
County Name: Watauga County

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. C201809
County Watauga

(Rev 7-10-08)

CONTRACT PAYMENT BOND

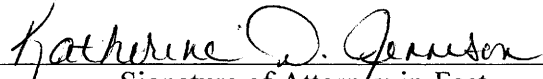
Affix Seal of Surety Company

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

Suzanne H. Amo

Print or type Witness's name

6315 Fly Road, E. Syracuse NY 13057

Address of Attorney-in-Fact

Contract No. C201809
County Watauga

(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. C201809
County Watauga

(Rev 7-10-08)

CONTRACT PERFORMANCE BOND

BOND NO. 837045418

Date of Performance Bond Execution: March 31, 2009

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: Eight Hundred Fifty Thousand Six Hundred Eighty Six Dollars and 00/100ths (\$850,686.00)

Contract ID No.: C201809

County Name: Watauga County

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. C201809
County Watauga

(Rev 7-10-08)

CONTRACT PERFORMANCE BOND

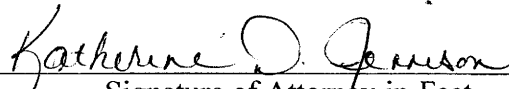
Affix Seal of Surety Company

Liberty Mutual Insurance Company

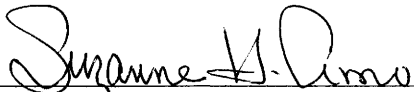
Print or type Surety Company Name

By Katherine D. Jennison

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



Signature of Attorney-in-Fact



Signature of Witness

Suzanne H. Amo

Print or type Witness's name

6315 Fly Road, E. Syracuse NY 13057

Address of Attorney-in-Fact

Contract No. C201809
County Watauga

(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 Kevin C. Burns

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

CHARLES T. RELER, 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 22nd day of October, 2008

LIBERTY MUTUAL INSURANCE COMPANY

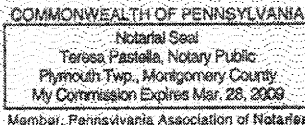
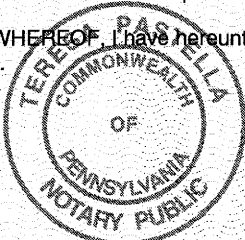
By Garnet W. Elliott
Garnet W. Elliott, Assistant Secretary



COMMONWEALTH OF PENNSYLVANIA ss
COUNTY OF MONTGOMERY

On this 22nd day of October, 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
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 31st day of March, 2009



By David M. Carey
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.