

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

C202292

CONTRACT AND
CONTRACT BONDS

FOR CONTRACT NO. C202292

WBS 45023.3.ST1, 45037.3.ST1 STM-0264(40), STM-0064(120)

T.I.P NO. R-5123, R-5137

COUNTY OF WAKE, FRANKLIN

THIS IS THE ROADWAY CONTRACT

ROUTE NUMBER US 64 LENGTH 15.540 MILES

LOCATION US-264 FROM US-64 TO THE JOHNSTON COUNTY LINE AND US-64 FROM
US-64/264 BYPASS TO THE NASH COUNTY LINE.

CONTRACTOR S. T. WOOTEN CORPORATION

ADDRESS P.O. BOX 2408
WILSON, NC 278942408

BIDS OPENED APRIL 21, 2009

CONTRACT EXECUTION MAY 12 2009

S. T. Wooten Corporation (3760).

Vendor 1 of 3 Vendors for Call Order 012 (Proposal ID C202292).

County: WAKE, FRANKLIN

Address: 3801 Black Creek Road
Wilson, NC 27894

Phone Number: 252-291-5165

Signature Check: This bid has been properly signed by Richard_E._Vick_3760.

Time Bid Received: Tue Apr 21 13:15:18 2009

Bid Checksum: 389A7E1D

Amendment Count: 0

Bidding Errors: No bidding errors

Bid Total: \$5,836,203.15 ✓

Bond ID: B88A-VWK7-56XH-SRQ4

Bond was Verified: Yes.

Bond Required Percent: 5.00%

Minimum Check Amount: \$291,810.16

Bid Security Maximum: \$

Bond Agency Name:

Agency Execution Date: 4/21/2009

Surety Name: Safeco Insurance Company of America

Surety State of Incorporation:

Bond Company:

Bond Type:

Bond Appr Flag:

Bond Affirm:

Bond was Paid by Check: No.

DBE GOAL SET 6.0% ✓
DBE GOAL MET 7.3% ✓

LIST OF DBE PARTICIPANTS

VENDOR NUMBER	DBE NAME ADDRESS	WORK CODE TYPE OF WORK	CERT TYPE AMOUNT
2446 DB	HAROLD A. PURYEAR TRUCKING CO. 5844 LEASE LANE , RALEIGH, NC 27617		Sub 141,283.00
2095 DB	PARRISH CO., INC. 501 BETHLEHEM PIKE , PARIS, KY 40361		Sub 70,203.84
3376 DB	REYNOLDS FENCE & GUARDRAIL INC 9320 MACHADO DRIVE , INDIAN TRAIL, NC 28079		Sub 65,500.00
8188 DB	PALMETTO CIVIL GROUP LLC SUITE H 2850 ASHLEY PHOSPHATE ROAD , NORTH CHARLESTON, SC 29418		Sub 151,161.01
			TOTAL: \$428,147.85 ✓
			7.34% ✓

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

NON-COLLUSION AND DEBARMENT CERTIFICATION

Explanation of the prospective bidder that is unable to certify to any of the statements in this certification:

- Explanation:
 NOT ANSWERED
 NOT ANSWERED
 NOT ANSWERED
 NOT ANSWERED

AWARD LIMITS ON MULTIPLE PROJECTS

By answering YES to this statement, the bidder acknowledges that they are using the award limits on multiple projects. No

It is the desire of the Bidder to be awarded contracts, the value of which will not exceed a total of NOT ANSWERED for those projects indicated herein, for which bids will be opened on (MM/DD/YY)

The Award Limits shall apply to the following projects:

Contract Number	County
NOT ANSWERED	

Bid Bond Data Info - Contractor Responses:
=====

BondID: B88A-VWK7-56XH-SRQ4
 Surety Registry Agency: SurePathNetwork
 Verified?: Yes
 Surety Agency: Safeco Insurance Company of America

NCDOT/berc

Vendor 3760's Load Output for Call 012, Letting L090421, 2009-04-21

Bond Execution Date: 4/21/2009

Bond Amount: \$291,810.16 (Five Percent of Bid)

State of NC
Dept of Transportation

Date: 03-24-09
Revised:

Contract ID: C202292 Project(s): STM-0264(40)
Letting Date: 04-21-09 Call Order: 012
Bidder: 3760 - S. T. Wooten Corporation

Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
Section 0001 ROADWAY ITEMS						
Alt Group						
0001	0000100000-N MOBILIZATIO N	LUMP	LUMP			180,000.00
0002	1220000000-E INCIDENTAL STONE BASE	TON	300.000	25.00000		7,500.00
0003	1245000000-E SHOULDER RECONSTRUCTION	SMI	70.000	2,200.00000		154,000.00
0004	1297000000-E MILLING ASPHALT PAVEMENT, ***"DEPTH (2-1/2")	SY	196,313.000	1.00000		196,313.00
0005	1330000000-E INCIDENTAL MILLING	SY	17,524.000	1.00000		17,524.00
0006	1503000000-E ASPHALT CONC INTERMEDIATE COURSE, TYPE I19.0C	TON	27,813.000	26.00000		723,138.00
0007	1523000000-E ASPHALT CONC SURFACE COURSE, TYPE S9.5C	TON	63,047.000	28.00000		1,765,316.00
0008	1560000000-E ASPHALT BINDER FOR PLANT MIX, GRADE PG 64-22	TON	1,307.000	310.00000		405,170.00
0009	1565000000-E ASPHALT BINDER FOR PLANT MIX, GRADE PG 70-22	TON	3,782.000	340.00000		1,285,880.00
0010	1570000000-E ASPHALT BINDER FOR PLANT MIX, GRADE PG 76-22	TON	426.000	455.00000		193,830.00
0011	1663000000-E OPEN-GRADED ASPHALT FRICTION COURSE, TYPE FC-2 MODIFIED	TON	7,087.000	40.00000		283,480.00

State of NC
Dept of Transportation

Date: 03-24-09
Revised:

Contract ID: C202292 Project(s): STM-0264(40)
Letting Date: 04-21-09 Call Order: 012
Bidder: 3760 - S. T. Wooten Corporation

Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
0012	1704000000-E PATCHING EXISTING PAVEMENT	300.000 TON	100.00000		30,000.00	
0013	1840000000-E MILLED RUMBLE STRIPS (ASPHALT CEMENT CONCRETE)	328,208.000 LF	0.05000		16,410.40	
0014	3030000000-E STEEL BM GUARDRAIL	3,800.000 LF	13.25000		50,350.00	
0015	3210000000-N GUARDRAIL ANCHOR UNITS, TYPE CAT-1	7.000 EA	500.00000		3,500.00	
0016	3270000000-N GUARDRAIL ANCHOR UNITS, TYPE 350	4.000 EA	1,650.00000		6,600.00	
0017	3360000000-E REMOVE EXISTING GUARDRAIL	4,000.000 LF	0.50000		2,000.00	
0018	4589000000-N GENERIC TRAFFIC CONTROL ITEM TRAFFIC CONTROL	LUMP	LUMP		50,000.00	
0019	4685000000-E THERMOPLAST IC PAVEMENT MARKING LINES (4", 90 MILS)	46,470.000 LF	0.45000		20,911.50	
0020	4688000000-E THERMOPLAST IC PAVEMENT MARKING LINES (6", 90 MILS)	346,068.000 LF	0.57000		197,258.76	
0021	4690000000-E THERMOPLAST IC PAVEMENT MARKING LINES (6", 120 MILS)	48,202.000 LF	0.60000		28,921.20	
0022	4697000000-E THERMOPLAST IC PAVEMENT MARKING LINES (8", 120 MILS)	1,782.000 LF	0.75000		1,336.50	
0023	4700000000-E THERMOPLAST IC PAVEMENT MARKING LINES (12", 90 MILS)	19,147.000 LF	0.90000		17,232.30	

State of NC
 Dept of Transportation

Date: 03-24-09
 Revised:

Contract ID: C202292 Project(s): STM-0264(40)
 Letting Date: 04-21-09 Call Order: 012
 Bidder: 3760 - S. T. Wooten Corporation

Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
0024	4710000000-E THERMOPLASTIC PAVEMENT MARKING LINES (24", 120 MILS)	90.000 LF	6.00000		540.00	
0025	4725000000-E THERMOPLASTIC PAVEMENT MARKING SYMBOL (90 MILS)	50.000 EA	80.00000		4,000.00	
0026	4775000000-E COLD APPLIED PLASTIC PAVEMENT MARKING LINES, TYPE ** (6") (III)	3,439.000 LF	3.05000		10,488.95	
0027	4810000000-E PAINT PAVEMENT MARKING LINES (4")	3,400.000 LF	0.17000		578.00	
0028	4815000000-E PAINT PAVEMENT MARKING LINES (6")	267,485.000 LF	0.17000		45,472.45	
0029	4855000000-E REMOVAL OF PAVEMENT MARKING LINES (6")	4,039.000 LF	0.75000		3,029.25	
0030	4905000000-N SNOWPLOWABLE PAVEMENT MARKERS	3,388.000 EA	19.25000		65,219.00	
0031	6084000000-E SEEDING & MULCHING	47.180 ACR	1,488.00000		70,203.84	
Section 0001 Total					5,836,203.15	
Bid Total					5,836,203.15	

NON-COLLUSION AND DEBARMENT CERTIFICATION

The bidder certifies that neither he, nor any official, agent or employee of the bidder has entered into any agreement, participated in any collusion, or otherwise taken any action which is in restraint of free competitive bidding in connection with this bid, and that the bidder intends to do the work with its own bonafide employees or subcontractors and is not bidding for the benefit of another contractor. In addition, submitting this electronic bid constitutes the bidder's certification of Status under penalty of perjury under the laws of the United States and in accordance with the Debarment Certification on file with the Department.

By submitting this bid, the bidder certifies to the best of his knowledge and belief that he and his principals:

- a. Are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from covered transactions by any Federal department or agency;
- b. Have not within a three-year period preceding this proposal been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State or local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records; making false statements; or receiving stolen property;
- c. Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, State or local) with commission of any of the offenses enumerated in paragraph b. of this certification; and
- d. Have not within a three-year period preceding this proposal had one or more public transactions (Federal, State or local) terminated for cause or default.

Where the prospective bidder is unable to certify to any of the statements in this certification, the bidder shall submit an explanation in the blanks provided herein. The explanation will not necessarily result in denial of participation in a contract.

Explanation:
NOT ANSWERED
NOT ANSWERED
NOT ANSWERED
NOT ANSWERED

If the prequalified bidder's status changes, he shall immediately submit a new fully executed non-collusion affidavit and debarment certification with an explanation of the change to the Contract Office prior to submitting the bid.

Failure to furnish a certification or an explanation will be grounds for rejection of a bid

AWARD LIMITS ON MULTIPLE PROJECTS

By answering YES to this statement, the bidder acknowledges that they are using the award limits on multiple projects. No

A bidder who desires to bid on more than one project on which bids are to be opened on the same date, and who also desires to avoid receiving an award of more projects than he is equipped to handle, may bid on any number of projects but may limit the total amount of work awarded to him on selected projects by completing the AWARD LIMITS ON MULTIPLE PROJECTS.

The Award Limits on Multiple Projects must be filled in on each project bid for which the Bidder desires protection.

It is the desire of the Bidder to be awarded contracts, the value of which will not exceed a total of NOT ANSWERED for those projects indicated herein, for which bids will be opened on (MM/DD/YY)

The Award Limits shall apply to the following projects:

Contract Number	County
NOT ANSWERED	

It is agreed that if I am (we are) the low Bidder(s) on indicated projects, the total value of which is more than the above stipulated award limits, the Board of Transportation will award me (us) projects from among those indicated that have a total value not to exceed the award limit and will result in the lowest total bids to the Department of Transportation.

NORTH CAROLINA STATE DEPARTMENT OF TRANSPORTATION
DBE COMMITMENT ITEMS

DATE: 03-24-09
PAGE: 6

PROPOSAL: C202292
LETTING: L090421 CALL: 012
VENDOR: 3760 S. T. Wooten Corporation

LINE NO.	ITEM NO.	ITEM DESC.	UNIT TYPE	SUBCONTRACTOR QUANTITY	SUBCONTRACTOR UNIT PRICE	EXTENDED AMOUNT
DBE SUBCONTRACTOR: 2446 HAROLD A. PURYEAR TRUCKING CO. Will Use Quote: Yes						
0008	1560000000-E	ASP FOR PLAN	TON	1307.000	25.00000	32675.00
0009	1565000000-E	ASP FOR PLAN	TON	3782.000	25.00000	94550.00
0010	1570000000-E	ASP FOR PLAN	TON	426.000	33.00000	14058.00
DBE COMMITMENT TOTAL FOR SUBCONTRACTOR:						141,283.00
DBE COMMITMENT TOTAL FOR VENDOR (SubContractor)						141,283

DBE SUBCONTRACTOR: 2095 PARRISH CO., INC.
Will Use Quote: Yes

0031	6084000000-E	SEEDING AND	ACR	47.180	1488.00000	70203.84
DBE COMMITMENT TOTAL FOR SUBCONTRACTOR:						70,203.84
DBE COMMITMENT TOTAL FOR VENDOR (SubContractor)						70,203.

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

0014	3030000000-E	STL BM GUARD	LF	3800.000	14.00000	53200.00
0015	3210000000-N	GR ANCHOR TY	EA	7.000	500.00000	3500.00
0016	3270000000-N	GR ANCHOR TY	EA	4.000	1700.00000	6800.00
0017	3360000000-E	REMOVE EXIST	LF	4000.000	0.50000	2000.00
DBE COMMITMENT TOTAL FOR SUBCONTRACTOR:						65,500.00 62,450
DBE COMMITMENT TOTAL FOR VENDOR (SubContractor)						65,500. 62,450

DBE SUBCONTRACTOR: 8188 PALMETTO CIVIL GROUP LLC
Will Use Quote: Yes

0004	1297000000-E	MILL ASP PVM	SY	196313.000	0.77000	151161.01
Milling and cleanup.						
DBE COMMITMENT TOTAL FOR SUBCONTRACTOR:						151,161.01
DBE COMMITMENT TOTAL FOR VENDOR (SubContractor)						151,161

TOTAL DBE COMMITMENT FOR VENDOR: Entered: 7.34% or 428147.85
Required: 6.00% or 350172.19
<GOAL MET>

Contract Item Sheets For C202292

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
ROADWAY ITEMS						
0001	0000100000-N	800	MOBILIZATION	Lump Sum LS	180,000.00	180,000.00
0002	1220000000-E	545	INCIDENTAL STONE BASE	300 TON	25.00	7,500.00
0003	1245000000-E	SP	SHOULDER RECONSTRUCTION	70 SMI	2,200.00	154,000.00
0004	1297000000-E	607	MILLING ASPHALT PAVEMENT, **** DEPTH (2-1/2")	196,313 SY	1.00	196,313.00
0005	1330000000-E	607	INCIDENTAL MILLING	17,524 SY	1.00	17,524.00
0006	1503000000-E	610	ASPHALT CONC INTERMEDIATE COURSE, TYPE I19.0C	27,813 TON	26.00	723,138.00
0007	1523000000-E	610	ASPHALT CONC SURFACE COURSE, TYPE S9.5C	63,047 TON	28.00	1,765,316.00
0008	1560000000-E	620	ASPHALT BINDER FOR PLANT MIX, GRADE PG 64-22	1,307 TON	310.00	405,170.00
0009	1565000000-E	620	ASPHALT BINDER FOR PLANT MIX, GRADE PG 70-22	3,782 TON	340.00	1,285,880.00
0010	1570000000-E	620	ASPHALT BINDER FOR PLANT MIX, GRADE PG 76-22	426 TON	455.00	193,830.00
0011	1663000000-E	650	OPEN-GRADED ASPHALT FRICTION COURSE, TYPE FC-2 MODIFIED	7,087 TON	40.00	283,480.00
0012	1704000000-E	SP	PATCHING EXISTING PAVEMENT	300 TON	100.00	30,000.00
0013	1840000000-E	665	MILLED RUMBLE STRIPS (ASPHALT CEMENT CONCRETE)	328,208 LF	0.05	16,410.40
0014	3030000000-E	862	STEEL BM GUARDRAIL	3,800 LF	13.25	50,350.00
0015	3210000000-N	862	GUARDRAIL ANCHOR UNITS, TYPE CAT-1	7 EA	500.00	3,500.00
0016	3270000000-N	SP	GUARDRAIL ANCHOR UNITS, TYPE 350	4 EA	1,650.00	6,600.00
0017	3360000000-E	863	REMOVE EXISTING GUARDRAIL	4,000 LF	0.50	2,000.00

Contract Item Sheets For C202292

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
0018	4589000000-N	SP	GENERIC TRAFFIC CONTROL ITEM TRAFFIC CONTROL	Lump Sum LS	50,000.00	50,000.00
0019	4685000000-E	1205	THERMOPLASTIC PAVEMENT MARKING LINES (4", 90 MILS)	46,470 LF	0.45	20,911.50
0020	4688000000-E	1205	THERMOPLASTIC PAVEMENT MARKING LINES (6", 90 MILS)	346,068 LF	0.57	197,258.76
0021	4690000000-E	1205	THERMOPLASTIC PAVEMENT MARKING LINES (6", 120 MILS)	48,202 LF	0.60	28,921.20
0022	4697000000-E	1205	THERMOPLASTIC PAVEMENT MARKING LINES (8", 120 MILS)	1,782 LF	0.75	1,336.50
0023	4700000000-E	1205	THERMOPLASTIC PAVEMENT MARKING LINES (12", 90 MILS)	19,147 LF	0.90	17,232.30
0024	4710000000-E	1205	THERMOPLASTIC PAVEMENT MARKING LINES (24", 120 MILS)	90 LF	6.00	540.00
0025	4725000000-E	1205	THERMOPLASTIC PAVEMENT MARKING SYMBOL (90 MILS)	50 EA	80.00	4,000.00
0026	4775000000-E	1205	COLD APPLIED PLASTIC PAVEMENT MARKING LINES, TYPE ** (6") (III)	3,439 LF	3.05	10,488.95
0027	4810000000-E	1205	PAINT PAVEMENT MARKING LINES (4")	3,400 LF	0.17	578.00
0028	4815000000-E	1205	PAINT PAVEMENT MARKING LINES (6")	267,485 LF	0.17	45,472.45
0029	4855000000-E	1205	REMOVAL OF PAVEMENT MARKING LINES (6")	4,039 LF	0.75	3,029.25
0030	4905000000-N	1253	SNOWPLOWABLE PAVEMENT MARKERS	3,388 EA	19.25	65,219.00
0031	6084000000-E	1660	SEEDING & MULCHING	47.18 ACR	1,488.00	70,203.84

TOTAL AMOUNT OF BID FOR ENTIRE PROJECT

\$5,836,203.15 ✓

Contract Number C202292
County WAKE, FRANKLIN

Rev 7-20-08

**EXECUTION OF CONTRACT
NON-COLLUSION AFFIDAVIT AND DEBARMENT CERTIFICATION**

CORPORATION

The Contractor being duly sworn, solemnly swears (or affirms) that neither he, nor any official, agent or employee has entered into any agreement, participated in any collusion, or otherwise taken any action which is in restraint of free competitive bidding in connection with this Contract, and that the Contractor intends to do the work with his own bonafide employees or subcontractors and did not bid for the benefit of another contractor.

By submitting this Execution of Contract, Non-Collusion affidavit and Debarment Certification, the Contractor is certifying his status under penalty of perjury under the laws of the United States in accordance with the Debarment Certification attached, provided that the Debarment Certification also includes any required statements concerning exceptions that are applicable.

SIGNATURE OF CONTRACTOR

S. T. Wooten Corporation

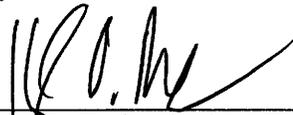
Full name of Corporation

P.O. Box 2408 Wilson NC 27894

Address as Prequalified

Attest 

Secretary/Assistant Secretary
Select appropriate title

By 

President/Vice President/Assistant Vice President
Select appropriate title

W. READE DAWSON

Print or type Signer's name

HENRY D. BUTTS, JR.

Print or type Signer's name

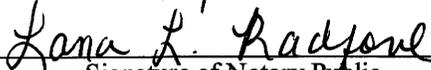
CORPORATE SEAL

AFFIDAVIT MUST BE NOTARIZED

NOTARY SEAL

Subscribed and sworn to before me this the

4 day of May 2009


Signature of Notary Public

of WILSON County

State of North Carolina

My Commission Expires: 2/5/13

DEBARMENT CERTIFICATION OF CONTRACTOR

Conditions for certification:

1. The Contractor shall provide immediate written notice to the Department if at any time the Contractor learns that his certification was erroneous when he submitted his debarment certification or explanation that is on file with the Department, or has become erroneous because of changed circumstances.
2. The terms *covered transaction, debarred, suspended, ineligible, lower tier covered transaction, participant, person, primary covered transaction, principal, proposal, and voluntarily excluded*, as used in this provision, have the meanings set out in the Definitions and Coverage sections of the rules implementing Executive Order 12549. A copy of the Federal Rules requiring this certification and detailing the definitions and coverages may be obtained from the Contract Officer of the Department.
3. The Contractor agrees by submitting this form, that he will not knowingly enter into any lower tier covered transaction with a person who is debarred, suspended, declared ineligible, or voluntarily excluded from participation in NCDOT contracts, unless authorized by the Department.
4. For Federal Aid projects, the Contractor further agrees that by submitting this form he will include the Federal-Aid Provision titled *Required Contract Provisions Federal-Aid Construction Contract (Form FHWA PR 1273)* provided by the Department, without subsequent modification, in all lower tier covered transactions.
5. The Contractor may rely upon a certification of a participant in a lower tier covered transaction that he is not debarred, suspended, ineligible, or voluntarily excluded from the covered transaction, unless he knows that the certification is erroneous. The Contractor may decide the method and frequency by which he will determine the eligibility of his subcontractors.
6. Nothing contained in the foregoing shall be construed to require establishment of a system of records in order to render in good faith the certification required by this provision. The knowledge and information of a participant is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.
7. Except as authorized in paragraph 3 herein, the Department may terminate any contract if the Contractor knowingly enters into a lower tier covered transaction with a person who is suspended, debarred, ineligible, or voluntarily excluded from participation in this transaction, in addition to other remedies available by the Federal Government.

Contract Number C202292
County WAKE, FRANKLIN

Rev 7-20-08

DEBARMENT CERTIFICATION

The Contractor certifies to the best of his knowledge and belief, that he and his principals:

- a. Are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from covered transactions by any Federal department or agency;
- b. Have not within a three-year period preceding this proposal been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State or local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records; making false statements; or receiving stolen property;
- c. Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, State or local) with commission of any of the offenses enumerated in paragraph b. of this certification; and
- d. Have not within a three-year period preceding this proposal had one or more public transactions (Federal, State or local) terminated for cause or default.
- e. If status changes, will submit a revised Debarment Certification immediately.

If the Contractor cannot certify that he is not debarred, he shall provide an explanation with this submittal. An explanation will not necessarily result in denial of participation in a contract.

Failure to submit a non-collusion affidavit and debarment certification will result in the Contractor's bid being considered non-responsive.

Check here if an explanation is attached to this certification.

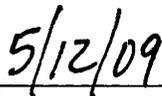
Contract No C202292

Counties: Wake/Franklin

ACCEPTED BY THE
DEPARTMENT OF TRANSPORTATION



Contract Officer



Date

Execution of Contract and Bonds
Approved as to Form:



Assistant Attorney General

Contract No. C202292
County WAKE, FRANKLIN

CONTRACT PAYMENT BOND
Bond No. 6599917

Date of Payment Bond Execution May 5, 2009

Name of Principal Contractor S. T. Wooten Corporation

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

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

Amount of Bond: \$5,836,203.15

Contract ID No.: C202292

County Name: WAKE, FRANKLIN

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. C202292
County WAKE, FRANKLIN

CONTRACT PAYMENT BOND

Affix Seal of Surety Company

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

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

Debra S. Ritter
Signature of Attorney-in-Fact

Angela M. Yount
Signature of Witness

Angela M. Yount
Print or type Witness' Name

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

Contract No. C202292
County WAKE, FRANKLIN

CONTRACT PAYMENT BOND
CORPORATION

SIGNATURE OF CONTRACTOR (Principal)

S. T. Wooten Corporation

Full name of Corporation

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

Address as prequalified

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

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

Affix Corporate Seal

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

W. READE DAWSON
Print or type Signer's name

Contract No. C202292
County WAKE, FRANKLIN

CONTRACT PERFORMANCE BOND
Bond No. 6599917

Date of Payment Bond Execution: May 5, 2009
Name of Principal Contractor: S. T. Wooten Corporation
Name of Surety: Safeco Insurance Co. of America
2359 Perimeter Pointe Parkway, Suite 160
Charlotte, NC 28208
Name of Contracting Body: **North Carolina Department of Transportation**
Raleigh, North Carolina
Amount of Bond: \$5,836,203.15
Contract ID No.: C202292
County Name: WAKE, FRANKLIN

KNOW ALL MEN BY THESE PRESENTS, That we, the PRINCIPAL CONTRACTOR (hereafter, PRINCIPAL) and SURETY above named, are held and firmly bound unto the above named Contracting Body, hereinafter called the Contracting Body, in the penal sum of the amount stated above for the payment of which sum well and truly to be made, we bind ourselves, our heirs, executors, administrators, and successors, jointly and severally, firmly by these presents.

THE CONDITION OF THIS OBLIGATION IS SUCH that whereas the principal entered into a certain contract with the Contracting Body, numbered as shown above and hereto attached:

NOW THEREFORE, if the principal shall well and truly perform and fulfill all the undertakings, covenants, terms, conditions, and agreements of said contract during the original term of said Contract and any extensions thereof that may be granted by the Contracting Body, with or without notice to the Surety, and during the life of any guaranty required under the contract, and shall also well and truly perform and fulfill all the undertakings, covenants, terms, conditions, and agreements of any and all duly authorized modifications of said contract that may hereafter be made, notice of which modifications to the surety being hereby waived, then this obligation to be void; otherwise to remain in full force and virtue.

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

Contract No. C202292
County WAKE, FRANKLIN

CONTRACT PERFORMANCE BOND

Affix Seal of Surety Company

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

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

Debra S. Ritter
Signature of Attorney-in-Fact

Angela M Yount
Signature of witness

Angela M. Yount
Print or type Witness' Name

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

Contract No. C202292
County WAKE, FRANKLIN

CONTRACT PERFORMANCE BOND
CORPORATION

SIGNATURE OF CONTRACTOR (Principal)

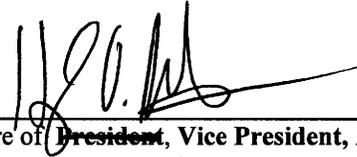
S. T. Wooten Corporation

Full name of Corporation

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

Address as prequalified

By:



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

HENRY D. BUTTS, JR.

Print or type Signer's name

Affix Corporate Seal

Attest



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

W. READE DAWSON

Print or type Signer's name



POWER OF ATTORNEY

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

No. 12642

KNOW ALL BY THESE PRESENTS:

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

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

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

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

this 21st day of March, 2009

Dexter R. Legg (handwritten signature)

Dexter R. Legg, Secretary

T. Mikolajewski (handwritten signature)

Timothy A. Mikolajewski, Vice President

CERTIFICATE

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

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

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

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

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

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

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

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

this 5th day of May, 2009



Dexter R. Legg (handwritten signature)

Dexter R. Legg, Secretary