

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

C202296

CONTRACT AND
CONTRACT BONDS
FOR CONTRACT NO. C202296

WBS 42297.3.ST3 STM-0218(10)

T.I.P NO. R-5114C

COUNTY OF ANSON, UNION

THIS IS THE ROADWAY CONTRACT

ROUTE NUMBER NC 218 LENGTH 13.600 MILES

LOCATION NC-218 FROM EAST OF NC-205 TO US-74.

CONTRACTOR BOGGS PAVING, INC.

ADDRESS P.O. BOX 1609
MONROE, NC 28111

BIDS OPENED MAY 19, 2009

CONTRACT EXECUTION JUN 09 2009

Boggs Paving, Inc. (3186).

Vendor 1 of 4 Vendors for Call Order 016 (Proposal ID C202296).

County: UNION, ANSON
Address: P. O. Box 1609
1613 W. Roosevelt Blvd.
Monroe, NC 28111

Phone Number: 704-289-8482

Signature Check: This bid has been properly signed by Greg_D._Miller_3186.

Time Bid Received: Tue May 19 13:46:29 2009

Bid Checksum: E8EC1D8F

Amendment Count: 0

Bidding Errors: No bidding errors.

Bid Total: \$4,030,422.96

Bond ID: SNC09585441

Bond was Verified: Yes.

Bond Required Percent: 5.00%

Minimum Check Amount: \$201,521.15

Bid Security Maximum: \$

Bond Agency Name:

Agency Execution Date: 5/7/2009 4:56:32 PM

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 7.0%
DBE GOAL MET 7.0%

LIST OF DBE PARTICIPANTS

VENDOR NUMBER	DBE NAME ADDRESS	WORK CODE TYPE OF WORK	CERT TYPE AMOUNT
3346	WB LINEBERRY, INC. POST OFFICE BOX 307 , CLIMAX, NC 27233		Sub 39,757.00 ✓
4898	WB BULLINGTON CONSTRUCTION INC 417 FOXGLOVE LANE , INDIAN TRAIL, NC 28079		Sub 29,710.00 ✓
4247	WB SEAL BROTHERS CONTRACTING LLC 131 W. CLEVE STREET , MOUNT AIRY, NC 27030		Sub 3,000.00 ✓
3765	WB STAY ALERT SAFETY SERVICES INC POST OFFICE BOX 467 , KERNERSVILLE, NC 27285		Sub 4,826.00 ✓
10201	WB D'S TRUCKING SERVICE INC PO BOX 1404 , INDIAN TRAIL, NC 28079		Sub 205,277.50 ✓
TOTAL:			\$282,570.50 ✓ 7.01%

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: SNC09585441
Surety Registry Agency: surety2000

NCDOT/berc

Vendor 3186's Load Output for Call 016, Letting L090519, 2009-05-19

Verified?: Yes

Surety Agency: Safeco Insurance Company of America

Bond Execution Date: 5/7/2009 4:56:32 PM

Bond Amount: \$201,521.15 (Five Percent of Bid)

State of NC
Dept of Transportation

Date: 04-21-09
Revised:

Contract ID: C202296 Project(s): STM-0218(10)
Letting Date: 05-19-09 Call Order: 016
Bidder: 3186 - Boggs Paving, Inc.

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

Section 0001 ROADWAY ITEMS

Alt Group

0001	0000100000-N MOBILIZATIO N	LUMP		LUMP		168,400.00
0002	0106000000-E BORROW EXCAVATION	CY	180.000	7.00000		1,260.00
0003	0318000000-E FOUNDATION CONDITIONING MATE- RIAL, MINOR STRS	TON	60.000	30.00000		1,800.00
0004	0366000000-E 15" RC PIPE CULVERTS, CLASS III	LF	16.000	40.00000		640.00
0005	0372000000-E 18" RC PIPE CULVERTS, CLASS III	LF	44.000	35.00000		1,540.00
0006	0378000000-E 24" RC PIPE CULVERTS, CLASS III	LF	16.000	50.00000		800.00
0007	0384000000-E 30" RC PIPE CULVERTS, CLASS III	LF	4.000	100.00000		400.00
0008	1220000000-E INCIDENTAL STONE BASE	TON	4,080.000	33.00000		134,640.00
0009	1245000000-E SHOULDER RECONSTRUCTION	SMI	27.200	2,000.00000		54,400.00
0010	1264000000-E DITCHING	LF	2,000.000	1.00000		2,000.00
0011	1297000000-E MILLING ASPHALT PAVEMENT, ***"DEPTH (1-1/2)	SY	3,700.000	2.00000		7,400.00

State of NC
Dept of Transportation

Date: 04-21-09
Revised:

Contract ID: C202296 Project(s): STM-0218(10)
Letting Date: 05-19-09 Call Order: 016
Bidder: 3186 - Boggs Paving, Inc.

Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
0012	1308000000-E MILLING ASPHALT PAVEMENT, ***"TO *****" DEPTH (0" TO 4-1/2")	3,600.000 SY	2.50000		9,000.00	
0013	1330000000-E INCIDENTAL MILLING	946.000 SY	5.50000		5,203.00	
0014	1503000000-E ASPHALT CONC INTERMEDIATE COURSE, TYPE I19.0C	40,968.000 TON	27.00000		1,106,136.00	
0015	1523000000-E ASPHALT CONC SURFACE COURSE, TYPE S9.5C	21,824.000 TON	30.00000		654,720.00	
0016	1560000000-E ASPHALT BINDER FOR PLANT MIX, GRADE PG 64-22	1,925.000 TON	385.00000		741,125.00	
0017	1565000000-E ASPHALT BINDER FOR PLANT MIX, GRADE PG 70-22	1,309.000 TON	385.00000		503,965.00	
0018	1704000000-E PATCHING EXISTING PAVEMENT	5,465.000 TON	73.00000		398,945.00	
0019	2253000000-E PIPE COLLARS	7.000 CY	700.00000		4,900.00	
0020	2612000000-E 6" CONCRETE DRIVEWAY	400.000 SY	42.00000		16,800.00	
0021	2830000000-N ADJUSTMENT OF MANHOLES	1.000 EA	400.00000		400.00	
0022	2845000000-N ADJUSTMENT OF METER BOXES OR VALVE BOXES	1.000 EA	250.00000		250.00	

State of NC
Dept of Transportation

Date: 04-21-09
Revised:

Contract ID: C202296 Project(s): STM-0218(10)
Letting Date: 05-19-09 Call Order: 016
Bidder: 3186 - Boggs Paving, Inc.

Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
0023	3030000000-E STEEL BM GUARDRAIL	1,525.000 LF	11.50000		17,537.50	
0024	3270000000-N GUARDRAIL ANCHOR UNITS, TYPE 350	4.000 EA	1,700.00000		6,800.00	
0025	3319000000-N GUARDRAIL ANCHOR UNITS, TYPE B-83	4.000 EA	1,300.00000		5,200.00	
0026	3360000000-E REMOVE EXISTING GUARDRAIL	1,725.000 LF	0.10000		172.50	
0027	4589000000-N GENERIC TRAFFIC CONTROL ITEM TRAFFIC CONTROL	LUMP	LUMP		1,500.00	
0028	4685000000-E THERMOPLAST IC PAVEMENT MARKING LINES (4", 90 MILS)	142,200.000 LF	0.34000		48,348.00	
0029	4686000000-E THERMOPLAST IC PAVEMENT MARKING LINES (4", 120 MILS)	131,800.000 LF	0.44000		57,992.00	
0030	4705000000-E THERMOPLAST IC PAVEMENT MARKING LINES (16", 120 MILS)	100.000 LF	4.00000		400.00	
0031	4710000000-E THERMOPLAST IC PAVEMENT MARKING LINES (24", 120 MILS)	200.000 LF	6.00000		1,200.00	
0032	4721000000-E THERMOPLAST IC PAVEMENT MARKING CHARACTER (120 MILS)	4.000 EA	300.00000		1,200.00	
0033	4810000000-E PAINT PAVEMENT MARKING LINES (4")	143,616.000 LF	0.06000		8,616.96	

State of NC
 Dept of Transportation

Date: 04-21-09
 Revised:

Contract ID: C202296 Project(s): STM-0218(10)
 Letting Date: 05-19-09 Call Order: 016
 Bidder: 3186 - Boggs Paving, Inc.

Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
0034	4900000000-N PERMANENT RAISED PAVEMENT MARKERS	EA 950.000	3.50000		3,325.00	
0035	6000000000-E TEMPORARY SILT FENCE	LF 1,500.000	2.00000		3,000.00	
0036	6009000000-E STONE FOR EROSION CONTROL, CLASS B	TON 500.000	32.00000		16,000.00	
0037	6012000000-E SEDIMENT CONTROL STONE	TON 150.000	31.00000		4,650.00	
0038	6036000000-E MATTING FOR EROSION CONTROL	SY 2,500.000	1.35000		3,375.00	
0039	6037000000-E COIR FIBER MAT	SY 150.000	7.50000		1,125.00	
0040	6071010000-E WATTLE	LF 3,250.000	4.50000		14,625.00	
0041	6071020000-E POLYACRYLAMIDE (PAM)	LB 40.000	26.50000		1,060.00	
0042	6084000000-E SEEDING & MULCHING	ACR 14.000	1,398.00000		19,572.00	
	Section 0001 Total				4,030,422.96	
	Bid Total				4,030,422.96	

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:04-21-09
PAGE: 7

PROPOSAL: C202296
LETTING: L090519 CALL: 016
VENDOR: 3186 Boggs Paving, Inc.

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

DBE SUBCONTRACTOR: 3346 LINEBERRY, INC.
Will Use Quote: Yes

0038	6036000000-E	MATTING FOR	SY	2500.000	1.35000	3375.00
0039	6037000000-E	COIR FIBER M	SY	150.000	7.50000	1125.00
0040	6071010000-E	WATTLE	LF	3250.000	4.50000	14625.00
0041	6071020000-E	POLYACRYLAMI	LB	40.000	26.50000	1060.00
0042	6084000000-E	SEEDING AND	ACR	14.000	1398.00000	19572.00

DBE COMMITMENT TOTAL FOR SUBCONTRACTOR: 39,757.00 ✓
DBE COMMITMENT TOTAL FOR VENDOR (SubContractor) 39,757.

DBE SUBCONTRACTOR: 4898 BULLINGTON CONSTRUCTION INC
Will Use Quote: Yes

0023	3030000000-E	STL BM GUARD	LF	1525.000	11.50000	17537.50
0024	3270000000-N	GR ANCHOR TY	EA	4.000	1700.00000	6800.00
0025	3319000000-N	GR ANCHOR TY	EA	4.000	1300.00000	5200.00
0026	3360000000-E	REMOVE EXIST	LF	1725.000	0.10000	172.50

DBE COMMITMENT TOTAL FOR SUBCONTRACTOR: 29,710.00 ✓
DBE COMMITMENT TOTAL FOR VENDOR (SubContractor) 29,710.

DBE SUBCONTRACTOR: 4247 SEAL BROTHERS CONTRACTING LLC
Will Use Quote: Yes

0035	6000000000-E	TEMPORARY SI	LF	1500.000	2.00000	3000.00
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DBE COMMITMENT TOTAL FOR SUBCONTRACTOR: 3,000.00 ✓
DBE COMMITMENT TOTAL FOR VENDOR (SubContractor) 3,000.0

DBE SUBCONTRACTOR: 3765 STAY ALERT SAFETY SERVICES INC
Will Use Quote: Yes

0001	0000100000-N	MOBILIZATION	LS	1.000	4826.00000	4826.00
		work zone signs				

DBE COMMITMENT TOTAL FOR SUBCONTRACTOR: 4,826.00 ✓
DBE COMMITMENT TOTAL FOR VENDOR (SubContractor) 4,826.0

DBE SUBCONTRACTOR: 10201 D'S TRUCKING SERVICE INC
Will Use Quote: Yes

0018	1704000000-E	PATCHING EXI	TON	5465.000	9.50000	51917.50
		HAULING AGGREGATES TO PLANT SITE, DIG OUT TO PLANT SITE AND ASPHALT				
0008	1220000000-E	INCIDENTAL S	TON	4080.000	7.00000	28560.00
		HAULING MATERIALS				

NORTH CAROLINA STATE DEPARTMENT OF TRANSPORTATION
 DBE COMMITMENT ITEMS

DATE: 04-21-09
 PAGE: 8

LINE NO.	ITEM NO.	ITEM DESC.	UNIT TYPE	SUBCONTRACTOR QUANTITY	SUBCONTRACTOR UNIT PRICE	EXTENDED AMOUNT
0015	1523000000-E	ASP CONC SUR	TON	15600.000	8.00000	124800.00
HAULING AGGREGATES TO PLANT SITE AND ASPHALT MATERIALS						
DBE COMMITMENT TOTAL FOR SUBCONTRACTOR:						205,277.50 ✓
DBE COMMITMENT TOTAL FOR VENDOR (SubContractor)						205,277

TOTAL DBE COMMITMENT FOR VENDOR: Entered: 7.01% or 282570.50
 Required: 7.00% or 282129.61
 <GOAL MET>

Contract Item Sheets For C202296

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
ROADWAY ITEMS						
0001	0000100000-N	800	MOBILIZATION	Lump Sum LS	168,400.00	168,400.00
0002	0106000000-E	230	BORROW EXCAVATION	180 CY	7.00	1,260.00
0003	0318000000-E	300	FOUNDATION CONDITIONING MATERIAL, MINOR STRS	60 TON	30.00	1,800.00
0004	0366000000-E	310	15" RC PIPE CULVERTS, CLASS III	16 LF	40.00	640.00
0005	0372000000-E	310	18" RC PIPE CULVERTS, CLASS III	44 LF	35.00	1,540.00
0006	0378000000-E	310	24" RC PIPE CULVERTS, CLASS III	16 LF	50.00	800.00
0007	0384000000-E	310	30" RC PIPE CULVERTS, CLASS III	4 LF	100.00	400.00
0008	1220000000-E	545	INCIDENTAL STONE BASE	4,080 TON	33.00	134,640.00
0009	1245000000-E	SP	SHOULDER RECONSTRUCTION	27.2 SMI	2,000.00	54,400.00
0010	1264000000-E	SP	DITCHING	2,000 LF	1.00	2,000.00
0011	1297000000-E	607	MILLING ASPHALT PAVEMENT, **** DEPTH (1-1/2)	3,700 SY	2.00	7,400.00
0012	1308000000-E	607	MILLING ASPHALT PAVEMENT, **** TO ***** DEPTH (0" TO 4-1/2")	3,600 SY	2.50	9,000.00
0013	1330000000-E	607	INCIDENTAL MILLING	946 SY	5.50	5,203.00
0014	1503000000-E	610	ASPHALT CONC INTERMEDIATE COURSE, TYPE I19.0C	40,968 TON	27.00	1,106,136.00
0015	1523000000-E	610	ASPHALT CONC SURFACE COURSE, TYPE S9.5C	21,824 TON	30.00	654,720.00
0016	1560000000-E	620	ASPHALT BINDER FOR PLANT MIX, GRADE PG 64-22	1,925 TON	385.00	741,125.00
0017	1565000000-E	620	ASPHALT BINDER FOR PLANT MIX, GRADE PG 70-22	1,309 TON	385.00	503,965.00

Contract Item Sheets For C202296

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
0018	1704000000-E	SP	PATCHING EXISTING PAVEMENT	5,465 TON	73.00	398,945.00
0019	2253000000-E	840	PIPE COLLARS	7 CY	700.00	4,900.00
0020	2612000000-E	848	6" CONCRETE DRIVEWAY	400 SY	42.00	16,800.00
0021	2830000000-N	858	ADJUSTMENT OF MANHOLES	1 EA	400.00	400.00
0022	2845000000-N	858	ADJUSTMENT OF METER BOXES OR VALVE BOXES	1 EA	250.00	250.00
0023	3030000000-E	862	STEEL BM GUARDRAIL	1,525 LF	11.50	17,537.50
0024	3270000000-N	SP	GUARDRAIL ANCHOR UNITS, TYPE 350	4 EA	1,700.00	6,800.00
0025	3319000000-N	862	GUARDRAIL ANCHOR UNITS, TYPE B-83	4 EA	1,300.00	5,200.00
0026	3360000000-E	863	REMOVE EXISTING GUARDRAIL	1,725 LF	0.10	172.50
0027	4589000000-N	SP	GENERIC TRAFFIC CONTROL ITEM TRAFFIC CONTROL	Lump Sum LS	1,500.00	1,500.00
0028	4685000000-E	1205	THERMOPLASTIC PAVEMENT MARKING LINES (4", 90 MILS)	142,200 LF	0.34	48,348.00
0029	4686000000-E	1205	THERMOPLASTIC PAVEMENT MARKING LINES (4", 120 MILS)	131,800 LF	0.44	57,992.00
0030	4705000000-E	1205	THERMOPLASTIC PAVEMENT MARKING LINES (16", 120 MILS)	100 LF	4.00	400.00
0031	4710000000-E	1205	THERMOPLASTIC PAVEMENT MARKING LINES (24", 120 MILS)	200 LF	6.00	1,200.00
0032	4721000000-E	1205	THERMOPLASTIC PAVEMENT MARKING CHARACTER (120 MILS)	4 EA	300.00	1,200.00
0033	4810000000-E	1205	PAINT PAVEMENT MARKING LINES (4")	143,616 LF	0.06	8,616.96
0034	4900000000-N	1251	PERMANENT RAISED PAVEMENT MARKERS	950 EA	3.50	3,325.00

Contract Item Sheets For C202296

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
0035	6000000000-E	1605	TEMPORARY SILT FENCE	1,500 LF	2.00	3,000.00
0036	6009000000-E	1610	STONE FOR EROSION CONTROL, CLASS B	500 TON	32.00	16,000.00
0037	6012000000-E	1610	SEDIMENT CONTROL STONE	150 TON	31.00	4,650.00
0038	6036000000-E	1631	MATTING FOR EROSION CONTROL	2,500 SY	1.35	3,375.00
0039	6037000000-E	SP	COIR FIBER MAT	150 SY	7.50	1,125.00
0040	6071010000-E	SP	WATTLE	3,250 LF	4.50	14,625.00
0041	6071020000-E	SP	POLYACRYLAMIDE (PAM)	40 LB	26.50	1,060.00
0042	6084000000-E	1660	SEEDING & MULCHING	14 ACR	1,398.00	19,572.00

TOTAL AMOUNT OF BID FOR ENTIRE PROJECT

\$4,030,422.96 ✓

1040/May28/Q516807.2/D127088130000/E42

Contract Number C202296
County ANSON, UNION

Rev 7-20-08

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

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

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

SIGNATURE OF CONTRACTOR

BOGGS PAVING, INC.

Full name of Corporation

PO BOX 1609, MONROE, NC 28111-1609

Address as Prequalified

Attest

Greg D. Miller

Secretary/Assistant Secretary
Select appropriate title

By

Carl A. Boggs

President/Vice President/Assistant Vice President
Select appropriate title

GREG D. MILLER

Print or type Signer's name

CARL A. BOGGS, III

Print or type Signer's name

CORPORATE SEAL

AFFIDAVIT MUST BE NOTARIZED

NOTARY SEAL

Subscribed and sworn to before me this the

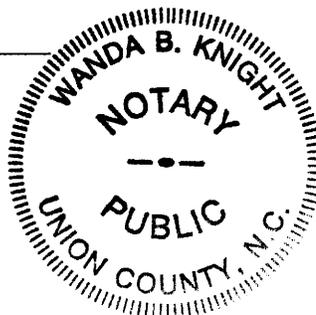
3rd day of June 2009

Wanda B. Knight
Signature of Notary Public

of UNION County

State of NORTH CAROLINA

My Commission Expires: 12/21/2011



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 C202296

County (ies): Anson, Union

ACCEPTED BY THE
DEPARTMENT OF TRANSPORTATION

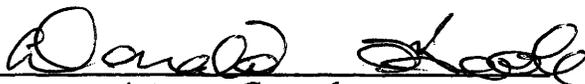


Contract Officer

6/9/09

Date

**Execution of Contract and Bonds
Approved as to Form:**



Attorney General

Contract No. C202296
County Anson & Union

Rev. 5-13-08

Bond No. 6578708

CONTRACT PAYMENT BOND

Date of Payment Bond Execution: June 1, 2009

Name of Principal Contractor: Boggs Paving, Inc.

Name of Surety: Safeco Insurance Company of America

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

Amount of Bond: Four Million Thirty Thousand Four
Hundred Twenty Two Dollars and 96/100 (\$4,030,422.96)

Contract ID No.: C202296

County Name(s): Anson & Union

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

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

NOW THEREFORE, if the principal shall promptly make payment to all persons supplying labor and material in the prosecution of the work provided for in said contract, and any and all duly authorized modifications of said contract that may hereafter be made, notice of which modifications to the surety being hereby waived, then this obligation to be void; otherwise to remain in full force and virtue.

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

Contract No. C202296
County Anson & Union

Rev 02-13-04

CONTRACT PAYMENT BOND

Affix Seal of Surety Company

Safeco Insurance Company of America
Print or type Surety Company Name



By Heidi K. Harrell
Print, stamp or type name of Attorney-in-Fact

Heidi K. Harrell
Signature of Attorney-in-Fact

Surety Phone
No. 803.256.1193

Frances Burdette
Signature of witness

Frances Burdette
Print or type witness' name

1441 Main Street
Columbia SC 29201
Address of Attorney-in-Fact

Contract No. C202296

Rev 02-13-04

County Anson & Union

CONTRACT PAYMENT BOND

CORPORATION

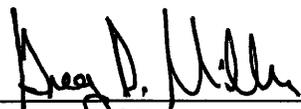
SIGNATURE OF CONTRACTOR (Principal)

Boggs Paving, Inc.
Print or type full name of Corporation

PO Box 1609 Monroe NC 28111-1609
Address as prequalified

By 
Signature of ~~President, Vice President, Assistant Vice President~~
Delete inappropriate title

CARL A. BOGGS, III
Print or type signer's name

Attest 
Signature of Secretary, ~~Assistant Secretary~~
Delete inappropriate title

GREG D. MILLER
Print or type signer's name

Affix Corporate Seal

Contract No. C202296
County Anson & Union

Rev. 5-13-08

Bond No. 6578708

CONTRACT PERFORMANCE BOND

Date of Contract Bond Execution June 1, 2009

Name of Principal Contractor: Boggs Paving, Inc.

Name of Surety: Safeco Insurance Company of America

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

Amount of Bond: Four Million Thirty Thousand Four Hundred Twenty Two Dollars and 96/100 (\$ 4,030,422.96)

Contract ID No.: C202296

County Name(s): Anson & Union

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

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

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

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

Contract Number C202296
County Anson & Union

Rev 02-13-04

CONTRACT PERFORMANCE BOND

Affix Seal of Surety Company

Safeco Insurance Company of America
Print or type Surety Company Name



By Heidi K. Harrell
Attorney-in-Fact
Print, stamp, or type name of Attorney-in Fact

Heidi K. Harrell
Signature of Attorney-in-Fact

Surety Phone
No. 803.256.1193

Frances Burdette
Signature of witness

Frances Burdette
Print or type witness' name

1441 Main Street
Columbia SC 29201
Address of Attorney-in-Fact

CONTRACT PERFORMANCE BOND
CORPORATION

SIGNATURE OF CONTRACTOR (Principal)

Boggs Paving, Inc.

Print full name of Corporation

PO Box 1609

Monroe

NC 28111-1609

Address as prequalified

By



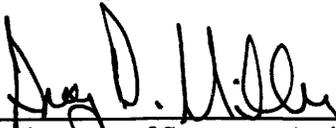
~~Signature of President, Vice President, Assistant Vice President~~

Delete inappropriate title

CARL A. BOGGS, III

Print or type signer's name

Attest



~~Signature of Secretary, Assistant Secretary~~

Delete inappropriate title

GREG D. MILLER

Print or type signer's name

Affix Corporate Seal

POWER
OF ATTORNEY

KNOW ALL BY THESE PRESENTS:

No. _____

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

Heidi K. Harrell Columbia SC

its true and lawful attorney(s)-in-fact, with full authority to execute on its behalf the following surety bond:

Surety Bond Number: 6578708
Principal: Boggs Paving, Inc.
Obligee: North Carolina Department of Transportation
Amount of Bond: See Bond Form

IN WITNESS WHEREOF, **SAFECO INSURANCE COMPANY OF AMERICA** and **GENERAL INSURANCE COMPANY OF AMERICA** has executed and attested these presents

this 1st day of June, 2009

Dexter R. Legg, Secretary

Timothy A. Mikolajewski, Vice President

CERTIFICATE

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

"Article 8, Section 8.1 1. - 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 corporation fidelity and surety bonds and other documents of similar character issued by the corporation 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 corporation, 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."

I, Dexter R. Legg, Secretary of **SAFECO INSURANCE COMPANY OF AMERICA** and **GENERAL INSURANCE COMPANY OF AMERICA**, do hereby certify that the foregoing extracts of the By-Laws of this corporation, and of a Power of Attorney issued pursuant thereto, are true and correct, and that both the By-Laws 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 1st day of June, 2009



Dexter R. Legg, Secretary