

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

C202113

CONTRACT AND  
CONTRACT BONDS

FOR CONTRACT NO. C202113

WBS 33812.3.1 BRZ-2024(2)

T.I.P NO. B-4646

COUNTY OF SURRY

THIS IS THE ROADWAY & STRUCTURE CONTRACT

ROUTE NUMBER SR 2024 LENGTH 0.104 MILES

LOCATION BRIDGE OVER TOM'S CREEK & APPROACHES ON SR-2024.

CONTRACTOR MILLER ENGINEERING COMPANY, INC

ADDRESS P.O. BOX 1048  
MARION, NC 287521048

BIDS OPENED MAY 19, 2009

CONTRACT EXECUTION JUN 22 2009

**MILLER ENGINEERING CO INC (3755).**

**Vendor 7 of 9 Vendors for Call Order 018 (Proposal ID C202113).**

County: SURRY  
Address: P.O. BOX 1048  
MARION, NC 28752

Phone Number: 8287388441

Signature Check: This bid has been properly signed by Clifford\_H\_Miller\_3755.

Time Bid Received: Tue May 19 12:46:07 2009

Bid Checksum: 449737DE

Amendment Count: 0

Bidding Errors: No bidding errors.

Bid Total: \$609,079.74 ✓

Bond ID: SNC09395515

Bond was Verified: Yes.

Bond Required Percent: 5.00%

Minimum Check Amount: \$30,453.99

Bid Security Maximum: \$

Bond Agency Name:

Agency Execution Date: 5/15/2009 1:05:41 PM

Surety Name: Fidelity And Deposit Company of Maryland

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 7.2%

LIST OF DBE PARTICIPANTS

VENDOR NUMBER	DBE NAME ADDRESS	WORK CODE TYPE OF WORK	CERT TYPE	AMOUNT
4898 <b>WB</b>	BULLINGTON CONSTRUCTION INC 417 FOXGLOVE LANE , INDIAN TRAIL, NC 28079		Sub	12,452.50 ✓
3765 <b>WB</b>	STAY ALERT SAFETY SERVICES INC POST OFFICE BOX 467 , KERNERSVILLE, NC 27285		Sub	5,215.68 ✓
4388 <b>WB</b>	FOOTHILLS CONSTRUCTION SERV INC 6081 PEA RIDGE PASS , HAMPTONVILLE, NC 27020		Sub	26,475.50 ✓
			TOTAL:	\$44,143.68 ✓ 7.25%

Miscellaneous Data Info - Contractor Responses:

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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: SNC09395515  
 Surety Registry Agency: surety2000  
 Verified?: Yes  
 Surety Agency: Fidelity And Deposit Company of Maryland  
 Bond Execution Date: 5/15/2009 1:05:41 PM  
 Bond Amount: \$30,453.99 (Five Percent of Bid)

State of NC  
 Dept of Transportation

Date: 04-21-09  
 Revised:

Contract ID: C202113 Project(s): BRZ-2024(2)  
 Letting Date: 05-19-09 Call Order: 018  
 Bidder: 3755 - MILLER ENGINEERING 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 MOBILIZATIO N	LUMP		LUMP		10,000.00
0002	0000400000-N CONSTRUCTIO N SURVEYING	LUMP		LUMP		7,500.00
0003	0030000000-N BRIDGE APPROACH FILL - SUB REGIONAL TIER, STATION ***** (18+70)	LUMP		LUMP		14,000.00
0004	0036000000-E UNDERCUT EXCAVATION	CY 250.000		4.00000		1,000.00
0005	0043000000-N GRADING	LUMP		LUMP		20,000.00
0006	0050000000-E SUPPLEMENTA RY CLEARING & GRUB-BING	ACR 1.000		1.00000		1.00
0007	0134000000-E DRAINAGE DITCH EXCAVATION	CY 168.000		5.00000		840.00
0008	0195000000-E SELECT GRANULAR MATERIAL	CY 250.000		30.00000		7,500.00
0009	0318000000-E FOUNDATION CONDITIONING MATE- RIAL, MINOR STRS	TON 12.000		30.00000		360.00
0010	0372000000-E 18" RC PIPE CULVERTS, CLASS III	LF 48.000		20.00000		960.00

State of NC  
Dept of Transportation

Date: 04-21-09  
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Bidder: 3755 - MILLER ENGINEERING CO INC

Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
0011	1121000000-E AGGREGATE BASE COURSE	30.000 TON	25.00000		750.00	
0012	1220000000-E INCIDENTAL STONE BASE	30.000 TON	25.00000		750.00	
0013	1489000000-E ASPHALT CONC BASE COURSE, TYPE B25.0B	340.000 TON	57.30000		19,482.00	
0014	1525000000-E ASPHALT CONC SURFACE COURSE, TYPE SF9.5A	225.000 TON	61.30000		13,792.50	
0015	1560000000-E ASPHALT BINDER FOR PLANT MIX, GRADE PG 64-22	30.000 TON	425.00000		12,750.00	
0016	1693000000-E ASPHALT PLANT MIX, PAVEMENT REPAIR	30.000 TON	150.00000		4,500.00	
0017	2000000000-N RIGHT OF WAY MARKERS	11.000 EA	175.00000		1,925.00	
0018	2022000000-E SUBDRAIN EXCAVATION	26.000 CY	7.00000		182.00	
0019	2033000000-E SUBDRAIN FINE AGGREGATE	18.000 CY	40.00000		720.00	
0020	2044000000-E 6" PERFORATED SUBDRAIN PIPE	100.000 LF	20.00000		2,000.00	
0021	2055000000-E 6" SUBDRAIN PIPE WYES, TEES, & ELBOWS	3.000 EA	50.00000		150.00	
0022	2066000000-N CONCRETE PAD FOR SUBDRAIN PIPE OUTLET	1.000 EA	300.00000		300.00	

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Bidder: 3755 - MILLER ENGINEERING CO INC

Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
0023	2077000000-E 6" OUTLET PIPE (SUBDRAINS)	6.000 LF	20.00000		120.00	
0024	2286000000-N MASONRY DRAINAGE STRUCTURES	3.000 EA	750.00000		2,250.00	
0025	2367000000-N FRAME WITH TWO GRATES, STD 840.29	3.000 EA	500.00000		1,500.00	
0026	2556000000-E SHOULDER BERM GUTTER	105.000 LF	35.50000		3,727.50	
0027	2580000000-E CONCRETE VALLEY GUTTER	35.000 LF	25.50000		892.50	
0028	3030000000-E STEEL BM GUARDRAIL	87.500 LF	15.00000		1,312.50	
0029	3150000000-N ADDITIONAL GUARDRAIL POSTS	5.000 EA	8.00000		40.00	
0030	3180000000-N GUARDRAIL ANCHOR UNITS, TYPE ***** (III SHOP CURVED)	1.000 EA	1,500.00000		1,500.00	
0031	3195000000-N GUARDRAIL ANCHOR UNITS, TYPE AT-1	1.000 EA	600.00000		600.00	
0032	3215000000-N GUARDRAIL ANCHOR UNITS, TYPE III	3.000 EA	1,200.00000		3,600.00	
0033	3270000000-N GUARDRAIL ANCHOR UNITS, TYPE 350	3.000 EA	1,800.00000		5,400.00	

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Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
0034	3635000000-E RIP RAP, CLASS II	29.000 TON	40.00000		1,160.00	
0035	3649000000-E RIP RAP, CLASS B	18.000 TON	40.00000		720.00	
0036	3656000000-E FILTER FABRIC FOR DRAINAGE	854.000 SY	4.00000		3,416.00	
0037	4400000000-E WORK ZONE SIGNS (STATIONARY)	534.000 SF	5.00000		2,670.00	
0038	4410000000-E WORK ZONE SIGNS (BARRICADE MOUNTED)	144.000 SF	6.00000		864.00	
0039	4430000000-N DRUMS	10.000 EA	50.00000		500.00	
0040	4445000000-E BARRICADES (TYPE III)	102.000 LF	24.00000		2,448.00	
0041	4810000000-E PAINT PAVEMENT MARKING LINES (4")	5,000.000 LF	0.70000		3,500.00	
0042	6000000000-E TEMPORARY SILT FENCE	275.000 LF	3.00000		825.00	
0043	6006000000-E STONE FOR EROSION CONTROL, CLASS A	150.000 TON	40.00000		6,000.00	
0044	6009000000-E STONE FOR EROSION CONTROL, CLASS B	200.000 TON	40.00000		8,000.00	
0045	6012000000-E SEDIMENT CONTROL STONE	250.000 TON	35.00000		8,750.00	

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			Dollars	Cts	Dollars	Ct
0046	6015000000-E TEMPORARY MULCHING	ACR 2.500	825.00000		2,062.50	
0047	6018000000-E SEED FOR TEMPORARY SEEDING	LB 100.000	7.75000		775.00	
0048	6021000000-E FERTILIZER FOR TEMPORARY SEED-ING	TON 1.250	440.00000		550.00	
0049	6024000000-E TEMPORARY SLOPE DRAINS	LF 75.000	20.00000		1,500.00	
0050	6027000000-N INLET PROTECTION AT TEMPORARY SLOPE DRAINS	EA 1.000	300.00000		300.00	
0051	6029000000-E SAFETY FENCE	LF 250.000	2.50000		625.00	
0052	6030000000-E SILT EXCAVATION	CY 485.000	2.00000		970.00	
0053	6036000000-E MATTING FOR EROSION CONTROL	SY 1,000.000	2.00000		2,000.00	
0054	6037000000-E COIR FIBER MAT	SY 50.000	5.00000		250.00	
0055	6038000000-E PERMANENT SOIL REINFORCEMENT MAT	SY 250.000	5.00000		1,250.00	
0056	6042000000-E 1/4" HARDWARE CLOTH	LF 100.000	5.50000		550.00	
0057	6070000000-N SPECIAL STILLING BASINS	EA 8.000	750.00000		6,000.00	



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			Dollars	Cts	Dollars	Ct
0058	6071030000-E COIR FIBER BAFFLES	200.000 LF	7.75000		1,550.00	
0059	6071050000-E *** SKIMMER (1-1/2")	5.000 EA	600.00000		3,000.00	
0060	6084000000-E SEEDING & MULCHING	5.000 ACR	2,100.00000		10,500.00	
0061	6087000000-E MOWING	1.000 ACR	40.00000		40.00	
0062	6090000000-E SEED FOR REPAIR SEEDING	50.000 LB	7.75000		387.50	
0063	6093000000-E FERTILIZER FOR REPAIR SEEDING	0.250 TON	450.00000		112.50	
0064	6096000000-E SEED FOR SUPPLEMENTAL SEEDING	50.000 LB	2.25000		112.50	
0065	6108000000-E FERTILIZER TOPDRESSING	1.250 TON	1,000.00000		1,250.00	
0066	6114000000-N SPECIALIZED HAND MOWING	5.000 HR	55.00000		275.00	
0067	6117000000-N RESPONSE FOR EROSION CONTROL	12.000 EA	175.00000		2,100.00	
0068 AA1	0366000000-E 15" RC PIPE CULVERTS, CLASS III	60.000 LF	20.00000		1,200.00	
0069 AA2	0366000000-E 15" RC PIPE CULVERTS, CLASS III	32.000 LF				

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Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
0070 AA2	0536000000-E ****" HDPE PIPE CULVERTS (15")	28.000 LF				
0071 AA3	0366000000-E 15" RC PIPE CULVERTS, CLASS III	32.000 LF				
0072 AA3	0540000000-E ****" ALUMINIZED CORRUGATED STEEL PIPE CULVERTS, ****" THICK (15", 0.064")	28.000 LF				
Section 0001 Total						216,618.00

Section 0004 STRUCTURE ITEMS

Alt Group

0073	8035000000-N REMOVAL OF EXISTING STRUCTURE AT STATION ***** (18+70.00-L-)	LUMP	LUMP		8,000.00
0074	8105520000-E 3'-0" DIA DRILLED PIERS IN SOIL	38.840 LF	496.00000		19,264.64
0075	8105620000-E 3'-0" DIA DRILLED PIERS NOT IN SOIL	39.000 LF	1,393.00000		54,327.00
0076	8111200000-E PERMANENT STEEL CASING FOR 3'-0" DIA DRILLED PIER	41.720 LF	185.00000		7,718.20
0077	8113000000-N SID INSPECTION	2.000 EA	100.00000		200.00
0078	8115000000-N CROSSHOLE SONIC LOGGING	2.000 EA	2,500.00000		5,000.00

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Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
0079	8121000000-N UNCLASSIFIED STRUCTURE EXCAVATION AT STATION ***** (18+70.00-L-)	LUMP	LUMP			4,000.00
0080	8182000000-E CLASS A CONCRETE (BRIDGE)	CY 63.000	550.00000			34,650.00
0081	8210000000-N BRIDGE APPROACH SLABS, STATION***** (18+70.00-L-)	LUMP	LUMP			20,000.00
0082	8217000000-E REINFORCING STEEL (BRIDGE)	LB 15,836.000	0.75000			11,877.00
0083	8238000000-E SPIRAL COLUMN REINFORCING STEEL (BRIDGE)	LB 1,998.000	1.30000			2,597.40
0084	8364000000-E HP12X53 STEEL PILES	LF 300.000	37.50000			11,250.00
0085	8475000000-E TWO BAR METAL RAIL	LF 270.500	82.00000			22,181.00
0086	8517000000-E 1'-**"X *****" CONCRETE PARAPET (1'-2" X 2'-10 7/8")	LF 285.500	50.00000			14,275.00
0087	8608000000-E RIP RAP CLASS II (2'-0" THICK)	TON 283.000	40.00000			11,320.00
0088	8622000000-E FILTER FABRIC FOR DRAINAGE	SY 314.000	6.00000			1,884.00
0089	8657000000-N ELASTOMERIC BEARINGS	LUMP	LUMP			5,600.00

State of NC  
 Dept of Transportation

Date: 04-21-09  
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 Letting Date: 05-19-09 Call Order: 018  
 Bidder: 3755 - MILLER ENGINEERING CO INC

Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
0090	8762000000-E 3'-0" X 1'-9" PRESTRESSED CONCCORED SLABS	1,567.500 LF	101.00000		158,317.50	
	Section 0004 Total				392,461.74	
	Bid Total				609,079.74	

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: 04-21-09  
PAGE: 12

PROPOSAL: C202113  
LETTING: L090519 CALL: 018  
VENDOR: 3755 MILLER ENGINEERING CO INC

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

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

0028	30300000000-E	STL BM GUARD LF		87.500	15.00000	1312.50
0029	31500000000-N	ADDIT GUARDR EA		5.000	8.00000	40.00
0030	31800000000-N	GR ANCHOR TY EA		1.000	1500.00000	1500.00
0031	31950000000-N	GR ANCHOR TY EA		1.000	600.00000	600.00
0032	32150000000-N	GR ANCHOR TY EA		3.000	1200.00000	3600.00
0033	32700000000-N	GR ANCHOR TY EA		3.000	1800.00000	5400.00

DBE COMMITMENT TOTAL FOR SUBCONTRACTOR: 12,452.50 ✓  
DBE COMMITMENT TOTAL FOR VENDOR (SubContractor ) 12,452.

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

0037	44000000000-E	WORK ZONE SI SF		534.000	4.18000	2232.12
0038	44100000000-E	WORK ZONE SI SF		144.000	5.15000	741.60
0040	44450000000-E	BARRICADES ( LF		102.000	21.98000	2241.96

DBE COMMITMENT TOTAL FOR SUBCONTRACTOR: 5,215.68 ✓  
DBE COMMITMENT TOTAL FOR VENDOR (SubContractor ) 5,215.6

DBE SUBCONTRACTOR: 4388 FOOTHILLS CONSTRUCTION SERV INC  
Will Use Quote: Yes

0017	20000000000-N	RIGHT OF WAY EA		11.000	135.00000	1485.00
0042	60000000000-E	TEMPORARY SI LF		275.000	1.84000	506.00
0046	60150000000-E	TEMPORARY MU ACR		2.500	749.00000	1872.50
0047	60180000000-E	SEED FOR TEM LB		100.000	7.00000	700.00
0048	60210000000-E	FERT FOR TEM TON		1.250	395.00000	493.75
0051	60290000000-E	SAFETY FENCE LF		250.000	1.85000	462.50
0053	60360000000-E	MATTING FOR SY		1000.000	1.79000	1790.00
0054	60370000000-E	COIR FIBER M SY		50.000	4.89000	244.50
0055	60380000000-E	PERM SOIL RE SY		250.000	4.89000	1222.50
0056	60420000000-E	1/4" HARDWAR LF		100.000	4.98000	498.00
0058	60710300000-E	COIR FIBER B LF		200.000	6.98000	1396.00
0059	60710500000-E	**" SKIMMER EA		5.000	545.00000	2725.00
0060	60840000000-E	SEEDING AND ACR		5.000	1939.00000	9695.00
0061	60870000000-E	MOWING ACR		1.000	10.00000	10.00
0062	60900000000-E	SEED FOR REP LB		50.000	7.00000	350.00
0063	60930000000-E	FERT FOR REP TON .		0.250	395.00000	98.75
0064	60960000000-E	SEED FOR SUP LB		50.000	2.00000	100.00
0065	61080000000-E	FERTILIZER T TON		1.250	900.00000	1125.00
0066	61140000000-N	SPECIALIZED HR		5.000	45.00000	225.00
0067	61170000000-N	RESPONSE FOR EA		12.000	123.00000	1476.00

NORTH CAROLINA STATE DEPARTMENT OF TRANSPORTATION  
DBE COMMITMENT ITEMS

DATE: 04-21-09  
PAGE: 13

LINE NO.	ITEM NO.	ITEM DESC.	UNIT TYPE	SUBCONTRACTOR QUANTITY	SUBCONTRACTOR UNIT PRICE	EXTENDED AMOUNT
DBE COMMITMENT TOTAL FOR SUBCONTRACTOR:						26,475.50 ✓
DBE COMMITMENT TOTAL FOR VENDOR (SubContractor )						26,475.

TOTAL DBE COMMITMENT FOR VENDOR:                    Entered:            7.25% or            44143.68  
   Required:            7.00% or            42635.58  
   <GOAL MET>



## Contract Item Sheets For C202113

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
<b>ROADWAY ITEMS</b>						
0001	0000100000-N	800	MOBILIZATION	Lump Sum LS	10,000.00	10,000.00
0002	0000400000-N	801	CONSTRUCTION SURVEYING	Lump Sum LS	7,500.00	7,500.00
0003	0030000000-N	SP	BRIDGE APPROACH FILL - SUB REGIONAL TIER, STATION ***** (18 + 70)	Lump Sum LS	14,000.00	14,000.00
0004	0036000000-E	225	UNDERCUT EXCAVATION	250 CY	4.00	1,000.00
0005	0043000000-N	226	GRADING	Lump Sum LS	20,000.00	20,000.00
0006	0050000000-E	226	SUPPLEMENTARY CLEARING & GRUB- BING	1 ACR	1.00	1.00
0007	0134000000-E	240	DRAINAGE DITCH EXCAVATION	168 CY	5.00	840.00
0008	0195000000-E	265	SELECT GRANULAR MATERIAL	250 CY	30.00	7,500.00
0009	0318000000-E	300	FOUNDATION CONDITIONING MATE- RIAL, MINOR STRS	12 TON	30.00	360.00
0010	0372000000-E	310	18" RC PIPE CULVERTS, CLASS III	48 LF	20.00	960.00
0011	1121000000-E	520	AGGREGATE BASE COURSE	30 TON	25.00	750.00
0012	1220000000-E	545	INCIDENTAL STONE BASE	30 TON	25.00	750.00
0013	1489000000-E	610	ASPHALT CONC BASE COURSE, TYPE B25.0B	340 TON	57.30	19,482.00
0014	1525000000-E	610	ASPHALT CONC SURFACE COURSE, TYPE SF9.5A	225 TON	61.30	13,792.50
0015	1560000000-E	620	ASPHALT BINDER FOR PLANT MIX, GRADE PG 64-22	30 TON	425.00	12,750.00
0016	1693000000-E	654	ASPHALT PLANT MIX, PAVEMENT REPAIR	30 TON	150.00	4,500.00
0017	2000000000-N	806	RIGHT OF WAY MARKERS	11 EA	175.00	1,925.00
0018	2022000000-E	815	SUBDRAIN EXCAVATION	26 CY	7.00	182.00

## Contract Item Sheets For C202113

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
0019	2033000000-E	815	SUBDRAIN FINE AGGREGATE	18 CY	40.00	720.00
0020	2044000000-E	815	6" PERFORATED SUBDRAIN PIPE	100 LF	20.00	2,000.00
0021	2055000000-E	815	6" SUBDRAIN PIPE WYES, TEES, & ELBOWS	3 EA	50.00	150.00
0022	2066000000-N	815	CONCRETE PAD FOR SUBDRAIN PIPE OUTLET	1 EA	300.00	300.00
0023	2077000000-E	815	6" OUTLET PIPE (SUBDRAINS)	6 LF	20.00	120.00
0024	2286000000-N	840	MASONRY DRAINAGE STRUCTURES	3 EA	750.00	2,250.00
0025	2367000000-N	840	FRAME WITH TWO GRATES, STD 840.29	3 EA	500.00	1,500.00
0026	2556000000-E	846	SHOULDER BERM GUTTER	105 LF	35.50	3,727.50
0027	2580000000-E	846	CONCRETE VALLEY GUTTER	35 LF	25.50	892.50
0028	3030000000-E	862	STEEL BM GUARDRAIL	87.5 LF	15.00	1,312.50
0029	3150000000-N	862	ADDITIONAL GUARDRAIL POSTS	5 EA	8.00	40.00
0030	3180000000-N	862	GUARDRAIL ANCHOR UNITS, TYPE ***** (III SHOP CURVED)	1 EA	1,500.00	1,500.00
0031	3195000000-N	862	GUARDRAIL ANCHOR UNITS, TYPE AT-1	1 EA	600.00	600.00
0032	3215000000-N	862	GUARDRAIL ANCHOR UNITS, TYPE III	3 EA	1,200.00	3,600.00
0033	3270000000-N	SP	GUARDRAIL ANCHOR UNITS, TYPE 350	3 EA	1,800.00	5,400.00
0034	3635000000-E	876	RIP RAP, CLASS II	29 TON	40.00	1,160.00
0035	3649000000-E	876	RIP RAP, CLASS B	18 TON	40.00	720.00
0036	3656000000-E	876	FILTER FABRIC FOR DRAINAGE	854 SY	4.00	3,416.00

## Contract Item Sheets For C202113

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
0037	4400000000-E	1110	WORK ZONE SIGNS (STATIONARY)	534 SF	5.00	2,670.00
0038	4410000000-E	1110	WORK ZONE SIGNS (BARRICADE MOUNTED)	144 SF	6.00	864.00
0039	4430000000-N	1130	DRUMS	10 EA	50.00	500.00
0040	4445000000-E	1145	BARRICADES (TYPE III)	102 LF	24.00	2,448.00
0041	4810000000-E	1205	PAINT PAVEMENT MARKING LINES (4")	5,000 LF	0.70	3,500.00
0042	6000000000-E	1605	TEMPORARY SILT FENCE	275 LF	3.00	825.00
0043	6006000000-E	1610	STONE FOR EROSION CONTROL, CLASS A	150 TON	40.00	6,000.00
0044	6009000000-E	1610	STONE FOR EROSION CONTROL, CLASS B	200 TON	40.00	8,000.00
0045	6012000000-E	1610	SEDIMENT CONTROL STONE	250 TON	35.00	8,750.00
0046	6015000000-E	1615	TEMPORARY MULCHING	2.5 ACR	825.00	2,062.50
0047	6018000000-E	1620	SEED FOR TEMPORARY SEEDING	100 LB	7.75	775.00
0048	6021000000-E	1620	FERTILIZER FOR TEMPORARY SEEDING	1.25 TON	440.00	550.00
0049	6024000000-E	1622	TEMPORARY SLOPE DRAINS	75 LF	20.00	1,500.00
0050	6027000000-N	1622	INLET PROTECTION AT TEMPORARY SLOPE DRAINS	1 EA	300.00	300.00
0051	6029000000-E	SP	SAFETY FENCE	250 LF	2.50	625.00
0052	6030000000-E	1630	SILT EXCAVATION	485 CY	2.00	970.00
0053	6036000000-E	1631	MATTING FOR EROSION CONTROL	1,000 SY	2.00	2,000.00
0054	6037000000-E	SP	COIR FIBER MAT	50 SY	5.00	250.00
0055	6038000000-E	SP	PERMANENT SOIL REINFORCEMENT MAT	250 SY	5.00	1,250.00

Contract Item Sheets For C202113

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
0056	6042000000-E	1632	1/4" HARDWARE CLOTH	100 LF	5.50	550.00
0057	6070000000-N	SP	SPECIAL STILLING BASINS	8 EA	750.00	6,000.00
0058	6071030000-E	SP	COIR FIBER BAFFLES	200 LF	7.75	1,550.00
0059	6071050000-E	SP	*** SKIMMER (1-1/2")	5 EA	600.00	3,000.00
0060	6084000000-E	1660	SEEDING & MULCHING	5 ACR	2,100.00	10,500.00
0061	6087000000-E	1660	MOWING	1 ACR	40.00	40.00
0062	6090000000-E	1661	SEED FOR REPAIR SEEDING	50 LB	7.75	387.50
0063	6093000000-E	1661	FERTILIZER FOR REPAIR SEEDING	0.25 TON	450.00	112.50
0064	6096000000-E	1662	SEED FOR SUPPLEMENTAL SEEDING	50 LB	2.25	112.50
0065	6108000000-E	1665	FERTILIZER TOPDRESSING	1.25 TON	1,000.00	1,250.00
0066	6114000000-N	SP	SPECIALIZED HAND MOWING	5 HR	55.00	275.00
0067	6117000000-N	SP	RESPONSE FOR EROSION CONTROL	12 EA	175.00	2,100.00
<p>***** BEGIN SCHEDULE AA *****                      ***** ( 3 ALTERNATES ) *****</p>						
0068 AA1	0366000000-E	310	15" RC PIPE CULVERTS, CLASS III	60 LF	20.00	1,200.00
<p>*** OR ***</p>						
0069 AA2	0366000000-E	310	15" RC PIPE CULVERTS, CLASS III	32 LF		
0070 AA2	0536000000-E	SP	***" HDPE PIPE CULVERTS (15")	28 LF		
<p>*** OR ***</p>						
0071 AA3	0366000000-E	310	15" RC PIPE CULVERTS, CLASS III	32 LF		

Contract Item Sheets For C202113

Line #	ItemNumber	Sec #	Description	Quantity	Unit	Unit Bid Price	Amount Bid
0072 AA3	0540000000-E	SP	**** ALUMINIZED CORRUGATED STEEL PIPE CULVERTS, **** THICK (15", 0.064")	28	LF		

\*\*\*\*\* END SCHEDULE AA \*\*\*\*\*

## Contract Item Sheets For C202113

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
0073	8035000000-N	402	REMOVAL OF EXISTING STRUCTURE AT STATION ***** (18 + 70.00-L-)	Lump Sum LS	8,000.00	8,000.00
0074	8105520000-E	SP	3'-0" DIA DRILLED PIERS IN SO IL	38.84 LF	496.00	19,264.64
0075	8105620000-E	SP	3'-0" DIA DRILLED PIERS NOT IN SOIL	39 LF	1,393.00	54,327.00
0076	8111200000-E	SP	PERMANENT STEEL CASING FOR 3'-0" DIA DRILLED PIER	41.72 LF	185.00	7,718.20
0077	8113000000-N	SP	SID INSPECTION	2 EA	100.00	200.00
0078	8115000000-N	SP	CROSSHOLE SONIC LOGGING	2 EA	2,500.00	5,000.00
0079	8121000000-N	412	UNCLASSIFIED STRUCTURE EXCAVA- TION AT STATION ***** (18 + 70.00-L-)	Lump Sum LS	4,000.00	4,000.00
0080	8182000000-E	420	CLASS A CONCRETE (BRIDGE)	63 CY	550.00	34,650.00
0081	8210000000-N	422	BRIDGE APPROACH SLABS, STATION ***** (18 + 70.00-L-)	Lump Sum LS	20,000.00	20,000.00
0082	8217000000-E	425	REINFORCING STEEL (BRIDGE)	15,836 LB	0.75	11,877.00
0083	8238000000-E	425	SPIRAL COLUMN REINFORCING STEEL (BRIDGE)	1,998 LB	1.30	2,597.40
0084	8364000000-E	450	HP12X53 STEEL PILES	300 LF	37.50	11,250.00
0085	8475000000-E	460	TWO BAR METAL RAIL	270.5 LF	82.00	22,181.00
0086	8517000000-E	460	1'****X ***** CONCRETE PARA- PET (1'-2" X 2'-10 7/8")	285.5 LF	50.00	14,275.00
0087	8608000000-E	876	RIP RAP CLASS II (2'-0" THICK)	283 TON	40.00	11,320.00
0088	8622000000-E	876	FILTER FABRIC FOR DRAINAGE	314 SY	6.00	1,884.00
0089	8657000000-N	430	ELASTOMERIC BEARINGS	Lump Sum LS	5,600.00	5,600.00

Contract Item Sheets For C202113

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
0090	8762000000-E	430	3'-0" X 1'-9" PRESTRESSED CONC CORED SLABS	1,567.5 LF	101.00	158,317.50

TOTAL AMOUNT OF BID FOR ENTIRE PROJECT

\$609,079.74 ✓

1040/May28/Q33272.81/D395424920000/E90

Contract Number C202113  
County SURRY

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**

MILLER ENGINEERING COMPANY INC.

Full name of Corporation

P.O. BOX 1048 MARION, NC 28752

Address as Prequalified

Attest Perchieleen Miller By Clifford H. Miller  
~~Secretary/Assistant Secretary~~ ~~President/Vice President/Assistant Vice President~~  
Select appropriate title Select appropriate title

PERCHIELEEN E. MILLER  
Print or type Signer's name

CLIFFORD H. MILLER  
Print or type Signer's name

**CORPORATE SEAL**

**AFFIDAVIT MUST BE NOTARIZED**

**NOTARY SEAL**

Subscribed and sworn to before me this the

3<sup>rd</sup> day of June 2009

Elizabeth V. Miller  
Signature of Notary Public

of McDowell County

State of NC

My Commission Expires: 8-21-2010





## 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 C202113

County (ies): Surry

ACCEPTED BY THE  
DEPARTMENT OF TRANSPORTATION

for RA [Signature]      JA Hay  
Contract Officer

6/22/09  
Date

Execution of Contract and Bonds  
Approved as to Form:

[Signature]      [Signature]  
Attorney General

Contract No. C202113  
County Surry

(Rev 7-10-08)

### CONTRACT PAYMENT BOND

Date of Payment Bond Execution 6/2/2009

Name of Principal Contractor Miller Engineering Company, Inc.

Name of Surety: Fidelity and Deposit Company of Maryland

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

Amount of Bond: \$609,079.74

Contract ID No.: C202113

County Name: Surry

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. C202113  
County Surry

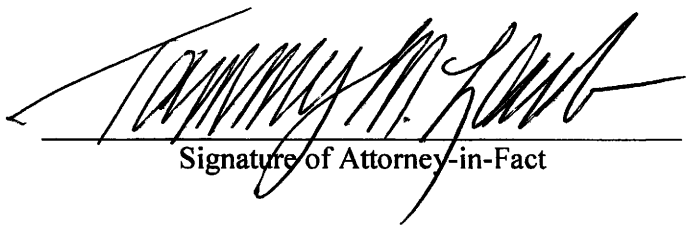
(Rev 7-10-08)

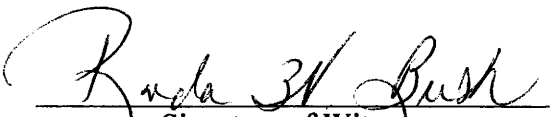
**CONTRACT PAYMENT BOND**

*Affix Seal of Surety Company*

Fidelity and Deposit Company of Maryland  
\_\_\_\_\_  
Print or type Surety Company Name

By Tammy M. Laub  
\_\_\_\_\_  
Print, stamp or type name of Attorney-in-Fact

  
\_\_\_\_\_  
Signature of Attorney-in-Fact

  
\_\_\_\_\_  
Signature of Witness

Ronda W. Bush  
\_\_\_\_\_  
Print or type Witness's name

1001 Morehead Square Drive, Suite 400, Charlotte, NC  
\_\_\_\_\_  
Address of Attorney-in-Fact

Contract No. C202113  
County Surry

(Rev 7-10-08)

**CONTRACT PAYMENT BOND  
CORPORATION**

SIGNATURE OF CONTRACTOR (Principal)

Miller Engineering Company, Inc.

Full name of Corporation

P.O. BOX 1048  
3523 Sugar Hill Road, Marion, NC 28752

Address as prequalified

By Clifford A. Miller  
Signature of ~~President, Vice President, Assistant Vice President~~  
Select appropriate title

Clifford A. Miller  
Print or type Signer's name

*Affix Corporate Seal*

Attest

Elizabeth V. Miller  
Signature of Secretary, Assistant Secretary  
Select appropriate title

Elizabeth V. Miller  
Print or type Signer's name

**Power of Attorney  
FIDELITY AND DEPOSIT COMPANY OF MARYLAND  
HOME OFFICE: 3910 KESWICK ROAD, BALTIMORE, MD 21211**

KNOW ALL MEN BY THESE PRESENTS: That the FIDELITY AND DEPOSIT COMPANY OF MARYLAND, a corporation of the State of Maryland, by Frank E. Martin, Jr., Vice President and Gerald F. Haley, Assistant Secretary, in pursuance of authority granted by Article VI, Section 2, of the By-Laws of said Company, which are set forth on the next page hereof and are hereby certified to be in full force and effect on the date hereof, does hereby nominate, constitute and appoint:

Tammy M. Laub

of Charlotte, NC, its true and lawful agent and Attorney-in-Fact, to make, execute, seal and deliver, for, and on its behalf as surety, and as its act and deed: Bond or undertaking number 08608424, issued on behalf of Miller Engineering Company, Inc., as Principal in a penalty not to exceed the sum of See Bond Form (\$See Bond Form) and the execution of such bond or undertaking in pursuance of these presents, shall be as binding upon said company, as fully and amply, to all intents and purposes, as if it had been duly executed and acknowledged by the regularly elected officers of the Company at its office in Baltimore, MD, in their own proper persons.

The said Assistant Secretary does hereby certify that the extract set forth on the next page hereof is a true copy of Article VI, Section 2, of the By-Laws of said Company, and is now in force.

IN WITNESS WHEREOF, the said Vice-President and Assistant Secretary have hereunto subscribed their names and affixed the Corporate Seal of the said FIDELITY AND DEPOSIT COMPANY OF MARYLAND this 4th day of September, A.D. 2007.

ATTEST:

FIDELITY AND DEPOSIT COMPANY OF MARYLAND



*Gerald F. Haley*

Gerald F. Haley Assistant Secretary

*Frank E. Martin Jr.*

Frank E. Martin, Jr. Vice President

State of Maryland }  
County of Baltimore } SS:

On this 4th day of September, A.D. 2007, before the subscriber, a Notary Public of the State of Maryland, duly commissioned and qualified, came Frank E. Martin, Jr., Vice President, and Gerald F. Haley, Assistant Secretary of the FIDELITY AND DEPOSIT COMPANY OF MARYLAND to me personally known to be the individuals and officers described in and who executed the preceding instrument, and they each acknowledged the execution of the same, and being by me duly sworn, severally and each for himself deposed and saith, that they are the said officers of the Company aforesaid, and that the seal affixed to the preceding instrument is the Corporate Seal of said Company, and that the said Corporate Seal and their signatures as such officers were duly affixed and subscribed to the said instrument by the authority and direction of the said Corporation.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my Official Seal the day and year first above written.



*Connie A. Dunn*

Connie A. Dunn Notary Public  
My Commission Expires: July 14, 2011

**EXTRACT FROM BY-LAWS OF FIDELITY AND DEPOSIT COMPANY OF MARYLAND**

“Article VI, Section 2. The Chairman of the Board, or the President, or any Executive Vice-President or any Vice President that is specially authorized by the Board of Directors or the Chairman in concurrence with the Corporate Secretary, shall have the power, by and with the concurrence of the Secretary, to appoint Attorney-in-Fact as the business of the Company may require, or to authorize any person or persons to execute on behalf of the Company any bonds, undertakings, recognizances, stipulations, policies, contracts, agreements, deeds, and releases and assignments of judgments, decrees, mortgages and instruments in the nature of mortgages, and also all other instruments and documents which the business of the Company may require, and to affix the seal of the Company thereto.”

**CERTIFICATE**

I, the undersigned, Assistant Secretary of the FIDELITY AND DEPOSIT COMPANY OF MARYLAND, 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 Vice-President who executed the said Power of Attorney was one of the additional Vice-Presidents specially authorized by the Board of Directors to appoint any Attorney-in-Fact as provided in Article VI, Section 2, of the By-Laws of the FIDELITY AND DEPOSIT COMPANY OF MARYLAND.

This Power of Attorney and Certificate may be signed by facsimile under and by authority of the following resolution of the Board of Directors of the FIDELITY AND DEPOSIT COMPANY OF MARYLAND at a meeting duly called and held on the 5th day of May, 1994.

RESOLVED: “That the facsimile or mechanically reproduced seal of the company and facsimile or mechanically reproduced signature of any Vice-President, Secretary, or Assistant Secretary of the Company, whether made heretofore or hereafter, wherever appearing upon a certified copy of any power of attorney issued by the Company, 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 2nd day of June, 2009.



L.L. Goucher

*Assistant Secretary*





Contract No. C202113  
County Surry

(Rev 7-10-08)

**CONTRACT PERFORMANCE BOND**

Date of Performance Bond Execution: 6/2/2009  
Name of Principal Contractor: Miller Engineering Company, Inc.  
Name of Surety: Fidelity and Deposit Company of Maryland  
Name of Contracting Body: **North Carolina Department of Transportation**  
**Raleigh, North Carolina**  
Amount of Bond: \$609,079.74  
Contract ID No.: C202113  
County Name: Surry

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. C202113  
County Surry

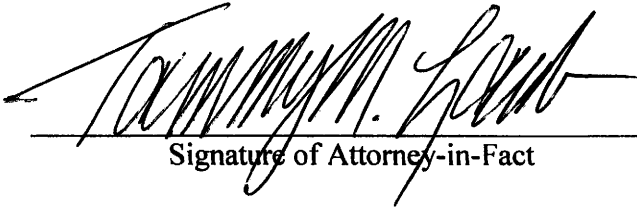
(Rev 7-10-08)

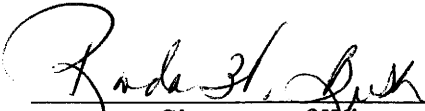
**CONTRACT PERFORMANCE BOND**

*Affix Seal of Surety Company*

Fidelity and Deposit Company of Maryland  
\_\_\_\_\_  
Print or type Surety Company Name

By Tammy M. Laub  
\_\_\_\_\_  
Print, stamp or type name of Attorney-in-Fact

  
\_\_\_\_\_  
Signature of Attorney-in-Fact

  
\_\_\_\_\_  
Signature of Witness

Ronda W. Bush  
\_\_\_\_\_  
Print or type Witness's name

1001 Morehead Square Drive, Suite 400, Charlotte, NC  
\_\_\_\_\_  
Address of Attorney-in-Fact

Contract No. C202113  
County Surry

(Rev 7-10-08)

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

SIGNATURE OF CONTRACTOR (Principal)

Miller Engineering Company, Inc.

\_\_\_\_\_  
Full name of Corporation

P.O. BOX 1048  
3523 Sugar Hill Road, Marion, NC 28752

\_\_\_\_\_  
Address as prequalified

By Clifford H. Miller  
\_\_\_\_\_  
Signature of President, Vice President, Assistant Vice President  
Select appropriate title

Clifford H. Miller  
\_\_\_\_\_  
Print or type Signer's name

*Affix Corporate Seal*

Attest Elizabeth V. Miller  
\_\_\_\_\_  
Signature of Secretary, Assistant Secretary  
Select appropriate title

Elizabeth V. Miller  
\_\_\_\_\_  
Print or type Signer's name

Bond Number: 08608424

Obligee: North Carolina Department of Transportation

**Power of Attorney  
FIDELITY AND DEPOSIT COMPANY OF MARYLAND  
HOME OFFICE: 3910 KESWICK ROAD, BALTIMORE, MD 21211**

KNOW ALL MEN BY THESE PRESENTS: That the FIDELITY AND DEPOSIT COMPANY OF MARYLAND, a corporation of the State of Maryland, by Frank E. Martin, Jr., Vice President and Gerald F. Haley, Assistant Secretary, in pursuance of authority granted by Article VI, Section 2, of the By-Laws of said Company, which are set forth on the next page hereof and are hereby certified to be in full force and effect on the date hereof, does hereby nominate, constitute and appoint:

Tammy M. Laub

of Charlotte, NC, its true and lawful agent and Attorney-in-Fact, to make, execute, seal and deliver, for, and on its behalf as surety, and as its act and deed: Bond or undertaking number 08608424, issued on behalf of Miller Engineering Company, Inc., as Principal in a penalty not to exceed the sum of See Bond Form (\$See Bond Form) and the execution of such bond or undertaking in pursuance of these presents, shall be as binding upon said company, as fully and amply, to all intents and purposes, as if it had been duly executed and acknowledged by the regularly elected officers of the Company at its office in Baltimore, MD, in their own proper persons.

The said Assistant Secretary does hereby certify that the extract set forth on the next page hereof is a true copy of Article VI, Section 2, of the By-Laws of said Company, and is now in force.

IN WITNESS WHEREOF, the said Vice-President and Assistant Secretary have hereunto subscribed their names and affixed the Corporate Seal of the said FIDELITY AND DEPOSIT COMPANY OF MARYLAND this 4th day of September, A.D. 2007.

ATTEST:

FIDELITY AND DEPOSIT COMPANY OF MARYLAND



*Gerald F. Haley*

Gerald F. Haley Assistant Secretary

*Frank E. Martin Jr.*

Frank E. Martin, Jr. Vice President

State of Maryland }  
County of Baltimore } SS:

On this 4th day of September, A.D. 2007, before the subscriber, a Notary Public of the State of Maryland, duly commissioned and qualified, came Frank E. Martin, Jr., Vice President, and Gerald F. Haley, Assistant Secretary of the FIDELITY AND DEPOSIT COMPANY OF MARYLAND to me personally known to be the individuals and officers described in and who executed the preceding instrument, and they each acknowledged the execution of the same, and being by me duly sworn, severally and each for himself depose and saith, that they are the said officers of the Company aforesaid, and that the seal affixed to the preceding instrument is the Corporate Seal of said Company, and that the said Corporate Seal and their signatures as such officers were duly affixed and subscribed to the said instrument by the authority and direction of the said Corporation.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my Official Seal the day and year first above written.



*Constance A. Dunn*

Connie A. Dunn Notary Public  
My Commission Expires: July 14, 2011

**EXTRACT FROM BY-LAWS OF FIDELITY AND DEPOSIT COMPANY OF MARYLAND**

“Article VI, Section 2. The Chairman of the Board, or the President, or any Executive Vice-President or any Vice President that is specially authorized by the Board of Directors or the Chairman in concurrence with the Corporate Secretary, shall have the power, by and with the concurrence of the Secretary, to appoint Attorney-in-Fact as the business of the Company may require, or to authorize any person or persons to execute on behalf of the Company any bonds, undertakings, recognizances, stipulations, policies, contracts, agreements, deeds, and releases and assignments of judgments, decrees, mortgages and instruments in the nature of mortgages, and also all other instruments and documents which the business of the Company may require, and to affix the seal of the Company thereto.”

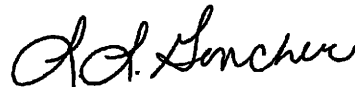
**CERTIFICATE**

I, the undersigned, Assistant Secretary of the FIDELITY AND DEPOSIT COMPANY OF MARYLAND, 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 Vice-President who executed the said Power of Attorney was one of the additional Vice-Presidents specially authorized by the Board of Directors to appoint any Attorney-in-Fact as provided in Article VI, Section 2, of the By-Laws of the FIDELITY AND DEPOSIT COMPANY OF MARYLAND.

This Power of Attorney and Certificate may be signed by facsimile under and by authority of the following resolution of the Board of Directors of the FIDELITY AND DEPOSIT COMPANY OF MARYLAND at a meeting duly called and held on the 5th day of May, 1994.

RESOLVED: “That the facsimile or mechanically reproduced seal of the company and facsimile or mechanically reproduced signature of any Vice-President, Secretary, or Assistant Secretary of the Company, whether made heretofore or hereafter, wherever appearing upon a certified copy of any power of attorney issued by the Company, 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 2nd day of June, 2009.



L.L. Goucher

*Assistant Secretary*

