

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

C202294

CONTRACT AND
CONTRACT BONDS

FOR CONTRACT NO. C202294

WBS 42297.3.ST1 STM-0218(8)

T.I.P NO. R-5114A

COUNTY OF UNION, MECKLENBURG
THIS IS THE ROADWAY CONTRACT
ROUTE NUMBER NC 218 LENGTH 5.630 MILES
LOCATION NC-218 FROM EAST OF I-485 TO WEST OF US-601.

CONTRACTOR REA CONTRACTING LLC
ADDRESS P.O. BOX 32487
CHARLOTTE, NC 28232

BIDS OPENED MAY 19, 2009
CONTRACT EXECUTION JUN 08 2009

Rea Contracting LLC (4421).

Vendor 6 of 6 Vendors for Call Order 014 (Proposal ID C202294).

County: MECKLENBURG, UNION

Address: PO Box 32487
Charlotte, NC 28232

Phone Number: 704-553-6500

Signature Check: This bid has been properly signed by Carey_K._Tate_4421.

Time Bid Received: Tue May 19 11:38:53 2009

Bid Checksum: D0903FE5

Amendment Count: 0

Bidding Errors: No bidding errors.

Bid Total: \$1,677,138.50 ✓

Bond ID: SNC09415977

Bond was Verified: Yes.

Bond Required Percent: 5.00%

Minimum Check Amount: \$83,856.93

Bid Security Maximum: \$

Bond Agency Name:

Agency Execution Date: 5/7/2009 9:52:07 AM

Surety Name: Fidelity And Deposit Company of Maryland

urety 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	WBE BULLINGTON CONSTRUCTION INC 417 FOXGLOVE LANE , INDIAN TRAIL, NC 28079		Sub 23,500.00 ✓
2759	WBE SUPERIOR SEEDING, INC. POST OFFICE BOX 12642 , GASTONIA, NC 280520010		Sub 10,852.50 ✓
3769	WBE STAY ALERT SAFETY SERVICES INC POST OFFICE BOX 467 , KERNERSVILLE, NC 27285		Sub 4,826.00 ✓
1956	WBE HAZEL HOLMES TRUCKING, INC. P. O. BOX 667565 , CHARLOTTE, NC 28266		Sub 49,130.00 ✓
12894	WBE LITTLE L'S DUMP TRUCK SERVICE, 4393 HIGHWAY 73 , IRON STATION, NC 28080		Sub 32,330.00 ✓
TOTAL:			\$120,638.50 ✓ 7.19%

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	

Bid Bond Data Info - Contractor Responses:

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BondID: SNC09415977
Surety Registry Agency: surety2000

NCDOT/berc

Vendor 4421's Load Output for Call 014, Letting L090519, 2009-05-19

Verified?: Yes

Surety Agency: Fidelity And Deposit Company of Maryland

Bond Execution Date: 5/7/2009 9:52:07 AM

Bond Amount: \$83,856.93 (Five Percent of Bid)

State of NC
Dept of Transportation

Date: 04-21-09
Revised:

Contract ID: C202294 Project(s): STM-0218(8)
Letting Date: 05-19-09 Call Order: 014
Bidder: 4421 - Rea Contracting LLC

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			1,800.00
0002	0106000000-E BORROW EXCAVATION	CY	110.0000	25.00000		2,750.00
0003	0318000000-E FOUNDATION CONDITIONING MATE- RIAL, MINOR STRS	TON	30.0000	20.00000		600.00
0004	0372000000-E 18" RC PIPE CULVERTS, CLASS III	LF	24.0000	52.00000		1,248.00
0005	0378000000-E 24" RC PIPE CULVERTS, CLASS III	LF	20.0000	66.00000		1,320.00
0006	1220000000-E INCIDENTAL STONE BASE	TON	1,500.0000	30.00000		45,000.00
0007	1245000000-E SHOULDER RECONSTRUCTION	SMI	12.0000	3,825.00000		45,900.00
0008	1264000000-E DITCHING	LF	2,000.0000	2.25000		4,500.00
0009	1308000000-E MILLING ASPHALT PAVEMENT, ***"TO *****" DEPTH (0" TO 4-1/2")	SY	1,600.0000	3.85000		6,160.00
0010	1330000000-E INCIDENTAL MILLING	SY	516.0000	5.00000		2,580.00

State of NC
Dept of Transportation

Date: 04-21-09
Revised:

Contract ID: C202294 Project(s): STM-0218(8)
Letting Date: 05-19-09 Call Order: 014
Bidder: 4421 - Rea Contracting LLC

Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
0011	1491000000-E ASPHALT CONC BASE COURSE, TYPE B25.0C	20.000 TON	55.00000		1,100.00	
0012	1503000000-E ASPHALT CONC INTERMEDIATE COURSE, TYPE I19.0C	17,570.000 TON	33.25000		584,202.50	
0013	1523000000-E ASPHALT CONC SURFACE COURSE, TYPE S9.5C	8,145.000 TON	32.90000		267,970.50	
0014	1560000000-E ASPHALT BINDER FOR PLANT MIX, GRADE PG 64-22	827.000 TON	330.00000		272,910.00	
0015	1565000000-E ASPHALT BINDER FOR PLANT MIX, GRADE PG 70-22	489.000 TON	330.00000		161,370.00	
0016	1704000000-E PATCHING EXISTING PAVEMENT	2,100.000 TON	52.00000		109,200.00	
0017	2253000000-E PIPE COLLARS	5.500 CY	900.00000		4,950.00	
0018	2612000000-E 6" CONCRETE DRIVEWAY	275.000 SY	65.00000		17,875.00	
0019	2752000000-E GENERIC PAVING ITEM REMOVE & REPLACE 2'-6" CONC- RETE CURB & GUTTER	150.000 LF	30.00000		4,500.00	
0020	2830000000-N ADJUSTMENT OF MANHOLES	1.000 EA	675.00000		675.00	
0021	2845000000-N ADJUSTMENT OF METER BOXES OR VALVE BOXES	2.000 EA	450.00000		900.00	

State of NC
Dept of Transportation

Date: 04-21-09
Revised:

Contract ID: C202294 Project(s): STM-0218(8)
Letting Date: 05-19-09 Call Order: 014
Bidder: 4421 - Rea Contracting LLC

Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
0022	3030000000-E STEEL BM GUARDRAIL	600.000 LF	12.00000		7,200.00	
0023	3180000000-N GUARDRAIL ANCHOR UNITS, TYPE ***** (III, MOD)	4.000 EA	1,600.00000		6,400.00	
0024	3270000000-N GUARDRAIL ANCHOR UNITS, TYPE 350	6.000 EA	1,650.00000		9,900.00	
0025	4589000000-N GENERIC TRAFFIC CONTROL ITEM TRAFFIC CONTROL	LUMP	LUMP		34,500.00	
0026	4685000000-E THERMOPLAST IC PAVEMENT MARKING LINES (4", 90 MILS)	60,700.000 LF	0.34000		20,638.00	
0027	4686000000-E THERMOPLAST IC PAVEMENT MARKING LINES (4", 120 MILS)	59,050.000 LF	0.44000		25,982.00	
0028	4695000000-E THERMOPLAST IC PAVEMENT MARKING LINES (8", 90 MILS)	300.000 LF	3.00000		900.00	
0029	4710000000-E THERMOPLAST IC PAVEMENT MARKING LINES (24", 120 MILS)	200.000 LF	6.00000		1,200.00	
0030	4725000000-E THERMOPLAST IC PAVEMENT MARKING SYMBOL (90 MILS)	2.000 EA	75.00000		150.00	
0031	4810000000-E PAINT PAVEMENT MARKING LINES (4")	60,000.000 LF	0.06000		3,600.00	
0032	4900000000-N PERMANENT RAISED PAVEMENT MARKERS	385.000 EA	5.00000		1,925.00	
0033	6000000000-E TEMPORARY SILT FENCE	425.000 LF	2.00000		850.00	

State of NC
 Dept of Transportation

Date: 04-21-09
 Revised:

Contract ID: C202294 Project(s): STM-0218(8)
 Letting Date: 05-19-09 Call Order: 014
 Bidder: 4421 - Rea Contracting LLC

Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
0034	6009000000-E STONE FOR EROSION CONTROL, CLASS B	225.000 TON	38.00000		8,550.00	
0035	6012000000-E SEDIMENT CONTROL STONE	70.000 TON	35.00000		2,450.00	
0036	6036000000-E MATTING FOR EROSION CONTROL	350.000 SY	1.95000		682.50	
0037	6071010000-E WATTLE	750.000 LF	6.00000		4,500.00	
0038	6071020000-E POLYACRYLAMIDE (PAM)	5.000 LB	6.00000		30.00	
0039	6084000000-E SEEDING & MULCHING	6.000 ACR	1,695.00000		10,170.00	
Section 0001 Total					1,677,138.50	
Bid Total					1,677,138.50	

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: C202294
LETTING: L090519 CALL: 014
VENDOR: 4421 Rea Contracting LLC

LINE NO.	ITEM NO.	ITEM DESC.	UNIT TYPE	SUBCONTRACTOR QUANTITY	SUBCONTRACTOR UNIT PRICE	EXTENDED AMOUNT
DBE SUBCONTRACTOR: 4898 BULLINGTON CONSTRUCTION INC Will Use Quote: Yes						
0022	3030000000-E	STL BM GUARD LF		600.000	12.00000	7200.00
0023	3180000000-N	GR ANCHOR TY EA		4.000	1600.00000	6400.00
0024	3270000000-N	GR ANCHOR TY EA		6.000	1650.00000	9900.00
DBE COMMITMENT TOTAL FOR SUBCONTRACTOR:						23,500.00 ✓
DBE COMMITMENT TOTAL FOR VENDOR (SubContractor)						23,500.
DBE SUBCONTRACTOR: 2759 SUPERIOR SEEDING, INC. Will Use Quote: Yes						
0036	6036000000-E	MATTING FOR SY		350.000	1.95000	682.50
0039	6084000000-E	SEEDING AND ACR		6.000	1695.00000	10170.00
DBE COMMITMENT TOTAL FOR SUBCONTRACTOR:						10,852.50 ✓
DBE COMMITMENT TOTAL FOR VENDOR (SubContractor)						10,852.
DBE SUBCONTRACTOR: 3765 STAY ALERT SAFETY SERVICES INC Will Use Quote: Yes						
0025	4589000000-N	GENERIC TRAF LS		1.000	4826.00000	4826.00
		Partial Item Work Zone Signing				
DBE COMMITMENT TOTAL FOR SUBCONTRACTOR:						4,826.00 ✓
DBE COMMITMENT TOTAL FOR VENDOR (SubContractor)						4,826.0
DBE SUBCONTRACTOR: 1956 HAZEL HOLMES TRUCKING, INC. Will Use Quote: Yes						
0016	1704000000-E	PATCHING EXI TON		2100.000	8.00000	16800.00
		Partial Item Hauling Only				
0012	1503000000-E	ASP CONC INT TON		4400.000	5.30000	23320.00
		Partial Item Portion Quantity Hauling @ Hourly Rates Only				
0013	1523000000-E	ASP CONC SUR TON		1700.000	5.30000	9010.00
		Partial Item Portion Quantity Hauling @ Hourly Rates Only				
DBE COMMITMENT TOTAL FOR SUBCONTRACTOR:						49,130.00 ✓
DBE COMMITMENT TOTAL FOR VENDOR (SubContractor)						49,130.
DBE SUBCONTRACTOR: 12894 LITTLE L'S DUMP TRUCK SERVICE, INC. Will Use Quote: Yes						
0012	1503000000-E	ASP CONC INT TON		4400.000	5.30000	23320.00
		Partial Item Portion Quantity Hauling @ Hourly Rates Only				
0013	1523000000-E	ASP CONC SUR TON		1700.000	5.30000	9010.00

Check: D0903FE5 Page 7

Contract Item Sheets For C202294

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
ROADWAY ITEMS						
0001	0000100000-N	800	MOBILIZATION	Lump Sum LS	1,800.00	1,800.00
0002	0106000000-E	230	BORROW EXCAVATION	110 CY	25.00	2,750.00
0003	0318000000-E	300	FOUNDATION CONDITIONING MATERIAL, MINOR STRS	30 TON	20.00	600.00
0004	0372000000-E	310	18" RC PIPE CULVERTS, CLASS III	24 LF	52.00	1,248.00
0005	0378000000-E	310	24" RC PIPE CULVERTS, CLASS III	20 LF	66.00	1,320.00
0006	1220000000-E	545	INCIDENTAL STONE BASE	1,500 TON	30.00	45,000.00
0007	1245000000-E	SP	SHOULDER RECONSTRUCTION	12 SMI	3,825.00	45,900.00
0008	1264000000-E	SP	DITCHING	2,000 LF	2.25	4,500.00
0009	1308000000-E	607	MILLING ASPHALT PAVEMENT, **** TO ***** DEPTH (0" TO 4-1/2")	1,600 SY	3.85	6,160.00
0010	1330000000-E	607	INCIDENTAL MILLING	516 SY	5.00	2,580.00
0011	1491000000-E	610	ASPHALT CONC BASE COURSE, TYPE B25.0C	20 TON	55.00	1,100.00
0012	1503000000-E	610	ASPHALT CONC INTERMEDIATE COURSE, TYPE I19.0C	17,570 TON	33.25	584,202.50
0013	1523000000-E	610	ASPHALT CONC SURFACE COURSE, TYPE S9.5C	8,145 TON	32.90	267,970.50
0014	1560000000-E	620	ASPHALT BINDER FOR PLANT MIX, GRADE PG 64-22	827 TON	330.00	272,910.00
0015	1565000000-E	620	ASPHALT BINDER FOR PLANT MIX, GRADE PG 70-22	489 TON	330.00	161,370.00
0016	1704000000-E	SP	PATCHING EXISTING PAVEMENT	2,100 TON	52.00	109,200.00
0017	2253000000-E	840	PIPE COLLARS	5.5 CY	900.00	4,950.00
0018	2612000000-E	848	6" CONCRETE DRIVEWAY	275 SY	65.00	17,875.00

Contract Item Sheets For C202294

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
0019	2752000000-E	SP	GENERIC PAVING ITEM REMOVE & REPLACE 2'-6" CONC- RETE CURB & GUTTER	150 LF	30.00	4,500.00
0020	2830000000-N	858	ADJUSTMENT OF MANHOLES	1 EA	675.00	675.00
0021	2845000000-N	858	ADJUSTMENT OF METER BOXES OR VALVE BOXES	2 EA	450.00	900.00
0022	3030000000-E	862	STEEL BM GUARDRAIL	600 LF	12.00	7,200.00
0023	3180000000-N	862	GUARDRAIL ANCHOR UNITS, TYPE ***** (III, MOD)	4 EA	1,600.00	6,400.00
0024	3270000000-N	SP	GUARDRAIL ANCHOR UNITS, TYPE 350	6 EA	1,650.00	9,900.00
0025	4589000000-N	SP	GENERIC TRAFFIC CONTROL ITEM TRAFFIC CONTROL	Lump Sum LS	34,500.00	34,500.00
0026	4685000000-E	1205	THERMOPLASTIC PAVEMENT MARKING LINES (4", 90 MILS)	60,700 LF	0.34	20,638.00
0027	4686000000-E	1205	THERMOPLASTIC PAVEMENT MARKING LINES (4", 120 MILS)	59,050 LF	0.44	25,982.00
0028	4695000000-E	1205	THERMOPLASTIC PAVEMENT MARKING LINES (8", 90 MILS)	300 LF	3.00	900.00
0029	4710000000-E	1205	THERMOPLASTIC PAVEMENT MARKING LINES (24", 120 MILS)	200 LF	6.00	1,200.00
0030	4725000000-E	1205	THERMOPLASTIC PAVEMENT MARKING SYMBOL (90 MILS)	2 EA	75.00	150.00
0031	4810000000-E	1205	PAINT PAVEMENT MARKING LINES (4")	60,000 LF	0.06	3,600.00
0032	4900000000-N	1251	PERMANENT RAISED PAVEMENT MARKERS	385 EA	5.00	1,925.00
0033	6000000000-E	1605	TEMPORARY SILT FENCE	425 LF	2.00	850.00
0034	6009000000-E	1610	STONE FOR EROSION CONTROL, CLASS B	225 TON	38.00	8,550.00

Contract Item Sheets For C202294

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
0035	6012000000-E	1610	SEDIMENT CONTROL STONE	70 TON	35.00	2,450.00
0036	6036000000-E	1631	MATTING FOR EROSION CONTROL	350 SY	1.95	682.50
0037	6071010000-E	SP	WATTLE	750 LF	6.00	4,500.00
0038	6071020000-E	SP	POLYACRYLAMIDE (PAM)	5 LB	6.00	30.00
0039	6084000000-E	1660	SEEDING & MULCHING	6 ACR	1,695.00	10,170.00

TOTAL AMOUNT OF BID FOR ENTIRE PROJECT

\$1,677,138.50 ✓

1040/May28/Q218476.5/D119742130000/E39

Contract Number C202294
County Union, Mecklenburg

Rev 7-20-08

**EXECUTION OF CONTRACT
NON-COLLUSION AFFIDAVIT AND DEBARMENT CERTIFICATION
LIMITED LIABILITY COMPANY**

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

Rea Contracting LLC

Full Name of Firm

P. O. Box 32487, Charlotte, NC 28232

Address as Prequalified

Dottie H. Boylston
Witness's Signature

Signature of Manager

Daniel J. Borucki
Individually

Dottie H. Boylston

Print or type Witness's name

Daniel J. Borucki

Print or type Signer's Name

AFFIDAVIT MUST BE NOTARIZED

NOTARY SEAL

Subscribed and sworn to before me this the

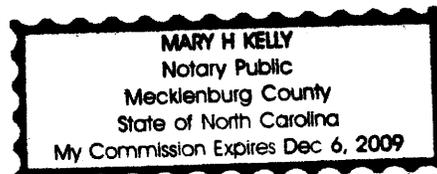
1st day of June 2009

Mary H. Kelly
Signature of Notary Public

of Mecklenburg County

State of North Carolina

My Commission Expires: 12-06-09



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.

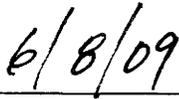
Contract No **C202294**

County (ies): **Mecklenburg, Union**

ACCEPTED BY THE
DEPARTMENT OF TRANSPORTATION



Contract Officer



Date

Execution of Contract and Bonds
Approved as to Form:



Attorney General

Signature Sheet (Bid - Acceptance by Department)

Executed in duplicate (2) originals

Contract No. C202294
 County Union-Mecklenburg

(Rev 7-10-08)

CONTRACT PAYMENT BOND

Date of Payment Bond Execution May 29, 2009

Name of Principal Contractor Rea Contracting LLC

Name of Surety: Fidelity and Deposit Company of Maryland / Federal Insurance Company

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

Amount of Bond: \$1,677,138.50 One Million Six Hundred Seventy Seven
Thousand One Hundred Thirty Eight Dollars and 50/100

Contract ID No.: C202294

County Name: Union-Mecklenburg

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. C202294
County Union-Mecklenburg

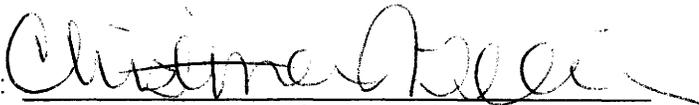
(Rev 7-10-08)

CONTRACT PAYMENT BOND

Affix Seal of Surety Company

Fidelity and Deposit Company of Maryland / Federal Insurance Company
Print or type Surety Company Name

By Christina Williams
Print, stamp or type name of Attorney-in-Fact

By: 
Signature of Attorney-in-Fact


Signature of Witness

Tammy Quiles
Print or type Witness's name

60 State Street, Suite 600
Boston, MA 02109
Address of Attorney-in-Fact

Contract No. C202294
County Union-Mecklenburg

(Rev 7-10-08)

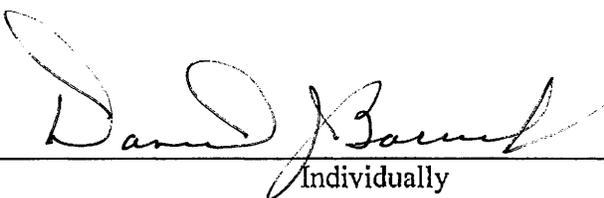
CONTRACT PAYMENT BOND

LIMITED LIABILITY COMPANY

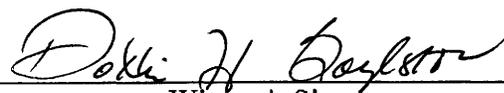
SIGNATURE OF CONTRACTOR (Principal)

Name of Contractor Rea Contracting LLC
Full name of Firm

P.O. Box 32487, Charlotte, NC 28232
Address as prequalified

Signature of Manager 
Individually

Daniel J. Borucki
Print or type Signer's name


Witness's Signature

Dottie H. Boylston
Print or type Witness's name

Contract No. C202294
County Union-Mecklenburg

(Rev 7-10-08)

CONTRACT PERFORMANCE BOND

Date of Performance Bond Execution: May 29, 2009

Name of Principal Contractor: Rea Contracting LLC

Name of Surety: Fidelity and Deposit Company of Maryland / Federal Insurance Company

Name of Contracting Body: North Carolina Department of Transportation

Raleigh, North Carolina

Amount of Bond: \$1,677,138.50 One Million Six Hundred Seventy Seven Thousand One Hundred Thirty Eight Dollars and **50/100**

Contract ID No.: C202294

County Name: Union-Mecklenburg

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. C202294
County Union-Mecklenburg

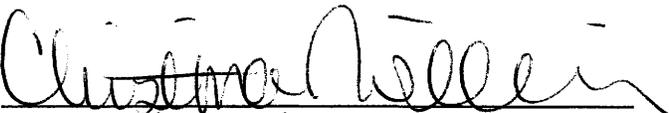
(Rev 7-10-08)

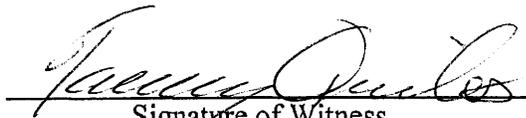
CONTRACT PERFORMANCE BOND

Affix Seal of Surety Company

Fidelity and Deposit Company of Maryland / Federal Insurance Company
Print or type Surety Company Name

By Christina Williams
Print, stamp or type name of Attorney-in-Fact

By: 
Signature of Attorney-in-Fact


Signature of Witness

Tammy Quiles
Print or type Witness's name

60 State Street, Suite 600

Boston, MA 02109
Address of Attorney-in-Fact

Contract No. C202294

(Rev 7-10-08)

County Union-Mecklenburg

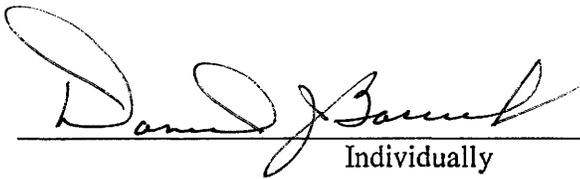
CONTRACT PERFORMANCE BOND

LIMITED LIABILITY COMPANY

SIGNATURE OF CONTRACTOR (Principal)

Name of Contractor Rea Contracting LLC
Full name of Firm

P.O. Box 32487, Charlotte, NC 28232
Address as prequalified

Signature of Manager 
Individually

Daniel J. Borucki
Print or type Signer's name


Witness's Signature

Dottie H. Boylston
Print or type Witness's Name

**Power of Attorney
FIDELITY AND DEPOSIT COMPANY OF MARYLAND
COLONIAL AMERICAN CASUALTY AND SURETY COMPANY**

KNOW ALL MEN BY THESE PRESENTS: That the FIDELITY AND DEPOSIT COMPANY OF MARYLAND, and the COLONIAL AMERICAN CASUALTY AND SURETY COMPANY, corporations of the State of Maryland, by WILLIAM J. MILLS, Vice President, and GERALD F. HALEY, Assistant Secretary, in pursuance of authority granted by Article VI, Section 2, of the By-Laws of said Companies, which are set forth on the reverse side hereof and are hereby certified to be in full force and effect on the date hereof, does hereby nominate, constitute and appoint Gary J. GIULIETTI, John P. BRUNO, Holly L. LYNCH, Christina WILLIAMS and Tammy QUILLES, all of Farmington, Connecticut, EACH 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: any and all bonds and undertakings, and the execution of such bonds or undertakings in pursuance of these presents, shall be as binding upon said Companies, as fully and amply, to all intents and purposes, as if they 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. This power of attorney revokes that issued on behalf of Gary J. GIULIETTI, Elizabeth A. RUSSELL, John P. BRUNO, Holly L. LYNCH, Christina WILLIAMS, Tammy QUILLES, dated March 10, 2008.

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

IN WITNESS WHEREOF, the said Vice-President and Assistant Secretary have hereunto subscribed their names and affixed the Corporate Seals of the said FIDELITY AND DEPOSIT COMPANY OF MARYLAND, and the COLONIAL AMERICAN CASUALTY AND SURETY COMPANY, this 8th day of October, A.D. 2008.

ATTEST:

**FIDELITY AND DEPOSIT COMPANY OF MARYLAND
COLONIAL AMERICAN CASUALTY AND SURETY COMPANY**



Gerald F. Haley

Gerald F. Haley Assistant Secretary

William J. Mills

By: *William J. Mills* Vice President

State of Maryland }
City of Baltimore } ss:

On this 8th day of October, A.D. 2008, before the subscriber, a Notary Public of the State of Maryland, duly commissioned and qualified, came WILLIAM J. MILLS, Vice President, and GERALD F. HALEY, Assistant Secretary of the FIDELITY AND DEPOSIT COMPANY OF MARYLAND, and the COLONIAL AMERICAN CASUALTY AND SURETY COMPANY, 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 Companies aforesaid, and that the seals affixed to the preceding instrument is the Corporate Seals of said Companies, and that the said Corporate Seals and their signatures as such officers were duly affixed and subscribed to the said instrument by the authority and direction of the said Corporations.

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



Constance A. Dunn

Constance 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 of the Senior Vice-Presidents or Vice-Presidents specially authorized so to do by the Board of Directors or by the Executive Committee, shall have power, by and with the concurrence of the Secretary or any one of the Assistant Secretaries, to appoint Resident Vice-Presidents, Assistant Vice-Presidents and Attorneys-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, undertaking, recognizances, stipulations, policies, contracts, agreements, deeds, and releases and assignments of judgements, decrees, mortgages and instruments in the nature of mortgages,...and to affix the seal of the Company thereto.”

EXTRACT FROM BY-LAWS OF COLONIAL AMERICAN CASUALTY AND SURETY COMPANY

“Article VI, Section 2. The Chairman of the Board, or the President, or any Executive Vice-President, or any of the Senior Vice-Presidents or Vice-Presidents specially authorized so to do by the Board of Directors or by the Executive Committee, shall have power, by and with the concurrence of the Secretary or any one of the Assistant Secretaries, to appoint Resident Vice-Presidents, Assistant Vice-Presidents and Attorneys-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, undertaking, recognizances, stipulations, policies, contracts, agreements, deeds, and releases and assignments of judgements, decrees, mortgages and instruments in the nature of mortgages,...and to affix the seal of the Company thereto.”

CERTIFICATE

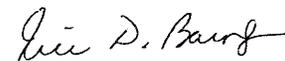
I, the undersigned, Assistant Secretary of the FIDELITY AND DEPOSIT COMPANY OF MARYLAND, and the COLONIAL AMERICAN CASUALTY AND SURETY COMPANY, do hereby certify that the foregoing Power of Attorney is still in full force and effect on the date of this certificate; and I do further certify that the Vice-President 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 respective By-Laws of the FIDELITY AND DEPOSIT COMPANY OF MARYLAND, and the COLONIAL AMERICAN CASUALTY AND SURETY COMPANY.

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 10th day of May, 1990 and of the Board of Directors of the COLONIAL AMERICAN CASUALTY AND SURETY COMPANY 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 seals of the said Companies,

this 22th day of May, 2009



Assistant Secretary



Chubb
Surety

POWER
OF
ATTORNEY

Federal Insurance Company
Vigilant Insurance Company
Pacific Indemnity Company

Attn: Surety Department
15 Mountain View Road
Warren, NJ 07059

Know All by These Presents, That FEDERAL INSURANCE COMPANY, an Indiana corporation, VIGILANT INSURANCE COMPANY, a New York corporation, and PACIFIC INDEMNITY COMPANY, a Wisconsin corporation, do each hereby constitute and appoint William B. Bridgman, John P. Bruno, Gary J. Giulietti, Holly L. Lynch, Tammy Quiles and Christina Williams of Farmington, Connecticut

each as their true and lawful Attorney- in- Fact to execute under such designation in their names and to affix their corporate seals to and deliver for and on their behalf as surety thereon or otherwise, bonds and undertakings and other writings obligatory in the nature thereof (other than ball bonds) given or executed in the course of business, and any instruments amending or altering the same, and consents to the modification or alteration of any instrument referred to in said bonds or obligations.

In Witness Whereof, said FEDERAL INSURANCE COMPANY, VIGILANT INSURANCE COMPANY, and PACIFIC INDEMNITY COMPANY have each executed and attested these presents and affixed their corporate seals on this 29th day of December, 2008.

Kenneth C. Wendel, Assistant Secretary

David B. Norris, Jr., Vice President

STATE OF NEW JERSEY
County of Somerset ss.

On this 29th day of December, 2008 before me, a Notary Public of New Jersey, personally came Kenneth C. Wendel, to me known to be Assistant Secretary of FEDERAL INSURANCE COMPANY, VIGILANT INSURANCE COMPANY, and PACIFIC INDEMNITY COMPANY, the companies which executed the foregoing Power of Attorney, and the said Kenneth C. Wendel, being by me duly sworn, did depose and say that he is Assistant Secretary of FEDERAL INSURANCE COMPANY, VIGILANT INSURANCE COMPANY, and PACIFIC INDEMNITY COMPANY and knows the corporate seals thereof, that the seals affixed to the foregoing Power of Attorney are such corporate seals and were thereto affixed by authority of the By- Laws of said Companies; and that he signed said Power of Attorney as Assistant Secretary of said Companies by like authority; and that he is acquainted with David B. Norris, Jr., and knows him to be Vice President of said Companies; and that the signature of David B. Norris, Jr., subscribed to said Power of Attorney is in the genuine handwriting of David B. Norris, Jr., and was thereto subscribed by authority of said By-Laws and in deponent's presence.

Notarial Seal



KATHERINE KALBACHER
NOTARY PUBLIC OF NEW JERSEY
No. 2316685
Commission Expires July 8, 2009

Notary Public

CERTIFICATION

Extract from the By- Laws of FEDERAL INSURANCE COMPANY, VIGILANT INSURANCE COMPANY, and PACIFIC INDEMNITY COMPANY:

"All powers of attorney for and on behalf of the Company may and shall be executed in the name and on behalf of the Company, either by the Chairman or the President or a Vice President or an Assistant Vice President, jointly with the Secretary or an Assistant Secretary, under their respective designations. The signature of such officers may be engraved, printed or lithographed. The signature of each of the following officers: Chairman, President, any Vice President, any Assistant Vice President, any Secretary, any Assistant Secretary and the seal of the Company may be affixed by facsimile to any power of attorney or to any certificate relating thereto appointing Assistant Secretaries or Attorneys- in- Fact for purposes only of executing and attesting bonds and undertakings and other writings obligatory in the nature thereof, and any such power of attorney or certificate bearing such facsimile signature or facsimile seal shall be valid and binding upon the Company and any such power so executed and certified by such facsimile signature and facsimile seal shall be valid and binding upon the Company with respect to any bond or undertaking to which it is attached."

I, Kenneth C. Wendel, Assistant Secretary of FEDERAL INSURANCE COMPANY, VIGILANT INSURANCE COMPANY, and PACIFIC INDEMNITY COMPANY (the "Companies") do hereby certify that

- (i) the foregoing extract of the By- Laws of the Companies is true and correct,
- (ii) the Companies are duly licensed and authorized to transact surety business in all 50 of the United States of America and the District of Columbia and are authorized by the U.S. Treasury Department; further, Federal and Vigilant are licensed in Puerto Rico and the U.S. Virgin Islands, and Federal is licensed in American Samoa, Guam, and each of the Provinces of Canada except Prince Edward Island; and
- (iii) the foregoing Power of Attorney is true, correct and in full force and effect.

Given under my hand and seals of said Companies at Warren, NJ this

29th day of May 2009



Kenneth C. Wendel, Assistant Secretary

IN THE EVENT YOU WISH TO NOTIFY US OF A CLAIM, VERIFY THE AUTHENTICITY OF THIS BOND OR NOTIFY US OF ANY OTHER MATTER, PLEASE CONTACT US AT ADDRESS LISTED ABOVE, OR BY Telephone (908) 903- 3493 Fax (908) 903- 3656 e-mail: surety@chubb.com