

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

C202353

CONTRACT AND  
CONTRACT BONDS  
FOR CONTRACT NO. C202353

WBS 10CR.10041.17, 10CR.10041.19, 10CR.10041.20, 10CR.10041.21 STATE FUNDED

COUNTY OF ANSON  
THIS IS THE ROADWAY CONTRACT  
ROUTE NUMBER                                      LENGTH        5.870 MILES  
LOCATION 2 SECTIONS OF NC-109 S, 1 SECTION OF NC-109 N AND 1 SECTION  
OF NC-742.

CONTRACTOR        BOGGS PAVING, INC.  
ADDRESS            P.O. BOX 1609  
                          MONROE, NC 28111

BIDS OPENED        JUNE 16, 2009  
CONTRACT EXECUTION     JUL 06 2009

**Boggs Paving, Inc. (3186).**

**Vendor 1 of 4 Vendors for Call Order 023 (Proposal ID C202353).**

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

Phone Number: 704-289-8482

Signature Check: This bid has been properly signed by Greg\_D.\_Miller\_3186.

Time Bid Received: Tue Jun 16 09:57:32 2009

Bid Checksum: 5F0184F1

Amendment Count: 0

Bidding Errors: No bidding errors.

Bid Total: \$925,877.64 ✓

Bond ID: SNC09849878

Bond was Verified: Yes.

Bond Required Percent: 5.00%

Minimum Check Amount: \$46,293.88

Bid Security Maximum: \$

Bond Agency Name:

Agency Execution Date: 6/4/2009 4:16:16 PM

Surety Name: Safeco Insurance Company of America

Surety State of Incorporation:

Bond Company:

Bond Type:

Bond Appr Flag:

Bond Affirm:

Bond was Paid by Check: No.

MBE GOAL SET 3.0%  
MBE GOAL MET 3.0%  
WBE GOAL SET 4.0%  
WBE GOAL MET 4.0%

LIST OF MBE PARTICIPANTS

VENDOR NUMBER	DBE NAME ADDRESS	WORK CODE TYPE OF WORK	CERT TYPE AMOUNT
2840	STYX CUTHBERTSON TRUCKING POST OFFICE BOX 53 , MONROE, NC 28111		Sub 27,787.50
			TOTAL: \$27,787.50 3.00%

LIST OF WBE PARTICIPANTS

VENDOR NUMBER	DBE NAME ADDRESS	WORK CODE TYPE OF WORK	CERT TYPE AMOUNT
5266	NORTH STATE ENVIRONMENTAL, INC 2889 LOWERY ST SUITE B , WINSTON-SALEM, NC 27101		Sub 1,472.90
4247	SEAL BROTHERS CONTRACTING LLC 131 W. CLEVE STREET , MOUNT AIRY, NC 27030		Sub 7,488.00
3765	STAY ALERT SAFETY SERVICES INC POST OFFICE BOX 467 , KERNERSVILLE, NC 27285		Sub 3,365.00
5634	H L HENRY TRUCKING LLC 2034 HIGH ROCK CRUSHER RD , POLKTON, NC 28135		Sub 24,803.50
			TOTAL: \$37,129.40 4.01%

Miscellaneous Data Info - Contractor Responses:

NON-COLLUSION AND DEBARMENT CERTIFICATION

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

- Explanation:
- NOT ANSWERED
- NOT ANSWERED
- NOT ANSWERED
- NOT ANSWERED

AWARD LIMITS ON MULTIPLE PROJECTS

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

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

The Award Limits shall apply to the following projects:

Contract Number	County
NOT ANSWERED	
NOT ANSWERED	
NOT ANSWERED	
NOT ANSWERED	
NOT ANSWERED	

NCDOT/berc

Vendor 3186's Load Output for Call 023, Letting L090616, 2009-06-16

NOT ANSWERED

Bid Bond Data Info - Contractor Responses:

=====

BondID: SNC09849878  
Surety Registry Agency: surety2000  
Verified?: Yes  
Surety Agency: Safeco Insurance Company of America  
Bond Execution Date: 6/4/2009 4:16:16 PM  
Bond Amount: \$46,293.88 (Five Percent of Bid)

State of NC  
Dept of Transportation

Date: 05-20-09  
Revised:

Contract ID: C202353 Project(s): STATE FUNDED  
Letting Date: 06-16-09 Call Order: 023  
Bidder: 3186 - Boggs Paving, 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		61,100.00
0002	1220000000-E INCIDENTAL STONE BASE	TON	145.000	31.50000		4,567.50
0003	1245000000-E SHOULDER RECONSTRUCTION	SMI	9.600	2,000.00000		19,200.00
0004	1297000000-E MILLING ASPHALT PAVEMENT, ***"DEPTH (1-1/2")	SY	69,665.000	1.10000		76,631.50
0005	1330000000-E INCIDENTAL MILLING	SY	300.000	8.00000		2,400.00
0006	1519000000-E ASPHALT CONC SURFACE COURSE, TYPE S9.5B	TON	7,310.000	34.20000		250,002.00
0007	1520000000-E ASPHALT CONC SURFACE COURSE, TYPE S9.5B (LEVELING COURSE)	TON	1,875.000	38.00000		71,250.00
0008	1560000000-E ASPHALT BINDER FOR PLANT MIX, GRADE PG 64-22	TON	561.000	385.00000		215,985.00
0009	1704000000-E PATCHING EXISTING PAVEMENT	TON	2,195.000	70.00000		153,650.00
0010	2830000000-N ADJUSTMENT OF MANHOLES	EA	2.000	500.00000		1,000.00

State of NC  
Dept of Transportation

Date: 05-20-09  
Revised:

Contract ID: C202353 Project(s): STATE FUNDED  
Letting Date: 06-16-09 Call Order: 023  
Bidder: 3186 - Boggs Paving, Inc.

Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
0011	2845000000-N ADJUSTMENT OF METER BOXES OR VALVE BOXES	2.000 EA	475.00000		950.00	
0012	4685000000-E THERMOPLAST IC PAVEMENT MARKING LINES (4", 90 MILS)	51,396.000 LF	0.34000		17,474.64	
0013	4686000000-E THERMOPLAST IC PAVEMENT MARKING LINES (4", 120 MILS)	58,640.000 LF	0.44000		25,801.60	
0014	4702000000-E THERMOPLAST IC PAVEMENT MARKING LINES (12", 120 MILS)	275.000 LF	3.18000		874.50	
0015	4710000000-E THERMOPLAST IC PAVEMENT MARKING LINES (24", 120 MILS)	600.000 LF	6.00000		3,600.00	
0016	4721000000-E THERMOPLAST IC PAVEMENT MARKING CHARACTER (120 MILS)	12.000 EA	75.00000		900.00	
0017	4725000000-E THERMOPLAST IC PAVEMENT MARKING SYMBOL (90 MILS)	15.000 EA	175.00000		2,625.00	
0018	4900000000-N PERMANENT RAISED PAVEMENT MARKERS	533.000 EA	5.00000		2,665.00	
0019	6000000000-E TEMPORARY SILT FENCE	715.000 LF	2.06000		1,472.90	
0020	6009000000-E STONE FOR EROSION CONTROL, CLASS B	107.000 TON	40.00000		4,280.00	
0021	6012000000-E SEDIMENT CONTROL STONE	56.000 TON	35.00000		1,960.00	

State of NC  
 Dept of Transportation

Date: 05-20-09  
 Revised:

Contract ID: C202353 Project(s): STATE FUNDED  
 Letting Date: 06-16-09 Call Order: 023  
 Bidder: 3186 - Boggs Paving, Inc.

Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
0022	6084000000-E SEEDING & MULCHING	4.800 ACR	1,560.00000		7,488.00	
Section 0001 Total						925,877.64
Bid Total						925,877.64

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  
 MBE COMMITMENT ITEMS

DATE: 05-20-09  
 PAGE: 6

PROPOSAL: C202353  
 LETTING: L090616 CALL: 023  
 VENDOR: 3186 Boggs Paving, Inc.

LINE NO.	ITEM NO.	ITEM DESC.	UNIT TYPE	SUBCONTRACTOR QUANTITY	SUBCONTRACTOR UNIT PRICE	EXTENDED AMOUNT
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MBE SUBCONTRACTOR: 2840 STYX CUTHBERTSON TRUCKING  
 Will Use Quote: Yes

0006	1519000000-E	ASP CONC SUR	TON	4275.000	6.50000	27787.50
		Haul aggregates to plant site				

MBE COMMITMENT TOTAL FOR SUBCONTRACTOR: 27,787.50 *ARM*

TOTAL MBE COMMITMENT FOR VENDOR:	Entered:	3.00%	or	27787.50
	Required:	3.00%	or	27776.33
		<GOAL MET>		

NORTH CAROLINA STATE DEPARTMENT OF TRANSPORTATION  
WBE COMMITMENT ITEMS

DATE: 05-20-09  
PAGE: 7

PROPOSAL: C202353  
LETTING: L090616 CALL: 023  
VENDOR: 3186 Boggs Paving, Inc.

LINE NO.	ITEM NO.	ITEM DESC.	UNIT TYPE	SUBCONTRACTOR QUANTITY	SUBCONTRACTOR UNIT PRICE	EXTENDED AMOUNT
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WBE SUBCONTRACTOR: 5266 NORTH STATE ENVIRONMENTAL, INC  
Will Use Quote: Yes

0019	6000000000-E	TEMPORARY SI LF		715.000	2.06000	1472.90
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WBE COMMITMENT TOTAL FOR SUBCONTRACTOR: 1,472.90 *ARM*

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

0022	6084000000-E	SEEDING AND ACR		4.800	1560.00000	7488.00
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WBE COMMITMENT TOTAL FOR SUBCONTRACTOR: 7,488.00 *ARM*

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

0001	0000100000-N	MOBILIZATION LS Stationary Work Zone Signs		1.000	3365.00000	3365.00
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WBE COMMITMENT TOTAL FOR SUBCONTRACTOR: 3,365.00 *ARM*

WBE SUBCONTRACTOR: 5634 H L HENRY TRUCKING LLC  
Will Use Quote: Yes

0009	1704000000-E	PATCHING EXI TON Haul aggregates from quarry to plant site		2195.000	11.30000	24803.50
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WBE COMMITMENT TOTAL FOR SUBCONTRACTOR: 24,803.50 *ARM*

TOTAL WBE COMMITMENT FOR VENDOR:	Entered:	4.01% or	37129.40
	Required:	4.00% or	37035.11
		<GOAL MET>	

## Contract Item Sheets For C202353

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
<b>ROADWAY ITEMS</b>						
0001	0000100000-N	800	MOBILIZATION	Lump Sum LS	61,100.00	61,100.00
0002	1220000000-E	545	INCIDENTAL STONE BASE	145 TON	31.50	4,567.50
0003	1245000000-E	SP	SHOULDER RECONSTRUCTION	9.6 SMI	2,000.00	19,200.00
0004	1297000000-E	607	MILLING ASPHALT PAVEMENT, **** DEPTH (1-1/2")	69,665 SY	1.10	76,631.50
0005	1330000000-E	607	INCIDENTAL MILLING	300 SY	8.00	2,400.00
0006	1519000000-E	610	ASPHALT CONC SURFACE COURSE, TYPE S9.5B	7,310 TON	34.20	250,002.00
0007	1520000000-E	SP	ASPHALT CONC SURFACE COURSE, TYPE S9.5B (LEVELING COURSE)	1,875 TON	38.00	71,250.00
0008	1560000000-E	620	ASPHALT BINDER FOR PLANT MIX, GRADE PG 64-22	561 TON	385.00	215,985.00
0009	1704000000-E	SP	PATCHING EXISTING PAVEMENT	2,195 TON	70.00	153,650.00
0010	2830000000-N	858	ADJUSTMENT OF MANHOLES	2 EA	500.00	1,000.00
0011	2845000000-N	858	ADJUSTMENT OF METER BOXES OR VALVE BOXES	2 EA	475.00	950.00
0012	4685000000-E	1205	THERMOPLASTIC PAVEMENT MARKING LINES (4", 90 MILS)	51,396 LF	0.34	17,474.64
0013	4686000000-E	1205	THERMOPLASTIC PAVEMENT MARKING LINES (4", 120 MILS)	58,640 LF	0.44	25,801.60
0014	4702000000-E	1205	THERMOPLASTIC PAVEMENT MARKING LINES (12", 120 MILS)	275 LF	3.18	874.50
0015	4710000000-E	1205	THERMOPLASTIC PAVEMENT MARKING LINES (24", 120 MILS)	600 LF	6.00	3,600.00
0016	4721000000-E	1205	THERMOPLASTIC PAVEMENT MARKING CHARACTER (120 MILS)	12 EA	75.00	900.00
0017	4725000000-E	1205	THERMOPLASTIC PAVEMENT MARKING SYMBOL (90 MILS)	15 EA	175.00	2,625.00

## Contract Item Sheets For C202353

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
0018	4900000000-N	1251	PERMANENT RAISED PAVEMENT MARKERS	533 EA	5.00	2,665.00
0019	6000000000-E	1605	TEMPORARY SILT FENCE	715 LF	2.06	1,472.90
0020	6009000000-E	1610	STONE FOR EROSION CONTROL, CLASS B	107 TON	40.00	4,280.00
0021	6012000000-E	1610	SEDIMENT CONTROL STONE	56 TON	35.00	1,960.00
0022	6084000000-E	1660	SEEDING & MULCHING	4.8 ACR	1,560.00	7,488.00

TOTAL AMOUNT OF BID FOR ENTIRE PROJECT

\$925,877.64 ✓

0805/Jun25/Q194419.4/D74304100000/E22

Contract Number C202353  
County ANSON

Rev 7-20-08

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

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

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

**SIGNATURE OF CONTRACTOR**

BOGGS PAVING, INC.

Full name of Corporation

PO BOX 1609, MONROE, NC 28111-1609

Address as Prequalified

Attest

*Greg D. Miller*

Secretary/Assistant Secretary

Select appropriate title

By

*Carl A. Boggs III*

President/Vice President/Assistant Vice President

Select appropriate title

GREG D. MILLER

Print or type Signer's name

CARL A. BOGGS, III

Print or type Signer's name

**CORPORATE SEAL**

**AFFIDAVIT MUST BE NOTARIZED**

**NOTARY SEAL**

Subscribed and sworn to before me this the

29<sup>th</sup> day of June 2009

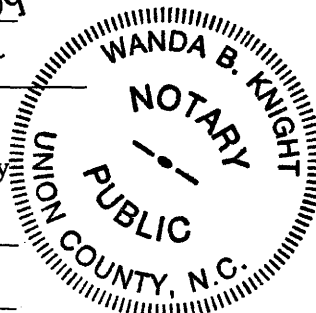
*Wanda B. Knight*

Signature of Notary Public  
WANDA B. KNIGHT

of UNION County

State of NORTH CAROLINA

My Commission Expires: 12/21/2011



## DEBARMENT CERTIFICATION OF CONTRACTOR

### Conditions for certification:

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

**DEBARMENT CERTIFICATION**

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

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

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

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

Check here if an explanation is attached to this certification.



**Contract No**      C202353

**County (ies):**    Anson

ACCEPTED BY THE  
DEPARTMENT OF TRANSPORTATION

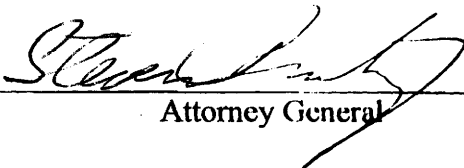


\_\_\_\_\_  
Contract Officer

7/6/09

\_\_\_\_\_  
Date

Execution of Contract and Bonds  
Approved as to Form:



\_\_\_\_\_  
Attorney General

Contract No. C202353  
County Anson

Rev. 5-13-08

Bond No. 6648893

### CONTRACT PAYMENT BOND

Date of Payment Bond Execution: June 26, 2009

Name of Principal Contractor: Boggs Paving, Inc.

Name of Surety: Safeco Insurance Company of America

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

Amount of Bond: Nine Hundred Twenty Five Thousand Eight  
Hundred Seventy Seven Dollars and 64/100 (\$925,877.64 )

Contract ID No.: C202353

County Name(s): Anson

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. C202353

Rev 02-13-04

County Anson

### CONTRACT PAYMENT BOND

*Affix Seal of Surety Company*

Safeco Insurance Company of America  
Print or type Surety Company Name



By Cynthia M. Partin  
Print, stamp or type name of Attorney-in-Fact

Cynthia M. Partin  
Signature of Attorney-in-Fact

Surety Phone  
No. 803.256.1193

Heidi K. Harrell  
Signature of witness

Heidi K. Harrell  
Print or type witness' name

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

Contract No. C202353

Rev 02-13-04

County Anson

**CONTRACT PAYMENT BOND**

**CORPORATION**

**SIGNATURE OF CONTRACTOR (Principal)**

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

PO Box 1609                      Monroe                      NC 28111-1609  
Address as prequalified

By Carl A. Boggs III  
Signature of President, Vice President, Assistant Vice President  
*Delete inappropriate title*

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

Attest Greg D. Miller  
Signature of Secretary, Assistant Secretary  
*Delete inappropriate title*

GREG D. MILLER  
Print or type signer's name

*Affix Corporate Seal*

Contract No. C202353  
County Anson

Rev. 5-13-08  
Bond No. 6648893

### CONTRACT PERFORMANCE BOND

Date of Contract Bond Execution June 26, 2009

Name of Principal Contractor: Boggs Paving, Inc.

Name of Surety: Safeco Insurance Company of America

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

Amount of Bond: Nine Hundred Twenty Five Thousand Eight Hundred Seventy Seven Dollars and 64/100 (\$925,877.64)

Contract ID No.: C202353

County Name(s): Anson

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

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

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

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

Contract Number C202353  
County Anson

Rev 02-13-04

## CONTRACT PERFORMANCE BOND

*Affix Seal of Surety Company*

Safeco Insurance Company of America  
Print or type Surety Company Name



By Cynthia M. Partin  
Attorney-in-Fact  
Print, stamp, or type name of Attorney-in Fact

Cynthia M. Partin  
Signature of Attorney-in-Fact

Surety Phone  
No. 803.256.1193

Heidi K. Harrell  
Signature of witness

Heidi K. Harrell  
Print or type witness' name

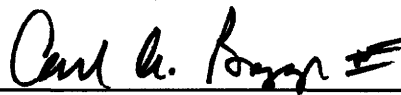
1441 Main Street  
Columbia SC 29201  
Address of Attorney-in-Fact

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

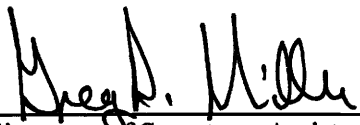
SIGNATURE OF CONTRACTOR (Principal)

Boggs Paving, Inc.  
Print full name of Corporation

PO Box 1609                      Monroe                      NC 28111-1609  
Address as prequalified

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

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

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

GREG D. MILLER  
Print or type signer's name

*Affix Corporate Seal*

POWER OF ATTORNEY

No. \_\_\_\_\_

KNOW ALL BY THESE PRESENTS:

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

Cynthia M. Partin Columbia SC

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

Surety Bond Number: 6648893
Principal: Boggs Paving, Inc.
Obligee: North Carolina Dept. of Transportation
Amount of Bond: See Bond Form

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

this 26th day of June, 2009

Dexter R. Legg (handwritten signature)

Dexter R. Legg, Secretary

TAMIKOLAJEWSKI (handwritten signature)

Timothy A. Mikolajewski, Vice President

CERTIFICATE

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

"Article 8, Section 8.1 1. - FIDELITY AND SURETY BONDS . . . the President, any Vice President, the Secretary, and any Assistant Vice President appointed for that purpose by the officer in charge of surety operations, shall each have authority to appoint individuals as attorneys-in-fact or under other appropriate titles with authority to execute on behalf of the corporation fidelity and surety bonds and other documents of similar character issued by the corporation in the course of its business . . . On any instrument making or evidencing such appointment, the signatures may be affixed by facsimile. On any instrument conferring such authority or on any bond or undertaking of the corporation, the seal, or a facsimile thereof, may be impressed or affixed or in any other manner reproduced; provided, however, that the seal shall not be necessary to the validity of any such instrument or undertaking."

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

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

this 26th day of June, 2009



Dexter R. Legg (handwritten signature)

Dexter R. Legg, Secretary