

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

C202413

CONTRACT AND
CONTRACT BONDS
FOR CONTRACT NO. C202413

WBS 10CR.10901.17, 10CR.10901.18, 10CR.10901.19, 10CR.20901.50, 10CR.20901.51, 10CR.20901.53 STATE FUNDED

COUNTY OF UNION
THIS IS THE ROADWAY CONTRACT
ROUTE NUMBER US 74 LENGTH 16.560 MILES
LOCATION 1 SECTION OF US-74 EB, NC-200, AND NC-207, AND 3 SECTIONS OF SECONDARY ROADS.

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

BIDS OPENED AUGUST 18, 2009
CONTRACT EXECUTION SEP 09 2009

Boggs Paving, Inc. (3186).

Vendor 1 of 4 Vendors for Call Order 019 (Proposal ID C202413).

County: UNION
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 Aug 18 13:05:16 2009

Bid Checksum: B71525B4

Amendment Count: 0

Bidding Errors: No bidding errors

Bid Total: \$2,850,755.50 ✓

Bond ID: SNC09100683

Bond was Verified: Yes.

Bond Required Percent: 5.00%

Minimum Check Amount: \$142,537.78

Bid Security Maximum: \$

Bond Agency Name:

Agency Execution Date: 8/17/2009 8:30:57 AM

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 4.0%

WBE GOAL SET 4.0%

MBE GOAL MET 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 MB	STYX CUTHBERTSON TRUCKING POST OFFICE BOX 53 , MONROE, NC 28111		Sub 114,265.00 ✓ARM
TOTAL:			\$114,265.00 4.01%

LIST OF WBE PARTICIPANTS

VENDOR NUMBER	DBE NAME ADDRESS	WORK CODE TYPE OF WORK	CERT TYPE AMOUNT
3269 WB	GML CONTRACTORS, INC. P O BOX 702 , MONROE, NC 28111		Sub 19,180.00 ✓ARM
4247 WB	SEAL BROTHERS CONTRACTING LLC 131 W. CLEVE STREET , MOUNT AIRY, NC 27030		Sub 4,659.20 ✓ARM
3765 WB	STAY ALERT SAFETY SERVICES INC POST OFFICE BOX 467 , KERNERSVILLE, NC 27285		Sub 6,800.00 ✓ARM
5634 WB	H L HENRY TRUCKING LLC 2034 HIGH ROCK CRUSHER RD , POLKTON, NC 28135		Sub 83,625.00 ✓ARM
TOTAL:			\$114,264.20 4.01%

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	

NCDOT/berc

Vendor 3186's Load Output for Call 019, Letting L090818, 2009-08-18

NOT ANSWERED

Bid Bond Data Info - Contractor Responses:

=====

BondID: SNC09100683
Surety Registry Agency: surety2000
Verified?: Yes
Surety Agency: Safeco Insurance Company of America
Bond Execution Date: 8/17/2009 8:30:57 AM
Bond Amount: \$142,537.78 (Five Percent of Bid)

Contract ID: C202413
 Letting Date: 08-18-09 Call Order: 019
 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			142,500.00
0002	1110000000-E STABILIZER AGGREGATE	TON	1,302.000	5.00000		6,510.00
0003	1220000000-E INCIDENTAL STONE BASE	TON	667.000	27.50000		18,342.50
0004	1243000000-E SHOULDER CONSTRUCTION	SMI	1.700	2,825.00000		4,802.50
0005	1245000000-E SHOULDER RECONSTRUCTION	SMI	26.200	2,300.00000		60,260.00
0006	1264000000-E DITCHING	LF	2,097.000	1.00000		2,097.00
0007	1297000000-E MILLING ASPHALT PAVEMENT, ***"DEPTH (1-1/2")	SY	25,300.000	1.25000		31,625.00
0008	1297000000-E MILLING ASPHALT PAVEMENT, ***"DEPTH (5-1/2")	SY	17,400.000	3.00000		52,200.00
0009	1330000000-E INCIDENTAL MILLING	SY	550.000	5.50000		3,025.00
0010	1491000000-E ASPHALT CONC BASE COURSE, TYPE B25.0C	TON	590.000	54.00000		31,860.00
0011	1503000000-E ASPHALT CONC INTERMEDIATE COURSE, TYPE I19.0C	TON	5,804.000	33.00000		191,532.00

State of NC
Dept of Transportation

Date: 07-21-09
Revised:

Contract ID: C202413
Letting Date: 08-18-09 Call Order: 019
Bidder: 3186 - Boggs Paving, Inc.

Project(s): STATE FUNDED

Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
0012	1519000000-E ASPHALT CONC SURFACE COURSE, TYPE S9.5B	7,800.000 TON	31.00000		241,800.00	
0013	1520000000-E ASPHALT CONC SURFACE COURSE, TYPE S9.5B (LEVELING COURSE)	2,123.000 TON	32.00000		67,936.00	
0014	1523000000-E ASPHALT CONC SURFACE COURSE, TYPE S9.5C	13,085.000 TON	32.00000		418,720.00	
0015	1524000000-E ASPHALT CONC SURFACE COURSE, TYPE S9.5C (LEVELING COURSE)	2,590.000 TON	31.00000		80,290.00	
0016	1560000000-E ASPHALT BINDER FOR PLANT MIX, GRADE PG 64-22	921.000 TON	416.00000		383,136.00	
0017	1565000000-E ASPHALT BINDER FOR PLANT MIX, GRADE PG 70-22	954.000 TON	416.00000		396,864.00	
0018	1704000000-E PATCHING EXISTING PAVEMENT	6,465.000 TON	78.00000		504,270.00	
0019	2612000000-E 6" CONCRETE DRIVEWAY	90.000 SY	40.00000		3,600.00	
0020	2752000000-E GENERIC PAVING ITEM CONCRETE JOINT TREATMENT	4,000.000 LF	3.25000		13,000.00	
0021	2830000000-N ADJUSTMENT OF MANHOLES	13.000 EA	400.00000		5,200.00	
0022	2845000000-N ADJUSTMENT OF METER BOXES OR VALVE BOXES	24.000 EA	250.00000		6,000.00	

State of NC
Dept of Transportation

Date: 07-21-09
Revised:

Contract ID: C202413 Project(s): STATE FUNDED
Letting Date: 08-18-09 Call Order: 019
Bidder: 3186 - Boggs Paving, Inc.

Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
0023	4685000000-E THERMOPLAST IC PAVEMENT MARKING LINES (4", 90 MILS)	150,932.000 LF	0.32000		48,298.24	
0024	4686000000-E THERMOPLAST IC PAVEMENT MARKING LINES (4", 120 MILS)	163,338.000 LF	0.37000		60,435.06	
0025	4697000000-E THERMOPLAST IC PAVEMENT MARKING LINES (8", 120 MILS)	1,066.000 LF	1.10000		1,172.60	
0026	4710000000-E THERMOPLAST IC PAVEMENT MARKING LINES (24", 120 MILS)	424.000 LF	7.00000		2,968.00	
0027	4721000000-E THERMOPLAST IC PAVEMENT MARKING CHARACTER (120 MILS)	21.000 EA	100.00000		2,100.00	
0028	4725000000-E THERMOPLAST IC PAVEMENT MARKING SYMBOL (90 MILS)	8.000 EA	100.00000		800.00	
0029	4810000000-E PAINT PAVEMENT MARKING LINES (4")	20,000.000 LF	0.25000		5,000.00	
0030	4900000000-N PERMANENT RAISED PAVEMENT MARKERS	2,204.000 EA	4.35000		9,587.40	
0031	5255000000-N PORTABLE LIGHTING	LUMP	LUMP		19,000.00	
0032	6000000000-E TEMPORARY SILT FENCE	2,240.000 LF	2.08000		4,659.20	
0033	6009000000-E STONE FOR EROSION CONTROL, CLASS B	295.000 TON	28.00000		8,260.00	

State of NC
 Dept of Transportation

Date: 07-21-09
 Revised:

Contract ID: C202413 Project(s): STATE FUNDED
 Letting Date: 08-18-09 Call Order: 019
 Bidder: 3186 - Boggs Paving, Inc.

Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
0034	6012000000-E SEDIMENT CONTROL STONE	149.000 TON	25.00000		3,725.00	
0035	6084000000-E SEEDING & MULCHING	13.700 ACR	1,400.00000		19,180.00	
Section 0001 Total						2,850,755.50
Bid Total						2,850,755.50

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
 MBE COMMITMENT ITEMS

DATE: 07-21-09
 PAGE: 7

PROPOSAL: C202413
 LETTING: L090818 CALL: 019
 VENDOR: 3186 Boggs Paving, Inc.

LINE NO.	ITEM NO.	ITEM DESC.	UNIT TYPE	SUBCONTRACTOR QUANTITY	SUBCONTRACTOR UNIT PRICE	EXTENDED AMOUNT
MBE SUBCONTRACTOR: 2840 STYX CUTHBERTSON TRUCKING						
Will Use Quote: Yes						
0018	1704000000-E	PATCHING EXI	TON C	6465.000	5.00000	32325.00
		hauling plant aggregates				
0011	1503000000-E	ASP CONC INT	TON C	5804.000	5.00000	29020.00
		hauling plant aggregates				
0012	1519000000-E	ASP CONC SUR	TON C	7800.000	5.00000	39000.00
		hauling plant aggregates				
0008	1297000000-E	MILL ASP PVM	SY C	17400.000	0.80000	13920.00
		hauling materials				

MBE COMMITMENT TOTAL FOR SUBCONTRACTOR:

114,265.00 *ARM*

TOTAL MBE COMMITMENT FOR VENDOR:

Entered: 4.01% or 114265.00
 Required: 4.00% or 114030.22
 <GOAL MET>

NORTH CAROLINA STATE DEPARTMENT OF TRANSPORTATION
WBE COMMITMENT ITEMS

DATE: 07-21-09
PAGE: 8

PROPOSAL: C202413
LETTING: L090818 CALL: 019
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: 3269 GML CONTRACTORS, INC.
Will Use Quote: Yes

0035	6084000000-E	SEEDING AND ACR	C	13.700	1400.00000	19180.00
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ARM

WBE COMMITMENT TOTAL FOR SUBCONTRACTOR:

19,180.00

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

0032	6000000000-E	TEMPORARY SI LF	C	2240.000	2.08000	4659.20
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WBE COMMITMENT TOTAL FOR SUBCONTRACTOR:

4,659.20

ARM

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

0001	0000100000-N	MOBILIZATION LS	C	1.000	6800.00000	6800.00
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WBE COMMITMENT TOTAL FOR SUBCONTRACTOR:

6,800.00

ARM

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

0014	1523000000-E	ASP CONC SUR TON		13085.000	5.00000	65425.00
		hauling plant aggregates				
0015	1524000000-E	ASP CONC SUR TON		2590.000	5.00000	12950.00
		hauling plant aggregates				
0013	1520000000-E	ASP CONC SUR TON		1050.000	5.00000	5250.00
		hauling plant aggregates				

WBE COMMITMENT TOTAL FOR SUBCONTRACTOR:

83,625.00

ARM

TOTAL WBE COMMITMENT FOR VENDOR:

Entered: 4.01% or 114264.20
Required: 4.00% or 114030.22
<GOAL MET>

Contract Item Sheets For C202413

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
ROADWAY ITEMS						
0001	0000100000-N	800	MOBILIZATION	Lump Sum LS	142,500.00	142,500.00
0002	1110000000-E	510	STABILIZER AGGREGATE	1,302 TON	5.00	6,510.00
0003	1220000000-E	545	INCIDENTAL STONE BASE	667 TON	27.50	18,342.50
0004	1243000000-E	SP	SHOULDER CONSTRUCTION	1.7 SMI	2,825.00	4,802.50
0005	1245000000-E	SP	SHOULDER RECONSTRUCTION	26.2 SMI	2,300.00	60,260.00
0006	1264000000-E	SP	DITCHING	2,097 LF	1.00	2,097.00
0007	1297000000-E	607	MILLING ASPHALT PAVEMENT, **** DEPTH (1-1/2")	25,300 SY	1.25	31,625.00
0008	1297000000-E	607	MILLING ASPHALT PAVEMENT, **** DEPTH (5-1/2")	17,400 SY	3.00	52,200.00
0009	1330000000-E	607	INCIDENTAL MILLING	550 SY	5.50	3,025.00
0010	1491000000-E	610	ASPHALT CONC BASE COURSE, TYPE B25.0C	590 TON	54.00	31,860.00
0011	1503000000-E	610	ASPHALT CONC INTERMEDIATE COURSE, TYPE I19.0C	5,804 TON	33.00	191,532.00
0012	1519000000-E	610	ASPHALT CONC SURFACE COURSE, TYPE S9.5B	7,800 TON	31.00	241,800.00
0013	1520000000-E	SP	ASPHALT CONC SURFACE COURSE, TYPE S9.5B (LEVELING COURSE)	2,123 TON	32.00	67,936.00
0014	1523000000-E	610	ASPHALT CONC SURFACE COURSE, TYPE S9.5C	13,085 TON	32.00	418,720.00
0015	1524000000-E	SP	ASPHALT CONC SURFACE COURSE, TYPE S9.5C (LEVELING COURSE)	2,590 TON	31.00	80,290.00
0016	1560000000-E	620	ASPHALT BINDER FOR PLANT MIX, GRADE PG 64-22	921 TON	416.00	383,136.00
0017	1565000000-E	620	ASPHALT BINDER FOR PLANT MIX, GRADE PG 70-22	954 TON	416.00	396,864.00

Contract Item Sheets For C202413

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
0018	1704000000-E	SP	PATCHING EXISTING PAVEMENT	6,465 TON	78.00	504,270.00
0019	2612000000-E	848	6" CONCRETE DRIVEWAY	90 SY	40.00	3,600.00
0020	2752000000-E	SP	GENERIC PAVING ITEM CONCRETE JOINT TREATMENT	4,000 LF	3.25	13,000.00
0021	2830000000-N	858	ADJUSTMENT OF MANHOLES	13 EA	400.00	5,200.00
0022	2845000000-N	858	ADJUSTMENT OF METER BOXES OR VALVE BOXES	24 EA	250.00	6,000.00
0023	4685000000-E	1205	THERMOPLASTIC PAVEMENT MARKING LINES (4", 90 MILS)	150,932 LF	0.32	48,298.24
0024	4686000000-E	1205	THERMOPLASTIC PAVEMENT MARKING LINES (4", 120 MILS)	163,338 LF	0.37	60,435.06
0025	4697000000-E	1205	THERMOPLASTIC PAVEMENT MARKING LINES (8", 120 MILS)	1,066 LF	1.10	1,172.60
0026	4710000000-E	1205	THERMOPLASTIC PAVEMENT MARKING LINES (24", 120 MILS)	424 LF	7.00	2,968.00
0027	4721000000-E	1205	THERMOPLASTIC PAVEMENT MARKING CHARACTER (120 MILS)	21 EA	100.00	2,100.00
0028	4725000000-E	1205	THERMOPLASTIC PAVEMENT MARKING SYMBOL (90 MILS)	8 EA	100.00	800.00
0029	4810000000-E	1205	PAINT PAVEMENT MARKING LINES (4")	20,000 LF	0.25	5,000.00
0030	4900000000-N	1251	PERMANENT RAISED PAVEMENT MARKERS	2,204 EA	4.35	9,587.40
0031	5255000000-N	1413	PORTABLE LIGHTING	Lump Sum LS	19,000.00	19,000.00
0032	6000000000-E	1605	TEMPORARY SILT FENCE	2,240 LF	2.08	4,659.20
0033	6009000000-E	1610	STONE FOR EROSION CONTROL, CLASS B	295 TON	28.00	8,260.00
0034	6012000000-E	1610	SEDIMENT CONTROL STONE	149 TON	25.00	3,725.00

Contract Item Sheets For C202413

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
0035	6084000000-E	1660	SEEDING & MULCHING	13.7 ACR	1,400.00	19,180.00

TOTAL AMOUNT OF BID FOR ENTIRE PROJECT

\$2,850,755.50

1014/Aug28/Q432495.6/D102248100000/E35

Contract Number C202413
County UNION

Rev 7-20-08

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

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

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

SIGNATURE OF CONTRACTOR

BOGGS PAVING, INC.

Full name of Corporation

PO BOX 1609, MONROE, NC 28111-1609

Address as Prequalified

Attest

Greg D. Miller
Secretary/Assistant Secretary

Select appropriate title

By

Carl A. Boggs, 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

31ST day of AUGUST 2009.

Wanda B. Knight

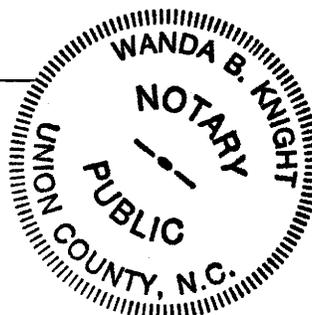
Signature of Notary Public

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.

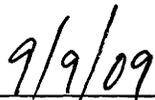
Contract No C202413

County (ies): Union

ACCEPTED BY THE
DEPARTMENT OF TRANSPORTATION



Contract Officer



Date

Execution of Contract and Bonds
Approved as to Form:



Assistant Attorney General

Contract No. C202413
County Union

Rev. 5-13-08

Bond No. 6648919

CONTRACT PAYMENT BOND

Date of Payment Bond Execution: August 27, 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: Two Million Eight Hundred Fifty Thousand
Seven Hundred Fifty Five Dollars and 50/100 (\$2,850,755.50)

Contract ID No.: C202413

County Name(s): Union

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

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

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

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

Contract No. C202413

Rev 02-13-04

County Union

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. C202413

Rev 02-13-04

County Union

CONTRACT PAYMENT BOND

CORPORATION

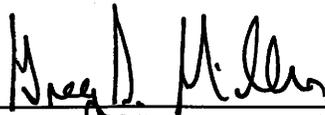
SIGNATURE OF CONTRACTOR (Principal)

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

PO Box 1609 Monroe NC 28111-1609
Address as prequalified

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

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

Attest 
Signature of Secretary, Assistant Secretary
Delete inappropriate title

GREG D. MILLER
Print or type signer's name

Affix Corporate Seal

Contract No. C202413
County Union

Rev. 5-13-08

Bond No. 6648919

CONTRACT PERFORMANCE BOND

Date of Contract Bond Execution August 27, 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: Two Million Eight Hundred Fifty Thousand (Seven Hundred Fifty Five Dollars and 50/100) \$2,850,755.50

Contract ID No.: C202413

County Name(s): Union

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

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

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

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

Contract Number C202413
County Union

Rev 02-13-04

CONTRACT PERFORMANCE BOND

Affix Seal of Surety Company

Safeco Insurance Company of America
Print or type Surety Company Name



By 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

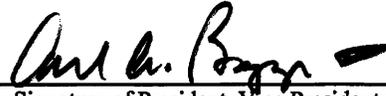
PO Box 1609

Monroe

NC 28111-1609

Address as prequalified

By



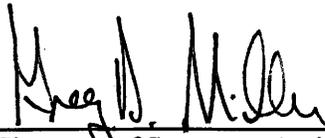
Signature of President, Vice President, Assistant Vice President

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: 6648919
Principal: Boggs Paving, Inc.
Obligee: North Carolina Department of Transportation
Amount of Bond: See Bond Form

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

this 27th day of August, 2009

Dexter R. Legg, Secretary

Timothy A. Mikolajewski, Vice President

CERTIFICATE

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

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

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

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

this 27th day of August, 2009



Dexter R. Legg, Secretary