

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

C202423

CONTRACT AND  
CONTRACT BONDS  
FOR CONTRACT NO. C202423

WBS 6CR.20261.37, 6CR.20431.37 STATE FUNDED

COUNTY OF CUMBERLAND, HARNETT  
THIS IS THE ROADWAY CONTRACT  
ROUTE NUMBER LENGTH 13.070 MILES  
LOCATION 12 SECTIONS OF SECONDARY ROADS.

CONTRACTOR BARNHILL CONTRACTING COMPANY  
ADDRESS P.O. BOX 1529  
TARBORO, NC 278861529

BIDS OPENED SEPTEMBER 15, 2009  
CONTRACT EXECUTION OCT 07 2009

**BARNHILL CONTRACTING COMPANY (3516).**  
**Vendor 1 of 2 Vendors for Call Order 008 (Proposal ID C202423).**

County: CUMBERLAND, HARNETT  
Address: PO BOX 1509  
TARBORO, NC 27886

Phone Number: 1-252-823-1021

Signature Check: This bid has been properly signed by KERMIT\_L\_MOSER\_3516.

Time Bid Received: Tue Sep 15 11:55:25 2009

Bid Checksum: C681C9E5

Amendment Count: 0

Bidding Errors: No bidding errors. ✓

Bid Total: \$1,727,617.95 ✓

Bond ID: SNC09440710

Bond was Verified: Yes.

Bond Required Percent: 5.00%

Minimum Check Amount: \$86,380.90

Bid Security Maximum: \$

Bond Agency Name:

Agency Execution Date: 9/15/2009

Surety Name: Bond Network, Inc.

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 4.2%  
WBE GOAL MET 5.2%



NCDOT/berc

Vendor 3516's Load Output for Call 008, Letting L090915, 2009-09-15

Bid Bond Data Info - Contractor Responses:

=====

BondID: SNC09440710  
Surety Registry Agency: surety2000  
Verified?: Yes  
Surety Agency: Bond Network, Inc.  
Bond Execution Date: 9/15/2009  
Bond Amount: \$86,380.90 (Five Percent of Bid)

State of NC  
Dept of Transportation

Date: 08-17-09  
Revised:

Contract ID: C202423 Project(s): STATE FUNDED  
Letting Date: 09-15-09 Call Order: 008  
Bidder: 3516 - BARNHILL CONTRACTING COMPANY

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		35,300.00
0002	1220000000-E INCIDENTAL STONE BASE	TON	209.000	30.00000		6,270.00
0003	1245000000-E SHOULDER RECONSTRUCTION	SMI	17.420	2,005.00000		34,927.10
0004	1308000000-E MILLING ASPHALT PAVEMENT, ***"TO *****" DEPTH (0" TO 1-1/2")	SY	36,435.000	0.90000		32,791.50
0005	1498000000-E ASPHALT CONC INTERMEDIATE COURSE, TYPE I19.0B	TON	4,101.000	33.40000		136,973.40
0006	1519000000-E ASPHALT CONC SURFACE COURSE, TYPE S9.5B	TON	8,966.000	27.15000		243,426.90
0007	1525000000-E ASPHALT CONC SURFACE COURSE, TYPE SF9.5A	TON	11,490.000	29.00000		333,210.00
0008	1560000000-E ASPHALT BINDER FOR PLANT MIX, GRADE PG 64-22	TON	1,477.000	429.00000		633,633.00
0009	1704000000-E PATCHING EXISTING PAVEMENT	TON	372.000	135.00000		50,220.00
0010	2830000000-N ADJUSTMENT OF MANHOLES	EA	38.000	315.00000		11,970.00

State of NC  
Dept of Transportation

Date: 08-17-09  
Revised:

Contract ID: C202423 Project(s): STATE FUNDED  
Letting Date: 09-15-09 Call Order: 008  
Bidder: 3516 - BARNHILL CONTRACTING COMPANY

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	22.000 EA	365.00000		8,030.00	
0012	4686000000-E THERMOPLAST IC PAVEMENT MARKING LINES (4", 120 MILS)	49,445.000 LF	0.45000		22,250.25	
0013	4695000000-E THERMOPLAST IC PAVEMENT MARKING LINES (8", 90 MILS)	1,400.000 LF	4.25000		5,950.00	
0014	4697000000-E THERMOPLAST IC PAVEMENT MARKING LINES (8", 120 MILS)	300.000 LF	3.75000		1,125.00	
0015	4705000000-E THERMOPLAST IC PAVEMENT MARKING LINES (16", 120 MILS)	100.000 LF	5.00000		500.00	
0016	4710000000-E THERMOPLAST IC PAVEMENT MARKING LINES (24", 120 MILS)	855.000 LF	6.00000		5,130.00	
0017	4721000000-E THERMOPLAST IC PAVEMENT MARKING CHARACTER (120 MILS)	32.000 EA	50.00000		1,600.00	
0018	4725000000-E THERMOPLAST IC PAVEMENT MARKING SYMBOL (90 MILS)	209.000 EA	75.00000		15,675.00	
0019	4810000000-E PAINT PAVEMENT MARKING LINES (4")	388,585.000 LF	0.08000		31,086.80	
0020	4820000000-E PAINT PAVEMENT MARKING LINES (8")	1,700.000 LF	0.25000		425.00	
0021	4835000000-E PAINT PAVEMENT MARKING LINES (24")	725.000 LF	3.00000		2,175.00	

State of NC  
Dept of Transportation

Date: 08-17-09  
Revised:

Contract ID: C202423 Project(s): STATE FUNDED  
Letting Date: 09-15-09 Call Order: 008  
Bidder: 3516 - BARNHILL CONTRACTING COMPANY

Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
0022	4840000000-N PAINT PAVEMENT MARKING CHARAC-TER	EA 12.000	40.00000		480.00	
0023	4900000000-N PERMANENT RAISED PAVEMENT MARKERS	EA 800.000	4.50000		3,600.00	
0024	6084000000-E SEEDING & MULCHING	ACR 21.120	1,300.00000		27,456.00	
0025	7288000000-E PAVED TRENCHING (*****)(1, 2")	LF 45.000	21.00000		945.00	
0026	7300000000-E UNPAVED TRENCHING (*****)(1, 2")	LF 200.000	5.90000		1,180.00	
0027	7324000000-N JUNCTION BOX (STANDARD SIZE)	EA 5.000	210.00000		1,050.00	
0028	7348000000-N JUNCTION BOX (OVER-SIZED, HEA-VY DUTY)	EA 2.000	450.00000		900.00	
0029	7420000000-E 2" RISER WITH WEATHERHEAD	EA 6.000	275.00000		1,650.00	
0030	7444000000-E INDUCTIVE LOOP SAWCUT	LF 9,000.000	3.59000		32,310.00	
0031	7456000000-E LEAD-IN CABLE (*****)(18-4)	LF 30,000.000	1.50000		45,000.00	
0032	7990000000-E GENERIC SIGNAL ITEM 1" PVC CONDUIT	LF 30.000	2.10000		63.00	
0033	7990000000-E GENERIC SIGNAL ITEM 2" PVC CONDUIT	LF 150.000	2.10000		315.00	

State of NC  
Dept of Transportation

Date: 08-17-09  
Revised:

Contract ID: C202423 Project(s): STATE FUNDED  
Letting Date: 09-15-09 Call Order: 008  
Bidder: 3516 - BARNHILL CONTRACTING COMPANY

Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
	Section 0001 Total				1,727,617.95	
	Bid Total				1,727,617.95	✓



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: 08-17-09  
 PAGE: 7

PROPOSAL: C202423  
 LETTING: L090915 CALL: 008  
 VENDOR: 3516 BARNHILL CONTRACTING COMPANY

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

MBE SUBCONTRACTOR: 6189 PURPOSE DRIVEN SEEDING & MULCHING, INC.  
 Will Use Quote: Yes

0001	0000100000-N	MOBILIZATION LS	1.000	2000.00000	2000.00
		A Portion of Total Mob			
0024	6084000000-E	SEEDING AND ACR	21.120	1300.00000	27456.00

MBE COMMITMENT TOTAL FOR SUBCONTRACTOR: 29,456.00 ✓ ARM

MBE SUBCONTRACTOR: 2549 CLARK TRUCKING OF HOPE MILLS, INC.  
 Will Use Quote: Yes

0006	1519000000-E	ASP CONC SUR TON	4500.000	3.35000	15075.00
		Hauling Plant Stockpile			
0007	1525000000-E	ASP CONC SUR TON	6000.000	3.35000	20100.00
0005	1498000000-E	ASP CONC INT TON	2100.000	3.35000	7035.00

MBE COMMITMENT TOTAL FOR SUBCONTRACTOR: 42,210.00 ✓ ARM

TOTAL MBE COMMITMENT FOR VENDOR:	Entered:	4.15% or	71666.00
	Required:	4.00% or	69104.72
		<GOAL MET>	

NORTH CAROLINA STATE DEPARTMENT OF TRANSPORTATION  
WBE COMMITMENT ITEMS

DATE: 08-17-09  
PAGE: 8

PROPOSAL: C202423  
LETTING: L090915 CALL: 008  
VENDOR: 3516 BARNHILL CONTRACTING COMPANY

LINE NO.	ITEM NO.	ITEM DESC.	UNIT TYPE	SUBCONTRACTOR QUANTITY	SUBCONTRACTOR UNIT PRICE	EXTENDED AMOUNT
WBE SUBCONTRACTOR: 2429 AMERICAN SWEEP & STRIPE INC						
Will Use Quote: Yes						
0012	4686000000-E	THERMO PVT M LF		49445.000	0.45000	22250.25
0013	4695000000-E	THERMO PVT M LF		1400.000	4.25000	5950.00
0014	4697000000-E	THERMO PVT M LF		300.000	3.75000	1125.00
0015	4705000000-E	THERMO LINES LF		100.000	5.00000	500.00
0016	4710000000-E	24"WIDE THER LF		855.000	6.00000	5130.00
0017	4721000000-E	THERMO PVT M EA		32.000	50.00000	1600.00
0018	4725000000-E	THERMO PVT S EA		209.000	75.00000	15675.00
0019	4810000000-E	PAINT PVMT M LF		388585.000	0.08000	31086.80
0020	4820000000-E	PAINT PVMT M LF		1700.000	0.25000	425.00
0021	4835000000-E	PAINT PVT MK LF		725.000	3.00000	2175.00
0022	4840000000-N	PAINT PVT MK EA		12.000	40.00000	480.00
0023	4900000000-N	PERM RAISED EA		800.000	4.50000	3600.00

WBE COMMITMENT TOTAL FOR SUBCONTRACTOR:

89,997.05 *ARM*

TOTAL WBE COMMITMENT FOR VENDOR:

Entered: 5.21% or 89997.05  
Required: 4.00% or 69104.72  
<GOAL MET>

Contract Item Sheets For C202423

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
<b>ROADWAY ITEMS</b>						
0001	0000100000-N	800	MOBILIZATION	Lump Sum LS	35,300.00	35,300.00
0002	1220000000-E	545	INCIDENTAL STONE BASE	209 TON	30.00	6,270.00
0003	1245000000-E	SP	SHOULDER RECONSTRUCTION	17.42 SMI	2,005.00	34,927.10
0004	1308000000-E	607	MILLING ASPHALT PAVEMENT, **** TO ***** DEPTH (0" TO 1-1/2")	36,435 SY	0.90	32,791.50
0005	1498000000-E	610	ASPHALT CONC INTERMEDIATE COURSE, TYPE I19.0B	4,101 TON	33.40	136,973.40
0006	1519000000-E	610	ASPHALT CONC SURFACE COURSE, TYPE S9.5B	8,966 TON	27.15	243,426.90
0007	1525000000-E	610	ASPHALT CONC SURFACE COURSE, TYPE SF9.5A	11,490 TON	29.00	333,210.00
0008	1560000000-E	620	ASPHALT BINDER FOR PLANT MIX, GRADE PG 64-22	1,477 TON	429.00	633,633.00
0009	1704000000-E	SP	PATCHING EXISTING PAVEMENT	372 TON	135.00	50,220.00
0010	2830000000-N	858	ADJUSTMENT OF MANHOLES	38 EA	315.00	11,970.00
0011	2845000000-N	858	ADJUSTMENT OF METER BOXES OR VALVE BOXES	22 EA	365.00	8,030.00
0012	4686000000-E	1205	THERMOPLASTIC PAVEMENT MARKING LINES (4", 120 MILS)	49,445 LF	0.45	22,250.25
0013	4695000000-E	1205	THERMOPLASTIC PAVEMENT MARKING LINES (8", 90 MILS)	1,400 LF	4.25	5,950.00
0014	4697000000-E	1205	THERMOPLASTIC PAVEMENT MARKING LINES (8", 120 MILS)	300 LF	3.75	1,125.00
0015	4705000000-E	1205	THERMOPLASTIC PAVEMENT MARKING LINES (16", 120 MILS)	100 LF	5.00	500.00
0016	4710000000-E	1205	THERMOPLASTIC PAVEMENT MARKING LINES (24", 120 MILS)	855 LF	6.00	5,130.00
0017	4721000000-E	1205	THERMOPLASTIC PAVEMENT MARKING CHARACTER (120 MILS)	32 EA	50.00	1,600.00

Contract Item Sheets For C202423

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
0018	4725000000-E	1205	THERMOPLASTIC PAVEMENT MARKING SYMBOL (90 MILS)	209 EA	75.00	15,675.00
0019	4810000000-E	1205	PAINT PAVEMENT MARKING LINES (4")	388,585 LF	0.08	31,086.80
0020	4820000000-E	1205	PAINT PAVEMENT MARKING LINES (8")	1,700 LF	0.25	425.00
0021	4835000000-E	1205	PAINT PAVEMENT MARKING LINES (24")	725 LF	3.00	2,175.00
0022	4840000000-N	1205	PAINT PAVEMENT MARKING CHARACTER	12 EA	40.00	480.00
0023	4900000000-N	1251	PERMANENT RAISED PAVEMENT MARKERS	800 EA	4.50	3,600.00
0024	6084000000-E	1660	SEEDING & MULCHING	21.12 ACR	1,300.00	27,456.00
0025	7288000000-E	1715	PAVED TRENCHING (*****) (1, 2")	45 LF	21.00	945.00
0026	7300000000-E	1715	UNPAVED TRENCHING (*****) (1, 2")	200 LF	5.90	1,180.00
0027	7324000000-N	1716	JUNCTION BOX (STANDARD SIZE)	5 EA	210.00	1,050.00
0028	7348000000-N	1716	JUNCTION BOX (OVER-SIZED, HEAVY DUTY)	2 EA	450.00	900.00
0029	7420000000-E	1722	2" RISER WITH WEATHERHEAD	6 EA	275.00	1,650.00
0030	7444000000-E	1725	INDUCTIVE LOOP SAWCUT	9,000 LF	3.59	32,310.00
0031	7456000000-E	1726	LEAD-IN CABLE (*****) (18-4)	30,000 LF	1.50	45,000.00
0032	7990000000-E	SP	GENERIC SIGNAL ITEM 1" PVC CONDUIT	30 LF	2.10	63.00

Contract Item Sheets For C202423

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
0033	7990000000-E	SP	GENERIC SIGNAL ITEM 2" PVC CONDUIT	150 LF	2.10	315.00

TOTAL AMOUNT OF BID FOR ENTIRE PROJECT

\$1,727,617.95 ✓

0913/Sep25/Q546750.54/D148042100000/E33

**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**

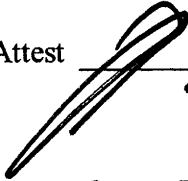
Barnhill Contracting Company

Full name of Corporation

P.O. Box 1529 Tarboro, North Carolina 27886

Address as Prequalified

Attest

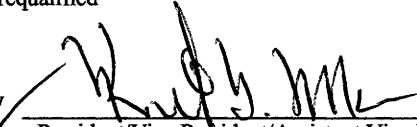


~~Secretary~~/Assistant Secretary  
Select appropriate title

George R Yourgal

Print or type Signer's name

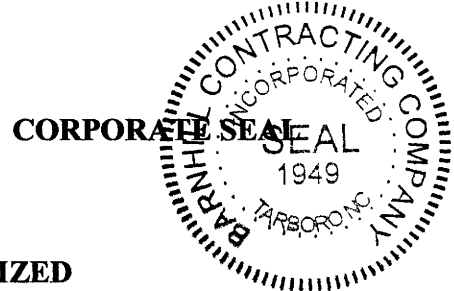
By



~~President~~ Vice President/Assistant Vice President  
Select appropriate title

Kermit L Moser

Print or type Signer's name



**AFFIDAVIT MUST BE NOTARIZED**

**NOTARY SEAL**

Subscribed and sworn to before me this the

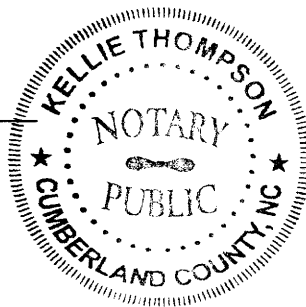
30<sup>th</sup> day of September 2009

Kellie Thompson  
Signature of Notary Public

of Cumberland County

State of North Carolina

My Commission Expires: 9/22/2012





## 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**     **C202423**

**County (ies):**   **Cumberland & Harnett**

ACCEPTED BY THE  
DEPARTMENT OF TRANSPORTATION

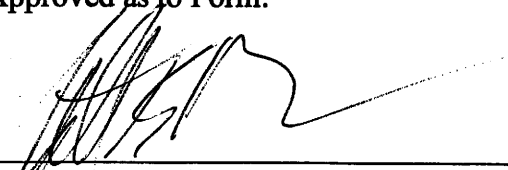


\_\_\_\_\_  
Contract Officer

10/7/09

\_\_\_\_\_  
Date

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



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

1554

## CONTRACT PAYMENT BOND

Date of Payment

Bond Execution: September 24th, 2009

Name of Principal:  
Contractor

BARNHILL CONTRACTING COMPANY  
P.O. BOX 1529, TARBORO, NC 27886

Name of Surety:

TRAVELERS CASUALTY AND SURETY COMPANY OF  
AMERICA  
11440 CARMEL COMMONS BLVD, CHARLOTTE, NC 28226

Name of Contracting Body:

RALEIGH, NC 27611-5201

Amount of Bond:

\$ 1,727,617.95

ONE MILLION SEVEN HUNDRED TWENTY SEVEN THOUSAND SIX HUNDRED SEVENTEEN AND 95/100

Contract ID No.:

C202423

County Name:

CUMBERLAND, HARNETT

KNOW ALL MEN BY THESE PRESENTS, That we, the PRINCIPAL CONTRACTOR (hereinafter, 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-bounden 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 PAYMENT BOND

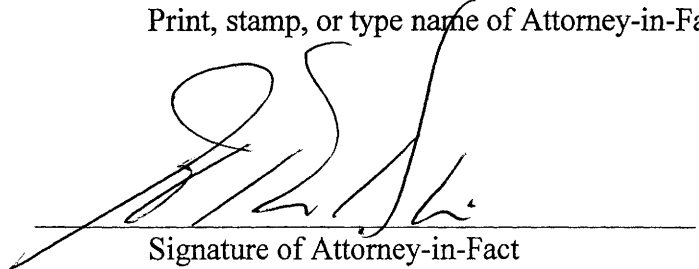
*Affix Seal of Surety Company*

**TRAVELERS CASUALTY AND SURETY  
COMPANY OF AMERICA**

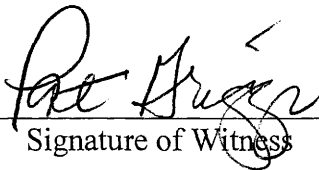
Print or type Surety Company Name

By **H. THOMAS DAWKINS**

Print, stamp, or type name of Attorney-in-Fact



Signature of Attorney-in-Fact



Signature of Witness

Pat Griggs

Print or type Witness's name

**P. O. BOX 6054**

**Charlotte, NC 28207-0000**

Address of Attorney-in-Fact

# CONTRACT PAYMENT BOND

## CORPORATION

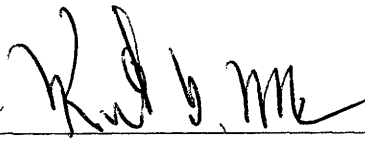
SIGNATURE OF CONTRACTOR (Principal)

### BARNHILL CONTRACTING COMPANY

Full name of Corporation

### P.O. BOX 1529, TARBORO, NC 27886

Address as prequalified

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

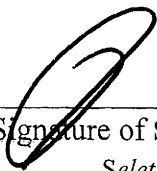
*Selete appropriate title*

Kermit L. Moser

Print or type Signer's name

*Affix Corporate Seal*

Attest

  
Signature of ~~Secretary~~, Assistant Secretary  
*Selete appropriate title*



George R Yourgal

Print or type Signer's name

BOND NO. 105310638

## CONTRACT PERFORMANCE BOND

Date of Performance

Bond Execution: September 24th, 2009

Name of Principal:

Contractor BARNHILL CONTRACTING COMPANY

Name of Surety:

TRAVELERS CASUALTY AND SURETY COMPANY OF AMERICA  
11440 CARMEL COMMONS BLVD, CHARLOTTE, NC 28226

Name of Contracting Body:

NORTH CAROLINA DEPARTMENT OF TRANSPORTATION  
RALEIGH, NC 27611-5201

Amount of Bond:

\$ 1,727,617.95

ONE MILLION SEVEN HUNDRED TWENTY SEVEN THOUSAND SIX HUNDRED SEVENTEEN AND 95/100

Contract ID No.:

C202423

County Name(s):

CUMBERLAND, HARNETT

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 PERFORMANCE BOND

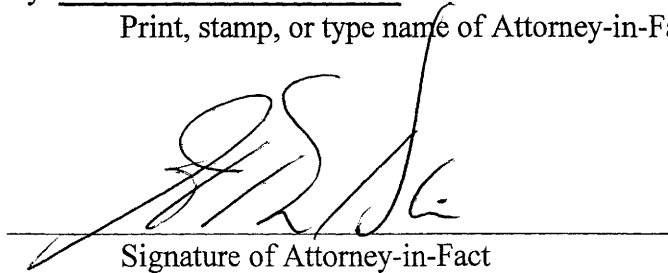
*Affix Seal of Surety Company*

**TRAVELERS CASUALTY AND SURETY  
COMPANY OF AMERICA**

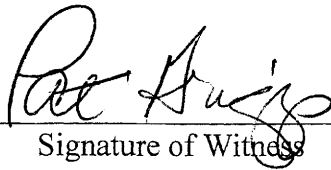
Print or type Surety Company Name

By **H. THOMAS DAWKINS**

Print, stamp, or type name of Attorney-in-Fact



Signature of Attorney-in-Fact



Signature of Witness

Pat Griggs

Print or type Witness' name

**P. O. BOX 6054**

**Charlotte, NC 28207-0000**

Address of Attorney-in-Fact




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

SIGNATURE OF CONTRACTOR (Principal)

**BARNHILL CONTRACTING COMPANY**  
Print full name of Corporation

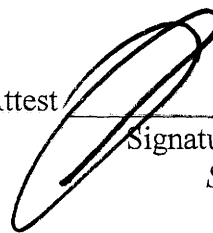
**P.O. BOX 1529, TARBORO, NC 27886**  
Address as prequalified

By  \_\_\_\_\_  
Signature of ~~President~~, Vice President, ~~Assistant Vice President~~

*Select appropriate title*

**Kermit L Moser**  
Print or type Signer's name

*Affix Corporate Seal*

Attest  \_\_\_\_\_  
Signature of ~~Secretary~~, Assistant Secretary  
*Select appropriate title*

**George R Yourgal**  
Print or type Signer's name





POWER OF ATTORNEY

Farmington Casualty Company
Fidelity and Guaranty Insurance Company
Fidelity and Guaranty Insurance Underwriters, Inc.
St. Paul Fire and Marine Insurance Company
St. Paul Guardian Insurance Company

St. Paul Mercury Insurance Company
Travelers Casualty and Surety Company
Travelers Casualty and Surety Company of America
United States Fidelity and Guaranty Company

Attorney-In Fact No. 219366

Certificate No. 003192658

KNOW ALL MEN BY THESE PRESENTS: That St. Paul Fire and Marine Insurance Company, St. Paul Guardian Insurance Company and St. Paul Mercury Insurance Company are corporations duly organized under the laws of the State of Minnesota, that Farmington Casualty Company, Travelers Casualty and Surety Company, and Travelers Casualty and Surety Company of America are corporations duly organized under the laws of the State of Connecticut, that United States Fidelity and Guaranty Company is a corporation duly organized under the laws of the State of Maryland, that Fidelity and Guaranty Insurance Company is a corporation duly organized under the laws of the State of Iowa, and that Fidelity and Guaranty Insurance Underwriters, Inc., is a corporation duly organized under the laws of the State of Wisconsin (herein collectively called the "Companies"), and that the Companies do hereby make, constitute and appoint

H. Thomas Dawkins, and Anissa A. Millen

of the City of Charlotte, State of North Carolina, their true and lawful Attorney(s)-in-Fact, each in their separate capacity if more than one is named above, to sign, execute, seal and acknowledge any and all bonds, recognizances, conditional undertakings and other writings obligatory in the nature thereof on behalf of the Companies in their business of guaranteeing the fidelity of persons, guaranteeing the performance of contracts and executing or guaranteeing bonds and undertakings required or permitted in any actions or proceedings allowed by law.

IN WITNESS WHEREOF, the Companies have caused this instrument to be signed and their corporate seals to be hereto affixed, this 28th day of November, 2007.

Farmington Casualty Company
Fidelity and Guaranty Insurance Company
Fidelity and Guaranty Insurance Underwriters, Inc.
St. Paul Fire and Marine Insurance Company
St. Paul Guardian Insurance Company

St. Paul Mercury Insurance Company
Travelers Casualty and Surety Company
Travelers Casualty and Surety Company of America
United States Fidelity and Guaranty Company



State of Connecticut
City of Hartford ss.

By: [Signature]
George W. Thompson, Senior Vice President

On this the 28th day of November, 2007, before me personally appeared George W. Thompson, who acknowledged himself to be the Senior Vice President of Farmington Casualty Company, Fidelity and Guaranty Insurance Company, Fidelity and Guaranty Insurance Underwriters, Inc., St. Paul Fire and Marine Insurance Company, St. Paul Guardian Insurance Company, St. Paul Mercury Insurance Company, Travelers Casualty and Surety Company, Travelers Casualty and Surety Company of America, and United States Fidelity and Guaranty Company, and that he, as such, being authorized so to do, executed the foregoing instrument for the purposes therein contained by signing on behalf of the corporations by himself as a duly authorized officer.

In Witness Whereof, I hereunto set my hand and official seal. My Commission expires the 30th day of June, 2011.



[Signature]
Marie C. Tetreault, Notary Public

This Power of Attorney is granted under and by the authority of the following resolutions adopted by the Boards of Directors of Farmington Casualty Company, Fidelity and Guaranty Insurance Company, Fidelity and Guaranty Insurance Underwriters, Inc., St. Paul Fire and Marine Insurance Company, St. Paul Guardian Insurance Company, St. Paul Mercury Insurance Company, Travelers Casualty and Surety Company, Travelers Casualty and Surety Company of America, and United States Fidelity and Guaranty Company, which resolutions are now in full force and effect, reading as follows:

**RESOLVED**, that the Chairman, the President, any Vice Chairman, any Executive Vice President, any Senior Vice President, any Vice President, any Second Vice President, the Treasurer, any Assistant Treasurer, the Corporate Secretary or any Assistant Secretary may appoint Attorneys-in-Fact and Agents to act for and on behalf of the Company and may give such appointee such authority as his or her certificate of authority may prescribe to sign with the Company's name and seal with the Company's seal bonds, recognizances, contracts of indemnity, and other writings obligatory in the nature of a bond, recognizance, or conditional undertaking, and any of said officers or the Board of Directors at any time may remove any such appointee and revoke the power given him or her; and it is

**FURTHER RESOLVED**, that the Chairman, the President, any Vice Chairman, any Executive Vice President, any Senior Vice President or any Vice President may delegate all or any part of the foregoing authority to one or more officers or employees of this Company, provided that each such delegation is in writing and a copy thereof is filed in the office of the Secretary; and it is

**FURTHER RESOLVED**, that any bond, recognizance, contract of indemnity, or writing obligatory in the nature of a bond, recognizance, or conditional undertaking shall be valid and binding upon the Company when (a) signed by the President, any Vice Chairman, any Executive Vice President, any Senior Vice President or any Vice President, any Second Vice President, the Treasurer, any Assistant Treasurer, the Corporate Secretary or any Assistant Secretary and duly attested and sealed with the Company's seal by a Secretary or Assistant Secretary; or (b) duly executed (under seal, if required) by one or more Attorneys-in-Fact and Agents pursuant to the power prescribed in his or her certificate or their certificates of authority or by one or more Company officers pursuant to a written delegation of authority; and it is

**FURTHER RESOLVED**, that the signature of each of the following officers: President, any Executive Vice President, any Senior Vice 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 Resident Vice Presidents, Resident 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 on the Company in the future with respect to any bond or understanding to which it is attached.

I, Kori M. Johanson, the undersigned, Assistant Secretary, of Farmington Casualty Company, Fidelity and Guaranty Insurance Company, Fidelity and Guaranty Insurance Underwriters, Inc., St. Paul Fire and Marine Insurance Company, St. Paul Guardian Insurance Company, St. Paul Mercury Insurance Company, Travelers Casualty and Surety Company, Travelers Casualty and Surety Company of America, and United States Fidelity and Guaranty Company do hereby certify that the above and foregoing is a true and correct copy of the Power of Attorney executed by said Companies, which is in full force and effect and has not been revoked.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the seals of said Companies this 24th day of September, 2009.

WARNING: THIS POWER OF ATTORNEY IS INVALID WITHOUT THE RED BORDER

*[Handwritten signature]*  
Kori M. Johanson, Assistant Secretary



To verify the authenticity of this Power of Attorney, call 1-800-421-3880 or contact us at [www.travelersbond.com](http://www.travelersbond.com). Please refer to the Attorney-In-Fact number, the above-named individuals and the details of the bond to which the power is attached.