

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

C202169

CONTRACT AND  
CONTRACT BONDS  
FOR CONTRACT NO. C202169

WBS 33538.2.1 BRSTP-226(10)

T.I.P NO. B-4191

COUNTY OF MCDOWELL

THIS IS THE ROADWAY & CULVERT CONTRACT

ROUTE NUMBER NC 226 LENGTH 0.147 MILES

LOCATION BRIDGE #82 OVER JACKTOWN CREEK AND APPROACHES ON NC-226.

CONTRACTOR CLARK LEDBETTER GRADING & HAULING, INC.

ADDRESS 1806 GAFFNEY RD  
SHELBY, NC 28152

BIDS OPENED SEPTEMBER 15, 2009

CONTRACT EXECUTION OCT 0 8 2009

NCDOT/berc

Vendor 10273's Bid Information for Call 015, Letting L090915, 2009-09-15

**Clark Ledbetter Grading, Inc. (10273).**

**Vendor 1 of 9 Vendors for Call Order 015 (Proposal ID C202169).**

DBE GOAL SET 8.0%  
DBE GOAL MET 8.2%

County: MCDOWELL

Address: 1806 Gaffney Road

Shelby, NC 28152

Phone Number: 704-434-6857

Signature Check: This bid has been properly signed by Clark\_W\_Ledbetter\_10273.

Time Bid Received: Tue Sep 15 13:43:23 2009

Bid Checksum: 3984FC1B

Amendment Count: 0

Bidding Errors: No bidding errors.

Bid Total: \$928,532.10 ✓

Bond ID: SNC09992911

Bond was Verified: Yes.

Bond Required Percent: 5.00%

Minimum Check Amount: \$46,426.61

Bid Security Maximum: \$

Bond Agency Name:

Agency Execution Date: 9/3/2009 2:53:35 PM

Surety Name: The Cincinnati Insurance Company

Surety State of Incorporation:

Bond Company:

Bond Type:

Bond Appr Flag:

Bond Affirm:

Bond was Paid by Check: No.

LIST OF DBE PARTICIPANTS

VENDOR NUMBER	DBE NAME ADDRESS	WORK CODE TYPE OF WORK	CERT TYPE AMOUNT	
3376	WB REYNOLDS FENCE & GUARDRAIL INC 9320 MACHADO DRIVE , INDIAN TRAIL, NC 28079		Sub 26,370.00	✓ARM
3765	WB STAY ALERT SAFETY SERVICES INC POST OFFICE BOX 467 , KERNERSVILLE, NC 27285		Sub 10,080.50	✓ARM
10129	WB CONCRETE SPECIALTY CONTRACTORS POST OFFICE BOX 2303 , SHELBY, NC 28151		Sub 28,733.70	✓ARM
7942	MB BORIN WASTE MANAGEMENT DBA DAUG P.O. BOX 807 , BLACK MOUNTAIN, NC 28711		Sub 4,000.00	✓ARM
2941	MB LAKEVIEW CONSTRUCTION & EQUIPME P. O. BOX 158 , PINEOLA, NC 28662		Sub 7,200.00	✓ARM
			TOTAL:	\$76,384.20 8.23%

Miscellaneous Data Info - Contractor Responses:

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NON-COLLUSION AND DEBARMENT CERTIFICATION

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

Explanation:  
NOT ANSWERED  
NOT ANSWERED  
NOT ANSWERED  
NOT ANSWERED

AWARD LIMITS ON MULTIPLE PROJECTS

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

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

The Award Limits shall apply to the following projects:

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

Bid Bond Data Info - Contractor Responses:

=====

BondID: SNC09992911  
Surety Registry Agency: surety2000

NCDOT/berc

Vendor 10273's Load Output for Call 015, Letting L090915, 2009-09-15

Verified?: Yes

Surety Agency: The Cincinnati Insurance Company

Bond Execution Date: 9/3/2009 2:53:35 PM

Bond Amount: \$46,426.61 (Five Percent of Bid)

State of NC  
Dept of Transportation

Date: 08-17-09  
Revised:

Contract ID: C202169  
Letting Date: 09-15-09 Call Order: 015  
Bidder: 10273 - Clark Ledbetter Grading, Inc.

Project(s): BRSTP-226(10)

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 MOBILIZATION	LUMP		LUMP		45,000.00
0002	0043000000-N GRADING	LUMP		LUMP		75,000.00
0003	0050000000-E SUPPLEMENTARY CLEARING & GRUB-BING	ACR	1.000	1.00000		1.00
0004	0057000000-E UNDERCUT EXCAVATION	CY	25.000	5.00000		125.00
0005	0080000000-E CLASS IV SUBGRADE STABILIZATION	TON	100.000	18.00000		1,800.00
0006	0134000000-E DRAINAGE DITCH EXCAVATION	CY	280.000	6.00000		1,680.00
0007	0195000000-E SELECT GRANULAR MATERIAL	CY	100.000	10.00000		1,000.00
0008	0196000000-E FABRIC FOR SOIL STABILIZATION	SY	100.000	2.00000		200.00
0009	0318000000-E FOUNDATION CONDITIONING MATERIAL, MINOR STRS	TON	90.000	25.00000		2,250.00
0010	0366000000-E 15" RC PIPE CULVERTS, CLASS III	LF	544.000	25.00000		13,600.00
0011	0372000000-E 18" RC PIPE CULVERTS, CLASS III	LF	28.000	30.00000		840.00

State of NC  
Dept of Transportation

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Bidder: 10273 - Clark Ledbetter Grading, Inc.

Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
0012	0384000000-E 30" RC PIPE CULVERTS, CLASS III	116.000 LF	45.00000		5,220.00	
0013	0576000000-E *** CS PIPE CULVERTS, ***** THICK (66", 0.138")	144.000 LF	150.00000		21,600.00	
0014	0995000000-E PIPE REMOVAL	328.000 LF	5.00000		1,640.00	
0015	1121000000-E AGGREGATE BASE COURSE	1,267.000 TON	25.00000		31,675.00	
0016	1220000000-E INCIDENTAL STONE BASE	25.000 TON	20.00000		500.00	
0017	1275000000-E PRIME COAT	750.000 GAL	4.00000		3,000.00	
0018	1297000000-E MILLING ASPHALT PAVEMENT, ***"DEPTH (1-1/2")	720.000 SY	10.00000		7,200.00	
0019	1489000000-E ASPHALT CONC BASE COURSE, TYPE B25.0B	956.000 TON	77.00000		73,612.00	
0020	1498000000-E ASPHALT CONC INTERMEDIATE COURSE, TYPE I19.0B	679.000 TON	77.00000		52,283.00	
0021	1519000000-E ASPHALT CONC SURFACE COURSE, TYPE S9.5B	995.000 TON	77.00000		76,615.00	
0022	1560000000-E ASPHALT BINDER FOR PLANT MIX, GRADE PG 64-22	133.000 TON	450.00000		59,850.00	
0023	1693000000-E ASPHALT PLANT MIX, PAVEMENT REPAIR	25.000 TON	150.00000		3,750.00	

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Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
0024	2000000000-N RIGHT OF WAY MARKERS	EA 11.000	200.00000		2,200.00	
0025	2022000000-E SUBDRAIN EXCAVATION	CY 180.000	2.00000		360.00	
0026	2033000000-E SUBDRAIN FINE AGGREGATE	CY 135.000	10.00000		1,350.00	
0027	2044000000-E 6" PERFORATED SUBDRAIN PIPE	LF 800.000	1.00000		800.00	
0028	2055000000-E 6" SUBDRAIN PIPE WYES, TEES, & ELBOWS	EA 24.000	10.00000		240.00	
0029	2066000000-N CONCRETE PAD FOR SUBDRAIN PIPE OUTLET	EA 2.000	100.00000		200.00	
0030	2077000000-E 6" OUTLET PIPE (SUBDRAINS)	LF 12.000	1.50000		18.00	
0031	2199000000-E SANDBAG HEADWALL	SF 340.000	25.00000		8,500.00	
0032	2286000000-N MASONRY DRAINAGE STRUCTURES	EA 8.000	1,200.00000		9,600.00	
0033	2374000000-N FRAME WITH GRATE & HOOD, STD 840.03, TYPE ** (E)	EA 2.000	400.00000		800.00	
0034	2374000000-N FRAME WITH GRATE & HOOD, STD 840.03, TYPE ** (F)	EA 4.000	400.00000		1,600.00	
0035	2374000000-N FRAME WITH GRATE & HOOD, STD 840.03, TYPE ** (G)	EA 1.000	400.00000		400.00	

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Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
0036	2549000000-E 2'-6" CONCRETE CURB & GUTTER	1,770.000 LF	17.50000		30,975.00	
0037	2605000000-N CONCRETE WHEELCHAIR RAMPS	1.000 EA	900.00000		900.00	
0038	3030000000-E STEEL BM GUARDRAIL	1,012.500 LF	16.00000		16,200.00	
0039	3150000000-N ADDITIONAL GUARDRAIL POSTS	10.000 EA	30.00000		300.00	
0040	3210000000-N GUARDRAIL ANCHOR UNITS, TYPE CAT-1	1.000 EA	600.00000		600.00	
0041	3270000000-N GUARDRAIL ANCHOR UNITS, TYPE 350	2.000 EA	2,000.00000		4,000.00	
0042	3360000000-E REMOVE EXISTING GUARDRAIL	640.000 LF	1.25000		800.00	
0043	3380000000-E TEMPORARY STEEL BM GUARDRAIL	287.500 LF	10.00000		2,875.00	
0044	3389000000-N GUARDRAIL ANCHOR UNITS, TYPE ***** TEMPORARY (350 TL-2)	4.000 EA	1,300.00000		5,200.00	
0045	3628000000-E RIP RAP, CLASS I	30.000 TON	30.00000		900.00	
0046	3649000000-E RIP RAP, CLASS B	220.000 TON	30.00000		6,600.00	



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			Dollars	Cts	Dollars	Ct
0047	3656000000-E FILTER FABRIC FOR DRAINAGE	1,500.000 SY	3.00000		4,500.00	
0048	3659000000-N PREFORMED SCOUR HOLES WITH LEVEL SPREADER APRON	1.000 EA	1,000.00000		1,000.00	
0049	4400000000-E WORK ZONE SIGNS (STATIONARY)	200.000 SF	6.50000		1,300.00	
0050	4405000000-E WORK ZONE SIGNS (PORTABLE)	128.000 SF	9.00000		1,152.00	
0051	4410000000-E WORK ZONE SIGNS (BARRICADE MOUNTED)	42.000 SF	7.50000		315.00	
0052	4415000000-N FLASHING ARROW PANELS, TYPE C	1.000 EA	4,200.00000		4,200.00	
0053	4430000000-N DRUMS	60.000 EA	38.00000		2,280.00	
0054	4435000000-N CONES	48.000 EA	17.50000		840.00	
0055	4445000000-E BARRICADES (TYPE III)	48.000 LF	24.00000		1,152.00	
0056	4455000000-N FLAGGER	120.000 MD	20.00000		2,400.00	
0057	4480000000-N TMIA	1.000 EA	2,000.00000		2,000.00	
0058	4650000000-N TEMPORARY RAISED PAVEMENT MARKERS	156.000 EA	6.00000		936.00	

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Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
0059	4686000000-E THERMOPLAST IC PAVEMENT MARKING LINES (4", 120 MILS)	2,423.000 LF	1.10000		2,665.30	
0060	4695000000-E THERMOPLAST IC PAVEMENT MARKING LINES (8", 90 MILS)	45.000 LF	6.00000		270.00	
0061	4710000000-E THERMOPLAST IC PAVEMENT MARKING LINES (24", 120 MILS)	20.000 LF	15.00000		300.00	
0062	4725000000-E THERMOPLAST IC PAVEMENT MARKING SYMBOL (90 MILS)	10.000 EA	150.00000		1,500.00	
0063	4810000000-E PAINT PAVEMENT MARKING LINES (4")	11,220.000 LF	0.40000		4,488.00	
0064	4835000000-E PAINT PAVEMENT MARKING LINES (24")	102.000 LF	3.50000		357.00	
0065	4845000000-N PAINT PAVEMENT MARKING SYMBOL	10.000 EA	75.00000		750.00	
0066	4850000000-E REMOVAL OF PAVEMENT MARKING LINES (4")	1,400.000 LF	1.15000		1,610.00	
0067	4905000000-N SNOWPLOWABLE PAVEMENT MARKERS	30.000 EA	60.00000		1,800.00	
0068	5672000000-N RELOCATE FIRE HYDRANT	1.000 EA	1,600.00000		1,600.00	
0069	5888000000-E GENERIC UTILITY ITEM 12" DI RESTRAINED JOINT WATER LINE	70.000 LF	150.00000		10,500.00	

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			Dollars	Cts	Dollars	Ct
0070	6000000000-E TEMPORARY SILT FENCE	1,800.000 LF	2.00000		3,600.00	
0071	6006000000-E STONE FOR EROSION CONTROL, CLASS A	350.000 TON	20.00000		7,000.00	
0072	6009000000-E STONE FOR EROSION CONTROL, CLASS B	500.000 TON	35.00000		17,500.00	
0073	6012000000-E SEDIMENT CONTROL STONE	225.000 TON	25.00000		5,625.00	
0074	6015000000-E TEMPORARY MULCHING	6.000 ACR	1,000.00000		6,000.00	
0075	6018000000-E SEED FOR TEMPORARY SEEDING	200.000 LB	8.00000		1,600.00	
0076	6021000000-E FERTILIZER FOR TEMPORARY SEED-ING	2.750 TON	1,000.00000		2,750.00	
0077	6024000000-E TEMPORARY SLOPE DRAINS	475.000 LF	10.00000		4,750.00	
0078	6027000000-N INLET PROTECTION AT TEMPORARY SLOPE DRAINS	4.000 EA	125.00000		500.00	
0079	6029000000-E SAFETY FENCE	1,150.000 LF	2.00000		2,300.00	
0080	6030000000-E SILT EXCAVATION	1,150.000 CY	5.00000		5,750.00	
0081	6036000000-E MATTING FOR EROSION CONTROL	2,400.000 SY	2.50000		6,000.00	

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Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
0082	6037000000-E COIR FIBER MAT	25.000 SY	10.00000		250.00	
0083	6038000000-E PERMANENT SOIL REINFORCEMENT MAT	40.000 SY	15.00000		600.00	
0084	6042000000-E 1/4" HARDWARE CLOTH	450.000 LF	6.00000		2,700.00	
0085	6069000000-E STILLING BASINS	100.000 CY	15.00000		1,500.00	
0086	6071010000-E WATTLE	120.000 LF	8.00000		960.00	
0087	6071020000-E POLYACRYLAMIDE (PAM)	45.000 LB	10.00000		450.00	
0088	6071030000-E COIR FIBER BAFFLES	325.000 LF	6.00000		1,950.00	
0089	6071050000-E *** SKIMMER (1-1/2")	4.000 EA	800.00000		3,200.00	
0090	6084000000-E SEEDING & MULCHING	5.000 ACR	2,200.00000		11,000.00	
0091	6087000000-E MOWING	2.500 ACR	40.00000		100.00	
0092	6090000000-E SEED FOR REPAIR SEEDING	50.000 LB	1.00000		50.00	
0093	6093000000-E FERTILIZER FOR REPAIR SEEDING	0.250 TON	1,000.00000		250.00	

State of NC  
Dept of Transportation

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Bidder: 10273 - Clark Ledbetter Grading, Inc.

Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
0094	6096000000-E SEED FOR SUPPLEMENTAL SEEDING	100.000 LB	1.00000		100.00	
0095	6108000000-E FERTILIZER TOPDRESSING	3.000 TON	400.00000		1,200.00	
0096	6111000000-E IMPERVIOUS DIKE	80.000 LF	40.00000		3,200.00	
0097	6114000000-N SPECIALIZED HAND MOWING	5.000 HR	20.00000		100.00	
0098	6117000000-N RESPONSE FOR EROSION CONTROL	12.000 EA	1.00000		12.00	
0099	6120000000-E CULVERT DIVERSION CHANNEL	35.000 CY	10.00000		350.00	
0100	6123000000-E REFORESTATION	0.500 ACR	100.00000		50.00	
Section 0001 Total						713,171.30

Section 0002 CULVERT ITEMS

Alt Group

0101	8049000000-N REMOVAL OF EXISTING STRUCTURE AT STATION ***** (75+39.00 -L-)	LUMP	LUMP		8,000.00
0102	8126000000-N CULVERT EXCAVATION, STA ***** (75+39.00 -L-)	LUMP	LUMP		7,000.00
0103	8133000000-E FOUNDATION CONDITIONING MATERIAL, BOX CULVERT	32.000 TON	30.00000		960.00

State of NC  
 Dept of Transportation

Date: 08-17-09  
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Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
0104	8196000000-E CLASS A CONCRETE (CULVERT)	195.700 CY	600.00000		117,420.00	
0105	8245000000-E REINFORCING STEEL (CULVERT)	30,976.000 LB	0.80000		24,780.80	
	Section 0002 Total				158,160.80	
Section 0003 WALL ITEMS						
Alt Group						
0106	8847000000-E GENERIC RETAINING WALL ITEM ROCK FACED MSE WALL	715.000 SF	80.00000		57,200.00	
	Section 0003 Total				57,200.00	
	Bid Total				928,532.10	✓

NON-COLLUSION AND DEBARMENT CERTIFICATION

The bidder certifies that neither he, nor any official, agent or employee of the bidder has entered into any agreement, participated in any collusion, or otherwise taken any action which is in restraint of free competitive bidding in connection with this bid, and that the bidder intends to do the work with its own bonafide employees or subcontractors and is not bidding for the benefit of another contractor. In addition, submitting this electronic bid constitutes the bidder's certification of Status under penalty of perjury under the laws of the United States and in accordance with the Debarment Certification on file with the Department.

By submitting this bid, the bidder certifies to the best of his knowledge and belief that he and his principals:

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

Where the prospective bidder is unable to certify to any of the statements in this certification, the bidder shall submit an explanation in the blanks provided herein. The explanation will not necessarily result in denial of participation in a contract.

Explanation:  
NOT ANSWERED  
NOT ANSWERED  
NOT ANSWERED  
NOT ANSWERED

If the prequalified bidder's status changes, he shall immediately submit a new fully executed non-collusion affidavit and debarment certification with an explanation of the change to the Contract Office prior to submitting the bid.

Failure to furnish a certification or an explanation will be grounds for rejection of a bid

AWARD LIMITS ON MULTIPLE PROJECTS

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

A bidder who desires to bid on more than one project on which bids are to be opened on the same date, and who also desires to avoid receiving an award of more projects than he is equipped to handle, may bid on any number of projects but may limit the total amount of work awarded to him on selected projects by completing the AWARD LIMITS ON MULTIPLE PROJECTS.

The Award Limits on Multiple Projects must be filled in on each project bid for which the Bidder desires protection.

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

The Award Limits shall apply to the following projects:

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

It is agreed that if I am (we are) the low Bidder(s) on indicated projects, the total value of which is more than the above stipulated award limits, the Board of Transportation will award me (us) projects from among those indicated that have a total value not to exceed the award limit and will result in the lowest total bids to the Department of Transportation.



NORTH CAROLINA STATE DEPARTMENT OF TRANSPORTATION  
DBE COMMITMENT ITEMS

DATE: 08-17-09  
PAGE: 13

PROPOSAL: C202169  
LETTING: L090915 CALL: 015  
VENDOR: 10273 Clark Ledbetter Grading, Inc.

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

DBE SUBCONTRACTOR: 3376 REYNOLDS FENCE & GUARDRAIL INC  
Will Use Quote: Yes

0038	3030000000-E	STL BM GUARD LF		1012.500	14.40000	14580.00
0039	3150000000-N	ADDIT GUARDR EA		10.000	30.00000	300.00
0040	3210000000-N	GR ANCHOR TY EA		1.000	550.00000	550.00
0041	3270000000-N	GR ANCHOR TY EA		2.000	1800.00000	3600.00
0042	3360000000-E	REMOVE EXIST LF		640.000	1.00000	640.00
0043	3380000000-E	TEMP STL BM LF		287.500	8.00000	2300.00
0044	3389000000-N	GDRL ANCH UN EA		4.000	1100.00000	4400.00

DBE COMMITMENT TOTAL FOR SUBCONTRACTOR: 26,370.00 ✓ ARM  
DBE COMMITMENT TOTAL FOR VENDOR (SubContractor ) 26,370.

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

0049	4400000000-E	WORK ZONE SI SF		200.000	5.45000	1090.00
0050	4405000000-E	WORK ZONE SI SF		128.000	8.65000	1107.20
0051	4410000000-E	WORK ZONE SI SF		42.000	6.25000	262.50
0052	4415000000-N	FLASHING ARR EA		1.000	3800.00000	3800.00
0053	4430000000-N	DRUMS EA		60.000	34.00000	2040.00
0054	4435000000-N	CONES EA		48.000	16.00000	768.00
0055	4445000000-E	BARRICADES ( LF		48.000	21.10000	1012.80

DBE COMMITMENT TOTAL FOR SUBCONTRACTOR: 10,080.50 ✓ ARM  
DBE COMMITMENT TOTAL FOR VENDOR (SubContractor ) 10,080.

DBE SUBCONTRACTOR: 10129 CONCRETE SPECIALTY CONTRACTORS INC.  
Will Use Quote: Yes

0036	2549000000-E	2'-6"CONC CU LF		1770.000	15.81000	27983.70
0037	2605000000-N	CONC WHEELCH EA		1.000	750.00000	750.00

DBE COMMITMENT TOTAL FOR SUBCONTRACTOR: 28,733.70 ✓ ARM  
DBE COMMITMENT TOTAL FOR VENDOR (SubContractor ) 28,733.

DBE SUBCONTRACTOR: 7942 BORIN WASTE MANAGEMENT DBA DAUGHERTY WASTE & TRUCK  
Will Use Quote: Yes

0002	0043000000-N	GRADING LS		1.000	4000.00000	4000.00
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DBE COMMITMENT TOTAL FOR SUBCONTRACTOR: 4,000.00 ✓ ARM  
DBE COMMITMENT TOTAL FOR VENDOR (SubContractor ) 4,000.0



Contract Item Sheets For C202169

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
<b>ROADWAY ITEMS</b>						
0001	0000100000-N	800	MOBILIZATION	Lump Sum LS	45,000.00	45,000.00
0002	0043000000-N	226	GRADING	Lump Sum LS	75,000.00	75,000.00
0003	0050000000-E	226	SUPPLEMENTARY CLEARING & GRUB- BING	1 ACR	1.00	1.00
0004	0057000000-E	226	UNDERCUT EXCAVATION	25 CY	5.00	125.00
0005	0080000000-E	SP	CLASS IV SUBGRADE STABILIZA- TION	100 TON	18.00	1,800.00
0006	0134000000-E	240	DRAINAGE DITCH EXCAVATION	280 CY	6.00	1,680.00
0007	0195000000-E	265	SELECT GRANULAR MATERIAL	100 CY	10.00	1,000.00
0008	0196000000-E	270	FABRIC FOR SOIL STABILIZATION	100 SY	2.00	200.00
0009	0318000000-E	300	FOUNDATION CONDITIONING MATE- RIAL, MINOR STRS	90 TON	25.00	2,250.00
0010	0366000000-E	310	15" RC PIPE CULVERTS, CLASS III	544 LF	25.00	13,600.00
0011	0372000000-E	310	18" RC PIPE CULVERTS, CLASS III	28 LF	30.00	840.00
0012	0384000000-E	310	30" RC PIPE CULVERTS, CLASS III	116 LF	45.00	5,220.00
0013	0576000000-E	310	*** CS PIPE CULVERTS, ***** THICK (66", 0.138")	144 LF	150.00	21,600.00
0014	0995000000-E	340	PIPE REMOVAL	328 LF	5.00	1,640.00
0015	1121000000-E	520	AGGREGATE BASE COURSE	1,267 TON	25.00	31,675.00
0016	1220000000-E	545	INCIDENTAL STONE BASE	25 TON	20.00	500.00
0017	1275000000-E	600	PRIME COAT	750 GAL	4.00	3,000.00
0018	1297000000-E	607	MILLING ASPHALT PAVEMENT, **** DEPTH (1-1/2")	720 SY	10.00	7,200.00

Contract Item Sheets For C202169

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
0019	1489000000-E	610	ASPHALT CONC BASE COURSE, TYPE B25.0B	956 TON	77.00	73,612.00
0020	1498000000-E	610	ASPHALT CONC INTERMEDIATE COURSE, TYPE I19.0B	679 TON	77.00	52,283.00
0021	1519000000-E	610	ASPHALT CONC SURFACE COURSE, TYPE S9.5B	995 TON	77.00	76,615.00
0022	1560000000-E	620	ASPHALT BINDER FOR PLANT MIX, GRADE PG 64-22	133 TON	450.00	59,850.00
0023	1693000000-E	654	ASPHALT PLANT MIX, PAVEMENT REPAIR	25 TON	150.00	3,750.00
0024	2000000000-N	806	RIGHT OF WAY MARKERS	11 EA	200.00	2,200.00
0025	2022000000-E	815	SUBDRAIN EXCAVATION	180 CY	2.00	360.00
0026	2033000000-E	815	SUBDRAIN FINE AGGREGATE	135 CY	10.00	1,350.00
0027	2044000000-E	815	6" PERFORATED SUBDRAIN PIPE	800 LF	1.00	800.00
0028	2055000000-E	815	6" SUBDRAIN PIPE WYES, TEES, & ELBOWS	24 EA	10.00	240.00
0029	2066000000-N	815	CONCRETE PAD FOR SUBDRAIN PIPE OUTLET	2 EA	100.00	200.00
0030	2077000000-E	815	6" OUTLET PIPE (SUBDRAINS)	12 LF	1.50	18.00
0031	2199000000-E	SP	SANDBAG HEADWALL	340 SF	25.00	8,500.00
0032	2286000000-N	840	MASONRY DRAINAGE STRUCTURES	8 EA	1,200.00	9,600.00
0033	2374000000-N	840	FRAME WITH GRATE & HOOD, STD 840.03, TYPE ** (E)	2 EA	400.00	800.00
0034	2374000000-N	840	FRAME WITH GRATE & HOOD, STD 840.03, TYPE ** (F)	4 EA	400.00	1,600.00
0035	2374000000-N	840	FRAME WITH GRATE & HOOD, STD 840.03, TYPE ** (G)	1 EA	400.00	400.00

Contract Item Sheets For C202169

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
0036	2549000000-E	846	2'-6" CONCRETE CURB & GUTTER	1,770 LF	17.50	30,975.00
0037	2605000000-N	848	CONCRETE WHEELCHAIR RAMPS	1 EA	900.00	900.00
0038	3030000000-E	862	STEEL BM GUARDRAIL	1,012.5 LF	16.00	16,200.00
0039	3150000000-N	862	ADDITIONAL GUARDRAIL POSTS	10 EA	30.00	300.00
0040	3210000000-N	862	GUARDRAIL ANCHOR UNITS, TYPE CAT-1	1 EA	600.00	600.00
0041	3270000000-N	SP	GUARDRAIL ANCHOR UNITS, TYPE 350	2 EA	2,000.00	4,000.00
0042	3360000000-E	863	REMOVE EXISTING GUARDRAIL	640 LF	1.25	800.00
0043	3380000000-E	862	TEMPORARY STEEL BM GUARDRAIL	287.5 LF	10.00	2,875.00
0044	3389000000-N	SP	GUARDRAIL ANCHOR UNITS, TYPE ***** TEMPORARY (350 TL-2)	4 EA	1,300.00	5,200.00
0045	3628000000-E	876	RIP RAP, CLASS I	30 TON	30.00	900.00
0046	3649000000-E	876	RIP RAP, CLASS B	220 TON	30.00	6,600.00
0047	3656000000-E	876	FILTER FABRIC FOR DRAINAGE	1,500 SY	3.00	4,500.00
0048	3659000000-N	SP	PREFORMED SCOUR HOLES WITH LEVEL SPREADER APRON	1 EA	1,000.00	1,000.00
0049	4400000000-E	1110	WORK ZONE SIGNS (STATIONARY)	200 SF	6.50	1,300.00
0050	4405000000-E	1110	WORK ZONE SIGNS (PORTABLE)	128 SF	9.00	1,152.00
0051	4410000000-E	1110	WORK ZONE SIGNS (BARRICADE MOUNTED)	42 SF	7.50	315.00
0052	4415000000-N	1115	FLASHING ARROW PANELS, TYPE C	1 EA	4,200.00	4,200.00
0053	4430000000-N	1130	DRUMS	60 EA	38.00	2,280.00
0054	4435000000-N	1135	CONES	48 EA	17.50	840.00

## Contract Item Sheets For C202169

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
0055	4445000000-E	1145	BARRICADES (TYPE III)	48 LF	24.00	1,152.00
0056	4455000000-N	1150	FLAGGER	120 MD	20.00	2,400.00
0057	4480000000-N	1165	TMIA	1 EA	2,000.00	2,000.00
0058	4650000000-N	1251	TEMPORARY RAISED PAVEMENT MARKERS	156 EA	6.00	936.00
0059	4686000000-E	1205	THERMOPLASTIC PAVEMENT MARKING LINES (4", 120 MILS)	2,423 LF	1.10	2,665.30
0060	4695000000-E	1205	THERMOPLASTIC PAVEMENT MARKING LINES (8", 90 MILS)	45 LF	6.00	270.00
0061	4710000000-E	1205	THERMOPLASTIC PAVEMENT MARKING LINES (24", 120 MILS)	20 LF	15.00	300.00
0062	4725000000-E	1205	THERMOPLASTIC PAVEMENT MARKING SYMBOL (90 MILS)	10 EA	150.00	1,500.00
0063	4810000000-E	1205	PAINT PAVEMENT MARKING LINES (4")	11,220 LF	0.40	4,488.00
0064	4835000000-E	1205	PAINT PAVEMENT MARKING LINES (24")	102 LF	3.50	357.00
0065	4845000000-N	1205	PAINT PAVEMENT MARKING SYMBOL	10 EA	75.00	750.00
0066	4850000000-E	1205	REMOVAL OF PAVEMENT MARKING LINES (4")	1,400 LF	1.15	1,610.00
0067	4905000000-N	1253	SNOWPLOWABLE PAVEMENT MARKERS	30 EA	60.00	1,800.00
0068	5672000000-N	1515	RELOCATE FIRE HYDRANT	1 EA	1,600.00	1,600.00
0069	5888000000-E	SP	GENERIC UTILITY ITEM 12" DI RESTRAINED JOINT WATER LINE	70 LF	150.00	10,500.00
0070	6000000000-E	1605	TEMPORARY SILT FENCE	1,800 LF	2.00	3,600.00
0071	6006000000-E	1610	STONE FOR EROSION CONTROL, CLASS A	350 TON	20.00	7,000.00

## Contract Item Sheets For C202169

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
0072	6009000000-E	1610	STONE FOR EROSION CONTROL, CLASS B	500 TON	35.00	17,500.00
0073	6012000000-E	1610	SEDIMENT CONTROL STONE	225 TON	25.00	5,625.00
0074	6015000000-E	1615	TEMPORARY MULCHING	6 ACR	1,000.00	6,000.00
0075	6018000000-E	1620	SEED FOR TEMPORARY SEEDING	200 LB	8.00	1,600.00
0076	6021000000-E	1620	FERTILIZER FOR TEMPORARY SEED- ING	2.75 TON	1,000.00	2,750.00
0077	6024000000-E	1622	TEMPORARY SLOPE DRAINS	475 LF	10.00	4,750.00
0078	6027000000-N	1622	INLET PROTECTION AT TEMPORARY SLOPE DRAINS	4 EA	125.00	500.00
0079	6029000000-E	SP	SAFETY FENCE	1,150 LF	2.00	2,300.00
0080	6030000000-E	1630	SILT EXCAVATION	1,150 CY	5.00	5,750.00
0081	6036000000-E	1631	MATTING FOR EROSION CONTROL	2,400 SY	2.50	6,000.00
0082	6037000000-E	SP	COIR FIBER MAT	25 SY	10.00	250.00
0083	6038000000-E	SP	PERMANENT SOIL REINFORCEMENT MAT	40 SY	15.00	600.00
0084	6042000000-E	1632	1/4" HARDWARE CLOTH	450 LF	6.00	2,700.00
0085	6069000000-E	1638	STILLING BASINS	100 CY	15.00	1,500.00
0086	6071010000-E	SP	WATTLE	120 LF	8.00	960.00
0087	6071020000-E	SP	POLYACRYLAMIDE (PAM)	45 LB	10.00	450.00
0088	6071030000-E	SP	COIR FIBER BAFFLES	325 LF	6.00	1,950.00
0089	6071050000-E	SP	*** SKIMMER (1-1/2")	4 EA	800.00	3,200.00
0090	6084000000-E	1660	SEEDING & MULCHING	5 ACR	2,200.00	11,000.00

Contract Item Sheets For C202169

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
0091	6087000000-E	1660	MOWING	2.5 ACR	40.00	100.00
0092	6090000000-E	1661	SEED FOR REPAIR SEEDING	50 LB	1.00	50.00
0093	6093000000-E	1661	FERTILIZER FOR REPAIR SEEDING	0.25 TON	1,000.00	250.00
0094	6096000000-E	1662	SEED FOR SUPPLEMENTAL SEEDING	100 LB	1.00	100.00
0095	6108000000-E	1665	FERTILIZER TOPDRESSING	3 TON	400.00	1,200.00
0096	6111000000-E	SP	IMPERVIOUS DIKE	80 LF	40.00	3,200.00
0097	6114000000-N	SP	SPECIALIZED HAND MOWING	5 HR	20.00	100.00
0098	6117000000-N	SP	RESPONSE FOR EROSION CONTROL	12 EA	1.00	12.00
0099	6120000000-E	SP	CULVERT DIVERSION CHANNEL	35 CY	10.00	350.00
0100	6123000000-E	1670	REFORESTATION	0.5 ACR	100.00	50.00



Contract Item Sheets For C202169

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
0101	8049000000-N	SP	REMOVAL OF EXISTING STRUCTURE AT STATION ***** (75+39.00 -L-)	Lump Sum LS	8,000.00	8,000.00
0102	8126000000-N	414	CULVERT EXCAVATION, STA ***** (75+39.00 -L-)	Lump Sum LS	7,000.00	7,000.00
0103	8133000000-E	414	FOUNDATION CONDITIONING MATER- IAL, BOX CULVERT	32 TON	30.00	960.00
0104	8196000000-E	420	CLASS A CONCRETE (CULVERT)	195.7 CY	600.00	117,420.00
0105	8245000000-E	425	REINFORCING STEEL (CULVERT)	30,976 LB	0.80	24,780.80

Contract Item Sheets For C202169

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
0106	8847000000-E	SP	GENERIC RETAINING WALL ITEM ROCK FACED MSE WALL	715 SF	80.00	57,200.00

TOTAL AMOUNT OF BID FOR ENTIRE PROJECT

\$928,532.10 ✓

0913/Sep25/Q72126.7/D421459210000/E106

Contract Number C202169  
County McDowell

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**

Clark Ledbetter Grading & Hauling Inc.  
Full name of Corporation

1806 Gaffney Rd Shelby, N.C. 28152  
Address as Prequalified

Attest Meldon G. Ledbetter  
Secretary/Assistant Secretary  
Select appropriate title

By Clark W. Ledbetter  
President/Vice President/Assistant Vice President  
Select appropriate title

Meldora G Ledbetter  
Print or type Signer's name

Clark W. Ledbetter  
Print or type Signer's name

**CORPORATE SEAL**

**AFFIDAVIT MUST BE NOTARIZED**

**NOTARY SEAL**

Subscribed and sworn to before me this the

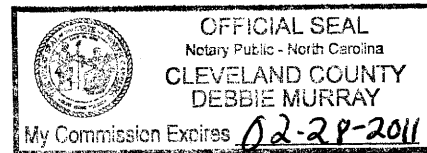
29 day of Sept 2009

Debbie Murray  
Signature of Notary Public

of Cleveland County

State of North Carolina

My Commission Expires: 02-28-2011



## 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.

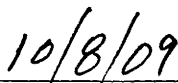
**Contract No**     **C202169**

**County (ies):**   **McDowell**

ACCEPTED BY THE  
DEPARTMENT OF TRANSPORTATION



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



\_\_\_\_\_  
Date

Execution of Contract and Bonds  
Approved as to Form:



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

Contract No. C202169  
County McDowell

(Rev 7-10-08)

### CONTRACT PAYMENT BOND

Date of Payment Bond Execution September 28, 2009

Name of Principal Contractor Clark Ledbetter Grading & Hauling, Inc.

Name of Surety: The Cincinnati Insurance Company

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

Amount of Bond: \$928,532.10

Contract ID No.: C202169

County Name: McDowell

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. C202169  
County McDowell

(Rev 7-10-08)

**CONTRACT PAYMENT BOND**

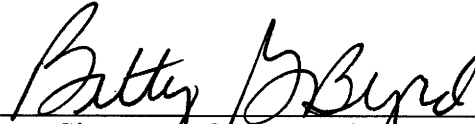
*Affix Seal of Surety Company*

The Cincinnati Insurance Company

\_\_\_\_\_  
Print or type Surety Company Name

By Betty G. Byrd

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

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

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

Freida A. Cordell

\_\_\_\_\_  
Print or type Witness's name

PO Box 816, Boiling Springs, NC 28017

\_\_\_\_\_  
Address of Attorney-in-Fact



**CONTRACT PAYMENT BOND**

**CORPORATION**


SIGNATURE OF CONTRACTOR (Principal)

Clark Ledbetter Grading & Hauling, Inc.

Full name of Corporation

1806 Gaffney Road, Shelby, NC 28152

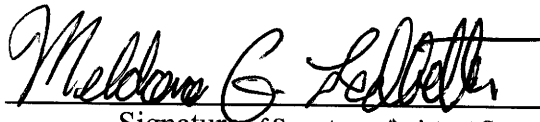
Address as prequalified

By   
Signature of President, ~~Vice President, Assistant Vice President~~  
Select appropriate title

Clark W. Ledbetter

Print or type Signer's name

*Affix Corporate Seal*

Attest   
Signature of Secretary, ~~Assistant Secretary~~  
Select appropriate title

Meldora G. Ledbetter

Print or type Signer's name

THE CINCINNATI INSURANCE COMPANY

Fairfield, Ohio

POWER OF ATTORNEY

KNOW ALL MEN BY THESE PRESENTS: That THE CINCINNATI INSURANCE COMPANY, a corporation organized under the laws of the State of Ohio, and having its principal office in the City of Fairfield, Ohio, does hereby constitute and appoint

Maxwell B. Hamrick, Jr.; George F. Hamrick; Betty G. Byrd and/or Jane B. Norman

of Boiling Springs, North Carolina its true and lawful Attorney(s)-in-Fact to sign, execute, seal and deliver on its behalf as Surety, and as its act and deed, any and all bonds, policies, undertakings, or other like instruments, as follows:

Any such obligations in the United States, up to Ten Million and No/100 Dollars (\$10,000,000.00).

This appointment is made under and by authority of the following resolution passed by the Board of Directors of said Company at a meeting held in the principal office of the Company, a quorum being present and voting, on the 6th day of December, 1958, which resolution is still in effect:

"RESOLVED, that the President or any Vice President be hereby authorized, and empowered to appoint Attorneys-in-Fact of the Company to execute any and all bonds, policies, undertakings, or other like instruments on behalf of the Corporation, and may authorize any officer or any such Attorney-in-Fact to affix the corporate seal; and may with or without cause modify or revoke any such appointment or authority. Any such writings so executed by such Attorneys-in-Fact shall be binding upon the Company as if they had been duly executed and acknowledged by the regularly elected officers of the Company."

This Power of Attorney is signed and sealed by facsimile under and by the authority of the following Resolution adopted by the Board of Directors of the Company at a meeting duly called and held on the 7th day of December, 1973.

"RESOLVED, that the signature of the President or a Vice President and the seal of the Company may be affixed by facsimile on any power of attorney granted, and the signature of the Secretary or Assistant Secretary and the seal of the Company may be affixed by facsimile to any certificate of any such power and any such power of certificate bearing such facsimile signature and seal shall be valid and binding on the Company. Any such power so executed and sealed and certified by certificate so executed and sealed shall, with respect to any bond or undertaking to which it is attached, continue to be valid and binding on the Company."

IN WITNESS WHEREOF, THE CINCINNATI INSURANCE COMPANY has caused these presents to be sealed with its corporate seal, duly attested by its Senior Vice President this 28th day of April, 1999.



STATE OF OHIO ) ss:
COUNTY OF BUTLER )

THE CINCINNATI INSURANCE COMPANY

Signature of Daniel T. McCurdy
Senior Vice President

On this 28th day of April, 1999, before me came the above-named Senior Vice President of THE CINCINNATI INSURANCE COMPANY, to me personally known to be the officer described herein, and acknowledged that the seal affixed to the preceding instrument is the corporate seal of said Company and the corporate seal and the signature of the officer were duly affixed and subscribed to said instrument by the authority and direction of said corporation.



Signature of Mark J. Huller
MARK J. HULLER, Attorney at Law
NOTARY PUBLIC - STATE OF OHIO
My commission has no expiration date. Section 147.03 O.R.C.

I, the undersigned Secretary or Assistant Secretary of THE CINCINNATI INSURANCE COMPANY, hereby certify that the above is a true and correct copy of the Original Power of Attorney issued by said Company, and do hereby further certify that the said Power of Attorney is still in full force and effect.

GIVEN under my hand and seal of said Company at Fairfield, Ohio.
this 28th day of September, 2009.



Signature of Carl Oade
Assistant Secretary

Contract No. 202169  
County McDowell

(Rev 7-10-08)

**CONTRACT PERFORMANCE BOND**

Date of Performance Bond Execution: September 28, 2009  
Name of Principal Contractor: Clark Ledbetter Grading & Hauling, Inc.  
Name of Surety: The Cincinnati Insurance Company  
Name of Contracting Body: **North Carolina Department of Transportation**  
**Raleigh, North Carolina**  
Amount of Bond: \$928,532.10  
Contract ID No.: C202169  
County Name: McDowell

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

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

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

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

Contract No. C202169  
County McDowell

(Rev 7-10-08)

**CONTRACT PERFORMANCE BOND**

*Affix Seal of Surety Company*


The Cincinnati Insurance Company

\_\_\_\_\_  
Print or type Surety Company Name

By Betty G. Byrd

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

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

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

Freida A. Cordell

\_\_\_\_\_  
Print or type Witness's name

PO Box 816, Boiling Springs, NC 28017

\_\_\_\_\_  
Address of Attorney-in-Fact

Contract No.  
County

C202169

McDowell

(Rev 7-10-08)

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

SIGNATURE OF CONTRACTOR (Principal)

Clark Ledbetter Grading & Hauling, Inc.

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

1806 Gaffney Road, Shelby, NC 28152

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

By Clark W. Ledbetter

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

Select appropriate title

Clark W. Ledbetter

\_\_\_\_\_  
Print or type Signer's name

*Affix Corporate Seal*

Attest

Meldora G. Ledbetter

Signature of Secretary, ~~Assistant Secretary~~

Select appropriate title

Meldora G. Ledbetter

\_\_\_\_\_  
Print or type Signer's name

THE CINCINNATI INSURANCE COMPANY

Fairfield, Ohio

POWER OF ATTORNEY

KNOW ALL MEN BY THESE PRESENTS: That THE CINCINNATI INSURANCE COMPANY, a corporation organized under the laws of the State of Ohio, and having its principal office in the City of Fairfield, Ohio, does hereby constitute and appoint

Maxwell B. Hamrick, Jr.; George F. Hamrick; Betty G. Byrd and/or Jane B. Norman

of Boiling Springs, North Carolina its true and lawful Attorney(s)-in-Fact to sign, execute, seal and deliver on its behalf as Surety, and as its act and deed, any and all bonds, policies, undertakings, or other like instruments, as follows:

Any such obligations in the United States, up to Ten Million and No/100 Dollars (\$10,000,000.00).

This appointment is made under and by authority of the following resolution passed by the Board of Directors of said Company at a meeting held in the principal office of the Company, a quorum being present and voting, on the 6th day of December, 1958, which resolution is still in effect:

"RESOLVED, that the President or any Vice President be hereby authorized, and empowered to appoint Attorneys-in-Fact of the Company to execute any and all bonds, policies, undertakings, or other like instruments on behalf of the Corporation, and may authorize any officer or any such Attorney-in-Fact to affix the corporate seal; and may with or without cause modify or revoke any such appointment or authority. Any such writings so executed by such Attorneys-in-Fact shall be binding upon the Company as if they had been duly executed and acknowledged by the regularly elected officers of the Company."

This Power of Attorney is signed and sealed by facsimile under and by the authority of the following Resolution adopted by the Board of Directors of the Company at a meeting duly called and held on the 7th day of December, 1973.

"RESOLVED, that the signature of the President or a Vice President and the seal of the Company may be affixed by facsimile on any power of attorney granted, and the signature of the Secretary or Assistant Secretary and the seal of the Company may be affixed by facsimile to any certificate of any such power and any such power of certificate bearing such facsimile signature and seal shall be valid and binding on the Company. Any such power so executed and sealed and certified by certificate so executed and sealed shall, with respect to any bond or undertaking to which it is attached, continue to be valid and binding on the Company."

IN WITNESS WHEREOF, THE CINCINNATI INSURANCE COMPANY has caused these presents to be sealed with its corporate seal, duly attested by its Senior Vice President this 28th day of April, 1999.

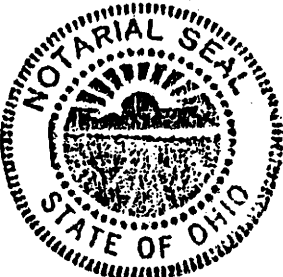


THE CINCINNATI INSURANCE COMPANY

Handwritten signature of Daniel T. McCurdy, Senior Vice President.

STATE OF OHIO ) ss:
COUNTY OF BUTLER )

On this 28th day of April, 1999, before me came the above-named Senior Vice President of THE CINCINNATI INSURANCE COMPANY, to me personally known to be the officer described herein, and acknowledged that the seal affixed to the preceding instrument is the corporate seal of said Company and the corporate seal and the signature of the officer were duly affixed and subscribed to said instrument by the authority and direction of said corporation.



Handwritten signature of Mark J. Huller, Attorney at Law, Notary Public - State of Ohio. My commission has no expiration date. Section 147.03 O.R.C.

I, the undersigned Secretary or Assistant Secretary of THE CINCINNATI INSURANCE COMPANY, hereby certify that the above is a true and correct copy of the Original Power of Attorney issued by said Company, and do hereby further certify that the said Power of Attorney is still in full force and effect.

GIVEN under my hand and seal of said Company at Fairfield, Ohio, this 28th day of September, 2009



Handwritten signature of Carl O. Beck, Assistant Secretary.