

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

C202174

CONTRACT AND
CONTRACT BONDS

FOR CONTRACT NO. C202174

WBS 41157.3.ST1 STM-0158(43)

T.I.P NO. R-5001

COUNTY OF NORTHAMPTON
THIS IS THE ROADWAY CONTRACT
ROUTE NUMBER US 158 LENGTH 28.190 MILES
LOCATION US-158 FROM HALIFAX COUNTY LINE TO MULTI-LANE SECTION WEST
OF HERTFORD COUNTY LINE.

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

BIDS OPENED SEPTEMBER 15, 2009
CONTRACT EXECUTION OCT 0 8 2009

NCDOT/berc

Vendor 3516's Bid Information for Call 002, Letting L090915, 2009-09-15

Barnhill Contracting Company (3516).

Vendor 3 of 3 Vendors for Call Order 002 (Proposal ID C202174).

DBE GOAL SET 5.0%
DBE GOAL OBT 1.4%

County: NORTHAMPTON
Address: PO Box 1529
Tarboro, North Carolina 27886
Phone Number: 252-823-1021
Signature Check: This bid has been properly signed by Allen_Barnhill_3516.
Time Bid Received: Tue Sep 15 10:27:07 2009
Bid Checksum: 632D7928
Amendment Count: 0
Bidding Errors: This bid contains errors.
Bid Total: \$7,209,271.09 ✓
Bond ID: SNC09998623
Bond was Verified: Yes.
Bond Required Percent: 5.00%
Minimum Check Amount: \$360,463.55
Bid Security Maximum: \$
Bond Agency Name:
Agency Execution Date: 8/19/2009 10:19:15 AM
Surety Name: Travelers Casualty and Surety Company of Ame
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
4898	WB BULLINGTON CONSTRUCTION INC 417 FOXGLOVE LANE , INDIAN TRAIL, NC 28079		Sub 43,525.00 ✓ ARM
4247	WB SEAL BROTHERS CONTRACTING LLC 131 W. CLEVE STREET , MOUNT AIRY, NC 27030		Sub 56,977.20 ✓ ARM
TOTAL:			\$100,502.20 1.39%

Miscellaneous Data Info - Contractor Responses:

NON-COLLUSION AND DEBARMENT CERTIFICATION

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

Explanation:
NOT ANSWERED
NOT ANSWERED
NOT ANSWERED
NOT ANSWERED

AWARD LIMITS ON MULTIPLE PROJECTS

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

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

The Award Limits shall apply to the following projects:

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

Bid Bond Data Info - Contractor Responses:

=====

BondID: SNC09998623
 Surety Registry Agency: surety2000
 Verified?: Yes
 Surety Agency: Travelers Casualty and Surety Company of America
 Bond Execution Date: 8/19/2009 10:19:15 AM
 Bond Amount: \$360,463.55 (Five Percent of Bid)

State of NC
 Dept of Transportation
 Contract ID: C202174 Project(s): STM-0158(43)
 Letting Date: 09-15-09 Call Order: 002
 Bidder: 3516 - Barnhill Contracting Company

Date: 08-17-09
 Revised:

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		350,000.00
0002	1220000000-E INCIDENTAL STONE BASE	TON	1,350.000	29.00000		39,150.00
0003	1245000000-E SHOULDER RECONSTRUCTION	SMI	54.380	2,000.00000		108,760.00
0004	1297000000-E MILLING ASPHALT PAVEMENT, ***"DEPTH (1-1/2")	SY	511,400.000	0.40000		204,560.00
0005	1297000000-E MILLING ASPHALT PAVEMENT, ***"DEPTH (2-1/2")	SY	17,013.000	1.25000		21,266.25
0006	1308000000-E MILLING ASPHALT PAVEMENT, ***"TO *****" DEPTH (2" TO 4")	SY	1,600.000	3.20000		5,120.00
0007	1503000000-E ASPHALT CONC INTERMEDIATE COURSE, TYPE I19.0C	TON	75,102.000	24.50000		1,839,999.00
0008	1523000000-E ASPHALT CONC SURFACE COURSE, TYPE S9.5C	TON	46,440.000	24.50000		1,137,780.00
0009	1560000000-E ASPHALT BINDER FOR PLANT MIX, GRADE PG 64-22	TON	3,529.000	438.00000		1,545,702.00
0010	1565000000-E ASPHALT BINDER FOR PLANT MIX, GRADE PG 70-22	TON	2,786.000	438.00000		1,220,268.00
0011	1693000000-E ASPHALT PLANT MIX, PAVEMENT REPAIR	TON	4,000.000	60.00000		240,000.00

State of NC
Dept of Transportation

Date: 08-17-09
Revised:

Contract ID: C202174 Project(s): STM-0158(43)
Letting Date: 09-15-09 Call Order: 002
Bidder: 3516 - Barnhill Contracting Company

Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Cts
0012	2549000000-E 2'-6" CONCRETE CURB & GUTTER	450.000 LF	35.00000		15,750.00	
0013	2600000000-N RETROFIT EXISTING WHEELCHAIR RAMPS	1.000 EA	600.00000		600.00	
0014	2605000000-N CONCRETE WHEELCHAIR RAMPS	18.000 EA	1,000.00000		18,000.00	
0015	2655000000-E 5" MONOLITHIC CONCRETE ISLANDS (KEYED IN)	250.000 SY	58.00000		14,500.00	
0016	2815000000-N ADJUSTMENT OF DROP INLETS	1.000 EA	600.00000		600.00	
0017	2830000000-N ADJUSTMENT OF MANHOLES	24.000 EA	475.00000		11,400.00	
0018	2845000000-N ADJUSTMENT OF METER BOXES OR VALVE BOXES	28.000 EA	375.00000		10,500.00	
0019	3030000000-E STEEL BM GUARDRAIL	400.000 LF	16.00000		6,400.00	
0020	3270000000-N GUARDRAIL ANCHOR UNITS, TYPE 350	18.000 EA	1,800.00000		32,400.00	
0021	3345000000-E REMOVE & RESET EXISTING GUARD-RAIL	625.000 LF	6.00000		3,750.00	
0022	3360000000-E REMOVE EXISTING GUARDRAIL	975.000 LF	1.00000		975.00	
0023	4589000000-N GENERIC TRAFFIC CONTROL ITEM TRAFFIC CONTROL	LUMP	LUMP		125,000.00	

State of NC
Dept of Transportation

Date: 08-17-09
Revised:

Contract ID: C202174 Project(s): STM-0158(43)
Letting Date: 09-15-09 Call Order: 002
Bidder: 3516 - Barnhill Contracting Company

Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount		
			Dollars	Cts	Dollars	Ct	
0024	4685000000-E THERMOPLAST IC PAVEMENT MARKING LINES (4", 90 MILS)	292,564.000 LF	0.30000		87,769.20		
0025	4686000000-E THERMOPLAST IC PAVEMENT MARKING LINES (4", 120 MILS)	201,669.000 LF	0.37000		74,617.53		
0026	4697000000-E THERMOPLAST IC PAVEMENT MARKING LINES (8", 120 MILS)	1,800.000 LF	0.75000		1,350.00		
0027	4710000000-E THERMOPLAST IC PAVEMENT MARKING LINES (24", 120 MILS)	75.000 LF	5.00000		375.00		
0028	4725000000-E THERMOPLAST IC PAVEMENT MARKING SYMBOL (90 MILS)	35.000 EA	100.00000		3,500.00		
0029	4810000000-E PAINT PAVEMENT MARKING LINES (4")	268,298.000 LF	0.07000		18,780.86		
0030	4835000000-E PAINT PAVEMENT MARKING LINES (24")	75.000 LF	5.00000		375.00		
0031	4900000000-N PERMANENT RAISED PAVEMENT MARKERS	2,293.000 EA	5.25000		12,038.25		
0032	6084000000-E SEEDING & MULCHING	39.900 ACR	1,400.00000		55,860.00		
0033	7444000000-E INDUCTIVE LOOP SAWCUT	300.000 LF	5.75000		1,725.00		
0034	7456000000-E LEAD-IN CABLE (***** (14-2)	100.000 LF	4.00000		400.00		
Section 0001 Total						7,209,271.09	✓

State of NC
Dept of Transportation

Date: 08-17-09
Revised:

Contract ID: C202174 Project(s): STM-0158(43)
Letting Date: 09-15-09 Call Order: 002
Bidder: 3516 - Barnhill Contracting Company

Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
	Bid Total				7,209,271.09	

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: 7

PROPOSAL: C202174
LETTING: L090915 CALL: 002
VENDOR: 3516 Barnhill Contracting Company

LINE NO.	ITEM NO.	ITEM DESC.	UNIT TYPE	SUBCONTRACTOR QUANTITY	SUBCONTRACTOR UNIT PRICE	EXTENDED AMOUNT
DBE SUBCONTRACTOR: 4898 BULLINGTON CONSTRUCTION INC Will Use Quote: Yes						
0019	3030000000-E	STL BM GUARD LF		400.000	16.00000	6400.00
0020	3270000000-N	GR ANCHOR TY EA		18.000	1800.00000	32400.00
0021	3345000000-E	REMOVE & RES LF		625.000	6.00000	3750.00
0022	3360000000-E	REMOVE EXIST LF		975.000	1.00000	975.00

DBE COMMITMENT TOTAL FOR SUBCONTRACTOR: 43,525.00 ✓ ARM
DBE COMMITMENT TOTAL FOR VENDOR (SubContractor) 43,525.

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

0001	0000100000-N	MOBILIZATION LS		1.000	1117.20000	1117.20
		Bond Only				
0032	6084000000-E	SEEDING AND ACR		39.900	1400.00000	55860.00

DBE COMMITMENT TOTAL FOR SUBCONTRACTOR: 56,977.20 ✓ ARM
DBE COMMITMENT TOTAL FOR VENDOR (SubContractor) 56,977.

TOTAL DBE COMMITMENT FOR VENDOR: Entered: 1.39% or 100502.20
Required: 5.00% or 360463.55
<GOAL NOT MET>

Contract Item Sheets For C202174

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
ROADWAY ITEMS						
0001	0000100000-N	800	MOBILIZATION	Lump Sum LS	350,000.00	350,000.00
0002	1220000000-E	545	INCIDENTAL STONE BASE	1,350 TON	29.00	39,150.00
0003	1245000000-E	SP	SHOULDER RECONSTRUCTION	54.38 SMI	2,000.00	108,760.00
0004	1297000000-E	607	MILLING ASPHALT PAVEMENT, **** DEPTH (1-1/2")	511,400 SY	0.40	204,560.00
0005	1297000000-E	607	MILLING ASPHALT PAVEMENT, **** DEPTH (2-1/2")	17,013 SY	1.25	21,266.25
0006	1308000000-E	607	MILLING ASPHALT PAVEMENT, **** TO ***** DEPTH (2" TO 4")	1,600 SY	3.20	5,120.00
0007	1503000000-E	610	ASPHALT CONC INTERMEDIATE COURSE, TYPE I19.0C	75,102 TON	24.50	1,839,999.00
0008	1523000000-E	610	ASPHALT CONC SURFACE COURSE, TYPE S9.5C	46,440 TON	24.50	1,137,780.00
0009	1560000000-E	620	ASPHALT BINDER FOR PLANT MIX, GRADE PG 64-22	3,529 TON	438.00	1,545,702.00
0010	1565000000-E	620	ASPHALT BINDER FOR PLANT MIX, GRADE PG 70-22	2,786 TON	438.00	1,220,268.00
0011	1693000000-E	654	ASPHALT PLANT MIX, PAVEMENT REPAIR	4,000 TON	60.00	240,000.00
0012	2549000000-E	846	2'-6" CONCRETE CURB & GUTTER	450 LF	35.00	15,750.00
0013	2600000000-N	SP	RETROFIT EXISTING WHEELCHAIR RAMPS	1 EA	600.00	600.00
0014	2605000000-N	848	CONCRETE WHEELCHAIR RAMPS	18 EA	1,000.00	18,000.00
0015	2655000000-E	852	5" MONOLITHIC CONCRETE ISLANDS (KEYED IN)	250 SY	58.00	14,500.00
0016	2815000000-N	858	ADJUSTMENT OF DROP INLETS	1 EA	600.00	600.00
0017	2830000000-N	858	ADJUSTMENT OF MANHOLES	24 EA	475.00	11,400.00

Contract Item Sheets For C202174

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
0018	2845000000-N	858	ADJUSTMENT OF METER BOXES OR VALVE BOXES	28 EA	375.00	10,500.00
0019	3030000000-E	862	STEEL BM GUARDRAIL	400 LF	16.00	6,400.00
0020	3270000000-N	SP	GUARDRAIL ANCHOR UNITS, TYPE 350	18 EA	1,800.00	32,400.00
0021	3345000000-E	864	REMOVE & RESET EXISTING GUARDRAIL	625 LF	6.00	3,750.00
0022	3360000000-E	863	REMOVE EXISTING GUARDRAIL	975 LF	1.00	975.00
0023	4589000000-N	SP	GENERIC TRAFFIC CONTROL ITEM TRAFFIC CONTROL	Lump Sum LS	125,000.00	125,000.00
0024	4685000000-E	1205	THERMOPLASTIC PAVEMENT MARKING LINES (4", 90 MILS)	292,564 LF	0.30	87,769.20
0025	4686000000-E	1205	THERMOPLASTIC PAVEMENT MARKING LINES (4", 120 MILS)	201,669 LF	0.37	74,617.53
0026	4697000000-E	1205	THERMOPLASTIC PAVEMENT MARKING LINES (8", 120 MILS)	1,800 LF	0.75	1,350.00
0027	4710000000-E	1205	THERMOPLASTIC PAVEMENT MARKING LINES (24", 120 MILS)	75 LF	5.00	375.00
0028	4725000000-E	1205	THERMOPLASTIC PAVEMENT MARKING SYMBOL (90 MILS)	35 EA	100.00	3,500.00
0029	4810000000-E	1205	PAINT PAVEMENT MARKING LINES (4")	268,298 LF	0.07	18,780.86
0030	4835000000-E	1205	PAINT PAVEMENT MARKING LINES (24")	75 LF	5.00	375.00
0031	4900000000-N	1251	PERMANENT RAISED PAVEMENT MARKERS	2,293 EA	5.25	12,038.25
0032	6084000000-E	1660	SEEDING & MULCHING	39.9 ACR	1,400.00	55,860.00
0033	7444000000-E	1725	INDUCTIVE LOOP SAWCUT	300 LF	5.75	1,725.00

Contract Item Sheets For C202174

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
0034	7456000000-E	1726	LEAD-IN CABLE (***** (14-2)	100 LF	4.00	400.00

TOTAL AMOUNT OF BID FOR ENTIRE PROJECT

\$7,209,271.09 ✓

0759/Sep30/Q1433315.28/D109736100000/E34

**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, N.C. 27886

Address as Prequalified

Attest

Sophia B. Hardy
Secretary/Assistant Secretary
Select appropriate title

By

William F. Davis
President/Vice President/Assistant Vice President
Select appropriate title

Sophia B. Hardy

Print or type Signer's name

William F. Davis

Print or type Signer's name

CORPORATE SEAL

AFFIDAVIT MUST BE NOTARIZED

NOTARY SEAL

Subscribed and sworn to before me this the

29th day of September 2009.

Helen W. Spain (Helen W. Spain)
Signature of Notary Public

of Edgecombe County

State of North Carolina

My Commission Expires: 4/14/2013

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.

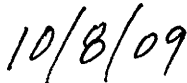
Contract No **C202174**

County (ies): **Northhampton**

ACCEPTED BY THE
DEPARTMENT OF TRANSPORTATION

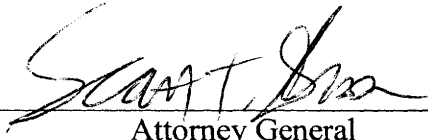


Contract Officer



Date

Execution of Contract and Bonds
Approved as to Form:



Attorney General

BOND NO. 105310651

CONTRACT PAYMENT BOND

Date of Payment

Bond Execution:

September 29th, 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:

\$ 7,209,271.09

SEVEN MILLION TWO HUNDRED NINE THOUSAND TWO HUNDRED SEVENTY ONE AND 09/100

Contract ID No.:

C202174;WBS 41157.3.ST1

County Name:

NORTHAMPTON

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 Number C202174;WBS 41157.3.ST1
County NORTHAMPTON

Rev 07-10-08

CONTRACT PAYMENT BOND

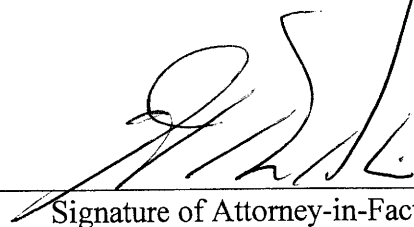
Affix Seal of Surety Company

**TRAVELERS CASUALTY AND SURETY
COMPANY OF AMERICA**

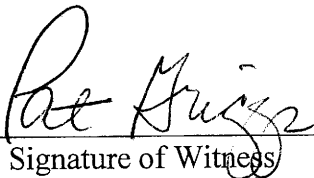
Print or type Surety Company Name

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 William F. Davis

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

Selete appropriate title

William F. Davis

Print or type Signer's name

Affix Corporate Seal

Attest

Helen W. Spain

Signature of ~~Secretary, Assistant Secretary~~

Selete appropriate title

Helen W. Spain

Print or type Signer's name

BOND NO. 105310651

CONTRACT PERFORMANCE BOND

Date of Performance

Bond Execution: September 29th, 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:

NORTH CAROLINA DEPARTMENT OF TRANSPORTATION
RALEIGH, NC 27611-5201

Amount of Bond:

\$ 7,209,271.09

SEVEN MILLION TWO HUNDRED NINE THOUSAND TWO HUNDRED SEVENTY ONE AND 09/100

Contract ID No.:

C202174;WBS 41157.3.ST1

County Name(s):

NORTHAMPTON

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

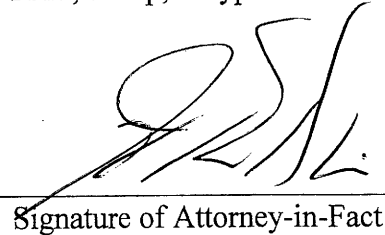
Affix Seal of Surety Company

**TRAVELERS CASUALTY AND SURETY
COMPANY OF AMERICA**

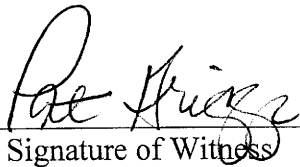
Print or type Surety Company Name

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

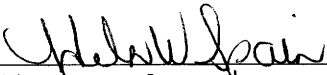
Address as prequalified

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

Select appropriate title

William F. Davis
Print or type Signer's name

Affix Corporate Seal

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

Helen W. Spain
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. 003192706

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 29th day of September, 2009

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

Kori M. Johanson
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. Please refer to the Attorney-In-Fact number, the above-named individuals and the details of the bond to which the power is attached.