

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

C202442

CONTRACT AND
CONTRACT BONDS
FOR CONTRACT NO. C202442

WBS 45272.3.ST1 STM-0074(108)

T.I.P NO. R-5192

COUNTY OF ANSON

THIS IS THE ROADWAY CONTRACT

ROUTE NUMBER US 74 LENGTH 10.800 MILES

LOCATION US-74 WBL FROM PAVEMENT JOINT 1500FT WEST OF SR-1423 (KITTY BENNETT RD) TO THE UNION COUNTY LINE.

CONTRACTOR BARNHILL CONTRACTING COMPANY

ADDRESS P.O. BOX 1529
TARBORO, NC 278861529

BIDS OPENED OCTOBER 20, 2009

CONTRACT EXECUTION NOV 10 2009

BARNHILL CONTRACTING COMPANY (3516).
Vendor 2 of 4 Vendors for Call Order 013 (Proposal ID C202442).

County: ANSON
 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 Oct 20 12:38:35 2009
 Bid Checksum: BAA7405A
 Amendment Count: 0
 Bidding Errors: No bidding errors
 Bid Total: \$3,006,446.41 ✓
 Bond ID: SNC09321989
 Bond was Verified: Yes.
 Bond Required Percent: 5.00%
 Minimum Check Amount: \$150,322.32
 Bid Security Maximum: \$
 Bond Agency Name:
 Agency Execution Date: 10/20/2009
 Surety Name: Bond Network, Inc.
 Surety State of Incorporation:
 Bond Company:
 Bond Type:
 Bond Appr Flag:
 Bond Affirm:
 Bond was Paid by Check: No.

DBE GOAL SET 7.0%
 DBE GOAL MET 7.3%

LIST OF DBE PARTICIPANTS

VENDOR NUMBER	DBE NAME ADDRESS	WORK CODE TYPE OF WORK	CERT TYPE AMOUNT
12802	NB NICKELSTON INDUSTRIES, INC. POST OFFICE BOX 133 , LAWSONVILLE, NC 27022		Sub 135,600.30 ✓ ARM
2810	NB A-1 PAVEMENT MARKING, INC. 238 N BIVENS RD. , MONROE, NC 28110		Sub 84,266.11 ✓ ARM
TOTAL:			\$219,866.41 ✓ ARM 7.31%

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: SNC09321989
Surety Registry Agency: surety2000
Verified?: Yes
Surety Agency: Bond Network, Inc.
Bond Execution Date: 10/20/2009
Bond Amount: \$150,322.32 (Five Percent of Bid)

State of NC
Dept of Transportation

Date: 09-22-09
Revised:

Contract ID: C202442 Project(s): STM-0074(108)
Letting Date: 10-20-09 Call Order: 013
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		116,807.00
0002	1220000000-E INCIDENTAL STONE BASE	TON	345.000	25.10000		8,659.50
0003	1243000000-E SHOULDER CONSTRUCTION	SMI	17.240	2,558.00000		44,099.92
0004	1245000000-E SHOULDER RECONSTRUCTION	SMI	4.280	1,881.00000		8,050.68
0005	1264000000-E DITCHING	LF	800.000	9.20000		7,360.00
0006	1308000000-E MILLING ASPHALT PAVEMENT, ***"TO *****" DEPTH (0" TO 2")	SY	15,325.000	1.85000		28,351.25
0007	1308000000-E MILLING ASPHALT PAVEMENT, ***"TO *****" DEPTH (0" TO 4")	SY	5,885.000	3.25000		19,126.25
0008	1330000000-E INCIDENTAL MILLING	SY	600.000	5.50000		3,300.00
0009	1491000000-E ASPHALT CONC BASE COURSE, TYPE B25.0C	TON	9,875.000	25.60000		252,800.00
0010	1503000000-E ASPHALT CONC INTERMEDIATE COURSE, TYPE I19.0C	TON	25,200.000	24.25000		611,100.00
0011	1523000000-E ASPHALT CONC SURFACE COURSE, TYPE S9.5C	TON	17,250.000	24.60000		424,350.00

State of NC
Dept of Transportation

Date: 09-22-09
Revised:

Contract ID: C202442 Project(s): STM-0074(108)
Letting Date: 10-20-09 Call Order: 013
Bidder: 3516 - BARNHILL CONTRACTING COMPANY

Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
0012	1560000000-E ASPHALT BINDER FOR PLANT MIX, GRADE PG 64-22	1,609.000 TON	428.10000		688,812.90	
0013	1565000000-E ASPHALT BINDER FOR PLANT MIX, GRADE PG 70-22	1,035.000 TON	428.10000		443,083.50	
0014	1704000000-E PATCHING EXISTING PAVEMENT	600.000 TON	108.00000		64,800.00	
0015	2612000000-E 6" CONCRETE DRIVEWAY	96.000 SY	38.00000		3,648.00	
0016	2830000000-N ADJUSTMENT OF MANHOLES	1.000 EA	367.00000		367.00	
0017	2845000000-N ADJUSTMENT OF METER BOXES OR VALVE BOXES	1.000 EA	335.00000		335.00	
0018	3030000000-E STEEL BM GUARDRAIL	1,230.000 LF	13.25000		16,297.50	
0019	3180000000-N GUARDRAIL ANCHOR UNITS, TYPE ***** (III, MOD)	4.000 EA	1,800.00000		7,200.00	
0020	3210000000-N GUARDRAIL ANCHOR UNITS, TYPE CAT-1	12.000 EA	325.00000		3,900.00	
0021	3270000000-N GUARDRAIL ANCHOR UNITS, TYPE 350	6.000 EA	1,395.00000		8,370.00	
0022	3360000000-E REMOVE EXISTING GUARDRAIL	6,914.000 LF	0.20000		1,382.80	
0023	3420000000-E GENERIC GUARDRAIL ITEM STEEL BEAM GUARDRAIL W/ 8' POST	6,250.000 LF	15.00000		93,750.00	

State of NC
Dept of Transportation

Date: 09-22-09
Revised:

Contract ID: C202442 Project(s): STM-0074(108)
Letting Date: 10-20-09 Call Order: 013
Bidder: 3516 - BARNHILL CONTRACTING COMPANY

Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
0024	3435000000-N GENERIC GUARDRAIL ITEM ANCHOR GUARDRAIL POST ON BOX CULVERT	8.000 EA	150.00000		1,200.00	
0025	3435000000-N GENERIC GUARDRAIL ITEM REMOVE & RESET EXISTING ANCHOR UNITS, TYPE 350	7.000 EA	500.00000		3,500.00	
0026	4400000000-E WORK ZONE SIGNS (STATIONARY)	720.000 SF	3.85000		2,772.00	
0027	4415000000-N FLASHING ARROW PANELS, TYPE C	1.000 EA	3,350.00000		3,350.00	
0028	4420000000-N CHANGEABLE MESSAGE SIGN	1.000 EA	21,875.00000		21,875.00	
0029	4430000000-N DRUMS	150.000 EA	33.75000		5,062.50	
0030	4685000000-E THERMOPLAST IC PAVEMENT MARKING LINES (4", 90 MILS)	119,750.000 LF	0.43000		51,492.50	
0031	4686000000-E THERMOPLAST IC PAVEMENT MARKING LINES (4", 120 MILS)	19,589.000 LF	0.49000		9,598.61	
0032	4710000000-E THERMOPLAST IC PAVEMENT MARKING LINES (24", 120 MILS)	575.000 LF	15.00000		8,625.00	
0033	4721000000-E THERMOPLAST IC PAVEMENT MARKING CHARACTER (120 MILS)	6.000 EA	120.00000		720.00	
0034	4725000000-E THERMOPLAST IC PAVEMENT MARKING SYMBOL (90 MILS)	39.000 EA	120.00000		4,680.00	

State of NC
 Dept of Transportation

Date: 09-22-09
 Revised:

Contract ID: C202442 Project(s): STM-0074(108)
 Letting Date: 10-20-09 Call Order: 013
 Bidder: 3516 - BARNHILL CONTRACTING COMPANY

Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
0035	4810000000-E PAINT PAVEMENT MARKING LINES (4")	20,000.000 LF	0.22000		4,400.00	
0036	4900000000-N PERMANENT RAISED PAVEMENT MARKERS	950.000 EA	5.00000		4,750.00	
0037	6000000000-E TEMPORARY SILT FENCE	1,000.000 LF	1.93000		1,930.00	
0038	6009000000-E STONE FOR EROSION CONTROL, CLASS B	150.000 TON	40.00000		6,000.00	
0039	6012000000-E SEDIMENT CONTROL STONE	70.000 TON	29.85000		2,089.50	
0040	6036000000-E MATTING FOR EROSION CONTROL	1,800.000 SY	1.50000		2,700.00	
0041	6084000000-E SEEDING & MULCHING	10.500 ACR	1,500.00000		15,750.00	
Section 0001 Total						3,006,446.41
Bid Total						3,006,446.41

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: 09-22-09
PAGE: 7

PROPOSAL: C202442
LETTING: L091020 CALL: 013
VENDOR: 3516 BARNHILL CONTRACTING COMPANY

LINE NO.	ITEM NO.	ITEM DESC.	UNIT TYPE	SUBCONTRACTOR QUANTITY	SUBCONTRACTOR UNIT PRICE	EXTENDED AMOUNT
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DBE SUBCONTRACTOR: 12802 NICKELSTON INDUSTRIES, INC.
Will Use Quote: Yes

0018	3030000000-E	STL BM GUARD	LF	1230.000	13.25000	16297.50
0019	3180000000-N	GR ANCHOR TY	EA	4.000	1800.00000	7200.00
0020	3210000000-N	GR ANCHOR TY	EA	12.000	325.00000	3900.00
0021	3270000000-N	GR ANCHOR TY	EA	6.000	1395.00000	8370.00
0022	3360000000-E	REMOVE EXIST	LF	6914.000	0.20000	1382.80
0023	3420000000-E	GENERIC GUAR	LF	6250.000	15.00000	93750.00
0024	3435000000-N	GENERIC GUAR	EA	8.000	150.00000	1200.00
0025	3435000000-N	GENERIC GUAR	EA	7.000	500.00000	3500.00

DBE COMMITMENT TOTAL FOR SUBCONTRACTOR: 135,600.30 ✓ ARM
DBE COMMITMENT TOTAL FOR VENDOR (SubContractor) 135,600

DBE SUBCONTRACTOR: 2810 A-1 PAVEMENT MARKING, INC.
Will Use Quote: Yes

0030	4685000000-E	THERMO PVT M	LF	119750.000	0.43000	51492.50
0031	4686000000-E	THERMO PVT M	LF	19589.000	0.49000	9598.61
0032	4710000000-E	24"WIDE THER	LF	575.000	15.00000	8625.00
0033	4721000000-E	THERMO PVT M	EA	6.000	120.00000	720.00
0034	4725000000-E	THERMO PVT S	EA	39.000	120.00000	4680.00
0035	4810000000-E	PAINT PVMT M	LF	20000.000	0.22000	4400.00
0036	4900000000-N	PERM RAISED	EA	950.000	5.00000	4750.00

DBE COMMITMENT TOTAL FOR SUBCONTRACTOR: 84,266.11 ✓ ARM
DBE COMMITMENT TOTAL FOR VENDOR (SubContractor) 84,266.

TOTAL DBE COMMITMENT FOR VENDOR: Entered: 7.31% or 219866.41 ✓ ARM
Required: 7.00% or 210451.25
<GOAL MET>

Contract Item Sheets For C202442

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
ROADWAY ITEMS						
0001	0000100000-N	800	MOBILIZATION	Lump Sum LS	116,807.00	116,807.00
0002	1220000000-E	545	INCIDENTAL STONE BASE	345 TON	25.10	8,659.50
0003	1243000000-E	SP	SHOULDER CONSTRUCTION	17.24 SMI	2,558.00	44,099.92
0004	1245000000-E	SP	SHOULDER RECONSTRUCTION	4.28 SMI	1,881.00	8,050.68
0005	1264000000-E	SP	DITCHING	800 LF	9.20	7,360.00
0006	1308000000-E	607	MILLING ASPHALT PAVEMENT, **** TO ***** DEPTH (0" TO 2")	15,325 SY	1.85	28,351.25
0007	1308000000-E	607	MILLING ASPHALT PAVEMENT, **** TO ***** DEPTH (0" TO 4")	5,885 SY	3.25	19,126.25
0008	1330000000-E	607	INCIDENTAL MILLING	600 SY	5.50	3,300.00
0009	1491000000-E	610	ASPHALT CONC BASE COURSE, TYPE B25.0C	9,875 TON	25.60	252,800.00
0010	1503000000-E	610	ASPHALT CONC INTERMEDIATE COURSE, TYPE I19.0C	25,200 TON	24.25	611,100.00
0011	1523000000-E	610	ASPHALT CONC SURFACE COURSE, TYPE S9.5C	17,250 TON	24.60	424,350.00
0012	1560000000-E	620	ASPHALT BINDER FOR PLANT MIX, GRADE PG 64-22	1,609 TON	428.10	688,812.90
0013	1565000000-E	620	ASPHALT BINDER FOR PLANT MIX, GRADE PG 70-22	1,035 TON	428.10	443,083.50
0014	1704000000-E	SP	PATCHING EXISTING PAVEMENT	600 TON	108.00	64,800.00
0015	2612000000-E	848	6" CONCRETE DRIVEWAY	96 SY	38.00	3,648.00
0016	2830000000-N	858	ADJUSTMENT OF MANHOLES	1 EA	367.00	367.00
0017	2845000000-N	858	ADJUSTMENT OF METER BOXES OR VALVE BOXES	1 EA	335.00	335.00
0018	3030000000-E	862	STEEL BM GUARDRAIL	1,230 LF	13.25	16,297.50

Contract Item Sheets For C202442

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
0019	3180000000-N	862	GUARDRAIL ANCHOR UNITS, TYPE ***** (III, MOD)	4 EA	1,800.00	7,200.00
0020	3210000000-N	862	GUARDRAIL ANCHOR UNITS, TYPE CAT-1	12 EA	325.00	3,900.00
0021	3270000000-N	SP	GUARDRAIL ANCHOR UNITS, TYPE 350	6 EA	1,395.00	8,370.00
0022	3360000000-E	863	REMOVE EXISTING GUARDRAIL	6,914 LF	0.20	1,382.80
0023	3420000000-E	SP	GENERIC GUARDRAIL ITEM STEEL BEAM GUARDRAIL W/ 8' POST	6,250 LF	15.00	93,750.00
0024	3435000000-N	SP	GENERIC GUARDRAIL ITEM ANCHOR GUARDRAIL POST ON BOX CULVERT	8 EA	150.00	1,200.00
0025	3435000000-N	SP	GENERIC GUARDRAIL ITEM REMOVE & RESET EXISTING ANCHOR UNITS, TYPE 350	7 EA	500.00	3,500.00
0026	4400000000-E	1110	WORK ZONE SIGNS (STATIONARY)	720 SF	3.85	2,772.00
0027	4415000000-N	1115	FLASHING ARROW PANELS, TYPE C	1 EA	3,350.00	3,350.00
0028	4420000000-N	1120	CHANGEABLE MESSAGE SIGN	1 EA	21,875.00	21,875.00
0029	4430000000-N	1130	DRUMS	150 EA	33.75	5,062.50
0030	4685000000-E	1205	THERMOPLASTIC PAVEMENT MARKING LINES (4", 90 MILS)	119,750 LF	0.43	51,492.50
0031	4686000000-E	1205	THERMOPLASTIC PAVEMENT MARKING LINES (4", 120 MILS)	19,589 LF	0.49	9,598.61
0032	4710000000-E	1205	THERMOPLASTIC PAVEMENT MARKING LINES (24", 120 MILS)	575 LF	15.00	8,625.00
0033	4721000000-E	1205	THERMOPLASTIC PAVEMENT MARKING CHARACTER (120 MILS)	6 EA	120.00	720.00
0034	4725000000-E	1205	THERMOPLASTIC PAVEMENT MARKING SYMBOL (90 MILS)	39 EA	120.00	4,680.00

Contract Item Sheets For C202442

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
0035	4810000000-E	1205	PAINT PAVEMENT MARKING LINES (4")	20,000 LF	0.22	4,400.00
0036	4900000000-N	1251	PERMANENT RAISED PAVEMENT MARKERS	950 EA	5.00	4,750.00
0037	6000000000-E	1605	TEMPORARY SILT FENCE	1,000 LF	1.93	1,930.00
0038	6009000000-E	1610	STONE FOR EROSION CONTROL, CLASS B	150 TON	40.00	6,000.00
0039	6012000000-E	1610	SEDIMENT CONTROL STONE	70 TON	29.85	2,089.50
0040	6036000000-E	1631	MATTING FOR EROSION CONTROL	1,800 SY	1.50	2,700.00
0041	6084000000-E	1660	SEEDING & MULCHING	10.5 ACR	1,500.00	15,750.00

TOTAL AMOUNT OF BID FOR ENTIRE PROJECT

\$3,006,446.41 ✓

**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

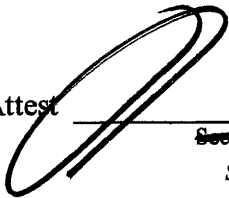
Barnhill Contracting Company

Full name of Corporation

P.O. Box 1529 Tarboro, NC 27886

Address as Prequalified

Attest

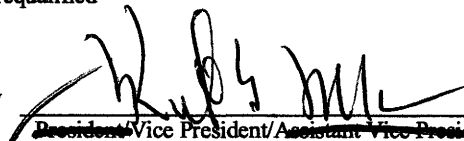


~~Secretary/Assistant Secretary~~
Select appropriate title

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

CORPORATE SEAL

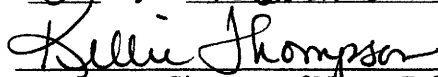


AFFIDAVIT MUST BE NOTARIZED

NOTARY SEAL

Subscribed and sworn to before me this the

5th day of November, 2009

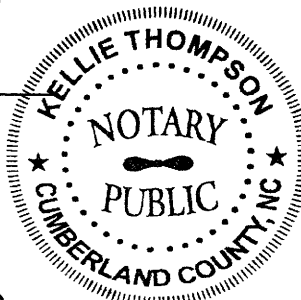


Signature of Notary Public

of Cumberland County

State of North Carolina

My Commission Expires: Sept. 12, 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.

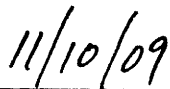
Contract No C202442

County (ies): Anson

ACCEPTED BY THE
DEPARTMENT OF TRANSPORTATION



Contract Officer



Date

Execution of Contract and Bonds
Approved as to Form:



Attorney General

BOND NO. 105310668

CONTRACT PAYMENT BOND

Date of Payment

Bond Execution: October 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 27699-1591

Amount of Bond:

\$ 3,006,446.41

THREE MILLION SIX THOUSAND FOUR HUNDRED FORTY SIX AND 41/100

Contract ID No.:

C202442;WBS 45272.3.ST1

County Name:

ANSON

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 C202442;45272.3.ST1
County ANSON

Rev 07-10-08

CONTRACT PAYMENT BOND

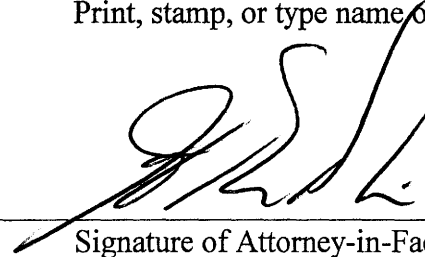
Affix Seal of Surety Company

**TRAVELERS CASUALTY AND SURETY
COMPANY OF AMERICA**

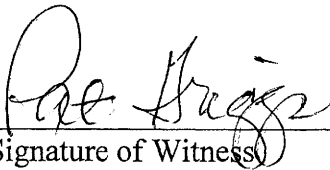
Print or type Surety Company Name

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

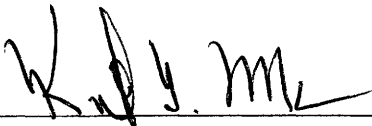
SIGNATURE OF CONTRACTOR (Principal)

BARNHILL CONTRACTING COMPANY

Full name of Corporation

P.O. BOX 1529, TARBORO, NC 27886

Address as prequalified

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

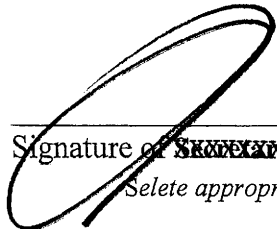
Selete appropriate title

KERMIT L. MOSER, VICE PRESIDENT

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. 105310668

CONTRACT PERFORMANCE BOND

Date of Performance

Bond Execution: October 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 27699-1591

Amount of Bond:

\$ 3,006,446.41

THREE MILLION SIX THOUSAND FOUR HUNDRED FORTY SIX AND 41/100

Contract ID No.:

C202442;WBS 45272.3.ST1

County Name(s):

ANSON

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

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

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

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

CONTRACT PERFORMANCE BOND

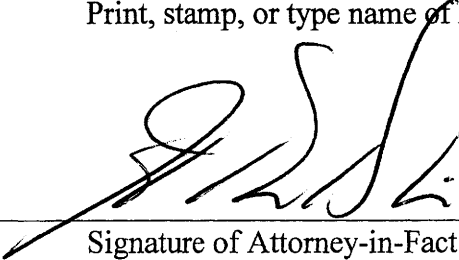
Affix Seal of Surety Company

**TRAVELERS CASUALTY AND SURETY
COMPANY OF AMERICA**

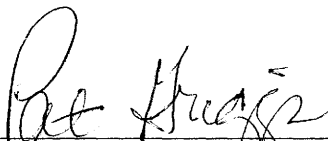
Print or type Surety Company Name

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

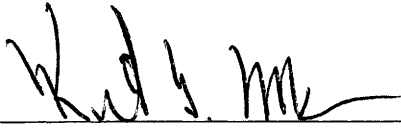
Address of Attorney-in-Fact

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~~

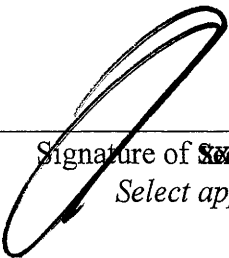
Select appropriate title

KERMIT L. MOSER, VICE PRESIDENT

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. 003281574

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 October, 2009

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


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.