

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

C202073

CONTRACT AND  
CONTRACT BONDS  
FOR CONTRACT NO C202073

WBS 41867.3.1 STPNHS-0421(45)

T.I.P NO. W 5103

COUNTY OF NEW HANOVER  
THIS IS THE ROADWAY CONTRACT

ROUTE NUMBER US 421 LENGTH 6.330 MILES  
LOCATION US-421 (CAROLINA BEACH RD) FROM GEORGE ANDERSON RD TO  
SR-1100 (RIVER RD).

CONTRACTOR B & K COASTAL LLC DBA CAPE FEAR PAVING  
ADDRESS P.O. BOX 2101  
WILMINGTON, NC 28402

BIDS OPENED JANUARY 19 2010  
CONTRACT EXECUTION MAR 08 2010

**B K Coastal LLC DBA Cape Fear Paving (4697).  
Vendor 3 of 3 Vendors for Call Order 008 (Proposal ID C202073).**

County: NEW HANOVER  
Address: P O Box 2101  
Wilmington, NC 28402

Phone Number: 910-794-1341

Signature Check: This bid has been properly signed by Keith\_Stark\_4697.

Time Bid Received: Tue Jan 19 13:27:45 2010

Bid Checksum: 9CD689B0

**DBE GOAL SET 9.0**

Amendment Count: 0

Bidding Errors: This bid contains errors.

**DBE GOAL OBT 6.9**

Bid Total: \$1,655,240.47 ✓

Bond ID: 9DEF-EY31-2RNB-PV5F

Bond was Verified: Yes.

Bond Required Percent: 5.00%

Minimum Check Amount: \$82,762.02

Bid Security Maximum: \$

Bond Agency Name:

Agency Execution Date: 1/19/2010

Surety Name: The Hanover 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
4852 MB	FREEMAN CONCRETE CO., INC. 2178 REBECCA KENNEDY ROAD , ROCKY POINT, NC 28457		Sub 65,616.00 ✓ am
3765 WB	STAY ALERT SAFETY SERVICES INC POST OFFICE BOX 467 , KERNERSVILLE, NC 27285		Sub 9,845.00 ✓ am
25188 WB	McArthur Construction Company PO Box 2838 Lumberton, NC 28359-2838		Sub 38,800.00 ✓ am
35771	<del>SABCO, INC PO Box 1373 Wilson, NC 27894</del>		<del>Sup 58,901.95 ✓ am</del>
TOTAL:			<del>149,602.17</del> <b>114,261.00</b> ✓ am <del>9.04%</del> <b>6.9%</b> ✓ am

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: 9DEF-EY31-2RNB-PV5F  
Surety Registry Agency: SurePathNetwork  
Verified?: Yes  
Surety Agency: The Hanover Insurance Company

NCDOT/berc

Vendor 4697's Load Output for Call 008, Letting L100119, 2010-01-19

Bond Execution Date: 1/19/2010

Bond Amount: \$82,762.02 (Five Percent of Bid)

State of NC  
Dept of Transportation

Date: 12-22-09  
Revised:

Contract ID: C202073 Project(s): STPNHS-0421(45)  
Letting Date: 01-19-10 Call Order: 008  
Bidder: 4697 - B & K Coastal LLC DBA Cape Fear Paving

Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Cts

Section 0001 ROADWAY ITEMS

Alt Group

0001	0000100000-N MOBILIZATIO N	LUMP		LUMP		35,000.00
0002	0156000000-E REMOVAL OF EXISTING ASPHALT PAVEMENT	SY	2,848.000	1.50000		4,272.00
0003	0264000000-E GENERIC GRADING ITEM GRADING PER SHOULDER MILE	SMI	3.760	4,500.00000		16,920.00
0004	0318000000-E FOUNDATION CONDITIONING MATE- RIAL, MINOR STRS	TON	522.000	35.00000		18,270.00
0005	0448000000-E ***** RC PIPE CULVERTS, CLASS IV (15")	LF	23.000	54.00000		1,242.00
0006	0448000000-E ***** RC PIPE CULVERTS, CLASS IV (18")	LF	4,454.000	17.75000		79,058.50
0007	0448000000-E ***** RC PIPE CULVERTS, CLASS IV (24")	LF	96.000	23.50000		2,256.00
0008	0995000000-E PIPE REMOVAL	LF	502.000	14.00000		7,028.00
0009	1220000000-E INCIDENTAL STONE BASE	TON	161.000	37.50000		6,037.50
0010	1489000000-E ASPHALT CONC BASE COURSE, TYPE B25.0B	TON	9,087.000	47.00000		427,089.00
0011	1498000000-E ASPHALT CONC INTERMEDIATE COURSE, TYPE I19.0B	TON	4,955.000	47.00000		232,885.00

State of NC  
Dept of Transportation

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Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
0012	1519000000-E ASPHALT CONC SURFACE COURSE, TYPE S9.5B	3,393.000 TON	40.00000		135,720.00	
0013	1560000000-E ASPHALT BINDER FOR PLANT MIX, GRADE PG 64-22	830.000 TON	420.00000		348,600.00	
0014	2253000000-E PIPE COLLARS	7.300 CY	825.00000		6,022.50	
0015	2264000000-E PIPE PLUGS	0.130 CY	800.00000		104.00	
0016	2286000000-N MASONRY DRAINAGE STRUCTURES	37.000 EA	850.00000		31,450.00	
0017	2364000000-N FRAME WITH TWO GRATES, STD 840.16	3.000 EA	375.00000		1,125.00	
0018	2365000000-N FRAME WITH TWO GRATES, STD 840.22	8.000 EA	370.00000		2,960.00	
0019	2367000000-N FRAME WITH TWO GRATES, STD 840.29	10.000 EA	350.00000		3,500.00	
0020	2396000000-N FRAME WITH COVER, STD 840.54	6.000 EA	300.00000		1,800.00	
0021	2647000000-E 5" MONOLITHIC CONCRETE ISLANDS (SURFACE MOUNTED)	4,101.220 SY	33.00000		135,340.26	
0022	2738000000-E GENERIC PAVING ITEM REMOVAL OF CONCRETE ISLAND	307.000 SY	38.00000		11,666.00	
0023	2830000000-N ADJUSTMENT OF MANHOLES	1.000 EA	375.00000		375.00	

State of NC  
Dept of Transportation

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Bidder: 4697 - B & K Coastal LLC DBA Cape Fear Paving

Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
0024	2845000000-N ADJUSTMENT OF METER BOXES OR VALVE BOXES	1.000 EA	275.00000		275.00	
0025	2995000000-N GENERIC DRAINAGE ITEM CONVERT EXIST CB TO TRAFFIC BEARING JTN BOX	5.000 EA	1,675.00000		8,375.00	
0026	4589000000-N GENERIC TRAFFIC CONTROL ITEM TRAFFIC CONTROL	LUMP	LUMP		15,000.00	
0027	4685000000-E THERMOPLAST IC PAVEMENT MARKING LINES (4", 90 MILS)	25,717.000 LF	0.39000		10,029.63	
0028	4686000000-E THERMOPLAST IC PAVEMENT MARKING LINES (4", 120 MILS)	8,589.000 LF	0.42000		3,607.38	
0029	4695000000-E THERMOPLAST IC PAVEMENT MARKING LINES (8", 90 MILS)	9,536.000 LF	1.00000		9,536.00	
0030	4710000000-E THERMOPLAST IC PAVEMENT MARKING LINES (24", 120 MILS)	213.000 LF	3.50000		745.50	
0031	4725000000-E THERMOPLAST IC PAVEMENT MARKING SYMBOL (90 MILS)	114.000 EA	100.00000		11,400.00	
0032	4850000000-E REMOVAL OF PAVEMENT MARKING LINES (4")	28,428.000 LF	0.65000		18,478.20	
0033	4860000000-E REMOVAL OF PAVEMENT MARKING LINES (8")	1,705.000 LF	1.00000		1,705.00	
0034	4870000000-E REMOVAL OF PAVEMENT MARKING LINES (24")	184.000 LF	3.00000		552.00	

State of NC  
Dept of Transportation

Date: 12-22-09  
Revised:

Contract ID: C202073

Project(s): STPNHS-0421(45)

Letting Date: 01-19-10 Call Order: 008

Bidder: 4697 - B & K Coastal LLC DBA Cape Fear Paving

Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
0035	4875000000-N REMOVAL OF PAVEMENT MARKING SYMBOLS & CHARACTERS	EA 112.000	50.00000		5,600.00	
0036	4900000000-N PERMANENT RAISED PAVEMENT MARKERS	EA 989.000	5.00000		4,945.00	
0037	4905000000-N SNOWPLOWABLE PAVEMENT MARKERS	EA 807.000	17.00000		13,719.00	
0038	5255000000-N PORTABLE LIGHTING	LUMP	LUMP		7,000.00	
0039	6000000000-E TEMPORARY SILT FENCE	LF 900.000	1.77000		1,593.00	
0040	6006000000-E STONE FOR EROSION CONTROL, CLASS A	TON 210.000	65.00000		13,650.00	
0041	6009000000-E STONE FOR EROSION CONTROL, CLASS B	TON 90.000	65.00000		5,850.00	
0042	6012000000-E SEDIMENT CONTROL STONE	TON 180.000	45.00000		8,100.00	
0043	6071010000-E WATTLE	LF 30.000	7.00000		210.00	
0044	6084000000-E SEEDING & MULCHING	ACR 4.730	1,300.00000		6,149.00	
Section 0001 Total						1,655,240.47
Bid Total						1,655,240.47



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: 12-22-09  
PAGE: 7

PROPOSAL: C202073  
LETTING: L100119 CALL: 008  
VENDOR: 4697 B & K Coastal LLC DBA Cape Fear Paving

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

DBE SUBCONTRACTOR: 4852 FREEMAN CONCRETE CO., INC.  
Will Use Quote: Yes

0021	2647000000-E	5" MONO CONC SY	2050.500	32.00000	65616.00	✓ am
					-----	
DBE COMMITMENT TOTAL FOR SUBCONTRACTOR:					65,616.00	
DBE COMMITMENT TOTAL FOR VENDOR (SubContractor )					65,616.0	

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

0026	4589000000-N	GENERIC TRAF LS Permanent Signs	1.000	9845.00000	9845.00	✓ am
					-----	
DBE COMMITMENT TOTAL FOR SUBCONTRACTOR:					9,845.00	✓ am
DBE COMMITMENT TOTAL FOR VENDOR (SubContractor )					9,845.0	✓ am

DBE SUBCONTRACTOR: 25188 McArthur Construction Company  
Will Use Quote: Yes

0010	1489000000-E	ASP CONC BAS TON	5200.000	4.00000	20800.00	
0011	1498000000-E	ASP CONC INT TON	3000.000	4.00000	12000.00	
0012	1519000000-E	ASP CONC SUR TON	1500.000	4.00000	6000.00	
					-----	
DBE COMMITMENT TOTAL FOR SUBCONTRACTOR:					38,800.00	✓ am
DBE COMMITMENT TOTAL FOR VENDOR (SubContractor )					38,800.0	

DBE SUBCONTRACTOR: 35771 SABCO, INC  
Will Use Quote: Yes

0005	0448000000-E	**** RCP CUL LF	23.000	10.15000	233.45	
0006	0448000000-E	**** RCP CUL LF	4454.000	11.17000	49751.18	
0007	0448000000-E	**** RCP CUL LF	96.000	17.21000	1652.16	
0017	2364000000-N	FRAME W/2GRT EA	3.000	296.44000	889.32	
0018	2365000000-N	FRAME W/2GRT EA	8.000	284.87000	2278.96	
0019	2367000000-N	FRAME W/2GRT EA	10.000	292.49000	2924.90	
0020	2396000000-N	FRAME W/COVE EA	6.000	195.33000	1171.98	
					-----	
DBE COMMITMENT TOTAL FOR SUBCONTRACTOR:					<del>50,901.95</del>	
DBE COMMITMENT TOTAL FOR VENDOR ( Supplier )					✓ am <del>35,341</del>	

TOTAL DBE COMMITMENT FOR VENDOR:	Entered:	<del>9.04%</del> or	<del>149602.17</del>	✓ am
	Required:	9.00% or	148971.64	
<del>&lt;GOAL MET&gt;</del>				

**<GOAL NOT MET>**

## Contract Item Sheets For C202073

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
<b>ROADWAY ITEMS</b>						
0001	0000100000-N	800	MOBILIZATION	Lump Sum LS	35,000.00	35,000.00
0002	0156000000-E	250	REMOVAL OF EXISTING ASPHALT PAVEMENT	2,848 SY	1.50	4,272.00
0003	0264000000-E	SP	GENERIC GRADING ITEM GRADING PER SHOULDER MILE	3.76 SMI	4,500.00	16,920.00
0004	0318000000-E	300	FOUNDATION CONDITIONING MATERIAL, MINOR STRS	522 TON	35.00	18,270.00
0005	0448000000-E	310	***** RC PIPE CULVERTS, CLASS IV (15")	23 LF	54.00	1,242.00
0006	0448000000-E	310	***** RC PIPE CULVERTS, CLASS IV (18")	4,454 LF	17.75	79,058.50
0007	0448000000-E	310	***** RC PIPE CULVERTS, CLASS IV (24")	96 LF	23.50	2,256.00
0008	0995000000-E	340	PIPE REMOVAL	502 LF	14.00	7,028.00
0009	1220000000-E	545	INCIDENTAL STONE BASE	161 TON	37.50	6,037.50
0010	1489000000-E	610	ASPHALT CONC BASE COURSE, TYPE B25.0B	9,087 TON	47.00	427,089.00
0011	1498000000-E	610	ASPHALT CONC INTERMEDIATE COURSE, TYPE I19.0B	4,955 TON	47.00	232,885.00
0012	1519000000-E	610	ASPHALT CONC SURFACE COURSE, TYPE S9.5B	3,393 TON	40.00	135,720.00
0013	1560000000-E	620	ASPHALT BINDER FOR PLANT MIX, GRADE PG 64-22	830 TON	420.00	348,600.00
0014	2253000000-E	840	PIPE COLLARS	7.3 CY	825.00	6,022.50
0015	2264000000-E	840	PIPE PLUGS	0.13 CY	800.00	104.00
0016	2286000000-N	840	MASONRY DRAINAGE STRUCTURES	37 EA	850.00	31,450.00

## Contract Item Sheets For C202073

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
0017	2364000000-N	840	FRAME WITH TWO GRATES, STD 840.16	3 EA	375.00	1,125.00
0018	2365000000-N	840	FRAME WITH TWO GRATES, STD 840.22	8 EA	370.00	2,960.00
0019	2367000000-N	840	FRAME WITH TWO GRATES, STD 840.29	10 EA	350.00	3,500.00
0020	2396000000-N	840	FRAME WITH COVER, STD 840.54	6 EA	300.00	1,800.00
0021	2647000000-E	852	5" MONOLITHIC CONCRETE ISLANDS (SURFACE MOUNTED)	4,101.22 SY	33.00	135,340.26
0022	2738000000-E	SP	GENERIC PAVING ITEM REMOVAL OF CONCRETE ISLAND	307 SY	38.00	11,666.00
0023	2830000000-N	858	ADJUSTMENT OF MANHOLES	1 EA	375.00	375.00
0024	2845000000-N	858	ADJUSTMENT OF METER BOXES OR VALVE BOXES	1 EA	275.00	275.00
0025	2995000000-N	SP	GENERIC DRAINAGE ITEM CONVERT EXIST CB TO TRAFFIC BEARING JTN BOX	5 EA	1,675.00	8,375.00
0026	4589000000-N	SP	GENERIC TRAFFIC CONTROL ITEM TRAFFIC CONTROL	Lump Sum LS	15,000.00	15,000.00
0027	4685000000-E	1205	THERMOPLASTIC PAVEMENT MARKING LINES (4", 90 MILS)	25,717 LF	0.39	10,029.63
0028	4686000000-E	1205	THERMOPLASTIC PAVEMENT MARKING LINES (4", 120 MILS)	8,589 LF	0.42	3,607.38
0029	4695000000-E	1205	THERMOPLASTIC PAVEMENT MARKING LINES (8", 90 MILS)	9,536 LF	1.00	9,536.00
0030	4710000000-E	1205	THERMOPLASTIC PAVEMENT MARKING LINES (24", 120 MILS)	213 LF	3.50	745.50
0031	4725000000-E	1205	THERMOPLASTIC PAVEMENT MARKING SYMBOL (90 MILS)	114 EA	100.00	11,400.00
0032	4850000000-E	1205	REMOVAL OF PAVEMENT MARKING LINES (4")	28,428 LF	0.65	18,478.20

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
0033	4860000000-E	1205	REMOVAL OF PAVEMENT MARKING LINES (8")	1,705 LF	1.00	1,705.00
0034	4870000000-E	1205	REMOVAL OF PAVEMENT MARKING LINES (24")	184 LF	3.00	552.00
0035	4875000000-N	1205	REMOVAL OF PAVEMENT MARKING SYMBOLS & CHARACTERS	112 EA	50.00	5,600.00
0036	4900000000-N	1251	PERMANENT RAISED PAVEMENT MARKERS	989 EA	5.00	4,945.00
0037	4905000000-N	1253	SNOWPLOWABLE PAVEMENT MARKERS	807 EA	17.00	13,719.00
0038	5255000000-N	1413	PORTABLE LIGHTING	Lump Sum LS	7,000.00	7,000.00
0039	6000000000-E	1605	TEMPORARY SILT FENCE	900 LF	1.77	1,593.00
0040	6006000000-E	1610	STONE FOR EROSION CONTROL, CLASS A	210 TON	65.00	13,650.00
0041	6009000000-E	1610	STONE FOR EROSION CONTROL, CLASS B	90 TON	65.00	5,850.00
0042	6012000000-E	1610	SEDIMENT CONTROL STONE	180 TON	45.00	8,100.00
0043	6071010000-E	SP	WATTLE	30 LF	7.00	210.00
0044	6084000000-E	1660	SEEDING & MULCHING	4.73 ACR	1,300.00	6,149.00

TOTAL AMOUNT OF BID FOR ENTIRE PROJECT

\$1,655,240.47 ✓

**EXECUTION OF CONTRACT  
NON-COLLUSION AFFIDAVIT, DEBARMENT CERTIFICATION AND GIFT BAN CERTIFICATION  
LIMITED LIABILITY COMPANY**

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

N.C.G.S. § 133-32 and Executive Order 24 prohibit the offer to, or acceptance by, any State Employee of any gift from anyone with a contract with the State, or from any person seeking to do business with the State. By execution of any response in this procurement, you attest, for your entire organization and its employees or agents, that you are not aware that any such gift has been offered, accepted, or promised by any employees of your organization.

**SIGNATURE OF CONTRACTOR**

B&K Coastal, LLC DBA Cape Fear Paving  
Full Name of Firm

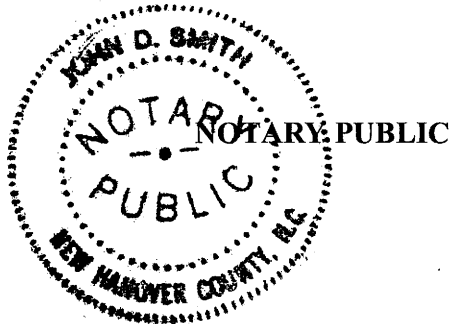
P.O. Box 2101 Wilmington, NC 28402  
Address as Prequalified

Signature of Member/Manager [Handwritten Signature]  
Individually

J. Keith Stark  
Print or type Signer's Name

**AFFIDAVIT MUST BE NOTARIZED**

Subscribed and sworn to before me this the 4<sup>th</sup> day of March, 2010.  
[Handwritten Signature]  
Signature of Notary Public  
of New Hanover County  
State of North Carolina  
My Commission Expires: 4-18-14



## 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.

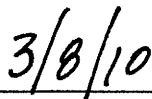
**Contract No**     C202073

**County (ies):**   New Hanover

ACCEPTED BY THE  
DEPARTMENT OF TRANSPORTATION

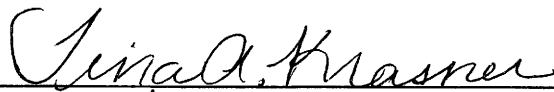


\_\_\_\_\_  
Contract Officer



\_\_\_\_\_  
Date

Execution of Contract and Bonds  
Approved as to Form:



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

Contract No. C202073  
County New Hanover

Rev 2-1-10

Bond #1923033

Executed in Duplicate

### CONTRACT PAYMENT BOND

Date of Payment Bond Execution February 25, 2010

Name of Principal Contractor B&K Coastal, LLC T/A Cape Fear Paving

Name of Surety: The Hanover Insurance Company

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

Amount of Bond: One Million Six Hundred Fifty Five Thousand Two Hundred Forty and 47/100 (\$1,655,240.47)

Contract ID No.: C202073

County Name: New Hanover

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. C202073  
County New Hanover

Rev 2-1-10

**CONTRACT PAYMENT BOND**

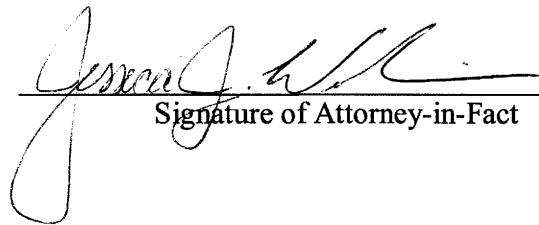
*Affix Seal of Surety Company*

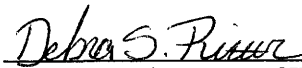
The Hanover Insurance Company

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

By Jessica J. Winfree

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

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

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

Debra S. Ritter, NC Resident Agent

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

1001 Haxall Point, Suite 800, Richmond, VA 23219

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

Contract No. C202073  
County New Hanover

Rev 2-1-10

**CONTRACT PAYMENT BOND**

**LIMITED LIABILITY COMPANY**

SIGNATURE OF CONTRACTOR (Principal)

Name of Contractor

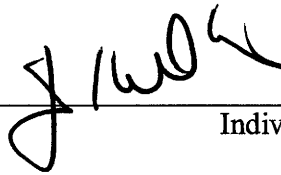
B&K Coastal, LLC T/A Cape Fear Paving

Full name of Firm

P.O. Box 2101, Wilmington, NC 28402

Address as prequalified

Signature of Member/Manager



Individually

J. Keith Stark

Print or type Signer's name

Contract No. C202073  
County New Hanover

Rev 2-1-10

Bond #1923033

Executed in Duplicate

### CONTRACT PERFORMANCE BOND

Date of Performance Bond Execution: February 25, 2010

Name of Principal Contractor: B&K Coastal, LLC T/A Cape Fear Paving

Name of Surety: The Hanover Insurance Company

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

Amount of Bond: One Million Six Hundred Fifty Five Thousand Two Hundred Forty and 47/100 (\$1,655,240.47)

Contract ID No.: C202073

County Name: New Hanover

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. C202073  
County New Hanover

Rev 2-1-10

**CONTRACT PERFORMANCE BOND**

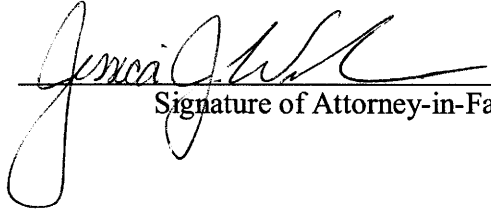
*Affix Seal of Surety Company*

The Hanover Insurance Company

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

By Jessica J. Winfree

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

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

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

Debra S. Ritter, NC Resident Agent

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

1001 Haxall Point, Suite 800, Richmond, VA 23219

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

Contract No. C202073  
County New Hanover

Rev 2-1-10


**CONTRACT PERFORMANCE BOND**

**LIMITED LIABILITY COMPANY**

SIGNATURE OF CONTRACTOR (Principal)

Name of Contractor B&K Coastal, LLC T/A Cape Fear Paving  
Full name of Firm

P.O. Box 2101, Wilmington, NC 28402  
Address as prequalified

Signature of Member/Manager   
Individually

J. Keith Stark  
Print or type Signer's name



This Power of Attorney may not be used to execute any bond with an inception date after February 1, 2011

THE HANOVER INSURANCE COMPANY  
MASSACHUSETTS BAY INSURANCE COMPANY  
CITIZENS INSURANCE COMPANY OF AMERICA

POWERS OF ATTORNEY  
CERTIFIED COPY

KNOW ALL MEN BY THESE PRESENTS: That THE HANOVER INSURANCE COMPANY and MASSACHUSETTS BAY INSURANCE COMPANY, both being corporations organized and existing under the laws of the State of New Hampshire, and CITIZENS INSURANCE COMPANY OF AMERICA, a corporation organized and existing under the laws of the State of Michigan, do hereby constitute and appoint

**John C. Stanchina, Thomas R. Brown, Kathleen M. Moore, Clinton J. Diers, Jessica J. Winfree, Hunter F. Avery, Patricia L. Lewis, Jacqueline L. Joiner, Jeffrey M. Johnson, Paula C K Faivre, Susan R. Anderson and/or Joann E. Stahr**

of **Richmond, VA** and each is a true and lawful Attorney(s)-in-fact to sign, execute, seal, acknowledge and deliver for, and on its behalf, and as its act and deed any place within the United States, or, if the following line be filled in, only within the area therein designated

any and all bonds, recognizances, undertakings, contracts of indemnity or other writings obligatory in the nature thereof, as follows:  
**Any such obligations in the United States, not to exceed Forty Million and No/100 (\$40,000,000) in any single instance**

and said companies hereby ratify and confirm all and whatsoever said Attorney(s)-in-fact may lawfully do in the premises by virtue of these presents. These appointments are made under and by authority of the following Resolution passed by the Board of Directors of said Companies which resolutions are still in effect:

"RESOLVED, That the President or any Vice President, in conjunction with any Assistant Vice President, be and they are hereby authorized and empowered to appoint Attorneys-in-fact of the Company, in its name and as its acts, to execute and acknowledge for and on its behalf as Surety any and all bonds, recognizances, contracts of indemnity, waivers of citation and all other writings obligatory in the nature thereof, with power to attach thereto the seal of the Company. Any such writings so executed by such Attorneys-in-fact shall be as binding upon the Company as if they had been duly executed and acknowledged by the regularly elected officers of the Company in their own proper persons." (Adopted October 7, 1981 - The Hanover Insurance Company; Adopted April 14, 1982 - Massachusetts Bay Insurance Company; Adopted September 7, 2001 - Citizens Insurance Company of America)

IN WITNESS WHEREOF, THE HANOVER INSURANCE COMPANY, MASSACHUSETTS BAY INSURANCE COMPANY and CITIZENS INSURANCE COMPANY OF AMERICA have caused these presents to be sealed with their respective corporate seals, duly attested by a Vice President and an Assistant Vice President, this **2nd** day of **June, 2008**.



THE HANOVER INSURANCE COMPANY  
MASSACHUSETTS BAY INSURANCE COMPANY  
CITIZENS INSURANCE COMPANY OF AMERICA

*Mary Jeanne Anderson*  
Mary Jeanne Anderson, Vice President

*Robert K. Grennan*  
Robert K. Grennan, Assistant Vice President

THE COMMONWEALTH OF MASSACHUSETTS )  
COUNTY OF WORCESTER ) ss.

On this **2nd** day of **June 2008**, before me came the above named Vice President and Assistant Vice President of The Hanover Insurance Company, Massachusetts Bay Insurance Company and Citizens Insurance Company of America, to me personally known to be the individuals and officers described herein, and acknowledged that the seals affixed to the preceding instrument are the corporate seals of The Hanover Insurance Company Massachusetts Bay Insurance Company and Citizens Insurance Company of America, respectively, and that the said corporate seals and their signatures as officers were duly affixed and subscribed to said instrument by the authority and direction of said Corporations.



*Barbara A. Garlick*  
Notary Public

My commission expires on November 3, 2011

I, the undersigned Assistant Vice President of The Hanover Insurance Company, Massachusetts Bay Insurance Company and Citizens Insurance Company of America, hereby certify that the above and foregoing is a full, true and correct copy of the Original Power of Attorney issued by said Companies, and do hereby further certify that the said Powers of Attorney are still in force and effect.

This Certificate may be signed by facsimile under and by authority of the following resolution of the Board of Directors of The Hanover Insurance Company, Massachusetts Bay Insurance Company and Citizens Insurance Company of America.

"RESOLVED, That any and all Powers of Attorney and Certified Copies of such Powers of Attorney and certification in respect thereto, granted and executed by the President or any Vice President in conjunction with any Assistant Vice President of the Company, shall be binding on the Company to the same extent as if all signatures therein were manually affixed, even though one or more of any such signatures thereon may be facsimile." (Adopted October 7, 1981 - The Hanover Insurance Company; Adopted April 14, 1982 Massachusetts Bay Insurance Company; Adopted September 7, 2001 - Citizens Insurance Company of America)

GIVEN under my hand and the seals of said Companies, at Worcester, Massachusetts, this **25<sup>th</sup>** day of **February**, 20 **10**.

THE HANOVER INSURANCE COMPANY  
MASSACHUSETTS BAY INSURANCE COMPANY  
CITIZENS INSURANCE COMPANY OF AMERICA

*Stephen L. Brault*  
Stephen L. Brault, Assistant Vice President