

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

C202372

CONTRACT AND  
CONTRACT BONDS  
FOR CONTRACT NO. C202372

WBS 34896.3.ST1 STM-1107(16)

T.I.P NO. U-3100B

COUNTY OF ORANGE  
THIS IS THE ROADWAY CONTRACT  
ROUTE NUMBER SR 1107 LENGTH 0.450 MILES  
LOCATION SR-1107 (OLD FAYETTEVILLE RD) FROM NC-54 TO MCDOUGLE MIDDLE  
SCHOOL IN CARRBORO.

CONTRACTOR ATWELL CONSTRUCTION CO INC  
ADDRESS 305 AIRPORT ROAD  
GREENVILLE, NC 278341408

BIDS OPENED JANUARY 19, 2010  
CONTRACT EXECUTION FEB 12 2010

**Atwell Construction (12479).**

**Vendor 1 of 4 Vendors for Call Order 024 (Proposal ID C202372).**

County: ORANGE  
Address: 305 Airport Rd.  
Greenville, NC 27834

Phone Number: 2523417903

Signature Check: This bid has been properly signed by Timothy\_A.\_Meyer\_12479.

Time Bid Received: Tue Jan 19 12:05:55 2010

Bid Checksum: 633FA81B

Amendment Count: 0

Bidding Errors: No bidding errors.

**DBE GOAL SET 10.0**

Bid Total: \$1,234,000.00 ✓

Bond ID: WQ5G-2XV4-MEHY-R6BB

**DBE GOAL MET 29.4**

Bond was Verified: Yes.

Bond Required Percent: 5.00%

Minimum Check Amount: \$61,700.00

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	
4858	WB STATE CONTRACTING, INC. POST OFFICE BOX 91742 , RALEIGH, NC 27675		Sub 362,600.00	✓ am
			TOTAL: \$362,600.00	✓ am
			29.38%	

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	

Bid Bond Data Info - Contractor Responses:

BondID: WQ5G-2XV4-MEHY-R6BB  
 Surety Registry Agency: SurePathNetwork  
 Verified?: Yes  
 Surety Agency: The Hanover Insurance Company  
 Bond Execution Date: 1/19/2010  
 Bond Amount: \$61,700.00 (Five Percent of Bid)

State of NC  
Dept of Transportation

Date: 12-22-09  
Revised:

Contract ID: C202372 Project(s): STM-1107(16)  
Letting Date: 01-19-10 Call Order: 024  
Bidder: 12479 - Atwell Construction

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			61,700.00
0002	0000400000-N CONSTRUCTIO N SURVEYING	LUMP	LUMP			17,250.00
0003	0050000000-E SUPPLEMENTA RY CLEARING & GRUB-BING	ACR 1.000	1.00000			1.00
0004	0063000000-N GRADING	LUMP	LUMP			149,066.46
0005	0106000000-E BORROW EXCAVATION	CY 6,000.000	7.77000			46,620.00
0006	0192000000-N PROOF ROLLING	HR 1.500	800.00000			1,200.00
0007	0320000000-E FOUNDATION CONDITIONING FABRIC	SY 283.000	3.45000			976.35
0008	0330000000-E GENERIC DRAINAGE ITEM FOUNDATION CONDITIONING MATERIAL, MINOR STRS	TON 230.000	18.00000			4,140.00
0009	0335100000-E 12" DRAINAGE PIPE	LF 200.000	21.00000			4,200.00
0010	0335200000-E 15" DRAINAGE PIPE	LF 1,124.000	30.00000			33,720.00

State of NC  
Dept of Transportation

Date: 12-22-09  
Revised:

Contract ID: C202372  
Letting Date: 01-19-10 Call Order: 024  
Bidder: 12479 - Atwell Construction

Project(s): STM-1107(16)

Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
0011	0335300000-E 18" DRAINAGE PIPE	LF 152.000	84.00000		12,768.00	
0012	0335400000-E 24" DRAINAGE PIPE	LF 332.000	31.00000		10,292.00	
0013	0335500000-E 30" DRAINAGE PIPE	LF 32.000	114.00000		3,648.00	
0014	0335600000-E 36" DRAINAGE PIPE	LF 32.000	124.00000		3,968.00	
0015	0986000000-E GENERIC PIPE ITEM 12" SIDE DRAIN PIPE	LF 132.000	18.00000		2,376.00	
0016	0986000000-E GENERIC PIPE ITEM 15" SIDE DRAIN PIPE	LF 112.000	21.00000		2,352.00	
0017	0995000000-E PIPE REMOVAL	LF 884.000	12.00000		10,608.00	
0018	1220000000-E INCIDENTAL STONE BASE	TON 250.000	18.00000		4,500.00	
0019	1308000000-E MILLING ASPHALT PAVEMENT, ****"TO *****" DEPTH (0" TO 1-1/2")	SY 600.000	9.00000		5,400.00	
0020	1489000000-E ASPHALT CONC BASE COURSE, TYPE B25.0B	TON 1,760.000	44.00000		77,440.00	
0021	1498000000-E ASPHALT CONC INTERMEDIATE COURSE, TYPE I19.0B	TON 1,400.000	42.00000		58,800.00	

State of NC  
Dept of Transportation

Date: 12-22-09  
Revised:

Contract ID: C202372 Project(s): STM-1107(16)  
Letting Date: 01-19-10 Call Order: 024  
Bidder: 12479 - Atwell Construction

Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
0022	1519000000-E ASPHALT CONC SURFACE COURSE, TYPE S9.5B	2,100.000 TON	41.00000		86,100.00	
0023	1560000000-E ASPHALT BINDER FOR PLANT MIX, GRADE PG 64-22	270.000 TON	480.00000		129,600.00	
0024	1693000000-E ASPHALT PLANT MIX, PAVEMENT REPAIR	80.000 TON	125.00000		10,000.00	
0025	2286000000-N MASONRY DRAINAGE STRUCTURES	39.000 EA	900.00000		35,100.00	
0026	2308000000-E MASONRY DRAINAGE STRUCTURES	7.300 LF	170.00000		1,241.00	
0027	2364000000-N FRAME WITH TWO GRATES, STD 840.16	16.000 EA	440.00000		7,040.00	
0028	2366000000-N FRAME WITH TWO GRATES, STD 840.24	1.000 EA	453.00000		453.00	
0029	2367000000-N FRAME WITH TWO GRATES, STD 840.29	1.000 EA	460.00000		460.00	
0030	2374000000-N FRAME WITH GRATE & HOOD, STD 840.03, TYPE ** (E)	2.000 EA	495.00000		990.00	
0031	2374000000-N FRAME WITH GRATE & HOOD, STD 840.03, TYPE ** (F)	10.000 EA	495.00000		4,950.00	
0032	2374000000-N FRAME WITH GRATE & HOOD, STD 840.03, TYPE ** (G)	10.000 EA	495.00000		4,950.00	
0033	2542000000-E 1'-6" CONCRETE CURB & GUTTER	760.000 LF	12.50000		9,500.00	

State of NC  
 Dept of Transportation

Date: 12-22-09  
 Revised:

Contract ID: C202372 Project(s): STM-1107(16)  
 Letting Date: 01-19-10 Call Order: 024  
 Bidder: 12479 - Atwell Construction

Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
0034	2549000000-E 2'-6" CONCRETE CURB & GUTTER	4,570.000 LF	15.30000		69,921.00	
0035	2577000000-E CONCRETE EXPRESSWAY GUTTER	100.000 LF	25.60000		2,560.00	
0036	2591000000-E 4" CONCRETE SIDEWALK	1,520.000 SY	24.75000		37,620.00	
0037	2605000000-N CONCRETE WHEELCHAIR RAMPS	10.000 EA	800.00000		8,000.00	
0038	2612000000-E 6" CONCRETE DRIVEWAY	300.000 SY	43.50000		13,050.00	
0039	2619000000-E 4" CONCRETE PAVED DITCH	20.000 SY	64.00000		1,280.00	
0040	2647000000-E 5" MONOLITHIC CONCRETE ISLANDS (SURFACE MOUNTED)	90.000 SY	51.60000		4,644.00	
0041	2905000000-N CONVERT EXISTING DROP INLET TO JUNCTION BOX	1.000 EA	510.00000		510.00	
0042	2920000000-N CONVERT EXISTING DROP INLET TO CATCH BASIN	1.000 EA	642.00000		642.00	
0043	3628000000-E RIP RAP, CLASS I	20.000 TON	37.00000		740.00	
0044	3656000000-E FILTER FABRIC FOR DRAINAGE	290.000 SY	1.50000		435.00	
0045	4072000000-E SUPPORTS, 3-LB STEEL U-CHANNEL	572.000 LF	4.22000		2,413.84	

State of NC  
Dept of Transportation

Date: 12-22-09  
Revised:

Contract ID: C202372 Project(s): STM-1107(16)  
Letting Date: 01-19-10 Call Order: 024  
Bidder: 12479 - Atwell Construction

Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
0046	4102000000-N SIGN ERECTION, TYPE E	EA 48.000	46.50000		2,232.00	
0047	4155000000-N DISPOSAL OF SIGN SYSTEM, U- CHANNEL	EA 23.000	2.00000		46.00	
0048	4400000000-E WORK ZONE SIGNS (STATIONARY)	SF 152.000	3.77000		573.04	
0049	4405000000-E WORK ZONE SIGNS (PORTABLE)	SF 224.000	8.75000		1,960.00	
0050	4415000000-N FLASHING ARROW PANELS, TYPE C	EA 2.000	2,265.00000		4,530.00	
0051	4420000000-N CHANGEABLE MESSAGE SIGN	EA 2.000	12,000.00000		24,000.00	
0052	4430000000-N DRUMS	EA 209.000	37.00000		7,733.00	
0053	4435000000-N CONES	EA 20.000	10.00000		200.00	
0054	4455000000-N FLAGGER	MD 80.000	175.00000		14,000.00	
0055	4480000000-N TMIA	EA 2.000	15,000.00000		30,000.00	
0056	4510000000-N LAW ENFORCEMENT	HR 56.000	55.00000		3,080.00	
0057	4516000000-N SKINNY DRUM	EA 10.000	35.00000		350.00	

State of NC  
Dept of Transportation

Date: 12-22-09  
Revised:

Contract ID: C202372 Project(s): STM-1107(16)  
Letting Date: 01-19-10 Call Order: 024  
Bidder: 12479 - Atwell Construction

Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
0058	4685000000-E THERMOPLAST IC PAVEMENT MARKING LINES (4", 90 MILS)	5,960.000 LF	0.45000		2,682.00	
0059	4686000000-E THERMOPLAST IC PAVEMENT MARKING LINES (4", 120 MILS)	7,824.000 LF	0.49000		3,833.76	
0060	4695000000-E THERMOPLAST IC PAVEMENT MARKING LINES (8", 90 MILS)	1,141.000 LF	1.35000		1,540.35	
0061	4697000000-E THERMOPLAST IC PAVEMENT MARKING LINES (8", 120 MILS)	180.000 LF	1.35000		243.00	
0062	4710000000-E THERMOPLAST IC PAVEMENT MARKING LINES (24", 120 MILS)	559.000 LF	5.25000		2,934.75	
0063	4721000000-E THERMOPLAST IC PAVEMENT MARKING CHARACTER (120 MILS)	6.000 EA	50.00000		300.00	
0064	4725000000-E THERMOPLAST IC PAVEMENT MARKING SYMBOL (90 MILS)	48.000 EA	125.00000		6,000.00	
0065	4810000000-E PAINT PAVEMENT MARKING LINES (4")	28,465.000 LF	0.15000		4,269.75	
0066	4820000000-E PAINT PAVEMENT MARKING LINES (8")	1,488.000 LF	0.40000		595.20	
0067	4835000000-E PAINT PAVEMENT MARKING LINES (24")	1,040.000 LF	1.00000		1,040.00	
0068	4840000000-N PAINT PAVEMENT MARKING CHARAC-TER	12.000 EA	15.00000		180.00	

State of NC  
Dept of Transportation

Date: 12-22-09  
Revised:

Contract ID: C202372 Project(s): STM-1107(16)  
Letting Date: 01-19-10 Call Order: 024  
Bidder: 12479 - Atwell Construction

Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
0069	4845000000-N PAINT PAVEMENT MARKING SYMBOL	EA 150.000	15.00000		2,250.00	
0070	4860000000-E REMOVAL OF PAVEMENT MARKING LINES (8")	LF 460.000	1.00000		460.00	
0071	4900000000-N PERMANENT RAISED PAVEMENT MARKERS	EA 145.000	6.00000		870.00	
0072	5326600000-E 16" WATER LINE	LF 104.000	318.00000		33,072.00	
0073	5648000000-N RELOCATE WATER METER	EA 3.000	1,150.00000		3,450.00	
0074	5649000000-N RECONNECT WATER METER	EA 3.000	575.00000		1,725.00	
0075	5672000000-N RELOCATE FIRE HYDRANT	EA 1.000	4,200.00000		4,200.00	
0076	5691100000-E 4" SANITARY GRAVITY SEWER	LF 48.000	44.00000		2,112.00	
0077	5768000000-N SANITARY SEWER CLEAN-OUT	EA 1.000	695.00000		695.00	
0078	5810000000-E ABANDON 16" UTILITY PIPE	LF 94.000	12.00000		1,128.00	
0079	5828000000-N REMOVE UTILITY MANHOLE	EA 1.000	475.00000		475.00	
0080	6000000000-E TEMPORARY SILT FENCE	LF 2,250.000	1.80000		4,050.00	

State of NC  
Dept of Transportation

Date: 12-22-09  
Revised:

Contract ID: C202372 Project(s): STM-1107(16)  
Letting Date: 01-19-10 Call Order: 024  
Bidder: 12479 - Atwell Construction

Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
0081	6006000000-E STONE FOR EROSION CONTROL, CLASS A	250.000 TON	30.00000		7,500.00	
0082	6009000000-E STONE FOR EROSION CONTROL, CLASS B	250.000 TON	30.00000		7,500.00	
0083	6012000000-E SEDIMENT CONTROL STONE	500.000 TON	21.50000		10,750.00	
0084	6015000000-E TEMPORARY MULCHING	4.500 ACR	450.00000		2,025.00	
0085	6018000000-E SEED FOR TEMPORARY SEEDING	100.000 LB	3.00000		300.00	
0086	6021000000-E FERTILIZER FOR TEMPORARY SEED-ING	0.500 TON	1,400.00000		700.00	
0087	6030000000-E SILT EXCAVATION	450.000 CY	8.00000		3,600.00	
0088	6036000000-E MATTING FOR EROSION CONTROL	7,500.000 SY	1.25000		9,375.00	
0089	6042000000-E 1/4" HARDWARE CLOTH	1,575.000 LF	3.50000		5,512.50	
0090	6071030000-E COIR FIBER BAFFLES	50.000 LF	10.00000		500.00	
0091	6084000000-E SEEDING & MULCHING	5.000 ACR	1,660.00000		8,300.00	
0092	6087000000-E MOWING	2.000 ACR	60.00000		120.00	

State of NC  
 Dept of Transportation

Date: 12-22-09  
 Revised:

Contract ID: C202372 Project(s): STM-1107(16)  
 Letting Date: 01-19-10 Call Order: 024  
 Bidder: 12479 - Atwell Construction

Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
0093	6090000000-E SEED FOR REPAIR SEEDING	50.000 LB	10.00000		500.00	
0094	6093000000-E FERTILIZER FOR REPAIR SEEDING	0.250 TON	1,200.00000		300.00	
0095	6096000000-E SEED FOR SUPPLEMENTAL SEEDING	100.000 LB	1.65000		165.00	
0096	6108000000-E FERTILIZER TOPDRESSING	2.500 TON	700.00000		1,750.00	
0097	6114500000-N SPECIALIZED HAND MOWING	5.000 MHR	48.00000		240.00	
0098	6117000000-N RESPONSE FOR EROSION CONTROL	12.000 EA	50.00000		600.00	
0099	7000000000-E PEDESTRIAN SIGNAL HEAD (**", ** SECTION) (16", 1 SECTION W/COUNTDOWN)	2.000 EA	741.00000		1,482.00	
0100	7060000000-E SIGNAL CABLE	1,760.000 LF	2.50000		4,400.00	
0101	7120000000-E VEHICLE SIGNAL HEAD (12", 3 SECTION)	9.000 EA	762.00000		6,858.00	
0102	7232000000-N AUDIBLE PEDESTRIAN SIGNAL	2.000 EA	536.00000		1,072.00	
0103	7264000000-E MESSENGER CABLE (3/8")	725.000 LF	2.40000		1,740.00	

State of NC  
 Dept of Transportation

Date: 12-22-09  
 Revised:

Contract ID: C202372 Project(s): STM-1107(16)  
 Letting Date: 01-19-10 Call Order: 024  
 Bidder: 12479 - Atwell Construction

Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
0104	7288000000-E PAVED TRENCHING (*****) (1, 2")	20.000 LF	20.00000		400.00	
0105	7300000000-E UNPAVED TRENCHING (*****) (1, 2")	750.000 LF	6.50000		4,875.00	
0106	7301000000-E DIRECTIONAL DRILL (*****) (1, 2")	110.000 LF	20.00000		2,200.00	
0107	7324000000-N JUNCTION BOX (STANDARD SIZE)	9.000 EA	148.00000		1,332.00	
0108	7360000000-N WOOD POLE	6.000 EA	767.00000		4,602.00	
0109	7372000000-N GUY ASSEMBLY	8.000 EA	328.00000		2,624.00	
0110	7396000000-E 1/2" RISER WITH WEATHERHEAD	1.000 EA	289.00000		289.00	
0111	7408000000-E 1" RISER WITH WEATHERHEAD	1.000 EA	299.00000		299.00	
0112	7420000000-E 2" RISER WITH WEATHERHEAD	7.000 EA	319.00000		2,233.00	
0113	7444000000-E INDUCTIVE LOOP SAWCUT	1,050.000 LF	4.80000		5,040.00	
0114	7456000000-E LEAD-IN CABLE (*****) (14-2)	5,015.000 LF	1.25000		6,268.75	
0115	7624000000-N SIGNAL PEDESTAL WITH FOUNDATION	2.000 EA	1,255.00000		2,510.00	

State of NC  
 Dept of Transportation

Date: 12-22-09  
 Revised:

Contract ID: C202372 Project(s): STM-1107(16)  
 Letting Date: 01-19-10 Call Order: 024  
 Bidder: 12479 - Atwell Construction

Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
0116	7636000000-N SIGN FOR SIGNALS	EA 3.000	165.00000		495.00	
0117	7675000000-N LED BLANKOUT SIGN	EA 1.000	2,746.25000		2,746.25	
0118	7684000000-N SIGNAL CABINET FOUNDATION	EA 1.000	585.00000		585.00	
0119	7756000000-N CONTROLLER WITH CABINET (TYPE 2070L, BASE MOUNTED)	EA 1.000	11,269.00000		11,269.00	
0120	7780000000-N DETECTOR CARD (TYPE 2070L)	EA 6.000	105.00000		630.00	
0121	7901000000-N CABINET BASE EXTENDER	EA 1.000	277.00000		277.00	
	Section 0001 Total				1,234,000.00	
	Bid Total				1,234,000.00	

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	

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: 14

PROPOSAL: C202372  
 LETTING: L100119 CALL: 024  
 VENDOR: 12479 Atwell Construction

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

DBE SUBCONTRACTOR: 4858 STATE CONTRACTING, INC.  
 Will Use Quote: Yes

LINE NO.	ITEM NO.	ITEM DESC.	UNIT TYPE	QUANTITY	SUBCONTRACTOR UNIT PRICE	EXTENDED AMOUNT
0019	1308000000-E	MILLN ASPHAL SY		600.000	9.00000	5400.00
0020	1489000000-E	ASP CONC BAS TON		1760.000	45.00000	79200.00
0021	1498000000-E	ASP CONC INT TON		1400.000	43.00000	60200.00
0022	1519000000-E	ASP CONC SUR TON		2100.000	42.00000	88200.00
0023	1560000000-E	ASP FOR PLAN TON		270.000	480.00000	129600.00

DBE COMMITMENT TOTAL FOR SUBCONTRACTOR: 362,600.00 ✓ am  
 DBE COMMITMENT TOTAL FOR VENDOR (SubContractor ) 362,600

TOTAL DBE COMMITMENT FOR VENDOR:                    Entered: 29.38% or 362600.00 ✓ am  
    Required: 10.00% or 123400.00  
    <GOAL MET>

## Contract Item Sheets For C202372

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
<b>ROADWAY ITEMS</b>						
0001	0000100000-N	800	MOBILIZATION	Lump Sum LS	61,700.00	61,700.00
0002	0000400000-N	801	CONSTRUCTION SURVEYING	Lump Sum LS	17,250.00	17,250.00
0003	0050000000-E	226	SUPPLEMENTARY CLEARING & GRUB-BING	1 ACR	1.00	1.00
0004	0063000000-N	SP	GRADING	Lump Sum LS	149,066.46	149,066.46
0005	0106000000-E	230	BORROW EXCAVATION	6,000 CY	7.77	46,620.00
0006	0192000000-N	260	PROOF ROLLING	1.5 HR	800.00	1,200.00
0007	0320000000-E	SP	FOUNDATION CONDITIONING FABRIC	283 SY	3.45	976.35
0008	0330000000-E	SP	GENERIC DRAINAGE ITEM FOUNDATION CONDITIONING MATERIAL, MINOR STRS	230 TON	18.00	4,140.00
0009	0335100000-E	SP	12" DRAINAGE PIPE	200 LF	21.00	4,200.00
0010	0335200000-E	SP	15" DRAINAGE PIPE	1,124 LF	30.00	33,720.00
0011	0335300000-E	SP	18" DRAINAGE PIPE	152 LF	84.00	12,768.00
0012	0335400000-E	SP	24" DRAINAGE PIPE	332 LF	31.00	10,292.00
0013	0335500000-E	SP	30" DRAINAGE PIPE	32 LF	114.00	3,648.00
0014	0335600000-E	SP	36" DRAINAGE PIPE	32 LF	124.00	3,968.00
0015	0986000000-E	SP	GENERIC PIPE ITEM 12" SIDE DRAIN PIPE	132 LF	18.00	2,376.00
0016	0986000000-E	SP	GENERIC PIPE ITEM 15" SIDE DRAIN PIPE	112 LF	21.00	2,352.00
0017	0995000000-E	340	PIPE REMOVAL	884 LF	12.00	10,608.00
0018	1220000000-E	545	INCIDENTAL STONE BASE	250 TON	18.00	4,500.00
0019	1308000000-E	607	MILLING ASPHALT PAVEMENT, **** TO ***** DEPTH (0" TO 1-1/2")	600 SY	9.00	5,400.00

## Contract Item Sheets For C202372

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
0020	1489000000-E	610	ASPHALT CONC BASE COURSE, TYPE B25.0B	1,760 TON	44.00	77,440.00
0021	1498000000-E	610	ASPHALT CONC INTERMEDIATE COURSE, TYPE I19.0B	1,400 TON	42.00	58,800.00
0022	1519000000-E	610	ASPHALT CONC SURFACE COURSE, TYPE S9.5B	2,100 TON	41.00	86,100.00
0023	1560000000-E	620	ASPHALT BINDER FOR PLANT MIX, GRADE PG 64-22	270 TON	480.00	129,600.00
0024	1693000000-E	654	ASPHALT PLANT MIX, PAVEMENT REPAIR	80 TON	125.00	10,000.00
0025	2286000000-N	840	MASONRY DRAINAGE STRUCTURES	39 EA	900.00	35,100.00
0026	2308000000-E	840	MASONRY DRAINAGE STRUCTURES	7.3 LF	170.00	1,241.00
0027	2364000000-N	840	FRAME WITH TWO GRATES, STD 840.16	16 EA	440.00	7,040.00
0028	2366000000-N	840	FRAME WITH TWO GRATES, STD 840.24	1 EA	453.00	453.00
0029	2367000000-N	840	FRAME WITH TWO GRATES, STD 840.29	1 EA	460.00	460.00
0030	2374000000-N	840	FRAME WITH GRATE & HOOD, STD 840.03, TYPE ** (E)	2 EA	495.00	990.00
0031	2374000000-N	840	FRAME WITH GRATE & HOOD, STD 840.03, TYPE ** (F)	10 EA	495.00	4,950.00
0032	2374000000-N	840	FRAME WITH GRATE & HOOD, STD 840.03, TYPE ** (G)	10 EA	495.00	4,950.00
0033	2542000000-E	846	1'-6" CONCRETE CURB & GUTTER	760 LF	12.50	9,500.00
0034	2549000000-E	846	2'-6" CONCRETE CURB & GUTTER	4,570 LF	15.30	69,921.00
0035	2577000000-E	846	CONCRETE EXPRESSWAY GUTTER	100 LF	25.60	2,560.00
0036	2591000000-E	848	4" CONCRETE SIDEWALK	1,520 SY	24.75	37,620.00

## Contract Item Sheets For C202372

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
0037	2605000000-N	848	CONCRETE WHEELCHAIR RAMPS	10 EA	800.00	8,000.00
0038	2612000000-E	848	6" CONCRETE DRIVEWAY	300 SY	43.50	13,050.00
0039	2619000000-E	850	4" CONCRETE PAVED DITCH	20 SY	64.00	1,280.00
0040	2647000000-E	852	5" MONOLITHIC CONCRETE ISLANDS (SURFACE MOUNTED)	90 SY	51.60	4,644.00
0041	2905000000-N	859	CONVERT EXISTING DROP INLET TO JUNCTION BOX	1 EA	510.00	510.00
0042	2920000000-N	SP	CONVERT EXISTING DROP INLET TO CATCH BASIN	1 EA	642.00	642.00
0043	3628000000-E	876	RIP RAP, CLASS I	20 TON	37.00	740.00
0044	3656000000-E	876	FILTER FABRIC FOR DRAINAGE	290 SY	1.50	435.00
0045	4072000000-E	903	SUPPORTS, 3-LB STEEL U-CHANNEL	572 LF	4.22	2,413.84
0046	4102000000-N	904	SIGN ERECTION, TYPE E	48 EA	46.50	2,232.00
0047	4155000000-N	907	DISPOSAL OF SIGN SYSTEM, U- CHANNEL	23 EA	2.00	46.00
0048	4400000000-E	1110	WORK ZONE SIGNS (STATIONARY)	152 SF	3.77	573.04
0049	4405000000-E	1110	WORK ZONE SIGNS (PORTABLE)	224 SF	8.75	1,960.00
0050	4415000000-N	1115	FLASHING ARROW PANELS, TYPE C	2 EA	2,265.00	4,530.00
0051	4420000000-N	1120	CHANGEABLE MESSAGE SIGN	2 EA	12,000.00	24,000.00
0052	4430000000-N	1130	DRUMS	209 EA	37.00	7,733.00
0053	4435000000-N	1135	CONES	20 EA	10.00	200.00
0054	4455000000-N	1150	FLAGGER	80 MD	175.00	14,000.00
0055	4480000000-N	1165	TMIA	2 EA	15,000.00	30,000.00
0056	4510000000-N	SP	LAW ENFORCEMENT	56 HR	55.00	3,080.00

## Contract Item Sheets For C202372

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
0057	4516000000-N	1180	SKINNY DRUM	10 EA	35.00	350.00
0058	4685000000-E	1205	THERMOPLASTIC PAVEMENT MARKING LINES (4", 90 MILS)	5,960 LF	0.45	2,682.00
0059	4686000000-E	1205	THERMOPLASTIC PAVEMENT MARKING LINES (4", 120 MILS)	7,824 LF	0.49	3,833.76
0060	4695000000-E	1205	THERMOPLASTIC PAVEMENT MARKING LINES (8", 90 MILS)	1,141 LF	1.35	1,540.35
0061	4697000000-E	1205	THERMOPLASTIC PAVEMENT MARKING LINES (8", 120 MILS)	180 LF	1.35	243.00
0062	4710000000-E	1205	THERMOPLASTIC PAVEMENT MARKING LINES (24", 120 MILS)	559 LF	5.25	2,934.75
0063	4721000000-E	1205	THERMOPLASTIC PAVEMENT MARKING CHARACTER (120 MILS)	6 EA	50.00	300.00
0064	4725000000-E	1205	THERMOPLASTIC PAVEMENT MARKING SYMBOL (90 MILS)	48 EA	125.00	6,000.00
0065	4810000000-E	1205	PAINT PAVEMENT MARKING LINES (4")	28,465 LF	0.15	4,269.75
0066	4820000000-E	1205	PAINT PAVEMENT MARKING LINES (8")	1,488 LF	0.40	595.20
0067	4835000000-E	1205	PAINT PAVEMENT MARKING LINES (24")	1,040 LF	1.00	1,040.00
0068	4840000000-N	1205	PAINT PAVEMENT MARKING CHARACTER	12 EA	15.00	180.00
0069	4845000000-N	1205	PAINT PAVEMENT MARKING SYMBOL	150 EA	15.00	2,250.00
0070	4860000000-E	1205	REMOVAL OF PAVEMENT MARKING LINES (8")	460 LF	1.00	460.00
0071	4900000000-N	1251	PERMANENT RAISED PAVEMENT MARKERS	145 EA	6.00	870.00
0072	5326600000-E	1510	16" WATER LINE	104 LF	318.00	33,072.00
0073	5648000000-N	1515	RELOCATE WATER METER	3 EA	1,150.00	3,450.00
0074	5649000000-N	1515	RECONNECT WATER METER	3 EA	575.00	1,725.00

## Contract Item Sheets For C202372

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
0075	5672000000-N	1515	RELOCATE FIRE HYDRANT	1 EA	4,200.00	4,200.00
0076	5691100000-E	1520	4" SANITARY GRAVITY SEWER	48 LF	44.00	2,112.00
0077	5768000000-N	1520	SANITARY SEWER CLEAN-OUT	1 EA	695.00	695.00
0078	5810000000-E	1530	ABANDON 16" UTILITY PIPE	94 LF	12.00	1,128.00
0079	5828000000-N	1530	REMOVE UTILITY MANHOLE	1 EA	475.00	475.00
0080	6000000000-E	1605	TEMPORARY SILT FENCE	2,250 LF	1.80	4,050.00
0081	6006000000-E	1610	STONE FOR EROSION CONTROL, CLASS A	250 TON	30.00	7,500.00
0082	6009000000-E	1610	STONE FOR EROSION CONTROL, CLASS B	250 TON	30.00	7,500.00
0083	6012000000-E	1610	SEDIMENT CONTROL STONE	500 TON	21.50	10,750.00
0084	6015000000-E	1615	TEMPORARY MULCHING	4.5 ACR	450.00	2,025.00
0085	6018000000-E	1620	SEED FOR TEMPORARY SEEDING	100 LB	3.00	300.00
0086	6021000000-E	1620	FERTILIZER FOR TEMPORARY SEED- ING	0.5 TON	1,400.00	700.00
0087	6030000000-E	1630	SILT EXCAVATION	450 CY	8.00	3,600.00
0088	6036000000-E	1631	MATTING FOR EROSION CONTROL	7,500 SY	1.25	9,375.00
0089	6042000000-E	1632	1/4" HARDWARE CLOTH	1,575 LF	3.50	5,512.50
0090	6071030000-E	SP	COIR FIBER BAFFLES	50 LF	10.00	500.00
0091	6084000000-E	1660	SEEDING & MULCHING	5 ACR	1,660.00	8,300.00
0092	6087000000-E	1660	MOWING	2 ACR	60.00	120.00
0093	6090000000-E	1661	SEED FOR REPAIR SEEDING	50 LB	10.00	500.00
0094	6093000000-E	1661	FERTILIZER FOR REPAIR SEEDING	0.25 TON	1,200.00	300.00

## Contract Item Sheets For C202372

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
0095	6096000000-E	1662	SEED FOR SUPPLEMENTAL SEEDING	100 LB	1.65	165.00
0096	6108000000-E	1665	FERTILIZER TOPDRESSING	2.5 TON	700.00	1,750.00
0097	6114500000-N	SP	SPECIALIZED HAND MOWING	5 MHR	48.00	240.00
0098	6117000000-N	SP	RESPONSE FOR EROSION CONTROL	12 EA	50.00	600.00
0099	7000000000-E	1705	PEDESTRIAN SIGNAL HEAD (***, ** SECTION) (16", 1 SECTION W/COUNTDOWN)	2 EA	741.00	1,482.00
0100	7060000000-E	1705	SIGNAL CABLE	1,760 LF	2.50	4,400.00
0101	7120000000-E	1705	VEHICLE SIGNAL HEAD (12", 3 SECTION)	9 EA	762.00	6,858.00
0102	7232000000-N	SP	AUDIBLE PEDESTRIAN SIGNAL	2 EA	536.00	1,072.00
0103	7264000000-E	1710	MESSENGER CABLE (3/8")	725 LF	2.40	1,740.00
0104	7288000000-E	1715	PAVED TRENCHING (*****) (1, 2")	20 LF	20.00	400.00
0105	7300000000-E	1715	UNPAVED TRENCHING (*****) (1, 2")	750 LF	6.50	4,875.00
0106	7301000000-E	1715	DIRECTIONAL DRILL (*****) (1, 2")	110 LF	20.00	2,200.00
0107	7324000000-N	1716	JUNCTION BOX (STANDARD SIZE)	9 EA	148.00	1,332.00
0108	7360000000-N	1720	WOOD POLE	6 EA	767.00	4,602.00
0109	7372000000-N	1721	GUY ASSEMBLY	8 EA	328.00	2,624.00
0110	7396000000-E	1722	1/2" RISER WITH WEATHERHEAD	1 EA	289.00	289.00
0111	7408000000-E	1722	1" RISER WITH WEATHERHEAD	1 EA	299.00	299.00
0112	7420000000-E	1722	2" RISER WITH WEATHERHEAD	7 EA	319.00	2,233.00
0113	7444000000-E	1725	INDUCTIVE LOOP SAWCUT	1,050 LF	4.80	5,040.00

## Contract Item Sheets For C202372

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
0114	7456000000-E	1726	LEAD-IN CABLE (***** (14-2)	5,015 LF	1.25	6,268.75
0115	7624000000-N	1743	SIGNAL PEDESTAL WITH FOUNDATION	2 EA	1,255.00	2,510.00
0116	7636000000-N	1745	SIGN FOR SIGNALS	3 EA	165.00	495.00
0117	7675000000-N	SP	LED BLANKOUT SIGN	1 EA	2,746.25	2,746.25
0118	7684000000-N	1750	SIGNAL CABINET FOUNDATION	1 EA	585.00	585.00
0119	7756000000-N	1751	CONTROLLER WITH CABINET (TYPE 2070L, BASE MOUNTED)	1 EA	11,269.00	11,269.00
0120	7780000000-N	1751	DETECTOR CARD (TYPE 2070L)	6 EA	105.00	630.00
0121	7901000000-N	1753	CABINET BASE EXTENDER	1 EA	277.00	277.00

TOTAL AMOUNT OF BID FOR ENTIRE PROJECT

\$1,234,000.00 ✓

Contract Number C202372  
County Orange

Rev 2-1-10

**EXECUTION OF CONTRACT  
NON-COLLUSION AFFIDAVIT, DEBARMENT CERTIFICATION AND GIFT BAN 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.

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**

Atwell Construction Co., Inc.

Full name of Corporation

305 Airport Road, Greenville, NC 27834

Address as Prequalified

Attest

[Signature]  
Secretary/Assistant Secretary  
Select appropriate title

By

[Signature]  
President/Vice President/Assistant Vice President  
Select appropriate title

Jason Moos

Print or type Signer's name

Timothy Meyer

Print or type Signer's name

**CORPORATE SEAL**

**AFFIDAVIT MUST BE NOTARIZED**

Subscribed and sworn to before me this the  
5<sup>th</sup> day of February 2010.

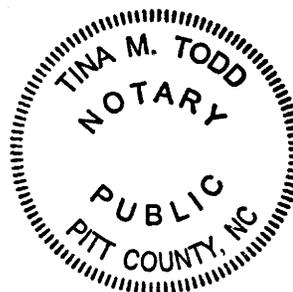
Tina M. Todd  
Signature of Notary Public

of Pitt County

State of North Carolina

My Commission Expires: 1/28/13

**NOTARY SEAL**



## 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**     **C202372**

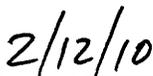
**County (ies):**    **Orange**

ACCEPTED BY THE  
DEPARTMENT OF TRANSPORTATION



---

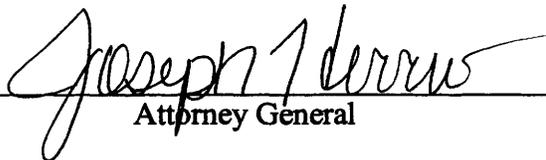
Contract Officer



---

Date

Execution of Contract and Bonds  
Approved as to Form:



---

Attorney General

Contract No. C202372  
County Orange

(Rev 7-10-08)

Bond No. 1923171

### CONTRACT PAYMENT BOND

Date of Payment Bond Execution February 1, 2010

Name of Principal Contractor Atwell Construction Co., Inc.

Name of Surety: The Hanover Insurance Company

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

Amount of Bond: One Million Two Hundred Thirty Four Thousand Dollars and 00/100 (\$1,234,000.00)

Contract ID No.: C202372

County Name: Orange

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. C202372  
County Orange

(Rev 7-10-08)

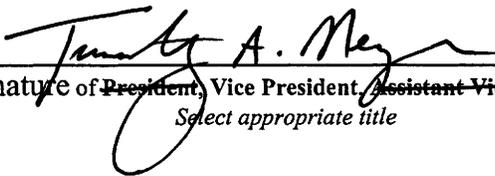
**CONTRACT PAYMENT BOND**

**CORPORATION**

SIGNATURE OF CONTRACTOR (Principal)

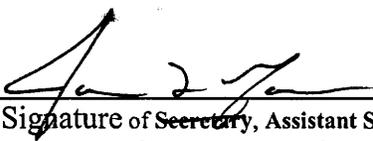
Atwell Construction Co., Inc.  
Full name of Corporation

305 Airport Road, Greenville, NC 27834  
Address as prequalified

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

Timothy A. Meyer  
Print or type Signer's name

*Affix Corporate Seal*

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

Jason L Moos  
Print or type Signer's name

Contract No. C202372  
County Orange

(Rev 7-10-08)

Bond No. 1923171

### CONTRACT PERFORMANCE BOND

Date of Performance Bond Execution: February 1, 2010

Name of Principal Contractor: Atwell Construction Co., Inc.

Name of Surety: The Hanover Insurance Company

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

Amount of Bond: One Million Two Hundred Thirty Four Thousand Dollars and 00/100 (\$1,234,000.00)

Contract ID No.: C202372

County Name: Orange

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. C202372  
County Orange

(Rev 7-10-08)

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

SIGNATURE OF CONTRACTOR (Principal)

Atwell Construction Co., Inc.  
Full name of Corporation

305 Airport Road, Greenville, NC 27834  
Address as prequalified

By Timothy A. Meyer  
Signature of ~~President, Vice President, Assistant Vice President~~  
*Select appropriate title*

Timothy A. Meyer  
Print or type Signer's name

*Affix Corporate Seal*

Attest [Signature]  
Signature of Secretary, Assistant Secretary  
*Select appropriate title*

Jason L Moos  
Print or type Signer's name

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

**Debra S. Ritter**

of Charlotte NC 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:  
Surety Bond Number: 1923171

Principal: Atwell Construction Co., Inc.

Obligee: North Carolina Department of Transportation

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 1st day of September, 2005.



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

*Richard M. Van Siesburgh*

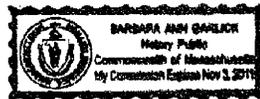
Richard M. Van Siesburgh, Vice President

*Paul F. Carleo*

Paul F. Carleo, Assistant Vice President

THE COMMONWEALTH OF MASSACHUSETTS )  
COUNTY OF WORCESTER ) ss.

On this 1st day of September, 2005, 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 1st day of February, 2010.

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

*Charles T. Welis*  
Charles T. Welis, Assistant Vice President