

J. T. Russell Sons, Inc. (3075).

Vendor 1 of 4 Vendors for Call Order 034 (Proposal ID C202531).

County: ROWAN
Address: 1721 US 52 North
Albemarle, NC 28001

Phone Number: 704-982-2225

Signature Check: This bid has been properly signed by atlas_james_russell_3075.

Time Bid Received: Tue Jan 19 10:56:09 2010

Bid Checksum: 65139E4B

MBE GOAL SET 5.0

Amendment Count: 0

Bidding Errors: No bidding errors ✓

MBE GOAL MET 7.4

Bid Total: \$3,634,050.69 ✓

Bond ID: SNC10757171

Bond was Verified: Yes.

Bond Required Percent: 5.00%

WBE GOAL SET 5.0

Minimum Check Amount: \$181,702.53

Bid Security Maximum: \$

Bond Agency Name:

WBE GOAL MET 8.6

Agency Execution Date: 1/11/2010 11:37:35 AM

Surety Name: Travelers Casualty and Surety Company of Ame

Surety State of Incorporation:

Bond Company:

Bond Type:

Bond Appr Flag:

Bond Affirm:

Bond was Paid by Check: No.

LIST OF MBE PARTICIPANTS

VENDOR NUMBER	DBE NAME ADDRESS	WORK CODE TYPE OF WORK	CERT TYPE AMOUNT	
2578 MB	HARGUS GRADING & TRUCKING 3987 BEACH ROAD , HUDSON, NC 28638		Sub 267,600.00	✓ am
			TOTAL: \$267,600.00	✓ am
			7.36%	

LIST OF WBE PARTICIPANTS

VENDOR NUMBER	DBE NAME ADDRESS	WORK CODE TYPE OF WORK	CERT TYPE AMOUNT	
2858 WB	ACS PAVEMENT MARKING, INC. POST OFFICE BOX 480155 , CHARLOTTE, NC 282695300		Sub 310,818.96	✓ am
			TOTAL: \$310,818.96	✓ am
			8.55%	

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:

NCDOT/berc

Vendor 3075's Load Output for Call 034, Letting L100119, 2010-01-19

BondID: SNC10757171

Surety Registry Agency: surety2000

Verified?: Yes

Surety Agency: Travelers Casualty and Surety Company of America

Bond Execution Date: 1/11/2010 11:37:35 AM

Bond Amount: \$181,702.53 (Five Percent of Bid)

State of NC
Dept of Transportation

Date: 12-22-09
Revised:

Contract ID: C202531 Project(s): STATE FUNDED
Letting Date: 01-19-10 Call Order: 034
Bidder: 3075 - J. T. Russell & Sons, Inc.

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			112,000.00
0002	0106000000-E BORROW EXCAVATION	CY	1,149.000	5.00000		5,745.00
0003	1220000000-E INCIDENTAL STONE BASE	TON	3,490.000	24.00000		83,760.00
0004	1245000000-E SHOULDER RECONSTRUCTION	SMI	57.450	3,100.00000		178,095.00
0005	1297000000-E MILLING ASPHALT PAVEMENT, ***"DEPTH (1-1/2")	SY	3,568.000	3.30000		11,774.40
0006	1308000000-E MILLING ASPHALT PAVEMENT, ***"TO *****" DEPTH (0" TO 1-1/2")	SY	18,363.000	2.35000		43,153.05
0007	1498000000-E ASPHALT CONC INTERMEDIATE COURSE, TYPE I19.0B	TON	435.000	44.12000		19,192.20
0008	1519000000-E ASPHALT CONC SURFACE COURSE, TYPE S9.5B	TON	22,320.000	36.40000		812,448.00
0009	1523000000-E ASPHALT CONC SURFACE COURSE, TYPE S9.5C	TON	24,576.000	33.53000		824,033.28
0010	1560000000-E ASPHALT BINDER FOR PLANT MIX, GRADE PG 64-22	TON	1,359.000	420.00000		570,780.00

State of NC
Dept of Transportation

Date: 12-22-09
Revised:

Contract ID: C202531 Project(s): STATE FUNDED
Letting Date: 01-19-10 Call Order: 034
Bidder: 3075 - J. T. Russell & Sons, Inc.

Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
0011	1565000000-E ASPHALT BINDER FOR PLANT MIX, GRADE PG 70-22	1,475.000 TON	420.00000		619,500.00	
0012	1704000000-E PATCHING EXISTING PAVEMENT	260.000 TON	75.00000		19,500.00	
0013	2815000000-N ADJUSTMENT OF DROP INLETS	1.000 EA	567.00000		567.00	
0014	2830000000-N ADJUSTMENT OF MANHOLES	17.000 EA	520.20000		8,843.40	
0015	2845000000-N ADJUSTMENT OF METER BOXES OR VALVE BOXES	18.000 EA	407.80000		7,340.40	
0016	4510000000-N LAW ENFORCEMENT	130.000 HR	50.00000		6,500.00	
0017	4685000000-E THERMOPLAST IC PAVEMENT MARKING LINES (4", 90 MILS)	333,227.000 LF	0.39000		129,958.53	
0018	4686000000-E THERMOPLAST IC PAVEMENT MARKING LINES (4", 120 MILS)	327,034.000 LF	0.42000		137,354.28	
0019	4695000000-E THERMOPLAST IC PAVEMENT MARKING LINES (8", 90 MILS)	1,525.000 LF	1.00000		1,525.00	
0020	4697000000-E THERMOPLAST IC PAVEMENT MARKING LINES (8", 120 MILS)	140.000 LF	1.00000		140.00	
0021	4705000000-E THERMOPLAST IC PAVEMENT MARKING LINES (16", 120 MILS)	150.000 LF	2.50000		375.00	
0022	4710000000-E THERMOPLAST IC PAVEMENT MARKING LINES (24", 120 MILS)	1,268.000 LF	5.00000		6,340.00	

State of NC
Dept of Transportation

Date: 12-22-09
Revised:

Contract ID: C202531 Project(s): STATE FUNDED
Letting Date: 01-19-10 Call Order: 034
Bidder: 3075 - J. T. Russell & Sons, Inc.

Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
0023	4721000000-E THERMOPLAST IC PAVEMENT MARKING CHARACTER (120 MILS)	52.000 EA	75.00000		3,900.00	
0024	4725000000-E THERMOPLAST IC PAVEMENT MARKING SYMBOL (90 MILS)	142.000 EA	50.00000		7,100.00	
0025	4810000000-E PAINT PAVEMENT MARKING LINES (4")	1,869.000 LF	0.35000		654.15	
0026	4905000000-N SNOWPLOWABLE PAVEMENT MARKERS	978.000 EA	24.00000		23,472.00	
Section 0001 Total					3,634,050.69	
Bid Total					3,634,050.69	✓

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
 MBE COMMITMENT ITEMS

DATE: 12-22-09
 PAGE: 6

PROPOSAL: C202531
 LETTING: L100119 CALL: 034
 VENDOR: 3075 J. T. Russell & Sons, Inc.

LINE NO.	ITEM NO.	ITEM DESC.	UNIT TYPE	SUBCONTRACTOR QUANTITY	SUBCONTRACTOR UNIT PRICE	EXTENDED AMOUNT
MBE SUBCONTRACTOR: 2578 HARGUS GRADING & TRUCKING						
Will Use Quote: Yes						
0002	0106000000-E	BORROW EXCAV	CY	1149.000	5.00000	5745.00
0003	1220000000-E	INCIDENTAL S	TON	3490.000	24.00000	83760.00
0004	1245000000-E	SHOULDER REC	SMI	57.450	3100.00000	178095.00

MBE COMMITMENT TOTAL FOR SUBCONTRACTOR: 267,600.00 ✓ am

TOTAL MBE COMMITMENT FOR VENDOR: Entered: 7.36% or 267600.00 ✓ am
 Required: 5.00% or 181702.53
 <GOAL MET>

NORTH CAROLINA STATE DEPARTMENT OF TRANSPORTATION
 WBE COMMITMENT ITEMS

DATE: 12-22-09
 PAGE: 7

PROPOSAL: C202531
 LETTING: L100119 CALL: 034
 VENDOR: 3075 J. T. Russell & Sons, Inc.

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

WBE SUBCONTRACTOR: 2858 ACS PAVEMENT MARKING, INC.						
Will Use Quote: Yes						
0017	4685000000-E	THERMO PVT M LF		333227.000	0.39000	129958.53
0018	4686000000-E	THERMO PVT M LF		327034.000	0.42000	137354.28
0019	4695000000-E	THERMO PVT M LF		1525.000	1.00000	1525.00
0020	4697000000-E	THERMO PVT M LF		140.000	1.00000	140.00
0021	4705000000-E	THERMO LINES LF		150.000	2.50000	375.00
0022	4710000000-E	24"WIDE THER LF		1268.000	5.00000	6340.00
0023	4721000000-E	THERMO PVT M EA		52.000	75.00000	3900.00
0024	4725000000-E	THERMO PVT S EA		142.000	50.00000	7100.00
0025	4810000000-E	PAINT PVMT M LF		1869.000	0.35000	654.15
0026	4905000000-N	SNOWPLB PVMT EA		978.000	24.00000	23472.00

WBE COMMITMENT TOTAL FOR SUBCONTRACTOR: 310,818.96 ✓ arm

TOTAL WBE COMMITMENT FOR VENDOR: Entered: 8.55% or 310818.96 ✓ arm
 Required: 5.00% or 181702.53
 <GOAL MET>

Contract Item Sheets For C202531

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
ROADWAY ITEMS						
0001	0000100000-N	800	MOBILIZATION	Lump Sum LS	112,000.00	112,000.00
0002	0106000000-E	230	BORROW EXCAVATION	1,149 CY	5.00	5,745.00
0003	1220000000-E	545	INCIDENTAL STONE BASE	3,490 TON	24.00	83,760.00
0004	1245000000-E	SP	SHOULDER RECONSTRUCTION	57.45 SMI	3,100.00	178,095.00
0005	1297000000-E	607	MILLING ASPHALT PAVEMENT, **** DEPTH (1-1/2")	3,568 SY	3.30	11,774.40
0006	1308000000-E	607	MILLING ASPHALT PAVEMENT, **** TO ***** DEPTH (0" TO 1-1/2")	18,363 SY	2.35	43,153.05
0007	1498000000-E	610	ASPHALT CONC INTERMEDIATE COURSE, TYPE I19.0B	435 TON	44.12	19,192.20
0008	1519000000-E	610	ASPHALT CONC SURFACE COURSE, TYPE S9.5B	22,320 TON	36.40	812,448.00
0009	1523000000-E	610	ASPHALT CONC SURFACE COURSE, TYPE S9.5C	24,576 TON	33.53	824,033.28
0010	1560000000-E	620	ASPHALT BINDER FOR PLANT MIX, GRADE PG 64-22	1,359 TON	420.00	570,780.00
0011	1565000000-E	620	ASPHALT BINDER FOR PLANT MIX, GRADE PG 70-22	1,475 TON	420.00	619,500.00
0012	1704000000-E	SP	PATCHING EXISTING PAVEMENT	260 TON	75.00	19,500.00
0013	2815000000-N	858	ADJUSTMENT OF DROP INLETS	1 EA	567.00	567.00
0014	2830000000-N	858	ADJUSTMENT OF MANHOLES	17 EA	520.20	8,843.40
0015	2845000000-N	858	ADJUSTMENT OF METER BOXES OR VALVE BOXES	18 EA	407.80	7,340.40
0016	4510000000-N	SP	LAW ENFORCEMENT	130 HR	50.00	6,500.00
0017	4685000000-E	1205	THERMOPLASTIC PAVEMENT MARKING LINES (4", 90 MILS)	333,227 LF	0.39	129,958.53
0018	4686000000-E	1205	THERMOPLASTIC PAVEMENT MARKING LINES (4", 120 MILS)	327,034 LF	0.42	137,354.28

Contract Item Sheets For C202531

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
0019	4695000000-E	1205	THERMOPLASTIC PAVEMENT MARKING LINES (8", 90 MILS)	1,525 LF	1.00	1,525.00
0020	4697000000-E	1205	THERMOPLASTIC PAVEMENT MARKING LINES (8", 120 MILS)	140 LF	1.00	140.00
0021	4705000000-E	1205	THERMOPLASTIC PAVEMENT MARKING LINES (16", 120 MILS)	150 LF	2.50	375.00
0022	4710000000-E	1205	THERMOPLASTIC PAVEMENT MARKING LINES (24", 120 MILS)	1,268 LF	5.00	6,340.00
0023	4721000000-E	1205	THERMOPLASTIC PAVEMENT MARKING CHARACTER (120 MILS)	52 EA	75.00	3,900.00
0024	4725000000-E	1205	THERMOPLASTIC PAVEMENT MARKING SYMBOL (90 MILS)	142 EA	50.00	7,100.00
0025	4810000000-E	1205	PAINT PAVEMENT MARKING LINES (4")	1,869 LF	0.35	654.15
0026	4905000000-N	1253	SNOWPLOWABLE PAVEMENT MARKERS	978 EA	24.00	23,472.00

TOTAL AMOUNT OF BID FOR ENTIRE PROJECT

\$3,634,050.69 ✓

**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

J. T. Russell & Sons, Inc.

Full name of Corporation

1721 US 52 North, Albemarle, NC 28001

Address as Prequalified

Attest J. J. Russell Jr
~~Secretary/Assistant Secretary~~
Select appropriate title

By R. E. Russell
~~President/Vice President/Assistant Vice President~~
Select appropriate title

J. T. Russell, Jr
Print or type Signer's name

R. E. Russell
Print or type Signer's name

CORPORATE SEAL

AFFIDAVIT MUST BE NOTARIZED

NOTARY SEAL

Subscribed and sworn to before me this the
21st day of January 2010.

Julie C. Plyler
Signature of Notary Public

of Stanly County

State of NC

My Commission Expires: May 21, 2011

DEBARMENT CERTIFICATION OF CONTRACTOR

Conditions for certification:

1. The Contractor shall provide immediate written notice to the Department if at any time the Contractor learns that his certification was erroneous when he submitted his debarment certification or explanation that is on file with the Department, or has become erroneous because of changed circumstances.
2. The terms *covered transaction, debarred, suspended, ineligible, lower tier covered transaction, participant, person, primary covered transaction, principal, proposal, and voluntarily excluded*, as used in this provision, have the meanings set out in the Definitions and Coverage sections of the rules implementing Executive Order 12549. A copy of the Federal Rules requiring this certification and detailing the definitions and coverages may be obtained from the Contract Officer of the Department.
3. The Contractor agrees by submitting this form, that he will not knowingly enter into any lower tier covered transaction with a person who is debarred, suspended, declared ineligible, or voluntarily excluded from participation in NCDOT contracts, unless authorized by the Department.
4. For Federal Aid projects, the Contractor further agrees that by submitting this form he will include the Federal-Aid Provision titled *Required Contract Provisions Federal-Aid Construction Contract (Form FHWA PR 1273)* provided by the Department, without subsequent modification, in all lower tier covered transactions.
5. The Contractor may rely upon a certification of a participant in a lower tier covered transaction that he is not debarred, suspended, ineligible, or voluntarily excluded from the covered transaction, unless he knows that the certification is erroneous. The Contractor may decide the method and frequency by which he will determine the eligibility of his subcontractors.
6. Nothing contained in the foregoing shall be construed to require establishment of a system of records in order to render in good faith the certification required by this provision. The knowledge and information of a participant is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.
7. Except as authorized in paragraph 3 herein, the Department may terminate any contract if the Contractor knowingly enters into a lower tier covered transaction with a person who is suspended, debarred, ineligible, or voluntarily excluded from participation in this transaction, in addition to other remedies available by the Federal Government.

DEBARMENT CERTIFICATION

The Contractor certifies to the best of his knowledge and belief, that he and his principals:

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

If the Contractor cannot certify that he is not debarred, he shall provide an explanation with this submittal. An explanation will not necessarily result in denial of participation in a contract.

Failure to submit a non-collusion affidavit and debarment certification will result in the Contractor's bid being considered non-responsive.

Check here if an explanation is attached to this certification.

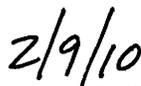
Contract No **C202531**

County (ies): **Rowan**

ACCEPTED BY THE
DEPARTMENT OF TRANSPORTATION

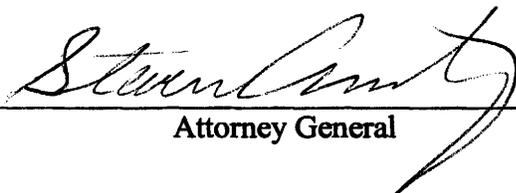


Contract Officer



Date

Execution of Contract and Bonds
Approved as to Form:



Attorney General

Contract No. C202531
County Rowan

(Rev 7-10-08)

CONTRACT PAYMENT BOND

Date of Payment Bond Execution February 1, 2010

Name of Principal Contractor J.T. Russell & Sons, Inc.

Name of Surety: Travelers Casualty and Surety Company of America

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

Amount of Bond: \$3,634,050.69

Contract ID No.: C202531

County Name: Rowan

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. C202531
County Rowan

(Rev 7-10-08)

CONTRACT PAYMENT BOND

Affix Seal of Surety Company

Travelers Casualty and Surety Company of America

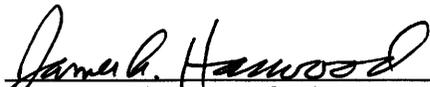
Print or type Surety Company Name

By Paul T. Childress

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



Signature of Attorney-in-Fact


Signature of Witness

James A. Harwood

Print or type Witness's name

173 N Second Street, Albemarle, NC 28001

Address of Attorney-in-Fact

Contract No. C202531
County Rowan

(Rev 7-10-08)

CONTRACT PAYMENT BOND

CORPORATION

SIGNATURE OF CONTRACTOR (Principal)

J.T. Russell & Sons, Inc.

Full name of Corporation

1721 US 52 Highway N., Albemarle, NC 28001

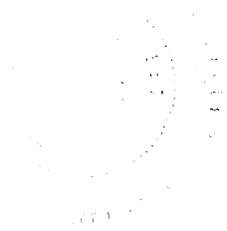
Address as prequalified

By Robert E. Russell
Signature of President, ~~Vice President~~, ~~Assistant Vice President~~
Select appropriate title

Robert E. Russell

Print or type Signer's name

Affix Corporate Seal



Attest J. J. Russell Jr.
Signature of Secretary, ~~Assistant Secretary~~
Select appropriate title

J.T. Russell, Jr.

Print or type Signer's name



POWER OF ATTORNEY

Farmington Casualty Company
Fidelity and Guaranty Insurance Company
Fidelity and Guaranty Insurance Underwriters, Inc.
Seaboard Surety Company
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. 214516

Certificate No. 002772491

KNOW ALL MEN BY THESE PRESENTS: That Seaboard Surety Company is a corporation duly organized under the laws of the State of New York, 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

James A. Harwood, Brinn K. Timberlake, N. Anthony Lowder, and Paul T. Childress

of the City of Albemarle, 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 21st day of February, 2006

Farmington Casualty Company
Fidelity and Guaranty Insurance Company
Fidelity and Guaranty Insurance Underwriters, Inc.
Seaboard Surety Company
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 21st day of February, 2006, 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., Seaboard Surety Company, 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., Seaboard Surety Company, 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., Seaboard Surety Company, 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 1ST day of FEBRUARY, 20 10.

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.

Contract No. C202531
County Rowan

(Rev 7-10-08)

CONTRACT PERFORMANCE BOND

Date of Performance Bond Execution: February 1, 2010

Name of Principal Contractor: J.T. Russell & Sons, Inc.

Name of Surety: Travelers Casualty and Surety Company of America

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

Amount of Bond: \$3,634,050.69

Contract ID No.: C202531

County Name: Rowan

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. C202531
County Rowan

(Rev 7-10-08)

CONTRACT PERFORMANCE BOND

Affix Seal of Surety Company

Travelers Casualty and Surety Company of America

Print or type Surety Company Name

By Paul T. Childress

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

Paul T. Childress

Signature of Attorney-in-Fact

James A. Harwood

Signature of Witness

James A. Harwood

Print or type Witness's name

173 N. Second Street, Albemarle, NC 28001

Address of Attorney-in-Fact

Contract No. C202531
County Rowan

(Rev 7-10-08)

CONTRACT PERFORMANCE BOND

CORPORATION

SIGNATURE OF CONTRACTOR (Principal)

J.T. Russell & Sons, Inc.

Full name of Corporation

1721 US 52 Highway N., Albemarle, NC 28001

Address as prequalified

By Robert E. Russell
Signature of President, ~~Vice President, Assistant Vice President~~
Select appropriate title

Robert E. Russell

Print or type Signer's name

Affix Corporate Seal

Attest J. T. Russell Jr
Signature of Secretary, ~~Assistant Secretary~~
Select appropriate title

J.T. Russell, Jr.

Print or type Signer's name



POWER OF ATTORNEY

Farmington Casualty Company
Fidelity and Guaranty Insurance Company
Fidelity and Guaranty Insurance Underwriters, Inc.
Seaboard Surety Company
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. 214516

Certificate No. 002772489

KNOW ALL MEN BY THESE PRESENTS: That Seaboard Surety Company is a corporation duly organized under the laws of the State of New York, 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

James A. Harwood, Brinn K. Timberlake, N. Anthony Lowder, and Paul T. Childress

of the City of Albemarle, 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 21st day of February, 2006.

Farmington Casualty Company
Fidelity and Guaranty Insurance Company
Fidelity and Guaranty Insurance Underwriters, Inc.
Seaboard Surety Company
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 21st day of February, 2006, 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., Seaboard Surety Company, 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., Seaboard Surety Company, 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

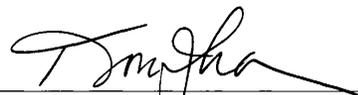
FURTHER RESOLVED, that any bond, recognizance, contract of indemnity, or writing obligatory in the nature of a bond, recognizance, or conditional undertaking shall be valid and binding upon the Company when (a) signed by the President, any Vice Chairman, any Executive Vice President, any Senior Vice 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., Seaboard Surety Company, 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 1ST day of FEBRUARY, 20 10.

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.