

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

C202517

CONTRACT AND
CONTRACT BONDS

FOR CONTRACT NO. C202517

WBS 10CR.10901.20 STATE FUNDED

COUNTY OF UNION
THIS IS THE ROADWAY CONTRACT
ROUTE NUMBER NC 205 LENGTH 5.320 MILES
LOCATION NC-205 FROM SR-1006 (OLIVE BRANCH RD) TO US-74.

CONTRACTOR BOGGS PAVING, INC.
ADDRESS P.O. BOX 1609
MONROE, NC 28111

BIDS OPENED FEBRUARY 16, 2010
CONTRACT EXECUTION MAR 22 2010

Boggs Paving, Inc. (3186).

Vendor 2 of 4 Vendors for Call Order 018 (Proposal ID C202517).

County: UNION
Address: P.O. Box 1609
Monroe, NC 28111

Phone Number: 7042898482

Signature Check: This bid has been properly signed by Greg_D._Miller_3186.

Time Bid Received: Tue Feb 16 13:08:10 2010

Bid Checksum: 52610ED5

MBE GOAL SET 5.0

Amendment Count: 0

Bidding Errors: No bidding errors.

MBE GOAL MET 5.0

Bid Total: \$1,080,768.00 ✓

Bond ID: SNC10193614

WBE GOAL SET 5.0

Bond was Verified: Yes.

Bond Required Percent: 5.00%

WBE GOAL MET 5.0

Minimum Check Amount: \$54,038.40

Bid Security Maximum: \$

Bond Agency Name:

Agency Execution Date: 2/12/2010 10:35:52 AM

Surety Name: Safeco Insurance Company America

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	
2840 MB	STYX CUTHBERTSON TRUCKING POST OFFICE BOX 53 , MONROE, NC 28111		Sub 54,300.00	✓ arm
			TOTAL: \$54,300.00	✓ arm
			5.02%	

LIST OF WBE PARTICIPANTS

VENDOR NUMBER	DBE NAME ADDRESS	WORK CODE TYPE OF WORK	CERT TYPE AMOUNT	
5266 WB	NORTH STATE ENVIRONMENTAL, INC 2889 LOWERY ST SUITE B , WINSTON-SALEM, NC 27101		Sub 1,360.80	✓ arm
3765 WB	STAY ALERT SAFETY SERVICES INC POST OFFICE BOX 467 , KERNERSVILLE, NC 27285		Sub 3,250.00	✓ arm
3269 WB	GML CONTRACTORS, INC. P O BOX 702 , MONROE, NC 28111		Sub 6,900.00	✓ arm
5634 WB	H L HENRY TRUCKING LLC 2034 HIGH ROCK CRUSHER RD , POLKTON, NC 28135		Sub 42,810.00	✓ arm
			TOTAL: \$54,320.80	✓ arm
			5.03%	

Miscellaneous Data Info - Contractor Responses:

=====

NON-COLLUSION AND DEBARMENT CERTIFICATION

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

Explanation:
 NOT ANSWERED
 NOT ANSWERED
 NOT ANSWERED
 NOT ANSWERED

AWARD LIMITS ON MULTIPLE PROJECTS

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

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

The Award Limits shall apply to the following projects:

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

NCDOT/berc

Vendor 3186's Load Output for Call 018, Letting L100216, 2010-02-16

NOT ANSWERED

Bid Bond Data Info - Contractor Responses:

=====

BondID: SNC10193614
Surety Registry Agency: surety2000
Verified?: Yes
Surety Agency: Safeco Insurance Company America
Bond Execution Date: 2/12/2010 10:35:52 AM
Bond Amount: \$54,038.40 (Five Percent of Bid)

State of NC
Dept of Transportation

Date: 01-20-10
Revised:

Contract ID: C202517 Project(s): STATE FUNDED
Letting Date: 02-16-10 Call Order: 018
Bidder: 3186 - Boggs Paving, 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		47,500.00	
0002	0106000000-E BORROW EXCAVATION	CY	188.000	15.00000	2,820.00	
0003	1110000000-E STABILIZER AGGREGATE	TON	375.000	5.00000	1,875.00	
0004	1220000000-E INCIDENTAL STONE BASE	TON	324.000	31.00000	10,044.00	
0005	1245000000-E SHOULDER RECONSTRUCTION	SMI	9.400	1,900.00000	17,860.00	
0006	1297000000-E MILLING ASPHALT PAVEMENT, ***"DEPTH (1-1/2")	SY	9,890.000	1.00000	9,890.00	
0007	1330000000-E INCIDENTAL MILLING	SY	41.000	6.00000	246.00	
0008	1503000000-E ASPHALT CONC INTERMEDIATE COURSE, TYPE I19.0C	TON	9,050.000	27.00000	244,350.00	
0009	1523000000-E ASPHALT CONC SURFACE COURSE, TYPE S9.5C	TON	6,385.000	28.00000	178,780.00	
0010	1524000000-E ASPHALT CONC SURFACE COURSE, TYPE S9.5C (LEVELING COURSE)	TON	221.000	28.50000	6,298.50	

State of NC
Dept of Transportation

Date: 01-20-10
Revised:

Contract ID: C202517 Project(s): STATE FUNDED
Letting Date: 02-16-10 Call Order: 018
Bidder: 3186 - Boggs Paving, Inc.

Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
0011	1560000000-E ASPHALT BINDER FOR PLANT MIX, GRADE PG 64-22	425.000 TON	455.00000		193,375.00	
0012	1565000000-E ASPHALT BINDER FOR PLANT MIX, GRADE PG 70-22	397.000 TON	455.00000		180,635.00	
0013	1704000000-E PATCHING EXISTING PAVEMENT	1,871.000 TON	70.00000		130,970.00	
0014	2830000000-N ADJUSTMENT OF MANHOLES	1.000 EA	350.00000		350.00	
0015	2845000000-N ADJUSTMENT OF METER BOXES OR VALVE BOXES	1.000 EA	350.00000		350.00	
0016	4685000000-E THERMOPLAST IC PAVEMENT MARKING LINES (4", 90 MILS)	49,600.000 LF	0.30000		14,880.00	
0017	4686000000-E THERMOPLAST IC PAVEMENT MARKING LINES (4", 120 MILS)	51,660.000 LF	0.37000		19,114.20	
0018	4702000000-E THERMOPLAST IC PAVEMENT MARKING LINES (12", 120 MILS)	280.000 LF	1.00000		280.00	
0019	4705000000-E THERMOPLAST IC PAVEMENT MARKING LINES (16", 120 MILS)	100.000 LF	1.50000		150.00	
0020	4710000000-E THERMOPLAST IC PAVEMENT MARKING LINES (24", 120 MILS)	265.000 LF	2.00000		530.00	
0021	4721000000-E THERMOPLAST IC PAVEMENT MARKING CHARACTER (120 MILS)	6.000 EA	75.00000		450.00	

State of NC
Dept of Transportation

Date: 01-20-10
Revised:

Contract ID: C202517 Project(s): STATE FUNDED
Letting Date: 02-16-10 Call Order: 018
Bidder: 3186 - Boggs Paving, Inc.

Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
0022	4810000000-E PAINT PAVEMENT MARKING LINES (4")	95,450.000 LF	0.07000		6,681.50	
0023	4900000000-N PERMANENT RAISED PAVEMENT MARKERS	382.000 EA	4.00000		1,528.00	
0024	6000000000-E TEMPORARY SILT FENCE	720.000 LF	1.89000		1,360.80	
0025	6009000000-E STONE FOR EROSION CONTROL, CLASS B	94.000 TON	25.00000		2,350.00	
0026	6012000000-E SEDIMENT CONTROL STONE	48.000 TON	25.00000		1,200.00	
0027	6084000000-E SEEDING & MULCHING	4.600 ACR	1,500.00000		6,900.00	
Section 0001 Total						1,080,768.00
Bid Total						1,080,768.00

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

NORTH CAROLINA STATE DEPARTMENT OF TRANSPORTATION
 WBE COMMITMENT ITEMS

DATE: 01-20-10
 PAGE: 7

PROPOSAL: C202517
 LETTING: L100216 CALL: 018
 VENDOR: 3186 Boggs Paving, Inc.

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

WBE SUBCONTRACTOR: 5266 NORTH STATE ENVIRONMENTAL, INC
 Will Use Quote: Yes

0024 6000000000-E TEMPORARY SI LF 720.000 1.89000 1360.80

WBE COMMITMENT TOTAL FOR SUBCONTRACTOR: 1,360.80 ✓ am

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

0001 0000100000-N MOBILIZATION LS 1.000 3250.00000 3250.00
 stationary construction signs only

WBE COMMITMENT TOTAL FOR SUBCONTRACTOR: 3,250.00 ✓ am

WBE SUBCONTRACTOR: 3269 GML CONTRACTORS, INC.
 Will Use Quote: Yes

0027 6084000000-E SEEDING AND ACR 4.600 1500.00000 6900.00

WBE COMMITMENT TOTAL FOR SUBCONTRACTOR: 6,900.00 ✓ am

WBE SUBCONTRACTOR: 5634 H L HENRY TRUCKING LLC
 Will Use Quote: Yes

0009 1523000000-E ASP CONC SUR TON 6385.000 6.00000 38310.00
 hauling aggregates from quarry to plant
 0013 1704000000-E PATCHING EXI TON 750.000 6.00000 4500.00
 hauling aggregates from quarry to plant

WBE COMMITMENT TOTAL FOR SUBCONTRACTOR: 42,810.00 ✓ am

TOTAL WBE COMMITMENT FOR VENDOR: Entered: 5.03% or 54320.80 ✓ am
 Required: 5.00% or 54038.40
 <GOAL MET>

Contract Item Sheets For C202517

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
ROADWAY ITEMS						
0001	0000100000-N	800	MOBILIZATION	Lump Sum LS	47,500.00	47,500.00
0002	0106000000-E	230	BORROW EXCAVATION	188 CY	15.00	2,820.00
0003	1110000000-E	510	STABILIZER AGGREGATE	375 TON	5.00	1,875.00
0004	1220000000-E	545	INCIDENTAL STONE BASE	324 TON	31.00	10,044.00
0005	1245000000-E	SP	SHOULDER RECONSTRUCTION	9.4 SMI	1,900.00	17,860.00
0006	1297000000-E	607	MILLING ASPHALT PAVEMENT, **** DEPTH (1-1/2")	9,890 SY	1.00	9,890.00
0007	1330000000-E	607	INCIDENTAL MILLING	41 SY	6.00	246.00
0008	1503000000-E	610	ASPHALT CONC INTERMEDIATE COURSE, TYPE I19.0C	9,050 TON	27.00	244,350.00
0009	1523000000-E	610	ASPHALT CONC SURFACE COURSE, TYPE S9.5C	6,385 TON	28.00	178,780.00
0010	1524000000-E	SP	ASPHALT CONC SURFACE COURSE, TYPE S9.5C (LEVELING COURSE)	221 TON	28.50	6,298.50
0011	1560000000-E	620	ASPHALT BINDER FOR PLANT MIX, GRADE PG 64-22	425 TON	455.00	193,375.00
0012	1565000000-E	620	ASPHALT BINDER FOR PLANT MIX, GRADE PG 70-22	397 TON	455.00	180,635.00
0013	1704000000-E	SP	PATCHING EXISTING PAVEMENT	1,871 TON	70.00	130,970.00
0014	2830000000-N	858	ADJUSTMENT OF MANHOLES	1 EA	350.00	350.00
0015	2845000000-N	858	ADJUSTMENT OF METER BOXES OR VALVE BOXES	1 EA	350.00	350.00
0016	4685000000-E	1205	THERMOPLASTIC PAVEMENT MARKING LINES (4", 90 MILS)	49,600 LF	0.30	14,880.00
0017	4686000000-E	1205	THERMOPLASTIC PAVEMENT MARKING LINES (4", 120 MILS)	51,660 LF	0.37	19,114.20
0018	4702000000-E	1205	THERMOPLASTIC PAVEMENT MARKING LINES (12", 120 MILS)	280 LF	1.00	280.00

Contract Item Sheets For C202517

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
0019	4705000000-E	1205	THERMOPLASTIC PAVEMENT MARKING LINES (16", 120 MILS)	100 LF	1.50	150.00
0020	4710000000-E	1205	THERMOPLASTIC PAVEMENT MARKING LINES (24", 120 MILS)	265 LF	2.00	530.00
0021	4721000000-E	1205	THERMOPLASTIC PAVEMENT MARKING CHARACTER (120 MILS)	6 EA	75.00	450.00
0022	4810000000-E	1205	PAINT PAVEMENT MARKING LINES (4")	95,450 LF	0.07	6,681.50
0023	4900000000-N	1251	PERMANENT RAISED PAVEMENT MARKERS	382 EA	4.00	1,528.00
0024	6000000000-E	1605	TEMPORARY SILT FENCE	720 LF	1.89	1,360.80
0025	6009000000-E	1610	STONE FOR EROSION CONTROL, CLASS B	94 TON	25.00	2,350.00
0026	6012000000-E	1610	SEDIMENT CONTROL STONE	48 TON	25.00	1,200.00
0027	6084000000-E	1660	SEEDING & MULCHING	4.6 ACR	1,500.00	6,900.00
TOTAL AMOUNT OF BID FOR ENTIRE PROJECT						\$1,080,768.00

Contract Number C202517
County UNION

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.

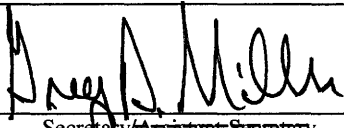
By submitting this Execution of Contract, Non-Collusion affidavit and Debarment Certification, the Contractor is certifying his status under penalty of perjury under the laws of the United States in accordance with the Debarment Certification attached, provided that the Debarment Certification also includes any required statements concerning exceptions that are applicable.

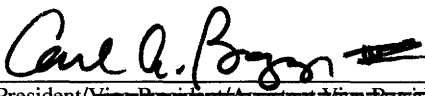
N.C.G.S. § 133-32 and Executive Order 24 prohibit the offer to, or acceptance by, any State Employee of any gift from anyone with a contract with the State, or from any person seeking to do business with the State. By execution of any response in this procurement, you attest, for your entire organization 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

BOGGS PAVING, INC.
Full name of Corporation

PO BOX 1609, MONROE, NC 28111-1609
Address as Prequalified

Attest 
Secretary/Assistant Secretary
Select appropriate title

By 
President/Vice President/Assistant Vice President
Select appropriate title


GREG D. MILLER
Print or type Signer's name

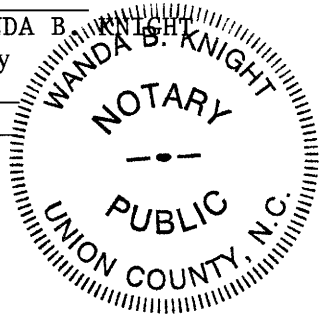
CARL A. BOGGS, III
Print or type Signer's name

CORPORATE SEAL

AFFIDAVIT MUST BE NOTARIZED

Subscribed and sworn to before me this the
15TH day of MARCH 20 10


Signature of Notary Public WANDA B. KNIGHT
of UNION County
State of NORTH CAROLINA
My Commission Expires: 12/21/2011



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 C202517

County (ies): Union

ACCEPTED BY THE
DEPARTMENT OF TRANSPORTATION

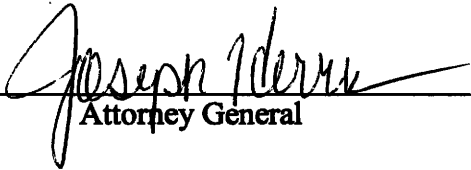


Contract Officer

3/22/10

Date

Execution of Contract and Bonds
Approved as to Form:



Attorney General

Contract No. C202517 WBS 10CR.10901.20
County Union County

Rev 2-1-10

Bond No. 6697041

CONTRACT PAYMENT BOND

Date of Payment Bond Execution February 23, 2010

Name of Principal Contractor Boggs Paving, Inc.

Name of Surety: Safeco Insurance Company of America

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

Amount of Bond: One Million Eighty Thousand Seven
Hundred Sixty Eight Dollars and 00/100 (\$1,080,768.00)

Contract ID No.: C202517 WBS 10CR.10901.20

County Name: Union County

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. C202517 WBS 10CR.10901.20
County Union County

Rev 2-1-10


CONTRACT PAYMENT BOND

CORPORATION

SIGNATURE OF CONTRACTOR (Principal)

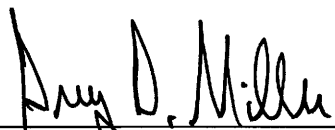
Boggs Paving, Inc.
Full name of Corporation

PO Box 1609, Monroe, NC 28111-1609
Address as prequalified

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

CARL A. BOGGS, III
Print or type Signer's name

Affix Corporate Seal

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

GREG D. MILLER
Print or type Signer's name

Contract No. C202517 WBS 10CR.10901.20
County Union County

Rev 2-1-10

Bond No. 6697041

CONTRACT PERFORMANCE BOND

Date of Performance Bond Execution: February 23, 2010

Name of Principal Contractor: Boggs Paving, Inc.

Name of Surety: Safeco Insurance Company of America

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

Amount of Bond: One Million Eighty Thousand Seven Hundred Sixty Eight Dollars and 00/100 (\$1,080,768.00)

Contract ID No.: C202517 WBS 10CR.10901.20

County Name: Union County

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

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

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

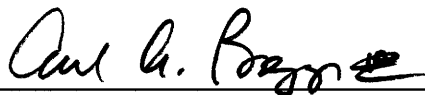
IN WITNESS WHEREOF, the above-bound parties have executed this instrument under their several seals on the date indicated above, the name and corporate seal of each corporate party being hereto affixed and these presents duly signed by its undersigned representative, pursuant to authority of its governing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

CONTRACT PERFORMANCE BOND
CORPORATION

SIGNATURE OF CONTRACTOR (Principal)

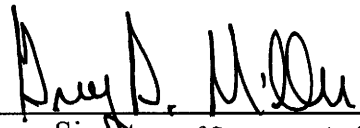
Boggs Paving, Inc.
Full name of Corporation

PO Box 1609, Monroe, NC 28111-1609
Address as prequalified

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

CARL A. BOGGS, III
Print or type Signer's name

Affix Corporate Seal

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

GREG D. MILLER
Print or type Signer's name

POWER
OF ATTORNEY

No. _____

KNOW ALL BY THESE PRESENTS:

That **SAFECO INSURANCE COMPANY OF AMERICA** and **GENERAL INSURANCE COMPANY OF AMERICA**, each a Washington corporation, does each hereby appoint

Cynthia M. Partin Columbia, SC

its true and lawful attorney(s)-in-fact, with full authority to execute on its behalf the following surety bond:

Surety Bond Number: 6697041
Principal: Boggs Paving, Inc.
Obligee: North Carolina Department of Transportation
Amount of Bond: See Bond Form

IN WITNESS WHEREOF, **SAFECO INSURANCE COMPANY OF AMERICA** and **GENERAL INSURANCE COMPANY OF AMERICA** has executed and attested these presents

this 23rd day of February, 2010

Dexter R. Legg, Secretary

Timothy A. Mikolajewski, Vice President

CERTIFICATE

Extract from the By-Laws of **SAFECO INSURANCE COMPANY OF AMERICA** and **GENERAL INSURANCE COMPANY OF AMERICA**:

"Article 8, Section 8.1 1. - FIDELITY AND SURETY BONDS . . . the President, any Vice President, the Secretary, and any Assistant Vice President appointed for that purpose by the officer in charge of surety operations, shall each have authority to appoint individuals as attorneys-in-fact or under other appropriate titles with authority to execute on behalf of the corporation fidelity and surety bonds and other documents of similar character issued by the corporation in the course of its business . . . On any instrument making or evidencing such appointment, the signatures may be affixed by facsimile. On any instrument conferring such authority or on any bond or undertaking of the corporation, the seal, or a facsimile thereof, may be impressed or affixed or in any other manner reproduced; provided, however, that the seal shall not be necessary to the validity of any such instrument or undertaking."

I, Dexter R. Legg, Secretary of **SAFECO INSURANCE COMPANY OF AMERICA** and **GENERAL INSURANCE COMPANY OF AMERICA**, do hereby certify that the foregoing extracts of the By-Laws of this corporation, and of a Power of Attorney issued pursuant thereto, are true and correct, and that both the By-Laws and the Power of Attorney are still in full force and effect.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the facsimile seal of said corporation

this 23rd day of February, 2010



Dexter R. Legg, Secretary

AWARD LIMITS ON MULTIPLE PROJECTS

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

A bidder who desires to bid on more than one project on which bids are to be opened on the same date, and who also desires to avoid receiving an award of more projects than he is equipped to handle, may bid on any number of projects but may limit the total amount of work awarded to him on selected projects by completing the AWARD LIMITS ON MULTIPLE PROJECTS.

The Award Limits on Multiple Projects must be filled in on each project bid for which the Bidder desires protection.

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

The Award Limits shall apply to the following projects:

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

It is agreed that if I am (we are) the low Bidder(s) on indicated projects, the total value of which is more than the above stipulated award limits, the Board of Transportation will award me (us) projects from among those indicated that have a total value not to exceed the award limit and will result in the lowest total bids to the Department of Transportation.