

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

C202570

CONTRACT AND
CONTRACT BONDS

FOR CONTRACT NO. C202570

WBS 45108.3.ST1 STM-0141(5)

T.I.P NO. R-5161

COUNTY OF CHEROKEE

THIS IS THE ROADWAY CONTRACT

ROUTE NUMBER NC 141 LENGTH 8.110 MILES

LOCATION NC-141 FROM PVMT CHANGE SOUTH OF US-64 ALT TO US-74.

CONTRACTOR COLDITZ TRUCKING INC.

ADDRESS 1343 BILL DONALDSON RD
BLAIRSVILLE, GA 305124038

BIDS OPENED MARCH 16, 2010

CONTRACT EXECUTION APR 13 2010

Colditz Trucking, Inc (3444).**Vendor 1 of 4 Vendors for Call Order 018 (Proposal ID C202570).**

County: CHEROKEE
Address: 191 Bill Donaldson Circle
Blairsville, Georgia 30512
Phone Number: 7067456247
Signature Check: This bid has been properly signed by Teresa_Colditz_3444.
Time Bid Received: Tue Mar 16 13:54:30 2010
Bid Checksum: D3F367BA DBE GOAL SET 6.0
Amendment Count: 0
Bidding Errors: No bidding errors DBE GOAL MET 6.6
Bid Total: \$5,024,960.97 ✓
Bond ID: SNC10658130
Bond was Verified: Yes.
Bond Required Percent: 5.00%
Minimum Check Amount: \$251,248.05
Bid Security Maximum: \$
Bond Agency Name:
Agency Execution Date: 3/1/2010 10:45:11 AM
Surety Name: The Guarantee Company of North America USA
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	
5328 MB	JIMENEZ CONSTRUCTION INCORPORAT 3738 OTTINGTON PLACE , CHARLOTTE, NC 28262		Sub 14,415.00	✓ arm
2920 WB	THE SHARON COMPANY INC POST OFFICE BOX 1366 , LEXINGTON, SC 29071		Sub 40,622.00	✓ arm
5796 WB	A-1 PAVEMENT MARKING LLC 238 N BIVENS RD , MONROE, NC 28110		Sub 118,750.00	✓ arm
7942 MB	BORIN WASTE MANAGEMENT DBA DAUG P.O. BOX 807 , BLACK MOUNTAIN, NC 28711		Sub 156,625.02	✓ arm
			TOTAL:	\$330,412.02 ✓ arm 6.58%

Miscellaneous Data Info - Contractor Responses:
=====

NON-COLLUSION AND DEBARMENT CERTIFICATION

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

Explanation:
NOT ANSWERED
NOT ANSWERED
NOT ANSWERED
NOT ANSWERED

AWARD LIMITS ON MULTIPLE PROJECTS

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

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

The Award Limits shall apply to the following projects:

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

Bid Bond Data Info - Contractor Responses:
=====

BondID: SNC10658130
Surety Registry Agency: surety2000
Verified?: Yes
Surety Agency: The Guarantee Company of North America USA

NCDOT/berc

Vendor 3444's Load Output for Call 018, Letting L100316, 2010-03-16

Bond Execution Date: 3/1/2010 10:45:11 AM

Bond Amount: \$251,248.05 (Five Percent of Bid)

State of NC
Dept of Transportation

Date: 02-16-10
Revised:

Contract ID: C202570 Project(s): STM-0141(5)
Letting Date: 03-16-10 Call Order: 018
Bidder: 3444 - Colditz Trucking, 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		130,843.43
0002	0022000000-E UNCLASSIFIE D EXCAVATION	CY	4,700.000	6.00000		28,200.00
0003	0036000000-E UNDERCUT EXCAVATION	CY	590.000	8.50000		5,015.00
0004	0320000000-E FOUNDATION CONDITIONING FABRIC	SY	350.000	4.20000		1,470.00
0005	0330000000-E GENERIC DRAINAGE ITEM FOUNDATION CONDITIONING MATE- RIAL, MINOR STRS	TON	110.000	28.18000		3,099.80
0006	0986000000-E GENERIC PIPE ITEM 18" CS PIPE CULVERTS, 0.064" THICK	LF	460.000	106.26000		48,879.60
0007	0986000000-E GENERIC PIPE ITEM 22" HDPE PIPE LINER	LF	75.000	136.12000		10,209.00
0008	0986000000-E GENERIC PIPE ITEM 24" CS PIPE CULVERTS, 0.064" THICK	LF	280.000	149.05000		41,734.00
0009	0986000000-E GENERIC PIPE ITEM 28" HDPE PIPE LINER	LF	260.000	184.47000		47,962.20
0010	0986000000-E GENERIC PIPE ITEM 36" CS PIPE CULVERTS, 0.079" THICK	LF	50.000	304.72000		15,236.00

State of NC
Dept of Transportation

Date: 02-16-10
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Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
0011	0986000000-E GENERIC PIPE ITEM 36" HDPE PIPE LINER	135.000 LF	304.72000		41,137.20	
0012	0986000000-E GENERIC PIPE ITEM 54" HDPE PIPE LINER	64.000 LF	486.58000		31,141.12	
0013	0986000000-E GENERIC PIPE ITEM 63" HDPE PIPE LINER	110.000 LF	523.59000		57,594.90	
0014	0995000000-E PIPE REMOVAL	380.000 LF	23.00000		8,740.00	
0015	1121000000-E AGGREGATE BASE COURSE	2,600.000 TON	23.63000		61,438.00	
0016	1243000000-E SHOULDER CONSTRUCTION	16.200 SMI	9,304.00000		150,724.80	
0017	1297000000-E MILLING ASPHALT PAVEMENT, ***"DEPTH (3")	95,206.000 SY	2.88000		274,193.28	
0018	1297000000-E MILLING ASPHALT PAVEMENT, ***"DEPTH (6")	8,550.000 SY	3.15000		26,932.50	
0019	1489000000-E ASPHALT CONC BASE COURSE, TYPE B25.0B	10,060.000 TON	46.48000		467,588.80	
0020	1498000000-E ASPHALT CONC INTERMEDIATE COURSE, TYPE I19.0B	19,584.000 TON	46.14000		903,605.76	
0021	1519000000-E ASPHALT CONC SURFACE COURSE, TYPE S9.5B	10,500.000 TON	46.55000		488,775.00	

State of NC
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Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
0022	1520000000-E ASPHALT CONC SURFACE COURSE, TYPE S9.5B (LEVELING COURSE)	9,740.000 TON	46.10000		449,014.00	
0023	1560000000-E ASPHALT BINDER FOR PLANT MIX, GRADE PG 64-22	2,569.000 TON	535.00000		1,374,415.00	
0024	2286000000-N MASONRY DRAINAGE STRUCTURES	2.000 EA	1,950.00000		3,900.00	
0025	2365000000-N FRAME WITH TWO GRATES, STD 840.22	2.000 EA	500.00000		1,000.00	
0026	2619000000-E 4" CONCRETE PAVED DITCH	45.000 SY	28.00000		1,260.00	
0027	2647000000-E 5" MONOLITHIC CONCRETE ISLANDS (SURFACE MOUNTED)	153.000 SY	35.00000		5,355.00	
0028	3030000000-E STEEL BM GUARDRAIL	625.000 LF	16.00000		10,000.00	
0029	3150000000-N ADDITIONAL GUARDRAIL POSTS	5.000 EA	10.00000		50.00	
0030	3180000000-N GUARDRAIL ANCHOR UNITS, TYPE ***** (III, MOD)	4.000 EA	3,013.00000		12,052.00	
0031	3270000000-N GUARDRAIL ANCHOR UNITS, TYPE 350	10.000 EA	1,800.00000		18,000.00	
0032	3360000000-E REMOVE EXISTING GUARDRAIL	520.000 LF	1.00000		520.00	

State of NC
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Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
0033	4589000000-N GENERIC TRAFFIC CONTROL ITEM TRAFFIC CONTROL	LUMP	LUMP			117,608.98
0034	4810000000-E PAINT PAVEMENT MARKING LINES (4")	LF 865,000.000	0.13000			112,450.00
0035	4820000000-E PAINT PAVEMENT MARKING LINES (8")	LF 140.000	2.00000			280.00
0036	4835000000-E PAINT PAVEMENT MARKING LINES (24")	LF 400.000	3.00000			1,200.00
0037	4840000000-N PAINT PAVEMENT MARKING CHARAC-TER	EA 12.000	60.00000			720.00
0038	4845000000-N PAINT PAVEMENT MARKING SYMBOL	EA 20.000	60.00000			1,200.00
0039	4900000000-N PERMANENT RAISED PAVEMENT MARKERS	EA 580.000	5.00000			2,900.00
0040	6000000000-E TEMPORARY SILT FENCE	LF 3,200.000	2.50000			8,000.00
0041	6009000000-E STONE FOR EROSION CONTROL, CLASS B	TON 450.000	34.73000			15,628.50
0042	6012000000-E SEDIMENT CONTROL STONE	TON 250.000	33.00000			8,250.00
0043	6015000000-E TEMPORARY MULCHING	ACR 1.000	890.00000			890.00
0044	6030000000-E SILT EXCAVATION	CY 80.000	16.80000			1,344.00

State of NC
Dept of Transportation

Date: 02-16-10
Revised:

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Bidder: 3444 - Colditz Trucking, Inc

Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
0045	6042000000-E 1/4" HARDWARE CLOTH	LF 300.000	4.42000		1,326.00	
0046	6071010000-E WATTLE	LF 200.000	10.00000		2,000.00	
0047	6071020000-E POLYACRYLAMIDE (PAM)	LB 25.000	7.50000		187.50	
0048	6084000000-E SEEDING & MULCHING	ACR 4.500	1,800.00000		8,100.00	
0049	7060000000-E SIGNAL CABLE	LF 500.000	8.10000		4,050.00	
0050	7264000000-E MESSENGER CABLE (3/8")	LF 500.000	5.25000		2,625.00	
0051	7300000000-E UNPAVED TRENCHING (*****)(2, 2")	LF 50.000	90.00000		4,500.00	
0052	7324000000-N JUNCTION BOX (STANDARD SIZE)	EA 3.000	1,300.00000		3,900.00	
0053	7360000000-N WOOD POLE	EA 1.000	1,500.00000		1,500.00	
0054	7372000000-N GUY ASSEMBLY	EA 2.000	400.00000		800.00	
0055	7420000000-E 2" RISER WITH WEATHERHEAD	EA 1.000	525.00000		525.00	
0056	7444000000-E INDUCTIVE LOOP SAWCUT	LF 120.000	5.18000		621.60	

State of NC
 Dept of Transportation

Date: 02-16-10
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 Bidder: 3444 - Colditz Trucking, Inc

Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
0057	7456000000-E LEAD-IN CABLE (***** (14-4)	1,200.000 LF	2.89000		3,468.00	
0058	7575180000-N CABLE TRANSFER	2.000 EA	400.00000		800.00	
Section 0001 Total						5,024,960.97
Bid Total						5,024,960.97 ✓

NON-COLLUSION AND DEBARMENT CERTIFICATION

The bidder certifies that neither he, nor any official, agent or employee of the bidder has entered into any agreement, participated in any collusion, or otherwise taken any action which is in restraint of free competitive bidding in connection with this bid, and that the bidder intends to do the work with its own bonafide employees or subcontractors and is not bidding for the benefit of another contractor. In addition, submitting this electronic bid constitutes the bidder's certification of Status under penalty of perjury under the laws of the United States and in accordance with the Debarment Certification on file with the Department.

By submitting this bid, the bidder certifies to the best of his knowledge and belief that he and his principals:

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

Where the prospective bidder is unable to certify to any of the statements in this certification, the bidder shall submit an explanation in the blanks provided herein. The explanation will not necessarily result in denial of participation in a contract.

Explanation:
NOT ANSWERED
NOT ANSWERED
NOT ANSWERED
NOT ANSWERED

If the prequalified bidder's status changes, he shall immediately submit a new fully executed non-collusion affidavit and debarment certification with an explanation of the change to the Contract Office prior to submitting the bid.

Failure to furnish a certification or an explanation will be grounds for rejection of a bid

AWARD LIMITS ON MULTIPLE PROJECTS

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

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

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

It is the desire of the Bidder to be awarded contracts, the value of which will not exceed a total of NOT ANSWERED for those

projects indicated herein, for which bids will be opened on (MM/DD/YY)

The Award Limits shall apply to the following projects:

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

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

NORTH CAROLINA STATE DEPARTMENT OF TRANSPORTATION
DBE COMMITMENT ITEMS

DATE:02-16-10
PAGE: 9

PROPOSAL: C202570
LETTING: L100316 CALL: 018
VENDOR: 3444 Colditz Trucking, Inc

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

DBE SUBCONTRACTOR: 5328 JIMENEZ CONSTRUCTION INCORPORATED
Will Use Quote: Yes

0024	2286000000-N	MASNRY DRAIN EA	2.000	1950.00000	3900.00
0026	2619000000-E	4" CONCRETE SY	45.000	28.00000	1260.00
0027	2647000000-E	5" MONO CONC SY	153.000	35.00000	5355.00
0052	7324000000-N	JUNCTION BOX EA	3.000	1300.00000	3900.00

DBE COMMITMENT TOTAL FOR SUBCONTRACTOR: 14,415.00 ✓ am
DBE COMMITMENT TOTAL FOR VENDOR (SubContractor) 14,415.

DBE SUBCONTRACTOR: 2920 THE SHARON COMPANY INC
Will Use Quote: Yes

0028	3030000000-E	STL BM GUARD LF	625.000	16.00000	10000.00
0029	3150000000-N	ADDIT GUARDR EA	5.000	10.00000	50.00
0030	3180000000-N	GR ANCHOR TY EA	4.000	3013.00000	12052.00
0031	3270000000-N	GR ANCHOR TY EA	10.000	1800.00000	18000.00
0032	3360000000-E	REMOVE EXIST LF	520.000	1.00000	520.00

DBE COMMITMENT TOTAL FOR SUBCONTRACTOR: 40,622.00 ✓ am
DBE COMMITMENT TOTAL FOR VENDOR (SubContractor) 40,622.

DBE SUBCONTRACTOR: 5796 A-1 PAVEMENT MARKING LLC
Will Use Quote: Yes

0034	4810000000-E	PAINT PVMT M LF	865000.000	0.13000	112450.00
0035	4820000000-E	PAINT PVMT M LF	140.000	2.00000	280.00
0036	4835000000-E	PAINT PVT MK LF	400.000	3.00000	1200.00
0037	4840000000-N	PAINT PVT MK EA	12.000	60.00000	720.00
0038	4845000000-N	PAINT PVT MK EA	20.000	60.00000	1200.00
0039	4900000000-N	PERM RAISED EA	580.000	5.00000	2900.00

DBE COMMITMENT TOTAL FOR SUBCONTRACTOR: 118,750.00 ✓ am
DBE COMMITMENT TOTAL FOR VENDOR (SubContractor) 118,750

DBE SUBCONTRACTOR: 7942 BORIN WASTE MANAGEMENT DBA DAUGHERTY WASTE & TRUCK
Will Use Quote: Yes

0005	0330000000-E	GENERIC DRAI TON	110.000	7.50000	825.00
		DBE Hauling \$825.00			
0020	1498000000-E	ASP CONC INT TON	3274.709	46.34000	151750.02
0041	6009000000-E	EROS CONTRL TON	450.000	9.00000	4050.00

DBE COMMITMENT TOTAL FOR SUBCONTRACTOR: 156,625.02 ✓ am
DBE COMMITMENT TOTAL FOR VENDOR (SubContractor) 156,625

TOTAL DBE COMMITMENT FOR VENDOR:

Entered: 6.58% or 330412.02 ✓^{am}
Required: 6.00% or 301497.66
<GOAL MET>

Contract Item Sheets For C202570

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
ROADWAY ITEMS						
0001	0000100000-N	800	MOBILIZATION	Lump Sum LS	130,843.43	130,843.43
0002	0022000000-E	225	UNCLASSIFIED EXCAVATION	4,700 CY	6.00	28,200.00
0003	0036000000-E	225	UNDERCUT EXCAVATION	590 CY	8.50	5,015.00
0004	0320000000-E	SP	FOUNDATION CONDITIONING FABRIC	350 SY	4.20	1,470.00
0005	0330000000-E	SP	GENERIC DRAINAGE ITEM FOUNDATION CONDITIONING MATE- RIAL, MINOR STRS	110 TON	28.18	3,099.80
0006	0986000000-E	SP	GENERIC PIPE ITEM 18" CS PIPE CULVERTS, 0.064" THICK	460 LF	106.26	48,879.60
0007	0986000000-E	SP	GENERIC PIPE ITEM 22" HDPE PIPE LINER	75 LF	136.12	10,209.00
0008	0986000000-E	SP	GENERIC PIPE ITEM 24" CS PIPE CULVERTS, 0.064" THICK	280 LF	149.05	41,734.00
0009	0986000000-E	SP	GENERIC PIPE ITEM 28" HDPE PIPE LINER	260 LF	184.47	47,962.20
0010	0986000000-E	SP	GENERIC PIPE ITEM 36" CS PIPE CULVERTS, 0.079" THICK	50 LF	304.72	15,236.00
0011	0986000000-E	SP	GENERIC PIPE ITEM 36" HDPE PIPE LINER	135 LF	304.72	41,137.20
0012	0986000000-E	SP	GENERIC PIPE ITEM 54" HDPE PIPE LINER	64 LF	486.58	31,141.12
0013	0986000000-E	SP	GENERIC PIPE ITEM 63" HDPE PIPE LINER	110 LF	523.59	57,594.90
0014	0995000000-E	340	PIPE REMOVAL	380 LF	23.00	8,740.00
0015	1121000000-E	520	AGGREGATE BASE COURSE	2,600 TON	23.63	61,438.00
0016	1243000000-E	SP	SHOULDER CONSTRUCTION	16.2 SMI	9,304.00	150,724.80

Contract Item Sheets For C202570

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
0017	1297000000-E	607	MILLING ASPHALT PAVEMENT, **** DEPTH (3")	95,206 SY	2.88	274,193.28
0018	1297000000-E	607	MILLING ASPHALT PAVEMENT, **** DEPTH (6")	8,550 SY	3.15	26,932.50
0019	1489000000-E	610	ASPHALT CONC BASE COURSE, TYPE B25.0B	10,060 TON	46.48	467,588.80
0020	1498000000-E	610	ASPHALT CONC INTERMEDIATE COURSE, TYPE I19.0B	19,584 TON	46.14	903,605.76
0021	1519000000-E	610	ASPHALT CONC SURFACE COURSE, TYPE S9.5B	10,500 TON	46.55	488,775.00
0022	1520000000-E	SP	ASPHALT CONC SURFACE COURSE, TYPE S9.5B (LEVELING COURSE)	9,740 TON	46.10	449,014.00
0023	1560000000-E	620	ASPHALT BINDER FOR PLANT MIX, GRADE PG 64-22	2,569 TON	535.00	1,374,415.00
0024	2286000000-N	840	MASONRY DRAINAGE STRUCTURES	2 EA	1,950.00	3,900.00
0025	2365000000-N	840	FRAME WITH TWO GRATES, STD 840.22	2 EA	500.00	1,000.00
0026	2619000000-E	850	4" CONCRETE PAVED DITCH	45 SY	28.00	1,260.00
0027	2647000000-E	852	5" MONOLITHIC CONCRETE ISLANDS (SURFACE MOUNTED)	153 SY	35.00	5,355.00
0028	3030000000-E	862	STEEL BM GUARDRAIL	625 LF	16.00	10,000.00
0029	3150000000-N	862	ADDITIONAL GUARDRAIL POSTS	5 EA	10.00	50.00
0030	3180000000-N	862	GUARDRAIL ANCHOR UNITS, TYPE ***** (III, MOD)	4 EA	3,013.00	12,052.00
0031	3270000000-N	SP	GUARDRAIL ANCHOR UNITS, TYPE 350	10 EA	1,800.00	18,000.00
0032	3360000000-E	863	REMOVE EXISTING GUARDRAIL	520 LF	1.00	520.00

Contract Item Sheets For C202570

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
0033	4589000000-N	SP	GENERIC TRAFFIC CONTROL ITEM TRAFFIC CONTROL	Lump Sum LS	117,608.98	117,608.98
0034	4810000000-E	1205	PAINT PAVEMENT MARKING LINES (4")	865,000 LF	0.13	112,450.00
0035	4820000000-E	1205	PAINT PAVEMENT MARKING LINES (8")	140 LF	2.00	280.00
0036	4835000000-E	1205	PAINT PAVEMENT MARKING LINES (24")	400 LF	3.00	1,200.00
0037	4840000000-N	1205	PAINT PAVEMENT MARKING CHARAC- TER	12 EA	60.00	720.00
0038	4845000000-N	1205	PAINT PAVEMENT MARKING SYMBOL	20 EA	60.00	1,200.00
0039	4900000000-N	1251	PERMANENT RAISED PAVEMENT MARKERS	580 EA	5.00	2,900.00
0040	6000000000-E	1605	TEMPORARY SILT FENCE	3,200 LF	2.50	8,000.00
0041	6009000000-E	1610	STONE FOR EROSION CONTROL, CLASS B	450 TON	34.73	15,628.50
0042	6012000000-E	1610	SEDIMENT CONTROL STONE	250 TON	33.00	8,250.00
0043	6015000000-E	1615	TEMPORARY MULCHING	1 ACR	890.00	890.00
0044	6030000000-E	1630	SILT EXCAVATION	80 CY	16.80	1,344.00
0045	6042000000-E	1632	1/4" HARDWARE CLOTH	300 LF	4.42	1,326.00
0046	6071010000-E	SP	WATTLE	200 LF	10.00	2,000.00
0047	6071020000-E	SP	POLYACRYLAMIDE (PAM)	25 LB	7.50	187.50
0048	6084000000-E	1660	SEEDING & MULCHING	4.5 ACR	1,800.00	8,100.00
0049	7060000000-E	1705	SIGNAL CABLE	500 LF	8.10	4,050.00
0050	7264000000-E	1710	MESSENGER CABLE (3/8")	500 LF	5.25	2,625.00

Contract Item Sheets For C202570

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
0051	7300000000-E	1715	UNPAVED TRENCHING (*****) (2, 2")	50 LF	90.00	4,500.00
0052	7324000000-N	1716	JUNCTION BOX (STANDARD SIZE)	3 EA	1,300.00	3,900.00
0053	7360000000-N	1720	WOOD POLE	1 EA	1,500.00	1,500.00
0054	7372000000-N	1721	GUY ASSEMBLY	2 EA	400.00	800.00
0055	7420000000-E	1722	2" RISER WITH WEATHERHEAD	1 EA	525.00	525.00
0056	7444000000-E	1725	INDUCTIVE LOOP SAWCUT	120 LF	5.18	621.60
0057	7456000000-E	1726	LEAD-IN CABLE (*****) (14-4)	1,200 LF	2.89	3,468.00
0058	7575180000-N	1735	CABLE TRANSFER	2 EA	400.00	800.00

TOTAL AMOUNT OF BID FOR ENTIRE PROJECT

\$5,024,960.97 ✓

0955/Mar31/Q1040798.7/D209590310000/E58

**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

Colditz Trucking Inc.
Full name of Corporation

191 Bill Donaldson Circle, Blairsville, Ga. 30512
Address as Prequalified

Attest *Gena Greene* By *Teresa Colditz*
~~Secretary/Assistant Secretary~~ ~~President/Vice President/Assistant Vice President~~
Select appropriate title Select appropriate title

Gena Greene
Print or type Signer's name

Teresa Colditz
Print or type Signer's name

CORPORATE SEAL

AFFIDAVIT MUST BE NOTARIZED

Subscribed and sworn to before me this the
5 day of April, 2010.
Deanna Webster
Signature of Notary Public
of Union County
State of Georgia
My Commission Expires: Jan 31, 2014

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 C202570

County (ies): Cherokee

ACCEPTED BY THE
DEPARTMENT OF TRANSPORTATION

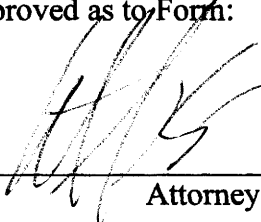


Contract Officer

4/13/10

Date

Execution of Contract and Bonds
Approved as to Form:



Attorney General

Contract No. C202570
County Cherokee County

Rev 2-1-10

Bond No. 60067090

CONTRACT PAYMENT BOND

Date of Payment Bond Execution 04/01/10

Name of Principal Contractor Colditz Trucking, Inc.

Name of Surety: The Guarantee Company of North America USA

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

Amount of Bond: \$ 5,024,960.97 Five Million Twenty Four Thousand
Nine Hundred Sixty and 97/100

Contract ID No.: C202570

County Name: Cherokee 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. C202570
County Cherokee County

Rev 2-1-10

CONTRACT PAYMENT BOND


Affix Seal of Surety Company

The Guarantee Company of North America USA

Print or type Surety Company Name

By A.M. DiGeronimo

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



Signature of Attorney-in-Fact



Signature of Witness

Lisa Zebrowski

Print or type Signer's name

1534 Dunwoody Village Parkway, Suite 220
Atlanta, GA 30338

Address of Attorney-in-Fact

Contract No.
County

C202570
Cherokee County

Rev 2-1-10

CONTRACT PAYMENT BOND

CORPORATION


SIGNATURE OF CONTRACTOR (Principal)

Colditz Trucking, Inc.

Full name of Corporation

1343 Bill Donaldson Road, Blairsville, GA 30512

Address as prequalified


By 

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

TERESA COLDITZ
Print or type Signer's name

Affix Corporate Seal

Attest



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

GENA GREENE
Print or type Signer's name



THE GUARANTEE COMPANY OF NORTH AMERICA USA

Southfield, Michigan

POWER OF ATTORNEY

Bond Number: 60067090

KNOW ALL BY THESE PRESENTS: That THE GUARANTEE COMPANY OF NORTH AMERICA USA, a corporation organized and existing under the laws of the State of Michigan, having its principal office in Southfield, Michigan, does hereby constitute and appoint

A. M. DiGeronimo, A. J. DiGeronimo
NSSI - National Surety Services, Inc.

its true and lawful attorney(s)-in-fact to execute, seal and deliver for and on its behalf as surety, any and all bonds and undertakings, contracts of indemnity and other writings obligatory in the nature thereof, which are or may be allowed, required or permitted by law, statute, rule, regulation, contract or otherwise.

The execution of such instrument(s) in pursuance of these presents, shall be as binding upon THE GUARANTEE COMPANY OF NORTH AMERICA USA as fully and amply, to all intents and purposes, as if the same had been duly executed and acknowledged by its regularly elected officers at the principal office.

The Power of Attorney is executed and may be certified so, and may be revoked, pursuant to and by authority of Article IX, Section 9.03 of the By-Laws adopted by the Board of Directors of THE GUARANTEE COMPANY OF NORTH AMERICA USA at a meeting held on the 31st day of December, 2003. The President, or any Vice President, acting with any Secretary or Assistant Secretary, shall have power and authority:

- 1. To appoint Attorney(s)-in-fact, and to authorize them to execute on behalf of the Company, and attach the Seal of the Company thereto, bonds and undertakings, contracts of indemnity and other writings obligatory in the nature thereof; and
2. To revoke, at any time, any such Attorney-in-fact and revoke the authority given, except as provided below
3. In connection with obligations in favor of the Kentucky Department of Highways only, it is agreed that the power and authority hereby given to the Attorney-in-Fact cannot be modified or revoked unless prior written personal notice of such intent has been given to the Commissioner - Department of Highways of the Commonwealth of Kentucky at least thirty (30) days prior to the modification or revocation.

Further, this Power of Attorney is signed and sealed by facsimile pursuant to resolution of the Board of Directors of the Company adopted at a meeting duly called and held on the 31st day of December 2003, of which the following is a true excerpt:

RESOLVED that the signature of any authorized officer and the seal of the Company may be affixed by facsimile to any Power of Attorney or certification thereof authorizing the execution and delivery of any bond, undertaking, contracts of indemnity and other writings obligatory in the nature thereof, and such signature and seal when so used shall have the same force and effect as though manually affixed.

IN WITNESS WHEREOF, THE GUARANTEE COMPANY OF NORTH AMERICA USA has caused this instrument to be signed and its corporate seal to be affixed by its authorized officer, this 23rd day of July, 2007.



THE GUARANTEE COMPANY OF NORTH AMERICA USA

STATE OF MICHIGAN
County of Oakland

[Handwritten signature]

Stephen Dullard, Vice President

On this 23rd day of July, 2007 before me came the individual who executed the preceding instrument, to me personally known, and being by me duly sworn, said that he is the herein described and authorized officer of The Guarantee Company of North America USA; that the seal affixed to said instrument is the Corporate Seal of said Company; that the Corporate Seal and his signature were duly affixed by order of the Board of Directors of said Company.



Cynthia A. Takai
Notary Public, State of Michigan
County of Oakland
My Commission Expires February 27, 2012
Acting in Oakland County

IN WITNESS WHEREOF, I have hereunto set my hand at The Guarantee Company of North America USA offices the day and year above written.

[Handwritten signature: Cynthia A. Takai]

1, Randall Musselman, Secretary of THE GUARANTEE COMPANY OF NORTH AMERICA USA, do hereby certify that the above and foregoing is a true and correct copy of a Power of Attorney executed by THE GUARANTEE COMPANY OF NORTH AMERICA USA, which is still in full force and effect.

IN WITNESS WHEREOF, I have thereunto set my hand and attached the seal of said Company this 1st day of April, 2010.



[Handwritten signature: Randall Musselman]
Randall Musselman, Secretary

Contract No. C202570
County Cherokee County

Rev 2-1-10

Bond No. 60067090

CONTRACT PERFORMANCE BOND

Date of Performance Bond Execution: 04/01/10

Name of Principal Contractor: Colditz Trucking, Inc.

Name of Surety: The Guarantee Company of North America USA

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

Amount of Bond: \$ 5,024,960.97 Five Million Twenty Four Thousand
Nine Hundred Sixty and 97/100

Contract ID No.: C202570

County Name: Cherokee 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 No. C202570
County Cherokee County

Rev 2-1-10

CONTRACT PERFORMANCE BOND

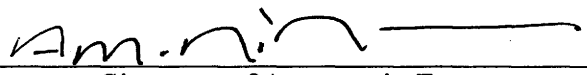
Affix Seal of Surety Company

The Guarantee Company of North America USA

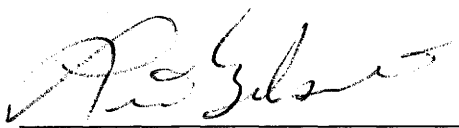
Print or type Surety Company Name

By A.M. DiGeronimo

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



Signature of Attorney-in-Fact



Signature of Witness

Lisa Zebrowski

Print or type Signer's name

1534 Dunwoody Village Parkway, Suite 220
Atlanta, GA 30338

Address of Attorney-in-Fact

Contract No.
County

C202570

Cherokee County

Rev 2-1-10

CONTRACT PERFORMANCE BOND

CORPORATION

SIGNATURE OF CONTRACTOR (Principal)

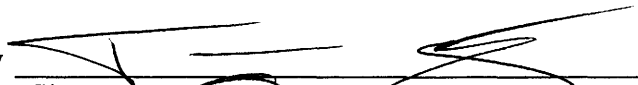
Colditz Trucking, Inc.

Full name of Corporation

1343 Bill Donaldson Road, Blairsville, GA 30512

Address as prequalified

By




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

TERESA COLDITZ

Print or type Signer's name

Affix Corporate Seal

Attest



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

GENA GREENE

Print or type Signer's name

Contract No. C202570
County Cherokee County

Rev 2-1-10

CONTRACT PERFORMANCE BOND

Attach certified copy of Power of Attorney to this sheet



THE GUARANTEE COMPANY OF NORTH AMERICA USA

Southfield, Michigan

POWER OF ATTORNEY

Bond Number: 60067090

KNOW ALL BY THESE PRESENTS: That THE GUARANTEE COMPANY OF NORTH AMERICA USA, a corporation organized and existing under the laws of the State of Michigan, having its principal office in Southfield, Michigan, does hereby constitute and appoint

A. M. DiGeronimo, A. J. DiGeronimo
NSSI - National Surety Services, Inc.

its true and lawful attorney(s)-in-fact to execute, seal and deliver for and on its behalf as surety, any and all bonds and undertakings, contracts of indemnity and other writings obligatory in the nature thereof, which are or may be allowed, required or permitted by law, statute, rule, regulation, contract or otherwise.

The execution of such instrument(s) in pursuance of these presents, shall be as binding upon THE GUARANTEE COMPANY OF NORTH AMERICA USA as fully and amply, to all intents and purposes, as if the same had been duly executed and acknowledged by its regularly elected officers at the principal office.

The Power of Attorney is executed and may be certified so, and may be revoked, pursuant to and by authority of Article IX, Section 9.03 of the By-Laws adopted by the Board of Directors of THE GUARANTEE COMPANY OF NORTH AMERICA USA at a meeting held on the 31st day of December, 2003. The President, or any Vice President, acting with any Secretary or Assistant Secretary, shall have power and authority:

- 1. To appoint Attorney(s)-in-fact, and to authorize them to execute on behalf of the Company, and attach the Seal of the Company thereto, bonds and undertakings, contracts of indemnity and other writings obligatory in the nature thereof; and
2. To revoke, at any time, any such Attorney-in-fact and revoke the authority given, except as provided below
3. In connection with obligations in favor of the Kentucky Department of Highways only, it is agreed that the power and authority hereby given to the Attorney-in-fact cannot be modified or revoked unless prior written personal notice of such intent has been given to the Commissioner - Department of Highways of the Commonwealth of Kentucky at least thirty (30) days prior to the modification or revocation.

Further, this Power of Attorney is signed and sealed by facsimile pursuant to resolution of the Board of Directors of the Company adopted at a meeting duly called and held on the 31st day of December 2003, of which the following is a true excerpt:

RESOLVED that the signature of any authorized officer and the seal of the Company may be affixed by facsimile to any Power of Attorney or certification thereof authorizing the execution and delivery of any bond, undertaking, contracts of indemnity and other writings obligatory in the nature thereof, and such signature and seal when so used shall have the same force and effect as though manually affixed.

IN WITNESS WHEREOF, THE GUARANTEE COMPANY OF NORTH AMERICA USA has caused this instrument to be signed and its corporate seal to be affixed by its authorized officer, this 23rd day of July, 2007.

THE GUARANTEE COMPANY OF NORTH AMERICA USA



STATE OF MICHIGAN
County of Oakland

[Handwritten signature]

Stephen Dullard, Vice President

On this 23rd day of July, 2007 before me came the individual who executed the preceding instrument, to me personally known, and being by me duly sworn, said that he is the herein described and authorized officer of The Guarantee Company of North America USA; that the seal affixed to said instrument is the Corporate Seal of said Company; that the Corporate Seal and his signature were duly affixed by order of the Board of Directors of said Company.

Cynthia A. Takai
Notary Public, State of Michigan
County of Oakland
My Commission Expires February 27, 2012
Acting in Oakland County

IN WITNESS WHEREOF, I have hereunto set my hand at The Guarantee Company of North America USA offices the day and year above written.

[Handwritten signature: Cynthia A. Takai]

1, Randall Musselman, Secretary of THE GUARANTEE COMPANY OF NORTH AMERICA USA, do hereby certify that the above and foregoing is a true and correct copy of a Power of Attorney executed by THE GUARANTEE COMPANY OF NORTH AMERICA USA, which is still in full force and effect.

IN WITNESS WHEREOF, I have thereunto set my hand and attached the seal of said Company this 1st day of April, 2010.



[Handwritten signature: Randall Musselman]
Randall Musselman, Secretary