

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

C202090

CONTRACT AND
CONTRACT BONDS
FOR CONTRACT NO. C202090

WBS 33511.3.1 BRZ-1437(3)

T.I.P NO. B-4163

COUNTY OF JACKSON
THIS IS THE ROADWAY & STRUCTURE CONTRACT
ROUTE NUMBER SR 1437 LENGTH 0.114 MILES
LOCATION BRIDGE OVER SCOTTS CREEK & APPROACHES ON SR-1437 (HOSPITAL
RD).

CONTRACTOR MILLER ENGINEERING COMPANY, INC
ADDRESS P.O. BOX 1048
MARION, NC 287521048

BIDS OPENED MARCH 16, 2010
CONTRACT EXECUTION APR 14 2010

MILLER ENGINEERING CO INC (3755).**Vendor 4 of 5 Vendors for Call Order 016 (Proposal ID C202090).**

County: JACKSON
Address: P.O. BOX 1048
MARION, NC 28752
Phone Number: 8287388441
Signature Check: This bid has been properly signed by Clifford_H_Miller_3755.
Time Bid Received: Tue Mar 16 13:23:04 2010
Bid Checksum: E24FE649 DBE GOAL SET 9.0
Amendment Count: 0
Bidding Errors: No bidding errors. DBE GOAL MET 15.9
Bid Total: \$1,094,251.74 ✓
Bond ID: SNC10428158
Bond was Verified: Yes.
Bond Required Percent: 5.00%
Minimum Check Amount: \$54,712.59
Bid Security Maximum: \$
Bond Agency Name:
Agency Execution Date: 3/9/2010 4:35:04 PM
Surety Name: Fidelity And Deposit Company of Maryland
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	
2635	MB ASPHALT UNLIMITED OF ASHEVILLE PO BOX 17772 , ASHEVILLE, NC 28816		Sub	132,833.00	✓ am
2759	WB SUPERIOR SEEDING, INC. POST OFFICE BOX 12642 , GASTONIA, NC 280520010		Sub	23,403.75	✓ am
4898	WB BULLINGTON CONSTRUCTION INC 417 FOXGLOVE LANE , INDIAN TRAIL, NC 28079		Sub	7,002.50	✓ am
3765	WB STAY ALERT SAFETY SERVICES INC POST OFFICE BOX 467 , KERNERSVILLE, NC 27285		Sub	11,111.05	✓ am
TOTAL:				\$174,350.30	✓ am
				15.93%	

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: SNC10428158
Surety Registry Agency: surety2000
Verified?: Yes
Surety Agency: Fidelity And Deposit Company of Maryland

NCDOT/berc

Vendor 3755's Load Output for Call 016, Letting L100316, 2010-03-16

Bond Execution Date: 3/9/2010 4:35:04 PM

Bond Amount: \$54,712.59 (Five Percent of Bid)

State of NC
Dept of Transportation

Date: 02-16-10
Revised:

Contract ID: C202090 Project(s): BRZ-1437(3)
Letting Date: 03-16-10 Call Order: 016
Bidder: 3755 - MILLER ENGINEERING CO 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		35,000.00
0002	0029000000-N REINFORCED BRIDGE APPROACH FILL, STATION ***** (17+79.00)	LUMP		LUMP		18,000.00
0003	0038000000-E SHALLOW UNDERCUT	CY	70.000	8.00000		560.00
0004	0043000000-N GRADING	LUMP		LUMP		44,000.00
0005	0050000000-E SUPPLEMENTA RY CLEARING & GRUB-BING	ACR	1.000	1.00000		1.00
0006	0057000000-E UNDERCUT EXCAVATION	CY	100.000	8.00000		800.00
0007	0080000000-E CLASS IV SUBGRADE STABILIZA- TION	TON	125.000	21.00000		2,625.00
0008	0134000000-E DRAINAGE DITCH EXCAVATION	CY	120.000	10.00000		1,200.00
0009	0196000000-E FABRIC FOR SOIL STABILIZATION	SY	100.000	13.00000		1,300.00
0010	0234000000-E GENERIC GRADING ITEM SELECT GRANULAR MATERIAL	CY	100.000	33.00000		3,300.00

State of NC
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			Dollars	Cts	Dollars	Ct
0011	0320000000-E FOUNDATION CONDITIONING FABRIC	145.000 SY	4.00000		580.00	
0012	0330000000-E GENERIC DRAINAGE ITEM FOUNDATION CONDITIONING MATE- RIAL, MINOR STRS	46.000 TON	25.00000		1,150.00	
0013	0335300000-E 18" DRAINAGE PIPE	200.000 LF	29.00000		5,800.00	
0014	0335600000-E 36" DRAINAGE PIPE	112.000 LF	55.00000		6,160.00	
0015	0448200000-E 15" RC PIPE CULVERTS, CLASS IV	112.000 LF	32.00000		3,584.00	
0016	0995000000-E PIPE REMOVAL	222.000 LF	6.00000		1,332.00	
0017	1220000000-E INCIDENTAL STONE BASE	20.000 TON	29.00000		580.00	
0018	1489000000-E ASPHALT CONC BASE COURSE, TYPE B25.0B	220.000 TON	96.40000		21,208.00	
0019	1498000000-E ASPHALT CONC INTERMEDIATE COURSE, TYPE I19.0B	270.000 TON	94.70000		25,569.00	
0020	1525000000-E ASPHALT CONC SURFACE COURSE, TYPE SF9.5A	580.000 TON	86.70000		50,286.00	
0021	1560000000-E ASPHALT BINDER FOR PLANT MIX, GRADE PG 64-22	60.000 TON	592.50000		35,550.00	

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			Dollars	Cts	Dollars	Ct
0022	1693000000-E ASPHALT PLANT MIX, PAVEMENT REPAIR	21.000 TON	175.00000		3,675.00	
0023	2022000000-E SUBDRAIN EXCAVATION	25.000 CY	7.00000		175.00	
0024	2033000000-E SUBDRAIN FINE AGGREGATE	20.000 CY	27.00000		540.00	
0025	2044000000-E 6" PERFORATED SUBDRAIN PIPE	100.000 LF	7.00000		700.00	
0026	2055000000-E 6" SUBDRAIN PIPE WYES, TEES, & ELBOWS	3.000 EA	12.00000		36.00	
0027	2066000000-N CONCRETE PAD FOR SUBDRAIN PIPE OUTLET	1.000 EA	160.00000		160.00	
0028	2077000000-E 6" OUTLET PIPE (SUBDRAINS)	6.000 LF	5.00000		30.00	
0029	2190000000-N TEMPORARY STEEL PLATE COVERS FOR MASONRY DRAINAGE STRUCTURE	6.000 EA	200.00000		1,200.00	
0030	2286000000-N MASONRY DRAINAGE STRUCTURES	7.000 EA	1,500.00000		10,500.00	
0031	2308000000-E MASONRY DRAINAGE STRUCTURES	5.000 LF	100.00000		500.00	
0032	2366000000-N FRAME WITH TWO GRATES, STD 840.24	2.000 EA	485.00000		970.00	

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Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
0033	2374000000-N FRAME WITH GRATE & HOOD, STD 840.03, TYPE ** (E)	EA 2.000	485.00000		970.00	
0034	2374000000-N FRAME WITH GRATE & HOOD, STD 840.03, TYPE ** (F)	EA 1.000	485.00000		485.00	
0035	2374000000-N FRAME WITH GRATE & HOOD, STD 840.03, TYPE ** (G)	EA 1.000	485.00000		485.00	
0036	2396000000-N FRAME WITH COVER, STD 840.54	EA 1.000	350.00000		350.00	
0037	2549000000-E 2'-6" CONCRETE CURB & GUTTER	LF 645.000	22.05000		14,222.25	
0038	2591000000-E 4" CONCRETE SIDEWALK	SY 170.000	41.00000		6,970.00	
0039	2605000000-N CONCRETE WHEELCHAIR RAMPS	EA 4.000	990.00000		3,960.00	
0040	2612000000-E 6" CONCRETE DRIVEWAY	SY 60.000	58.00000		3,480.00	
0041	2845000000-N ADJUSTMENT OF METER BOXES OR VALVE BOXES	EA 10.000	130.00000		1,300.00	
0042	2860000000-N CONVERT EXISTING CATCH BASIN TO JUNCTION BOX	EA 1.000	1,000.00000		1,000.00	
0043	2893000000-N CONVERT EXISTING CATCH BASIN TO JUNCTION BOX WITH MANHOLE COVER	EA 1.000	2,000.00000		2,000.00	

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			Dollars	Cts	Dollars	Ct
0044	3045000000-E STEEL BM GUARDRAIL, SHOP CURVED	62.500 LF	15.00000		937.50	
0045	3150000000-N ADDITIONAL GUARDRAIL POSTS	5.000 EA	13.00000		65.00	
0046	3180000000-N GUARDRAIL ANCHOR UNITS, TYPE ***** (III, SHOP CURVED)	2.000 EA	2,100.00000		4,200.00	
0047	3195000000-N GUARDRAIL ANCHOR UNITS, TYPE AT-1	2.000 EA	900.00000		1,800.00	
0048	3628000000-E RIP RAP, CLASS I	60.000 TON	32.00000		1,920.00	
0049	3649000000-E RIP RAP, CLASS B	4.000 TON	30.00000		120.00	
0050	3656000000-E FILTER FABRIC FOR DRAINAGE	930.000 SY	4.00000		3,720.00	
0051	4025000000-E CONTRACTOR FURNISHED, TYPE ***SIGN (E)	1.500 SF	36.50000		54.75	
0052	4102000000-N SIGN ERECTION, TYPE E	1.000 EA	135.00000		135.00	
0053	4400000000-E WORK ZONE SIGNS (STATIONARY)	396.000 SF	5.50000		2,178.00	
0054	4405000000-E WORK ZONE SIGNS (PORTABLE)	192.000 SF	10.00000		1,920.00	

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			Dollars	Cts	Dollars	Ct
0055	4410000000-E WORK ZONE SIGNS (BARRICADE MOUNTED)	SF 154.000	6.50000		1,001.00	
0056	4430000000-N DRUMS	EA 34.000	55.00000		1,870.00	
0057	4435000000-N CONES	EA 34.000	25.00000		850.00	
0058	4445000000-E BARRICADES (TYPE III)	LF 160.000	25.00000		4,000.00	
0059	4450000000-N FLAGGER	HR 3,840.000	14.00000		53,760.00	
0060	4516000000-N SKINNY DRUM	EA 48.000	50.00000		2,400.00	
0061	4810000000-E PAINT PAVEMENT MARKING LINES (4")	LF 8,096.000	0.18000		1,457.28	
0062	4830000000-E PAINT PAVEMENT MARKING LINES (16")	LF 540.000	1.10000		594.00	
0063	4835000000-E PAINT PAVEMENT MARKING LINES (24")	LF 640.000	2.00000		1,280.00	
0064	4840000000-N PAINT PAVEMENT MARKING CHARAC-TER	EA 24.000	35.00000		840.00	
0065	4845000000-N PAINT PAVEMENT MARKING SYMBOL	EA 16.000	45.00000		720.00	
0066	5540000000-E 6" VALVE	EA 1.000	730.00000		730.00	

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			Dollars	Cts	Dollars	Ct
0067	5546000000-E 8" VALVE	EA 2.000	950.00000		1,900.00	
0068	5648000000-N RELOCATE WATER METER	EA 2.000	200.00000		400.00	
0069	5672000000-N RELOCATE FIRE HYDRANT	EA 1.000	1,800.00000		1,800.00	
0070	5801000000-E ABANDON 8" UTILITY PIPE	LF 191.000	7.00000		1,337.00	
0071	5882000000-N GENERIC UTILITY ITEM STEEL H PILE PIERS	EA 2.000	2,000.00000		4,000.00	
0072	5888000000-E GENERIC UTILITY ITEM 8" DUCTILE IRON RIGID RESTRAINED JOINT WATER PIPE	LF 60.000	150.00000		9,000.00	
0073	5889000000-E GENERIC UTILITY ITEM 6" WATER LINE RESTRAINED JOINT DUCTILE IRON	LF 98.000	200.00000		19,600.00	
0074	5889000000-E GENERIC UTILITY ITEM 8" WATER LINE RESTRAINED JOINT DUCTILE IRON	LF 184.000	85.00000		15,640.00	
0075	5889000000-E GENERIC UTILITY ITEM 8" WATER LINE RESTRAINED JOINT DUCTILE IRON CLASS 56	LF 81.000	100.00000		8,100.00	
0076	6000000000-E TEMPORARY SILT FENCE	LF 1,500.000	2.50000		3,750.00	
0077	6006000000-E STONE FOR EROSION CONTROL, CLASS A	TON 200.000	30.50000		6,100.00	

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Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
0078	6009000000-E STONE FOR EROSION CONTROL, CLASS B	150.000 TON	30.50000		4,575.00	
0079	6012000000-E SEDIMENT CONTROL STONE	225.000 TON	27.00000		6,075.00	
0080	6015000000-E TEMPORARY MULCHING	1.000 ACR	1,600.00000		1,600.00	
0081	6018000000-E SEED FOR TEMPORARY SEEDING	50.000 LB	8.00000		400.00	
0082	6021000000-E FERTILIZER FOR TEMPORARY SEED-ING	1.250 TON	2,500.00000		3,125.00	
0083	6029000000-E SAFETY FENCE	750.000 LF	2.50000		1,875.00	
0084	6030000000-E SILT EXCAVATION	355.000 CY	5.00000		1,775.00	
0085	6036000000-E MATTING FOR EROSION CONTROL	925.000 SY	1.95000		1,803.75	
0086	6037000000-E COIR FIBER MAT	10.000 SY	10.00000		100.00	
0087	6042000000-E 1/4" HARDWARE CLOTH	260.000 LF	5.00000		1,300.00	
0088	6070000000-N SPECIAL STILLING BASINS	6.000 EA	1,000.00000		6,000.00	
0089	6071010000-E WATTLE	40.000 LF	5.00000		200.00	

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Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
0090	6071020000-E POLYACRYLAMIDE (PAM)	12.000 LB	20.00000		240.00	
0091	6071030000-E COIR FIBER BAFFLES	60.000 LF	5.00000		300.00	
0092	6071050000-E *** SKIMMER (1-1/2")	1.000 EA	200.00000		200.00	
0093	6084000000-E SEEDING & MULCHING	5.000 ACR	1,895.00000		9,475.00	
0094	6087000000-E MOWING	0.500 ACR	600.00000		300.00	
0095	6090000000-E SEED FOR REPAIR SEEDING	50.000 LB	10.00000		500.00	
0096	6093000000-E FERTILIZER FOR REPAIR SEEDING	0.250 TON	4,000.00000		1,000.00	
0097	6096000000-E SEED FOR SUPPLEMENTAL SEEDING	50.000 LB	6.00000		300.00	
0098	6108000000-E FERTILIZER TOPDRESSING	0.500 TON	2,000.00000		1,000.00	
0099	6114500000-N SPECIALIZED HAND MOWING	5.000 MHR	60.00000		300.00	
0100	6117000000-N RESPONSE FOR EROSION CONTROL	12.000 EA	300.00000		3,600.00	
Section 0001 Total						516,516.53

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			Dollars	Cts	Dollars	Ct

Section 0004 STRUCTURE ITEMS

Alt Group

0101	8017000000-N CONSTRUCTION, MAINTENANCE, & REMOVAL OF TEMP ACCESS AT STA ***** (17+79.00-L-)	LUMP		LUMP		12,000.00
0102	8035000000-N REMOVAL OF EXISTING STRUCTURE AT STATION ***** (17+79.00-L-)	LUMP		LUMP		12,000.00
0103	8105540000-E 3'-6" DIA DRILLED PIERS IN SOIL	LF	9.500	1,045.00000		9,927.50
0104	8105640000-E 3'-6" DIA DRILLED PIERS NOT IN SOIL	LF	30.000	1,961.00000		58,830.00
0105	8111400000-E PERMANENT STEEL CASING FOR 3'-6" DIA DRILLED PIER	LF	12.300	200.00000		2,460.00
0106	8113000000-N SID INSPECTION	EA	1.000	500.00000		500.00
0107	8115000000-N CROSSHOLE SONIC LOGGING	EA	1.000	2,500.00000		2,500.00
0108	8119000000-E UNCLASSIFIED STRUCTURE EXCAVATION	CY	885.000	8.00000		7,080.00
0109	8175000000-E CLASS AA CONCRETE (BRIDGE)	CY	28.300	400.00000		11,320.00
0110	8182000000-E CLASS A CONCRETE (BRIDGE)	CY	75.500	700.00000		52,850.00

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			Dollars	Cts	Dollars	Ct
0111	8210000000-N BRIDGE APPROACH SLABS, STATION***** (17+79.00-L)	LUMP	LUMP			21,000.00
0112	8217000000-E REINFORCING STEEL (BRIDGE)	16,538.000 LB	1.00000			16,538.00
0113	8224000000-E EPOXY COATED REINFORCING STEEL (BRIDGE)	711.000 LB	1.00000			711.00
0114	8238000000-E SPIRAL COLUMN REINFORCING STEEL (BRIDGE)	1,173.000 LB	1.65000			1,935.45
0115	8364000000-E HP12X53 STEEL PILES	440.000 LF	37.00000			16,280.00
0116	8468000000-E ONE BAR METAL RAIL	110.250 LF	97.50000			10,749.38
0117	8482000000-E THREE BAR METAL RAIL	110.250 LF	163.50000			18,025.88
0118	8517000000-E 1'-**"X *****" CONCRETE PARA- PET (1'-0" X 1'-10 1/2")	117.750 LF	40.00000			4,710.00
0119	8608000000-E RIP RAP CLASS II (2'-0" THICK)	579.000 TON	40.00000			23,160.00
0120	8622000000-E FILTER FABRIC FOR DRAINAGE	643.000 SY	6.00000			3,858.00
0121	8657000000-N ELASTOMERIC BEARINGS	LUMP	LUMP			9,000.00

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			Dollars	Cts	Dollars	Ct
0122	8753100000-E 3'-0" X 2'-9" PRESTRESSED CONCBOX BEAMS	1,882.000 LF	150.00000		282,300.00	
Section 0004 Total						577,735.21
Bid Total						1,094,251.74 ✓

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
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PROPOSAL: C202090
LETTING: L100316 CALL: 016
VENDOR: 3755 MILLER ENGINEERING CO INC

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

DBE SUBCONTRACTOR: 2635 ASPHALT UNLIMITED OF ASHEVILLE INC
Will Use Quote: Yes

0018	1489000000-E	ASP CONC BAS	TON	220.000	93.90000	20658.00
0019	1498000000-E	ASP CONC INT	TON	270.000	92.20000	24894.00
0020	1525000000-E	ASP CONC SUR	TON	580.000	84.20000	48836.00
0021	1560000000-E	ASP FOR PLAN	TON	60.000	590.00000	35400.00
0022	1693000000-E	ASPH PLT MIX	TON	21.000	145.00000	3045.00

DBE COMMITMENT TOTAL FOR SUBCONTRACTOR: 132,833.00 ✓ am
DBE COMMITMENT TOTAL FOR VENDOR (SubContractor) 132,833

DBE SUBCONTRACTOR: 2759 SUPERIOR SEEDING, INC.
Will Use Quote: Yes

0080	6015000000-E	TEMPORARY MU	ACR	1.000	1600.00000	1600.00
0081	6018000000-E	SEED FOR TEM	LB	50.000	8.00000	400.00
0082	6021000000-E	FERT FOR TEM	TON	1.250	2500.00000	3125.00
0085	6036000000-E	MATTING FOR	SY	925.000	1.95000	1803.75
0093	6084000000-E	SEEDING AND	ACR	5.000	1895.00000	9475.00
0094	6087000000-E	MOWING	ACR	0.500	600.00000	300.00
0095	6090000000-E	SEED FOR REP	LB	50.000	10.00000	500.00
0096	6093000000-E	FERT FOR REP	TON	0.250	4000.00000	1000.00
0097	6096000000-E	SEED FOR SUP	LB	50.000	6.00000	300.00
0098	6108000000-E	FERTILIZER T	TON	0.500	2000.00000	1000.00
0099	6114500000-N	SPECIALIZED	MHR	5.000	60.00000	300.00
0100	6117000000-N	RESPONSE FOR	EA	12.000	300.00000	3600.00

DBE COMMITMENT TOTAL FOR SUBCONTRACTOR: 23,403.75 ✓ am
DBE COMMITMENT TOTAL FOR VENDOR (SubContractor) 23,403.

DBE SUBCONTRACTOR: 4898 BULLINGTON CONSTRUCTION INC
Will Use Quote: Yes

0044	3045000000-E	SBGR SHOP CU	LF	62.500	15.00000	937.50
0045	3150000000-N	ADDIT GUARDR	EA	5.000	13.00000	65.00
0046	3180000000-N	GR ANCHOR TY	EA	2.000	2100.00000	4200.00
0047	3195000000-N	GR ANCHOR TY	EA	2.000	900.00000	1800.00

DBE COMMITMENT TOTAL FOR SUBCONTRACTOR: 7,002.50 ✓ am
DBE COMMITMENT TOTAL FOR VENDOR (SubContractor) 7,002.5

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

0051	4025000000-E	CONTR FURN,	SF	1.500	36.50000	54.75
0052	4102000000-N	SIGN ERECTIO	EA	1.000	135.00000	135.00

NORTH CAROLINA STATE DEPARTMENT OF TRANSPORTATION
 DBE COMMITMENT ITEMS

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LINE NO.	ITEM NO.	ITEM DESC.	UNIT TYPE	SUBCONTRACTOR QUANTITY	SUBCONTRACTOR UNIT PRICE	EXTENDED AMOUNT
0053	4400000000-E	WORK ZONE SI	SF	396.000	5.15000	2039.40
0054	4405000000-E	WORK ZONE SI	SF	192.000	8.65000	1660.80
0055	4410000000-E	WORK ZONE SI	SF	154.000	6.15000	947.10
0056	4430000000-N	DRUMS	EA	34.000	33.00000	1122.00
0057	4435000000-N	CONES	EA	34.000	16.00000	544.00
0058	4445000000-E	BARRICADES (LF	160.000	19.50000	3120.00
0060	4516000000-N	SKINNY DRUM	EA	48.000	31.00000	1488.00

DBE COMMITMENT TOTAL FOR SUBCONTRACTOR: 11,111.05 ✓ arm
 DBE COMMITMENT TOTAL FOR VENDOR (SubContractor) 11,111.

TOTAL DBE COMMITMENT FOR VENDOR: Entered: 15.93% or 174350.30 ✓ arm
 Required: 9.00% or 98482.66
 <GOAL MET>

Contract Item Sheets For C202090

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
ROADWAY ITEMS						
0001	0000100000-N	800	MOBILIZATION	Lump Sum LS	35,000.00	35,000.00
0002	0029000000-N	SP	REINFORCED BRIDGE APPROACH FILL, STATION ***** (17 + 79.00)	Lump Sum LS	18,000.00	18,000.00
0003	0038000000-E	SP	SHALLOW UNDERCUT	70 CY	8.00	560.00
0004	0043000000-N	226	GRADING	Lump Sum LS	44,000.00	44,000.00
0005	0050000000-E	226	SUPPLEMENTARY CLEARING & GRUB- BING	1 ACR	1.00	1.00
0006	0057000000-E	226	UNDERCUT EXCAVATION	100 CY	8.00	800.00
0007	0080000000-E	SP	CLASS IV SUBGRADE STABILIZA- TION	125 TON	21.00	2,625.00
0008	0134000000-E	240	DRAINAGE DITCH EXCAVATION	120 CY	10.00	1,200.00
0009	0196000000-E	270	FABRIC FOR SOIL STABILIZATION	100 SY	13.00	1,300.00
0010	0234000000-E	SP	GENERIC GRADING ITEM SELECT GRANULAR MATERIAL	100 CY	33.00	3,300.00
0011	0320000000-E	SP	FOUNDATION CONDITIONING FABRIC	145 SY	4.00	580.00
0012	0330000000-E	SP	GENERIC DRAINAGE ITEM FOUNDATION CONDITIONING MATE- RIAL, MINOR STRS	46 TON	25.00	1,150.00
0013	0335300000-E	SP	18" DRAINAGE PIPE	200 LF	29.00	5,800.00
0014	0335600000-E	SP	36" DRAINAGE PIPE	112 LF	55.00	6,160.00
0015	0448200000-E	SP	15" RC PIPE CULVERTS, CLASS IV	112 LF	32.00	3,584.00
0016	0995000000-E	340	PIPE REMOVAL	222 LF	6.00	1,332.00
0017	1220000000-E	545	INCIDENTAL STONE BASE	20 TON	29.00	580.00
0018	1489000000-E	610	ASPHALT CONC BASE COURSE, TYPE B25.0B	220 TON	96.40	21,208.00

Contract Item Sheets For C202090

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
0019	1498000000-E	610	ASPHALT CONC INTERMEDIATE COURSE, TYPE I19.0B	270 TON	94.70	25,569.00
0020	1525000000-E	610	ASPHALT CONC SURFACE COURSE, TYPE SF9.5A	580 TON	86.70	50,286.00
0021	1560000000-E	620	ASPHALT BINDER FOR PLANT MIX, GRADE PG 64-22	60 TON	592.50	35,550.00
0022	1693000000-E	654	ASPHALT PLANT MIX, PAVEMENT REPAIR	21 TON	175.00	3,675.00
0023	2022000000-E	815	SUBDRAIN EXCAVATION	25 CY	7.00	175.00
0024	2033000000-E	815	SUBDRAIN FINE AGGREGATE	20 CY	27.00	540.00
0025	2044000000-E	815	6" PERFORATED SUBDRAIN PIPE	100 LF	7.00	700.00
0026	2055000000-E	815	6" SUBDRAIN PIPE WYES, TEES, & ELBOWS	3 EA	12.00	36.00
0027	2066000000-N	815	CONCRETE PAD FOR SUBDRAIN PIPE OUTLET	1 EA	160.00	160.00
0028	2077000000-E	815	6" OUTLET PIPE (SUBDRAINS)	6 LF	5.00	30.00
0029	2190000000-N	828	TEMPORARY STEEL PLATE COVERS FOR MASONRY DRAINAGE STRUCTURE	6 EA	200.00	1,200.00
0030	2286000000-N	840	MASONRY DRAINAGE STRUCTURES	7 EA	1,500.00	10,500.00
0031	2308000000-E	840	MASONRY DRAINAGE STRUCTURES	5 LF	100.00	500.00
0032	2366000000-N	840	FRAME WITH TWO GRATES, STD 840.24	2 EA	485.00	970.00
0033	2374000000-N	840	FRAME WITH GRATE & HOOD, STD 840.03, TYPE ** (E)	2 EA	485.00	970.00
0034	2374000000-N	840	FRAME WITH GRATE & HOOD, STD 840.03, TYPE ** (F)	1 EA	485.00	485.00

Contract Item Sheets For C202090

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
0035	2374000000-N	840	FRAME WITH GRATE & HOOD, STD 840.03, TYPE ** (G)	1 EA	485.00	485.00
0036	2396000000-N	840	FRAME WITH COVER, STD 840.54	1 EA	350.00	350.00
0037	2549000000-E	846	2'-6" CONCRETE CURB & GUTTER	645 LF	22.05	14,222.25
0038	2591000000-E	848	4" CONCRETE SIDEWALK	170 SY	41.00	6,970.00
0039	2605000000-N	848	CONCRETE WHEELCHAIR RAMPS	4 EA	990.00	3,960.00
0040	2612000000-E	848	6" CONCRETE DRIVEWAY	60 SY	58.00	3,480.00
0041	2845000000-N	858	ADJUSTMENT OF METER BOXES OR VALVE BOXES	10 EA	130.00	1,300.00
0042	2860000000-N	859	CONVERT EXISTING CATCH BASIN TO JUNCTION BOX	1 EA	1,000.00	1,000.00
0043	2893000000-N	SP	CONVERT EXISTING CATCH BASIN TO JUNCTION BOX WITH MANHOLE COVER	1 EA	2,000.00	2,000.00
0044	3045000000-E	862	STEEL BM GUARDRAIL, SHOP CURVED	62.5 LF	15.00	937.50
0045	3150000000-N	862	ADDITIONAL GUARDRAIL POSTS	5 EA	13.00	65.00
0046	3180000000-N	862	GUARDRAIL ANCHOR UNITS, TYPE ***** (III, SHOP CURVED)	2 EA	2,100.00	4,200.00
0047	3195000000-N	862	GUARDRAIL ANCHOR UNITS, TYPE AT-1	2 EA	900.00	1,800.00
0048	3628000000-E	876	RIP RAP, CLASS I	60 TON	32.00	1,920.00
0049	3649000000-E	876	RIP RAP, CLASS B	4 TON	30.00	120.00
0050	3656000000-E	876	FILTER FABRIC FOR DRAINAGE	930 SY	4.00	3,720.00
0051	4025000000-E	901	CONTRACTOR FURNISHED, TYPE *** SIGN (E)	1.5 SF	36.50	54.75

Contract Item Sheets For C202090

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
0052	4102000000-N	904	SIGN ERECTION, TYPE E	1 EA	135.00	135.00
0053	4400000000-E	1110	WORK ZONE SIGNS (STATIONARY)	396 SF	5.50	2,178.00
0054	4405000000-E	1110	WORK ZONE SIGNS (PORTABLE)	192 SF	10.00	1,920.00
0055	4410000000-E	1110	WORK ZONE SIGNS (BARRICADE MOUNTED)	154 SF	6.50	1,001.00
0056	4430000000-N	1130	DRUMS	34 EA	55.00	1,870.00
0057	4435000000-N	1135	CONES	34 EA	25.00	850.00
0058	4445000000-E	1145	BARRICADES (TYPE III)	160 LF	25.00	4,000.00
0059	4450000000-N	1150	FLAGGER	3,840 HR	14.00	53,760.00
0060	4516000000-N	1180	SKINNY DRUM	48 EA	50.00	2,400.00
0061	4810000000-E	1205	PAINT PAVEMENT MARKING LINES (4")	8,096 LF	0.18	1,457.28
0062	4830000000-E	1205	PAINT PAVEMENT MARKING LINES (16")	540 LF	1.10	594.00
0063	4835000000-E	1205	PAINT PAVEMENT MARKING LINES (24")	640 LF	2.00	1,280.00
0064	4840000000-N	1205	PAINT PAVEMENT MARKING CHARACTER	24 EA	35.00	840.00
0065	4845000000-N	1205	PAINT PAVEMENT MARKING SYMBOL	16 EA	45.00	720.00
0066	5540000000-E	1515	6" VALVE	1 EA	730.00	730.00
0067	5546000000-E	1515	8" VALVE	2 EA	950.00	1,900.00
0068	5648000000-N	1515	RELOCATE WATER METER	2 EA	200.00	400.00
0069	5672000000-N	1515	RELOCATE FIRE HYDRANT	1 EA	1,800.00	1,800.00
0070	5801000000-E	1530	ABANDON 8" UTILITY PIPE	191 LF	7.00	1,337.00

Contract Item Sheets For C202090

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
0071	5882000000-N	SP	GENERIC UTILITY ITEM STEEL H PILE PIERS	2 EA	2,000.00	4,000.00
0072	5888000000-E	SP	GENERIC UTILITY ITEM 8" DUCTILE IRON RIGID RESTRAINED JOINT WATER PIPE	60 LF	150.00	9,000.00
0073	5889000000-E	1510	GENERIC UTILITY ITEM 6" WATER LINE RESTRAINED JOINT DUCTILE IRON	98 LF	200.00	19,600.00
0074	5889000000-E	1510	GENERIC UTILITY ITEM 8" WATER LINE RESTRAINED JOINT DUCTILE IRON	184 LF	85.00	15,640.00
0075	5889000000-E	1510	GENERIC UTILITY ITEM 8" WATER LINE RESTRAINED JOINT DUCTILE IRON CLASS 56	81 LF	100.00	8,100.00
0076	6000000000-E	1605	TEMPORARY SILT FENCE	1,500 LF	2.50	3,750.00
0077	6006000000-E	1610	STONE FOR EROSION CONTROL, CLASS A	200 TON	30.50	6,100.00
0078	6009000000-E	1610	STONE FOR EROSION CONTROL, CLASS B	150 TON	30.50	4,575.00
0079	6012000000-E	1610	SEDIMENT CONTROL STONE	225 TON	27.00	6,075.00
0080	6015000000-E	1615	TEMPORARY MULCHING	1 ACR	1,600.00	1,600.00
0081	6018000000-E	1620	SEED FOR TEMPORARY SEEDING	50 LB	8.00	400.00
0082	6021000000-E	1620	FERTILIZER FOR TEMPORARY SEED- ING	1.25 TON	2,500.00	3,125.00
0083	6029000000-E	SP	SAFETY FENCE	750 LF	2.50	1,875.00
0084	6030000000-E	1630	SILT EXCAVATION	355 CY	5.00	1,775.00
0085	6036000000-E	1631	MATTING FOR EROSION CONTROL	925 SY	1.95	1,803.75
0086	6037000000-E	SP	COIR FIBER MAT	10 SY	10.00	100.00
0087	6042000000-E	1632	1/4" HARDWARE CLOTH	260 LF	5.00	1,300.00

Contract Item Sheets For C202090

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
0088	6070000000-N	SP	SPECIAL STILLING BASINS	6 EA	1,000.00	6,000.00
0089	6071010000-E	SP	WATTLE	40 LF	5.00	200.00
0090	6071020000-E	SP	POLYACRYLAMIDE (PAM)	12 LB	20.00	240.00
0091	6071030000-E	SP	COIR FIBER BAFFLES	60 LF	5.00	300.00
0092	6071050000-E	SP	*** SKIMMER (1-1/2")	1 EA	200.00	200.00
0093	6084000000-E	1660	SEEDING & MULCHING	5 ACR	1,895.00	9,475.00
0094	6087000000-E	1660	MOWING	0.5 ACR	600.00	300.00
0095	6090000000-E	1661	SEED FOR REPAIR SEEDING	50 LB	10.00	500.00
0096	6093000000-E	1661	FERTILIZER FOR REPAIR SEEDING	0.25 TON	4,000.00	1,000.00
0097	6096000000-E	1662	SEED FOR SUPPLEMENTAL SEEDING	50 LB	6.00	300.00
0098	6108000000-E	1665	FERTILIZER TOPDRESSING	0.5 TON	2,000.00	1,000.00
0099	6114500000-N	SP	SPECIALIZED HAND MOWING	5 MHR	60.00	300.00
0100	6117000000-N	SP	RESPONSE FOR EROSION CONTROL	12 EA	300.00	3,600.00

Contract Item Sheets For C202090

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
0101	8017000000-N	SP	CONSTRUCTION, MAINTENANCE, & REMOVAL OF TEMP ACCESS AT STA ***** (17 + 79.00-L-)	Lump Sum LS	12,000.00	12,000.00
0102	8035000000-N	402	REMOVAL OF EXISTING STRUCTURE AT STATION ***** (17 + 79.00-L-)	Lump Sum LS	12,000.00	12,000.00
0103	8105540000-E	SP	3'-6" DIA DRILLED PIERS IN SOIL	9.5 LF	1,045.00	9,927.50
0104	8105640000-E	SP	3'-6" DIA DRILLED PIERS NOT IN SOIL	30 LF	1,961.00	58,830.00
0105	8111400000-E	SP	PERMANENT STEEL CASING FOR 3'-6" DIA DRILLED PIER	12.3 LF	200.00	2,460.00
0106	8113000000-N	SP	SID INSPECTION	1 EA	500.00	500.00
0107	8115000000-N	SP	CROSSHOLE SONIC LOGGING	1 EA	2,500.00	2,500.00
0108	8119000000-E	412	UNCLASSIFIED STRUCTURE EXCAVA- TION	885 CY	8.00	7,080.00
0109	8175000000-E	420	CLASS AA CONCRETE (BRIDGE)	28.3 CY	400.00	11,320.00
0110	8182000000-E	420	CLASS A CONCRETE (BRIDGE)	75.5 CY	700.00	52,850.00
0111	8210000000-N	422	BRIDGE APPROACH SLABS, STATION ***** (17 + 79.00-L)	Lump Sum LS	21,000.00	21,000.00
0112	8217000000-E	425	REINFORCING STEEL (BRIDGE)	16,538 LB	1.00	16,538.00
0113	8224000000-E	425	EPOXY COATED REINFORCING STEEL (BRIDGE)	711 LB	1.00	711.00
0114	8238000000-E	425	SPIRAL COLUMN REINFORCING STEEL (BRIDGE)	1,173 LB	1.65	1,935.45
0115	8364000000-E	SP	HP12X53 STEEL PILES	440 LF	37.00	16,280.00
0116	8468000000-E	460	ONE BAR METAL RAIL	110.25 LF	97.50	10,749.38
0117	8482000000-E	460	THREE BAR METAL RAIL	110.25 LF	163.50	18,025.88

Contract Item Sheets For C202090

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
0118	8517000000-E	460	1'-***X ***** CONCRETE PARA-PET (1'-0" X 1'-10 1/2")	117.75 LF	40.00	4,710.00
0119	8608000000-E	876	RIP RAP CLASS II (2'-0" THICK)	579 TON	40.00	23,160.00
0120	8622000000-E	876	FILTER FABRIC FOR DRAINAGE	643 SY	6.00	3,858.00
0121	8657000000-N	430	ELASTOMERIC BEARINGS	Lump Sum LS	9,000.00	9,000.00
0122	8753100000-E	430	3'-0" X 2'-9" PRESTRESSED CONC BOX BEAMS	1,882 LF	150.00	282,300.00

TOTAL AMOUNT OF BID FOR ENTIRE PROJECT

\$1,094,251.74 ✓

0955/Mar31/Q47582.35/D545292490000/E122

Contract Number C202090
County Jackson

**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

Miller Engineering Company Inc
Full name of Corporation

PO Box 1048 Marion, NC 28752
Address as Prequalified

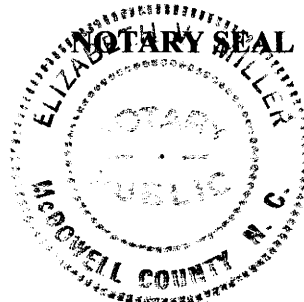
Attest Perchieleen E. Miller By Clifford H. Miller
~~Secretary/Assistant Secretary~~ President ~~Vice President/Assistant Vice President~~
Select appropriate title Select appropriate title

Perchieleen E. Miller Clifford H. Miller
Print or type Signer's name Print or type Signer's name

CORPORATE SEAL

AFFIDAVIT MUST BE NOTARIZED

Subscribed and sworn to before me this the
7 day of April 2010
Elizabeth U. Miller
Signature of Notary Public
of McDowell County
State of NC
My Commission Expires: 8-21-2010



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 C202090

County (ies): Jackson

ACCEPTED BY THE
DEPARTMENT OF TRANSPORTATION

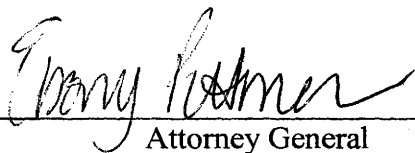


Contract Officer

4/14/10

Date

Execution of Contract and Bonds
Approved as to Form:



Attorney General

Contract No. C202090
County Jackson

Rev 2-1-10

Bond No. 08608429

CONTRACT PAYMENT BOND

Date of Payment Bond Execution April 5, 2010

Name of Principal Contractor Miller Engineering Company, Inc.

Name of Surety: Fidelity and Deposit Company of Maryland

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

Amount of Bond: One Million Ninety Four Thousand Two Hundred Fifty One Dollars and 74/100 (\$1,094,251.74)

Contract ID No.: C202090

County Name: Jackson

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. C202090
County Jackson

Rev 2-1-10

CONTRACT PAYMENT BOND

Affix Seal of Surety Company

Fidelity and Deposit Company of Maryland
Print or type Surety Company Name

By Tammy M. Laub
Print, stamp or type name of Attorney-in-Fact



Tammy M. Laub
Signature of Attorney-in-Fact

Ronda W. Bush
Signature of Witness

Ronda W. Bush
Print or type Signer's name

1001 Morehead Square Drive, Suite 400

Charlotte, NC 28203
Address of Attorney-in-Fact

CONTRACT PAYMENT BOND

CORPORATION

SIGNATURE OF CONTRACTOR (Principal)

Miller Engineering Company, Inc.
Full name of Corporation

3523 Sugar Hill Road, Marion, NC 28752
Address as prequalified

By Clifford H. Miller
Signature of President, Vice President, Assistant Vice President
Select appropriate title

Clifford H. Miller
Print or type Signer's name

Affix Corporate Seal

Attest Perchieleen E. Miller
Signature of Secretary, Assistant Secretary
Select appropriate title

Perchieleen E. Miller
Print or type Signer's name

Bond Number: 08608429

Obligee: North Carolina Department of Transportation

**Power of Attorney
FIDELITY AND DEPOSIT COMPANY OF MARYLAND**

KNOW ALL MEN BY THESE PRESENTS: That the FIDELITY AND DEPOSIT COMPANY OF MARYLAND, a corporation of the State of Maryland, by Frank E. Martin, Jr., Vice President and Gerald F. Haley, Assistant Secretary, in pursuance of authority granted by Article VI, Section 2, of the By-Laws of said Company, which are set forth on the next page hereof and are hereby certified to be in full force and effect on the date hereof, does hereby nominate, constitute and appoint:

Tammy M. Laub

of Charlotte, NC, its true and lawful agent and Attorney-in-Fact, to make, execute, seal and deliver, for, and on its behalf as surety, and as its act and deed: Bond or undertaking number 08608429, issued on behalf of Miller Engineering Company, Inc., as Principal in a penalty not to exceed the sum of See Bond Form (\$See Bond Form) and the execution of such bond or undertaking in pursuance of these presents, shall be as binding upon said company, as fully and amply, to all intents and purposes, as if it had been duly executed and acknowledged by the regularly elected officers of the Company at its office in Baltimore, MD, in their own proper persons.

The said Assistant Secretary does hereby certify that the extract set forth on the next page hereof is a true copy of Article VI, Section 2, of the By-Laws of said Company, and is now in force.

IN WITNESS WHEREOF, the said Vice-President and Assistant Secretary have hereunto subscribed their names and affixed the Corporate Seal of the said FIDELITY AND DEPOSIT COMPANY OF MARYLAND this 4th day of September, A.D. 2007.

ATTEST:

FIDELITY AND DEPOSIT COMPANY OF MARYLAND



Gerald F. Haley

Gerald F. Haley Assistant Secretary

Frank E. Martin Jr.

Frank E. Martin, Jr. Vice President

State of Maryland }
County of Baltimore } SS:

On this 4th day of September, A.D. 2007, before the subscriber, a Notary Public of the State of Maryland, duly commissioned and qualified, came Frank E. Martin, Jr., Vice President, and Gerald F. Haley, Assistant Secretary of the FIDELITY AND DEPOSIT COMPANY OF MARYLAND to me personally known to be the individuals and officers described in and who executed the preceding instrument, and they each acknowledged the execution of the same, and being by me duly sworn, severally and each for himself deposed and saith, that they are the said officers of the Company aforesaid, and that the seal affixed to the preceding instrument is the Corporate Seal of said Company, and that the said Corporate Seal and their signatures as such officers were duly affixed and subscribed to the said instrument by the authority and direction of the said Corporation.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my Official Seal the day and year first above written.



Connie A. Dunn

Connie A. Dunn Notary Public
My Commission Expires: July 14, 2011

EXTRACT FROM BY-LAWS OF FIDELITY AND DEPOSIT COMPANY OF MARYLAND

“Article VI, Section 2. The Chairman of the Board, or the President, or any Executive Vice-President or any Vice President that is specially authorized by the Board of Directors or the Chairman in concurrence with the Corporate Secretary, shall have the power, by and with the concurrence of the Secretary, to appoint Attorney-in-Fact as the business of the Company may require, or to authorize any person or persons to execute on behalf of the Company any bonds, undertakings, recognizances, stipulations, policies, contracts, agreements, deeds, and releases and assignments of judgments, decrees, mortgages and instruments in the nature of mortgages, and also all other instruments and documents which the business of the Company may require, and to affix the seal of the Company thereto.”

CERTIFICATE

I, the undersigned, Assistant Secretary of the FIDELITY AND DEPOSIT COMPANY OF MARYLAND, do hereby certify that the original Power of Attorney of which the foregoing is a full, true and correct copy, is in full force and effect on the date of this certificate; and I do further certify that the Vice-President who executed the said Power of Attorney was one of the additional Vice-Presidents specially authorized by the Board of Directors to appoint any Attorney-in-Fact as provided in Article VI, Section 2, of the By-Laws of the FIDELITY AND DEPOSIT COMPANY OF MARYLAND.

This Power of Attorney and Certificate may be signed by facsimile under and by authority of the following resolution of the Board of Directors of the FIDELITY AND DEPOSIT COMPANY OF MARYLAND at a meeting duly called and held on the 5th day of May, 1994.

RESOLVED: “That the facsimile or mechanically reproduced seal of the company and facsimile or mechanically reproduced signature of any Vice-President, Secretary, or Assistant Secretary of the Company, whether made heretofore or hereafter, wherever appearing upon a certified copy of any power of attorney issued by the Company, shall be valid and binding upon the Company with the same force and effect as though manually affixed.”

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed the corporate seal of the said Company, this 5th day of April, 2010.



L.L. Goucher

Assistant Secretary



Contract No. C202090
County Jackson

Rev 2-1-10

Bond No. 08608429

CONTRACT PERFORMANCE BOND

Date of Performance Bond Execution: April 5, 2010

Name of Principal Contractor: Miller Engineering Company, Inc.

Name of Surety: Fidelity and Deposit Company of Maryland

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

Amount of Bond: One Million Ninety Four Thousand Two Hundred Fifty One Dollars and 74/100 (\$1,094,251.74)

Contract ID No.: C202090

County Name: Jackson

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. C202090
County Jackson

Rev 2-1-10

CONTRACT PERFORMANCE BOND

Affix Seal of Surety Company

Fidelity and Deposit Company of Maryland
Print or type Surety Company Name

By Tammy M. Laub
Print, stamp or type name of Attorney-in-Fact



Tammy M. Laub
Signature of Attorney-in-Fact

Ronda W. Bush
Signature of Witness

Ronda W. Bush Ronda W. Bush
Print or type Signer's name

1001 Morehead Square Drive, Suite 400

Charlotte, NC 28203
Address of Attorney-in-Fact

CONTRACT PERFORMANCE BOND

CORPORATION

SIGNATURE OF CONTRACTOR (Principal)

Miller Engineering Company, Inc.
Full name of Corporation

3523 Sugar Hill Road, Marion, NC 28752
Address as prequalified

By Clifford H Miller
Signature of President ~~Vice President~~ Assistant Vice President
Select appropriate title

Clifford H Miller
Print or type Signer's name

Affix Corporate Seal

Attest Perchieleen E. Miller
Signature of Secretary Assistant Secretary
Select appropriate title

Perchieleen E Miller
Print or type Signer's name

**Power of Attorney
FIDELITY AND DEPOSIT COMPANY OF MARYLAND**

KNOW ALL MEN BY THESE PRESENTS: That the FIDELITY AND DEPOSIT COMPANY OF MARYLAND, a corporation of the State of Maryland, by Frank E. Martin, Jr., Vice President and Gerald F. Haley, Assistant Secretary, in pursuance of authority granted by Article VI, Section 2, of the By-Laws of said Company, which are set forth on the next page hereof and are hereby certified to be in full force and effect on the date hereof, does hereby nominate, constitute and appoint:

Tammy M. Laub

of Charlotte, NC, its true and lawful agent and Attorney-in-Fact, to make, execute, seal and deliver, for, and on its behalf as surety, and as its act and deed: Bond or undertaking number 08608429, issued on behalf of Miller Engineering Company, Inc., as Principal in a penalty not to exceed the sum of See Bond Form (\$See Bond Form) and the execution of such bond or undertaking in pursuance of these presents, shall be as binding upon said company, as fully and amply, to all intents and purposes, as if it had been duly executed and acknowledged by the regularly elected officers of the Company at its office in Baltimore, MD, in their own proper persons.

The said Assistant Secretary does hereby certify that the extract set forth on the next page hereof is a true copy of Article VI, Section 2, of the By-Laws of said Company, and is now in force.

IN WITNESS WHEREOF, the said Vice-President and Assistant Secretary have hereunto subscribed their names and affixed the Corporate Seal of the said FIDELITY AND DEPOSIT COMPANY OF MARYLAND this 4th day of September, A.D. 2007.

ATTEST:

FIDELITY AND DEPOSIT COMPANY OF MARYLAND



Gerald F. Haley

Gerald F. Haley Assistant Secretary

Frank E. Martin Jr.

Frank E. Martin, Jr. Vice President

State of Maryland }
County of Baltimore } ss:

On this 4th day of September, A.D. 2007, before the subscriber, a Notary Public of the State of Maryland, duly commissioned and qualified, came Frank E. Martin, Jr., Vice President, and Gerald F. Haley, Assistant Secretary of the FIDELITY AND DEPOSIT COMPANY OF MARYLAND to me personally known to be the individuals and officers described in and who executed the preceding instrument, and they each acknowledged the execution of the same, and being by me duly sworn, severally and each for himself depose and saith, that they are the said officers of the Company aforesaid, and that the seal affixed to the preceding instrument is the Corporate Seal of said Company, and that the said Corporate Seal and their signatures as such officers were duly affixed and subscribed to the said instrument by the authority and direction of the said Corporation.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my Official Seal the day and year first above written.



Connie A. Dunn

Connie A. Dunn Notary Public
My Commission Expires: July 14, 2011

EXTRACT FROM BY-LAWS OF FIDELITY AND DEPOSIT COMPANY OF MARYLAND

“Article VI, Section 2. The Chairman of the Board, or the President, or any Executive Vice-President or any Vice President that is specially authorized by the Board of Directors or the Chairman in concurrence with the Corporate Secretary, shall have the power, by and with the concurrence of the Secretary, to appoint Attorney-in-Fact as the business of the Company may require, or to authorize any person or persons to execute on behalf of the Company any bonds, undertakings, recognizances, stipulations, policies, contracts, agreements, deeds, and releases and assignments of judgments, decrees, mortgages and instruments in the nature of mortgages, and also all other instruments and documents which the business of the Company may require, and to affix the seal of the Company thereto.”

CERTIFICATE

I, the undersigned, Assistant Secretary of the FIDELITY AND DEPOSIT COMPANY OF MARYLAND, do hereby certify that the original Power of Attorney of which the foregoing is a full, true and correct copy, is in full force and effect on the date of this certificate; and I do further certify that the Vice-President who executed the said Power of Attorney was one of the additional Vice-Presidents specially authorized by the Board of Directors to appoint any Attorney-in-Fact as provided in Article VI, Section 2, of the By-Laws of the FIDELITY AND DEPOSIT COMPANY OF MARYLAND.

This Power of Attorney and Certificate may be signed by facsimile under and by authority of the following resolution of the Board of Directors of the FIDELITY AND DEPOSIT COMPANY OF MARYLAND at a meeting duly called and held on the 5th day of May, 1994.

RESOLVED: “That the facsimile or mechanically reproduced seal of the company and facsimile or mechanically reproduced signature of any Vice-President, Secretary, or Assistant Secretary of the Company, whether made heretofore or hereafter, wherever appearing upon a certified copy of any power of attorney issued by the Company, shall be valid and binding upon the Company with the same force and effect as though manually affixed.”

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed the corporate seal of the said Company, this 5th day of April, 2010.



L.L. Goucher

Assistant Secretary



