

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

C202327

CONTRACT AND
CONTRACT BONDS
FOR CONTRACT NO. C202327

WBS 33551.3.1 BRSTP-109(10)

T.I.P NO. B-4204

COUNTY OF MONTGOMERY
THIS IS THE ROADWAY & STRUCTURE CONTRACT
ROUTE NUMBER NC 109 LENGTH 0.349 MILES
LOCATION BRIDGE OVER ROCK CREEK AND APPROACHES ON NC-109.

CONTRACTOR R.E. BURNS & SONS CO., INC.
ADDRESS P.O. BOX 7168
STATESVILLE, NC 28687

BIDS OPENED MARCH 16, 2010
CONTRACT EXECUTION APR 09 2010

R. E. Burns Sons Co., Inc. (3481).**Vendor 4 of 10 Vendors for Call Order 006 (Proposal ID C202327).**

County: MONTGOMERY
Address: P. O. B ox 7168
Statesville, NC 28687
Phone Number: 704-924-8646
Signature Check: This bid has been properly signed by Kevin_C._Burns_3481.
Time Bid Received: Tue Mar 16 13:54:58 2010
Bid Checksum: 32BB2A0F
Amendment Count: 0 DBE GOAL SET 7.0
Bidding Errors: No bidding errors. DBE GOAL MET 7.3
Bid Total: \$1,191,363.78 ✓
Bond ID: SNC10712910
Bond was Verified: Yes.
Bond Required Percent: 5.00%
Minimum Check Amount: \$59,568.19
Bid Security Maximum: \$
Bond Agency Name:
Agency Execution Date: 2/24/2010 10:16:04 AM
Surety Name: Liberty Mutual Insurance Company
Surety State of Incorporation:
Bond Company:
Bond Type:
Bond Appr Flag:
Bond Affirm:
Bond was Paid by Check: No.

LIST OF DBE PARTICIPANTS

VENDOR NUMBER	DBE NAME ADDRESS	WORK CODE TYPE OF WORK	CERT TYPE AMOUNT	
5279	WB GUARDRAIL OF GREENSBORO LLC P.O. BOX 19232 , GREENSBORO, NC 27419		Sub 26,795.00	✓ arm
3346	WB LINEBERRY, INC. POST OFFICE BOX 307 , CLIMAX, NC 27233		Sub 42,070.75	✓ arm
2855	WB BOSS CONSTRUCTION CO., INC. 229 BOXWOOD CHURCH ROAD , MOCKSVILLE, NC 27028		Sub 8,250.76	✓ arm
3765	WB STAY ALERT SAFETY SERVICES INC POST OFFICE BOX 467 , KERNERSVILLE, NC 27285		Sub 4,488.55	✓ arm
3230	WB HIATT & MASON ENTERPRISES, INC POST OFFICE BOX 1378 , MOUNT AIRY, NC 27030		Sub 5,276.29	✓ arm
			TOTAL:	\$86,881.35 ✓ arm 7.29%

Miscellaneous Data Info - Contractor Responses:
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NON-COLLUSION AND DEBARMENT CERTIFICATION

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

Explanation:
NOT ANSWERED
NOT ANSWERED
NOT ANSWERED
NOT ANSWERED

AWARD LIMITS ON MULTIPLE PROJECTS

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

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

The Award Limits shall apply to the following projects:

Contract Number	County
NOT ANSWERED	

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

BondID: SNC10712910
Surety Registry Agency: surety2000

NCDOT/berc

Vendor 3481's Load Output for Call 006, Letting L100316, 2010-03-16

Verified?: Yes

Surety Agency: Liberty Mutual Insurance Company

Bond Execution Date: 2/24/2010 10:16:04 AM

Bond Amount: \$59,568.19 (Five Percent of Bid)

State of NC
Dept of Transportation

Date: 02-16-10
Revised:

Contract ID: C202327 Project(s): BRSTP-109(10)
Letting Date: 03-16-10 Call Order: 006
Bidder: 3481 - R. E. Burns & Sons 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		60,000.00
0002	0029000000-N REINFORCED BRIDGE APPROACH FILL, STATION ***** (14+82.50)	LUMP		LUMP		21,000.00
0003	0043000000-N GRADING	LUMP		LUMP		108,000.00
0004	0050000000-E SUPPLEMENTA RY CLEARING & GRUB-BING	ACR	1.000	1.00000		1.00
0005	0057000000-E UNDERCUT EXCAVATION	CY	1,500.000	2.00000		3,000.00
0006	0080000000-E CLASS IV SUBGRADE STABILIZA- TION	TON	1,000.000	5.00000		5,000.00
0007	0134000000-E DRAINAGE DITCH EXCAVATION	CY	440.000	3.00000		1,320.00
0008	0195000000-E SELECT GRANULAR MATERIAL	CY	1,000.000	4.00000		4,000.00
0009	0196000000-E FABRIC FOR SOIL STABILIZATION	SY	1,500.000	1.50000		2,250.00
0010	0320000000-E FOUNDATION CONDITIONING FABRIC	SY	50.000	2.00000		100.00

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	0330000000-E GENERIC DRAINAGE ITEM FOUNDATION CONDITIONING MATERIAL, MINOR STRS	20.000 TON	32.50000		650.00	
0012	0335200000-E 15" DRAINAGE PIPE	24.000 LF	26.00000		624.00	
0013	0335300000-E 18" DRAINAGE PIPE	28.000 LF	31.00000		868.00	
0014	0335850000-E *** DRAINAGE PIPE ELBOWS (15")	2.000 EA	220.00000		440.00	
0015	0986000000-E GENERIC PIPE ITEM 15" SIDE DRAIN PIPE	96.000 LF	26.00000		2,496.00	
0016	0995000000-E PIPE REMOVAL	111.000 LF	6.00000		666.00	
0017	1220000000-E INCIDENTAL STONE BASE	50.000 TON	22.00000		1,100.00	
0018	1489000000-E ASPHALT CONC BASE COURSE, TYPE B25.0B	1,040.000 TON	43.00000		44,720.00	
0019	1498000000-E ASPHALT CONC INTERMEDIATE COURSE, TYPE I19.0B	200.000 TON	48.00000		9,600.00	
0020	1519000000-E ASPHALT CONC SURFACE COURSE, TYPE S9.5B	1,540.000 TON	44.00000		67,760.00	
0021	1560000000-E ASPHALT BINDER FOR PLANT MIX, GRADE PG 64-22	150.000 TON	525.00000		78,750.00	

State of NC
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Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
0022	1693000000-E ASPHALT PLANT MIX, PAVEMENT REPAIR	15.000 TON	100.00000		1,500.00	
0023	2000000000-N RIGHT OF WAY MARKERS	7.000 EA	200.00000		1,400.00	
0024	2022000000-E SUBDRAIN EXCAVATION	112.000 CY	1.00000		112.00	
0025	2033000000-E SUBDRAIN FINE AGGREGATE	84.000 CY	1.00000		84.00	
0026	2044000000-E 6" PERFORATED SUBDRAIN PIPE	500.000 LF	1.00000		500.00	
0027	2054000000-E 4" SUBDRAIN PIPE WYES, TEES, & ELBOWS	15.000 EA	1.00000		15.00	
0028	2066000000-N CONCRETE PAD FOR SUBDRAIN PIPE OUTLET	1.000 EA	1.00000		1.00	
0029	2077000000-E 6" OUTLET PIPE (SUBDRAINS)	6.000 LF	1.00000		6.00	
0030	2286000000-N MASONRY DRAINAGE STRUCTURES	2.000 EA	1,300.00000		2,600.00	
0031	2367000000-N FRAME WITH TWO GRATES, STD 840.29	1.000 EA	330.00000		330.00	
0032	2396000000-N FRAME WITH COVER, STD 840.54	1.000 EA	270.00000		270.00	
0033	2556000000-E SHOULDER BERM GUTTER	14.000 LF	43.00000		602.00	

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Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
0034	3030000000-E STEEL BM GUARDRAIL	LF 600.000	13.00000		7,800.00	
0035	3150000000-N ADDITIONAL GUARDRAIL POSTS	EA 5.000	15.00000		75.00	
0036	3270000000-N GUARDRAIL ANCHOR UNITS, TYPE 350	EA 4.000	1,700.00000		6,800.00	
0037	3317000000-N GUARDRAIL ANCHOR UNITS, TYPE B-77	EA 4.000	1,200.00000		4,800.00	
0038	3360000000-E REMOVE EXISTING GUARDRAIL	LF 520.000	1.00000		520.00	
0039	3380000000-E TEMPORARY STEEL BM GUARDRAIL	LF 400.000	7.00000		2,800.00	
0040	3387000000-N GUARDRAIL ANCHOR UNITS, TYPE ***** TEMPORARY (III)	EA 4.000	500.00000		2,000.00	
0041	3389100000-N GUARDRAIL ANCHOR UNITS, TYPE 350 TEMPORARY	EA 4.000	500.00000		2,000.00	
0042	3649000000-E RIP RAP, CLASS B	TON 335.000	34.00000		11,390.00	
0043	3656000000-E FILTER FABRIC FOR DRAINAGE	SY 1,290.000	1.50000		1,935.00	
0044	4072000000-E SUPPORTS, 3-LB STEEL U-CHANNEL	LF 210.000	5.38000		1,129.80	

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			Dollars	Cts	Dollars	Ct
0045	4096000000-N SIGN ERECTION, TYPE D	EA 2.000	155.00000		310.00	
0046	4102000000-N SIGN ERECTION, TYPE E	EA 11.000	65.00000		715.00	
0047	4108000000-N SIGN ERECTION, TYPE F	EA 1.000	185.00000		185.00	
0048	4155000000-N DISPOSAL OF SIGN SYSTEM, U- CHANNEL	EA 9.000	5.00000		45.00	
0049	4400000000-E WORK ZONE SIGNS (STATIONARY)	SF 90.000	6.85000		616.50	
0050	4405000000-E WORK ZONE SIGNS (PORTABLE)	SF 115.000	30.00000		3,450.00	
0051	4410000000-E WORK ZONE SIGNS (BARRICADE MOUNTED)	SF 115.000	6.15000		707.25	
0052	4430000000-N DRUMS	EA 60.000	65.00000		3,900.00	
0053	4435000000-N CONES	EA 25.000	10.00000		250.00	
0054	4445000000-E BARRICADES (TYPE III)	LF 40.000	19.50000		780.00	
0055	4450000000-N FLAGGER	HR 1,080.000	15.00000		16,200.00	
0056	4650000000-N TEMPORARY RAISED PAVEMENT MARKERS	EA 160.000	6.00000		960.00	

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Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
0057	4685000000-E THERMOPLAST IC PAVEMENT MARKING LINES (4", 90 MILS)	3,764.000 LF	0.50000		1,882.00	
0058	4686000000-E THERMOPLAST IC PAVEMENT MARKING LINES (4", 120 MILS)	4,449.000 LF	0.55000		2,446.95	
0059	4695000000-E THERMOPLAST IC PAVEMENT MARKING LINES (8", 90 MILS)	90.000 LF	3.00000		270.00	
0060	4710000000-E THERMOPLAST IC PAVEMENT MARKING LINES (24", 120 MILS)	50.000 LF	8.00000		400.00	
0061	4721000000-E THERMOPLAST IC PAVEMENT MARKING CHARACTER (120 MILS)	6.000 EA	100.00000		600.00	
0062	4725000000-E THERMOPLAST IC PAVEMENT MARKING SYMBOL (90 MILS)	2.000 EA	125.00000		250.00	
0063	4770000000-E COLD APPLIED PLASTIC PAVEMENT MARKING LINES, TYPE ** (4") (II)	460.000 LF	2.50000		1,150.00	
0064	4810000000-E PAINT PAVEMENT MARKING LINES (4")	30,670.000 LF	0.24000		7,360.80	
0065	4820000000-E PAINT PAVEMENT MARKING LINES (8")	170.000 LF	1.00000		170.00	
0066	4835000000-E PAINT PAVEMENT MARKING LINES (24")	200.000 LF	2.50000		500.00	
0067	4840000000-N PAINT PAVEMENT MARKING CHARAC-TER	24.000 EA	50.00000		1,200.00	

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			Dollars	Cts	Dollars	Ct
0068	4845000000-N PAINT PAVEMENT MARKING SYMBOL	8.000 EA	55.00000		440.00	
0069	4900000000-N PERMANENT RAISED PAVEMENT MARKERS	23.000 EA	12.00000		276.00	
0070	6000000000-E TEMPORARY SILT FENCE	2,725.000 LF	1.62000		4,414.50	
0071	6006000000-E STONE FOR EROSION CONTROL, CLASS A	185.000 TON	10.00000		1,850.00	
0072	6009000000-E STONE FOR EROSION CONTROL, CLASS B	215.000 TON	10.00000		2,150.00	
0073	6012000000-E SEDIMENT CONTROL STONE	160.000 TON	10.00000		1,600.00	
0074	6015000000-E TEMPORARY MULCHING	5.000 ACR	400.00000		2,000.00	
0075	6018000000-E SEED FOR TEMPORARY SEEDING	150.000 LB	2.90000		435.00	
0076	6021000000-E FERTILIZER FOR TEMPORARY SEED-ING	2.500 TON	1,200.00000		3,000.00	
0077	6024000000-E TEMPORARY SLOPE DRAINS	200.000 LF	4.00000		800.00	
0078	6027000000-N INLET PROTECTION AT TEMPORARY SLOPE DRAINS	4.000 EA	100.00000		400.00	
0079	6029000000-E SAFETY FENCE	400.000 LF	1.68000		672.00	

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			Dollars	Cts	Dollars	Ct
0080	6030000000-E SILT EXCAVATION	CY 755.000	1.00000		755.00	
0081	6036000000-E MATTING FOR EROSION CONTROL	SY 9,000.000	1.10000		9,900.00	
0082	6037000000-E COIR FIBER MAT	SY 30.000	4.60000		138.00	
0083	6038000000-E PERMANENT SOIL REINFORCEMENT MAT	SY 350.000	6.70000		2,345.00	
0084	6042000000-E 1/4" HARDWARE CLOTH	LF 425.000	3.45000		1,466.25	
0085	6071010000-E WATTLE	LF 185.000	12.00000		2,220.00	
0086	6071020000-E POLYACRYLAMIDE (PAM)	LB 45.000	20.00000		900.00	
0087	6071030000-E COIR FIBER BAFFLES	LF 555.000	5.00000		2,775.00	
0088	6071050000-E **" SKIMMER (1-1/2")	EA 2.000	700.00000		1,400.00	
0089	6084000000-E SEEDING & MULCHING	ACR 5.000	1,000.00000		5,000.00	
0090	6087000000-E MOWING	ACR 2.500	50.00000		125.00	
0091	6090000000-E SEED FOR REPAIR SEEDING	LB 50.000	9.00000		450.00	

State of NC
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			Dollars	Cts	Dollars	Ct
0092	6093000000-E FERTILIZER FOR REPAIR SEEDING	0.250 TON	1,200.00000		300.00	
0093	6096000000-E SEED FOR SUPPLEMENTAL SEEDING	100.000 LB	1.46000		146.00	
0094	6108000000-E FERTILIZER TOPDRESSING	2.750 TON	700.00000		1,925.00	
0095	6114500000-N SPECIALIZED HAND MOWING	10.000 MHR	48.00000		480.00	
0096	6117000000-N RESPONSE FOR EROSION CONTROL	12.000 EA	1.00000		12.00	
0097	6123000000-E REFORESTATION	0.400 ACR	2,100.00000		840.00	
0098	7648000000-N RELOCATE EXISTING SIGN	2.000 EA	300.00000		600.00	
Section 0001 Total						555,178.05

Section 0004 STRUCTURE ITEMS

Alt Group

0099	8007000000-N CONSTRUCTION, MAINTENANCE, & REMOVAL OF TEMP STRUCTURE AT STA ***** (14+82.50-L-)	LUMP	LUMP		230,000.00	
0100	8035000000-N REMOVAL OF EXISTING STRUCTURE AT STATION ***** (14+82.50-L-)	LUMP	LUMP		22,000.00	

State of NC
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			Dollars	Cts	Dollars	Ct
0101	8070000000-E FOUNDATION EXCAVATION	CY 284.000	35.00000		9,940.00	
0102	8119000000-E UNCLASSIFIED STRUCTURE EXCAVATION	CY 771.000	7.00000		5,397.00	
0103	8147000000-E REINFORCED CONCRETE DECK SLAB	SF 3,785.000	23.00000		87,055.00	
0104	8161000000-E GROOVING BRIDGE FLOORS	SF 4,324.000	0.47000		2,032.28	
0105	8182000000-E CLASS A CONCRETE (BRIDGE)	CY 95.200	540.00000		51,408.00	
0106	8210000000-N BRIDGE APPROACH SLABS, STATION***** (14+82.50-L-)	LUMP	LUMP		28,000.00	
0107	8217000000-E REINFORCING STEEL (BRIDGE)	LB 11,825.000	1.00000		11,825.00	
0108	8238000000-E SPIRAL COLUMN REINFORCING STEEL (BRIDGE)	LB 571.000	2.60000		1,484.60	
0109	8280000000-E APPROX LBS STRUCTURALSTEEL	LUMP	LUMP		157,000.00	
0110	8503000000-E CONCRETE BARRIER RAIL	LF 227.670	55.00000		12,521.85	
0111	8608000000-E RIP RAP CLASS II (2'-0" THICK)	TON 166.000	22.00000		3,652.00	

State of NC
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			Dollars	Cts	Dollars	Ct
0112	8622000000-E FILTER FABRIC FOR DRAINAGE	185.000 SY	2.00000		370.00	
0113	8657000000-N ELASTOMERIC BEARINGS	LUMP	LUMP		5,000.00	
0114	8692000000-N EVAZOTE JOINT SEALS	LUMP	LUMP		8,500.00	
Section 0004 Total					636,185.73	
Bid Total					1,191,363.78	

NON-COLLUSION AND DEBARMENT CERTIFICATION

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

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

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

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

Explanation:
NOT ANSWERED
NOT ANSWERED
NOT ANSWERED
NOT ANSWERED

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

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

AWARD LIMITS ON MULTIPLE PROJECTS

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

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

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

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

The Award Limits shall apply to the following projects:

Contract Number	County
NOT ANSWERED	

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

NORTH CAROLINA STATE DEPARTMENT OF TRANSPORTATION
DBE COMMITMENT ITEMS

DATE:02-16-10
PAGE: 14

PROPOSAL: C202327
LETTING: L100316 CALL: 006
VENDOR: 3481 R. E. Burns & Sons Co., Inc.

LINE NO.	ITEM NO.	ITEM DESC.	UNIT TYPE	SUBCONTRACTOR QUANTITY	SUBCONTRACTOR UNIT PRICE	EXTENDED AMOUNT
DBE SUBCONTRACTOR: 5279 GUARDRAIL OF GREENSBORO LLC						
Will Use Quote: Yes						
0035	3150000000-N	ADDIT GUARDR	EA	5.000	15.00000	75.00
0034	3030000000-E	STL BM GUARD	LF	600.000	13.00000	7800.00
0036	3270000000-N	GR ANCHOR TY	EA	4.000	1700.00000	6800.00
0037	3317000000-N	GR ANCHOR TY	EA	4.000	1200.00000	4800.00
0038	3360000000-E	REMOVE EXIST	LF	520.000	1.00000	520.00
0039	3380000000-E	TEMP STL BM	LF	400.000	7.00000	2800.00
0040	3387000000-N	GDRL ANCH UN	EA	4.000	500.00000	2000.00
0041	3389100000-N	GDRL ANCH UN	EA	4.000	500.00000	2000.00

DBE COMMITMENT TOTAL FOR SUBCONTRACTOR: 26,795.00 ✓ am
DBE COMMITMENT TOTAL FOR VENDOR (SubContractor) 26,795.

DBE SUBCONTRACTOR: 3346 LINEBERRY, INC.
Will Use Quote: Yes

0070	6000000000-E	TEMPORARY SI	LF	2725.000	1.62000	4414.50
0074	6015000000-E	TEMPORARY MU	ACR	5.000	400.00000	2000.00
0075	6018000000-E	SEED FOR TEM	LB	150.000	2.90000	435.00
0076	6021000000-E	FERT FOR TEM	TON	2.500	1200.00000	3000.00
0079	6029000000-E	SAFETY FENCE	LF	400.000	1.68000	672.00
0081	6036000000-E	MATTING FOR	SY	9000.000	1.10000	9900.00
0082	6037000000-E	COIR FIBER M	SY	30.000	4.60000	138.00
0083	6038000000-E	PERM SOIL RE	SY	350.000	6.70000	2345.00
0084	6042000000-E	1/4" HARDWAR	LF	425.000	3.45000	1466.25
0085	6071010000-E	WATTLE	LF	185.000	7.50000	1387.50
0086	6071020000-E	POLYACRYLAMI	LB	45.000	16.70000	751.50
0089	6084000000-E	SEEDING AND	ACR	5.000	1899.00000	9495.00
0090	6087000000-E	MOWING	ACR	2.500	50.00000	125.00
0091	6090000000-E	SEED FOR REP	LB	50.000	9.00000	450.00
0092	6093000000-E	FERT FOR REP	TON	0.250	1200.00000	300.00
0093	6096000000-E	SEED FOR SUP	LB	100.000	1.46000	146.00
0094	6108000000-E	FERTILIZER T	TON	2.750	700.00000	1925.00
0095	6114500000-N	SPECIALIZED	MHR	10.000	48.00000	480.00
0096	6117000000-N	RESPONSE FOR	EA	12.000	150.00000	1800.00
0097	6123000000-E	REFORESTATIO	ACR	0.400	2100.00000	840.00

DBE COMMITMENT TOTAL FOR SUBCONTRACTOR: 42,070.75 ✓ am
DBE COMMITMENT TOTAL FOR VENDOR (SubContractor) 42,070.

DBE SUBCONTRACTOR: 2855 BOSS CONSTRUCTION CO., INC.
Will Use Quote: Yes

0110	8503000000-E	CONCRETE BAR	LF	227.670	36.24000	8250.76
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Contract Item Sheets For C202327

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
ROADWAY ITEMS						
0001	0000100000-N	800	MOBILIZATION	Lump Sum LS	60,000.00	60,000.00
0002	0029000000-N	SP	REINFORCED BRIDGE APPROACH FILL, STATION ***** (14 + 82.50)	Lump Sum LS	21,000.00	21,000.00
0003	0043000000-N	226	GRADING	Lump Sum LS	108,000.00	108,000.00
0004	0050000000-E	226	SUPPLEMENTARY CLEARING & GRUB- BING	1 ACR	1.00	1.00
0005	0057000000-E	226	UNDERCUT EXCAVATION	1,500 CY	2.00	3,000.00
0006	0080000000-E	SP	CLASS IV SUBGRADE STABILIZA- TION	1,000 TON	5.00	5,000.00
0007	0134000000-E	240	DRAINAGE DITCH EXCAVATION	440 CY	3.00	1,320.00
0008	0195000000-E	265	SELECT GRANULAR MATERIAL	1,000 CY	4.00	4,000.00
0009	0196000000-E	270	FABRIC FOR SOIL STABILIZATION	1,500 SY	1.50	2,250.00
0010	0320000000-E	SP	FOUNDATION CONDITIONING FABRIC	50 SY	2.00	100.00
0011	0330000000-E	SP	GENERIC DRAINAGE ITEM FOUNDATION CONDITIONING MATE- RIAL, MINOR STRS	20 TON	32.50	650.00
0012	0335200000-E	SP	15" DRAINAGE PIPE	24 LF	26.00	624.00
0013	0335300000-E	SP	18" DRAINAGE PIPE	28 LF	31.00	868.00
0014	0335850000-E	SP	*** DRAINAGE PIPE ELBOWS (15")	2 EA	220.00	440.00
0015	0986000000-E	SP	GENERIC PIPE ITEM 15" SIDE DRAIN PIPE	96 LF	26.00	2,496.00
0016	0995000000-E	340	PIPE REMOVAL	111 LF	6.00	666.00
0017	1220000000-E	545	INCIDENTAL STONE BASE	50 TON	22.00	1,100.00
0018	1489000000-E	610	ASPHALT CONC BASE COURSE, TYPE B25.0B	1,040 TON	43.00	44,720.00

Contract Item Sheets For C202327

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
0019	1498000000-E	610	ASPHALT CONC INTERMEDIATE COURSE, TYPE I19.0B	200 TON	48.00	9,600.00
0020	1519000000-E	610	ASPHALT CONC SURFACE COURSE, TYPE S9.5B	1,540 TON	44.00	67,760.00
0021	1560000000-E	620	ASPHALT BINDER FOR PLANT MIX, GRADE PG 64-22	150 TON	525.00	78,750.00
0022	1693000000-E	654	ASPHALT PLANT MIX, PAVEMENT REPAIR	15 TON	100.00	1,500.00
0023	2000000000-N	806	RIGHT OF WAY MARKERS	7 EA	200.00	1,400.00
0024	2022000000-E	815	SUBDRAIN EXCAVATION	112 CY	1.00	112.00
0025	2033000000-E	815	SUBDRAIN FINE AGGREGATE	84 CY	1.00	84.00
0026	2044000000-E	815	6" PERFORATED SUBDRAIN PIPE	500 LF	1.00	500.00
0027	2054000000-E	815	4" SUBDRAIN PIPE WYES, TEES, & ELBOWS	15 EA	1.00	15.00
0028	2066000000-N	815	CONCRETE PAD FOR SUBDRAIN PIPE OUTLET	1 EA	1.00	1.00
0029	2077000000-E	815	6" OUTLET PIPE (SUBDRAINS)	6 LF	1.00	6.00
0030	2286000000-N	840	MASONRY DRAINAGE STRUCTURES	2 EA	1,300.00	2,600.00
0031	2367000000-N	840	FRAME WITH TWO GRATES, STD 840.29	1 EA	330.00	330.00
0032	2396000000-N	840	FRAME WITH COVER, STD 840.54	1 EA	270.00	270.00
0033	2556000000-E	846	SHOULDER BERM GUTTER	14 LF	43.00	602.00
0034	3030000000-E	862	STEEL BM GUARDRAIL	600 LF	13.00	7,800.00
0035	3150000000-N	862	ADDITIONAL GUARDRAIL POSTS	5 EA	15.00	75.00
0036	3270000000-N	SP	GUARDRAIL ANCHOR UNITS, TYPE 350	4 EA	1,700.00	6,800.00

Contract Item Sheets For C202327

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
0037	3317000000-N	862	GUARDRAIL ANCHOR UNITS, TYPE B-77	4 EA	1,200.00	4,800.00
0038	3360000000-E	863	REMOVE EXISTING GUARDRAIL	520 LF	1.00	520.00
0039	3380000000-E	862	TEMPORARY STEEL BM GUARDRAIL	400 LF	7.00	2,800.00
0040	3387000000-N	862	GUARDRAIL ANCHOR UNITS, TYPE ***** TEMPORARY (III)	4 EA	500.00	2,000.00
0041	3389100000-N	SP	GUARDRAIL ANCHOR UNITS, TYPE 350 TEMPORARY	4 EA	500.00	2,000.00
0042	3649000000-E	876	RIP RAP, CLASS B	335 TON	34.00	11,390.00
0043	3656000000-E	876	FILTER FABRIC FOR DRAINAGE	1,290 SY	1.50	1,935.00
0044	4072000000-E	903	SUPPORTS, 3-LB STEEL U-CHANNEL	210 LF	5.38	1,129.80
0045	4096000000-N	904	SIGN ERECTION, TYPE D	2 EA	155.00	310.00
0046	4102000000-N	904	SIGN ERECTION, TYPE E	11 EA	65.00	715.00
0047	4108000000-N	904	SIGN ERECTION, TYPE F	1 EA	185.00	185.00
0048	4155000000-N	907	DISPOSAL OF SIGN SYSTEM, U-CHANNEL	9 EA	5.00	45.00
0049	4400000000-E	1110	WORK ZONE SIGNS (STATIONARY)	90 SF	6.85	616.50
0050	4405000000-E	1110	WORK ZONE SIGNS (PORTABLE)	115 SF	30.00	3,450.00
0051	4410000000-E	1110	WORK ZONE SIGNS (BARRICADE MOUNTED)	115 SF	6.15	707.25
0052	4430000000-N	1130	DRUMS	60 EA	65.00	3,900.00
0053	4435000000-N	1135	CONES	25 EA	10.00	250.00
0054	4445000000-E	1145	BARRICADES (TYPE III)	40 LF	19.50	780.00
0055	4450000000-N	1150	FLAGGER	1,080 HR	15.00	16,200.00

Contract Item Sheets For C202327

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
0056	4650000000-N	1251	TEMPORARY RAISED PAVEMENT MARKERS	160 EA	6.00	960.00
0057	4685000000-E	1205	THERMOPLASTIC PAVEMENT MARKING LINES (4", 90 MILS)	3,764 LF	0.50	1,882.00
0058	4686000000-E	1205	THERMOPLASTIC PAVEMENT MARKING LINES (4", 120 MILS)	4,449 LF	0.55	2,446.95
0059	4695000000-E	1205	THERMOPLASTIC PAVEMENT MARKING LINES (8", 90 MILS)	90 LF	3.00	270.00
0060	4710000000-E	1205	THERMOPLASTIC PAVEMENT MARKING LINES (24", 120 MILS)	50 LF	8.00	400.00
0061	4721000000-E	1205	THERMOPLASTIC PAVEMENT MARKING CHARACTER (120 MILS)	6 EA	100.00	600.00
0062	4725000000-E	1205	THERMOPLASTIC PAVEMENT MARKING SYMBOL (90 MILS)	2 EA	125.00	250.00
0063	4770000000-E	1205	COLD APPLIED PLASTIC PAVEMENT MARKING LINES, TYPE ** (4") (II)	460 LF	2.50	1,150.00
0064	4810000000-E	1205	PAINT PAVEMENT MARKING LINES (4")	30,670 LF	0.24	7,360.80
0065	4820000000-E	1205	PAINT PAVEMENT MARKING LINES (8")	170 LF	1.00	170.00
0066	4835000000-E	1205	PAINT PAVEMENT MARKING LINES (24")	200 LF	2.50	500.00
0067	4840000000-N	1205	PAINT PAVEMENT MARKING CHARACTER	24 EA	50.00	1,200.00
0068	4845000000-N	1205	PAINT PAVEMENT MARKING SYMBOL	8 EA	55.00	440.00
0069	4900000000-N	1251	PERMANENT RAISED PAVEMENT MARKERS	23 EA	12.00	276.00
0070	6000000000-E	1605	TEMPORARY SILT FENCE	2,725 LF	1.62	4,414.50
0071	6006000000-E	1610	STONE FOR EROSION CONTROL, CLASS A	185 TON	10.00	1,850.00

Contract Item Sheets For C202327

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
0072	6009000000-E	1610	STONE FOR EROSION CONTROL, CLASS B	215 TON	10.00	2,150.00
0073	6012000000-E	1610	SEDIMENT CONTROL STONE	160 TON	10.00	1,600.00
0074	6015000000-E	1615	TEMPORARY MULCHING	5 ACR	400.00	2,000.00
0075	6018000000-E	1620	SEED FOR TEMPORARY SEEDING	150 LB	2.90	435.00
0076	6021000000-E	1620	FERTILIZER FOR TEMPORARY SEED- ING	2.5 TON	1,200.00	3,000.00
0077	6024000000-E	1622	TEMPORARY SLOPE DRAINS	200 LF	4.00	800.00
0078	6027000000-N	1622	INLET PROTECTION AT TEMPORARY SLOPE DRAINS	4 EA	100.00	400.00
0079	6029000000-E	SP	SAFETY FENCE	400 LF	1.68	672.00
0080	6030000000-E	1630	SILT EXCAVATION	755 CY	1.00	755.00
0081	6036000000-E	1631	MATTING FOR EROSION CONTROL	9,000 SY	1.10	9,900.00
0082	6037000000-E	SP	COIR FIBER MAT	30 SY	4.60	138.00
0083	6038000000-E	SP	PERMANENT SOIL REINFORCEMENT MAT	350 SY	6.70	2,345.00
0084	6042000000-E	1632	1/4" HARDWARE CLOTH	425 LF	3.45	1,466.25
0085	6071010000-E	SP	WATTLE	185 LF	12.00	2,220.00
0086	6071020000-E	SP	POLYACRYLAMIDE (PAM)	45 LB	20.00	900.00
0087	6071030000-E	SP	COIR FIBER BAFFLES	555 LF	5.00	2,775.00
0088	6071050000-E	SP	*** SKIMMER (1-1/2")	2 EA	700.00	1,400.00
0089	6084000000-E	1660	SEEDING & MULCHING	5 ACR	1,000.00	5,000.00
0090	6087000000-E	1660	MOWING	2.5 ACR	50.00	125.00

Contract Item Sheets For C202327

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
0091	6090000000-E	1661	SEED FOR REPAIR SEEDING	50 LB	9.00	450.00
0092	6093000000-E	1661	FERTILIZER FOR REPAIR SEEDING	0.25 TON	1,200.00	300.00
0093	6096000000-E	1662	SEED FOR SUPPLEMENTAL SEEDING	100 LB	1.46	146.00
0094	6108000000-E	1665	FERTILIZER TOPDRESSING	2.75 TON	700.00	1,925.00
0095	6114500000-N	SP	SPECIALIZED HAND MOWING	10 MHR	48.00	480.00
0096	6117000000-N	SP	RESPONSE FOR EROSION CONTROL	12 EA	1.00	12.00
0097	6123000000-E	1670	REFORESTATION	0.4 ACR	2,100.00	840.00
0098	7648000000-N	SP	RELOCATE EXISTING SIGN	2 EA	300.00	600.00

Contract Item Sheets For C202327

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
0099	8007000000-N	SP	CONSTRUCTION, MAINTENANCE, & REMOVAL OF TEMP STRUCTURE AT STA ***** (14+82.50-L-)	Lump Sum LS	230,000.00	230,000.00
0100	8035000000-N	402	REMOVAL OF EXISTING STRUCTURE AT STATION ***** (14+82.50-L-)	Lump Sum LS	22,000.00	22,000.00
0101	8070000000-E	410	FOUNDATION EXCAVATION	284 CY	35.00	9,940.00
0102	8119000000-E	412	UNCLASSIFIED STRUCTURE EXCAVA- TION	771 CY	7.00	5,397.00
0103	8147000000-E	420	REINFORCED CONCRETE DECK SLAB	3,785 SF	23.00	87,055.00
0104	8161000000-E	420	GROOVING BRIDGE FLOORS	4,324 SF	0.47	2,032.28
0105	8182000000-E	420	CLASS A CONCRETE (BRIDGE)	95.2 CY	540.00	51,408.00
0106	8210000000-N	422	BRIDGE APPROACH SLABS, STATION ***** (14+82.50-L-)	Lump Sum LS	28,000.00	28,000.00
0107	8217000000-E	425	REINFORCING STEEL (BRIDGE)	11,825 LB	1.00	11,825.00
0108	8238000000-E	425	SPIRAL COLUMN REINFORCING STEEL (BRIDGE)	571 LB	2.60	1,484.60
0109	8280000000-E	440	APPROX LBS STRUCTURAL STEEL	104,700 LS	157,000.00	157,000.00
0110	8503000000-E	460	CONCRETE BARRIER RAIL	227.67 LF	55.00	12,521.85
0111	8608000000-E	876	RIP RAP CLASS II (2'-0" THICK)	166 TON	22.00	3,652.00
0112	8622000000-E	876	FILTER FABRIC FOR DRAINAGE	185 SY	2.00	370.00
0113	8657000000-N	430	ELASTOMERIC BEARINGS	Lump Sum LS	5,000.00	5,000.00
0114	8692000000-N	SP	EVAZOTE JOINT SEALS	Lump Sum LS	8,500.00	8,500.00

TOTAL AMOUNT OF BID FOR ENTIRE PROJECT

\$1,191,363.78 ✓

Contract Number C202327
County Montgomery

Rev 2-1-10

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

The Contractor being duly sworn, solemnly swears (or affirms) that neither he, nor any official, agent or employee has entered into any agreement, participated in any collusion, or otherwise taken any action which is in restraint of free competitive bidding in connection with this Contract, and that the Contractor intends to do the work with his own bonafide employees or subcontractors and did not bid for the benefit of another contractor.

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

N.C.G.S. § 133-32 and Executive Order 24 prohibit the offer to, or acceptance by, any State Employee of any gift from anyone with a contract with the State, or from any person seeking to do business with the State. By execution of any response in this procurement, you attest, for your entire organization and its employees or agents, that you are not aware that any such gift has been offered, accepted, or promised by any employees of your organization.

SIGNATURE OF CONTRACTOR

R. E. Burns & Sons Co., Inc.
Full name of Corporation

P. O. Box 7168, Statesville, N. C. 28676
Address as Prequalified

Attest Nancy L Burns By KCBurns
Secretary/Assistant Secretary President/Vice President/Assistant Vice President
Select appropriate title Select appropriate title

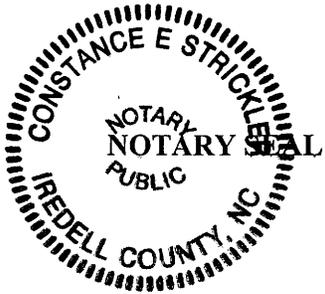
Nancy L. Burns
Print or type Signer's name

Kevin C. Burns
Print or type Signer's name

CORPORATE SEAL

AFFIDAVIT MUST BE NOTARIZED

Subscribed and sworn to before me this the
1 day of April 2010.
Constance E Strickler
Signature of Notary Public
of Iredell County
State of North Carolina
My Commission Expires: June 28, 2014



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.

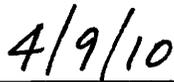
Contract No C202327

County (ies): Montgomery

ACCEPTED BY THE
DEPARTMENT OF TRANSPORTATION



Contract Officer



Date

Execution of Contract and Bonds
Approved as to Form:



Attorney General

Contract No. C202327
County Montgomery County

Rev 2-1-10

CONTRACT PAYMENT BOND
BOND NO. 837048766

Date of Payment Bond Execution March 31, 2010

Name of Principal Contractor R.E. Burns & Sons Co., Inc.

Name of Surety: Liberty Mutual Insurance Company

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

Amount of Bond: One Million One Hundred Ninety One Thousand Three Hundred Sixty Three Dollars and 78/100ths (\$1,191,363.78)

Contract ID No.: C202327

County Name: Montgomery 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. C202327
County Montgomery County

Rev 2-1-10

CONTRACT PAYMENT BOND

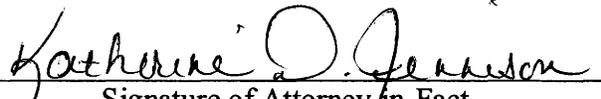
Affix Seal of Surety Company

Liberty Mutual Insurance Company

Print or type Surety Company Name

By Katherine D. Jennison

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



Signature of Attorney-in-Fact



Signature of Witness

Debra Hulchanski

Print or type Signer's name

6315 Fly Road, East Syracuse NY 13057

Address of Attorney-in-Fact

Contract No. C202327
County Montgomery County

Rev 2-1-10

CONTRACT PAYMENT BOND

CORPORATION

SIGNATURE OF CONTRACTOR (Principal)

R.E. Burns & Sons Co., Inc.

Full name of Corporation

P.O. Box 7168 Statesville, NC 28687

Address as prequalified

By 

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

Kevin C. Burns

Print or type Signer's name

Affix Corporate Seal

Attest 

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

Nancy L. Burns

Print or type Signer's name

Contract No. C202327
County Montgomery County

Rev 2-1-10

CONTRACT PERFORMANCE BOND
BOND NO. 837048766

Date of Performance Bond Execution: March 31, 2010

Name of Principal Contractor: R.E. Burns & Sons Co., Inc.

Name of Surety: Liberty Mutual Insurance Company

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

Amount of Bond: One Million One Hundred Ninety One Thousand Three Hundred Sixty Three Dollars and 78/100ths (\$1,191,363.78)

Contract ID No.: C202327

County Name: Montgomery 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. C202327
County Montgomery County

Rev 2-1-10

CONTRACT PERFORMANCE BOND

Affix Seal of Surety Company

Liberty Mutual Insurance Company

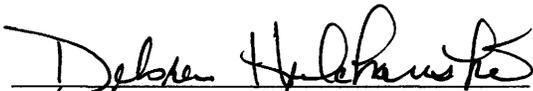
Print or type Surety Company Name

By Katherine D. Jennison

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



Signature of Attorney-in-Fact



Signature of Witness

Debra Hulchanski

Print or type Signer's name

6315 Fly Road, East Syracuse NY 13057

Address of Attorney-in-Fact

Contract No.
County

C202327

Montgomery County

Rev 2-1-10

CONTRACT PERFORMANCE BOND

CORPORATION

SIGNATURE OF CONTRACTOR (Principal)

R.E. Burns & Sons Co., Inc.

Full name of Corporation

P.O. Box 7168

Statesville, NC 28687

Address as prequalified

By



Signature of President, ~~Vice President~~, ~~Assistant Vice President~~

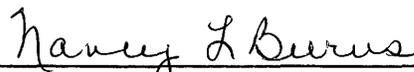
Select appropriate title

Kevin C. Burns

Print or type Signer's name

Affix Corporate Seal

Attest



Signature of Secretary, ~~Assistant Secretary~~

Select appropriate title

Nancy L. Burns

Print or type Signer's name

THIS POWER OF ATTORNEY IS NOT VALID UNLESS IT IS PRINTED ON RED BACKGROUND.

This Power of Attorney limits the acts of those named herein, and they have no authority to bind the Company except in the manner and to the extent herein stated.

LIBERTY MUTUAL INSURANCE COMPANY
BOSTON, MASSACHUSETTS
POWER OF ATTORNEY

KNOW ALL PERSONS BY THESE PRESENTS: That Liberty Mutual Insurance Company (the "Company"), a Massachusetts stock insurance company, pursuant to and by authority of the By-law and Authorization hereinafter set forth, does hereby name, constitute and appoint CHARLES T. RELLER, KEITH P. BUTLER, SUZANNE H. AMO, DEBRA A. HULCHANSKI, KATHERINE D. JENNISON, ALL OF THE CITY OF EAST SYRACUSE, STATE OF NEW YORK

, each individually if there be more than one named, its true and lawful attorney-in-fact to make, execute, seal, acknowledge and deliver, for and on its behalf as surety and as its act and deed, any and all undertakings, bonds, recognizances and other surety obligations in the penal sum not exceeding TWENTY MILLION AND 00/100 DOLLARS (\$ 20,000,000.00) each, and the execution of such undertakings, bonds, recognizances and other surety obligations, in pursuance of these presents, shall be as binding upon the Company as if they had been duly signed by the president and attested by the secretary of the Company in their own proper persons.

That this power is made and executed pursuant to and by authority of the following By-law and Authorization:

ARTICLE XIII - Execution of Contracts: Section 5. Surety Bonds and Undertakings.

Any officer of the Company authorized for that purpose in writing by the chairman or the president, and subject to such limitations as the chairman or the president may prescribe, shall appoint such attorneys-in-fact, as may be necessary to act in behalf of the Company to make, execute, seal, acknowledge and deliver as surety any and all undertakings, bonds, recognizances and other surety obligations. Such attorneys-in-fact, subject to the limitations set forth in their respective powers of attorney, shall have full power to bind the Company by their signature and execution of any such instruments and to attach thereto the seal of the Company. When so executed such instruments shall be as binding as if signed by the president and attested by the secretary.

By the following instrument the chairman or the president has authorized the officer or other official named therein to appoint attorneys-in-fact:

Pursuant to Article XIII, Section 5 of the By-Laws, Garnet W. Elliott, Assistant Secretary of Liberty Mutual Insurance Company, is hereby authorized to appoint such attorneys-in-fact as may be necessary to act in behalf of the Company to make, execute, seal, acknowledge and deliver as surety any and all undertakings, bonds, recognizances and other surety obligations.

That the By-law and the Authorization set forth above are true copies thereof and are now in full force and effect.

IN WITNESS WHEREOF, this Power of Attorney has been subscribed by an authorized officer or official of the Company and the corporate seal of Liberty Mutual Insurance Company has been affixed thereto in Plymouth Meeting, Pennsylvania this 17th day of September 2009.

LIBERTY MUTUAL INSURANCE COMPANY

By Garnet W. Elliott
Garnet W. Elliott, Assistant Secretary



COMMONWEALTH OF PENNSYLVANIA ss
COUNTY OF MONTGOMERY

On this 17th day of September, 2009, before me, a Notary Public, personally came Garnet W. Elliott, to me known, and acknowledged that he is an Assistant Secretary of Liberty Mutual Insurance Company; that he knows the seal of said corporation; and that he executed the above Power of Attorney and affixed the corporate seal of Liberty Mutual Insurance Company thereto with the authority and at the direction of said corporation.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed my notarial seal at Plymouth Meeting, Pennsylvania, on the day and year first above written.



COMMONWEALTH OF PENNSYLVANIA
Notarial Seal
Teresa Pastella, Notary Public
Plymouth Twp., Montgomery County
My Commission Expires March 28, 2013
Member, Pennsylvania Association of Notaries

By Teresa Pastella
Teresa Pastella, Notary Public

CERTIFICATE

I, the undersigned, Assistant Secretary of Liberty Mutual Insurance Company, 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 officer or official who executed the said power of attorney is an Assistant Secretary specially authorized by the chairman or the president to appoint attorneys-in-fact as provided in Article XIII, Section 5 of the By-laws of Liberty Mutual Insurance Company.

This certificate and the above power of attorney may be signed by facsimile or mechanically reproduced signatures under and by authority of the following vote of the board of directors of Liberty Mutual Insurance Company at a meeting duly called and held on the 12th day of March, 1980.

VOTED that the facsimile or mechanically reproduced signature of any assistant secretary of the company, wherever appearing upon a certified copy of any power of attorney issued by the company in connection with surety bonds, 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 31st day of March, 2010.



By David M. Carey
David M. Carey, Assistant Secretary

Not valid for mortgage, note, loan, letter of credit, bank deposit, currency rate, interest rate or residual value guarantees.

To confirm the validity of this Power of Attorney call 1-610-832-8240 between 9:00 am and 4:30 pm EST on any business day.

SURETY ACKNOWLEDGEMENT

STATE OF NEW YORK

COUNTY OF ONONDAGA

On this 31st day of MARCH, 2010 before me personally came
KATHERINE D. JENNISON to me known who being by me duly sworn, did depose and say
that he/she resides in EAST SYRACUSE, NY; that he/she is the
ATTORNEY-IN-FACT of the WESTERN SURETY COMPANY
the corporation described in and which executed the within instrument; that he/she knows the
seal of said corporation; that the seal affixed to said instrument is such corporate seal; that it was
so affixed by order of the Board of Directors of said corporation, and that he/she signed his/her
name thereto by like order.



Notary Public

**Charles T. Reller # 4990791
Notary Public, State of New York
Qualified in Onondaga County
My Commission Expires 01/13/2014**

