

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

C202609

CONTRACT AND
CONTRACT BONDS
FOR CONTRACT NO. C202609

WBS 46281.3.ST1 STM-1500(7)

T.I.P NO. R-5216

COUNTY OF BRUNSWICK
THIS IS THE ROADWAY CONTRACT
ROUTE NUMBER LENGTH 7.590 MILES
LOCATION SR-1401 FROM S OF US-17 BYPASS TO US-17 BUS AND SR-1500 FROM
US-17 BUS TO N OF NC-211.

CONTRACTOR BARNHILL CONTRACTING COMPANY
ADDRESS P.O. BOX 1529
TARBORO, NC 278861529

BIDS OPENED SEPTEMBER 21, 2010
CONTRACT EXECUTION OCT 18 2010

Barnhill Contracting Company (3516).

Vendor 1 of 3 Vendors for Call Order 005 (Proposal ID C202609).

County: BRUNSWICK
Address: PO Box 399
Kinston, NC 28502
Phone Number: 252-527-8021
Signature Check: This bid has been properly signed by CAREY_M._SWANN_III_3516.
Time Bid Received: Tue Sep 21 11:42:24 2010
Bid Checksum: E7977C93
Amendment Count: 0 DBE GOAL SET 7.0
Bidding Errors: No bidding errors.
Bid Total: \$2,743,607.08 ✓ DBE GOAL MET 7.0
Bond ID: SNC10999447
Bond was Verified: Yes.
Bond Required Percent: 5.00%
Minimum Check Amount: \$137,180.35
Bid Security Maximum: \$3,000,000.00
Bond Agency Name:
Agency Execution Date:
Surety Name:
Surety State of Incorporation: Connecticut
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 3,900.00	✓	arm
2012 WB	HERNDON INC. POST OFFICE BOX 36 , LUGOFF, SC 29078		Sub 26,806.28	✓	arm
3765 WB	STAY ALERT SAFETY SERVICES INC POST OFFICE BOX 467 , KERNERSVILLE, NC 27285		Sub 3,950.00	✓	arm
4852 MB	FREEMAN CONCRETE CO., INC. 2178 REBECCA KENNEDY ROAD , ROCKY POINT, NC 28457		Sub 4,500.00	✓	arm
5396 MB	SASSIE TRUCKING INC D/B/A/JAMES 2090 TURKEY TRAP RD , SUPPLY, NC 28462		Sub 128,704.80	✓	arm
7461 MB	TARKESSIO LANDIS MORGAN DBA T M P.O. BOX 62 , SUPPLY, NC 28462		Sub 24,327.90	✓	arm
			TOTAL:	\$192,188.98	7.00% ✓ arm

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: SNC10999447

NCDOT/berc

Vendor 3516's Load Output for Call 005, Letting L100921, 2010-09-21

Surety Registry Agency: surety2000

Verified?: Yes

Surety Agency:

Bond Execution Date:

Bond Amount: \$137,180.35 (Five Percent of Bid)

State of NC
 Dept of Transportation

Date: 08-24-10
 Revised:

Contract ID: C202609 Project(s): STM-1500(7)
 Letting Date: 09-21-10 Call Order: 005
 Bidder: 3516 - Barnhill Contracting Company

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		52,000.00
0002	0106000000-E BORROW EXCAVATION	CY	5,960.000	11.00000		65,560.00
0003	1220000000-E INCIDENTAL STONE BASE	TON	1,100.000	42.50000		46,750.00
0004	1245000000-E SHOULDER RECONSTRUCTION	SMI	15.180	1,600.00000		24,288.00
0005	1308000000-E MILLING ASPHALT PAVEMENT, ***"TO *****" DEPTH 0 TO 1.5"	SY	1,794.000	5.80000		10,405.20
0006	1489000000-E ASPHALT CONC BASE COURSE, TYPE B25.0B	TON	5,303.000	46.30000		245,528.90
0007	1498000000-E ASPHALT CONC INTERMEDIATE COURSE, TYPE I19.0B	TON	17,629.000	42.00000		740,418.00
0008	1560000000-E ASPHALT BINDER FOR PLANT MIX, GRADE PG 64-22	TON	1,704.000	445.00000		758,280.00
0009	1880000000-E GENERIC PAVING ITEM ASPHALT CONC SURFACE COURSE TYPE S9.5B	TON	10,793.000	42.00000		453,306.00
0010	1880000000-E GENERIC PAVING ITEM PATCHING EXISTING PAVEMENT (FULL DEPTH)	TON	1,250.000	126.50000		158,125.00

State of NC
Dept of Transportation

Date: 08-24-10
Revised:

Contract ID: C202609 Project(s): STM-1500(7)
Letting Date: 09-21-10 Call Order: 005
Bidder: 3516 - Barnhill Contracting Company

Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
0011	1880000000-E GENERIC PAVING ITEM PATCHING EXISTING PAVEMENT (MILL), S9.5B	175.000 TON	126.50000		22,137.50	
0012	1891000000-E GENERIC PAVING ITEM INCIDENTAL CONCRETE	60.000 SY	75.00000		4,500.00	
0013	3345000000-E REMOVE & RESET EXISTING GUARD-RAIL	750.000 LF	5.20000		3,900.00	
0014	4589000000-N GENERIC TRAFFIC CONTROL ITEM TRAFFIC CONTROL	LUMP	LUMP		18,490.00	
0015	4685000000-E THERMOPLAST IC PAVEMENT MARKING LINES (4", 90 MILS)	80,173.000 LF	0.35000		28,060.55	
0016	4686000000-E THERMOPLAST IC PAVEMENT MARKING LINES (4", 120 MILS)	63,330.000 LF	0.41000		25,965.30	
0017	4810000000-E PAINT PAVEMENT MARKING LINES (4")	140,264.000 LF	0.11000		15,429.04	
0018	4905000000-N SNOWPLOWABLE PAVEMENT MARKERS	501.000 EA	21.64000		10,841.64	
0019	6000000000-E TEMPORARY SILT FENCE	764.000 LF	1.85000		1,413.40	
0020	6009000000-E STONE FOR EROSION CONTROL, CLASS B	221.000 TON	92.50000		20,442.50	
0021	6012000000-E SEDIMENT CONTROL STONE	161.000 TON	81.00000		13,041.00	

State of NC
 Dept of Transportation

Date: 08-24-10
 Revised:

Contract ID: C202609 Project(s): STM-1500(7)
 Letting Date: 09-21-10 Call Order: 005
 Bidder: 3516 - Barnhill Contracting Company

Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
0022	6015000000-E TEMPORARY MULCHING	7.640 ACR	595.00000		4,545.80	
0023	6018000000-E SEED FOR TEMPORARY SEEDING	383.000 LB	3.25000		1,244.75	
0024	6021000000-E FERTILIZER FOR TEMPORARY SEED-ING	1.910 TON	795.00000		1,518.45	
0025	6042000000-E 1/4" HARDWARE CLOTH	383.000 LF	2.50000		957.50	
0026	6084000000-E SEEDING & MULCHING	11.390 ACR	1,445.00000		16,458.55	
Section 0001 Total						2,743,607.08
Bid Total						2,743,607.08

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:08-24-10
PAGE: 6

PROPOSAL: C202609
LETTING: L100921 CALL: 005
VENDOR: 3516 Barnhill Contracting Company

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

DBE SUBCONTRACTOR: 5279 GUARDRAIL OF GREENSBORO LLC
Will Use Quote: Yes

0013	3345000000-E	REMOVE & RES LF		750.000	5.20000	3900.00	✓	am

						3,900.00		
						3,900.0		

DBE SUBCONTRACTOR: 2012 HERNDON INC.
Will Use Quote: Yes

0001	0000100000-N	MOBILIZATION LS		1.000	667.83000	667.83		
		Bond						
0019	6000000000-E	TEMPORARY SI LF		764.000	1.85000	1413.40		
0022	6015000000-E	TEMPORARY MU ACR		7.640	595.00000	4545.80		
0023	6018000000-E	SEED FOR TEM LB		383.000	3.25000	1244.75		
0024	6021000000-E	FERT FOR TEM TON		1.910	795.00000	1518.45		
0025	6042000000-E	1/4" HARDWAR LF		383.000	2.50000	957.50		
0026	6084000000-E	SEEDING AND ACR		11.390	1445.00000	16458.55		

						26,806.28	✓	am
						26,806.		

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

0014	4589000000-N	GENERIC TRAF LS		1.000	3950.00000	3950.00		
		Furnish and Install Temporary Traffic Control Signs						

						3,950.00	✓	am
						3,950.0		

DBE SUBCONTRACTOR: 4852 FREEMAN CONCRETE CO., INC.
Will Use Quote: Yes

0012	1891000000-E	GENERIC PAVI SY		60.000	75.00000	4500.00		

						4,500.00	✓	am
						4,500.0		

DBE SUBCONTRACTOR: 5396 SASSIE TRUCKING INC D/B/A/JAMES MORGAN
Will Use Quote: Yes

0002	0106000000-E	BORROW EXCAV CY		5960.000	5.13000	30574.80		
		Haul borrow to job site						
0006	1489000000-E	ASP CONC BAS TON		1980.000	7.50000	14850.00		
		Haul Mix to Map						

NORTH CAROLINA STATE DEPARTMENT OF TRANSPORTATION
DBE COMMITMENT ITEMS

DATE: 08-24-10
PAGE: 7

LINE NO.	ITEM NO.	ITEM DESC.	UNIT TYPE	SUBCONTRACTOR QUANTITY	SUBCONTRACTOR UNIT PRICE	EXTENDED AMOUNT
0007	1498000000-E	ASP CONC INT	TON	6883.000	7.50000	51622.50
		Haul mix to map				
0009	1880000000-E	GENERIC PAVI	TON	4221.000	7.50000	31657.50
DBE COMMITMENT TOTAL FOR SUBCONTRACTOR:						128,704.80
DBE COMMITMENT TOTAL FOR VENDOR (SubContractor)						128,704

✓ arm

DBE SUBCONTRACTOR: 7461 TARKESSIO LANDIS MORGAN DBA T MORGAN TRUCKING AND
Will Use Quote: Yes

0003	1220000000-E	INCIDENTAL S	TON	1100.000	4.50000	4950.00
		Haul stone to map				
0020	6009000000-E	EROS CONTRL	TON	221.000	4.50000	994.50
		Haul stone to map				
0021	6012000000-E	SEDIMENT CON	TON	161.000	4.50000	724.50
		Haul stone to map				
0006	1489000000-E	ASP CONC BAS	TON	671.000	6.30000	4227.30
		Haul mix to map				
0007	1498000000-E	ASP CONC INT	TON	1932.000	6.30000	12171.60
		Haul mix to map				
0009	1880000000-E	GENERIC PAVI	TON	200.000	6.30000	1260.00
		Haul mix to map				

DBE COMMITMENT TOTAL FOR SUBCONTRACTOR: 24,327.90
DBE COMMITMENT TOTAL FOR VENDOR (SubContractor) 24,327.

✓ arm

TOTAL DBE COMMITMENT FOR VENDOR: Entered: 7.00% or 192188.98
Required: 7.00% or 192052.50
<GOAL MET>

✓ arm

Contract Item Sheets For C202609

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
ROADWAY ITEMS						
0001	0000100000-N	800	MOBILIZATION	Lump Sum LS	52,000.00	52,000.00
0002	0106000000-E	230	BORROW EXCAVATION	5,960 CY	11.00	65,560.00
0003	1220000000-E	545	INCIDENTAL STONE BASE	1,100 TON	42.50	46,750.00
0004	1245000000-E	SP	SHOULDER RECONSTRUCTION	15.18 SMI	1,600.00	24,288.00
0005	1308000000-E	607	MILLING ASPHALT PAVEMENT, **** TO ***** DEPTH 0 TO 1.5"	1,794 SY	5.80	10,405.20
0006	1489000000-E	610	ASPHALT CONC BASE COURSE, TYPE B25.0B	5,303 TON	46.30	245,528.90
0007	1498000000-E	610	ASPHALT CONC INTERMEDIATE COURSE, TYPE I19.0B	17,629 TON	42.00	740,418.00
0008	1560000000-E	620	ASPHALT BINDER FOR PLANT MIX, GRADE PG 64-22	1,704 TON	445.00	758,280.00
0009	1880000000-E	SP	GENERIC PAVING ITEM ASPHALT CONC SURFACE COURSE TYPE S9.5B	10,793 TON	42.00	453,306.00
0010	1880000000-E	SP	GENERIC PAVING ITEM PATCHING EXISTING PAVEMENT (FULL DEPTH)	1,250 TON	126.50	158,125.00
0011	1880000000-E	SP	GENERIC PAVING ITEM PATCHING EXISTING PAVEMENT (MILL), S9.5B	175 TON	126.50	22,137.50
0012	1891000000-E	SP	GENERIC PAVING ITEM INCIDENTAL CONCRETE	60 SY	75.00	4,500.00
0013	3345000000-E	864	REMOVE & RESET EXISTING GUARD- RAIL	750 LF	5.20	3,900.00
0014	4589000000-N	SP	GENERIC TRAFFIC CONTROL ITEM TRAFFIC CONTROL	Lump Sum LS	18,490.00	18,490.00
0015	4685000000-E	1205	THERMOPLASTIC PAVEMENT MARKING LINES (4", 90 MILS)	80,173 LF	0.35	28,060.55
0016	4686000000-E	1205	THERMOPLASTIC PAVEMENT MARKING LINES (4", 120 MILS)	63,330 LF	0.41	25,965.30

Contract Item Sheets For C202609

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
0017	4810000000-E	1205	PAINT PAVEMENT MARKING LINES (4")	140,264 LF	0.11	15,429.04
0018	4905000000-N	1253	SNOWPLOWABLE PAVEMENT MARKERS	501 EA	21.64	10,841.64
0019	6000000000-E	1605	TEMPORARY SILT FENCE	764 LF	1.85	1,413.40
0020	6009000000-E	1610	STONE FOR EROSION CONTROL, CLASS B	221 TON	92.50	20,442.50
0021	6012000000-E	1610	SEDIMENT CONTROL STONE	161 TON	81.00	13,041.00
0022	6015000000-E	1615	TEMPORARY MULCHING	7.64 ACR	595.00	4,545.80
0023	6018000000-E	1620	SEED FOR TEMPORARY SEEDING	383 LB	3.25	1,244.75
0024	6021000000-E	1620	FERTILIZER FOR TEMPORARY SEEDING	1.91 TON	795.00	1,518.45
0025	6042000000-E	1632	1/4" HARDWARE CLOTH	383 LF	2.50	957.50
0026	6084000000-E	1660	SEEDING & MULCHING	11.39 ACR	1,445.00	16,458.55

TOTAL AMOUNT OF BID FOR ENTIRE PROJECT

\$2,743,607.08 ✓

Contract Number C202609
County Brunswick

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

Barnhill Contracting Company

Full name of Corporation

PO Box 1529, Tarboro, NC 27866

Address as Prequalified

Attest

Charlie E. Gates

Secretary/Assistant Secretary

Select appropriate title

By

Carey M. Swann, III

President/Vice President/Assistant Vice President

Select appropriate title

Charlie E. Gates

Print or type Signer's name

Carey M. Swann, III

Print or type Signer's name

CORPORATE SEAL

AFFIDAVIT MUST BE NOTARIZED

Subscribed and sworn to before me this the
5th day of October 2010.

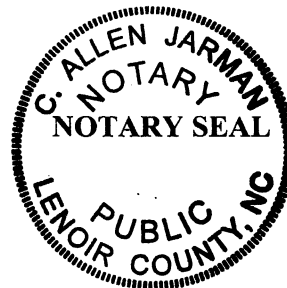
C. Allen Jarman

Signature of Notary Public

of Lenoir County

State of North Carolina

My Commission Expires: Dec. 30, 2012



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.

C202609 (R-5216)

Brunswick County

1-18-08
Z-13

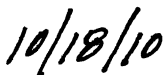
Contract No **C202609**

County (ies): **Brunswick**

ACCEPTED BY THE
DEPARTMENT OF TRANSPORTATION

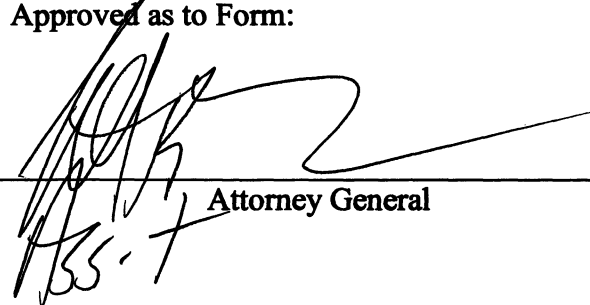


Contract Officer



Date

Execution of Contract and Bonds
Approved as to Form:



Attorney General

Signature Sheet (Bid - Acceptance by Department)

CONTRACT PAYMENT BOND

Date of Payment

Bond Execution: September 28th, 2010

Name of Principal:

Contractor BARNHILL CONTRACTING COMPANY

Name of Surety:

TRAVELERS CASUALTY AND SURETY COMPANY OF AMERICA

CONSTRUCTION SERVICES; TRAVELERS BOND & FINANCIAL PRODUCTS
ONE TOWER SQUARE; HARTFORD, CT 06183

Name of Contracting Body:

NCDOT
RALEIGH, NC 27610

Amount of Bond:

\$ 2,743,607.08

TWO MILLION SEVEN HUNDRED FORTY THREE THOUSAND SIX HUNDRED SEVEN AND 08/100

Contract ID No.:

C202609

County Name:

BRUNSWICK

KNOW ALL MEN BY THESE PRESENTS, That we, the PRINCIPAL CONTRACTOR (hereinafter, 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 Number C202609
County BRUNSWICK

Rev 2-1-10

CONTRACT PAYMENT BOND

Affix Seal of Surety Company

**TRAVELERS CASUALTY AND SURETY
COMPANY OF AMERICA**

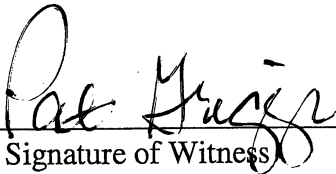
Print or type Surety Company Name

By **H. THOMAS DAWKINS**

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



Signature of Attorney-in-Fact



Signature of Witness

Pat Griggs

Print or type Witness's name

P. O. BOX 6054

Charlotte, NC 28207-0000

Address of Attorney-in-Fact

CONTRACT PAYMENT BOND

CORPORATION


SIGNATURE OF CONTRACTOR (Principal)

BARNHILL CONTRACTING COMPANY

Full name of Corporation

P.O. BOX 399, KINSTON, NC 28502


Address as prequalified

By 
Signature of President, Vice President, Assistant Vice President

Selete appropriate title

Carey M. Swann, III
Print or type Signer's name

Affix Corporate Seal

Attest 
Signature of Secretary, Assistant Secretary
Selete appropriate title

Charlie E. Gates
Print or type Signer's name

BOND NO. 105502573

CONTRACT PERFORMANCE BOND

Date of Performance

Bond Execution: September 28th, 2010

Name of Principal:

BARNHILL CONTRACTING COMPANY

Contractor

P.O. BOX 1529, TARBORO, NC 27886

Name of Surety:

TRAVELERS CASUALTY AND SURETY COMPANY OF AMERICA

CONSTRUCTION SERVICES; TRAVELERS BOND & FINANCIAL PRODUCTS
ONE TOWER SQUARE; HARTFORD, CT 06183

Name of Contracting Body:

NCDOT
RALEIGH, NC 27610

Amount of Bond:

\$ 2,743,607.08

TWO MILLION SEVEN HUNDRED FORTY THREE THOUSAND SIX HUNDRED SEVEN AND 08/100

Contract ID No.:

C202609

County Name(s):

BRUNSWICK

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

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

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

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

CONTRACT PERFORMANCE BOND

Affix Seal of Surety Company

**TRAVELERS CASUALTY AND SURETY
COMPANY OF AMERICA**

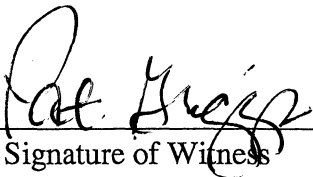
Print or type Surety Company Name

By **H. THOMAS DAWKINS**

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



Signature of Attorney-in-Fact



Signature of Witness

Pat Griggs

Print or type Witness' name

P. O. BOX 6054

Charlotte, NC 28207-0000

Address of Attorney-in-Fact

CONTRACT PERFORMANCE BOND

CORPORATION

SIGNATURE OF CONTRACTOR (Principal)

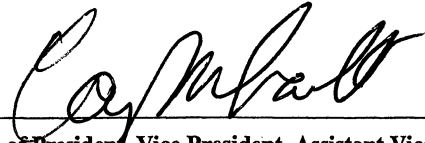
BARNHILL CONTRACTING COMPANY

Full name of Corporation

P.O. BOX 399, KINSTON, NC 28502

Address as prequalified

By



Signature of President, Vice President, Assistant Vice President

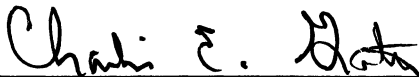
Select appropriate title

Carey M. Swann III

Print or type Signer's name

Affix Corporate Seal

Attest



Signature of Secretary, Assistant Secretary

Select appropriate title

Charlie E. Gates

Print or type Signer's name



POWER OF ATTORNEY

Farmington Casualty Company
Fidelity and Guaranty Insurance Company
Fidelity and Guaranty Insurance Underwriters, Inc.
St. Paul Fire and Marine Insurance Company
St. Paul Guardian Insurance Company

St. Paul Mercury Insurance Company
Travelers Casualty and Surety Company
Travelers Casualty and Surety Company of America
United States Fidelity and Guaranty Company

Attorney-In Fact No. 222006

Certificate No. 003621737

KNOW ALL MEN BY THESE PRESENTS: That St. Paul Fire and Marine Insurance Company, St. Paul Guardian Insurance Company and St. Paul Mercury Insurance Company are corporations duly organized under the laws of the State of Minnesota, that Farmington Casualty Company, Travelers Casualty and Surety Company, and Travelers Casualty and Surety Company of America are corporations duly organized under the laws of the State of Connecticut, that United States Fidelity and Guaranty Company is a corporation duly organized under the laws of the State of Maryland, that Fidelity and Guaranty Insurance Company is a corporation duly organized under the laws of the State of Iowa, and that Fidelity and Guaranty Insurance Underwriters, Inc., is a corporation duly organized under the laws of the State of Wisconsin (herein collectively called the "Companies"), and that the Companies do hereby make, constitute and appoint

H. Thomas Dawkins, Hunter T. Dawkins, and Patricia Griggs

of the City of Charlotte, State of North Carolina, their true and lawful Attorney(s)-in-Fact, each in their separate capacity if more than one is named above, to sign, execute, seal and acknowledge any and all bonds, recognizances, conditional undertakings and other writings obligatory in the nature thereof on behalf of the Companies in their business of guaranteeing the fidelity of persons, guaranteeing the performance of contracts and executing or guaranteeing bonds and undertakings required or permitted in any actions or proceedings allowed by law.

IN WITNESS WHEREOF, the Companies have caused this instrument to be signed and the corporate seals to be hereto affixed, this 13th day of January, 2010.

Farmington Casualty Company
Fidelity and Guaranty Insurance Company
Fidelity and Guaranty Insurance Underwriters, Inc.
St. Paul Fire and Marine Insurance Company
St. Paul Guardian Insurance Company

St. Paul Mercury Insurance Company
Travelers Casualty and Surety Company
Travelers Casualty and Surety Company of America
United States Fidelity and Guaranty Company



State of Connecticut
City of Hartford ss.

By: [Signature]
George W. Thompson, Senior Vice President

On this the 13th day of January, 2010, before me personally appeared George W. Thompson, who acknowledged himself to be the Senior Vice President of Farmington Casualty Company, Fidelity and Guaranty Insurance Company, Fidelity and Guaranty Insurance Underwriters, Inc., St. Paul Fire and Marine Insurance Company, St. Paul Guardian Insurance Company, St. Paul Mercury Insurance Company, Travelers Casualty and Surety Company, Travelers Casualty and Surety Company of America, and United States Fidelity and Guaranty Company, and that he, as such, being authorized so to do, executed the foregoing instrument for the purposes therein contained by signing on behalf of the corporations by himself as a duly authorized officer.

In Witness Whereof, I hereunto set my hand and official seal. My Commission expires the 30th day of June, 2011.



[Signature]
Marie C. Tetreault, Notary Public

This Power of Attorney is granted under and by the authority of the following resolutions adopted by the Boards of Directors of Farmington Casualty Company, Fidelity and Guaranty Insurance Company, Fidelity and Guaranty Insurance Underwriters, Inc., St. Paul Fire and Marine Insurance Company, St. Paul Guardian Insurance Company, St. Paul Mercury Insurance Company, Travelers Casualty and Surety Company, Travelers Casualty and Surety Company of America, and United States Fidelity and Guaranty Company, which resolutions are now in full force and effect, reading as follows:

RESOLVED, that the Chairman, the President, any Vice Chairman, any Executive Vice President, any Senior Vice President, any Vice President, any Second Vice President, the Treasurer, any Assistant Treasurer, the Corporate Secretary or any Assistant Secretary may appoint Attorneys-in-Fact and Agents to act for and on behalf of the Company and may give such appointee such authority as his or her certificate of authority may prescribe to sign with the Company's name and seal with the Company's seal bonds, recognizances, contracts of indemnity, and other writings obligatory in the nature of a bond, recognizance, or conditional undertaking, and any of said officers or the Board of Directors at any time may remove any such appointee and revoke the power given him or her; and it is

FURTHER RESOLVED, that the Chairman, the President, any Vice Chairman, any Executive Vice President, any Senior Vice President or any Vice President may delegate all or any part of the foregoing authority to one or more officers or employees of this Company, provided that each such delegation is in writing and a copy thereof is filed in the office of the Secretary; and it is

FURTHER RESOLVED, that any bond, recognizance, contract of indemnity, or writing obligatory in the nature of a bond, recognizance, or conditional undertaking shall be valid and binding upon the Company when (a) signed by the President, any Vice Chairman, any Executive Vice President, any Senior Vice President or any Vice President, any Second Vice President, the Treasurer, any Assistant Treasurer, the Corporate Secretary or any Assistant Secretary and duly attested and sealed with the Company's seal by a Secretary or Assistant Secretary; or (b) duly executed (under seal, if required) by one or more Attorneys-in-Fact and Agents pursuant to the power prescribed in his or her certificate or their certificates of authority or by one or more Company officers pursuant to a written delegation of authority; and it is

FURTHER RESOLVED, that the signature of each of the following officers: President, any Executive Vice President, any Senior Vice President, any Vice President, any Assistant Vice President, any Secretary, any Assistant Secretary, and the seal of the Company may be affixed by facsimile to any Power of Attorney or to any certificate relating thereto appointing Resident Vice Presidents, Resident Assistant Secretaries or Attorneys-in-Fact for purposes only of executing and attesting bonds and undertakings and other writings obligatory in the nature thereof, and any such Power of Attorney or certificate bearing such facsimile signature or facsimile seal shall be valid and binding upon the Company and any such power so executed and certified by such facsimile signature and facsimile seal shall be valid and binding on the Company in the future with respect to any bond or understanding to which it is attached.

I, Kori M. Johanson, the undersigned, Assistant Secretary, of Farmington Casualty Company, Fidelity and Guaranty Insurance Company, Fidelity and Guaranty Insurance Underwriters, Inc., St. Paul Fire and Marine Insurance Company, St. Paul Guardian Insurance Company, St. Paul Mercury Insurance Company, Travelers Casualty and Surety Company, Travelers Casualty and Surety Company of America, and United States Fidelity and Guaranty Company do hereby certify that the above and foregoing is a true and correct copy of the Power of Attorney executed by said Companies, which is in full force and effect and has not been revoked.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the seals of said Companies this 28th day of September, 2010

WARNING: THIS POWER OF ATTORNEY IS INVALID WITHOUT THE RED BORDER

[Handwritten signature]

[Handwritten signature]
Kori M. Johanson, Assistant Secretary



To verify the authenticity of this Power of Attorney, call 1-800-421-3880 or contact us at www.travelersbond.com. Please refer to the Attorney-In-Fact number, the above-named individuals and the details of the bond to which the power is attached.