

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

C202326

CONTRACT AND
CONTRACT BONDS

FOR CONTRACT NO. C202326

WBS 33401.3.1 BRSTP-0151(10)

T.I.P NO. B-4034

COUNTY OF BUNCOMBE
THIS IS THE ROADWAY & STRUCTURE CONTRACT
ROUTE NUMBER NC 151 LENGTH 0.161 MILES
LOCATION BRIDGE OVER STONY FORK CREEK AND APPROACHES ON NC-151.

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

BIDS OPENED DECEMBER 21, 2010
CONTRACT EXECUTION JAN 20 2011

NCDOT/berc

Vendor 3481's Bid Information for Call 009, Letting L101221, 2010-12-21

R. E. Burns Sons Co., Inc. (3481).

Vendor 2 of 4 Vendors for Call Order 009 (Proposal ID C202326).

County: BUNCOMBE
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 Dec 21 13:52:20 2010

Bid Checksum: C38C3442

Amendment Count: 0

Bidding Errors: No bidding errors.

DBE GOAL SET 8.0

Bid Total: \$1,090,832.77 ✓

DBE GOAL MET 8.8

Bond ID: SNC10461886

Bond was Verified: Yes.

Bond Required Percent: 5.00%

Minimum Check Amount: \$54,541.64

Bid Security Maximum: \$

Bond Agency Name:

Agency Execution Date: 12/17/2010 8:44:50 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		
4898 WB	BULLINGTON CONSTRUCTION INC 417 FOXGLOVE LANE , INDIAN TRAIL, NC 28079		Sub 21,797.50	✓	arm
2855 WB	BOSS CONSTRUCTION CO., INC. 229 BOXWOOD CHURCH ROAD , MOCKSVILLE, NC 27028		Sub 8,104.47	✓	arm
5319 WB	NEW DIMENSIONS IN PAVEMENT MARK P.O. BOX 9928 , ASHEVILLE, NC 28815		Sub 12,587.00	✓	arm
1293 WB	CAROLINA LANDSCAPING & CONST IN PO BOX 645 , HENDERSONVILLE, NC 28793		Sub 36,945.00	✓	arm
4761 WB	TRAFFIC CONTROL SAFETY SERVICES POST OFFICE BOX 24511 , WINSTON-SALEM, NC 27114		Sub 16,500.00	✓	arm
			TOTAL:		
					\$95,933.97
					8.79%
				✓	arm

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	
NOT ANSWERED	
NOT ANSWERED	
NOT ANSWERED	
NOT ANSWERED	
NOT ANSWERED	

Bid Bond Data Info - Contractor Responses:

=====

BondID: SNC10461886
Surety Registry Agency: surety2000
Verified?: Yes

NCDOT/berc

Vendor 3481's Load Output for Call 009, Letting L101221, 2010-12-21

Surety Agency: Liberty Mutual Insurance Company
Bond Execution Date: 12/17/2010 8:44:50 AM
Bond Amount: \$54,541.64 (Five Percent of Bid)

State of NC
 Dept of Transportation

Date: 11-23-10
 Revised:

Contract ID: C202326 Project(s): BRSTP-0151(10)
 Letting Date: 12-21-10 Call Order: 009
 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		52,500.00
0002	0030000000-N BRIDGE APPROACH FILL - SUB REGIONAL TIER, STATION ***** (17+88.50)	LUMP		LUMP		5,000.00
0003	0038000000-E SHALLOW UNDERCUT	CY	225.000	6.00000		1,350.00
0004	0043000000-N GRADING	LUMP		LUMP		69,680.00
0005	0050000000-E SUPPLEMENTA RY CLEARING & GRUB-BING	ACR	1.000	1.00000		1.00
0006	0057000000-E UNDERCUT EXCAVATION	CY	100.000	6.00000		600.00
0007	0080000000-E CLASS IV SUBGRADE STABILIZA- TION	TON	425.000	22.00000		9,350.00
0008	0134000000-E DRAINAGE DITCH EXCAVATION	CY	250.000	6.00000		1,500.00
0009	0195000000-E SELECT GRANULAR MATERIAL	CY	450.000	33.00000		14,850.00
0010	0196000000-E FABRIC FOR SOIL STABILIZATION	SY	450.000	2.00000		900.00

State of NC
Dept of Transportation

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			Dollars	Cts	Dollars	Ct
0011	0199000000-E TEMPORARY SHORING	SF 200.000	25.00000		5,000.00	
0012	0318000000-E FOUNDATION CONDITIONING MATERIAL, MINOR STRS	TON 50.000	31.00000		1,550.00	
0013	0320000000-E FOUNDATION CONDITIONING FABRIC	SY 150.000	2.50000		375.00	
0014	0335200000-E 15" DRAINAGE PIPE	LF 116.000	33.00000		3,828.00	
0015	0335300000-E 18" DRAINAGE PIPE	LF 80.000	43.00000		3,440.00	
0016	0343000000-E 15" SIDE DRAIN PIPE	LF 32.000	33.00000		1,056.00	
0017	0448200000-E 15" RC PIPE CULVERTS, CLASS IV	LF 68.000	35.00000		2,380.00	
0018	0654000000-E ***" X ***" CS PIPE ARCH CULVERTS, *****" THICK (53" X 41", 0.109")	LF 136.000	165.00000		22,440.00	
0019	0995000000-E PIPE REMOVAL	LF 134.000	4.00000		536.00	
0020	1121000000-E AGGREGATE BASE COURSE	TON 613.000	22.00000		13,486.00	
0021	1220000000-E INCIDENTAL STONE BASE	TON 300.000	24.00000		7,200.00	

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Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
0022	1275000000-E PRIME COAT	450.000 GAL	6.00000		2,700.00	
0023	1489000000-E ASPHALT CONC BASE COURSE, TYPE B25.0B	575.000 TON	65.00000		37,375.00	
0024	1498000000-E ASPHALT CONC INTERMEDIATE COURSE, TYPE I19.0B	265.000 TON	73.00000		19,345.00	
0025	1525000000-E ASPHALT CONC SURFACE COURSE, TYPE SF9.5A	520.000 TON	86.00000		44,720.00	
0026	1560000000-E ASPHALT BINDER FOR PLANT MIX, GRADE PG 64-22	71.000 TON	539.00000		38,269.00	
0027	1693000000-E ASPHALT PLANT MIX, PAVEMENT REPAIR	25.000 TON	130.00000		3,250.00	
0028	2000000000-N RIGHT OF WAY MARKERS	21.000 EA	200.00000		4,200.00	
0029	2022000000-E SUBDRAIN EXCAVATION	140.000 CY	1.00000		140.00	
0030	2033000000-E SUBDRAIN FINE AGGREGATE	105.000 CY	20.00000		2,100.00	
0031	2044000000-E 6" PERFORATED SUBDRAIN PIPE	600.000 LF	12.00000		7,200.00	
0032	2070000000-N SUBDRAIN PIPE OUTLETS	2.000 EA	100.00000		200.00	
0033	2077000000-E 6" OUTLET PIPE (SUBDRAINS)	12.000 LF	12.00000		144.00	

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Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
0034	2209000000-E ENDWALLS	CY 9.000	1,200.00000		10,800.00	
0035	2286000000-N MASONRY DRAINAGE STRUCTURES	EA 4.000	1,000.00000		4,000.00	
0036	2364000000-N FRAME WITH TWO GRATES, STD 840.16	EA 1.000	300.00000		300.00	
0037	2365000000-N FRAME WITH TWO GRATES, STD 840.22	EA 1.000	330.00000		330.00	
0038	2367000000-N FRAME WITH TWO GRATES, STD 840.29	EA 2.000	330.00000		660.00	
0039	2556000000-E SHOULDER BERM GUTTER	LF 35.000	43.00000		1,505.00	
0040	3030000000-E STEEL BM GUARDRAIL	LF 50.000	16.00000		800.00	
0041	3045000000-E STEEL BM GUARDRAIL, SHOP CURVED	LF 37.500	17.00000		637.50	
0042	3150000000-N ADDITIONAL GUARDRAIL POSTS	EA 5.000	13.00000		65.00	
0043	3195000000-N GUARDRAIL ANCHOR UNITS, TYPE AT-1	EA 1.000	500.00000		500.00	
0044	3215000000-N GUARDRAIL ANCHOR UNITS, TYPE III	EA 4.000	1,300.00000		5,200.00	
0045	3270000000-N GUARDRAIL ANCHOR UNITS, TYPE 350	EA 3.000	1,700.00000		5,100.00	

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Bidder: 3481 - R. E. Burns & Sons Co., Inc.

Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
0046	3380000000-E TEMPORARY STEEL BM GUARDRAIL	225.000 LF	8.00000		1,800.00	
0047	3382000000-E TEMPORARY STEEL BM GUARDRAIL (SHOP CURVED)	25.000 LF	14.00000		350.00	
0048	3387000000-N GUARDRAIL ANCHOR UNITS, TYPE ***** TEMPORARY (AT-1)	1.000 EA	200.00000		200.00	
0049	3387000000-N GUARDRAIL ANCHOR UNITS, TYPE ***** TEMPORARY (B-77)	4.000 EA	900.00000		3,600.00	
0050	3389100000-N GUARDRAIL ANCHOR UNITS, TYPE 350 TEMPORARY	3.000 EA	1,500.00000		4,500.00	
0051	3566000000-E WOVEN WIRE FENCE RESET	335.000 LF	7.00000		2,345.00	
0052	3628000000-E RIP RAP, CLASS I	60.000 TON	33.00000		1,980.00	
0053	3635000000-E RIP RAP, CLASS II	75.000 TON	33.00000		2,475.00	
0054	3649000000-E RIP RAP, CLASS B	40.000 TON	33.00000		1,320.00	
0055	3656000000-E FILTER FABRIC FOR DRAINAGE	1,205.000 SY	2.50000		3,012.50	
0056	4072000000-E SUPPORTS, 3-LB STEEL U-CHANNEL	27.000 LF	5.48000		147.96	

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Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
0057	4102000000-N SIGN ERECTION, TYPE E	EA 2.000	95.00000		190.00	
0058	4155000000-N DISPOSAL OF SIGN SYSTEM, U- CHANNEL	EA 8.000	5.00000		40.00	
0059	4400000000-E WORK ZONE SIGNS (STATIONARY)	SF 209.000	6.75000		1,410.75	
0060	4405000000-E WORK ZONE SIGNS (PORTABLE)	SF 96.000	33.00000		3,168.00	
0061	4410000000-E WORK ZONE SIGNS (BARRICADE MOUNTED)	SF 55.000	6.15000		338.25	
0062	4430000000-N DRUMS	EA 15.000	100.00000		1,500.00	
0063	4445000000-E BARRICADES (TYPE III)	LF 96.000	18.50000		1,776.00	
0064	4450000000-N FLAGGER	HR 160.000	35.00000		5,600.00	
0065	4609000000-N GENERIC TRAFFIC CONTROL ITEM TEMPORARY TRAFFIC SIGNAL SYSTEM	DAY 300.000	55.00000		16,500.00	
0066	4650000000-N TEMPORARY RAISED PAVEMENT MARKERS	EA 15.000	27.00000		405.00	
0067	4685000000-E THERMOPLASTIC PAVEMENT MARKING LINES (4", 90 MILS)	LF 1,638.000	1.25000		2,047.50	

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Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
0068	4686000000-E THERMOPLAST IC PAVEMENT MARKING LINES (4", 120 MILS)	1,678.000 LF	1.25000		2,097.50	
0069	4810000000-E PAINT PAVEMENT MARKING LINES (4")	17,160.000 LF	0.30000		5,148.00	
0070	4835000000-E PAINT PAVEMENT MARKING LINES (24")	45.000 LF	3.00000		135.00	
0071	4900000000-N PERMANENT RAISED PAVEMENT MARKERS	2.000 EA	27.00000		54.00	
0072	4905000000-N SNOWPLOWABLE PAVEMENT MARKERS	20.000 EA	135.00000		2,700.00	
0073	6000000000-E TEMPORARY SILT FENCE	5,300.000 LF	2.25000		11,925.00	
0074	6006000000-E STONE FOR EROSION CONTROL, CLASS A	560.000 TON	23.00000		12,880.00	
0075	6009000000-E STONE FOR EROSION CONTROL, CLASS B	180.000 TON	23.00000		4,140.00	
0076	6012000000-E SEDIMENT CONTROL STONE	470.000 TON	23.00000		10,810.00	
0077	6015000000-E TEMPORARY MULCHING	5.000 ACR	450.00000		2,250.00	
0078	6018000000-E SEED FOR TEMPORARY SEEDING	150.000 LB	6.50000		975.00	
0079	6021000000-E FERTILIZER FOR TEMPORARY SEED-ING	1.500 TON	1,200.00000		1,800.00	

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Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
0080	6024000000-E TEMPORARY SLOPE DRAINS	200.000 LF	14.00000		2,800.00	
0081	6027000000-N INLET PROTECTION AT TEMPORARY SLOPE DRAINS	4.000 EA	160.00000		640.00	
0082	6029000000-E SAFETY FENCE	2,200.000 LF	2.00000		4,400.00	
0083	6030000000-E SILT EXCAVATION	450.000 CY	4.00000		1,800.00	
0084	6036000000-E MATTING FOR EROSION CONTROL	9,500.000 SY	1.90000		18,050.00	
0085	6037000000-E COIR FIBER MAT	490.000 SY	5.00000		2,450.00	
0086	6038000000-E PERMANENT SOIL REINFORCEMENT MAT	80.000 SY	10.00000		800.00	
0087	6042000000-E 1/4" HARDWARE CLOTH	2,000.000 LF	3.50000		7,000.00	
0088	6071030000-E COIR FIBER BAFFLES	350.000 LF	6.00000		2,100.00	
0089	6071050000-E **" SKIMMER (1-1/2")	6.000 EA	950.00000		5,700.00	
0090	6084000000-E SEEDING & MULCHING	5.000 ACR	1,150.00000		5,750.00	
0091	6087000000-E MOWING	3.500 ACR	80.00000		280.00	

State of NC
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Project(s): BRSTP-0151(10)

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Bidder: 3481 - R. E. Burns & Sons Co., Inc.

Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
0092	6090000000-E SEED FOR REPAIR SEEDING	50.000 LB	8.50000		425.00	
0093	6093000000-E FERTILIZER FOR REPAIR SEEDING	0.250 TON	2,000.00000		500.00	
0094	6096000000-E SEED FOR SUPPLEMENTAL SEEDING	75.000 LB	6.00000		450.00	
0095	6108000000-E FERTILIZER TOPDRESSING	2.250 TON	1,100.00000		2,475.00	
0096	6114500000-N SPECIALIZED HAND MOWING	12.000 MHR	65.00000		780.00	
0097	6117000000-N RESPONSE FOR EROSION CONTROL	27.000 EA	50.00000		1,350.00	
0098	6123000000-E REFORESTATION	0.500 ACR	1,200.00000		600.00	
0099	6126000000-E STREAMBANK REFORESTATION	0.200 ACR	1,800.00000		360.00	
Section 0001 Total						574,892.96

Section 0004 STRUCTURE ITEMS

Alt Group

0100	8007000000-N CONSTRUCTION, MAINTENANCE, & REMOVAL OF TEMP STRUCTURE AT STA ***** (17+88.50-L-)	LUMP	LUMP		145,000.00	
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State of NC
Dept of Transportation

Date: 11-23-10
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Contract ID: C202326
Letting Date: 12-21-10 Call Order: 009
Bidder: 3481 - R. E. Burns & Sons Co., Inc.

Project(s): BRSTP-0151(10)

Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
0101	8035000000-N REMOVAL OF EXISTING STRUCTURE AT STATION ***** (17+88.50-L-)	LUMP	LUMP			35,000.00
0102	8121000000-N UNCLASSIFIED STRUCTURE EXCAVATION AT STATION ***** (17+88.50-L-)	LUMP	LUMP			4,000.00
0103	8182000000-E CLASS A CONCRETE (BRIDGE)	CY 44.500	550.00000			24,475.00
0104	8210000000-N BRIDGE APPROACH SLABS, STATION***** (17+88.50-L-)	LUMP	LUMP			18,000.00
0105	8217000000-E REINFORCING STEEL (BRIDGE)	LB 6,528.000	1.35000			8,812.80
0106	8364000000-E HP12X53 STEEL PILES	LF 1,183.000	33.00000			39,039.00
0107	8475000000-E TWO BAR METAL RAIL	LF 147.945	120.00000			17,753.40
0108	8517000000-E 1'-**"X ***** CONCRETE PARAPET (1'-2" X 2'-8")	LF 164.792	80.00000			13,183.36
0109	8608000000-E RIP RAP CLASS II (2'-0" THICK)	TON 340.000	38.00000			12,920.00
0110	8622000000-E FILTER FABRIC FOR DRAINAGE	SY 380.000	2.50000			950.00
0111	8657000000-N ELASTOMERIC BEARINGS	LUMP	LUMP			4,000.00

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			Dollars	Cts	Dollars	Ct
0112	8753100000-E 3'-0" X 2'-9" PRESTRESSED CONCBX BEAMS	988.750 LF	195.00000		192,806.25	
	Section 0004 Total				515,939.81	
	Bid Total				1,090,832.77	✓

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: 11-23-10
PAGE: 14

PROPOSAL: C202326
LETTING: L101221 CALL: 009
VENDOR: 3481 R. E. Burns & Sons Co., Inc.

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

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

0040	3030000000-E	STL BM GUARD	LF	50.000	16.00000	800.00
0041	3045000000-E	SBGR SHOP	CU LF	37.500	17.00000	637.50
0042	3150000000-N	ADDIT GUARDR	EA	5.000	13.00000	65.00
0043	3195000000-N	GR ANCHOR	TY EA	1.000	500.00000	500.00
0044	3215000000-N	GR ANCHOR	TY EA	4.000	1300.00000	5200.00
0045	3270000000-N	GR ANCHOR	TY EA	3.000	1700.00000	5100.00
0046	3380000000-E	TEMP STL BM	LF	225.000	4.00000	900.00
0047	3382000000-E	TEMP STL BM	LF	25.000	14.00000	350.00
0048	3387000000-N	GDRL ANCH	UN EA	1.000	200.00000	200.00
0049	3387000000-N	GDRL ANCH	UN EA	4.000	900.00000	3600.00
0050	3389100000-N	GDRL ANCH	UN EA	3.000	700.00000	2100.00
0051	3566000000-E	WOVEN WIRE	F LF	335.000	7.00000	2345.00

DBE COMMITMENT TOTAL FOR SUBCONTRACTOR: 21,797.50 ✓ arm
DBE COMMITMENT TOTAL FOR VENDOR (SubContractor) 21,797.

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

0108	8517000000-E	1'-***X***** LF		164.792	49.18000	8104.47
		slipform				

DBE COMMITMENT TOTAL FOR SUBCONTRACTOR: 8,104.47 ✓ arm
DBE COMMITMENT TOTAL FOR VENDOR (SubContractor) 8,104.4

DBE SUBCONTRACTOR: 5319 NEW DIMENSIONS IN PAVEMENT MARKING, INC.
Will Use Quote: Yes

0066	4650000000-N	TEMP RAISED	EA	15.000	27.00000	405.00
0067	4685000000-E	THERMO PVT	M LF	1638.000	1.25000	2047.50
0068	4686000000-E	THERMO PVT	M LF	1678.000	1.25000	2097.50
0069	4810000000-E	PAINT PVMT	M LF	17160.000	0.30000	5148.00
0070	4835000000-E	PAINT PVT	MK LF	45.000	3.00000	135.00
0071	4900000000-N	PERM RAISED	EA	2.000	27.00000	54.00
0072	4905000000-N	SNOWPLB	PVMT EA	20.000	135.00000	2700.00

DBE COMMITMENT TOTAL FOR SUBCONTRACTOR: 12,587.00 ✓ arm
DBE COMMITMENT TOTAL FOR VENDOR (SubContractor) 12,587.

DBE SUBCONTRACTOR: 1293 CAROLINA LANDSCAPING & CONST INC
Will Use Quote: Yes

0001	0000100000-N	MOBILIZATION	LS	1.000	900.00000	900.00
0077	6015000000-E	TEMPORARY	MU ACR	5.000	450.00000	2250.00

Check: C38C3442 Page 14

NORTH CAROLINA STATE DEPARTMENT OF TRANSPORTATION
DBE COMMITMENT ITEMS

DATE:11-23-10
PAGE: 15

LINE NO.	ITEM NO.	ITEM DESC.	UNIT TYPE	SUBCONTRACTOR QUANTITY	SUBCONTRACTOR UNIT PRICE	EXTENDED AMOUNT
0078	6018000000-E	SEED FOR TEM	LB	150.000	6.50000	975.00
0079	6021000000-E	FERT FOR TEM	TON	1.500	1200.00000	1800.00
0084	6036000000-E	MATTING FOR	SY	9500.000	1.90000	18050.00
0090	6084000000-E	SEEDING AND	ACR	5.000	1150.00000	5750.00
0091	6087000000-E	MOWING	ACR	3.500	80.00000	280.00
0092	6090000000-E	SEED FOR REP	LB	50.000	8.50000	425.00
0093	6093000000-E	FERT FOR REP	TON	0.250	2000.00000	500.00
0094	6096000000-E	SEED FOR SUP	LB	75.000	6.00000	450.00
0095	6108000000-E	FERTILIZER T	TON	2.250	1100.00000	2475.00
0096	6114500000-N	SPECIALIZED	MHR	12.000	65.00000	780.00
0097	6117000000-N	RESPONSE FOR	EA	27.000	50.00000	1350.00
0098	6123000000-E	REFORESTATIO	ACR	0.500	1200.00000	600.00
0099	6126000000-E	STREAMBANK R	ACR	0.200	1800.00000	360.00

DBE COMMITMENT TOTAL FOR SUBCONTRACTOR: 36,945.00 ✓ arm
DBE COMMITMENT TOTAL FOR VENDOR (SubContractor) 36,945.

DBE SUBCONTRACTOR: 4761 TRAFFIC CONTROL SAFETY SERVICES, INC.
Will Use Quote: Yes

0065	4609000000-N	GENERIC TRAF	DAY	300.000	55.00000	16500.00
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DBE COMMITMENT TOTAL FOR SUBCONTRACTOR: 16,500.00 ✓ arm
DBE COMMITMENT TOTAL FOR VENDOR (SubContractor) 16,500.

TOTAL DBE COMMITMENT FOR VENDOR: Entered: 8.79% or 95933.97 ✓ arm
Required: 8.00% or 87266.62
<GOAL MET>

Contract Item Sheets For C202326

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
ROADWAY ITEMS						
0001	0000100000-N	800	MOBILIZATION	Lump Sum LS	52,500.00	52,500.00
0002	0030000000-N	SP	BRIDGE APPROACH FILL - SUB REGIONAL TIER, STATION ***** (17+88.50)	Lump Sum LS	5,000.00	5,000.00
0003	0038000000-E	SP	SHALLOW UNDERCUT	225 CY	6.00	1,350.00
0004	0043000000-N	226	GRADING	Lump Sum LS	69,680.00	69,680.00
0005	0050000000-E	226	SUPPLEMENTARY CLEARING & GRUB- BING	1 ACR	1.00	1.00
0006	0057000000-E	226	UNDERCUT EXCAVATION	100 CY	6.00	600.00
0007	0080000000-E	SP	CLASS IV SUBGRADE STABILIZA- TION	425 TON	22.00	9,350.00
0008	0134000000-E	240	DRAINAGE DITCH EXCAVATION	250 CY	6.00	1,500.00
0009	0195000000-E	SP	SELECT GRANULAR MATERIAL	450 CY	33.00	14,850.00
0010	0196000000-E	270	FABRIC FOR SOIL STABILIZATION	450 SY	2.00	900.00
0011	0199000000-E	SP	TEMPORARY SHORING	200 SF	25.00	5,000.00
0012	0318000000-E	SP	FOUNDATION CONDITIONING MATE- RIAL, MINOR STRS	50 TON	31.00	1,550.00
0013	0320000000-E	SP	FOUNDATION CONDITIONING FABRIC	150 SY	2.50	375.00
0014	0335200000-E	SP	15" DRAINAGE PIPE	116 LF	33.00	3,828.00
0015	0335300000-E	SP	18" DRAINAGE PIPE	80 LF	43.00	3,440.00
0016	0343000000-E	SP	15" SIDE DRAIN PIPE	32 LF	33.00	1,056.00
0017	0448200000-E	SP	15" RC PIPE CULVERTS, CLASS IV	68 LF	35.00	2,380.00
0018	0654000000-E	SP	**** X **** CS PIPE ARCH CUL- VERTS, ***** THICK (53" X 41", 0.109")	136 LF	165.00	22,440.00
0019	0995000000-E	340	PIPE REMOVAL	134 LF	4.00	536.00

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
0020	1121000000-E	520	AGGREGATE BASE COURSE	613 TON	22.00	13,486.00
0021	1220000000-E	545	INCIDENTAL STONE BASE	300 TON	24.00	7,200.00
0022	1275000000-E	600	PRIME COAT	450 GAL	6.00	2,700.00
0023	1489000000-E	610	ASPHALT CONC BASE COURSE, TYPE B25.0B	575 TON	65.00	37,375.00
0024	1498000000-E	610	ASPHALT CONC INTERMEDIATE COURSE, TYPE I19.0B	265 TON	73.00	19,345.00
0025	1525000000-E	610	ASPHALT CONC SURFACE COURSE, TYPE SF9.5A	520 TON	86.00	44,720.00
0026	1560000000-E	620	ASPHALT BINDER FOR PLANT MIX, GRADE PG 64-22	71 TON	539.00	38,269.00
0027	1693000000-E	654	ASPHALT PLANT MIX, PAVEMENT REPAIR	25 TON	130.00	3,250.00
0028	2000000000-N	806	RIGHT OF WAY MARKERS	21 EA	200.00	4,200.00
0029	2022000000-E	SP	SUBDRAIN EXCAVATION	140 CY	1.00	140.00
0030	2033000000-E	SP	SUBDRAIN FINE AGGREGATE	105 CY	20.00	2,100.00
0031	2044000000-E	SP	6" PERFORATED SUBDRAIN PIPE	600 LF	12.00	7,200.00
0032	2070000000-N	SP	SUBDRAIN PIPE OUTLETS	2 EA	100.00	200.00
0033	2077000000-E	SP	6" OUTLET PIPE (SUBDRAINS)	12 LF	12.00	144.00
0034	2209000000-E	838	ENDWALLS	9 CY	1,200.00	10,800.00
0035	2286000000-N	840	MASONRY DRAINAGE STRUCTURES	4 EA	1,000.00	4,000.00
0036	2364000000-N	840	FRAME WITH TWO GRATES, STD 840.16	1 EA	300.00	300.00
0037	2365000000-N	840	FRAME WITH TWO GRATES, STD 840.22	1 EA	330.00	330.00

Contract Item Sheets For C202326

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
0038	2367000000-N	840	FRAME WITH TWO GRATES, STD 840.29	2 EA	330.00	660.00
0039	2556000000-E	846	SHOULDER BERM GUTTER	35 LF	43.00	1,505.00
0040	3030000000-E	862	STEEL BM GUARDRAIL	50 LF	16.00	800.00
0041	3045000000-E	862	STEEL BM GUARDRAIL, SHOP CURVED	37.5 LF	17.00	637.50
0042	3150000000-N	862	ADDITIONAL GUARDRAIL POSTS	5 EA	13.00	65.00
0043	3195000000-N	862	GUARDRAIL ANCHOR UNITS, TYPE AT-1	1 EA	500.00	500.00
0044	3215000000-N	862	GUARDRAIL ANCHOR UNITS, TYPE III	4 EA	1,300.00	5,200.00
0045	3270000000-N	SP	GUARDRAIL ANCHOR UNITS, TYPE 350	3 EA	1,700.00	5,100.00
0046	3380000000-E	862	TEMPORARY STEEL BM GUARDRAIL	225 LF	8.00	1,800.00
0047	3382000000-E	862	TEMPORARY STEEL BM GUARDRAIL (SHOP CURVED)	25 LF	14.00	350.00
0048	3387000000-N	862	GUARDRAIL ANCHOR UNITS, TYPE ***** TEMPORARY (AT-1)	1 EA	200.00	200.00
0049	3387000000-N	862	GUARDRAIL ANCHOR UNITS, TYPE ***** TEMPORARY (B-77)	4 EA	900.00	3,600.00
0050	3389100000-N	SP	GUARDRAIL ANCHOR UNITS, TYPE 350 TEMPORARY	3 EA	1,500.00	4,500.00
0051	3566000000-E	867	WOVEN WIRE FENCE RESET	335 LF	7.00	2,345.00
0052	3628000000-E	876	RIP RAP, CLASS I	60 TON	33.00	1,980.00
0053	3635000000-E	876	RIP RAP, CLASS II	75 TON	33.00	2,475.00
0054	3649000000-E	876	RIP RAP, CLASS B	40 TON	33.00	1,320.00

Contract Item Sheets For C202326

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
0055	3656000000-E	876	FILTER FABRIC FOR DRAINAGE	1,205 SY	2.50	3,012.50
0056	4072000000-E	903	SUPPORTS, 3-LB STEEL U-CHANNEL	27 LF	5.48	147.96
0057	4102000000-N	904	SIGN ERECTION, TYPE E	2 EA	95.00	190.00
0058	4155000000-N	907	DISPOSAL OF SIGN SYSTEM, U-CHANNEL	8 EA	5.00	40.00
0059	4400000000-E	1110	WORK ZONE SIGNS (STATIONARY)	209 SF	6.75	1,410.75
0060	4405000000-E	1110	WORK ZONE SIGNS (PORTABLE)	96 SF	33.00	3,168.00
0061	4410000000-E	1110	WORK ZONE SIGNS (BARRICADE MOUNTED)	55 SF	6.15	338.25
0062	4430000000-N	1130	DRUMS	15 EA	100.00	1,500.00
0063	4445000000-E	1145	BARRICADES (TYPE III)	96 LF	18.50	1,776.00
0064	4450000000-N	1150	FLAGGER	160 HR	35.00	5,600.00
0065	4609000000-N	SP	GENERIC TRAFFIC CONTROL ITEM TEMPORARY TRAFFIC SIGNAL SYSTEM	300 DAY	55.00	16,500.00
0066	4650000000-N	1251	TEMPORARY RAISED PAVEMENT MARKERS	15 EA	27.00	405.00
0067	4685000000-E	1205	THERMOPLASTIC PAVEMENT MARKING LINES (4", 90 MILS)	1,638 LF	1.25	2,047.50
0068	4686000000-E	1205	THERMOPLASTIC PAVEMENT MARKING LINES (4", 120 MILS)	1,678 LF	1.25	2,097.50
0069	4810000000-E	1205	PAINT PAVEMENT MARKING LINES (4")	17,160 LF	0.30	5,148.00
0070	4835000000-E	1205	PAINT PAVEMENT MARKING LINES (24")	45 LF	3.00	135.00
0071	4900000000-N	1251	PERMANENT RAISED PAVEMENT MARKERS	2 EA	27.00	54.00
0072	4905000000-N	1253	SNOWPLOWABLE PAVEMENT MARKERS	20 EA	135.00	2,700.00

Contract Item Sheets For C202326

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
0073	6000000000-E	1605	TEMPORARY SILT FENCE	5,300 LF	2.25	11,925.00
0074	6006000000-E	1610	STONE FOR EROSION CONTROL, CLASS A	560 TON	23.00	12,880.00
0075	6009000000-E	1610	STONE FOR EROSION CONTROL, CLASS B	180 TON	23.00	4,140.00
0076	6012000000-E	1610	SEDIMENT CONTROL STONE	470 TON	23.00	10,810.00
0077	6015000000-E	1615	TEMPORARY MULCHING	5 ACR	450.00	2,250.00
0078	6018000000-E	1620	SEED FOR TEMPORARY SEEDING	150 LB	6.50	975.00
0079	6021000000-E	1620	FERTILIZER FOR TEMPORARY SEED- ING	1.5 TON	1,200.00	1,800.00
0080	6024000000-E	1622	TEMPORARY SLOPE DRAINS	200 LF	14.00	2,800.00
0081	6027000000-N	1622	INLET PROTECTION AT TEMPORARY SLOPE DRAINS	4 EA	160.00	640.00
0082	6029000000-E	SP	SAFETY FENCE	2,200 LF	2.00	4,400.00
0083	6030000000-E	1630	SILT EXCAVATION	450 CY	4.00	1,800.00
0084	6036000000-E	1631	MATTING FOR EROSION CONTROL	9,500 SY	1.90	18,050.00
0085	6037000000-E	SP	COIR FIBER MAT	490 SY	5.00	2,450.00
0086	6038000000-E	SP	PERMANENT SOIL REINFORCEMENT MAT	80 SY	10.00	800.00
0087	6042000000-E	1632	1/4" HARDWARE CLOTH	2,000 LF	3.50	7,000.00
0088	6071030000-E	SP	COIR FIBER BAFFLES	350 LF	6.00	2,100.00
0089	6071050000-E	SP	*** SKIMMER (1-1/2")	6 EA	950.00	5,700.00
0090	6084000000-E	1660	SEEDING & MULCHING	5 ACR	1,150.00	5,750.00
0091	6087000000-E	1660	MOWING	3.5 ACR	80.00	280.00

Contract Item Sheets For C202326

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
0092	6090000000-E	1661	SEED FOR REPAIR SEEDING	50 LB	8.50	425.00
0093	6093000000-E	1661	FERTILIZER FOR REPAIR SEEDING	0.25 TON	2,000.00	500.00
0094	6096000000-E	1662	SEED FOR SUPPLEMENTAL SEEDING	75 LB	6.00	450.00
0095	6108000000-E	1665	FERTILIZER TOPDRESSING	2.25 TON	1,100.00	2,475.00
0096	6114500000-N	SP	SPECIALIZED HAND MOWING	12 MHR	65.00	780.00
0097	6117000000-N	SP	RESPONSE FOR EROSION CONTROL	27 EA	50.00	1,350.00
0098	6123000000-E	1670	REFORESTATION	0.5 ACR	1,200.00	600.00
0099	6126000000-E	SP	STREAMBANK REFORESTATION	0.2 ACR	1,800.00	360.00

Contract Item Sheets For C202326

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
0100	8007000000-N	SP	CONSTRUCTION, MAINTENANCE, & REMOVAL OF TEMP STRUCTURE AT STA ***** (17+88.50-L-)	Lump Sum LS	145,000.00	145,000.00
0101	8035000000-N	402	REMOVAL OF EXISTING STRUCTURE AT STATION ***** (17+88.50-L-)	Lump Sum LS	35,000.00	35,000.00
0102	8121000000-N	412	UNCLASSIFIED STRUCTURE EXCAVA- TION AT STATION ***** (17+88.50-L-)	Lump Sum LS	4,000.00	4,000.00
0103	8182000000-E	420	CLASS A CONCRETE (BRIDGE)	44.5 CY	550.00	24,475.00
0104	8210000000-N	422	BRIDGE APPROACH SLABS, STATION ***** (17+88.50-L-)	Lump Sum LS	18,000.00	18,000.00
0105	8217000000-E	425	REINFORCING STEEL (BRIDGE)	6,528 LB	1.35	8,812.80
0106	8364000000-E	SP	HP12X53 STEEL PILES	1,183 LF	33.00	39,039.00
0107	8475000000-E	460	TWO BAR METAL RAIL	147.945 LF	120.00	17,753.40
0108	8517000000-E	460	1'-***"X *****" CONCRETE PARA- PET (1'-2" X 2'-8")	164.792 LF	80.00	13,183.36
0109	8608000000-E	876	RIP RAP CLASS II (2'-0" THICK)	340 TON	38.00	12,920.00
0110	8622000000-E	876	FILTER FABRIC FOR DRAINAGE	380 SY	2.50	950.00
0111	8657000000-N	430	ELASTOMERIC BEARINGS	Lump Sum LS	4,000.00	4,000.00
0112	8753100000-E	430	3'-0" X 2'-9" PRESTRESSED CONC BOX BEAMS	988.75 LF	195.00	192,806.25

TOTAL AMOUNT OF BID FOR ENTIRE PROJECT

\$1,090,832.77 ✓

Contract No. C202326
County Runcombe

Rev. 7-12-10

**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, that the Contractor has not been convicted of violating *N.C.G.S. § 133-24* within the last three years, and that the Contractor intends to do the work with its 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. 28687

Address as Prequalified

Attest Nancy L. Burns
Secretary/~~Assistant Secretary~~
Select appropriate title

By KC Burns
President/~~Vice President/Assistant Vice President~~
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

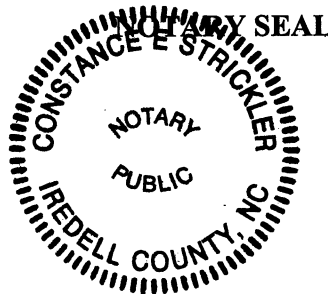
17 day of JANUARY 2011.

Constance E Strickler
Signature of Notary Public

of Iredell County

State of North Carolina

My Commission Expires: June 28, 2014



DEBARMENT CERTIFICATION

Conditions for certification:

1. The prequalified bidder shall provide immediate written notice to the Department if at any time the bidder learns that his certification was erroneous when he submitted his debarment certification or explanation filed 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 prequalified bidder 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 prequalified bidder 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 prequalified bidder 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 bidder 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 6 herein, the Department may terminate any contract if the bidder 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 prequalified 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.
- e. Will submit a revised Debarment Certification immediately if his status changes and will show in his bid proposal an explanation for the change in status.

If the prequalified bidder 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 prequalified bidder's bid being considered non-responsive.

Check here if an explanation is attached to this certification.

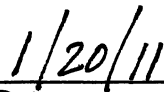
Contract No **C202326**

County (ies): **Buncombe**

**ACCEPTED BY THE
DEPARTMENT OF TRANSPORTATION**

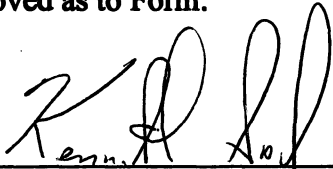


Contract Officer



Date

**Execution of Contract and Bonds
Approved as to Form:**



Attorney General

Contract No. C202326
County Buncombe

Rev 2-1-10

CONTRACT PAYMENT BOND
BOND NO. 837048790

Date of Payment Bond Execution January 11, 2011

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 Ninety Thousand Eight Hundred Thirty Two Dollars and 77/100ths (\$1,090,832.77)

Contract ID No.: C202326

County Name: Buncombe

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. C202326
County Buncombe

Rev 2-1-10

CONTRACT PAYMENT BOND


Affix Seal of Surety Company

Liberty Mutual Insurance Company

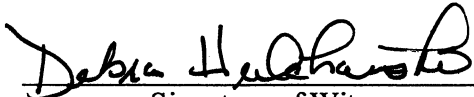
Print or type Surety Company Name

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.
County

C202326

Buncombe

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, N.C. 28687

Address as prequalified

By

Kevin C. Burns

Signature of President, Vice President, Assistant Vice President

Select appropriate title

Kevin C. Burns

Print or type Signer's name

Affix Corporate Seal

Attest

Nancy L. Burns

Signature of Secretary, Assistant Secretary

Select appropriate title

Nancy L. Burns

Print or type Signer's name

ASSETS

	Current Year			Prior Year
	1	2	3	4
	Assets	Nonadmitted Assets	Net Admitted Assets (Cols. 1 - 2)	Net Admitted Assets
1. Bonds (Schedule D)	11,425,766,895		11,425,766,895	11,057,669,501
2. Stocks (Schedule D):				
2.1 Preferred stocks	782,976,318		782,976,318	757,319,706
2.2 Common stocks	9,135,552,552		9,135,552,552	7,570,471,320
3. Mortgage loans on real estate (Schedule B):				
3.1 First liens	519,022,709		519,022,709	548,091,252
3.2 Other than first liens				
4. Real estate (Schedule A):				
4.1 Properties occupied by the company (less \$ 0 encumbrances)	337,179,530		337,179,530	425,989,166
4.2 Properties held for the production of income (less \$ 0 encumbrances)	978,262		978,262	1,039,982
4.3 Properties held for sale (less \$ 0 encumbrances)				
5. Cash (\$ 389,502,555, Schedule E - Part 1), cash equivalents (\$ 82,179,054, Schedule E - Part 2), and short-term investments (\$ 352,650,853, Schedule DA)	824,332,462		824,332,462	1,349,305,516
6. Contract loans (including \$ 0 premium notes)				
7. Other invested assets (Schedule BA)	5,771,150,576	206,157	5,770,944,419	5,131,343,213
8. Receivables for securities	12,271,548		12,271,548	2,659,056
9. Aggregate write-ins for invested assets				
10. Subtotals, cash and invested assets (Lines 1 to 9)	28,809,230,852	206,157	28,809,024,695	26,844,088,712
11. Title plants less \$ 0 charged off (for Title insurers only)				
12. Investment income due and accrued	133,129,777		133,129,777	140,188,757
13. Premiums and considerations:				
13.1 Uncollected premiums and agents' balances in the course of collection	993,264,743	14,732,220	978,532,523	1,071,899,224
13.2 Deferred premiums, agents' balances and installments booked but deferred and not yet due (including \$ 0 earned but unbilled premiums)	1,519,460,073		1,519,460,073	1,594,927,150
13.3 Accrued retrospective premiums	366,445,346	36,644,535	329,800,811	363,694,097
14. Reinsurance:				
14.1 Amounts recoverable from reinsurers	593,195,507		593,195,507	560,300,803
14.2 Funds held by or deposited with reinsured companies	13,527,020		13,527,020	17,294,633
14.3 Other amounts receivable under reinsurance contracts				
15. Amounts receivable relating to uninsured plans	21,095	11,418	9,677	175,315
16.1 Current federal and foreign income tax recoverable and interest thereon	313,172,066		313,172,066	
16.2 Net deferred tax asset	1,188,251,090	164,925,490	1,023,325,600	846,790,256
17. Guaranty funds receivable or on deposit	33,248,467		33,248,467	32,559,328
18. Electronic data processing equipment and software	319,102,379	257,221,814	61,880,565	50,291,004
19. Furniture and equipment, including health care delivery assets (\$ 0)	126,014,225	126,014,225		
20. Net adjustment in assets and liabilities due to foreign exchange rates				
21. Receivables from parent, subsidiaries and affiliates	346,223,617	610	346,223,007	312,158,606
22. Health care (\$ 0) and other amounts receivable				
23. Aggregate write-ins for other than invested assets	715,856,703	39,949,956	675,906,747	715,420,301
24. Total assets excluding Separate Accounts, Segregated Accounts and Protected Cell Accounts (Lines 10 to 23)	35,470,142,960	639,706,425	34,830,436,535	32,549,788,186
25. From Separate Accounts, Segregated Accounts and Protected Cell Accounts				
26. Total (Lines 24 and 25)	35,470,142,960	639,706,425	34,830,436,535	32,549,788,186

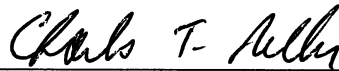
DETAILS OF WRITE-IN LINES				
0901.				
0902.				
0903.				
0998. Summary of remaining write-ins for Line 09 from overflow page				
0999. Totals (Lines 0901 through 0903 plus 0998) (Line 9 above)				
2301. Cash Surrender Value Life Insurance	383,284,396		383,284,396	348,631,523
2302. Amounts receivable under high deductible policies	172,319,200	115,054	172,204,146	165,149,487
2303. Other assets	132,718,497	39,834,902	92,883,595	165,697,198
2398. Summary of remaining write-ins for Line 23 from overflow page	27,534,610		27,534,610	36,042,093
2399. Totals (Lines 2301 through 2303 plus 2398) (Line 23 above)	715,856,703	39,949,956	675,906,747	715,420,301

SURETY ACKNOWLEDGEMENT

STATE OF NEW YORK

COUNTY OF ONONDAGA

On this 11th day of JANUARY, 2011 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 LIBERTY MUTUAL INSURANCE 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**

Contract No. C202326
County Buncombe

Rev 2-1-10

CONTRACT PERFORMANCE BOND

BOND NO. 837048790

Date of Performance Bond Execution: January 11, 2011

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 Ninety Thousand Eight Hundred Thirty Two Dollars and 77/100ths (\$1,090,832.77)

Contract ID No.: C202326

County Name: Buncombe

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. C202326
County Buncombe

Rev 2-1-10

CONTRACT PERFORMANCE BOND

Affix Seal of Surety Company

Liberty Mutual Insurance Company

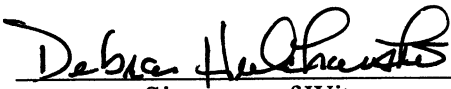
Print or type Surety Company Name

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

C202326

Buncombe

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, N.C. 28687

Address as prequalified

By

KCBurns

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

Select appropriate title

Kevin C. Burns

Print or type Signer's name

Affix Corporate Seal

Attest

Nancy L. Burns

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, KIMBERLY LOUNSBERY, 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 28th day of July 2010

LIBERTY MUTUAL INSURANCE COMPANY

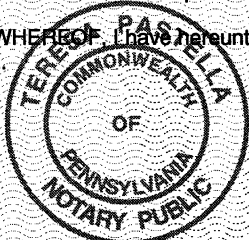
By Garnet W. Elliott, Assistant Secretary



COMMONWEALTH OF PENNSYLVANIA ss
COUNTY OF MONTGOMERY

On this 28th day of July, 2010, 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, 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 11th day of January, 2011



By 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.