

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

C202641

CONTRACT AND  
CONTRACT BONDS  
FOR CONTRACT NO. C202641

WBS 12CR.10361.12, 12CR.20361.14 STATE FUNDED

COUNTY OF GASTON  
THIS IS THE ROADWAY CONTRACT  
ROUTE NUMBER                      LENGTH    15.900 MILES  
LOCATION US-321 BUS FROM SR-1605 TO NC-279, US-29/74 FROM BELVEDEERE  
AVE TO LINEBERGER RD AND 11 SECTIONS OF SECONDARY ROADS.

CONTRACTOR    FEREBEE CORPORATION  
ADDRESS        P.O. BOX 480056  
                    CHARLOTTE, NC 28269

BIDS OPENED        DECEMBER 21, 2010  
CONTRACT EXECUTION   JAN 24 2011

**Ferebee Corporation (3664).****Vendor 3 of 6 Vendors for Call Order 008 (Proposal ID C202641).**

County: GASTON  
Address: PO Box 480066  
Charlotte, NC 28269  
Phone Number: 704-509-2586  
Signature Check: This bid has been properly signed by Chris\_Ferebee\_3664.  
Time Bid Received: Tue Dec 21 12:27:03 2010  
Bid Checksum: 6B75B643 MBE GOAL SET 3.0  
Amendment Count: 0  
Bidding Errors: No bidding errors.  
Bid Total: \$3,449,655.67 ✓ MBE GOAL MET 6.2  
Bond ID: SNC10697612  
Bond was Verified: Yes. WBE GOAL SET 3.0  
Bond Required Percent: 5.00%  
Minimum Check Amount: \$172,482.78  
Bid Security Maximum: \$ WBE GOAL MET 3.8  
Bond Agency Name:  
Agency Execution Date: 12/1/2010 10:58:08 AM  
Surety Name: Safeco Insurance Company of America  
Surety State of Incorporation:  
Bond Company:  
Bond Type:  
Bond Appr Flag:  
Bond Affirm:  
Bond was Paid by Check: No.

LIST OF MBE PARTICIPANTS

6831 MB	APMI CORPORATION	Sub	215,043.27	✓	arm
	ASHCRAFT AVENUE , MONROE, NC 28110				
		TOTAL:	\$215,043.27	✓	arm
			6.23%		

LIST OF WBE PARTICIPANTS

VENDOR NUMBER	DBE NAME ADDRESS	WORK CODE TYPE OF WORK	CERT TYPE AMOUNT		
3304 WB	FULFORD & JONES ASPHALT INC. 5509 HORNES CHURCH ROAD , WILSON, NC 27896		Sub 91,800.00	✓	arm
3765 WB	STAY ALERT SAFETY SERVICES INC POST OFFICE BOX 467 , KERNERSVILLE, NC 27285		Sub 10,750.00	✓	arm
10201 WB	D'S TRUCKING SERVICE INC PO BOX 1404 , INDIAN TRAIL, NC 28079		Sub 28,000.00	✓	arm
		TOTAL:	\$130,550.00	✓	arm
			3.78%		

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:  
=====

NCDOT/berc

Vendor 3664's Load Output for Call 008, Letting L101221, 2010-12-21

BondID: SNC10697612  
Surety Registry Agency: surety2000  
Verified?: Yes  
Surety Agency: Safeco Insurance Company of America  
Bond Execution Date: 12/1/2010 10:58:08 AM  
Bond Amount: \$172,482.78 (Five Percent of Bid)

State of NC  
Dept of Transportation

Date: 11-23-10  
Revised:

Contract ID: C202641 Project(s): STATE FUNDED  
Letting Date: 12-21-10 Call Order: 008  
Bidder: 3664 - Ferebee Corporation

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			40,000.00
0002	0255000000-E GENERIC GRADING ITEM AGGREGATE SHOULDER BORROW	TON	319.000	25.00000		7,975.00
0003	1220000000-E INCIDENTAL STONE BASE	TON	836.000	20.00000		16,720.00
0004	1245000000-E SHOULDER RECONSTRUCTION	SMI	4.820	2,595.00000		12,507.90
0005	1297000000-E MILLING ASPHALT PAVEMENT, ***"DEPTH (1-1/2")	SY	39,662.000	1.35000		53,543.70
0006	1297000000-E MILLING ASPHALT PAVEMENT, ***"DEPTH (3")	SY	127,148.000	1.35000		171,649.80
0007	1308000000-E MILLING ASPHALT PAVEMENT, ***"TO *****" DEPTH (3" TO 4-1/2")	SY	40,940.000	1.75000		71,645.00
0008	1489000000-E ASPHALT CONC BASE COURSE, TYPE B25.0B	TON	3,109.000	35.00000		108,815.00
0009	1519000000-E ASPHALT CONC SURFACE COURSE, TYPE S9.5B	TON	19,582.000	33.50000		655,997.00
0010	1520000000-E ASPHALT CONC SURFACE COURSE, TYPE S9.5B (LEVELING COURSE)	TON	2,531.000	37.50000		94,912.50

State of NC  
Dept of Transportation

Date: 11-23-10  
Revised:

Contract ID: C202641 Project(s): STATE FUNDED  
Letting Date: 12-21-10 Call Order: 008  
Bidder: 3664 - Ferebee Corporation

Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
0011	1523000000-E ASPHALT CONC SURFACE COURSE, TYPE S9.5C	10,809.000 TON	33.50000		362,101.50	
0012	1524000000-E ASPHALT CONC SURFACE COURSE, TYPE S9.5C (LEVELING COURSE)	541.000 TON	37.50000		20,287.50	
0013	1560000000-E ASPHALT BINDER FOR PLANT MIX, GRADE PG 64-22	1,474.000 TON	475.00000		700,150.00	
0014	1565000000-E ASPHALT BINDER FOR PLANT MIX, GRADE PG 70-22	684.000 TON	475.00000		324,900.00	
0015	1704000000-E PATCHING EXISTING PAVEMENT	4,886.000 TON	82.50000		403,095.00	
0016	1891000000-E GENERIC PAVING ITEM INCIDENTAL MILLING	735.000 SY	7.50000		5,512.50	
0017	2605000000-N CONCRETE WHEELCHAIR RAMPS	23.000 EA	1,100.00000		25,300.00	
0018	2800000000-N ADJUSTMENT OF CATCH BASINS	31.000 EA	500.00000		15,500.00	
0019	2815000000-N ADJUSTMENT OF DROP INLETS	8.000 EA	500.00000		4,000.00	
0020	2830000000-N ADJUSTMENT OF MANHOLES	76.000 EA	350.00000		26,600.00	
0021	2845000000-N ADJUSTMENT OF METER BOXES OR VALVE BOXES	68.000 EA	300.00000		20,400.00	

State of NC  
Dept of Transportation

Date: 11-23-10  
Revised:

Contract ID: C202641 Project(s): STATE FUNDED  
Letting Date: 12-21-10 Call Order: 008  
Bidder: 3664 - Ferebee Corporation

Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
0022	4589000000-N GENERIC TRAFFIC CONTROL ITEM TRAFFIC CONTROL	LUMP	LUMP			90,000.00
0023	4685000000-E THERMOPLAST IC PAVEMENT MARKING LINES (4", 90 MILS)	52,304.000 LF	0.47000			24,582.88
0024	4686000000-E THERMOPLAST IC PAVEMENT MARKING LINES (4", 120 MILS)	79,741.000 LF	0.49000			39,073.09
0025	4695000000-E THERMOPLAST IC PAVEMENT MARKING LINES (8", 90 MILS)	400.000 LF	2.05000			820.00
0026	4697000000-E THERMOPLAST IC PAVEMENT MARKING LINES (8", 120 MILS)	1,500.000 LF	2.10000			3,150.00
0027	4710000000-E THERMOPLAST IC PAVEMENT MARKING LINES (24", 120 MILS)	1,709.000 LF	5.50000			9,399.50
0028	4721000000-E THERMOPLAST IC PAVEMENT MARKING CHARACTER (120 MILS)	48.000 EA	135.00000			6,480.00
0029	4725000000-E THERMOPLAST IC PAVEMENT MARKING SYMBOL (90 MILS)	259.000 EA	95.00000			24,605.00
0030	4810000000-E PAINT PAVEMENT MARKING LINES (4")	336,940.000 LF	0.12000			40,432.80
0031	4905000000-N SNOWPLOWABLE PAVEMENT MARKERS	2,580.000 EA	25.00000			64,500.00
0032	5255000000-N PORTABLE LIGHTING	LUMP	LUMP			5,000.00
Section 0001 Total						3,449,655.67

State of NC  
Dept of Transportation

Date: 11-23-10  
Revised:

Contract ID: C202641 Project(s): STATE FUNDED  
Letting Date: 12-21-10 Call Order: 008  
Bidder: 3664 - Ferebee Corporation

Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
	Bid Total				3,449,655.67	



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  
 MBE COMMITMENT ITEMS

DATE: 11-23-10  
 PAGE: 7

PROPOSAL: C202641  
 LETTING: L101221 CALL: 008  
 VENDOR: 3664 Ferebee Corporation

LINE NO.	ITEM NO.	ITEM DESC.	UNIT TYPE	SUBCONTRACTOR QUANTITY	SUBCONTRACTOR UNIT PRICE	EXTENDED AMOUNT
MBE SUBCONTRACTOR: 6831 APMI CORPORATION						
Will Use Quote: Yes						
0023	4685000000-E	THERMO PVT M LF		52304.000	0.47000	24582.88
0024	4686000000-E	THERMO PVT M LF		79741.000	0.49000	39073.09
0025	4695000000-E	THERMO PVT M LF		400.000	2.05000	820.00
0026	4697000000-E	THERMO PVT M LF		1500.000	2.10000	3150.00
0027	4710000000-E	24"WIDE THER LF		1709.000	5.50000	9399.50
0028	4721000000-E	THERMO PVT M EA		48.000	135.00000	6480.00
0029	4725000000-E	THERMO PVT S EA		259.000	95.00000	24605.00
0030	4810000000-E	PAINT PVMT M LF		336940.000	0.12000	40432.80
0031	4905000000-N	SNOWPLB PVMT EA		2580.000	25.00000	64500.00
0001	0000100000-N	MOBILIZATION LS		1.000	2000.00000	2000.00

MBE COMMITMENT TOTAL FOR SUBCONTRACTOR: 215,043.27 ✓ arm

TOTAL MBE COMMITMENT FOR VENDOR: Entered: 6.23% or 215043.27 ✓ arm  
 Required: 3.00% or 103489.67  
 <GOAL MET>

NORTH CAROLINA STATE DEPARTMENT OF TRANSPORTATION  
 WBE COMMITMENT ITEMS

DATE: 11-23-10  
 PAGE: 8

PROPOSAL: C202641  
 LETTING: L101221 CALL: 008  
 VENDOR: 3664 Ferebee Corporation

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

WBE SUBCONTRACTOR: 3304 FULFORD & JONES ASPHALT INC.  
 Will Use Quote: Yes

0017	2605000000-N	CONC WHEELCH EA	23.000	1100.00000	25300.00
0018	2800000000-N	ADJ CATCH BA EA	31.000	500.00000	15500.00
0019	2815000000-N	ADJ DROP INL EA	8.000	500.00000	4000.00
0020	2830000000-N	ADJ MANHOLES EA	76.000	350.00000	26600.00
0021	2845000000-N	ADJ METER OR EA	68.000	300.00000	20400.00

WBE COMMITMENT TOTAL FOR SUBCONTRACTOR: 91,800.00 ✓ arm

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

0022	4589000000-N	GENERIC TRAF LS	1.000	10750.00000	10750.00
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WBE COMMITMENT TOTAL FOR SUBCONTRACTOR: 10,750.00 ✓ arm

WBE SUBCONTRACTOR: 10201 D'S TRUCKING SERVICE INC  
 Will Use Quote: Yes

0006	1297000000-E	MILL ASP PVM SY	35000.000	0.80000	28000.00
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WBE COMMITMENT TOTAL FOR SUBCONTRACTOR: 28,000.00 ✓ arm

TOTAL WBE COMMITMENT FOR VENDOR:                    Entered:    3.78% or    130550.00 ✓ arm  
    Required:    3.00% or    103489.67  
    <GOAL MET>

## Contract Item Sheets For C202641

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
<b>ROADWAY ITEMS</b>						
0001	0000100000-N	800	MOBILIZATION	Lump Sum LS	40,000.00	40,000.00
0002	0255000000-E	SP	GENERIC GRADING ITEM AGGREGATE SHOULDER BORROW	319 TON	25.00	7,975.00
0003	1220000000-E	545	INCIDENTAL STONE BASE	836 TON	20.00	16,720.00
0004	1245000000-E	SP	SHOULDER RECONSTRUCTION	4.82 SMI	2,595.00	12,507.90
0005	1297000000-E	607	MILLING ASPHALT PAVEMENT, **** DEPTH (1-1/2")	39,662 SY	1.35	53,543.70
0006	1297000000-E	607	MILLING ASPHALT PAVEMENT, **** DEPTH (3")	127,148 SY	1.35	171,649.80
0007	1308000000-E	607	MILLING ASPHALT PAVEMENT, **** TO ***** DEPTH (3" TO 4-1/2")	40,940 SY	1.75	71,645.00
0008	1489000000-E	610	ASPHALT CONC BASE COURSE, TYPE B25.0B	3,109 TON	35.00	108,815.00
0009	1519000000-E	610	ASPHALT CONC SURFACE COURSE, TYPE S9.5B	19,582 TON	33.50	655,997.00
0010	1520000000-E	SP	ASPHALT CONC SURFACE COURSE, TYPE S9.5B (LEVELING COURSE)	2,531 TON	37.50	94,912.50
0011	1523000000-E	610	ASPHALT CONC SURFACE COURSE, TYPE S9.5C	10,809 TON	33.50	362,101.50
0012	1524000000-E	SP	ASPHALT CONC SURFACE COURSE, TYPE S9.5C (LEVELING COURSE)	541 TON	37.50	20,287.50
0013	1560000000-E	620	ASPHALT BINDER FOR PLANT MIX, GRADE PG 64-22	1,474 TON	475.00	700,150.00
0014	1565000000-E	620	ASPHALT BINDER FOR PLANT MIX, GRADE PG 70-22	684 TON	475.00	324,900.00
0015	1704000000-E	SP	PATCHING EXISTING PAVEMENT	4,886 TON	82.50	403,095.00
0016	1891000000-E	SP	GENERIC PAVING ITEM INCIDENTAL MILLING	735 SY	7.50	5,512.50

## Contract Item Sheets For C202641

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
0017	2605000000-N	848	CONCRETE WHEELCHAIR RAMPS	23 EA	1,100.00	25,300.00
0018	2800000000-N	858	ADJUSTMENT OF CATCH BASINS	31 EA	500.00	15,500.00
0019	2815000000-N	858	ADJUSTMENT OF DROP INLETS	8 EA	500.00	4,000.00
0020	2830000000-N	858	ADJUSTMENT OF MANHOLES	76 EA	350.00	26,600.00
0021	2845000000-N	858	ADJUSTMENT OF METER BOXES OR VALVE BOXES	68 EA	300.00	20,400.00
0022	4589000000-N	SP	GENERIC TRAFFIC CONTROL ITEM TRAFFIC CONTROL	Lump Sum LS	90,000.00	90,000.00
0023	4685000000-E	1205	THERMOPLASTIC PAVEMENT MARKING LINES (4", 90 MILS)	52,304 LF	0.47	24,582.88
0024	4686000000-E	1205	THERMOPLASTIC PAVEMENT MARKING LINES (4", 120 MILS)	79,741 LF	0.49	39,073.09
0025	4695000000-E	1205	THERMOPLASTIC PAVEMENT MARKING LINES (8", 90 MILS)	400 LF	2.05	820.00
0026	4697000000-E	1205	THERMOPLASTIC PAVEMENT MARKING LINES (8", 120 MILS)	1,500 LF	2.10	3,150.00
0027	4710000000-E	1205	THERMOPLASTIC PAVEMENT MARKING LINES (24", 120 MILS)	1,709 LF	5.50	9,399.50
0028	4721000000-E	1205	THERMOPLASTIC PAVEMENT MARKING CHARACTER (120 MILS)	48 EA	135.00	6,480.00
0029	4725000000-E	1205	THERMOPLASTIC PAVEMENT MARKING SYMBOL (90 MILS)	259 EA	95.00	24,605.00
0030	4810000000-E	1205	PAINT PAVEMENT MARKING LINES (4")	336,940 LF	0.12	40,432.80
0031	4905000000-N	1253	SNOWPLOWABLE PAVEMENT MARKERS	2,580 EA	25.00	64,500.00
0032	5255000000-N	1413	PORTABLE LIGHTING	Lump Sum LS	5,000.00	5,000.00

TOTAL AMOUNT OF BID FOR ENTIRE PROJECT

\$3,449,655.67 ✓

Contract No. C202641  
County Gaston

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**

FEREBEE CORPORATION

Full name of Corporation

P.O. BOX 480066, CHARLOTTE, NC 28269

Address as Prequalified

Attest

Heather L. Cochran  
Secretary/Assistant Secretary  
Select appropriate title

By

Chris Ferebee  
President/Vice President/Assistant Vice President  
Select appropriate title

HEATHER COCHRANE

Print or type Signer's name

CHRIS FEREBEE

Print or type Signer's name

**CORPORATE SEAL**

**AFFIDAVIT MUST BE NOTARIZED**

Subscribed and sworn to before me this the

13<sup>th</sup> day of JANUARY 2011.

[Signature]  
Signature of Notary Public

**NOTARY SEAL**

of CABARRUS County

State of NORTH CAROLINA

My Commission Expires: JUNE 8, 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.

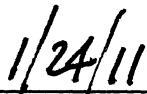
**Contract No**     C202641

**County (ies):**   Gaston

**ACCEPTED BY THE  
DEPARTMENT OF TRANSPORTATION**



\_\_\_\_\_  
Contract Officer



\_\_\_\_\_  
Date

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



Assistant Attorney General

Signature Sheet (Bid - Acceptance by Department)

Contract No. C202641  
County Gaston

Rev 2-1-10

Bond No. 018021625

### CONTRACT PAYMENT BOND

Date of Payment Bond Execution January 12, 2011

Name of Principal Contractor Ferebee Corporation

Name of Surety: Liberty Mutual Insurance Company

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

Amount of Bond: Three Million Four Hundred Forty Nine  
Thousand Six Hundred Fifty Five Dollars and 67/100 ( \$3,449,655.67 )

Contract ID No.: C202641

County Name: Gaston

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. C202641  
County Gaston

Rev 2-1-10

### CONTRACT PAYMENT BOND

*Affix Seal of Surety Company*

Liberty Mutual Insurance Company  
Print or type Surety Company Name

By Angela D. Ramsey  
Print, stamp or type name of Attorney-in-Fact



Angela D. Ramsey  
Signature of Attorney-in-Fact

Jennifer C. Hoehn  
Signature of Witness

Jennifer C. Hoehn  
Print or type Signer's name

6100 Fairview Road  
Charlotte, NC 28210  
Address of Attorney-in-Fact

Contract No. C202641  
County Gaston

Rev 2-1-10


**CONTRACT PAYMENT BOND**

**CORPORATION**

SIGNATURE OF CONTRACTOR (Principal)

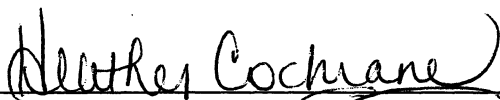
Ferebee Corporation  
Full name of Corporation

10045 Metromont Industrial Boulevard, Charlotte, NC 28269  
Address as prequalified

By   
Signature of **President, Vice President, Assistant Vice President**  
*Select appropriate title*

Chris Ferber  
Print or type Signer's name

*Affix Corporate Seal*

Attest   
Signature of **Secretary, Assistant Secretary**  
*Select appropriate title*

Heather Cochran  
Print or type Signer's name

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. 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 610-832-8240 between 9:00 am and 4:30 pm EST on any business day.

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, Angela D. Ramsey its true and lawful attorney-in-fact, with full power and authority hereby conferred to sign, execute and acknowledge, at any location within the United States, the following surety bond:

Principal Name: Ferebee Corporation

Obligee Name: North Carolina Department of Transportation

LMS Surety Bond Number: 018021625

Bond Amount: See Bond Form

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 28<sup>th</sup> day of MARCH, 2009.



LIBERTY MUTUAL INSURANCE COMPANY

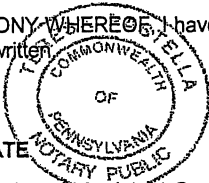
*Garnet W. Elliott*

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

COMMONWEALTH OF PENNSYLVANIA ss  
COUNTY OF MONTGOMERY

On this 28<sup>th</sup> day of MARCH, 2009, before me, a Notary Public, personally came Garnet W. Elliott, to me known, and acknowledged that he is an Assistant Secretary of Liberty Mutual Insurance Company; that he knows the seal of said corporation; and that he executed the above Power of Attorney and affixed the corporate seal of Liberty Mutual Insurance Company thereto with the authority and at the direction of said corporation.

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



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

By *Teresa Pastella*  
Teresa Pastella, Notary Public

CERTIFICATE

I, the undersigned, Assistant Secretary of Liberty Mutual Insurance Company, do hereby certify that the original power of attorney of which the foregoing is a full, true and correct copy, is in full force and effect on the date of this certificate; and I do further certify that the officer or official who executed the said power of attorney is an Assistant Secretary specially authorized by the chairman or the president to appoint attorneys-in-fact as provided in Article XIII, Section 5 of the By-laws of Liberty Mutual Insurance Company.

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

VOTED that the facsimile or mechanically reproduced signature of any assistant secretary of the company, wherever appearing upon a certified copy of any power of attorney issued by the company in connection with surety bonds, shall be valid and binding upon the company with the same force and effect as though manually affixed.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed the corporate seal of the said company, this 12th day of January, 2011.



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

Contract No. C202641  
County Gaston

Rev 2-1-10

Bond No. 018021625

### CONTRACT PERFORMANCE BOND

Date of Performance Bond Execution: January 12, 2011

Name of Principal Contractor: Ferebee Corporation

Name of Surety: Liberty Mutual Insurance Company

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

Amount of Bond: Three Million Four Hundred Forty Nine  
Thousand Six Hundred Fifty Five Dollars and 67/100 ( \$3,449,655.67 )

Contract ID No.: C202641

County Name: Gaston

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. C202641  
County Gaston

Rev 2-1-10

**CONTRACT PERFORMANCE BOND**

*Affix Seal of Surety Company*

Liberty Mutual Insurance Company  
Print or type Surety Company Name

By Angela D. Ramsey  
Print, stamp or type name of Attorney-in-Fact



Angela D Ramsey  
Signature of Attorney-in-Fact

Jennifer C. Hoehn  
Signature of Witness

Jennifer C. Hoehn  
Print or type Signer's name

6100 Fairview Road  
Charlotte, NC 28210  
Charlotte, NC 28210  
Address of Attorney-in-Fact



Contract No. C202641  
County Gaston

Rev 2-1-10

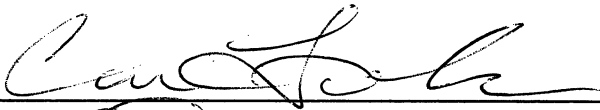
**CONTRACT PERFORMANCE BOND**

**CORPORATION**

SIGNATURE OF CONTRACTOR (Principal)

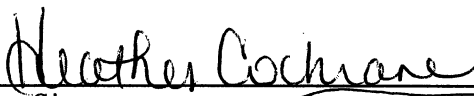
Ferebee Corporation  
Full name of Corporation

10045 Metromont Industrial Boulevard, Charlotte, NC 28269  
Address as prequalified

By   
Signature of **President, Vice President, Assistant Vice President**  
*Select appropriate title*

Chris Ferebee  
Print or type Signer's name

*Affix Corporate Seal*

Attest   
Signature of **Secretary** **Assistant Secretary**  
*Select appropriate title*

Heather Cochrane  
Print or type Signer's name

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. 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 610-832-8240 between 9:00 am and 4:30 pm EST on any business day.

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, Angela D. Ramsey its true and lawful attorney-in-fact, with full power and authority hereby conferred to sign, execute and acknowledge, at any location within the United States, the following surety bond:

Principal Name: Ferebee Corporation

Obligee Name: North Carolina Department of Transportation

LMS Surety Bond Number: 018021625

Bond Amount: See Bond Form

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 MARCH, 2009.



LIBERTY MUTUAL INSURANCE COMPANY

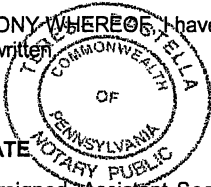
Garnet W. Elliott

By Garnet W. Elliott, Assistant Secretary

COMMONWEALTH OF PENNSYLVANIA ss
COUNTY OF MONTGOMERY

On this 28th day of MARCH, 2009, before me, a Notary Public, personally came Garnet W. Elliott, to me known, and acknowledged that he is an Assistant Secretary of Liberty Mutual Insurance Company; that he knows the seal of said corporation; and that he executed the above Power of Attorney and affixed the corporate seal of Liberty Mutual Insurance Company thereto with the authority and at the direction of said corporation.

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



Notarial Seal
Teresa Pastella, Notary Public
Plymouth Twp., Montgomery County
My Commission Expires March 28, 2013

By Teresa Pastella
Teresa Pastella, Notary Public

CERTIFICATE

I, the undersigned, Assistant Secretary of Liberty Mutual Insurance Company, do hereby certify that the original power of attorney of which the foregoing is a full, true and correct copy, is in full force and effect on the date of this certificate; and I do further certify that the officer or official who executed the said power of attorney is an Assistant Secretary specially authorized by the chairman or the president to appoint attorneys-in-fact as provided in Article XIII, Section 5 of the By-laws of Liberty Mutual Insurance Company.

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

VOTED that the facsimile or mechanically reproduced signature of any assistant secretary of the company, wherever appearing upon a certified copy of any power of attorney issued by the company in connection with surety bonds, shall be valid and binding upon the company with the same force and effect as though manually affixed.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed the corporate seal of the said company, this 12th day of January, 2011.



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