

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

C202671

CONTRACT AND  
CONTRACT BONDS  
FOR CONTRACT NO. C202671

WBS 8CR.10621.15, 8CR.20621.15 STATE FUNDED

COUNTY OF MONTGOMERY  
THIS IS THE ROADWAY CONTRACT  
ROUTE NUMBER US 220A LENGTH 29.460 MILES  
LOCATION 3 SECTIONS OF US-220A, 1 SECTION OF NC-731, NC-109, AND  
NC-73 AND 8 SECTIONS OF SECONDARY ROADS.

CONTRACTOR S. T. WOOTEN CORPORATION  
ADDRESS P.O. BOX 2408  
WILSON, NC 278942408

BIDS OPENED JANUARY 18, 2011  
CONTRACT EXECUTION FEB 03 2011

NCDOT/berc

Vendor 3760's Bid Information for Call 011, Letting L110118, 2011-01-18

**S. T. Wooten Corporation (3760).**

**Vendor 5 of 5 Vendors for Call Order 011 (Proposal ID C202671).**

County: MONTGOMERY  
Address: PO Box 2408  
Wilson, NC 27893  
Phone Number: 252-291-5165  
Signature Check: This bid has been properly signed by Richard\_E\_Vick\_3760.  
Time Bid Received: Tue Jan 18 10:58:10 2011  
Bid Checksum: AEE7F3EB MBE GOAL SET 3.0  
Amendment Count: 0  
Bidding Errors: No bidding errors  
Bid Total: \$3,137,734.53 MBE GOAL MET 3.2  
Bond ID: PLMT-19ET-22TH-17HS  
Bond was Verified: Yes.  
Bond Required Percent: 5.00% WBE GOAL SET 4.0  
Minimum Check Amount: \$156,886.73  
Bid Security Maximum: \$ WBE GOAL MET 9.4  
Bond Agency Name:  
Agency Execution Date: 1/18/2011  
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

7636 MB SOLID ROCK TRUCKING	Sub	40,000.00	✓ am
		P.O. BOX 133 , NEW HILL, NC 27562	
3872 MB DURANT TRUCKING INC	Sub	35,000.00	✓ am
		321 E FOREST DR , SANFORD, NC 27330	
7612 MB BURUCA TRUCKING	Sub	15,000.00	✓ am
		165 WILLOW RIDGE DRIVE , SANFORD, NC 27332	
6269 MB M. OLIVER TRUCKING INC.	Sub	10,000.00	✓ am
		1101 COOL SPRINGS RD , SANFORD, NC 27332	
TOTAL:		\$100,000.00	
		3.19%	

LIST OF WBE PARTICIPANTS

VENDOR NUMBER	DBE NAME ADDRESS	WORK CODE TYPE OF WORK	CERT TYPE AMOUNT	
2446 WB	HAROLD A. PURYEAR TRUCKING CO.		Sub 281,552.25	✓ am
		5844 LEASE LANE , RALEIGH, NC 27617		
3765 WB	STAY ALERT SAFETY SERVICES INC		Sub 7,200.00	✓ am
		POST OFFICE BOX 467 , KERNERSVILLE, NC 27285		
5266 WB	NORTH STATE ENVIRONMENTAL, INC		Sub 6,386.20	✓ am
		2889 LOWERY ST SUITE B , WINSTON-SALEM, NC 27101		
TOTAL:			\$295,138.45	
			9.41%	

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	

NCDOT/berc

Vendor 3760's Load Output for Call 011, Letting L110118, 2011-01-18

NOT ANSWERED  
NOT ANSWERED

Bid Bond Data Info - Contractor Responses:

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BondID: PLMT-19ET-22TH-17HS  
Surety Registry Agency: SurePathNetwork  
Verified?: Yes  
Surety Agency: Safeco Insurance Company of America  
Bond Execution Date: 1/18/2011  
Bond Amount: \$156,886.73 (Five Percent of Bid)

State of NC  
 Dept of Transportation

Date: 12-20-10  
 Revised:

Contract ID: C202671 Project(s): STATE FUNDED  
 Letting Date: 01-18-11 Call Order: 011  
 Bidder: 3760 - S. T. Wooten 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		135,000.00
0002	0106000000-E BORROW EXCAVATION	CY	1,480.000	15.00000		22,200.00
0003	1220000000-E INCIDENTAL STONE BASE	TON	750.000	23.00000		17,250.00
0004	1245000000-E SHOULDER RECONSTRUCTION	SMI	22.800	1,500.00000		34,200.00
0005	1297000000-E MILLING ASPHALT PAVEMENT, ***"DEPTH (1-1/2")	SY	135,798.000	0.65000		88,268.70
0006	1519000000-E ASPHALT CONC SURFACE COURSE, TYPE S9.5B	TON	31,420.000	38.00000		1,193,960.00
0007	1525000000-E ASPHALT CONC SURFACE COURSE, TYPE SF9.5A	TON	8,275.000	38.00000		314,450.00
0008	1560000000-E ASPHALT BINDER FOR PLANT MIX, GRADE PG 64-22	TON	2,423.000	350.00000		848,050.00
0009	1814000000-E ASPHALT SURFACE TREATMENT, STRAIGHT SEAL	SY	141,738.000	1.00000		141,738.00
0010	1891000000-E GENERIC PAVING ITEM INCIDENTAL MILLING	SY	3,897.000	3.80000		14,808.60
0011	2830000000-N ADJUSTMENT OF MANHOLES	EA	37.000	400.00000		14,800.00

State of NC  
Dept of Transportation

Date: 12-20-10  
Revised:

Contract ID: C202671 Project(s): STATE FUNDED  
Letting Date: 01-18-11 Call Order: 011  
Bidder: 3760 - S. T. Wooten Corporation

Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
0012	2845000000-N ADJUSTMENT OF METER BOXES OR VALVE BOXES	EA 31.000	370.00000		11,470.00	
0013	4589000000-N GENERIC TRAFFIC CONTROL ITEM TRAFFIC CONTROL	LUMP	LUMP		13,000.00	
0014	4685000000-E THERMOPLAST IC PAVEMENT MARKING LINES (4", 90 MILS)	LF 166,329.000	0.40000		66,531.60	
0015	4686000000-E THERMOPLAST IC PAVEMENT MARKING LINES (4", 120 MILS)	LF 161,939.000	0.48000		77,730.72	
0016	4695000000-E THERMOPLAST IC PAVEMENT MARKING LINES (8", 90 MILS)	LF 1,279.000	2.50000		3,197.50	
0017	4697000000-E THERMOPLAST IC PAVEMENT MARKING LINES (8", 120 MILS)	LF 618.000	3.00000		1,854.00	
0018	4705000000-E THERMOPLAST IC PAVEMENT MARKING LINES (16", 120 MILS)	LF 350.000	3.75000		1,312.50	
0019	4710000000-E THERMOPLAST IC PAVEMENT MARKING LINES (24", 120 MILS)	LF 941.000	5.00000		4,705.00	
0020	4721000000-E THERMOPLAST IC PAVEMENT MARKING CHARACTER (120 MILS)	EA 54.000	90.00000		4,860.00	
0021	4725000000-E THERMOPLAST IC PAVEMENT MARKING SYMBOL (90 MILS)	EA 121.000	90.00000		10,890.00	
0022	4810000000-E PAINT PAVEMENT MARKING LINES (4")	LF 560,219.000	0.09000		50,419.71	

State of NC  
Dept of Transportation

Date: 12-20-10  
Revised:

Contract ID: C202671 Project(s): STATE FUNDED  
Letting Date: 01-18-11 Call Order: 011  
Bidder: 3760 - S. T. Wooten Corporation

Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount		
			Dollars	Cts	Dollars	Ct	
0023	4830000000-E PAINT PAVEMENT MARKING LINES (16")	300.000 LF	2.85000		855.00		
0024	4835000000-E PAINT PAVEMENT MARKING LINES (24")	552.000 LF	3.50000		1,932.00		
0025	4840000000-N PAINT PAVEMENT MARKING CHARAC-TER	48.000 EA	30.00000		1,440.00		
0026	4900000000-N PERMANENT RAISED PAVEMENT MARKERS	2,245.000 EA	3.50000		7,857.50		
0027	6000000000-E TEMPORARY SILT FENCE	1,680.000 LF	1.79000		3,007.20		
0028	6036000000-E MATTING FOR EROSION CONTROL	90.000 SY	5.77000		519.30		
0029	6071010000-E WATTLE	620.000 LF	5.45000		3,379.00		
0030	6084000000-E SEEDING & MULCHING	16.740 ACR	1,580.00000		26,449.20		
0031	6090000000-E SEED FOR REPAIR SEEDING	905.000 LB	11.00000		9,955.00		
0032	6093000000-E FERTILIZER FOR REPAIR SEEDING	6.000 TON	650.00000		3,900.00		
0033	7444000000-E INDUCTIVE LOOP SAWCUT	1,760.000 LF	4.40000		7,744.00		
Section 0001 Total						3,137,734.53	

State of NC  
 Dept of Transportation

Date: 12-20-10  
 Revised:

Contract ID: C202671 Project(s): STATE FUNDED  
 Letting Date: 01-18-11 Call Order: 011  
 Bidder: 3760 - S. T. Wooten Corporation

Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
	Bid Total				3,137,734.53	

NON-COLLUSION AND DEBARMENT CERTIFICATION

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

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

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

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

Explanation:  
NOT ANSWERED  
NOT ANSWERED  
NOT ANSWERED  
NOT ANSWERED

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

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

AWARD LIMITS ON MULTIPLE PROJECTS

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

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

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

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

The Award Limits shall apply to the following projects:

Contract Number	County
NOT ANSWERED	

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

NORTH CAROLINA STATE DEPARTMENT OF TRANSPORTATION  
 MBE COMMITMENT ITEMS

DATE: 12-20-10  
 PAGE: 7

PROPOSAL: C202671  
 LETTING: L110118 CALL: 011  
 VENDOR: 3760 S. T. Wooten Corporation

LINE NO.	ITEM NO.	ITEM DESC.	UNIT TYPE	SUBCONTRACTOR QUANTITY	SUBCONTRACTOR UNIT PRICE	EXTENDED AMOUNT		
MBE SUBCONTRACTOR: 7636 SOLID ROCK TRUCKING								
Will Use Quote: Yes								
0006	1519000000-E	ASP CONC SUR	TON	1000.000	40.00000	40000.00		
		Hauling asphalt - various maps						
MBE COMMITMENT TOTAL FOR SUBCONTRACTOR:						40,000.00	✓ am	
MBE SUBCONTRACTOR: 3872 DURANT TRUCKING INC								
Will Use Quote: Yes								
0006	1519000000-E	ASP CONC SUR	TON	875.000	40.00000	35000.00		
		Hauling asphalt - various maps						
MBE COMMITMENT TOTAL FOR SUBCONTRACTOR:						35,000.00	✓ am	
MBE SUBCONTRACTOR: 7612 BURUCA TRUCKING								
Will Use Quote: Yes								
0007	1525000000-E	ASP CONC SUR	TON	365.854	41.00000	15000.00		
		Hauling asphalt - various maps						
MBE COMMITMENT TOTAL FOR SUBCONTRACTOR:						15,000.00	✓ am	
MBE SUBCONTRACTOR: 6269 M. OLIVER TRUCKING INC.								
Will Use Quote: Yes								
0006	1519000000-E	ASP CONC SUR	TON	250.000	40.00000	10000.00		
		Hauling asphalt - various maps						
MBE COMMITMENT TOTAL FOR SUBCONTRACTOR:						10,000.00	✓ am	
TOTAL MBE COMMITMENT FOR VENDOR:					Entered:	3.19% or	100000.00	✓ am
					Required:	3.00% or	94132.04	
					<GOAL MET>			

NORTH CAROLINA STATE DEPARTMENT OF TRANSPORTATION  
 WBE COMMITMENT ITEMS

DATE: 12-20-10  
 PAGE: 8

PROPOSAL: C202671  
 LETTING: L110118 CALL: 011  
 VENDOR: 3760 S. T. Wooten Corporation

LINE NO.	ITEM NO.	ITEM DESC.	UNIT TYPE	SUBCONTRACTOR QUANTITY	SUBCONTRACTOR UNIT PRICE	EXTENDED AMOUNT
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WBE SUBCONTRACTOR: 2446 HAROLD A. PURYEAR TRUCKING CO.  
 Will Use Quote: Yes

0008	1560000000-E	ASP FOR PLAN	TON	2423.000	22.00000	53306.00
		Hauling Liquid				
0007	1525000000-E	ASP CONC SUR	TON	8275.000	5.75000	47581.25
		Hauling asphalt				
0006	1519000000-E	ASP CONC SUR	TON	31420.000	5.75000	180665.00
		Hauling asphalt				

WBE COMMITMENT TOTAL FOR SUBCONTRACTOR: 281,552.25 ✓ arm

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

0013	4589000000-N	GENERIC TRAF	LS	0.514	14000.00000	7200.00
		Install, maintain & remove stationary signage				

WBE COMMITMENT TOTAL FOR SUBCONTRACTOR: 7,200.00 ✓ arm

WBE SUBCONTRACTOR: 5266 NORTH STATE ENVIRONMENTAL, INC  
 Will Use Quote: Yes

0027	6000000000-E	TEMPORARY SI	LF	1680.000	1.79000	3007.20
0029	6071010000-E	WATTLE	LF	620.000	5.45000	3379.00

WBE COMMITMENT TOTAL FOR SUBCONTRACTOR: 6,386.20 ✓ arm

TOTAL WBE COMMITMENT FOR VENDOR: Entered: 9.41% or 295138.45 ✓ arm  
 Required: 4.00% or 125509.38  
 <GOAL MET>

## Contract Item Sheets For C202671

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
<b>ROADWAY ITEMS</b>						
0001	0000100000-N	800	MOBILIZATION	Lump Sum LS	135,000.00	135,000.00
0002	0106000000-E	230	BORROW EXCAVATION	1,480 CY	15.00	22,200.00
0003	1220000000-E	545	INCIDENTAL STONE BASE	750 TON	23.00	17,250.00
0004	1245000000-E	SP	SHOULDER RECONSTRUCTION	22.8 SMI	1,500.00	34,200.00
0005	1297000000-E	607	MILLING ASPHALT PAVEMENT, **** DEPTH (1-1/2")	135,798 SY	0.65	88,268.70
0006	1519000000-E	610	ASPHALT CONC SURFACE COURSE, TYPE S9.5B	31,420 TON	38.00	1,193,960.00
0007	1525000000-E	610	ASPHALT CONC SURFACE COURSE, TYPE SF9.5A	8,275 TON	38.00	314,450.00
0008	1560000000-E	620	ASPHALT BINDER FOR PLANT MIX, GRADE PG 64-22	2,423 TON	350.00	848,050.00
0009	1814000000-E	660	ASPHALT SURFACE TREATMENT, STRAIGHT SEAL	141,738 SY	1.00	141,738.00
0010	1891000000-E	SP	GENERIC PAVING ITEM INCIDENTAL MILLING	3,897 SY	3.80	14,808.60
0011	2830000000-N	858	ADJUSTMENT OF MANHOLES	37 EA	400.00	14,800.00
0012	2845000000-N	858	ADJUSTMENT OF METER BOXES OR VALVE BOXES	31 EA	370.00	11,470.00
0013	4589000000-N	SP	GENERIC TRAFFIC CONTROL ITEM TRAFFIC CONTROL	Lump Sum LS	13,000.00	13,000.00
0014	4685000000-E	1205	THERMOPLASTIC PAVEMENT MARKING LINES (4", 90 MILS)	166,329 LF	0.40	66,531.60
0015	4686000000-E	1205	THERMOPLASTIC PAVEMENT MARKING LINES (4", 120 MILS)	161,939 LF	0.48	77,730.72
0016	4695000000-E	1205	THERMOPLASTIC PAVEMENT MARKING LINES (8", 90 MILS)	1,279 LF	2.50	3,197.50
0017	4697000000-E	1205	THERMOPLASTIC PAVEMENT MARKING LINES (8", 120 MILS)	618 LF	3.00	1,854.00

## Contract Item Sheets For C202671

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
0018	4705000000-E	1205	THERMOPLASTIC PAVEMENT MARKING LINES (16", 120 MILS)	350 LF	3.75	1,312.50
0019	4710000000-E	1205	THERMOPLASTIC PAVEMENT MARKING LINES (24", 120 MILS)	941 LF	5.00	4,705.00
0020	4721000000-E	1205	THERMOPLASTIC PAVEMENT MARKING CHARACTER (120 MILS)	54 EA	90.00	4,860.00
0021	4725000000-E	1205	THERMOPLASTIC PAVEMENT MARKING SYMBOL (90 MILS)	121 EA	90.00	10,890.00
0022	4810000000-E	1205	PAINT PAVEMENT MARKING LINES (4")	560,219 LF	0.09	50,419.71
0023	4830000000-E	1205	PAINT PAVEMENT MARKING LINES (16")	300 LF	2.85	855.00
0024	4835000000-E	1205	PAINT PAVEMENT MARKING LINES (24")	552 LF	3.50	1,932.00
0025	4840000000-N	1205	PAINT PAVEMENT MARKING CHARACTER	48 EA	30.00	1,440.00
0026	4900000000-N	1251	PERMANENT RAISED PAVEMENT MARKERS	2,245 EA	3.50	7,857.50
0027	6000000000-E	1605	TEMPORARY SILT FENCE	1,680 LF	1.79	3,007.20
0028	6036000000-E	1631	MATTING FOR EROSION CONTROL	90 SY	5.77	519.30
0029	6071010000-E	SP	WATTLE	620 LF	5.45	3,379.00
0030	6084000000-E	1660	SEEDING & MULCHING	16.74 ACR	1,580.00	26,449.20
0031	6090000000-E	1661	SEED FOR REPAIR SEEDING	905 LB	11.00	9,955.00
0032	6093000000-E	1661	FERTILIZER FOR REPAIR SEEDING	6 TON	650.00	3,900.00
0033	7444000000-E	1725	INDUCTIVE LOOP SAWCUT	1,760 LF	4.40	7,744.00

TOTAL AMOUNT OF BID FOR ENTIRE PROJECT

\$3,137,734.53

Contract No. C202671  
County Montgomery

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**

S.T. Wooten Corporation  
Full name of Corporation

P.O. Box 2408 Wilson NC 27894  
Address as Prequalified

Attest Douglas W. Godwin  
~~Secretary~~/Assistant Secretary  
Select appropriate title

By [Signature]  
~~President~~/Vice President/~~Assistant Vice President~~  
Select appropriate title

Douglas W. Godwin  
Print or type Signer's name

Henry D. Butts Jr  
Print or type Signer's name

**CORPORATE SEAL**

**AFFIDAVIT MUST BE NOTARIZED**

Subscribed and sworn to before me this the  
27 day of January 2011

Lana S. Badyard  
Signature of Notary Public

**NOTARY SEAL**

of Wilson County

State of North Carolina

My Commission Expires: 2/5/13

## 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.

Contract No. C202671  
County MONTGOMERY

Rev. 7-12-10

### 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**     C202671

**County (ies):**   Montgomery

ACCEPTED BY THE  
DEPARTMENT OF TRANSPORTATION



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

2/3/11

\_\_\_\_\_  
Date

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



\_\_\_\_\_  
Assistant Attorney General

Contract No. C202671  
County MONTGOMERY

**CONTRACT PAYMENT BOND**

Date of Payment Bond Execution February 1, 2011

Name of Principal Contractor S.T. Wooten Corporation

Name of Surety: Safeco Insurance Co. of America  
2359 Perimeter Pointe Parkway, Suite 160  
Charlotte, NC 28208

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

Amount of Bond: \$3,137,734.53

Contract ID No.: C202671

County Name: MONTGOMERY

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. C202671  
County MONTGOMERY

**CONTRACT PAYMENT BOND**

*Affix Seal of Surety Company*

Safeco Insurance Co. of America  
Print or type Surety Company Name

By Debra S. Ritter, Attorney-in-Fact  
Print, stamp or type name of Attorney-in-Fact

Debra S. Ritter  
Signature of Attorney-in-Fact

Ramona Fewell  
Signature of Witness

Ramona Fewell  
Print or type Signer's Name

Thomas Rutherford, Inc.  
6230 Fairview Road Suite 230  
Charlotte, NC 28210  
Address of Attorney-in-Fact

Contract No. C202671  
County MONTGOMERY

**CONTRACT PAYMENT BOND**

**CORPORATION**

SIGNATURE OF CONTRACTOR (Principal)

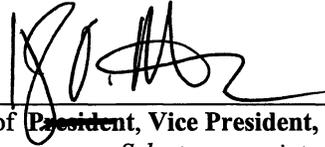
S. T. Wooten Corporation

Full name of Corporation

Post Office Box 2408; Wilson, North Carolina 27894-2408

Address as prequalified

By:



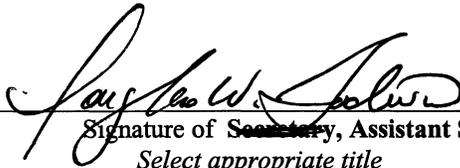
Signature of ~~President, Vice President, Assistant Vice President~~  
*Select appropriate title*

HENRY D. BUTTS, JR.

Print or type Signer's name

*Affix Corporate Seal*

Attest



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

DOUGLAS W. GODWIN

Print or type Signer's name

Contract No. C202671  
 County MONTGOMERY

**CONTRACT PERFORMANCE BOND**

Date of Performance Bond Execution: February 1, 2011

Name of Principal Contractor: S. T. Wooten Corporation

Name of Surety: Safeco Insurance Co. of America  
2359 Perimeter Pointe Parkway, Suite 160  
Charlotte, NC 28208

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

Amount of Bond: \$3,137,734.53

Contract ID No.: C202671

County Name: MONTGOMERY

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 it undersigned representative, pursuant to authority of its governing body.

Contract No. C202671  
County MONTGOMERY

**CONTRACT PERFORMANCE BOND**

*Affix Seal of Surety Company*

Safeco Insurance Co. of America  
Print or type Surety Company Name

By Debra S. Ritter, Attorney-in-Fact  
Print, stamp or type name of Attorney-in-Fact

Debra S. Ritter  
Signature of Attorney-in-Fact

Ramona Fewell  
Signature of witness

Ramona Fewell  
Print or type Signer's Name

Thomas Rutherford, Inc.  
6230 Fairview Road Suite 230  
Charlotte, NC 28210  
Address of Attorney-in-Fact

Contract No. C202671  
County MONTGOMERY

**CONTRACT PERFORMANCE BOND  
CORPORATION**

SIGNATURE OF CONTRACTOR (Principal)

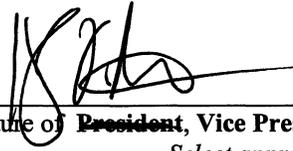
S. T. Wooten Corporation

Full name of Corporation

Post Office Box 2408; Wilson, North Carolina 27894-2408

Address as prequalified

By: \_\_\_\_\_



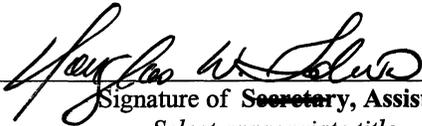
Signature of **President, Vice President, Assistant Vice President**  
*Select appropriate title*

HENRY D. BUTTS, JR.

Print or type Signer's name

*Affix Corporate Seal*

Attest \_\_\_\_\_



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

DOUGLAS W. GODWIN

Print or type Signer's name



POWER OF ATTORNEY

Safeco Insurance Company of America
General Insurance Company of America
1001 4th Avenue
Suite 1700
Seattle, WA 98154

No. 12642

KNOW ALL BY THESE PRESENTS:

That SAFECO INSURANCE COMPANY OF AMERICA and GENERAL INSURANCE COMPANY OF AMERICA, each a Washington corporation, does each hereby appoint

\*\*\*\*\*RAMONA FEWELL; RAYMOND J. GARRUTO; BRAD W. GIBSON; MARTIN D. PALLAZZA; DEBRA S. RITTER; ANGELA M. YOUNT; Charlotte, North Carolina\*\*\*\*\*

its true and lawful attorney(s)-in-fact, with full authority to execute on its behalf fidelity and surety bonds or undertakings and other documents of a similar character issued in the course of its business, and to bind the respective company thereby.

IN WITNESS WHEREOF, SAFECO INSURANCE COMPANY OF AMERICA and GENERAL INSURANCE COMPANY OF AMERICA have each executed and attested these presents

this 21st day of March, 2009

[Signature of Dexter R. Legg]

[Signature of Timothy A. Mikolajewski]

Dexter R. Legg, Secretary

Timothy A. Mikolajewski, Vice President

CERTIFICATE

Extract from the By-Laws of SAFECO INSURANCE COMPANY OF AMERICA and of GENERAL INSURANCE COMPANY OF AMERICA:

"Article V, Section 13. - FIDELITY AND SURETY BONDS ... the President, any Vice President, the Secretary, and any Assistant Vice President appointed for that purpose by the officer in charge of surety operations, shall each have authority to appoint individuals as attorneys-in-fact or under other appropriate titles with authority to execute on behalf of the company fidelity and surety bonds and other documents of similar character issued by the company in the course of its business... On any instrument making or evidencing such appointment, the signatures may be affixed by facsimile. On any instrument conferring such authority or on any bond or undertaking of the company, the seal, or a facsimile thereof, may be impressed or affixed or in any other manner reproduced; provided, however, that the seal shall not be necessary to the validity of any such instrument or undertaking."

Extract from a Resolution of the Board of Directors of SAFECO INSURANCE COMPANY OF AMERICA and of GENERAL INSURANCE COMPANY OF AMERICA adopted July 28, 1970.

"On any certificate executed by the Secretary or an assistant secretary of the Company setting out,

- (i) The provisions of Article V, Section 13 of the By-Laws, and
(ii) A copy of the power-of-attorney appointment, executed pursuant thereto, and
(iii) Certifying that said power-of-attorney appointment is in full force and effect,

the signature of the certifying officer may be by facsimile, and the seal of the Company may be a facsimile thereof."

I, Dexter R. Legg, Secretary of SAFECO INSURANCE COMPANY OF AMERICA and of GENERAL INSURANCE COMPANY OF AMERICA, do hereby certify that the foregoing extracts of the By-Laws and of a Resolution of the Board of Directors of these corporations, and of a Power of Attorney issued pursuant thereto, are true and correct, and that both the By-Laws, the Resolution and the Power of Attorney are still in full force and effect.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the facsimile seal of said corporation

this 1st day of February, 2011



[Signature of Dexter R. Legg]

Dexter R. Legg, Secretary