

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

C202692

CONTRACT AND  
CONTRACT BONDS

FOR CONTRACT NO. C202692

WBS

10CR.10041.24, 10CR.10041.25, 10CR.10041.26, 10CR.10041.27, 10CR.10041.28,  
10CR.10041.29, 10CR.10041.30, 10CR.20041.24, 10CR.20041.25, 10CR.20041.26,  
10CR.20041.27, 10CR.20041.28, 10CR.20041.29, 10CR.20041.30, 10CR.20041.31,  
10CR.20041.32 STATE FUNDED

COUNTY OF ANSON  
THIS IS THE ROADWAY CONTRACT  
ROUTE NUMBER NC 145 LENGTH 24.360 MILES  
LOCATION 4 SECTIONS OF NC-145, 1 SECTION OF US-74, NC-742, AND 9  
SECTIONS OF SECONDARY ROADS.

CONTRACTOR BOGGS PAVING, INC.  
ADDRESS P.O. BOX 1609  
MONROE, NC 28111

BIDS OPENED FEBRUARY 15, 2011  
CONTRACT EXECUTION MAR 07 2011

**Boggs Paving, Inc. (3186).**

**Vendor 2 of 5 Vendors for Call Order 020 (Proposal ID C202692).**

County: ANSON  
Address: P O Box 1609  
Monroe, NC 28111

Phone Number: 704-289-8482

Signature Check: This bid has been properly signed by Greg\_D.\_Miller\_3186.

Time Bid Received: Tue Feb 15 13:16:28 2011

Bid Checksum: 2AAFC94E

MBE GOAL SET 4.0

Amendment Count: 0

Bidding Errors: No bidding errors. ✓

Bid Total: \$5,461,231.47 ✓

MBE GOAL MET 4.0

Bond ID: BSQ6-82TJ-DY7K-7VGQ

Bond was Verified: Yes.

Bond Required Percent: 5.00%

WBE GOAL SET 5.0

Minimum Check Amount: \$273,061.57

Bid Security Maximum: \$

WBE GOAL MET 5.0

Bond Agency Name:

Agency Execution Date: 2/15/2011

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.



NCDOT/berc

Vendor 3186's Load Output for Call 020, Letting L110215, 2011-02-15

Bid Bond Data Info - Contractor Responses:

=====

BondID BSQ6-82TJ-DY7K-7VGQ  
Surety Registry Agency. SurePathNetwork  
Verified?: Yes  
Surety Agency. Liberty Mutual Insurance Company  
Bond Execution Date. 2/15/2011  
Bond Amount \$273,061.57 (Five Percent of Bid)

State of NC  
 Dept of Transportation  
 Contract ID: C202692  
 Letting Date: 02-15-11 Call Order 020  
 Bidder: 3186 - Boggs Paving, Inc

Date: 01-18-11  
 Revised.

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		273,000.00
0002	0106000000-E BORROW EXCAVATION	CY	613.000	15.00000		9,195.00
0003	1110000000-E STABILIZER AGGREGATE	TON	1,947.000	5.00000		9,735.00
0004	1220000000-E INCIDENTAL STONE BASE	TON	1,628.000	29.00000		47,212.00
0005	1243000000-E SHOULDER CONSTRUCTION	SMI	11.000	1,500.00000		16,500.00
0006	1245000000-E SHOULDER RECONSTRUCTION	SMI	42.600	1,500.00000		63,900.00
0007	1264000000-E DITCHING	LF	1,662.000	1.00000		1,662.00
0008	1297000000-E MILLING ASPHALT PAVEMENT, ***"DEPTH (1-1/2")	SY	3,333.000	2.00000		6,666.00
0009	1297000000-E MILLING ASPHALT PAVEMENT, ***"DEPTH (2")	SY	51,744.000	1 60000		82,790.40
0010	1297000000-E MILLING ASPHALT PAVEMENT, ***"DEPTH (2-1/2")	SY	85,000.000	1 85000		157,250.00
0011	1330000000-E INCIDENTAL MILLING	SY	478.000	5.75000		2,748.50

State of NC  
Dept of Transportation

Date: 01-18-11  
Revised:

Contract ID C202692 Project(s). STATE FUNDED  
Letting Date. 02-15-11 Call Order. 020  
Bidder. 3186 - Boggs Paving, Inc.

Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
0012	1491000000-E ASPHALT CONC BASE COURSE, TYPE B25.0C	5,640.000 TON	32.50000		183,300.00	
0013	1503000000-E ASPHALT CONC INTERMEDIATE COURSE, TYPE I19.0C	20,450.000 TON	32.00000		654,400.00	
0014	1519000000-E ASPHALT CONC SURFACE COURSE, TYPE S9.5B	15,935.000 TON	32.50000		517,887.50	
0015	1520000000-E ASPHALT CONC SURFACE COURSE, TYPE S9.5B (LEVELING COURSE)	990.000 TON	34.00000		33,660.00	
0016	1523000000-E ASPHALT CONC SURFACE COURSE, TYPE S9.5C	23,175.000 TON	32.00000		741,600.00	
0017	1524000000-E ASPHALT CONC SURFACE COURSE, TYPE S9.5C (LEVELING COURSE)	840.000 TON	36.00000		30,240.00	
0018	1560000000-E ASPHALT BINDER FOR PLANT MIX, GRADE PG 64-22	2,220.000 TON	435.00000		965,700.00	
0019	1565000000-E ASPHALT BINDER FOR PLANT MIX, GRADE PG 70-22	1,441.000 TON	435.00000		626,835.00	
0020	1704000000-E PATCHING EXISTING PAVEMENT	10,375.000 TON	65.00000		674,375.00	
0021	2612000000-E 6" CONCRETE DRIVEWAY	396.000 SY	40.00000		15,840.00	
0022	2655000000-E 5" MONOLITHIC CONCRETE ISLANDS (KEYED IN)	450.000 SY	40.00000		18,000.00	

State of NC  
Dept of Transportation

Date. 01-18-11  
Revised

Contract ID C202692 Project(s): STATE FUNDED  
Letting Date. 02-15-11 Call Order 020  
Bidder. 3186 - Boggs Paving, Inc.

Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
0023	2815000000-N ADJUSTMENT OF DROP INLETS	EA 1.000	1,000.00000		1,000.00	
0024	2830000000-N ADJUSTMENT OF MANHOLES	EA 9.000	300.00000		2,700.00	
0025	2845000000-N ADJUSTMENT OF METER BOXES OR VALVE BOXES	EA 3.000	300.00000		900.00	
0026	4589000000-N GENERIC TRAFFIC CONTROL ITEM TRAFFIC CONTROL	LUMP	LUMP		5,300.00	
0027	4685000000-E THERMOPLASTIC PAVEMENT MARKING LINES (4", 90 MILS)	LF 215,476.000	0.55000		118,511.80	
0028	4686000000-E THERMOPLASTIC PAVEMENT MARKING LINES (4", 120 MILS)	LF 139,635.000	0.60000		83,781.00	
0029	4710000000-E THERMOPLASTIC PAVEMENT MARKING LINES (24", 120 MILS)	LF 275.000	6.00000		1,650.00	
0030	4721000000-E THERMOPLASTIC PAVEMENT MARKING CHARACTER (120 MILS)	EA 35.000	125.00000		4,375.00	
0031	4725000000-E THERMOPLASTIC PAVEMENT MARKING SYMBOL (90 MILS)	EA 44.000	125.00000		5,500.00	
0032	4810000000-E PAINT PAVEMENT MARKING LINES (4")	LF 184,261.000	0.12000		22,111.32	
0033	4900000000-N PERMANENT RAISED PAVEMENT MARKERS	EA 2,221.000	6.00000		13,326.00	

State of NC  
 Dept of Transportation

Date 01-18-11  
 Revised.

Contract ID: C202692 Project(s): STATE FUNDED  
 Letting Date. 02-15-11 Call Order. 020  
 Bidder: 3186 - Boggs Paving, Inc.

Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
0034	6000000000-E TEMPORARY SILT FENCE	4,855.000 LF	1.45000		7,039.75	
0035	6009000000-E STONE FOR EROSION CONTROL, CLASS B	610.000 TON	25.00000		15,250.00	
0036	6012000000-E SEDIMENT CONTROL STONE	305.000 TON	25.00000		7,625.00	
0037	6071010000-E WATTLE	4,210.000 LF	3.00000		12,630.00	
0038	6071020000-E POLYACRYLAMIDE (PAM)	14.200 LB	6.00000		85.20	
0039	6084000000-E SEEDING & MULCHING	24.500 ACR	1,100.00000		26,950.00	
Section 0001 Total					5,461,231.47	
Bid Total					5,461,231.47	✓



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  
WBE COMMITMENT ITEMS

DATE:01-18-11  
PAGE: 8

PROPOSAL: C202692  
LETTING: L110215 CALL: 020  
VENDOR: 3186 Boggs Paving, Inc.

LINE NO.	ITEM NO.	ITEM DESC.	UNIT TYPE	SUBCONTRACTOR QUANTITY	SUBCONTRACTOR UNIT PRICE	EXTENDED AMOUNT
-----						
WBE SUBCONTRACTOR: 5796 A-1 PAVEMENT MARKING LLC						
Will Use Quote: Yes						
0027	4685000000-E	THERMO PVT M LF		215476.000	0.55000	118511.80
0033	4900000000-N	PERM RAISED EA		2221.000	6.00000	13326.00
0032	4810000000-E	PAINT PVMT M LF		184261.000	0.12000	22111.32
0031	4725000000-E	THERMO PVT S EA		44.000	125.00000	5500.00
0030	4721000000-E	THERMO PVT M EA		35.000	125.00000	4375.00
0029	4710000000-E	24"WIDE THER LF		275.000	6.00000	1650.00
0028	4686000000-E	THERMO PVT M LF		139635.000	0.60000	83781.00

WBE COMMITMENT TOTAL FOR SUBCONTRACTOR: 249,255.12 ✓ arm

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

0001	0000100000-N	MOBILIZATION LS		1.000	9765.00000	9765.00
		Stationary Work zone signs				

WBE COMMITMENT TOTAL FOR SUBCONTRACTOR: 9,765.00 ✓ arm

WBE SUBCONTRACTOR: 8932 A & R MATERIALS, LLC  
Will Use Quote: Yes

0019	1565000000-E	ASP FOR PLAN TON		60.000	450.00000	<del>27000.00</del>
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WBE COMMITMENT TOTAL FOR SUBCONTRACTOR: ~~27,000.00~~ 16,200.00 ✓ arm

TOTAL WBE COMMITMENT FOR VENDOR: Entered: 5.04% or 275220.12 ✓ arm  
Required: 5.00% or 273061.57  
<GOAL MET>

## Contract Item Sheets For C202692

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
<b>ROADWAY ITEMS</b>						
0001	0000100000-N	800	MOBILIZATION	Lump Sum LS	273,000.00	273,000.00
0002	0106000000-E	230	BORROW EXCAVATION	613 CY	15.00	9,195.00
0003	1110000000-E	510	STABILIZER AGGREGATE	1,947 TON	5.00	9,735.00
0004	1220000000-E	545	INCIDENTAL STONE BASE	1,628 TON	29.00	47,212.00
0005	1243000000-E	SP	SHOULDER CONSTRUCTION	11 SMI	1,500.00	16,500.00
0006	1245000000-E	SP	SHOULDER RECONSTRUCTION	42.6 SMI	1,500.00	63,900.00
0007	1264000000-E	SP	DITCHING	1,662 LF	1.00	1,662.00
0008	1297000000-E	607	MILLING ASPHALT PAVEMENT, **** DEPTH (1-1/2")	3,333 SY	2.00	6,666.00
0009	1297000000-E	607	MILLING ASPHALT PAVEMENT, **** DEPTH (2")	51,744 SY	1.60	82,790.40
0010	1297000000-E	607	MILLING ASPHALT PAVEMENT, **** DEPTH (2-1/2")	85,000 SY	1.85	157,250.00
0011	1330000000-E	607	INCIDENTAL MILLING	478 SY	5.75	2,748.50
0012	1491000000-E	610	ASPHALT CONC BASE COURSE, TYPE B25.0C	5,640 TON	32.50	183,300.00
0013	1503000000-E	610	ASPHALT CONC INTERMEDIATE COURSE, TYPE I19.0C	20,450 TON	32.00	654,400.00
0014	1519000000-E	610	ASPHALT CONC SURFACE COURSE, TYPE S9.5B	15,935 TON	32.50	517,887.50
0015	1520000000-E	SP	ASPHALT CONC SURFACE COURSE, TYPE S9.5B (LEVELING COURSE)	990 TON	34.00	33,860.00
0016	1523000000-E	610	ASPHALT CONC SURFACE COURSE, TYPE S9.5C	23,175 TON	32.00	741,600.00
0017	1524000000-E	SP	ASPHALT CONC SURFACE COURSE, TYPE S9.5C (LEVELING COURSE)	840 TON	36.00	30,240.00
0018	1560000000-E	620	ASPHALT BINDER FOR PLANT MIX, GRADE PG 64-22	2,220 TON	435.00	965,700.00

## Contract Item Sheets For C202692

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
0019	1565000000-E	620	ASPHALT BINDER FOR PLANT MIX, GRADE PG 70-22	1,441 TON	435.00	626,835.00
0020	1704000000-E	SP	PATCHING EXISTING PAVEMENT	10,375 TON	65.00	674,375.00
0021	2612000000-E	848	6" CONCRETE DRIVEWAY	396 SY	40.00	15,840.00
0022	2655000000-E	852	5" MONOLITHIC CONCRETE ISLANDS (KEYED IN)	450 SY	40.00	18,000.00
0023	2815000000-N	858	ADJUSTMENT OF DROP INLETS	1 EA	1,000.00	1,000.00
0024	2830000000-N	858	ADJUSTMENT OF MANHOLES	9 EA	300.00	2,700.00
0025	2845000000-N	858	ADJUSTMENT OF METER BOXES OR VALVE BOXES	3 EA	300.00	900.00
0026	4589000000-N	SP	GENERIC TRAFFIC CONTROL ITEM TRAFFIC CONTROL	Lump Sum LS	5,300.00	5,300.00
0027	4685000000-E	1205	THERMOPLASTIC PAVEMENT MARKING LINES (4", 90 MILS)	215,476 LF	0.55	118,511.80
0028	4686000000-E	1205	THERMOPLASTIC PAVEMENT MARKING LINES (4", 120 MILS)	139,635 LF	0.60	83,781.00
0029	4710000000-E	1205	THERMOPLASTIC PAVEMENT MARKING LINES (24", 120 MILS)	275 LF	6.00	1,650.00
0030	4721000000-E	1205	THERMOPLASTIC PAVEMENT MARKING CHARACTER (120 MILS)	35 EA	125.00	4,375.00
0031	4725000000-E	1205	THERMOPLASTIC PAVEMENT MARKING SYMBOL (90 MILS)	44 EA	125.00	5,500.00
0032	4810000000-E	1205	PAINT PAVEMENT MARKING LINES (4")	184,261 LF	0.12	22,111.32
0033	4900000000-N	1251	PERMANENT RAISED PAVEMENT MARKERS	2,221 EA	6.00	13,326.00
0034	6000000000-E	1605	TEMPORARY SILT FENCE	4,855 LF	1.45	7,039.75
0035	6009000000-E	1610	STONE FOR EROSION CONTROL, CLASS B	610 TON	25.00	15,250.00
0036	6012000000-E	1610	SEDIMENT CONTROL STONE	305 TON	25.00	7,625.00

## Contract Item Sheets For C202692

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
0037	6071010000-E	SP	WATTLE	4,210 LF	3.00	12,630.00
0038	6071020000-E	SP	POLYACRYLAMIDE (PAM)	14.2 LB	6.00	85.20
0039	6084000000-E	1660	SEEDING & MULCHING	24.5 ACR	1,100.00	26,950.00

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**TOTAL AMOUNT OF BID FOR ENTIRE PROJECT****\$5,461,231.47**

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1435/Feb24/Q780351.3/D113148130000/E39

Contract No. C202692  
County Anson

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**

Boggs Paving, Inc.

Full name of Corporation

PO Box 1609, Monroe, NC 28111-1609

Address as Prequalified

Attest Greg D. Miller  
Secretary / ~~Assistant Secretary~~  
Select appropriate title

By Carl A. Boggs, III  
President / ~~Vice President / Assistant Vice President~~  
Select appropriate title

Greg D. Miller

Print or type Signer's name

Carl A. Boggs, III

Print or type Signer's name

**CORPORATE SEAL**

**AFFIDAVIT MUST BE NOTARIZED**

Subscribed and sworn to before me this the

28TH day of FEBRUARY 2011

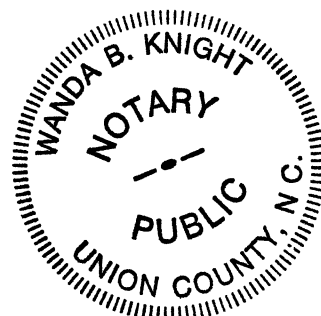
Wanda B. Knight  
Signature of Notary Public

WANDA B. KNIGHT  
of UNION County

State of NORTH CAROLINA

My Commission Expires: 12/21/11

**NOTARY SEAL**





## 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**     C202692

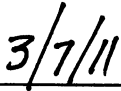
**County (ies):**   Anson

ACCEPTED BY THE  
DEPARTMENT OF TRANSPORTATION



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Contract Officer



---

Date

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



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Assistant Attorney General

Contract No. C202692  
County Anson

Rev 2-1-10

Bond No. 018022077

### CONTRACT PAYMENT BOND

Date of Payment Bond Execution March 1, 2011

Name of Principal Contractor Boggs Paving, Inc.

Name of Surety: Liberty Mutual Insurance Company

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

Amount of Bond: Five Million Four Hundred Sixty One  
Thousand Two Hundred Thirty One Dollars and 47/100 ( \$5,461,231 47 )

Contract ID No.. C202692

County Name: Anson

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. C202692  
County Anson


Rev 2-1-10

**CONTRACT PAYMENT BOND**  
**CORPORATION**

SIGNATURE OF CONTRACTOR (Principal)

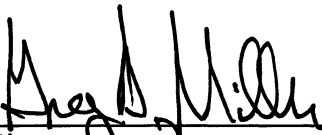
Boggs Paving, Inc.  
Full name of Corporation

PO Box 1609, Monroe, NC 28111-1609  
Address as prequalified

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

CARL A. BOGGS, III  
Print or type Signer's name

*Affix Corporate Seal*

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

GREG D. MILLER  
Print or type Signer's name

Contract No. C202692  
County Anson

Rev 2-1-10

Bond No. 018022077

### CONTRACT PERFORMANCE BOND

Date of Performance Bond Execution: March 1, 2011

Name of Principal Contractor: Boggs Paving, Inc.

Name of Surety: Liberty Mutual Insurance Company

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

Amount of Bond: Five Million Four Hundred Sixty One  
Thousand Two Hundred Thirty One Dollars and 47/100 ( \$5,461,231.47 )

Contract ID No.: C202692

County Name: Anson

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. C202692  
County Anson

Rev 2-1-10

**CONTRACT PERFORMANCE BOND**  
**CORPORATION**

SIGNATURE OF CONTRACTOR (Principal)

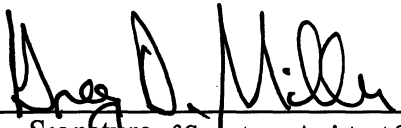
Boggs Paving, Inc.  
Full name of Corporation

PO Box 1609, Monroe, NC 28111-1609  
Address as prequalified

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

CARL A. BOGGS, III  
Print or type Signer's name

*Affix Corporate Seal*

Attest   
Signature of Secretary, Assistant Secretary  
Select appropriate title

GREG D. MILLER  
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, Heidi K. Harrell 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: Boggs Paving, Inc.

Obligee Name: NC DOT

LMS Surety Bond Number: 018022077

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.



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 1st day of March, 2011



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