

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

C202721

CONTRACT AND
CONTRACT BONDS

FOR CONTRACT NO. C202721

WBS 10CR.10841.25, 10CR.10841.26, 10CR.10841.27, 10CR.10841.28, 10CR.10841.29,
10CR.10841.30, 10CR.10841.31, 10CR.10841.32, 10CR.10841.33, 10CR.20841.18,
10CR.20841.27, 10CR.20841.28, 10CR.20841.29, 10CR.20841.30, 10CR.20841.31,
10CR.20841.32, 10CR.20841.33, 10CR.20841.34, 10CR.20841.35 STATE FUNDED

COUNTY OF STANLY
THIS IS THE ROADWAY CONTRACT
ROUTE NUMBER US 52 LENGTH 23.920 MILES
LOCATION 2 SECTIONS OF US-52, NC-49, AND NC-742, 1 SECTION OF NC-740,
NC-8, AND NC-205, AND 10 SECTIONS OF SECONDARY ROADS.

CONTRACTOR J.T. RUSSELL & SONS, INC.
ADDRESS 1721 US 52 HWY N
ALBEMARLE, NC 280010000

BIDS OPENED MARCH 15, 2011
CONTRACT EXECUTION APR 01 2011

JT Russell Sons Inc (3075).

Vendor 1 of 3 Vendors for Call Order 006 (Proposal ID C202721).

County: STANLY
 Address: 1721 US HWY 52 North
 Albemarle, NC 28001
 Phone Number: 704-982-2225
 Signature Check: This bid has been properly signed by atlas_james_russell_3075.
 Time Bid Received: Tue Mar 15 09:37:02 2011
 Bid Checksum: 5075B5E1 MBE GOAL SET 4.0
 Amendment Count: 0
 Bidding Errors: No bidding errors.
 Bid Total: \$4,515,129.12 ✓ MBE GOAL MET 4.1
 Bond ID: SNC11971309
 Bond was Verified: Yes.
 Bond Required Percent: 5.00% WBE GOAL SET 5.0
 Minimum Check Amount: \$225,756.46
 Bid Security Maximum: \$ WBE GOAL MET 5.5
 Bond Agency Name:
 Agency Execution Date: 3/8/2011 11:02:41 AM
 Surety Name: Travelers Casualty and Surety Company of Ame
 Surety State of Incorporation:
 Bond Company:
 Bond Type:
 Bond Appr Flag:
 Bond Affirm:
 Bond was Paid by Check: No.

Bid Bond Data Info - Contractor Responses.

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BondID· SNC11971309
Surety Registry Agency surety2000
Verified? Yes
Surety Agency. Travelers Casualty and Surety Company of America
Bond Execution Date. 3/8/2011 11.02.41 AM
Bond Amount· \$225,756 46 (Five Percent of Bid)

State of NC
Dept of Transportation

Date: 02-15-11
Revised

Contract ID C202721 Project(s): STATE FUNDED
Letting Date. 03-15-11 Call Order. 006
Bidder 3075 - JT Russell & Sons Inc

Line No.	Item Description	Approx. Quantity and Units	Unit Price Dollars Cts	Bid Amount Dollars Ct
Section 0001 ROADWAY ITEMS				
Alt Group				
0001	0000100000-N MOBILIZATION	LUMP	LUMP	145,000.00
0002	0106000000-E BORROW EXCAVATION	CY 628.000	20.00000	12,560.00
0003	1220000000-E INCIDENTAL STONE BASE	TON 1,126.000	40.00000	45,040.00
0004	1243000000-E SHOULDER CONSTRUCTION	SMI 9.180	2,500.00000	22,950.00
0005	1245000000-E SHOULDER RECONSTRUCTION	SMI 29.100	2,500.00000	72,750.00
0006	1264000000-E DITCHING	LF 1,800.000	3.00000	5,400.00
0007	1297000000-E MILLING ASPHALT PAVEMENT, ***"DEPTH (1-1/2")	SY 90,855.000	1.25000	113,568.75
0008	1297000000-E MILLING ASPHALT PAVEMENT, ***"DEPTH (2-1/2")	SY 56,920.000	1.55000	88,226.00
0009	1330000000-E INCIDENTAL MILLING	SY 1,440.000	12.00000	17,280.00
0010	1489000000-E ASPHALT CONC BASE COURSE, TYPE B25 OB	TON 6,360.000	36.00000	228,960.00
0011	1503000000-E ASPHALT CONC INTERMEDIATE COURSE, TYPE I19 OC	TON 8,696.000	33.70000	293,055.20

State of NC
Dept of Transportation

Date 02-15-11
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Contract ID. C202721 Project(s). STATE FUNDED
Letting Date. 03-15-11 Call Order. 006
Bidder 3075 - JT Russell & Sons Inc

Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
0012	1519000000-E ASPHALT CONC SURFACE COURSE, TYPE S9.5B	13,735.000 TON	32.56000		447,211.60	
0013	1520000000-E ASPHALT CONC SURFACE COURSE, TYPE S9.5B (LEVELING COURSE)	2,271.000 TON	35.00000		79,485.00	
0014	1523000000-E ASPHALT CONC SURFACE COURSE, TYPE S9.5C	19,852.000 TON	31.28000		620,970.56	
0015	1524000000-E ASPHALT CONC SURFACE COURSE, TYPE S9.5C (LEVELING COURSE)	586.000 TON	40.00000		23,440.00	
0016	1560000000-E ASPHALT BINDER FOR PLANT MIX, GRADE PG 64-22	1,652.000 TON	500.00000		826,000.00	
0017	1565000000-E ASPHALT BINDER FOR PLANT MIX, GRADE PG 70-22	1,229.000 TON	500.00000		614,500.00	
0018	1704000000-E PATCHING EXISTING PAVEMENT	5,777.000 TON	100.00000		577,700.00	
0019	2600000000-N RETROFIT EXISTING WHEELCHAIR RAMPS	7.000 EA	680.00000		4,760.00	
0020	2605000000-N CONCRETE WHEELCHAIR RAMPS	11.000 EA	750.00000		8,250.00	
0021	2612000000-E 6" CONCRETE DRIVEWAY	255.000 SY	37.90000		9,664.50	
0022	2800000000-N ADJUSTMENT OF CATCH BASINS	4.000 EA	625.00000		2,500.00	

State of NC
Dept of Transportation

Date 02-15-11
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Contract ID. C202721 Project(s). STATE FUNDED
Letting Date. 03-15-11 Call Order: 006
Bidder. 3075 - JT Russell & Sons Inc

Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
0023	2830000000-N ADJUSTMENT OF MANHOLES	EA 17.000	600	00000	10,200	00
0024	2845000000-N ADJUSTMENT OF METER BOXES OR VALVE BOXES	EA 9.000	475.00	00000	4,275	00
0025	4685000000-E THERMOPLASTIC PAVEMENT MARKING LINES (4", 90 MILS)	LF 156,092.000	0.55	0000	85,850	60
0026	4686000000-E THERMOPLASTIC PAVEMENT MARKING LINES (4", 120 MILS)	LF 77,608.000	0.59	0000	45,788.72	
0027	4695000000-E THERMOPLASTIC PAVEMENT MARKING LINES (8", 90 MILS)	LF 1,270 000	2.00	0000	2,540.00	
0028	4702000000-E THERMOPLASTIC PAVEMENT MARKING LINES (12", 120 MILS)	LF 248 000	2.00	0000	496.00	
0029	4705000000-E THERMOPLASTIC PAVEMENT MARKING LINES (16", 120 MILS)	LF 150 000	5	00000	750.00	
0030	4710000000-E THERMOPLASTIC PAVEMENT MARKING LINES (24", 120 MILS)	LF 477.000	8.00	00000	3,816.00	
0031	4721000000-E THERMOPLASTIC PAVEMENT MARKING CHARACTER (120 MILS)	EA 26.000	125	00000	3,250.00	
0032	4725000000-E THERMOPLASTIC PAVEMENT MARKING SYMBOL (90 MILS)	EA 12.000	175.00	00000	2,100.00	
0033	4810000000-E PAINT PAVEMENT MARKING LINES (4")	LF 288,243.000	0.13	0000	37,471.59	

State of NC
Dept of Transportation

Date 02-15-11
Revised.

Contract ID. C202721 Project(s) STATE FUNDED
Letting Date 03-15-11 Call Order: 006
Bidder: 3075 - JT Russell & Sons Inc

Line No	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
0034	4835000000-E PAINT PAVEMENT MARKING LINES (24")	90.000 LF	5.00000		450.00	
0035	4900000000-N PERMANENT RAISED PAVEMENT MARKERS	1,676 000 EA	5.00000		8,380.00	
0036	6000000000-E TEMPORARY SILT FENCE	2,340.000 LF	1.68000		3,931.20	
0037	6036000000-E MATTING FOR EROSION CONTROL	8,710.000 SY	1.12000		9,755.20	
0038	6071010000-E WATTLE	5,440.000 LF	3.53000		19,203 20	
0039	6084000000-E SEEDING & MULCHING	11 000 ACR	1,600 00000		17,600.00	
	Section 0001 Total				4,515,129.12	
	Bid Total				4,515,129.12	

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: 02-15-11
 PAGE: 7

PROPOSAL: C202721
 LETTING: L110315 CALL: 006
 VENDOR: 3075 JT Russell & Sons Inc

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

MBE SUBCONTRACTOR: 2635 ASPHALT UNLIMITED OF ASHEVILLE INC
 Will Use Quote: Yes

0018	1704000000-E	PATCHING EXI TON	2500.000	55.00000	137500.00
		Quote does not include asphalt			
0001	0000100000-N	MOBILIZATION LS	1.000	4125.00000	4125.00

MBE COMMITMENT TOTAL FOR SUBCONTRACTOR: 141,625.00 ✓ arm

MBE SUBCONTRACTOR: 8504 ABRAM CONSTRUCTION INC
 Will Use Quote: Yes

0019	2600000000-N	RETROFIT EXT EA	7.000	680.00000	4760.00
0020	2605000000-N	CONC WHEELCH EA	11.000	750.00000	8250.00
0021	2612000000-E	6" CONCRETE SY	255.000	37.90000	9664.50
0022	2800000000-N	ADJ CATCH BA EA	4.000	625.00000	2500.00
0023	2830000000-N	ADJ MANHOLES EA	17.000	600.00000	10200.00
0024	2845000000-N	ADJ METER OR EA	9.000	475.00000	4275.00
0001	0000100000-N	MOBILIZATION LS	1.000	1500.00000	1500.00

MBE COMMITMENT TOTAL FOR SUBCONTRACTOR: 41,149.50 ✓ arm

TOTAL MBE COMMITMENT FOR VENDOR:	Entered:	4.05% or	182774.50	✓ arm
	Required:	4.00% or	180605.16	
		<GOAL MET>		

NORTH CAROLINA STATE DEPARTMENT OF TRANSPORTATION
WBE COMMITMENT ITEMS

DATE: 02-15-11
PAGE: 8

PROPOSAL: C202721
LETTING: L110315 CALL: 006
VENDOR: 3075 JT Russell & Sons 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						
0025	4685000000-E	THERMO PVT M LF		156092.000	0.55000	85850.60
0026	4686000000-E	THERMO PVT M LF		77608.000	0.59000	45788.72
0027	4695000000-E	THERMO PVT M LF		1270.000	2.00000	2540.00
0028	4702000000-E	12"WIDE THER LF		248.000	2.00000	496.00
0029	4705000000-E	THERMO LINES LF		150.000	5.00000	750.00
0030	4710000000-E	24"WIDE THER LF		477.000	8.00000	3816.00
0031	4721000000-E	THERMO PVT M EA		26.000	125.00000	3250.00
0032	4725000000-E	THERMO PVT S EA		12.000	175.00000	2100.00
0035	4900000000-N	PERM RAISED EA		1676.000	5.00000	8380.00
0034	4835000000-E	PAINT PVT MK LF		90.000	5.00000	450.00
0033	4810000000-E	PAINT PVMT M LF		288243.000	0.13000	37471.59

WBE COMMITMENT TOTAL FOR SUBCONTRACTOR: 190,892.91 ✓ arm

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

0001	0000100000-N	MOBILIZATION LS		1.000	8950.00000	8950.00
Install, Maintain, and Remove all stationary work zone signs						

WBE COMMITMENT TOTAL FOR SUBCONTRACTOR: 8,950.00 ✓ arm

WBE SUBCONTRACTOR: 3269 GML CONTRACTORS, INC.
Will Use Quote: Yes

0037	6036000000-E	MATTING FOR SY		8710.000	1.12000	9755.20
0039	6084000000-E	SEEDING AND ACR		11.000	1600.00000	17600.00

WBE COMMITMENT TOTAL FOR SUBCONTRACTOR: 27,355.20 ✓ arm

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

0036	6000000000-E	TEMPORARY SI LF		2340.000	1.68000	3931.20
0038	6071010000-E	WATTLE LF		5440.000	3.53000	19203.20

WBE COMMITMENT TOTAL FOR SUBCONTRACTOR: 23,134.40 ✓ arm

TOTAL WBE COMMITMENT FOR VENDOR: Entered: 5.54% or 250332.51 ✓ arm
Required: 5.00% or 225756.46
<GOAL MET>

Contract Item Sheets For C202721

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
ROADWAY ITEMS						
0001	0000100000-N	800	MOBILIZATION	Lump Sum LS	145,000.00	145,000.00
0002	0106000000-E	230	BORROW EXCAVATION	628 CY	20.00	12,560.00
0003	1220000000-E	545	INCIDENTAL STONE BASE	1,126 TON	40.00	45,040.00
0004	1243000000-E	SP	SHOULDER CONSTRUCTION	9.18 SMI	2,500.00	22,950.00
0005	1245000000-E	SP	SHOULDER RECONSTRUCTION	29.1 SMI	2,500.00	72,750.00
0006	1264000000-E	SP	DITCHING	1,800 LF	3.00	5,400.00
0007	1297000000-E	607	MILLING ASPHALT PAVEMENT, **** DEPTH (1-1/2")	90,855 SY	1.25	113,568.75
0008	1297000000-E	607	MILLING ASPHALT PAVEMENT, **** DEPTH (2-1/2")	56,920 SY	1.55	88,226.00
0009	1330000000-E	607	INCIDENTAL MILLING	1,440 SY	12.00	17,280.00
0010	1489000000-E	610	ASPHALT CONC BASE COURSE, TYPE B25.0B	6,360 TON	36.00	228,960.00
0011	1503000000-E	610	ASPHALT CONC INTERMEDIATE COURSE, TYPE I19.0C	8,696 TON	33.70	293,055.20
0012	1519000000-E	610	ASPHALT CONC SURFACE COURSE, TYPE S9.5B	13,735 TON	32.56	447,211.60
0013	1520000000-E	SP	ASPHALT CONC SURFACE COURSE, TYPE S9.5B (LEVELING COURSE)	2,271 TON	35.00	79,485.00
0014	1523000000-E	610	ASPHALT CONC SURFACE COURSE, TYPE S9.5C	19,852 TON	31.28	620,970.56
0015	1524000000-E	SP	ASPHALT CONC SURFACE COURSE, TYPE S9.5C (LEVELING COURSE)	586 TON	40.00	23,440.00
0016	1560000000-E	620	ASPHALT BINDER FOR PLANT MIX, GRADE PG 64-22	1,652 TON	500.00	826,000.00
0017	1565000000-E	620	ASPHALT BINDER FOR PLANT MIX, GRADE PG 70-22	1,229 TON	500.00	614,500.00

Contract Item Sheets For C202721

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
0018	1704000000-E	SP	PATCHING EXISTING PAVEMENT	5,777 TON	100.00	577,700.00
0019	2600000000-N	SP	RETROFIT EXISTING WHEELCHAIR RAMPS	7 EA	680.00	4,760.00
0020	2605000000-N	848	CONCRETE WHEELCHAIR RAMPS	11 EA	750.00	8,250.00
0021	2612000000-E	848	6" CONCRETE DRIVEWAY	255 SY	37.90	9,664.50
0022	2800000000-N	858	ADJUSTMENT OF CATCH BASINS	4 EA	625.00	2,500.00
0023	2830000000-N	858	ADJUSTMENT OF MANHOLES	17 EA	600.00	10,200.00
0024	2845000000-N	858	ADJUSTMENT OF METER BOXES OR VALVE BOXES	9 EA	475.00	4,275.00
0025	4685000000-E	1205	THERMOPLASTIC PAVEMENT MARKING LINES (4", 90 MILS)	156,092 LF	0.55	85,850.60
0026	4686000000-E	1205	THERMOPLASTIC PAVEMENT MARKING LINES (4", 120 MILS)	77,608 LF	0.59	45,788.72
0027	4695000000-E	1205	THERMOPLASTIC PAVEMENT MARKING LINES (8", 90 MILS)	1,270 LF	2.00	2,540.00
0028	4702000000-E	1205	THERMOPLASTIC PAVEMENT MARKING LINES (12", 120 MILS)	248 LF	2.00	496.00
0029	4705000000-E	1205	THERMOPLASTIC PAVEMENT MARKING LINES (16", 120 MILS)	150 LF	5.00	750.00
0030	4710000000-E	1205	THERMOPLASTIC PAVEMENT MARKING LINES (24", 120 MILS)	477 LF	8.00	3,816.00
0031	4721000000-E	1205	THERMOPLASTIC PAVEMENT MARKING CHARACTER (120 MILS)	26 EA	125.00	3,250.00
0032	4725000000-E	1205	THERMOPLASTIC PAVEMENT MARKING SYMBOL (90 MILS)	12 EA	175.00	2,100.00
0033	4810000000-E	1205	PAINT PAVEMENT MARKING LINES (4")	288,243 LF	0.13	37,471.59
0034	4835000000-E	1205	PAINT PAVEMENT MARKING LINES (24")	90 LF	5.00	450.00

Contract Item Sheets For C202721

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
0035	4900000000-N	1251	PERMANENT RAISED PAVEMENT MARKERS	1,676 EA	5.00	8,380.00
0036	6000000000-E	1605	TEMPORARY SILT FENCE	2,340 LF	1.68	3,931.20
0037	6036000000-E	1631	MATTING FOR EROSION CONTROL	8,710 SY	1.12	9,755.20
0038	6071010000-E	SP	WATTLE	5,440 LF	3.53	19,203.20
0039	6084000000-E	1660	SEEDING & MULCHING	11 ACR	1,600.00	17,600.00

TOTAL AMOUNT OF BID FOR ENTIRE PROJECT

\$4,515,129.12 ✓

1418/Mar23/Q755662.28/D115566110000/E39

Contract No. C202721
County Stanly

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

J T Russell & Sons, Inc

Full name of Corporation

1721 US 52 North, Albemarle, NC 28001

Address as Prequalified

Attest *A. James Russell*
Secretary/Assistant Secretary
Select appropriate title

By *R. E. Russell*
President/Vice President/Assistant Vice President
Select appropriate title

A. James Russell

Print or type Signer's name

R. E. Russell

Print or type Signer's name

CORPORATE SEAL

AFFIDAVIT MUST BE NOTARIZED

Subscribed and sworn to before me this the

28th day of March 2011.

Julie C. Pyle
Signature of Notary Public

NOTARY SEAL

of Stanly County

State of North Carolina

My Commission Expires: 5-21-11

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 C202721

County (ies): Stanly

ACCEPTED BY THE
DEPARTMENT OF TRANSPORTATION

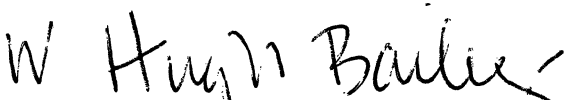


Contract Officer



Date

Execution of Contract and Bonds
Approved as to Form:



Attorney General

Contract No. C202721
County Stanly

Rev 2-1-10

CONTRACT PAYMENT BOND

Date of Payment Bond Execution March 28, 2011

Name of Principal Contractor J.T Russell & Sons, Inc.

Name of Surety: Travelers Casualty and Surety Company of America

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

Amount of Bond: \$4,515,129.12

Contract ID No.: C202721

County Name: Stanly

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. C202721
County Stanly

Rev 2-1-10

CONTRACT PAYMENT BOND

Affix Seal of Surety Company

Travelers Casualty and Surety Company of America

Print or type Surety Company Name

By Paul T Childress

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

Paul T. Childress

Signature of Attorney-in-Fact

Renda Williams
Signature of Witness

Renda Williams

Print or type Signer's name

173 N. Second Street, Albemarle, NC 28001

Address of Attorney-in-Fact

Contract No. C202721
County Starly

Rev 2-1-10

CONTRACT PAYMENT BOND

CORPORATION

SIGNATURE OF CONTRACTOR (Principal)

J.T Russell & Sons, Inc.

Full name of Corporation

1721 US 52 Hwy N, Albemarle, NC 28001

Address as prequalified

By R.E. Russell
Signature of President, ~~Vice President~~, ~~Assistant Vice President~~
Select appropriate title

R.E. Russell, Pres.

Print or type Signer's name

Affix Corporate Seal

Attest A. James Russell
Signature of Secretary, ~~Assistant Secretary~~
Select appropriate title

A. James Russell, Sec.

Print or type Signer's name



POWER OF ATTORNEY

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

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

1-1

Attorney-In Fact No. 222699

Certificate No. 003816370

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

James A. Harwood, Brinn K. Smith, N. Anthony Lowder, and Paul T Childress

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

IN WITNESS WHEREOF, the Companies have caused this instrument to be signed and their corporate seals to be hereto affixed, this 5th day of August, 2010

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

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



State of Connecticut
City of Hartford ss.

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

On this the 5th day of August, 2010, before me personally appeared George W. Thompson, who acknowledged himself to be the Senior Vice President of Farmington Casualty Company, Fidelity and Guaranty Insurance Company, Fidelity and Guaranty Insurance Underwriters, Inc., St. Paul Fire and Marine Insurance Company, St. Paul Guardian Insurance Company, St. Paul Mercury Insurance Company, Travelers Casualty and Surety Company, Travelers Casualty and Surety Company of America, and United States Fidelity and Guaranty Company, and that he, as such, being authorized so to do, executed the foregoing instrument for the purposes therein contained by signing on behalf of the corporations by himself as a duly authorized officer.

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



[Signature]
Marie C. Tetreault, Notary Public

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

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

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

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

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

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

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the seals of said Companies this 28TH day of MARCH, 20 11

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


Kori M. Johanson, Assistant Secretary



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

Contract No. C202721
County STANLY

Rev 2-1-10

CONTRACT PERFORMANCE BOND

Date of Performance Bond Execution: March 28, 2011

Name of Principal Contractor: J.T. Russell & Sons, Inc.

Name of Surety: Travelers Casualty and Surety Company of America

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

Amount of Bond: \$4,515,129.12

Contract ID No.: C202721

County Name: Stanly

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. C202721
County Stanly

Rev 2-1-10

CONTRACT PERFORMANCE BOND

Affix Seal of Surety Company

Travelers Casualty and Surety Company of America

Print or type Surety Company Name

By Paul T. Childress

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

Paul T. Childress

Signature of Attorney-in-Fact

Renda Williams

Signature of Witness

Renda Williams

Print or type Signer's name

173 N. Second Street, Albemarle, NC 28001

Address of Attorney-in-Fact

Contract No. C202721
County Stanly

Rev 2-1-10

CONTRACT PERFORMANCE BOND

CORPORATION

SIGNATURE OF CONTRACTOR (Principal)

J.T Russell & Sons, Inc.

Full name of Corporation

1721 US 52 Hwy N, Albemarle, NC 28001

Address as prequalified

By R. E. Russell
Signature of President, Vice President, Assistant Vice President
Select appropriate title

R.E. Russell, Pres.

Print or type Signer's name

Affix Corporate Seal

Attest A. James Russell
Signature of Secretary, Assistant Secretary
Select appropriate title

A. James Russell, Sec.

Print or type Signer's name



POWER OF ATTORNEY

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

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

Attorney-In Fact No. 222699

Certificate No. 003816366

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

James A. Harwood, Brinn K. Smith, N. Anthony Lowder, and Paul T Childress

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

IN WITNESS WHEREOF, the Companies have caused this instrument to be signed and their corporate seals to be hereto affixed, this 5th day of August, 2010

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

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



State of Connecticut
City of Hartford ss.

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

On this the 5th day of August, 2010, before me personally appeared George W Thompson, who acknowledged himself to be the Senior Vice President of Farmington Casualty Company, Fidelity and Guaranty Insurance Company, Fidelity and Guaranty Insurance Underwriters, Inc., St. Paul Fire and Marine Insurance Company, St. Paul Guardian Insurance Company, St. Paul Mercury Insurance Company, Travelers Casualty and Surety Company, Travelers Casualty and Surety Company of America, and United States Fidelity and Guaranty Company, and that he, as such, being authorized so to do, executed the foregoing instrument for the purposes therein contained by signing on behalf of the corporations by himself as a duly authorized officer.

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



[Signature]
Marie C. Tetreault, Notary Public

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

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

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

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

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

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

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the seals of said Companies this 28TH day of MARCH, 20 11

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


Kori M. Johanson, Assistant Secretary



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