

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

C202718

CONTRACT AND
CONTRACT BONDS

FOR CONTRACT NO. C202718

WBS 10C.090120, 10CR.10901.23, 10CR.10901.24, 10CR.10901.25, 10CR.20901.58,
10CR.20901.59, 10CR.20901.60, 10CR.20901.61, 10CR.20901.62, 10CR.20901.63,
10CR.20901.64, 10CR.20901.65, 10CR.20901.66 STATE FUNDED

COUNTY OF UNION
THIS IS THE ROADWAY CONTRACT
ROUTE NUMBER US 601 LENGTH 19.923 MILES
LOCATION 1 SECTION OF US-601, US-74, AND NC-522, AND 10 SECTIONS OF
SECONDARY ROADS.

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

BIDS OPENED MARCH 15, 2011
CONTRACT EXECUTION APR 01 2011

Boggs Paving, Inc. (3186).

Vendor 1 of 3 Vendors for Call Order 005 (Proposal ID C202718).

County:	UNION		
Address:	P. O. Box 1609		
	1613 W. Roosevelt Blvd.		
	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 Mar 15 13:47:33 2011		
Bid Checksum:	B106C858	MBE GOAL SET	4.0
Amendment Count:	0		
Bidding Errors:	No bidding errors.		
Bid Total:	\$5,492,774.71 ✓	MBE GOAL MET	4.1
Bond ID:	DMP5-VKSM-PSG4-5YXD		
Bond was Verified:	Yes.		
Bond Required Percent:	5.00%	WBE GOAL SET	5.0
Minimum Check Amount:	\$274,638.74		
Bid Security Maximum:	\$		
Bond Agency Name:		WBE GOAL MET	5.1
Agency Execution Date:	3/15/2011		
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.		

LIST OF MBE PARTICIPANTS

2840 MB STYX CUTHBERTSON TRUCKING	Sub	213,910.00	✓	arm
POST OFFICE BOX 53 , MONROE, NC 28111				
9064 MB ADVANCED EROSION TECHNIQUES, IN	Sub	8,710.00	✓	arm
1171 MARKET STREET SUITE 212 , FORT MILL, SC 29708				
TOTAL:		\$222,620.00	✓	arm
		4.05%		

LIST OF WBE PARTICIPANTS

VENDOR NUMBER	DBE NAME ADDRESS	WORK CODE TYPE OF WORK	CERT TYPE	AMOUNT	
5796 WB	A-1 PAVEMENT MARKING LLC		Sub	264,606.41	✓ arm
238 N BIVENS RD , MONROE, NC 28110					
9454 WB	MID-ATLANTIC EROSION CONTROL, I		Sub	16,366.70	✓ arm
P.O. BOX 505 , DENVER, NC 28037					
TOTAL:				\$280,973.11	✓ arm
				5.12%	

Miscellaneous Data Info - Contractor Responses:

NON-COLLUSION AND DEBARMENT CERTIFICATION

Explanation of the prospective bidder that is unable to certify to any of the statements in this certification:

Explanation:
 NOT ANSWERED
 NOT ANSWERED
 NOT ANSWERED
 NOT ANSWERED

AWARD LIMITS ON MULTIPLE PROJECTS

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

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

The Award Limits shall apply to the following projects:

Contract Number	County
NOT ANSWERED	
NOT ANSWERED	
NOT ANSWERED	
NOT ANSWERED	
NOT ANSWERED	
NOT ANSWERED	

Bid Bond Data Info - Contractor Responses:

NCDOT/berc

Vendor 3186's Load Output for Call 005, Letting L110315, 2011-03-15

BondID: DMP5-VKSM-PSG4-5YXD
Surety Registry Agency SurePathNetwork
Verified? Yes
Surety Agency Liberty Mutual Insurance Company
Bond Execution Date 3/15/2011
Bond Amount. \$274,638.74 (Five Percent of Bid)

State of NC
Dept of Transportation

Date. 02-15-11
Revised

Contract ID C202718
Letting Date. 03-15-11
Bidder 3186 - Boggs Paving, Inc.

Project(s). STATE FUNDED
Call Order. 005

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		80,000.00
0002	0106000000-E BORROW EXCAVATION	CY	7,385.000	14.50000		107,082.50
0003	1110000000-E STABILIZER AGGREGATE	TON	1,299.000	8.00000		10,392.00
0004	1220000000-E INCIDENTAL STONE BASE	TON	1,295.000	30.00000		38,850.00
0005	1243000000-E SHOULDER CONSTRUCTION	SMI	13 700	2,500.00000		34,250.00
0006	1245000000-E SHOULDER RECONSTRUCTION	SMI	23.370	2,500 00000		58,425.00
0007	1264000000-E DITCHING	LF	3,571.000	1.00000		3,571.00
0008	1297000000-E MILLING ASPHALT PAVEMENT, ***"DEPTH (1-1/2")	SY	74,305.000	1.00000		74,305 00
0009	1297000000-E MILLING ASPHALT PAVEMENT, ***"DEPTH (4")	SY	3,700.000	2.00000		7,400.00
0010	1330000000-E INCIDENTAL MILLING	SY	400.000	15 00000		6,000.00
0011	1491000000-E ASPHALT CONC BASE COURSE, TYPE B25 0C	TON	7,120.000	35 00000		249,200 00

State of NC
Dept of Transportation

Date 02-15-11
Revised.

Contract ID. C202718 Project(s) STATE FUNDED
Letting Date: 03-15-11 Call Order. 005
Bidder. 3186 - Boggs Paving, Inc.

Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
0012	1503000000-E ASPHALT CONC INTERMEDIATE COURSE, TYPE I19.0C	27,287.000 TON	34.50000		941,401.50	
0013	1519000000-E ASPHALT CONC SURFACE COURSE, TYPE S9.5B	15,495.000 TON	38.00000		588,810.00	
0014	1520000000-E ASPHALT CONC SURFACE COURSE, TYPE S9.5B (LEVELING COURSE)	630.000 TON	42.00000		26,460.00	
0015	1523000000-E ASPHALT CONC SURFACE COURSE, TYPE S9.5C	16,200.000 TON	35.00000		567,000.00	
0016	1560000000-E ASPHALT BINDER FOR PLANT MIX, GRADE PG 64-22	2,591.000 TON	500.00000		1,295,500.00	
0017	1565000000-E ASPHALT BINDER FOR PLANT MIX, GRADE PG 70-22	972.000 TON	500.00000		486,000.00	
0018	1704000000-E PATCHING EXISTING PAVEMENT	6,074.000 TON	85.00000		516,290.00	
0019	2612000000-E 6" CONCRETE DRIVEWAY	1,388.000 SY	40.00000		55,520.00	
0020	2830000000-N ADJUSTMENT OF MANHOLES	13.000 EA	415.00000		5,395.00	
0021	2845000000-N ADJUSTMENT OF METER BOXES OR VALVE BOXES	24.000 EA	450.00000		10,800.00	
0022	4589000000-N GENERIC TRAFFIC CONTROL ITEM TRAFFIC CONTROL	LUMP	LUMP		5,500.00	

State of NC
Dept of Transportation

Date: 02-15-11
Revised.

Contract ID. C202718 Project(s): STATE FUNDED
Letting Date: 03-15-11 Call Order: 005
Bidder. 3186 - Boggs Paving, Inc.

Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
0023	4685000000-E THERMOPLAST IC PAVEMENT MARKING LINES (4", 90 MILS)	210,435.000 LF	0.52000		109,426.20	
0024	4686000000-E THERMOPLAST IC PAVEMENT MARKING LINES (4", 120 MILS)	188,325.000 LF	0.53000		99,812.25	
0025	4697000000-E THERMOPLAST IC PAVEMENT MARKING LINES (8", 120 MILS)	476.000 LF	3.00000		1,428.00	
0026	4705000000-E THERMOPLAST IC PAVEMENT MARKING LINES (16", 120 MILS)	250.000 LF	6.00000		1,500.00	
0027	4710000000-E THERMOPLAST IC PAVEMENT MARKING LINES (24", 120 MILS)	852 000 LF	6.50000		5,538 00	
0028	4721000000-E THERMOPLAST IC PAVEMENT MARKING CHARACTER (120 MILS)	34 000 EA	120.00000		4,080.00	
0029	4725000000-E THERMOPLAST IC PAVEMENT MARKING SYMBOL (90 MILS)	47 000 EA	125.00000		5,875 00	
0030	4810000000-E PAINT PAVEMENT MARKING LINES (4")	171,014.000 LF	0.14000		23,941.96	
0031	4900000000-N PERMANENT RAISED PAVEMENT MARKERS	2,601.000 EA	5.00000		13,005.00	
0032	5255000000-N PORTABLE LIGHTING	LUMP	LUMP		5,500.00	
0033	6000000000-E TEMPORARY SILT FENCE	3,898 000 LF	1.55000		6,041 90	

State of NC
 Dept of Transportation

Date. 02-15-11
 Revised.

Contract ID C202718 Project(s): STATE FUNDED
 Letting Date. 03-15-11 Call Order 005
 Bidder. 3186 - Boggs Paving, Inc.

Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
0034	6009000000-E STONE FOR EROSION CONTROL, CLASS B	454.000 TON	42.00000		19,068.00	
0035	6012000000-E SEDIMENT CONTROL STONE	227.000 TON	45.00000		10,215.00	
0036	6071010000-E WATTLE	2,868.000 LF	3.60000		10,324.80	
0037	6071020000-E POLYACRYLAMIDE (PAM)	7.830 LB	20.00000		156.60	
0038	6084000000-E SEEDING & MULCHING	6.700 ACR	1,300.00000		8,710.00	
	Section 0001 Total				5,492,774.71	
	Bid Total				5,492,774.71	

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: C202718
 LETTING: L110315 CALL: 005
 VENDOR: 3186 Boggs Paving, Inc.

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

MBE SUBCONTRACTOR: 2840 STYX CUTHBERTSON TRUCKING
 Will Use Quote: Yes

0012	1503000000-E	ASP CONC INT	TON	27287.000	5.00000	136435.00
		Haul aggregates from quarry and sand pit to asphalt plant stockpile.				
0013	1519000000-E	ASP CONC SUR	TON	15495.000	5.00000	77475.00
		Haul aggregates from quarry and sand pit to asphalt plant stockpile.				

MBE COMMITMENT TOTAL FOR SUBCONTRACTOR: 213,910.00 ✓ arm

MBE SUBCONTRACTOR: 9064 ADVANCED EROSION TECHNIQUES, INC.
 Will Use Quote: Yes

0038	6084000000-E	SEEDING AND	ACR	6.700	1300.00000	8710.00
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MBE COMMITMENT TOTAL FOR SUBCONTRACTOR: 8,710.00 ✓ arm

TOTAL MBE COMMITMENT FOR VENDOR:	Entered:	4.05% or	222620.00	✓ arm
	Required:	4.00% or	219710.99	
		<GOAL MET>		

NORTH CAROLINA STATE DEPARTMENT OF TRANSPORTATION
 WBE COMMITMENT ITEMS

DATE:02-15-11
 PAGE: 8

PROPOSAL: C202718
 LETTING: L110315 CALL: 005
 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						
0023	4685000000-E	THERMO PVT M LF		210435.000	0.52000	109426.20
0024	4686000000-E	THERMO PVT M LF		188325.000	0.53000	99812.25
0025	4697000000-E	THERMO PVT M LF		476.000	3.00000	1428.00
0026	4705000000-E	THERMO LINES LF		250.000	6.00000	1500.00
0027	4710000000-E	24"WIDE THER LF		852.000	6.50000	5538.00
0031	4900000000-N	PERM RAISED EA		2601.000	5.00000	13005.00
0030	4810000000-E	PAINT PVMT M LF		171014.000	0.14000	23941.96
0029	4725000000-E	THERMO PVT S EA		47.000	125.00000	5875.00
0028	4721000000-E	THERMO PVT M EA		34.000	120.00000	4080.00

WBE COMMITMENT TOTAL FOR SUBCONTRACTOR: 264,606.41 ✓ arm

WBE SUBCONTRACTOR: 9454 MID-ATLANTIC EROSION CONTROL, INC.
 Will Use Quote: Yes

0036	6071010000-E	WATTLE LF		2868.000	3.60000	10324.80
0033	6000000000-E	TEMPORARY SI LF		3898.000	1.55000	6041.90

WBE COMMITMENT TOTAL FOR SUBCONTRACTOR: 16,366.70 ✓ arm

TOTAL WBE COMMITMENT FOR VENDOR: Entered: 5.12% or 280973.11 ✓ arm
 Required: 5.00% or 274638.74
 <GOAL MET>

Contract Item Sheets For C202718

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
ROADWAY ITEMS						
0001	0000100000-N	800	MOBILIZATION	Lump Sum LS	80,000.00	80,000.00
0002	0106000000-E	230	BORROW EXCAVATION	7,385 CY	14.50	107,082.50
0003	1110000000-E	510	STABILIZER AGGREGATE	1,299 TON	8.00	10,392.00
0004	1220000000-E	545	INCIDENTAL STONE BASE	1,295 TON	30.00	38,850.00
0005	1243000000-E	SP	SHOULDER CONSTRUCTION	13.7 SMI	2,500.00	34,250.00
0006	1245000000-E	SP	SHOULDER RECONSTRUCTION	23.37 SMI	2,500.00	58,425.00
0007	1264000000-E	SP	DITCHING	3,571 LF	1.00	3,571.00
0008	1297000000-E	607	MILLING ASPHALT PAVEMENT, **** DEPTH (1-1/2")	74,305 SY	1.00	74,305.00
0009	1297000000-E	607	MILLING ASPHALT PAVEMENT, **** DEPTH (4")	3,700 SY	2.00	7,400.00
0010	1330000000-E	607	INCIDENTAL MILLING	400 SY	15.00	6,000.00
0011	1491000000-E	610	ASPHALT CONC BASE COURSE, TYPE B25.0C	7,120 TON	35.00	249,200.00
0012	1503000000-E	610	ASPHALT CONC INTERMEDIATE COURSE, TYPE I19.0C	27,287 TON	34.50	941,401.50
0013	1519000000-E	610	ASPHALT CONC SURFACE COURSE, TYPE S9.5B	15,495 TON	38.00	588,810.00
0014	1520000000-E	SP	ASPHALT CONC SURFACE COURSE, TYPE S9.5B (LEVELING COURSE)	630 TON	42.00	26,460.00
0015	1523000000-E	610	ASPHALT CONC SURFACE COURSE, TYPE S9.5C	16,200 TON	35.00	567,000.00
0016	1560000000-E	620	ASPHALT BINDER FOR PLANT MIX, GRADE PG 64-22	2,591 TON	500.00	1,295,500.00
0017	1565000000-E	620	ASPHALT BINDER FOR PLANT MIX, GRADE PG 70-22	972 TON	500.00	486,000.00

Contract Item Sheets For C202718

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
0018	1704000000-E	SP	PATCHING EXISTING PAVEMENT	6,074 TON	85.00	516,290.00
0019	2612000000-E	848	6" CONCRETE DRIVEWAY	1,388 SY	40.00	55,520.00
0020	2830000000-N	858	ADJUSTMENT OF MANHOLES	13 EA	415.00	5,395.00
0021	2845000000-N	858	ADJUSTMENT OF METER BOXES OR VALVE BOXES	24 EA	450.00	10,800.00
0022	4589000000-N	SP	GENERIC TRAFFIC CONTROL ITEM TRAFFIC CONTROL	Lump Sum LS	5,500.00	5,500.00
0023	4685000000-E	1205	THERMOPLASTIC PAVEMENT MARKING LINES (4", 90 MILS)	210,435 LF	0.52	109,426.20
0024	4686000000-E	1205	THERMOPLASTIC PAVEMENT MARKING LINES (4", 120 MILS)	188,325 LF	0.53	99,812.25
0025	4697000000-E	1205	THERMOPLASTIC PAVEMENT MARKING LINES (8", 120 MILS)	476 LF	3.00	1,428.00
0026	4705000000-E	1205	THERMOPLASTIC PAVEMENT MARKING LINES (16", 120 MILS)	250 LF	6.00	1,500.00
0027	4710000000-E	1205	THERMOPLASTIC PAVEMENT MARKING LINES (24", 120 MILS)	852 LF	6.50	5,538.00
0028	4721000000-E	1205	THERMOPLASTIC PAVEMENT MARKING CHARACTER (120 MILS)	34 EA	120.00	4,080.00
0029	4725000000-E	1205	THERMOPLASTIC PAVEMENT MARKING SYMBOL (90 MILS)	47 EA	125.00	5,875.00
0030	4810000000-E	1205	PAINT PAVEMENT MARKING LINES (4")	171,014 LF	0.14	23,941.96
0031	4900000000-N	1251	PERMANENT RAISED PAVEMENT MARKERS	2,601 EA	5.00	13,005.00
0032	5255000000-N	1413	PORTABLE LIGHTING	Lump Sum LS	5,500.00	5,500.00
0033	6000000000-E	1605	TEMPORARY SILT FENCE	3,898 LF	1.55	6,041.90
0034	6009000000-E	1610	STONE FOR EROSION CONTROL, CLASS B	454 TON	42.00	19,068.00

Contract Item Sheets For C202718

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
0035	6012000000-E	1610	SEDIMENT CONTROL STONE	227 TON	45.00	10,215.00
0036	6071010000-E	SP	WATTLE	2,868 LF	3.60	10,324.80
0037	6071020000-E	SP	POLYACRYLAMIDE (PAM)	7.83 LB	20.00	156.60
0038	6084000000-E	1660	SEEDING & MULCHING	6.7 ACR	1,300.00	8,710.00

TOTAL AMOUNT OF BID FOR ENTIRE PROJECT

\$5,492,774.71 ✓

1418/Mar23/Q751284.6/D119514130000/E38

Contract No. C202718
County Union

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

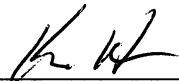
Boggs Paving, Inc.

Full name of Corporation


PO Box 1609, Monroe, NC 28111-1609

Address as Prequalified

Attest


Secretary/Assistant Secretary
Select appropriate title

By


President/Vice President/Assistant Vice President
Select appropriate title

Kevin Hicks

Print or type Signer's name

Greg D. Miller

Print or type Signer's name

CORPORATE SEAL

AFFIDAVIT MUST BE NOTARIZED

Subscribed and sworn to before me this the

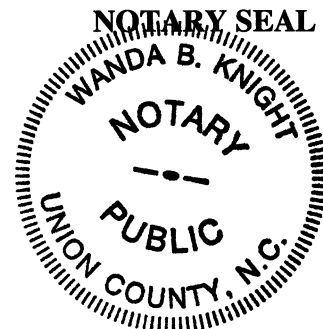
24th day of March 2011


Signature of Notary Public

of Union County

State of North Carolina

My Commission Expires: 12-21-2011



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.

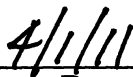
Contract No **C202718**

County (ies): **Union**

**ACCEPTED BY THE
DEPARTMENT OF TRANSPORTATION**

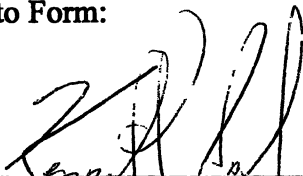


Contract Officer



Date

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



Attorney General

Contract No. C202718
County Union

Rev 2-1-10

Bond No. 018022091

CONTRACT PAYMENT BOND

Date of Payment Bond Execution March 24, 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 Ninety Two Thousand Seven Hundred Seventy Four Dollars and 71/100 (\$5,492,774.71)

Contract ID No.: C202718

County Name: Union

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. C202718
County Union

Rev 2-1-10


CONTRACT PAYMENT BOND

CORPORATION

SIGNATURE OF CONTRACTOR (Principal)

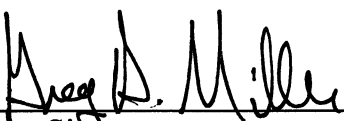
Boggs Paving, Inc.
Full name of Corporation

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. C202718
County Union

Rev 2-1-10

Bond No. 018022091

CONTRACT PERFORMANCE BOND

Date of Performance Bond Execution: March 24, 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 Ninety Two Thousand
Seven Hundred Seventy Four Dollars and 71/100 (\$5,492,774.71)

Contract ID No.: C202718

County Name: Union

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.
County

C202718
Union

Rev 2-1-10


CONTRACT PERFORMANCE BOND

CORPORATION

SIGNATURE OF CONTRACTOR (Principal)

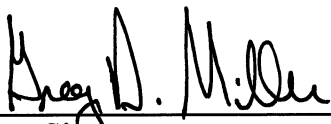
Boggs Paving, Inc.
Full name of Corporation

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, Cynthia M. Partin 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: 018022091

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

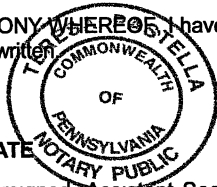
Garnet W. Elliott

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 24th day of March, 2011.



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