

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

C202764

CONTRACT AND
CONTRACT BONDS

FOR CONTRACT NO. C202764

WBS

3CR.10311.111, 3CR.10821.111 STATE FUNDED

COUNTY OF DUPLIN, SAMPSON
THIS IS THE ROADWAY CONTRACT
ROUTE NUMBER NC 421 LENGTH 10.420 MILES
LOCATION NC-421 FROM 1 MILE NORTH OF NC-903 TO THE PENDER COUNTY
LINE.

CONTRACTOR BARNHILL CONTRACTING COMPANY
ADDRESS P.O. BOX 1529
TARBORO, NC 278861529

BIDS OPENED MAY 17, 2011
CONTRACT EXECUTION JUN 09 2011

NCDOT/berc

Vendor 3516's Load Output for Call 004, Letting L110517, 2011-05-17

Surety Registry Agency: surety2000

Verified?: Yes

Surety Agency Travelers Casualty and Surety Company of America

Bond Execution Date: 4/27/2011 10 23 15 AM

Bond Amount. \$151,435.25 (Five Percent of Bid)

State of NC
Dept of Transportation

Date: 04-19-11
Revised:

Contract ID: C202764 Project(s): STATE FUNDED
Letting Date: 05-17-11 Call Order. 004
Bidder: 3516 - Barnhill Contracting Company

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			50,200.00
0002	0106000000-E BORROW EXCAVATION	CY	4,033.000	10.00000		40,330.00
0003	1220000000-E INCIDENTAL STONE BASE	TON	300.000	40.00000		12,000.00
0004	1245000000-E SHOULDER RECONSTRUCTION	SMI	12.680	2,100.00000		26,628.00
0005	1297000000-E MILLING ASPHALT PAVEMENT, ***"DEPTH (4")	SY	96,518.000	2.20000		212,339.60
0006	1330000000-E INCIDENTAL MILLING	SY	550.000	13.20000		7,260.00
0007	1503000000-E ASPHALT CONC INTERMEDIATE COURSE, TYPE I19.0C	TON	24,517.000	39.10000		958,614.70
0008	1523000000-E ASPHALT CONC SURFACE COURSE, TYPE S9.5C	TON	12,242.000	36.80000		450,505.60
0009	1560000000-E ASPHALT BINDER FOR PLANT MIX, GRADE PG 64-22	TON	1,180.000	568.50000		670,830.00
0010	1565000000-E ASPHALT BINDER FOR PLANT MIX, GRADE PG 70-22	TON	722.000	568.50000		410,457.00
0011	4685000000-E THERMOPLAST IC PAVEMENT MARKINGLINES (4", 90 MILS)	LF	66,951.000	0.45000		30,127.95

State of NC
Dept of Transportation

Date: 04-19-11
Revised:

Contract ID: C202764 Project(s). STATE FUNDED
Letting Date. 05-17-11 Call Order: 004
Bidder: 3516 - Barnhill Contracting Company

Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
0012	4686000000-E THERMOPLAST IC PAVEMENT MARKING LINES (4", 120 MILS)	75,187.000 LF	0.55000		41,352.85	
0013	4695000000-E THERMOPLAST IC PAVEMENT MARKING LINES (8", 90 MILS)	1,950.000 LF	3.75000		7,312.50	
0014	4710000000-E THERMOPLAST IC PAVEMENT MARKING LINES (24", 120 MILS)	100.000 LF	7.50000		750.00	
0015	4721000000-E THERMOPLAST IC PAVEMENT MARKING CHARACTER (120 MILS)	12.000 EA	70.00000		840.00	
0016	4725000000-E THERMOPLAST IC PAVEMENT MARKING SYMBOL (90 MILS)	45.000 EA	100.00000		4,500.00	
0017	4810000000-E PAINT PAVEMENT MARKING LINES (4")	142,138.000 LF	0.11000		15,635.18	
0018	4820000000-E PAINT PAVEMENT MARKING LINES (8")	1,950.000 LF	0.25000		487.50	
0019	4835000000-E PAINT PAVEMENT MARKING LINES (24")	100.000 LF	3.25000		325.00	
0020	4840000000-N PAINT PAVEMENT MARKING CHARAC-TER	12.000 EA	25.00000		300.00	
0021	4845000000-N PAINT PAVEMENT MARKING SYMBOL	45.000 EA	35.00000		1,575.00	
0022	4905000000-N SNOWPLOWABLE PAVEMENT MARKERS	639.000 EA	25.45000		16,262.55	

State of NC
Dept of Transportation

Date. 04-19-11
Revised:

Contract ID. C202764 Project(s): STATE FUNDED
Letting Date: 05-17-11 Call Order: 004
Bidder: 3516 - Barnhill Contracting Company

Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
0023	6000000000-E TEMPORARY SILT FENCE	1,042.000 LF	3.50000		3,647.00	
0024	6009000000-E STONE FOR EROSION CONTROL, CLASS B	260.000 TON	55.00000		14,300.00	
0025	6012000000-E SEDIMENT CONTROL STONE	260.000 TON	40.00000		10,400.00	
0026	6015000000-E TEMPORARY MULCHING	10.000 ACR	600.00000		6,000.00	
0027	6018000000-E SEED FOR TEMPORARY SEEDING	521.000 LB	2.00000		1,042.00	
0028	6021000000-E FERTILIZER FOR TEMPORARY SEED-ING	3.000 TON	900.00000		2,700.00	
0029	6036000000-E MATTING FOR EROSION CONTROL	70.000 SY	2.00000		140.00	
0030	6042000000-E 1/4" HARDWARE CLOTH	521.000 LF	2.50000		1,302.50	
0031	6071010000-E WATTLE	160.000 LF	4.00000		640.00	
0032	6084000000-E SEEDING & MULCHING	20.000 ACR	1,495.00000		29,900.00	
	Section 0001 Total				3,028,704.93	
	Bid Total				3,028,704.93	

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: 04-19-11
 PAGE: 7

PROPOSAL: C202764
 LETTING: L110517 CALL: 004
 VENDOR: 3516 Barnhill Contracting Company

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

WBE SUBCONTRACTOR: 2429 AMERICAN SWEEP & STRIPE INC						
Will Use Quote: Yes						
0011	4685000000-E	THERMO PVT M LF		66951.000	0.45000	30127.95
0012	4686000000-E	THERMO PVT M LF		75187.000	0.55000	41352.85
0013	4695000000-E	THERMO PVT M LF		1950.000	3.75000	7312.50
0014	4710000000-E	24"WIDE THER LF		100.000	7.50000	750.00
0015	4721000000-E	THERMO PVT M EA		12.000	70.00000	840.00
0016	4725000000-E	THERMO PVT S EA		45.000	100.00000	4500.00
0017	4810000000-E	PAINT PVMT M LF		142138.000	0.11000	15635.18
0018	4820000000-E	PAINT PVMT M LF		1950.000	0.25000	487.50
0019	4835000000-E	PAINT PVT MK LF		100.000	3.25000	325.00
0020	4840000000-N	PAINT PVT MK EA		12.000	25.00000	300.00
0021	4845000000-N	PAINT PVT MK EA		45.000	35.00000	1575.00

WBE COMMITMENT TOTAL FOR SUBCONTRACTOR: 103,205.98 ✓ arm

WBE SUBCONTRACTOR: 6189 PURPOSE DRIVEN SEEDING & MULCHING, INC.
 Will Use Quote: Yes

0026	6015000000-E	TEMPORARY MU ACR		10.000	600.00000	6000.00
0028	6021000000-E	FERT FOR TEM TON		3.000	900.00000	2700.00
0029	6036000000-E	MATTING FOR SY		70.000	2.00000	140.00
0027	6018000000-E	SEED FOR TEM LB		521.000	2.00000	1042.00
0031	6071010000-E	WATTLE LF		160.000	4.00000	640.00
0032	6084000000-E	SEEDING AND ACR		20.000	1495.00000	29900.00
0030	6042000000-E	1/4" HARDWAR LF		500.000	2.50000	1250.00
0023	6000000000-E	TEMPORARY SI LF		500.000	3.50000	1750.00

WBE COMMITMENT TOTAL FOR SUBCONTRACTOR: 43,422.00 ✓ arm

TOTAL WBE COMMITMENT FOR VENDOR: Entered: 4.84% or 146627.98 ✓ arm
 Required: 3.00% or 90861.15
 <GOAL MET>

Contract Item Sheets For C202764

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
ROADWAY ITEMS						
0001	0000100000-N	800	MOBILIZATION	Lump Sum LS	50,200.00	50,200.00
0002	0106000000-E	230	BORROW EXCAVATION	4,033 CY	10.00	40,330.00
0003	1220000000-E	545	INCIDENTAL STONE BASE	300 TON	40.00	12,000.00
0004	1245000000-E	SP	SHOULDER RECONSTRUCTION	12.68 SMI	2,100.00	26,628.00
0005	1297000000-E	607	MILLING ASPHALT PAVEMENT, **** DEPTH (4")	96,518 SY	2.20	212,339.60
0006	1330000000-E	607	INCIDENTAL MILLING	550 SY	13.20	7,260.00
0007	1503000000-E	610	ASPHALT CONC INTERMEDIATE COURSE, TYPE I19.0C	24,517 TON	39.10	958,614.70
0008	1523000000-E	610	ASPHALT CONC SURFACE COURSE, TYPE S9.5C	12,242 TON	36.80	450,505.60
0009	1560000000-E	620	ASPHALT BINDER FOR PLANT MIX, GRADE PG 64-22	1,180 TON	568.50	670,830.00
0010	1565000000-E	620	ASPHALT BINDER FOR PLANT MIX, GRADE PG 70-22	722 TON	568.50	410,457.00
0011	4685000000-E	1205	THERMOPLASTIC PAVEMENT MARKING LINES (4", 90 MILS)	66,951 LF	0.45	30,127.95
0012	4686000000-E	1205	THERMOPLASTIC PAVEMENT MARKING LINES (4", 120 MILS)	75,187 LF	0.55	41,352.85
0013	4695000000-E	1205	THERMOPLASTIC PAVEMENT MARKING LINES (8", 90 MILS)	1,950 LF	3.75	7,312.50
0014	4710000000-E	1205	THERMOPLASTIC PAVEMENT MARKING LINES (24", 120 MILS)	100 LF	7.50	750.00
0015	4721000000-E	1205	THERMOPLASTIC PAVEMENT MARKING CHARACTER (120 MILS)	12 EA	70.00	840.00
0016	4725000000-E	1205	THERMOPLASTIC PAVEMENT MARKING SYMBOL (90 MILS)	45 EA	100.00	4,500.00
0017	4810000000-E	1205	PAINT PAVEMENT MARKING LINES (4")	142,138 LF	0.11	15,635.18

Contract Item Sheets For C202764

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
0018	4820000000-E	1205	PAINT PAVEMENT MARKING LINES (8")	1,950 LF	0.25	487.50
0019	4835000000-E	1205	PAINT PAVEMENT MARKING LINES (24")	100 LF	3.25	325.00
0020	4840000000-N	1205	PAINT PAVEMENT MARKING CHARACTER	12 EA	25.00	300.00
0021	4845000000-N	1205	PAINT PAVEMENT MARKING SYMBOL	45 EA	35.00	1,575.00
0022	4905000000-N	1253	SNOWPLOWABLE PAVEMENT MARKERS	639 EA	25.45	16,262.55
0023	6000000000-E	1605	TEMPORARY SILT FENCE	1,042 LF	3.50	3,647.00
0024	6009000000-E	1610	STONE FOR EROSION CONTROL, CLASS B	260 TON	55.00	14,300.00
0025	6012000000-E	1610	SEDIMENT CONTROL STONE	260 TON	40.00	10,400.00
0026	6015000000-E	1615	TEMPORARY MULCHING	10 ACR	600.00	6,000.00
0027	6018000000-E	1620	SEED FOR TEMPORARY SEEDING	521 LB	2.00	1,042.00
0028	6021000000-E	1620	FERTILIZER FOR TEMPORARY SEEDING	3 TON	900.00	2,700.00
0029	6036000000-E	1631	MATTING FOR EROSION CONTROL	70 SY	2.00	140.00
0030	6042000000-E	1632	1/4" HARDWARE CLOTH	521 LF	2.50	1,302.50
0031	6071010000-E	SP	WATTLE	160 LF	4.00	640.00
0032	6084000000-E	1660	SEEDING & MULCHING	20 ACR	1,495.00	29,900.00

TOTAL AMOUNT OF BID FOR ENTIRE PROJECT

\$3,028,704.93

**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, and that the Contractor intends to do the work with his 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

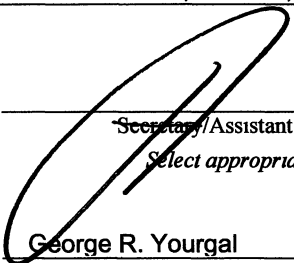
Barnhill Contracting Company

Full name of Corporation

P O. Box 1529, Tarboro, NC 27886-1529

Address as Prequalified

Attest

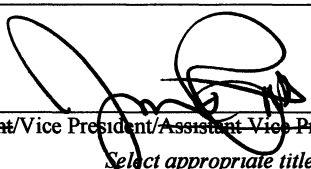


~~Secretary/Assistant Secretary~~
Select appropriate title

George R. Yourgal

Print or type Signer's name

By



~~President/Vice President/Assistant Vice President~~
Select appropriate title

James Partington, IV

Print or type Signer's name



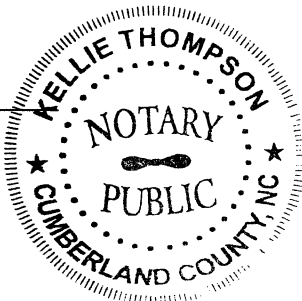
AFFIDAVIT MUST BE NOTARIZED

Subscribed and sworn to before me this the 2nd day of June 2011

Kellie Thompson
Signature of Notary Public

of Cumberland County
State of North Carolina

My Commission Expires: 9/30/2012



NOTARY SEAL

DEBARMENT CERTIFICATION OF CONTRACTOR

Conditions for certification:

1. The Contractor shall provide immediate written notice to the Department if at any time the Contractor learns that his certification was erroneous when he submitted his debarment certification or explanation that is on file 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 Contractor 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 Contractor 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 Contractor 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 Contractor 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 3 herein, the Department may terminate any contract if the Contractor 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 Contractor 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. If status changes, will submit a revised Debarment Certification immediately.

If the Contractor 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 Contractor's bid being considered non-responsive.

Check here if an explanation is attached to this certification.

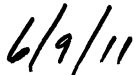
Contract No **C202764**

County (ies): **Duplin, Sampson**

ACCEPTED BY THE
DEPARTMENT OF TRANSPORTATION

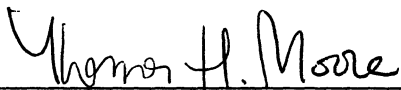


Contract Officer



Date

Execution of Contract and Bonds
Approved as to Form:



Attorney General

Contract No.
County

C202764
DUPLIN/SAMPSON

Rev 2-1-10
105610210

CONTRACT PAYMENT BOND

Date of Payment Bond Execution 5/25/2011

Name of Principal Contractor Barnhill Contracting Company

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: THREE MILLION TWENTY-EIGHT THOUSAND SEVEN HUNDRED FOUR AND 93/100THS

Contract ID No.: C202764;WBS #3CR.10311.111 & 3CR.10821.111

County Name: DUPLIN/SAMPSON

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. **C202764.**
County **DUPLIN/SAMPSON**


Rev 2-1-10

CONTRACT PAYMENT BOND

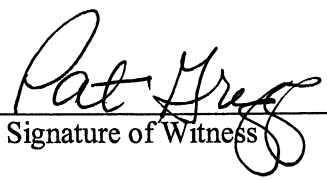
Affix Seal of Surety Company

Travelers Casualty And Surety Company Of America
Print or type Surety Company Name

By HUNTER T. DAWKINS
Print, stamp or type name of Attorney-in-Fact



Signature of Attorney-in-Fact



Signature of Witness

PAT GRIGGS
Print or type Signer's name

2820 Selwyn Avenue, Suite 375
Charlotte, NC 28209

Address of Attorney-in-Fact

Contract No. C202764
County DUPLIN/SAMPSON

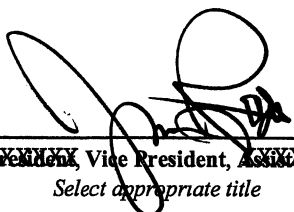
Rev 2-1-10

CONTRACT PAYMENT BOND
CORPORATION

SIGNATURE OF CONTRACTOR (Principal)

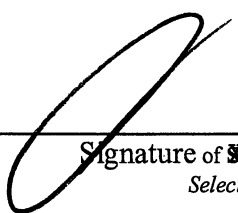
Barnhill Contracting Company
Full name of Corporation

P.O. Box 1529, Tarboro, NC 27886
Address as prequalified

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

JAMES PARTINGTON IV
Print or type Signer's name



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

GEORGE R. YOURGAL
Print or type Signer's name

Contract No. **C202764**
County **DUPLIN/SAMPSON**

Rev 2-1-10

105610210

CONTRACT PERFORMANCE BOND

Date of Performance Bond Execution: 5/25/2011

Name of Principal Contractor: Barnhill Contracting Company

Name of Surety: Travelers Casualty And Surety Company Of America

Name of Contracting Body: North Carolina Department of Transportation
Raleigh, North Carolina
THREE MILLION TWENTY-EIGHT THOUSAND SEVEN HUNDRED FOUR AND 93/100THS

Amount of Bond:

Contract ID No.: C202764;WBS #3CR.10311.111 & 3CR.10821.111

County Name: DUPLIN/SAMPSON

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

C202764
DUPLIN/SAMPSON

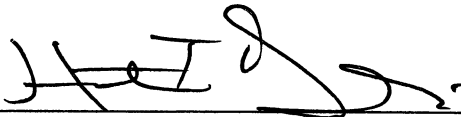
Rev 2-1-10

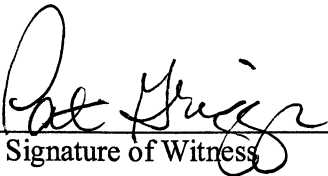
CONTRACT PERFORMANCE BOND

Affix Seal of Surety Company

Travelers Casualty And Surety Company Of America
Print or type Surety Company Name

By HUNTER T. DAWKINS
Print, stamp or type name of Attorney-in-Fact


Signature of Attorney-in-Fact


Signature of Witness

PAT GRIGGS
Print or type Signer's name

2820 Selwyn Avenue, Suite 375
Charlotte, NC 28209

Address of Attorney-in-Fact

Contract No.
County

C202764
DUPLIN/SAMPSON

Rev 2-1-10

CONTRACT PERFORMANCE BOND
CORPORATION

SIGNATURE OF CONTRACTOR (Principal)


Barnhill Contracting Company

Full name of Corporation

P.O. Box 1529, Tarboro, NC 27886

Address as prequalified

By



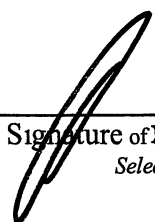
Signature of ~~XXXXXX~~, ~~Vice President~~, ~~Assistant Vice President~~
Select appropriate title

JAMES PARTINGTON IV

Print or type Signer's name



Attest


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

GEORGE R. YOURGAL

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. 222006

Certificate No. 003944858

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

H. Thomas Dawkins, Hunter T. Dawkins, and Patricia Griggs

of the City of Charlotte, 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 13th day of January, 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 13th day of January, 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 25th day of May, 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.