

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

C202860

CONTRACT AND  
CONTRACT BONDS

FOR CONTRACT NO. C202860

WBS 5C.093056, 5C.093058, 5CR.20931.11 STATE FUNDED

COUNTY OF WARREN  
THIS IS THE ROADWAY CONTRACT  
ROUTE NUMBER    LENGTH      26.750 MILES  
LOCATION    7 SECTIONS OF SECONDARY ROADS.

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

BIDS OPENED              NOVEMBER 15, 2011  
CONTRACT EXECUTION      DEC 07 2011

**S. T. Wooten Corporation (3760).  
Vendor 3 of 5 Vendors for Call Order 011 (Proposal ID C202860).**

County: WARREN  
Address: PO Box 2408  
3801 Black Creek Rd  
Wilson, NC 27894

Phone Number: 252-291-5165

Signature Check: This bid has been properly signed by Richard\_E.\_Vick\_3760.

Time Bid Received: Tue Nov 15 12:36:19 2011

Bid Checksum: DEF20D5B

Amendment Count: 0

MBE GOAL SET 4.0

Bidding Errors: This bid contains errors.

Bid Total: \$3,272,771.52 ✓

MBE GOAL OBT 3.6

Bond ID: P7NJ-EECF-GPND-UA3L

Bond was Verified: Yes.

Bond Required Percent: 5.00%

WBE GOAL SET 4.0

Minimum Check Amount: \$163,638.58

Bid Security Maximum: \$

Bond Agency Name:

WBE GOAL OBT 2.4

Agency Execution Date: 11/15/2011

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

8885 MB	OZONE W LEWIS DBA LEWIS HAULING 4681 BELLTOWN RD , OXFORD, NC 27565	Sub	13,000.00	✓	arm
4957 MB	DAVID L WILLIAMS DBA D L WILLIA 255 MICHAEL QUARRY RD. , NORLINA, NC 27563	Sub	16,250.00	✓	arm
5856 MB	CHARLES SHAW DBA CLSHAW#1 P.O. BOX 542 , NORLINA, NC 27563	Sub	19,500.00	✓	arm
7721 MB	BONILLA TRUCKING LLC 1437 NICHOLAS STREET , HENDERSON, NC 275365330	Sub	22,750.00	✓	arm
6956 MB	REGINALD LLOYD DBA LLOYD'S TRUC 3710 STAGECOACH RD , HENDERSON, NC 27537	Sub	13,000.00	✓	arm
7624 MB	KENNETH L HOWARD DBA KL HOWARD 4037 LYN STREET , OXFORD, NC 27565	Sub	13,000.00	✓	arm
9357 MB	Q BALL TRUCKING INC 170 FISHERMANS LANE , MACON, NC 27551	Sub	19,500.00	✓	arm
			TOTAL:	\$117,000.00	✓ arm
				3.57%	

LIST OF WBE PARTICIPANTS

VENDOR NUMBER	DBE NAME ADDRESS	WORK CODE TYPE OF WORK	CERT TYPE AMOUNT		
2446 WB	HAROLD A. PURYEAR TRUCKING CO. 5844 LEASE LANE , RALEIGH, NC 27617	Sub	43,060.00	✓	arm
3765 WB	STAY ALERT SAFETY SERVICES INC POST OFFICE BOX 467 , KERNERSVILLE, NC 27285	Sub	7,800.00	✓	arm
3304 WB	FULFORD & JONES ASPHALT INC. 5509 HORNES CHURCH ROAD , WILSON, NC 27896	Sub	5,550.00	✓	arm
2095 WB	PARRISH CO INC 501 BETHLEHEM PIKE , PARIS, KY 40361	Sub	17,468.00	✓	arm
3418 WB	NORTH STATE ENVIRONMENTAL, INC 2889 LOWERY STREET, SUITE B , WINSTON-SALEM, NC 271016127	Sub	5,972.40	✓	arm
			TOTAL:	\$79,850.40	✓ arm
				2.44%	

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

NCDOT/berc

Vendor 3760's Load Output for Call 011, Letting L111115, 2011-11-15

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:  
=====

BondID: P7NJ-EECF-GPND-UA3L  
 Surety Registry Agency: SurePathNetwork  
 Verified?: Yes  
 Surety Agency: Liberty Mutual Insurance Company  
 Bond Execution Date: 11/15/2011  
 Bond Amount: \$163,638.58 (Five Percent of Bid)

State of NC  
Dept of Transportation

Date: 10-17-11  
Revised:

Contract ID: C202860 Project(s): STATE FUNDED  
Letting Date: 11-15-11 Call Order: 011  
Bidder: 3760 - S. T. Wooten Corporation

Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
Section 0001 ROADWAY ITEMS						
Alt Group						
0001	0000100000-N MOBILIZATION	LUMP		LUMP		160,000.00
0002	0106000000-E BORROW EXCAVATION	CY	2,330.000	21.75000		50,677.50
0003	1220000000-E INCIDENTAL STONE BASE	TON	247.000	40.00000		9,880.00
0004	1245000000-E SHOULDER RECONSTRUCTION	SMI	18.150	1,800.00000		32,670.00
0005	1297000000-E MILLING ASPHALT PAVEMENT, ***"DEPTH (1-1/2")	SY	177,148.000	0.75000		132,861.00
0006	1297000000-E MILLING ASPHALT PAVEMENT, ***"DEPTH (3")	SY	8,448.000	1.40000		11,827.20
0007	1489000000-E ASPHALT CONC BASE COURSE, TYPE B25.0B	TON	9,850.000	38.00000		374,300.00
0008	1498000000-E ASPHALT CONC INTERMEDIATE COURSE, TYPE I19.0B	TON	6,330.000	34.00000		215,220.00
0009	1519000000-E ASPHALT CONC SURFACE COURSE, TYPE S9.5B	TON	10,232.000	32.00000		327,424.00
0010	1525000000-E ASPHALT CONC SURFACE COURSE, TYPE SF9.5A	TON	12,356.000	32.00000		395,392.00
0011	1575000000-E ASPHALT BINDER FOR PLANT MIX	TON	2,153.000	550.00000		1,184,150.00

State of NC  
Dept of Transportation

Date: 10-17-11  
Revised:

Contract ID: C202860      Project(s): STATE FUNDED  
Letting Date: 11-15-11    Call Order: 011  
Bidder: 3760 - S. T. Wooten Corporation

Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
0012	1704000000-E PATCHING EXISTING PAVEMENT	1,350.000 TON	115.00000		155,250.00	
0013	2815000000-N ADJUSTMENT OF DROP INLETS	1.000 EA	500.00000		500.00	
0014	2830000000-N ADJUSTMENT OF MANHOLES	5.000 EA	450.00000		2,250.00	
0015	2845000000-N ADJUSTMENT OF METER BOXES OR VALVE BOXES	7.000 EA	400.00000		2,800.00	
0016	4685000000-E THERMOPLAST IC PAVEMENT MARKING LINES (4", 90 MILS)	221,118.000 LF	0.40000		88,447.20	
0017	4686000000-E THERMOPLAST IC PAVEMENT MARKING LINES (4", 120 MILS)	135,630.000 LF	0.51000		69,171.30	
0018	4705000000-E THERMOPLAST IC PAVEMENT MARKING LINES (16", 120 MILS)	50.000 LF	8.00000		400.00	
0019	4710000000-E THERMOPLAST IC PAVEMENT MARKING LINES (24", 120 MILS)	145.000 LF	10.00000		1,450.00	
0020	4721000000-E THERMOPLAST IC PAVEMENT MARKING CHARACTER (120 MILS)	14.000 EA	125.00000		1,750.00	
0021	4810000000-E PAINT PAVEMENT MARKING LINES (4")	468,207.000 LF	0.06000		28,092.42	
0022	4830000000-E PAINT PAVEMENT MARKING LINES (16")	50.000 LF	1.00000		50.00	

State of NC  
Dept of Transportation

Date: 10-17-11  
Revised:

Contract ID: C202860      Project(s): STATE FUNDED  
Letting Date: 11-15-11    Call Order: 011  
Bidder: 3760 - S. T. Wooten Corporation

Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
0023	4835000000-E PAINT PAVEMENT MARKING LINES (24")	45.000 LF	2.00000		90.00	
0024	4840000000-N PAINT PAVEMENT MARKING CHARAC-TER	2.000 EA	75.00000		150.00	
0025	4900000000-N PERMANENT RAISED PAVEMENT MARKERS	591.000 EA	3.50000		2,068.50	
0026	6000000000-E TEMPORARY SILT FENCE	1,000.000 LF	2.58000		2,580.00	
0027	6071010000-E WATTLE	660.000 LF	5.14000		3,392.40	
0028	6084000000-E SEEDING & MULCHING	11.000 ACR	1,588.00000		17,468.00	
0029	7444000000-E INDUCTIVE LOOP SAWCUT	400.000 LF	6.00000		2,400.00	
0030	7456000000-E LEAD-IN CABLE (*****)(14-2)	60.000 LF	1.00000		60.00	
Section 0001 Total						3,272,771.52
Bid Total						3,272,771.52 ✓

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: 10-17-11  
PAGE: 6

PROPOSAL: C202860  
LETTING: L111115 CALL: 011  
VENDOR: 3760 S. T. Wooten Corporation

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

MBE SUBCONTRACTOR: 8885 OZONE W LEWIS DBA LEWIS HAULING SERVICE  
Will Use Quote: Yes

0007 1489000000-E ASP CONC BAS TON              2000.000              6.50000              13000.00  
Haul Asphalt

MBE COMMITMENT TOTAL FOR SUBCONTRACTOR:                      13,000.00              ✓ arm

MBE SUBCONTRACTOR: 4957 DAVID L WILLIAMS DBA D L WILLIAMS DUMP TRUCK SERVI  
Will Use Quote: Yes

0007 1489000000-E ASP CONC BAS TON              1000.000              6.50000              6500.00  
Haul Asphalt  
0008 1498000000-E ASP CONC INT TON              1500.000              6.50000              9750.00  
Haul Asphalt

MBE COMMITMENT TOTAL FOR SUBCONTRACTOR:                      16,250.00              ✓ arm

MBE SUBCONTRACTOR: 5856 CHARLES SHAW DBA CLSHAW#1  
Will Use Quote: Yes

0008 1498000000-E ASP CONC INT TON              1000.000              6.50000              6500.00  
Haul Asphalt.  
0009 1519000000-E ASP CONC SUR TON              2000.000              6.50000              13000.00  
Haul Asphalt

MBE COMMITMENT TOTAL FOR SUBCONTRACTOR:                      19,500.00              ✓ arm

MBE SUBCONTRACTOR: 7721 BONILLA TRUCKING LLC  
Will Use Quote: Yes

0009 1519000000-E ASP CONC SUR TON              3500.000              6.50000              22750.00  
Haul Asphalt

MBE COMMITMENT TOTAL FOR SUBCONTRACTOR:                      22,750.00              ✓ arm

MBE SUBCONTRACTOR: 6956 REGINALD LLOYD DBA LLOYD'S TRUCKING  
Will Use Quote: Yes

0009 1519000000-E ASP CONC SUR TON              1000.000              6.50000              6500.00  
Haul Asphalt  
0010 1525000000-E ASP CONC SUR TON              1000.000              6.50000              6500.00  
Haul Asphalt

MBE COMMITMENT TOTAL FOR SUBCONTRACTOR:                      13,000.00              ✓ arm

NORTH CAROLINA STATE DEPARTMENT OF TRANSPORTATION  
MBE COMMITMENT ITEMS

DATE:10-17-11  
PAGE: 7

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

MBE SUBCONTRACTOR: 7624 KENNETH L HOWARD DBA KL HOWARD TRUCKING  
Will Use Quote: Yes

0010 1525000000-E -ASP CONC SUR TON           2000.000               6.50000                13000.00

MBE COMMITMENT TOTAL FOR SUBCONTRACTOR:

-----  
13,000.00

✓ arm

MBE SUBCONTRACTOR: 9357 Q BALL TRUCKING INC  
Will Use Quote: Yes

0010 1525000000-E ASP CONC SUR TON           3000.000               6.50000                19500.00

MBE COMMITMENT TOTAL FOR SUBCONTRACTOR:

-----  
19,500.00

✓ arm

TOTAL MBE COMMITMENT FOR VENDOR:

Entered:  
Required:

3.57% or  
4.00% or

117000.00  
130910.86

✓ arm

<GOAL NOT MET>

NORTH CAROLINA STATE DEPARTMENT OF TRANSPORTATION  
 WBE COMMITMENT ITEMS

DATE: 10-17-11  
 PAGE: 8

PROPOSAL: C202860  
 LETTING: L111115 CALL: 011  
 VENDOR: 3760 S. T. Wooten Corporation

LINE NO.	ITEM NO.	ITEM DESC.	UNIT TYPE	SUBCONTRACTOR QUANTITY	SUBCONTRACTOR UNIT PRICE	EXTENDED AMOUNT	
-----							
WBE SUBCONTRACTOR: 2446 HAROLD A. PURYEAR TRUCKING CO.							
Will Use Quote: Yes							
0011	1575000000-E	ASP FOR PLAN TON Haul Liquid Asphalt.		2153.000	20.00000	43060.00	
WBE COMMITMENT TOTAL FOR SUBCONTRACTOR:						43,060.00	✓ arm
-----							
WBE SUBCONTRACTOR: 3765 STAY ALERT SAFETY SERVICES INC							
Will Use Quote: Yes							
0001	0000100000-N	MOBILIZATION LS Install and Maintain Stationary Work Zone Signs.		1.000	7800.00000	7800.00	
WBE COMMITMENT TOTAL FOR SUBCONTRACTOR:						7,800.00	✓ arm
-----							
WBE SUBCONTRACTOR: 3304 FULFORD & JONES ASPHALT INC.							
Will Use Quote: Yes							
0013	2815000000-N	ADJ DROP INL EA		1.000	500.00000	500.00	
0014	2830000000-N	ADJ MANHOLES EA		5.000	450.00000	2250.00	
0015	2845000000-N	ADJ METER OR EA		7.000	400.00000	2800.00	
WBE COMMITMENT TOTAL FOR SUBCONTRACTOR:						5,550.00	✓ arm
-----							
WBE SUBCONTRACTOR: 2095 PARRISH CO INC							
Will Use Quote: Yes							
0028	6084000000-E	SEEDING AND ACR		11.000	1588.00000	17468.00	
WBE COMMITMENT TOTAL FOR SUBCONTRACTOR:						17,468.00	✓ arm
-----							
WBE SUBCONTRACTOR: 3418 NORTH STATE ENVIRONMENTAL, INC							
Will Use Quote: Yes							
0026	6000000000-E	TEMPORARY SI LF		1000.000	2.58000	2580.00	
0027	6071010000-E	WATTLE LF		660.000	5.14000	3392.40	
WBE COMMITMENT TOTAL FOR SUBCONTRACTOR:						5,972.40	✓ arm
-----							
TOTAL WBE COMMITMENT FOR VENDOR:				Entered:	2.44% or	79850.40	✓ arm
				Required:	4.00% or	130910.86	
						<GOAL NOT MET>	

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
<b>ROADWAY ITEMS</b>						
0001	0000100000-N	800	MOBILIZATION	Lump Sum LS	160,000.00	160,000.00
0002	0106000000-E	230	BORROW EXCAVATION	2,330 CY	21.75	50,677.50
0003	1220000000-E	545	INCIDENTAL STONE BASE	247 TON	40.00	9,880.00
0004	1245000000-E	SP	SHOULDER RECONSTRUCTION	18.15 SMI	1,800.00	32,670.00
0005	1297000000-E	607	MILLING ASPHALT PAVEMENT, **** DEPTH (1-1/2")	177,148 SY	0.75	132,861.00
0006	1297000000-E	607	MILLING ASPHALT PAVEMENT, **** DEPTH (3")	8,448 SY	1.40	11,827.20
0007	1489000000-E	610	ASPHALT CONC BASE COURSE, TYPE B25.0B	9,850 TON	38.00	374,300.00
0008	1498000000-E	610	ASPHALT CONC INTERMEDIATE COURSE, TYPE I19.0B	6,330 TON	34.00	215,220.00
0009	1519000000-E	610	ASPHALT CONC SURFACE COURSE, TYPE S9.5B	10,232 TON	32.00	327,424.00
0010	1525000000-E	610	ASPHALT CONC SURFACE COURSE, TYPE SF9.5A	12,356 TON	32.00	395,392.00
0011	1575000000-E	SP	ASPHALT BINDER FOR PLANT MIX	2,153 TON	550.00	1,184,150.00
0012	1704000000-E	SP	PATCHING EXISTING PAVEMENT	1,350 TON	115.00	155,250.00
0013	2815000000-N	858	ADJUSTMENT OF DROP INLETS	1 EA	500.00	500.00
0014	2830000000-N	858	ADJUSTMENT OF MANHOLES	5 EA	450.00	2,250.00
0015	2845000000-N	858	ADJUSTMENT OF METER BOXES OR VALVE BOXES	7 EA	400.00	2,800.00
0016	4685000000-E	1205	THERMOPLASTIC PAVEMENT MARKING LINES (4", 90 MILS)	221,118 LF	0.40	88,447.20
0017	4686000000-E	1205	THERMOPLASTIC PAVEMENT MARKING LINES (4", 120 MILS)	135,630 LF	0.51	69,171.30

## Contract Item Sheets For C202860

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
0018	4705000000-E	1205	THERMOPLASTIC PAVEMENT MARKING LINES (16", 120 MILS)	50 LF	8.00	400.00
0019	4710000000-E	1205	THERMOPLASTIC PAVEMENT MARKING LINES (24", 120 MILS)	145 LF	10.00	1,450.00
0020	4721000000-E	1205	THERMOPLASTIC PAVEMENT MARKING CHARACTER (120 MILS)	14 EA	125.00	1,750.00
0021	4810000000-E	1205	PAINT PAVEMENT MARKING LINES (4")	468,207 LF	0.06	28,092.42
0022	4830000000-E	1205	PAINT PAVEMENT MARKING LINES (16")	50 LF	1.00	50.00
0023	4835000000-E	1205	PAINT PAVEMENT MARKING LINES (24")	45 LF	2.00	90.00
0024	4840000000-N	1205	PAINT PAVEMENT MARKING CHARACTER	2 EA	75.00	150.00
0025	4900000000-N	1251	PERMANENT RAISED PAVEMENT MARKERS	591 EA	3.50	2,068.50
0026	6000000000-E	1605	TEMPORARY SILT FENCE	1,000 LF	2.58	2,580.00
0027	6071010000-E	SP	WATTLE	660 LF	5.14	3,392.40
0028	6084000000-E	1660	SEEDING & MULCHING	11 ACR	1,588.00	17,468.00
0029	7444000000-E	1725	INDUCTIVE LOOP SAWCUT	400 LF	6.00	2,400.00
0030	7456000000-E	1726	LEAD-IN CABLE (*****) (14-2)	60 LF	1.00	60.00

TOTAL AMOUNT OF BID FOR ENTIRE PROJECT

\$3,272,771.52

Contract No. C202860  
County Warren

Rev. 5-19-11

**EXECUTION OF CONTRACT  
NON-COLLUSION AFFIDAVIT, DEBARMENT CERTIFICATION AND GIFT BAN CERTIFICATION**

**CORPORATION**

The Contractor being duly sworn, solemnly swears (or affirms) that neither he, nor any official, agent or employee has entered into any agreement, participated in any collusion, or otherwise taken any action which is in restraint of free competitive bidding in connection with this Contract, that the Contractor has not been convicted of violating *N.C.G.S. § 133-24* within the last three years, and that the Contractor intends to do the work with its own bonafide employees or subcontractors and did not bid for the benefit of another contractor.

By submitting this Execution of Contract, Non-Collusion Affidavit and Debarment Certification, the Contractor is certifying his status under penalty of perjury under the laws of the United States in accordance with the Debarment Certification attached, provided that the Debarment Certification also includes any required statements concerning exceptions that are applicable.

*N.C.G.S. § 133-32* and Executive Order 24 prohibit the offer to, or acceptance by, any State Employee of any gift from anyone with a contract with the State, or from any person seeking to do business with the State. By execution of any response in this procurement, you attest, for your entire organization and its employees or agents, that you are not aware that any such gift has been offered, accepted, or promised by any employees of your organization.

**SIGNATURE OF CONTRACTOR**

S. T. Wooten Corporation

Full name of Corporation

P. O. Box 2408; Wilson, NC 27894

Address as Prequalified

Attest W. Reade Dawson By Gregory N. Nelson  
~~Secretary/Assistant Secretary~~ ~~President/Vice President/Assistant Vice President~~  
Select appropriate title Select appropriate title

W. Reade Dawson

Print or type Signer's name

Gregory N. Nelson

Print or type Signer's name

**CORPORATE SEAL**

**AFFIDAVIT MUST BE NOTARIZED**

Subscribed and sworn to before me this the  
23rd day of November 2011.

Debra J. Brewer  
Signature of Notary Public

**NOTARY SEAL**

of Johnston County

State of NC

My Commission Expires: 02/05/2013

## 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**     C202860

**County (ies):**   Warren

ACCEPTED BY THE  
DEPARTMENT OF TRANSPORTATION



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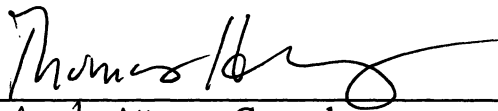
Contract Officer

12/7/11

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Date

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



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Asst, Attorney General

Contract No. C202860  
 County Warren

### CONTRACT PAYMENT BOND

Date of Payment Bond Execution	November 30, 2011
Name of Principal Contractor	S. T. Wooten Corporation
Name of Surety:	Liberty Mutual Insurance Company 175 Berkeley St; Boston, MA 02117
Name of Contracting Body:	<b>North Carolina Department of Transportation</b>
	<b>Raleigh, North Carolina</b>
Amount of Bond:	\$3,272,771.52
Contract ID No.:	C202860
County Name:	Warren

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. C202860  
County Warren


**CONTRACT PAYMENT BOND**

*Affix Seal of Surety Company*

Liberty Mutual Insurance Company  
Print or type Surety Company Name

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

Debra S. Ritter  
Signature of Attorney-in-Fact

  
Signature of Witness

Ramona Fewell  
Print or type Signer's Name

Rutherford A Marsh & McLennan Agency LLC Company  
6230 Fairview Road Suite 230  
Charlotte, NC 28210  
Address of Attorney-in-Fact

Contract No. C202860  
County Warren

**CONTRACT PAYMENT BOND**

**CORPORATION**

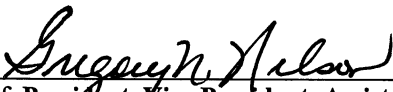
SIGNATURE OF CONTRACTOR (Principal)

S. T. Wooten Corporation

Full name of Corporation

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

Address as prequalified

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

Gregory N. Nelson  
Print or type Signer's name

*Affix Corporate Seal*

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

W. Reade Dawson  
Print or type Signer's name

Contract No. C202860  
County Warren

**CONTRACT PERFORMANCE BOND**

Date of Performance Bond Execution: November 30, 2011

Name of Principal Contractor: S. T. Wooten Corporation  
Liberty Mutual Insurance Company

Name of Surety: 175 Berkeley Street; Boston, MA 02117

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

Amount of Bond: \$3,272,771.52

Contract ID No.: C202860

County Name: Warren

\_\_\_\_\_

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KNOW ALL MEN BY THESE PRESENTS, That we, the PRINCIPAL CONTRACTOR (hereafter, PRINCIPAL) and SURETY above named, are held and firmly bound unto the above named Contracting Body, hereinafter called the Contracting Body, in the penal sum of the amount stated above for the payment of which sum well and truly to be made, we bind ourselves, our heirs, executors, administrators, and successors, jointly and severally, firmly by these presents.

THE CONDITION OF THIS OBLIGATION IS SUCH that whereas the principal entered into a certain contract with the Contracting Body, numbered as shown above and hereto attached:

NOW THEREFORE, if the principal shall well and truly perform and fulfill all the undertakings, covenants, terms, conditions, and agreements of said contract during the original term of said contract and any extensions thereof that may be granted by the Contracting Body, with or without notice to the Surety, and during the life of any guaranty required under the contract, and shall also well and truly perform and fulfill all the undertakings, covenants, terms, conditions, and agreements of any and all duly authorized modifications of said contract that may hereafter be made, notice of which modifications to the surety being hereby waived, then this obligation to be void; otherwise to remain in full force and virtue.

IN WITNESS WHEREOF, the above-bound parties have executed this instrument under their several seals on the date indicated above, the name and corporate seal of each corporate party being hereto affixed and these presents duly signed by it undersigned representative, pursuant to authority of its governing body.

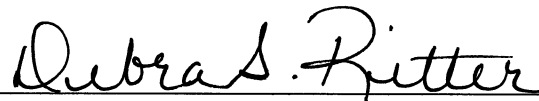
Contract No. C202860  
County Warren

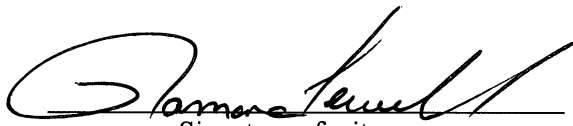
**CONTRACT PERFORMANCE BOND**

*Affix Seal of Surety Company*

Liberty Mutual Insurance Co.  
Print or type Surety Company Name

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

  
Signature of Attorney-in-Fact

  
Signature of witness

Ramona Fewell  
Print or type Signer's Name

Rutherford A Marsh & McLennan Agency LLC Company  
6230 Fairview Road Suite 230  
Charlotte, NC 28210  
Address of Attorney-in-Fact

Contract No. C202860  
County Warren

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

SIGNATURE OF CONTRACTOR (Principal)


S. T. Wooten Corporation  
Full name of Corporation

Post Office Box 2408; Wilson, North Carolina 27894-2408  
Address as prequalified

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

Gregory N. Nelson  
Print or type Signer's name

*Affix Corporate Seal*

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

W. Reade Dawson  
Print or type Signer's name



THIS POWER OF ATTORNEY IS NOT VALID UNLESS IT IS PRINTED ON RED BACKGROUND.

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.

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
RAYMOND J. GARRUTO, DEBRA S. RITTER, RAMONA FEWELL, MARTIN D. PALLAZZA, BRAD W. GIBSON, ANGELA M. YOUNT, ALL OF THE CITY OF CHARLOTTE, STATE OF NORTH CAROLINA.....

, each individually if there be more than one named, its true and lawful attorney-in-fact to make, execute, seal, acknowledge and deliver, for and on its behalf as surety and as its act and deed, any and all undertakings, bonds, recognizances and other surety obligations in the penal sum not exceeding FIVE HUNDRED MILLION AND 00/100..... DOLLARS (\$ 500,000,000.00.....) each, and the execution of such undertakings, bonds, recognizances and other surety obligations, in pursuance of these presents, shall be as binding upon the Company as if they had been duly signed by the president and attested by the secretary of the Company in their own proper persons.

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 1st day of November, 2010.

LIBERTY MUTUAL INSURANCE COMPANY

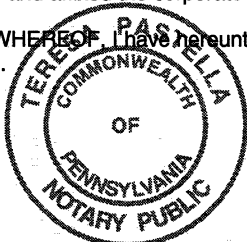
By Garnet W. Elliott, Assistant Secretary



COMMONWEALTH OF PENNSYLVANIA ss
COUNTY OF MONTGOMERY

On this 1st day of November, 2010, 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
Member, Pennsylvania Association of Notaries

By 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 30th day of November, 2011.



By David M. Carey, Assistant Secretary

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 1-610-832-8240 between 9:00 am and 4:30 pm EST on any business day.