

Vendor 1 of 1: CARL ROSE & SONS, INC. (3619)
Call Order 037 (Proposal: C202895)

Bid Information

County: WILKES

Address: P.O. Box 786
217 Asphalt Trl.
Elkin , NC , 28621

Signature Check: Dean_Rose_3619

Time Bid Received: December 20, 2011 01:21 PM

Amendment Count: 0

Bid Checksum: D78818AE

Bid Total: \$4,787,094.21

Items Total: \$4,787,094.21 ✓

Time Total: \$0.00

Bidding Errors:

DBE Warning : MBE Warning: MBE Commitment Goal not met

DBE Warning : DBEName Mac 1 Trucking not chosen from

**Vendor 1 of 1: CARL ROSE & SONS, INC. (3619)
Call Order 037 (Proposal: C202895)**

Bid Bond Information

Projects:	Bond Maximum:
Counties:	State of Incorporation:
Bond ID: SNC11864906	Agency Execution Date: 12/1/2011 11
Paid by Check: No	Surety Name: surety2000
Bond Percent: 5%	Bond Agency Name: Pacific Indemnity Company

Vendor 3619's Bid Information for Call 037, Letting L111220, 12/20/11

Carl Rose And Sons Inc (3619)
Call Order 037 (Proposal ID C202895)

This bid contains bid errors:

DBE Warning : MBE Warning: MBE Commitment Goal not met

DBE Warning : DBEName Mac 1 Trucking not chosen from list (WBE #4)

MBE GOAL SET 5.0

MBE GOAL OBT 1.3

WBE GOAL SET 5.0

WBE GOAL MET 5.2

Vendor 3619's Bid Information for Call 037, Letting L111220, 12/20/11

Carl Rose And Sons Inc (3619)
Call Order 037 (Proposal ID C202895)

LIST OF MBE PARTICIPANTS

VENDOR NUMBER	DBE NAME ADDRESS	WORK CODE TYPE OF WORK	CERT TYPE AMOUNT	
7505	MB SLOAN TRUCKING P.O. BOX 752 , MORAVIAN FALLS, NC 28654		Sub 31,590.00	✓ arm
6715	MB F-T TRUCKING LLC 6034 OLD ORCHARD ROAD , KERNERSVILLE, NC 27284		Sub 32,760.00	✓ arm
			TOTAL: \$64,350.00	✓ arm
			1.34%	

Vendor 3619's Bid Information for Call 037, Letting L111220, 12/20/11

Carl Rose And Sons Inc (3619)
Call Order 037 (Proposal ID C202895)

LIST OF WBE PARTICIPANTS

VENDOR NUMBER	DBE NAME ADDRESS	WORK CODE TYPE OF WORK	CERT TYPE AMOUNT	
8932	WB A & R MATERIALS, LLC 9450 MOSS PLANTATION AVE , CONCORD, NC 28027		Sup 260,000.00 156,000.00	✓ arm
4434	WB LONG BROTHERS OF SUMMERFIELD, I PO BOX 35048 , GREENSBORO, NC 27425		Sub 19,280.00	✓ arm
4388	WB FOOTHILLS CONSTRUCTION SERV INC 6081 PEA RIDGE PASS , HAMPTONVILLE, NC 27020		Sub 45,146.00	✓ arm
64524	WB Mac 1 Trucking Prison Camp Rd. Dobson NC		Sub 16,380.00	✓ arm
4761	WB TRAFFIC CONTROL SAFETY SERVICES POST OFFICE BOX 24511 , WINSTON-SALEM, NC 27114		Sub 14,000.00	✓ arm
			TOTAL: \$250,806.00	✓ arm
			5.24%	

Vendor 3619's Bid Information for Call 037, Letting L111220, 12/20/11

Carl Rose And Sons Inc (3619)
Call Order 037 (Proposal ID C202895)

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:

=====

BondID: SNC11864906
Surety Registry Agency: surety2000
Verified?: Yes
Surety Agency: Pacific Indemnity Company
Bond Execution Date: 12/1/2011 11:38:42 AM
Bond Amount: \$239,354.71 (Five Percent of Bid)

State of NC
Dept of Transportation

Date: 11-21-11
Revised:

Contract ID: C202895 Project(s): STATE FUNDED
Letting Date: 12-20-11 Call Order: 037
Bidder: 3619 - Carl Rose And Sons Inc

Line No.	Item Description	Approx. Quantity and Units	Unit Price Dollars Cts	Bid Amount Dollars Ct
Section 0001 ROADWAY ITEMS				
Alt Group				
0001	0000100000-N MOBILIZATIO N	LUMP	LUMP	90,400.00
0002	0106000000-E BORROW EXCAVATION	5,174.000 CY	19.36000	100,168.64
0003	1220000000-E INCIDENTAL STONE BASE	630.000 TON	37.27000	23,480.10
0004	1245000000-E SHOULDER RECONSTRUCTION	51.740 SMI	2,900.00000	150,046.00
0005	1297000000-E MILLING ASPHALT PAVEMENT, ***"DEPTH (1-1/2")	36,000.000 SY	1.93000	69,480.00
0006	1308000000-E MILLING ASPHALT PAVEMENT, ***"TO *****" DEPTH (0" TO 1-1/2")	500.000 SY	24.70000	12,350.00
0007	1308000000-E MILLING ASPHALT PAVEMENT, ***"TO *****" DEPTH (0" TO 3")	1,290.000 SY	27.00000	34,830.00
0008	1519000000-E ASPHALT CONC SURFACE COURSE, TYPE S9.5B	13,059.000 TON	43.48000	567,805.32
0009	1523000000-E ASPHALT CONC SURFACE COURSE, TYPE S9.5C	22,675.000 TON	42.50000	963,687.50
0010	1525000000-E ASPHALT CONC SURFACE COURSE, TYPE SF9.5A	4,420.000 TON	43.27000	191,253.40

Dept of Transportation

Revised:

Contract ID: C202895

Project(s): STATE FUNDED

Letting Date: 12-20-11 Call Order: 037

Bidder: 3619 - Carl Rose And Sons Inc

Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
0011	1575000000-E ASPHALT BINDER FOR PLANT MIX	2,793.000 TON	644.76000		1,800,814.68	
0012	1704000000-E PATCHING EXISTING PAVEMENT	200.000 TON	125.00000		25,000.00	
0013	1814000000-E ASPHALT SURFACE TREATMENT, STRAIGHT SEAL	76,032.000 SY	1.95000		148,262.40	
0014	1891000000-E GENERIC PAVING ITEM THIN LIFT HOT MIX ASPHALT	115,685.000 SY	2.48000		286,898.80	
0015	2800000000-N ADJUSTMENT OF CATCH BASINS	1.000 EA	500.00000		500.00	
0016	2830000000-N ADJUSTMENT OF MANHOLES	14.000 EA	500.00000		7,000.00	
0017	2845000000-N ADJUSTMENT OF METER BOXES OR VALVE BOXES	13.000 EA	500.00000		6,500.00	
0018	4810000000-E PAINT PAVEMENT MARKING LINES (4")	1,338,199.000 LF	0.13000		173,965.87	
0019	4815000000-E PAINT PAVEMENT MARKING LINES (6")	109,810.000 LF	0.16000		17,569.60	
0020	4820000000-E PAINT PAVEMENT MARKING LINES (8")	1,674.000 LF	0.35000		585.90	
0021	4835000000-E PAINT PAVEMENT MARKING LINES (24")	1,178.000 LF	3.50000		4,123.00	
0022	4840000000-N PAINT PAVEMENT MARKING CHARACTER	40.000 EA	37.50000		1,500.00	

Dept of Transportation

Revised:

Contract ID: C202895

Project(s): STATE FUNDED

Letting Date: 12-20-11 Call Order: 037

Bidder: 3619 - Carl Rose And Sons Inc

Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
0023	4845000000-N PAINT PAVEMENT MARKING SYMBOL	243.000 EA	42.50000		10,327.50	
0024	4905000000-N SNOWPLOWABL E PAVEMENT MARKERS	2,591.000 EA	24.50000		63,479.50	
0025	6084000000-E SEEDING & MULCHING	18.800 ACR	1,195.00000		22,466.00	
0026	7300000000-E UNPAVED TRENCHING (***** (1, 2"))	200.000 LF	6.00000		1,200.00	
0027	7444000000-E INDUCTIVE LOOP SAWCUT	2,400.000 LF	5.50000		13,200.00	
0028	7456000000-E LEAD-IN CABLE (***** (14-2)	200.000 LF	1.00000		200.00	
	Section 0001 Total				4,787,094.21	
	Bid Total				4,787,094.21	

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.

WBE COMMITMENT ITEMS

PROPOSAL: C202895
 LETTING: L111220 CALL: 037
 VENDOR: 3619 Carl Rose And Sons Inc

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

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

0011	1575000000-E	ASP FOR PLAN	TON	400.000	650.00000	260000.00
WBE COMMITMENT TOTAL FOR SUBCONTRACTOR: ✓ arm						260,000.00

WBE SUBCONTRACTOR: 4434 LONG BROTHERS OF SUMMERFIELD, INC.
 Will Use Quote: Yes

0011	1575000000-E	ASP FOR PLAN	TON	200.000	14.50000	2900.00
		Haul PG 64-22 only				
0009	1523000000-E	ASP CONC SUR	TON	234.000	70.00000	16380.00
		Partial Haul only, 234 hours @ 70.00 per hour=16,380.00				
WBE COMMITMENT TOTAL FOR SUBCONTRACTOR: ✓ arm						19,280.00

WBE SUBCONTRACTOR: 4388 FOOTHILLS CONSTRUCTION SERV INC
 Will Use Quote: Yes

0003	1220000000-E	INCIDENTAL S	TON	630.000	36.00000	22680.00
0025	6084000000-E	SEEDING AND	ACR	18.800	1195.00000	22466.00
WBE COMMITMENT TOTAL FOR SUBCONTRACTOR: ✓ arm						45,146.00

WBE SUBCONTRACTOR: 64524 Mac 1 Trucking
 Will Use Quote: Yes

0009	1523000000-E	ASP CONC SUR	TON	234.000	70.00000	16380.00
		Partial Haul only, 234 Hours @ 70.00 per hour= 1,380.00				
WBE COMMITMENT TOTAL FOR SUBCONTRACTOR:						16,380.00

WBE SUBCONTRACTOR: 4761 TRAFFIC CONTROL SAFETY SERVICES, INC.
 Will Use Quote: Yes

0001	0000100000-N	MOBILIZATION	LS	1.000	14000.00000	14000.00
WBE COMMITMENT TOTAL FOR SUBCONTRACTOR: ✓ arm						14,000.00 ✓ arm

TOTAL WBE COMMITMENT FOR VENDOR:	Entered:	5.24% or	250806.00
	Required:	5.00% or	239354.71
		✓ arm	<GOAL MET>

Contract Item Sheets For C202895

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
ROADWAY ITEMS						
0001	0000100000-N	800	MOBILIZATION	Lump Sum LS	90,400.00	90,400.00
0002	0106000000-E	230	BORROW EXCAVATION	5,174 CY	19.36	100,168.64
0003	1220000000-E	545	INCIDENTAL STONE BASE	630 TON	37.27	23,480.10
0004	1245000000-E	SP	SHOULDER RECONSTRUCTION	51.74 SMI	2,900.00	150,046.00
0005	1297000000-E	607	MILLING ASPHALT PAVEMENT, **** DEPTH (1-1/2")	36,000 SY	1.93	69,480.00
0006	1308000000-E	607	MILLING ASPHALT PAVEMENT, **** TO ***** DEPTH (0" TO 1-1/2")	500 SY	24.70	12,350.00
0007	1308000000-E	607	MILLING ASPHALT PAVEMENT, **** TO ***** DEPTH (0" TO 3")	1,290 SY	27.00	34,830.00
0008	1519000000-E	610	ASPHALT CONC SURFACE COURSE, TYPE S9.5B	13,059 TON	43.48	567,805.32
0009	1523000000-E	610	ASPHALT CONC SURFACE COURSE, TYPE S9.5C	22,675 TON	42.50	963,687.50
0010	1525000000-E	610	ASPHALT CONC SURFACE COURSE, TYPE SF9.5A	4,420 TON	43.27	191,253.40
0011	1575000000-E	SP	ASPHALT BINDER FOR PLANT MIX	2,793 TON	644.76	1,800,814.68
0012	1704000000-E	SP	PATCHING EXISTING PAVEMENT	200 TON	125.00	25,000.00
0013	1814000000-E	660	ASPHALT SURFACE TREATMENT, STRAIGHT SEAL	76,032 SY	1.95	148,262.40
0014	1891000000-E	SP	GENERIC PAVING ITEM THIN LIFT HOT MIX ASPHALT	115,685 SY	2.48	286,898.80
0015	2800000000-N	858	ADJUSTMENT OF CATCH BASINS	1 EA	500.00	500.00
0016	2830000000-N	858	ADJUSTMENT OF MANHOLES	14 EA	500.00	7,000.00
0017	2845000000-N	858	ADJUSTMENT OF METER BOXES OR VALVE BOXES	13 EA	500.00	6,500.00
0018	4810000000-E	1205	PAINT PAVEMENT MARKING LINES (4")	1,338,199 LF	0.13	173,965.87

Contract Item Sheets For C202895

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
0019	4815000000-E	1205	PAINT PAVEMENT MARKING LINES (6")	109,810 LF	0.16	17,569.60
0020	4820000000-E	1205	PAINT PAVEMENT MARKING LINES (8")	1,674 LF	0.35	585.90
0021	4835000000-E	1205	PAINT PAVEMENT MARKING LINES (24")	1,178 LF	3.50	4,123.00
0022	4840000000-N	1205	PAINT PAVEMENT MARKING CHARACTER	40 EA	37.50	1,500.00
0023	4845000000-N	1205	PAINT PAVEMENT MARKING SYMBOL	243 EA	42.50	10,327.50
0024	4905000000-N	1253	SNOWPLOWABLE PAVEMENT MARKERS	2,591 EA	24.50	63,479.50
0025	6084000000-E	1660	SEEDING & MULCHING	18.8 ACR	1,195.00	22,466.00
0026	7300000000-E	1715	UNPAVED TRENCHING (*****) (1, 2")	200 LF	6.00	1,200.00
0027	7444000000-E	1725	INDUCTIVE LOOP SAWCUT	2,400 LF	5.50	13,200.00
0028	7456000000-E	1726	LEAD-IN CABLE (*****) (14-2)	200 LF	1.00	200.00

TOTAL AMOUNT OF BID FOR ENTIRE PROJECT

\$4,787,094.21



Contract No. C202895
County Caldwell-Wilkes

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
CARL ROSE & SONS, INC.**

Full name of Corporation

P. O. Box 786 ELKIN, NORTH CAROLINA 28621

Address as Prequalified

Attest

C. Dean Rose
Secretary/~~Assistant Secretary~~
Select appropriate title

By

[Signature]
President/~~Vice President/Assistant Vice President~~
Select appropriate title

C. DEAN ROSE

Print or type Signer's name

DALE E. ROSE

Print or type Signer's name

CORPORATE SEAL

AFFIDAVIT MUST BE NOTARIZED

Subscribed and sworn to before me this the

11th day of January 2012

Janice N. Stanley
Signature of Notary Public

of YADKIN County

State of NORTH CAROLINA

My Commission Expires: MAY 6, 2015

NOTARY SEAL

Notary Public
Janice N. Stanley
Yadkin County, NC
My Commission Expires
May 6, 2015

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.

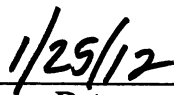
Contract No **C202895**

County (ies): **Caldwell, Wilkes**

**ACCEPTED BY THE
DEPARTMENT OF TRANSPORTATION**

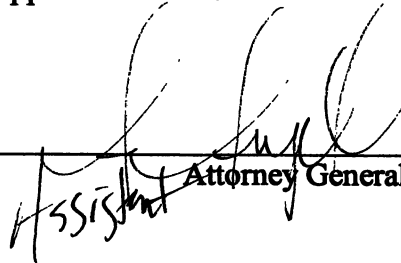


Contract Officer



Date

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



Assistant Attorney General

Contract No. C202895
 County Wilkes

CONTRACT PAYMENT BOND

Date of Payment Bond Execution January 18, 2012

Name of Principal Contractor Carl Rose & Sons, Inc.

Name of Surety: Federal Insurance Company

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

Amount of Bond: (\$4,787,094.21) Four Million Seven Hundred Eighty Seven
Thousand Ninety Four Dollars and 21/100

Contract ID No.: C202895

County Name: Wilkes

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. **C202895**
County CALDWELL, WILKES

Rev 5-17-11

**CONTRACT PAYMENT BOND
CORPORATION**

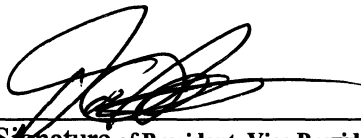
SIGNATURE OF CONTRACTOR (Principal)

CARL ROSE & SONS, INC.

Full name of Corporation

P. O. BOX 786 ELKIN, NORTH CAROLINA 28621


Address as prequalified

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

DALE E. ROSE

Print or type Signer's name

Affix Corporate Seal

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

C. DEAN ROSE

Print or type Signer's name



**Chubb
Surety**

**POWER
OF
ATTORNEY**

**Federal Insurance Company
Vigilant Insurance Company
Pacific Indemnity Company**

**Attn: Surety Department
15 Mountain View Road
Warren, NJ 07059**

Know All by These Presents, That FEDERAL INSURANCE COMPANY, an Indiana corporation, VIGILANT INSURANCE COMPANY, a New York corporation, and PACIFIC INDEMNITY COMPANY, a Wisconsin corporation, do each hereby constitute and appoint

Donna K. Ashley

as their true and lawful Attorney-in-Fact to execute under such designation in their names and to affix their corporate seals to and deliver for and on their behalf as surety thereon or otherwise, the following Surety Bond:

Surety Bond Number :8220-57-49
Obligee :North Carolina Department of Transportation

And the execution of such bond or obligation by such Attorney-in-Fact in the Company's name and on its behalf as surety thereon or otherwise, under its corporate seal, in pursuance of the authority hereby conferred shall, upon delivery thereof, be valid and binding upon the Company.

In Witness Whereof, said FEDERAL INSURANCE COMPANY, VIGILANT INSURANCE COMPANY, and PACIFIC INDEMNITY COMPANY have each executed and attested these presents and affixed their corporate seals on this 20th day of November, 2008.

Kenneth C. Wendel

Kenneth C. Wendel, Assistant Secretary

Richard A. Ciullo

Richard A. Ciullo, Vice President

STATE OF NEW JERSEY

ss.

County of Somerset

On this 20th day of November, 2008, before me, a Notary Public of New Jersey, personally came Kenneth C. Wendel, to me known to be Assistant Secretary of FEDERAL INSURANCE COMPANY, VIGILANT INSURANCE COMPANY, and PACIFIC INDEMNITY COMPANY, the companies which executed the foregoing Power of Attorney, and the said Kenneth C. Wendel, being by me duly sworn, did depose and say that he is Assistant Secretary of FEDERAL INSURANCE COMPANY, VIGILANT INSURANCE COMPANY, and PACIFIC INDEMNITY COMPANY and knows the corporate seals thereof, that the seals affixed to the foregoing Power of Attorney are such corporate seals and were thereto affixed by authority of the By-Laws of said Companies; and that he signed said Power of Attorney as Assistant Secretary of said Companies by like authority; and that he is acquainted with Richard A. Ciullo, and knows him to be Vice President of said Companies; and that the signature of Richard A. Ciullo, subscribed to said Power of Attorney is in the genuine handwriting of Richard A. Ciullo, and was thereto subscribed by authority of said By-Laws and in deponent's presence.

Notarial Seal



WENDIE WALSH
Notary Public, State of New Jersey
No. 0054504
Commission Expires April 18, 2013

Wendie Walsh

Notary

Public

CERTIFICATION

Extract from the By-Laws of FEDERAL INSURANCE COMPANY, VIGILANT INSURANCE COMPANY, and PACIFIC INDEMNITY COMPANY:

"All powers of attorney for and on behalf of the Company may and shall be executed in the name and on behalf of the Company, either by the Chairman or the President or a Vice President or an Assistant Vice President, jointly with the Secretary or an Assistant Secretary, under their respective designations. The signature of such officers may be engraved, printed or lithographed. The signature of each of the following officers: Chairman, 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 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 upon the Company with respect to any bond or undertaking to which it is attached."

I, Kenneth C. Wendel, Assistant Secretary of FEDERAL INSURANCE COMPANY, VIGILANT INSURANCE COMPANY, and PACIFIC INDEMNITY COMPANY (the "Companies") do hereby certify that

- (i) the foregoing extract of the By-Laws of the Companies is true and correct,
- (ii) the Companies are duly licensed and authorized to transact surety business in all 50 of the United States of America and the District of Columbia and are authorized by the U.S. Treasury Department; further, Federal and Vigilant are licensed in Puerto Rico and the U.S. Virgin Islands, and Federal is licensed in American Samoa, Guam, and each of the Provinces of Canada except Prince Edward Island; and
- (iii) the foregoing Power of Attorney is true, correct and in full force and effect.

Given under my hand and seals of said Companies at Warren, NJ this 18th day of January, 2012



Kenneth C. Wendel

Kenneth C. Wendel, Assistant Secretary

IN THE EVENT YOU WISH TO NOTIFY US OF A CLAIM, VERIFY THE AUTHENTICITY OF THIS BOND OR NOTIFY US OF ANY OTHER MATTER, PLEASE CONTACT US AT ADDRESS LISTED ABOVE, OR BY Telephone (908) 903- 3493 Fax (908) 903- 3656 e-mail: surety@chubb.com

Contract No. C202895
County Wilkes

CONTRACT PERFORMANCE BOND

Date of Performance Bond Execution: January 18, 2012
Name of Principal Contractor: Carl Rose & Sons, Inc.
Name of Surety: Federal Insurance Company
Name of Contracting Body: North Carolina Department of Transportation
Raleigh, North Carolina
Amount of Bond: (\$4,787,094.21) Four Million Seven Hundred Eighty Seven
Thousand Ninety Four Dollars and 21/100
Contract ID No.: C202895
County Name: Wilkes

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 PERFORMANCE BOND
CORPORATION**


SIGNATURE OF CONTRACTOR (Principal)

CARL ROSE & SONS, INC.

Full name of Corporation

P. O. BOX 786 ELKIN, NORTH CAROLINA 28621

Address as prequalified


By 

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

DALE E. ROSE

Print or type Signer's name

Affix Corporate Seal

Attest 

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

C. DEAN ROSE

Print or type Signer's name



**Chubb
Surety**

**POWER
OF
ATTORNEY**

**Federal Insurance Company
Vigilant Insurance Company
Pacific Indemnity Company**

**Attn: Surety Department
15 Mountain View Road
Warren, NJ 07059**

Know All by These Presents, That FEDERAL INSURANCE COMPANY, an Indiana corporation, VIGILANT INSURANCE COMPANY, a New York corporation, and PACIFIC INDEMNITY COMPANY, a Wisconsin corporation, do each hereby constitute and appoint

Donna K. Ashley

as their true and lawful Attorney-in-Fact to execute under such designation in their names and to affix their corporate seals to and deliver for and on their behalf as surety thereon or otherwise, the following Surety Bond:

Surety Bond Number :8220-57-49
Obligee :North Carolina Department of Transportation

And the execution of such bond or obligation by such Attorney-in-Fact in the Company's name and on its behalf as surety thereon or otherwise, under its corporate seal, in pursuance of the authority hereby conferred shall, upon delivery thereof, be valid and binding upon the Company.

In Witness Whereof, said FEDERAL INSURANCE COMPANY, VIGILANT INSURANCE COMPANY, and PACIFIC INDEMNITY COMPANY have each executed and attested these presents and affixed their corporate seals on this 20th day of November, 2008.

Kenneth C. Wendel

Kenneth C. Wendel, Assistant Secretary

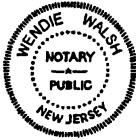
Richard A. Ciullo

Richard A. Ciullo, Vice President

STATE OF NEW JERSEY
County of Somerset ss.

On this 20th day of November, 2008, before me, a Notary Public of New Jersey, personally came Kenneth C. Wendel, to me known to be Assistant Secretary of FEDERAL INSURANCE COMPANY, VIGILANT INSURANCE COMPANY, and PACIFIC INDEMNITY COMPANY, the companies which executed the foregoing Power of Attorney, and the said Kenneth C. Wendel, being by me duly sworn, did depose and say that he is Assistant Secretary of FEDERAL INSURANCE COMPANY, VIGILANT INSURANCE COMPANY, and PACIFIC INDEMNITY COMPANY and knows the corporate seals thereof, that the seals affixed to the foregoing Power of Attorney are such corporate seals and were thereto affixed by authority of the By-Laws of said Companies; and that he signed said Power of Attorney as Assistant Secretary of said Companies by like authority; and that he is acquainted with Richard A. Ciullo, and knows him to be Vice President of said Companies; and that the signature of Richard A. Ciullo, subscribed to said Power of Attorney is in the genuine handwriting of Richard A. Ciullo, and was thereto subscribed by authority of said By-Laws and in deponent's presence.

Notarial Seal



**WENDIE WALSH
Notary Public, State of New Jersey
No. 0054504
Commission Expires April 18, 2013**

Wendie Walsh

Notary

Public

CERTIFICATION

Extract from the By-Laws of FEDERAL INSURANCE COMPANY, VIGILANT INSURANCE COMPANY, and PACIFIC INDEMNITY COMPANY:

"All powers of attorney for and on behalf of the Company may and shall be executed in the name and on behalf of the Company, either by the Chairman or the President or a Vice President or an Assistant Vice President, jointly with the Secretary or an Assistant Secretary, under their respective designations. The signature of such officers may be engraved, printed or lithographed. The signature of each of the following officers: Chairman, 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 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 upon the Company with respect to any bond or undertaking to which it is attached."

I, Kenneth C. Wendel, Assistant Secretary of FEDERAL INSURANCE COMPANY, VIGILANT INSURANCE COMPANY, and PACIFIC INDEMNITY COMPANY (the "Companies") do hereby certify that

- (i) the foregoing extract of the By-Laws of the Companies is true and correct,
- (ii) the Companies are duly licensed and authorized to transact surety business in all 50 of the United States of America and the District of Columbia and are authorized by the U.S. Treasury Department; further, Federal and Vigilant are licensed in Puerto Rico and the U.S. Virgin Islands, and Federal is licensed in American Samoa, Guam, and each of the Provinces of Canada except Prince Edward Island; and
- (iii) the foregoing Power of Attorney is true, correct and in full force and effect.

Given under my hand and seals of said Companies at Warren, NJ this 18th day of January, 2012



Kenneth C. Wendel

Kenneth C. Wendel, Assistant Secretary

IN THE EVENT YOU WISH TO NOTIFY US OF A CLAIM, VERIFY THE AUTHENTICITY OF THIS BOND OR NOTIFY US OF ANY OTHER MATTER, PLEASE CONTACT US AT ADDRESS LISTED ABOVE, OR BY Telephone (908) 903- 3493 Fax (908) 903- 3656 e-mail: surety@chubb.com