

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

C202808

CONTRACT AND
CONTRACT BONDS

FOR CONTRACT NO. C202808

WBS 45458.3.1 NHS-0158(54)

T.I.P NO. R-5517

COUNTY OF CURRITUCK
THIS IS THE ROADWAY CONTRACT
ROUTE NUMBER US 158 LENGTH 24.250 MILES
LOCATION US-158 FROM US-168 TO THE WRIGHT MEMORIAL BRIDGE.

CONTRACTOR RPC CONTRACTING INC
ADDRESS P.O. BOX 333
KITTY HAWK, NC 27949

BIDS OPENED JANUARY 17, 2012
CONTRACT EXECUTION FEB 13 2012

Vendor 1 of 2: RPC CONTRACTING INC (3413) Call Order 005 (Proposal: C202808)

Bid Information

County: CURRITUCK

Address: PO Box 333
934 West Kitty Hawk Road
Kitty Hawk , NC , 27949

Signature Check: Jay_R_Hawekotte_3413

Time Bid Received: January 17, 2012 12:56 PM

Amendment Count: 1

Bid Checksum: C8FF13FA

Bid Total: \$13,378,477.27

Items Total: \$13,378,477.27 ✓

Time Total: \$0.00

Bidding Errors:

None.

DBE GOAL SET 5.0

DBE GOAL MET 5.0

**Vendor 1 of 2: RPC CONTRACTING INC (3413)
Call Order 005 (Proposal: C202808)**

Bid Bond Information

Projects:	Bond Maximum:
Counties:	State of Incorporation:
Bond ID: SNC12904388	Agency Execution Date: 1/9/12
Paid by Check: No	Surety Name: surety2000
Bond Percent:	Bond Agency Name: Travelers Casualty and Surety Company of America

Vendor 3413's Bid Information for Call 005, Letting L120117, 01/17/12

R.P.C. Contracting, Inc. (3413)
Call Order 005 (Proposal ID C202808)

LIST OF DBE PARTICIPANTS

VENDOR NUMBER	DBE NAME ADDRESS	WORK CODE TYPE OF WORK	CERT TYPE AMOUNT		
9593	WB KILLIAN CONSTRUCTION INC. 240 COMMERCE DR. SUITE 200 , ROCHESTER, NY 14623		Sub 560,158.83	✓	arm
11197	MB MOSES ASPHALT PAVING & REPAIR P. O. BOX 657 , WINTERVILLE, NC 28590		Sub 54,829.65	✓	arm
5291	WB ATCO TRANSPORT INC 129 KNOBBS CREEK RD , ELIZABETH CITY, NC 27909		Sub 68,026.00	✓	arm
			TOTAL: \$683,014.48	✓	arm
			5.11%		

Vendor 3413's Bid Information for Call 005, Letting L120117, 01/17/12

R.P.C. Contracting, Inc. (3413)
Call Order 005 (Proposal ID C202808)

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: SNC12904388
Surety Registry Agency: surety2000
Verified?: Yes
Surety Agency: Travelers Casualty and Surety Company of America
Bond Execution Date: 1/9/12
Bond Amount: \$668,923.86 (Five Percent of Bid)

State of NC
Dept of Transportation

Date: 12-19-11
Revised: 12-22-11

Contract ID: C202808 Project(s): NHS-0158(54)
Letting Date: 01-17-12 Call Order: 005
Bidder: 3413 - R.P.C. Contracting, Inc.

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			528,200.00
0002	0106000000-E BORROW EXCAVATION	CY	210.000	20.00000		4,200.00
0004	0318000000-E FOUNDATION CONDITIONING MATE- RIAL, MINOR STRS	TON	26.000	45.00000		1,170.00
0005	0320000000-E FOUNDATION CONDITIONING FABRIC	SY	66.000	2.50000		165.00
0006	0378000000-E 24" RC PIPE CULVERTS, CLASS III	LF	76.000	98.90000		7,516.40
0007	0384000000-E 30" RC PIPE CULVERTS, CLASS III	LF	88.000	107.60000		9,468.80
0008	1220000000-E INCIDENTAL STONE BASE	TON	155.000	45.00000		6,975.00
0009	1245000000-E SHOULDER RECONSTRUCTION	SMI	39.500	2,310.00000		91,245.00
0010	1308000000-E MILLING ASPHALT PAVEMENT, ***"TO *****" DEPTH (0" TO 1-1/2")	SY	747,888.000	0.69000		516,042.72
0011	1297000000-E MILLING ASPHALT PAVEMENT, ***"DEPTH (3/4")	SY	949,252.000	0.58000		550,566.16

Contract ID: C202808

Project(s): NHS-0158(54)

Letting Date: 01-17-12 Call Order: 005

Bidder: 3413 - R.P.C. Contracting, Inc.

Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
0012	1330000000-E INCIDENTAL MILLING	311.000 SY	9.50000		2,954.50	
0013	1489000000-E ASPHALT CONC BASE COURSE, TYPE B25.0B	130.000 TON	62.00000		8,060.00	
0014	1523000000-E ASPHALT CONC SURFACE COURSE, TYPE S9.5C	86,781.000 TON	37.60000		3,262,965.60	
0015	1575000000-E ASPHALT BINDER FOR PLANT MIX	5,126.000 TON	612.10000		3,137,624.60	
0016	1577000000-E POLYMER MODIFIED ASPHALT BIN- DER FOR PLANT MIX	2,646.000 TON	793.60000		2,099,865.60	
0017	1663000000-E OPEN-GRADED ASPHALT FRICTION COURSE, TYPE FC-2 MODIFIED	43,372.000 TON	46.60000		2,021,135.20	
0018	1693000000-E ASPHALT PLANT MIX, PAVEMENT REPAIR	63.000 TON	175.00000		11,025.00	
0019	1840000000-E MILLED RUMBLE STRIPS (ASPHALT CEMENT CONCRETE)	256,108.000 LF	0.16000		40,977.28	
0020	2472000000-N GENERIC DRAINAGE ITEM REPAIR MASONRY DRAINAGE STRUC-TURE	7.000 EA	1,200.00000		8,400.00	
0021	2845000000-N ADJUSTMENT OF METER BOXES OR VALVE BOXES	5.000 EA	200.00000		1,000.00	
0022	4589000000-N GENERIC TRAFFIC CONTROL ITEM TRAFFIC CONTROL	LUMP	LUMP		71,150.00	

Contract ID: C202808

Project(s): NHS-0158(54)

Letting Date: 01-17-12 Call Order: 005

Bidder: 3413 - R.P.C. Contracting, Inc.

Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
0023	4710000000-E THERMOPLAST IC PAVEMENT MARKING LINES (24", 120 MILS)	683.000 LF	11.00000		7,513.00	
0024	4721000000-E THERMOPLAST IC PAVEMENT MARKING CHARACTER (120 MILS)	28.000 EA	105.00000		2,940.00	
0025	4810000000-E PAINT PAVEMENT MARKING LINES (4")	1,721,602.000 LF	0.13000		223,808.26	
0026	4835000000-E PAINT PAVEMENT MARKING LINES (24")	1,483.000 LF	3.00000		4,449.00	
0027	4847100000-E POLYUREA PAVEMENT MARKING LINES (6", *****) (HIGHLY REFLECTIVE ELEMENTS)	581,975.000 LF	0.98000		570,335.50	
0028	4725000000-E THERMOPLAST IC PAVEMENT MARKING SYMBOL (90 MILS)	877.000 EA	95.00000		83,315.00	
0029	4855000000-E REMOVAL OF PAVEMENT MARKING LINES (6")	11,250.000 LF	0.52000		5,850.00	
0030	4900000000-N PERMANENT RAISED PAVEMENT MARKERS	5,472.000 EA	3.75000		20,520.00	
0031	6000000000-E TEMPORARY SILT FENCE	4,032.000 LF	1.75000		7,056.00	
0032	6036000000-E MATTING FOR EROSION CONTROL	661.000 SY	1.40000		925.40	
0033	6071010000-E WATTLE	1,653.000 LF	3.25000		5,372.25	

Contract ID: C202808

Project(s): NHS-0158(54)

Letting Date: 01-17-12 Call Order: 005

Bidder: 3413 - R.P.C. Contracting, Inc.

Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
0034	6071020000-E POLYACRYLAM IDE (PAM)	144.000 LB	9.00000		1,296.00	
0035	6084000000-E SEEDING & MULCHING	28.700 ACR	1,400.00000		40,180.00	
0036	7300000000-E UNPAVED TRENCHING (*****) (1,2")	300.000 LF	5.00000		1,500.00	
0037	7324000000-N JUNCTION BOX (STANDARD SIZE)	12.000 EA	200.00000		2,400.00	
0038	7444000000-E INDUCTIVE LOOP SAWCUT	2,246.000 LF	5.00000		11,230.00	
0039	7456000000-E LEAD-IN CABLE (*****) (14-2)	600.000 LF	1.50000		900.00	
0040	0372000000-E 18" RC PIPE CULVERTS, CLASS III	32.000 LF	90.00000		2,880.00	
0041	2286000000-N MASONRY DRAINAGE STRUCTURES	2.000 EA	1,200.00000		2,400.00	
0042	2374000000-N FRAME WITH GRATE & HOOD, STD 840.03, TYPE ** (E)	2.000 EA	350.00000		700.00	
0043	2549000000-E 2'-6" CONCRETE CURB & GUTTER	40.000 LF	55.00000		2,200.00	
	Section 0001 Total				13,378,477.27	
	Bid Total				13,378,477.27	

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.

DBE COMMITMENT ITEMS

PROPOSAL: C202808
 LETTING: L120117 CALL: 005
 VENDOR: 3413 R.P.C. Contracting, Inc.

LINE NO.	ITEM NO.	ITEM DESC.	UNIT TYPE	SUBCONTRACTOR QUANTITY	SUBCONTRACTOR UNIT PRICE	EXTENDED AMOUNT
DBE SUBCONTRACTOR: 9593 KILLIAN CONSTRUCTION INC. Will Use Quote: Yes						
0010	1308000000-E	MILLN ASPHAL	SY	747888.000	0.33000	246803.04
0011	1297000000-E	MILL ASP PVM	SY	949252.000	0.33000	313253.16
0012	1330000000-E	INCIDENTAL M	SY	311.000	0.33000	102.63
DBE COMMITMENT TOTAL FOR SUBCONTRACTOR:						560,158.83
DBE COMMITMENT TOTAL FOR VENDOR (SubContractor)						560,158

DBE SUBCONTRACTOR: 11197 MOSES ASPHALT PAVING & REPAIR
 Will Use Quote: Yes

0031	6000000000-E	TEMPORARY SI	LF	4032.000	1.75000	7056.00
0032	6036000000-E	MATTING FOR	SY	661.000	1.40000	925.40
0033	6071010000-E	WATTLE	LF	1653.000	3.25000	5372.25
0034	6071020000-E	POLYACRYLAMI	LB	144.000	9.00000	1296.00
0035	6084000000-E	SEEDING AND	ACR	28.700	1400.00000	40180.00
DBE COMMITMENT TOTAL FOR SUBCONTRACTOR:						54,829.65
DBE COMMITMENT TOTAL FOR VENDOR (SubContractor)						54,829.

DBE SUBCONTRACTOR: 5291 ATCO TRANSPORT INC
 Will Use Quote: Yes

0015	1575000000-E	ASP FOR PLAN	TON	3892.000	10.00000	38920.00
0016	1577000000-E	POLYM MOD AS	TON	2646.000	11.00000	29106.00
DBE COMMITMENT TOTAL FOR SUBCONTRACTOR:						68,026.00
DBE COMMITMENT TOTAL FOR VENDOR (SubContractor)						68,026.

TOTAL DBE COMMITMENT FOR VENDOR: Entered: 5.11% or 683014.48
 Required: 5.00% or 668923.86
 <GOAL MET>

Contract Item Sheets For C202808

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
ROADWAY ITEMS						
0001	0000100000-N	800	MOBILIZATION	Lump Sum LS	528,200.00	528,200.00
0002	0106000000-E	230	BORROW EXCAVATION	210 CY	20.00	4,200.00
0004	0318000000-E	SP	FOUNDATION CONDITIONING MATERIAL, MINOR STRS	26 TON	45.00	1,170.00
0005	0320000000-E	SP	FOUNDATION CONDITIONING FABRIC	66 SY	2.50	165.00
0006	0378000000-E	SP	24" RC PIPE CULVERTS, CLASS III	76 LF	98.90	7,516.40
0007	0384000000-E	SP	30" RC PIPE CULVERTS, CLASS III	88 LF	107.60	9,468.80
0008	1220000000-E	545	INCIDENTAL STONE BASE	155 TON	45.00	6,975.00
0009	1245000000-E	SP	SHOULDER RECONSTRUCTION	39.5 SMI	2,310.00	91,245.00
0010	1308000000-E	607	MILLING ASPHALT PAVEMENT, **** TO ***** DEPTH (0" TO 1-1/2")	747,888 SY	0.69	516,042.72
0011	1297000000-E	607	MILLING ASPHALT PAVEMENT, **** DEPTH (3/4")	949,252 SY	0.58	550,566.16
0012	1330000000-E	607	INCIDENTAL MILLING	311 SY	9.50	2,954.50
0013	1489000000-E	610	ASPHALT CONC BASE COURSE, TYPE B25.0B	130 TON	62.00	8,060.00
0014	1523000000-E	610	ASPHALT CONC SURFACE COURSE, TYPE S9.5C	86,781 TON	37.60	3,262,965.60
0015	1575000000-E	SP	ASPHALT BINDER FOR PLANT MIX	5,126 TON	612.10	3,137,624.60
0016	1577000000-E	SP	POLYMER MODIFIED ASPHALT BINDER FOR PLANT MIX	2,646 TON	793.60	2,099,865.60
0017	1663000000-E	650	OPEN-GRADED ASPHALT FRICTION COURSE, TYPE FC-2 MODIFIED	43,372 TON	46.60	2,021,135.20
0018	1693000000-E	654	ASPHALT PLANT MIX, PAVEMENT REPAIR	63 TON	175.00	11,025.00

Contract Item Sheets For C202808

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
0019	1840000000-E	665	MILLED RUMBLE STRIPS (ASPHALT CEMENT CONCRETE)	256,108 LF	0.16	40,977.28
0020	2472000000-N	840	GENERIC DRAINAGE ITEM REPAIR MASONRY DRAINAGE STRUCTURE	7 EA	1,200.00	8,400.00
0021	2845000000-N	858	ADJUSTMENT OF METER BOXES OR VALVE BOXES	5 EA	200.00	1,000.00
0022	4589000000-N	SP	GENERIC TRAFFIC CONTROL ITEM TRAFFIC CONTROL	Lump Sum LS	71,150.00	71,150.00
0023	4710000000-E	1205	THERMOPLASTIC PAVEMENT MARKING LINES (24", 120 MILS)	683 LF	11.00	7,513.00
0024	4721000000-E	1205	THERMOPLASTIC PAVEMENT MARKING CHARACTER (120 MILS)	28 EA	105.00	2,940.00
0025	4810000000-E	1205	PAINT PAVEMENT MARKING LINES (4")	1,721,602 LF	0.13	223,808.26
0026	4835000000-E	1205	PAINT PAVEMENT MARKING LINES (24")	1,483 LF	3.00	4,449.00
0027	4847100000-E	1205	POLYUREA PAVEMENT MARKING LINES (6", *****) (HIGHLY REFLECTIVE ELEMENTS)	581,975 LF	0.98	570,335.50
0028	4725000000-E	1205	THERMOPLASTIC PAVEMENT MARKING SYMBOL (90 MILS)	877 EA	95.00	83,315.00
0029	4855000000-E	1205	REMOVAL OF PAVEMENT MARKING LINES (6")	11,250 LF	0.52	5,850.00
0030	4900000000-N	1251	PERMANENT RAISED PAVEMENT MARKERS	5,472 EA	3.75	20,520.00
0031	6000000000-E	1605	TEMPORARY SILT FENCE	4,032 LF	1.75	7,056.00
0032	6036000000-E	1631	MATTING FOR EROSION CONTROL	661 SY	1.40	925.40
0033	6071010000-E	SP	WATTLE	1,653 LF	3.25	5,372.25
0034	6071020000-E	SP	POLYACRYLAMIDE (PAM)	144 LB	9.00	1,296.00

Contract Item Sheets For C202808

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
0035	6084000000-E	1660	SEEDING & MULCHING	28.7 ACR	1,400.00	40,180.00
0036	7300000000-E	1715	UNPAVED TRENCHING (***** (1,2")	300 LF	5.00	1,500.00
0037	7324000000-N	1716	JUNCTION BOX (STANDARD SIZE)	12 EA	200.00	2,400.00
0038	7444000000-E	1725	INDUCTIVE LOOP SAWCUT	2,246 LF	5.00	11,230.00
0039	7456000000-E	1726	LEAD-IN CABLE (***** (14-2)	600 LF	1.50	900.00
0040	0372000000-E	SP	18" RC PIPE CULVERTS, CLASS III	32 LF	90.00	2,880.00
0041	2286000000-N	840	MASONRY DRAINAGE STRUCTURES	2 EA	1,200.00	2,400.00
0042	2374000000-N	840	FRAME WITH GRATE & HOOD, STD 840.03, TYPE ** (E)	2 EA	350.00	700.00
0043	2549000000-E	846	2'-6" CONCRETE CURB & GUTTER	40 LF	55.00	2,200.00

TOTAL AMOUNT OF BID FOR ENTIRE PROJECT

\$13,378,477.27

1358/Jan31/Q4425474.2/D134942230000/E42



Contract No. C202808
County Currituck

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

R.P.C. Contracting, Inc.

Full name of Corporation

PO Box 333, Kitty Hawk, NC 27949

Address as Prequalified

Attest

M P R

Secretary/~~Assistant Secretary~~
Select appropriate title

By

[Signature]

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

Monica P. Parker

Print or type Signer's name

Robert D. Parker

Print or type Signer's name

CORPORATE SEAL

AFFIDAVIT MUST BE NOTARIZED

Subscribed and sworn to before me this the

3rd day of February 2012.

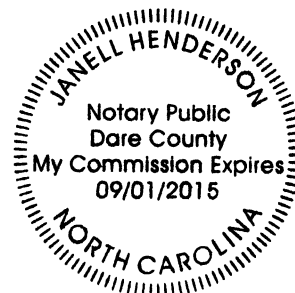
Janelle Henderson
Signature of Notary Public

of Dare County

State of North Carolina

My Commission Expires: 9-1-15

NOTARY SEAL



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.

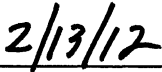
Contract No C202808

County (ies): Currituck

ACCEPTED BY THE
DEPARTMENT OF TRANSPORTATION

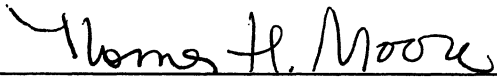


Contract Officer



Date

Execution of Contract and Bonds
Approved as to Form:



Attorney General

Contract No. C202808
 County Currituck

CONTRACT PAYMENT BOND

Date of Payment Bond Execution February 2, 2012

Name of Principal Contractor R.P.C. Contracting, Inc.

Name of Surety: Travelers Casualty & Surety Company of America

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

Amount of Bond: \$13,378,477.27

Contract ID No.: C202808

County Name: Currituck

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. C202808
County Currituck

Rev 2-1-10

CONTRACT PAYMENT BOND

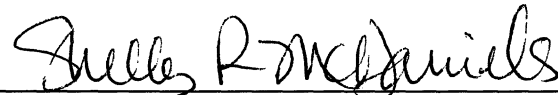
Affix Seal of Surety Company

Travelers Casualty & Surety Company of America

Print or type Surety Company Name

By Shelly R. McDaniels

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



Signature of Attorney-in-Fact



Signature of Witness

Leona Burnham

Print or type Signer's name

PO Box 2589 Elizabeth City, NC 27906-2589

Address of Attorney-in-Fact

Contract No. C202808
County Currituck

Rev 2-1-10

**CONTRACT PAYMENT BOND
CORPORATION**

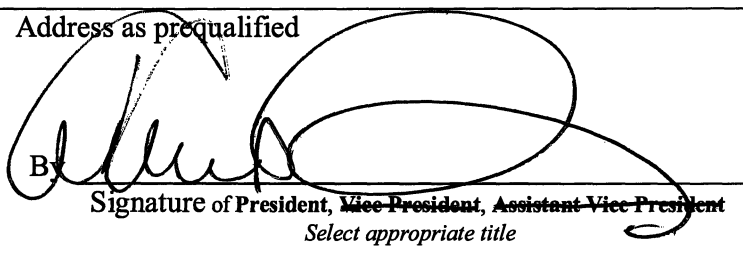
SIGNATURE OF CONTRACTOR (Principal)

R.P.C. Contracting, Inc.

Full name of Corporation

PO Box 333 Kitty Hawk, NC 27949

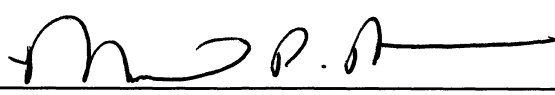
Address as prequalified


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

Robert D. Parker

Print or type Signer's name

Affix Corporate Seal

Attest 

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

Monica P. Parker

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. 219841

Certificate No. 004144375

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

Sherry S. Dowd, Suzette C. Ward, Shelly R. McDaniels, and Sherry Castillo

of the City of Elizabeth City, 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 2nd day of April, 2008

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 2nd day of April, 2008, 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 2nd day of February, 20 12.

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


Kori M. Johanson, Assistant Secretary



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

Contract No. C202808
 County Currituck

CONTRACT PERFORMANCE BOND

Date of Performance Bond Execution: February 2, 2012

Name of Principal Contractor: R.P.C. Contracting, Inc.

Name of Surety: Travelers Casualty & Surety Company of America

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

Amount of Bond: \$13,378,477.27

Contract ID No.: C202808

County Name: Currituck

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. C202808
County Currituck

Rev 2-1-10

CONTRACT PERFORMANCE BOND

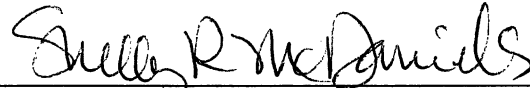
Affix Seal of Surety Company

Travelers Casualty & Surety Company of America

Print or type Surety Company Name

By Shelly R. McDaniels

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



Signature of Attorney-in-Fact



Signature of Witness

Leona Burnhan

Print or type Signer's name

PO Box 2589 Elizabeth City, NC 27906-2589

Address of Attorney-in-Fact

Contract No. C202808
County Currituck

Rev 2-1-10

CONTRACT PERFORMANCE BOND

CORPORATION

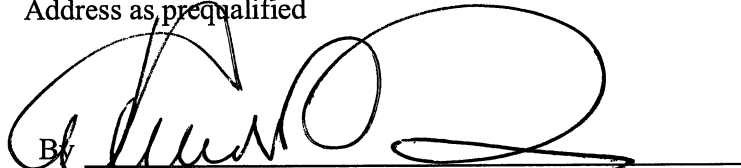
SIGNATURE OF CONTRACTOR (Principal)

R.P.C. Contracting, Inc.

Full name of Corporation

PO Box 333 Kitty Hawk, NC 27949

Address as prequalified

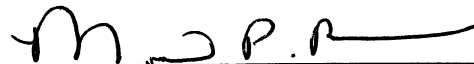
By 

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

Robert D. Parker

Print or type Signer's name

Affix Corporate Seal

Attest 
Signature of Secretary, Assistant Secretary
Select appropriate title

Monica P. Parker

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. 219841

Certificate No. 004144378

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Sherry S. Dowd, Suzette C. Ward, Shelly R. McDaniels, and Sherry Castillo

of the City of Elizabeth City, 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.

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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 2nd day of April, 2008, 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