

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

C203001

CONTRACT AND
CONTRACT BONDS

FOR CONTRACT NO. C203001

WBS 10CR.10601.66, 10CR.10601.67, 10CR.10601.68, 10CR.10601.69, 10CR.10601.70,
10CR.20601.135, 10CR.20601.136, 10CR.20601.137, 10CR.20601.138, 10CR.20601.139,
10CR.20601.140, 10CR.20601.141, 10CR.20601.142, 10CR.20601.143, 10CR.20601.144,
10CR.20601.145 STATE FUNDED

COUNTY OF MECKLENBURG
THIS IS THE ROADWAY CONTRACT
ROUTE NUMBER LENGTH 19.190 MILES
LOCATION 1 SECTION OF US-29, 2 SECTIONS OF NC-49, 2 SECTIONS OF
NC-160 AND 11 SECTIONS OF SECONDARY ROADS.

CONTRACTOR FEREBEE CORPORATION
ADDRESS P.O. BOX 480066
CHARLOTTE, NC 28269

BIDS OPENED APRIL 17, 2012
CONTRACT EXECUTION MAY 14 2012

Vendor 3 of 5: FEREBEE CORPORATION (3664)
Call Order 013 (Proposal: C203001)

Bid Information

County: MECKLENBURG
Address: PO Box 480066
Charlotte , NC , 28269
Signature Check: Chris_Ferebee_3664
Time Bid Received: April 17, 2012 12:48 PM
Amendment Count: 0

Bid Checksum: 6849E5BF

Bid Total: \$5,958,031.75

Items Total: \$5,958,031.75 ✓

Time Total: \$0.00

Bidding Errors:

None.

MBE GOAL SET 5.0

MBE GOAL MET 5.0

WBE GOAL SET 5.0

WBE GOAL MET 5.0

**Vendor 3 of 5: FEREBEE CORPORATION (3664)
Call Order 013 (Proposal: C203001)**

Bid Bond Information

Projects:	Bond Maximum:
Counties:	State of Incorporation:
Bond ID: SNC12605656	Agency Execution Date: 3/26/2012 9
Paid by Check: No	Surety Name: surety2000
Bond Percent: 5%	Bond Agency Name: Liberty Mutual Insurance Company

Vendor 3664's Bid Information for Call 013, Letting L120417, 04/17/12

Ferebee Corporation (3664)
 Call Order 013 (Proposal ID C203001)

LIST OF MBE PARTICIPANTS

VENDOR NUMBER	DBE NAME ADDRESS	WORK CODE TYPE OF WORK	CERT TYPE AMOUNT	
7138	MB EXPRESS LOGISTICS SERVICES INC P.O. BOX 19761 , CHARLOTTE, NC 28219		Sub 309,402.80	committed
			TOTAL: \$309,402.80	✓ arm
			5.19%	

Vendor 3664's Bid Information for Call 013, Letting L120417, 04/17/12

Ferebee Corporation (3664)
 Call Order 013 (Proposal ID C203001)

LIST OF WBE PARTICIPANTS

VENDOR NUMBER	DBE NAME ADDRESS	WORK CODE TYPE OF WORK	CERT TYPE AMOUNT	
2759	WB SUPERIOR SEEDING, INC. POST OFFICE BOX 12642 , GASTONIA, NC 280520010		Sub 15,890.00	committed
2858	WB ACS PAVEMENT MARKING, INC. POST OFFICE BOX 480155 , CHARLOTTE, NC 282695300		Sub 305,573.00	committed
			TOTAL: \$321,463.00	✓ arm
			5.40%	

Vendor 3664's Bid Information for Call 013, Letting L120417, 04/17/12

Ferebee Corporation (3664)
 Call Order 013 (Proposal ID C203001)

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: SNC12605656
 Surety Registry Agency: surety2000
 Verified?: Yes
 Surety Agency: Liberty Mutual Insurance Company
 Bond Execution Date: 3/26/2012 9
 Bond Amount: \$297,901.59 (Five Percent of Bid)

Contract ID: C203001 Project(s): STATE FUNDED
Letting Date: 04-17-12 Call Order: 013
Bidder: 3664 - Ferebee Corporation

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	120,000.00
0002	0106000000-E BORROW EXCAVATION	1,000.000 CY	10.00000	10,000.00
0003	1220000000-E INCIDENTAL STONE BASE	380.000 TON	25.00000	9,500.00
0004	1245000000-E SHOULDER RECONSTRUCTION	11.350 SMI	3,000.00000	34,050.00
0005	1297000000-E MILLING ASPHALT PAVEMENT, ***"DEPTH (1-1/2")	420,151.000 SY	0.85000	357,128.35
0006	1308000000-E MILLING ASPHALT PAVEMENT, ***"TO *****" (0" TO 1-1/2")	1,750.000 SY	2.00000	3,500.00
0007	1308000000-E MILLING ASPHALT PAVEMENT, ***"TO *****" (0" TO 2-1/2")	2,650.000 SY	2.00000	5,300.00
0008	1330000000-E INCIDENTAL MILLING	2,950.000 SY	2.00000	5,900.00
0009	1503000000-E ASPHALT CONC INTERMEDIATE COURSE, TYPE I19.0C	8,182.000 TON	30.00000	245,460.00
0010	1523000000-E ASPHALT CONC SURFACE COURSE, TYPE S9.5C	47,109.000 TON	30.75000	1,448,601.75

Dept of Transportation

Revised:

Contract ID: C203001

Project(s): STATE FUNDED

Letting Date: 04-17-12 Call Order: 013

Bidder: 3664 - Ferebee Corporation

Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
0011	1524000000-E ASPHALT CONC SURFACE COURSE, TYPE S9.5C (LEVELING COURSE)	1,600.000 TON	30.75000		49,200.00	
0012	1575000000-E ASPHALT BINDER FOR PLANT MIX	3,276.000 TON	655.00000		2,145,780.00	
0013	1704000000-E PATCHING EXISTING PAVEMENT	11,915.000 TON	70.00000		834,050.00	
0014	2600000000-N RETROFIT EXISTING CURB RAMP	278.000 EA	425.00000		118,150.00	
0015	2830000000-N ADJUSTMENT OF MANHOLES	114.000 EA	475.00000		54,150.00	
0016	2845000000-N ADJUSTMENT OF METER BOXES OR VALVE BOXES	77.000 EA	300.00000		23,100.00	
0017	4399000000-N TEMPORARY TRAFFIC CONTROL	LUMP	LUMP		170,000.00	
0018	4685000000-E THERMOPLAST IC PAVEMENT MARKING LINES (4", 90 MILS)	74,010.000 LF	0.55000		40,705.50	
0019	4686000000-E THERMOPLAST IC PAVEMENT MARKING LINES (4", 120 MILS)	230,200.000 LF	0.58000		133,516.00	
0020	4688000000-E THERMOPLAST IC PAVEMENT MARKING LINES (6", 90 MILS)	875.000 LF	2.00000		1,750.00	
0021	4695000000-E THERMOPLAST IC PAVEMENT MARKING LINES (8", 90 MILS)	7,725.000 LF	1.50000		11,587.50	

Dept of Transportation

Revised:

Contract ID: C203001

Project(s): STATE FUNDED

Letting Date: 04-17-12 Call Order: 013

Bidder: 3664 - Ferebee Corporation

Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
0022	4697000000-E THERMOPLAST IC PAVEMENT MARKING LINES (8", 120 MILS)	18,546.000 LF	1.50000		27,819.00	
0023	4705000000-E THERMOPLAST IC PAVEMENT MARKING LINES (16", 120 MILS)	350.000 LF	4.00000		1,400.00	
0024	4710000000-E THERMOPLAST IC PAVEMENT MARKING LINES (24", 120 MILS)	3,264.000 LF	6.25000		20,400.00	
0025	4721000000-E THERMOPLAST IC PAVEMENT MARKING CHARACTER (120 MILS)	114.000 EA	90.00000		10,260.00	
0026	4725000000-E THERMOPLAST IC PAVEMENT MARKING SYMBOL (90 MILS)	436.000 EA	55.00000		23,980.00	
0027	4810000000-E PAINT PAVEMENT MARKING LINES (4")	151,500.000 LF	0.11000		16,665.00	
0028	4900000000-N PERMANENT RAISED PAVEMENT MARKERS	5,830.000 EA	3.00000		17,490.00	
0029	5255000000-N PORTABLE LIGHTING	LUMP	LUMP		10,000.00	
0030	6000000000-E TEMPORARY SILT FENCE	475.000 LF	1.43000		679.25	
0031	6009000000-E STONE FOR EROSION CONTROL, CLASS B	99.000 TON	35.00000		3,465.00	
0032	6012000000-E SEDIMENT CONTROL STONE	99.000 TON	35.00000		3,465.00	

Dept of Transportation

Revised:

Contract ID: C203001

Project(s): STATE FUNDED

Letting Date: 04-17-12 Call Order: 013

Bidder: 3664 - Ferebee Corporation

Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
0033	6036000000-E MATTING FOR EROSION CONTROL	60.000 SY	1.77000		106.20	
0034	6071010000-E WATTLE	95.000 LF	4.56000		433.20	
0035	6071020000-E POLYACRYLAMIDE (PAM)	5.500 LB	80.00000		440.00	
	Section 0001 Total				5,958,031.75	
	Bid Total				5,958,031.75	

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.

PROPOSAL: C203001
 LETTING: L120417 CALL: 013
 VENDOR: 3664 Ferebee Corporation

LINE NO.	ITEM NO.	ITEM DESC.	UNIT TYPE	SUBCONTRACTOR QUANTITY	SUBCONTRACTOR UNIT PRICE	EXTENDED AMOUNT
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 MBE SUBCONTRACTOR: 7138 EXPRESS LOGISTICS SERVICES INC committed
 Will Use Quote: Yes

0002	0106000000-E	BORROW EXCAV CY		1000.000	3.50000	3500.00
		Based on following hourly quoted haul rates: Tandem \$62/Hour, Tri-Axle				
0003	1220000000-E	INCIDENTAL S TON		380.000	2.50000	950.00
		Based on following hourly quoted haul rates: Tandem \$62/Hour, Tri-Axle				
0005	1297000000-E	MILL ASP PVM SY		420151.000	0.50000	210075.50
		Based on following quoted hourly haul rates: Tandem \$62/Hour, Tri-Axle				
0004	1245000000-E	SHOULDER REC SMI		11.350	500.00000	5675.00
		Based on following quoted hourly haul rates: Tandem \$62/Hour, Tri-Axle				
0006	1308000000-E	MILLN ASPHAL SY		1750.000	0.50000	875.00
		Based on following hourly quoted haul rates: Tandem \$62/Hour, Tri-Axle				
0007	1308000000-E	MILLN ASPHAL SY		2650.000	0.50000	1325.00
		Based on following quoted haul rates: Tandem \$62/Hour, Tri-Axle \$65/Hour,				
0008	1330000000-E	INCIDENTAL M SY		2950.000	0.50000	1475.00
		Based on following hourly quoted haul rates: Tandem \$62/Hour, Tri-Axle				
0013	1704000000-E	PATCHING EXI TON		11915.000	4.50000	53617.50
		Based on following hourly quoted haul rates: Tandem \$62/Hour, Tri-Axle				
0009	1503000000-E	ASP CONC INT TON		8182.000	3.90000	31909.80
		Based on following quoted haul rates: Tandem \$62/Hour, Tri-Axle \$65/Hour,				

MBE COMMITMENT TOTAL FOR SUBCONTRACTOR: ✓ am 309,402.80

TOTAL MBE COMMITMENT FOR VENDOR: Entered: 5.19% or 309402.80
 Required: 5.00% or 297901.59
<GOAL MET>

Contract Item Sheets For C203001

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
ROADWAY ITEMS						
0001	0000100000-N	800	MOBILIZATION	Lump Sum LS	120,000.00	120,000.00
0002	0106000000-E	230	BORROW EXCAVATION	1,000 CY	10.00	10,000.00
0003	1220000000-E	545	INCIDENTAL STONE BASE	380 TON	25.00	9,500.00
0004	1245000000-E	SP	SHOULDER RECONSTRUCTION	11.35 SMI	3,000.00	34,050.00
0005	1297000000-E	607	MILLING ASPHALT PAVEMENT, **** DEPTH (1-1/2")	420,151 SY	0.85	357,128.35
0006	1308000000-E	607	MILLING ASPHALT PAVEMENT, **** TO ***** (0" TO 1-1/2")	1,750 SY	2.00	3,500.00
0007	1308000000-E	607	MILLING ASPHALT PAVEMENT, **** TO ***** (0" TO 2-1/2")	2,650 SY	2.00	5,300.00
0008	1330000000-E	607	INCIDENTAL MILLING	2,950 SY	2.00	5,900.00
0009	1503000000-E	610	ASPHALT CONC INTERMEDIATE COURSE, TYPE 119.0C	8,182 TON	30.00	245,460.00
0010	1523000000-E	610	ASPHALT CONC SURFACE COURSE, TYPE S9.5C	47,109 TON	30.75	1,448,601.75
0011	1524000000-E	SP	ASPHALT CONC SURFACE COURSE, TYPE S9.5C (LEVELING COURSE)	1,600 TON	30.75	49,200.00
0012	1575000000-E	620	ASPHALT BINDER FOR PLANT MIX	3,276 TON	655.00	2,145,780.00
0013	1704000000-E	SP	PATCHING EXISTING PAVEMENT	11,915 TON	70.00	834,050.00
0014	2600000000-N	SP	RETROFIT EXISTING CURB RAMP	278 EA	425.00	118,150.00
0015	2830000000-N	858	ADJUSTMENT OF MANHOLES	114 EA	475.00	54,150.00
0016	2845000000-N	858	ADJUSTMENT OF METER BOXES OR VALVE BOXES	77 EA	300.00	23,100.00
0017	4399000000-N	1105	TEMPORARY TRAFFIC CONTROL	Lump Sum LS	170,000.00	170,000.00

Contract Item Sheets For C203001

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
0018	4685000000-E	1205	THERMOPLASTIC PAVEMENT MARKING LINES (4", 90 MILS)	74,010 LF	0.55	40,705.50
0019	4686000000-E	1205	THERMOPLASTIC PAVEMENT MARKING LINES (4", 120 MILS)	230,200 LF	0.58	133,516.00
0020	4688000000-E	1205	THERMOPLASTIC PAVEMENT MARKING LINES (6", 90 MILS)	875 LF	2.00	1,750.00
0021	4695000000-E	1205	THERMOPLASTIC PAVEMENT MARKING LINES (8", 90 MILS)	7,725 LF	1.50	11,587.50
0022	4697000000-E	1205	THERMOPLASTIC PAVEMENT MARKING LINES (8", 120 MILS)	18,546 LF	1.50	27,819.00
0023	4705000000-E	1205	THERMOPLASTIC PAVEMENT MARKING LINES (16", 120 MILS)	350 LF	4.00	1,400.00
0024	4710000000-E	1205	THERMOPLASTIC PAVEMENT MARKING LINES (24", 120 MILS)	3,264 LF	6.25	20,400.00
0025	4721000000-E	1205	THERMOPLASTIC PAVEMENT MARKING CHARACTER (120 MILS)	114 EA	90.00	10,260.00
0026	4725000000-E	1205	THERMOPLASTIC PAVEMENT MARKING SYMBOL (90 MILS)	436 EA	55.00	23,980.00
0027	4810000000-E	1205	PAINT PAVEMENT MARKING LINES (4")	151,500 LF	0.11	16,665.00
0028	4900000000-N	1251	PERMANENT RAISED PAVEMENT MARKERS	5,830 EA	3.00	17,490.00
0029	5255000000-N	1413	PORTABLE LIGHTING	Lump Sum LS	10,000.00	10,000.00
0030	6000000000-E	1605	TEMPORARY SILT FENCE	475 LF	1.43	679.25
0031	6009000000-E	1610	STONE FOR EROSION CONTROL, CLASS B	99 TON	35.00	3,465.00
0032	6012000000-E	1610	SEDIMENT CONTROL STONE	99 TON	35.00	3,465.00
0033	6036000000-E	1631	MATTING FOR EROSION CONTROL	60 SY	1.77	106.20
0034	6071010000-E	SP	WATTLE	95 LF	4.56	433.20

Contract Item Sheets For C203001

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
0035	6071020000-E	SP	POLYACRYLAMIDE (PAM)	5.5 LB	80.00	440.00

TOTAL AMOUNT OF BID FOR ENTIRE PROJECT

✓ \$5,958,031.75

0937/May01/Q995129.85/D121793130000/E35

County Mecklenburg

**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

Ferebee Corporation

Full name of Corporation

P.O. Box 480066 Charlotte, NC 28269

Address as Prequalified

Attest David B. Ferebee
Secretary/Assistant Secretary
Select appropriate title

By Chris Ferebee
President/Vice President/Assistant Vice President
Select appropriate title

David B. Ferebee

Print or type Signer's name

Chris Ferebee

Print or type Signer's name

CORPORATE SEAL

AFFIDAVIT MUST BE NOTARIZED

Subscribed and sworn to before me this the

2 day of May 2012.

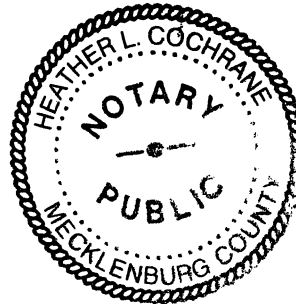
Heather L. Cochrane
Signature of Notary Public

of Mecklenburg County

State of North Carolina

My Commission Expires: August 25, 2012

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. C203001

County (ies): Mecklenburg

ACCEPTED BY THE
DEPARTMENT OF TRANSPORTATION



Contract Officer



Date

Execution of Contract and Bonds
Approved as to Form:



Asst. Attorney General

Bond No. 018027226

Contract No. C203001
County Mecklenburg

Rev 5-17-11

CONTRACT PAYMENT BOND

Date of Payment Bond Execution May 1, 2012

Name of Principal Contractor Ferebee Corporation

Name of Surety: Liberty Mutual Insurance Company

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

Amount of Bond: Five Million Nine Hundred Fifty Eight (\$5,958,031.75) Thousand Thirty One Dollars and 75/100

Contract ID No.: C203001

County Name: Mecklenburg

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. C203001
County Mecklenburg

Rev 5-17-11


CONTRACT PAYMENT BOND

CORPORATION

SIGNATURE OF CONTRACTOR (Principal)

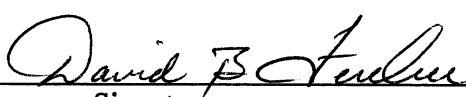
Ferebee Corporation
Full name of Corporation

P.O. Box 480066, Charlotte, NC 28269
Address as prequalified

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

Chris Ferebee
Print or type Signer's name

Affix Corporate Seal

Attest 
Signature of Secretary, Assistant Secretary
Select appropriate title

David B. Ferebee
Print or type Signer's name

This Power of Attorney limits the acts of those named herein, and they have no authority to bind the Company except in the manner and to the extent herein stated. Not valid for mortgage, note, loan, letter of credit, bank deposit, currency rate, interest rate or residual value guarantees. To confirm the validity of this Power of Attorney call 610-832-8240 between 9:00 am and 4:30 pm EST on any business day.

LIBERTY MUTUAL INSURANCE COMPANY
BOSTON, MASSACHUSETTS
POWER OF ATTORNEY

KNOW ALL PERSONS BY THESE PRESENTS:

That Liberty Mutual Insurance Company (the "Company"), a Massachusetts stock insurance company, pursuant to and by authority of the By-law and Authorization hereinafter set forth, does hereby name, constitute and appoint, Angela D. Ramsey its true and lawful attorney-in-fact, with full power and authority hereby conferred to sign, execute and acknowledge, at any location within the United States, the following surety bond:

Principal Name: Ferebee Corporation

Obligee Name: North Carolina Department of Transportation

LMS Surety Bond Number: 018027226

Bond Amount: See Bond Form

That this power is made and executed pursuant to and by authority of the following By-law and Authorization:

ARTICLE XIII - Execution of Contracts: Section 5. Surety Bonds and Undertakings.

Any officer of the Company authorized for that purpose in writing by the chairman or the president, and subject to such limitations as the chairman or the president may prescribe, shall appoint such attorneys-in-fact, as may be necessary to act in behalf of the Company to make, execute, seal, acknowledge and deliver as surety any and all undertakings, bonds, recognizances and other surety obligations. Such attorneys-in-fact, subject to the limitations set forth in their respective powers of attorney, shall have full power to bind the Company by their signature and execution of any such instruments and to attach thereto the seal of the Company. When so executed such instruments shall be as binding as if signed by the president and attested by the secretary.

By the following instrument the chairman or the president has authorized the officer or other official named therein to appoint attorneys-in-fact:

Pursuant to Article XIII, Section 5 of the By-laws, Garnet W. Elliott, Assistant Secretary of Liberty Mutual Insurance Company, is hereby authorized to appoint such attorneys-in-fact as may be necessary to act in behalf of the Company to make, execute, seal, acknowledge and deliver as surety any and all undertakings, bonds, recognizances and other surety obligations.

That the By-law and the Authorization set forth above are true copies thereof and are now in full force and effect.

IN WITNESS WHEREOF, this Power of Attorney has been subscribed by an authorized officer or official of the Company and the corporate seal of Liberty Mutual Insurance Company has been affixed thereto in Plymouth Meeting, Pennsylvania this 28th day of MARCH, 2009.



LIBERTY MUTUAL INSURANCE COMPANY

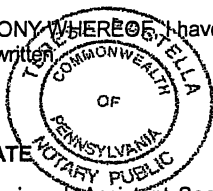
Garnet W. Elliott

By _____
Garnet W. Elliott, Assistant Secretary

COMMONWEALTH OF PENNSYLVANIA ss
COUNTY OF MONTGOMERY

On this 28th day of MARCH, 2009, before me, a Notary Public, personally came Garnet W. Elliott, to me known, and acknowledged that he is an Assistant Secretary of Liberty Mutual Insurance Company; that he knows the seal of said corporation; and that he executed the above Power of Attorney and affixed the corporate seal of Liberty Mutual Insurance Company thereto with the authority and at the direction of said corporation.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed my notarial seal at Plymouth Meeting, Pennsylvania, on the day and year first above written



COMMONWEALTH OF PENNSYLVANIA

Notarial Seal
Teresa Pastella, Notary Public
Plymouth Twp., Montgomery County
My Commission Expires March 26, 2013

By Teresa Pastella
Teresa Pastella, Notary Public

CERTIFICATE

I, the undersigned, Assistant Secretary of Liberty Mutual Insurance Company, do hereby certify that the original power of attorney of which the foregoing is a full, true and correct copy, is in full force and effect on the date of this certificate; and I do further certify that the officer or official who executed the said power of attorney is an Assistant Secretary specially authorized by the chairman or the president to appoint attorneys-in-fact as provided in Article XIII, Section 5 of the By-laws of Liberty Mutual Insurance Company.

This certificate and the above power of attorney may be signed by facsimile or mechanically reproduced signatures under and by authority of the following vote of the board of directors of Liberty Mutual Insurance Company at a meeting duly called and held on the 12th day of March, 1980.

VOTED that the facsimile or mechanically reproduced signature of any assistant secretary of the company, wherever appearing upon a certified copy of any power of attorney issued by the company in connection with surety bonds, shall be valid and binding upon the company with the same force and effect as though manually affixed.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed the corporate seal of the said company, this 1st day of May, 2012.



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

Contract No. C203001
County Mecklenburg

CONTRACT PERFORMANCE BOND

Date of Performance Bond Execution: May 1, 2012

Name of Principal Contractor: Ferebee Corporation

Name of Surety: Liberty Mutual Insurance Company

Name of Contracting Body: North Carolina Department of Transportation

Raleigh, North Carolina

Amount of Bond: Five Million Nine Hundred Fifty Eight
(\$5,958,031.75 Thousand Thirty One Dollars and 75/100)

Contract ID No.: C203001

County Name: Mecklenburg

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. C203001
County Mecklenburg

Rev 5-17-11

CONTRACT PERFORMANCE BOND
CORPORATION

SIGNATURE OF CONTRACTOR (Principal)

Ferebee Corporation

Full name of Corporation

P.O. Box 480066, Charlotte, NC 28269

Address as prequalified

By



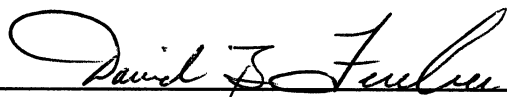
Signature of President, Vice President, Assistant Vice President
Select appropriate title

Chris Ferebee

Print or type Signer's name

Affix Corporate Seal

Attest



Signature of Secretary, Assistant Secretary
Select appropriate title

David B. Ferebee

Print or type Signer's name

This Power of Attorney limits the acts of those named herein, and they have no authority to bind the Company except in the manner and to the extent herein stated. Not valid for mortgage, note, loan, letter of credit, bank deposit, currency rate, interest rate or residual value guarantees. To confirm the validity of this Power of Attorney call 610-832-8240 between 9:00 am and 4:30 pm EST on any business day.

LIBERTY MUTUAL INSURANCE COMPANY
BOSTON, MASSACHUSETTS
POWER OF ATTORNEY

KNOW ALL PERSONS BY THESE PRESENTS:

That Liberty Mutual Insurance Company (the "Company"), a Massachusetts stock insurance company, pursuant to and by authority of the By-law and Authorization hereinafter set forth, does hereby name, constitute and appoint, Angela D. Ramsey its true and lawful attorney-in-fact, with full power and authority hereby conferred to sign, execute and acknowledge, at any location within the United States, the following surety bond:

Principal Name: Ferebee Corporation

Obligee Name: North Carolina Department of Transportation

LMS Surety Bond Number: 018027226

Bond Amount: See Bond Form

That this power is made and executed pursuant to and by authority of the following By-law and Authorization:

ARTICLE XIII - Execution of Contracts: Section 5. Surety Bonds and Undertakings.

Any officer of the Company authorized for that purpose in writing by the chairman or the president, and subject to such limitations as the chairman or the president may prescribe, shall appoint such attorneys-in-fact, as may be necessary to act in behalf of the Company to make, execute, seal, acknowledge and deliver as surety any and all undertakings, bonds, recognizances and other surety obligations. Such attorneys-in-fact, subject to the limitations set forth in their respective powers of attorney, shall have full power to bind the Company by their signature and execution of any such instruments and to attach thereto the seal of the Company. When so executed such instruments shall be as binding as if signed by the president and attested by the secretary.

By the following instrument the chairman or the president has authorized the officer or other official named therein to appoint attorneys-in-fact:

Pursuant to Article XIII, Section 5 of the By-laws, Garnet W. Elliott, Assistant Secretary of Liberty Mutual Insurance Company, is hereby authorized to appoint such attorneys-in-fact as may be necessary to act in behalf of the Company to make, execute, seal, acknowledge and deliver as surety any and all undertakings, bonds, recognizances and other surety obligations.

That the By-law and the Authorization set forth above are true copies thereof and are now in full force and effect.

IN WITNESS WHEREOF, this Power of Attorney has been subscribed by an authorized officer or official of the Company and the corporate seal of Liberty Mutual Insurance Company has been affixed thereto in Plymouth Meeting, Pennsylvania this 28th day of MARCH, 2009.



LIBERTY MUTUAL INSURANCE COMPANY

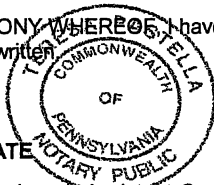
Garnet W. Elliott

By Garnet W. Elliott, Assistant Secretary

COMMONWEALTH OF PENNSYLVANIA ss
COUNTY OF MONTGOMERY

On this 28th day of MARCH, 2009, before me, a Notary Public, personally came Garnet W. Elliott, to me known, and acknowledged that he is an Assistant Secretary of Liberty Mutual Insurance Company; that he knows the seal of said corporation; and that he executed the above Power of Attorney and affixed the corporate seal of Liberty Mutual Insurance Company thereto with the authority and at the direction of said corporation.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed my notarial seal at Plymouth Meeting, Pennsylvania, on the day and year first above written.



COMMONWEALTH OF PENNSYLVANIA

Notarial Seal
Teresa Pastella, Notary Public
Plymouth Twp., Montgomery County
My Commission Expires March 28, 2013

By Teresa Pastella
Teresa Pastella, Notary Public

CERTIFICATE

I, the undersigned, Assistant Secretary of Liberty Mutual Insurance Company, do hereby certify that the original power of attorney of which the foregoing is a full, true and correct copy, is in full force and effect on the date of this certificate; and I do further certify that the officer or official who executed the said power of attorney is an Assistant Secretary specially authorized by the chairman or the president to appoint attorneys-in-fact as provided in Article XIII, Section 5 of the By-laws of Liberty Mutual Insurance Company.

This certificate and the above power of attorney may be signed by facsimile or mechanically reproduced signatures under and by authority of the following vote of the board of directors of Liberty Mutual Insurance Company at a meeting duly called and held on the 12th day of March, 1980.

VOTED that the facsimile or mechanically reproduced signature of any assistant secretary of the company, wherever appearing upon a certified copy of any power of attorney issued by the company in connection with surety bonds, shall be valid and binding upon the company with the same force and effect as though manually affixed.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed the corporate seal of the said company, this 1st day of May, 2012.



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