

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

C201787

CONTRACT AND
CONTRACT BONDS

FOR CONTRACT NO. C201787

WBS 33276.3.1 BRZ-1525(6)

T.I.P NO. B-3824

COUNTY OF CHATHAM

THIS IS THE ROADWAY & STRUCTURE CONTRACT

ROUTE NUMBER SR 1525 LENGTH 0.189 MILES

LOCATION BRIDGE OVER FERRELL'S CREEK AND APPROACHES ON SR-1525.

CONTRACTOR KIRKMAN CONSTRUCTION, INC.

ADDRESS P.O. BOX 3026
HUNTERSVILLE, NC 28070

BIDS OPENED JANUARY 15, 2008

CONTRACT EXECUTION FEB 21 2008

Kirkman Construction, Inc. (6464).

Vendor 4 of 4 Vendors for Call Order 014 (Proposal ID C201787).

County: CHATHAM
Address: P.O. Box 3026
Huntersville, NC 28070

Phone Number: (704) 464-3201

Signature Check: This bid has been properly signed by Richard_Dean_Kirkman_6464.

Time Bid Received: Tue Jan 15 12:01:03 2008

Bid Checksum: 5C041E83

Amendment Count: 0

Bidding Errors: No bidding errors.

Bid Total: \$1,074,390.09

Bond ID: SNC08121242

Bond was Verified: Yes.

Bond Required Percent: 5.00%

Minimum Check Amount: \$53,719.50

Bid Security Maximum: \$

Bond Agency Name:

Agency Execution Date: 1/3/2008

Surety Name: Edwards Church & Muse, Inc.

Surety State of Incorporation:

Bond Company:

Bond Type:

Bond Appr Flag:

Bond Affirm:

Bond was Paid by Check: No.

DBE GOAL SET - 6.0 %
DBE GOAL MET - 6.1 %

LIST OF DBE PARTICIPANTS

VENDOR NUMBER	DBE NAME ADDRESS	WORK CODE TYPE OF WORK	CERT TYPE	AMOUNT
2626	COHARIE CONST. CO., INC. POST OFFICE BOX 558 , SALEMBURG, NC 28385		Sub	9,817.50
5279	GUARDRAIL OF GREENSBORO LLC P.O. BOX 19232 , GREENSBORO, NC 27419		Sub	18,370.00
3230	HIATT & MASON ENTERPRISES, INC POST OFFICE BOX 1378 , MOUNT AIRY, NC 27030		Sub	11,205.32
2976	CAROLINA ENVIRONMENTAL CONTRACT POST OFFICE BOX 1905 , MT. AIRY, NC 27030		Sub	3,492.00
4952	EROSION SUPPLY CO., INC. P O BOX 91208 , RALEIGH, NC 27675		Sub	17,287.50
3765	STAY ALERT SAFETY SERVICES INC POST OFFICE BOX 467 , KERNERSVILLE, NC 27285		Sub	5,538.18
			TOTAL:	\$65,710.50
				6.12%

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. Yes

It is the desire of the Bidder to be awarded contracts, the value of which will not exceed a total of 1,460,000.00 for those projects indicated herein, for which bids will be opened on 01/15/08 (MM/DD/YY)

The Award Limits shall apply to the following projects:

Contract Number	County
C201788	DURHAM
C201787	CHATHAM
C201757	DAVIDSON
C201758	DAVIE
C201759	FORSYTH
C201733 & C201754	CALDWELL & BURKE

Bid Bond Data Info - Contractor Responses:

NCDOT/berc

Vendor 6464's Load Output for Call 014, Letting L080115, 2008-01-15

BondID: SNC08121242
Surety Registry Agency: surety2000
Verified?: Yes
Surety Agency: Edwards Church & Muse, Inc.
Bond Execution Date: 1/3/2008
Bond Amount: \$53,719.50 (Five Percent of Bid)

State of NC
Dept of Transportation

Date: 12-18-07
Revised:

Contract ID: C201787 Project(s): BRZ-1525(6)
Letting Date: 01-15-08 Call Order: 014
Bidder: 6464 - Kirkman Construction, Inc.

Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
Section 0001 ROADWAY ITEMS						
0001	0000100000-N MOBILIZATION	LUMP	LUMP			53,700.00
0002	0029000000-N REINFORCED BRIDGE APPROACH FILL, STATION ***** (13+35.00)	LUMP	LUMP			13,500.00
0003	0043000000-N GRADING	LUMP	LUMP			60,000.00
0004	0050000000-E SUPPLEMENTARY CLEARING & GRUB-BING	ACR	1.000	1.00000		1.00
0005	0057000000-E UNDERCUT EXCAVATION	CY	200.000	15.00000		3,000.00
0006	0195000000-E SELECT GRANULAR MATERIAL	CY	200.000	7.00000		1,400.00
0007	0196000000-E FABRIC FOR SOIL STABILIZATION	SY	200.000	1.00000		200.00
0008	0318000000-E FOUNDATION CONDITIONING MATERIAL, MINOR STRS	TON	35.000	25.00000		875.00
0009	0343000000-E 15" SIDE DRAIN PIPE	LF	136.000	20.00000		2,720.00
0010	0344000000-E 18" SIDE DRAIN PIPE	LF	32.000	21.00000		672.00
0011	0708000000-E 15" BIT COAT CS PIPE CULVERTS, TYPE B 0.064" THICK	LF	148.000	26.00000		3,848.00

State of NC
Dept of Transportation

Date: 12-18-07
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Bidder: 6464 - Kirkman Construction, Inc.

Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
0012	0806000000-E 15" BIT COAT CS PIPE ELBOWS, TYPE B 0.064" THICK	8.000 EA	320.00000		2,560.00	
0013	0995000000-E PIPE REMOVAL	98.000 LF	1.00000		98.00	
0014	1220000000-E INCIDENTAL STONE BASE	30.000 TON	25.00000		750.00	
0015	1489000000-E ASPHALT CONC BASE COURSE, TYPE B25.0B	480.000 TON	81.00000		38,880.00	
0016	1498000000-E ASPHALT CONC INTERMEDIATE COURSE, TYPE I19.0B	325.000 TON	83.00000		26,975.00	
0017	1525000000-E ASPHALT CONC SURFACE COURSE, TYPE SF9.5A	380.000 TON	86.00000		32,680.00	
0018	1560000000-E ASPHALT BINDER FOR PLANT MIX, GRADE PG 64-22	61.000 TON	430.00000		26,230.00	
0019	1693000000-E ASPHALT PLANT MIX, PAVEMENT REPAIR	200.000 TON	100.00000		20,000.00	
0020	2000000000-N RIGHT OF WAY MARKERS	18.000 EA	150.00000		2,700.00	
0021	2286000000-N MASONRY DRAINAGE STRUCTURES	4.000 EA	1,300.00000		5,200.00	
0022	2355000000-N FRAME WITH GRATE, STD 840.29	4.000 EA	400.00000		1,600.00	
0023	2556000000-E SHOULDER BERM GUTTER	550.000 LF	17.00000		9,350.00	

State of NC
Dept of Transportation

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Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
0024	3030000000-E STEEL BM GUARDRAIL	675.000 LF	13.00000		8,775.00	
0025	3045000000-E STEEL BM GUARDRAIL, SHOP CURVED	50.000 LF	13.50000		675.00	
0026	3150000000-N ADDITIONAL GUARDRAIL POSTS	5.000 EA	34.00000		170.00	
0027	3195000000-N GUARDRAIL ANCHOR UNITS, TYPE AT-1	1.000 EA	450.00000		450.00	
0028	3215000000-N GUARDRAIL ANCHOR UNITS, TYPE III	4.000 EA	950.00000		3,800.00	
0029	3270000000-N GUARDRAIL ANCHOR UNITS, TYPE 350	3.000 EA	1,500.00000		4,500.00	
0030	3649000000-E RIP RAP, CLASS B	38.000 TON	28.00000		1,064.00	
0031	3656000000-E FILTER FABRIC FOR DRAINAGE	859.000 SY	1.00000		859.00	
0032	4400000000-E WORK ZONE SIGNS (STATIONARY)	372.000 SF	5.75000		2,139.00	
0033	4410000000-E WORK ZONE SIGNS (BARRICADE MOUNTED)	131.000 SF	7.78000		1,019.18	
0034	4445000000-E BARRICADES (TYPE III)	80.000 LF	29.75000		2,380.00	
0035	4810000000-E PAINT PAVEMENT MARKING LINES (4")	7,200.000 LF	0.30000		2,160.00	

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Project(s): BRZ-1525(6)

Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
0036	4900000000-N PERMANENT RAISED PAVEMENT MARKERS	EA 11.000	15.00000		165.00	
0037	6000000000-E TEMPORARY SILT FENCE	LF 1,000.000	2.20000		2,200.00	
0038	6006000000-E STONE FOR EROSION CONTROL, CLASS A	TON 75.000	26.00000		1,950.00	
0039	6009000000-E STONE FOR EROSION CONTROL, CLASS B	TON 145.000	26.00000		3,770.00	
0040	6012000000-E SEDIMENT CONTROL STONE	TON 330.000	24.00000		7,920.00	
0041	6015000000-E TEMPORARY MULCHING	ACR 2.500	700.00000		1,750.00	
0042	6018000000-E SEED FOR TEMPORARY SEEDING	LB 100.000	5.50000		550.00	
0043	6021000000-E FERTILIZER FOR TEMPORARY SEED-ING	TON 0.500	1,000.00000		500.00	
0044	6024000000-E TEMPORARY SLOPE DRAINS	LF 140.000	8.00000		1,120.00	
0045	6027000000-N INLET PROTECTION AT TEMPORARY SLOPE DRAINS	EA 4.000	100.00000		400.00	
0046	6029000000-E SAFETY FENCE	LF 360.000	2.20000		792.00	
0047	6030000000-E SILT EXCAVATION	CY 735.000	10.00000		7,350.00	

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Project(s): BRZ-1525(6)

Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
0048	6036000000-E MATTING FOR EROSION CONTROL	570.000 SY	1.50000		855.00	
0049	6037000000-E COIR FIBER MAT	25.000 SY	3.00000		75.00	
0050	6038000000-E PERMANENT SOIL REINFORCEMENT MAT	550.000 SY	4.15000		2,282.50	
0051	6042000000-E 1/4" HARDWARE CLOTH	80.000 LF	8.50000		680.00	
0052	6070000000-N SPECIAL STILLING BASINS	12.000 EA	537.59000		6,451.08	
0053	6071030000-E COIR FIBER BAFFLES	255.000 LF	3.00000		765.00	
0054	6071050000-E *** SKIMMER (1-1/2")	4.000 EA	300.00000		1,200.00	
0055	6084000000-E SEEDING & MULCHING	2.500 ACR	1,750.00000		4,375.00	
0056	6087000000-E MOWING	1.500 ACR	100.00000		150.00	
0057	6090000000-E SEED FOR REPAIR SEEDING	50.000 LB	7.00000		350.00	
0058	6093000000-E FERTILIZER FOR REPAIR SEEDING	0.250 TON	1,000.00000		250.00	
0059	6096000000-E SEED FOR SUPPLEMENTAL SEEDING	50.000 LB	7.00000		350.00	

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Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
0060	6108000000-E FERTILIZER TOPDRESSING	2.000 TON	1,000.00000		2,000.00	
0061	6114000000-N SPECIALIZED HAND MOWING	2.000 HR	100.00000		200.00	
0062	6117000000-N RESPONSE FOR EROSION CONTROL	12.000 EA	300.00000		3,600.00	
Section 0001 Total						386,980.76
Section 0004 STRUCTURE ITEMS						
0063	8035000000-N REMOVAL OF EXISTING STRUCTURE AT STATION ***** (13+35.00 -L-)	LUMP	LUMP		19,050.00	
0064	8105540000-E 3'-6" DIA DRILLED PIERS IN SOIL	192.000 LF	515.00000		98,880.00	
0065	8105640000-E 3'-6" DIA DRILLED PIERS NOT IN SOIL	18.000 LF	700.00000		12,600.00	
0066	8113000000-N SID INSPECTION	6.000 EA	300.00000		1,800.00	
0067	8114000000-N SPT TESTING	6.000 EA	200.00000		1,200.00	
0068	8115000000-N CROSSHOLE SONIC LOGGING	2.000 EA	1,500.00000		3,000.00	
0069	8119000000-E UNCLASSIFIE D STRUCTURE EXCAVA-TION (13+35.00 -L-)	3,443.000 CY	2.50000		8,607.50	

State of NC
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Project(s): BRZ-1525(6)

Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
0070	8147000000-E REINFORCED CONCRETE DECK SLAB	SF 4,897.000	28.00000		137,116.00	
0071	8161000000-E GROOVING BRIDGE FLOORS	SF 4,846.000	0.75000		3,634.50	
0072	8182000000-E CLASS A CONCRETE (BRIDGE)	CY 108.500	780.00000		84,630.00	
0073	8210000000-N BRIDGE APPROACH SLABS, STATION***** (13+35.00 -L-)	LUMP	LUMP		19,600.00	
0074	8217000000-E REINFORCING STEEL (BRIDGE)	LB 34,196.000	1.00000		34,196.00	
0075	8238000000-E SPIRAL COLUMN REINFORCING STEEL (BRIDGE)	LB 5,848.000	1.15000		6,725.20	
0076	8262000000-E 45" PRESTRESSED CONCRETE GIRDERS	LF 552.670	235.00000		129,877.45	
0077	8364000000-E HP12X53 STEEL PILES	LF 595.000	52.75000		31,386.25	
0078	8475000000-E TWO BAR METAL RAIL	LF 266.650	108.50000		28,931.53	
0079	8517000000-E 1'-***X *****" CONCRETE PARA- PET (1'-0 x 2'-6")	LF 283.000	69.10000		19,555.30	
0080	8608000000-E RIP RAP CLASS II (2'-0" THICK)	TON 651.000	51.00000		33,201.00	
0081	8622000000-E FILTER FABRIC FOR DRAINAGE	SY 724.000	2.65000		1,918.60	

State of NC
 Dept of Transportation

Date: 12-18-07
 Revised:

Contract ID: C201787 Project(s): BRZ-1525(6)
 Letting Date: 01-15-08 Call Order: 014
 Bidder: 6464 - Kirkman Construction, Inc.

Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
0082	8657000000-N ELASTOMERIC BEARINGS	LUMP	LUMP		3,500.00	
0083	8692000000-N EVAZOTE JOINT SEALS	LUMP	LUMP		8,000.00	
Section 0004 Total					687,409.33	
Bid Total					1,074,390.09	

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. Yes

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 1,460,000.00 for those projects indicated herein, for which bids will be opened on 01/15/08 (MM/DD/YY)

The Award Limits shall apply to the following projects:

Contract Number	County
C201788	DURHAM
C201787	CHATHAM
C201757	DAVIDSON
C201758	DAVIE
C201759	FORSYTH
C201733 & C201754	CALDWELL & BURKE

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.

Fuel Price Adjustment Opt-Out Clause

Bidders have the option to accept or reject Fuel Price Adjustments in accordance with the requirements of Article 109-8 Fuel Price Adjustments and the provisions in the contract. To indicate the choice, the bidder shall enter an X in one of the blocks below.

The bidder will not be permitted to change the option after the bid is accepted.

Enter X in one box only:

Yes, the bidder accepts fuel price adjustments for this project in accordance with Article 109-8.

No, the bidder declines fuel price adjustments for this project.

In the event the bidder does not enter an X in either box, the bidder will receive fuel adjustments for the items shown in the contract.

NORTH CAROLINA STATE DEPARTMENT OF TRANSPORTATION
DBE COMMITMENT ITEMS

DATE: 12-18-07
PAGE: 12

PROPOSAL: C201787
LETTING: L080115 CALL: 014
VENDOR: 6464 Kirkman Construction, Inc.

LINE NO.	ITEM NO.	ITEM DESC.	UNIT TYPE	SUBCONTRACTOR QUANTITY	SUBCONTRACTOR UNIT PRICE	EXTENDED AMOUNT
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DBE SUBCONTRACTOR: 2626 COHARIE CONST. CO., INC.
Will Use Quote: Yes

0001	0000100000-N	MOBILIZATION LS		1.000	467.50000	467.50
0023	2556000000-E	SHOULDER BER LF		550.000	17.00000	9350.00

DBE COMMITMENT TOTAL FOR SUBCONTRACTOR: 9,817.50
DBE COMMITMENT TOTAL FOR VENDOR (SubContractor) 9,817.50 ✓

DBE SUBCONTRACTOR: 5279 GUARDRAIL OF GREENSBORO LLC
Will Use Quote: Yes

0024	3030000000-E	STL BM GUARD LF		675.000	13.00000	8775.00
0025	3045000000-E	SBGR SHOP CU LF		50.000	13.50000	675.00
0026	3150000000-N	ADDIT GUARDR EA		5.000	34.00000	170.00
0027	3195000000-N	GR ANCHOR TY EA		1.000	450.00000	450.00
0028	3215000000-N	GR ANCHOR TY EA		4.000	950.00000	3800.00
0029	3270000000-N	GR ANCHOR TY EA		3.000	1500.00000	4500.00

DBE COMMITMENT TOTAL FOR SUBCONTRACTOR: 18,370.00
DBE COMMITMENT TOTAL FOR VENDOR (SubContractor) 18,370.00 ✓

DBE SUBCONTRACTOR: 3230 HIATT & MASON ENTERPRISES, INC
Will Use Quote: Yes

0070	8147000000-E	REINF CONCRE SF		4897.000	0.89940	4404.36
0073	8210000000-N	BRG APPR SLA LS		1.000	867.35000	867.35
0074	8217000000-E	REINF STEEL LB		34196.000	0.13250	4530.97
0075	8238000000-E	SPIRAL COL R LB		5848.000	0.13250	774.86
0079	8517000000-E	1'-***"X***** LF		283.000	2.21830	627.78

DBE COMMITMENT TOTAL FOR SUBCONTRACTOR: 11,205.32
DBE COMMITMENT TOTAL FOR VENDOR (SubContractor) 11,205.32 ✓

DBE SUBCONTRACTOR: 2976 CAROLINA ENVIRONMENTAL CONTRACTING,
Will Use Quote: Yes

0020	2000000000-N	RIGHT OF WAY EA		18.000	150.00000	2700.00
0046	6029000000-E	SAFETY FENCE LF		360.000	2.20000	792.00

DBE COMMITMENT TOTAL FOR SUBCONTRACTOR: 3,492.00
DBE COMMITMENT TOTAL FOR VENDOR (SubContractor) 3,492.00 ✓

DBE SUBCONTRACTOR: 4952 EROSION SUPPLY CO., INC.
Will Use Quote: Yes

0060	6108000000-E	FERTILIZER T TON		2.000	1000.00000	2000.00
0061	6114000000-N	SPECIALIZED HR		2.000	100.00000	200.00

Check: 5C041E83 Page 12

NORTH CAROLINA STATE DEPARTMENT OF TRANSPORTATION
DBE COMMITMENT ITEMS

DATE:12-18-07
PAGE: 13

LINE NO.	ITEM NO.	ITEM DESC.	UNIT TYPE	SUBCONTRACTOR QUANTITY	SUBCONTRACTOR UNIT PRICE	EXTENDED AMOUNT
0062	6117000000-N	RESPONSE FOR EA		12.000	300.00000	3600.00
0041	6015000000-E	TEMPORARY MU ACR		2.500	700.00000	1750.00
0042	6018000000-E	SEED FOR TEM LB		100.000	5.50000	550.00
0043	6021000000-E	FERT FOR TEM TON		0.500	1000.00000	500.00
0048	6036000000-E	MATTING FOR SY		570.000	1.50000	855.00
0049	6037000000-E	COIR FIBER M SY		25.000	3.00000	75.00
0050	6038000000-E	PERM SOIL RE SY		550.000	4.15000	2282.50
0055	6084000000-E	SEEDING AND ACR		2.500	1750.00000	4375.00
0056	6087000000-E	MOWING ACR		1.500	100.00000	150.00
0057	6090000000-E	SEED FOR REP LB		50.000	7.00000	350.00
0058	6093000000-E	FERT FOR REP TON		0.250	1000.00000	250.00
0059	6096000000-E	SEED FOR SUP LB		50.000	7.00000	350.00

DBE COMMITMENT TOTAL FOR SUBCONTRACTOR: 17,287.50
DBE COMMITMENT TOTAL FOR VENDOR (SubContractor) 17,287.50 ✓

DBE SUBCONTRACTOR: 3765 STAY ALERT SAFETY SERVICES INC
Will Use Quote: Yes

0032	4400000000-E	WORK ZONE SI SF		372.000	5.75000	2139.00
0033	4410000000-E	WORK ZONE SI SF		131.000	7.78000	1019.18
0034	4445000000-E	BARRICADES (LF		80.000	29.75000	2380.00

DBE COMMITMENT TOTAL FOR SUBCONTRACTOR: 5,538.18
DBE COMMITMENT TOTAL FOR VENDOR (SubContractor) 5,538.18 ✓

TOTAL DBE COMMITMENT FOR VENDOR: Entered: 6.12% or 65710.50
Required: 6.00% or 64463.41
<GOAL MET>

Contract Item Sheets For C201787

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
ROADWAY ITEMS						
0001	0000100000-N	800	MOBILIZATION	Lump Sum LS	53,700.00	53,700.00
0002	0029000000-N	SP	REINFORCED BRIDGE APPROACH FILL, STATION ***** (13+35.00)	Lump Sum LS	13,500.00	13,500.00
0003	0043000000-N	226	GRADING	Lump Sum LS	60,000.00	60,000.00
0004	0050000000-E	226	SUPPLEMENTARY CLEARING & GRUB- BING	1 ACR	1.00	1.00
0005	0057000000-E	226	UNDERCUT EXCAVATION	200 CY	15.00	3,000.00
0006	0195000000-E	265	SELECT GRANULAR MATERIAL	200 CY	7.00	1,400.00
0007	0196000000-E	270	FABRIC FOR SOIL STABILIZATION	200 SY	1.00	200.00
0008	0318000000-E	300	FOUNDATION CONDITIONING MATE- RIAL, MINOR STRS	35 TON	25.00	875.00
0009	0343000000-E	310	15" SIDE DRAIN PIPE	136 LF	20.00	2,720.00
0010	0344000000-E	310	18" SIDE DRAIN PIPE	32 LF	21.00	672.00
0011	0708000000-E	310	15" BIT COAT CS PIPE CULVERTS, TYPE B 0.064" THICK	148 LF	26.00	3,848.00
0012	0806000000-E	310	15" BIT COAT CS PIPE ELBOWS, TYPE B 0.064" THICK	8 EA	320.00	2,560.00
0013	0995000000-E	340	PIPE REMOVAL	98 LF	1.00	98.00
0014	1220000000-E	545	INCIDENTAL STONE BASE	30 TON	25.00	750.00
0015	1489000000-E	610	ASPHALT CONC BASE COURSE, TYPE B25.0B	480 TON	81.00	38,880.00
0016	1498000000-E	610	ASPHALT CONC INTERMEDIATE COURSE, TYPE I19.0B	325 TON	83.00	26,975.00
0017	1525000000-E	610	ASPHALT CONC SURFACE COURSE, TYPE SF9.5A	380 TON	86.00	32,680.00
0018	1560000000-E	620	ASPHALT BINDER FOR PLANT MIX, GRADE PG 64-22	61 TON	430.00	26,230.00

Contract Item Sheets For C201787

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
0019	1693000000-E	654	ASPHALT PLANT MIX, PAVEMENT REPAIR	200 TON	100.00	20,000.00
0020	2000000000-N	806	RIGHT OF WAY MARKERS	18 EA	150.00	2,700.00
0021	2286000000-N	840	MASONRY DRAINAGE STRUCTURES	4 EA	1,300.00	5,200.00
0022	2355000000-N	840	FRAME WITH GRATE, STD 840.29	4 EA	400.00	1,600.00
0023	2556000000-E	846	SHOULDER BERM GUTTER	550 LF	17.00	9,350.00
0024	3030000000-E	862	STEEL BM GUARDRAIL	675 LF	13.00	8,775.00
0025	3045000000-E	862	STEEL BM GUARDRAIL, SHOP CURVED	50 LF	13.50	675.00
0026	3150000000-N	862	ADDITIONAL GUARDRAIL POSTS	5 EA	34.00	170.00
0027	3195000000-N	862	GUARDRAIL ANCHOR UNITS, TYPE AT-1	1 EA	450.00	450.00
0028	3215000000-N	862	GUARDRAIL ANCHOR UNITS, TYPE III	4 EA	950.00	3,800.00
0029	3270000000-N	SP	GUARDRAIL ANCHOR UNITS, TYPE 350	3 EA	1,500.00	4,500.00
0030	3649000000-E	876	RIP RAP, CLASS B	38 TON	28.00	1,064.00
0031	3656000000-E	876	FILTER FABRIC FOR DRAINAGE	859 SY	1.00	859.00
0032	4400000000-E	1110	WORK ZONE SIGNS (STATIONARY)	372 SF	5.75	2,139.00
0033	4410000000-E	1110	WORK ZONE SIGNS (BARRICADE MOUNTED)	131 SF	7.78	1,019.18
0034	4445000000-E	1145	BARRICADES (TYPE III)	80 LF	29.75	2,380.00
0035	4810000000-E	1205	PAINT PAVEMENT MARKING LINES (4")	7,200 LF	0.30	2,160.00
0036	4900000000-N	1251	PERMANENT RAISED PAVEMENT MARKERS	11 EA	15.00	165.00
0037	6000000000-E	1605	TEMPORARY SILT FENCE	1,000 LF	2.20	2,200.00

Contract Item Sheets For C201787

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
0038	6006000000-E	1610	STONE FOR EROSION CONTROL, CLASS A	75 TON	26.00	1,950.00
0039	6009000000-E	1610	STONE FOR EROSION CONTROL, CLASS B	145 TON	26.00	3,770.00
0040	6012000000-E	1610	SEDIMENT CONTROL STONE	330 TON	24.00	7,920.00
0041	6015000000-E	1615	TEMPORARY MULCHING	2.5 ACR	700.00	1,750.00
0042	6018000000-E	1620	SEED FOR TEMPORARY SEEDING	100 LB	5.50	550.00
0043	6021000000-E	1620	FERTILIZER FOR TEMPORARY SEED- ING	0.5 TON	1,000.00	500.00
0044	6024000000-E	1622	TEMPORARY SLOPE DRAINS	140 LF	8.00	1,120.00
0045	6027000000-N	1622	INLET PROTECTION AT TEMPORARY SLOPE DRAINS	4 EA	100.00	400.00
0046	6029000000-E	SP	SAFETY FENCE	360 LF	2.20	792.00
0047	6030000000-E	1630	SILT EXCAVATION	735 CY	10.00	7,350.00
0048	6036000000-E	1631	MATTING FOR EROSION CONTROL	570 SY	1.50	855.00
0049	6037000000-E	SP	COIR FIBER MAT	25 SY	3.00	75.00
0050	6038000000-E	SP	PERMANENT SOIL REINFORCEMENT MAT	550 SY	4.15	2,282.50
0051	6042000000-E	1632	1/4" HARDWARE CLOTH	80 LF	8.50	680.00
0052	6070000000-N	SP	SPECIAL STILLING BASINS	12 EA	537.59	6,451.08
0053	6071030000-E	SP	COIR FIBER BAFFLES	255 LF	3.00	765.00
0054	6071050000-E	SP	*** SKIMMER (1-1/2")	4 EA	300.00	1,200.00
0055	6084000000-E	1660	SEEDING & MULCHING	2.5 ACR	1,750.00	4,375.00
0056	6087000000-E	1660	MOWING	1.5 ACR	100.00	150.00

Contract Item Sheets For C201787

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
0057	6090000000-E	1661	SEED FOR REPAIR SEEDING	50 LB	7.00	350.00
0058	6093000000-E	1661	FERTILIZER FOR REPAIR SEEDING	0.25 TON	1,000.00	250.00
0059	6096000000-E	1662	SEED FOR SUPPLEMENTAL SEEDING	50 LB	7.00	350.00
0060	6108000000-E	1665	FERTILIZER TOPDRESSING	2 TON	1,000.00	2,000.00
0061	6114000000-N	SP	SPECIALIZED HAND MOWING	2 HR	100.00	200.00
0062	6117000000-N	SP	RESPONSE FOR EROSION CONTROL	12 EA	300.00	3,600.00

Contract Item Sheets For C201787

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
0063	8035000000-N	402	REMOVAL OF EXISTING STRUCTURE AT STATION ***** (13+35.00 -L-)	Lump Sum LS	19,050.00	19,050.00
0064	8105540000-E	SP	3'-6" DIA DRILLED PIERS IN SOIL	192 LF	515.00	98,880.00
0065	8105640000-E	SP	3'-6" DIA DRILLED PIERS NOT IN SOIL	18 LF	700.00	12,600.00
0066	8113000000-N	SP	SID INSPECTION	6 EA	300.00	1,800.00
0067	8114000000-N	SP	SPT TESTING	6 EA	200.00	1,200.00
0068	8115000000-N	SP	CROSSHOLE SONIC LOGGING	2 EA	1,500.00	3,000.00
0069	8119000000-E	412	UNCLASSIFIED STRUCTURE EXCAVA- TION (13+35.00 -L-)	3,443 CY	2.50	8,607.50
0070	8147000000-E	420	REINFORCED CONCRETE DECK SLAB	4,897 SF	28.00	137,116.00
0071	8161000000-E	420	GROOVING BRIDGE FLOORS	4,846 SF	0.75	3,634.50
0072	8182000000-E	420	CLASS A CONCRETE (BRIDGE)	108.5 CY	780.00	84,630.00
0073	8210000000-N	422	BRIDGE APPROACH SLABS, STATION ***** (13+35.00 -L-)	Lump Sum LS	19,600.00	19,600.00
0074	8217000000-E	425	REINFORCING STEEL (BRIDGE)	34,196 LB	1.00	34,196.00
0075	8238000000-E	425	SPIRAL COLUMN REINFORCING STEEL (BRIDGE)	5,848 LB	1.15	6,725.20
0076	8262000000-E	430	45" PRESTRESSED CONCRETE GIR- DERS	552.67 LF	235.00	129,877.45
0077	8364000000-E	450	HP12X53 STEEL PILES	595 LF	52.75	31,386.25
0078	8475000000-E	460	TWO BAR METAL RAIL	266.65 LF	108.50	28,931.53
0079	8517000000-E	460	1'***X ***** CONCRETE PARA- PET (1'-0 x 2'-6")	283 LF	69.10	19,555.30
0080	8608000000-E	876	RIP RAP CLASS II (2'-0" THICK)	651 TON	51.00	33,201.00

Contract Item Sheets For C201787

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
0081	8622000000-E	876	FILTER FABRIC FOR DRAINAGE	724 SY	2.65	1,918.60
0082	8657000000-N	430	ELASTOMERIC BEARINGS	Lump Sum LS	3,500.00	3,500.00
0083	8692000000-N	SP	EVAZOTE JOINT SEALS	Lump Sum LS	8,000.00	8,000.00

TOTAL AMOUNT OF BID FOR ENTIRE PROJECT

\$1,074,390.09 ✓

1343/Feb11/Q73689.07/D402845360000/E83

Contract Number C201787
County CHATHAM

Rev 02-17-04

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

The Contractor being duly sworn, solemnly swears (or affirms) that neither he, nor any official, agent or employee has entered into any agreement, participated in any collusion, or otherwise taken any action which is in restraint of free competitive bidding in connection with this Contract, and that the Contractor intends to do the work with his own bonafide employees or subcontractors and did not bid for the benefit of another contractor.

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

SIGNATURE OF CONTRACTOR

KIRKMAN CONSTRUCTION, INC.

Print or type full name of Corporation

P.O. BOX 3026, HUNTERSVILLE NC 28070

Address as Prequalified

Attest

[Signature]

Secretary/Assistant Secretary

Delete inappropriate title

By

[Signature]

President/Vice President/Assistant Vice President

Delete inappropriate title

RICHARD D. KIRKMAN

Print or type signer's name

Jessica L. Kirkman

Print or type signer's name

CORPORATE SEAL

AFFIDAVIT MUST BE NOTARIZED

NOTARY SEAL

Subscribed and sworn to before me this the

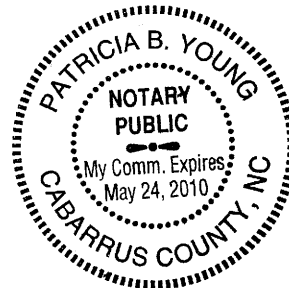
15th day of February 2008

[Signature]
Signature of Notary Public

of Cabarrus County

State of North Carolina

My Commission Expires: May 24 2010



EXECUTION OF CONTRACT

NON-COLLUSION AFFIDAVIT, AND DEBARMENT CERTIFICATION

DEBARMENT CERTIFICATION OF CONTRACTOR

Conditions for certification:

1. The Contractor shall provide immediate written notice to the Department if at any time the Contractor learns that his certification was erroneous when he submitted his debarment certification or explanation that is on file with the Department, or has become erroneous because of changed circumstances.
2. The terms *covered transaction, debarred, suspended, ineligible, lower tier covered transaction, participant, person, primary covered transaction, principal, proposal, and voluntarily excluded*, as used in this provision, have the meanings set out in the Definitions and Coverage sections of the rules implementing Executive Order 12549. A copy of the Federal Rules requiring this certification and detailing the definitions and coverages may be obtained from the Contract Officer of the Department.
3. The Contractor agrees by submitting this form, that he will not knowingly enter into any lower tier covered transaction with a person who is debarred, suspended, declared ineligible, or voluntarily excluded from participation in NCDOT contracts, unless authorized by the Department.
4. For Federal Aid projects, the Contractor further agrees that by submitting this form he will include the Federal-Aid Provision titled *Required Contract Provisions Federal-Aid Construction Contract (Form FHWA PR 1273)* provided by the Department, without subsequent modification, in all lower tier covered transactions.
5. The Contractor may rely upon a certification of a participant in a lower tier covered transaction that he is not debarred, suspended, ineligible, or voluntarily excluded from the covered transaction, unless he knows that the certification is erroneous. The Contractor may decide the method and frequency by which he will determine the eligibility of his subcontractors.
6. Nothing contained in the foregoing shall be construed to require establishment of a system of records in order to render in good faith the certification required by this provision. The knowledge and information of a participant is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.
7. Except as authorized in paragraph 3 herein, the Department may terminate any contract if the Contractor knowingly enters into a lower tier covered transaction with a person who is suspended, debarred, ineligible, or voluntarily excluded from participation in this transaction, in addition to other remedies available by the Federal Government.

DEBARMENT CERTIFICATION

The Contractor certifies to the best of his knowledge and belief, that he and his principals:

- a. Are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from covered transactions by any Federal department or agency;
- b. Have not within a three-year period preceding this proposal been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State or local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records; making false statements; or receiving stolen property;
- c. Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, State or local) with commission of any of the offenses enumerated in paragraph b. of this certification; and
- d. Have not within a three-year period preceding this proposal had one or more public transactions (Federal, State or local) terminated for cause or default.
- e. If status changes, will submit a revised Debarment Certification immediately.

If the Contractor cannot certify that he is not debarred, he shall provide an explanation with this submittal. An explanation will not necessarily result in denial of participation in a contract.

Failure to submit a non-collusion affidavit and debarment certification will result in the Contractor's bid being considered non-responsive.

Check here if an explanation is attached to this certification.

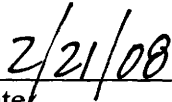
Contract No: C201787

County: Chatham

ACCEPTED BY THE
DEPARTMENT OF TRANSPORTATION

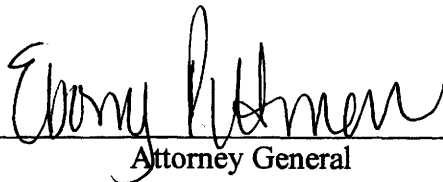


Contract Officer



Date

Execution of Contract and Bonds
Approved as to Form:



Attorney General

Contract No. C201787

Rev 02-13-04

County Chatham

Bond # 105073197

CONTRACT PAYMENT BOND

Date of Payment:

Bond Execution: February 11, 2008

Name of Principal:

Kirkman Construction, Inc.

Contractor

Huntersville, NC

Name of Surety:

Travelers Casualty and Surety

Company of America

Name of Contracting Body:

North Carolina Department of Transportation

Raleigh, North Carolina

Amount of Bond:

\$1,074,390.09

Contract ID No.:

C201787

County Name(s):

Chatham

KNOW ALL MEN BY THESE PRESENTS, That we, the 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-bounden 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. C201787

Rev 02-13-04

County Chatham

Bond # 105073197

CONTRACT PAYMENT BOND

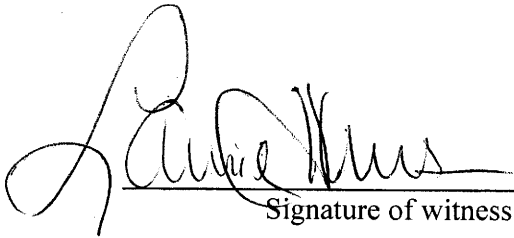
Affix Seal of Surety Company

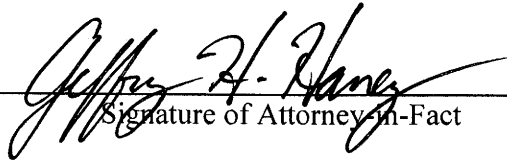
Travelers Casualty & Surety Company of America

Print or type Surety Company Name

By Jeffrey H. Haney

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


Signature of witness


Signature of Attorney-in-Fact

Laurie Hunter

Print or type witness' name

PO Box 12457 Charlotte, NC 28220

Address of Attorney-in-Fact

Contract No. C201787

Rev 02-13-04

County Chatham

Bond # 105073197

CONTRACT PAYMENT BOND

CORPORATION

SIGNATURE OF CONTRACTOR (Principal)

KIRKMAN CONSTRUCTION, INC.

Print or type full name of Corporation

P.O. Box 3026, HUNTERSVILLE NC 28070

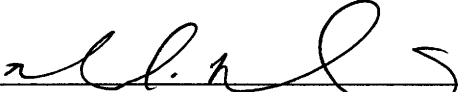
Address as prequalified

By Jessica L Kirkman
Signature of President, ~~Vice President, Assistant Vice President~~
Delete inappropriate title

Jessica L. Kirkman

Print or type signer's name

Attest


Signature of Secretary, ~~Assistant Secretary~~
Delete inappropriate title

RICHARD D. KIRKMAN

Print or type signer's name

Affix Corporate Seal



POWER OF ATTORNEY

Farmington Casualty Company
Fidelity and Guaranty Insurance Company
Fidelity and Guaranty Insurance Underwriters, Inc.
Seaboard Surety Company
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. 219429

Certificate No. 002112851

KNOW ALL MEN BY THESE PRESENTS: That Seaboard Surety Company is a corporation duly organized under the laws of the State of New York, 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

T. Arnold Edwards, James A. Muse, Jr., Lisa M. McLendon, Samuel A. Thompson, III, Jeffery H. Haney, and John H. Ketner, III

of the City of Charlotte, State of North Carolina, their true and lawful Attorney(s)-in-Fact, each in their separate capacity if more than one is named above, to sign, execute, seal and acknowledge any and all bonds, recognizances, conditional undertakings and other writings obligatory in the nature thereof on behalf of the Companies in their business of guaranteeing the fidelity of persons, guaranteeing the performance of contracts and executing or guaranteeing bonds and undertakings required or permitted in any actions or proceedings allowed by law.

IN WITNESS WHEREOF, the Companies have caused this instrument to be signed and their corporate seals to be hereto affixed, this 20th day of December, 2007.

Farmington Casualty Company
Fidelity and Guaranty Insurance Company
Fidelity and Guaranty Insurance Underwriters, Inc.
Seaboard Surety Company
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 of George W. Thompson]
George W. Thompson, Senior Vice President

On this the 20th day of December, 2007, 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., Seaboard Surety Company, 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 of Marie C. Tetreault]
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., Seaboard Surety Company, 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., Seaboard Surety Company, 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 11th day of February, 2008.

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

Kori M. Johanson
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 Number C201787
County Chatham
Bond # 105073197

Rev 02-13-04

CONTRACT PERFORMANCE BOND

Date of Contract Performance

Bond Execution: February 11, 2008

Name of Principal: Kirkman Construction, Inc.

Contractor Huntersville, NC

Name of Surety: Travelers Casualty and Surety
Company of America

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

Amount of Bond: \$1,074,390.09

Contract ID No.: C201787

County Name(s): Chatham

KNOW ALL MEN BY THESE PRESENTS, That we, the 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-bounden 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 Number C201787
County Chatham
Bond # 105073197

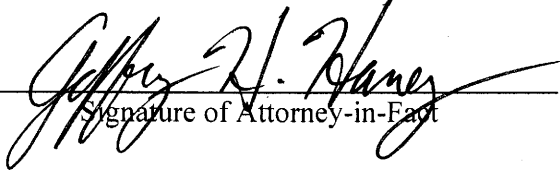
Rev 02-13-04


CONTRACT PERFORMANCE BOND

Affix Seal of Surety Company

Travelers Casualty & Surety Company of America
Print or type Surety Company Name

By Jeffrey H. Haney
Attorney-in-Fact
Print, stamp, or type name of Attorney-in Fact


Signature of Attorney-in-Fact


Signature of witness

Laurie Hunter
Print or type witness' name

PO Box 12457 Charlotte, NC 28220
Address of Attorney-in-Fact

Contract Number ~~105073197~~ C201787

Rev 02-13-04

County Chatham

Bond # 105073197

CONTRACT PERFORMANCE BOND

CORPORATION

SIGNATURE OF CONTRACTOR (Principal)

KIRKMAN CONSTRUCTION, INC.

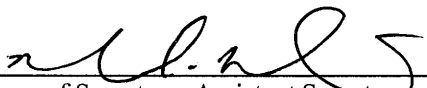
Print full name of Corporation

P.O. Box 3026, HUNTERSVILLE NC 28070

Address as prequalified

By Jessica L Kirkman
Signature of President, ~~Vice President, Assistant Vice President~~
Delete inappropriate title

Jessica L Kirkman
Print or type signer's name

Attest 
Signature of Secretary, ~~Assistant Secretary~~
Delete inappropriate title

RICHARD D. KIRKMAN
Print or type signer's name

Affix Corporate Seal



POWER OF ATTORNEY

Farmington Casualty Company
Fidelity and Guaranty Insurance Company
Fidelity and Guaranty Insurance Underwriters, Inc.
Seaboard Surety Company
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. 219429

Certificate No. 002112850

KNOW ALL MEN BY THESE PRESENTS: That Seaboard Surety Company is a corporation duly organized under the laws of the State of New York, 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

T. Arnold Edwards, James A. Muse, Jr., Lisa M. McLendon, Samuel A. Thompson, III, Jeffery H. Haney, and John H. Ketner, III

of the City of Charlotte, State of North Carolina, their true and lawful Attorney(s)-in-Fact, each in their separate capacity if more than one is named above, to sign, execute, seal and acknowledge any and all bonds, recognizances, conditional undertakings and other writings obligatory in the nature thereof on behalf of the Companies in their business of guaranteeing the fidelity of persons, guaranteeing the performance of contracts and executing or guaranteeing bonds and undertakings required or permitted in any actions or proceedings allowed by law.

IN WITNESS WHEREOF, the Companies have caused this instrument to be signed and their corporate seals to be hereto affixed, this 20th day of December, 2007.

Farmington Casualty Company
Fidelity and Guaranty Insurance Company
Fidelity and Guaranty Insurance Underwriters, Inc.
Seaboard Surety Company
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 20th day of December, 2007, 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., Seaboard Surety Company, 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., Seaboard Surety Company, 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., Seaboard Surety Company, 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 11th day of February, 2008

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

Kori M. Johanson
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.

