

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

C202004

CONTRACT AND
CONTRACT BONDS
FOR CONTRACT NO. C202004

WBS 10CR.10901.15, 10CR.10901.16, 10CR.20901.45, 10CR.20901.46 STATE FUNDED

COUNTY OF UNION
THIS IS THE ROADWAY CONTRACT
ROUTE NUMBER US 601 LENGTH 9.360 MILES
LOCATION US-601 FROM SR-1367 TO NC-218, NC-522 FROM SR-2166 TO THE
SOUTH CAROLINA STATE LINE & 2 SECTIONS OF SECONDARY ROADS.

CONTRACTOR BOGGS PAVING, INC.
ADDRESS P.O. BOX 1609
MONROE, NC 28111

BIDS OPENED FEBRUARY 19, 2008

CONTRACT EXECUTION MAR 24 2008

Boggs Paving, Inc. (3186).

Vendor 2 of 4 Vendors for Call Order 018 (Proposal ID C202004).

County: UNION
Address: P. O. Box 1609
1613 W. Roosevelt Blvd.
Monroe, NC 28111

Phone Number: 704-289-8482

Signature Check: This bid has been properly signed by Greg_D._Miller_3186.

Time Bid Received: Tue Feb 19 13:16:47 2008

Bid Checksum: 10A0A052

Amendment Count: 0

Bidding Errors: No bidding errors.

Bid Total: \$2,333,496.08 ✓

Bond ID: SNC08649135

Bond was Verified: Yes.

Bond Required Percent: 5.00%

Minimum Check Amount: \$116,674.80

Bid Security Maximum: \$

Bond Agency Name:

Agency Execution Date: February 19, 2008

Surety Name: Willis Corporation of South Carolina

Surety State of Incorporation:

Bond Company:

Bond Type:

Bond Appr Flag:

Bond Affirm:

Bond was Paid by Check: No.

MBE	GOAL	SET	-	4.0%
WBE	GOAL	SET	-	4.0%
MBE	GOAL	MET	-	4.1%
WBE	GOAL	MET	-	4.0%

NCDOT/berc

Vendor 3186's Load Output for Call 018, Letting L080219, 2008-02-19

Bid Bond Data Info - Contractor Responses:

=====

BondID: SNC08649135
Surety Registry Agency: surety2000
Verified?: Yes
Surety Agency: Willis Corporation of South Carolina
Bond Execution Date: February 19, 2008
Bond Amount: \$116,674.80 (Five Percent of Bid)

State of NC
Dept of Transportation

Date: 01-22-08
Revised:

Contract ID: C202004
Letting Date: 02-19-08 Call Order: 018
Bidder: 3186 - Boggs Paving, Inc.

Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
Section 0001 ROADWAY ITEMS						
0001	0000100000-N MOBILIZATIO N	LUMP	LUMP			38,000.00
0002	1110000000-E STABILIZER AGGREGATE	TON	406.000	5.00000		2,030.00
0003	1220000000-E INCIDENTAL STONE BASE	TON	360.000	32.00000		11,520.00
0004	1243000000-E SHOULDER CONSTRUCTION	SMI	7.000	2,860.00000		20,020.00
0005	1245000000-E SHOULDER RECONSTRUCTION	SMI	11.820	3,100.00000		36,642.00
0006	1330000000-E INCIDENTAL MILLING	SY	2,304.000	2.00000		4,608.00
0007	1491000000-E ASPHALT CONC BASE COURSE, TYPE B25.0C	TON	2,443.000	42.90000		104,804.70
0008	1503000000-E ASPHALT CONC INTERMEDIATE COURSE, TYPE I19.0C	TON	16,923.000	35.00000		592,305.00
0009	1523000000-E ASPHALT CONC SURFACE COURSE, TYPE S9.5C	TON	12,674.000	37.00000		468,938.00
0010	1524000000-E ASPHALT CONC SURFACE COURSE, TYPE S9.5C (LEVELING COURSE)	TON	680.000	42.00000		28,560.00
0011	1560000000-E ASPHALT BINDER FOR PLANT MIX, GRADE PG 64-22	TON	900.000	400.00000		360,000.00

State of NC
Dept of Transportation

Date: 01-22-08
Revised:

Contract ID: C202004 Project(s): STATE FUNDED
Letting Date: 02-19-08 Call Order: 018
Bidder: 3186 - Boggs Paving, Inc.

Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
0012	1565000000-E ASPHALT BINDER FOR PLANT MIX, GRADE PG 70-22	804.000 TON	420.00000		337,680.00	
0013	1704000000-E PATCHING EXISTING PAVEMENT	2,175.000 TON	90.00000		195,750.00	
0014	2612000000-E 6" CONCRETE DRIVEWAY	270.000 SY	42.00000		11,340.00	
0015	2655000000-E 5" MONOLITHIC CONCRETE ISLANDS (KEYED IN)	25.000 SY	50.00000		1,250.00	
0016	2830000000-N ADJUSTMENT OF MANHOLES	3.000 EA	400.00000		1,200.00	
0017	2845000000-N ADJUSTMENT OF METER BOXES OR VALVE BOXES	3.000 EA	400.00000		1,200.00	
0018	4685000000-E THERMOPLASTIC PAVEMENT MARKING LINES (4", 90 MILS)	98,516.000 LF	0.34000		33,495.44	
0019	4686000000-E THERMOPLASTIC PAVEMENT MARKING LINES (4", 120 MILS)	74,582.000 LF	0.42000		31,324.44	
0020	4697000000-E THERMOPLASTIC PAVEMENT MARKING LINES (8", 120 MILS)	335.000 LF	2.50000		837.50	
0021	4710000000-E THERMOPLASTIC PAVEMENT MARKING LINES (24", 120 MILS)	292.000 LF	5.00000		1,460.00	
0022	4721000000-E THERMOPLASTIC PAVEMENT MARKING CHARACTER (120 MILS)	12.000 EA	75.00000		900.00	
0023	4725000000-E THERMOPLASTIC PAVEMENT MARKING SYMBOL (90 MILS)	12.000 EA	75.00000		900.00	

State of NC
 Dept of Transportation

Date: 01-22-08
 Revised:

Contract ID: C202004 Project(s): STATE FUNDED
 Letting Date: 02-19-08 Call Order: 018
 Bidder: 3186 - Boggs Paving, Inc.

Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
0024	4810000000-E PAINT PAVEMENT MARKING LINES (4")	91,108.000 LF	0.10000		9,110.80	
0025	4900000000-N PERMANENT RAISED PAVEMENT MARKERS	670.000 EA	4.00000		2,680.00	
0026	6000000000-E TEMPORARY SILT FENCE	1,899.000 LF	2.80000		5,317.20	
0027	6009000000-E STONE FOR EROSION CONTROL, CLASS B	220.000 TON	40.00000		8,800.00	
0028	6012000000-E SEDIMENT CONTROL STONE	110.000 TON	37.00000		4,070.00	
0029	6084000000-E SEEDING & MULCHING	13.300 ACR	1,410.00000		18,753.00	
Section 0001 Total					2,333,496.08	
Bid Total					✓ 2,333,496.08	

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	

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:

X 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
 MBE COMMITMENT ITEMS

DATE:01-22-08
 PAGE: 7

PROPOSAL: C202004
 LETTING: L080219 CALL: 018
 VENDOR: 3186 Boggs Paving, Inc.

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

MBE SUBCONTRACTOR: 2840 STYX CUTHBERTSON TRUCKING						
Will Use Quote: Yes						
0009	1523000000-E	ASP CONC SUR	TON	12674.000	5.00000	63370.00
	Haul materials					
0013	1704000000-E	PATCHING EXI	TON	2175.000	6.00000	13050.00
	haul materials					
0005	1245000000-E	SHOULDER REC	SMI	11.820	650.00000	7683.00
	Haul Materials					
0004	1243000000-E	SHOULDER CON	SMI	7.000	650.00000	4550.00
	Haul materials					
0002	1110000000-E	STABILIZER A	TON	406.000	3.00000	1218.00
	Haul Materials					
0003	1220000000-E	INCIDENTAL S	TON	360.000	6.00000	2160.00
	Haul Materials					
0010	1524000000-E	ASP CONC SUR	TON	680.000	4.00000	2720.00
	Haul materials					
0006	1330000000-E	INCIDENTAL M	SY	2304.000	0.75000	1728.00

MBE COMMITMENT TOTAL FOR SUBCONTRACTOR: 96,479.00
 MBE COMMITMENT TOTAL FOR VENDOR (SubContractor) 96,479.00 ✓

TOTAL MBE COMMITMENT FOR VENDOR: Entered: 4.13% or 96479.00
 Required: 4.00% or 93339.84
 <GOAL MET>

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
ROADWAY ITEMS						
0001	0000100000-N	800	MOBILIZATION	Lump Sum LS	38,000.00	38,000.00
0002	1110000000-E	510	STABILIZER AGGREGATE	406 TON	5.00	2,030.00
0003	1220000000-E	545	INCIDENTAL STONE BASE	360 TON	32.00	11,520.00
0004	1243000000-E	SP	SHOULDER CONSTRUCTION	7 SMI	2,860.00	20,020.00
0005	1245000000-E	SP	SHOULDER RECONSTRUCTION	11.82 SMI	3,100.00	36,642.00
0006	1330000000-E	607	INCIDENTAL MILLING	2,304 SY	2.00	4,608.00
0007	1491000000-E	610	ASPHALT CONC BASE COURSE, TYPE B25.0C	2,443 TON	42.90	104,804.70
0008	1503000000-E	610	ASPHALT CONC INTERMEDIATE COURSE, TYPE I19.0C	16,923 TON	35.00	592,305.00
0009	1523000000-E	610	ASPHALT CONC SURFACE COURSE, TYPE S9.5C	12,674 TON	37.00	468,938.00
0010	1524000000-E	SP	ASPHALT CONC SURFACE COURSE, TYPE S9.5C (LEVELING COURSE)	680 TON	42.00	28,560.00
0011	1560000000-E	620	ASPHALT BINDER FOR PLANT MIX, GRADE PG 64-22	900 TON	400.00	360,000.00
0012	1565000000-E	620	ASPHALT BINDER FOR PLANT MIX, GRADE PG 70-22	804 TON	420.00	337,680.00
0013	1704000000-E	SP	PATCHING EXISTING PAVEMENT	2,175 TON	90.00	195,750.00
0014	2612000000-E	848	6" CONCRETE DRIVEWAY	270 SY	42.00	11,340.00
0015	2655000000-E	852	5" MONOLITHIC CONCRETE ISLANDS (KEYED IN)	25 SY	50.00	1,250.00
0016	2830000000-N	858	ADJUSTMENT OF MANHOLES	3 EA	400.00	1,200.00
0017	2845000000-N	858	ADJUSTMENT OF METER BOXES OR VALVE BOXES	3 EA	400.00	1,200.00
0018	4685000000-E	1205	THERMOPLASTIC PAVEMENT MARKING LINES (4", 90 MILS)	98,516 LF	0.34	33,495.44

Contract Item Sheets For C202004

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
0019	4686000000-E	1205	THERMOPLASTIC PAVEMENT MARKING LINES (4", 120 MILS)	74,582 LF	0.42	31,324.44
0020	4697000000-E	1205	THERMOPLASTIC PAVEMENT MARKING LINES (8", 120 MILS)	335 LF	2.50	837.50
0021	4710000000-E	1205	THERMOPLASTIC PAVEMENT MARKING LINES (24", 120 MILS)	292 LF	5.00	1,460.00
0022	4721000000-E	1205	THERMOPLASTIC PAVEMENT MARKING CHARACTER (120 MILS)	12 EA	75.00	900.00
0023	4725000000-E	1205	THERMOPLASTIC PAVEMENT MARKING SYMBOL (90 MILS)	12 EA	75.00	900.00
0024	4810000000-E	1205	PAINT PAVEMENT MARKING LINES (4")	91,108 LF	0.10	9,110.80
0025	4900000000-N	1251	PERMANENT RAISED PAVEMENT MARKERS	670 EA	4.00	2,680.00
0026	6000000000-E	1605	TEMPORARY SILT FENCE	1,899 LF	2.80	5,317.20
0027	6009000000-E	1610	STONE FOR EROSION CONTROL, CLASS B	220 TON	40.00	8,800.00
0028	6012000000-E	1610	SEDIMENT CONTROL STONE	110 TON	37.00	4,070.00
0029	6084000000-E	1660	SEEDING & MULCHING	13.3 ACR	1,410.00	18,753.00

TOTAL AMOUNT OF BID FOR ENTIRE PROJECT

✓ \$2,333,496.08

Contract Number C202004
County Union

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

Boggs Paving, Inc.
Print or type full name of Corporation

P. O. Box 1609, Monroe, NC 28111-1609
Address as Prequalified

Attest Greg D. Miller
Secretary/~~Assistant Secretary~~
Delete inappropriate title

By Carl A. Boggs III
President/~~Vice President/Secretary/Treasurer~~
Delete inappropriate title

Greg D. Miller
Print or type signer's name

Carl A. Boggs, III
Print or type signer's name

CORPORATE SEAL

AFFIDAVIT MUST BE NOTARIZED

NOTARY SEAL

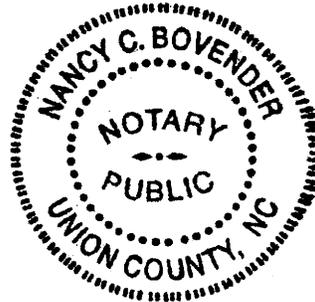
Subscribed and sworn to before me this the
6th day of March 2008

Nancy C. Bovender
Signature of Notary Public

of Union County

State of North Carolina

My Commission Expires: 11/5/2009



**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: C202004

County: Union

ACCEPTED BY THE
DEPARTMENT OF TRANSPORTATION



Contract Officer



Date

Execution of Contract and Bonds
Approved as to Form:



Assistant Attorney General

Contract No. C202004
County Union

Rev 02-13-04

Bond No. 6513354

CONTRACT PAYMENT BOND

Date of Payment:
Bond Execution: March 6, 2008

Name of Principal: Boggs Paving, Inc.
Contractor
PO Box 1609 Monroe, NC 28111-1609

Name of Surety: Safeco Insurance Company of America
Safeco Plaza Seattle, WA 98185

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

Amount of Bond: Two Million Three Hundred Thirty Three Thousand Four Hundred Ninety Six Dollars and 08/100 (\$2,333,496.08)

Contract ID No.: C202004

County Name(s): Union

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. C202004
County Union

Rev 02-13-04

CONTRACT PAYMENT BOND

Affix Seal of Surety Company

Safeco Insurance Company of America
Print or type Surety Company Name

By Cynthia M. Partin
Print, stamp or type name of Attorney-in-Fact

Cynthia M. Partin
Signature of Attorney-in-Fact

Heidi K. Harrell
Signature of witness

Heidi K. Harrell
Print or type witness' name

1441 Main St, Ste 700, Columbia, SC 29201
Address of Attorney-in-Fact

Contract No. C202004
County Union

Rev 02-13-04

CONTRACT PAYMENT BOND
CORPORATION

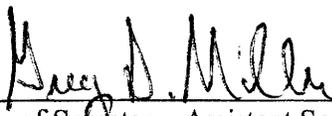
SIGNATURE OF CONTRACTOR (Principal)

Boggs Paving, Inc.
Print or type full name of Corporation

PO Box 1609, Monroe, NC 28111-1609
Address as prequalified

By 
Signature of President, ~~Vice President~~, ~~Assistant Secretary~~, ~~Vice President~~
Delete inappropriate title

Carl A. Boggs, III
Print or type signer's name

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

Greg D. Miller
Print or type signer's name

Affix Corporate Seal

Contract Number C202004
County Union

Rev 02-13-04

Bond No. 6513354

CONTRACT PERFORMANCE BOND

Date of Contract Performance

Bond Execution:

March 6, 2008

Name of Principal:

Boggs Paving, Inc.

Contractor

PO Box 1609 Monroe, NC 28111-1609

Name of Surety:

Safeco Insurance Company of America

Safeco Plaza Seattle, WA 98185

Name of Contracting Body:

North Carolina Department of Transportation

Raleigh, North Carolina

Amount of Bond:

Two Million Three Hundred Thirty Three Thousand Four Hundred Ninety Six Dollars and 08/100 (\$2,333,496.08)

Contract ID No.:

C202004

County Name(s):

Union

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 PERFORMANCE BOND

Affix Seal of Surety Company

Safeco Insurance Company of America
Print or type Surety Company Name

By Cynthia M. Partin
Attorney-in-Fact
Print, stamp, or type name of Attorney-in Fact

Cynthia M. Partin
Signature of Attorney-in-Fact

Heidi K. Harrell
Signature of witness

Heidi K. Harrell
Print or type witness' name

1441 Main St, Ste 700, Columbia, SC 29201
Address of Attorney-in-Fact

CONTRACT PERFORMANCE BOND
CORPORATION

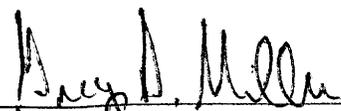
SIGNATURE OF CONTRACTOR (Principal)

Boggs Paving, Inc.
Print full name of Corporation

PO Box 1609, Monroe, NC 28111-1609
Address as prequalified

By 
Signature of President, ~~Vice President, Assistant Vice President~~
Delete inappropriate title

Carl A. Boggs, III
Print or type signer's name

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

Greg D. Miller
Print or type signer's name

Affix Corporate Seal



POWER OF ATTORNEY

Safeco Insurance Company of America
General Insurance Company of America
Safeco Plaza
Seattle, WA 98185

No. 9721

KNOW ALL BY THESE PRESENTS:

That SAFECO INSURANCE COMPANY OF AMERICA and GENERAL INSURANCE COMPANY OF AMERICA, each a Washington corporation, does each hereby appoint

PAMELA BRANDT; HEIDI K. HARRELL; BRAD LORENZETTI; JAMES M. MALONEY; CYNTHIA M. PARTIN; Columbia, South Carolina*

its true and lawful attorney(s)-in-fact, with full authority to execute on its behalf fidelity and surety bonds or undertakings and other documents of a similar character issued in the course of its business, and to bind the respective company thereby.

IN WITNESS WHEREOF, SAFECO INSURANCE COMPANY OF AMERICA and GENERAL INSURANCE COMPANY OF AMERICA have each executed and attested these presents

this 6th day of April, 2007

Handwritten signature of Stephanie Daley-Watson

Handwritten signature of Tim Mikolajewski

STEPHANIE DALEY-WATSON, SECRETARY

TIM MIKOLAJEWSKI, SENIOR VICE-PRESIDENT, SURETY

CERTIFICATE

Extract from the By-Laws of SAFECO INSURANCE COMPANY OF AMERICA and of GENERAL INSURANCE COMPANY OF AMERICA:

"Article V, Section 13. - FIDELITY AND SURETY BONDS ... the President, any Vice President, the Secretary, and any Assistant Vice President appointed for that purpose by the officer in charge of surety operations, shall each have authority to appoint individuals as attorneys-in-fact or under other appropriate titles with authority to execute on behalf of the company fidelity and surety bonds and other documents of similar character issued by the company in the course of its business...

Extract from a Resolution of the Board of Directors of SAFECO INSURANCE COMPANY OF AMERICA and of GENERAL INSURANCE COMPANY OF AMERICA adopted July 28, 1970.

"On any certificate executed by the Secretary or an assistant secretary of the Company setting out,

- (i) The provisions of Article V, Section 13 of the By-Laws, and
(ii) A copy of the power-of-attorney appointment, executed pursuant thereto, and
(iii) Certifying that said power-of-attorney appointment is in full force and effect,

the signature of the certifying officer may be by facsimile, and the seal of the Company may be a facsimile thereof."

I, Stephanie Daley-Watson, Secretary of SAFECO INSURANCE COMPANY OF AMERICA and of GENERAL INSURANCE COMPANY OF AMERICA, do hereby certify that the foregoing extracts of the By-Laws and of a Resolution of the Board of Directors of these corporations, and of a Power of Attorney issued pursuant thereto, are true and correct, and that both the By-Laws, the Resolution and the Power of Attorney are still in full force and effect.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the facsimile seal of said corporation

this 6th day of March, 2008



Handwritten signature of Stephanie Daley-Watson

STEPHANIE DALEY-WATSON, SECRETARY

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