

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

C201786

CONTRACT AND  
CONTRACT BONDS  
FOR CONTRACT NO. C201786

WBS 33269.2.2 BRZ-1250(1)

T.I.P NO. B-3814

COUNTY OF BURKE

THIS IS THE ROADWAY & STRUCTURE CONTRACT

ROUTE NUMBER SR 1250 LENGTH 0.275 MILES

LOCATION BRIDGE OVER CANOE CREEK AND APPROACHES ON SR-1250.

CONTRACTOR R.E. BURNS & SONS CO., INC.

ADDRESS P.O. BOX 7168  
STATESVILLE, NC 286877168

BIDS OPENED APRIL 15, 2008

CONTRACT EXECUTION MAY 19 2008

**R. E. Burns & Sons Co., Inc. (3481).**

**Vendor 3 of 8 Vendors for Call Order 019 (Proposal ID C201786).**

County: BURKE

Address: P. O. B ox 7168  
Statesville, NC 28687

Phone Number: 704-924-8646

Signature Check: This bid has been properly signed by Kevin\_C.\_Burns\_3481.

Time Bid Received: Tue Apr 15 13:55:01 2008

Bid Checksum: 1784270D

Amendment Count: 1

Bidding Errors: No bidding errors.

Bid Total: \$1,440,868.20 ✓

Bond ID: SNC08294331

Bond was Verified: Yes.

Bond Required Percent: 5.00%

Minimum Check Amount: \$72,043.41

Bid Security Maximum: \$

Bond Agency Name:

Agency Execution Date: 04/04/2008

Surety Name: LIBERTY MUTUAL

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 - 6.3%*

LIST OF DBE PARTICIPANTS

VENDOR NUMBER	DBE NAME ADDRESS	WORK CODE TYPE OF WORK	CERT TYPE AMOUNT
3230	HIATT & MASON ENTERPRISES, INC POST OFFICE BOX 1378 , MOUNT AIRY, NC 27030		Sub 5,891.20 ✓
2117	VALDESE CONCRETE WORKS, INC POST OFFICE BOX 698 , WALDESE, NC 286900698		Sub 8,649.24 ✓
3765	STAY ALERT SAFETY SERVICES INC POST OFFICE BOX 467 , KERNERSVILLE, NC 27285		Sub 6,441.00 ✓
5279	GUARDRAIL OF GREENSBORO LLC P.O. BOX 19232 , GREENSBORO, NC 27419		Sub 24,834.38 ✓
2759	SUPERIOR SEEDING, INC. POST OFFICE BOX 12642 , GASTONIA, NC 280520010		Sub 36,529.75 ✓
2855	BOSS CONSTRUCTION CO., INC. 229 BOXWOOD CHURCH ROAD , MOCKSVILLE, NC 27028		Sub 8,386.83 ✓
TOTAL:			\$90,732.40 6.30%

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:

NCDOT/berc

Vendor 3481's Load Output for Call 019, Letting L080415, 2008-04-15

BondID: SNC08294331  
Surety Registry Agency: surety2000  
Verified?: Yes  
Surety Agency: LIBERTY MUTUAL  
Bond Execution Date: 04/04/2008  
Bond Amount: \$72,043.41 (Five Percent of Bid)

State of NC  
Dept of Transportation

Date: 03-18-08  
Revised: 04-02-08

Contract ID: C201786 Project(s): BRZ-1250(1)  
Letting Date: 04-15-08 Call Order: 019  
Bidder: 3481 - R. E. Burns & Sons Co., 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			74,000.00
0002	0029000000-N REINFORCED BRIDGE APPROACH FILL, STATION ***** (16+50.00)	LUMP	LUMP			18,000.00
0003	0043000000-N GRADING	LUMP	LUMP			125,000.00
0004	0050000000-E SUPPLEMENTA RY CLEARING & GRUB-BING	ACR 1.000	1.00000			1.00
0005	0057000000-E UNDERCUT EXCAVATION	CY 100.000	10.00000			1,000.00
0006	0080000000-E CLASS IV SUBGRADE STABILIZA- TION	TON 500.000	16.00000			8,000.00
0007	0134000000-E DRAINAGE DITCH EXCAVATION	CY 200.000	11.00000			2,200.00
0008	0195000000-E SELECT GRANULAR MATERIAL	CY 500.000	67.00000			33,500.00
0009	0196000000-E FABRIC FOR SOIL STABILIZATION	SY 500.000	2.00000			1,000.00
0010	0199000000-E TEMPORARY SHORING	SF 825.000	0.01000			8.25
0011	0241000000-E GENERIC GRADING ITEM ROCK PLATING	SY 80.000	55.00000			4,400.00

State of NC  
Dept of Transportation

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Letting Date: 04-15-08 Call Order: 019  
Bidder: 3481 - R. E. Burns & Sons Co., Inc.

Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
0012	0318000000-E FOUNDATION CONDITIONING MATERIAL, MINOR STRS	50.000 TON	25.00000		1,250.00	
0013	0342000000-E **" SIDE DRAIN PIPE (30")	36.000 LF	55.00000		1,980.00	
0014	0343000000-E 15" SIDE DRAIN PIPE	68.000 LF	40.00000		2,720.00	
0015	0372000000-E 18" RC PIPE CULVERTS, CLASS III	32.000 LF	50.00000		1,600.00	
0016	0378000000-E 24" RC PIPE CULVERTS, CLASS III	36.000 LF	62.00000		2,232.00	
0017	0708000000-E 15" BIT COAT CS PIPE CULVERTS, TYPE B 0.064" THICK	220.000 LF	40.00000		8,800.00	
0018	0806000000-E 15" BIT COAT CS PIPE ELBOWS, TYPE B 0.064" THICK	6.000 EA	200.00000		1,200.00	
0019	1121000000-E AGGREGATE BASE COURSE	276.000 TON	33.00000		9,108.00	
0020	1220000000-E INCIDENTAL STONE BASE	25.000 TON	44.00000		1,100.00	
0021	1489000000-E ASPHALT CONC BASE COURSE, TYPE B25.0B	810.000 TON	82.00000		66,420.00	
0022	1498000000-E ASPHALT CONC INTERMEDIATE COURSE, TYPE I19.0B	540.000 TON	82.00000		44,280.00	
0023	1525000000-E ASPHALT CONC SURFACE COURSE, TYPE SF9.5A	370.000 TON	82.00000		30,340.00	

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Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
0024	1560000000-E ASPHALT BINDER FOR PLANT MIX, GRADE PG 64-22	85.000 TON	495.00000		42,075.00	
0025	1693000000-E ASPHALT PLANT MIX, PAVEMENT REPAIR	25.000 TON	225.00000		5,625.00	
0026	2000000000-N RIGHT OF WAY MARKERS	26.000 EA	150.00000		3,900.00	
0027	2022000000-E SUBDRAIN EXCAVATION	224.000 CY	5.00000		1,120.00	
0028	2033000000-E SUBDRAIN FINE AGGREGATE	168.000 CY	10.00000		1,680.00	
0029	2044000000-E 6" PERFORATED SUBDRAIN PIPE	1,000.000 LF	1.00000		1,000.00	
0030	2055000000-E 6" SUBDRAIN PIPE WYES, TEES, & ELBOWS	30.000 EA	20.00000		600.00	
0031	2066000000-N CONCRETE PAD FOR SUBDRAIN PIPE OUTLET	2.000 EA	50.00000		100.00	
0032	2077000000-E 6" OUTLET PIPE (SUBDRAINS)	12.000 LF	15.00000		180.00	
0033	2253000000-E PIPE COLLARS	1.000 CY	1,500.00000		1,500.00	
0034	2286000000-N MASONRY DRAINAGE STRUCTURES	3.000 EA	2,000.00000		6,000.00	
0035	2367000000-N FRAME WITH TWO GRATES, STD 840.29	3.000 EA	600.00000		1,800.00	

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Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
0036	2556000000-E SHOULDER BERM GUTTER	507.000 LF	17.00000		8,619.00	
0037	3030000000-E STEEL BM GUARDRAIL	787.500 LF	13.50000		10,631.25	
0038	3150000000-N ADDITIONAL GUARDRAIL POSTS	5.000 EA	30.00000		150.00	
0039	3270000000-N GUARDRAIL ANCHOR UNITS, TYPE 350	4.000 EA	1,600.00000		6,400.00	
0040	3317000000-N GUARDRAIL ANCHOR UNITS, TYPE B-77	4.000 EA	1,300.00000		5,200.00	
0041	3380000000-E TEMPORARY STEEL BM GUARDRAIL	37.500 LF	6.75000		253.13	
0042	3389100000-N GUARDRAIL ANCHOR UNITS, TYPE 350 TEMPORARY	2.000 EA	1,100.00000		2,200.00	
0043	3649000000-E RIP RAP, CLASS B	25.000 TON	60.00000		1,500.00	
0044	3656000000-E FILTER FABRIC FOR DRAINAGE	270.000 SY	2.00000		540.00	
0045	3659000000-N PREFORMED SCOUR HOLES WITH LEVEL SPREADER APRON	1.000 EA	1,200.00000		1,200.00	
0046	4400000000-E WORK ZONE SIGNS (STATIONARY)	378.000 SF	6.55000		2,475.90	
0047	4405000000-E WORK ZONE SIGNS (PORTABLE)	96.000 SF	30.00000		2,880.00	



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Bidder: 3481 - R. E. Burns & Sons Co., Inc.

Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
0048	4410000000-E WORK ZONE SIGNS (BARRICADE MOUNTED)	SF 114.000	6.15000		701.10	
0049	4430000000-N DRUMS	EA 75.000	75.00000		5,625.00	
0050	4435000000-N CONES	EA 10.000	10.00000		100.00	
0051	4445000000-E BARRICADES (TYPE III)	LF 128.000	25.50000		3,264.00	
0052	4450000000-N FLAGGER	HR 64.000	35.00000		2,240.00	
0053	4810000000-E PAINT PAVEMENT MARKING LINES (4")	LF 26,400.000	0.28000		7,392.00	
0054	4850000000-E REMOVAL OF PAVEMENT MARKING LINES (4")	LF 500.000	1.50000		750.00	
0055	6000000000-E TEMPORARY SILT FENCE	LF 1,400.000	3.00000		4,200.00	
0056	6006000000-E STONE FOR EROSION CONTROL, CLASS A	TON 120.000	40.00000		4,800.00	
0057	6009000000-E STONE FOR EROSION CONTROL, CLASS B	TON 485.000	40.00000		19,400.00	
0058	6012000000-E SEDIMENT CONTROL STONE	TON 150.000	40.00000		6,000.00	
0059	6015000000-E TEMPORARY MULCHING	ACR 3.000	1,200.00000		3,600.00	

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Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
0060	6018000000-E SEED FOR TEMPORARY SEEDING	100.000 LB	8.00000		800.00	
0061	6021000000-E FERTILIZER FOR TEMPORARY SEED-ING	0.500 TON	3,000.00000		1,500.00	
0062	6024000000-E TEMPORARY SLOPE DRAINS	100.000 LF	15.00000		1,500.00	
0063	6027000000-N INLET PROTECTION AT TEMPORARY SLOPE DRAINS	3.000 EA	200.00000		600.00	
0064	6029000000-E SAFETY FENCE	400.000 LF	2.30000		920.00	
0065	6030000000-E SILT EXCAVATION	1,600.000 CY	4.00000		6,400.00	
0066	6036000000-E MATTING FOR EROSION CONTROL	1,250.000 SY	2.10000		2,625.00	
0067	6037000000-E COIR FIBER MAT	20.000 SY	15.00000		300.00	
0068	6038000000-E PERMANENT SOIL REINFORCEMENT MAT	1,950.000 SY	7.00000		13,650.00	
0069	6042000000-E 1/4" HARDWARE CLOTH	60.000 LF	5.00000		300.00	
0070	6071030000-E COIR FIBER BAFFLES	350.000 LF	7.00000		2,450.00	
0071	6071050000-E *** SKIMMER (1-1/2")	3.000 EA	1,300.00000		3,900.00	

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Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
0072	6084000000-E SEEDING & MULCHING	4.800 ACR	1,795.00000		8,616.00	
0073	6087000000-E MOWING	1.500 ACR	200.00000		300.00	
0074	6090000000-E SEED FOR REPAIR SEEDING	50.000 LB	12.00000		600.00	
0075	6093000000-E FERTILIZER FOR REPAIR SEEDING	0.250 TON	4,000.00000		1,000.00	
0076	6096000000-E SEED FOR SUPPLEMENTAL SEEDING	75.000 LB	7.00000		525.00	
0077	6108000000-E FERTILIZER TOPDRESSING	2.250 TON	995.00000		2,238.75	
0078	6114000000-N SPECIALIZED HAND MOWING	2.000 HR	75.00000		150.00	
0079	6117000000-N RESPONSE FOR EROSION CONTROL	12.000 EA	0.01000		0.12	
0080	6123000000-E REFORESTATION	0.250 ACR	2,500.00000		625.00	
Section 0001 Total						652,840.50
Section 0003 WALL ITEMS						
0081	8802012000-E PILE PANEL RETAINING WALLS	896.000 SF	85.00000		76,160.00	
0082	8847000000-E GENERIC RETAINING WALL ITEM FABRIC WALL	1,248.000 SF	36.00000		44,928.00	

State of NC  
Dept of Transportation

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 Bidder: 3481 - R. E. Burns & Sons Co., Inc.

Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
0083	8847000000-E GENERIC RETAINING WALL ITEM GABION & RENO MATTRESS RETAIN- ING WALL	815.000 SF	38.00000		30,970.00	
Section 0003 Total						152,058.00
Section 0004                    STRUCTURE ITEMS						
0084	8021000000-N REMOVAL OF EXISTING STRUCTURE AT STATION ***** (16+50.00-L-)	LUMP	LUMP		9,450.00	
0085	8097000000-E PILE EXCAVATION NOT IN SOIL	80.000 LF	1,000.00000		80,000.00	
0086	8119000000-E UNCLASSIFIED STRUCTURE EXCAVATION	650.000 CY	9.00000		5,850.00	
0087	8147000000-E REINFORCED CONCRETE DECK SLAB	4,208.000 SF	30.00000		126,240.00	
0088	8161000000-E GROOVING BRIDGE FLOORS	4,493.000 SF	0.45000		2,021.85	
0089	8182000000-E CLASS A CONCRETE (BRIDGE)	124.700 CY	800.00000		99,760.00	
0090	8210000000-N BRIDGE APPROACH SLABS, STATION***** (16+50.00-L-)	LUMP	LUMP		35,000.00	
0091	8217000000-E REINFORCING STEEL (BRIDGE)	14,653.000 LB	1.35000		19,781.55	
0092	8280000000-E APPROX ..... LBS STRUCTURALSTEEL	LUMP	LUMP		175,000.00	

State of NC  
 Dept of Transportation

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 Revised: 04-02-08

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 Bidder: 3481 - R. E. Burns & Sons Co., Inc.

Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
0093	8364000000-E HP12X53 STEEL PILES	240.000 LF	25.00000		6,000.00	
0094	8384200000-E HP14X73 GALVANIZED STEEL PILES	400.000 LF	15.00000		6,000.00	
0095	8503000000-E CONCRETE BARRIER RAIL	194.590 LF	70.00000		13,621.30	
0096	8608000000-E RIP RAP CLASS II (2'-0" THICK)	215.000 TON	45.00000		9,675.00	
0097	8622000000-E FILTER FABRIC FOR DRAINAGE	260.000 SY	2.00000		520.00	
0098	8657000000-N ELASTOMERIC BEARINGS	LUMP	LUMP		8,000.00	
0099	8692000000-N EVAZOTE JOINT SEALS	LUMP	LUMP		10,000.00	
0100	8881000000-E GENERIC STRUCTURE ITEM CHIPPED TIRE MATERIAL	83.000 CY	350.00000		29,050.00	
Section 0004 Total						635,969.70
Bid Total						1,440,868.20

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.

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  
DBE COMMITMENT ITEMS

DATE: 03-18-08  
PAGE: 13

PROPOSAL: C201786  
LETTING: L080415 CALL: 019  
VENDOR: 3481 R. E. Burns & Sons Co., Inc.

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

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

0087 8147000000-E REINF CONCRE SF                    4208.000                    1.40000                    5891.20  
INSTALL DECK PANS AND REBAR

DBE COMMITMENT TOTAL FOR SUBCONTRACTOR:                    5,891.20  
DBE COMMITMENT TOTAL FOR VENDOR (SubContractor )                    5,891.20 ✓

DBE SUBCONTRACTOR: 2117 VALDESE CONCRETE WORKS, INC  
Will Use Quote: Yes

0036 2556000000-E SHOULDER BER LF                    507.000                    16.32000                    8274.24  
0001 0000100000-N MOBILIZATION LS                    1.000                    375.00000                    375.00

DBE COMMITMENT TOTAL FOR SUBCONTRACTOR:                    8,649.24  
DBE COMMITMENT TOTAL FOR VENDOR (SubContractor )                    8,649.24 ✓

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

0046 4400000000-E WORK ZONE SI SF                    378.000                    6.55000                    2475.90  
0048 4410000000-E WORK ZONE SI SF                    114.000                    6.15000                    701.10  
0051 4445000000-E BARRICADES ( LF                    128.000                    25.50000                    3264.00

DBE COMMITMENT TOTAL FOR SUBCONTRACTOR:                    6,441.00  
DBE COMMITMENT TOTAL FOR VENDOR (SubContractor )                    6,441.00 ✓

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

0037 3030000000-E STL BM GUARD LF                    787.500                    13.50000                    10631.25  
0038 3150000000-N ADDIT GUARDR EA                    5.000                    30.00000                    150.00  
0039 3270000000-N GR ANCHOR TY EA                    4.000                    1600.00000                    6400.00  
0040 3317000000-N GR ANCHOR TY EA                    4.000                    1300.00000                    5200.00  
0041 3380000000-E TEMP STL BM LF                    37.500                    6.75000                    253.13  
0042 3389100000-N GDRL ANCH UN EA                    2.000                    1100.00000                    2200.00

DBE COMMITMENT TOTAL FOR SUBCONTRACTOR:                    24,834.38  
DBE COMMITMENT TOTAL FOR VENDOR (SubContractor )                    24,834.38 ✓

DBE SUBCONTRACTOR: 2759 SUPERIOR SEEDING, INC.  
Will Use Quote: Yes

0059 6015000000-E TEMPORARY MU ACR                    3.000                    1200.00000                    3600.00  
0060 6018000000-E SEED FOR TEM LB                    100.000                    8.00000                    800.00  
0061 6021000000-E FERT FOR TEM TON                    0.500                    3000.00000                    1500.00  
0066 6036000000-E MATTING FOR SY                    1250.000                    2.10000                    2625.00

Check: 1784270D Page 13

NORTH CAROLINA STATE DEPARTMENT OF TRANSPORTATION  
 DBE COMMITMENT ITEMS

DATE: 03-18-08  
 PAGE: 14

LINE NO.	ITEM NO.	ITEM DESC.	UNIT TYPE	SUBCONTRACTOR QUANTITY	SUBCONTRACTOR UNIT PRICE	EXTENDED AMOUNT
0067	6037000000-E	COIR FIBER M	SY	20.000	15.00000	300.00
0068	6038000000-E	PERM SOIL RE	SY	1950.000	7.00000	13650.00
0072	6084000000-E	SEEDING AND	ACR	4.800	1795.00000	8616.00
0073	6087000000-E	MOWING	ACR	1.500	200.00000	300.00
0074	6090000000-E	SEED FOR REP	LB	50.000	12.00000	600.00
0075	6093000000-E	FERT FOR REP	TON	0.250	4000.00000	1000.00
0076	6096000000-E	SEED FOR SUP	LB	75.000	7.00000	525.00
0077	6108000000-E	FERTILIZER T	TON	2.250	995.00000	2238.75
0078	6114000000-N	SPECIALIZED	HR	2.000	75.00000	150.00
0080	6123000000-E	REFORESTATIO	ACR	0.250	2500.00000	625.00

DBE COMMITMENT TOTAL FOR SUBCONTRACTOR: 36,529.75  
 DBE COMMITMENT TOTAL FOR VENDOR (SubContractor ) 36,529.75 ✓

DBE SUBCONTRACTOR: 2855 BOSS CONSTRUCTION CO., INC.  
 Will Use Quote: Yes

0095	8503000000-E	CONCRETE BAR LF		194.590	43.10000	8386.83 ✓
		SLIPFORM				

DBE COMMITMENT TOTAL FOR SUBCONTRACTOR: 8,386.83  
 DBE COMMITMENT TOTAL FOR VENDOR (SubContractor ) 8,386.83

TOTAL DBE COMMITMENT FOR VENDOR: Entered: 6.30% or 90732.40  
 Required: 6.00% or 86452.09  
 <GOAL MET>

## Contract Item Sheets For C201786

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
<b>ROADWAY ITEMS</b>						
0001	0000100000-N	800	MOBILIZATION	Lump Sum LS	74,000.00	74,000.00
0002	0029000000-N	SP	REINFORCED BRIDGE APPROACH FILL, STATION ***** (16+50.00)	Lump Sum LS	18,000.00	18,000.00
0003	0043000000-N	226	GRADING	Lump Sum LS	125,000.00	125,000.00
0004	0050000000-E	226	SUPPLEMENTARY CLEARING & GRUB- BING	1 ACR	1.00	1.00
0005	0057000000-E	226	UNDERCUT EXCAVATION	100 CY	10.00	1,000.00
0006	0080000000-E	SP	CLASS IV SUBGRADE STABILIZA- TION	500 TON	16.00	8,000.00
0007	0134000000-E	240	DRAINAGE DITCH EXCAVATION	200 CY	11.00	2,200.00
0008	0195000000-E	265	SELECT GRANULAR MATERIAL	500 CY	67.00	33,500.00
0009	0196000000-E	270	FABRIC FOR SOIL STABILIZATION	500 SY	2.00	1,000.00
0010	0199000000-E	SP	TEMPORARY SHORING	825 SF	0.01	8.25
0011	0241000000-E	SP	GENERIC GRADING ITEM ROCK PLATING	80 SY	55.00	4,400.00
0012	0318000000-E	300	FOUNDATION CONDITIONING MATE- RIAL, MINOR STRS	50 TON	25.00	1,250.00
0013	0342000000-E	310	*** SIDE DRAIN PIPE (30")	36 LF	55.00	1,980.00
0014	0343000000-E	310	15" SIDE DRAIN PIPE	68 LF	40.00	2,720.00
0015	0372000000-E	310	18" RC PIPE CULVERTS, CLASS III	32 LF	50.00	1,600.00
0016	0378000000-E	310	24" RC PIPE CULVERTS, CLASS III	36 LF	62.00	2,232.00
0017	0708000000-E	310	15" BIT COAT CS PIPE CULVERTS, TYPE B 0.064" THICK	220 LF	40.00	8,800.00

## Contract Item Sheets For C201786

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
0018	0806000000-E	310	15" BIT COAT CS PIPE ELBOWS, TYPE B 0.064" THICK	6 EA	200.00	1,200.00
0019	1121000000-E	520	AGGREGATE BASE COURSE	276 TON	33.00	9,108.00
0020	1220000000-E	545	INCIDENTAL STONE BASE	25 TON	44.00	1,100.00
0021	1489000000-E	610	ASPHALT CONC BASE COURSE, TYPE B25.0B	810 TON	82.00	66,420.00
0022	1498000000-E	610	ASPHALT CONC INTERMEDIATE COURSE, TYPE I19.0B	540 TON	82.00	44,280.00
0023	1525000000-E	610	ASPHALT CONC SURFACE COURSE, TYPE SF9.5A	370 TON	82.00	30,340.00
0024	1560000000-E	620	ASPHALT BINDER FOR PLANT MIX, GRADE PG 64-22	85 TON	495.00	42,075.00
0025	1693000000-E	654	ASPHALT PLANT MIX, PAVEMENT REPAIR	25 TON	225.00	5,625.00
0026	2000000000-N	806	RIGHT OF WAY MARKERS	26 EA	150.00	3,900.00
0027	2022000000-E	815	SUBDRAIN EXCAVATION	224 CY	5.00	1,120.00
0028	2033000000-E	815	SUBDRAIN FINE AGGREGATE	168 CY	10.00	1,680.00
0029	2044000000-E	815	6" PERFORATED SUBDRAIN PIPE	1,000 LF	1.00	1,000.00
0030	2055000000-E	815	6" SUBDRAIN PIPE WYES, TEES, & ELBOWS	30 EA	20.00	600.00
0031	2066000000-N	815	CONCRETE PAD FOR SUBDRAIN PIPE OUTLET	2 EA	50.00	100.00
0032	2077000000-E	815	6" OUTLET PIPE (SUBDRAINS)	12 LF	15.00	180.00
0033	2253000000-E	840	PIPE COLLARS	1 CY	1,500.00	1,500.00
0034	2286000000-N	840	MASONRY DRAINAGE STRUCTURES	3 EA	2,000.00	6,000.00
0035	2367000000-N	840	FRAME WITH TWO GRATES, STD 840.29	3 EA	600.00	1,800.00

## Contract Item Sheets For C201786

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
0036	2556000000-E	846	SHOULDER BERM GUTTER	507 LF	17.00	8,619.00
0037	3030000000-E	862	STEEL BM GUARDRAIL	787.5 LF	13.50	10,631.25
0038	3150000000-N	862	ADDITIONAL GUARDRAIL POSTS	5 EA	30.00	150.00
0039	3270000000-N	SP	GUARDRAIL ANCHOR UNITS, TYPE 350	4 EA	1,600.00	6,400.00
0040	3317000000-N	862	GUARDRAIL ANCHOR UNITS, TYPE B-77	4 EA	1,300.00	5,200.00
0041	3380000000-E	862	TEMPORARY STEEL BM GUARDRAIL	37.5 LF	6.75	253.13
0042	3389100000-N	SP	GUARDRAIL ANCHOR UNITS, TYPE 350 TEMPORARY	2 EA	1,100.00	2,200.00
0043	3649000000-E	876	RIP RAP, CLASS B	25 TON	60.00	1,500.00
0044	3656000000-E	876	FILTER FABRIC FOR DRAINAGE	270 SY	2.00	540.00
0045	3659000000-N	SP	PREFORMED SCOUR HOLES WITH LEVEL SPREADER APRON	1 EA	1,200.00	1,200.00
0046	4400000000-E	1110	WORK ZONE SIGNS (STATIONARY)	378 SF	6.55	2,475.90
0047	4405000000-E	1110	WORK ZONE SIGNS (PORTABLE)	96 SF	30.00	2,880.00
0048	4410000000-E	1110	WORK ZONE SIGNS (BARRICADE MOUNTED)	114 SF	6.15	701.10
0049	4430000000-N	1130	DRUMS	75 EA	75.00	5,625.00
0050	4435000000-N	1135	CONES	10 EA	10.00	100.00
0051	4445000000-E	1145	BARRICADES (TYPE III)	128 LF	25.50	3,264.00
0052	4450000000-N	1150	FLAGGER	64 HR	35.00	2,240.00
0053	4810000000-E	1205	PAINT PAVEMENT MARKING LINES (4")	26,400 LF	0.28	7,392.00
0054	4850000000-E	1205	REMOVAL OF PAVEMENT MARKING LINES (4")	500 LF	1.50	750.00

## Contract Item Sheets For C201786

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
0055	6000000000-E	1605	TEMPORARY SILT FENCE	1,400 LF	3.00	4,200.00
0056	6006000000-E	1610	STONE FOR EROSION CONTROL, CLASS A	120 TON	40.00	4,800.00
0057	6009000000-E	1610	STONE FOR EROSION CONTROL, CLASS B	485 TON	40.00	19,400.00
0058	6012000000-E	1610	SEDIMENT CONTROL STONE	150 TON	40.00	6,000.00
0059	6015000000-E	1615	TEMPORARY MULCHING	3 ACR	1,200.00	3,600.00
0060	6018000000-E	1620	SEED FOR TEMPORARY SEEDING	100 LB	8.00	800.00
0061	6021000000-E	1620	FERTILIZER FOR TEMPORARY SEEDING	0.5 TON	3,000.00	1,500.00
0062	6024000000-E	1622	TEMPORARY SLOPE DRAINS	100 LF	15.00	1,500.00
0063	6027000000-N	1622	INLET PROTECTION AT TEMPORARY SLOPE DRAINS	3 EA	200.00	600.00
0064	6029000000-E	SP	SAFETY FENCE	400 LF	2.30	920.00
0065	6030000000-E	1630	SILT EXCAVATION	1,600 CY	4.00	6,400.00
0066	6036000000-E	1631	MATTING FOR EROSION CONTROL	1,250 SY	2.10	2,625.00
0067	6037000000-E	SP	COIR FIBER MAT	20 SY	15.00	300.00
0068	6038000000-E	SP	PERMANENT SOIL REINFORCEMENT MAT	1,950 SY	7.00	13,650.00
0069	6042000000-E	1632	1/4" HARDWARE CLOTH	60 LF	5.00	300.00
0070	6071030000-E	SP	COIR FIBER BAFFLES	350 LF	7.00	2,450.00
0071	6071050000-E	SP	*** SKIMMER (1-1/2")	3 EA	1,300.00	3,900.00
0072	6084000000-E	1660	SEEDING & MULCHING	4.8 ACR	1,795.00	8,616.00
0073	6087000000-E	1660	MOWING	1.5 ACR	200.00	300.00

## Contract Item Sheets For C201786

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
0074	6090000000-E	1661	SEED FOR REPAIR SEEDING	50 LB	12.00	600.00
0075	6093000000-E	1661	FERTILIZER FOR REPAIR SEEDING	0.25 TON	4,000.00	1,000.00
0076	6096000000-E	1662	SEED FOR SUPPLEMENTAL SEEDING	75 LB	7.00	525.00
0077	6108000000-E	1665	FERTILIZER TOPDRESSING	2.25 TON	995.00	2,238.75
0078	6114000000-N	SP	SPECIALIZED HAND MOWING	2 HR	75.00	150.00
0079	6117000000-N	SP	RESPONSE FOR EROSION CONTROL	12 EA	0.01	0.12
0080	6123000000-E	1670	REFORESTATION	0.25 ACR	2,500.00	625.00

## Contract Item Sheets For C201786

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
0081	8802012000-E	SP	PILE PANEL RETAINING WALLS	896 SF	85.00	76,160.00
0082	8847000000-E	SP	GENERIC RETAINING WALL ITEM FABRIC WALL	1,248 SF	36.00	44,928.00
0083	8847000000-E	SP	GENERIC RETAINING WALL ITEM GABION & RENO MATTRESS RETAINING WALL	815 SF	38.00	30,970.00



## Contract Item Sheets For C201786

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
0084	8021000000-N	SP	REMOVAL OF EXISTING STRUCTURE AT STATION ***** (16 + 50.00-L-)	Lump Sum LS	9,450.00	9,450.00
0085	8097000000-E	SP	PILE EXCAVATION NOT IN SOIL	80 LF	1,000.00	80,000.00
0086	8119000000-E	412	UNCLASSIFIED STRUCTURE EXCAVA- TION	650 CY	9.00	5,850.00
0087	8147000000-E	420	REINFORCED CONCRETE DECK SLAB	4,208 SF	30.00	126,240.00
0088	8161000000-E	420	GROOVING BRIDGE FLOORS	4,493 SF	0.45	2,021.85
0089	8182000000-E	420	CLASS A CONCRETE (BRIDGE)	124.7 CY	800.00	99,760.00
0090	8210000000-N	422	BRIDGE APPROACH SLABS, STATION ***** (16 + 50.00-L-)	Lump Sum LS	35,000.00	35,000.00
0091	8217000000-E	425	REINFORCING STEEL (BRIDGE)	14,653 LB	1.35	19,781.55
0092	8280000000-E	440	APPROX ..... LBS STRUCTURAL STEEL	103,700 LS	175,000.00	175,000.00
0093	8364000000-E	450	HP12X53 STEEL PILES	240 LF	25.00	6,000.00
0094	8384200000-E	450	HP14X73 GALVANIZED STEEL PILES	400 LF	15.00	6,000.00
0095	8503000000-E	460	CONCRETE BARRIER RAIL	194.59 LF	70.00	13,621.30
0096	8608000000-E	876	RIP RAP CLASS II (2'-0" THICK)	215 TON	45.00	9,675.00
0097	8622000000-E	876	FILTER FABRIC FOR DRAINAGE	260 SY	2.00	520.00
0098	8657000000-N	430	ELASTOMERIC BEARINGS	Lump Sum LS	8,000.00	8,000.00
0099	8692000000-N	SP	EVAZOTE JOINT SEALS	Lump Sum LS	10,000.00	10,000.00
0100	8881000000-E	SP	GENERIC STRUCTURE ITEM CHIPPED TIRE MATERIAL	83 CY	350.00	29,050.00

TOTAL AMOUNT OF BID FOR ENTIRE PROJECT

\$1,440,868.20

Contract Number C201786  
County Burke

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**

R. E. Burns & Sons Co., Inc.  
Print or type full name of Corporation

P. O. Box 7168, Statesville, N.C. 28687  
Address as Prequalified

Attest Nancy L. Burns By KC Burns  
~~Secretary~~ Assistant Secretary President/Vice President/Assistant Vice President  
Delete inappropriate title Delete inappropriate title

Nancy L. Burns  
Print or type signer's name

KEVIN C. BURNS  
Print or type signer's name

**CORPORATE SEAL**

**AFFIDAVIT MUST BE NOTARIZED**

**NOTARY SEAL**

Subscribed and sworn to before me this the

30 day of April 2008

Doris L. Renegaw  
Signature of Notary Public

of Fredell County

State of NORTH CAROLINA

My Commission Expires: Sept. 13, 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.

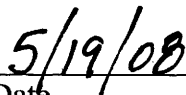
**Contract No:** C201786

**County:** Burke

ACCEPTED BY THE  
DEPARTMENT OF TRANSPORTATION

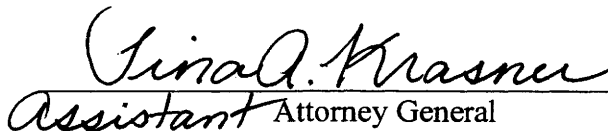


\_\_\_\_\_  
Contract Officer



\_\_\_\_\_  
Date

Execution of Contract and Bonds  
Approved as to Form:

  
\_\_\_\_\_  
Assistant Attorney General

Contract No. C201786  
County Burke

Rev 02-13-04

CONTRACT PAYMENT BOND  
BOND NO. 837042295

Date of Payment:  
Bond Execution: May 8, 2008

Name of Principal:  
Contractor R.E. Burns & Sons Co., Inc.  
PO Box 7168, Statesville NC 28687

Name of Surety: Liberty Mutual Insurance Company  
301 Plainfield Rd., Suite 250, Syracuse NY 13212

Name of Contracting Body: North Carolina Department of Transportation  
Raleigh, North Carolina  
One Million Four Hundred Forty Thousand Eight Hundred  
Sixty Eight Dollars and 20/100ths (\$1,440,868.20)

Amount of Bond:

Contract ID No.: C201786

County Name(s): Burke

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. C201786  
County Burke

Rev 02-13-04

### CONTRACT PAYMENT BOND

*Affix Seal of Surety Company*

Liberty Mutual Insurance Company  
Print or type Surety Company Name

By Katherine D. Jennison  
Print, stamp or type name of Attorney-in-Fact

Katherine D. Jennison  
Signature of Attorney-in-Fact

Debra Hulchanski  
Signature of witness

Debra Hulchanski  
Print or type witness' name

6315 Fly Road, E. Syracuse NY 13057  
Address of Attorney-in-Fact

Contract No. C201786  
County Burke

Rev 02-13-04

## CONTRACT PAYMENT BOND

CORPORATION

SIGNATURE OF CONTRACTOR (Principal)

R.E. Burns & Sons Co., Inc.

Print or type full name of Corporation

P.O. Box 7168 Statesville, NC 28687

Address as prequalified

By

KCBurns

Signature of President, ~~Vice President, Assistant Vice President~~

*Delete inappropriate title*

Kevin C. Burns

Print or type signer's name

Attest

Nancy L. Burns

Signature of ~~Secretary~~, Assistant Secretary

*Delete inappropriate title*

Nancy L. Burns

Print or type signer's name

*Affix Corporate Seal*



**CONTRACT PERFORMANCE BOND**  
BOND NO. 837042295

Date of Contract Performance  
Bond Execution: May 8, 2008

Name of Principal: R.E. Burns & Sons Co., Inc.  
Contractor PO Box 7168, Statesville NC 28687

Name of Surety: Liberty Mutual Insurance Company  
301 Plainfield Rd., Suite 250, Syracuse NY 13212

Name of Contracting Body: North Carolina Department of Transportation  
Raleigh, North Carolina  
One Million Four Hundred Forty Thousand Eight Hundred  
Sixty Eight Dollars and 20/100ths (\$1,440,868.20)

Amount of Bond:

Contract ID No.: C201786

County Name(s): Burke

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 C201786  
County Burke

Rev 02-13-04

## CONTRACT PERFORMANCE BOND

*Affix Seal of Surety Company*

Liberty Mutual Insurance Company  
Print or type Surety Company Name

By Katherine D. Jennison  
Attorney-in-Fact  
Print, stamp, or type name of Attorney-in Fact

Katherine D. Jennison  
Signature of Attorney-in-Fact

Debra Hulchanski  
Signature of witness

Debra Hulchanski  
Print or type witness' name

6315 Fly Road, E. Syracuse, NY 13057  
Address of Attorney-in-Fact

CONTRACT PERFORMANCE BOND  
CORPORATION

SIGNATURE OF CONTRACTOR (Principal)

R.E. Burns & Sons Co., Inc.  
Print full name of Corporation

P.O. Box 7168 Statesville, NC 28687  
Address as prequalified

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

Kevin C. Burns  
Print or type signer's name

Attest Nancy L. Burns  
Signature of ~~Secretary~~, Assistant Secretary  
*Delete inappropriate title*

Nancy L. Burns  
Print or type signer's name

*Affix Corporate Seal*

THIS POWER OF ATTORNEY IS NOT VALID UNLESS IT IS PRINTED ON RED BACKGROUND.

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.

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 CHARLES T. RELLER, KEITH P. BUTLER, SUZANNE H. AMO, DEBRA A. HULCHANSKI, KATHERINE D. JENNISON, ALL OF THE CITY OF EAST SYRACUSE, STATE OF NEW YORK

, each individually if there be more than one named, its true and lawful attorney-in-fact to make, execute, seal, acknowledge and deliver, for and on its behalf as surety and as its act and deed, any and all undertakings, bonds, recognizances and other surety obligations in the penal sum not exceeding TWENTY MILLION AND 00/100 DOLLARS (\$ 20,000,000.00) each, and the execution of such undertakings, bonds, recognizances and other surety obligations, in pursuance of these presents, shall be as binding upon the Company as if they had been duly signed by the president and attested by the secretary of the Company in their own proper persons.

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 21st day of March, 2008.

LIBERTY MUTUAL INSURANCE COMPANY

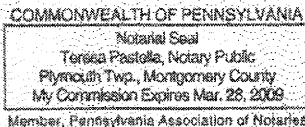
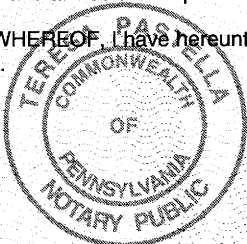
By Garnet W. Elliott, Assistant Secretary



COMMONWEALTH OF PENNSYLVANIA ss
COUNTY OF MONTGOMERY

On this 21st day of March, 2008, 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.



By 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 8th day of May, 2008.



By David M. Carey, Assistant Secretary

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 1-610-832-8240 between 9:00 am and 4:30 pm EST on any business day.

