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

### CONTRACT AND

### **CONTRACT BONDS**

FOR CONTRACT NO. C201760

WBS

33493.3.1 BRZ-1519(2)

T.I.P NO.

B-4144

COUNTY OF

**HAYWOOD** 

THIS IS THE

ROADWAY & STRUCTURE CONTRACT

ROUTE NUMBER

SR 1519

LENGTH

0.136 MILES

LOCATION

BRIDGE OVER RICHLAND CREEK & APPROACHES ON SR-1519.

CONTRACTOR

SIMPSON CONSTRUCTION CO., INC.

**ADDRESS** 

P.O. BOX 2727

**CLEVELAND, TN 373202727** 

**BIDS OPENED** 

MAY 20, 2008

CONTRACT EXECUTION JUN 1 9 2008

### Simpson Construction Co., Inc. (3476).

Vendor 1 of 6 Vendors for Call Order 020 (Proposal ID C201760).

County: HAYWOOD

Address: 178 Durkee Road

P.O. Box 2727

Cleveland, TN 37323

Phone Number: 423-472-4553

Signature Check: This bid has been properly signed by Larry\_Eskew\_3476.

Time Bid Received: Tue May 20 13:57:27 2008

Bid Checksum: 1701DB50

Amendment Count: 0

Bidding Errors: No bidding errors.

\$1,550,170.70 Bid Total:

Bond ID: SNC08532817

Bond was Verified: Yes. Bond Required Percent: 5.00%

Minimum Check Amount: \$77,508.54

Bid Security Maximum: \$

Bond Agency Name:

Agency Execution Date: 05/14/08

Surety Name: safeco

Surety State of Incorporation:

Bond Company:

Bond Type:

Bond Appr Flag:

Bond Affirm:

Bond was Paid by Check: No.

BE GOAL SET - 4.0 %
BE GOAL MET - 4.1 %

#### LIST OF DBE PARTICIPANTS

VENDOR NUMBER	DBE NAME ADDRESS	WORK CODE TYPE OF WORK	CERT. TYPE A	MOUNT
<b>1</b> 376	REYNOLDS FENCE & GUARDRAIL INC	ATI. NC 28079	Sub	15,592.50
	9320 MACHADO DRIVE , INDIAN TRA SUPERIOR SEEDING, INC. POST OFFICE BOX 12642 , GASTON	IA. NC 280520010	Sub	26,322.50
<b>√</b> 2855 <b>√√</b>	BOSS CONSTRUCTION CO., INC. 229 BOXWOOD CHURCH ROAD , MOCKS		Sub	12,528.10
√12392 <b>₩</b>	HAMILTON HAULING LLC 12 BARCLAY RD. , CANDLER, NC 28 ROGER F WILLIAMS CO INC		Sub	5,000.00
<b>2</b> 3330	ROGER F WILLIAMS CO INC 23 HERITAGE DRIVE , ASHEVILLE, NC 28806		Sup	<del>5,000.02</del> 6,447.42
			TOTAL:	\$ <del>62,443.11</del> <b>G3,311.55</b>
Miscelle	eneous Data Info - Contractor Pos	mongog.		4.08 %

Miscelleneous 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 acknowleges 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)

County

The Award Limits shall apply to the following projects:

Contract Number

NOT ANSWERED

NOT ANSWERED

NOT ANSWERED

NOT ANSWERED

NOT ANSWERED

Bid Bond Data Info - Contractor Responses:

BondID: SNC08532817 Surety Registry Agency: surety2000

NOT ANSWERED

NCDOT/berc

Vendor 3476's Load Output for Call 020, Letting L080520, 2008-05-20

Verified?: Yes
Surety Agency: safeco
Bond Execution Date: 05/14/08
Bond Amount: \$77,508.54 (Five Percent of Bid)

## State of NC

Dept of Transportation Revised:

Contract ID: C201760 Project(s): BRZ-1519(2)
Letting Date: 05-20-08 Call Order: 020
Bidder: 3476 - Simpson Construction Co., Inc.

Line No.		Approx. Quantity	Unit Price	Bid Amount
NO.	Description	and Units	Dollars   Cts	Dollars  C
ectio	on 0001 ROADWAY ITEM	S		
0001	0000100000-N MOBILIZATIO  N	LUMP	LUMP	76,000.00
0002	0000400000-N CONSTRUCTIO N SURVEYING	LUMP	LUMP	13,000.0
0003	0043000000-N GRADING	LUMP	LUMP	94,000.00
0004	0050000000-E SUPPLEMENTA RY CLEARING & GRUB-BING	1.000 ACR	1.00000	1.0
0005	0057000000-E UNDERCUT EXCAVATION	10.000 CY	21.50000	215.0
0006	0080000000-E CLASS IV SUBGRADE STABILIZA- TION	250.000 TON	27.00000	6,750.0
0007	0195000000-E SELECT GRANULAR MATERIAL	250.000 CY	43.00000	10,750.0
8000	0196000000-E FABRIC FOR SOIL STABILIZATION	500.000 SY	4.50000	2,250.0
	0318000000-E FOUNDATION CONDITIONING MATE- RIAL, MINOR STRS	22.000 TON	37.75000	830.5
0010	0345000000-E 24" SIDE DRAIN PIPE	44.000 LF	64.50000	2,838.0
	0366000000-E 15" RC PIPE CULVERTS, CLASS III	20.000 LF	43.00000	860.0

Check: 1701DB50 Page 1

Date: 04-21-08

#### State of NC Dept of Transportation

Revised:

Date: 04-21-08

Project(s): BRZ-1519(2)

Contract ID: C201760 Project(s Letting Date: 05-20-08 Call Order: 020 Bidder: 3476 - Simpson Construction Co., Inc.

Line	l .		Approx. Quantity	Unit Price	Bid Amount
		and Units		Dollars   Cts	Dollars  Ct
0012	1220000000-E INCIDENTAL STONE BASE	TON	200.000	25.80000	5,160.00
0013	1330000000-E INCIDENTAL MILLING	SY	150.000	27.00000	4,050.00
0014	1489000000-E ASPHALT CONC BASE COURSE, TYPE B25.0B	TON	350.000	85.15000	29,802.50
0015	1498000000-E ASPHALT  CONC INTERMEDIATE  COURSE, TYPE I19.0B	TON	150.000	87.30000	13,095.00
0016	1519000000-E ASPHALT CONC SURFACE COURSE, TYPE S9.5B	TON	290.000	89.85000	26,056.50
0017	1560000000-E ASPHALT  BINDER FOR PLANT MIX,  GRADE PG 64-22	TON	40.000	457.00000	18,280.00
0018	1693000000-E ASPHALT  PLANT MIX, PAVEMENT  REPAIR	TON	5.000	215.00000	1,075.00
0019	2022000000-E SUBDRAIN EXCAVATION	CY	12.000	1.00000	12.00
0020	2033000000-E SUBDRAIN FINE AGGREGATE	CY	9.000	37.75000	339.75
0021	2044000000-E 6" PERFORATED SUBDRAIN PIPE	LF	50.000	21.50000	1,075.00
0022	2055000000-E 6" SUBDRAIN PIPE WYES, TEES, &ELBOWS	EA	2.000	32.25000	64.50
0023	2066000000-N CONCRETE PAD FOR SUBDRAIN PIPE OUTLET	EA	1.000	268.75000	268.75

## State of NC Dept of Transportation

Revised:

Contract ID: C201760 Project(s): BRZ-1519(2)
Letting Date: 05-20-08 Call Order: 020
Bidder: 3476 - Simpson Construction Co., Inc.

Line No.	1		Approx. Quantity and Units	Unit Price	Bid Amount
0024	2077000000-E 6" OUTLET PIPE (SUBDRAINS)	LF	6.000	<del></del> 	129.00
0025	2286000000-N MASONRY DRAINAGE STRUCTURES	EA	1.000	2,687.50000	2,687.50
0026	2367000000-N FRAME WITH  TWO GRATES, STD 840.29	EA	1.000	537.50000	537.50
0027	2556000000-E SHOULDER BERM GUTTER	LF	44.000	32.25000	1,419.00
0028	3030000000-E STEEL BM GUARDRAIL	LF	200.000	17.25000	3,450.00
0029	3045000000-E STEEL BM GUARDRAIL, SHOP CURVED	LF	37.500	22.00000	825.00
0030	3105000000-N STEEL BM GUARDRAIL TERMINAL SECTIONS	EA	2.000	150.00000	300.00
0031	3150000000-N ADDITIONAL GUARDRAIL POSTS	EA	5.000	60.00000	300.00
0032	3195000000-N GUARDRAIL ANCHOR UNITS, TYPE AT-1	EA	1.000	550.00000	550.00
0033	3215000000-N GUARDRAIL ANCHOR UNITS, TYPE III	EA	4.000	1,205.00000	4,820.00
0034	3270000000-N GUARDRAIL ANCHOR UNITS, TYPE 350	EA	3.000	1,800.00000	5,400.00
0035	3387000000-N GUARDRAIL ANCHOR UNITS, TYPE ******** TEMPORARY (AT-1)	EA	2.000	450.00000	900.00

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Date: 04-21-08

## State of NC

Dept of Transportation

Project(s): BRZ-1519(2)

Contract ID: C201760 Project(s Letting Date: 05-20-08 Call Order: 020 Bidder: 3476 - Simpson Construction Co., Inc.

Line	1	Approx. Quantity	Unit Price	Bid Amount
+		and Units	Dollars   Cts	Dollars  Ct
0036	3628000000-E RIP RAP, CLASS I	4.000 TON	64.50000	258.00
0037	3642000000-E RIP RAP, CLASS A	65.000 TON	43.00000	2,795.00
0038	3649000000-E RIP RAP, CLASS B	8.000 TON	43.00000	344.00
0039	3656000000-E FILTER  FABRIC FOR DRAINAGE	535.000 SY	4.75000	2,541.25
0040	4400000000-E WORK ZONE SIGNS (STATIONARY)	48.000 SF	10.00000	480.00
0041	4405000000-E WORK ZONE  SIGNS (PORTABLE)	96.000  SF	9.00000	864.00
0042	4410000000-E WORK ZONE SIGNS (BARRICADE MOUNTED)	30.000  SF	9.00000	270.00
0043	4420000000-N CHANGEABLE MESSAGE SIGN	2.000 EA	10,500.00000	21,000.00
0044	443000000-N DRUMS	100.000 EA	45.00000	4,500.00
0045	4445000000-E BARRICADES (TYPE III)	48.000 LF	30.00000	1,440.00
0046	4450000000-N FLAGGER	200.000 HR	17.00000	3,400.00
0047	4810000000-E PAINT PAVEMENT MARKING LINES (4")	11,034.000 LF	0.44000	4,854.96

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Date: 04-21-08

## State of NC

Dept of Transportation

Contract ID: C201760 Project(s): BRZ-1519(2)
Letting Date: 05-20-08 Call Order: 020
Bidder: 3476 - Simpson Construction Co., Inc.

Line			Approx. Quantity	Unit Price	Bid Amount
100.	Description	and Units		Dollars   Cts	Dollars  Ct
0048	4850000000-E REMOVAL OF PAVEMENT MARKING LINES (4")	LF	730.000	1.25000	912.50
0049	4915000000-E 7'  U-CHANNEL POSTS	EA	3.000	70.00000	210.00
0050	4955000000-N OBJECT MARKERS (END OF ROAD)	EA	3.000	69.00000	207.00
0051	5691300000-E 8" SANITARY  GRAVITY SEWER	LF	298.000	43.00000	12,814.00
0052	6000000000-E TEMPORARY SILT FENCE	LF	775.000	2.75000	2,131.25
0053	6006000000-E STONE FOR EROSION CONTROL, CLASS	TON	75.000	43.00000	3,225.00
0054	6009000000-E STONE FOR EROSION CONTROL, CLASS	TON	205.000	43.00000	8,815.00
0055	6012000000-E SEDIMENT CONTROL STONE	TON	160.000	37.75000	6,040.00
0056	6015000000-E TEMPORARY MULCHING	ACR	2.500	1,650.00000	4,125.00
0057	6018000000-E SEED FOR TEMPORARY SEEDING	LB	100.000	9.50000	950.00
0058	6021000000-E FERTILIZER FOR TEMPORARY SEED-ING	TON	0.500	3,225.00000	1,612.50
0059	6024000000-E TEMPORARY SLOPE DRAINS	LF	30.000	10.75000	322.50

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Date: 04-21-08

State of NC Dept of Transportation

Contract ID: C201760 Project(s): BRZ-1519(2)
Letting Date: 05-20-08 Call Order: 020
Bidder: 3476 - Simpson Construction Co., Inc.

Line	Item   Description		Approx. Quantity	Unit Price	Bid Amount
10.	Descripcion		and Units	Dollars   Cts	Dollars  Ct
0060	6027000000-N INLET  PROTECTION AT TEMPORARY  SLOPE DRAINS	EA	1.000	107.50000	107.50
0061	6029000000-E SAFETY FENCE	LF	725.000	2.15000	1,558.75
0062	603000000-E SILT EXCAVATION	CY	955.000	2.15000	2,053.25
0063	6036000000-E MATTING FOR EROSION CONTROL	SY	410.000	2.50000	1,025.00
0064	6037000000-E COIR FIBER MAT	SY	15.000	35.00000	525.00
0065	6038000000-E PERMANENT SOIL REINFORCEMENT MAT	SY	275.000	13.00000	3,575.00
0066	6042000000-E 1/4" HARDWARE CLOTH	LF	20.000	5.50000	110.00
0067	6070000000-N SPECIAL STILLING BASINS	EA	4.000	800.00000	3,200.00
0068	6071030000-E COIR FIBER BAFFLES	LF	300.000	7.55000	2,265.00
0069	6071050000-E **" SKIMMER (1-1/2")	EA	2.000	1,612.50000	3,225.00
0070	6084000000-E SEEDING & MULCHING	ACR	2.500	2,750.00000	6,875.00
0071	6087000000-E MOWING	ACR	1.500	400.00000	600.00

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Date: 04-21-08

State of NC

Dept of Transportation Project(s): BRZ-1519(2)

Contract ID: C201760 Project(s Letting Date: 05-20-08 Call Order: 020 Bidder: 3476 - Simpson Construction Co., Inc.

Line	1	Approx. Quantity and Units		Unit Price	Bid Amount
NO.	Description			Dollars   Cts	Dollars  Ct
0072	6090000000-E SEED FOR REPAIR SEEDING	LB	50.000	20.00000	1,000.00
0073	6093000000-E FERTILIZER FOR REPAIR SEEDING	TON	0.250	4,400.00000	1,100.00
0074	6096000000-E SEED FOR  SUPPLEMENTAL SEEDING	LB	50.000	10.00000	500.00
0075	6108000000-E FERTILIZER TOPDRESSING	TON	1.750	1,250.00000	2,187.50
0076	6114000000-N SPECIALIZED HAND MOWING	НR	2.000	125.00000	250.00
0077	6117000000-N RESPONSE FOR EROSION CONTROL	EA	L2.000	425.00000	5,100.00
	Section 0001 Total				447,460.46
Section	on 0004 STRUCTURE ITH	EMS			·
0078	8017000000-N CONSTRUCTIO N, MAINTENANCE, & REMOVAL OF TEMP ACCESS AT STA ************************************	LUMP		LUMP	25,000.00
0079	8035000000-N REMOVAL OF EXISTING STRUCTURE AT STATION ************************************	LUMP		LUMP	35,000.00
0080	8105560000-E 4'-0" DIA DRILLED PIERS IN SOIL	LF	1.000	595.00000	6,545.00
0081	8105660000-E 4'-0" DIA DRILLED PIERS NOT IN SOIL	LF	7.000	2,123.50000	57,334.50

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Date: 04-21-08

## State of NC

Dept of Transportation

Contract ID: C201760 Project(s): BRZ-1519(2)
Letting Date: 05-20-08 Call Order: 020
Bidder: 3476 - Simpson Construction Co., Inc.

Line		Approx. Quantity and Units		Unit Price	Bid Amount
NO.	Description			Dollars   Cts	Dollars  Ct
0082	8111600000-E PERMANENT STEEL CASING FOR 4'-0" DIA DRILLED PIER	LF	14.000	516.00000	7,224.00
0083	8113000000-N SID INSPECTION	EA	1.000	2,300.00000	2,300.00
0084	8115000000-N CROSSHOLE SONIC LOGGING	EA	1.000	2,800.00000	2,800.00
0085	8119000000-E UNCLASSIFIE D STRUCTURE EXCAVA-TION	CY	600.000	25.00000	15,000.00
0086	8147000000-E REINFORCED CONCRETE DECK SLAB	SF	5,868.000	27.75000	162,837.00
0087	8161000000-E GROOVING BRIDGE FLOORS	SF	5,841.000	0.70000	4,088.70
0088	8182000000-E CLASS A CONCRETE (BRIDGE)	CY	73.200	800.00000	58,560.00
0089	8210000000-N BRIDGE APPROACH SLABS, STATION************************************	LUMP		LUMP	34,000.00
0090	8217000000-E REINFORCING STEEL (BRIDGE)	LB	14,903.000	0.91000	13,561.73
0091	8238000000-E SPIRAL COLUMN REINFORCING STEEL (BRIDGE)	LB	1,328.000	1.95000	2,589.60
0092	8280000000-E APPROX LBS STRUCTURALSTEEL	LUMP		LUMP	545,000.00
0093	8364000000-E HP12X53 STEEL PILES	LF	195.000	110.00000	21,450.00

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Date: 04-21-08

State of NC Dept of Transportation

Date: 04-21-08

Revised:

Contract ID: C201760 Project(s): BRZ-1519(2)
Letting Date: 05-20-08 Call Order: 020
Bidder: 3476 - Simpson Construction Co., Inc.

Line	1	Approx. Quantity	Unit Price	Bid Amount
	<u> </u>	and Units	Dollars   Cts	Dollars  Ct
0094	8391000000-N STEEL PILE POINTS	13.000 EA	125.00000	1,625.00
0095	8475000000-E TWO BAR METAL RAIL	297.110 LF	215.00000	63,878.65
0096	8517000000-E	312.110 LF	74.20000	23,158.56
0097	8608000000-E RIP RAP CLASS II (2'-0" THICK)	309.000 TON	32.50000	10,042.50
0098	8622000000-E FILTER FABRIC FOR DRAINAGE	343.000 SY	5.00000	1,715.00
0099	8657000000-N ELASTOMERIC BEARINGS	LUMP	LUMP	4,000.00
0100	8692000000-N EVAZOTE JOINT SEALS	LUMP	LUMP	5,000.00
	Section 0004 Total			1,102,710.24
 +	Bid Total		 	1,550,170.70

#### 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:

- 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 acknowleges 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

PROPOSAL: C201760 LETTING: L080520 CALL: 020 VENDOR: 3476 Simpson Construction Co., Inc.

LINE ITEM NO. NO.				SUBCONTRACTOR UNIT PRICE	
DBE SUBCONTRACTOR Will Use Quote: Ye	: 3376 REYNOLDS				
0001 0000100000-N 0028 3030000000-E 0029 3045000000-E 0030 3105000000-N 0031 3150000000-N 0032 3195000000-N 0033 3215000000-N 0034 3270000000-N 0035 3387000000-N	SBGR SHOP CU SBGR TERM SE ADDIT GUARDR GR ANCHOR TY GR ANCHOR TY GR ANCHOR TY GDRL ANCH UN	LF EA EA EA EA EA	37.500 2.000 5.000 1.000 4.000 3.000 2.000	19.0000 90.0000 40.0000 450.0000 1125.0000 1700.0000 375.0000	712.50 180.00 200.00 450.00 4500.00 5100.00 750.00
DBE COMMITME	INT TOTAL FOR SINT TOTAL FOR V	SUBCONT VENDOR	RACTOR: (SubContracto	or)	5,592.50 15,592.50
DBE SUBCONTRACTOR: Will Use Quote: Ye	:S		•		
0056 6015000000-E 0057 6018000000-E 0058 6021000000-E 0063 6036000000-E 0065 6038000000-E 0070 6084000000-E 0071 6087000000-E 0072 609000000-E 0073 609300000-E 0074 609600000-E 0075 6108000000-E 0076 611400000-N					
DBE COMMITME DBE COMMITME	NT TOTAL FOR S NT TOTAL FOR V	UBCONTI ENDOR	RACTOR: (SubContracto	- 20	6,322.50 26,322.50
DBE SUBCONTRACTOR: Will Use Quote: Ye		STRUCT	ION CO., INC.		
0096 8517000000-E	l'-**"X****	LF	312.110	40.14000	12528.10
DBE COMMITME	NT TOTAL FOR S	UBCONTI ENDOR	RACTOR: (SubContracto	 12	2,528.10 12,528.10
DBE SUBCONTRACTOR: 12392 HAMILTON HAULING LLC Will Use Quote: Yes					

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DATE:04-21-08

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NORTH CAROLINA STATE DEPARTMENT OF TRANSPORTATION DATE: 04-21-08 DBE COMMITMENT ITEMS

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

0003 0043000000-N GRADING LS 1.000 5000.00000 5000.00

DBE COMMITMENT TOTAL FOR SUBCONTRACTOR:

5,000.00 DBE COMMITMENT TOTAL FOR VENDOR (SubContractor ) 5,000.00

DBE SUBCONTRACTOR: 2330 ROGER F WILLIAMS CO INC Will Use Quote: Yes

0051 5691300000-E 8" SANITARY LF 298.000 16.77860 -5000.02 6,447.42

DBE COMMITMENT TOTAL FOR SUBCONTRACTOR:

DBE COMMITMENT TOTAL FOR VENDOR ( Supplier )

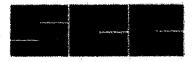
<del>5,000.0</del>2 \$3,000.01

TOTAL DBE COMMITMENT FOR VENDOR:

Entered: Required: 4.03% or 62443.11 4.00% or 62006.83

4.08% 63,311.55

<GOAL MET>



Simpson Construction Company, Inc. 178 Durkee Road P.O. Box 2727 Cleveland, TN 37320 Phone: (423) 472-4553 Fax: (423) 472-9824

May 28, 2008

North Carolina Dept. of Transportation Construction Unit Raleigh, NC

Attn: Mr. Michael McKoy

RE: DBE Utilization Change

#### Dear Sir:

Simpson Construction Co., Inc. was low bidder on NCDOT Project No. C201760 Haywood County Call No. 20 on the letting of May 20, 2008. On the EBS bid File for Roger F. Williams Co., Inc., the incorrect item and total dollar amount was entered. Below is the incorrect information:

## 

Please replace the above item with the following correct DBE items and amounts.

Line No 0008 500 SY @	0196000000-E \$0.75/SY	FABRIC FOR SOIL STABILIZATION \$375.00
Line/No. 0010	0345000000-E	24" SIDE DRAIN PIPE
44 LF @	\$28.00/LF	\$1,232.00
inel 45 - 03 1 1	0366000000-E	15" RC PIPE CULVERTS, CLASS III
20 LF @	\$19.67/LF	\$393.40
Ura 80 2022	2044000000-E	6" PERFORATED SUBDRAIN PIPE
50 LF @	\$1,47/LF	\$73.50

### Mr. McKoy Page 2

line(No. 10022	2055000000-E	6" SUBDRAIN PIPE WYES, TEES & ELBOWS
2 EACH @	\$24.25/EA	\$48.50
	2066000000-N	CONCRETE PAD FOR SUBDRAIN PIPE OUTLET
1 EACH @	\$140.00/EA	\$140.00
	2367000000-N	FRAME WITH TWO GRATES, STD 840.29
1 EACH @	\$244.17/EA	\$244.17
535 SY @	3656000000-E \$0.75/SY	FILTER FABRIC FOR DRAINAGE \$401.25
Une No. 0052 775 LF @	6000000000-E \$0.73/LF	TEMPORARY SILT FENCE \$585.75
30 LF @	6024000000-E \$13.85/LF	TEMPORARY SLOPE DRAINS \$415.50
725 LF @	6029000000-E \$0.50/LF	SAFETY FENCE \$362.50
20 LF @	6042000000-E \$1.93/LF	1/4" HARDWARE CLOTH \$38.60
300 LF @	6071030000-E \$3.50/LF	COIR FIBER BAFFLES \$1,050.00

Mr. McKoy Page 3

6071050000-E

SKIMMER (1-1/2")

\$425.00/EA

\$850.00

343 SY

8622000000-E \$0.75/SY

FILTER FABRIC FOR DRAINAGE

\$257.25

TOTAL

\$6,447.42

Please contact us should you have any questions. Thank you,

Herbie C. Sowder

Simpson Construction Co., Inc.

## North Carolina Department Of Transportation

Page: 1 of 7

			Contract Item Sheets For C20			
Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
			ROADWAY ITEMS			
0001	0000100000-N	800	MOBILIZATION	Lump Sum LS	76,000.00	76,000.00
0002	0000400000-N	801		Lump Sum LS	13,000.00	13,000.00
0003	0043000000-N	226	GRADING	Lump Sum LS	94,000.00	94,000.00
0004	0050000000-E	226	SUPPLEMENTARY CLEARING & GRUB- BING	1 ACR	1.00	1.00
0005	0057000000-E	226	UNDERCUT EXCAVATION	10 CY	21.50	215.00
0006	0080000000-E	SP	CLASS IV SUBGRADE STABILIZA- TION	250 TON	27.00	6,750.00
0007	0195000000-E	265	SELECT GRANULAR MATERIAL	250 CY	43.00	
0008	0196000000-E	270	FABRIC FOR SOIL STABILIZATION	500 SY	4.50	2,250.00
0009	0318000000-E	300	FOUNDATION CONDITIONING MATE- RIAL, MINOR STRS	22 TON	37.75	830.50
0010	0345000000-E	310	24" SIDE DRAIN PIPE	44 LF	64.50	2,838.00
0011	036600000-E	310	15" RC PIPE CULVERTS, CLASS	20 LF	43.00	860.00
0012	122000000-E	545	INCIDENTAL STONE BASE	200 TON	25.80	5,160.00
0013	1330000000-E	607	INCIDENTAL MILLING	150 SY	27.00	4,050.00
0014	1489000000-E	610	ASPHALT CONC BASE COURSE, TYPE B25.0B	350 TON	85.15	
0015	149800000-E	610	ASPHALT CONC INTERMEDIATE COURSE, TYPE I19.0B	150 TON	87.30	13,095.00
0016	1519000000-E	610	ASPHALT CONC SURFACE COURSE, TYPE S9.5B	290 TON	89.85	26,056.50 ,
 0017	1560000000-E	620	ASPHALT BINDER FOR PLANT MIX, GRADE PG 64-22	40 TON	457.00	18,280.00
0018	1693000000-E	654	ASPHALT PLANT MIX, PAVEMENT REPAIR	5 TON	215.00	1,075.00
0017	156000000-E	620	ASPHALT BINDER FOR PLANT MIX, GRADE PG 64-22  ASPHALT PLANT MIX, PAVEMENT	40 TON 5	457.00	

## North Carolina Department Of Transportation Contract Item Sheets For C201760

Page: 2 of 7

	I N		Contract Item Sheets For C20	Quantity	Unit Bid	Amount
Line #	ItemNumber	Sec #	Description	Unit	Price	Bid
0019	2022000000-E	815	SUBDRAIN EXCAVATION	12 CY	1.00	12.00
0020	2033000000-E	815	SUBDRAIN FINE AGGREGATE	9 CY	37.75	339.75
0021	2044000000-E	815	6" PERFORATED SUBDRAIN PIPE	50 LF		1,075.00
0022	2055000000-E	815	6" SUBDRAIN PIPE WYES, TEES, & ELBOWS	2 EA	32.25	64.50
0023	2066000000-N	815	CONCRETE PAD FOR SUBDRAIN PIPE OUTLET	1 EA	268.75	268.75
0024	2077000000-E	815	6" OUTLET PIPE (SUBDRAINS)	6 LF	21.50	
0025	2286000000-N	840	MASONRY DRAINAGE STRUCTURES	1 EA	2,687.50	2,687.50
0026	2367000000-N	840		1 EA	537.50	537.50
 0027	2556000000-E	846	SHOULDER BERM GUTTER	44 LF	32.25	
0028	303000000-E	862	STEEL BM GUARDRAIL	200 LF	17.25	3,450.00
0029	3045000000-E	862	STEEL BM GUARDRAIL, SHOP CURVED	37.5 LF	22.00	825.00
0030	3105000000-N	862	STEEL BM GUARDRAIL TERMINAL SECTIONS	2 EA	150.00	300.00
0031	315000000-N	862	ADDITIONAL GUARDRAIL POSTS	5 EA	60.00	300.00
0032	3195000000-N	862	GUARDRAIL ANCHOR UNITS, TYPE AT-1	1 EA	550.00	550.00
0033	3215000000-N	862	GUARDRAIL ANCHOR UNITS, TYPE	4 EA	1,205.00	4,820.00
 0034	3270000000-N	SP	GUARDRAIL ANCHOR UNITS, TYPE 350	3 EA	1,800.00	5,400.00
0035	3387000000-N	862	GUARDRAIL ANCHOR UNITS, TYPE  ******** TEMPORARY  (AT-1)	2 EA	450.00	900.00
0036	3628000000-E	876	RIP RAP, CLASS I	4 TON	64.50	258.00

## North Carolina Department Of Transportation Contract Item Sheets For C201760

Page: 3 of 7

			Contract Item Sheets For C2			A
Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
0037			RIP RAP, CLASS A	65 TON	43.00	
0038	364900000-E	876	RIP RAP, CLASS B	8 TON	43.00	344.00
0039			FILTER FABRIC FOR DRAINAGE	535 SY	4.75	2,541.25
 0040	440000000-E	1110	WORK ZONE SIGNS (STATIONARY)	48 SF	10.00	480.00
0041	4405000000-E	1110	WORK ZONE SIGNS (PORTABLE)	96 SF	9.00	864.00
0042	4410000000-E	1110	WORK ZONE SIGNS (BARRICADE MOUNTED)	30 SF	9.00	270.00
0043	442000000-N	1120	CHANGEABLE MESSAGE SIGN	2 EA	10,500.00	21,000.00
0044	4430000000-N			100 EA	45.00	
0045			BARRICADES (TYPE III)	48 LF	30.00	1,440.00
0046	4450000000-N	1150	FLAGGER	200 HR	17.00	
 0047			PAINT PAVEMENT MARKING LINES (4")	11,034 LF	0.44	4,854.96
			REMOVAL OF PAVEMENT MARKING LINES (4")	730 LF	1.25	912.50
 0049			7' U-CHANNEL POSTS	3 EA	70.00	210.00
0050			OBJECT MARKERS (END OF ROAD)	3 EA	69.00	207.00
0051	5691300000-E	1520	8" SANITARY GRAVITY SEWER	298 LF		12,814.00
0052	600000000-E	1605	TEMPORARY SILT FENCE	775 LF	2.75	2,131.25
0053	6006000000-E	1610	STONE FOR EROSION CONTROL, CLASS A	75 TON	43.00	3,225.00
 0054	6009000000-E	1610	STONE FOR EROSION CONTROL, CLASS B	205 TON		
0055	6012000000-E	1610	SEDIMENT CONTROL STONE	160 TON	37.75	

## North Carolina Department Of Transportation Contract Item Sheets For C201760

Page: 4 of 7

			Contract Item Sheets For C20		Unit Bid	Amount
Line #	ItemNumber	Sec #	Description	Quantity Unit	Price Price	Bid
0056	6015000000-E	1615	TEMPORARY MULCHING	2.5 ACR	1,650.00	4,125.00
0057	6018000000-E	1620	SEED FOR TEMPORARY SEEDING	100 LB	9.50	950.00
0058	6021000000-E	1620	FERTILIZER FOR TEMPORARY SEED- ING	0.5 TON	3,225.00	1,612.50
 0059	6024000000-E	1622	TEMPORARY SLOPE DRAINS	30 LF	10.75	
0060	6027000000-N	1622	INLET PROTECTION AT TEMPORARY SLOPE DRAINS	1 EA	107.50	107.50
 0061	6029000000-E	SP	SAFETY FENCE	725 LF	2.15	1,558.75
0062	6030000000-E	1630		955 CY	2.15	2,053.25
0063	6036000000-E	1631	MATTING FOR EROSION CONTROL	410 SY	2.50	1,025.00
0064	603700000-E	SP	COIR FIBER MAT	15 SY	35.00	525.00
0065	6038000000-E	SP	PERMANENT SOIL REINFORCEMENT MAT	275 SY	13.00	3,575.00
0066	6042000000-E	1632	1/4" HARDWARE CLOTH	20 LF	5.50	110.00
0067			SPECIAL STILLING BASINS	4 EA	800.00	3,200.00
0068	6071030000-E		COIR FIBER BAFFLES	300 LF	7.55	
0069	6071050000-E	SP	**" SKIMMER (1-1/2")	2 EA	1,612.50	
0070	608400000-E		SEEDING & MULCHING	2.5 ACR	2,750.00	
0071	6087000000-E	1660	MOWING	1.5 ACR	400.00	600.00
0072	6090000000-E	1661	SEED FOR REPAIR SEEDING	50 LB		1,000.00
0073	609300000-E	1661	FERTILIZER FOR REPAIR SEEDING		4,400.00	1,100.00
0074	6096000000-E	1662	SEED FOR SUPPLEMENTAL SEEDING	50 LB	10.00	500.00

## North Carolina Department Of Transportation Contract Item Sheets For C201760

Page	: 5	of	7
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Line #	ltemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
0075	6108000000-E	1665	FERTILIZER TOPDRESSING	1.75 TON	1,250.00	2,187.50
0076	6114000000-N	SP	SPECIALIZED HAND MOWING	2 HR	125.00	250.00
0077	6117000000-N	SP	RESPONSE FOR EROSION CONTROL	12 EA	425.00	5,100.00

## North Carolina Department Of Transportation Contract Item Sheets For C201760

Page: 6 of 7

			Contract Item Sheets For C20	)1760		
Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
0078	8017000000-N	SP	CONSTRUCTION, MAINTENANCE, & REMOVAL OF TEMP ACCESS AT STA	Lump Sum LS	25,000.00	25,000.00
 0079	8035000000-N	402	REMOVAL OF EXISTING STRUCTURE AT STATION ************************************	Lump Sum LS	35,000.00	35,000.00
0800	8105560000-E	SP	4'-0" DIA DRILLED PIERS IN SO	11 LF	595.00	6,545.00
 0081	8105660000-E	SP	4'-0" DIA DRILLED PIERS NOT IN SOIL	27 LF	2,123.50	57,334.50
 0082	8111600000-E	SP	PERMANENT STEEL CASING FOR 4'-0" DIA DRILLED PIER	14 LF	516.00	7,224.00
0083	811300000-N	SP	SID INSPECTION	1 EA	2,300.00	2,300.00
0084	8115000000-N	SP	CROSSHOLE SONIC LOGGING	1 EA	2,800.00	2,800.00
0085	8119000000-E	412	UNCLASSIFIED STRUCTURE EXCAVA- TION	600 CY	25.00	15,000.00
0086	8147000000-E	420	REINFORCED CONCRETE DECK SLAB	5,868 SF	27.75	162,837.00
0087	8161000000-E	420	GROOVING BRIDGE FLOORS	5,841 SF	0.70	4,088.70
0088			CLASS A CONCRETE (BRIDGE)	73.2 CY	800.00	
0089	821000000-N			Lump Sum LS	34,000.00	34,000.00
0090	8217000000-E	425	REINFORCING STEEL (BRIDGE)	14,903 LB	0.91	13,561.73
0091	8238000000-E	425	SPIRAL COLUMN REINFORCING STEEL (BRIDGE)	1,328 LB	1.95	2,589.60
0092	8280000000-E	440	APPROX LBS STRUCTURAL STEEL	231,000 LS		545,000.00
0093	8364000000-E	450	HP12X53 STEEL PILES	195 LF	110.00	21,450.00
0094	8391000000-N	450	STEEL PILE POINTS	13 EA		1,625.00

## North Carolina Department Of Transportation Contract Item Sheets For C201760

Page: 7 of 7

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
0095	8475000000-E	460	TWO BAR METAL RAIL	297.11 LF	215.00	63,878.65
0096	8517000000-E	460	1'-**"X *****" CONCRETE PARA- PET (1'-2" X 2'-6")	312.11 LF	74.20	23,158.56
0097	860800000-E	876	RIP RAP CLASS II (2'-0" THICK)	309 TON	32.50	10,042.50
0098	8622000000-E	876	FILTER FABRIC FOR DRAINAGE	343 SY	5.00	1,715.00
0099	8657000000-N	430	ELASTOMERIC BEARINGS	Lump Sum LS	4,000.00	4,000.00
0100	8692000000-N	SP	EVAZOTE JOINT SEALS	Lump Sum LS	5,000.00	5,000.00

TOTAL AMOUNT OF BID FOR ENTIRE PROJECT

\$1,550,170.70

0815/Jun06/Q281185.92/D475446700000/E100

# 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 affide status under penalty of perjury under the laws of the United S provided that the Debarment Certification also includes any requ	wit and Debarment Certification, the Contractor is certifying his States in accordance with the Debarment Certification attached, irred statements concerning exceptions that are applicable.
SIGNATURE OF	CONTRACTOR
SIMPSON CONSTRUCTION CO., Print or type full name	INC. le of Corporation
P O BOX 2727 CLEVELAND, TN 37320 Address as Pro	equalified
Attest Laco Secretary Assistant Secretary X	By Muy Huy XIXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXX
Delete inappropriate title	Delete inappropriate title
SHARON BOWEN	LARRY ESKEW
Print or type signer's name	Print or type signer's name
AFFIDAVIT MUS'	CORPORATE SEAL
	NOTARY SEAL
Subscribed and sworn to before me this the	
9TH day of JUNE 2008	LOL. W
Tett 2. Norm	STATE OF
Signature of Votary Public	TENNESSEE!
of BRADLEY County	PUBLIC
State of TENNESSEE	OVE A COUNTY
My Commission Expires: <u>08-20//</u> EXECUTION OF CONTRACT	

NON-COLLUSION AFFIDAVIT, AND DEBARMENT CERTIFICATION

Contract Number	C201760	Rev 02-17-04
County	HAYWOOD	

#### 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.

Contract Number	C201760
County	HAYWOOD

#### DEBARMENT CERTIFICATION

Rev 02-17-04

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** 

C201760

County (ies):

**Haywood** 

ACCEPTED BY THE DEPARTMENT OF TRANSPORTATION

Contract Officer

Execution of Contract and Bonds Approved as to Form:

Signature Sheet (Bid - Acceptance by Department)

Countract No. C201760
County Haywood

#### CONTRACT PAYMENT BOND

Date of Payment Bond Execution:	JUNE 5, 2008		
Name of Principal Contractor:	SIMPSON CONSTRUCTION CO., INC.		
Name of Surety:	SAFECO INSURANCE COMPANY OF AMERICA		
Name of Contracting Body:	North Carolina Department of Transportation Raleigh, North Carolina		
Amount of Bond:	\$1,550,170.70		
Contract ID No.:	C201760		
County Name(s):	Haywood		

KNOW ALL MEN BY THESE PRESENTS, That we, the PRINCIPAL CONTRACTOR (hereafter, PRINCIPAL) and SURETY above named, are held and firmly bound unto the above named Contracting Body, hereinafter called the Contracting Body, in the penal sum of the amount stated above for the payment of which sum well and truly to be made, we bind ourselves, our heirs, executors, administrators, and successors, jointly and severally, firmly by these presents.

THE CONDITION OF THIS OBLIGATION IS SUCH, that whereas the principal entered into a certain contract with the Contracting Body, numbered as shown above and hereto attached:

NOW THEREFORE, if the principal shall promptly make payment to all persons supplying labor and material in the prosecution of the work provided for in said contract, and any and all duly authorized modifications of said contract that may hereafter be made, notice of which modifications to the surety being hereby waived, then this obligation to be void; otherwise to remain in full force and virtue.

IN WITNESS WHEREOF, the above-bound parties have executed this instrument under their several seals on the date indicated above, the name and corporate seal of each corporate party being hereto affixed and these presents duly signed by its undersigned representative, pursuant to authority of its governing body.

### **CONTRACT PAYMENT BOND**

Affix Seal of Surety Company

SAFECO INSURANCE COMPANY OF AMERICA

Print or type Surety Company Name

By FRANK E. NEAL, III

Print, stamp or type name of Attorney-in-Fact Frank E. Neal, III

Signature of Attorney-in-Fact

Gayle Graves

Print or type witness' name

Frank E. Neal & Co., Inc. 2223 8th Avenue, South P.O. Box 40507 Nashville, Tennessee 37204

Address of Attorney-in-Fact

### **CONTRACT PAYMENT BOND**

### **CORPORATION**

SIGNATURE OF CONTRACTOR (Principal)

### SIMPSON CONSTRUCTION CO., INC.

Print or type full name of Corporation

P.O. Box 2727

Cleveland, Tennessee 37320-2727

Address as prequalified

Signature of President, Vice President, Assistant Vice President

**D**elete inappropriate title

Larry Eskew

Print or type signer's name

Attest

Signature of Secretary, Assistant Secretary

Delete inappropriate title

Sharon Bowen

Print or type signer's name

Affix Corporate Seal



### POWER OF ATTORNEY

Safeco Insurance Companies PO Box 34526 Seattle, WA 98124-1526

		N	o. <u>13175</u>	
KNOW ALL BY THESE PRESENTS:  That SAFECO INSURANCE COMPANY OF AMERICA hereby appoint	A and GENERAL INSURANCE COMP	ANY OF AM	IERICA, each a Washingto	on corporation, does each
**************************************	.; FRANK E. NEAL; FRANK E. NEAL II	II; MARK NE	EAL; Nashville, Tennessee	***********************
its true and lawful attorney(s)-in-fact, with full authority character issued in the course of its business, and to bind	to execute on its behalf fidelity and so the respective company thereby.	surety bonds	s or undertakings and othe	er documents of a similar
IN WITNESS WHEREOF, SAFECO INSURANCE COMP attested these presents	PANY OF AMERICA and GENERAL IN	ISURANCE (	COMPANY OF AMERICA	have each executed and
this	_31st	day of	May	, <u>2005</u> .
Stephanie Dalfy Walson			Musi	<del></del>
STEPHANIE DALEY-WATSON, SECRETARY	•	N	MIKE PETERS, PRESIDEN	T, SURETY
	CERTIFICATE	·		
	By-Laws of SAFECO INSURANCE CO			
"Article V, Section 13 FIDELITY AND SURETY BONDS purpose by the officer in charge of surety operations, sh authority to execute on behalf of the company fidelity ar business On any instrument making or evidencing such or on any bond or undertaking of the company, the sea however, that the seal shall not be necessary to the validit	nall each have authority to appoint indi- nd surety bonds and other documents h appointment, the signatures may be a al, or a facsimile thereof, may be impr	viduals as at of similar ch affixed by fac ressed or aff	ttorneys-in-fact or under otl naracter issued by the com ssimile. On any instrument	her appropriate titles with pany in the course of its conferring such authority
Extract from a Resolution of t and of GENERAL	the Board of Directors of SAFECO INSU. INSURANCE COMPANY OF AMERIC	URANCE CO	OMPANY OF AMERICA uly 28, 1970.	
"On any certificate executed by the Secretary or an assista  (i) The provisions of Article V, Section 13 of the E  (ii) A copy of the power-of-attorney appointment, (iii) Certifying that said power-of-attorney appoint the signature of the certifying officer may be by facsimile, a	By-Laws, and executed pursuant thereto, and ment is in full force and effect,		ereof."	
I, Stephanie Daley-Watson, Secretary of <b>SAFECO INSL</b> hereby certify that the foregoing extracts of the By-Laws a pursuant thereto, are true and correct, and that both the By-Laws are true and correct, and that both the By-Laws are true and correct, and that both the By-Laws are true and correct, and that both the By-Laws are true and correct, and that both the By-Laws are true and correct, and that both the By-Laws are true and correct, and that both the By-Laws are true and correct.	and of a Resolution of the Board of Dir	ectors of the	ese corporations, and of a	Power of Attorney issued
IN WITNESS WHEREOF, I have hereunto set my hand a	and affixed the facsimile seal of said	corporation	1	
this	5백	day of	JUNE	, 2008
		·		





STEPHANIE DALEY-WATSON, SECRETARY

Stephanie Daly Walson

Countract No. C201760
County Haywood

### **CONTRACT PERFORMANCE BOND**

Date of Contract Bond Execution	JUNE 5, 2008			
Name of Principal Contractor:	SIMPSON CONSTRUCTION CO., INC.			
Name of Surety:	SAFECO INSURANCE COMPANY OF AMERICA			
Name of Contracting Body:	North Carolina Department of Transportation Raleigh, North Carolina			
Amount of Bond:	\$1,550,170.70			
Contract ID No.:	C201760			
County Name(s):	Haywood			

KNOW ALL MEN BY THESE PRESENTS, That we, the PRINCIPAL CONTRACTOR (hereafter, PRINCIPAL) and SURETY above named, are held and firmly bound unto the above named Contracting Body, hereinafter called the Contracting Body, in the penal sum of the amount stated above for the payment of which sum well and truly to be made, we bind ourselves, our heirs, executors, administrators, and successors, jointly and severally, firmly by these presents.

THE CONDITION OF THIS OBLIGATION IS SUCH, that whereas the principal entered into a certain contract with the Contracting Body, numbered as shown above and hereto attached:

NOW THEREFORE, if the principal shall well and truly perform and fulfill all the undertakings, covenants, terms, conditions, and agreements of said contract during the original term of said contract and any extensions thereof that may be granted by the Contracting Body, with or without notice to the Surety, and during the life of any guaranty required under the contract, and shall also well and truly perform and fulfill all the undertakings, covenants, terms, conditions, and agreements of any and all duly authorized modifications of said contract that may hereafter be made, notice of which modifications to the surety being hereby waived, then this obligation to be void; otherwise to remain in full force and virtue.

IN WITNESS WHEREOF, the above-bound parties have executed this instrument under their several seals on the date indicated above, the name and corporate seal of each corporate party being hereto affixed and these presents duly signed by its undersigned representative, pursuant to authority of its governing body.

### **CONTRACT PERFORMANCE BOND**

Affix Seal of Surety Company

SAFECO INSURANCE COMPANY OF AMERICA

Print or type Surety Company Name

FRANK E. NEAL, III

Attorney-in-Fact

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

Frank E. Neal, III

Signature of Attorney-in-Fact

Gayle Graves

Print or type witness' name

Frank E. Neal & Co., Inc. 2223 8th Avenue, South

P.O. Box 40507

Nashville, Tennessee 37204

Address of Attorney-in-Fact

### **CONTRACT PERFORMANCE BOND**

### **CORPORATION**

SIGNATURE OF CONTRACTOR (Principal)

SIMPSON	CONSTRUCTION	CO	INC.

Print full name of Corporation

P.O. Box 2727

Cleveland, Tennessee 37320-2727

Address as prequalified

Signature of Fresident, Vice President, Assistant Vice President

Delete inappropriate title

Larry Eskew

Print or type signer's name

Attest

Signature of Secretary, Assistant Secretary

Delete inappropriate title

Sharon Bowen

Print or type signer's name

Affix Corporate Seal



### POWER OF ATTORNEY

Safeco Insurance Companies PO Box 34526 Seattle, WA 98124-1526

		No	o. <u>13175</u>	
KNOW ALL BY THESE PRESENTS: That SAFECO INSURANCE COMPANY OF AMERICA hereby appoint	and GENERAL INSURANCE COMPAN	Y OF AM	IERICA, each a Washington corporatio	n, does each
*******************GAYLE GRAVES; BRENT W. NEAL;	; FRANK E. NEAL; FRANK E. NEAL III; I	MARK NE	EAL; Nashville, Tennessee*********	*****
its true and lawful attorney(s)-in-fact, with full authority character issued in the course of its business, and to bind		ety bonds	s or undertakings and other documents	s of a similar
IN WITNESS WHEREOF, SAFECO INSURANCE COMP attested these presents	PANY OF AMERICA and GENERAL INSU	JRANCE (	COMPANY OF AMERICA have each e	executed and
this	31st	day of	May	2005
Stephanie Daley Walson			Muto	
STEPHANIE DALEY-WATSON, SECRETARY		N	MIKE PETERS, PRESIDENT, SURETY	
	CERTIFICATE			
	By-Laws of SAFECO INSURANCE COM GENERAL INSURANCE COMPANY OF			
"Article V, Section 13 FIDELITY AND SURETY BONDS purpose by the officer in charge of surety operations, sh authority to execute on behalf of the company fidelity ar business On any instrument making or evidencing such or on any bond or undertaking of the company, the sea however, that the seal shall not be necessary to the validit	nall each have authority to appoint individent surety bonds and other documents of appointment, the signatures may be affinal, or a facsimile thereof, may be impressible.	uals as at similar ch xed by fac	ttorneys-in-fact or under other appropri- haracter issued by the company in the csimile. On any instrument conferring s	ate titles with course of its such authority
	the Board of Directors of SAFECO INSUR INSURANCE COMPANY OF AMERICA			
"On any certificate executed by the Secretary or an assista  (i) The provisions of Article V, Section 13 of the B  (ii) A copy of the power-of-attorney appointment, and iii) Certifying that said power-of-attorney appointment the signature of the certifying officer may be by facsimile, and	By-Laws, and executed pursuant thereto, and nent is in full force and effect.	csimile the	ereof."	
I, Stephanie Daley-Watson, Secretary of <b>SAFECO INSL</b> hereby certify that the foregoing extracts of the By-Laws a pursuant thereto, are true and correct, and that both the By-Laws are true and correct, and that both the By-Laws are true and correct, and that both the By-Laws are true and correct, and that both the By-Laws are true and correct, and that both the By-Laws are true and correct, and that both the By-Laws are true and correct, and that both the By-Laws are true and correct, and that both the By-Laws are true and correct, and that both the By-Laws are true and correct, and that both the By-Laws are true and correct, and that both the By-Laws are true and correct, and that both the By-Laws are true and correct, and that both the By-Laws are true and correct, and that both the By-Laws are true and correct, and that both the By-Laws are true and correct, and that both the By-Laws are true and correct, and that both the By-Laws are true and true are true and the By-Laws are true and true are true are true are true and true are true are true are true are true are true are tr	and of a Resolution of the Board of Direc	tors of the	ese corporations, and of a Power of Att	MERICA, do torney issued
IN WITNESS WHEREOF, I have hereunto set my hand a	and affixed the facsimile seal of said co	orporation	n	
this _	51 <sup>H</sup>	day of	JUNE ,	z008 .





STEPHANIE DALEY-WATSON, SECRETARY

Stephanie Dally-Walson