

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

C202109

CONTRACT AND
CONTRACT BONDS
FOR CONTRACT NO. C202109

WBS 39421 STATE FUNDED

COUNTY OF MARTIN
THIS IS THE ROADWAY CONTRACT
ROUTE NUMBER NC 903 LENGTH 10.200 MILES
LOCATION NC-903 FROM PITT CO LINE TO ROBERSONVILLE CL SOUTH OF US-64A
& FROM ROBERSONVILLE CL NORTH OF US-64A TO NC-125.

CONTRACTOR BARNHILL CONTRACTING COMPANY
ADDRESS P.O. BOX 1529
TARBORO, NC 278861529

BIDS OPENED JULY 15, 2008
CONTRACT EXECUTION AUG 18 2008

Barnhill Contracting Company (3516).

Vendor 3 of 4 Vendors for Call Order 008 (Proposal ID C202109).

County: MARTIN
Address: PO Box 1529
Tarboro, North Carolina 27886

Phone Number: 252-823-1021

Signature Check: This bid has been properly signed by Allen_Barnhill_3516.

Time Bid Received: Tue Jul 15 13:06:32 2008

Bid Checksum: 32FBFCDB

Amendment Count: 0

Bidding Errors: This bid contains errors.

Bid Total: \$2,620,939.72 ✓

Bond ID: 1NS7-WNQ1-6RTC-8HYL

Bond was Verified: Yes.

Bond Required Percent: 5.00%

Minimum Check Amount: \$131,046.99

Bid Security Maximum: \$

Bond Agency Name:

Agency Execution Date: 7-15-2008

Surety Name: Willis of North Carolina, Inc

Surety State of Incorporation:

Bond Company:

Bond Type:

Bond Appr Flag:

Bond Affirm:

Bond was Paid by Check: No.

*MBE GOAL SET - 1.0 %
WBE GOAL SET - 3.0 %*

*MBE GOAL OBT - 0.0 %
WBE GOAL OBT - 1.3 %*

LIST OF MBE PARTICIPANTS

TOTAL: \$0.00
0.00%

LIST OF WBE PARTICIPANTS

VENDOR NUMBER	DBE NAME ADDRESS	WORK CODE TYPE OF WORK	CERT TYPE	AMOUNT
5746	WB AYERS TRUCKING 405 S 7TH ST , PINETOPS, NC 27864		Sub	7,225.00
3376	WB REYNOLDS FENCE & GUARDRAIL INC 9320 MACHADO DRIVE , INDIAN TRAIL, NC 28079		Sub	10,222.50
3056	WB HOLLAND LANDSCAPING, INC 953 BLACK ROCK ROAD , MERRY HILL, NC 27957		Sub	14,800.00
5266	WB NORTH STATE ENVIRONMENTAL, INC 2889 LOWERY ST SUITE B , WINSTON-SALEM, NC 27101		Sub	1,402.00
TOTAL:				\$33,649.50 1.28%

Miscellaneous Data Info - Contractor Responses:
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NON-COLLUSION AND DEBARMENT CERTIFICATION

Explanation of the prospective bidder that is unable to certify to any of the statements in this certification:

Explanation:
NOT ANSWERED
NOT ANSWERED
NOT ANSWERED
NOT ANSWERED

AWARD LIMITS ON MULTIPLE PROJECTS

By answering YES to this statement, the bidder acknowledges that they are using the award limits on multiple projects. No

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

The Award Limits shall apply to the following projects:

Contract Number	County
NOT ANSWERED	
NOT ANSWERED	
NOT ANSWERED	
NOT ANSWERED	
NOT ANSWERED	
NOT ANSWERED	

Bid Bond Data Info - Contractor Responses:

=====

BondID: 1NS7-WNQ1-6RTC-8HYL
Surety Registry Agency: SurePathNetwork
Verified?: Yes
Surety Agency: Willis of North Carolina, Inc
Bond Execution Date: 7-15-2008
Bond Amount: \$131,046.99 (Five Percent of Bid)

State of NC
Dept of Transportation

Date: 06-17-08
Revised:

Contract ID: C202109 Project(s): STATE FUNDED
Letting Date: 07-15-08 Call Order: 008
Bidder: 3516 - Barnhill Contracting Company

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			123,300.00
0002	0106000000-E BORROW EXCAVATION	CY	70.000	30.80000		2,156.00
0003	0318000000-E FOUNDATION CONDITIONING MATE- RIAL, MINOR STRS	TON	13.000	35.00000		455.00
0004	0546000000-E *** CAA PIPE CULVERTS, ***** THICK (18", 0.060")	LF	128.000	72.00000		9,216.00
0005	0995000000-E PIPE REMOVAL	LF	36.000	20.00000		720.00
0006	1220000000-E INCIDENTAL STONE BASE	TON	957.000	25.00000		23,925.00
0007	1245000000-E SHOULDER RECONSTRUCTION	SMI	20.400	3,850.00000		78,540.00
0008	1498000000-E ASPHALT CONC INTERMEDIATE COURSE, TYPE I19.0B	TON	23,393.000	31.70000		741,558.10
0009	1519000000-E ASPHALT CONC SURFACE COURSE, TYPE S9.5B	TON	13,604.000	31.70000		431,246.80
0010	1560000000-E ASPHALT BINDER FOR PLANT MIX, GRADE PG 64-22	TON	1,916.000	522.00000		1,000,152.00
0011	1704000000-E PATCHING EXISTING PAVEMENT	TON	235.000	100.00000		23,500.00

State of NC
Dept of Transportation

Date: 06-17-08
Revised:

Contract ID: C202109 Project(s): STATE FUNDED
Letting Date: 07-15-08 Call Order: 008
Bidder: 3516 - Barnhill Contracting Company

Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
0012	2286000000-N MASONRY DRAINAGE STRUCTURES	EA 3.000	1,500.00000		4,500.00	
0013	2367000000-N FRAME WITH TWO GRATES, STD 840.29	EA 3.000	500.00000		1,500.00	
0014	2655000000-E 5" MONOLITHIC CONCRETE ISLANDS (KEYED IN)	SY 650.000	48.00000		31,200.00	
0015	3030000000-E STEEL BM GUARDRAIL	LF 150.000	17.75000		2,662.50	
0016	3270000000-N GUARDRAIL ANCHOR UNITS, TYPE 350	EA 4.000	1,890.00000		7,560.00	
0017	4685000000-E THERMOPLAST IC PAVEMENT MARKING LINES (4", 90 MILS)	LF 110,926.000	0.42000		46,588.92	
0018	4686000000-E THERMOPLAST IC PAVEMENT MARKING LINES (4", 120 MILS)	LF 71,670.000	0.50000		35,835.00	
0019	4697000000-E THERMOPLAST IC PAVEMENT MARKING LINES (8", 120 MILS)	LF 560.000	2.50000		1,400.00	
0020	4710000000-E THERMOPLAST IC PAVEMENT MARKING LINES (24", 120 MILS)	LF 100.000	4.50000		450.00	
0021	4721000000-E THERMOPLAST IC PAVEMENT MARKING CHARACTER (120 MILS)	EA 12.000	125.00000		1,500.00	
0022	4725000000-E THERMOPLAST IC PAVEMENT MARKING SYMBOL (90 MILS)	EA 6.000	125.00000		750.00	
0023	4810000000-E PAINT PAVEMENT MARKING LINES (4")	LF 182,596.000	0.15000		27,389.40	

State of NC
Dept of Transportation

Date: 06-17-08
Revised:

Contract ID: C202109 Project(s): STATE FUNDED
Letting Date: 07-15-08 Call Order: 008
Bidder: 3516 - Barnhill Contracting Company

Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
0024	4820000000-E PAINT PAVEMENT MARKING LINES (8")	560.000 LF	1.50000		840.00	
0025	4835000000-E PAINT PAVEMENT MARKING LINES (24")	100.000 LF	2.50000		250.00	
0026	4840000000-N PAINT PAVEMENT MARKING CHARAC-TER	12.000 EA	50.00000		600.00	
0027	4845000000-N PAINT PAVEMENT MARKING SYMBOL	6.000 EA	50.00000		300.00	
0028	4900000000-N PERMANENT RAISED PAVEMENT MARKERS	711.000 EA	5.00000		3,555.00	
0029	6000000000-E TEMPORARY SILT FENCE	500.000 LF	3.00000		1,500.00	
0030	6009000000-E STONE FOR EROSION CONTROL, CLASS B	40.000 TON	53.00000		2,120.00	
0031	6012000000-E SEDIMENT CONTROL STONE	5.000 TON	90.00000		450.00	
0032	6042000000-E 1/4" HARDWARE CLOTH	60.000 LF	7.00000		420.00	
0033	6084000000-E SEEDING & MULCHING	10.000 ACR	1,480.00000		14,800.00	
Section 0001 Total						2,620,939.72
Bid Total						2,620,939.72

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:

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

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

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

NORTH CAROLINA STATE DEPARTMENT OF TRANSPORTATION
MBE COMMITMENT ITEMS

DATE:06-17-08
PAGE: 7

PROPOSAL: C202109
LETTING: L080715 CALL: 008
VENDOR: 3516 Barnhill Contracting Company

TOTAL MBE COMMITMENT FOR VENDOR:	Entered:	0.00% or	0.00
	Required:	1.00% or	26209.40
			<GOAL NOT MET>

NORTH CAROLINA STATE DEPARTMENT OF TRANSPORTATION
WBE COMMITMENT ITEMS

DATE: 06-17-08
PAGE: 8

PROPOSAL: C202109
LETTING: L080715 CALL: 008
VENDOR: 3516 Barnhill Contracting Company

LINE NO.	ITEM NO.	ITEM DESC.	UNIT TYPE	SUBCONTRACTOR QUANTITY	SUBCONTRACTOR UNIT PRICE	EXTENDED AMOUNT
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WBE SUBCONTRACTOR: 5746 AYERS TRUCKING
Will Use Quote: Yes

0003	0318000000-E	FND CONDIR M	TON	13.000	7.00000	91.00
		Haul Only				
0006	1220000000-E	INCIDENTAL S	TON	957.000	7.00000	6699.00
		Haul Only				
0030	6009000000-E	EROS CONTRL	TON	40.000	10.00000	400.00
		Haul Only				
0031	6012000000-E	SEDIMENT CON	TON	5.000	7.00000	35.00
		Haul Only				

WBE COMMITMENT TOTAL FOR SUBCONTRACTOR: 7,225.00
WBE COMMITMENT TOTAL FOR VENDOR (SubContractor) 7,225.00 ✓

WBE SUBCONTRACTOR: 3376 REYNOLDS FENCE & GUARDRAIL INC
Will Use Quote: Yes

0015	3030000000-E	STL BM GUARD LF		150.000	17.75000	2662.50
0016	3270000000-N	GR ANCHOR TY EA		4.000	1890.00000	7560.00

WBE COMMITMENT TOTAL FOR SUBCONTRACTOR: 10,222.50
WBE COMMITMENT TOTAL FOR VENDOR (SubContractor) 10,222.50 ✓

WBE SUBCONTRACTOR: 3056 HOLLAND LANDSCAPING, INC
Will Use Quote: Yes

0033	6084000000-E	SEEDING AND	ACR	10.000	1480.00000	14800.00
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WBE COMMITMENT TOTAL FOR SUBCONTRACTOR: 14,800.00
WBE COMMITMENT TOTAL FOR VENDOR (SubContractor) 14,800.00 ✓

WBE SUBCONTRACTOR: 5266 NORTH STATE ENVIRONMENTAL, INC
Will Use Quote: Yes

0029	6000000000-E	TEMPORARY SI LF		500.000	2.21000	1105.00
0032	6042000000-E	1/4" HARDWAR LF		60.000	4.95000	297.00

WBE COMMITMENT TOTAL FOR SUBCONTRACTOR: 1,402.00
WBE COMMITMENT TOTAL FOR VENDOR (SubContractor) 1,402.00 ✓

TOTAL WBE COMMITMENT FOR VENDOR: Entered: 1.28% or 33649.50 ✓
Required: 3.00% or 78628.19
<GOAL NOT MET>

Contract Item Sheets For C202109

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
ROADWAY ITEMS						
0001	0000100000-N	800	MOBILIZATION	Lump Sum LS	123,300.00	123,300.00
0002	0106000000-E	230	BORROW EXCAVATION	70 CY	30.80	2,156.00
0003	0318000000-E	300	FOUNDATION CONDITIONING MATERIAL, MINOR STRS	13 TON	35.00	455.00
0004	0546000000-E	310	*** CAA PIPE CULVERTS, ***** THICK (18", 0.060")	128 LF	72.00	9,216.00
0005	0995000000-E	340	PIPE REMOVAL	36 LF	20.00	720.00
0006	1220000000-E	545	INCIDENTAL STONE BASE	957 TON	25.00	23,925.00
0007	1245000000-E	SP	SHOULDER RECONSTRUCTION	20.4 SMI	3,850.00	78,540.00
0008	1498000000-E	610	ASPHALT CONC INTERMEDIATE COURSE, TYPE I19.0B	23,393 TON	31.70	741,558.10
0009	1519000000-E	610	ASPHALT CONC SURFACE COURSE, TYPE S9.5B	13,604 TON	31.70	431,246.80
0010	1560000000-E	620	ASPHALT BINDER FOR PLANT MIX, GRADE PG 64-22	1,916 TON	522.00	1,000,152.00
0011	1704000000-E	SP	PATCHING EXISTING PAVEMENT	235 TON	100.00	23,500.00
0012	2286000000-N	840	MASONRY DRAINAGE STRUCTURES	3 EA	1,500.00	4,500.00
0013	2367000000-N	840	FRAME WITH TWO GRATES, STD 840.29	3 EA	500.00	1,500.00
0014	2655000000-E	852	5" MONOLITHIC CONCRETE ISLANDS (KEYED IN)	650 SY	48.00	31,200.00
0015	3030000000-E	862	STEEL BM GUARDRAIL	150 LF	17.75	2,662.50
0016	3270000000-N	SP	GUARDRAIL ANCHOR UNITS, TYPE 350	4 EA	1,890.00	7,560.00
0017	4685000000-E	1205	THERMOPLASTIC PAVEMENT MARKING LINES (4", 90 MILS)	110,926 LF	0.42	46,588.92
0018	4686000000-E	1205	THERMOPLASTIC PAVEMENT MARKING LINES (4", 120 MILS)	71,670 LF	0.50	35,835.00

Contract Item Sheets For C202109

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
0019	4697000000-E	1205	THERMOPLASTIC PAVEMENT MARKING LINES (8", 120 MILS)	560 LF	2.50	1,400.00
0020	4710000000-E	1205	THERMOPLASTIC PAVEMENT MARKING LINES (24", 120 MILS)	100 LF	4.50	450.00
0021	4721000000-E	1205	THERMOPLASTIC PAVEMENT MARKING CHARACTER (120 MILS)	12 EA	125.00	1,500.00
0022	4725000000-E	1205	THERMOPLASTIC PAVEMENT MARKING SYMBOL (90 MILS)	6 EA	125.00	750.00
0023	4810000000-E	1205	PAINT PAVEMENT MARKING LINES (4")	182,596 LF	0.15	27,389.40
0024	4820000000-E	1205	PAINT PAVEMENT MARKING LINES (8")	560 LF	1.50	840.00
0025	4835000000-E	1205	PAINT PAVEMENT MARKING LINES (24")	100 LF	2.50	250.00
0026	4840000000-N	1205	PAINT PAVEMENT MARKING CHARACTER	12 EA	50.00	600.00
0027	4845000000-N	1205	PAINT PAVEMENT MARKING SYMBOL	6 EA	50.00	300.00
0028	4900000000-N	1251	PERMANENT RAISED PAVEMENT MARKERS	711 EA	5.00	3,555.00
0029	6000000000-E	1605	TEMPORARY SILT FENCE	500 LF	3.00	1,500.00
0030	6009000000-E	1610	STONE FOR EROSION CONTROL, CLASS B	40 TON	53.00	2,120.00
0031	6012000000-E	1610	SEDIMENT CONTROL STONE	5 TON	90.00	450.00
0032	6042000000-E	1632	1/4" HARDWARE CLOTH	60 LF	7.00	420.00
0033	6084000000-E	1660	SEEDING & MULCHING	10 ACR	1,480.00	14,800.00

TOTAL AMOUNT OF BID FOR ENTIRE PROJECT

\$2,620,939.72

Contract Number C202109
County Martin

Rev 7-20-08

**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

Barnhill Contracting Company

Full name of Corporation

P.O. Box 1529, Tarboro, NC 27886

Address as Prequalified

Attest

Sophia B. Hardy
Secretary/Assistant Secretary
Select appropriate title

By

[Signature]
President/Vice President/Assistant Vice President
Select appropriate title

Sophia B. Hardy
Print or type Signer's name

ALLEN BARNHILL
Print or type Signer's name

CORPORATE SEAL

AFFIDAVIT MUST BE NOTARIZED

NOTARY SEAL

Subscribed and sworn to before me this the

12th day of August 2008

[Signature]
Signature of Notary Public

of Edgecombe County

State of NC

My Commission Expires: 4-14-13

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.

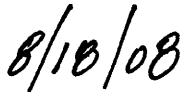
Contract No **C202109**

County (ies): **Martin**

ACCEPTED BY THE
DEPARTMENT OF TRANSPORTATION



Contract Officer



Date

Execution of Contract and Bonds
Approved as to Form:



Attorney General

Contract No. C202109
County Martin

(Rev 7-10-08)

Bond No. 105074910

CONTRACT PAYMENT BOND

Date of Payment Bond Execution August 8, 2008

Name of Principal Contractor Barnhill Contracting Company

Name of Surety: Travelers Casualty and Surety Company of America

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

Amount of Bond: \$2,620,939.72

Contract ID No.: C202109

County Name: Martin County

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

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

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

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

Contract No. C202109
County Martin

(Rev 7-10-08)

CONTRACT PAYMENT BOND

Affix Seal of Surety Company

Travelers Casualty and Surety Company of America

Print or type Surety Company Name

By Bobbi D. Pendleton

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


Signature of Attorney-in-Fact


Signature of Witness

Suzanne R. Parker

Print or type Witness's name

4000 CentreGreen Way Suite 250, Cary, NC 27513

Address of Attorney-in-Fact

Contract No. C202109
County Martin

(Rev 7-10-08)

CONTRACT PAYMENT BOND

CORPORATION

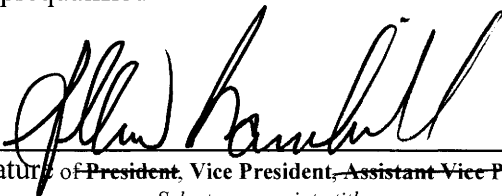
SIGNATURE OF CONTRACTOR (Principal)

Barnhill Contracting Company

Full name of Corporation

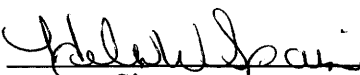
P.O. Box 1529, Tarboro, NC 27886

Address as prequalified

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

Allen Barnhill
Print or type Signer's name

Affix Corporate Seal

Attest 
Signature of ~~Secretary~~, Assistant Secretary
Select appropriate title

Helen W. Spain
Print or type Signer's name

Contract No. C202109
County Martin

(Rev 7-10-08)

CONTRACT PERFORMANCE BOND

Date of Performance Bond Execution: August 8, 2008

Name of Principal Contractor: Barnhill Contracting Company

Name of Surety: Travelers Casualty and Surety Company of America

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

Amount of Bond: \$2,620,939.72

Contract ID No.: C202109

County Name: Martin County

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

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

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

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

Contract No. C202109
County Martin County

(Rev 7-10-08)

CONTRACT PERFORMANCE BOND

Affix Seal of Surety Company

Travelers Casualty and Surety Company of America

Print or type Surety Company Name

By Bobbi D. Pendleton

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



Signature of Attorney-in-Fact



Signature of Witness

Suzanne R. Parker

Print or type Witness's name

4000 CentreGreen Way Suite 250, Cary, NC 27513

Address of Attorney-in-Fact

Contract No. C202109
County Martin

(Rev 7-10-08)

CONTRACT PERFORMANCE BOND

CORPORATION


SIGNATURE OF CONTRACTOR (Principal)

Barnhill Contracting Company

Full name of Corporation

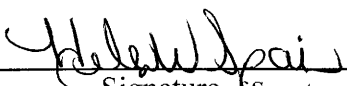
P.O. Box 1529, Tarboro, NC 27886

Address as prequalified

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

Allen Barnhill
Print or type Signer's name

Affix Corporate Seal

Attest 
Signature of ~~Secretary~~, Assistant Secretary
Select appropriate title

Helene W. Spain
Print or type Signer's name



POWER OF ATTORNEY

Farmington Casualty Company
Fidelity and Guaranty Insurance Company
Fidelity and Guaranty Insurance Underwriters, Inc.
Seaboard Surety Company
St. Paul Fire and Marine Insurance Company

St. Paul Guardian Insurance Company
St. Paul Mercury Insurance Company
Travelers Casualty and Surety Company
Travelers Casualty and Surety Company of America
United States Fidelity and Guaranty Company

Surety Bond No. 105074910

Principal: Barnhill Contracting Company

OR

Project Description: NC DOT Corporation Contract Performance and
Payment Bond Rev 5-08 (Class A-1 Contract)Martin
County

Obligee: North Carolina Department of Transportation

KNOW ALL MEN BY THESE PRESENTS: That Seaboard Surety Company is a corporation duly organized under the laws of the State of New York, that St. Paul Fire and Marine Insurance Company, St. Paul Guardian Insurance Company and St. Paul Mercury Insurance Company are corporations duly organized under the laws of the State of Minnesota, that Farmington Casualty Company, Travelers Casualty and Surety Company, and Travelers Casualty and Surety Company of America are corporations duly organized under the laws of the State of Connecticut, that United States Fidelity and Guaranty Company is a corporation duly organized under the laws of the State of Maryland, that Fidelity and Guaranty Insurance Company is a corporation duly organized under the laws of the State of Iowa, and that Fidelity and Guaranty Insurance Underwriters, Inc. is a corporation duly organized under the laws of the State of Wisconsin (herein collectively called the "Companies"), and that the Companies do hereby make, constitute and appoint Bobbi D. Pendleton of the City of Cary, State of NC, their true and lawful Attorney(s)-in-Fact, each in their separate capacity if more than one is named above, to sign, execute, seal and acknowledge any and all bonds, recognizances, conditional undertakings and other writings obligatory in the nature thereof on behalf of the Companies in their business of guaranteeing the fidelity of persons, guaranteeing the performance of contracts and executing or guaranteeing bonds and undertakings required or permitted in any actions or proceedings allowed by law.

IN WITNESS WHEREOF, the Companies have caused this instrument to be signed and their corporate seals to be hereto affixed, this 11th day of August, 2006.

Farmington Casualty Company
Fidelity and Guaranty Insurance Company
Fidelity and Guaranty Insurance Underwriters, Inc.
Seaboard Surety Company
St. Paul Fire and Marine Insurance Company

St. Paul Guardian Insurance Company
St. Paul Mercury Insurance Company
Travelers Casualty and Surety Company
Travelers Casualty and Surety Company of America
United States Fidelity and Guaranty Company



State of Connecticut

City of Hartford ss.

By: [Signature]
George W. Thompson, Senior Vice President

On this the 11th day of August, 2006, before me personally appeared George W. Thompson, who acknowledged himself to be the Senior Vice President of Farmington Casualty Company, Fidelity and Guaranty Insurance Company, Fidelity and Guaranty Insurance Underwriters, Inc., Seaboard Surety Company, St. Paul Fire and Marine Insurance Company, St. Paul Guardian Insurance Company, St. Paul Mercury Insurance Company, Travelers Casualty and Surety Company, Travelers Casualty and Surety Company of America, and United States Fidelity and Guaranty Company, and that he, as such, being authorized so to do, executed the foregoing instrument for the purposes therein contained by signing on behalf of the corporations by himself as a duly authorized officer.

In Witness Whereof, I hereunto set my hand and official seal.

My Commission expires the 30th day of June, 2011.



[Signature]
Marie C. Tetreault, Notary Public

This Power of Attorney is granted under and by the authority of the following resolutions adopted by the Boards of Directors of Farmington Casualty Company, Fidelity and Guaranty Insurance Company, Fidelity and Guaranty Insurance Underwriters, Inc., Seaboard Surety Company, St. Paul Fire and Marine Insurance Company, St. Paul Guardian Insurance Company, St. Paul Mercury Insurance Company, Travelers Casualty and Surety Company, Travelers Casualty and Surety Company of America, and United States Fidelity and Guaranty Company, which resolutions are now in full force and effect, reading as follows:

RESOLVED, that the Chairman, the President, any Vice Chairman, any Executive Vice President, any Senior Vice President, any Vice President, any Second Vice President, the Treasurer, any Assistant Treasurer, the Corporate Secretary or any Assistant Secretary may appoint Attorneys-in-Fact and Agents to act for and on behalf of the Company and may give such appointee such authority as his or her certificate of authority may prescribe to sign with the Company's name and seal with the Company's seal bonds, recognizances, contracts of indemnity, and other writings obligatory in the nature of a bond, recognizance, or conditional undertaking, and any of said officers or the Board of Directors at any time may remove any such appointee and revoke the power given him or her; and it is

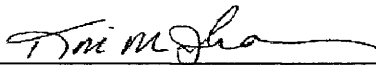
FURTHER RESOLVED, that the Chairman, the President, any Vice Chairman, any Executive Vice President, any Senior Vice President or any Vice President may delegate all or any part of the foregoing authority to one or more officers or employees of this Company, provided that each such delegation is in writing and a copy thereof is filed in the office of the Secretary; and it is

FURTHER RESOLVED, that any bond, recognizance, contract of indemnity, or writing obligatory in the nature of a bond, recognizance, or conditional undertaking shall be valid and binding upon the Company when (a) signed by the President, any Vice Chairman, any Executive Vice President, any Senior Vice President or any Vice President, any Second Vice President, the Treasurer, any Assistant Treasurer, the Corporate Secretary or any Assistant Secretary and duly attested and sealed with the Company's seal by a Secretary or Assistant Secretary; or (b) duly executed (under seal, if required) by one or more Attorneys-in-Fact and Agents pursuant to the power prescribed in his or her certificate or their certificates of authority or by one or more Company officers pursuant to a written delegation of authority; and it is

FURTHER RESOLVED, that the signature of each of the following officers: President, any Executive Vice President, any Senior Vice President, any Vice President, any Assistant Vice President, any Secretary, any Assistant Secretary, and the seal of the Company may be affixed by facsimile to any power of attorney or to any certificate relating thereto appointing Resident Vice Presidents, Resident Assistant Secretaries or Attorneys-in-Fact for purposes only of executing and attesting bonds and undertakings and other writings obligatory in the nature thereof, and any such power of attorney or certificate bearing such facsimile signature or facsimile seal shall be valid and binding upon the Company and any such power so executed and certified by such facsimile signature and facsimile seal shall be valid and binding on the Company in the future with respect to any bond or understanding to which it is attached.

I, Kori Johanson, the undersigned, Assistant Secretary, of Farmington Casualty Company, Fidelity and Guaranty Insurance Company, Fidelity and Guaranty Insurance Underwriters, Inc., Seaboard Surety Company, St. Paul Fire and Marine Insurance Company, St. Paul Guardian Insurance Company, St. Paul Mercury Insurance Company, Travelers Casualty and Surety Company, Travelers Casualty and Surety Company of America, and United States Fidelity and Guaranty Company do hereby certify that the above and foregoing is a true and correct copy of the Power of Attorney executed by said Companies, which is in full force and effect and has not been revoked.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the seals of said Companies this 8th day of August, 2008.


Kori M. Johanson, Assistant Secretary



To verify the authenticity of this Power of Attorney, call 1-800-421-3880 or contact us at stpaultravelersbond.com. Please refer to the Attorney-In-Fact number, the above-named individuals and the details of the bond to which the power is attached.

