

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

C202015

CONTRACT AND
CONTRACT BONDS
FOR CONTRACT NO. C202015

WBS 41923.3.1 IMS-095-3(99)154

T.I.P NO. I-5012

COUNTY OF HALIFAX
THIS IS THE ROADWAY CONTRACT

ROUTE NUMBER I 95 LENGTH 6.700 MILES
LOCATION I-95 FROM NC-481 (MP-154) TO NC-561 (MP-160).

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

BIDS OPENED AUGUST 19, 2008
CONTRACT EXECUTION SEP 15 2008

Barnhill Contracting Company (3516).

Vendor 2 of 2 Vendors for Call Order 009 (Proposal ID C202015).

County: HALIFAX
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 Aug 19 12:31:40 2008

Bid Checksum: 6B356243

Amendment Count: 1

Bidding Errors: This bid contains errors.

Bid Total: \$5,987,041.84 ✓

Bond ID: LTXH-PPP4-R751-4Q6S

Bond was Verified: Yes.

Bond Required Percent: 5.00%

Minimum Check Amount: \$299,352.09

Bid Security Maximum: \$

Bond Agency Name:

Agency Execution Date: 8/19/2008

Surety Name: Travelers Casualty and Surety Company of Ame

Surety State of Incorporation:

Bond Company:

Bond Type:

Bond Appr Flag:

Bond Affirm:

Bond was Paid by Check: No.

DBE GOAL SFT - 5.0%
DBE GOAL DBT - 0.0%

LIST OF DBE PARTICIPANTS

TOTAL: \$0.00
0.00%

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:
=====

BondID: LTXH-PPP4-R751-4Q6S
Surety Registry Agency: SurePathNetwork
Verified?: Yes
Surety Agency: Travelers Casualty and Surety Company of America
Bond Execution Date: 8/19/2008
Bond Amount: \$299,352.09 (Five Percent of Bid)

State of NC
Dept of Transportation

Date: 07-22-08
Revised: 08-07-08

Contract ID: C202015 Project(s): IMS-095-3(99)154
Letting Date: 08-19-08 Call Order: 009
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						
Alt Group						
0001	0000100000-N MOBILIZATIO N	LUMP	LUMP			227,000.00
0002	0036000000-E UNDERCUT EXCAVATION	CY	400.000	22.10000		8,840.00
0003	0170000000-E REMOVAL OF EXISTING CONCRETE PAVEMENT SLABS	SY	3,100.000	57.00000		176,700.00
0004	0234000000-E GENERIC GRADING ITEM SELECT GRANULAR MATERIAL	CY	400.000	42.00000		16,800.00
0005	1297000000-E MILLING ASPHALT PAVEMENT, ***"DEPTH (4")	SY	92,000.000	3.14000		288,880.00
0006	1491000000-E ASPHALT CONC BASE COURSE, TYPE B25.0C	TON	1,800.000	99.00000		178,200.00
0007	1503000000-E ASPHALT CONC INTERMEDIATE COURSE, TYPE I19.0C	TON	22,130.000	41.75000		923,927.50
0008	1523000000-E ASPHALT CONC SURFACE COURSE, TYPE S9.5C	TON	13,300.000	38.60000		513,380.00
0009	1560000000-E ASPHALT BINDER FOR PLANT MIX, GRADE PG 64-22	TON	1,117.000	663.00000		740,571.00
0010	1565000000-E ASPHALT BINDER FOR PLANT MIX, GRADE PG 70-22	TON	798.000	674.00000		537,852.00
0011	1567000000-E ASPHALT BINDER FOR PLANT MIX, GRADE PG 70-28	TON	667.000	821.80000		548,140.60

State of NC
Dept of Transportation

Date: 07-22-08
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Letting Date: 08-19-08 Call Order: 009
Bidder: 3516 - Barnhill Contracting Company

Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
0012	1702000000-E SEALING EXISTING PAVEMENT CRACKS & JOINTS	40,000.000 LB	1.95000		78,000.00	
0013	1737000000-E PATCHING CONCRETE PAVEMENT SPALLS	1,170.000 SF	95.00000		111,150.00	
0014	1839110000-E ULTRATHIN HOT MIX ASPHALT, TYPE B	6,439.000 TON	34.50000		222,145.50	
0015	1839120000-E ULTRATHIN HOT MIX ASPHALT, TYPE C	4,600.000 TON	34.25000		157,550.00	
0016	1839200000-E APPLICATION OF ULTRATHIN HOT MIX ASPHALT	368,000.000 SY	2.18000		802,240.00	
0017	1840000000-E MILLED RUMBLE STRIPS (ASPHALT CEMENT CONCRETE)	142,232.000 LF	0.12000		17,067.84	
0018	2022000000-E SUBDRAIN EXCAVATION	100.000 CY	6.00000		600.00	
0019	2033000000-E SUBDRAIN FINE AGGREGATE	100.000 CY	26.00000		2,600.00	
0020	2044000000-E 6" PERFORATED SUBDRAIN PIPE	500.000 LF	4.85000		2,425.00	
0021	2055000000-E 6" SUBDRAIN PIPE WYES, TEES, & ELBOWS	15.000 EA	27.00000		405.00	
0022	2066000000-N CONCRETE PAD FOR SUBDRAIN PIPE OUTLET	1.000 EA	140.00000		140.00	
0023	2077000000-E 6" OUTLET PIPE (SUBDRAINS)	6.000 LF	28.00000		168.00	

State of NC
Dept of Transportation

Date: 07-22-08
Revised: 08-07-08

Contract ID: C202015 Project(s): IMS-095-3(99)154
Letting Date: 08-19-08 Call Order: 009
Bidder: 3516 - Barnhill Contracting Company

Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
0024	2473000000-N GENERIC DRAINAGE ITEM DROP INLET REPAIR	EA 25.000	1,860.00000		46,500.00	
0025	4405000000-E WORK ZONE SIGNS (PORTABLE)	SF 600.000	24.00000		14,400.00	
0026	4415000000-N FLASHING ARROW PANELS, TYPE C	EA 2.000	2,800.00000		5,600.00	
0027	4420000000-N CHANGEABLE MESSAGE SIGN	EA 2.000	11,400.00000		22,800.00	
0028	4430000000-N DRUMS	EA 200.000	45.00000		9,000.00	
0029	4480000000-N TMIA	EA 4.000	9,350.00000		37,400.00	
0030	4815000000-E PAINT PAVEMENT MARKING LINES (6")	LF 176,910.000	0.32000		56,611.20	
0031	4825000000-E PAINT PAVEMENT MARKING LINES (12")	LF 10,000.000	0.75000		7,500.00	
0032	4845000000-N PAINT PAVEMENT MARKING SYMBOL	EA 6.000	50.00000		300.00	
0033	4847100000-E POLYUREA PAVEMENT MARKING LINES (6", *****) (HIGHLY REFLECTIVE ELEMENTS)	LF 176,910.000	1.02000		180,448.20	
0034	4847120000-E POLYUREA PAVEMENT MARKING LINES (12", *****) (HIGHLY REFLECTIVE ELEMENTS)	LF 10,000.000	2.25000		22,500.00	

State of NC
 Dept of Transportation

Date: 07-22-08
 Revised: 08-07-08

Contract ID: C202015 Project(s): IMS-095-3(99)154
 Letting Date: 08-19-08 Call Order: 009
 Bidder: 3516 - Barnhill Contracting Company

Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
0035	4847220000-N POLYUREA PAVEMENT MARKING SYMBOL (***** (HIGHLY REFLECTIVE ELEMENTS)	6.000 EA	200.00000		1,200.00	
0036	4905000000-N SNOWPLOWABL E PAVEMENT MARKERS	1,000.000 EA	28.00000		28,000.00	
Section 0001 Total						5,987,041.84
Bid Total						5,987,041.84 ✓

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.

Contract Item Sheets For C202015

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
ROADWAY ITEMS						
0001	0000100000-N	800	MOBILIZATION	Lump Sum LS	227,000.00	227,000.00
0002	0036000000-E	225	UNDERCUT EXCAVATION	400 CY	22.10	8,840.00
0003	0170000000-E	SP	REMOVAL OF EXISTING CONCRETE PAVEMENT SLABS	3,100 SY	57.00	176,700.00
0004	0234000000-E	SP	GENERIC GRADING ITEM SELECT GRANULAR MATERIAL	400 CY	42.00	16,800.00
0005	1297000000-E	607	MILLING ASPHALT PAVEMENT, **** DEPTH (4")	92,000 SY	3.14	288,880.00
0006	1491000000-E	610	ASPHALT CONC BASE COURSE, TYPE B25.0C	1,800 TON	99.00	178,200.00
0007	1503000000-E	610	ASPHALT CONC INTERMEDIATE COURSE, TYPE I19.0C	22,130 TON	41.75	923,927.50
0008	1523000000-E	610	ASPHALT CONC SURFACE COURSE, TYPE S9.5C	13,300 TON	38.60	513,380.00
0009	1560000000-E	620	ASPHALT BINDER FOR PLANT MIX, GRADE PG 64-22	1,117 TON	663.00	740,571.00
0010	1565000000-E	620	ASPHALT BINDER FOR PLANT MIX, GRADE PG 70-22	798 TON	674.00	537,852.00
0011	1567000000-E	SP	ASPHALT BINDER FOR PLANT MIX, GRADE PG 70-28	667 TON	821.80	548,140.60
0012	1702000000-E	657	SEALING EXISTING PAVEMENT CRACKS & JOINTS	40,000 LB	1.95	78,000.00
0013	1737000000-E	SP	PATCHING CONCRETE PAVEMENT SPALLS	1,170 SF	95.00	111,150.00
0014	1839110000-E	661	ULTRATHIN HOT MIX ASPHALT, TYPE B	6,439 TON	34.50	222,145.50
0015	1839120000-E	661	ULTRATHIN HOT MIX ASPHALT, TYPE C	4,600 TON	34.25	157,550.00
0016	1839200000-E	661	APPLICATION OF ULTRATHIN HOT MIX ASPHALT	368,000 SY	2.18	802,240.00

Contract Item Sheets For C202015

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
0017	1840000000-E	665	MILLED RUMBLE STRIPS (ASPHALT CEMENT CONCRETE)	142,232 LF	0.12	17,067.84
0018	2022000000-E	815	SUBDRAIN EXCAVATION	100 CY	6.00	600.00
0019	2033000000-E	815	SUBDRAIN FINE AGGREGATE	100 CY	26.00	2,600.00
0020	2044000000-E	815	6" PERFORATED SUBDRAIN PIPE	500 LF	4.85	2,425.00
0021	2055000000-E	815	6" SUBDRAIN PIPE WYES, TEES, & ELBOWS	15 EA	27.00	405.00
0022	2066000000-N	815	CONCRETE PAD FOR SUBDRAIN PIPE OUTLET	1 EA	140.00	140.00
0023	2077000000-E	815	6" OUTLET PIPE (SUBDRAINS)	6 LF	28.00	168.00
0024	2473000000-N	SP	GENERIC DRAINAGE ITEM DROP INLET REPAIR	25 EA	1,860.00	46,500.00
0025	4405000000-E	1110	WORK ZONE SIGNS (PORTABLE)	600 SF	24.00	14,400.00
0026	4415000000-N	1115	FLASHING ARROW PANELS, TYPE C	2 EA	2,800.00	5,600.00
0027	4420000000-N	1120	CHANGEABLE MESSAGE SIGN	2 EA	11,400.00	22,800.00
0028	4430000000-N	1130	DRUMS	200 EA	45.00	9,000.00
0029	4480000000-N	1165	TMIA	4 EA	9,350.00	37,400.00
0030	4815000000-E	1205	PAINT PAVEMENT MARKING LINES (6")	176,910 LF	0.32	56,611.20
0031	4825000000-E	1205	PAINT PAVEMENT MARKING LINES (12")	10,000 LF	0.75	7,500.00
0032	4845000000-N	1205	PAINT PAVEMENT MARKING SYMBOL	6 EA	50.00	300.00
0033	4847100000-E	1205	POLYUREA PAVEMENT MARKING LINES (6", *****) (HIGHLY REFLECTIVE ELEMENTS)	176,910 LF	1.02	180,448.20
0034	4847120000-E	1205	POLYUREA PAVEMENT MARKING LINES (12", *****) (HIGHLY REFLECTIVE ELEMENTS)	10,000 LF	2.25	22,500.00

Contract Item Sheets For C202015

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
0035	4847220000-N	1205	POLYUREA PAVEMENT MARKING SYMBOL (*****) (HIGHLY REFLECTIVE ELEMENTS)	6 EA	200.00	1,200.00
0036	4905000000-N	1253	SNOWPLOWABLE PAVEMENT MARKERS	1,000 EA	28.00	28,000.00

TOTAL AMOUNT OF BID FOR ENTIRE PROJECT

\$5,987,041.84 ✓

0852/Sep09/Q1074541/D92593970000/E36

Contract Number C202015
County Halifax

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 27886-1529

Address as Prequalified

Attest

Sophia B Hardy
Secretary/Assistant Secretary
Select appropriate title

By

Allen Barnhill
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

8th day of September 2008

Laurie D. Webb LAURIE D. WEBB
Signature of Notary Public

of Edgecombe County

State of North Carolina

My Commission Expires: August 22, 2010

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.

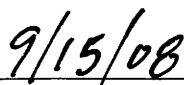
Contract No **C202015**

County (ies): **Halifax**

ACCEPTED BY THE
DEPARTMENT OF TRANSPORTATION

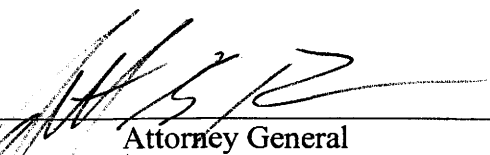


Contract Officer

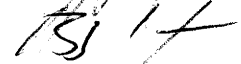


Date

Execution of Contract and Bonds
Approved as to Form:



Attorney General



Contract No. C202015
County Halifax

(Rev 7-10-08)

Bond No. 105074921

CONTRACT PAYMENT BOND

Date of Payment Bond Execution September 5, 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: \$5,987,041.84

Contract ID No.: C202015

County Name: Halifax 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. C202015
County Halifax

(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. C202015
County Halifax

(Rev 7-10-08)

CONTRACT PAYMENT BOND

CORPORATION

SIGNATURE OF CONTRACTOR (Principal)

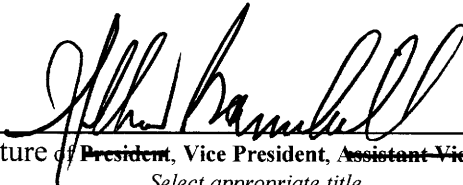
Barnhill Contracting Company

Full name of Corporation


P.O. Box 1529, Tarboro, NC 27886-1529

Address as prequalified

By



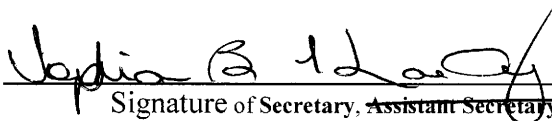
Signature of ~~President, Vice President, Assistant Vice President~~
Select appropriate title



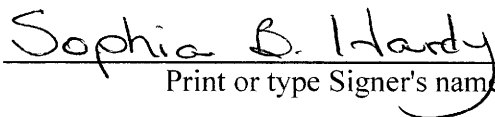
Print or type Signer's name

Affix Corporate Seal

Attest



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



Print or type Signer's name

Contract No. C202015
County Halifax

(Rev 7-10-08)

CONTRACT PERFORMANCE BOND

Date of Performance Bond Execution: September 5, 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: \$5,987,041.84

Contract ID No.: C202015

County Name: Halifax 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. C202015
County Halifax

(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

Bobbi D. Pendleton
Signature of Attorney-in-Fact

Suzanne R Parker
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. C202015
County Halifax

(Rev 7-10-08)

CONTRACT PERFORMANCE BOND

CORPORATION

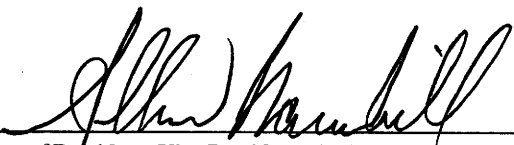
SIGNATURE OF CONTRACTOR (Principal)

Barnhill Contracting Company

Full name of Corporation

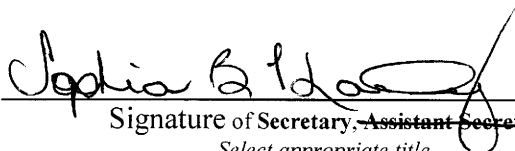
P.O. Box 1529, Tarboro, NC 27886

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

Sophia B. Hardy
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

Attorney-In Fact No. 214649

Certificate No. 002523020

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, Suzanne R. Parker, and Lucien P. Laborde

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

IN WITNESS WHEREOF, the Companies have caused this instrument to be signed and their corporate seals to be hereto affixed, this 21st day of February, 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 21st day of February, 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 M. Johanson, the undersigned, Assistant Secretary, of Farmington Casualty Company, Fidelity and Guaranty Insurance Company, Fidelity and Guaranty Insurance Underwriters, Inc., Seaboard Surety Company, St. Paul Fire and Marine Insurance Company, St. Paul Guardian Insurance Company, St. Paul Mercury Insurance Company, Travelers Casualty and Surety Company, Travelers Casualty and Surety Company of America, and United States Fidelity and Guaranty Company do hereby certify that the above and foregoing is a true and correct copy of the Power of Attorney executed by said Companies, which is in full force and effect and has not been revoked.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the seals of said Companies this 5th day of September, 2008

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

Kori M. Johanson

Kori M. Johanson, Assistant Secretary



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

