

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

C202142

CONTRACT AND
CONTRACT BONDS
FOR CONTRACT NO. C202142

WBS 3CR.10101.60, 3CR.20101.60 STATE FUNDED

COUNTY OF BRUNSWICK
THIS IS THE ROADWAY CONTRACT
ROUTE NUMBER NC 211 LENGTH 11.314 MILES
LOCATION NC-211 FROM WEST OF SR-1500 (MIDWAY RD) TO EAST OF SR-1114
(ZION HILL RD) AND 4 SECTIONS OF SECONDARY ROADS.

CONTRACTOR S. T. WOOTEN CORPORATION
ADDRESS P.O. BOX 2408
WILSON, NC 278942408

BIDS OPENED NOVEMBER 18, 2008
CONTRACT EXECUTION MAR 30 2009

S. T. Wooten Corporation (3760).

Vendor 2 of 3 Vendors for Call Order 012 (Proposal ID C202142).

County: BRUNSWICK
 Address: PO Box 2408
 Wilson, NC 27894
 Phone Number: 252-291-5165
 Signature Check: This bid has been properly signed by Richard_E._Vick_3760.
 Time Bid Received: Tue Nov 18 12:06:53 2008
 Bid Checksum: 744EB9B5
 Amendment Count: 0
 Bidding Errors: No bidding errors.
 Bid Total: \$1,948,795.91 ✓
 Bond ID: S4EM-642N-Q2G2-R8FG
 Bond was Verified: Yes.
 Bond Required Percent: 5.00%
 Minimum Check Amount: \$97,439.80
 Bid Security Maximum: \$
 Bond Agency Name:
 Agency Execution Date: 11/18/2008
 Surety Name: Safeco Insurance Company of America
 Surety State of Incorporation:
 Bond Company:
 Bond Type:
 Bond Appr Flag:
 Bond Affirm:
 Bond was Paid by Check: No.

MBE GOAL SET - 2.0 %
 WBE GOAL SET - 4.0 %

MBE GOAL MET - 2.0 %
 WBE GOAL MET - 9.4 %

NCDOT/berc

Vendor 3760's Load Output for Call 012, Letting L081118, 2008-11-18

Bid Bond Data Info - Contractor Responses:

=====

BondID: S4EM-642N-Q2G2-R8FG
Surety Registry Agency: SurePathNetwork
Verified?: Yes
Surety Agency: Safeco Insurance Company of America
Bond Execution Date: 11/18/2008
Bond Amount: \$97,439.80 (Five Percent of Bid)

State of NC
Dept of Transportation

Date: 10-21-08
Revised:

Contract ID: C202142 Project(s): STATE FUNDED
Letting Date: 11-18-08 Call Order: 012
Bidder: 3760 - S. T. Wooten Corporation

Line No.	Item Description	Approx. Quantity and Units	Unit Price Dollars Cts	Bid Amount Dollars Ct
Section 0001 ROADWAY ITEMS				
Alt Group				
0001	0000100000-N MOBILIZATIO N	LUMP	LUMP	45,000.00
0002	0106000000-E BORROW EXCAVATION	3,499.000 CY	10.00000	34,990.00
0003	1220000000-E INCIDENTAL STONE BASE	710.000 TON	35.00000	24,850.00
0004	1245000000-E SHOULDER RECONSTRUCTION	11.030 SMI	1,710.00000	18,861.30
0005	1330000000-E INCIDENTAL MILLING	556.000 SY	4.50000	2,502.00
0006	1519000000-E ASPHALT CONC SURFACE COURSE, TYPE S9.5B	11,498.000 TON	42.00000	482,916.00
0007	1520000000-E ASPHALT CONC SURFACE COURSE, TYPE S9.5B (LEVELING COURSE)	30.000 TON	50.00000	1,500.00
0008	1525000000-E ASPHALT CONC SURFACE COURSE, TYPE SF9.5A	5,113.000 TON	40.00000	204,520.00
0009	1525100000-E ASPHALT CONC SURFACE COURSE, TYPE SF9.5A (LEVELING COURSE)	70.000 TON	50.00000	3,500.00
0010	1560000000-E ASPHALT BINDER FOR PLANT MIX, GRADE PG 64-22	1,031.000 TON	600.00000	618,600.00

State of NC
Dept of Transportation

Date: 10-21-08
Revised:

Contract ID: C202142 Project(s): STATE FUNDED
Letting Date: 11-18-08 Call Order: 012
Bidder: 3760 - S. T. Wooten Corporation

Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
0011	1880000000-E GENERIC PAVING ITEM PATCHING EXISTING PAVEMENT (FULL DEPTH)	313.000 TON	115.00000		35,995.00	
0012	1880000000-E GENERIC PAVING ITEM PATCHING EXISTING PAVEMENT (MILL)	3,016.000 TON	115.00000		346,840.00	
0013	2830000000-N ADJUSTMENT OF MANHOLES	7.000 EA	250.00000		1,750.00	
0014	2845000000-N ADJUSTMENT OF METER BOXES OR VALVE BOXES	5.000 EA	175.00000		875.00	
0015	4685000000-E THERMOPLAST IC PAVEMENT MARKING LINES (4", 90 MILS)	60,322.000 LF	0.34000		20,509.48	
0016	4686000000-E THERMOPLAST IC PAVEMENT MARKING LINES (4", 120 MILS)	50,238.000 LF	0.42000		21,099.96	
0017	4695000000-E THERMOPLAST IC PAVEMENT MARKING LINES (8", 90 MILS)	680.000 LF	1.50000		1,020.00	
0018	4697000000-E THERMOPLAST IC PAVEMENT MARKING LINES (8", 120 MILS)	45.000 LF	4.00000		180.00	
0019	4725000000-E THERMOPLAST IC PAVEMENT MARKING SYMBOL (90 MILS)	19.000 EA	110.00000		2,090.00	
0020	4810000000-E PAINT PAVEMENT MARKING LINES (4")	228,331.000 LF	0.12000		27,399.72	
0021	4830000000-E PAINT PAVEMENT MARKING LINES (16")	100.000 LF	2.50000		250.00	

State of NC
Dept of Transportation

Date: 10-21-08
Revised:

Contract ID: C202142 Project(s): STATE FUNDED
Letting Date: 11-18-08 Call Order: 012
Bidder: 3760 - S. T. Wooten Corporation

Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
0022	4835000000-E PAINT PAVEMENT MARKING LINES (24")	152.000 LF	3.00000		456.00	
0023	4840000000-N PAINT PAVEMENT MARKING CHARAC-TER	4.000 EA	65.00000		260.00	
0024	4845000000-N PAINT PAVEMENT MARKING SYMBOL	4.000 EA	70.00000		280.00	
0025	4900000000-N PERMANENT RAISED PAVEMENT MARKERS	388.000 EA	5.00000		1,940.00	
0026	4905000000-N SNOWPLOWABLE PAVEMENT MARKERS	473.000 EA	29.00000		13,717.00	
0027	5255000000-N PORTABLE LIGHTING	LUMP	LUMP		5,000.00	
0028	6000000000-E TEMPORARY SILT FENCE	595.000 LF	2.20000		1,309.00	
0029	6009000000-E STONE FOR EROSION CONTROL, CLASS B	149.000 TON	50.00000		7,450.00	
0030	6012000000-E SEDIMENT CONTROL STONE	149.000 TON	40.00000		5,960.00	
0031	6015000000-E TEMPORARY MULCHING	5.950 ACR	620.00000		3,689.00	
0032	6018000000-E SEED FOR TEMPORARY SEEDING	298.000 LB	3.00000		894.00	
0033	6021000000-E FERTILIZER FOR TEMPORARY SEED-ING	1.490 TON	725.00000		1,080.25	

State of NC
 Dept of Transportation

Date: 10-21-08
 Revised:

Contract ID: C202142

Project(s): STATE FUNDED

Letting Date: 11-18-08 Call Order: 012

Bidder: 3760 - S. T. Wooten Corporation

Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
0034	6042000000-E 1/4" HARDWARE CLOTH	298.000 LF	0.90000		268.20	
0035	6084000000-E SEEDING & MULCHING	9.370 ACR	1,200.00000		11,244.00	
Section 0001 Total						1,948,795.91
Bid Total						1,948,795.91

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:10-21-08
PAGE: 8

PROPOSAL: C202142
LETTING: L081118 CALL: 012
VENDOR: 3760 S. T. Wooten Corporation

LINE NO.	ITEM NO.	ITEM DESC.	UNIT TYPE	SUBCONTRACTOR QUANTITY	SUBCONTRACTOR UNIT PRICE	EXTENDED AMOUNT
0008	1525000000-E	ASP CONC SUR	TON	3800.000	3.50000	13300.00
		Haul stockpile to plant at \$3.50 per ton.				
0006	1519000000-E	ASP CONC SUR	TON	7500.000	3.50000	26250.00
		Haul stockpile to plant at \$3.50 per ton.				

MBE SUBCONTRACTOR: 2676 PAUL D. WILLIAMS DBA PAUL D. WILLIAMS HAULING
Will Use Quote: Yes

MBE COMMITMENT TOTAL FOR SUBCONTRACTOR: 39,550.00 ✓

TOTAL MBE COMMITMENT FOR VENDOR: Entered: 2.03% or 39550.00
Required: 2.00% or 38975.92
<GOAL MET>

NORTH CAROLINA STATE DEPARTMENT OF TRANSPORTATION
WBE COMMITMENT ITEMS

DATE: 10-21-08
PAGE: 9

PROPOSAL: C202142
LETTING: L0811118 CALL: 012
VENDOR: 3760 S. T. Wooten Corporation

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

WBE SUBCONTRACTOR: 12393 ROYALS CONTRACTING, INC.
Will Use Quote: Yes

0011	1880000000-E	GENERIC PAVI	TON	313.000	53.00000	16589.00
0012	1880000000-E	GENERIC PAVI	TON	3016.000	52.50000	158340.00
0005	1330000000-E	INCIDENTAL M	SY	556.000	4.50000	2502.00

WBE COMMITMENT TOTAL FOR SUBCONTRACTOR: 177,431.00 ✓

WBE SUBCONTRACTOR: 2446 HAROLD A. PURYEAR TRUCKING CO.
Will Use Quote: Yes

0010	1560000000-E	ASP FOR PLAN	TON	1031.000	6.41000	6608.71
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WBE COMMITMENT TOTAL FOR SUBCONTRACTOR: 6,608.71 ✓

TOTAL WBE COMMITMENT FOR VENDOR:

Entered: 9.44% ✓ or 184039.71
Required: 4.00% or 77951.84
<GOAL MET>

Contract Item Sheets For C202142

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
ROADWAY ITEMS						
0001	0000100000-N	800	MOBILIZATION	Lump Sum LS	45,000.00	45,000.00
0002	0106000000-E	230	BORROW EXCAVATION	3,499 CY	10.00	34,990.00
0003	1220000000-E	545	INCIDENTAL STONE BASE	710 TON	35.00	24,850.00
0004	1245000000-E	SP	SHOULDER RECONSTRUCTION	11.03 SMI	1,710.00	18,861.30
0005	1330000000-E	607	INCIDENTAL MILLING	556 SY	4.50	2,502.00
0006	1519000000-E	610	ASPHALT CONC SURFACE COURSE, TYPE S9.5B	11,498 TON	42.00	482,916.00
0007	1520000000-E	SP	ASPHALT CONC SURFACE COURSE, TYPE S9.5B (LEVELING COURSE)	30 TON	50.00	1,500.00
0008	1525000000-E	610	ASPHALT CONC SURFACE COURSE, TYPE SF9.5A	5,113 TON	40.00	204,520.00
0009	1525100000-E	SP	ASPHALT CONC SURFACE COURSE, TYPE SF9.5A (LEVELING COURSE)	70 TON	50.00	3,500.00
0010	1560000000-E	620	ASPHALT BINDER FOR PLANT MIX, GRADE PG 64-22	1,031 TON	600.00	618,600.00
0011	1880000000-E	SP	GENERIC PAVING ITEM PATCHING EXISTING PAVEMENT (FULL DEPTH)	313 TON	115.00	35,995.00
0012	1880000000-E	SP	GENERIC PAVING ITEM PATCHING EXISTING PAVEMENT (MILL)	3,016 TON	115.00	346,840.00
0013	2830000000-N	858	ADJUSTMENT OF MANHOLES	7 EA	250.00	1,750.00
0014	2845000000-N	858	ADJUSTMENT OF METER BOXES OR VALVE BOXES	5 EA	175.00	875.00
0015	4685000000-E	1205	THERMOPLASTIC PAVEMENT MARKING LINES (4", 90 MILS)	60,322 LF	0.34	20,509.48
0016	4686000000-E	1205	THERMOPLASTIC PAVEMENT MARKING LINES (4", 120 MILS)	50,238 LF	0.42	21,099.96
0017	4695000000-E	1205	THERMOPLASTIC PAVEMENT MARKING LINES (8", 90 MILS)	680 LF	1.50	1,020.00

Contract Item Sheets For C202142

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
0018	4697000000-E	1205	THERMOPLASTIC PAVEMENT MARKING LINES (8", 120 MILS)	45 LF	4.00	180.00
0019	4725000000-E	1205	THERMOPLASTIC PAVEMENT MARKING SYMBOL (90 MILS)	19 EA	110.00	2,090.00
0020	4810000000-E	1205	PAINT PAVEMENT MARKING LINES (4")	228,331 LF	0.12	27,399.72
0021	4830000000-E	1205	PAINT PAVEMENT MARKING LINES (16")	100 LF	2.50	250.00
0022	4835000000-E	1205	PAINT PAVEMENT MARKING LINES (24")	152 LF	3.00	456.00
0023	4840000000-N	1205	PAINT PAVEMENT MARKING CHARACTER	4 EA	65.00	260.00
0024	4845000000-N	1205	PAINT PAVEMENT MARKING SYMBOL	4 EA	70.00	280.00
0025	4900000000-N	1251	PERMANENT RAISED PAVEMENT MARKERS	388 EA	5.00	1,940.00
0026	4905000000-N	1253	SNOWPLOWABLE PAVEMENT MARKERS	473 EA	29.00	13,717.00
0027	5255000000-N	1413	PORTABLE LIGHTING	Lump Sum LS	5,000.00	5,000.00
0028	6000000000-E	1605	TEMPORARY SILT FENCE	595 LF	2.20	1,309.00
0029	6009000000-E	1610	STONE FOR EROSION CONTROL, CLASS B	149 TON	50.00	7,450.00
0030	6012000000-E	1610	SEDIMENT CONTROL STONE	149 TON	40.00	5,960.00
0031	6015000000-E	1615	TEMPORARY MULCHING	5.95 ACR	620.00	3,689.00
0032	6018000000-E	1620	SEED FOR TEMPORARY SEEDING	298 LB	3.00	894.00
0033	6021000000-E	1620	FERTILIZER FOR TEMPORARY SEEDING	1.49 TON	725.00	1,080.25
0034	6042000000-E	1632	1/4" HARDWARE CLOTH	298 LF	0.90	268.20

Contract Item Sheets For C202142

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
0035	6084000000-E	1660	SEEDING & MULCHING	9.37 ACR	1,200.00	11,244.00

TOTAL AMOUNT OF BID FOR ENTIRE PROJECT

\$1,948,795.91 ✓

0748/Mar26/Q368122.84/D131894200000/E35

Contract Number C 202142
County Brunswick

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

S.T. Wooten Corporation
Full name of Corporation

P.O. Box 2408 Wilson NC 27894
Address as Prequalified

Attest W. Reade Dawson Secretary/Assistant Secretary
Select appropriate title By [Signature] President/Vice President/Assistant Vice President
Select appropriate title

W. Reade Dawson
Print or type Signer's name

Henry D. Butts, JR.
Print or type Signer's name

CORPORATE SEAL

AFFIDAVIT MUST BE NOTARIZED

NOTARY SEAL

Subscribed and sworn to before me this the

20th day of MARCH 2009

Carol J. O'Leary
Signature of Notary Public

of Pitt County

State of North Carolina

My Commission Expires: 3/3/2010

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.

Contract Number C.202142
County Brunswick

Rev 7-20-08

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 C202142

County (ies): Brunswick

ACCEPTED BY THE
DEPARTMENT OF TRANSPORTATION



Contract Officer

3/30/09

Date

Execution of Contract and Bonds
Approved as to Form:



Attorney General

Signature Sheet (Bid - Acceptance by Department)

Contract No.: **C202142**
County: **Brunswick**

(Rev 7-10-08)

CONTRACT PAYMENT BOND

Bond No. 6599896

Date of Payment:
Bond Execution: March 23, 2009

Name of Principal:
Contractor S.T. Wooten Corporation
Post Office Box 2408
Wilson, North Carolina 27984-2408

Name of Surety: Safeco Insurance Company of America
2359 Perimeter Pointe Parkway, Suite 160
Charlotte, NC 28208

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

Amount of Bond: **\$1,948,795.91**

Contract ID No: **C202142**

County Name(s): **Brunswick**

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 Franklin, Chatham 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.: C202142
County: Brunswick

(Rev 7-10-08)

CONTRACT PAYMENT BOND

Affix Seal of Surety Company

Safeco Insurance Company of America
Print or type Surety Company Name

By Debra S. Ritter
Print, stamp or type name of Attorney-in-Fact

Debra S. Ritter
Signature of Attorney-in-Fact

Angela M. Yount
Signature of witness

Angela M. Yount
Print or type witness' Name

6230 Fairview Road, Ste 230, Charlotte, NC 28210
Address of Attorney-in-Fact

Contract No.: C202142
County: Brunswick

(Rev 7-10-08)

CONTRACT PAYMENT BOND

CORPORATION

SIGNATURE OF CONTRACTOR (Principal)

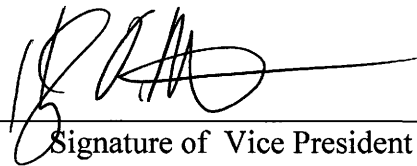
S. T. WOOTEN CORPORATION

Print or type full name of Corporation

Post Office Box 2408; Wilson, North Carolina 27894-2408

Address as prequalified

By: _____



Signature of Vice President

Henry D. Butts, Jr.

Print or type signer's name

Affix Corporate Seal

Attest: _____



Signature of Assistant Secretary

W. Reade Dawson

Print or type signer's name

Contract Number: **C202142**
County: **Brunswick**

(Rev 7-10-08)

CONTRACT PERFORMANCE BOND

Bond No. 6599896

Date of Contract Performance

Bond Execution:

March 23, 2009

Name of Principal:

Contractor

S. T. Wooten Corporation

Post Office Box 2408

Wilson, North Carolina 27894-2408

Name of Surety:

Safeco Insurance Company of America

2359 Perimeter Pointe Parkway, Suite 160

Charlotte, NC 28208

Name of Contracting Body:

North Carolina Department of Transportation

Raleigh, North Carolina

Amount of Bond:

\$1,948,795.91

Contract ID No.:

C202142

County Name(s):

Brunswick

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 it undersigned representative, pursuant to authority of its governing body.

Contract Number: C202142
County: Brunswick

(Rev 7-10-08)

CONTRACT PERFORMANCE BOND

Affix Seal of Surety Company

Safeco Insurance Company of America
Print or type Surety Company Name

By: Debra S. Ritter
Attorney-in-Fact
Print, stamp, or type name of Attorney-in-Fact

Debra S. Ritter
Signature of Attorney-in-Fact

Angela M. Yount
Signature of witness

Angela M. Yount
Print or type witness' name

6230 Fairview Rd, Ste 230, Charlotte, NC 28210
Address of Attorney-in-Fact

Contract Number: C202142
County: Brunswick

(Rev 7-10-08)

CONTRACT PERFORMANCE BOND
CORPORATION

SIGNATURE OF CONTRACTOR (Principal)

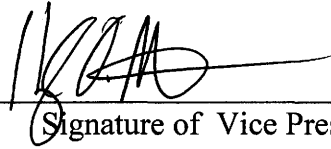
S. T. WOOTEN CORPORATION

Print full name of Corporation

Post Office Box 2408; Wilson, North Carolina 27894-2408

Address as prequalified

By: _____



Signature of Vice President

Henry D. Butts, Jr.

Print or type signer's name

Affix Corporate Seal

Attest: _____



Signature of Assistant Secretary

W. Reade Dawson

Print or type signer's name



POWER OF ATTORNEY

Safeco Insurance Company of America
General Insurance Company of America
1001 4th Avenue
Suite 1700
Seattle, WA 98154

No. 12642

KNOW ALL BY THESE PRESENTS:

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

*****RAMONA FEWELL; RAYMOND J. GARRUTO; BRAD W. GIBSON; MARTIN D. PALLAZZA; DEBRA S. RITTER; ANGELA M. YOUNT; Charlotte, North Carolina*****

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

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

this 19th day of January, 2009

Dexter R. Legg (handwritten signature)

Timothy A. Mikolajewski (handwritten signature)

Dexter R. Legg, Secretary

Timothy A. Mikolajewski, Vice President

CERTIFICATE

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

"Article V, Section 13. - FIDELITY AND SURETY BONDS ... the President, any Vice President, the Secretary, and any Assistant Vice President appointed for that purpose by the officer in charge of surety operations, shall each have authority to appoint individuals as attorneys-in-fact or under other appropriate titles with authority to execute on behalf of the company fidelity and surety bonds and other documents of similar character issued by the company in the course of its business... On any instrument making or evidencing such appointment, the signatures may be affixed by facsimile. On any instrument conferring such authority or on any bond or undertaking of the company, the seal, or a facsimile thereof, may be impressed or affixed or in any other manner reproduced; provided, however, that the seal shall not be necessary to the validity of any such instrument or undertaking."

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

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

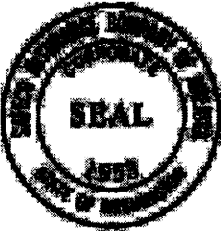
- (i) The provisions of Article V, Section 13 of the By-Laws, and
(ii) A copy of the power-of-attorney appointment, executed pursuant thereto, and
(iii) Certifying that said power-of-attorney appointment is in full force and effect,

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

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

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

this 23rd day of March, 2009



Dexter R. Legg (handwritten signature)

Dexter R. Legg, Secretary

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Contract Number C202142
County BRUNSWICK

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

S.T. WOOTEN CORPORATION
Full name of Corporation

P.O. BOX 2408 WILSON NC 27894
Address as Prequalified

Attest W. Reade Dawson By Brian Gurganus
~~Secretary/Assistant Secretary~~ ~~President/Vice President/Assistant Vice President~~
Select appropriate title Select appropriate title

W. READE DAWSON
Print or type Signer's name

BRIAN GURGANUS
Print or type Signer's name

CORPORATE SEAL

AFFIDAVIT MUST BE NOTARIZED

NOTARY SEAL

Subscribed and sworn to before me this the

2 day of APRIL 2009

Lana L. Rayford
Signature of Notary Public

of WILSON County

State of North Carolina

My Commission Expires: 2/5/13

Contract Number C 202142
County BRUNSWICK

Rev 7-20-08

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 C202142
County Brunswick

Rev 7-20-08

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.: **C202142**
County: **Brunswick**

(Rev 7-10-08)

CONTRACT PAYMENT BOND
Bond No. 6599896

Date of Payment:
Bond Execution: March 23, 2009

Name of Principal: S.T. Wooten Corporation
Contractor Post Office Box 2408
Wilson, North Carolina 27984-2408

Name of Surety: Safeco Insurance Company of America
2359 Perimeter Pointe Parkway, Suite 160
Charlotte, NC 28208

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

Amount of Bond: **\$1,948,795.91**

Contract ID No: **C202142**

County Name(s): **Brunswick**

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.: C202142
County: Brunswick

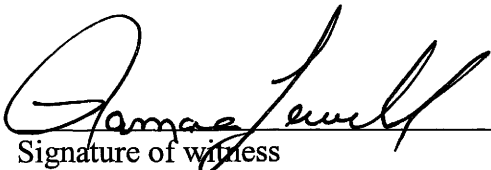
(Rev 7-10-08)


CONTRACT PAYMENT BOND

Affix Seal of Surety Company

Safeco Insurance Company of America
Print or type Surety Company Name

By Angela M. Yount
Print, stamp or type name of Attorney-in-Fact


Signature of witness


Signature of Attorney-in-Fact

Ramona Fewell
Print or type witness' Name

6230 Fairview Road, Suite 230, Charlotte, NC 28210
Address of Attorney-in-Fact

Contract No.: C202142
County: Brunswick

(Rev 7-10-08)

CONTRACT PAYMENT BOND

CORPORATION

SIGNATURE OF CONTRACTOR (Principal)

S. T. WOOTEN CORPORATION

Print or type full name of Corporation

Post Office Box 2408; Wilson, North Carolina 27894-2408

Address as prequalified

By: _____



Signature of Vice President

Brian Gurganus

Print or type signer's name

Affix Corporate Seal

Attest: _____



Signature of Assistant Secretary

W. Reade Dawson

Print or type signer's name

Contract Number: **C202142**
County: **Brunswick**

(Rev 7-10-08)

CONTRACT PERFORMANCE BOND

Bond No. 6599896

Date of Contract Performance

Bond Execution: March 23, 2009

Name of Principal: S. T. Wooten Corporation

Contractor Post Office Box 2408

Wilson, North Carolina 27894-2408

Name of Surety: Safeco Insurance Company of America

2359 Perimeter Pointe Parkway, Suite 160

Charlotte, NC 28208

Name of Contracting Body: North Carolina Department of Transportation

Raleigh, North Carolina

Amount of Bond: **\$1,948,795.91**

Contract ID No.: **C202142**

County Name(s): **Brunswick**

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 it undersigned representative, pursuant to authority of its governing body.

Contract Number: C202142
County: Brunswick

(Rev 7-10-08)

CONTRACT PERFORMANCE BOND

Affix Seal of Surety Company

Safeco Insurance Company of America
Print or type Surety Company Name

By: Angela M. Yount
Attorney-in-Fact
Print, stamp, or type name of Attorney-in-Fact

Angela M Yount
Signature of Attorney-in-Fact

Ramona Fewell
Signature of witness

Ramona Fewell
Print or type witness' name

6230 Fairview Road, Suite 230, Charlotte, NC 28210
Address of Attorney-in-Fact

Contract Number: **C202142**
County: **Brunswick**

(Rev 7-10-08)

CONTRACT PERFORMANCE BOND

CORPORATION

SIGNATURE OF CONTRACTOR (Principal)

S. T. WOOTEN CORPORATION

Print full name of Corporation

Post Office Box 2408; Wilson, North Carolina 27894-2408

Address as prequalified

By:



Signature of Vice President

Brian Gurganus

Print or type signer's name

Affix Corporate Seal

Attest:



Signature of Assistant Secretary

W. Reade Dawson

Print or type signer's name



POWER OF ATTORNEY

Safeco Insurance Company of America
General Insurance Company of America
1001 4th Avenue
Suite 1700
Seattle, WA 98154

No. 12642

KNOW ALL BY THESE PRESENTS:

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

*****RAMONA FEWELL; RAYMOND J. GARRUTO; BRAD W. GIBSON; MARTIN D. PALLAZZA; DEBRA S. RITTER; ANGELA M. YOUNT; Charlotte, North Carolina*****

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

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

this 19th day of January, 2009

Dexter R. Legg

Timothy A. Mikolajewski

Dexter R. Legg, Secretary

Timothy A. Mikolajewski, Vice President

CERTIFICATE

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

"Article V, Section 13. - FIDELITY AND SURETY BONDS ... the President, any Vice President, the Secretary, and any Assistant Vice President appointed for that purpose by the officer in charge of surety operations, shall each have authority to appoint individuals as attorneys-in-fact or under other appropriate titles with authority to execute on behalf of the company fidelity and surety bonds and other documents of similar character issued by the company in the course of its business... On any instrument making or evidencing such appointment, the signatures may be affixed by facsimile. On any instrument conferring such authority or on any bond or undertaking of the company, the seal, or a facsimile thereof, may be impressed or affixed or in any other manner reproduced; provided, however, that the seal shall not be necessary to the validity of any such instrument or undertaking."

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

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

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

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

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

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

this 23rd day of March, 2009



Dexter R. Legg

Dexter R. Legg, Secretary

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