

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

C202021

CONTRACT AND  
CONTRACT BONDS

FOR CONTRACT NO. C202021

WBS 33497.3.1 BRZ-1329(4)

T.I.P NO. B-4148

COUNTY OF HENDERSON

THIS IS THE ROADWAY & STRUCTURE CONTRACT

ROUTE NUMBER SR 1329 LENGTH 0.081 MILES

LOCATION BRIDGE OVER BOYLSTON CREEK AND APPROACHES ON SR-1329.

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

ADDRESS P.O. BOX 7168  
STATESVILLE, NC 28687

BIDS OPENED JANUARY 20, 2009

CONTRACT EXECUTION FEB 26 2009

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

**Vendor 2 of 12 Vendors for Call Order 009 (Proposal ID C202021).**

County: HENDERSON

Address: P. O. B ox 7168

Statesville, NC 28687

Phone Number: 704-924-8646 ✓

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

Time Bid Received: Mon Jan 19 19:16:37 2009

Bid Checksum: 3D25026E

Amendment Count: 0

Bidding Errors: No bidding errors.

Bid Total: \$346,445.70 ✓

Bond ID: SNC09361513

Bond was Verified: Yes.

Bond Required Percent: 5.00%

Minimum Check Amount: \$17,322.29

Bid Security Maximum: \$

Bond Agency Name:

Agency Execution Date: 1/14/2009 9:23:21 AM

Surety Name: Liberty Mutual Insurance Company

Surety State of Incorporation:

Bond Company:

Bond Type:

Bond Appr Flag:

Bond Affirm:

Bond was Paid by Check: No.

DBE GOAL SET 6.0%  
DBE GOAL MET 6.4%

LIST OF DBE PARTICIPANTS

VENDOR NUMBER	DBE NAME ADDRESS	WORK CODE TYPE OF WORK	CERT TYPE	AMOUNT
2855	DB BOSS CONSTRUCTION CO., INC. 229 BOXWOOD CHURCH ROAD , MOCKSVILLE, NC 27028		Sub	5,495.12
3376	DB REYNOLDS FENCE & GUARDRAIL INC 9320 MACHADO DRIVE , INDIAN TRAIL, NC 28079		Sub	14,925.00
4761	DB TRAFFIC CONTROL SAFETY SERVICES POST OFFICE BOX 24511 , WINSTON-SALEM, NC 27114		Sub	1,574.75
			TOTAL:	\$21,994.87 6.35%

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: SNC09361513  
 Surety Registry Agency: surety2000  
 Verified?: Yes  
 Surety Agency: Liberty Mutual Insurance Company  
 Bond Execution Date: 1/14/2009 9:23:21 AM  
 Bond Amount: \$17,322.29 (Five Percent of Bid)

State of NC  
Dept of Transportation

Date: 12-18-08  
Revised:

Contract ID: C202021 Project(s): BRZ-1329(4)  
Letting Date: 01-20-09 Call Order: 009  
Bidder: 3481 - R. E. Burns & Sons Co., Inc.

Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
Section 0001 ROADWAY ITEMS						
Alt Group						
0001	0000100000-N MOBILIZATIO N	LUMP	LUMP			17,000.00
0002	0030000000-N BRIDGE APPROACH FILL - SUB REGIONAL TIER, STATION ***** (15+70.50)	LUMP	LUMP			6,000.00
0003	0043000000-N GRADING	LUMP	LUMP			33,000.00
0004	0050000000-E SUPPLEMENTA RY CLEARING & GRUB-BING	ACR 1.000	1.00000			1.00
0005	0057000000-E UNDERCUT EXCAVATION	CY 100.000	9.00000			900.00
0006	0080000000-E CLASS IV SUBGRADE STABILIZA- TION	TON 100.000	7.00000			700.00
0007	0134000000-E DRAINAGE DITCH EXCAVATION	CY 245.000	9.00000			2,205.00
0008	0195000000-E SELECT GRANULAR MATERIAL	CY 100.000	10.00000			1,000.00
0009	0196000000-E FABRIC FOR SOIL STABILIZATION	SY 100.000	2.00000			200.00
0010	0318000000-E FOUNDATION CONDITIONING MATE- RIAL, MINOR STRS	TON 5.000	33.00000			165.00

State of NC  
Dept of Transportation

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Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
0011	0366000000-E 15" RC PIPE CULVERTS, CLASS III	12.000 LF	75.00000		900.00	
0012	0708000000-E 15" BIT COAT CS PIPE CULVERTS, TYPE B 0.064" THICK	20.000 LF	75.00000		1,500.00	
0013	0806000000-E 15" BIT COAT CS PIPE ELBOWS, TYPE B 0.064" THICK	2.000 EA	215.00000		430.00	
0014	1489000000-E ASPHALT CONC BASE COURSE, TYPE B25.0B	190.000 TON	60.00000		11,400.00	
0015	1525000000-E ASPHALT CONC SURFACE COURSE, TYPE SF9.5A	150.000 TON	75.00000		11,250.00	
0016	1560000000-E ASPHALT BINDER FOR PLANT MIX, GRADE PG 64-22	20.000 TON	585.00000		11,700.00	
0017	2022000000-E SUBDRAIN EXCAVATION	45.000 CY	5.00000		225.00	
0018	2033000000-E SUBDRAIN FINE AGGREGATE	35.000 CY	15.00000		525.00	
0019	2044000000-E 6" PERFORATED SUBDRAIN PIPE	200.000 LF	2.00000		400.00	
0020	2055000000-E 6" SUBDRAIN PIPE WYES, TEES, & ELBOWS	6.000 EA	10.00000		60.00	
0021	2066000000-N CONCRETE PAD FOR SUBDRAIN PIPE OUTLET	1.000 EA	50.00000		50.00	
0022	2077000000-E 6" OUTLET PIPE (SUBDRAINS)	6.000 LF	20.00000		120.00	

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Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
0023	2286000000-N MASONRY DRAINAGE STRUCTURES	EA 2.000	2,200.00000		4,400.00	
0024	2367000000-N FRAME WITH TWO GRATES, STD 840.29	EA 2.000	600.00000		1,200.00	
0025	2556000000-E SHOULDER BERM GUTTER	LF 72.000	45.00000		3,240.00	
0026	3030000000-E STEEL BM GUARDRAIL	LF 150.000	16.00000		2,400.00	
0027	3150000000-N ADDITIONAL GUARDRAIL POSTS	EA 5.000	25.00000		125.00	
0028	3215000000-N GUARDRAIL ANCHOR UNITS, TYPE III	EA 4.000	1,250.00000		5,000.00	
0029	3270000000-N GUARDRAIL ANCHOR UNITS, TYPE 350	EA 4.000	1,850.00000		7,400.00	
0030	3628000000-E RIP RAP, CLASS I	TON 16.000	70.00000		1,120.00	
0031	3649000000-E RIP RAP, CLASS B	TON 3.000	75.00000		225.00	
0032	3656000000-E FILTER FABRIC FOR DRAINAGE	SY 285.000	2.30000		655.50	
0033	4400000000-E WORK ZONE SIGNS (STATIONARY)	SF 221.000	10.00000		2,210.00	
0034	4410000000-E WORK ZONE SIGNS (BARRICADE MOUNTED)	SF 84.000	10.00000		840.00	

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Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
0035	4445000000-E BARRICADES (TYPE III)	48.000 LF	30.00000		1,440.00	
0036	4810000000-E PAINT PAVEMENT MARKING LINES (4")	3,440.000 LF	0.48000		1,651.20	
0037	6000000000-E TEMPORARY SILT FENCE	200.000 LF	4.00000		800.00	
0038	6006000000-E STONE FOR EROSION CONTROL, CLASS A	120.000 TON	35.00000		4,200.00	
0039	6009000000-E STONE FOR EROSION CONTROL, CLASS B	120.000 TON	35.00000		4,200.00	
0040	6012000000-E SEDIMENT CONTROL STONE	40.000 TON	35.00000		1,400.00	
0041	6015000000-E TEMPORARY MULCHING	1.000 ACR	1,400.00000		1,400.00	
0042	6018000000-E SEED FOR TEMPORARY SEEDING	50.000 LB	8.00000		400.00	
0043	6021000000-E FERTILIZER FOR TEMPORARY SEED-ING	1.250 TON	3,000.00000		3,750.00	
0044	6029000000-E SAFETY FENCE	180.000 LF	4.00000		720.00	
0045	6030000000-E SILT EXCAVATION	300.000 CY	4.00000		1,200.00	
0046	6036000000-E MATTING FOR EROSION CONTROL	850.000 SY	2.10000		1,785.00	

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

Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
0047	6037000000-E COIR FIBER MAT	25.000 SY	10.00000		250.00	
0048	6042000000-E 1/4" HARDWARE CLOTH	40.000 LF	5.00000		200.00	
0049	6071030000-E COIR FIBER BAFFLES	200.000 LF	10.00000		2,000.00	
0050	6071050000-E *** SKIMMER (1-1/2")	4.000 EA	1,100.00000		4,400.00	
0051	6084000000-E SEEDING & MULCHING	6.500 ACR	1,500.00000		9,750.00	
0052	6087000000-E MOWING	0.500 ACR	600.00000		300.00	
0053	6090000000-E SEED FOR REPAIR SEEDING	50.000 LB	15.00000		750.00	
0054	6093000000-E FERTILIZER FOR REPAIR SEEDING	0.250 TON	4,000.00000		1,000.00	
0055	6096000000-E SEED FOR SUPPLEMENTAL SEEDING	50.000 LB	8.00000		400.00	
0056	6108000000-E FERTILIZER TOPDRESSING	0.500 TON	2,000.00000		1,000.00	
0057	6114000000-N SPECIALIZED HAND MOWING	5.000 HR	75.00000		375.00	
0058	6117000000-N RESPONSE FOR EROSION CONTROL	12.000 EA	1.00000		12.00	



State of NC  
Dept of Transportation

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Letting Date: 01-20-09 Call Order: 009  
Bidder: 3481 - R. E. Burns & Sons Co., Inc.

Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
	Section 0001 Total					171,929.70

Section 0004 STRUCTURE ITEMS

Alt Group

0059	8035000000-N REMOVAL OF EXISTING STRUCTURE AT STATION ***** (15+70.50-L-)	LUMP		LUMP		10,000.00
0060	8121000000-N UNCLASSIFIED STRUCTURE EXCAVATION AT STATION ***** (15+70.50-L-)	LUMP		LUMP		3,000.00
0061	8182000000-E CLASS A CONCRETE (BRIDGE)	CY	24.000	1,000.00000		24,000.00
0062	8210000000-N BRIDGE APPROACH SLABS, STATION***** (15+70.50-L-)	LUMP		LUMP		16,575.00
0063	8217000000-E REINFORCING STEEL (BRIDGE)	LB	3,748.000	2.00000		7,496.00
0064	8364000000-E HP12X53 STEEL PILES	LF	275.000	60.00000		16,500.00
0065	8505000000-E VERTICAL CONCRETE BARRIER RAIL	LF	105.210	80.00000		8,416.80
0066	8590000000-E RIP RAP, CLASS ** (I)	TON	84.000	55.00000		4,620.00
0067	8622000000-E FILTER FABRIC FOR DRAINAGE	SY	93.000	4.00000		372.00

State of NC  
 Dept of Transportation

Date: 12-18-08  
 Revised:

Contract ID: C202021 Project(s): BRZ-1329(4)  
 Letting Date: 01-20-09 Call Order: 009  
 Bidder: 3481 - R. E. Burns & Sons Co., Inc.

Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
0068	8657000000-N ELASTOMERIC BEARINGS	LUMP	LUMP		2,000.00	
0069	8762000000-E 3'-0" X 1'-9" PRESTRESSED CONCCORED SLABS	LF	526.040	155.00000	81,536.20	
Section 0004 Total					174,516.00	
Bid Total					346,445.70	✓

NON-COLLUSION AND DEBARMENT CERTIFICATION

The bidder certifies that neither he, nor any official, agent or employee of the bidder has entered into any agreement, participated in any collusion, or otherwise taken any action which is in restraint of free competitive bidding in connection with this bid, and that the bidder intends to do the work with its own bonafide employees or subcontractors and is not bidding for the benefit of another contractor. In addition, submitting this electronic bid constitutes the bidder's certification of Status under penalty of perjury under the laws of the United States and in accordance with the Debarment Certification on file with the Department.

By submitting this bid, the bidder certifies to the best of his knowledge and belief that he and his principals:

- 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.

NORTH CAROLINA STATE DEPARTMENT OF TRANSPORTATION  
DBE COMMITMENT ITEMS

DATE: 12-18-08  
PAGE: 10

PROPOSAL: C202021  
LETTING: L090120 CALL: 009  
VENDOR: 3481 R. E. Burns & Sons Co., Inc.

LINE NO.	ITEM NO.	ITEM DESC.	UNIT TYPE	SUBCONTRACTOR QUANTITY	SUBCONTRACTOR UNIT PRICE	EXTENDED AMOUNT
DBE SUBCONTRACTOR: 2855 BOSS CONSTRUCTION CO., INC. Will Use Quote: Yes						
0065	8505000000-E	VERT CONC BA LF labor only		105.210	52.23000	5495.12
DBE COMMITMENT TOTAL FOR SUBCONTRACTOR:						5,495.12 ✓
DBE COMMITMENT TOTAL FOR VENDOR (SubContractor )						5,495.1

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

0026	3030000000-E	STL BM GUARD LF		150.000	16.00000	2400.00
0027	3150000000-N	ADDIT GUARDR EA		5.000	25.00000	125.00
0028	3215000000-N	GR ANCHOR TY EA		4.000	1250.00000	5000.00
0029	3270000000-N	GR ANCHOR TY EA		4.000	1850.00000	7400.00
DBE COMMITMENT TOTAL FOR SUBCONTRACTOR:						14,925.00 ✓
DBE COMMITMENT TOTAL FOR VENDOR (SubContractor )						14,925.

DBE SUBCONTRACTOR: 4761 TRAFFIC CONTROL SAFETY SERVICES, INC.  
Will Use Quote: Yes

0033	4400000000-E	WORK ZONE SI SF		221.000	4.75000	1049.75
0034	4410000000-E	WORK ZONE SI SF		84.000	6.25000	525.00
DBE COMMITMENT TOTAL FOR SUBCONTRACTOR:						1,574.75 ✓
DBE COMMITMENT TOTAL FOR VENDOR (SubContractor )						1,574.7

TOTAL DBE COMMITMENT FOR VENDOR:	Entered:	6.35% or	21994.87
	Required:	6.00% or	20786.74
			<GOAL MET>

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
<b>ROADWAY ITEMS</b>						
0001	0000100000-N	800	MOBILIZATION	Lump Sum LS	17,000.00	17,000.00
0002	0030000000-N	SP	BRIDGE APPROACH FILL - SUB REGIONAL TIER, STATION ***** (15+70.50)	Lump Sum LS	6,000.00	6,000.00
0003	0043000000-N	226	GRADING	Lump Sum LS	33,000.00	33,000.00
0004	0050000000-E	226	SUPPLEMENTARY CLEARING & GRUB- BING	1 ACR	1.00	1.00
0005	0057000000-E	226	UNDERCUT EXCAVATION	100 CY	9.00	900.00
0006	0080000000-E	SP	CLASS IV SUBGRADE STABILIZA- TION	100 TON	7.00	700.00
0007	0134000000-E	240	DRAINAGE DITCH EXCAVATION	245 CY	9.00	2,205.00
0008	0195000000-E	265	SELECT GRANULAR MATERIAL	100 CY	10.00	1,000.00
0009	0196000000-E	270	FABRIC FOR SOIL STABILIZATION	100 SY	2.00	200.00
0010	0318000000-E	300	FOUNDATION CONDITIONING MATE- RIAL, MINOR STRS	5 TON	33.00	165.00
0011	0366000000-E	310	15" RC PIPE CULVERTS, CLASS III	12 LF	75.00	900.00
0012	0708000000-E	310	15" BIT COAT CS PIPE CULVERTS, TYPE B 0.064" THICK	20 LF	75.00	1,500.00
0013	0806000000-E	310	15" BIT COAT CS PIPE ELBOWS, TYPE B 0.064" THICK	2 EA	215.00	430.00
0014	1489000000-E	610	ASPHALT CONC BASE COURSE, TYPE B25.0B	190 TON	60.00	11,400.00
0015	1525000000-E	610	ASPHALT CONC SURFACE COURSE, TYPE SF9.5A	150 TON	75.00	11,250.00
0016	1560000000-E	620	ASPHALT BINDER FOR PLANT MIX, GRADE PG 64-22	20 TON	585.00	11,700.00
0017	2022000000-E	815	SUBDRAIN EXCAVATION	45 CY	5.00	225.00
0018	2033000000-E	815	SUBDRAIN FINE AGGREGATE	35 CY	15.00	525.00

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
0019	2044000000-E	815	6" PERFORATED SUBDRAIN PIPE	200 LF	2.00	400.00
0020	2055000000-E	815	6" SUBDRAIN PIPE WYES, TEES, & ELBOWS	6 EA	10.00	60.00
0021	2066000000-N	815	CONCRETE PAD FOR SUBDRAIN PIPE OUTLET	1 EA	50.00	50.00
0022	2077000000-E	815	6" OUTLET PIPE (SUBDRAINS)	6 LF	20.00	120.00
0023	2286000000-N	840	MASONRY DRAINAGE STRUCTURES	2 EA	2,200.00	4,400.00
0024	2367000000-N	840	FRAME WITH TWO GRATES, STD 840.29	2 EA	600.00	1,200.00
0025	2556000000-E	846	SHOULDER BERM GUTTER	72 LF	45.00	3,240.00
0026	3030000000-E	862	STEEL BM GUARDRAIL	150 LF	16.00	2,400.00
0027	3150000000-N	862	ADDITIONAL GUARDRAIL POSTS	5 EA	25.00	125.00
0028	3215000000-N	862	GUARDRAIL ANCHOR UNITS, TYPE III	4 EA	1,250.00	5,000.00
0029	3270000000-N	SP	GUARDRAIL ANCHOR UNITS, TYPE 350	4 EA	1,850.00	7,400.00
0030	3628000000-E	876	RIP RAP, CLASS I	16 TON	70.00	1,120.00
0031	3649000000-E	876	RIP RAP, CLASS B	3 TON	75.00	225.00
0032	3656000000-E	876	FILTER FABRIC FOR DRAINAGE	285 SY	2.30	655.50
0033	4400000000-E	1110	WORK ZONE SIGNS (STATIONARY)	221 SF	10.00	2,210.00
0034	4410000000-E	1110	WORK ZONE SIGNS (BARRICADE MOUNTED)	84 SF	10.00	840.00
0035	4445000000-E	1145	BARRICADES (TYPE III)	48 LF	30.00	1,440.00
0036	4810000000-E	1205	PAINT PAVEMENT MARKING LINES (4")	3,440 LF	0.48	1,651.20
0037	6000000000-E	1605	TEMPORARY SILT FENCE	200 LF	4.00	800.00

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
0038	6006000000-E	1610	STONE FOR EROSION CONTROL, CLASS A	120 TON	35.00	4,200.00
0039	6009000000-E	1610	STONE FOR EROSION CONTROL, CLASS B	120 TON	35.00	4,200.00
0040	6012000000-E	1610	SEDIMENT CONTROL STONE	40 TON	35.00	1,400.00
0041	6015000000-E	1615	TEMPORARY MULCHING	1 ACR	1,400.00	1,400.00
0042	6018000000-E	1620	SEED FOR TEMPORARY SEEDING	50 LB	8.00	400.00
0043	6021000000-E	1620	FERTILIZER FOR TEMPORARY SEED- ING	1.25 TON	3,000.00	3,750.00
0044	6029000000-E	SP	SAFETY FENCE	180 LF	4.00	720.00
0045	6030000000-E	1630	SILT EXCAVATION	300 CY	4.00	1,200.00
0046	6036000000-E	1631	MATTING FOR EROSION CONTROL	850 SY	2.10	1,785.00
0047	6037000000-E	SP	COIR FIBER MAT	25 SY	10.00	250.00
0048	6042000000-E	1632	1/4" HARDWARE CLOTH	40 LF	5.00	200.00
0049	6071030000-E	SP	COIR FIBER BAFFLES	200 LF	10.00	2,000.00
0050	6071050000-E	SP	*** SKIMMER (1-1/2")	4 EA	1,100.00	4,400.00
0051	6084000000-E	1660	SEEDING & MULCHING	6.5 ACR	1,500.00	9,750.00
0052	6087000000-E	1660	MOWING	0.5 ACR	600.00	300.00
0053	6090000000-E	1661	SEED FOR REPAIR SEEDING	50 LB	15.00	750.00
0054	6093000000-E	1661	FERTILIZER FOR REPAIR SEEDING	0.25 TON	4,000.00	1,000.00
0055	6096000000-E	1662	SEED FOR SUPPLEMENTAL SEEDING	50 LB	8.00	400.00
0056	6108000000-E	1665	FERTILIZER TOPDRESSING	0.5 TON	2,000.00	1,000.00
0057	6114000000-N	SP	SPECIALIZED HAND MOWING	5 HR	75.00	375.00



Contract Item Sheets For C202021

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
0058	6117000000-N	SP	RESPONSE FOR EROSION CONTROL	12 EA	1.00	12.00

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## Contract Item Sheets For C202021

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
0059	8035000000-N	402	REMOVAL OF EXISTING STRUCTURE AT STATION ***** (15+70.50-L-)	Lump Sum LS	10,000.00	10,000.00
0060	8121000000-N	412	UNCLASSIFIED STRUCTURE EXCAVA- TION AT STATION ***** (15+70.50-L-)	Lump Sum LS	3,000.00	3,000.00
0061	8182000000-E	420	CLASS A CONCRETE (BRIDGE)	24 CY	1,000.00	24,000.00
0062	8210000000-N	422	BRIDGE APPROACH SLABS, STATION ***** (15+70.50-L-)	Lump Sum LS	16,575.00	16,575.00
0063	8217000000-E	425	REINFORCING STEEL (BRIDGE)	3,748 LB	2.00	7,496.00
0064	8364000000-E	450	HP12X53 STEEL PILES	275 LF	60.00	16,500.00
0065	8505000000-E	SP	VERTICAL CONCRETE BARRIER RAIL	105.21 LF	80.00	8,416.80
0066	8590000000-E	876	RIP RAP, CLASS ** (I)	84 TON	55.00	4,620.00
0067	8622000000-E	876	FILTER FABRIC FOR DRAINAGE	93 SY	4.00	372.00
0068	8657000000-N	430	ELASTOMERIC BEARINGS	Lump Sum LS	2,000.00	2,000.00
0069	8762000000-E	430	3'-0" X 1'-9" PRESTRESSED CONC CORED SLABS	526.04 LF	155.00	81,536.20

TOTAL AMOUNT OF BID FOR ENTIRE PROJECT

\$346,445.70 ✓

Contract Number C202021  
County Henderson

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**

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

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

Attest Nancy L Burns By KC Burns  
~~Secretary/Assistant Secretary~~ ~~President/Vice President/Assistant Vice President~~  
Select appropriate title Select appropriate title

Nancy L. Burns  
Print or type Signer's name

Kevin C. Burns  
Print or type Signer's name

**CORPORATE SEAL**

**AFFIDAVIT MUST BE NOTARIZED**

**NOTARY SEAL**

Subscribed and sworn to before me this the

13 day of February 2009

Stephanie B. Beane  
Signature of Notary Public

of Iredell County

State of North Carolina

My Commission Expires: June 17, 2013

## 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.

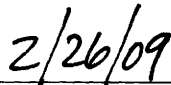
**Contract No**     C202021

**County (ies):**   Henderson

ACCEPTED BY THE  
DEPARTMENT OF TRANSPORTATION

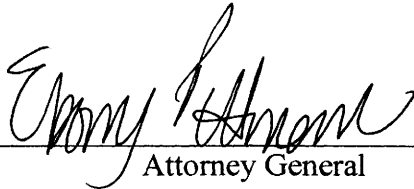


\_\_\_\_\_  
Contract Officer



\_\_\_\_\_  
Date

Execution of Contract and Bonds  
Approved as to Form:



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

Contract No. C202021  
County Henderson County

(Rev 7-10-08)

**CONTRACT PAYMENT BOND**  
Bond No. 837045411

Date of Payment Bond Execution February 12, 2009

Name of Principal Contractor R.E. Burns & Sons Co., Inc.

Name of Surety: Liberty Mutual Insurance Company

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

Amount of Bond: Three Hundred Forty Six Thousand Four Hundred  
Forty Five Dollars and 70/100ths (\$346,445.70)

Contract ID No.: C202021

County Name: Henderson 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. C202021  
County Henderson County

(Rev 7-10-08)

**CONTRACT PAYMENT BOND**

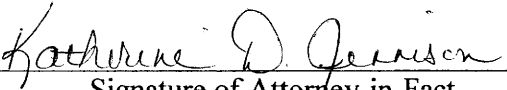
*Affix Seal of Surety Company*

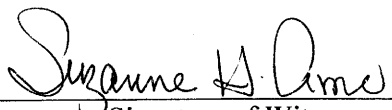
Liberty Mutual Insurance Company

\_\_\_\_\_  
Print or type Surety Company Name

By Katherine D. Jennison

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

  
\_\_\_\_\_  
Signature of Attorney-in-Fact

  
\_\_\_\_\_  
Signature of Witness

Suzanne H. Amo

\_\_\_\_\_  
Print or type Witness's name

6315 Fly Road, E. Syracuse, NY 13057

\_\_\_\_\_  
Address of Attorney-in-Fact



Contract No. C202021  
County Henderson County

(Rev 7-10-08)

**CONTRACT PAYMENT BOND**  
**CORPORATION**

SIGNATURE OF CONTRACTOR (Principal)

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

Full name of Corporation

P.O. Box 7168

Statesville, N.C. 28687

Address as prequalified

By

Kevin C. Burns

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

Select appropriate title

Kevin C. Burns

Print or type Signer's name

*Affix Corporate Seal*

Attest

Nancy L. Burns

Signature of ~~Secretary~~, ~~Assistant Secretary~~

Select appropriate title

Nancy L. Burns

Print or type Signer's name

Contract No. C202021  
County Henderson County

(Rev 7-10-08)

**CONTRACT PERFORMANCE BOND**  
Bond No. 837045411

Date of Performance Bond Execution: February 12, 2009

Name of Principal Contractor: R.E. Burns & Sons Co., Inc.

Name of Surety: Liberty Mutual Insurance Company

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

Amount of Bond: Three Hundred Forty Six Thousand Four Hundred  
Forty Five Dollars and 70/100ths (\$346,445.70)

Contract ID No.: C202021

County Name: Henderson 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. C202021  
County Henderson County

(Rev 7-10-08)

**CONTRACT PERFORMANCE BOND**

*Affix Seal of Surety Company*

Liberty Mutual Insurance Company

\_\_\_\_\_  
Print or type Surety Company Name

By Katherine D. Jennison

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

*Katherine D. Jennison*  
\_\_\_\_\_  
Signature of Attorney-in-Fact

*Suzanne H. Amo*  
\_\_\_\_\_  
Signature of Witness

Suzanne H. Amo

\_\_\_\_\_  
Print or type Witness's name

6315 Fly Road, E. Syracuse, NY 13057

\_\_\_\_\_  
Address of Attorney-in-Fact

Contract No. C202021  
County Henderson County

(Rev 7-10-08)

**CONTRACT PERFORMANCE BOND**  
**CORPORATION**

SIGNATURE OF CONTRACTOR (Principal)

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

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

By K.C. Burns  
Signature of ~~President, Vice President, Assistant Vice President~~  
Select appropriate title

Kevin C. Burns  
Print or type Signer's name

*Affix Corporate Seal*

Attest Nancy L Burns  
Signature of ~~Secretary, Assistant Secretary~~  
Select appropriate title

Nancy L Burns  
Print or type Signer's name

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

This Power of Attorney limits the acts of those named herein, and they have no authority to bind the Company except in the manner and to the extent herein stated.

LIBERTY MUTUAL INSURANCE COMPANY
BOSTON, MASSACHUSETTS
POWER OF ATTORNEY

KNOW ALL PERSONS BY THESE PRESENTS: That Liberty Mutual Insurance Company (the "Company"), a Massachusetts stock insurance company, pursuant to and by authority of the By-law and Authorization hereinafter set forth, does hereby name, constitute and appoint CHARLES T. RELLER, KEITH P. BUTLER, SUZANNE H. AMO, DEBRA A. HULCHANSKI, KATHERINE D. JENNISON, ALL OF THE CITY OF EAST SYRACUSE, STATE OF NEW YORK.....

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

That this power is made and executed pursuant to and by authority of the following By-law and Authorization:

ARTICLE XIII - Execution of Contracts: Section 5. Surety Bonds and Undertakings.

Any officer of the Company authorized for that purpose in writing by the chairman or the president, and subject to such limitations as the chairman or the president may prescribe, shall appoint such attorneys-in-fact, as may be necessary to act in behalf of the Company to make, execute, seal, acknowledge and deliver as surety any and all undertakings, bonds, recognizances and other surety obligations. Such attorneys-in-fact, subject to the limitations set forth in their respective powers of attorney, shall have full power to bind the Company by their signature and execution of any such instruments and to attach thereto the seal of the Company. When so executed such instruments shall be as binding as if signed by the president and attested by the secretary.

By the following instrument the chairman or the president has authorized the officer or other official named therein to appoint attorneys-in-fact:

Pursuant to Article XIII, Section 5 of the By-Laws, Garnet W. Elliott, Assistant Secretary of Liberty Mutual Insurance Company, is hereby authorized to appoint such attorneys-in-fact as may be necessary to act in behalf of the Company to make, execute, seal, acknowledge and deliver as surety any and all undertakings, bonds, recognizances and other surety obligations.

That the By-law and the Authorization set forth above are true copies thereof and are now in full force and effect.

IN WITNESS WHEREOF, this Power of Attorney has been subscribed by an authorized officer or official of the Company and the corporate seal of Liberty Mutual Insurance Company has been affixed thereto in Plymouth Meeting, Pennsylvania this 22nd day of October, 2008.

LIBERTY MUTUAL INSURANCE COMPANY

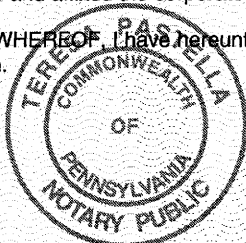
By Garnet W. Elliott
Garnet W. Elliott, Assistant Secretary



COMMONWEALTH OF PENNSYLVANIA ss
COUNTY OF MONTGOMERY

On this 22nd day of October, 2008, before me, a Notary Public, personally came Garnet W. Elliott, to me known, and acknowledged that he is an Assistant Secretary of Liberty Mutual Insurance Company; that he knows the seal of said corporation; and that he executed the above Power of Attorney and affixed the corporate seal of Liberty Mutual Insurance Company thereto with the authority and at the direction of said corporation.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed my notarial seal at Plymouth Meeting, Pennsylvania, on the day and year first above written.



COMMONWEALTH OF PENNSYLVANIA
Notarial Seal
Teresa Pastella, Notary Public
Plymouth Twp., Montgomery County
My Commission Expires Mar. 28, 2008
Member, Pennsylvania Association of Notaries

By Teresa Pastella
Teresa Pastella, Notary Public

CERTIFICATE

I, the undersigned, Assistant Secretary of Liberty Mutual Insurance Company, do hereby certify that the original power of attorney of which the foregoing is a full, true and correct copy, is in full force and effect on the date of this certificate; and I do further certify that the officer or official who executed the said power of attorney is an Assistant Secretary specially authorized by the chairman or the president to appoint attorneys-in-fact as provided in Article XIII, Section 5 of the By-laws of Liberty Mutual Insurance Company.

This certificate and the above power of attorney may be signed by facsimile or mechanically reproduced signatures under and by authority of the following vote of the board of directors of Liberty Mutual Insurance Company at a meeting duly called and held on the 12th day of March, 1980.

VOTED that the facsimile or mechanically reproduced signature of any assistant secretary of the company, wherever appearing upon a certified copy of any power of attorney issued by the company in connection with surety bonds, shall be valid and binding upon the company with the same force and effect as though manually affixed.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed the corporate seal of the said company, this 12th day of February, 2009.



By David M. Carey
David M. Carey, Assistant Secretary

Not valid for mortgage, note, loan, letter of credit, bank deposit, currency rate, interest rate or residual value guarantees.

To confirm the validity of this Power of Attorney call 1-610-832-8240 between 9:00 am and 4:30 pm EST on any business day.