

Atwell Construction (12479).

Vendor 1 of 10 Vendors for Call Order 001 (Proposal ID C202149).

County: LENOIR
Address: 305 Airport Rd.
Greenville, NC 27834

Phone Number: 2523417903 ✓

Signature Check: This bid has been properly signed by Timothy_A._Meyer_12479.

Time Bid Received: Tue Jan 20 10:59:45 2009

Bid Checksum: 514BEFDC

Amendment Count: 1

Bidding Errors: This bid contains errors.

Bid Total: \$2,479,194.08 ✓

Bond ID: 7W5X-Q7BY-WD38-5KUQ

Bond was Verified: Yes.

Bond Required Percent: 5.00%

Minimum Check Amount: \$123,959.70

Bid Security Maximum: \$

Bond Agency Name:

Agency Execution Date: 1/20/2009

Surety Name: The Hanover Insurance Company

Surety State of Incorporation:

Bond Company:

Bond Type:

Bond Appr Flag:

Bond Affirm:

Bond was Paid by Check: No.

MBE Goal SET 3.0% 0

MBE Goal MET 3.2% 0

WBE Goal SET 3.0% 0

WBE Goal MET 3.2% 0

NCDOT/berc

Vendor 12479's Load Output for Call 001, Letting L090120, 2009-01-20

Bid Bond Data Info - Contractor Responses:

=====

BondID: 7W5X-Q7BY-WD38-5KUQ
Surety Registry Agency: SurePathNetwork
Verified?: Yes
Surety Agency: The Hanover Insurance Company
Bond Execution Date: 1/20/2009
Bond Amount: \$123,959.70 (Five Percent of Bid)

State of NC
Dept of Transportation

Date: 12-18-08
Revised: 01-09-09

Contract ID: C202149 Project(s): STATE FUNDED
Letting Date: 01-20-09 Call Order: 001
Bidder: 12479 - Atwell Construction

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			123,500.00
0002	0000400000-N CONSTRUCTIO N SURVEYING	LUMP	LUMP			24,000.00
0003	0036000000-E UNDERCUT EXCAVATION	20,500.000 CY	7.20000			147,600.00
0004	0050000000-E SUPPLEMENTA RY CLEARING & GRUB-BING	1.000 ACR	100.00000			100.00
0005	0063000000-N GRADING	LUMP	LUMP			523,000.00
0006	0080000000-E CLASS IV SUBGRADE STABILIZA- TION	500.000 TON	20.00000			10,000.00
0007	0196000000-E FABRIC FOR SOIL STABILIZATION	34,030.000 SY	1.00000			34,030.00
0008	0234000000-E GENERIC GRADING ITEM SELECT GRANULAR MATERIAL CLASS III	30,800.000 CY	2.00000			61,600.00
0009	0318000000-E FOUNDATION CONDITIONING MATE- RIAL, MINOR STRS	160.000 TON	75.00000			12,000.00
0010	0366000000-E 15" RC PIPE CULVERTS, CLASS III	206.000 LF	19.96000			4,111.76

(Contains bid errors)

Check: 514BEFDC Page 1

State of NC
Dept of Transportation

Date: 12-18-08
Revised: 01-09-09

Contract ID: C202149
Letting Date: 01-20-09
Bidder: 12479 - Atwell Construction

Project(s): STATE FUNDED

Call Order: 001

Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
0011	0372000000-E 18" RC PIPE CULVERTS, CLASS III	462.000 LF	23.25000		10,741.50	
0012	0390000000-E 36" RC PIPE CULVERTS, CLASS III	588.000 LF	52.30000		30,752.40	
0013	0448000000-E ***** RC PIPE CULVERTS, CLASS IV (108")	220.000 LF	634.00000		139,480.00	
0014	0995000000-E PIPE REMOVAL	242.000 LF	17.15000		4,150.30	
0015	1121000000-E AGGREGATE BASE COURSE	19,700.000 TON	19.35000		381,195.00	
0016	1220000000-E INCIDENTAL STONE BASE	100.000 TON	25.00000		2,500.00	
0017	1489000000-E ASPHALT CONC BASE COURSE, TYPE B25.0B	990.000 TON	43.27000		42,837.30	
0018	1498000000-E ASPHALT CONC INTERMEDIATE COURSE, TYPE I19.0B	8,730.000 TON	36.96000		322,660.80	
0019	1519000000-E ASPHALT CONC SURFACE COURSE, TYPE S9.5B	3,640.000 TON	37.97000		138,210.80	
0020	1560000000-E ASPHALT BINDER FOR PLANT MIX, GRADE PG 64-22	675.000 TON	503.78000		340,051.50	
0021	2022000000-E SUBDRAIN EXCAVATION	336.000 CY	5.00000		1,680.00	
0022	2033000000-E SUBDRAIN FINE AGGREGATE	252.000 CY	10.00000		2,520.00	

(Contains bid errors)

Check: 514BEFDC Page 2

State of NC
Dept of Transportation

Date: 12-18-08
Revised: 01-09-09

Contract ID: C202149

Project(s): STATE FUNDED

Letting Date: 01-20-09 Call Order: 001

Bidder: 12479 - Atwell Construction

Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
0023	2044000000-E 6" PERFORATED SUBDRAIN PIPE	1,500.000 LF	8.50000		12,750.00	
0024	2055000000-E 6" SUBDRAIN PIPE WYES, TEES, & ELBOWS	45.000 EA	30.00000		1,350.00	
0025	2066000000-N CONCRETE PAD FOR SUBDRAIN PIPE OUTLET	3.000 EA	325.00000		975.00	
0026	2077000000-E 6" OUTLET PIPE (SUBDRAINS)	18.000 LF	11.00000		198.00	
0027	2264000000-E PIPE PLUGS	0.045 CY	2,700.00000		121.50	
0028	2286000000-N MASONRY DRAINAGE STRUCTURES	7.000 EA	1,625.00000		11,375.00	
0029	2308000000-E MASONRY DRAINAGE STRUCTURES	11.000 LF	0.00000		0.00	
0030	2365000000-N FRAME WITH TWO GRATES, STD 840.22	7.000 EA	395.00000		2,765.00	
0031	2647000000-E 5" MONOLITHIC CONCRETE ISLANDS (SURFACE MOUNTED)	460.000 SY	45.00000		20,700.00	
0032	2830000000-N ADJUSTMENT OF MANHOLES	10.000 EA	324.00000		3,240.00	
0033	4400000000-E WORK ZONE SIGNS (STATIONARY)	192.000 SF	4.25000		816.00	
0034	4405000000-E WORK ZONE SIGNS (PORTABLE)	192.000 SF	5.25000		1,008.00	

(Contains bid errors)

Check: 514BEFDC Page 3

State of NC
Dept of Transportation

Date: 12-18-08
Revised: 01-09-09

Contract ID: C202149 Project(s): STATE FUNDED
Letting Date: 01-20-09 Call Order: 001
Bidder: 12479 - Atwell Construction

Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
0035	6000000000-E TEMPORARY SILT FENCE	9,658.000 LF	2.07000		19,992.06	
0036	6009000000-E STONE FOR EROSION CONTROL, CLASS B	90.000 TON	33.00000		2,970.00	
0037	6012000000-E SEDIMENT CONTROL STONE	144.000 TON	32.20000		4,636.80	
0038	6015000000-E TEMPORARY MULCHING	2.000 ACR	688.00000		1,376.00	
0039	6021000000-E FERTILIZER FOR TEMPORARY SEED-ING	2.000 TON	880.00000		1,760.00	
0040	6036000000-E MATTING FOR EROSION CONTROL	400.000 SY	1.80000		720.00	
0041	6042000000-E 1/4" HARDWARE CLOTH	3,201.000 LF	1.96000		6,273.96	
0042	6071010000-E WATTLE	441.000 LF	6.00000		2,646.00	
0043	6071020000-E POLYACRYLAMIDE (PAM)	4.000 LB	38.00000		152.00	
0044	6084000000-E SEEDING & MULCHING	15.800 ACR	1,428.00000		22,562.40	
0045	6090000000-E SEED FOR REPAIR SEEDING	50.000 LB	11.00000		550.00	
0046	6093000000-E FERTILIZER FOR REPAIR SEEDING	1.000 TON	1,150.00000		1,150.00	

(Contains bid errors)

Check: 514BEFDC Page 4

State of NC
 Dept of Transportation

Date: 12-18-08
 Revised: 01-09-09

Contract ID: C202149 Project(s): STATE FUNDED
 Letting Date: 01-20-09 Call Order: 001
 Bidder: 12479 - Atwell Construction

Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Cts
0047	6114000000-N SPECIALIZED HAND MOWING	5.000 HR	45.00000		225.00	
0048	6117000000-N RESPONSE FOR EROSION CONTROL	12.000 EA	180.00000		2,160.00	
Section 0001 Total						2,479,194.08
Bid Total						2,479,194.08 ✓

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.

Contract Item Sheets For C202149

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
ROADWAY ITEMS						
0001	0000100000-N	800	MOBILIZATION	Lump Sum LS	123,500.00	123,500.00
0002	0000400000-N	801	CONSTRUCTION SURVEYING	Lump Sum LS	24,000.00	24,000.00
0003	0036000000-E	225	UNDERCUT EXCAVATION	20,500 CY	7.20	147,600.00
0004	0050000000-E	226	SUPPLEMENTARY CLEARING & GRUB- BING	1 ACR	100.00	100.00
0005	0063000000-N	SP	GRADING	Lump Sum LS	523,000.00	523,000.00
0006	0080000000-E	SP	CLASS IV SUBGRADE STABILIZA- TION	500 TON	20.00	10,000.00
0007	0196000000-E	270	FABRIC FOR SOIL STABILIZATION	34,030 SY	1.00	34,030.00
0008	0234000000-E	SP	GENERIC GRADING ITEM SELECT GRANULAR MATERIAL CLASS III	30,800 CY	2.00	61,600.00
0009	0318000000-E	300	FOUNDATION CONDITIONING MATE- RIAL, MINOR STRS	160 TON	75.00	12,000.00
0010	0366000000-E	310	15" RC PIPE CULVERTS, CLASS III	206 LF	19.96	4,111.76
0011	0372000000-E	310	18" RC PIPE CULVERTS, CLASS III	462 LF	23.25	10,741.50
0012	0390000000-E	310	36" RC PIPE CULVERTS, CLASS III	588 LF	52.30	30,752.40
0013	0448000000-E	310	***** RC PIPE CULVERTS, CLASS IV (108")	220 LF	634.00	139,480.00
0014	0995000000-E	340	PIPE REMOVAL	242 LF	17.15	4,150.30
0015	1121000000-E	520	AGGREGATE BASE COURSE	19,700 TON	19.35	381,195.00
0016	1220000000-E	545	INCIDENTAL STONE BASE	100 TON	25.00	2,500.00
0017	1489000000-E	610	ASPHALT CONC BASE COURSE, TYPE B25.0B	990 TON	43.27	42,837.30
0018	1498000000-E	610	ASPHALT CONC INTERMEDIATE COURSE, TYPE I19.0B	8,730 TON	36.96	322,660.80

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
0019	1519000000-E	610	ASPHALT CONC SURFACE COURSE, TYPE S9.5B	3,640 TON	37.97	138,210.80
0020	1560000000-E	620	ASPHALT BINDER FOR PLANT MIX, GRADE PG 64-22	675 TON	503.78	340,051.50
0021	2022000000-E	815	SUBDRAIN EXCAVATION	336 CY	5.00	1,680.00
0022	2033000000-E	815	SUBDRAIN FINE AGGREGATE	252 CY	10.00	2,520.00
0023	2044000000-E	815	6" PERFORATED SUBDRAIN PIPE	1,500 LF	8.50	12,750.00
0024	2055000000-E	815	6" SUBDRAIN PIPE WYES, TEES, & ELBOWS	45 EA	30.00	1,350.00
0025	2066000000-N	815	CONCRETE PAD FOR SUBDRAIN PIPE OUTLET	3 EA	325.00	975.00
0026	2077000000-E	815	6" OUTLET PIPE (SUBDRAINS)	18 LF	11.00	198.00
0027	2264000000-E	840	PIPE PLUGS	0.045 CY	2,700.00	121.50
0028	2286000000-N	840	MASONRY DRAINAGE STRUCTURES	7 EA	1,625.00	11,375.00
0029	2308000000-E	840	MASONRY DRAINAGE STRUCTURES	11 LF	0.00	0.00
0030	2365000000-N	840	FRAME WITH TWO GRATES, STD 840.22	7 EA	395.00	2,765.00
0031	2647000000-E	852	5" MONOLITHIC CONCRETE ISLANDS (SURFACE MOUNTED)	460 SY	45.00	20,700.00
0032	2830000000-N	858	ADJUSTMENT OF MANHOLES	10 EA	324.00	3,240.00
0033	4400000000-E	1110	WORK ZONE SIGNS (STATIONARY)	192 SF	4.25	816.00
0034	4405000000-E	1110	WORK ZONE SIGNS (PORTABLE)	192 SF	5.25	1,008.00
0035	6000000000-E	1605	TEMPORARY SILT FENCE	9,658 LF	2.07	19,992.06
0036	6009000000-E	1610	STONE FOR EROSION CONTROL, CLASS B	90 TON	33.00	2,970.00
0037	6012000000-E	1610	SEDIMENT CONTROL STONE	144 TON	32.20	4,636.80

Contract Item Sheets For C202149

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
0038	6015000000-E	1615	TEMPORARY MULCHING	2 ACR	688.00	1,376.00
0039	6021000000-E	1620	FERTILIZER FOR TEMPORARY SEED- ING	2 TON	880.00	1,760.00
0040	6036000000-E	1631	MATTING FOR EROSION CONTROL	400 SY	1.80	720.00
0041	6042000000-E	1632	1/4" HARDWARE CLOTH	3,201 LF	1.96	6,273.96
0042	6071010000-E	SP	WATTLE	441 LF	6.00	2,646.00
0043	6071020000-E	SP	POLYACRYLAMIDE (PAM)	4 LB	38.00	152.00
0044	6084000000-E	1660	SEEDING & MULCHING	15.8 ACR	1,428.00	22,562.40
0045	6090000000-E	1661	SEED FOR REPAIR SEEDING	50 LB	11.00	550.00
0046	6093000000-E	1661	FERTILIZER FOR REPAIR SEEDING	1 TON	1,150.00	1,150.00
0047	6114000000-N	SP	SPECIALIZED HAND MOWING	5 HR	45.00	225.00
0048	6117000000-N	SP	RESPONSE FOR EROSION CONTROL	12 EA	180.00	2,160.00

TOTAL AMOUNT OF BID FOR ENTIRE PROJECT

\$2,479,194.08

Contract Number C202149
County LENDIX

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

Atwell Construction Co., Inc
Full name of Corporation

305 Airport Road Greenville, NC 27834
Address as Prequalified

Attest Cindy C. Jones
~~Secretary/Assistant Secretary~~
Select appropriate title

By Timothy A. Meyer
~~President/Vice President/Assistant Vice President~~
Select appropriate title

Cindy C. Jones
Print or type Signer's name

Timothy A Meyer
Print or type Signer's name

CORPORATE SEAL

AFFIDAVIT MUST BE NOTARIZED

NOTARY SEAL

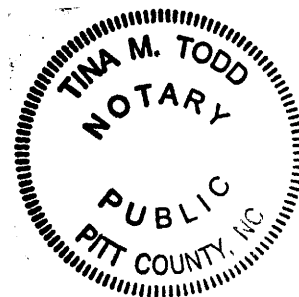
Subscribed and sworn to before me this the
16th day of February 2009.

Tina M. Todd
Signature of Notary Public

of Pitt County

State of North Carolina

My Commission Expires: 1/28/13



Contract Number C202149
County LENOIR

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 C202149
County LENOIR

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.

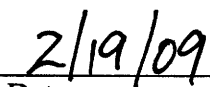
Contract No C202149

County (ies): Lenoir

ACCEPTED BY THE
DEPARTMENT OF TRANSPORTATION

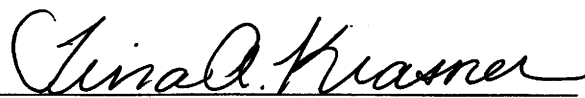


Contract Officer



Date

Execution of Contract and Bonds
Approved as to Form:



Assistant Attorney General

Contract No. C202149
County Lenoir

(Rev 7-10-08)

Bond No. 1879442

CONTRACT PAYMENT BOND

Date of Payment Bond Execution February 13, 2009

Name of Principal Contractor Atwell Construction Co., Inc.

Name of Surety: The Hanover Insurance Company

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

Amount of Bond: Two Million Four Hundred Seventy Nine Thousand One Hundred Ninety Four Dollars and 08/100 (\$2,479,194.08)

Contract ID No.: C202149

County Name: Lenoir

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. C202149
County Lenoir

(Rev 7-10-08)

CONTRACT PAYMENT BOND

Affix Seal of Surety Company

The Hanover Insurance Company
Print or type Surety Company Name

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



By: Debra S. Ritter
Signature of Attorney-in-Fact

Surety Phone No.

Angela Yount
Signature of Witness

Angela Yount
Print or type Witness's name

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

Contract No. C202149
County Lenoir

(Rev 7-10-08)

CONTRACT PAYMENT BOND

CORPORATION

SIGNATURE OF CONTRACTOR (Principal)

Atwell Construction Co., Inc.
Full name of Corporation

305 Airport Road, Greenville, NC 27834
Address as prequalified

By Timothy A. Meyer
Signature of ~~President~~, Vice President, Assistant Vice President
Select appropriate title

Timothy A. Meyer
Print or type Signer's name

Affix Corporate Seal

Attest Jason L. Moos
Signature of ~~Secretary~~, Assistant Secretary
Select appropriate title

JASON L. MOOS
Print or type Signer's name

Contract No. C202149
County Lenoir

(Rev 7-10-08)

Bond No. 1879442

CONTRACT PERFORMANCE BOND

Date of Performance Bond Execution: February 13, 2009

Name of Principal Contractor: Atwell Construction Co., Inc.

Name of Surety: The Hanover Insurance Company

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

Amount of Bond: Two Million Four Hundred Seventy Nine
Thousand One Hundred Ninety Four Dollars and 08/100 (\$2,479,194.08)

Contract ID No.: C202149

County Name: Lenoir

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. C202149
County Lenoir

(Rev 7-10-08)

CONTRACT PERFORMANCE BOND

Affix Seal of Surety Company

The Hanover Insurance Company
Print or type Surety Company Name

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



By: Debra S. Ritter
Signature of Attorney-in-Fact

Surety Phone No.

Angela Yount
Signature of Witness

Angela Yount
Print or type Witness's name

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

Contract No. C202149
County Lenoir

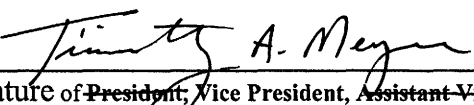
(Rev 7-10-08)

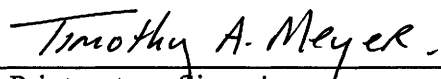
CONTRACT PERFORMANCE BOND
CORPORATION

SIGNATURE OF CONTRACTOR (Principal)

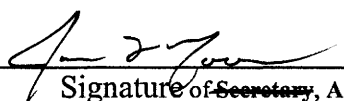
Atwell Construction Co., Inc.
Full name of Corporation

305 Airport Road, Greenville, NC 27834
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

JASON L. MOOS
Print or type Signer's name

THE HANOVER INSURANCE COMPANY
MASSACHUSETTS BAY INSURANCE COMPANY
CITIZENS INSURANCE COMPANY OF AMERICA

POWERS OF ATTORNEY
CERTIFIED COPY

KNOW ALL MEN BY THESE PRESENTS: That THE HANOVER INSURANCE COMPANY and MASSACHUSETTS BAY INSURANCE COMPANY, both being corporations organized and existing under the laws of the State of New Hampshire, and CITIZENS INSURANCE COMPANY OF AMERICA, a corporation organized and existing under the laws of the State of Michigan, do hereby constitute and appoint

Debra S. Ritter

of Charlotte NC and each is a true and lawful Attorney(s)-in-fact to sign, execute, seal, acknowledge and deliver for, and on its behalf, and as its act and deed any place within the United States, or, if the following line be filled in, only within the area therein designated

any and all bonds, recognizances, undertakings, contracts of indemnity or other writings obligatory in the nature thereof, as follows:

Surety Bond Number: 1879442

Principal: Atwell Construction Co., Inc.

Obligee: NC Department of Transportation

and said companies hereby ratify and confirm all and whatsoever said Attorney(s)-in-fact may lawfully do in the premises by virtue of these presents. These appointments are made under and by authority of the following Resolution passed by the Board of Directors of said Companies which resolutions are still in effect:

"RESOLVED, That the President or any Vice President, in conjunction with any Assistant Vice President, be and they are hereby authorized and empowered to appoint Attorneys-in-fact of the Company, in its name and as its acts, to execute and acknowledge for and on its behalf as Surety any and all bonds, recognizances, contracts of indemnity, waivers of citation and all other writings obligatory in the nature thereof, with power to attach thereto the seal of the Company. Any such writings so executed by such Attorneys-in-fact shall be as binding upon the Company as if they had been duly executed and acknowledged by the regularly elected officers of the Company in their own proper persons." (Adopted October 7, 1981 - The Hanover Insurance Company; Adopted April 14, 1982 - Massachusetts Bay Insurance Company; Adopted September 7, 2001 - Citizens Insurance Company of America)

IN WITNESS WHEREOF, THE HANOVER INSURANCE COMPANY, MASSACHUSETTS BAY INSURANCE COMPANY and CITIZENS INSURANCE COMPANY OF AMERICA have caused these presents to be sealed with their respective corporate seals, duly attested by a Vice President and an Assistant Vice President, this 1st day of September, 2005.



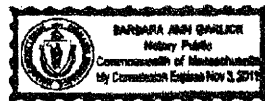
THE HANOVER INSURANCE COMPANY
MASSACHUSETTS BAY INSURANCE COMPANY
CITIZENS INSURANCE COMPANY OF AMERICA

Richard M. Van Eenburgh, Vice President

Paul F. Carleo, Assistant Vice President

THE COMMONWEALTH OF MASSACHUSETTS)
COUNTY OF WORCESTER) ss.

On this 1st day of September, 2005, before me came the above named Vice President and Assistant Vice President of The Hanover Insurance Company, Massachusetts Bay Insurance Company and Citizens Insurance Company of America, to me personally known to be the individuals and officers described herein, and acknowledged that the seals affixed to the preceding instrument are the corporate seals of The Hanover Insurance Company, Massachusetts Bay Insurance Company and Citizens Insurance Company of America, respectively, and that the said corporate seals and their signatures as officers were duly affixed and subscribed to said instrument by the authority and direction of said Corporations.



Notary Public

My commission expires on November 3, 2011

I, the undersigned Assistant Vice President of The Hanover Insurance Company, Massachusetts Bay Insurance Company and Citizens Insurance Company of America, hereby certify that the above and foregoing is a full, true and correct copy of the Original Power of Attorney issued by said Companies, and do hereby further certify that the said Powers of Attorney are still in force and effect.

This Certificate may be signed by facsimile under and by authority of the following resolution of the Board of Directors of The Hanover Insurance Company, Massachusetts Bay Insurance Company and Citizens Insurance Company of America.

"RESOLVED, That any and all Powers of Attorney and Certified Copies of such Powers of Attorney and certification in respect thereto, granted and executed by the President or any Vice President in conjunction with any Assistant Vice President of the Company, shall be binding on the Company to the same extent as if all signatures therein were manually affixed, even though one or more of any such signatures thereon may be facsimile." (Adopted October 7, 1981 - The Hanover Insurance Company; Adopted April 14, 1982 - Massachusetts Bay Insurance Company; Adopted September 7, 2001 - Citizens Insurance Company of America)

GIVEN under my hand and the seals of said Companies, at Worcester, Massachusetts, this 13th day of February, 2009.

THE HANOVER INSURANCE COMPANY
MASSACHUSETTS BAY INSURANCE COMPANY
CITIZENS INSURANCE COMPANY OF AMERICA

Charles T. Wells, Assistant Vice President