

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

C202022

CONTRACT AND  
CONTRACT BONDS

FOR CONTRACT NO. C202022

WBS 33346.3.1 BRZ-1330(5)

T.I.P NO. B-3911

COUNTY OF SURRY

THIS IS THE ROADWAY & STRUCTURE CONTRACT

ROUTE NUMBER SR 1330 LENGTH 0.168 MILES

LOCATION BRIDGE OVER SADDLE MOUNTAIN CREEK AND APPROACHES ON SR-1330.

CONTRACTOR SMITH-ROWE, INC.

ADDRESS 639 OLD US 52 SOUTH  
MOUNT AIRY, NC 27030

BIDS OPENED JANUARY 20, 2009

CONTRACT EXECUTION **MAR 03 2009**

**Smith-Rowe, Inc. (2546).**

**Vendor 1 of 9 Vendors for Call Order 006 (Proposal ID C202022).**

County: SURRY  
Address: 639 Old Hwy. 52 South  
Mount Airy, NC 27030

Phone Number: 336-789-8221 ✓

Signature Check: This bid has been properly signed by William\_F.\_Fulp\_2546.

Time Bid Received: Tue Jan 20 13:31:46 2009

Bid Checksum: C838B3F8

Amendment Count: 0

Bidding Errors: No bidding errors.

Bid Total: \$515,077.48 ✓

Bond ID: SNC09273800

Bond was Verified: Yes.

Bond Required Percent: 5.00%

Minimum Check Amount: \$25,753.87

Bid Security Maximum: \$

Bond Agency Name:

Agency Execution Date: 1/15/2009 3:09:40 PM

Surety Name: Travelers Casualty and Surety Company of Ame

Surety State of Incorporation:

Bond Company:

Bond Type:

Bond Appr Flag:

Bond Affirm:

Bond was Paid by Check: No.

DBE Goal SET 6.00%  
DBE Goal MET 6.30%

LIST OF DBE PARTICIPANTS

VENDOR NUMBER	DBE NAME ADDRESS	WORK CODE TYPE OF WORK	CERT TYPE	AMOUNT
5279	DB GUARDRAIL OF GREENSBORO LLC P.O. BOX 19232 , GREENSBORO, NC 27419		Sub	13,587.50
4761	DB TRAFFIC CONTROL SAFETY SERVICES POST OFFICE BOX 24511 , WINSTON-SALEM, NC 27114		Sub	1,463.60
3145	DB WATTS BARRIER WALLS 55 MUSCADINE LANE , MOUNTVILLE, SC 29370		Sub	7,498.40
4388	DB FOOTHILLS CONSTRUCTION SERV INC 6081 PEA RIDGE PASS , HAMPTONVILLE, NC 27020		Sub	9,750.00
			TOTAL:	\$32,299.50 6.27%

Miscellaneous Data Info - Contractor Responses:  
=====

NON-COLLUSION AND DEBARMENT CERTIFICATION

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

Explanation:  
NOT ANSWERED  
NOT ANSWERED  
NOT ANSWERED  
NOT ANSWERED

AWARD LIMITS ON MULTIPLE PROJECTS

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

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

The Award Limits shall apply to the following projects:

Contract Number	County
NOT ANSWERED	

Bid Bond Data Info - Contractor Responses:  
=====

BondID: SNC09273800  
Surety Registry Agency: surety2000  
Verified?: Yes  
Surety Agency: Travelers Casualty and Surety Company of America

NCDOT/berc

Vendor 2546's Load Output for Call 006, Letting L090120, 2009-01-20

Bond Execution Date: 1/15/2009 3:09:40 PM

Bond Amount: \$25,753.87 (Five Percent of Bid)

Contract ID: C202022 Project(s): BRZ-1330(5)  
Letting Date: 01-20-09 Call Order: 006  
Bidder: 2546 - Smith-Rowe, Inc.

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	25,750.00
0002	0000400000-N CONSTRUCTIO N SURVEYING	LUMP	LUMP	5,500.00
0003	0030000000-N BRIDGE APPROACH FILL - SUB REGIONAL TIER, STATION ***** (15+69.00-L-)	LUMP	LUMP	5,300.00
0004	0043000000-N GRADING	LUMP	LUMP	75,476.11
0005	0050000000-E SUPPLEMENTA RY CLEARING & GRUB-BING	ACR 1.000	0.01000	0.01
0006	0057000000-E UNDERCUT EXCAVATION	CY 450.000	1.00000	450.00
0007	0195000000-E SELECT GRANULAR MATERIAL	CY 540.000	1.00000	540.00
0008	0196000000-E FABRIC FOR SOIL STABILIZATION	SY 540.000	2.25000	1,215.00
0009	0318000000-E FOUNDATION CONDITIONING MATE- RIAL, MINOR STRS	TON 15.000	22.00000	330.00
0010	0366000000-E 15" RC PIPE CULVERTS, CLASS III	LF 32.000	37.50000	1,200.00

State of NC  
Dept of Transportation

Date: 12-18-08  
Revised:

Contract ID: C202022 Project(s): BRZ-1330(5)  
Letting Date: 01-20-09 Call Order: 006  
Bidder: 2546 - Smith-Rowe, Inc.

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	48.000 LF	38.75000		1,860.00	
0012	0378000000-E 24" RC PIPE CULVERTS, CLASS III	52.000 LF	39.50000		2,054.00	
0013	0995000000-E PIPE REMOVAL	72.000 LF	8.00000		576.00	
0014	1220000000-E INCIDENTAL STONE BASE	50.000 TON	22.50000		1,125.00	
0015	1489000000-E ASPHALT CONC BASE COURSE, TYPE B25.0B	240.000 TON	53.00000		12,720.00	
0016	1498000000-E ASPHALT CONC INTERMEDIATE COURSE, TYPE I19.0B	72.000 TON	55.00000		3,960.00	
0017	1525000000-E ASPHALT CONC SURFACE COURSE, TYPE SF9.5A	240.000 TON	60.00000		14,400.00	
0018	1560000000-E ASPHALT BINDER FOR PLANT MIX, GRADE PG 64-22	30.000 TON	550.00000		16,500.00	
0019	2022000000-E SUBDRAIN EXCAVATION	45.000 CY	0.01000		0.45	
0020	2033000000-E SUBDRAIN FINE AGGREGATE	34.000 CY	0.01000		0.34	
0021	2044000000-E 6" PERFORATED SUBDRAIN PIPE	200.000 LF	0.01000		2.00	
0022	2055000000-E 6" SUBDRAIN PIPE WYES, TEES, & ELBOWS	6.000 EA	0.01000		0.06	

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Date: 12-18-08  
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Bidder: 2546 - Smith-Rowe, Inc.

Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
0023	2066000000-N CONCRETE PAD FOR SUBDRAIN PIPE OUTLET	EA 1.000	90.00000		90.00	
0024	2077000000-E 6" OUTLET PIPE (SUBDRAINS)	LF 6.000	0.01000		0.06	
0025	2286000000-N MASONRY DRAINAGE STRUCTURES	EA 2.000	1,300.00000		2,600.00	
0026	2367000000-N FRAME WITH TWO GRATES, STD 840.29	EA 2.000	525.00000		1,050.00	
0027	2556000000-E SHOULDER BERM GUTTER	LF 60.000	52.00000		3,120.00	
0028	3030000000-E STEEL BM GUARDRAIL	LF 150.000	13.50000		2,025.00	
0029	3150000000-N ADDITIONAL GUARDRAIL POSTS	EA 5.000	10.00000		50.00	
0030	3215000000-N GUARDRAIL ANCHOR UNITS, TYPE III	EA 4.000	1,050.00000		4,200.00	
0031	3270000000-N GUARDRAIL ANCHOR UNITS, TYPE 350	EA 4.000	1,600.00000		6,400.00	
0032	3380000000-E TEMPORARY STEEL BM GUARDRAIL	LF 12.500	9.00000		112.50	
0033	3389100000-N GUARDRAIL ANCHOR UNITS, TYPE 350 TEMPORARY	EA 1.000	800.00000		800.00	
0034	3559000000-E ** STRAND BARBED WIRE FENCE WITH POSTS (5)	LF 800.000	3.65000		2,920.00	

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Letting Date: 01-20-09    Call Order: 006  
Bidder: 2546 - Smith-Rowe, Inc.

Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
0035	3575000000-E GENERIC FENCING ITEM 60" CHAIN LINK FENCE WITH POSTS AND BARBED WIRE	100.000 LF	16.50000		1,650.00	
0036	3656000000-E FILTER FABRIC FOR DRAINAGE	545.000 SY	2.75000		1,498.75	
0037	3659000000-N PREFORMED SCOUR HOLES WITH LEVEL SPREADER APRON	1.000 EA	850.00000		850.00	
0038	3684000000-E GENERIC EROSION CONTROL ITEM RIP RAP, CLASS B, NATIVE DARK- COLORED STONE	12.000 TON	75.00000		900.00	
0039	4400000000-E WORK ZONE SIGNS (STATIONARY)	80.000 SF	4.45000		356.00	
0040	4405000000-E WORK ZONE SIGNS (PORTABLE)	112.000 SF	10.00000		1,120.00	
0041	4410000000-E WORK ZONE SIGNS (BARRICADE MOUNTED)	30.000 SF	5.00000		150.00	
0042	4430000000-N DRUMS	36.000 EA	40.00000		1,440.00	
0043	4445000000-E BARRICADES (TYPE III)	48.000 LF	19.95000		957.60	
0044	4455000000-N FLAGGER	30.000 MD	180.00000		5,400.00	
0045	4810000000-E PAINT PAVEMENT MARKING LINES (4")	15,600.000 LF	0.22000		3,432.00	

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Bidder: 2546 - Smith-Rowe, Inc.

Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
0046	4850000000-E REMOVAL OF PAVEMENT MARKING LINES (4")	300.000 LF	1.00000		300.00	
0047	6000000000-E TEMPORARY SILT FENCE	2,200.000 LF	1.85000		4,070.00	
0048	6006000000-E STONE FOR EROSION CONTROL, CLASS A	160.000 TON	31.50000		5,040.00	
0049	6009000000-E STONE FOR EROSION CONTROL, CLASS B	90.000 TON	31.50000		2,835.00	
0050	6012000000-E SEDIMENT CONTROL STONE	190.000 TON	0.01000		1.90	
0051	6015000000-E TEMPORARY MULCHING	1.000 ACR	800.00000		800.00	
0052	6018000000-E SEED FOR TEMPORARY SEEDING	50.000 LB	3.95000		197.50	
0053	6021000000-E FERTILIZER FOR TEMPORARY SEED-ING	1.250 TON	680.00000		850.00	
0054	6024000000-E TEMPORARY SLOPE DRAINS	40.000 LF	10.00000		400.00	
0055	6027000000-N INLET PROTECTION AT TEMPORARY SLOPE DRAINS	1.000 EA	75.00000		75.00	
0056	6029000000-E SAFETY FENCE	600.000 LF	1.85000		1,110.00	
0057	6030000000-E SILT EXCAVATION	290.000 CY	0.01000		2.90	

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Project(s): BRZ-1330(5)

Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
0058	6036000000-E MATTING FOR EROSION CONTROL	2,100.000 SY	1.80000		3,780.00	
0059	6037000000-E COIR FIBER MAT	15.000 SY	6.00000		90.00	
0060	6042000000-E 1/4" HARDWARE CLOTH	220.000 LF	5.10000		1,122.00	
0061	6070000000-N SPECIAL STILLING BASINS	4.000 EA	1.00000		4.00	
0062	6071010000-E WATTLE	75.000 LF	3.95000		296.25	
0063	6071020000-E POLYACRYLAMIDE (PAM)	27.000 LB	22.50000		607.50	
0064	6071030000-E COIR FIBER BAFFLES	70.000 LF	8.00000		560.00	
0065	6071050000-E *** SKIMMER (1-1/2")	2.000 EA	525.00000		1,050.00	
0066	6084000000-E SEEDING & MULCHING	2.000 ACR	1,950.00000		3,900.00	
0067	6087000000-E MOWING	0.500 ACR	45.00000		22.50	
0068	6090000000-E SEED FOR REPAIR SEEDING	50.000 LB	7.60000		380.00	
0069	6093000000-E FERTILIZER FOR REPAIR SEEDING	0.250 TON	400.00000		100.00	

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Bidder: 2546 - Smith-Rowe, Inc.

Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
0070	6096000000-E SEED FOR SUPPLEMENTAL SEEDING	50.000 LB	2.60000		130.00	
0071	6108000000-E FERTILIZER TOPDRESSING	0.500 TON	1,050.00000		525.00	
0072	6114000000-N SPECIALIZED HAND MOWING	5.000 HR	55.00000		275.00	
0073	6117000000-N RESPONSE FOR EROSION CONTROL	12.000 EA	150.00000		1,800.00	
0074	6123000000-E REFORESTATION	0.100 ACR	2,500.00000		250.00	
Section 0001 Total						240,655.43

Section 0004 STRUCTURE ITEM

Alt Group

0075	8017000000-N CONSTRUCTION, MAINTENANCE, & REMOVAL OF TEMP ACCESS AT STA ***** (15+69.00-L-)	LUMP	LUMP		12,500.00	
0076	8035000000-N REMOVAL OF EXISTING STRUCTURE AT STATION ***** (15+69.00-L-)	LUMP	LUMP		9,000.00	
0077	8121000000-N UNCLASSIFIED STRUCTURE EXCAVATION AT STATION ***** (15+69.00-L-)	LUMP	LUMP		1,060.00	
0078	8182000000-E CLASS A CONCRETE (BRIDGE)	30.800 CY	694.75000		21,398.30	

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Bidder: 2546 - Smith-Rowe, Inc.

Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
0079	8210000000-N BRIDGE APPROACH SLABS, STATION***** (15+69.00-L-)	LUMP	LUMP			16,700.00
0080	8217000000-E REINFORCING STEEL (BRIDGE)	5,037.000 LB	0.95000			4,785.15
0081	8364000000-E HP12X53 STEEL PILES	340.000 LF	59.50000			20,230.00
0082	8391000000-N STEEL PILE POINTS	14.000 EA	176.40000			2,469.60
0083	8468000000-E ONE BAR METAL RAIL	148.158 LF	177.15000			26,246.19
0084	8517000000-E 1'-***X ***** CONCRETE PARA- PET (1'-0" X 1'-10 1/8")	164.800 LF	55.00000			9,064.00
0085	8622000000-E FILTER FABRIC FOR DRAINAGE	245.000 SY	2.90000			710.50
0086	8657000000-N ELASTOMERIC BEARINGS	LUMP	LUMP			1,740.00
0087	8753100000-E 3'-0" X 2'-9" PRESTRESSED CONCBOX BEAMS	741.656 LF	182.07000			135,033.31
0088	8874000000-E GENERIC STRUCTURE ITEM RIP RAP, CLASS II (2'-0" THICK)	465.000 TON	29.00000			13,485.00
Section 0004 Total						274,422.05
Bid Total						515,077.48 ✓

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	

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: 11

PROPOSAL: C202022  
 LETTING: L090120 CALL: 006  
 VENDOR: 2546 Smith-Rowe, Inc.

LINE NO.	ITEM NO.	ITEM DESC.	UNIT TYPE	SUBCONTRACTOR QUANTITY	SUBCONTRACTOR UNIT PRICE	EXTENDED AMOUNT
0028	3030000000-E	STL BM GUARD	LF	150.000	13.50000	2025.00
0029	3150000000-N	ADDIT GUARDR	EA	5.000	10.00000	50.00
0030	3215000000-N	GR ANCHOR TY	EA	4.000	1050.00000	4200.00
0031	3270000000-N	GR ANCHOR TY	EA	4.000	1600.00000	6400.00
0032	3380000000-E	TEMP STL BM	LF	12.500	9.00000	112.50
0033	3389100000-N	GDRL ANCH UN	EA	1.000	800.00000	800.00

DBE SUBCONTRACTOR: 5279 GUARDRAIL OF GREENSBORO LLC  
 Will Use Quote: Yes

DBE COMMITMENT TOTAL FOR SUBCONTRACTOR: 13,587.50 ✓  
 DBE COMMITMENT TOTAL FOR VENDOR (SubContractor ) 13,587.

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

0039	4400000000-E	WORK ZONE SI	SF	80.000	4.45000	356.00
0041	4410000000-E	WORK ZONE SI	SF	30.000	5.00000	150.00
0043	4445000000-E	BARRICADES (	LF	48.000	19.95000	957.60

DBE COMMITMENT TOTAL FOR SUBCONTRACTOR: 1,463.60 ✓  
 DBE COMMITMENT TOTAL FOR VENDOR (SubContractor ) 1,463.6

DBE SUBCONTRACTOR: 3145 WATTS BARRIER WALLS  
 Will Use Quote: Yes

0084	8517000000-E	1'-***"X*****	LF	164.800	45.50000	7498.40
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DBE COMMITMENT TOTAL FOR SUBCONTRACTOR: 7,498.40 ✓  
 DBE COMMITMENT TOTAL FOR VENDOR (SubContractor ) 7,498.4

DBE SUBCONTRACTOR: 4388 FOOTHILLS CONSTRUCTION SERV INC  
 Will Use Quote: Yes

0034	3559000000-E	** STRAND BW	LF	800.000	3.65000	2920.00
0035	3575000000-E	GENERIC FENC	LF	100.000	16.50000	1650.00
0047	6000000000-E	TEMPORARY SI	LF	2200.000	1.85000	4070.00
0056	6029000000-E	SAFETY FENCE	LF	600.000	1.85000	1110.00

DBE COMMITMENT TOTAL FOR SUBCONTRACTOR: 9,750.00 ✓  
 DBE COMMITMENT TOTAL FOR VENDOR (SubContractor ) 9,750.0

TOTAL DBE COMMITMENT FOR VENDOR: Entered: 6.27% or 32299.50  
 Required: 6.00% or 30904.65  
 <GOAL MET>

## Contract Item Sheets For C202022

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
<b>ROADWAY ITEMS</b>						
0001	0000100000-N	800	MOBILIZATION	Lump Sum LS	25,750.00	25,750.00
0002	0000400000-N	801	CONSTRUCTION SURVEYING	Lump Sum LS	5,500.00	5,500.00
0003	0030000000-N	SP	BRIDGE APPROACH FILL - SUB REGIONAL TIER, STATION ***** (15+69.00-L-)	Lump Sum LS	5,300.00	5,300.00
0004	0043000000-N	226	GRADING	Lump Sum LS	75,476.11	75,476.11
0005	0050000000-E	226	SUPPLEMENTARY CLEARING & GRUB- BING	1 ACR	0.01	0.01
0006	0057000000-E	226	UNDERCUT EXCAVATION	450 CY	1.00	450.00
0007	0195000000-E	265	SELECT GRANULAR MATERIAL	540 CY	1.00	540.00
0008	0196000000-E	270	FABRIC FOR SOIL STABILIZATION	540 SY	2.25	1,215.00
0009	0318000000-E	300	FOUNDATION CONDITIONING MATE- RIAL, MINOR STRS	15 TON	22.00	330.00
0010	0366000000-E	310	15" RC PIPE CULVERTS, CLASS III	32 LF	37.50	1,200.00
0011	0372000000-E	310	18" RC PIPE CULVERTS, CLASS III	48 LF	38.75	1,860.00
0012	0378000000-E	310	24" RC PIPE CULVERTS, CLASS III	52 LF	39.50	2,054.00
0013	0995000000-E	340	PIPE REMOVAL	72 LF	8.00	576.00
0014	1220000000-E	545	INCIDENTAL STONE BASE	50 TON	22.50	1,125.00
0015	1489000000-E	610	ASPHALT CONC BASE COURSE, TYPE B25.0B	240 TON	53.00	12,720.00
0016	1498000000-E	610	ASPHALT CONC INTERMEDIATE COURSE, TYPE I19.0B	72 TON	55.00	3,960.00
0017	1525000000-E	610	ASPHALT CONC SURFACE COURSE, TYPE SF9.5A	240 TON	60.00	14,400.00
0018	1560000000-E	620	ASPHALT BINDER FOR PLANT MIX, GRADE PG 64-22	30 TON	550.00	16,500.00

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
0019	2022000000-E	815	SUBDRAIN EXCAVATION	45 CY	0.01	0.45
0020	2033000000-E	815	SUBDRAIN FINE AGGREGATE	34 CY	0.01	0.34
0021	2044000000-E	815	6" PERFORATED SUBDRAIN PIPE	200 LF	0.01	2.00
0022	2055000000-E	815	6" SUBDRAIN PIPE WYES, TEES, & ELBOWS	6 EA	0.01	0.06
0023	2066000000-N	815	CONCRETE PAD FOR SUBDRAIN PIPE OUTLET	1 EA	90.00	90.00
0024	2077000000-E	815	6" OUTLET PIPE (SUBDRAINS)	6 LF	0.01	0.06
0025	2286000000-N	840	MASONRY DRAINAGE STRUCTURES	2 EA	1,300.00	2,600.00
0026	2367000000-N	840	FRAME WITH TWO GRATES, STD 840.29	2 EA	525.00	1,050.00
0027	2556000000-E	846	SHOULDER BERM GUTTER	60 LF	52.00	3,120.00
0028	3030000000-E	862	STEEL BM GUARDRAIL	150 LF	13.50	2,025.00
0029	3150000000-N	862	ADDITIONAL GUARDRAIL POSTS	5 EA	10.00	50.00
0030	3215000000-N	862	GUARDRAIL ANCHOR UNITS, TYPE III	4 EA	1,050.00	4,200.00
0031	3270000000-N	SP	GUARDRAIL ANCHOR UNITS, TYPE 350	4 EA	1,600.00	6,400.00
0032	3380000000-E	862	TEMPORARY STEEL BM GUARDRAIL	12.5 LF	9.00	112.50
0033	3389100000-N	SP	GUARDRAIL ANCHOR UNITS, TYPE 350 TEMPORARY	1 EA	800.00	800.00
0034	3559000000-E	866	** STRAND BARBED WIRE FENCE WITH POSTS (5)	800 LF	3.65	2,920.00
0035	3575000000-E	SP	GENERIC FENCING ITEM 60" CHAIN LINK FENCE WITH POSTS AND BARBED WIRE	100 LF	16.50	1,650.00
0036	3656000000-E	876	FILTER FABRIC FOR DRAINAGE	545 SY	2.75	1,498.75

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
0037	3659000000-N	SP	PREFORMED SCOUR HOLES WITH LEVEL SPREADER APRON	1 EA	850.00	850.00
0038	3684000000-E	SP	GENERIC EROSION CONTROL ITEM RIP RAP, CLASS B, NATIVE DARK-COLORED STONE	12 TON	75.00	900.00
0039	4400000000-E	1110	WORK ZONE SIGNS (STATIONARY)	80 SF	4.45	356.00
0040	4405000000-E	1110	WORK ZONE SIGNS (PORTABLE)	112 SF	10.00	1,120.00
0041	4410000000-E	1110	WORK ZONE SIGNS (BARRICADE MOUNTED)	30 SF	5.00	150.00
0042	4430000000-N	1130	DRUMS	36 EA	40.00	1,440.00
0043	4445000000-E	1145	BARRICADES (TYPE III)	48 LF	19.95	957.60
0044	4455000000-N	1150	FLAGGER	30 MD	180.00	5,400.00
0045	4810000000-E	1205	PAINT PAVEMENT MARKING LINES (4")	15,600 LF	0.22	3,432.00
0046	4850000000-E	1205	REMOVAL OF PAVEMENT MARKING LINES (4")	300 LF	1.00	300.00
0047	6000000000-E	1605	TEMPORARY SILT FENCE	2,200 LF	1.85	4,070.00
0048	6006000000-E	1610	STONE FOR EROSION CONTROL, CLASS A	160 TON	31.50	5,040.00
0049	6009000000-E	1610	STONE FOR EROSION CONTROL, CLASS B	90 TON	31.50	2,835.00
0050	6012000000-E	1610	SEDIMENT CONTROL STONE	190 TON	0.01	1.90
0051	6015000000-E	1615	TEMPORARY MULCHING	1 ACR	800.00	800.00
0052	6018000000-E	1620	SEED FOR TEMPORARY SEEDING	50 LB	3.95	197.50
0053	6021000000-E	1620	FERTILIZER FOR TEMPORARY SEEDING	1.25 TON	680.00	850.00
0054	6024000000-E	1622	TEMPORARY SLOPE DRAINS	40 LF	10.00	400.00

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
0055	6027000000-N	1622	INLET PROTECTION AT TEMPORARY SLOPE DRAINS	1 EA	75.00	75.00
0056	6029000000-E	SP	SAFETY FENCE	600 LF	1.85	1,110.00
0057	6030000000-E	1630	SILT EXCAVATION	290 CY	0.01	2.90
0058	6036000000-E	1631	MATTING FOR EROSION CONTROL	2,100 SY	1.80	3,780.00
0059	6037000000-E	SP	COIR FIBER MAT	15 SY	6.00	90.00
0060	6042000000-E	1632	1/4" HARDWARE CLOTH	220 LF	5.10	1,122.00
0061	6070000000-N	SP	SPECIAL STILLING BASINS	4 EA	1.00	4.00
0062	6071010000-E	SP	WATTLE	75 LF	3.95	296.25
0063	6071020000-E	SP	POLYACRYLAMIDE (PAM)	27 LB	22.50	607.50
0064	6071030000-E	SP	COIR FIBER BAFFLES	70 LF	8.00	560.00
0065	6071050000-E	SP	*** SKIMMER (1-1/2")	2 EA	525.00	1,050.00
0066	6084000000-E	1660	SEEDING & MULCHING	2 ACR	1,950.00	3,900.00
0067	6087000000-E	1660	MOWING	0.5 ACR	45.00	22.50
0068	6090000000-E	1661	SEED FOR REPAIR SEEDING	50 LB	7.60	380.00
0069	6093000000-E	1661	FERTILIZER FOR REPAIR SEEDING	0.25 TON	400.00	100.00
0070	6096000000-E	1662	SEED FOR SUPPLEMENTAL SEEDING	50 LB	2.60	130.00
0071	6108000000-E	1665	FERTILIZER TOPDRESSING	0.5 TON	1,050.00	525.00
0072	6114000000-N	SP	SPECIALIZED HAND MOWING	5 HR	55.00	275.00
0073	6117000000-N	SP	RESPONSE FOR EROSION CONTROL	12 EA	150.00	1,800.00
0074	6123000000-E	1670	REFORESTATION	0.1 ACR	2,500.00	250.00

## Contract Item Sheets For C202022

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
0075	8017000000-N	SP	CONSTRUCTION, MAINTENANCE, & REMOVAL OF TEMP ACCESS AT STA ***** (15+69.00-L-)	Lump Sum LS	12,500.00	12,500.00
0076	8035000000-N	402	REMOVAL OF EXISTING STRUCTURE AT STATION ***** (15+69.00-L-)	Lump Sum LS	9,000.00	9,000.00
0077	8121000000-N	412	UNCLASSIFIED STRUCTURE EXCAVA- TION AT STATION ***** (15+69.00-L-)	Lump Sum LS	1,060.00	1,060.00
0078	8182000000-E	420	CLASS A CONCRETE (BRIDGE)	30.8 CY	694.75	21,398.30
0079	8210000000-N	422	BRIDGE APPROACH SLABS, STATION ***** (15+69.00-L-)	Lump Sum LS	16,700.00	16,700.00
0080	8217000000-E	425	REINFORCING STEEL (BRIDGE)	5,037 LB	0.95	4,785.15
0081	8364000000-E	450	HP12X53 STEEL PILES	340 LF	59.50	20,230.00
0082	8391000000-N	450	STEEL PILE POINTS	14 EA	176.40	2,469.60
0083	8468000000-E	460	ONE BAR METAL RAIL	148.158 LF	177.15	26,246.19
0084	8517000000-E	460	1'***X ***** CONCRETE PARA- PET (1'-0" X 1'-10 1/8")	164.8 LF	55.00	9,064.00
0085	8622000000-E	876	FILTER FABRIC FOR DRAINAGE	245 SY	2.90	710.50
0086	8657000000-N	430	ELASTOMERIC BEARINGS	Lump Sum LS	1,740.00	1,740.00
0087	8753100000-E	430	3'-0" X 2'-9" PRESTRESSED CONC BOX BEAMS	741.656 LF	182.07	135,033.31
0088	8874000000-E	SP	GENERIC STRUCTURE ITEM RIP RAP, CLASS II (2'-0" THICK)	465 TON	29.00	13,485.00

TOTAL AMOUNT OF BID FOR ENTIRE PROJECT

\$515,077.48✓

Contract Number C202022  
County SURRY

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**

SMITH-ROWE, INC

Full name of Corporation

639 OLD US 52 SOUTH MOUNT AIRY, NC 27030

Address as Prequalified

Attest William F. Fulp Secretary/Assistant Secretary  
*Select appropriate title*

By David Locke Rowe President/Vice President/Assistant Vice President  
*Select appropriate title*

WILLIAM F. FULP

Print or type Signer's name

DAVID LOCKE ROWE

Print or type Signer's name

**CORPORATE SEAL**

**AFFIDAVIT MUST BE NOTARIZED**

**NOTARY SEAL**

Subscribed and sworn to before me this the

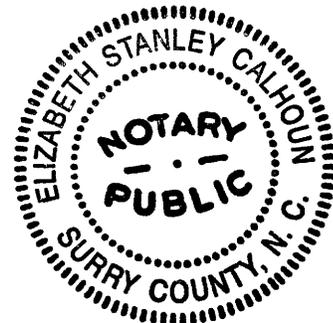
25<sup>th</sup> day of February 2009.

Elizabeth Stanley Calhoun  
Signature of Notary Public

of Surry County

State of North Carolina

My Commission Expires: 3/14/09



## 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.

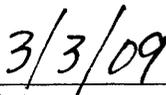
**Contract No**      C202022

**County (ies):**    Surry

ACCEPTED BY THE  
DEPARTMENT OF TRANSPORTATION

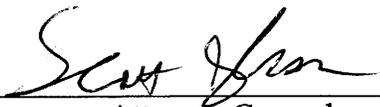


\_\_\_\_\_  
Contract Officer



\_\_\_\_\_  
Date

Execution of Contract and Bonds  
Approved as to Form:



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

Contract No. C202022  
County SURRY

(Rev 7-10-08)

Bond #105226773

### CONTRACT PAYMENT BOND

Date of Payment Bond Execution February 26, 2009

Name of Principal Contractor SMITH-ROWE INC.

Name of Surety: Travelers Casualty and Surety Company of America

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

Amount of Bond: 515,077.48

Contract ID No.: C202022

County Name: SURRY

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. C202022  
County SURRY

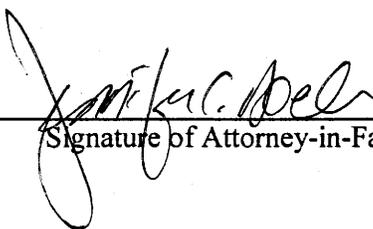
(Rev 7-10-08)

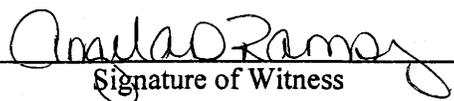
**CONTRACT PAYMENT BOND**

*Affix Seal of Surety Company*

TRAVELERS CASUALTY AND SURETY COMPANY OF AMERICA  
Print or type Surety Company Name

By JENNIFER C. HOEHN  
Print, stamp or type name of Attorney-in-Fact

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

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

ANGELA D. RAMSEY  
Print or type Witness's name

C/O WACHOVIA INSURANCE SERVICES  
P.O. BOX 220748, CHARLOTTE, NC 28222-0748  
Address of Attorney-in-Fact

Contract No. C202022  
County SURRY

(Rev 7-10-08)

**CONTRACT PAYMENT BOND**

**CORPORATION**

SIGNATURE OF CONTRACTOR (Principal)

SMITH-ROWE INC.

\_\_\_\_\_  
Full name of Corporation

639 OLD US 52 SOUTH MOUNT AIRY, NC 27030

\_\_\_\_\_  
Address as prequalified

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

DAVID LOCKE ROWE

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

*Affix Corporate Seal*

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

WILLIAM F. FULP

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



POWER OF ATTORNEY

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

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

Attorney-In Fact No. 220863

Certificate No. 002819882

KNOW ALL MEN BY THESE PRESENTS: That Seaboard Surety Company is a corporation duly organized under the laws of the State of New York, that St. Paul Fire and Marine Insurance Company, St. Paul Guardian Insurance Company and St. Paul Mercury Insurance Company are corporations duly organized under the laws of the State of Minnesota, that Farmington Casualty Company, Travelers Casualty and Surety Company, and Travelers Casualty and Surety Company of America are corporations duly organized under the laws of the State of Connecticut, that United States Fidelity and Guaranty Company is a corporation duly organized under the laws of the State of Maryland, that Fidelity and Guaranty Insurance Company is a corporation duly organized under the laws of the State of Iowa, and that Fidelity and Guaranty Insurance Underwriters, Inc. is a corporation duly organized under the laws of the State of Wisconsin (herein collectively called the "Companies"), and that the Companies do hereby make, constitute and appoint

Joe E. Hunnicutt, Karen Alley, William J. Quinn, G. Timothy Wilkerson, Donna K. Ashley, Wendy E. Lahm, Angela D. Ramsey, John D. Leak III, Jennifer C. Hoehn, John F. Thomas, and Kay Coates

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

IN WITNESS WHEREOF, the Companies have caused this instrument to be signed and their corporate seals to be hereto affixed, this 10th day of February, 2009.

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

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



State of Connecticut
City of Hartford ss.

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

On this the 10th day of February, 2009, before me personally appeared George W. Thompson, who acknowledged himself to be the Senior Vice President of Farmington Casualty Company, Fidelity and Guaranty Insurance Company, Fidelity and Guaranty Insurance Underwriters, Inc., Seaboard Surety Company, St. Paul Fire and Marine Insurance Company, St. Paul Guardian Insurance Company, St. Paul Mercury Insurance Company, Travelers Casualty and Surety Company, Travelers Casualty and Surety Company of America, and United States Fidelity and Guaranty Company, and that he, as such, being authorized so to do, executed the foregoing instrument for the purposes therein contained by signing on behalf of the corporations by himself as a duly authorized officer.

In Witness Whereof, I hereunto set my hand and official seal.
My Commission expires the 30th day of June, 2011.



[Signature]
Marie C. Tetreault, Notary Public

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

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

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

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

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

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

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the seals of said Companies this 26th day of February, 20 09.

  
Kori M. Johanson, Assistant Secretary



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

Contract No. C202022  
County SURRY

(Rev 7-10-08)

**CONTRACT PERFORMANCE BOND**

Date of Performance Bond Execution: February 26, 2009  
Name of Principal Contractor: SMITH-ROWE INC.  
Name of Surety: Travelers Casualty and Surety Company of America  
Name of Contracting Body: North Carolina Department of Transportation  
Raleigh, North Carolina  
Amount of Bond: 515077.48  
Contract ID No.: C202022  
County Name: SURRY

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. C202022  
County SURRY

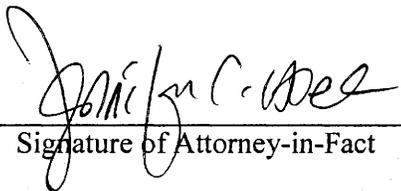
(Rev 7-10-08)

**CONTRACT PERFORMANCE BOND**

*Affix Seal of Surety Company*

TRAVELERS CASUALTY AND SURETY COMPANY OF AMERICA  
Print or type Surety Company Name

By JENNIFER C. HOEHN  
Print, stamp or type name of Attorney-in-Fact

  
Signature of Attorney-in-Fact

  
Signature of Witness

ANGELA D. RAMSEY  
Print or type Witness's name

C/O WACHOVIA INSURANCE SERVICES  
P.O. BOX 220748, CHARLOTTE, NC 28222-0748  
Address of Attorney-in-Fact

Contract No.  
County

C202022

SURRY

(Rev 7-10-08)

**CONTRACT PERFORMANCE BOND**

**CORPORATION**

SIGNATURE OF CONTRACTOR (Principal)

SMITH-ROWE INC.

\_\_\_\_\_  
Full name of Corporation

639 OLD US 52 SOUTH MOUNT AIRY, NC 27030

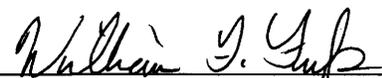
\_\_\_\_\_  
Address as prequalified

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

DAVID LOCKE ROWE

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

*Affix Corporate Seal*

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

WILLIAM F. FULP

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



POWER OF ATTORNEY

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

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

Attorney-In Fact No. 220863

Certificate No. 002819881

KNOW ALL MEN BY THESE PRESENTS: That Seaboard Surety Company is a corporation duly organized under the laws of the State of New York, that St. Paul Fire and Marine Insurance Company, St. Paul Guardian Insurance Company and St. Paul Mercury Insurance Company are corporations duly organized under the laws of the State of Minnesota, that Farmington Casualty Company, Travelers Casualty and Surety Company, and Travelers Casualty and Surety Company of America are corporations duly organized under the laws of the State of Connecticut, that United States Fidelity and Guaranty Company is a corporation duly organized under the laws of the State of Maryland, that Fidelity and Guaranty Insurance Company is a corporation duly organized under the laws of the State of Iowa, and that Fidelity and Guaranty Insurance Underwriters, Inc. is a corporation duly organized under the laws of the State of Wisconsin (herein collectively called the "Companies"), and that the Companies do hereby make, constitute and appoint

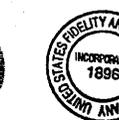
Joe E. Hunnicutt, Karen Alley, William J. Quinn, G. Timothy Wilkerson, Donna K. Ashley, Wendy E. Lahm, Angela D. Ramsey, John D. Leak III, Jennifer C. Hoehn, John F. Thomas, and Kay Coates

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

IN WITNESS WHEREOF, the Companies have caused this instrument to be signed and their corporate seals to be hereto affixed, this 10th day of February, 2009.

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

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



State of Connecticut
City of Hartford ss.

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

On this the 10th day of February, 2009, before me personally appeared George W. Thompson, who acknowledged himself to be the Senior Vice President of Farmington Casualty Company, Fidelity and Guaranty Insurance Company, Fidelity and Guaranty Insurance Underwriters, Inc., Seaboard Surety Company, St. Paul Fire and Marine Insurance Company, St. Paul Guardian Insurance Company, St. Paul Mercury Insurance Company, Travelers Casualty and Surety Company, Travelers Casualty and Surety Company of America, and United States Fidelity and Guaranty Company, and that he, as such, being authorized so to do, executed the foregoing instrument for the purposes therein contained by signing on behalf of the corporations by himself as a duly authorized officer.

In Witness Whereof, I hereunto set my hand and official seal.
My Commission expires the 30th day of June, 2011.



[Signature]
Marie C. Tetreault, Notary Public

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

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

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

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

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

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

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the seals of said Companies this 26th day of February, 20 09.

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

*Kori M. Johanson*  
Kori M. Johanson, Assistant Secretary



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