

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

C201905

CONTRACT AND
CONTRACT BONDS
FOR CONTRACT NO. C201905

WBS 41174.3.1 STP-13(22)

T.I.P NO. W-5001

COUNTY OF CUMBERLAND
THIS IS THE ROADWAY CONTRACT
ROUTE NUMBER US 13 LENGTH 6.873 MILES
LOCATION US-13 FROM I-95 TO SAMPSON COUNTY LINE.

CONTRACTOR HIGHLAND PAVING CO., LLC
ADDRESS P.O. BOX 64553
FAYETTEVILLE, NC 28306

BIDS OPENED JUNE 16, 2009
CONTRACT EXECUTION JUL 16 2009

Highland Paving Co., LLC (5019).

Vendor 3 of 3 Vendors for Call Order 014 (Proposal ID C201905).

County: CUMBERLAND
Address: PO Box 64553
Fayetteville, NC 28306

Phone Number: 910-485-5790

Signature Check: This bid has been properly signed by Albert_O_McCauley_5019.

Time Bid Received: Tue Jun 16 12:08:17 2009

Bid Checksum: AF262362

Amendment Count: 0

Bidding Errors: No bidding errors.

Bid Total: \$2,805,477.60 ✓

Bond ID: SNC09770534

Bond was Verified: Yes.

Bond Required Percent: 5.00%

Minimum Check Amount: \$140,273.88

Bid Security Maximum: \$

Bond Agency Name:

Agency Execution Date: 6/12/2009 9:57:20 AM

Surety Name: Great American Insurance Company

Surety State of Incorporation:

Bond Company:

Bond Type:

Bond Appr Flag:

Bond Affirm:

Bond was Paid by Check: No.

DBE GOAL SET 7.0%
DBE GOAL MET 7.0%

LIST OF DBE PARTICIPANTS

VENDOR NUMBER	DBE NAME ADDRESS	WORK CODE TYPE OF WORK	CERT TYPE	AMOUNT
3080	CURTIN TRUCKING & DRAINAGE, INC POST OFFICE BOX 38220 , CHARLOTTE, NC 282781003		Sub	29,936.00
6189	PURPOSE DRIVEN SEEDING & MULCHI 1337 BRAYBOY RD , ROWLAND, NC 28383		Sub	12,250.00
2976	CAROLINA ENVIRONMENTAL CONTRACT POST OFFICE BOX 1905 , MT. AIRY, NC 27030		Sub	8,190.00
2676	PAUL D. WILLIAMS DBA PAUL D. WI POST OFFICE BOX 1385 , DUNN, NC 28335		Sub	146,412.00
			TOTAL:	\$196,788.00 7.01%

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	

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

BondID: SNC09770534
 Surety Registry Agency: surety2000
 Verified?: Yes
 Surety Agency: Great American Insurance Company

NCDOT/berc

Vendor 5019's Load Output for Call 014, Letting L090616, 2009-06-16

Bond Execution Date: 6/12/2009 9:57:20 AM

Bond Amount: \$140,273.88 (Five Percent of Bid)

State of NC
Dept of Transportation

Date: 05-20-09
Revised:

Contract ID: C201905 Project(s): STP-13(22)
Letting Date: 06-16-09 Call Order: 014
Bidder: 5019 - Highland Paving Co., LLC

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		85,000.00
0002	0000400000-N CONSTRUCTIO N SURVEYING	LUMP		LUMP		30,000.00
0003	0001010000-N SELECT TREE REMOVAL	EA	1.000	500.00000		500.00
0004	0036000000-E UNDERCUT EXCAVATION	CY	200.000	12.50000		2,500.00
0005	0043000000-N GRADING	LUMP		LUMP		75,000.00
0006	0050000000-E SUPPLEMENTA RY CLEARING & GRUB-BING	ACR	1.000	1.00000		1.00
0007	0195000000-E SELECT GRANULAR MATERIAL	CY	200.000	18.00000		3,600.00
0008	0196000000-E FABRIC FOR SOIL STABILIZATION	SY	200.000	2.00000		400.00
0009	0318000000-E FOUNDATION CONDITIONING MATE- RIAL, MINOR STRS	TON	100.000	28.00000		2,800.00
0010	0343000000-E 15" SIDE DRAIN PIPE	LF	116.000	22.50000		2,610.00
0011	0344000000-E 18" SIDE DRAIN PIPE	LF	160.000	24.75000		3,960.00

State of NC
Dept of Transportation

Date: 05-20-09
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Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
0012	0372000000-E 18" RC PIPE CULVERTS, CLASS III	620.000 LF	25.00000		15,500.00	
0013	0378000000-E 24" RC PIPE CULVERTS, CLASS III	24.000 LF	30.00000		720.00	
0014	0453000000-E *** PIPE END SECTION (15")	3.000 EA	500.00000		1,500.00	
0015	0453000000-E *** PIPE END SECTION (18")	14.000 EA	615.00000		8,610.00	
0016	0453000000-E *** PIPE END SECTION (24")	4.000 EA	775.00000		3,100.00	
0017	0995000000-E PIPE REMOVAL	30.000 LF	16.00000		480.00	
0018	1121000000-E AGGREGATE BASE COURSE	85.000 TON	28.00000		2,380.00	
0019	1220000000-E INCIDENTAL STONE BASE	40.000 TON	25.00000		1,000.00	
0020	1330000000-E INCIDENTAL MILLING	1,850.000 SY	4.40000		8,140.00	
0021	1491000000-E ASPHALT CONC BASE COURSE, TYPE B25.0C	13,300.000 TON	33.50000		445,550.00	
0022	1503000000-E ASPHALT CONC INTERMEDIATE COURSE, TYPE I19.0C	7,300.000 TON	37.00000		270,100.00	
0023	1523000000-E ASPHALT CONC SURFACE COURSE, TYPE S9.5C	22,900.000 TON	28.50000		652,650.00	

State of NC
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Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
0024	1560000000-E ASPHALT BINDER FOR PLANT MIX, GRADE PG 64-22	915.000 TON	415.00000		379,725.00	
0025	1565000000-E ASPHALT BINDER FOR PLANT MIX, GRADE PG 70-22	1,375.000 TON	425.00000		584,375.00	
0026	1693000000-E ASPHALT PLANT MIX, PAVEMENT REPAIR	75.000 TON	110.00000		8,250.00	
0027	2253000000-E PIPE COLLARS	4.000 CY	800.00000		3,200.00	
0028	2647000000-E 5" MONOLITHIC CONCRETE ISLANDS (SURFACE MOUNTED)	50.000 SY	60.00000		3,000.00	
0029	3656000000-E FILTER FABRIC FOR DRAINAGE	150.000 SY	3.00000		450.00	
0030	4072000000-E SUPPORTS, 3-LB STEEL U-CHANNEL	636.000 LF	5.25000		3,339.00	
0031	4096000000-N SIGN ERECTION, TYPE D	4.000 EA	120.00000		480.00	
0032	4102000000-N SIGN ERECTION, TYPE E	30.000 EA	55.00000		1,650.00	
0033	4108000000-N SIGN ERECTION, TYPE F	11.000 EA	110.00000		1,210.00	
0034	4155000000-N DISPOSAL OF SIGN SYSTEM, U-CHANNEL	38.000 EA	2.00000		76.00	
0035	4400000000-E WORK ZONE SIGNS (STATIONARY)	720.000 SF	7.00000		5,040.00	

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Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
0036	4405000000-E WORK ZONE SIGNS (PORTABLE)	SF 576.000	10.00000		5,760.00	
0037	4410000000-E WORK ZONE SIGNS (BARRICADE MOUNTED)	SF 165.000	10.00000		1,650.00	
0038	4430000000-N DRUMS	EA 75.000	42.00000		3,150.00	
0039	4445000000-E BARRICADES (TYPE III)	LF 80.000	34.00000		2,720.00	
0040	4455000000-N FLAGGER	MD 160.000	150.00000		24,000.00	
0041	4465000000-N TEMPORARY CRASH CUSHIONS	EA 2.000	7,000.00000		14,000.00	
0042	4485000000-E PORTABLE CONCRETE BARRIER	LF 640.000	27.00000		17,280.00	
0043	4685000000-E THERMOPLAST IC PAVEMENT MARKING LINES (4", 90 MILS)	LF 78,000.000	0.38000		29,640.00	
0044	4686000000-E THERMOPLAST IC PAVEMENT MARKING LINES (4", 120 MILS)	LF 83,520.000	0.47000		39,254.40	
0045	4697000000-E THERMOPLAST IC PAVEMENT MARKING LINES (8", 120 MILS)	LF 1,600.000	1.84000		2,944.00	
0046	4710000000-E THERMOPLAST IC PAVEMENT MARKING LINES (24", 120 MILS)	LF 250.000	6.30000		1,575.00	
0047	4725000000-E THERMOPLAST IC PAVEMENT MARKING SYMBOL (90 MILS)	EA 24.000	94.50000		2,268.00	

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Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
0048	4810000000-E PAINT PAVEMENT MARKING LINES (4")	60,420.000 LF	0.21000		12,688.20	
0049	4820000000-E PAINT PAVEMENT MARKING LINES (8")	1,600.000 LF	0.84000		1,344.00	
0050	4835000000-E PAINT PAVEMENT MARKING LINES (24")	500.000 LF	3.15000		1,575.00	
0051	4845000000-N PAINT PAVEMENT MARKING SYMBOL	24.000 EA	31.50000		756.00	
0052	4900000000-N PERMANENT RAISED PAVEMENT MARKERS	540.000 EA	6.30000		3,402.00	
0053	6000000000-E TEMPORARY SILT FENCE	4,500.000 LF	2.00000		9,000.00	
0054	6006000000-E STONE FOR EROSION CONTROL, CLASS A	50.000 TON	52.00000		2,600.00	
0055	6009000000-E STONE FOR EROSION CONTROL, CLASS B	180.000 TON	52.00000		9,360.00	
0056	6012000000-E SEDIMENT CONTROL STONE	10.000 TON	28.00000		280.00	
0057	6036000000-E MATTING FOR EROSION CONTROL	500.000 SY	2.10000		1,050.00	
0058	6042000000-E 1/4" HARDWARE CLOTH	35.000 LF	6.00000		210.00	
0059	6084000000-E SEEDING & MULCHING	6.000 ACR	1,600.00000		9,600.00	

State of NC
 Dept of Transportation

Date: 05-20-09
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 Bidder: 5019 - Highland Paving Co., LLC

Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
0060	6090000000-E SEED FOR REPAIR SEEDING	500.000 LB	2.75000		1,375.00	
0061	6093000000-E FERTILIZER FOR REPAIR SEEDING	1.000 TON	1,100.00000		1,100.00	
Section 0001 Total						2,805,477.60
Bid Total						2,805,477.60

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.

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
ROADWAY ITEMS						
0001	0000100000-N	800	MOBILIZATION	Lump Sum LS	85,000.00	85,000.00
0002	0000400000-N	801	CONSTRUCTION SURVEYING	Lump Sum LS	30,000.00	30,000.00
0003	0001010000-N	200	SELECT TREE REMOVAL	1 EA	500.00	500.00
0004	0036000000-E	225	UNDERCUT EXCAVATION	200 CY	12.50	2,500.00
0005	0043000000-N	226	GRADING	Lump Sum LS	75,000.00	75,000.00
0006	0050000000-E	226	SUPPLEMENTARY CLEARING & GRUB- BING	1 ACR	1.00	1.00
0007	0195000000-E	265	SELECT GRANULAR MATERIAL	200 CY	18.00	3,600.00
0008	0196000000-E	270	FABRIC FOR SOIL STABILIZATION	200 SY	2.00	400.00
0009	0318000000-E	300	FOUNDATION CONDITIONING MATE- RIAL, MINOR STRS	100 TON	28.00	2,800.00
0010	0343000000-E	310	15" SIDE DRAIN PIPE	116 LF	22.50	2,610.00
0011	0344000000-E	310	18" SIDE DRAIN PIPE	160 LF	24.75	3,960.00
0012	0372000000-E	310	18" RC PIPE CULVERTS, CLASS III	620 LF	25.00	15,500.00
0013	0378000000-E	310	24" RC PIPE CULVERTS, CLASS III	24 LF	30.00	720.00
0014	0453000000-E	310	*** PIPE END SECTION (15")	3 EA	500.00	1,500.00
0015	0453000000-E	310	*** PIPE END SECTION (18")	14 EA	615.00	8,610.00
0016	0453000000-E	310	*** PIPE END SECTION (24")	4 EA	775.00	3,100.00
0017	0995000000-E	340	PIPE REMOVAL	30 LF	16.00	480.00
0018	1121000000-E	520	AGGREGATE BASE COURSE	85 TON	28.00	2,380.00
0019	1220000000-E	545	INCIDENTAL STONE BASE	40 TON	25.00	1,000.00

Contract Item Sheets For C201905

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
0020	1330000000-E	607	INCIDENTAL MILLING	1,850 SY	4.40	8,140.00
0021	1491000000-E	610	ASPHALT CONC BASE COURSE, TYPE B25.0C	13,300 TON	33.50	445,550.00
0022	1503000000-E	610	ASPHALT CONC INTERMEDIATE COURSE, TYPE I19.0C	7,300 TON	37.00	270,100.00
0023	1523000000-E	610	ASPHALT CONC SURFACE COURSE, TYPE S9.5C	22,900 TON	28.50	652,650.00
0024	1560000000-E	620	ASPHALT BINDER FOR PLANT MIX, GRADE PG 64-22	915 TON	415.00	379,725.00
0025	1565000000-E	620	ASPHALT BINDER FOR PLANT MIX, GRADE PG 70-22	1,375 TON	425.00	584,375.00
0026	1693000000-E	654	ASPHALT PLANT MIX, PAVEMENT REPAIR	75 TON	110.00	8,250.00
0027	2253000000-E	840	PIPE COLLARS	4 CY	800.00	3,200.00
0028	2647000000-E	852	5" MONOLITHIC CONCRETE ISLANDS (SURFACE MOUNTED)	50 SY	60.00	3,000.00
0029	3656000000-E	876	FILTER FABRIC FOR DRAINAGE	150 SY	3.00	450.00
0030	4072000000-E	903	SUPPORTS, 3-LB STEEL U-CHANNEL	636 LF	5.25	3,339.00
0031	4096000000-N	904	SIGN ERECTION, TYPE D	4 EA	120.00	480.00
0032	4102000000-N	904	SIGN ERECTION, TYPE E	30 EA	55.00	1,650.00
0033	4108000000-N	904	SIGN ERECTION, TYPE F	11 EA	110.00	1,210.00
0034	4155000000-N	907	DISPOSAL OF SIGN SYSTEM, U-CHANNEL	38 EA	2.00	76.00
0035	4400000000-E	1110	WORK ZONE SIGNS (STATIONARY)	720 SF	7.00	5,040.00
0036	4405000000-E	1110	WORK ZONE SIGNS (PORTABLE)	576 SF	10.00	5,760.00
0037	4410000000-E	1110	WORK ZONE SIGNS (BARRICADE MOUNTED)	165 SF	10.00	1,650.00

Contract Item Sheets For C201905

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
0038	4430000000-N	1130	DRUMS	75 EA	42.00	3,150.00
0039	4445000000-E	1145	BARRICADES (TYPE III)	80 LF	34.00	2,720.00
0040	4455000000-N	1150	FLAGGER	160 MD	150.00	24,000.00
0041	4465000000-N	1160	TEMPORARY CRASH CUSHIONS	2 EA	7,000.00	14,000.00
0042	4485000000-E	1170	PORTABLE CONCRETE BARRIER	640 LF	27.00	17,280.00
0043	4685000000-E	1205	THERMOPLASTIC PAVEMENT MARKING LINES (4", 90 MILS)	78,000 LF	0.38	29,640.00
0044	4686000000-E	1205	THERMOPLASTIC PAVEMENT MARKING LINES (4", 120 MILS)	83,520 LF	0.47	39,254.40
0045	4697000000-E	1205	THERMOPLASTIC PAVEMENT MARKING LINES (8", 120 MILS)	1,600 LF	1.84	2,944.00
0046	4710000000-E	1205	THERMOPLASTIC PAVEMENT MARKING LINES (24", 120 MILS)	250 LF	6.30	1,575.00
0047	4725000000-E	1205	THERMOPLASTIC PAVEMENT MARKING SYMBOL (90 MILS)	24 EA	94.50	2,268.00
0048	4810000000-E	1205	PAINT PAVEMENT MARKING LINES (4")	60,420 LF	0.21	12,688.20
0049	4820000000-E	1205	PAINT PAVEMENT MARKING LINES (8")	1,600 LF	0.84	1,344.00
0050	4835000000-E	1205	PAINT PAVEMENT MARKING LINES (24")	500 LF	3.15	1,575.00
0051	4845000000-N	1205	PAINT PAVEMENT MARKING SYMBOL	24 EA	31.50	756.00
0052	4900000000-N	1251	PERMANENT RAISED PAVEMENT MARKERS	540 EA	6.30	3,402.00
0053	6000000000-E	1605	TEMPORARY SILT FENCE	4,500 LF	2.00	9,000.00
0054	6006000000-E	1610	STONE FOR EROSION CONTROL, CLASS A	50 TON	52.00	2,600.00

Contract Item Sheets For C201905

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
0055	6009000000-E	1610	STONE FOR EROSION CONTROL, CLASS B	180 TON	52.00	9,360.00
0056	6012000000-E	1610	SEDIMENT CONTROL STONE	10 TON	28.00	280.00
0057	6036000000-E	1631	MATTING FOR EROSION CONTROL	500 SY	2.10	1,050.00
0058	6042000000-E	1632	1/4" HARDWARE CLOTH	35 LF	6.00	210.00
0059	6084000000-E	1660	SEEDING & MULCHING	6 ACR	1,600.00	9,600.00
0060	6090000000-E	1661	SEED FOR REPAIR SEEDING	500 LB	2.75	1,375.00
0061	6093000000-E	1661	FERTILIZER FOR REPAIR SEEDING	1 TON	1,100.00	1,100.00

TOTAL AMOUNT OF BID FOR ENTIRE PROJECT

\$2,805,477.60 ✓

0805/Jun25/Q285117/D184305510000/E61

Contract Number C201905
County CUMBERLAND

Rev 7-20-08

**EXECUTION OF CONTRACT
NON-COLLUSION AFFIDAVIT AND DEBARMENT CERTIFICATION
LIMITED LIABILITY COMPANY**

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

Highland Paving Co., LLC
Full Name of Firm

PO Box 64553 Fayetteville NC 28306
Address as Prequalified

D. B. Raynor
Witness's Signature

D. BRIAN RAYNOR
Print or type Witness's name

Signature of Manager *John W. McCauley*
Individually

JOHN W. MCCAULEY
Print or type Signer's Name

AFFIDAVIT MUST BE NOTARIZED

NOTARY SEAL

Subscribed and sworn to before me this the

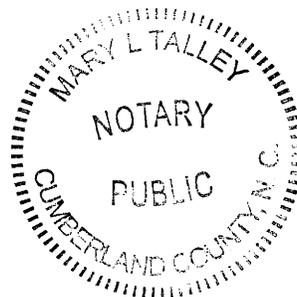
30th day of June 2009

Mary L. Talley
Signature of Notary Public

of Cumberland County

State of North Carolina

My Commission Expires: 8-7-13



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.

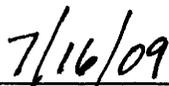
Contract No **C201905**

County (ies): **Cumberland**

**ACCEPTED BY THE
DEPARTMENT OF TRANSPORTATION**

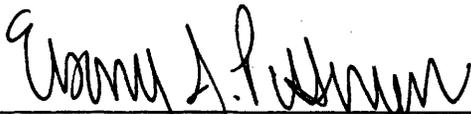


Contract Officer



Date

**Execution of Contract and Bonds
Approved as to Form:**



Attorney General

Contract No. C201905
County Cumberland

(Rev 7-10-08)

Bond No. CA1572420

CONTRACT PAYMENT BOND

Date of Payment Bond Execution July 6, 2009
Name of Principal Contractor Highland Paving Co., LLC
Name of Surety: Great American Insurance Company
Name of Contracting Body: North Carolina Department of Transportation
Raleigh, North Carolina
Amount of Bond: Two Million Eight Hundred Five Thousand Four Hundred
Seventy Seven and 60/100 Dollars (2,805,477.60)
Contract ID No.: C201905
County Name: Cumberland

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.
County

C201905
Cumberland

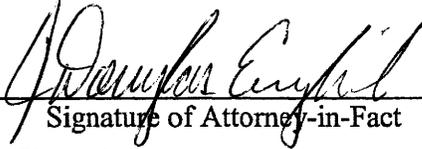
(Rev 7-10-08)

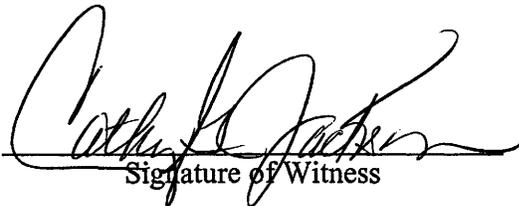
CONTRACT PAYMENT BOND

Affix Seal of Surety Company

Great American Insurance Company
Print or type Surety Company Name

By J. Douglas English
Print, stamp or type name of Attorney-in-Fact

By: 
Signature of Attorney-in-Fact
Surety Phone No. 866-437-3616


Signature of Witness

Cathy G. Jackson
Print or type Witness's name

Post Office Box 2038
Fayetteville, North Carolina 28302-2038

Address of Attorney-in-Fact

Contract No. C201905
County Cumberland

(Rev 7-10-08)

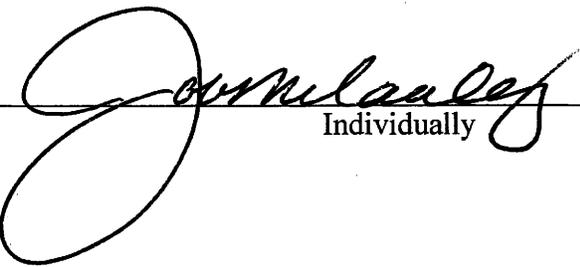
CONTRACT PAYMENT BOND

LIMITED LIABILITY COMPANY

SIGNATURE OF CONTRACTOR (Principal)

Name of Contractor Highland Paving Co., LLC
Full name of Firm

Post Office Box 64553, Fayetteville, North Carolina 28306
Address as prequalified

Signature of Manager  Individually

John W. McCauley
Print or type Signer's name


Witness's Signature

ALBERT O. McCAULEY
Print or type Witness's name

Contract No. C201905
County Cumberland

(Rev 7-10-08)

Bond No. CA1572420

CONTRACT PERFORMANCE BOND

Date of Performance Bond Execution: July 6, 2009
Name of Principal Contractor: Highland Paving Co., LLC
Name of Surety: Great American Insurance Company
Name of Contracting Body: North Carolina Department of Transportation
Raleigh, North Carolina
Amount of Bond: Two Million Eight Hundred Five Thousand Four Hundred
Seventy Seven and 60/100 Dollars (2,805,477.60)
Contract ID No.: C201905
County Name: Cumberland

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. C201905
County Cumberland

(Rev 7-10-08)

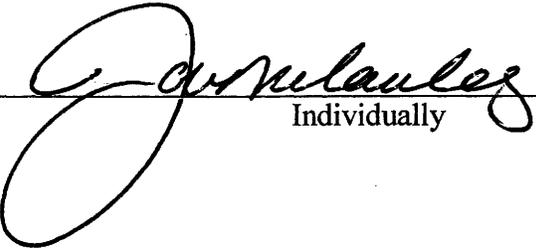
CONTRACT PERFORMANCE BOND

LIMITED LIABILITY COMPANY

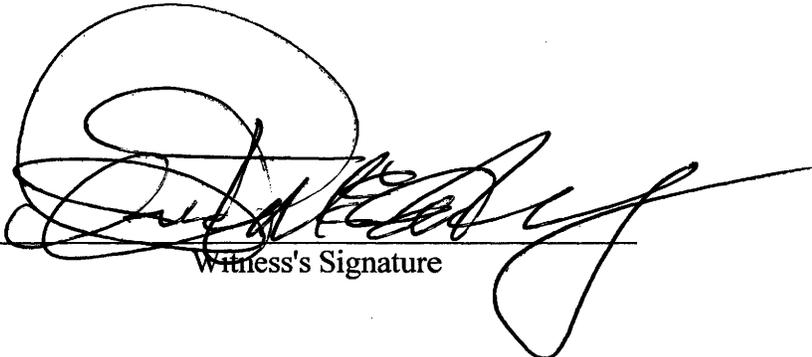
SIGNATURE OF CONTRACTOR (Principal)

Name of Contractor Highland Paving Co., LLC
Full name of Firm

Post Office Box 64553, Fayetteville, North Carolina 28306
Address as prequalified

Signature of Manager 
Individually

John W. McCauley
Print or type Signer's name


Witness's Signature

ALBERT O. MCCAULEY
Print or type Witness's Name

GREAT AMERICAN INSURANCE COMPANY®

Administrative Office: 580 WALNUT STREET • CINCINNATI, OHIO 45202 • 513-369-5000 • FAX 513-723-2740

The number of persons authorized by
this power of attorney is not more than **FOUR**

No. 0 18326

POWER OF ATTORNEY

KNOW ALL MEN BY THESE PRESENTS: That the GREAT AMERICAN INSURANCE COMPANY, a corporation organized and existing under and by virtue of the laws of the State of Ohio, does hereby nominate, constitute and appoint the person or persons named below, each individually if more than one is named, its true and lawful attorney-in-fact, for it and in its name, place and stead to execute on behalf of the said Company, as surety, any and all bonds, undertakings and contracts of suretyship, or other written obligations in the nature thereof; provided that the liability of the said Company on any such bond, undertaking or contract of suretyship executed under this authority shall not exceed the limit stated below.

Name	Address	Limit of Power
J. DOUGLAS ENGLISH	ALL OF	ALL
BARBARA ALMENDAREZ	FAYETTEVILLE, NORTH CAROLINA	\$75,000,000
CATHY JACKSON		
LYNN KING		

This Power of Attorney revokes all previous powers issued on behalf of the attorney(s)-in-fact named above.

IN WITNESS WHEREOF the GREAT AMERICAN INSURANCE COMPANY has caused these presents to be signed and attested by its appropriate officers and its corporate seal hereunto affixed this **19TH** day of **JANUARY**, **2009**
Attest GREAT AMERICAN INSURANCE COMPANY

STATE OF OHIO, COUNTY OF HAMILTON - ss:

DAVID C. KITCHIN (513-412-4602)

On this **19TH** day of **JANUARY**, **2009**, before me personally appeared DAVID C. KITCHIN, to me known, being duly sworn, deposes and says that he resides in Cincinnati, Ohio, that he is a Divisional Senior Vice President of the Bond Division of Great American Insurance Company, the Company described in and which executed the above instrument; that he knows the seal of the said Company; that the seal affixed to the said instrument is such corporate seal; that it was so affixed by authority of his office under the By-Laws of said Company, and that he signed his name thereto by like authority.

This Power of Attorney is granted by authority of the following resolutions adopted by the Board of Directors of Great American Insurance Company by unanimous written consent dated June 9, 2008.

RESOLVED: That the Divisional President, the several Divisional Senior Vice Presidents, Divisional Vice Presidents and Divisional Assistant Vice Presidents, or any one of them, be and hereby is authorized, from time to time, to appoint one or more Attorneys-in-Fact to execute on behalf of the Company, as surety, any and all bonds, undertakings and contracts of suretyship, or other written obligations in the nature thereof; to prescribe their respective duties and the respective limits of their authority; and to revoke any such appointment at any time.

RESOLVED FURTHER: That the Company seal and the signature of any of the aforesaid officers and any Secretary or Assistant Secretary of the Company may be affixed by facsimile to any power of attorney or certificate of either given for the execution of any bond, undertaking, contract of suretyship, or other written obligation in the nature thereof, such signature and seal when so used being hereby adopted by the Company as the original signature of such officer and the original seal of the Company, to be valid and binding upon the Company with the same force and effect as though manually affixed.

CERTIFICATION

I, STEPHEN C. BERAHA, Assistant Secretary of Great American Insurance Company, do hereby certify that the foregoing Power of Attorney and the Resolutions of the Board of Directors of June 9, 2008 have not been revoked and are now in full force and effect.

Signed and sealed this **6th** day of **July**, **2009**

