

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

C202356

CONTRACT AND
CONTRACT BONDS

FOR CONTRACT NO. C202356

WBS 3CR.10821.73 STATE FUNDED

COUNTY OF SAMPSON
THIS IS THE ROADWAY CONTRACT
ROUTE NUMBER NC 403 LENGTH 7.770 MILES
LOCATION NC-403 FROM EAST OF SR-1904 TO SOUTHWEST OF SR-1734.

CONTRACTOR BARNHILL CONTRACTING COMPANY
ADDRESS P.O. BOX 1529
TARBORO, NC 278861529

BIDS OPENED JUNE 16, 2009
CONTRACT EXECUTION JUL 09 2009

BARNHILL CONTRACTING COMPANY (3516).

Vendor 1 of 1 Vendor for Call Order 006 (Proposal ID C202356).

County: SAMPSON
Address: PO BOX 1509
TARBORO, NC 27886

Phone Number: 1-252-823-1021

Signature Check: This bid has been properly signed by KERMIT_L._MOSER_3516.

Time Bid Received: Tue Jun 16 09:17:01 2009

Bid Checksum: 1CDD73DC

Amendment Count: 0

Bidding Errors: No bidding errors.

Bid Total: \$2,250,705.37 ✓

Bond ID: 21QA-EL5H-41R1-XF1R

Bond was Verified: Yes.

Bond Required Percent: 5.00%

Minimum Check Amount: \$112,535.27

Bid Security Maximum: \$

Bond Agency Name:

Agency Execution Date: 6/16/2009

Surety Name: Travelers Casualty and Surety Company of Ame

urety State of Incorporation:

Bond Company:

Bond Type:

Bond Appr Flag:

Bond Affirm:

Bond was Paid by Check: No.

MBE GOAL SET- 3.0%

MBE GOAL MET- 3.17%

WBE GOAL SET- 3.0%

WBE GOAL MET- 4.0%

LIST OF MBE PARTICIPANTS

VENDOR NUMBER	DBE NAME ADDRESS	WORK CODE TYPE OF WORK	CERT TYPE AMOUNT
2676	PAUL D. WILLIAMS DBA PAUL D. WI POST OFFICE BOX 1385 , DUNN, NC 28335		Sub 70,000.00
TOTAL:			\$70,000.00 3.11%

LIST OF WBE PARTICIPANTS

VENDOR NUMBER	DBE NAME ADDRESS	WORK CODE TYPE OF WORK	CERT TYPE AMOUNT
2429	AMERICAN SWEEP & STRIPE INC 7189 STONEY POINT ROAD , FAYETTEVILLE, NC 28306		Sub 89,753.07
TOTAL:			\$89,753.07 3.99%

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:
=====

NCDOT/berc

Vendor 3516's Load Output for Call 006, Letting L090616, 2009-06-16

BondID: 21QA-EL5H-41R1-XF1R
Surety Registry Agency: SurePathNetwork
Verified?: Yes
Surety Agency: Travelers Casualty and Surety Company of America
Bond Execution Date: 6/16/2009
Bond Amount: \$112,535.27 (Five Percent of Bid)

State of NC
 Dept of Transportation

Date: 05-20-09
 Revised:

Contract ID: C202356 Project(s): STATE FUNDED
 Letting Date: 06-16-09 Call Order: 006
 Bidder: 3516 - BARNHILL CONTRACTING COMPANY

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	37,000.00
0002	0036000000-E UNDERCUT EXCAVATION	25.000 CY	25.00000	625.00
0003	0106000000-E BORROW EXCAVATION	4,446.000 CY	11.00000	48,906.00
0004	0318000000-E FOUNDATION CONDITIONING MATE- RIAL, MINOR STRS	50.000 TON	26.00000	1,300.00
0005	0378000000-E 24" RC PIPE CULVERTS, CLASS III	100.000 LF	84.00000	8,400.00
0006	0384000000-E 30" RC PIPE CULVERTS, CLASS III	50.000 LF	100.00000	5,000.00
0007	0390000000-E 36" RC PIPE CULVERTS, CLASS III	50.000 LF	110.00000	5,500.00
0008	0396000000-E 42" RC PIPE CULVERTS, CLASS III	50.000 LF	128.00000	6,400.00
0009	1220000000-E INCIDENTAL STONE BASE	200.000 TON	30.00000	6,000.00
0010	1245000000-E SHOULDER RECONSTRUCTION	13.680 SMI	2,500.00000	34,200.00
0011	1297000000-E MILLING ASPHALT PAVEMENT, ***"DEPTH (1-1/2")	6,559.000 SY	1.60000	10,494.40

State of NC
Dept of Transportation

Date: 05-20-09
Revised:

Contract ID: C202356 Project(s): STATE FUNDED
Letting Date: 06-16-09 Call Order: 006
Bidder: 3516 - BARNHILL CONTRACTING COMPANY

Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
0012	1297000000-E MILLING ASPHALT PAVEMENT, ***"DEPTH (2-1/2")	92,294.000 SY	1.15000		106,138.10	
0013	1297000000-E MILLING ASPHALT PAVEMENT, ***"DEPTH (4")	5,914.000 SY	3.00000		17,742.00	
0014	1330000000-E INCIDENTAL MILLING	372.000 SY	14.00000		5,208.00	
0015	1491000000-E ASPHALT CONC BASE COURSE, TYPE B25.0C	6,170.000 TON	45.50000		280,735.00	
0016	1503000000-E ASPHALT CONC INTERMEDIATE COURSE, TYPE I19.0C	15,530.000 TON	34.00000		528,020.00	
0017	1523000000-E ASPHALT CONC SURFACE COURSE, TYPE S9.5C	11,336.000 TON	33.00000		374,088.00	
0018	1560000000-E ASPHALT BINDER FOR PLANT MIX, GRADE PG 64-22	994.000 TON	374.80000		372,551.20	
0019	1565000000-E ASPHALT BINDER FOR PLANT MIX, GRADE PG 70-22	646.000 TON	390.85000		252,489.10	
0020	1880000000-E GENERIC PAVING ITEM PATCH EXISTING PAVEMENT (FULL DEPTH)	50.000 TON	180.00000		9,000.00	
0021	1880000000-E GENERIC PAVING ITEM PATCH EXISTING PAVEMENT (MILL)	100.000 TON	130.00000		13,000.00	
0022	4685000000-E THERMOPLASTIC PAVEMENT MARKING LINES (4", 90 MILS)	78,356.000 LF	0.36000		28,208.16	

State of NC
Dept of Transportation

Date: 05-20-09
Revised:

Contract ID: C202356 Project(s): STATE FUNDED
Letting Date: 06-16-09 Call Order: 006
Bidder: 3516 - BARNHILL CONTRACTING COMPANY

Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
0023	4686000000-E THERMOPLAST IC PAVEMENT MARKING LINES (4", 120 MILS)	54,326.000 LF	0.46000		24,989.96	
0024	4695000000-E THERMOPLAST IC PAVEMENT MARKING LINES (8", 90 MILS)	425.000 LF	4.25000		1,806.25	
0025	4710000000-E THERMOPLAST IC PAVEMENT MARKING LINES (24", 120 MILS)	100.000 LF	5.00000		500.00	
0026	4721000000-E THERMOPLAST IC PAVEMENT MARKING CHARACTER (120 MILS)	12.000 EA	75.00000		900.00	
0027	4725000000-E THERMOPLAST IC PAVEMENT MARKING SYMBOL (90 MILS)	7.000 EA	125.00000		875.00	
0028	4810000000-E PAINT PAVEMENT MARKING LINES (4")	131,987.000 LF	0.10000		13,198.70	
0029	4820000000-E PAINT PAVEMENT MARKING LINES (8")	425.000 LF	2.00000		850.00	
0030	4835000000-E PAINT PAVEMENT MARKING LINES (24")	100.000 LF	3.00000		300.00	
0031	4840000000-N PAINT PAVEMENT MARKING CHARAC-TER	12.000 EA	45.00000		540.00	
0032	4845000000-N PAINT PAVEMENT MARKING SYMBOL	7.000 EA	35.00000		245.00	
0033	4905000000-N SNOWPLOWABLE PAVEMENT MARKERS	578.000 EA	30.00000		17,340.00	

State of NC
Dept of Transportation

Date: 05-20-09
Revised:

Contract ID: C202356 Project(s): STATE FUNDED
Letting Date: 06-16-09 Call Order: 006
Bidder: 3516 - BARNHILL CONTRACTING COMPANY

Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
0034	6000000000-E TEMPORARY SILT FENCE	777.000 LF	2.75000		2,136.75	
0035	6009000000-E STONE FOR EROSION CONTROL, CLASS B	194.000 TON	40.00000		7,760.00	
0036	6012000000-E SEDIMENT CONTROL STONE	194.000 TON	32.00000		6,208.00	
0037	6015000000-E TEMPORARY MULCHING	8.000 ACR	550.00000		4,400.00	
0038	6018000000-E SEED FOR TEMPORARY SEEDING	391.000 LB	3.50000		1,368.50	
0039	6021000000-E FERTILIZER FOR TEMPORARY SEED-ING	2.000 TON	1,500.00000		3,000.00	
0040	6036000000-E MATTING FOR EROSION CONTROL	100.000 SY	2.10000		210.00	
0041	6042000000-E 1/4" HARDWARE CLOTH	389.000 LF	3.25000		1,264.25	
0042	6084000000-E SEEDING & MULCHING	8.000 ACR	1,476.00000		11,808.00	
	Section 0001 Total				2,250,705.37	
	Bid Total				2,250,705.37	

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
MBE COMMITMENT ITEMS

DATE: 05-20-09
PAGE: 7

PROPOSAL: C202356
LETTING: L090616 CALL: 006
VENDOR: 3516 BARNHILL CONTRACTING COMPANY

LINE NO.	ITEM NO.	ITEM DESC.	UNIT TYPE	SUBCONTRACTOR QUANTITY	SUBCONTRACTOR UNIT PRICE	EXTENDED AMOUNT
0016	1503000000-E	ASP CONC INT	TON	8000.000	5.00000	40000.00
0017	1523000000-E	ASP CONC SUR	TON	4000.000	5.00000	20000.00
		Stockpile Plant				
0015	1491000000-E	ASP CONC BAS	TON	2000.000	5.00000	10000.00

MBE COMMITMENT TOTAL FOR SUBCONTRACTOR: 70,000.00 *ARM*

TOTAL MBE COMMITMENT FOR VENDOR: Entered: 3.11% or 70000.00
Required: 3.00% or 67521.16
<GOAL MET>

NORTH CAROLINA STATE DEPARTMENT OF TRANSPORTATION
WBE COMMITMENT ITEMS

DATE: 05-20-09
PAGE: 8

PROPOSAL: C202356
LETTING: L090616 CALL: 006
VENDOR: 3516 BARNHILL CONTRACTING COMPANY

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

WBE SUBCONTRACTOR: 2429 AMERICAN SWEEP & STRIPE INC						
Will Use Quote: Yes						
0022	4685000000-E	THERMO PVT M LF		78356.000	0.36000	28208.16
0023	4686000000-E	THERMO PVT M LF		54326.000	0.46000	24989.96
0024	4695000000-E	THERMO PVT M LF		425.000	4.25000	1806.25
0025	4710000000-E	24"WIDE THER LF		100.000	5.00000	500.00
0026	4721000000-E	THERMO PVT M EA		12.000	75.00000	900.00
0027	4725000000-E	THERMO PVT S EA		7.000	125.00000	875.00
0028	4810000000-E	PAINT PVMT M LF		131987.000	0.10000	13198.70
0029	4820000000-E	PAINT PVMT M LF		425.000	2.00000	850.00
0030	4835000000-E	PAINT PVT MK LF		100.000	3.00000	300.00
0031	4840000000-N	PAINT PVT MK EA		12.000	45.00000	540.00
0032	4845000000-N	PAINT PVT MK EA		7.000	35.00000	245.00
0033	4905000000-N	SNOWPLB PVMT EA		578.000	30.00000	17340.00

WBE COMMITMENT TOTAL FOR SUBCONTRACTOR:

89,753.07

AAM

TOTAL WBE COMMITMENT FOR VENDOR:

Entered: 3.99% or 89753.07
Required: 3.00% or 67521.16
<GOAL MET>

Contract Item Sheets For C202356

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
ROADWAY ITEMS						
0001	0000100000-N	800	MOBILIZATION	Lump Sum LS	37,000.00	37,000.00
0002	0036000000-E	225	UNDERCUT EXCAVATION	25 CY	25.00	625.00
0003	0106000000-E	230	BORROW EXCAVATION	4,446 CY	11.00	48,906.00
0004	0318000000-E	300	FOUNDATION CONDITIONING MATERIAL, MINOR STRS	50 TON	26.00	1,300.00
0005	0378000000-E	310	24" RC PIPE CULVERTS, CLASS III	100 LF	84.00	8,400.00
0006	0384000000-E	310	30" RC PIPE CULVERTS, CLASS III	50 LF	100.00	5,000.00
0007	0390000000-E	310	36" RC PIPE CULVERTS, CLASS III	50 LF	110.00	5,500.00
0008	0396000000-E	310	42" RC PIPE CULVERTS, CLASS III	50 LF	128.00	6,400.00
0009	1220000000-E	545	INCIDENTAL STONE BASE	200 TON	30.00	6,000.00
0010	1245000000-E	SP	SHOULDER RECONSTRUCTION	13.68 SMI	2,500.00	34,200.00
0011	1297000000-E	607	MILLING ASPHALT PAVEMENT, **** DEPTH (1-1/2")	6,559 SY	1.60	10,494.40
0012	1297000000-E	607	MILLING ASPHALT PAVEMENT, **** DEPTH (2-1/2")	92,294 SY	1.15	106,138.10
0013	1297000000-E	607	MILLING ASPHALT PAVEMENT, **** DEPTH (4")	5,914 SY	3.00	17,742.00
0014	1330000000-E	607	INCIDENTAL MILLING	372 SY	14.00	5,208.00
0015	1491000000-E	610	ASPHALT CONC BASE COURSE, TYPE B25.OC	6,170 TON	45.50	280,735.00
0016	1503000000-E	610	ASPHALT CONC INTERMEDIATE COURSE, TYPE I19.OC	15,530 TON	34.00	528,020.00

Contract Item Sheets For C202356

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
0017	1523000000-E	610	ASPHALT CONC SURFACE COURSE, TYPE S9.5C	11,336 TON	33.00	374,088.00
0018	1560000000-E	620	ASPHALT BINDER FOR PLANT MIX, GRADE PG 64-22	994 TON	374.80	372,551.20
0019	1565000000-E	620	ASPHALT BINDER FOR PLANT MIX, GRADE PG 70-22	646 TON	390.85	252,489.10
0020	1880000000-E	SP	GENERIC PAVING ITEM PATCH EXISTING PAVEMENT (FULL DEPTH)	50 TON	180.00	9,000.00
0021	1880000000-E	SP	GENERIC PAVING ITEM PATCH EXISTING PAVEMENT (MILL)	100 TON	130.00	13,000.00
0022	4685000000-E	1205	THERMOPLASTIC PAVEMENT MARKING LINES (4", 90 MILS)	78,356 LF	0.36	28,208.16
0023	4686000000-E	1205	THERMOPLASTIC PAVEMENT MARKING LINES (4", 120 MILS)	54,326 LF	0.46	24,989.96
0024	4695000000-E	1205	THERMOPLASTIC PAVEMENT MARKING LINES (8", 90 MILS)	425 LF	4.25	1,806.25
0025	4710000000-E	1205	THERMOPLASTIC PAVEMENT MARKING LINES (24", 120 MILS)	100 LF	5.00	500.00
0026	4721000000-E	1205	THERMOPLASTIC PAVEMENT MARKING CHARACTER (120 MILS)	12 EA	75.00	900.00
0027	4725000000-E	1205	THERMOPLASTIC PAVEMENT MARKING SYMBOL (90 MILS)	7 EA	125.00	875.00
0028	4810000000-E	1205	PAINT PAVEMENT MARKING LINES (4")	131,987 LF	0.10	13,198.70
0029	4820000000-E	1205	PAINT PAVEMENT MARKING LINES (8")	425 LF	2.00	850.00
0030	4835000000-E	1205	PAINT PAVEMENT MARKING LINES (24")	100 LF	3.00	300.00
0031	4840000000-N	1205	PAINT PAVEMENT MARKING CHARAC- TER	12 EA	45.00	540.00
0032	4845000000-N	1205	PAINT PAVEMENT MARKING SYMBOL	7 EA	35.00	245.00

Contract Item Sheets For C202356

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
0033	4905000000-N	1253	SNOWPLOWABLE PAVEMENT MARKERS	578 EA	30.00	17,340.00
0034	6000000000-E	1605	TEMPORARY SILT FENCE	777 LF	2.75	2,136.75
0035	6009000000-E	1610	STONE FOR EROSION CONTROL, CLASS B	194 TON	40.00	7,760.00
0036	6012000000-E	1610	SEDIMENT CONTROL STONE	194 TON	32.00	6,208.00
0037	6015000000-E	1615	TEMPORARY MULCHING	8 ACR	550.00	4,400.00
0038	6018000000-E	1620	SEED FOR TEMPORARY SEEDING	391 LB	3.50	1,368.50
0039	6021000000-E	1620	FERTILIZER FOR TEMPORARY SEED- ING	2 TON	1,500.00	3,000.00
0040	6036000000-E	1631	MATTING FOR EROSION CONTROL	100 SY	2.10	210.00
0041	6042000000-E	1632	1/4" HARDWARE CLOTH	389 LF	3.25	1,264.25
0042	6084000000-E	1660	SEEDING & MULCHING	8 ACR	1,476.00	11,808.00

TOTAL AMOUNT OF BID FOR ENTIRE PROJECT

\$2,250,705.37

Contract Number C202356
County Sampson

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.

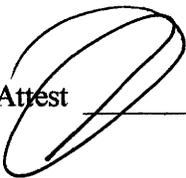
SIGNATURE OF CONTRACTOR

Barnhill Contracting Company

Full name of Corporation

P.O. Box 1529, Tarboro, NC 27886

Address as Prequalified

Attest 

Secretary/Assistant Secretary
Select appropriate title

George R. Yourgal

Print or type Signer's name

By 

President/Vice President/Assistant Vice President
Select appropriate title

Kermit L. Moser

Print or type Signer's name



AFFIDAVIT MUST BE NOTARIZED

NOTARY SEAL

Subscribed and sworn to before me this the

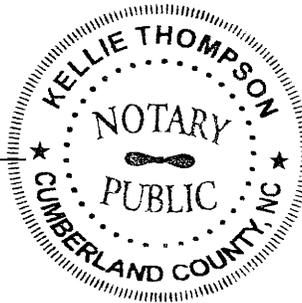
26th day of June 2009

Kellie Thompson
Signature of Notary Public

of Cumberland County

State of North Carolina

My Commission Expires: 9/22/2012



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 **C202356**

County (ies): **Sampson County**

ACCEPTED BY THE
DEPARTMENT OF TRANSPORTATION



Contract Officer



Date

Execution of Contract and Bonds
Approved as to Form:



Attorney General

Contract No. C202356
County Sampson

(Rev 7-10-08)

Bond No. 105276795

CONTRACT PAYMENT BOND

Date of Payment Bond Execution June 29, 2009

Name of Principal Contractor Barnhill Contracting Company

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: \$2,250,705.37

Contract ID No.: C202356

County Name: Sampson

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. C202356
County Sampson

(Rev 7-10-08)

CONTRACT PAYMENT BOND

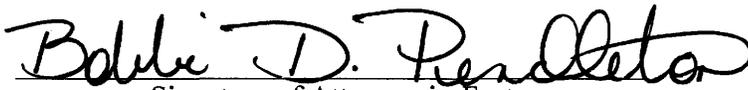
Affix Seal of Surety Company

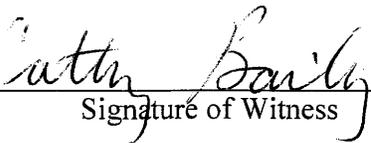
Travelers Casualty and Surety Company of America

Print or type Surety Company Name

By Bobbi D. Pendleton

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


Signature of Attorney-in-Fact


Signature of Witness

Cathy Bailey

Print or type Witness's name

4000 CentreGreen Way Suite 250, Cary, NC 27513

Address of Attorney-in-Fact

Contract No. C202356
County Sampson

(Rev 7-10-08)

**CONTRACT PAYMENT BOND
CORPORATION**

SIGNATURE OF CONTRACTOR (Principal)

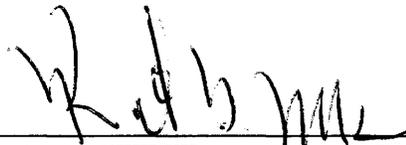
Barnhill Contracting Company

Full name of Corporation

P.O. Box 1529, Tarboro, NC 27886-1529

Address as prequalified

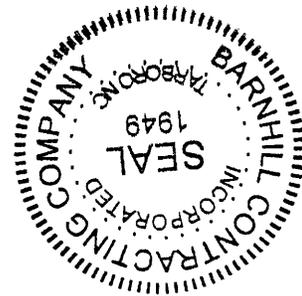
By


Signature of ~~Kermit L. Moser~~, Vice President, ~~Assistant Vice President~~
Select appropriate title

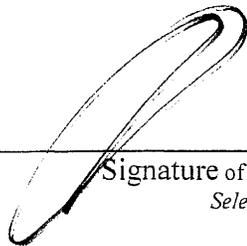
KERMIT L. MOSER

Print or type Signer's name

Affix Corporate Seal



Attest



Signature of ~~George R. Yourgal~~, Assistant Secretary
Select appropriate title

GEORGE R. YOURGAL

Print or type Signer's name

Contract No. C202356
County Sampson

(Rev 7-10-08)

Bond No. 105276795

CONTRACT PERFORMANCE BOND

Date of Performance Bond Execution: June 29, 2009
Name of Principal Contractor: Barnhill Contracting Company
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: \$2,250,705.37
Contract ID No.: C202356
County Name: Sampson

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. C202356
County Sampson

(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 Bobbi D. Pendleton

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

Bobbi D. Pendleton

Signature of Attorney-in-Fact

Cathy Bailey

Signature of Witness

Cathy Bailey

Print or type Witness's name

4000 CentreGreen Way Suite 250, Cary, NC 27513

Address of Attorney-in-Fact

Contract No. C202356
County Sampson

(Rev 7-10-08)

**CONTRACT PERFORMANCE BOND
CORPORATION**

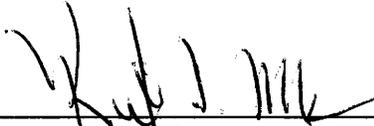
SIGNATURE OF CONTRACTOR (Principal)

Barnhill Contracting Company

Full name of Corporation

P.O. Box 1529, Tarboro, NC 27886

Address as prequalified

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

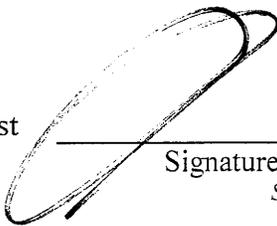
KERMIT L. MOSER

Print or type Signer's name

Affix Corporate Seal



Attest



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

GEORGE R. YUGAL

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. 221075

Certificate No. 002924628

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

Bobbi D. Pendleton, Suzanne R. Parker, Lucien P. Laborde, and Cathy F. Bailey

of the City of Cary, 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 7th day of April, 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 7th day of April, 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 29 day of June, 2009


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. Please refer to the Attorney-In-Fact number, the above-named individuals and the details of the bond to which the power is attached.