

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

C202170

CONTRACT AND
CONTRACT BONDS
FOR CONTRACT NO. C202170

WBS 33759.3.1 BRZ-1137(3)

T.I.P. NO. B-4545

COUNTY OF HENDERSON
THIS IS THE ROADWAY & CULVERT CONTRACT
ROUTE NUMBER SR 1137 LENGTH 0.046 MILES
LOCATION BRIDGE OVER MUD CREEK AND APPROACHES ON SR-1137.

CONTRACTOR TENNOCA CONSTRUCTION CO., INC.
ADDRESS P.O. BOX 2379
CANDLER, NC 287152379

BIDS OPENED SEPTEMBER 15, 2009
CONTRACT EXECUTION OCT 16 2009

NCDOT/berc

Vendor 3181's Bid Information for Call 018, Letting L090915, 2009-09-15

Tennoca Construction Company (3181).

Vendor 2 of 11 Vendors for Call Order 018 (Proposal ID C202170).

DBE GOAL SET 6.0%
DBE GOAL MET 8.5%

County: HENDERSON
Address: 1575 Smokey Park Highway
PO Box 2379
Candler, NC 28715

Phone Number: 8286658331

Signature Check: This bid has been properly signed by Bradley_Valdo_Goodson_3181.

Time Bid Received: Tue Sep 15 13:42:28 2009

Bid Checksum: 43A59AFC

Amendment Count: 0

Bidding Errors: No bidding errors

Bid Total: \$223,332.35 ✓

Bond ID: SNC09469000

Bond was Verified: Yes.

Bond Required Percent: 5.00%

Minimum Check Amount: \$11,166.62

Bid Security Maximum: \$

Bond Agency Name:

Agency Execution Date: 9/14/2009 9:35:11 AM

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.

LIST OF DBE PARTICIPANTS

VENDOR NUMBER	DBE NAME ADDRESS	WORK CODE TYPE OF WORK	CERT TYPE AMOUNT
3376	WB REYNOLDS FENCE & GUARDRAIL INC 9320 MACHADO DRIVE , INDIAN TRAIL, NC 28079		Sub 18,925.00
TOTAL:			\$18,925.00 8.47%

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:

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BondID: SNC09469000
Surety Registry Agency: surety2000
Verified?: Yes
Surety Agency: Travelers Casualty and Surety Company of America
Bond Execution Date: 9/14/2009 9:35:11 AM
Bond Amount: \$11,166.62 (Five Percent of Bid)

State of NC
Dept of Transportation

Date: 08-17-09
Revised:

Contract ID: C202170 Project(s): BRZ-1137(3)
Letting Date: 09-15-09 Call Order: 018
Bidder: 3181 - Tennoca Construction Company

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 MOBILIZATION	LUMP	LUMP			6,000.00
0002	0043000000-N GRADING	LUMP	LUMP			12,900.00
0003	0050000000-E SUPPLEMENTARY CLEARING & GRUB-BING	ACR 1.000	1.00000			1.00
0004	0057000000-E UNDERCUT EXCAVATION	CY 200.000	5.00000			1,000.00
0005	0080000000-E CLASS IV SUBGRADE STABILIZATION	TON 100.000	22.00000			2,200.00
0006	0195000000-E SELECT GRANULAR MATERIAL	CY 100.000	40.00000			4,000.00
0007	0196000000-E FABRIC FOR SOIL STABILIZATION	SY 100.000	3.00000			300.00
0008	1121000000-E AGGREGATE BASE COURSE	TON 216.000	22.00000			4,752.00
0009	1220000000-E INCIDENTAL STONE BASE	TON 100.000	22.00000			2,200.00
0010	2022000000-E SUBDRAIN EXCAVATION	CY 22.400	1.00000			22.40
0011	2033000000-E SUBDRAIN FINE AGGREGATE	CY 16.800	37.00000			621.60

State of NC
Dept of Transportation

Date: 08-17-09
Revised:

Contract ID: C202170 Project(s): BRZ-1137(3)
Letting Date: 09-15-09 Call Order: 018
Bidder: 3181 - Tennoca Construction Company

Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
0012	2044000000-E 6" PERFORATED SUBDRAIN PIPE	100.000 LF	9.00000		900.00	
0013	2055000000-E 6" SUBDRAIN PIPE WYES, TEES, & ELBOWS	3.000 EA	14.00000		42.00	
0014	2066000000-N CONCRETE PAD FOR SUBDRAIN PIPE OUTLET	1.000 EA	120.00000		120.00	
0015	2077000000-E 6" OUTLET PIPE (SUBDRAINS)	6.000 LF	12.00000		72.00	
0016	3435000000-N GENERIC GUARDRAIL ITEM PAINTED ADDITIONAL GUARDRAIL POSTS	5.000 EA	128.75000		643.75	
0017	3435000000-N GENERIC GUARDRAIL ITEM PAINTED GR ANCHOR UNIT, TYPE III SHOP CURVE	1.000 EA	3,090.00000		3,090.00	
0018	3435000000-N GENERIC GUARDRAIL ITEM PAINTED GR ANCHOR UNIT, TYPE 350	2.000 EA	4,635.00000		9,270.00	
0019	3435000000-N GENERIC GUARDRAIL ITEM PAINTED GR ANCHOR UNIT, TYPE III	2.000 EA	2,575.00000		5,150.00	
0020	3435000000-N GENERIC GUARDRAIL ITEM PAINTED GR ANCHOR UNIT, TYPE AT-1	1.000 EA	1,339.00000		1,339.00	
0021	3656000000-E FILTER FABRIC FOR DRAINAGE	600.000 SY	2.50000		1,500.00	
0022	4400000000-E WORK ZONE SIGNS (STATIONARY)	98.000 SF	4.75000		465.50	

State of NC
Dept of Transportation

Date: 08-17-09
Revised:

Contract ID: C202170 Project(s): BRZ-1137(3)
Letting Date: 09-15-09 Call Order: 018
Bidder: 3181 - Tennoca Construction Company

Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
0023	4410000000-E WORK ZONE SIGNS (BARRICADE MOUNTED)	SF 89.000	5.40000		480.60	
0024	4445000000-E BARRICADES (TYPE III)	LF 64.000	21.00000		1,344.00	
0025	6000000000-E TEMPORARY SILT FENCE	LF 400.000	3.00000		1,200.00	
0026	6006000000-E STONE FOR EROSION CONTROL, CLASS A	TON 250.000	33.00000		8,250.00	
0027	6009000000-E STONE FOR EROSION CONTROL, CLASS B	TON 50.000	33.00000		1,650.00	
0028	6012000000-E SEDIMENT CONTROL STONE	TON 100.000	33.00000		3,300.00	
0029	6015000000-E TEMPORARY MULCHING	ACR 0.500	950.00000		475.00	
0030	6018000000-E SEED FOR TEMPORARY SEEDING	LB 50.000	8.00000		400.00	
0031	6021000000-E FERTILIZER FOR TEMPORARY SEED-ING	TON 0.250	2,500.00000		625.00	
0032	6029000000-E SAFETY FENCE	LF 325.000	3.00000		975.00	
0033	6030000000-E SILT EXCAVATION	CY 70.000	3.00000		210.00	
0034	6036000000-E MATTING FOR EROSION CONTROL	SY 500.000	3.00000		1,500.00	

State of NC
Dept of Transportation

Date: 08-17-09
Revised:

Contract ID: C202170 Project(s): BRZ-1137(3)
Letting Date: 09-15-09 Call Order: 018
Bidder: 3181 - Tennoca Construction Company

Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
0035	6042000000-E 1/4" HARDWARE CLOTH	115.000 LF	3.00000		345.00	
0036	6070000000-N SPECIAL STILLING BASINS	2.000 EA	375.00000		750.00	
0037	6071010000-E WATTLE	15.000 LF	5.00000		75.00	
0038	6071020000-E POLYACRYLAMIDE (PAM)	5.000 LB	9.00000		45.00	
0039	6084000000-E SEEDING & MULCHING	0.500 ACR	3,500.00000		1,750.00	
0040	6087000000-E MOWING	0.500 ACR	50.00000		25.00	
0041	6090000000-E SEED FOR REPAIR SEEDING	50.000 LB	12.00000		600.00	
0042	6093000000-E FERTILIZER FOR REPAIR SEEDING	0.250 TON	2,750.00000		687.50	
0043	6096000000-E SEED FOR SUPPLEMENTAL SEEDING	50.000 LB	7.00000		350.00	
0044	6108000000-E FERTILIZER TOPDRESSING	0.250 TON	2,200.00000		550.00	
0045	6111000000-E IMPERVIOUS DIKE	125.000 LF	12.00000		1,500.00	
0046	6114000000-N SPECIALIZED HAND MOWING	5.000 HR	50.00000		250.00	

State of NC
Dept of Transportation

Date: 08-17-09
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Contract ID: C202170 Project(s): BRZ-1137(3)
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Bidder: 3181 - Tennoca Construction Company

Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
0047	6117000000-N RESPONSE FOR EROSION CONTROL	EA 12.000	75.00000		900.00	
Section 0001 Total						84,826.35
Section 0002 CULVERT ITEMS						
Alt Group						
0048	8035000000-N REMOVAL OF EXISTING STRUCTURE AT STATION ***** (10+45.40-L-)	LUMP	LUMP		7,000.00	
0049	8196000000-E CLASS A CONCRETE (CULVERT)	CY 31.000	1,200.00000		37,200.00	
0050	8590000000-E RIP RAP, CLASS ** (I)	TON 32.000	33.00000		1,056.00	
0051	8804000000-N GENERIC CULVERT ITEM PRECAST REINF CONC THREE-SIDED CULVERT AT STA 10+45.40 -L-	LUMP	LUMP		77,000.00	
0052	8821000000-E GENERIC CULVERT ITEM ARCHITECTURAL CONCRETE SURFACE TREATMENT	SF 1,250.000	13.00000		16,250.00	
Section 0002 Total						138,506.00
Bid Total						223,332.35 ✓

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:08-17-09
PAGE: 8

PROPOSAL: C202170
LETTING: L090915 CALL: 018
VENDOR: 3181 Tennoca Construction Company

LINE NO.	ITEM NO.	ITEM DESC.	UNIT TYPE	SUBCONTRACTOR QUANTITY	SUBCONTRACTOR UNIT PRICE	EXTENDED AMOUNT
DBE SUBCONTRACTOR: 3376 REYNOLDS FENCE & GUARDRAIL INC						
Will Use Quote: Yes						
0016	3435000000-N	GENERIC GUAR	EA	5.000	125.00000	625.00
0017	3435000000-N	GENERIC GUAR	EA	1.000	3000.00000	3000.00
0018	3435000000-N	GENERIC GUAR	EA	2.000	4500.00000	9000.00
0019	3435000000-N	GENERIC GUAR	EA	2.000	2500.00000	5000.00
0020	3435000000-N	GENERIC GUAR	EA	1.000	1300.00000	1300.00

DBE COMMITMENT TOTAL FOR SUBCONTRACTOR: 18,925.00 *VARM*
DBE COMMITMENT TOTAL FOR VENDOR (SubContractor) 18,925.

TOTAL DBE COMMITMENT FOR VENDOR: Entered: 8.47% or 18925.00
Required: 6.00% or 13399.94
<GOAL MET>

Contract Item Sheets For C202170

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
ROADWAY ITEMS						
0001	0000100000-N	800	MOBILIZATION	Lump Sum LS	6,000.00	6,000.00
0002	0043000000-N	226	GRADING	Lump Sum LS	12,900.00	12,900.00
0003	0050000000-E	226	SUPPLEMENTARY CLEARING & GRUB- BING	1 ACR	1.00	1.00
0004	0057000000-E	226	UNDERCUT EXCAVATION	200 CY	5.00	1,000.00
0005	0080000000-E	SP	CLASS IV SUBGRADE STABILIZA- TION	100 TON	22.00	2,200.00
0006	0195000000-E	265	SELECT GRANULAR MATERIAL	100 CY	40.00	4,000.00
0007	0196000000-E	270	FABRIC FOR SOIL STABILIZATION	100 SY	3.00	300.00
0008	1121000000-E	520	AGGREGATE BASE COURSE	216 TON	22.00	4,752.00
0009	1220000000-E	545	INCIDENTAL STONE BASE	100 TON	22.00	2,200.00
0010	2022000000-E	815	SUBDRAIN EXCAVATION	22.4 CY	1.00	22.40
0011	2033000000-E	815	SUBDRAIN FINE AGGREGATE	16.8 CY	37.00	621.60
0012	2044000000-E	815	6" PERFORATED SUBDRAIN PIPE	100 LF	9.00	900.00
0013	2055000000-E	815	6" SUBDRAIN PIPE WYES, TEES, & ELBOWS	3 EA	14.00	42.00
0014	2066000000-N	815	CONCRETE PAD FOR SUBDRAIN PIPE OUTLET	1 EA	120.00	120.00
0015	2077000000-E	815	6" OUTLET PIPE (SUBDRAINS)	6 LF	12.00	72.00
0016	3435000000-N	SP	GENERIC GUARDRAIL ITEM PAINTED ADDITIONAL GUARDRAIL POSTS	5 EA	128.75	643.75
0017	3435000000-N	SP	GENERIC GUARDRAIL ITEM PAINTED GR ANCHOR UNIT, TYPE III SHOP CURVE	1 EA	3,090.00	3,090.00
0018	3435000000-N	SP	GENERIC GUARDRAIL ITEM PAINTED GR ANCHOR UNIT, TYPE 350	2 EA	4,635.00	9,270.00

Contract Item Sheets For C202170

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
0019	3435000000-N	SP	GENERIC GUARDRAIL ITEM PAINTED GR ANCHOR UNIT, TYPE III	2 EA	2,575.00	5,150.00
0020	3435000000-N	SP	GENERIC GUARDRAIL ITEM PAINTED GR ANCHOR UNIT,TYPE AT-1	1 EA	1,339.00	1,339.00
0021	3656000000-E	876	FILTER FABRIC FOR DRAINAGE	600 SY	2.50	1,500.00
0022	4400000000-E	1110	WORK ZONE SIGNS (STATIONARY)	98 SF	4.75	465.50
0023	4410000000-E	1110	WORK ZONE SIGNS (BARRICADE MOUNTED)	89 SF	5.40	480.60
0024	4445000000-E	1145	BARRICADES (TYPE III)	64 LF	21.00	1,344.00
0025	6000000000-E	1605	TEMPORARY SILT FENCE	400 LF	3.00	1,200.00
0026	6006000000-E	1610	STONE FOR EROSION CONTROL, CLASS A	250 TON	33.00	8,250.00
0027	6009000000-E	1610	STONE FOR EROSION CONTROL, CLASS B	50 TON	33.00	1,650.00
0028	6012000000-E	1610	SEDIMENT CONTROL STONE	100 TON	33.00	3,300.00
0029	6015000000-E	1615	TEMPORARY MULCHING	0.5 ACR	950.00	475.00
0030	6018000000-E	1620	SEED FOR TEMPORARY SEEDING	50 LB	8.00	400.00
0031	6021000000-E	1620	FERTILIZER FOR TEMPORARY SEED- ING	0.25 TON	2,500.00	625.00
0032	6029000000-E	SP	SAFETY FENCE	325 LF	3.00	975.00
0033	6030000000-E	1630	SILT EXCAVATION	70 CY	3.00	210.00
0034	6036000000-E	1631	MATTING FOR EROSION CONTROL	500 SY	3.00	1,500.00
0035	6042000000-E	1632	1/4" HARDWARE CLOTH	115 LF	3.00	345.00
0036	6070000000-N	SP	SPECIAL STILLING BASINS	2 EA	375.00	750.00

Contract Item Sheets For C202170

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
0037	6071010000-E	SP	WATTLE	15 LF	5.00	75.00
0038	6071020000-E	SP	POLYACRYLAMIDE (PAM)	5 LB	9.00	45.00
0039	6084000000-E	1660	SEEDING & MULCHING	0.5 ACR	3,500.00	1,750.00
0040	6087000000-E	1660	MOWING	0.5 ACR	50.00	25.00
0041	6090000000-E	1661	SEED FOR REPAIR SEEDING	50 LB	12.00	600.00
0042	6093000000-E	1661	FERTILIZER FOR REPAIR SEEDING	0.25 TON	2,750.00	687.50
0043	6096000000-E	1662	SEED FOR SUPPLEMENTAL SEEDING	50 LB	7.00	350.00
0044	6108000000-E	1665	FERTILIZER TOPDRESSING	0.25 TON	2,200.00	550.00
0045	6111000000-E	SP	IMPERVIOUS DIKE	125 LF	12.00	1,500.00
0046	6114000000-N	SP	SPECIALIZED HAND MOWING	5 HR	50.00	250.00
0047	6117000000-N	SP	RESPONSE FOR EROSION CONTROL	12 EA	75.00	900.00

Contract Item Sheets For C202170

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
0048	8035000000-N	402	REMOVAL OF EXISTING STRUCTURE AT STATION ***** (10+45.40-L-)	Lump Sum LS	7,000.00	7,000.00
0049	8196000000-E	420	CLASS A CONCRETE (CULVERT)	31 CY	1,200.00	37,200.00
0050	8590000000-E	876	RIP RAP, CLASS ** (I)	32 TON	33.00	1,056.00
0051	8804000000-N	SP	GENERIC CULVERT ITEM PRECAST REINF CONC THREE-SIDED CULVERT AT STA 10+45.40 -L-	Lump Sum LS	77,000.00	77,000.00
0052	8821000000-E	SP	GENERIC CULVERT ITEM ARCHITECTURAL CONCRETE SURFACE TREATMENT	1,250 SF	13.00	16,250.00

TOTAL AMOUNT OF BID FOR ENTIRE PROJECT

\$223,332.35 ✓

**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

Tennoca Construction Company

Full name of Corporation

P. O. Box 2379, Candler, NC 28715

Address as Prequalified

Attest

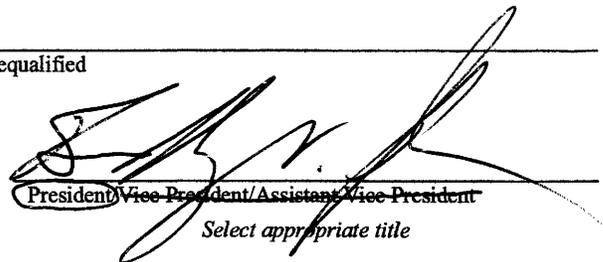


~~Secretary~~ Assistant Secretary
Select appropriate title

Timothy M. Goodson

Print or type Signer's name

By



President ~~Vice President/Assistant Vice President~~
Select appropriate title

Bradley V. Goodson

Print or type Signer's name

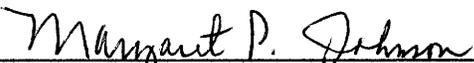
CORPORATE SEAL

AFFIDAVIT MUST BE NOTARIZED

NOTARY SEAL

Subscribed and sworn to before me this the

12th day of October 2009.



Signature of Notary Public

of Buncombe County

State of NC

My Commission Expires: 07.12.2011

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.

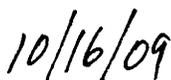
Check here if an explanation is attached to this certification.

Contract No C202170
County (ies): Henderson

ACCEPTED BY THE
DEPARTMENT OF TRANSPORTATION



Contract Officer



Date

Execution of Contract and Bonds
Approved as to Form:



Assistant Attorney General

Contract No. C202170
County Henderson County

(Rev 7-10-08)

CONTRACT PAYMENT BOND

Date of Payment Bond Execution October 12, 2009

Name of Principal Contractor Tennoca Construction Company

Name of Surety: Travelers Casualty & Surety Company of America

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

Amount of Bond: \$223,332.35

Contract ID No.: C202170

Country Name: Henderson County

KNOW ALL MEN BY THESE PRESENTS, That we, the PRINCIPAL CONTRACTOR (hereafter, PRINCIPAL) and SURETY above named, are held and firmly bound unto the above named Contracting Body, hereinafter called the Contracting Body, in the penal sum of the amount stated above for the payment of which sum well and truly to be made, we bind ourselves, our heirs, executors, administrators, and successors, jointly and severally, firmly by these presents.

THE CONDITION OF THIS OBLIGATION IS SUCH, that whereas the principal entered into a certain contract with the Contracting Body, numbered as shown above and hereto attached:

NOW THEREFORE, if the principal shall promptly make payment to all persons supplying labor and material in the prosecution of the work provided for in said contract, and any and all duly authorized modifications of said contract that may hereafter be made, notice of which modifications to the surety being hereby waived, then this obligation to be void; otherwise to remain in full force and virtue.

IN WITNESS WHEREOF, the above-bound parties have executed this instrument under their several seals on the date indicated above, the name and corporate seal of each corporate party being hereto affixed and these presents duly signed by its undersigned representative, pursuant to authority of its governing body.

Contract No. C202170
County Henderson County

(Rev 7-10-08)

**CONTRACT PAYMENT BOND
CORPORATION**

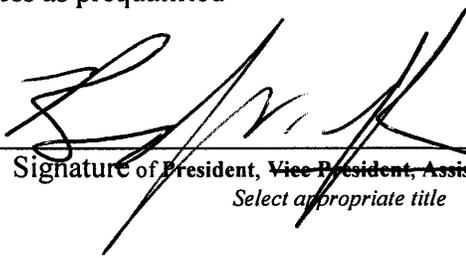
SIGNATURE OF CONTRACTOR (Principal)

Tennoca Construction Company

Full name of Corporation

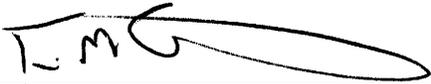
PO Box 2379, Candler, NC 28715

Address as prequalified

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

BRADLEY V. GOODSON
Print or type Signer's name

Affix Corporate Seal

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

TIMOTHY M. GOODSON
Print or type Signer's name

Contract No. C202170
County Henderson County

(Rev 7-10-08)

CONTRACT PERFORMANCE BOND

Date of Performance Bond Execution: October 12, 2009

Name of Principal Contractor: Tennoca Construction 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: \$223,332.35

Contract ID No.: C202170

Country Name: Henderson County

KNOW ALL MEN BY THESE PRESENTS, That we, the PRINCIPAL CONTRACTOR (hereafter, PRINCIPAL) and SURETY above named, are held and firmly bound unto the above named Contracting Body, hereinafter called the Contracting Body, in the penal sum of the amount stated above for the payment of which sum well and truly to be made, we bind ourselves, our heirs, executors, administrators, and successors, jointly and severally, firmly by these presents.

THE CONDITION OF THIS OBLIGATION IS SUCH, that whereas the principal entered into a certain contract with the Contracting Body, numbered as shown above and hereto attached:

NOW THEREFORE, if the principal shall well and truly perform and fulfill all the undertakings, covenants, terms, conditions, and agreements of said contract during the original term of said contract and any extensions thereof that may be granted by the Contracting Body, with or without notice to the Surety, and during the life of any guaranty required under the contract, and shall also well and truly perform and fulfill all the undertakings, covenants, terms, conditions, and agreements of any and all duly authorized modifications of said contract that may hereafter be made, notice of which modifications to the surety being hereby waived, then this obligation to be void; otherwise to remain in full force and virtue.

IN WITNESS WHEREOF, the above-bound parties have executed this instrument under their several seals on the date indicated above, the name and corporate seal of each corporate party being hereto affixed and these presents duly signed by its undersigned representative, pursuant to authority of its governing body.

Contract No. C202170
County Henderson County

(Rev 7-10-08)

CONTRACT PERFORMANCE BOND

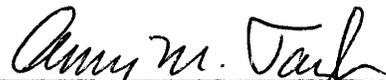
Affix Seal of Surety Company

Travelers Casualty & Surety Company of America

Print or type Surety Company Name

By Amy M. Tayler, Attorney-in-Fact

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



Signature of Attorney-in-Fact



Signature of Witness

Jennifer L. Gordon, CSR

Print or type Witness's name

PO Box 1109, Hendersonville, NC 28793

Address of Attorney-in-Fact

Contract No. C202170
County Henderson County

(Rev 7-10-08)

CONTRACT PERFORMANCE BOND
CORPORATION

SIGNATURE OF CONTRACTOR (Principal)

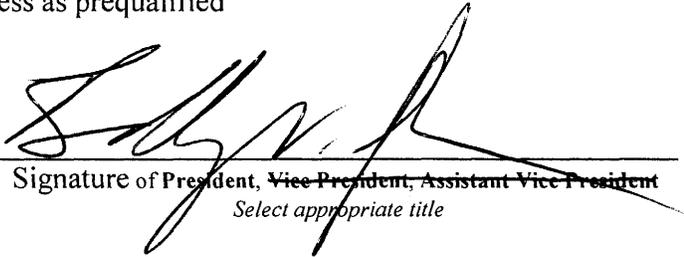
Tennoca Construction Company

Full name of Corporation

PO Box 2379, Candler, NC 28715

Address as prequalified

By



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

BRADLEY V. GOODSON

Print or type Signer's name

Affix Corporate Seal

Attest



Signature of Secretary, Assistant Secretary
Select appropriate title

TIMOTHY M. GOODSON

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. 218853

Certificate No. 001729175

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

Carolyn B. Wilson, David G. Shaffer, Robert L. Cranford, Jennifer L. Gordon, Amy M. Tayler, Joyce C. Biddix, and David Brett Shaffer

of the City of Hendersonville, 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 6th day of July, 2007.

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 6th day of July, 2007, 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

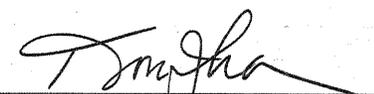
FURTHER RESOLVED, that any bond, recognizance, contract of indemnity, or writing obligatory in the nature of a bond, recognizance, or conditional undertaking shall be valid and binding upon the Company when (a) signed by the President, any Vice Chairman, any Executive Vice President, any Senior Vice 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 12th day of October, 20 09

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


Kori M. Johanson, Assistant Secretary



To verify the authenticity of this Power of Attorney, call 1-800-421-3880 or contact us at www.stpaultravelersbond.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.