

JT Russell Sons Inc (3075).

Vendor 1 of 3 Vendors for Call Order 015 (Proposal ID C202459).

County: STANLY
Address: 1721 US HWY 52 North
Albemarle, NC 28001

Phone Number: 704-982-2225

Signature Check: This bid has been properly signed by atlas_james_russell_3075.

Time Bid Received: Tue Oct 20 12:58:46 2009

Bid Checksum: ACD939C6

Amendment Count: 0

Bidding Errors: This bid contains errors.

Bid Total: \$1,428,717.41 ✓

Bond ID: SNC09700125

Bond was Verified: Yes.

Bond Required Percent: 5.00%

Minimum Check Amount: \$71,435.87

Bid Security Maximum: \$

Bond Agency Name:

Agency Execution Date: 9/29/2009 9:48:47 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.

MBE GOAL SET 4.0%
WBE GOAL SET 4.0%
MBE GOAL MET 5.9%
WBE GOAL OBT 1.9%

LIST OF MBE PARTICIPANTS

VENDOR NUMBER	DBE NAME ADDRESS	WORK CODE TYPE OF WORK	CERT TYPE AMOUNT
1991	MB MCCAIN STRIPING SERVICE, INC. 5711 CRAVEN ROAD , BROWNS SUMMIT, NC 27214		Sub 72,053.79 ✓ ARM
5328	MB JIMENEZ CONSTRUCTION INCORPORAT 3738 OTTINGTON PLACE , CHARLOTTE, NC 28262		Sub 12,681.50 ✓ ARM
TOTAL:			\$84,735.29 ✓ ARM 5.93%

LIST OF WBE PARTICIPANTS

VENDOR NUMBER	DBE NAME ADDRESS	WORK CODE TYPE OF WORK	CERT TYPE AMOUNT
3269	GML CONTRACTORS, INC. P O BOX 702 , MONROE, NC 28111		Sub 22,650.00 ✓ ARM
3765	STAY ALERT SAFETY SERVICES INC POST OFFICE BOX 467 , KERNERSVILLE, NC 27285		Sub 4,900.00 ✓ ARM
5266	NORTH STATE ENVIRONMENTAL, INC 2889 LOWERY ST SUITE B , WINSTON-SALEM, NC 27101		Sub 215.00 ✓ ARM
TOTAL:			\$27,765.00 ✓ ARM 1.94%

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	
NOT ANSWERED	
NOT ANSWERED	
NOT ANSWERED	
NOT ANSWERED	

NCDOT/berc

Vendor 3075's Load Output for Call 015, Letting L091020, 2009-10-20

NOT ANSWERED

Bid Bond Data Info - Contractor Responses:

=====

BondID: SNC09700125
Surety Registry Agency: surety2000
Verified?: Yes
Surety Agency: Travelers Casualty and Surety Company of America
Bond Execution Date: 9/29/2009 9:48:47 AM
Bond Amount: \$71,435.87 (Five Percent of Bid)

State of NC
Dept of Transportation

Date: 09-22-09
Revised:

Contract ID: C202459 Project(s): STATE FUNDED
Letting Date: 10-20-09 Call Order: 015
Bidder: 3075 - JT Russell & Sons Inc

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		51,500.00
0002	1220000000-E INCIDENTAL STONE BASE	TON	469.000	40.00000		18,760.00
0003	1243000000-E SHOULDER CONSTRUCTION	SMI	12.420	3,200.00000		39,744.00
0004	1264000000-E DITCHING	LF	650.000	3.00000		1,950.00
0005	1297000000-E MILLING ASPHALT PAVEMENT, ***"DEPTH (1-1/2")	SY	39,611.000	1.09000		43,175.99
0006	1330000000-E INCIDENTAL MILLING	SY	440.000	5.00000		2,200.00
0007	1489000000-E ASPHALT CONC BASE COURSE, TYPE B25.0B	TON	4,834.000	39.72000		192,006.48
0008	1519000000-E ASPHALT CONC SURFACE COURSE, TYPE S9.5B	TON	10,365.000	31.21000		323,491.65
0009	1520000000-E ASPHALT CONC SURFACE COURSE, TYPE S9.5B (LEVELING COURSE)	TON	1,500.000	40.00000		60,000.00
0010	1560000000-E ASPHALT BINDER FOR PLANT MIX, GRADE PG 64-22	TON	928.000	408.00000		378,624.00

State of NC
Dept of Transportation

Date: 09-22-09
Revised:

Contract ID: C202459 Project(s): STATE FUNDED
Letting Date: 10-20-09 Call Order: 015
Bidder: 3075 - JT Russell & Sons Inc

Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
0011	1704000000-E PATCHING EXISTING PAVEMENT	2,366.000 TON	90.00000		212,940.00	
0012	2600000000-N RETROFIT EXISTING WHEELCHAIR RAMPS	5.000 EA	466.50000		2,332.50	
0013	2605000000-N CONCRETE WHEELCHAIR RAMPS	10.000 EA	784.10000		7,841.00	
0014	2612000000-E 6" CONCRETE DRIVEWAY	66.000 SY	38.00000		2,508.00	
0015	4685000000-E THERMOPLASTIC PAVEMENT MARKING LINES (4", 90 MILS)	68,975.000 LF	0.35000		24,141.25	
0016	4686000000-E THERMOPLASTIC PAVEMENT MARKING LINES (4", 120 MILS)	57,090.000 LF	0.39000		22,265.10	
0017	4702000000-E THERMOPLASTIC PAVEMENT MARKING LINES (12", 120 MILS)	240.000 LF	1.10000		264.00	
0018	4710000000-E THERMOPLASTIC PAVEMENT MARKING LINES (24", 120 MILS)	615.000 LF	4.10000		2,521.50	
0019	4721000000-E THERMOPLASTIC PAVEMENT MARKING CHARACTER (120 MILS)	16.000 EA	100.00000		1,600.00	
0020	4725000000-E THERMOPLASTIC PAVEMENT MARKING SYMBOL (90 MILS)	26.000 EA	100.00000		2,600.00	
0021	4810000000-E PAINT PAVEMENT MARKING LINES (4")	79,662.000 LF	0.12000		9,559.44	

State of NC
Dept of Transportation

Date: 09-22-09
Revised:

Contract ID: C202459 Project(s): STATE FUNDED
Letting Date: 10-20-09 Call Order: 015
Bidder: 3075 - JT Russell & Sons Inc

Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
0022	4835000000-E PAINT PAVEMENT MARKING LINES (24")	LF 100.000	1.00000		100.00	
0023	4840000000-N PAINT PAVEMENT MARKING CHARAC-TER	EA 16.000	35.00000		560.00	
0024	4845000000-N PAINT PAVEMENT MARKING SYMBOL	EA 25.000	35.00000		875.00	
0025	4900000000-N PERMANENT RAISED PAVEMENT MARKERS	EA 650.000	3.95000		2,567.50	
0026	6000000000-E TEMPORARY SILT FENCE	LF 100.000	2.15000		215.00	
0027	6009000000-E STONE FOR EROSION CONTROL, CLASS B	TON 5.000	45.00000		225.00	
0028	6012000000-E SEDIMENT CONTROL STONE	TON 50.000	30.00000		1,500.00	
0029	6084000000-E SEEDING & MULCHING	ACR 15.100	1,500.00000		22,650.00	
	Section 0001 Total				1,428,717.41	
	Bid Total				1,428,717.41	

NON-COLLUSION AND DEBARMENT CERTIFICATION

The bidder certifies that neither he, nor any official, agent or employee of the bidder has entered into any agreement, participated in any collusion, or otherwise taken any action which is in restraint of free competitive bidding in connection with this bid, and that the bidder intends to do the work with its own bonafide employees or subcontractors and is not bidding for the benefit of another contractor. In addition, submitting this electronic bid constitutes the bidder's certification of Status under penalty of perjury under the laws of the United States and in accordance with the Debarment Certification on file with the Department.

By submitting this bid, the bidder certifies to the best of his knowledge and belief that he and his principals:

- a. Are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from covered transactions by any Federal department or agency;
- b. Have not within a three-year period preceding this proposal been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State or local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records; making false statements; or receiving stolen property;
- c. Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, State or local) with commission of any of the offenses enumerated in paragraph b. of this certification; and
- d. Have not within a three-year period preceding this proposal had one or more public transactions (Federal, State or local) terminated for cause or default.

Where the prospective bidder is unable to certify to any of the statements in this certification, the bidder shall submit an explanation in the blanks provided herein. The explanation will not necessarily result in denial of participation in a contract.

Explanation:
NOT ANSWERED
NOT ANSWERED
NOT ANSWERED
NOT ANSWERED

If the prequalified bidder's status changes, he shall immediately submit a new fully executed non-collusion affidavit and debarment certification with an explanation of the change to the Contract Office prior to submitting the bid.

Failure to furnish a certification or an explanation will be grounds for rejection of a bid

AWARD LIMITS ON MULTIPLE PROJECTS

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

A bidder who desires to bid on more than one project on which bids are to be opened on the same date, and who also desires to avoid receiving an award of more projects than he is equipped to handle, may bid on any number of projects but may limit the total amount of work awarded to him on selected projects by completing the AWARD LIMITS ON MULTIPLE PROJECTS.

The Award Limits on Multiple Projects must be filled in on each project bid for which the Bidder desires protection.

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

The Award Limits shall apply to the following projects:

Contract Number	County
NOT ANSWERED	
NOT ANSWERED	
NOT ANSWERED	
NOT ANSWERED	
NOT ANSWERED	
NOT ANSWERED	

It is agreed that if I am (we are) the low Bidder(s) on indicated projects, the total value of which is more than the above stipulated award limits, the Board of Transportation will award me (us) projects from among those indicated that have a total value not to exceed the award limit and will result in the lowest total bids to the Department of Transportation.

NORTH CAROLINA STATE DEPARTMENT OF TRANSPORTATION
 MBE COMMITMENT ITEMS

DATE: 09-22-09
 PAGE: 6

PROPOSAL: C202459
 LETTING: L091020 CALL: 015
 VENDOR: 3075 JT Russell & Sons Inc

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

MBE SUBCONTRACTOR: 1991 MCCAIN STRIPING SERVICE, INC.						
Will Use Quote: Yes						
0001	0000100000-N	MOBILIZATION LS		1.000	5000.00000	5000.00
		Mobilization for McCain Striping				
0015	4685000000-E	THERMO PVT M LF		68975.000	0.35000	24141.25
0016	4686000000-E	THERMO PVT M LF		57090.000	0.39000	22265.10
0017	4702000000-E	12"WIDE THER LF		240.000	1.10000	264.00
0018	4710000000-E	24"WIDE THER LF		615.000	4.10000	2521.50
0019	4721000000-E	THERMO PVT M EA		16.000	100.00000	1600.00
0020	4725000000-E	THERMO PVT S EA		26.000	100.00000	2600.00
0021	4810000000-E	PAINT PVMT M LF		79662.000	0.12000	9559.44
0022	4835000000-E	PAINT PVT MK LF		100.000	1.00000	100.00
0023	4840000000-N	PAINT PVT MK EA		16.000	35.00000	560.00
0024	4845000000-N	PAINT PVT MK EA		25.000	35.00000	875.00
0025	4900000000-N	PERM RAISED EA		650.000	3.95000	2567.50

MBE COMMITMENT TOTAL FOR SUBCONTRACTOR:

72,053.79

✓ ARM

MBE SUBCONTRACTOR: 5328 JIMENEZ CONSTRUCTION INCORPORATED
 Will Use Quote: Yes

0012	2600000000-N	RETROFIT EXT EA		5.000	466.50000	2332.50
0013	2605000000-N	CONC WHEELCH EA		10.000	784.10000	7841.00
0014	2612000000-E	6" CONCRETE SY		66.000	38.00000	2508.00

MBE COMMITMENT TOTAL FOR SUBCONTRACTOR:

12,681.50

✓ ARM

TOTAL MBE COMMITMENT FOR VENDOR:

Entered: 5.93% or 84735.29
 Required: 4.00% or 57148.70
 <GOAL MET>

✓ ARM

NORTH CAROLINA STATE DEPARTMENT OF TRANSPORTATION
 WBE COMMITMENT ITEMS

DATE: 09-22-09
 PAGE: 7

PROPOSAL: C202459
 LETTING: L091020 CALL: 015
 VENDOR: 3075 JT Russell & Sons Inc

LINE NO.	ITEM NO.	ITEM DESC.	UNIT TYPE	SUBCONTRACTOR QUANTITY	SUBCONTRACTOR UNIT PRICE	EXTENDED AMOUNT
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WBE SUBCONTRACTOR: 3269 GML CONTRACTORS, INC.
 Will Use Quote: Yes

0029	6084000000-E	SEEDING AND ACR		15.100	1500.00000	22650.00
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WBE COMMITMENT TOTAL FOR SUBCONTRACTOR: 22,650.00 ✓ ARM

WBE SUBCONTRACTOR: 3765 STAY ALERT SAFETY SERVICES INC
 Will Use Quote: Yes

0001	0000100000-N	MOBILIZATION LS		1.000	4900.00000	4900.00
Work Zone Stationary Signs - install, maintain, and remove						

WBE COMMITMENT TOTAL FOR SUBCONTRACTOR: 4,900.00 ✓ ARM

WBE SUBCONTRACTOR: 5266 NORTH STATE ENVIRONMENTAL, INC
 Will Use Quote: Yes

0026	6000000000-E	TEMPORARY SI LF		100.000	2.15000	215.00
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WBE COMMITMENT TOTAL FOR SUBCONTRACTOR: 215.00 ✓ ARM

TOTAL WBE COMMITMENT FOR VENDOR:

Entered: 1.94% or 27765.00 ✓ ARM
 Required: 4.00% or 57148.70
 <GOAL NOT MET>

Contract Item Sheets For C202459

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
ROADWAY ITEMS						
0001	0000100000-N	800	MOBILIZATION	Lump Sum LS	51,500.00	51,500.00
0002	1220000000-E	545	INCIDENTAL STONE BASE	469 TON	40.00	18,760.00
0003	1243000000-E	SP	SHOULDER CONSTRUCTION	12.42 SMI	3,200.00	39,744.00
0004	1264000000-E	SP	DITCHING	650 LF	3.00	1,950.00
0005	1297000000-E	607	MILLING ASPHALT PAVEMENT, **** DEPTH (1-1/2")	39,611 SY	1.09	43,175.99
0006	1330000000-E	607	INCIDENTAL MILLING	440 SY	5.00	2,200.00
0007	1489000000-E	610	ASPHALT CONC BASE COURSE, TYPE B25.0B	4,834 TON	39.72	192,006.48
0008	1519000000-E	610	ASPHALT CONC SURFACE COURSE, TYPE S9.5B	10,365 TON	31.21	323,491.65
0009	1520000000-E	SP	ASPHALT CONC SURFACE COURSE, TYPE S9.5B (LEVELING COURSE)	1,500 TON	40.00	60,000.00
0010	1560000000-E	620	ASPHALT BINDER FOR PLANT MIX, GRADE PG 64-22	928 TON	408.00	378,624.00
0011	1704000000-E	SP	PATCHING EXISTING PAVEMENT	2,366 TON	90.00	212,940.00
0012	2600000000-N	SP	RETROFIT EXISTING WHEELCHAIR RAMPS	5 EA	466.50	2,332.50
0013	2605000000-N	848	CONCRETE WHEELCHAIR RAMPS	10 EA	784.10	7,841.00
0014	2612000000-E	848	6" CONCRETE DRIVEWAY	66 SY	38.00	2,508.00
0015	4685000000-E	1205	THERMOPLASTIC PAVEMENT MARKING LINES (4", 90 MILS)	68,975 LF	0.35	24,141.25
0016	4686000000-E	1205	THERMOPLASTIC PAVEMENT MARKING LINES (4", 120 MILS)	57,090 LF	0.39	22,265.10
0017	4702000000-E	1205	THERMOPLASTIC PAVEMENT MARKING LINES (12", 120 MILS)	240 LF	1.10	264.00

Contract Item Sheets For C202459

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
0018	4710000000-E	1205	THERMOPLASTIC PAVEMENT MARKING LINES (24", 120 MILS)	615 LF	4.10	2,521.50
0019	4721000000-E	1205	THERMOPLASTIC PAVEMENT MARKING CHARACTER (120 MILS)	16 EA	100.00	1,600.00
0020	4725000000-E	1205	THERMOPLASTIC PAVEMENT MARKING SYMBOL (90 MILS)	26 EA	100.00	2,600.00
0021	4810000000-E	1205	PAINT PAVEMENT MARKING LINES (4")	79,662 LF	0.12	9,559.44
0022	4835000000-E	1205	PAINT PAVEMENT MARKING LINES (24")	100 LF	1.00	100.00
0023	4840000000-N	1205	PAINT PAVEMENT MARKING CHARACTER	16 EA	35.00	560.00
0024	4845000000-N	1205	PAINT PAVEMENT MARKING SYMBOL	25 EA	35.00	875.00
0025	4900000000-N	1251	PERMANENT RAISED PAVEMENT MARKERS	650 EA	3.95	2,567.50
0026	6000000000-E	1605	TEMPORARY SILT FENCE	100 LF	2.15	215.00
0027	6009000000-E	1610	STONE FOR EROSION CONTROL, CLASS B	5 TON	45.00	225.00
0028	6012000000-E	1610	SEDIMENT CONTROL STONE	50 TON	30.00	1,500.00
0029	6084000000-E	1660	SEEDING & MULCHING	15.1 ACR	1,500.00	22,650.00

TOTAL AMOUNT OF BID FOR ENTIRE PROJECT

\$1,428,717.41 ✓

Contract Number C202459
County Stanly

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

J. T. Russell & Sons, Inc.

Full name of Corporation

1721 US 52 North, Albemarle, NC 28001

Address as Prequalified

Attest

J. T. Russell Jr
Secretary/~~Assistant Secretary~~
Select appropriate title

By

R. E. Russell
President/~~Vice President/Assistant Vice President~~
Select appropriate title

J. T. Russell, Jr.

Print or type Signer's name

R. E. Russell

Print or type Signer's name

CORPORATE SEAL

AFFIDAVIT MUST BE NOTARIZED

NOTARY SEAL

Subscribed and sworn to before me this the

16th day of November 2009.

Julie C Plyler
Signature of Notary Public

of Stanly County

State of North Carolina

My Commission Expires: 5-21-11

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.

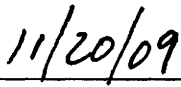
Contract No **C202459**

County (ies): **Stanly**

ACCEPTED BY THE
DEPARTMENT OF TRANSPORTATION

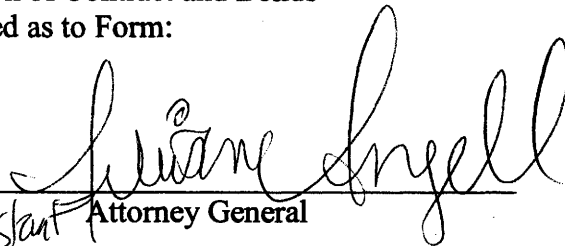


Contract Officer



Date

Execution of Contract and Bonds
Approved as to Form:



Asst. State Attorney General

Contract No. C202459
County Stanly

(Rev 7-10-08)

CONTRACT PAYMENT BOND

Date of Payment Bond Execution November 6, 2009
Name of Principal Contractor J.T. Russell & Sons, Inc.
Name of Surety: Travelers Casualty and Surety Company of America
Name of Contracting Body: **North Carolina Department of Transportation**
Raleigh, North Carolina
Amount of Bond: \$1,428,717.41
Contract ID No.: C202459
County Name: Stanly

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. C202459
County Stanly

(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 Paul T. Childress
Print, stamp or type name of Attorney-in-Fact

Paul T. Childress
Signature of Attorney-in-Fact

James A. Harwood
Signature of Witness

James A. Harwood
Print or type Witness's name

173 N. Second Street, Albemarle, NC 28001
Address of Attorney-in-Fact

Contract No. C202459
County Stanly

(Rev 7-10-08)

CONTRACT PAYMENT BOND

CORPORATION

SIGNATURE OF CONTRACTOR (Principal)

J.T. Russell & Sons, Inc.

Full name of Corporation

1721 US Hwy 52 N, Albemarle, NC 28001

Address as prequalified

By Robert E. Russell
Signature of President, ~~Vice President, Assistant Vice President~~
Select appropriate title

Robert E. Russell

Print or type Signer's name

Affix Corporate Seal

Attest

J.T. Russell, Jr.
Signature of Secretary, ~~Assistant Secretary~~
Select appropriate title

J.T. Russell, Jr.

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. 214516

Certificate No. 002772473

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

James A. Harwood, Brinn K. Timberlake, N. Anthony Lowder, and Paul T. Childress

of the City of Albemarle, 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 21st day of February, 2006

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 21st day of February, 2006, 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 6TH day of NOVEMBER, 2009.

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

Kori M. Johanson

Kori M. Johanson, Assistant Secretary



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

Contract No. C202459
County Stanly

(Rev 7-10-08)

CONTRACT PERFORMANCE BOND

Date of Performance Bond Execution: November 6, 2009
Name of Principal Contractor: J.T. Russell & Sons, Inc.
Name of Surety: Travelers Casualty and Surety Company of America
Name of Contracting Body: **North Carolina Department of Transportation**
Raleigh, North Carolina
Amount of Bond: \$1,428,717.41
Contract ID No.: C202459
County Name: Stanly

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. C202459
County Stanly

(Rev 7-10-08)

CONTRACT PERFORMANCE BOND

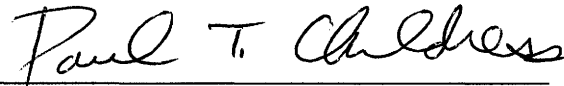
Affix Seal of Surety Company

Travelers Casualty and Surety Company of America

Print or type Surety Company Name

By Paul T. Childress

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



Signature of Attorney-in-Fact



Signature of Witness

James A. Harwood

Print or type Witness's name

173 N. Second Street, Albemarle, NC 28001

Address of Attorney-in-Fact

Contract No. C202459
County Stanly

(Rev 7-10-08)

**CONTRACT PERFORMANCE BOND
CORPORATION**

SIGNATURE OF CONTRACTOR (Principal)

J.T. Russell & Sons, Inc.

Full name of Corporation

1721 US Hwy 52 N, Albemarle, NC 28001

Address as prequalified

By Robert E. Russell
Signature of ~~President, Vice President, Assistant Vice President~~
Select appropriate title

Robert E. Russell

Print or type Signer's name

Affix Corporate Seal

Attest J.T. Russell, Jr.
Signature of ~~Secretary, Assistant Secretary~~
Select appropriate title

J.T. Russell, Jr.

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. 214516

Certificate No. 002772474

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James A. Harwood, Brinn K. Timberlake, N. Anthony Lowder, and Paul T. Childress

of the City of Albemarle, 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.

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United States Fidelity and Guaranty Company



State of Connecticut
City of Hartford ss.

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

On this the 21st day of February, 2006, 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

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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.

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Kori M. Johanson, Assistant Secretary



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