

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

C202446

CONTRACT AND
CONTRACT BONDS
FOR CONTRACT NO. C202446

WBS 45225.3.ST1 STM-0264(43)

T.I.P NO. R-5191

COUNTY OF WILSON

THIS IS THE ROADWAY CONTRACT

ROUTE NUMBER US 264 LENGTH 8.200 MILES

LOCATION US-264 FROM THE PAVEMENT JOINT EAST OF NC-58 TO THE GREENE COUNTY LINE.

CONTRACTOR S. T. WOOTEN CORPORATION

ADDRESS P.O. BOX 2408
WILSON, NC 278942408

BIDS OPENED OCTOBER 20, 2009

CONTRACT EXECUTION NOV 17 2009

NCDOT/berc

Vendor 3760's Bid Information for Call 004, Letting L091020, 2009-10-20

S. T. Wooten Corporation (3760).

Vendor 2 of 2 Vendors for Call Order 004 (Proposal ID C202446).

DBE GOAL SET 5.0%
DBE GOAL MET 5.0%

County: WILSON

Address: 3801 Black Creek Road
Wilson, NC 27894

Phone Number: 252-291-5165

Signature Check: This bid has been properly signed by Richard_E._Vick_3760.

Time Bid Received: Tue Oct 20 13:32:14 2009

Bid Checksum: A06B5EFA

Amendment Count: 1

Bidding Errors: No bidding errors.

Bid Total: \$4,651,375.00 ✓

Bond ID: TPET-LK5U-2SRR-CFP7

Bond was Verified: Yes.

Bond Required Percent: 5.00%

Minimum Check Amount: \$232,568.75

Bid Security Maximum: \$

Bond Agency Name:

Agency Execution Date: 10/20/2009

Surety Name: Safeco Insurance Company of America

Surety State of Incorporation:

Bond Company:

Bond Type:

Bond Appr Flag:

Bond Affirm:

Bond was Paid by Check: No.

Bid Bond Data Info - Contractor Responses:

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BondID: TPET-LK5U-2SRR-CFP7
Surety Registry Agency: SurePathNetwork
Verified?: Yes
Surety Agency: Safeco Insurance Company of America
Bond Execution Date: 10/20/2009
Bond Amount: \$232,568.75 (Five Percent of Bid)

State of NC
Dept of Transportation

Date: 09-22-09
Revised: 10-09-09

Contract ID: C202446 Project(s): STM-0264(43)
Letting Date: 10-20-09 Call Order: 004
Bidder: 3760 - S. T. Wooten Corporation

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		230,000.00
0002	1243000000-E SHOULDER CONSTRUCTION	SMI 32.800		2,500.00000		82,000.00
0003	1330000000-E INCIDENTAL MILLING	SY 200.000		7.00000		1,400.00
0004	1498000000-E ASPHALT CONC INTERMEDIATE COURSE, TYPE I19.0B	TON 24,000.000		32.00000		768,000.00
0005	1519000000-E ASPHALT CONC SURFACE COURSE, TYPE S9.5B	TON 32,000.000		31.00000		992,000.00
0006	1560000000-E ASPHALT BINDER FOR PLANT MIX, GRADE PG 64-22	TON 3,048.000		400.00000		1,219,200.00
0007	1570000000-E ASPHALT BINDER FOR PLANT MIX, GRADE PG 76-22	TON 780.000		560.00000		436,800.00
0008	1662000000-E OPEN-GRADED ASPHALT FRICTION COURSE, TYPE FC-1 MODIFIED	TON 100.000		100.00000		10,000.00
0009	1663000000-E OPEN-GRADED ASPHALT FRICTION COURSE, TYPE FC-2 MODIFIED	TON 13,000.000		46.00000		598,000.00
0010	1840000000-E MILLED RUMBLE STRIPS (ASPHALT CEMENT CONCRETE)	LF 174,000.000		0.10000		17,400.00
0011	4400000000-E WORK ZONE SIGNS (STATIONARY)	SF 400.000		6.25000		2,500.00

State of NC
Dept of Transportation

Date: 09-22-09
Revised: 10-09-09

Contract ID: C202446 Project(s): STM-0264(43)
Letting Date: 10-20-09 Call Order: 004
Bidder: 3760 - S. T. Wooten Corporation

Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
0012	4405000000-E WORK ZONE SIGNS (PORTABLE)	SF 400.000	10.00000		4,000.00	
0013	4415000000-N FLASHING ARROW PANELS, TYPE C	EA 2.000	4,000.00000		8,000.00	
0014	4420000000-N CHANGEABLE MESSAGE SIGN	EA 2.000	8,000.00000		16,000.00	
0015	4430000000-N DRUMS	EA 300.000	50.00000		15,000.00	
0016	4480000000-N TMIA	EA 2.000	3,000.00000		6,000.00	
0017	4725000000-E THERMOPLAST IC PAVEMENT MARKINGSYMBOL (90 MILS)	EA 12.000	125.00000		1,500.00	
0018	4815000000-E PAINT PAVEMENT MARKING LINES (6")	LF 195,000.000	0.18000		35,100.00	
0019	4847100000-E POLYUREA PAVEMENT MARKING LINES (6", *****) (HIGHLY REFLECTIVE ELEMENTS)	LF 195,000.000	0.88000		171,600.00	
0020	4847120000-E POLYUREA PAVEMENT MARKING LINES (12", *****) (HIGHLY REFLECTIVE ELEMENTS)	LF 1,600.000	2.50000		4,000.00	
0021	4900000000-N PERMANENT RAISED PAVEMENT MARKERS	EA 1,300.000	3.75000		4,875.00	
0022	6084000000-E SEEDING & MULCHING	ACR 20.000	1,400.00000		28,000.00	

State of NC
Dept of Transportation

Date: 09-22-09
Revised: 10-09-09

Contract ID: C202446 Project(s): STM-0264(43)
Letting Date: 10-20-09 Call Order: 004
Bidder: 3760 - S. T. Wooten Corporation

Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
	Section 0001 Total				4,651,375.00	
	Bid Total				4,651,375.00	

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
DBE COMMITMENT ITEMS

DATE: 09-22-09
PAGE: 6

PROPOSAL: C202446
LETTING: L091020 CALL: 004
VENDOR: 3760 S. T. Wooten Corporation

LINE NO.	ITEM NO.	ITEM DESC.	UNIT TYPE	SUBCONTRACTOR QUANTITY	SUBCONTRACTOR UNIT PRICE	EXTENDED AMOUNT
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DBE SUBCONTRACTOR: 2446 HAROLD A. PURYEAR TRUCKING CO.
Will Use Quote: Yes

0006	1560000000-E	ASP FOR PLAN TON		3048.000	22.00000	67056.00
0007	1570000000-E	ASP FOR PLAN TON		780.000	29.00000	22620.00

DBE COMMITMENT TOTAL FOR SUBCONTRACTOR: 89,676.00 ✓ ARM
DBE COMMITMENT TOTAL FOR VENDOR (SubContractor) 89,676.

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

0011	4400000000-E	WORK ZONE SI SF		400.000	6.25000	2500.00
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DBE COMMITMENT TOTAL FOR SUBCONTRACTOR: 2,500.00 ✓ ARM
DBE COMMITMENT TOTAL FOR VENDOR (SubContractor) 2,500.0

DBE SUBCONTRACTOR: 4948 BURTCH TRUCKING CO.
Will Use Quote: Yes

0005	1519000000-E	ASP CONC SUR TON		15000.000	4.00000	60000.00
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DBE COMMITMENT TOTAL FOR SUBCONTRACTOR: 60,000.00 ✓ ARM
DBE COMMITMENT TOTAL FOR VENDOR (SubContractor) 60,000.

DBE SUBCONTRACTOR: 2095 PARRISH CO INC
Will Use Quote: Yes

0022	6084000000-E	SEEDING AND ACR		20.000	1400.00000	28000.00
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DBE COMMITMENT TOTAL FOR SUBCONTRACTOR: 28,000.00 ✓ ARM
DBE COMMITMENT TOTAL FOR VENDOR (SubContractor) 28,000.

DBE SUBCONTRACTOR: 7456 JONATHAN PARKER DBA JP 1 TRUCKING
Will Use Quote: Yes

0004	1498000000-E	ASP CONC INT TON		3500.000	4.00000	14000.00
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DBE COMMITMENT TOTAL FOR SUBCONTRACTOR: 14,000.00 ✓ ARM
DBE COMMITMENT TOTAL FOR VENDOR (SubContractor) 14,000.

DBE SUBCONTRACTOR: 5856 CHARLES SHAW DBA CLSHAW#1
Will Use Quote: Yes

0005	1519000000-E	ASP CONC SUR TON		3000.000	4.00000	12000.00
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NORTH CAROLINA STATE DEPARTMENT OF TRANSPORTATION
DBE COMMITMENT ITEMS

DATE: 09-22-09
PAGE: 7

LINE NO.	ITEM NO.	ITEM DESC.	UNIT TYPE	SUBCONTRACTOR QUANTITY	SUBCONTRACTOR UNIT PRICE	EXTENDED AMOUNT
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DBE COMMITMENT TOTAL FOR SUBCONTRACTOR: 12,000.00
 DBE COMMITMENT TOTAL FOR VENDOR (SubContractor) 12,000.00 ✓ ARM

DBE SUBCONTRACTOR: 7624 KENNETH L HOWARD DBA KL HOWARD TRUCKING
 Will Use Quote: Yes

0004	1498000000-E	ASP CONC INT TON		4000.000	4.00000	16000.00
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DBE COMMITMENT TOTAL FOR SUBCONTRACTOR: 16,000.00 ✓ ARM
 DBE COMMITMENT TOTAL FOR VENDOR (SubContractor) 16,000.00

DBE SUBCONTRACTOR: 6956 REGINALD LLOYD DBA LLOYD'S TRUCKING
 Will Use Quote: Yes

0004	1498000000-E	ASP CONC INT TON		3000.000	4.00000	12000.00
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DBE COMMITMENT TOTAL FOR SUBCONTRACTOR: 12,000.00 ✓ ARM
 DBE COMMITMENT TOTAL FOR VENDOR (SubContractor) 12,000.00

TOTAL DBE COMMITMENT FOR VENDOR: Entered: 5.03% or 234176.00
 Required: 5.00% or 232568.75
 <GOAL MET>

Contract Item Sheets For C202446

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
ROADWAY ITEMS						
0001	0000100000-N	800	MOBILIZATION	Lump Sum LS	230,000.00	230,000.00
0002	1243000000-E	SP	SHOULDER CONSTRUCTION	32.8 SMI	2,500.00	82,000.00
0003	1330000000-E	607	INCIDENTAL MILLING	200 SY	7.00	1,400.00
0004	1498000000-E	610	ASPHALT CONC INTERMEDIATE COURSE, TYPE I19.0B	24,000 TON	32.00	768,000.00
0005	1519000000-E	610	ASPHALT CONC SURFACE COURSE, TYPE S9.5B	32,000 TON	31.00	992,000.00
0006	1560000000-E	620	ASPHALT BINDER FOR PLANT MIX, GRADE PG 64-22	3,048 TON	400.00	1,219,200.00
0007	1570000000-E	620	ASPHALT BINDER FOR PLANT MIX, GRADE PG 76-22	780 TON	560.00	436,800.00
0008	1662000000-E	650	OPEN-GRADED ASPHALT FRICTION COURSE, TYPE FC-1 MODIFIED	100 TON	100.00	10,000.00
0009	1663000000-E	650	OPEN-GRADED ASPHALT FRICTION COURSE, TYPE FC-2 MODIFIED	13,000 TON	46.00	598,000.00
0010	1840000000-E	665	MILLED RUMBLE STRIPS (ASPHALT CEMENT CONCRETE)	174,000 LF	0.10	17,400.00
0011	4400000000-E	1110	WORK ZONE SIGNS (STATIONARY)	400 SF	6.25	2,500.00
0012	4405000000-E	1110	WORK ZONE SIGNS (PORTABLE)	400 SF	10.00	4,000.00
0013	4415000000-N	1115	FLASHING ARROW PANELS, TYPE C	2 EA	4,000.00	8,000.00
0014	4420000000-N	1120	CHANGEABLE MESSAGE SIGN	2 EA	8,000.00	16,000.00
0015	4430000000-N	1130	DRUMS	300 EA	50.00	15,000.00
0016	4480000000-N	1165	TMIA	2 EA	3,000.00	6,000.00
0017	4725000000-E	1205	THERMOPLASTIC PAVEMENT MARKING SYMBOL (90 MILS)	12 EA	125.00	1,500.00
0018	4815000000-E	1205	PAINT PAVEMENT MARKING LINES (6")	195,000 LF	0.18	35,100.00

Contract Item Sheets For C202446

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
0019	4847100000-E	1205	POLYUREA PAVEMENT MARKING LINES (6", *****) (HIGHLY REFLECTIVE ELEMENTS)	195,000 LF	0.88	171,600.00
0020	4847120000-E	1205	POLYUREA PAVEMENT MARKING LINES (12", *****) (HIGHLY REFLECTIVE ELEMENTS)	1,600 LF	2.50	4,000.00
0021	4900000000-N	1251	PERMANENT RAISED PAVEMENT MARKERS	1,300 EA	3.75	4,875.00
0022	6084000000-E	1660	SEEDING & MULCHING	20 ACR	1,400.00	28,000.00

TOTAL AMOUNT OF BID FOR ENTIRE PROJECT

\$4,651,375.00 ✓

1314/Nov02/Q641199.8/D70653320000/E22

Contract Number C202446
County Wilson

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

S. T. Weeten Corporation
Full name of Corporation

P. O. Box 2408, Wilson, NC 27894
Address as Prequalified

Attest W. Reade Dawson
Secretary/Assistant Secretary
Select appropriate title

By [Signature]
President/Vice President/Assistant Vice President
Select appropriate title

W Reade Dawson
Print or type Signer's name

Henry D. Butts, JR.
Print or type Signer's name

CORPORATE SEAL

AFFIDAVIT MUST BE NOTARIZED

NOTARY SEAL

Subscribed and sworn to before me this the
2nd day of November 2009

Carol J. O'geary
Signature of Notary Public

of Pitt County

State of North Carolina

My Commission Expires: 3/3/2010

Contract Number C 202446
County Wilson

Rev 7-20-08

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.

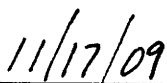
Contract No **C202446**

County (ies): **Wilson**

ACCEPTED BY THE
DEPARTMENT OF TRANSPORTATION

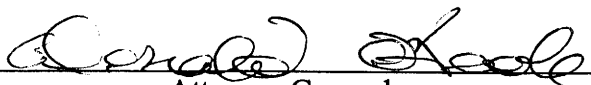


Contract Officer



Date

Execution of Contract and Bonds
Approved as to Form:



Attorney General

Contract No. C202446
 County WILSON

CONTRACT PAYMENT BOND

Date of Payment Bond Execution November 5, 2009

Name of Principal Contractor S. T. Wooten Corporation

Name of Surety: Safeco Insurance Co. of America
2359 Perimeter Pointe Parkway, Suite 160
Charlotte, NC 28208

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

Amount of Bond: \$4,651,375.00

Contract ID No.: C202446

County Name: WILSON

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. C202446
County WILSON

CONTRACT PAYMENT BOND

Affix Seal of Surety Company

Safeco Insurance Co. of America
Print or type Surety Company Name

By Debra S. Ritter, Attorney-in-Fact
Print, stamp or type name of Attorney-in-Fact

Debra S. Ritter
Signature of Attorney-in-Fact

Ramona Fewell
Signature of Witness

Ramona Fewell
Print or type Witness' Name

Thomas Rutherford, Inc.
6230 Fairview Road Suite 230
Charlotte, NC 28210
Address of Attorney-in-Fact

Contract No. C202446
County WILSON

CONTRACT PAYMENT BOND

CORPORATION

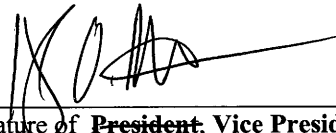
SIGNATURE OF CONTRACTOR (Principal)

S. T. Wooten Corporation

Full name of Corporation

Post Office Box 2408; Wilson, North Carolina 27894-2408


Address as prequalified

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

HENRY D. BUTTS, JR.

Print or type Signer's name

Affix Corporate Seal

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

W. READE DAWSON

Print or type Signer's name

Contract No. C202446
County WILSON

CONTRACT PERFORMANCE BOND

Date of Payment Bond Execution: November 5, 2009
Name of Principal Contractor: S. T. Wooten Corporation
Name of Surety: Safeco Insurance Co. of America
2359 Perimeter Pointe Parkway, Suite 160
Charlotte, NC 28208
Name of Contracting Body: **North Carolina Department of Transportation**
Raleigh, North Carolina
Amount of Bond: \$4,651,375.00
Contract ID No.: C202446
County Name: WILSON

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 it undersigned representative, pursuant to authority of its governing body.

Contract No. C202446
County WILSON

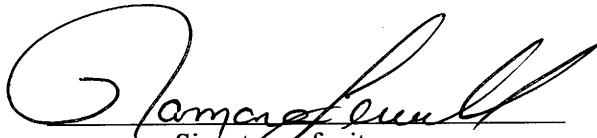
CONTRACT PERFORMANCE BOND

Affix Seal of Surety Company

Safeco Insurance Co. of America
Print or type Surety Company Name

By Debra S. Ritter, Attorney-in-Fact
Print, stamp or type name of Attorney-in-Fact

Debra S. Ritter
Signature of Attorney-in-Fact


Signature of witness

Ramona Fewell
Print or type Witness' Name

Thomas Rutherford, Inc.
6230 Fairview Road Suite 230
Charlotte, NC 28210
Address of Attorney-in-Fact

Contract No. C202446
County WILSON

CONTRACT PERFORMANCE BOND
CORPORATION

SIGNATURE OF CONTRACTOR (Principal)

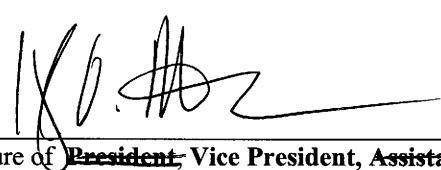
S. T. Wooten Corporation

Full name of Corporation

Post Office Box 2408; Wilson, North Carolina 27894-2408

Address as prequalified

By: _____



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

HENRY D. BUTTS, JR.

Print or type Signer's name

Affix Corporate Seal

Attest _____



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

W. READE DAWSON

Print or type Signer's name



POWER OF ATTORNEY

Safeco Insurance Company of America
General Insurance Company of America
1001 4th Avenue
Suite 1700
Seattle, WA 98154

No. 12642

KNOW ALL BY THESE PRESENTS:

That SAFECO INSURANCE COMPANY OF AMERICA and GENERAL INSURANCE COMPANY OF AMERICA, each a Washington corporation, does each hereby appoint

*****RAMONA FEWELL; RAYMOND J. GARRUTO; BRAD W. GIBSON; MARTIN D. PALLAZA; DEBRA S. RITTER; ANGELA M. YOUNT; Charlotte, North Carolina*****

its true and lawful attorney(s)-in-fact, with full authority to execute on its behalf fidelity and surety bonds or undertakings and other documents of a similar character issued in the course of its business, and to bind the respective company thereby.

IN WITNESS WHEREOF, SAFECO INSURANCE COMPANY OF AMERICA and GENERAL INSURANCE COMPANY OF AMERICA have each executed and attested these presents

this 21st day of March, 2009

[Signature of Dexter R. Legg]

[Signature of Timothy A. Mikolajewski]

Dexter R. Legg, Secretary

Timothy A. Mikolajewski, Vice President

CERTIFICATE

Extract from the By-Laws of SAFECO INSURANCE COMPANY OF AMERICA and of GENERAL INSURANCE COMPANY OF AMERICA:

"Article V, Section 13. - FIDELITY AND SURETY BONDS ... the President, any Vice President, the Secretary, and any Assistant Vice President appointed for that purpose by the officer in charge of surety operations, shall each have authority to appoint individuals as attorneys-in-fact or under other appropriate titles with authority to execute on behalf of the company fidelity and surety bonds and other documents of similar character issued by the company in the course of its business... On any instrument making or evidencing such appointment, the signatures may be affixed by facsimile. On any instrument conferring such authority or on any bond or undertaking of the company, the seal, or a facsimile thereof, may be impressed or affixed or in any other manner reproduced; provided, however, that the seal shall not be necessary to the validity of any such instrument or undertaking."

Extract from a Resolution of the Board of Directors of SAFECO INSURANCE COMPANY OF AMERICA and of GENERAL INSURANCE COMPANY OF AMERICA adopted July 28, 1970.

"On any certificate executed by the Secretary or an assistant secretary of the Company setting out,

- (i) The provisions of Article V, Section 13 of the By-Laws, and
(ii) A copy of the power-of-attorney appointment, executed pursuant thereto, and
(iii) Certifying that said power-of-attorney appointment is in full force and effect,

the signature of the certifying officer may be by facsimile, and the seal of the Company may be a facsimile thereof."

I, Dexter R. Legg, Secretary of SAFECO INSURANCE COMPANY OF AMERICA and of GENERAL INSURANCE COMPANY OF AMERICA, do hereby certify that the foregoing extracts of the By-Laws and of a Resolution of the Board of Directors of these corporations, and of a Power of Attorney issued pursuant thereto, are true and correct, and that both the By-Laws, the Resolution and the Power of Attorney are still in full force and effect.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the facsimile seal of said corporation

this 5th day of November, 2009



[Signature of Dexter R. Legg]

Dexter R. Legg, Secretary