

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

C202467

CONTRACT AND  
CONTRACT BONDS

FOR CONTRACT NO. C202467

WBS 45177.3.ST3 STM-0119(3)

T.I.P NO. R-5175C

COUNTY OF ALAMANCE  
THIS IS THE ROADWAY CONTRACT  
ROUTE NUMBER NC 119 LENGTH 9.988 MILES  
LOCATION NC-119 FROM SR-1996 (STAGECOACH RD) TO CASWELL CO LINE.

CONTRACTOR S. T. WOOTEN CORPORATION  
ADDRESS P.O. BOX 2408  
WILSON, NC 278942408

BIDS OPENED DECEMBER 15, 2009  
CONTRACT EXECUTION JAN 15 2010

**S. T. Wooten Corporation (3760).**

**Vendor 3 of 4 Vendors for Call Order 017 (Proposal ID C202467).**

County: ALAMANCE  
Address: PO Box 2408  
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 Dec 15 11:05:18 2009

Bid Checksum: D40CC87C

Amendment Count: 0

Bidding Errors: This bid contains errors.

DBE GOAL SET 7.0

Bid Total: \$1,693,330.59 ✓

Bond ID: 4U6G-WS48-G23P-19KU

DBE GOAL OBT 2.3

Bond was Verified: Yes.

Bond Required Percent: 5.00%

Minimum Check Amount: \$84,666.53

Bid Security Maximum: \$

Bond Agency Name:

Agency Execution Date: 12/15/2009

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.

LIST OF DBE PARTICIPANTS

VENDOR NUMBER	DBE NAME ADDRESS	WORK CODE TYPE OF WORK	CERT TYPE AMOUNT
2446	WB HAROLD A. PURYEAR TRUCKING CO. 5844 LEASE LANE , RALEIGH, NC 27617		Sub 31,368.00 ✓ am
1968	WB MURRAY ENTERPRISES, INC. 1231 SHAMROCK DRIVE , BURLINGTON, NC 27215		Sub 1,595.00 ✓ am
3765	WB STAY ALERT SAFETY SERVICES INC POST OFFICE BOX 467 , KERNERSVILLE, NC 27285		Sub 3,995.00 ✓ am
12702	MB NEHRENZ ENTERPRISES 7001 CEDRIC DRIVE , RALEIGH, NC 27603		Sub 1,662.50 ✓ am
TOTAL:			\$38,620.50 ✓ am 2.28%

Miscellaneous Data Info - Contractor Responses:

NON-COLLUSION AND DEBARMENT CERTIFICATION

Explanation of the prospective bidder that is unable to certify to any of the statements in this certification:

Explanation:  
NOT ANSWERED  
NOT ANSWERED  
NOT ANSWERED  
NOT ANSWERED

AWARD LIMITS ON MULTIPLE PROJECTS

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

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

The Award Limits shall apply to the following projects:

Contract Number	County
NOT ANSWERED	

Bid Bond Data Info - Contractor Responses:

BondID: 4U6G-WS48-G23P-19KU  
Surety Registry Agency: SurePathNetwork  
Verified?: Yes  
Surety Agency: Safeco Insurance Company of America

NCDOT/berc

Vendor 3760's Load Output for Call 017, Letting L091215, 2009-12-15

Bond Execution Date: 12/15/2009

Bond Amount: \$84,666.53 (Five Percent of Bid)

State of NC  
 Dept of Transportation  
 Contract ID: C202467 Project(s): STM-0119(3)  
 Letting Date: 12-15-09 Call Order: 017  
 Bidder: 3760 - S. T. Wooten Corporation

Date: 11-17-09  
 Revised:

Line No.	Item Description	Approx. Quantity and Units	Unit Price Dollars   Cts	Bid Amount Dollars   Ct
Section 0001 ROADWAY ITEMS				
Alt Group				
0001	0000100000-N MOBILIZATIO N	LUMP	LUMP	84,000.00
0002	1220000000-E INCIDENTAL STONE BASE	TON 475.000	25.00000	11,875.00
0003	1245000000-E SHOULDER RECONSTRUCTION	SMI 19.930	1,200.00000	23,916.00
0004	1297000000-E MILLING ASPHALT PAVEMENT, ***"DEPTH (1-1/2")	SY 525.000	5.70000	2,992.50
0005	1308000000-E MILLING ASPHALT PAVEMENT, ***"TO *****" DEPTH (0" TO 2-1/2")	SY 70.000	7.95000	556.50
0006	1489000000-E ASPHALT CONC BASE COURSE, TYPE B25.0B	TON 10,667.000	38.00000	405,346.00
0007	1525000000-E ASPHALT CONC SURFACE COURSE, TYPE SF9.5A	TON 13,068.000	35.00000	457,380.00
0008	1560000000-E ASPHALT BINDER FOR PLANT MIX, GRADE PG 64-22	TON 1,307.000	357.00000	466,599.00
0009	1704000000-E PATCHING EXISTING PAVEMENT	TON 45.000	115.00000	5,175.00
0010	1775000000-E ASPHALT SURFACE TREATMENT, MATCOAT, #78M STONE	SY 132,312.000	0.85000	112,465.20

State of NC  
Dept of Transportation

Date: 11-17-09  
Revised:

Contract ID: C202467 Project(s): STM-0119(3)  
Letting Date: 12-15-09 Call Order: 017  
Bidder: 3760 - S. T. Wooten Corporation

Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
0011	4589000000-N GENERIC TRAFFIC CONTROL ITEM TRAFFIC CONTROL	LUMP	LUMP			16,000.00
0012	4685000000-E THERMOPLAST IC PAVEMENT MARKING LINES (4", 90 MILS)	105,490.000 LF	0.32000			33,756.80
0013	4686000000-E THERMOPLAST IC PAVEMENT MARKING LINES (4", 120 MILS)	95,907.000 LF	0.37000			35,485.59
0014	4690000000-E THERMOPLAST IC PAVEMENT MARKING LINES (6", 120 MILS)	248.000 LF	2.00000			496.00
0015	4695000000-E THERMOPLAST IC PAVEMENT MARKING LINES (8", 90 MILS)	140.000 LF	2.00000			280.00
0016	4710000000-E THERMOPLAST IC PAVEMENT MARKING LINES (24", 120 MILS)	52.000 LF	10.00000			520.00
0017	4725000000-E THERMOPLAST IC PAVEMENT MARKING SYMBOL (90 MILS)	10.000 EA	125.00000			1,250.00
0018	4905000000-N SNOWPLOWABLE PAVEMENT MARKERS	746.000 EA	27.00000			20,142.00
0019	6084000000-E SEEDING & MULCHING	3.740 ACR	1,650.00000			6,171.00
0020	6110000000-E RESIDENTIAL SEEDING	3.490 ACR	2,100.00000			7,329.00
0021	7300000000-E UNPAVED TRENCHING (*****)(1, 2")	80.000 LF	4.25000			340.00
0022	7324000000-N JUNCTION BOX (STANDARD SIZE)	2.000 EA	100.00000			200.00

State of NC  
Dept of Transportation

Date: 11-17-09  
Revised:

Contract ID: C202467      Project(s): STM-0119(3)  
Letting Date: 12-15-09    Call Order: 017  
Bidder: 3760 - S. T. Wooten Corporation

Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
0023	7420000000-E 2" RISER WITH WEATHERHEAD	EA 1.000	225.00000		225.00	
0024	7444000000-E INDUCTIVE LOOP SAWCUT	LF 200.000	3.85000		770.00	
0025	7456000000-E LEAD-IN CABLE (*****)(14-2)	LF 80.000	0.75000		60.00	
Section 0001 Total						1,693,330.59
Bid Total						1,693,330.59

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: 11-17-09  
PAGE: 6

PROPOSAL: C202467  
LETTING: L091215 CALL: 017  
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

0008	1560000000-E	ASP FOR PLAN	TON	1307.000	24.00000	31368.00 ✓ arm
						Hauling of Asphalt Liquid

DBE COMMITMENT TOTAL FOR SUBCONTRACTOR:						31,368.00
DBE COMMITMENT TOTAL FOR VENDOR (SubContractor						31,368.00 ✓ arm

DBE SUBCONTRACTOR: 1968 MURRAY ENTERPRISES, INC.  
Will Use Quote: Yes

0021	7300000000-E	UNPAVED TREN	LF	80.000	4.25000	340.00
0022	7324000000-N	JUNCTION BOX	EA	2.000	100.00000	200.00
0023	7420000000-E	2" RISER WIT	EA	1.000	225.00000	225.00
0024	7444000000-E	INDUCTIVE LO	LF	200.000	3.85000	770.00
0025	7456000000-E	LEAD-IN CABL	LF	80.000	0.75000	60.00

DBE COMMITMENT TOTAL FOR SUBCONTRACTOR:						1,595.00
DBE COMMITMENT TOTAL FOR VENDOR (SubContractor						1,595.00 ✓ arm

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

0011	4589000000-N	GENERIC TRAF	LS	1.000	3995.00000	3995.00 ✓ arm
						Install, Maintain & Remove Stationary Signs

DBE COMMITMENT TOTAL FOR SUBCONTRACTOR:						3,995.00
DBE COMMITMENT TOTAL FOR VENDOR (SubContractor						3,995.00 ✓ arm

DBE SUBCONTRACTOR: 12702 NEHRENZ ENTERPRISES  
Will Use Quote: Yes

0002	1220000000-E	INCIDENTAL S	TON	475.000	3.50000	1662.50 ✓ arm
						Hauling of ABC

DBE COMMITMENT TOTAL FOR SUBCONTRACTOR:						1,662.50
DBE COMMITMENT TOTAL FOR VENDOR (SubContractor						1,662.50 ✓ arm

TOTAL DBE COMMITMENT FOR VENDOR:	Entered:	2.28%	or	38620.50 ✓ arm
	Required:	7.00%	or	118533.14
<GOAL NOT MET>				

## Contract Item Sheets For C202467

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
<b>ROADWAY ITEMS</b>						
0001	0000100000-N	800	MOBILIZATION	Lump Sum LS	84,000.00	84,000.00
0002	1220000000-E	545	INCIDENTAL STONE BASE	475 TON	25.00	11,875.00
0003	1245000000-E	SP	SHOULDER RECONSTRUCTION	19.93 SMI	1,200.00	23,916.00
0004	1297000000-E	607	MILLING ASPHALT PAVEMENT, **** DEPTH (1-1/2")	525 SY	5.70	2,992.50
0005	1308000000-E	607	MILLING ASPHALT PAVEMENT, **** TO ***** DEPTH (0" TO 2-1/2")	70 SY	7.95	556.50
0006	1489000000-E	610	ASPHALT CONC BASE COURSE, TYPE B25.0B	10,667 TON	38.00	405,346.00
0007	1525000000-E	610	ASPHALT CONC SURFACE COURSE, TYPE SF9.5A	13,068 TON	35.00	457,380.00
0008	1560000000-E	620	ASPHALT BINDER FOR PLANT MIX, GRADE PG 64-22	1,307 TON	357.00	466,599.00
0009	1704000000-E	SP	PATCHING EXISTING PAVEMENT	45 TON	115.00	5,175.00
0010	1775000000-E	660	ASPHALT SURFACE TREATMENT, MAT COAT, #78M STONE	132,312 SY	0.85	112,465.20
0011	4589000000-N	SP	GENERIC TRAFFIC CONTROL ITEM TRAFFIC CONTROL	Lump Sum LS	16,000.00	16,000.00
0012	4685000000-E	1205	THERMOPLASTIC PAVEMENT MARKING LINES (4", 90 MILS)	105,490 LF	0.32	33,756.80
0013	4686000000-E	1205	THERMOPLASTIC PAVEMENT MARKING LINES (4", 120 MILS)	95,907 LF	0.37	35,485.59
0014	4690000000-E	1205	THERMOPLASTIC PAVEMENT MARKING LINES (6", 120 MILS)	248 LF	2.00	496.00
0015	4695000000-E	1205	THERMOPLASTIC PAVEMENT MARKING LINES (8", 90 MILS)	140 LF	2.00	280.00
0016	4710000000-E	1205	THERMOPLASTIC PAVEMENT MARKING LINES (24", 120 MILS)	52 LF	10.00	520.00

## Contract Item Sheets For C202467

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
0017	4725000000-E	1205	THERMOPLASTIC PAVEMENT MARKING SYMBOL (90 MILS)	10 EA	125.00	1,250.00
0018	4905000000-N	1253	SNOWPLOWABLE PAVEMENT MARKERS	746 EA	27.00	20,142.00
0019	6084000000-E	1660	SEEDING & MULCHING	3.74 ACR	1,650.00	6,171.00
0020	6110000000-E	SP	RESIDENTIAL SEEDING	3.49 ACR	2,100.00	7,329.00
0021	7300000000-E	1715	UNPAVED TRENCHING (*****) (1, 2")	80 LF	4.25	340.00
0022	7324000000-N	1716	JUNCTION BOX (STANDARD SIZE)	2 EA	100.00	200.00
0023	7420000000-E	1722	2" RISER WITH WEATHERHEAD	1 EA	225.00	225.00
0024	7444000000-E	1725	INDUCTIVE LOOP SAWCUT	200 LF	3.85	770.00
0025	7456000000-E	1726	LEAD-IN CABLE (*****) (14-2)	80 LF	0.75	60.00

TOTAL AMOUNT OF BID FOR ENTIRE PROJECT

\$1,693,330.59 ✓

**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. WOOTEN CORPORATION

Full name of Corporation

P. O. BOX 2408, WILSON, NORTH CAROLINA 27894

Address as Prequalified

Attest W. Reade Dawson By Christopher T. Wooten  
Secretary/Assistant Secretary President/Vice President/Assistant Vice President  
Select appropriate title Select appropriate title

W. READE DAWSON

Print or type Signer's name

CHRISTOPHER T. WOOTEN

Print or type Signer's name

**CORPORATE SEAL**

**AFFIDAVIT MUST BE NOTARIZED**

**NOTARY SEAL**

Subscribed and sworn to before me this the

6<sup>th</sup> day of JANUARY 2010.

Carol J. O'geary  
Signature of Notary Public

of Pitt County

State of NORTH CAROLINA

My Commission Expires: 3/3/2010

## 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 C202467

County (ies): Alamance

ACCEPTED BY THE  
DEPARTMENT OF TRANSPORTATION



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Contract Officer

1/15/10

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Date

Execution of Contract and Bonds  
Approved as to Form:



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Assistant Attorney General

Contract No. C202467  
County ALAMANCE

**CONTRACT PAYMENT BOND**

Date of Payment Bond Execution January 11, 2010

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: \$1,693,330.59

Contract ID No.: C202467

County Name: ALAMANCE

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. C202467  
County ALAMANCE

**CONTRACT PAYMENT BOND**

*Affix Seal of Surety Company*

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

By Debra S. Ritter  
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. C202467  
County ALAMANCE

**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

CHRISTOPHER T. WOOTEN  
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. C202467  
County ALAMANCE

**CONTRACT PERFORMANCE BOND**

Date of Payment Bond Execution: January 11, 2010

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: \$1,693,330.59

Contract ID No.: C202467

County Name: ALAMANCE

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. C202467  
County ALAMANCE

**CONTRACT PERFORMANCE BOND**

*Affix Seal of Surety Company*

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

By Debra S. Ritter  
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. C202467  
County ALAMANCE

**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

Adress as prequalified

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

CHRISTOPHER T. WOOTEN

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. PALLAZZA; 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 11th day of January, 2010



[Signature of Dexter R. Legg]

Dexter R. Legg, Secretary