

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

C202519

CONTRACT AND
CONTRACT BONDS

FOR CONTRACT NO. C202519

WBS 10CR.10601.30, 10CR.10601.31, 10CR.20601.60, 10CR.20601.64, 10CR.20601.67,
10CR.20601.68, 10CR.20601.69, 10CR.20601.70, 10CR.20601.71, 10CR.20601.72,
10CR.20601.73, 10CR.20601.75, 10CR.20601.76 STATE FUNDED

COUNTY OF MECKLENBURG
THIS IS THE ROADWAY CONTRACT
ROUTE NUMBER NC 49 LENGTH 16.150 MILES
LOCATION NC-49 FROM E OF SHOP CTR TO HARRIS TEETER DWY, NC-16 FROM
BRG ON I-85 TO CONC PVT JT ON NC-16 & 11 SECT OF SECOND RDS.

CONTRACTOR FEREBEE CORPORATION
ADDRESS P.O. BOX 480066
CHARLOTTE, NC 28269

BIDS OPENED JANUARY 19, 2010

CONTRACT EXECUTION FEB 09 2010

Ferebee Corporation (3664).

Vendor 2 of 4 Vendors for Call Order 036 (Proposal ID C202519).

County: MECKLENBURG
Address: PO Box 480066
Charlotte, NC 28269

Phone Number: 704-509-2586

Signature Check: This bid has been properly signed by Chris_Ferebee_3664.

Time Bid Received: Tue Jan 19 13:11:22 2010

Bid Checksum: 74D52259

Amendment Count: 0

Bidding Errors: No bidding errors.

Bid Total: \$4,269,229.60 ✓

Bond ID: SNC10365921

Bond was Verified: Yes.

Bond Required Percent: 5.00%

Minimum Check Amount: \$213,461.48

Bid Security Maximum: \$

Bond Agency Name:

Agency Execution Date: 1/12/2010 8:11:28 AM

Surety Name: Safeco Insurance Company America

Surety State of Incorporation:

Bond Company:

Bond Type:

Bond Appr Flag:

Bond Affirm:

Bond was Paid by Check: No.

MBE GOAL SET **3.0**

MBE GOAL MET **3.0**

WBE GOAL SET **4.0**

WBE GOAL MET **6.4**

Bid Bond Data Info - Contractor Responses:

=====

BondID: SNC10365921
Surety Registry Agency: surety2000
Verified?: Yes
Surety Agency: Safeco Insurance Company America
Bond Execution Date: 1/12/2010 8:11:28 AM
Bond Amount: \$213,461.48 (Five Percent of Bid)

State of NC
Dept of Transportation

Date: 12-22-09
Revised:

Contract ID: C202519 Project(s): STATE FUNDED
Letting Date: 01-19-10 Call Order: 036
Bidder: 3664 - Ferebee 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		40,000.00
0002	0106000000-E BORROW EXCAVATION	CY	277.000	10.00000		2,770.00
0003	1220000000-E INCIDENTAL STONE BASE	TON	170.000	25.00000		4,250.00
0004	1243000000-E SHOULDER CONSTRUCTION	SMI	8.880	3,500.00000		31,080.00
0005	1245000000-E SHOULDER RECONSTRUCTION	SMI	13.370	2,850.00000		38,104.50
0006	1297000000-E MILLING ASPHALT PAVEMENT, ***"DEPTH (1-1/2")	SY	201,160.000	1.10000		221,276.00
0007	1308000000-E MILLING ASPHALT PAVEMENT, ***"TO *****" DEPTH (0" TO 1-1/2")	SY	19,500.000	1.10000		21,450.00
0008	1330000000-E INCIDENTAL MILLING	SY	4,800.000	4.50000		21,600.00
0009	1491000000-E ASPHALT CONC BASE COURSE, TYPE B25.0C	TON	2,236.000	38.00000		84,968.00
0010	1503000000-E ASPHALT CONC INTERMEDIATE COURSE, TYPE I19.0C	TON	2,736.000	35.00000		95,760.00

State of NC
Dept of Transportation

Date: 12-22-09
Revised:

Contract ID: C202519 Project(s): STATE FUNDED
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Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
0011	1523000000-E ASPHALT CONC SURFACE COURSE, TYPE S9.5C	35,146.000 TON	34.60000		1,216,051.60	
0012	1524000000-E ASPHALT CONC SURFACE COURSE, TYPE S9.5C (LEVELING COURSE)	4,755.000 TON	38.00000		180,690.00	
0013	1560000000-E ASPHALT BINDER FOR PLANT MIX, GRADE PG 64-22	226.000 TON	439.00000		99,214.00	
0014	1565000000-E ASPHALT BINDER FOR PLANT MIX, GRADE PG 70-22	2,419.000 TON	460.00000		1,112,740.00	
0015	1704000000-E PATCHING EXISTING PAVEMENT	9,860.000 TON	80.00000		788,800.00	
0016	2600000000-N RETROFIT EXISTING WHEELCHAIR RAMPS	13.000 EA	210.00000		2,730.00	
0017	2605000000-N CONCRETE WHEELCHAIR RAMPS	2.000 EA	1,400.00000		2,800.00	
0018	2612000000-E 6" CONCRETE DRIVEWAY	300.000 SY	35.00000		10,500.00	
0019	2800000000-N ADJUSTMENT OF CATCH BASINS	1.000 EA	850.00000		850.00	
0020	2830000000-N ADJUSTMENT OF MANHOLES	92.000 EA	280.00000		25,760.00	
0021	2845000000-N ADJUSTMENT OF METER BOXES OR VALVE BOXES	73.000 EA	160.00000		11,680.00	

State of NC
Dept of Transportation

Date: 12-22-09
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Contract ID: C202519 Project(s): STATE FUNDED
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Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
0022	4589000000-N GENERIC TRAFFIC CONTROL ITEM TRAFFIC CONTROL	LUMP	LUMP			10,000.00
0023	4685000000-E THERMOPLAST IC PAVEMENT MARKING LINES (4", 90 MILS)	91,900.000 LF	0.50000			45,950.00
0024	4686000000-E THERMOPLAST IC PAVEMENT MARKING LINES (4", 120 MILS)	193,700.000 LF	0.53000			102,661.00
0025	4688000000-E THERMOPLAST IC PAVEMENT MARKING LINES (6", 90 MILS)	7,500.000 LF	0.65000			4,875.00
0026	4690000000-E THERMOPLAST IC PAVEMENT MARKING LINES (6", 120 MILS)	3,000.000 LF	0.70000			2,100.00
0027	4695000000-E THERMOPLAST IC PAVEMENT MARKING LINES (8", 90 MILS)	5,880.000 LF	1.25000			7,350.00
0028	4697000000-E THERMOPLAST IC PAVEMENT MARKING LINES (8", 120 MILS)	1,800.000 LF	1.25000			2,250.00
0029	4702000000-E THERMOPLAST IC PAVEMENT MARKING LINES (12", 120 MILS)	500.000 LF	3.00000			1,500.00
0030	4705000000-E THERMOPLAST IC PAVEMENT MARKING LINES (16", 120 MILS)	200.000 LF	3.50000			700.00
0031	4710000000-E THERMOPLAST IC PAVEMENT MARKING LINES (24", 120 MILS)	1,454.000 LF	6.00000			8,724.00
0032	4721000000-E THERMOPLAST IC PAVEMENT MARKING CHARACTER (120 MILS)	66.000 EA	140.00000			9,240.00

State of NC
Dept of Transportation

Date: 12-22-09
Revised:

Contract ID: C202519 Project(s): STATE FUNDED
Letting Date: 01-19-10 Call Order: 036
Bidder: 3664 - Ferebee Corporation

Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
0033	4725000000-E THERMOPLAST IC PAVEMENT MARKINGSYMBOL (90 MILS)	EA 277.000	65.00000		18,005.00	
0034	4810000000-E PAINT PAVEMENT MARKING LINES (4")	LF 45,200.000	0.14000		6,328.00	
0035	4835000000-E PAINT PAVEMENT MARKING LINES (24")	LF 198.000	2.50000		495.00	
0036	4900000000-N PERMANENT RAISED PAVEMENT MARKERS	EA 2,555.000	4.50000		11,497.50	
0037	5255000000-N PORTABLE LIGHTING	LUMP	LUMP		5,000.00	
0038	6000000000-E TEMPORARY SILT FENCE	LF 3,800.000	2.00000		7,600.00	
0039	6084000000-E SEEDING & MULCHING	ACR 8.000	1,485.00000		11,880.00	
Section 0001 Total						4,269,229.60
Bid Total						4,269,229.60

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
WBE COMMITMENT ITEMS

DATE: 12-22-09
PAGE: 8

PROPOSAL: C202519
LETTING: L100119 CALL: 036
VENDOR: 3664 Ferebee Corporation

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

WBE SUBCONTRACTOR: 3765 STAY ALERT SAFETY SERVICES INC							
Will Use Quote: Yes							
0022	4589000000-N	GENERIC TRAF LS		1.000	7830.00000	7830.00	
WBE COMMITMENT TOTAL FOR SUBCONTRACTOR:						7,830.00	✓ arm

WBE SUBCONTRACTOR: 2072 CAROLINA CAJUN CONCRETE, INC.							
Will Use Quote: Yes							
0016	2600000000-N	RETROFIT EXT EA		13.000	210.00000	2730.00	
0017	2605000000-N	CONC WHEELCH EA		2.000	1400.00000	2800.00	
0019	2800000000-N	ADJ CATCH BA EA		1.000	850.00000	850.00	
0020	2830000000-N	ADJ MANHOLES EA		92.000	280.00000	25760.00	
0021	2845000000-N	ADJ METER OR EA		73.000	160.00000	11680.00	
WBE COMMITMENT TOTAL FOR SUBCONTRACTOR:						43,820.00	✓ arm

WBE SUBCONTRACTOR: 2858 ACS PAVEMENT MARKING, INC.							
Will Use Quote: Yes							
0023	4685000000-E	THERMO PVT M LF		91900.000	0.50000	45950.00	
0024	4686000000-E	THERMO PVT M LF		193700.000	0.53000	102661.00	
0025	4688000000-E	THERMO PVT M LF		7500.000	0.65000	4875.00	
0026	4690000000-E	THERMO PVT M LF		3000.000	0.70000	2100.00	
0027	4695000000-E	THERMO PVT M LF		5880.000	1.25000	7350.00	
0028	4697000000-E	THERMO PVT M LF		1800.000	1.25000	2250.00	
0029	4702000000-E	12"WIDE THER LF		500.000	3.00000	1500.00	
0030	4705000000-E	THERMO LINES LF		200.000	3.50000	700.00	
0031	4710000000-E	24"WIDE THER LF		1454.000	6.00000	8724.00	
0032	4721000000-E	THERMO PVT M EA		66.000	140.00000	9240.00	
0033	4725000000-E	THERMO PVT S EA		277.000	65.00000	18005.00	
0034	4810000000-E	PAINT PVMT M LF		45200.000	0.14000	6328.00	
0035	4835000000-E	PAINT PVT MK LF		198.000	2.50000	495.00	
0036	4900000000-N	PERM RAISED EA		2555.000	4.50000	11497.50	
WBE COMMITMENT TOTAL FOR SUBCONTRACTOR:						221,675.50	✓ arm

TOTAL WBE COMMITMENT FOR VENDOR:				Entered:	6.40% or	273325.50	✓ arm
				Required:	4.00% or	170769.18	
					<GOAL MET>		

Contract Item Sheets For C202519

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
ROADWAY ITEMS						
0001	0000100000-N	800	MOBILIZATION	Lump Sum LS	40,000.00	40,000.00
0002	0106000000-E	230	BORROW EXCAVATION	277 CY	10.00	2,770.00
0003	1220000000-E	545	INCIDENTAL STONE BASE	170 TON	25.00	4,250.00
0004	1243000000-E	SP	SHOULDER CONSTRUCTION	8.88 SMI	3,500.00	31,080.00
0005	1245000000-E	SP	SHOULDER RECONSTRUCTION	13.37 SMI	2,850.00	38,104.50
0006	1297000000-E	607	MILLING ASPHALT PAVEMENT, **** DEPTH (1-1/2")	201,160 SY	1.10	221,276.00
0007	1308000000-E	607	MILLING ASPHALT PAVEMENT, **** TO *****) DEPTH (0" TO 1-1/2")	19,500 SY	1.10	21,450.00
0008	1330000000-E	607	INCIDENTAL MILLING	4,800 SY	4.50	21,600.00
0009	1491000000-E	610	ASPHALT CONC BASE COURSE, TYPE B25.0C	2,236 TON	38.00	84,968.00
0010	1503000000-E	610	ASPHALT CONC INTERMEDIATE COURSE, TYPE I19.0C	2,736 TON	35.00	95,760.00
0011	1523000000-E	610	ASPHALT CONC SURFACE COURSE, TYPE S9.5C	35,146 TON	34.60	1,216,051.60
0012	1524000000-E	SP	ASPHALT CONC SURFACE COURSE, TYPE S9.5C (LEVELING COURSE)	4,755 TON	38.00	180,690.00
0013	1560000000-E	620	ASPHALT BINDER FOR PLANT MIX, GRADE PG 64-22	226 TON	439.00	99,214.00
0014	1565000000-E	620	ASPHALT BINDER FOR PLANT MIX, GRADE PG 70-22	2,419 TON	460.00	1,112,740.00
0015	1704000000-E	SP	PATCHING EXISTING PAVEMENT	9,860 TON	80.00	788,800.00
0016	2600000000-N	SP	RETROFIT EXISTING WHEELCHAIR RAMPS	13 EA	210.00	2,730.00
0017	2605000000-N	848	CONCRETE WHEELCHAIR RAMPS	2 EA	1,400.00	2,800.00
0018	2612000000-E	848	6" CONCRETE DRIVEWAY	300 SY	35.00	10,500.00

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
0019	2800000000-N	858	ADJUSTMENT OF CATCH BASINS	1 EA	850.00	850.00
0020	2830000000-N	858	ADJUSTMENT OF MANHOLES	92 EA	280.00	25,760.00
0021	2845000000-N	858	ADJUSTMENT OF METER BOXES OR VALVE BOXES	73 EA	160.00	11,680.00
0022	4589000000-N	SP	GENERIC TRAFFIC CONTROL ITEM TRAFFIC CONTROL	Lump Sum LS	10,000.00	10,000.00
0023	4685000000-E	1205	THERMOPLASTIC PAVEMENT MARKING LINES (4", 90 MILS)	91,900 LF	0.50	45,950.00
0024	4686000000-E	1205	THERMOPLASTIC PAVEMENT MARKING LINES (4", 120 MILS)	193,700 LF	0.53	102,661.00
0025	4688000000-E	1205	THERMOPLASTIC PAVEMENT MARKING LINES (6", 90 MILS)	7,500 LF	0.65	4,875.00
0026	4690000000-E	1205	THERMOPLASTIC PAVEMENT MARKING LINES (6", 120 MILS)	3,000 LF	0.70	2,100.00
0027	4695000000-E	1205	THERMOPLASTIC PAVEMENT MARKING LINES (8", 90 MILS)	5,880 LF	1.25	7,350.00
0028	4697000000-E	1205	THERMOPLASTIC PAVEMENT MARKING LINES (8", 120 MILS)	1,800 LF	1.25	2,250.00
0029	4702000000-E	1205	THERMOPLASTIC PAVEMENT MARKING LINES (12", 120 MILS)	500 LF	3.00	1,500.00
0030	4705000000-E	1205	THERMOPLASTIC PAVEMENT MARKING LINES (16", 120 MILS)	200 LF	3.50	700.00
0031	4710000000-E	1205	THERMOPLASTIC PAVEMENT MARKING LINES (24", 120 MILS)	1,454 LF	6.00	8,724.00
0032	4721000000-E	1205	THERMOPLASTIC PAVEMENT MARKING CHARACTER (120 MILS)	66 EA	140.00	9,240.00
0033	4725000000-E	1205	THERMOPLASTIC PAVEMENT MARKING SYMBOL (90 MILS)	277 EA	65.00	18,005.00
0034	4810000000-E	1205	PAINT PAVEMENT MARKING LINES (4")	45,200 LF	0.14	6,328.00
0035	4835000000-E	1205	PAINT PAVEMENT MARKING LINES (24")	198 LF	2.50	495.00

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
0036	4900000000-N	1251	PERMANENT RAISED PAVEMENT MARKERS	2,555 EA	4.50	11,497.50
0037	5255000000-N	1413	PORTABLE LIGHTING	Lump Sum LS	5,000.00	5,000.00
0038	6000000000-E	1605	TEMPORARY SILT FENCE	3,800 LF	2.00	7,600.00
0039	6084000000-E	1660	SEEDING & MULCHING	8 ACR	1,485.00	11,880.00

TOTAL AMOUNT OF BID FOR ENTIRE PROJECT**\$4,269,229.60** ✓

Contract Number C202519
County Mecklenburg

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

Ferebee Corporation

Full name of Corporation

P.O. Box 480066 Charlotte, NC 28269

Address as Prequalified

Attest

Lois Reynolds

Secretary/Assistant Secretary

Select appropriate title

By

[Signature]

President/Vice President/Assistant Vice President

Select appropriate title

Lois Reynolds

Print or type Signer's name

Chris Ferebee

Print or type Signer's name

CORPORATE SEAL

AFFIDAVIT MUST BE NOTARIZED

NOTARY SEAL

Subscribed and sworn to before me this the

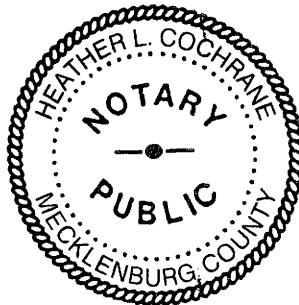
1 day of February 2010

Heather L. Cochrane
Signature of Notary Public

of Mecklenburg County

State of North Carolina

My Commission Expires: August 25, 2012



DEBARMENT CERTIFICATION OF CONTRACTOR

Conditions for certification:

1. The Contractor shall provide immediate written notice to the Department if at any time the Contractor learns that his certification was erroneous when he submitted his debarment certification or explanation that is on file with the Department, or has become erroneous because of changed circumstances.
2. The terms *covered transaction, debarred, suspended, ineligible, lower tier covered transaction, participant, person, primary covered transaction, principal, proposal, and voluntarily excluded*, as used in this provision, have the meanings set out in the Definitions and Coverage sections of the rules implementing Executive Order 12549. A copy of the Federal Rules requiring this certification and detailing the definitions and coverages may be obtained from the Contract Officer of the Department.
3. The Contractor agrees by submitting this form, that he will not knowingly enter into any lower tier covered transaction with a person who is debarred, suspended, declared ineligible, or voluntarily excluded from participation in NCDOT contracts, unless authorized by the Department.
4. For Federal Aid projects, the Contractor further agrees that by submitting this form he will include the Federal-Aid Provision titled *Required Contract Provisions Federal-Aid Construction Contract (Form FHWA PR 1273)* provided by the Department, without subsequent modification, in all lower tier covered transactions.
5. The Contractor may rely upon a certification of a participant in a lower tier covered transaction that he is not debarred, suspended, ineligible, or voluntarily excluded from the covered transaction, unless he knows that the certification is erroneous. The Contractor may decide the method and frequency by which he will determine the eligibility of his subcontractors.
6. Nothing contained in the foregoing shall be construed to require establishment of a system of records in order to render in good faith the certification required by this provision. The knowledge and information of a participant is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.
7. Except as authorized in paragraph 3 herein, the Department may terminate any contract if the Contractor knowingly enters into a lower tier covered transaction with a person who is suspended, debarred, ineligible, or voluntarily excluded from participation in this transaction, in addition to other remedies available by the Federal Government.

DEBARMENT CERTIFICATION

The Contractor certifies to the best of his knowledge and belief, that he and his principals:

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

If the Contractor cannot certify that he is not debarred, he shall provide an explanation with this submittal. An explanation will not necessarily result in denial of participation in a contract.

Failure to submit a non-collusion affidavit and debarment certification will result in the Contractor's bid being considered non-responsive.

Check here if an explanation is attached to this certification.

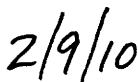
Contract No **C202519**

County (ies): **Mecklenburg**

ACCEPTED BY THE
DEPARTMENT OF TRANSPORTATION




Contract Officer



Date

Execution of Contract and Bonds
Approved as to Form:



Assistant Attorney General

Contract No. C202519
County Mecklenburg

(Rev 7-10-08)

CONTRACT PAYMENT BOND

Date of Payment Bond Execution: January 29, 2010

Name of Principal Contractor: Ferebee Corporation

Name of Surety: Safeco Insurance Company of America

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

Amount of Bond: \$4,269,229.60

Contract ID No.: C202519

County Name: Mecklenburg

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. C202519
County Mecklenburg

(Rev 7-10-08)

CONTRACT PAYMENT BOND

Affix Seal of Surety Company

Safeco Insurance Company of America
Print or type Surety Company Name

By Angela D. Ramsey
Print, stamp, or type name of Attorney-in-Fact

Angela D. Ramsey
Signature of Attorney-in-Fact

Jennifer C. Hoehn
Signature of Witness

Jennifer C. Hoehn
Print or type Witness's name

c/o Wells Fargo Insurance Services USA, Inc.
P.O. Box 220748, Charlotte, NC 28222-0748
Address of Attorney-in-Fact

Contract No. C202519
County Mecklenburg

(Rev 7-10-08)

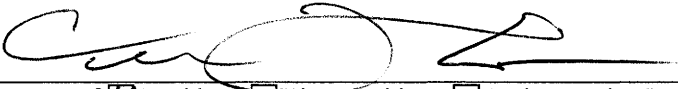
CONTRACT PAYMENT BOND

CORPORATION

SIGNATURE OF CONTRACTOR (Principal)

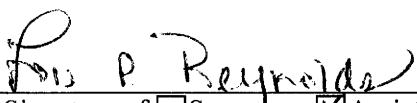
Ferebee Corporation
Full name of Corporation

P.O. Box 480066, Charlotte, NC 28269
Address as prequalified

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

Craig Ferebee
Print or type Signer's name

Affix Corporate Seal

Attest 
Signature of Secretary, Assistant Secretary
Select appropriate title

Lois P. Reynolds
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. 7456

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

*****DONNA K. ASHLEY; JENNIFER C. HOEHN; WENDY E. LAHM; JOHN D. LEAK III; WILLIAM J. QUINN; ANGELA D. RAMSEY; JOHN F. THOMAS; G. TIMOTHY WILKERSON; 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

[Handwritten signature of Dexter R. Legg]

Dexter R. Legg, Secretary

[Handwritten signature of Timothy A. Mikolajewski]

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 29th day of January, 2010



[Handwritten signature of Dexter R. Legg]

Dexter R. Legg, Secretary

Contract No. C202519

(Rev 7-10-08)

County Mecklenburg

CONTRACT PERFORMANCE BOND

Date of Payment Bond Execution: January 29, 2010

Name of Principal Contractor: Ferebee Corporation

Name of Surety: Safeco Insurance Company of America

Name of Contracting Body: North Carolina Department of Transportation

Raleigh, North Carolina

Amount of Bond: \$4,269,229.60

Contract ID No.: C202519

County Name: Mecklenburg

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 agreement 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. C202519
County Mecklenburg

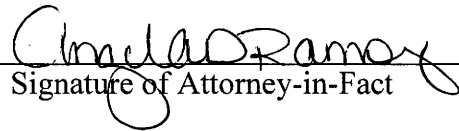
(Rev 7-10-08)

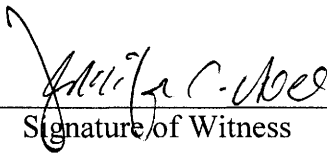
CONTRACT PERFORMANCE BOND

Affix Seal of Surety Company

Safeco Insurance Company of America
Print or type Surety Company Name

By Angela D. Ramsey
Print, stamp, or type name of Attorney-in-Fact


Signature of Attorney-in-Fact


Signature of Witness

Jennifer C. Hoehn
Print or type Witness's name

c/o Wells Fargo Insurance Services USA, Inc.
P.O. Box 220748, Charlotte, NC 28222-0748
Address of Attorney-in-Fact

Contract No. C202519
County Mecklenburg

(Rev 7-10-08)


CONTRACT PERFORMANCE BOND

CORPORATION

SIGNATURE OF CONTRACTOR (Principal)

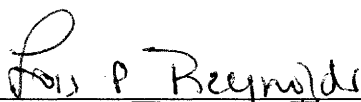
Ferebee Corporation
Full name of Corporation

P.O. Box 480066, Charlotte, NC 28269
Address as prequalified

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

Craig Ferebee
Print or type Signer's name

Affix Corporate Seal

Attest 
Signature of Secretary, Assistant Secretary
Select appropriate title

Lois P Reynolds
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. 7456

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

*****DONNA K. ASHLEY; JENNIFER C. HOEHN; WENDY E. LAHM; JOHN D. LEAK III; WILLIAM J. QUINN; ANGELA D. RAMSEY; JOHN F. THOMAS; G. TIMOTHY WILKERSON; 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

Dexter R. Legg

Dexter R. Legg, Secretary

T. Mikolajewski

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."

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

this 29th day of January, 2010



Dexter R. Legg

Dexter R. Legg, Secretary