

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

C202483

CONTRACT AND
CONTRACT BONDS
FOR CONTRACT NO. C202483

WBS 41860.3.ST1 STM-026-1(85)61

T.I.P NO. I-5100

COUNTY OF POLK
THIS IS THE ROADWAY CONTRACT

ROUTE NUMBER I 26 LENGTH 9.190 MILES
LOCATION I-26 FROM MP 61.75 TO THE SOUTH CAROLINA LINE, MP 71.

CONTRACTOR MOORE & SON SITE CONTRACTORS INC
ADDRESS 103 MCDOWELL RD
MILLS RIVER, NC 28759

BIDS OPENED JANUARY 19, 2010
CONTRACT EXECUTION FEB 15 2010

Moore Son Site Contractors, Inc. (7361).

Vendor 3 of 3 Vendors for Call Order 042 (Proposal ID C202483).

County: POLK
Address: 103 McDowell Road
Mills River, NC 28759

Phone Number: 828-891-8900

Signature Check: This bid has been properly signed by Rick_L_Moore_7361.

Time Bid Received: Tue Jan 19 11:58:29 2010

Bid Checksum: F42485E8

Amendment Count: 0

Bidding Errors: No bidding errors

Bid Total: \$9,310,755.29 ✓

Bond ID: SNC10722661

DBE GOAL SET 8.0

DBE GOAL MET 8.0

Bond was Verified: Yes.

Bond Required Percent: 5.00%

Minimum Check Amount: \$465,537.76

Bid Security Maximum: \$

Bond Agency Name:

Agency Execution Date: 1/13/2010 12:42:46 PM

Surety Name: Westfield Insurance Company

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: SNC10722661
Surety Registry Agency: surety2000
Verified?: Yes
Surety Agency: Westfield Insurance Company
Bond Execution Date: 1/13/2010 12:42:46 PM
Bond Amount: \$465,537.76 (Five Percent of Bid)

State of NC
 Dept of Transportation

Date: 12-22-09
 Revised:

Contract ID: C202483

Project(s): STM-026-1(85)61

Letting Date: 01-19-10 Call Order: 042

Bidder: 7361 - Moore & Son Site Contractors, Inc.

Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
Section 0001 ROADWAY ITEMS						
Alt Group						
0001	0000100000-N MOBILIZATIO N	LUMP		LUMP		352,560.00
0002	1245000000-E SHOULDER RECONSTRUCTION	SMI	7.950	5,250.00000		41,737.50
0003	1297000000-E MILLING ASPHALT PAVEMENT, ***"DEPTH (1-1/2")	SY	23,714.000	0.97000		23,002.58
0004	1297000000-E MILLING ASPHALT PAVEMENT, ***"DEPTH (2")	SY	379,983.000	1.13000		429,380.79
0005	1297000000-E MILLING ASPHALT PAVEMENT, ***"DEPTH (3")	SY	109,766.000	1.25000		137,207.50
0006	1508000000-E ASPHALT CONC INTERMEDIATE COURSE, TYPE I19.0D	TON	18,770.000	41.50000		778,955.00
0007	1519000000-E ASPHALT CONC SURFACE COURSE, TYPE S9.5B	TON	24,960.000	41.50000		1,035,840.00
0008	1524200000-E ASPHALT CONC SURFACE COURSE, TYPE S9.5D	TON	36,389.000	42.00000		1,528,338.00
0009	1560000000-E ASPHALT BINDER FOR PLANT MIX, GRADE PG 64-22	TON	1,559.000	479.00000		746,761.00
0010	1565000000-E ASPHALT BINDER FOR PLANT MIX, GRADE PG 70-22	TON	882.000	495.00000		436,590.00
0011	1570000000-E ASPHALT BINDER FOR PLANT MIX, GRADE PG 76-22	TON	3,141.000	609.00000		1,912,869.00

State of NC
 Dept of Transportation

Date: 12-22-09
 Revised:

Contract ID: C202483

Project(s): STM-026-1(85)61

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Bidder: 7361 - Moore & Son Site Contractors, Inc.

Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
0012	1663000000-E OPEN-GRADED ASPHALT FRICTION COURSE, TYPE FC-2 MODIFIED	15,932.000 TON	60.00000		955,920.00	
0013	1840000000-E MILLED RUMBLE STRIPS (ASPHALT CEMENT CONCRETE)	206,005.000 LF	0.11000		22,660.55	
0014	2354200000-N FRAME WITH GRATE, STD 840.24	13.000 EA	500.00000		6,500.00	
0015	2473000000-N GENERIC DRAINAGE ITEM DRAINAGE STRUCTURE REPAIR	13.000 EA	1,000.00000		13,000.00	
0016	2473000000-N GENERIC DRAINAGE ITEM FUNNEL DRAIN INLET REPAIR	14.000 EA	800.00000		11,200.00	
0017	2619000000-E 4" CONCRETE PAVED DITCH	8,746.000 SY	26.00000		227,396.00	
0018	2752000000-E GENERIC PAVING ITEM CONCRETE MEDIAN BARRIER WALL REPAIR	1,200.000 LF	75.00000		90,000.00	
0019	3030000000-E STEEL BM GUARDRAIL	3,750.000 LF	15.00000		56,250.00	
0020	3210000000-N GUARDRAIL ANCHOR UNITS, TYPE CAT-1	54.000 EA	550.00000		29,700.00	
0021	4400000000-E WORK ZONE SIGNS (STATIONARY)	704.000 SF	6.00000		4,224.00	
0022	4405000000-E WORK ZONE SIGNS (PORTABLE)	2,400.000 SF	10.00000		24,000.00	

State of NC
Dept of Transportation

Date: 12-22-09
Revised:

Contract ID: C202483 Project(s): STM-026-1(85)61
Letting Date: 01-19-10 Call Order: 042
Bidder: 7361 - Moore & Son Site Contractors, Inc.

Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
0023	4415000000-N FLASHING ARROW PANELS, TYPE C	EA 6.000	3,000.00000		18,000.00	
0024	4420000000-N CHANGEABLE MESSAGE SIGN	EA 6.000	4,000.00000		24,000.00	
0025	4430000000-N DRUMS	EA 100.000	42.00000		4,200.00	
0026	4435000000-N CONES	EA 800.000	17.25000		13,800.00	
0027	4480000000-N TMIA	EA 4.000	9,500.00000		38,000.00	
0028	4516000000-N SKINNY DRUM	EA 800.000	34.00000		27,200.00	
0029	4685000000-E THERMOPLAST IC PAVEMENT MARKING LINES (4", 90 MILS)	LF 51,680.000	0.38000		19,638.40	
0030	4686000000-E THERMOPLAST IC PAVEMENT MARKING LINES (4", 120 MILS)	LF 11,760.000	0.41000		4,821.60	
0031	4688000000-E THERMOPLAST IC PAVEMENT MARKING LINES (6", 90 MILS)	LF 173,660.000	0.48000		83,356.80	
0032	4690000000-E THERMOPLAST IC PAVEMENT MARKING LINES (6", 120 MILS)	LF 33,320.000	0.53000		17,659.60	
0033	4695000000-E THERMOPLAST IC PAVEMENT MARKING LINES (8", 90 MILS)	LF 7,000.000	1.05000		7,350.00	
0034	4725000000-E THERMOPLAST IC PAVEMENT MARKING SYMBOL (90 MILS)	EA 25.000	210.00000		5,250.00	

State of NC
Dept of Transportation

Date: 12-22-09
Revised:

Contract ID: C202483

Project(s): STM-026-1(85)61

Letting Date: 01-19-10 Call Order: 042

Bidder: 7361 - Moore & Son Site Contractors, Inc.

Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
0035	4810000000-E PAINT PAVEMENT MARKING LINES (4")	964,369.000 LF	0.13000		125,367.97	
0036	4845000000-N PAINT PAVEMENT MARKING SYMBOL	47.000 EA	79.00000		3,713.00	
0037	4905000000-N SNOWPLOWABL E PAVEMENT MARKERS	1,986.000 EA	21.00000		41,706.00	
0038	4960000000-N GENERIC TRAFFIC CONTROL ITEM GUARDRAIL DELINEATORS	600.000 EA	8.00000		4,800.00	
0039	4960000000-N GENERIC TRAFFIC CONTROL ITEM REMOVE & REPLACE TOP MOUNTED BARRIER WALL DELINEATORS	250.000 EA	8.00000		2,000.00	
0040	4960000000-N GENERIC TRAFFIC CONTROL ITEM SIDE MOUNTED BARRIER WALL DELINEATORS	100.000 EA	8.00000		800.00	
0041	5255000000-N PORTABLE LIGHTING	LUMP	LUMP		5,000.00	
Section 0001 Total					9,310,755.29	
Bid Total					9,310,755.29	✓

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:12-22-09
PAGE: 7

PROPOSAL: C202483
LETTING: L100119 CALL: 042
VENDOR: 7361 Moore & Son Site Contractors, Inc.

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

DBE SUBCONTRACTOR: 12392 HAMILTON HAULING LLC
Will Use Quote: Yes

0004	12970000000-E	MILL ASP PVM SY	379983.000	0.13000	49397.79
0005	12970000000-E	MILL ASP PVM SY	109766.000	0.15000	16464.90
0006	15080000000-E	ASP CONC INT TON	18770.000	2.91000	54620.70
0007	15190000000-E	ASP CONC SUR TON	24960.000	2.87000	71635.20
0008	15242000000-E	ASP CONC SUR TON	36389.000	4.38000	159383.82
0012	16630000000-E	OG ASP FRICT TON	15932.000	5.90000	93998.80

DBE COMMITMENT TOTAL FOR SUBCONTRACTOR: 445,501.21
DBE COMMITMENT TOTAL FOR VENDOR (SubContractor) 445,501.21 ✓ am

DBE SUBCONTRACTOR: 3376 REYNOLDS FENCE & GUARDRAIL INC
Will Use Quote: Yes

0020	32100000000-N	GR ANCHOR TY EA	54.000	500.00000	27000.00
0019	30300000000-E	STL BM GUARD LF	3750.000	14.00000	52500.00

DBE COMMITMENT TOTAL FOR SUBCONTRACTOR: 79,500.00
DBE COMMITMENT TOTAL FOR VENDOR (SubContractor) 79,500.00 ✓ am

DBE SUBCONTRACTOR: 2209 B C CANNON CO INC
Will Use Quote: Yes

0024	44200000000-N	CHANGEABLE M EA	6.000	3000.00000	18000.00
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DBE COMMITMENT TOTAL FOR SUBCONTRACTOR: 18,000.00
DBE COMMITMENT TOTAL FOR VENDOR (Supplier) \$10,800.00 ✓ am

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

0021	44000000000-E	WORK ZONE SI SF	704.000	5.35000	3766.40
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DBE COMMITMENT TOTAL FOR SUBCONTRACTOR: 3,766.40
DBE COMMITMENT TOTAL FOR VENDOR (SubContractor) 3,766.40 ✓ am

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

0023	44150000000-N	FLASHING ARR EA	6.000	3000.00000	18000.00
0022	44050000000-E	WORK ZONE SI SF	2400.000	8.45000	20280.00
0025	44300000000-N	DRUMS EA	100.000	33.00000	3300.00
0026	44350000000-N	CONES EA	800.000	15.50000	12400.00

NORTH CAROLINA STATE DEPARTMENT OF TRANSPORTATION
DBE COMMITMENT ITEMS

DATE:12-22-09
PAGE: 8

LINE NO.	ITEM NO.	ITEM DESC.	UNIT TYPE	SUBCONTRACTOR QUANTITY	SUBCONTRACTOR UNIT PRICE	EXTENDED AMOUNT
DBE COMMITMENT TOTAL FOR SUBCONTRACTOR:						53,980.00
DBE COMMITMENT TOTAL FOR VENDOR (Supplier)						\$32,388 ✓ am
DBE SUBCONTRACTOR: 3404 HERITAGE GRADING & PAVING, INC. Will Use Quote: Yes						
0002	1245000000-E	SHOULDER REC	SMI	7.950	4700.00000	37365.00
0001	0000100000-N	MOBILIZATION	LS	1.000	1800.00000	1800.00
DBE COMMITMENT TOTAL FOR SUBCONTRACTOR:						39,165.00
DBE COMMITMENT TOTAL FOR VENDOR (SubContractor)						39,165. ✓ am
DBE SUBCONTRACTOR: 3080 CURTIN TRUCKING & DRAINAGE, INC. Will Use Quote: Yes						
0027	4480000000-N	TMIA	EA	4.000	9000.00000	36000.00
DBE COMMITMENT TOTAL FOR SUBCONTRACTOR:						36,000.00
DBE COMMITMENT TOTAL FOR VENDOR (Supplier)						\$21,600 ✓ am
DBE SUBCONTRACTOR: 5678 BEAR & CO. SIGNS & LIGHTING, INC. Will Use Quote: Yes						
0028	4516000000-N	SKINNY DRUM	EA	800.000	27.50000	22000.00
DBE COMMITMENT TOTAL FOR SUBCONTRACTOR:						22,000.00
DBE COMMITMENT TOTAL FOR VENDOR (Supplier)						\$13,200 ✓ am
DBE SUBCONTRACTOR: 5328 JIMENEZ CONSTRUCTION INCORPORATED Will Use Quote: Yes						
0015	2473000000-N	GENERIC DRAI	EA	13.000	522.00000	6786.00
0016	2473000000-N	GENERIC DRAI	EA	14.000	739.50000	10353.00
0018	2752000000-E	GENERIC PAVI	LF	1200.000	69.50000	83400.00
DBE COMMITMENT TOTAL FOR SUBCONTRACTOR:						100,539.00
DBE COMMITMENT TOTAL FOR VENDOR (SubContractor)						100,539 ✓ am
TOTAL DBE COMMITMENT FOR VENDOR:					Entered:	8.02% or 746459.61 ✓ am
					Required:	8.00% or 744860.42
<GOAL MET>						

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
ROADWAY ITEMS						
0001	0000100000-N	800	MOBILIZATION	Lump Sum LS	352,560.00	352,560.00
0002	1245000000-E	SP	SHOULDER RECONSTRUCTION	7.95 SMI	5,250.00	41,737.50
0003	1297000000-E	607	MILLING ASPHALT PAVEMENT, **** DEPTH (1-1/2")	23,714 SY	0.97	23,002.58
0004	1297000000-E	607	MILLING ASPHALT PAVEMENT, **** DEPTH (2")	379,983 SY	1.13	429,380.79
0005	1297000000-E	607	MILLING ASPHALT PAVEMENT, **** DEPTH (3")	109,766 SY	1.25	137,207.50
0006	1508000000-E	610	ASPHALT CONC INTERMEDIATE COURSE, TYPE I19.0D	18,770 TON	41.50	778,955.00
0007	1519000000-E	610	ASPHALT CONC SURFACE COURSE, TYPE S9.5B	24,960 TON	41.50	1,035,840.00
0008	1524200000-E	610	ASPHALT CONC SURFACE COURSE, TYPE S9.5D	36,389 TON	42.00	1,528,338.00
0009	1560000000-E	620	ASPHALT BINDER FOR PLANT MIX, GRADE PG 64-22	1,559 TON	479.00	746,761.00
0010	1565000000-E	620	ASPHALT BINDER FOR PLANT MIX, GRADE PG 70-22	882 TON	495.00	436,590.00
0011	1570000000-E	620	ASPHALT BINDER FOR PLANT MIX, GRADE PG 76-22	3,141 TON	609.00	1,912,869.00
0012	1663000000-E	650	OPEN-GRADED ASPHALT FRICTION COURSE, TYPE FC-2 MODIFIED	15,932 TON	60.00	955,920.00
0013	1840000000-E	665	MILLED RUMBLE STRIPS (ASPHALT CEMENT CONCRETE)	206,005 LF	0.11	22,660.55
0014	2354200000-N	840	FRAME WITH GRATE, STD 840.24	13 EA	500.00	6,500.00
0015	2473000000-N	SP	GENERIC DRAINAGE ITEM DRAINAGE STRUCTURE REPAIR	13 EA	1,000.00	13,000.00
0016	2473000000-N	SP	GENERIC DRAINAGE ITEM FUNNEL DRAIN INLET REPAIR	14 EA	800.00	11,200.00
0017	2619000000-E	850	4" CONCRETE PAVED DITCH	8,746 SY	26.00	227,396.00

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
0018	2752000000-E	SP	GENERIC PAVING ITEM CONCRETE MEDIAN BARRIER WALL REPAIR	1,200 LF	75.00	90,000.00
0019	3030000000-E	862	STEEL BM GUARDRAIL	3,750 LF	15.00	56,250.00
0020	3210000000-N	862	GUARDRAIL ANCHOR UNITS, TYPE CAT-1	54 EA	550.00	29,700.00
0021	4400000000-E	1110	WORK ZONE SIGNS (STATIONARY)	704 SF	6.00	4,224.00
0022	4405000000-E	1110	WORK ZONE SIGNS (PORTABLE)	2,400 SF	10.00	24,000.00
0023	4415000000-N	1115	FLASHING ARROW PANELS, TYPE C	6 EA	3,000.00	18,000.00
0024	4420000000-N	1120	CHANGEABLE MESSAGE SIGN	6 EA	4,000.00	24,000.00
0025	4430000000-N	1130	DRUMS	100 EA	42.00	4,200.00
0026	4435000000-N	1135	CONES	800 EA	17.25	13,800.00
0027	4480000000-N	1165	TMIA	4 EA	9,500.00	38,000.00
0028	4516000000-N	1180	SKINNY DRUM	800 EA	34.00	27,200.00
0029	4685000000-E	1205	THERMOPLASTIC PAVEMENT MARKING LINES (4", 90 MILS)	51,680 LF	0.38	19,638.40
0030	4686000000-E	1205	THERMOPLASTIC PAVEMENT MARKING LINES (4", 120 MILS)	11,760 LF	0.41	4,821.60
0031	4688000000-E	1205	THERMOPLASTIC PAVEMENT MARKING LINES (6", 90 MILS)	173,660 LF	0.48	83,356.80
0032	4690000000-E	1205	THERMOPLASTIC PAVEMENT MARKING LINES (6", 120 MILS)	33,320 LF	0.53	17,659.60
0033	4695000000-E	1205	THERMOPLASTIC PAVEMENT MARKING LINES (8", 90 MILS)	7,000 LF	1.05	7,350.00
0034	4725000000-E	1205	THERMOPLASTIC PAVEMENT MARKING SYMBOL (90 MILS)	25 EA	210.00	5,250.00
0035	4810000000-E	1205	PAINT PAVEMENT MARKING LINES (4")	964,369 LF	0.13	125,367.97

Contract Item Sheets For C202483

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
0036	4845000000-N	1205	PAINT PAVEMENT MARKING SYMBOL	47 EA	79.00	3,713.00
0037	4905000000-N	1253	SNOWPLOWABLE PAVEMENT MARKERS	1,986 EA	21.00	41,706.00
0038	4960000000-N	SP	GENERIC TRAFFIC CONTROL ITEM GUARDRAIL DELINEATORS	600 EA	8.00	4,800.00
0039	4960000000-N	SP	GENERIC TRAFFIC CONTROL ITEM REMOVE & REPLACE TOP MOUNTED BARRIER WALL DELINEATORS	250 EA	8.00	2,000.00
0040	4960000000-N	SP	GENERIC TRAFFIC CONTROL ITEM SIDE MOUNTED BARRIER WALL DELINEATORS	100 EA	8.00	800.00
0041	5255000000-N	1413	PORTABLE LIGHTING	Lump Sum LS	5,000.00	5,000.00

TOTAL AMOUNT OF BID FOR ENTIRE PROJECT

\$9,310,755.29 ✓

**EXECUTION OF CONTRACT
NON-COLLUSION AFFIDAVIT, DEBARMENT CERTIFICATION AND GIFT BAN 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.

N.C.G.S. § 133-32 and Executive Order 24 prohibit the offer to, or acceptance by, any State Employee of any gift from anyone with a contract with the State, or from any person seeking to do business with the State. By execution of any response in this procurement, you attest, for your entire organization and its employees or agents, that you are not aware that any such gift has been offered, accepted, or promised by any employees of your organization.

SIGNATURE OF CONTRACTOR

Moore and Son Site Contactors, Inc.
Full name of Corporation

103 McDowell Road, Mills River, NC 28759
Address as Prequalified

Attest Beverly Moore Secretary/Assistant Secretary
Select appropriate title By [Signature] President/Vice President/Assistant Vice President
Select appropriate title

Beverly Moore
Print or type Signer's name

Rick L. Moore
Print or type Signer's name

CORPORATE SEAL

AFFIDAVIT MUST BE NOTARIZED

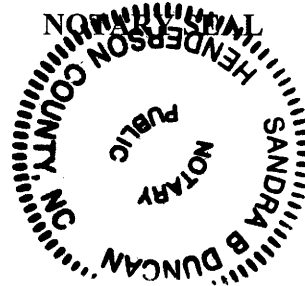
Subscribed and sworn to before me this the 8 day of February 2010.

Sandra B Duncan
Signature of Notary Public

of Henderson County

State of NC

My Commission Expires: 6-3-2014



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 **C202483**

County (ies): **Polk**

ACCEPTED BY THE
DEPARTMENT OF TRANSPORTATION



Contract Officer

2/15/10

Date

Execution of Contract and Bonds
Approved as to Form:



Attorney General

Contract No. C202483
County Polk

(Rev 7-10-08)

CONTRACT PAYMENT BOND

Date of Payment Bond Execution February 1, 2010

Name of Principal Contractor Moore & Son Site Contractors, Inc.

Name of Surety: Westfield Insurance Company

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

Amount of Bond: \$9,310,755.29

Contract ID No.: C202483

Country Name: Polk County

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

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

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

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

Contract No. C202483
County Polk

(Rev 7-10-08)

CONTRACT PAYMENT BOND

Affix Seal of Surety Company

Westfield Insurance Company

Print or type Surety Company Name

By Amy M Tayler, Attorney-in-Fact

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

Amy M. Tayler

Signature of Attorney-in-Fact

Carolyn B. Wilson

Signature of Witness

Carolyn Wilson

Print or type Witness's name

PO Box 1109, Hendersonville, NC 28793-1109

Address of Attorney-in-Fact

Contract No.
County

C202483

Polk

(Rev 7-10-08)

CONTRACT PAYMENT BOND

CORPORATION

SIGNATURE OF CONTRACTOR (Principal)

Moore & Son Site Contractors Inc.

Full name of Corporation

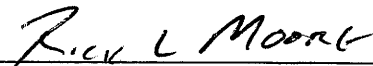
103 McDowell Rd. Mills River, NC 28759

Address as prequalified

By



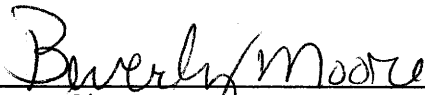
Signature of President, ~~Vice President, Assistant Vice President~~
Select appropriate title



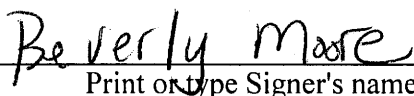
Print or type Signer's name

Affix Corporate Seal

Attest



Signature of Secretary, Assistant Secretary
Select appropriate title



Print or type Signer's name

Contract No. C202483
County POIK

(Rev 7-10-08)

CONTRACT PERFORMANCE BOND

Date of Performance Bond Execution: February 1, 2010

Name of Principal Contractor: Moore & Son Site Contractors, Inc.

Name of Surety: Westfield Insurance Company

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

Amount of Bond: \$9,310,755.29

Contract ID No.: C202483

Country Name: Polk County

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

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

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

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

Contract No. C202483
County Polk

(Rev 7-10-08)

CONTRACT PERFORMANCE BOND

Affix Seal of Surety Company

Westfield Insurance Company

Print or type Surety Company Name

By Amy M. Tayler, Attorney-in-Fact

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

Amy M. Tayler

Signature of Attorney-in-Fact

Carolyn B. Wilson

Signature of Witness

Carolyn Wilson

Print or type Witness's name

PO Box 1109, Hendersonville, NC 28793

Address of Attorney-in-Fact

Contract No. C202483
County Polk

(Rev 7-10-08)

CONTRACT PERFORMANCE BOND
CORPORATION


SIGNATURE OF CONTRACTOR (Principal)


Moore & Son Site Contractors, Inc.

Full name of Corporation

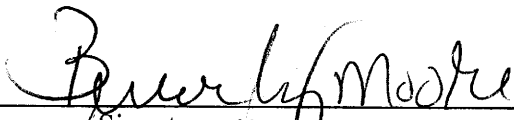
103 McDowell Road Mills River, NC 28759

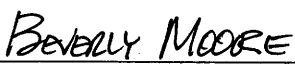
Address as prequalified

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


Print or type Signer's name

Affix Corporate Seal

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


Print or type Signer's name

General Power of Attorney

Westfield Insurance Co. Westfield National Insurance Co. Ohio Farmers Insurance Co. Westfield Center, Ohio

CERTIFIED COPY

Know All Men by These Presents, That WESTFIELD INSURANCE COMPANY, WESTFIELD NATIONAL INSURANCE COMPANY and OHIO FARMERS INSURANCE COMPANY, corporations, hereinafter referred to individually as a "Company" and collectively as "Companies," duly organized and existing under the laws of the State of Ohio, and having its principal office in Westfield Center, Medina County, Ohio, do by these presents make, constitute and appoint ROBERT L. CRANFORD, JOYCE C. BIDDIX, RALPH M. DARK, III, AMY M. TAYLER, DAVID B. SHAFFER, DAVID G. SHAFFER, CHRISTINA M. PERRY, CRYSTAL EISENHOWER, JOINTLY OR SEVERALLY

of HENDERSONVILLE and State of NC its true and lawful Attorney(s)-in-Fact, with full power and authority hereby conferred in its name, place and stead, to execute, acknowledge and deliver any and all bonds, recognizances, undertakings, or other instruments or contracts of suretyship-

LIMITATION: THIS POWER OF ATTORNEY CANNOT BE USED TO EXECUTE NOTE GUARANTEE, MORTGAGE DEFICIENCY, MORTGAGE GUARANTEE, OR BANK DEPOSITORY BONDS.

and to bind any of the Companies thereby as fully and to the same extent as if such bonds were signed by the President, sealed with the corporate seal of the applicable Company and duly attested by its Secretary, hereby ratifying and confirming all that the said Attorney(s)-in-Fact may do in the premises. Said appointment is made under and by authority of the following resolution adopted by the Board of Directors of each of the WESTFIELD INSURANCE COMPANY, WESTFIELD NATIONAL INSURANCE COMPANY and OHIO FARMERS INSURANCE COMPANY:

"Be It Resolved, that the President, any Senior Executive, any Secretary or any Fidelity & Surety Operations Executive or other Executive shall be and is hereby vested with full power and authority to appoint any one or more suitable persons as Attorney(s)-in-Fact to represent and act for and on behalf of the Company subject to the following provisions:

The Attorney-in-Fact. may be given full power and authority for and in the name of and on behalf of the Company, to execute, acknowledge and deliver, any and all bonds, recognizances, contracts, agreements of indemnity and other conditional or obligatory undertakings and any and all notices and documents canceling or terminating the Company's liability thereunder, and any such instruments so executed by any such Attorney-in-Fact shall be as binding upon the Company as if signed by the President and sealed and attested by the Corporate Secretary."

"Be it Further Resolved, that the signature of any such designated person and the seal of the Company heretofore or hereafter affixed to any power of attorney or any certificate relating thereto by facsimile, and any power of attorney or certificate bearing facsimile signatures or facsimile seal shall be valid and binding upon the Company with respect to any bond or undertaking to which it is attached." (Each adopted at a meeting held on February 8, 2000).

In Witness Whereof, WESTFIELD INSURANCE COMPANY, WESTFIELD NATIONAL INSURANCE COMPANY and OHIO FARMERS INSURANCE COMPANY have caused these presents to be signed by their Senior Executive and their corporate seals to be hereto affixed this 17th day of NOVEMBER A.D., 2008 .

Corporate Seals Affixed



WESTFIELD INSURANCE COMPANY WESTFIELD NATIONAL INSURANCE COMPANY OHIO FARMERS INSURANCE COMPANY

Richard L. Kinnaird, Jr. (Signature)

By: Richard L. Kinnaird, Jr., Senior Executive

State of Ohio County of Medina ss.:

On this 17th day of NOVEMBER A.D., 2008 , before me personally came Richard L. Kinnaird, Jr. to me known, who, being by me duly sworn, did depose and say, that he resides in Medina, Ohio; that he is Senior Executive of WESTFIELD INSURANCE COMPANY, WESTFIELD NATIONAL INSURANCE COMPANY and OHIO FARMERS INSURANCE COMPANY, the companies described in and which executed the above instrument; that he knows the seals of said Companies; that the seals affixed to said instrument are such corporate seals; that they were so affixed by order of the Boards of Directors of said Companies; and that he signed his name thereto by like order.

Notarial Seal Affixed



William J. Kahelin (Signature)

William J. Kahelin, Attorney at Law, Notary Public My Commission Does Not Expire (Sec. 147.03 Ohio Revised Code)

State of Ohio County of Medina ss.:

I, Frank A. Carrino, Secretary of WESTFIELD INSURANCE COMPANY, WESTFIELD NATIONAL INSURANCE COMPANY and OHIO FARMERS INSURANCE COMPANY, do hereby certify that the above and foregoing is a true and correct copy of a Power of Attorney, executed by said Companies, which is still in full force and effect; and furthermore, the resolutions of the Boards of Directors, set out in the Power of Attorney are in full force and effect.

In Witness Whereof, I have hereunto set my hand and affixed the seals of said Companies at Westfield Center, Ohio, this 1st day of February A.D., 2010 .



Frank A. Carrino (Signature) Secretary