

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

C202562

CONTRACT AND
CONTRACT BONDS
FOR CONTRACT NO. C202562

WBS 3CR.10101.88 STATE FUNDED

COUNTY OF BRUNSWICK
THIS IS THE ROADWAY CONTRACT
ROUTE NUMBER US 17 LENGTH 7.290 MILES
LOCATION US-17 FROM SOUTH OF SR-1701 TO US-17 BUS.

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

BIDS OPENED FEBRUARY 16, 2010
CONTRACT EXECUTION MAR 08 2010

S. T. Wooten Corporation (3760).

Vendor 2 of 2 Vendors for Call Order 006 (Proposal ID C202562).

County: BRUNSWICK
 Address: 3801 Black Creek Road
 Wilson, NC 27894

Phone Number: 252-291-5165

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

Time Bid Received: Tue Feb 16 13:39:14 2010

Bid Checksum: 30BC1A59

MBE GOAL SET **5.0**

Amendment Count: 0

Bidding Errors: No bidding errors

MBE GOAL MET **5.1**

Bid Total: \$3,421,208.38 ✓

Bond ID: NX8S-W463-4NF3-WWCF

WBE GOAL SET **5.0**

Bond was Verified: Yes.

Bond Required Percent: 5.00%

WBE GOAL MET **5.7**

Minimum Check Amount: \$171,060.42

Bid Security Maximum: \$

Bond Agency Name:

Agency Execution Date: 2/16/2010

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 MBE PARTICIPANTS

VENDOR NUMBER	DBE NAME ADDRESS	WORK CODE TYPE OF WORK	CERT TYPE AMOUNT	
5396 MB	SASSIE TRUCKING INC D/B/A/JAMES 2090 TURKEY TRAP RD , SUPPLY, NC 28462		Sub 50,770.00	✓ am
2676 MB	PAUL D. WILLIAMS DBA PAUL D. WI POST OFFICE BOX 1385 , DUNN, NC 28335		Sub 75,250.00	✓ am
8139 MB	SIMMONS PUBLIC UTILITY SITE-WOR 6545 DOTHAN ROAD , TABOR CITY, NC 28463		Sub 48,058.00	✓ am
TOTAL:			\$174,078.00	✓ am
			5.09%	

LIST OF WBE 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 14,527.50	✓ am
3376 WB	REYNOLDS FENCE & GUARDRAIL INC 9320 MACHADO DRIVE , INDIAN TRAIL, NC 28079		Sub 12,750.00	✓ am
3765 WB	STAY ALERT SAFETY SERVICES INC POST OFFICE BOX 467 , KERNERSVILLE, NC 27285		Sub 3,800.00	✓ am
3631 WB	MAR-TECH LAND DEVELOPERS INC 1956 GOOSE CREEK RD SW , SHALLOTTE, NC 28470		Sub 162,355.90	✓ am
TOTAL:			\$193,433.40	✓ am
			5.65%	

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	

NCDOT/berc

Vendor 3760's Load Output for Call 006, Letting L100216, 2010-02-16

NOT ANSWERED
NOT ANSWERED
NOT ANSWERED
NOT ANSWERED
NOT ANSWERED

Bid Bond Data Info - Contractor Responses:

=====

BondID: NX8S-W463-4NF3-WWCF
Surety Registry Agency: SurePathNetwork
Verified?: Yes
Surety Agency: Safeco Insurance Company of America
Bond Execution Date: 2/16/2010
Bond Amount: \$171,060.42 (Five Percent of Bid)

State of NC
Dept of Transportation

Date: 01-20-10
Revised:

Contract ID: C202562 Project(s): STATE FUNDED
Letting Date: 02-16-10 Call Order: 006
Bidder: 3760 - S. T. Wooten Corporation

Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
Section 0001 ROADWAY ITEMS						
Alt Group						
0001	0000100000-N MOBILIZATIO N	LUMP	LUMP			170,000.00
0002	0106000000-E BORROW EXCAVATION	CY	9,431.000	10.50000		99,025.50
0003	1220000000-E INCIDENTAL STONE BASE	TON	600.000	40.00000		24,000.00
0004	1245000000-E SHOULDER RECONSTRUCTION	SMI	29.000	1,500.00000		43,500.00
0005	1297000000-E MILLING ASPHALT PAVEMENT, ***"DEPTH (2-1/2")	SY	75,467.000	1.16000		87,541.72
0006	1330000000-E INCIDENTAL MILLING	SY	2,270.000	6.50000		14,755.00
0007	1503000000-E ASPHALT CONC INTERMEDIATE COURSE, TYPE I19.0C	TON	11,425.000	40.75000		465,568.75
0008	1523000000-E ASPHALT CONC SURFACE COURSE, TYPE S9.5C	TON	28,174.000	41.00000		1,155,134.00
0009	1524000000-E ASPHALT CONC SURFACE COURSE, TYPE S9.5C (LEVELING COURSE)	TON	50.000	75.00000		3,750.00
0010	1560000000-E ASPHALT BINDER FOR PLANT MIX, GRADE PG 64-22	TON	539.000	395.00000		212,905.00

State of NC
Dept of Transportation

Date: 01-20-10
Revised:

Contract ID: C202562 Project(s): STATE FUNDED
Letting Date: 02-16-10 Call Order: 006
Bidder: 3760 - S. T. Wooten Corporation

Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
0011	1565000000-E ASPHALT BINDER FOR PLANT MIX, GRADE PG 70-22	1,696.000 TON	420.00000		712,320.00	
0012	1840000000-E MILLED RUMBLE STRIPS (ASPHALT CEMENT CONCRETE)	153,121.000 LF	0.05000		7,656.05	
0013	1880000000-E GENERIC PAVING ITEM PATCHING EXISTING PAVEMENT (FULL DEPTH)	105.000 TON	120.00000		12,600.00	
0014	1880000000-E GENERIC PAVING ITEM PATCHING EXISTING PAVEMENT (MILL)	925.000 TON	120.00000		111,000.00	
0015	2830000000-N ADJUSTMENT OF MANHOLES	1.000 EA	500.00000		500.00	
0016	2845000000-N ADJUSTMENT OF METER BOXES OR VALVE BOXES	2.000 EA	400.00000		800.00	
0017	3030000000-E STEEL BM GUARDRAIL	275.000 LF	17.00000		4,675.00	
0018	3150000000-N ADDITIONAL GUARDRAIL POSTS	10.000 EA	10.00000		100.00	
0019	3270000000-N GUARDRAIL ANCHOR UNITS, TYPE 350	4.000 EA	1,900.00000		7,600.00	
0020	3360000000-E REMOVE EXISTING GUARDRAIL	125.000 LF	3.00000		375.00	
0021	4415000000-N FLASHING ARROW PANELS, TYPE C	2.000 EA	3,000.00000		6,000.00	

State of NC
Dept of Transportation

Date: 01-20-10
Revised:

Contract ID: C202562 Project(s): STATE FUNDED
Letting Date: 02-16-10 Call Order: 006
Bidder: 3760 - S. T. Wooten Corporation

Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
0022	4420000000-N CHANGEABLE MESSAGE SIGN	2.000 EA	5,000.00000		10,000.00	
0023	4480000000-N TMIA	2.000 EA	5,000.00000		10,000.00	
0024	4685000000-E THERMOPLAST IC PAVEMENT MARKING LINES (4", 90 MILS)	156,014.000 LF	0.42000		65,525.88	
0025	4686000000-E THERMOPLAST IC PAVEMENT MARKING LINES (4", 120 MILS)	30,859.000 LF	0.49000		15,120.91	
0026	4695000000-E THERMOPLAST IC PAVEMENT MARKING LINES (8", 90 MILS)	2,600.000 LF	2.35000		6,110.00	
0027	4725000000-E THERMOPLAST IC PAVEMENT MARKING SYMBOL (90 MILS)	419.000 EA	96.00000		40,224.00	
0028	4810000000-E PAINT PAVEMENT MARKING LINES (4")	66,171.000 LF	0.15000		9,925.65	
0029	4845000000-N PAINT PAVEMENT MARKING SYMBOL	93.000 EA	37.00000		3,441.00	
0030	4900000000-N PERMANENT RAISED PAVEMENT MARKERS	479.000 EA	4.60000		2,203.40	
0031	4905000000-N SNOWPLOWABLE PAVEMENT MARKERS	1,383.000 EA	20.00000		27,660.00	
0032	6000000000-E TEMPORARY SILT FENCE	1,454.000 LF	1.80000		2,617.20	
0033	6009000000-E STONE FOR EROSION CONTROL, CLASS B	364.000 TON	63.38000		23,070.32	

State of NC
 Dept of Transportation

Date: 01-20-10
 Revised:

Contract ID: C202562 Project(s): STATE FUNDED
 Letting Date: 02-16-10 Call Order: 006
 Bidder: 3760 - S. T. Wooten Corporation

Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
0034	6012000000-E SEDIMENT CONTROL STONE	364.000 TON	51.50000		18,746.00	
0035	6015000000-E TEMPORARY MULCHING	14.540 ACR	450.00000		6,543.00	
0036	6018000000-E SEED FOR TEMPORARY SEEDING	727.000 LB	2.00000		1,454.00	
0037	6021000000-E FERTILIZER FOR TEMPORARY SEED-ING	3.640 TON	800.00000		2,912.00	
0038	6042000000-E 1/4" HARDWARE CLOTH	727.000 LF	3.50000		2,544.50	
0039	6084000000-E SEEDING & MULCHING	24.670 ACR	1,350.00000		33,304.50	
Section 0001 Total						3,421,208.38
Bid Total						3,421,208.38

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
WBE COMMITMENT ITEMS

DATE: 01-20-10
PAGE: 8

PROPOSAL: C202562
LETTING: L100216 CALL: 006
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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WBE SUBCONTRACTOR: 2446 HAROLD A. PURYEAR TRUCKING CO.
Will Use Quote: Yes

0010	1560000000-E	ASP FOR PLAN	TON	539.000	6.50000	3503.50
0011	1565000000-E	ASP FOR PLAN	TON	1696.000	6.50000	11024.00

WBE COMMITMENT TOTAL FOR SUBCONTRACTOR: 14,527.50 ✓ am

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

0017	3030000000-E	STL BM GUARD	LF	275.000	17.00000	4675.00
0018	3150000000-N	ADDIT GUARDR	EA	10.000	10.00000	100.00
0019	3270000000-N	GR ANCHOR TY	EA	4.000	1900.00000	7600.00
0020	3360000000-E	REMOVE EXIST	LF	125.000	3.00000	375.00

WBE COMMITMENT TOTAL FOR SUBCONTRACTOR: 12,750.00 ✓ am

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

0001	0000100000-N	MOBILIZATION	LS	1.000	3800.00000	3800.00
Install stationary construction signs.						

WBE COMMITMENT TOTAL FOR SUBCONTRACTOR: 3,800.00 ✓ am

WBE SUBCONTRACTOR: 3631 MAR-TECH LAND DEVELOPERS INC
Will Use Quote: Yes

0007	1503000000-E	ASP CONC INT	TON	11425.000	4.10000	46842.50
Haul asphalt to project.						
0008	1523000000-E	ASP CONC SUR	TON	28174.000	4.10000	115513.40
Haul asphalt to project.						

WBE COMMITMENT TOTAL FOR SUBCONTRACTOR: 162,355.90 ✓ am

TOTAL WBE COMMITMENT FOR VENDOR: Entered: 5.65% or 193433.40 ✓ am
Required: 5.00% or 171060.42
<GOAL MET>

Contract Item Sheets For C202562

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
ROADWAY ITEMS						
0001	0000100000-N	800	MOBILIZATION	Lump Sum LS	170,000.00	170,000.00
0002	0106000000-E	230	BORROW EXCAVATION	9,431 CY	10.50	99,025.50
0003	1220000000-E	545	INCIDENTAL STONE BASE	600 TON	40.00	24,000.00
0004	1245000000-E	SP	SHOULDER RECONSTRUCTION	29 SMI	1,500.00	43,500.00
0005	1297000000-E	607	MILLING ASPHALT PAVEMENT, **** DEPTH (2-1/2")	75,467 SY	1.16	87,541.72
0006	1330000000-E	607	INCIDENTAL MILLING	2,270 SY	6.50	14,755.00
0007	1503000000-E	610	ASPHALT CONC INTERMEDIATE COURSE, TYPE 119.0C	11,425 TON	40.75	465,568.75
0008	1523000000-E	610	ASPHALT CONC SURFACE COURSE, TYPE S9.5C	28,174 TON	41.00	1,155,134.00
0009	1524000000-E	SP	ASPHALT CONC SURFACE COURSE, TYPE S9.5C (LEVELING COURSE)	50 TON	75.00	3,750.00
0010	1560000000-E	620	ASPHALT BINDER FOR PLANT MIX, GRADE PG 64-22	539 TON	395.00	212,905.00
0011	1565000000-E	620	ASPHALT BINDER FOR PLANT MIX, GRADE PG 70-22	1,696 TON	420.00	712,320.00
0012	1840000000-E	665	MILLED RUMBLE STRIPS (ASPHALT CEMENT CONCRETE)	153,121 LF	0.05	7,656.05
0013	1880000000-E	SP	GENERIC PAVING ITEM PATCHING EXISTING PAVEMENT (FULL DEPTH)	105 TON	120.00	12,600.00
0014	1880000000-E	SP	GENERIC PAVING ITEM PATCHING EXISTING PAVEMENT (MILL)	925 TON	120.00	111,000.00
0015	2830000000-N	858	ADJUSTMENT OF MANHOLES	1 EA	500.00	500.00
0016	2845000000-N	858	ADJUSTMENT OF METER BOXES OR VALVE BOXES	2 EA	400.00	800.00
0017	3030000000-E	862	STEEL BM GUARDRAIL	275 LF	17.00	4,675.00
0018	3150000000-N	862	ADDITIONAL GUARDRAIL POSTS	10 EA	10.00	100.00

Contract Item Sheets For C202562

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
0019	3270000000-N	SP	GUARDRAIL ANCHOR UNITS, TYPE 350	4 EA	1,900.00	7,600.00
0020	3360000000-E	863	REMOVE EXISTING GUARDRAIL	125 LF	3.00	375.00
0021	4415000000-N	1115	FLASHING ARROW PANELS, TYPE C	2 EA	3,000.00	6,000.00
0022	4420000000-N	1120	CHANGEABLE MESSAGE SIGN	2 EA	5,000.00	10,000.00
0023	4480000000-N	1165	TMIA	2 EA	5,000.00	10,000.00
0024	4685000000-E	1205	THERMOPLASTIC PAVEMENT MARKING LINES (4", 90 MILS)	156,014 LF	0.42	65,525.88
0025	4686000000-E	1205	THERMOPLASTIC PAVEMENT MARKING LINES (4", 120 MILS)	30,859 LF	0.49	15,120.91
0026	4695000000-E	1205	THERMOPLASTIC PAVEMENT MARKING LINES (8", 90 MILS)	2,600 LF	2.35	6,110.00
0027	4725000000-E	1205	THERMOPLASTIC PAVEMENT MARKING SYMBOL (90 MILS)	419 EA	96.00	40,224.00
0028	4810000000-E	1205	PAINT PAVEMENT MARKING LINES (4")	66,171 LF	0.15	9,925.65
0029	4845000000-N	1205	PAINT PAVEMENT MARKING SYMBOL	93 EA	37.00	3,441.00
0030	4900000000-N	1251	PERMANENT RAISED PAVEMENT MARKERS	479 EA	4.60	2,203.40
0031	4905000000-N	1253	SNOWPLOWABLE PAVEMENT MARKERS	1,383 EA	20.00	27,660.00
0032	6000000000-E	1605	TEMPORARY SILT FENCE	1,454 LF	1.80	2,617.20
0033	6009000000-E	1610	STONE FOR EROSION CONTROL, CLASS B	364 TON	63.38	23,070.32
0034	6012000000-E	1610	SEDIMENT CONTROL STONE	364 TON	51.50	18,746.00
0035	6015000000-E	1615	TEMPORARY MULCHING	14.54 ACR	450.00	6,543.00
0036	6018000000-E	1620	SEED FOR TEMPORARY SEEDING	727 LB	2.00	1,454.00
0037	6021000000-E	1620	FERTILIZER FOR TEMPORARY SEEDING	3.64 TON	800.00	2,912.00

Contract Item Sheets For C202562

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
0038	6042000000-E	1632	1/4" HARDWARE CLOTH	727 LF	3.50	2,544.50
0039	6084000000-E	1660	SEEDING & MULCHING	24.67 ACR	1,350.00	33,304.50

TOTAL AMOUNT OF BID FOR ENTIRE PROJECT

\$3,421,208.38 ✓

1049/Feb24/Q545952.85/D136725100000/E39

**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

S.T. WOOTEN CORPORATION

Full name of Corporation

P.O. Box 2408 WILSON NC 27894

Address as Prequalified

Attest W. Reade Dawson By Brian Gurganus

~~Secretary~~ Assistant Secretary

~~President~~ Vice President / Assistant Vice President

Select appropriate title

Select appropriate title

W. READE DAWSON

Print or type Signer's name

BRIAN GURGANUS

Print or type Signer's name

CORPORATE SEAL

AFFIDAVIT MUST BE NOTARIZED

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

Lana P. Radford
Signature of Notary Public

of Wilson County

State of North Carolina

My Commission Expires: 2/5/13

NOTARY SEAL

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.

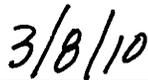
Contract No **C202562**

County (ies): **Brunswick**

ACCEPTED BY THE
DEPARTMENT OF TRANSPORTATION



Contract Officer



Date

Execution of Contract and Bonds
Approved as to Form:



Attorney General

Contract No. C202562
 County BRUNSWICK

CONTRACT PAYMENT BOND

Date of Payment Bond Execution March 3, 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: \$3,421,208.38

Contract ID No.: C202562

County Name: BRUNSWICK

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. C202562
County BRUNSWICK

CONTRACT PAYMENT BOND

Affix Seal of Surety Company

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

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

Debra S. Ritter
Signature of Attorney-in-Fact

Ramona Fewell
Signature of Witness

Ramona Fewell
Print or type Signer's Name

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

Contract No. C202562
County BRUNSWICK

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

BRIAN GURGANUS
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. C202562
County BRUNSWICK

CONTRACT PERFORMANCE BOND

Date of Performance Bond Execution: March 3, 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: \$3,421,208.38

Contract ID No.: C202562

County Name: BRUNSWICK

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.

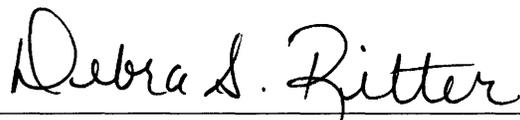
Contract No. C202562
County BRUNSWICK

CONTRACT PERFORMANCE BOND

Affix Seal of Surety Company

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

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



Signature of Attorney-in-Fact


Signature of witness

Ramona Fewell
Print or type Signer's Name

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

Contract No. C202562
County BRUNSWICK

CONTRACT PERFORMANCE BOND
CORPORATION

SIGNATURE OF CONTRACTOR (Principal)

S. T Wooten Corporation
Full name of Corporation

Post Office Box 2408; Wilson, North Carolina 27894-2408
Address as prequalified

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

BRIAN GURGANUS
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

Dexter R. Legg

TAMIKOLAJEWSKI

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 3rd day of March 2010



Dexter R. Legg

Dexter R. Legg, Secretary