

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

C202337

CONTRACT AND
CONTRACT BONDS
FOR CONTRACT NO. C202337

WBS 33784.3.1 BRZ-1105(11)

T.I.P NO. B-4583

COUNTY OF MOORE

THIS IS THE ROADWAY & STRUCTURE CONTRACT

ROUTE NUMBER SR 1105 LENGTH 0.132 MILES

LOCATION BRIDGE OVER ABERDEEN CREEK AND APPROACHES ON SR-1105.

CONTRACTOR R.E. BURNS & SONS CO., INC.

ADDRESS P.O. BOX 7168
STATESVILLE, NC 28687

BIDS OPENED MARCH 16, 2010

CONTRACT EXECUTION APR 09 2010

R. E. Burns Sons Co., Inc. (3481).**Vendor 4 of 8 Vendors for Call Order 007 (Proposal ID C202337).**

County: MOORE
Address: P. O. B ox 7168
Statesville, NC 28687
Phone Number: 704-924-8646
Signature Check: This bid has been properly signed by Kevin_C._Burns_3481.
Time Bid Received: Tue Mar 16 12:14:17 2010
Bid Checksum: 573874F0
Amendment Count: 0 DBE GOAL SET 8.0
Bidding Errors: No bidding errors.
Bid Total: \$478,416.65 ✓ DBE GOAL MET 8.1
Bond ID: SNC10240169
Bond was Verified: Yes.
Bond Required Percent: 5.00%
Minimum Check Amount: \$23,920.83
Bid Security Maximum: \$
Bond Agency Name:
Agency Execution Date: 2/24/2010 10:17:53 AM
Surety Name: Liberty Mutual Insurance Company
Surety State of Incorporation:
Bond Company:
Bond Type:
Bond Appr Flag:
Bond Affirm:
Bond was Paid by Check: No.

LIST OF DBE PARTICIPANTS

VENDOR NUMBER	DBE NAME ADDRESS	WORK CODE TYPE OF WORK	CERT TYPE AMOUNT
2855	WB BOSS CONSTRUCTION CO., INC. 229 BOXWOOD CHURCH ROAD , MOCKSVILLE, NC 27028		Sub 9,053.55 ✓ arm
3269	WB GML CONTRACTORS, INC. P O BOX 702 , MONROE, NC 28111		Sub 15,940.00 ✓ arm
5279	WB GUARDRAIL OF GREENSBORO LLC P.O. BOX 19232 , GREENSBORO, NC 27419		Sub 13,795.00 ✓ arm
TOTAL:			\$38,788.55 ✓ arm 8.11%

Miscellaneous Data Info - Contractor Responses:

NON-COLLUSION AND DEBARMENT CERTIFICATION

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

Explanation:
 NOT ANSWERED
 NOT ANSWERED
 NOT ANSWERED
 NOT ANSWERED

AWARD LIMITS ON MULTIPLE PROJECTS

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

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

The Award Limits shall apply to the following projects:

Contract Number	County
NOT ANSWERED	

Bid Bond Data Info - Contractor Responses:

BondID: SNC10240169
 Surety Registry Agency: surety2000
 Verified?: Yes
 Surety Agency: Liberty Mutual Insurance Company
 Bond Execution Date: 2/24/2010 10:17:53 AM
 Bond Amount: \$23,920.83 (Five Percent of Bid)

State of NC
 Dept of Transportation
 Contract ID: C202337
 Letting Date: 03-16-10
 Bidder: 3481 - R. E. Burns & Sons Co., Inc.

Date: 02-16-10
 Revised:

Project(s): BRZ-1105(11)

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			23,900.00
0002	0030000000-N BRIDGE APPROACH FILL - SUB REGIONAL TIER, STATION ***** (14+82.50-L-)	LUMP	LUMP			4,000.00
0003	0038000000-E SHALLOW UNDERCUT	CY	85.000	7.00000		595.00
0004	0050000000-E SUPPLEMENTA RY CLEARING & GRUB-BING	ACR	1.000	1.00000		1.00
0005	0057000000-E UNDERCUT EXCAVATION	CY	250.000	7.00000		1,750.00
0006	0080000000-E CLASS IV SUBGRADE STABILIZA- TION	TON	150.000	11.00000		1,650.00
0007	0196000000-E FABRIC FOR SOIL STABILIZATION	SY	250.000	1.00000		250.00
0008	0248000000-N GENERIC GRADING ITEM GRADING	LUMP	LUMP			34,350.00
0009	0320000000-E FOUNDATION CONDITIONING FABRIC	SY	30.000	2.00000		60.00
0010	0330000000-E GENERIC DRAINAGE ITEM FOUNDATION CONDITIONING MATE- RIAL, MINOR STRS	TON	10.000	23.00000		230.00

State of NC
Dept of Transportation

Date: 02-16-10
Revised:

Contract ID: C202337 Project(s): BRZ-1105(11)
Letting Date: 03-16-10 Call Order: 007
Bidder: 3481 - R. E. Burns & Sons Co., Inc.

Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
0011	0335200000-E 15" DRAINAGE PIPE	28.000 LF	45.00000		1,260.00	
0012	0335850000-E **" DRAINAGE PIPE ELBOWS (15")	2.000 EA	175.00000		350.00	
0013	0986000000-E GENERIC PIPE ITEM 15" SIDE DRAIN PIPE	36.000 LF	45.00000		1,620.00	
0014	1121000000-E AGGREGATE BASE COURSE	38.000 TON	38.00000		1,444.00	
0015	1489000000-E ASPHALT CONC BASE COURSE, TYPE B25.0B	190.000 TON	49.57000		9,418.30	
0016	1525000000-E ASPHALT CONC SURFACE COURSE, TYPE SF9.5A	190.000 TON	50.74000		9,640.60	
0017	1560000000-E ASPHALT BINDER FOR PLANT MIX, GRADE PG 64-22	25.000 TON	531.00000		13,275.00	
0018	2000000000-N RIGHT OF WAY MARKERS	9.000 EA	200.00000		1,800.00	
0019	2286000000-N MASONRY DRAINAGE STRUCTURES	1.000 EA	2,000.00000		2,000.00	
0020	2367000000-N FRAME WITH TWO GRATES, STD 840.29	1.000 EA	500.00000		500.00	
0021	2556000000-E SHOULDER BERM GUTTER	115.000 LF	35.00000		4,025.00	
0022	3030000000-E STEEL BM GUARDRAIL	225.000 LF	13.00000		2,925.00	

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Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
0023	3045000000-E STEEL BM GUARDRAIL, SHOP CURVED	50.000 LF	15.00000		750.00	
0024	3150000000-N ADDITIONAL GUARDRAIL POSTS	3.000 EA	15.00000		45.00	
0025	3195000000-N GUARDRAIL ANCHOR UNITS, TYPE AT-1	1.000 EA	350.00000		350.00	
0026	3215000000-N GUARDRAIL ANCHOR UNITS, TYPE III	4.000 EA	1,100.00000		4,400.00	
0027	3270000000-N GUARDRAIL ANCHOR UNITS, TYPE 350	3.000 EA	1,775.00000		5,325.00	
0028	3649000000-E RIP RAP, CLASS B	2.000 TON	100.00000		200.00	
0029	3656000000-E FILTER FABRIC FOR DRAINAGE	410.000 SY	1.40000		574.00	
0030	4400000000-E WORK ZONE SIGNS (STATIONARY)	315.000 SF	8.00000		2,520.00	
0031	4410000000-E WORK ZONE SIGNS (BARRICADE MOUNTED)	94.000 SF	6.85000		643.90	
0032	4445000000-E BARRICADES (TYPE III)	96.000 LF	19.50000		1,872.00	
0033	4685000000-E THERMOPLAST IC PAVEMENT MARKING LINES (4", 90 MILS)	970.000 LF	1.35000		1,309.50	
0034	4686000000-E THERMOPLAST IC PAVEMENT MARKING LINES (4", 120 MILS)	970.000 LF	1.35000		1,309.50	

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Date: 02-16-10
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Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
0035	4900000000-N PERMANENT RAISED PAVEMENT MARKERS	6.000 EA	20.00000		120.00	
0036	6000000000-E TEMPORARY SILT FENCE	1,125.000 LF	1.80000		2,025.00	
0037	6006000000-E STONE FOR EROSION CONTROL, CLASS A	175.000 TON	18.50000		3,237.50	
0038	6009000000-E STONE FOR EROSION CONTROL, CLASS B	25.000 TON	40.00000		1,000.00	
0039	6012000000-E SEDIMENT CONTROL STONE	100.000 TON	32.00000		3,200.00	
0040	6015000000-E TEMPORARY MULCHING	0.500 ACR	1,400.00000		700.00	
0041	6018000000-E SEED FOR TEMPORARY SEEDING	50.000 LB	5.00000		250.00	
0042	6021000000-E FERTILIZER FOR TEMPORARY SEED-ING	0.250 TON	1,000.00000		250.00	
0043	6024000000-E TEMPORARY SLOPE DRAINS	200.000 LF	8.00000		1,600.00	
0044	6027000000-N INLET PROTECTION AT TEMPORARY SLOPE DRAINS	4.000 EA	100.00000		400.00	
0045	6029000000-E SAFETY FENCE	300.000 LF	1.75000		525.00	
0046	6030000000-E SILT EXCAVATION	35.000 CY	8.00000		280.00	

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Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
0047	6036000000-E MATTING FOR EROSION CONTROL	6,400.000 SY	1.60000		10,240.00	
0048	6042000000-E 1/4" HARDWARE CLOTH	400.000 LF	3.75000		1,500.00	
0049	6071030000-E COIR FIBER BAFFLES	45.000 LF	6.25000		281.25	
0050	6084000000-E SEEDING & MULCHING	0.500 ACR	4,000.00000		2,000.00	
0051	6087000000-E MOWING	0.500 ACR	50.00000		25.00	
0052	6090000000-E SEED FOR REPAIR SEEDING	50.000 LB	5.00000		250.00	
0053	6093000000-E FERTILIZER FOR REPAIR SEEDING	0.250 TON	500.00000		125.00	
0054	6096000000-E SEED FOR SUPPLEMENTAL SEEDING	50.000 LB	3.00000		150.00	
0055	6108000000-E FERTILIZER TOPDRESSING	0.250 TON	1,000.00000		250.00	
0056	6114500000-N SPECIALIZED HAND MOWING	10.000 MHR	50.00000		500.00	
0057	6117000000-N RESPONSE FOR EROSION CONTROL	6.000 EA	1.00000		6.00	
Section 0001 Total					163,257.55	

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Bidder: 3481 - R. E. Burns & Sons Co., Inc.

Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
Section 0004 STRUCTURE ITEMS						
Alt Group						
0058	8035000000-N REMOVAL OF EXISTING STRUCTURE AT STATION ***** (14+82.50-L-)	LUMP		LUMP		20,000.00
0059	8112730000-N PDA TESTING	EA	4.000	2,000.00000		8,000.00
0060	8112740000-N PDA ASSISTANCE	EA	4.000	1,000.00000		4,000.00
0061	8182000000-E CLASS A CONCRETE (BRIDGE)	CY	45.200	1,000.00000		45,200.00
0062	8210000000-N BRIDGE APPROACH SLABS, STATION***** (14+82.50-L-)	LUMP		LUMP		15,000.00
0063	8217000000-E REINFORCING STEEL (BRIDGE)	LB	7,048.000	1.20000		8,457.60
0064	8364000000-E HP12X53 STEEL PILES	LF	600.000	12.00000		7,200.00
0065	8365000000-E HP12X53 GALVANIZED STEEL PILES	LF	780.000	16.00000		12,480.00
0066	8391000000-N STEEL PILE POINTS	EA	16.000	150.00000		2,400.00
0067	8393000000-N PILE REDRIVES	EA	10.000	300.00000		3,000.00

State of NC
 Dept of Transportation

Date: 02-16-10
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Contract ID: C202337 Project(s): BRZ-1105(11)
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Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
0068	8505000000-E VERTICAL CONCRETE BARRIER RAIL	265.500 LF	53.00000		14,071.50	
0069	8608000000-E RIP RAP CLASS II (2'-0" THICK)	257.000 TON	40.00000		10,280.00	
0070	8622000000-E FILTER FABRIC FOR DRAINAGE	285.000 SY	2.00000		570.00	
0071	8657000000-N ELASTOMERIC BEARINGS	LUMP	LUMP		5,500.00	
0072	8762000000-E 3'-0" X 1'-9" PRESTRESSED CONCCORED SLABS	1,325.000 LF	120.00000		159,000.00	
Section 0004 Total						315,159.10
Bid Total						478,416.65 ✓

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.

Contract Item Sheets For C202337

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
ROADWAY ITEMS						
0001	0000100000-N	800	MOBILIZATION	Lump Sum LS	23,900.00	23,900.00
0002	0030000000-N	SP	BRIDGE APPROACH FILL - SUB REGIONAL TIER, STATION ***** (14+82.50-L-)	Lump Sum LS	4,000.00	4,000.00
0003	0038000000-E	SP	SHALLOW UNDERCUT	85 CY	7.00	595.00
0004	0050000000-E	226	SUPPLEMENTARY CLEARING & GRUB- BING	1 ACR	1.00	1.00
0005	0057000000-E	226	UNDERCUT EXCAVATION	250 CY	7.00	1,750.00
0006	0080000000-E	SP	CLASS IV SUBGRADE STABILIZA- TION	150 TON	11.00	1,650.00
0007	0196000000-E	270	FABRIC FOR SOIL STABILIZATION	250 SY	1.00	250.00
0008	0248000000-N	SP	GENERIC GRADING ITEM GRADING	Lump Sum LS	34,350.00	34,350.00
0009	0320000000-E	SP	FOUNDATION CONDITIONING FABRIC	30 SY	2.00	60.00
0010	0330000000-E	SP	GENERIC DRAINAGE ITEM FOUNDATION CONDITIONING MATE- RIAL, MINOR STRS	10 TON	23.00	230.00
0011	0335200000-E	SP	15" DRAINAGE PIPE	28 LF	45.00	1,260.00
0012	0335850000-E	SP	*** DRAINAGE PIPE ELBOWS (15")	2 EA	175.00	350.00
0013	0986000000-E	SP	GENERIC PIPE ITEM 15" SIDE DRAIN PIPE	36 LF	45.00	1,620.00
0014	1121000000-E	520	AGGREGATE BASE COURSE	38 TON	38.00	1,444.00
0015	1489000000-E	610	ASPHALT CONC BASE COURSE, TYPE B25.0B	190 TON	49.57	9,418.30
0016	1525000000-E	610	ASPHALT CONC SURFACE COURSE, TYPE SF9.5A	190 TON	50.74	9,640.60
0017	1560000000-E	620	ASPHALT BINDER FOR PLANT MIX, GRADE PG 64-22	25 TON	531.00	13,275.00

Contract Item Sheets For C202337

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
0018	2000000000-N	806	RIGHT OF WAY MARKERS	9 EA	200.00	1,800.00
0019	2286000000-N	840	MASONRY DRAINAGE STRUCTURES	1 EA	2,000.00	2,000.00
0020	2367000000-N	840	FRAME WITH TWO GRATES, STD 840.29	1 EA	500.00	500.00
0021	2556000000-E	846	SHOULDER BERM GUTTER	115 LF	35.00	4,025.00
0022	3030000000-E	862	STEEL BM GUARDRAIL	225 LF	13.00	2,925.00
0023	3045000000-E	862	STEEL BM GUARDRAIL, SHOP CURVED	50 LF	15.00	750.00
0024	3150000000-N	862	ADDITIONAL GUARDRAIL POSTS	3 EA	15.00	45.00
0025	3195000000-N	862	GUARDRAIL ANCHOR UNITS, TYPE AT-1	1 EA	350.00	350.00
0026	3215000000-N	862	GUARDRAIL ANCHOR UNITS, TYPE III	4 EA	1,100.00	4,400.00
0027	3270000000-N	SP	GUARDRAIL ANCHOR UNITS, TYPE 350	3 EA	1,775.00	5,325.00
0028	3649000000-E	876	RIP RAP, CLASS B	2 TON	100.00	200.00
0029	3656000000-E	876	FILTER FABRIC FOR DRAINAGE	410 SY	1.40	574.00
0030	4400000000-E	1110	WORK ZONE SIGNS (STATIONARY)	315 SF	8.00	2,520.00
0031	4410000000-E	1110	WORK ZONE SIGNS (BARRICADE MOUNTED)	94 SF	6.85	643.90
0032	4445000000-E	1145	BARRICADES (TYPE III)	96 LF	19.50	1,872.00
0033	4685000000-E	1205	THERMOPLASTIC PAVEMENT MARKING LINES (4", 90 MILS)	970 LF	1.35	1,309.50
0034	4686000000-E	1205	THERMOPLASTIC PAVEMENT MARKING LINES (4", 120 MILS)	970 LF	1.35	1,309.50
0035	4900000000-N	1251	PERMANENT RAISED PAVEMENT MARKERS	6 EA	20.00	120.00

Contract Item Sheets For C202337

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
0036	6000000000-E	1605	TEMPORARY SILT FENCE	1,125 LF	1.80	2,025.00
0037	6006000000-E	1610	STONE FOR EROSION CONTROL, CLASS A	175 TON	18.50	3,237.50
0038	6009000000-E	1610	STONE FOR EROSION CONTROL, CLASS B	25 TON	40.00	1,000.00
0039	6012000000-E	1610	SEDIMENT CONTROL STONE	100 TON	32.00	3,200.00
0040	6015000000-E	1615	TEMPORARY MULCHING	0.5 ACR	1,400.00	700.00
0041	6018000000-E	1620	SEED FOR TEMPORARY SEEDING	50 LB	5.00	250.00
0042	6021000000-E	1620	FERTILIZER FOR TEMPORARY SEED- ING	0.25 TON	1,000.00	250.00
0043	6024000000-E	1622	TEMPORARY SLOPE DRAINS	200 LF	8.00	1,600.00
0044	6027000000-N	1622	INLET PROTECTION AT TEMPORARY SLOPE DRAINS	4 EA	100.00	400.00
0045	6029000000-E	SP	SAFETY FENCE	300 LF	1.75	525.00
0046	6030000000-E	1630	SILT EXCAVATION	35 CY	8.00	280.00
0047	6036000000-E	1631	MATTING FOR EROSION CONTROL	6,400 SY	1.60	10,240.00
0048	6042000000-E	1632	1/4" HARDWARE CLOTH	400 LF	3.75	1,500.00
0049	6071030000-E	SP	COIR FIBER BAFFLES	45 LF	6.25	281.25
0050	6084000000-E	1660	SEEDING & MULCHING	0.5 ACR	4,000.00	2,000.00
0051	6087000000-E	1660	MOWING	0.5 ACR	50.00	25.00
0052	6090000000-E	1661	SEED FOR REPAIR SEEDING	50 LB	5.00	250.00
0053	6093000000-E	1661	FERTILIZER FOR REPAIR SEEDING	0.25 TON	500.00	125.00
0054	6096000000-E	1662	SEED FOR SUPPLEMENTAL SEEDING	50 LB	3.00	150.00

Contract Item Sheets For C202337

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
0055	6108000000-E	1665	FERTILIZER TOPDRESSING	0.25 TON	1,000.00	250.00
0056	6114500000-N	SP	SPECIALIZED HAND MOWING	10 MHR	50.00	500.00
0057	6117000000-N	SP	RESPONSE FOR EROSION CONTROL	6 EA	1.00	6.00

Contract Item Sheets For C202337

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
0058	8035000000-N	402	REMOVAL OF EXISTING STRUCTURE AT STATION ***** (14 + 82.50-L-)	Lump Sum LS	20,000.00	20,000.00
0059	8112730000-N	SP	PDA TESTING	4 EA	2,000.00	8,000.00
0060	8112740000-N	SP	PDA ASSISTANCE	4 EA	1,000.00	4,000.00
0061	8182000000-E	420	CLASS A CONCRETE (BRIDGE)	45.2 CY	1,000.00	45,200.00
0062	8210000000-N	422	BRIDGE APPROACH SLABS, STATION ***** (14 + 82.50-L-)	Lump Sum LS	15,000.00	15,000.00
0063	8217000000-E	425	REINFORCING STEEL (BRIDGE)	7,048 LB	1.20	8,457.60
0064	8364000000-E	SP	HP12X53 STEEL PILES	600 LF	12.00	7,200.00
0065	8365000000-E	SP	HP12X53 GALVANIZED STEEL PILES	780 LF	16.00	12,480.00
0066	8391000000-N	SP	STEEL PILE POINTS	16 EA	150.00	2,400.00
0067	8393000000-N	SP	PILE REDRIVES	10 EA	300.00	3,000.00
0068	8505000000-E	SP	VERTICAL CONCRETE BARRIER RAIL	265.5 LF	53.00	14,071.50
0069	8608000000-E	876	RIP RAP CLASS II (2'-0" THICK)	257 TON	40.00	10,280.00
0070	8622000000-E	876	FILTER FABRIC FOR DRAINAGE	285 SY	2.00	570.00
0071	8657000000-N	430	ELASTOMERIC BEARINGS	Lump Sum LS	5,500.00	5,500.00
0072	8762000000-E	430	3'-0" X 1'-9" PRESTRESSED CONC CORED SLABS	1,325 LF	120.00	159,000.00

TOTAL AMOUNT OF BID FOR ENTIRE PROJECT

\$478,416.65 ✓

Contract Number C202337
County Moore

Rev 2-1-10

**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

R. E. Burns & Sons Co., Inc.
Full name of Corporation

P. O. Box 7168, Statesville, N. C. 28687
Address as Prequalified

Attest Nancy L. Burns By Kevin C. Burns
Secretary/Assistant Secretary President/Vice President/Assistant Vice President
Select appropriate title Select appropriate title

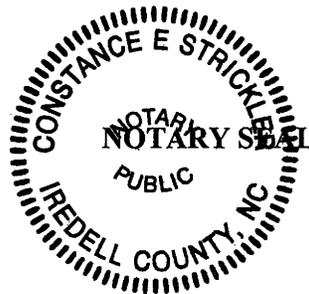
Nancy L. Burns
Print or type Signer's name

Kevin C. Burns
Print or type Signer's name

CORPORATE SEAL

AFFIDAVIT MUST BE NOTARIZED

Subscribed and sworn to before me this the
1 day of April 2010
Constance E Strickland
Signature of Notary Public
of Iredell County
State of North Carolina
My Commission Expires: June 28, 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 C202337

County (ies): Moore

ACCEPTED BY THE
DEPARTMENT OF TRANSPORTATION

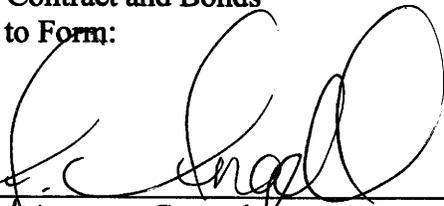


Contract Officer

4/9/10

Date

Execution of Contract and Bonds
Approved as to Form:



Assistant Attorney General

Contract No. C202337
County Moore County

Rev 2-1-10

CONTRACT PAYMENT BOND
BOND NO. 837048765

Date of Payment Bond Execution March 31, 2010

Name of Principal Contractor R.E. Burns & Sons Co., Inc.

Name of Surety: Liberty Mutual Insurance Company

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

Amount of Bond: Four Hundred Seventy Eight Thousand Four Hundred Sixteen Dollars and 65/100ths (\$478,416.65)

Contract ID No.: C202337

County Name: Moore 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. C202337
County Moore County

Rev 2-1-10

CONTRACT PAYMENT BOND

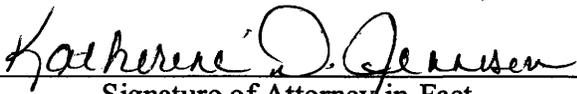
Affix Seal of Surety Company

Liberty Mutual Insurance Company

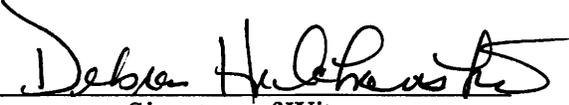
Print or type Surety Company Name

By Katherine D. Jennison

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



Signature of Attorney-in-Fact



Signature of Witness

Debra Hulchanski

Print or type Signer's name

6315 Fly Road, East Syracuse NY 13057

Address of Attorney-in-Fact

Contract No. C202337
County Moore County

Rev 2-1-10

CONTRACT PAYMENT BOND

CORPORATION

SIGNATURE OF CONTRACTOR (Principal)

R.E. Burns & Sons Co., Inc.

Full name of Corporation

P.O. Box 7168 Statesville, NC 28687

Address as prequalified

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

Kevin C. Burns

Print or type Signer's name

Affix Corporate Seal

Attest

Nancy L Burns
Signature of Secretary, Assistant Secretary
Select appropriate title

Nancy L. Burns
Print or type Signer's name

Contract No. C202337
County Moore County

Rev 2-1-10

CONTRACT PERFORMANCE BOND

BOND NO. 837048765

Date of Performance Bond Execution: March 31, 2010

Name of Principal Contractor: R.E. Burns & Sons Co., Inc.

Name of Surety: Liberty Mutual Insurance Company

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

Amount of Bond: Four Hundred Seventy Eight Thousand Four Hundred Sixteen Dollars and 65/100ths (\$478,416.65)

Contract ID No.: C202337

County Name: Moore 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. C202337
County Moore County

Rev 2-1-10

CONTRACT PERFORMANCE BOND

Affix Seal of Surety Company

Liberty Mutual Insurance Company

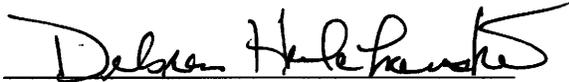
Print or type Surety Company Name

By Katherine D. Jennison

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



Signature of Attorney-in-Fact



Signature of Witness

Debra Hulchanski

Print or type Signer's name

6315 Fly Road, East Syracuse NY 13057

Address of Attorney-in-Fact

Contract No. C202337
County Moore County

Rev 2-1-10

CONTRACT PERFORMANCE BOND

CORPORATION

SIGNATURE OF CONTRACTOR (Principal)

R.E. Burns & Sons Co., Inc.

Full name of Corporation

P.O. Box 7168 Statesville, NC 28687

Address as prequalified

By K.C. Burns

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

Kevin C. Burns

Print or type Signer's name

Affix Corporate Seal

Attest

Nancy L. Burns

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

Nancy L. Burns

Print or type Signer's name

THIS POWER OF ATTORNEY IS NOT VALID UNLESS IT IS PRINTED ON RED BACKGROUND.

This Power of Attorney limits the acts of those named herein, and they have no authority to bind the Company except in the manner and to the extent herein stated.

LIBERTY MUTUAL INSURANCE COMPANY
BOSTON, MASSACHUSETTS
POWER OF ATTORNEY

KNOW ALL PERSONS BY THESE PRESENTS: That Liberty Mutual Insurance Company (the "Company"), a Massachusetts stock insurance company, pursuant to and by authority of the By-law and Authorization hereinafter set forth, does hereby name, constitute and appoint

CHARLES T. RELLER, KEITH P. BUTLER, SUZANNE H. AMO, DEBRA A. HULCHANSKI, KATHERINE D. JENNISON, ALL OF THE CITY OF EAST SYRACUSE, STATE OF NEW YORK

, each individually if there be more than one named, its true and lawful attorney-in-fact to make, execute, seal, acknowledge and deliver, for and on its behalf as surety and as its act and deed, any and all undertakings, bonds, recognizances and other surety obligations in the penal sum not exceeding TWENTY MILLION AND 00/100 DOLLARS (\$ 20,000,000.00) each, and the execution of such undertakings, bonds, recognizances and other surety obligations, in pursuance of these presents, shall be as binding upon the Company as if they had been duly signed by the president and attested by the secretary of the Company in their own proper persons.

That this power is made and executed pursuant to and by authority of the following By-law and Authorization:

ARTICLE XIII - Execution of Contracts: Section 5. Surety Bonds and Undertakings.

Any officer of the Company authorized for that purpose in writing by the chairman or the president, and subject to such limitations as the chairman or the president may prescribe, shall appoint such attorneys-in-fact, as may be necessary to act in behalf of the Company to make, execute, seal, acknowledge and deliver as surety any and all undertakings, bonds, recognizances and other surety obligations. Such attorneys-in-fact, subject to the limitations set forth in their respective powers of attorney, shall have full power to bind the Company by their signature and execution of any such instruments and to attach thereto the seal of the Company. When so executed such instruments shall be as binding as if signed by the president and attested by the secretary.

By the following instrument the chairman or the president has authorized the officer or other official named therein to appoint attorneys-in-fact:

Pursuant to Article XIII, Section 5 of the By-Laws, Garnet W. Elliott, Assistant Secretary of Liberty Mutual Insurance Company, is hereby authorized to appoint such attorneys-in-fact as may be necessary to act in behalf of the Company to make, execute, seal, acknowledge and deliver as surety any and all undertakings, bonds, recognizances and other surety obligations.

That the By-law and the Authorization set forth above are true copies thereof and are now in full force and effect.

IN WITNESS WHEREOF, this Power of Attorney has been subscribed by an authorized officer or official of the Company and the corporate seal of Liberty Mutual Insurance Company has been affixed thereto in Plymouth Meeting, Pennsylvania this 17th day of September, 2009.

LIBERTY MUTUAL INSURANCE COMPANY

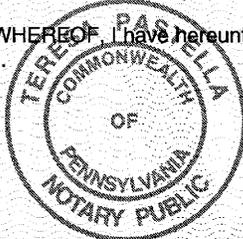
By Garnet W. Elliott, Assistant Secretary



COMMONWEALTH OF PENNSYLVANIA ss
COUNTY OF MONTGOMERY

On this 17th day of September, 2009, before me, a Notary Public, personally came Garnet W. Elliott, to me known, and acknowledged that he is an Assistant Secretary of Liberty Mutual Insurance Company; that he knows the seal of said corporation; and that he executed the above Power of Attorney and affixed the corporate seal of Liberty Mutual Insurance Company thereto with the authority and at the direction of said corporation.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed my notarial seal at Plymouth Meeting, Pennsylvania, on the day and year first above written.



COMMONWEALTH OF PENNSYLVANIA
Notarial Seal
Teresa Pastella, Notary Public
Plymouth Twp., Montgomery County
My Commission Expires March 28, 2013
Member, Pennsylvania Association of Notaries

By Teresa Pastella, Notary Public

CERTIFICATE

I, the undersigned, Assistant Secretary of Liberty Mutual Insurance Company, do hereby certify that the original power of attorney of which the foregoing is a full, true and correct copy, is in full force and effect on the date of this certificate; and I do further certify that the officer or official who executed the said power of attorney is an Assistant Secretary specially authorized by the chairman or the president to appoint attorneys-in-fact as provided in Article XIII, Section 5 of the By-laws of Liberty Mutual Insurance Company.

This certificate and the above power of attorney may be signed by facsimile or mechanically reproduced signatures under and by authority of the following vote of the board of directors of Liberty Mutual Insurance Company at a meeting duly called and held on the 12th day of March, 1980.

VOTED that the facsimile or mechanically reproduced signature of any assistant secretary of the company, wherever appearing upon a certified copy of any power of attorney issued by the company in connection with surety bonds, shall be valid and binding upon the company with the same force and effect as though manually affixed.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed the corporate seal of the said company, this 31st day of March, 2010.



By David M. Carey, Assistant Secretary

Not valid for mortgage, note, loan, letter of credit, bank deposit, currency rate, interest rate or residual value guarantees.

To confirm the validity of this Power of Attorney call 1-610-832-8240 between 9:00 am and 4:30 pm EST on any business day.

SURETY ACKNOWLEDGEMENT

STATE OF NEW YORK

COUNTY OF ONONDAGA

On this 31st day of MARCH, 2010 before me personally came
KATHERINE D. JENNISON to me known who being by me duly sworn, did depose and say
that he/she resides in EAST SYRACUSE, NY; that he/she is the
ATTORNEY-IN-FACT of the WESTERN SURETY COMPANY
the corporation described in and which executed the within instrument; that he/she knows the
seal of said corporation; that the seal affixed to said instrument is such corporate seal; that it was
so affixed by order of the Board of Directors of said corporation, and that he/she signed his/her
name thereto by like order.



Notary Public

**Charles T. Reller # 4990791
Notary Public, State of New York
Qualified in Onondaga County
My Commission Expires 01/13/2014**

