

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

C202626

CONTRACT AND
CONTRACT BONDS

FOR CONTRACT NO. C202626

WBS 7.101712, 7CR.10171.28, 7CR.20171.28 STATE FUNDED

COUNTY OF CASWELL
THIS IS THE ROADWAY CONTRACT
ROUTE NUMBER NC 86 LENGTH 15.724 MILES
LOCATION NC-86 FROM NC-119 TO ORANGE COUNTY LINE AND 3 SECTIONS OF
SECONDARY ROADS.

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

BIDS OPENED OCTOBER 19, 2010
CONTRACT EXECUTION NOV 08 2010

NCDOT/berc

Vendor 3760's Bid Information for Call 007, Letting L101019, 2010-10-19

S. T. Wooten Corporation (3760).

Vendor 4 of 4 Vendors for Call Order 007 (Proposal ID C202626).

County: CASWELL
Address: PO Box 2408
Wilson, NC 27893
Phone Number: 252-291-5165
Signature Check: This bid has been properly signed by Richard_E._Vick_3760.
Time Bid Received: Tue Oct 19 11:14:25 2010
Bid Checksum: 2A6D58C0
Amendment Count: 0
Bidding Errors: This bid contains errors.
Bid Total: \$1,723,148.90 ✓
Bond ID: XFQC-V5X3-NBMQ-6LF2
Bond was Verified: Yes.
Bond Required Percent: 5.00%
Minimum Check Amount: \$86,157.45
Bid Security Maximum: \$
Bond Agency Name:
Agency Execution Date: 10/19/2010
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.

MBE GOAL SET	4.0
MBE GOAL MET	4.0
WBE GOAL SET	4.0
WBE GOAL OBT	2.1

LIST OF MBE PARTICIPANTS

6715 MB F-T TRUCKING LLC 6034 OLD ORCHARD ROAD , KERNERSVILLE, NC 27284	Sub	68,939.80	✓	arm
	TOTAL:	\$68,939.80	✓	arm
		4.00%		

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	31,272.00	✓	arm
3765 WB	STAY ALERT SAFETY SERVICES INC POST OFFICE BOX 467 , KERNERSVILLE, NC 27285		Sub	5,450.00	✓	arm
			TOTAL:	\$36,722.00	✓	arm
				2.13%		

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: XFQC-V5X3-NBMQ-6LF2

NCDOT/berc

Vendor 3760's Load Output for Call 007, Letting L101019, 2010-10-19

Surety Registry Agency: SurePathNetwork

Verified?: Yes

Surety Agency: Safeco Insurance Company of America

Bond Execution Date: 10/19/2010

Bond Amount: \$86,157.45 (Five Percent of Bid)

State of NC
 Dept of Transportation

Date: 09-20-10
 Revised:

Contract ID: C202626 Project(s): STATE FUNDED
 Letting Date: 10-19-10 Call Order: 007
 Bidder: 3760 - S. T. Wooten Corporation

Line No.	Item Description	Approx. Quantity and Units	Unit Price Dollars Cts	Bid Amount Dollars Ct
Section 0001 ROADWAY ITEMS				
Alt Group				
0001	0000100000-N MOBILIZATIO N	LUMP	LUMP	80,000.00
0002	1297000000-E MILLING ASPHALT PAVEMENT, ***"DEPTH (1-1/2")	11,529.000 SY	1.00000	11,529.00
0003	1308000000-E MILLING ASPHALT PAVEMENT, ***"TO *****" DEPTH (0" TO 1-1/2")	361.000 SY	4.50000	1,624.50
0004	1330000000-E INCIDENTAL MILLING	2,336.000 SY	5.00000	11,680.00
0005	1519000000-E ASPHALT CONC SURFACE COURSE, TYPE S9.5B	11,073.000 TON	33.00000	365,409.00
0006	1525000000-E ASPHALT CONC SURFACE COURSE, TYPE SF9.5A	9,878.000 TON	35.50000	350,669.00
0007	1560000000-E ASPHALT BINDER FOR PLANT MIX, GRADE PG 64-22	1,303.000 TON	385.00000	501,655.00
0008	1775000000-E ASPHALT SURFACE TREATMENT, MATCOAT, #78M STONE	175,152.000 SY	1.00000	175,152.00
0009	1839000000-E GENERIC PAVING ITEM ASPHALT SURFACE TREATMENT, MATCOAT, #67 STONE	52,993.000 SY	1.20000	63,591.60
0010	1880000000-E GENERIC PAVING ITEM INCIDENTAL STONE BASE	2,803.000 TON	25.00000	70,075.00

State of NC
Dept of Transportation

Date: 09-20-10
Revised:

Contract ID: C202626 Project(s): STATE FUNDED
Letting Date: 10-19-10 Call Order: 007
Bidder: 3760 - S. T. Wooten Corporation

Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
0011	4685000000-E THERMOPLAST IC PAVEMENT MARKING LINES (4", 90 MILS)	70,150.000 LF	0.39000		27,358.50	
0012	4686000000-E THERMOPLAST IC PAVEMENT MARKING LINES (4", 120 MILS)	41,568.000 LF	0.44000		18,289.92	
0013	4690000000-E THERMOPLAST IC PAVEMENT MARKING LINES (6", 120 MILS)	626.000 LF	1.00000		626.00	
0014	4695000000-E THERMOPLAST IC PAVEMENT MARKING LINES (8", 90 MILS)	150.000 LF	1.50000		225.00	
0015	4710000000-E THERMOPLAST IC PAVEMENT MARKING LINES (24", 120 MILS)	125.000 LF	4.50000		562.50	
0016	4721000000-E THERMOPLAST IC PAVEMENT MARKING CHARACTER (120 MILS)	12.000 EA	100.00000		1,200.00	
0017	4725000000-E THERMOPLAST IC PAVEMENT MARKING SYMBOL (90 MILS)	17.000 EA	100.00000		1,700.00	
0018	4810000000-E PAINT PAVEMENT MARKING LINES (4")	361,982.000 LF	0.09000		32,578.38	
0019	4905000000-N SNOWPLOWABLE PAVEMENT MARKERS	430.000 EA	21.45000		9,223.50	
Section 0001 Total					1,723,148.90	
Bid Total					1,723,148.90	

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
 MBE COMMITMENT ITEMS

DATE:09-20-10
 PAGE: 5

PROPOSAL: C202626
 LETTING: L101019 CALL: 007
 VENDOR: 3760 S. T. Wooten Corporation

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

MBE SUBCONTRACTOR: 6715 F-T TRUCKING LLC
 Will Use Quote: Yes

0009	1839000000-E	GENERIC PAVI SY	5716.500	1.20000	6859.80
		Hauling #6 stone, Map #3 - 927 TNS @ \$ 7.40/TN = \$6,859.80			
0010	1880000000-E	GENERIC PAVI TON	714.778	25.00000	17869.45
		Hauling ABC, Map 1 - 1,227 TNS @ \$ 4.75/TN = \$5,828.25 ; Map #2 - 92			
0005	1519000000-E	ASP CONC SUR TON	7745.000	4.75000	36788.75
0008	1775000000-E	AST, MAT COA SY	7421.800	1.00000	7421.80
		Hauling #78 Stone, Map #1 - 928 TNS @ \$ 4.75/TN = \$ 4,408.00 ; Map #2 -			

MBE COMMITMENT TOTAL FOR SUBCONTRACTOR: 68,939.80 ✓ am

TOTAL MBE COMMITMENT FOR VENDOR: Entered: 4.00% or 68939.80 ✓ am
 Required: 4.00% or 68925.96
 <GOAL MET>

NORTH CAROLINA STATE DEPARTMENT OF TRANSPORTATION
 WBE COMMITMENT ITEMS

DATE: 09-20-10
 PAGE: 6

PROPOSAL: C202626
 LETTING: L101019 CALL: 007
 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

0007	1560000000-E	ASP FOR PLAN TON Hauling asphalt liquid		1303.000	24.00000	31272.00
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WBE COMMITMENT TOTAL FOR SUBCONTRACTOR: 31,272.00 ✓ arm

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

0001	0000100000-N	MOBILIZATION LS Install, Maintain & Remove Stationary Signage		1.000	5450.00000	5450.00
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WBE COMMITMENT TOTAL FOR SUBCONTRACTOR: 5,450.00 ✓ arm

TOTAL WBE COMMITMENT FOR VENDOR: Entered: 2.13% or 36722.00 ✓ arm
 Required: 4.00% or 68925.96
 <GOAL NOT MET>

Contract Item Sheets For C202626

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
ROADWAY ITEMS						
0001	0000100000-N	800	MOBILIZATION	Lump Sum LS	80,000.00	80,000.00
0002	1297000000-E	607	MILLING ASPHALT PAVEMENT, **** DEPTH (1-1/2")	11,529 SY	1.00	11,529.00
0003	1308000000-E	607	MILLING ASPHALT PAVEMENT, **** TO ***** DEPTH (0" TO 1-1/2")	361 SY	4.50	1,624.50
0004	1330000000-E	607	INCIDENTAL MILLING	2,336 SY	5.00	11,680.00
0005	1519000000-E	610	ASPHALT CONC SURFACE COURSE, TYPE S9.5B	11,073 TON	33.00	365,409.00
0006	1525000000-E	610	ASPHALT CONC SURFACE COURSE, TYPE SF9.5A	9,878 TON	35.50	350,669.00
0007	1560000000-E	620	ASPHALT BINDER FOR PLANT MIX, GRADE PG 64-22	1,303 TON	385.00	501,655.00
0008	1775000000-E	660	ASPHALT SURFACE TREATMENT, MAT COAT, #78M STONE	175,152 SY	1.00	175,152.00
0009	1839000000-E	660	GENERIC PAVING ITEM ASPHALT SURFACE TREATMENT, MATCOAT, #67 STONE	52,993 SY	1.20	63,591.60
0010	1880000000-E	SP	GENERIC PAVING ITEM INCIDENTAL STONE BASE	2,803 TON	25.00	70,075.00
0011	4685000000-E	1205	THERMOPLASTIC PAVEMENT MARKING LINES (4", 90 MILS)	70,150 LF	0.39	27,358.50
0012	4686000000-E	1205	THERMOPLASTIC PAVEMENT MARKING LINES (4", 120 MILS)	41,568 LF	0.44	18,289.92
0013	4690000000-E	1205	THERMOPLASTIC PAVEMENT MARKING LINES (6", 120 MILS)	626 LF	1.00	626.00
0014	4695000000-E	1205	THERMOPLASTIC PAVEMENT MARKING LINES (8", 90 MILS)	150 LF	1.50	225.00
0015	4710000000-E	1205	THERMOPLASTIC PAVEMENT MARKING LINES (24", 120 MILS)	125 LF	4.50	562.50
0016	4721000000-E	1205	THERMOPLASTIC PAVEMENT MARKING CHARACTER (120 MILS)	12 EA	100.00	1,200.00

Contract Item Sheets For C202626

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
0017	4725000000-E	1205	THERMOPLASTIC PAVEMENT MARKING SYMBOL (90 MILS)	17 EA	100.00	1,700.00
0018	4810000000-E	1205	PAINT PAVEMENT MARKING LINES (4")	361,982 LF	0.09	32,578.38
0019	4905000000-N	1253	SNOWPLOWABLE PAVEMENT MARKERS	430 EA	21.45	9,223.50

TOTAL AMOUNT OF BID FOR ENTIRE PROJECT

\$1,723,148.90 ✓

1114/Oct27/Q742489/D56660100000/E19

C202626

Contract No. _____
County CASWELL

Rev. 7-12-10

**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, that the Contractor has not been convicted of violating N.C.G.S. § 133-24 within the last three years, and that the Contractor intends to do the work with its 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, NORTH CAROLINA 27894-2408

Address as Prequalified

Attest



~~Secretary/Assistant Secretary~~
Select appropriate title

By



~~President/Vice President/Assistant Vice President~~
Select appropriate title

W. READE DAWSON

Print or type Signer's name

HENRY D. BUTTS, JR.

Print or type Signer's name

CORPORATE SEAL

AFFIDAVIT MUST BE NOTARIZED

Subscribed and sworn to before me this the

28 day of OCTOBER 2010



Signature of Notary Public

NOTARY SEAL

of Wilson County

State of North Carolina

My Commission Expires: 2/5/13

DEBARMENT CERTIFICATION

Conditions for certification:

1. The prequalified bidder shall provide immediate written notice to the Department if at any time the bidder learns that his certification was erroneous when he submitted his debarment certification or explanation filed 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 prequalified bidder 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 prequalified bidder 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 prequalified bidder 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 bidder 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 6 herein, the Department may terminate any contract if the bidder 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 prequalified 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.
- e. Will submit a revised Debarment Certification immediately if his status changes and will show in his bid proposal an explanation for the change in status.

If the prequalified bidder 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 prequalified bidder's bid being considered non-responsive.

Check here if an explanation is attached to this certification.

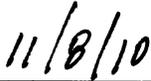
Contract No C202626

County (ies): Caswell

ACCEPTED BY THE
DEPARTMENT OF TRANSPORTATION

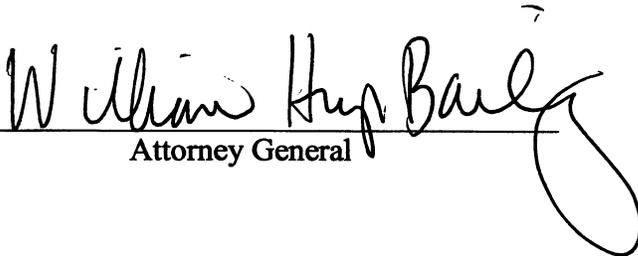


Contract Officer



Date

Execution of Contract and Bonds
Approved as to Form:



Attorney General

Contract No. C202626
 County CASWELL

CONTRACT PAYMENT BOND

Date of Payment Bond Execution November 2, 2010

Name of Principal Contractor S.T. Wooten Corporation

Name of Surety: Safeco Insurance Co. of America
2359 Perimeter Pointe Parkway, Suite 160
Charlotte, NC 28208

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

Amount of Bond: \$1,723,148.90

Contract ID No.: C202626

County Name: CASWELL

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. C202626
County CASWELL

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

Angela Yount
Signature of Witness

Angela Yount
Print or type Signer's Name

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

Contract No. C202626
County CASWELL

CONTRACT PAYMENT BOND

CORPORATION

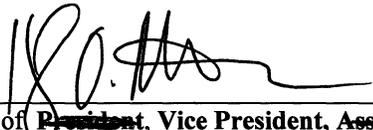
SIGNATURE OF CONTRACTOR (Principal)

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

HENRY D. BUTTS, JR.

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. C202626
 County CASWELL

CONTRACT PERFORMANCE BOND

Date of Performance Bond Execution: November 2, 2010

Name of Principal Contractor: S. T. Wooten Corporation

Name of Surety: Safeco Insurance Co. of America
2359 Perimeter Pointe Parkway, Suite 160
Charlotte, NC 28208

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

Amount of Bond: \$1,723,148.90

Contract ID No.: C202626

County Name: CASWELL

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. C202626
County CASWELL

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

Debra S. Ritter
Signature of Attorney-in-Fact

Angela Yount
Signature of witness

Angela Yount
Print or type Signer's Name

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

Contract No. C202626
County CASWELL

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

HENRY D. BUTTS, JR.

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

T. Mikolajewski

Dexter R. Legg, Secretary

Timothy A. Mikolajewski, Vice President

CERTIFICATE

Extract from the By-Laws of SAFECO INSURANCE COMPANY OF AMERICA and of GENERAL INSURANCE COMPANY OF AMERICA:

"Article V, Section 13. - FIDELITY AND SURETY BONDS ... the President, any Vice President, the Secretary, and any Assistant Vice President appointed for that purpose by the officer in charge of surety operations, shall each have authority to appoint individuals as attorneys-in-fact or under other appropriate titles with authority to execute on behalf of the company fidelity and surety bonds and other documents of similar character issued by the company in the course of its business... On any instrument making or evidencing such appointment, the signatures may be affixed by facsimile. On any instrument conferring such authority or on any bond or undertaking of the company, the seal, or a facsimile thereof, may be impressed or affixed or in any other manner reproduced; provided, however, that the seal shall not be necessary to the validity of any such instrument or undertaking."

Extract from a Resolution of the Board of Directors of SAFECO INSURANCE COMPANY OF AMERICA and of GENERAL INSURANCE COMPANY OF AMERICA adopted July 28, 1970.

"On any certificate executed by the Secretary or an assistant secretary of the Company setting out,

- (i) The provisions of Article V, Section 13 of the By-Laws, and
(ii) A copy of the power-of-attorney appointment, executed pursuant thereto, and
(iii) Certifying that said power-of-attorney appointment is in full force and effect,

the signature of the certifying officer may be by facsimile, and the seal of the Company may be a facsimile thereof."

I, Dexter R. Legg, Secretary of SAFECO INSURANCE COMPANY OF AMERICA and of GENERAL INSURANCE COMPANY OF AMERICA, do hereby certify that the foregoing extracts of the By-Laws and of a Resolution of the Board of Directors of these corporations, and of a Power of Attorney issued pursuant thereto, are true and correct, and that both the By-Laws, the Resolution and the Power of Attorney are still in full force and effect.

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

this 2nd day of November, 2010



Dexter R. Legg

Dexter R. Legg, Secretary