

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

C202705

CONTRACT AND
CONTRACT BONDS

FOR CONTRACT NO. C202705

WBS

6CR.10261.70, 6CR.10431.70, 6CR.20261.70, 6CR.20431.70 STATE FUNDED

COUNTY OF CUMBERLAND, HARNETT
THIS IS THE ROADWAY CONTRACT
ROUTE NUMBER US 301 LENGTH 55.820 MILES
LOCATION 2 SECTIONS OF US-301, 1 SECTION OF NC-59, NC-210, NC-27, AND
NC-42, AND 39 SECTIONS OF SECONDARY RDS.

CONTRACTOR JOHNSON BROTHERS UTILITY & PAVING COMPANY, INC.
ADDRESS 1924 NORTH MAIN ST
LILLINGTON, NC 275467852

BIDS OPENED FEBRUARY 15, 2011
CONTRACT EXECUTION MAR 25 2011

**Johnson Brothers Utility Paving Co., Inc. (183).
Vendor 1 of 3 Vendors for Call Order 019 (Proposal ID C202705).**

County: CUMBERLAND, HARNETT
 Address: 1924 N. Main Street
 Lillington, NC 27546
 Phone Number: 910-893-8378
 Signature Check: This bid has been properly signed by DAVID_GLENN_JOHNSON_183.
 Time Bid Received: Tue Feb 15 11:43:13 2011
 Bid Checksum: CA235400 MBE GOAL SET 4.0
 Amendment Count: 0
 Bidding Errors: No bidding errors. ✓ MBE GOAL MET 4.0
 Bid Total: \$5,512,809.32
 Bond ID: SNC11674280
 Bond was Verified: Yes. WBE GOAL SET 4.0
 Bond Required Percent: 5.00%
 Minimum Check Amount: \$275,640.47
 Bid Security Maximum: \$ WBE GOAL MET 4.0
 Bond Agency Name:
 Agency Execution Date: 2/15/2011 10:32:56 AM
 Surety Name: The Cincinnati Insurance Company
 Surety State of Incorporation:
 Bond Company:
 Bond Type:
 Bond Appr Flag:
 Bond Affirm:
 Bond was Paid by Check: No.

NCDOT/berc

Vendor 183's Load Output for Call 019, Letting L110215, 2011-02-15

Bid Bond Data Info - Contractor Responses

=====

BondID. SNC11674280
Surety Registry Agency: surety2000
Verified?: Yes
Surety Agency: The Cincinnati Insurance Company
Bond Execution Date. 2/15/2011 10:32:56 AM
Bond Amount: \$275,640.47 (Five Percent of Bid)

State of NC
Dept of Transportation

Date. 01-18-11
Revised.

Contract ID C202705 Project(s): STATE FUNDED
Letting Date 02-15-11 Call Order: 019
Bidder: 183 - Johnson Brothers Utility & Paving Co , Inc.

Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
Section 0001 ROADWAY ITEMS						
Alt Group						
0001	0000100000-N MOBILIZATIO N	LUMP	LUMP			60,712.00
0002	1297000000-E MILLING ASPHALT PAVEMENT, ***"DEPTH (1-1/2")	SY	2,775.000	2.00000		5,550.00
0003	1308000000-E MILLING ASPHALT PAVEMENT, ***"TO *****" DEPTH (0" TO 1-1/2")	SY	29,357.000	1.30000		38,164.10
0004	1330000000-E INCIDENTAL MILLING	SY	6,339.000	4.95000		31,378.05
0005	1498000000-E ASPHALT CONC INTERMEDIATE COURSE, TYPE I19.0B	TON	2,975.000	34.71000		103,262.25
0006	1519000000-E ASPHALT CONC SURFACE COURSE, TYPE S9.5B	TON	39,002.000	29.40000		1,146,658.80
0007	1525000000-E ASPHALT CONC SURFACE COURSE, TYPE SF9.5A	TON	26,692.000	31.75000		847,471.00
0008	1526000000-E ASPHALT CONC SURFACE COURSE, TYPE S4.75A	TON	3,249.000	53.85000		174,958.65
0009	1560000000-E ASPHALT BINDER FOR PLANT MIX, GRADE PG 64-22	TON	4,440.000	520.19000		2,309,643.60
0010	1704000000-E PATCHING EXISTING PAVEMENT	TON	2,141.000	125.00000		267,625.00

State of NC
 Dept of Transportation

Date: 01-18-11
 Revised.

Contract ID. C202705 Project(s). STATE FUNDED
 Letting Date 02-15-11 Call Order: 019
 Bidder: 183 - Johnson Brothers Utility & Paving Co , Inc.

Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
0011	2830000000-N ADJUSTMENT OF MANHOLES	EA 59.000	350.00000		20,650.00	
0012	2845000000-N ADJUSTMENT OF METER BOXES OR VALVE BOXES	EA 61.000	350.00000		21,350.00	
0013	4685000000-E THERMOPLAST IC PAVEMENT MARKING LINES (4", 90 MILS)	LF 322,590.000	0.40000		129,036.00	
0014	4686000000-E THERMOPLAST IC PAVEMENT MARKING LINES (4", 120 MILS)	LF 303,972.000	0.50000		151,986.00	
0015	4697000000-E THERMOPLAST IC PAVEMENT MARKING LINES (8", 120 MILS)	LF 5,464.000	2.50000		13,660.00	
0016	4705000000-E THERMOPLAST IC PAVEMENT MARKING LINES (16", 120 MILS)	LF 400.000	4.50000		1,800.00	
0017	4710000000-E THERMOPLAST IC PAVEMENT MARKING LINES (24", 120 MILS)	LF 1,520.000	5.50000		8,360.00	
0018	4721000000-E THERMOPLAST IC PAVEMENT MARKING CHARACTER (120 MILS)	EA 79.000	65.00000		5,135.00	
0019	4725000000-E THERMOPLAST IC PAVEMENT MARKING SYMBOL (90 MILS)	EA 157.000	85.00000		13,345.00	
0020	4810000000-E PAINT PAVEMENT MARKING LINES (4")	LF 1,405,342.000	0.08500		119,454.07	
0021	4820000000-E PAINT PAVEMENT MARKING LINES (8")	LF 7,594.000	0.20000		1,518.80	

State of NC
Dept of Transportation

Date. 01-18-11
Revised.

Contract ID. C202705 Project(s): STATE FUNDED
Letting Date 02-15-11 Call Order: 019
Bidder 183 - Johnson Brothers Utility & Paving Co., Inc.

Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
0022	4830000000-E PAINT PAVEMENT MARKING LINES (16")	250.000 LF	1.50000		375.00	
0023	4835000000-E PAINT PAVEMENT MARKING LINES (24")	625.000 LF	2.50000		1,562.50	
0024	4840000000-N PAINT PAVEMENT MARKING CHARAC-TER	34.000 EA	30.00000		1,020.00	
0025	4900000000-N PERMANENT RAISED PAVEMENT MARKERS	4,383.000 EA	4.50000		19,723.50	
0026	7288000000-E PAVED TRENCHING (***** (1, 1")	40.000 LF	10.00000		400.00	
0027	7288000000-E PAVED TRENCHING (***** (1, 2")	40.000 LF	10.00000		400.00	
0028	7300000000-E UNPAVED TRENCHING (***** (1, 1")	300.000 LF	5.50000		1,650.00	
0029	7300000000-E UNPAVED TRENCHING (***** (1, 2")	400.000 LF	5.50000		2,200.00	
0030	7312000000-N JUNCTION BOX (***** (STANDARD)	4.000 EA	260.00000		1,040.00	
0031	7348000000-N JUNCTION BOX (OVER-SIZED, HEA-VY DUTY)	4.000 EA	500.00000		2,000.00	
0032	7420000000-E 2" RISER WITH WEATHERHEAD	4.000 EA	410.00000		1,640.00	
0033	7444000000-E INDUCTIVE LOOP SAWCUT	1,800.000 LF	4.60000		8,280.00	

State of NC
 Dept of Transportation

Date. 01-18-11
 Revised.

Contract ID. C202705 Project(s). STATE FUNDED
 Letting Date 02-15-11 Call Order. 019
 Bidder. 183 - Johnson Brothers Utility & Paving Co., Inc.

Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
0034	7456000000-E LEAD-IN CABLE (***** (14-2)	400.000 LF	2.00000		800.00	
Section 0001 Total						5,512,809.32
Bid Total						5,512,809.32

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 Yes

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 6,000,000.00 for those projects indicated herein, for which bids will be opened on 02/15/11 (MM/DD/YY)

The Award Limits shall apply to the following projects:

Contract Number	County
C202705	CUMBERLAND-HARNETT
C202707	WAKE
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 C202705

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
ROADWAY ITEMS						
0001	0000100000-N	800	MOBILIZATION	Lump Sum LS	60,712.00	60,712.00
0002	1297000000-E	607	MILLING ASPHALT PAVEMENT, **** DEPTH (1-1/2")	2,775 SY	2.00	5,550.00
0003	1308000000-E	607	MILLING ASPHALT PAVEMENT, **** TO ***** DEPTH (0" TO 1-1/2")	29,357 SY	1.30	38,164.10
0004	1330000000-E	607	INCIDENTAL MILLING	6,339 SY	4.95	31,378.05
0005	1498000000-E	610	ASPHALT CONC INTERMEDIATE COURSE, TYPE I19.0B	2,975 TON	34.71	103,262.25
0006	1519000000-E	610	ASPHALT CONC SURFACE COURSE, TYPE S9.5B	39,002 TON	29.40	1,146,658.80
0007	1525000000-E	610	ASPHALT CONC SURFACE COURSE, TYPE SF9.5A	26,692 TON	31.75	847,471.00
0008	1526000000-E	610	ASPHALT CONC SURFACE COURSE, TYPE S4.75A	3,249 TON	53.85	174,958.65
0009	1560000000-E	620	ASPHALT BINDER FOR PLANT MIX, GRADE PG 64-22	4,440 TON	520.19	2,309,643.60
0010	1704000000-E	SP	PATCHING EXISTING PAVEMENT	2,141 TON	125.00	267,625.00
0011	2830000000-N	858	ADJUSTMENT OF MANHOLES	59 EA	350.00	20,650.00
0012	2845000000-N	858	ADJUSTMENT OF METER BOXES OR VALVE BOXES	61 EA	350.00	21,350.00
0013	4685000000-E	1205	THERMOPLASTIC PAVEMENT MARKING LINES (4", 90 MILS)	322,590 LF	0.40	129,036.00
0014	4686000000-E	1205	THERMOPLASTIC PAVEMENT MARKING LINES (4", 120 MILS)	303,972 LF	0.50	151,986.00
0015	4697000000-E	1205	THERMOPLASTIC PAVEMENT MARKING LINES (8", 120 MILS)	5,464 LF	2.50	13,660.00
0016	4705000000-E	1205	THERMOPLASTIC PAVEMENT MARKING LINES (16", 120 MILS)	400 LF	4.50	1,800.00
0017	4710000000-E	1205	THERMOPLASTIC PAVEMENT MARKING LINES (24", 120 MILS)	1,520 LF	5.50	8,360.00

Contract Item Sheets For C202705

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
0018	4721000000-E	1205	THERMOPLASTIC PAVEMENT MARKING CHARACTER (120 MILS)	79 EA	65.00	5,135.00
0019	4725000000-E	1205	THERMOPLASTIC PAVEMENT MARKING SYMBOL (90 MILS)	157 EA	85.00	13,345.00
0020	4810000000-E	1205	PAINT PAVEMENT MARKING LINES (4")	1,405,342 LF	0.09	119,454.07
0021	4820000000-E	1205	PAINT PAVEMENT MARKING LINES (8")	7,594 LF	0.20	1,518.80
0022	4830000000-E	1205	PAINT PAVEMENT MARKING LINES (16")	250 LF	1.50	375.00
0023	4835000000-E	1205	PAINT PAVEMENT MARKING LINES (24")	625 LF	2.50	1,562.50
0024	4840000000-N	1205	PAINT PAVEMENT MARKING CHARACTER	34 EA	30.00	1,020.00
0025	4900000000-N	1251	PERMANENT RAISED PAVEMENT MARKERS	4,383 EA	4.50	19,723.50
0026	7288000000-E	1715	PAVED TRENCHING (*****) (1, 1")	40 LF	10.00	400.00
0027	7288000000-E	1715	PAVED TRENCHING (*****) (1, 2")	40 LF	10.00	400.00
0028	7300000000-E	1715	UNPAVED TRENCHING (*****) (1, 1")	300 LF	5.50	1,650.00
0029	7300000000-E	1715	UNPAVED TRENCHING (*****) (1, 2")	400 LF	5.50	2,200.00
0030	7312000000-N	1716	JUNCTION BOX (***** (STANDARD)	4 EA	260.00	1,040.00
0031	7348000000-N	1716	JUNCTION BOX (OVER-SIZED, HEAVY DUTY)	4 EA	500.00	2,000.00
0032	7420000000-E	1722	2" RISER WITH WEATHERHEAD	4 EA	410.00	1,640.00
0033	7444000000-E	1725	INDUCTIVE LOOP SAWCUT	1,800 LF	4.60	8,280.00

Contract Item Sheets For C202705

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
0034	7456000000-E	1726	LEAD-IN CABLE (***** (14-2)	400 LF	2.00	800.00

TOTAL AMOUNT OF BID FOR ENTIRE PROJECT

\$5,512,809.32

1435/Feb24/Q2172493/D147062100000/E34



Contract No. C202705
County Cumberland, Harnett

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
Johnson Brothers Utility & Paving Company, Inc.

Full name of Corporation

1924 North Main Street Lillington, NC 27546

Address as Prequalified

Attest Annie Johnson
Secretary/Assistant Secretary
Select appropriate title

By David Johnson
President/Vice President/Assistant Vice President
Select appropriate title

Annie Johnson
Print or type Signer's name

David Johnson
Print or type Signer's name

CORPORATE SEAL

AFFIDAVIT MUST BE NOTARIZED

Subscribed and sworn to before me this the

28th day of February 2011

Joyce B Johnson
Signature of Notary Public

NOTARY SEAL

of Harnett County

State of North Carolina

My Commission Expires: 10/23/2014

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 **C202705**

County (ies): **Cumberland-Harnett**

**ACCEPTED BY THE
DEPARTMENT OF TRANSPORTATION**



Contract Officer

3/25/11

Date

**Execution of Contract and Bonds
Approved as to Form:**



1st. Attorney General

Contract No. C202705
County CUMBERLAND, HARNETT

Rev 2-1-10

CONTRACT PAYMENT BOND # B0310540

Date of Payment Bond Execution MARCH 2, 2011

Name of Principal Contractor JOHNSON BROS. UTILITY & PAVING CO. INC.

Name of Surety: CINCINNATI INSURANCE COMPANY

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

Amount of Bond: \$5,512,809.32 FIVE MILLION FIVE HUNDRED TWELVE THOUSAND EIGHT HUNDRED NINE DOLLARS AND THIRTY TWO CENTS-----

Contract ID No.: C202705

County Name: CUMBERLAND, HARNETT

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.
County

C202705
CUMBERLAND, HARNETT

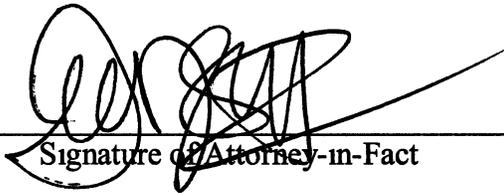
Rev 2-1-10

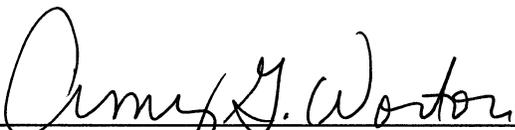
CONTRACT PAYMENT BOND

Affix Seal of Surety Company

CINCINNATI INSURANCE COMPANY
Print or type Surety Company Name

By JOHN D. SNIPES, II
Print, stamp or type name of Attorney-in-Fact


Signature of Attorney-in-Fact


Signature of Witness

AMY G. WORTON
Print or type Signer's name

105 N. WILSON AVE. DUNN, NC 28334
Address of Attorney-in-Fact

Contract No. C202705
County CUMBERLAND, HARNETT

Rev 2-1-10

CONTRACT PAYMENT BOND
CORPORATION

SIGNATURE OF CONTRACTOR (Principal)

JOHNSON BROS. UTILITY & PAVING CO., INC.

Full name of Corporation

1924 N. MAIN ST. LILLINGTON, NC 27546

Address as prequalified

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

DAVID G. JOHNSON
Print or type Signer's name

Affix Corporate Seal

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

ANNIE JOHNSON
Print or type Signer's name

THE CINCINNATI INSURANCE COMPANY

Fairfield, Ohio

POWER OF ATTORNEY

KNOW ALL MEN BY THESE PRESENTS: That THE CINCINNATI INSURANCE COMPANY, a corporation organized under the laws of the State of Ohio, and having its principal office in the City of Fairfield, Ohio, does hereby constitute and appoint

J. Dal Snipes; John D. Snipes, II; Amy G. Worton; Carl M. Inman and/or Karen G. Parrott

of Dunn and Raleigh, North Carolina its true and lawful Attorney(s)-in-Fact to sign, execute, seal and deliver on its behalf as Surety, and as its act and deed, any and all bonds, policies, undertakings, or other like instruments, as follows:

Any such obligations in the United States, up to

Twenty Five Million and No/100 Dollars (\$25,000,000.00).

This appointment is made under and by authority of the following resolution passed by the Board of Directors of said Company at a meeting held in the principal office of the Company, a quorum being present and voting, on the 6th day of December, 1958, which resolution is still in effect:

"RESOLVED, that the President or any Vice President be hereby authorized, and empowered to appoint Attorneys-in-Fact of the Company to execute any and all bonds, policies, undertakings, or other like instruments on behalf of the Corporation, and may authorize any officer or any such Attorney-in-Fact to affix the corporate seal; and may with or without cause modify or revoke any such appointment or authority. Any such writings so executed by such Attorneys-in-Fact shall be binding upon the Company as if they had been duly executed and acknowledged by the regularly elected officers of the Company."

This Power of Attorney is signed and sealed by facsimile under and by the authority of the following Resolution adopted by the Board of Directors of the Company at a meeting duly called and held on the 7th day of December, 1973.

"RESOLVED, that the signature of the President or a Vice President and the seal of the Company may be affixed by facsimile on any power of attorney granted, and the signature of the Secretary or Assistant Secretary and the seal of the Company may be affixed by facsimile to any certificate of any such power and any such power of certificate bearing such facsimile signature and seal shall be valid and binding on the Company. Any such power so executed and sealed and certified by certificate so executed and sealed shall, with respect to any bond or undertaking to which it is attached, continue to be valid and binding on the Company."

IN WITNESS WHEREOF, THE CINCINNATI INSURANCE COMPANY has caused these presents to be sealed with its corporate seal, duly attested by its Vice President this 1st day of April, 2007



THE CINCINNATI INSURANCE COMPANY

Thomas H. Kelly
Vice President

STATE OF OHIO) ss:
COUNTY OF BUTLER)

On this 1st day of April, 2007, before me came the above-named Senior Vice President of THE CINCINNATI INSURANCE COMPANY, to me personally known to be the officer described herein, and acknowledged that the seal affixed to the preceding instrument is the corporate seal of said Company and the corporate seal and the signature of the officer were duly affixed and subscribed to said instrument by the authority and direction of said corporation.



MARK J. HULLER, Attorney at Law
NOTARY PUBLIC - STATE OF OHIO
My commission has no expiration date. Section 147.03 O.R.C.

I, the undersigned Secretary or Assistant Secretary of THE CINCINNATI INSURANCE COMPANY, hereby certify that the above is a true and correct copy of the Original Power of Attorney issued by said Company, and do hereby further certify that the said Power of Attorney is still in full force and effect.

GIVEN under my hand and seal of said Company at Fairfield, Ohio, this 2ND day of MARCH 2011



Gregory J. Schlemmer
Secretary

Contract No.
County

C202705
CUMBERLAND, HARNETT

Rev 2-1-10

CONTRACT PERFORMANCE BOND #B0310540

Date of Performance Bond Execution: MARCH 2, 2011

Name of Principal Contractor: JOHNSON BROS. UTILITY & PAVING CO., INC.

Name of Surety: CINCINNATI INSURANCE COMPANY

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

Amount of Bond: \$5,512,809.32 FIVE MILLION FIVE HUNDRED TWELVE THOUSAND
EIGHT HUNDRED NINE DOLLARS AND THIRTY TWO CENTS-----

Contract ID No.: C202705

County Name: CUMBERLAND, HARNETT

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. C202705
County CUMBERLAND, HARNETT

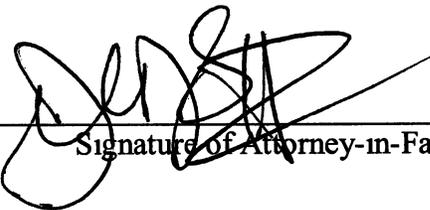
Rev 2-1-10

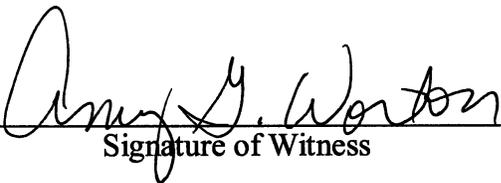
CONTRACT PERFORMANCE BOND

Affix Seal of Surety Company

CINCINNATI INSURANCE COMPANY
Print or type Surety Company Name

By JOHN D. SNIPES, II
Print, stamp or type name of Attorney-in-Fact


Signature of Attorney-in-Fact


Signature of Witness

AMY G. WORTON
Print or type Signer's name

105 N. WILSON AVE. DUNN, NC 28334
Address of Attorney-in-Fact

Contract No.
County

C202705

CUMBERLAND, HARNETT

Rev 2-1-10

**CONTRACT PERFORMANCE BOND
CORPORATION**

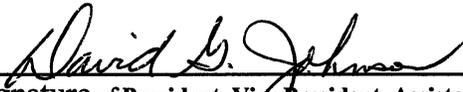
SIGNATURE OF CONTRACTOR (Principal)

JOHNSON BROS. UTILITY & PAVING CO., INC.

Full name of Corporation

1924 N. MAIN ST. LILLINGTON, NC 27546

Address as prequalified

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

DAVID G. JOHNSON

Print or type Signer's name

Affix Corporate Seal

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

ANNIE JOHNSON

Print or type Signer's name

THE CINCINNATI INSURANCE COMPANY

Fairfield, Ohio

POWER OF ATTORNEY

KNOW ALL MEN BY THESE PRESENTS: That THE CINCINNATI INSURANCE COMPANY, a corporation organized under the laws of the State of Ohio, and having its principal office in the City of Fairfield, Ohio, does hereby constitute and appoint

J. Dal Snipes; John D. Snipes, II; Amy G. Worton; Carl M. Inman and/or Karen G. Parrott

of Dunn and Raleigh, North Carolina its true and lawful Attorney(s)-in-Fact to sign, execute, seal and deliver on its behalf as Surety, and as its act and deed, any and all bonds, policies, undertakings, or other like instruments, as follows:

Any such obligations in the United States, up to Twenty Five Million and No/100 Dollars (\$25,000,000.00).

This appointment is made under and by authority of the following resolution passed by the Board of Directors of said Company at a meeting held in the principal office of the Company, a quorum being present and voting, on the 6th day of December, 1958, which resolution is still in effect:

"RESOLVED, that the President or any Vice President be hereby authorized, and empowered to appoint Attorneys-in-Fact of the Company to execute any and all bonds, policies, undertakings, or other like instruments on behalf of the Corporation, and may authorize any officer or any such Attorney-in-Fact to affix the corporate seal; and may with or without cause modify or revoke any such appointment or authority. Any such writings so executed by such Attorneys-in-Fact shall be binding upon the Company as if they had been duly executed and acknowledged by the regularly elected officers of the Company."

This Power of Attorney is signed and sealed by facsimile under and by the authority of the following Resolution adopted by the Board of Directors of the Company at a meeting duly called and held on the 7th day of December, 1973.

"RESOLVED, that the signature of the President or a Vice President and the seal of the Company may be affixed by facsimile on any power of attorney granted, and the signature of the Secretary or Assistant Secretary and the seal of the Company may be affixed by facsimile to any certificate of any such power and any such power of certificate bearing such facsimile signature and seal shall be valid and binding on the Company. Any such power so executed and sealed and certified by certificate so executed and sealed shall, with respect to any bond or undertaking to which it is attached, continue to be valid and binding on the Company."

IN WITNESS WHEREOF, THE CINCINNATI INSURANCE COMPANY has caused these presents to be sealed with its corporate seal, duly attested by its Vice President this 1st day of April, 2007



STATE OF OHIO) ss:
COUNTY OF BUTLER)

THE CINCINNATI INSURANCE COMPANY

Thomas H. Kelly
Vice President

On this 1st day of April, 2007, before me came the above-named Senior Vice President of THE CINCINNATI INSURANCE COMPANY, to me personally known to be the officer described herein, and acknowledged that the seal affixed to the preceding instrument is the corporate seal of said Company and the corporate seal and the signature of the officer were duly affixed and subscribed to said instrument by the authority and direction of said corporation.



Mark J. Huller

MARK J. HULLER, Attorney at Law
NOTARY PUBLIC - STATE OF OHIO
My commission has no expiration date, Section 147.03 O.R.C.

I, the undersigned Secretary or Assistant Secretary of THE CINCINNATI INSURANCE COMPANY, hereby certify that the above is a true and correct copy of the Original Power of Attorney issued by said Company, and do hereby further certify that the said Power of Attorney is still in full force and effect.

GIVEN under my hand and seal of said Company at Fairfield, Ohio.
this 2ND day of MARCH 2011



Gregory J. Schloem
Secretary

