

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

C202696

CONTRACT AND  
CONTRACT BONDS

FOR CONTRACT NO. C202696

WBS 5C.092130 STATE FUNDED

COUNTY OF WAKE  
THIS IS THE ROADWAY CONTRACT  
ROUTE NUMBER LENGTH 4.975 MILES  
LOCATION 20 SECTIONS OF SECONDARY ROADS.

CONTRACTOR BARNHILL CONTRACTING COMPANY  
ADDRESS P.O. BOX 1529  
TARBORO, NC 278861529

BIDS OPENED FEBRUARY 15, 2011

CONTRACT EXECUTION MAR 24 2011

**Barnhill Contracting Company (3516).**

**Vendor 1 of 3 Vendors for Call Order 009 (Proposal ID C202696).**

County: WAKE  
Address: 4325 Pleasant Valley Road  
Raleigh, North Carolina 27612

Phone Number: 919-785-9162

Signature Check: This bid has been properly signed by Chris\_Stroud\_3516.

Time Bid Received: Tue Feb 15 09:10:39 2011

Bid Checksum: 80E80D8C

MBE GOAL SET 4.0

Amendment Count: 0

Bidding Errors: No bidding errors ✓

Bid Total: \$952,907.64 ✓

MBE GOAL MET 4.2

Bond ID: SNC11647418

Bond was Verified: Yes.

WBE GOAL SET 4.0

Bond Required Percent: 5.00%

Minimum Check Amount: \$47,645.38

Bid Security Maximum: \$

WBE GOAL MET 29.3

Bond Agency Name:

Agency Execution Date: 1/28/2011 11:15:50 AM

Surety Name: Travelers Casualty and Surety Company of Ame

Surety State of Incorporation:

Bond Company:

Bond Type:

Bond Appr Flag:

Bond Affirm:

Bond was Paid by Check: No.

LIST OF MBE PARTICIPANTS

2501 MB	B L DOCKERY TRUCKING 1313 SAVANNAH DRIVE , RALEIGH, NC 27610	Sub	10,360.23	✓	am
5423 MB	NICKERSON TRANSPORT INC P.O. BOX 91622 , RALEIGH, NC 27675	Sub	29,545.00	✓	am
TOTAL:			\$39,905.23	✓	am
			4.19%		

LIST OF WBE PARTICIPANTS

VENDOR NUMBER	DBE NAME ADDRESS	WORK CODE TYPE OF WORK	CERT TYPE	AMOUNT	
12393 WB	ROYALS CONTRACTING, INC. 8601 BAREFOOT INDUSTRIAL RD , RALEIGH, NC 27617		Sub	233,314.34	✓ am
2653 WB	BROWE CONSTRUCTION CO., INC. POST OFFICE BOX 1499 , CLAYTON, NC 27520		Sub	46,250.00	✓ am
TOTAL:				\$279,564.34	✓ am
				29.34%	

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	
NOT ANSWERED	
NOT ANSWERED	
NOT ANSWERED	
NOT ANSWERED	
NOT ANSWERED	

Bid Bond Data Info - Contractor Responses:  
=====

NCDOT/berc

Vendor 3516's Load Output for Call 009, Letting L110215, 2011-02-15

BondID. SNC11647418  
Surety Registry Agency: surety2000  
Verified?: Yes  
Surety Agency. Travelers Casualty and Surety Company of America  
Bond Execution Date. 1/28/2011 11:15:50 AM  
Bond Amount \$47,645 38 (Five Percent of Bid)

State of NC  
 Dept of Transportation  
 Contract ID C202696  
 Letting Date 02-15-11 Call Order: 009  
 Bidder: 3516 - Barnhill Contracting Company

Date. 01-18-11  
 Revised.

Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Cts
Section 0001 ROADWAY ITEMS						
Alt Group						
0001	0000100000-N MOBILIZATIO N	LUMP	LUMP			10,700.00
0002	0036000000-E UNDERCUT EXCAVATION	CY	391.000	18.00000		7,038.00
0003	0196000000-E FABRIC FOR SOIL STABILIZATION	SY	704.500	2.80000		1,972.60
0004	1121000000-E AGGREGATE BASE COURSE	TON	436.000	27.85000		12,142.60
0005	1297000000-E MILLING ASPHALT PAVEMENT, ***"DEPTH (1-1/2")	SY	1,962.000	3.72000		7,298.64
0006	1330000000-E INCIDENTAL MILLING	SY	400.000	3.95000		1,580.00
0007	1489000000-E ASPHALT CONC BASE COURSE, TYPE B25.0B	TON	401.000	60.00000		24,060.00
0008	1525000000-E ASPHALT CONC SURFACE COURSE, TYPE SF9.5A	TON	4,709.000	34.20000		161,047.80
0009	1560000000-E ASPHALT BINDER FOR PLANT MIX, GRADE PG 64-22	TON	323.000	400.00000		129,200.00
0010	1704000000-E PATCHING EXISTING PAVEMENT	TON	6,220.000	88.00000		547,360.00
0011	2830000000-N ADJUSTMENT OF MANHOLES	EA	116.000	190.00000		22,040.00

State of NC  
 Dept of Transportation

Date. 01-18-11  
 Revised.

Contract ID: C202696 Project(s). STATE FUNDED  
 Letting Date. 02-15-11 Call Order: 009  
 Bidder. 3516 - Barnhill Contracting Company

Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
0012	2845000000-N ADJUSTMENT OF METER BOXES OR VALVE BOXES	EA 134.000	190.00000		25,460.00	
0013	4697000000-E THERMOPLAST IC PAVEMENT MARKING LINES (8", 120 MILS)	LF 50.000	5.00000		250.00	
0014	4702000000-E THERMOPLAST IC PAVEMENT MARKING LINES (12", 120 MILS)	LF 36.000	8.00000		288.00	
0015	4710000000-E THERMOPLAST IC PAVEMENT MARKING LINES (24", 120 MILS)	LF 127.000	10.00000		1,270.00	
0016	4721000000-E THERMOPLAST IC PAVEMENT MARKING CHARACTER (120 MILS)	EA 12.000	100.00000		1,200.00	
Section 0001 Total						952,907 64
Bid Total						952,907.64 ✓

NON-COLLUSION AND DEBARMENT CERTIFICATION

The bidder certifies that neither he, nor any official, agent or employee of the bidder has entered into any agreement, participated in any collusion, or otherwise taken any action which is in restraint of free competitive bidding in connection with this bid, and that the bidder intends to do the work with its own bonafide employees or subcontractors and is not bidding for the benefit of another contractor. In addition, submitting this electronic bid constitutes the bidder's certification of Status under penalty of perjury under the laws of the United States and in accordance with the Debarment Certification on file with the Department.

By submitting this bid, the bidder certifies to the best of his knowledge and belief that he and his principals:

- a. Are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from covered transactions by any Federal department or agency,
- b. Have not within a three-year period preceding this proposal been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State or local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records; making false statements, or receiving stolen property,
- c. Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, State or local) with commission of any of the offenses enumerated in paragraph b. of this certification; and
- d. Have not within a three-year period preceding this proposal had one or more public transactions (Federal, State or local) terminated for cause or default.

Where the prospective bidder is unable to certify to any of the statements in this certification, the bidder shall submit an explanation in the blanks provided herein. The explanation will not necessarily result in denial of participation in a contract.

Explanation.  
NOT ANSWERED  
NOT ANSWERED  
NOT ANSWERED  
NOT ANSWERED

If the prequalified bidder's status changes, he shall immediately submit a new fully executed non-collusion affidavit and debarment certification with an explanation of the change to the Contract Office prior to submitting the bid.

Failure to furnish a certification or an explanation will be grounds for rejection of a bid

AWARD LIMITS ON MULTIPLE PROJECTS

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

A bidder who desires to bid on more than one project on which bids are to be opened on the same date, and who also desires to avoid receiving an award of more projects than he is equipped to handle, may bid on any number of projects but may limit the total amount of work awarded to him on selected projects by completing the AWARD LIMITS ON MULTIPLE PROJECTS.

The Award Limits on Multiple Projects must be filled in on each project bid for which the Bidder desires protection.

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

The Award Limits shall apply to the following projects.

Contract Number	County
NOT ANSWERED	
NOT ANSWERED	
NOT ANSWERED	
NOT ANSWERED	
NOT ANSWERED	
NOT ANSWERED	

It is agreed that if I am (we are) the low Bidder(s) on indicated projects, the total value of which is more than the above stipulated award limits, the Board of Transportation will award me (us) projects from among those indicated that have a total value not to exceed the award limit and will result in the lowest total bids to the Department of Transportation.



NORTH CAROLINA STATE DEPARTMENT OF TRANSPORTATION  
 MBE COMMITMENT ITEMS

DATE: 01-18-11  
 PAGE: 5

PROPOSAL: C202696  
 LETTING: L110215 CALL: 009  
 VENDOR: 3516 Barnhill Contracting Company

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

MBE SUBCONTRACTOR: 2501 B L DOCKERY TRUCKING  
 Will Use Quote: Yes

0007	1489000000-E	ASP CONC BAS TON	401.000	1.01000	405.01
0010	1704000000-E	PATCHING EXI TON	6220.000	1.01000	6282.20
0008	1525000000-E	ASP CONC SUR TON	4709.000	0.78000	3673.02

MBE COMMITMENT TOTAL FOR SUBCONTRACTOR: 10,360.23 ✓ arm

MBE SUBCONTRACTOR: 5423 NICKERSON TRANSPORT INC  
 Will Use Quote: Yes

0010	1704000000-E	PATCHING EXI TON	6220.000	4.75000	29545.00
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MBE COMMITMENT TOTAL FOR SUBCONTRACTOR: 29,545.00 ✓ arm

TOTAL MBE COMMITMENT FOR VENDOR:	Entered:	4.19% or	39905.23	✓ arm
	Required:	4.00% or	38116.31	
		<GOAL MET>		

NORTH CAROLINA STATE DEPARTMENT OF TRANSPORTATION  
WBE COMMITMENT ITEMS

DATE: 01-18-11  
PAGE: 6

PROPOSAL: C202696  
LETTING: L110215 CALL: 009  
VENDOR: 3516 Barnhill Contracting Company

LINE NO.	ITEM NO.	ITEM DESC.	UNIT TYPE	SUBCONTRACTOR QUANTITY	SUBCONTRACTOR UNIT PRICE	EXTENDED AMOUNT
-----						
WBE SUBCONTRACTOR: 12393 ROYALS CONTRACTING, INC.						
Will Use Quote: Yes						
0002	0036000000-E	UNDERCUT EXC	CY	391.000	18.00000	7038.00
0003	0196000000-E	SOIL STABILI	SY	704.500	2.80000	1972.60
0004	1121000000-E	AGGREGATE BA	TON	436.000	27.85000	12142.60
0005	1297000000-E	MILL ASP PVM	SY	1962.000	3.72000	7298.64
0006	1330000000-E	INCIDENTAL M	SY	400.000	3.95000	1580.00
0007	1489000000-E	ASP CONC BAS	TON	401.000	38.50000	15438.50
0010	1704000000-E	PATCHING EXI	TON	6220.000	30.20000	187844.00

WBE COMMITMENT TOTAL FOR SUBCONTRACTOR: 233,314.34 ✓ arm

WBE SUBCONTRACTOR: 2653 BROWE CONSTRUCTION CO., INC.  
Will Use Quote: Yes

0011	2830000000-N	ADJ MANHOLES	EA	116.000	185.00000	21460.00
0012	2845000000-N	ADJ METER OR	EA	134.000	185.00000	24790.00

WBE COMMITMENT TOTAL FOR SUBCONTRACTOR: 46,250.00 ✓ arm

TOTAL WBE COMMITMENT FOR VENDOR: Entered: 29.34% or 279564.34 ✓ arm  
Required: 4.00% or 38116.31  
<GOAL MET>

## Contract Item Sheets For C202696

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
<b>ROADWAY ITEMS</b>						
0001	0000100000-N	800	MOBILIZATION	Lump Sum LS	10,700.00	10,700.00
0002	0036000000-E	225	UNDERCUT EXCAVATION	391 CY	18.00	7,038.00
0003	0196000000-E	270	FABRIC FOR SOIL STABILIZATION	704.5 SY	2.80	1,972.60
0004	1121000000-E	520	AGGREGATE BASE COURSE	436 TON	27.85	12,142.60
0005	1297000000-E	607	MILLING ASPHALT PAVEMENT, **** DEPTH (1-1/2")	1,962 SY	3.72	7,298.64
0006	1330000000-E	607	INCIDENTAL MILLING	400 SY	3.95	1,580.00
0007	1489000000-E	610	ASPHALT CONC BASE COURSE, TYPE B25.0B	401 TON	60.00	24,060.00
0008	1525000000-E	610	ASPHALT CONC SURFACE COURSE, TYPE SF9.5A	4,709 TON	34.20	161,047.80
0009	1560000000-E	620	ASPHALT BINDER FOR PLANT MIX, GRADE PG 64-22	323 TON	400.00	129,200.00
0010	1704000000-E	SP	PATCHING EXISTING PAVEMENT	6,220 TON	88.00	547,360.00
0011	2830000000-N	858	ADJUSTMENT OF MANHOLES	116 EA	190.00	22,040.00
0012	2845000000-N	858	ADJUSTMENT OF METER BOXES OR VALVE BOXES	134 EA	190.00	25,460.00
0013	4697000000-E	1205	THERMOPLASTIC PAVEMENT MARKING LINES (8", 120 MILS)	50 LF	5.00	250.00
0014	4702000000-E	1205	THERMOPLASTIC PAVEMENT MARKING LINES (12", 120 MILS)	36 LF	8.00	288.00
0015	4710000000-E	1205	THERMOPLASTIC PAVEMENT MARKING LINES (24", 120 MILS)	127 LF	10.00	1,270.00
0016	4721000000-E	1205	THERMOPLASTIC PAVEMENT MARKING CHARACTER (120 MILS)	12 EA	100.00	1,200.00

TOTAL AMOUNT OF BID FOR ENTIRE PROJECT

\$952,907.64 ✓

Contract No. C202696  
County Wake

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**

Barnhill Contracting Company

Full name of Corporation

P.O. Box 1529, Tarboro, NC 27886

Address as Prequalified

Attest [Signature] Asst. Secretary  
~~Secretary~~/Assistant Secretary  
Select appropriate title

By [Signature] Vice-Pres.  
President/Vice President/Assistant Vice President  
Select appropriate title

Bob Rush

Print or type Signer's name

Chris Stroud

Print or type Signer's name

**CORPORATE SEAL**

**AFFIDAVIT MUST BE NOTARIZED**

Subscribed and sworn to before me this the

17th day of March 2011

Carrie O'Brien

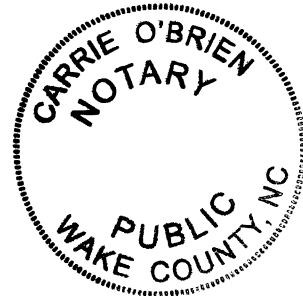
Signature of Notary Public

**NOTARY SEAL**

of Wake County

State of North Carolina

My Commission Expires: 11-2-12



## 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 A1d projects, the prequalified bidder further agrees that by submitting this form he will include the Federal-A1d Provision titled *Required Contract Provisions Federal-A1d 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**     C202696

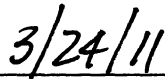
**County (ies):**   Wake

ACCEPTED BY THE  
DEPARTMENT OF TRANSPORTATION



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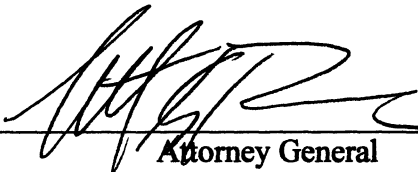
Contract Officer



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Date

Execution of Contract and Bonds  
Approved as to Form:



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Attorney General

Contract No. **C202696**  
County **WAKE**

Rev 2-1-10

105555182

### CONTRACT PAYMENT BOND

Date of Payment Bond Execution 2/23/2011

Name of Principal Contractor Barnhill Contracting Company

Name of Surety: Travelers Casualty And Surety Company Of America

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

Amount of Bond: NINE HUNDRED FIFTY-TWO THOUSAND NINE HUNDRED SEVEN AND 64/100THS

Contract ID No.: C202696

County Name: WAKE

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. **C202696**  
County **WAKE**

Rev 2-1-10

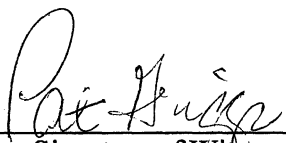
**CONTRACT PAYMENT BOND**

*Affix Seal of Surety Company*

**Travelers Casualty And Surety Company Of America**  
Print or type Surety Company Name

By **H. Thomas Dawkins**  
Print, stamp or type name of Attorney-in-Fact

  
Signature of Attorney-in-Fact

  
Signature of Witness

**PAT GRIGGS**  
Print or type Signer's name

**2820 Selwyn Avenue, Suite 375**  
**Charlotte, NC 28209**  
Address of Attorney-in-Fact

Contract No. C202696  
County WAKE

Rev 2-1-10

**CONTRACT PAYMENT BOND**

**CORPORATION**

SIGNATURE OF CONTRACTOR (Principal)

Barnhill Contracting Company  
Full name of Corporation

P.O. Box 1529, Tarboro, NC 27886  
Address as prequalified

By Chris Stroud Vice-Pres.  
Signature of ~~President, Vice President, Assistant Vice President~~  
Select appropriate title

Chris Stroud  
Print or type Signer's name

*Affix Corporate Seal*

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

Bob Rush  
Print or type Signer's name

Contract No. **C202696**  
County **WAKE**

Rev 2-1-10

105555182

## CONTRACT PERFORMANCE BOND

Date of Performance Bond Execution: **2/23/2011**

Name of Principal Contractor: **Barnhill Contracting Company**

Name of Surety: **Travelers Casualty And Surety Company Of America**

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

**Raleigh, North Carolina**  
**NINE HUNDRED FIFTY-TWO THOUSAND NINE HUNDRED SEVEN AND 64/100THS**

Amount of Bond: \_\_\_\_\_

Contract ID No.: **C202696**

County Name: **WAKE**

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.  
County

**C202696**  
**WAKE**

Rev 2-1-10


**CONTRACT PERFORMANCE BOND**

*Affix Seal of Surety Company*

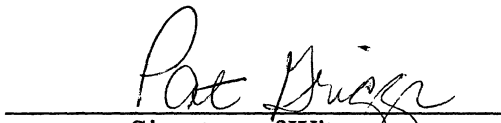
**Travelers Casualty And Surety Company Of America**  
Print or type Surety Company Name

By **H. Thomas Dawkins**

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



Signature of Attorney-in-Fact



Signature of Witness

**PAT GRIGGS**  
Print or type Signer's name

**2820 Selwyn Avenue, Suite 375**  
**Charlotte, NC 28209**

Address of Attorney-in-Fact

Contract No.  
County

C202696  
WAKE

Rev 2-1-10

**CONTRACT PERFORMANCE BOND**

**CORPORATION**

SIGNATURE OF CONTRACTOR (Principal)

Barnhill Contracting Company

Full name of Corporation

P.O. Box 1529, Tarboro, NC 27886

Address as prequalified

By Chris Stroud Vice-Pros  
Signature of ~~President, Vice President, Assistant Vice President~~  
*Select appropriate title*

Chris Stroud

Print or type Signer's name

*Affix Corporate Seal*

Attest

Bob Rush

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

Bob Rush

Print or type Signer's name



POWER OF ATTORNEY

Farmington Casualty Company
Fidelity and Guaranty Insurance Company
Fidelity and Guaranty Insurance Underwriters, Inc.
St. Paul Fire and Marine Insurance Company
St. Paul Guardian Insurance Company

St. Paul Mercury Insurance Company
Travelers Casualty and Surety Company
Travelers Casualty and Surety Company of America
United States Fidelity and Guaranty Company

Attorney-In Fact No. 222006

Certificate No. 003944415

KNOW ALL MEN BY THESE PRESENTS: That St. Paul Fire and Marine Insurance Company, St. Paul Guardian Insurance Company and St. Paul Mercury Insurance Company are corporations duly organized under the laws of the State of Minnesota, that Farmington Casualty Company, Travelers Casualty and Surety Company, and Travelers Casualty and Surety Company of America are corporations duly organized under the laws of the State of Connecticut, that United States Fidelity and Guaranty Company is a corporation duly organized under the laws of the State of Maryland, that Fidelity and Guaranty Insurance Company is a corporation duly organized under the laws of the State of Iowa, and that Fidelity and Guaranty Insurance Underwriters, Inc., is a corporation duly organized under the laws of the State of Wisconsin (herein collectively called the "Companies"), and that the Companies do hereby make, constitute and appoint

H. Thomas Dawkins, Hunter T Dawkins, and Patricia Griggs

of the City of Charlotte, State of North Carolina, their true and lawful Attorney(s)-in-Fact, each in their separate capacity if more than one is named above, to sign, execute, seal and acknowledge any and all bonds, recognizances, conditional undertakings and other writings obligatory in the nature thereof on behalf of the Companies in their business of guaranteeing the fidelity of persons, guaranteeing the performance of contracts and executing or guaranteeing bonds and undertakings required or permitted in any actions or proceedings allowed by law.

IN WITNESS WHEREOF, the Companies have caused this instrument to be signed and their corporate seals to be hereto affixed, this 13th day of January, 2010

Farmington Casualty Company
Fidelity and Guaranty Insurance Company
Fidelity and Guaranty Insurance Underwriters, Inc.
St. Paul Fire and Marine Insurance Company
St. Paul Guardian Insurance Company

St. Paul Mercury Insurance Company
Travelers Casualty and Surety Company
Travelers Casualty and Surety Company of America
United States Fidelity and Guaranty Company



State of Connecticut
City of Hartford ss.

By: [Signature]
George W. Thompson, Senior Vice President

On this the 13th day of January, 2010, before me personally appeared George W. Thompson, who acknowledged himself to be the Senior Vice President of Farmington Casualty Company, Fidelity and Guaranty Insurance Company, Fidelity and Guaranty Insurance Underwriters, Inc., St. Paul Fire and Marine Insurance Company, St. Paul Guardian Insurance Company, St. Paul Mercury Insurance Company, Travelers Casualty and Surety Company, Travelers Casualty and Surety Company of America, and United States Fidelity and Guaranty Company, and that he, as such, being authorized so to do, executed the foregoing instrument for the purposes therein contained by signing on behalf of the corporations by himself as a duly authorized officer.

In Witness Whereof, I hereunto set my hand and official seal. My Commission expires the 30th day of June, 2011.



[Signature]
Marie C. Tetreault, Notary Public

This Power of Attorney is granted under and by the authority of the following resolutions adopted by the Boards of Directors of Farmington Casualty Company, Fidelity and Guaranty Insurance Company, Fidelity and Guaranty Insurance Underwriters, Inc., St. Paul Fire and Marine Insurance Company, St. Paul Guardian Insurance Company, St. Paul Mercury Insurance Company, Travelers Casualty and Surety Company, Travelers Casualty and Surety Company of America, and United States Fidelity and Guaranty Company, which resolutions are now in full force and effect, reading as follows:

**RESOLVED**, that the Chairman, the President, any Vice Chairman, any Executive Vice President, any Senior Vice President, any Vice President, any Second Vice President, the Treasurer, any Assistant Treasurer, the Corporate Secretary or any Assistant Secretary may appoint Attorneys-in-Fact and Agents to act for and on behalf of the Company and may give such appointee such authority as his or her certificate of authority may prescribe to sign with the Company's name and seal with the Company's seal bonds, recognizances, contracts of indemnity, and other writings obligatory in the nature of a bond, recognizance, or conditional undertaking, and any of said officers or the Board of Directors at any time may remove any such appointee and revoke the power given him or her; and it is

**FURTHER RESOLVED**, that the Chairman, the President, any Vice Chairman, any Executive Vice President, any Senior Vice President or any Vice President may delegate all or any part of the foregoing authority to one or more officers or employees of this Company, provided that each such delegation is in writing and a copy thereof is filed in the office of the Secretary; and it is

**FURTHER RESOLVED**, that any bond, recognizance, contract of indemnity, or writing obligatory in the nature of a bond, recognizance, or conditional undertaking shall be valid and binding upon the Company when (a) signed by the President, any Vice Chairman, any Executive Vice President, any Senior Vice President or any Vice President, any Second Vice President, the Treasurer, any Assistant Treasurer, the Corporate Secretary or any Assistant Secretary and duly attested and sealed with the Company's seal by a Secretary or Assistant Secretary; or (b) duly executed (under seal, if required) by one or more Attorneys-in-Fact and Agents pursuant to the power prescribed in his or her certificate or their certificates of authority or by one or more Company officers pursuant to a written delegation of authority; and it is

**FURTHER RESOLVED**, that the signature of each of the following officers: President, any Executive Vice President, any Senior Vice President, any Vice President, any Assistant Vice President, any Secretary, any Assistant Secretary, and the seal of the Company may be affixed by facsimile to any Power of Attorney or to any certificate relating thereto appointing Resident Vice Presidents, Resident Assistant Secretaries or Attorneys-in-Fact for purposes only of executing and attesting bonds and undertakings and other writings obligatory in the nature thereof, and any such Power of Attorney or certificate bearing such facsimile signature or facsimile seal shall be valid and binding upon the Company and any such power so executed and certified by such facsimile signature and facsimile seal shall be valid and binding on the Company in the future with respect to any bond or understanding to which it is attached.

I, Kori M. Johanson, the undersigned, Assistant Secretary, of Farmington Casualty Company, Fidelity and Guaranty Insurance Company, Fidelity and Guaranty Insurance Underwriters, Inc., St. Paul Fire and Marine Insurance Company, St. Paul Guardian Insurance Company, St. Paul Mercury Insurance Company, Travelers Casualty and Surety Company, Travelers Casualty and Surety Company of America, and United States Fidelity and Guaranty Company do hereby certify that the above and foregoing is a true and correct copy of the Power of Attorney executed by said Companies, which is in full force and effect and has not been revoked.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the seals of said Companies this 23rd day of February, 2011

WARNING: THIS POWER OF ATTORNEY IS INVALID WITHOUT THE RED BORDER

*Kori M. Johanson*  
Kori M. Johanson, Assistant Secretary



To verify the authenticity of this Power of Attorney, call 1-800-421-3880 or contact us at [www.travelersbond.com](http://www.travelersbond.com). Please refer to the Attorney-In-Fact number, the above-named individuals and the details of the bond to which the power is attached.

