

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

C202762

CONTRACT AND
CONTRACT BONDS

FOR CONTRACT NO. C202762

WBS 10CR.10131.17, 10CR.10131.18, 10CR.10131.19, 10CR.10131.20, 10CR.10131.21,
10CR.20131.51, 10CR.20131.52, 10CR.20131.53, 10CR.20131.54, 10CR.20131.55,
10CR.20131.56, 10CR.20131.57, 10CR.20131.58, 10CR.20131.59, 10CR.20131.60,
10CR.20131.61, 10CR.20131.62, 10CR.20131.63, 10CR.20131.64, 10CR.20131.65 STATE
FUNDED

COUNTY OF CABARRUS
THIS IS THE ROADWAY CONTRACT
ROUTE NUMBER NC 3 LENGTH 30.260 MILES
LOCATION 3 SECTIONS OF NC-3, 1 SECTION OF US-601, AND NC-24/27, AND
15 SECTIONS OF SECONDARY ROADS.

CONTRACTOR J. T RUSSELL & SONS, INC.
ADDRESS 1721 US 52 HWY NORTH
ALBEMARLE, NC 280010000

BIDS OPENED APRIL 19, 2011

CONTRACT EXECUTION MAY 11 2011

JT Russell Sons Inc (3075).**Vendor 1 of 4 Vendors for Call Order 011 (Proposal ID C202762).**

County: CABARRUS
Address: 1721 US HWY 52 North
Albemarle, NC 28001
Phone Number: 704-982-2225
Signature Check: This bid has been properly signed by atlas_james_russell_3075.
Time Bid Received: Tue Apr 19 12:27:18 2011
Bid Checksum: 8AF0135B MBE GOAL SET 4.0
Amendment Count: 0
Bidding Errors: This bid contains errors. MBE GOAL OBT 1.0
Bid Total: \$6,304,906.84
Bond ID: SNC11886371
Bond was Verified: Yes. WBE GOAL SET 4.0
Bond Required Percent: 5.00%
Minimum Check Amount: \$315,245.34
Bid Security Maximum: \$ WBE GOAL MET 7.3
Bond Agency Name:
Agency Execution Date: 4/18/2011 2:45:01 PM
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

9337 MB DA' PLUM CONTRACTING INC P.O. BOX 2272 , MATTHEWS, NC 28105	Sub	65,884.75	✓ arm
	TOTAL:	\$65,884.75 1.04%	✓ arm

LIST OF WBE PARTICIPANTS

VENDOR NUMBER	DBE NAME ADDRESS	WORK CODE TYPE OF WORK	CERT TYPE	AMOUNT	
2858 WB	ACS PAVEMENT MARKING, INC. POST OFFICE BOX 480155 , CHARLOTTE, NC 282695300		Sub	458,687.88	✓ arm
			TOTAL:	\$458,687.88 7.28%	✓ arm

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:
=====

BondID: SNC11886371
Surety Registry Agency: surety2000
Verified?: Yes

NCDOT/berc

Vendor 3075's Load Output for Call 011, Letting L110419, 2011-04-19

Surety Agency. Travelers Casualty and Surety Company of America

Bond Execution Date. 4/18/2011 2 45 01 PM

Bond Amount. \$315,245.34 (Five Percent of Bid)

State of NC
Dept of Transportation

Date: 03-21-11
Revised

Contract ID C202762 Project(s). STATE FUNDED
Letting Date: 04-19-11 Call Order 011
Bidder. 3075 - JT Russell & Sons 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			195,000.00
0002	0106000000-E BORROW EXCAVATION	1,108.000 CY	20.00000			22,160.00
0003	1220000000-E INCIDENTAL STONE BASE	1,268.000 TON	40.00000			50,720.00
0004	1243000000-E SHOULDER CONSTRUCTION	9.740 SMI	2,800.00000			27,272.00
0005	1245000000-E SHOULDER RECONSTRUCTION	35.090 SMI	2,800.00000			98,252.00
0006	1264000000-E DITCHING	348 000 LF	3.00000			1,044.00
0007	1297000000-E MILLING ASPHALT PAVEMENT, ***"DEPTH (1-1/2")	146,422.000 SY	1.08000			158,135.76
0008	1297000000-E MILLING ASPHALT PAVEMENT, ***"DEPTH (4")	2,555 000 SY	2.85000			7,281.75
0009	1308000000-E MILLING ASPHALT PAVEMENT, ***"TO *****" DEPTH (0" TO 1-1/2")	3,171 000 SY	2.55000			8,086.05
0010	1330000000-E INCIDENTAL MILLING	2,410.000 SY	6.85000			16,508.50

State of NC
Dept of Transportation

Date 03-21-11
Revised:

Contract ID. C202762 Project(s). STATE FUNDED
Letting Date: 04-19-11 Call Order. 011
Bidder: 3075 - JT Russell & Sons Inc

Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
0011	1489000000-E ASPHALT CONC BASE COURSE, TYPE B25.0B	5,303.000 TON	35.13000		186,294	39
0012	1498000000-E ASPHALT CONC INTERMEDIATE COURSE, TYPE I19.0B	5,863.000 TON	33.87000		198,579	81
0013	1503000000-E ASPHALT CONC INTERMEDIATE COURSE, TYPE I19.0C	6,896.000 TON	36.04000		248,531	84
0014	1519000000-E ASPHALT CONC SURFACE COURSE, TYPE S9.5B	27,639.000 TON	33.28000		919,825	92
0015	1520000000-E ASPHALT CONC SURFACE COURSE, TYPE S9.5B (LEVELING COURSE)	5,008.000 TON	37.08000		185,696	64
0016	1523000000-E ASPHALT CONC SURFACE COURSE, TYPE S9.5C	16,851.000 TON	33.95000		572,091	45
0017	1524000000-E ASPHALT CONC SURFACE COURSE, TYPE S9 5C (LEVELING COURSE)	290.000 TON	38 50000		11,165	00
0018	1560000000-E ASPHALT BINDER FOR PLANT MIX, GRADE PG 64-22	2,795.000 TON	522.00000		1,458,990	00
0019	1565000000-E ASPHALT BINDER FOR PLANT MIX, GRADE PG 70-22	1,029.000 TON	522.00000		537,138	00
0020	1704000000-E PATCHING EXISTING PAVEMENT	9,571.000 TON	85.00000		813,535	00
0021	2600000000-N RETROFIT EXISTING WHEELCHAIR RAMPS	27.000 EA	490.00000		13,230	00

State of NC
Dept of Transportation

Date: 03-21-11
Revised.

Contract ID: C202762 Project(s) · STATE FUNDED
Letting Date. 04-19-11 Call Order: 011
Bidder. 3075 - JT Russell & Sons Inc

Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
0022	2605000000-N CONCRETE WHEELCHAIR RAMPS	EA 5.000	735.00000		3,675.00	
0023	2612000000-E 6" CONCRETE DRIVEWAY	SY 395.000	37.05000		14,634.75	
0024	2830000000-N ADJUSTMENT OF MANHOLES	EA 45.000	525.00000		23,625.00	
0025	2845000000-N ADJUSTMENT OF METER BOXES OR VALVE BOXES	EA 24.000	330.00000		7,920.00	
0026	4420000000-N CHANGEABLE MESSAGE SIGN	EA 3.000	3,500.00000		10,500.00	
0027	4685000000-E THERMOPLASTIC PAVEMENT MARKING LINES (4", 90 MILS)	LF 300,110.000	0.70000		210,077.00	
0028	4686000000-E THERMOPLASTIC PAVEMENT MARKING LINES (4", 120 MILS)	LF 256,890.000	0.75000		192,667.50	
0029	4695000000-E THERMOPLASTIC PAVEMENT MARKING LINES (8", 90 MILS)	LF 4,440.000	1.50000		6,660.00	
0030	4702000000-E THERMOPLASTIC PAVEMENT MARKING LINES (12", 120 MILS)	LF 1,552.000	2.75000		4,268.00	
0031	4705000000-E THERMOPLASTIC PAVEMENT MARKING LINES (16", 120 MILS)	LF 350.000	3.00000		1,050.00	
0032	4710000000-E THERMOPLASTIC PAVEMENT MARKING LINES (24", 120 MILS)	LF 1,494.000	6.00000		8,964.00	

State of NC
 Dept of Transportation

Date: 03-21-11
 Revised:

Contract ID. C202762 Project(s): STATE FUNDED
 Letting Date: 04-19-11 Call Order 011
 Bidder: 3075 - JT Russell & Sons Inc

Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
0033	4721000000-E THERMOPLAST IC PAVEMENT MARKING CHARACTER (120 MILS)	65.000 EA	80.00000		5,200.00	
0034	4725000000-E THERMOPLAST IC PAVEMENT MARKING SYMBOL (90 MILS)	136.000 EA	70.00000		9,520.00	
0035	4810000000-E PAINT PAVEMENT MARKING LINES (4")	116,484.000 LF	0.07000		8,153.88	
0036	4900000000-N PERMANENT RAISED PAVEMENT MARKERS	3,465.000 EA	3.50000		12,127.50	
0037	5255000000-N PORTABLE LIGHTING	LUMP	LUMP		10,000.00	
0038	6000000000-E TEMPORARY SILT FENCE	4,900.000 LF	1.50000		7,350.00	
0039	6036000000-E MATTING FOR EROSION CONTROL	7,414.000 SY	1.15000		8,526.10	
0040	6071010000-E WATTLE	4,640.000 LF	3.50000		16,240.00	
0041	6084000000-E SEEDING & MULCHING	11.600 ACR	1,225.00000		14,210.00	
	Section 0001 Total				6,304,906.84	
	Bid Total				6,304,906.84	

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: 03-21-11
 PAGE: 7

PROPOSAL: C202762
 LETTING: L110419 CALL: 011
 VENDOR: 3075 JT Russell & Sons Inc

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

MBE SUBCONTRACTOR: 9337 DA' PLUM CONTRACTING INC						
Will Use Quote: Yes						
0021	2600000000-N	RETROFIT EXT	EA	27.000	490.00000	13230.00
0022	2605000000-N	CONC WHEELCH	EA	5.000	735.00000	3675.00
0023	2612000000-E	6" CONCRETE	SY	395.000	37.05000	14634.75
0024	2830000000-N	ADJ MANHOLES	EA	45.000	525.00000	23625.00
0025	2845000000-N	ADJ METER OR	EA	24.000	330.00000	7920.00
0001	0000100000-N	MOBILIZATION	LS	1.000	2800.00000	2800.00

MBE COMMITMENT TOTAL FOR SUBCONTRACTOR: 65,884.75 ✓ arm

TOTAL MBE COMMITMENT FOR VENDOR: Entered: 1.04% or 65884.75 ✓ arm
 Required: 4.00% or 252196.27
 <GOAL NOT MET>

NORTH CAROLINA STATE DEPARTMENT OF TRANSPORTATION
WBE COMMITMENT ITEMS

DATE: 03-21-11
PAGE: 8

PROPOSAL: C202762
LETTING: L110419 CALL: 011
VENDOR: 3075 JT Russell & Sons Inc

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

WBE SUBCONTRACTOR: 2858 ACS PAVEMENT MARKING, INC.						
Will Use Quote: Yes						
0027	4685000000-E	THERMO PVT M LF		300110.000	0.70000	210077.00
0028	4686000000-E	THERMO PVT M LF		256890.000	0.75000	192667.50
0029	4695000000-E	THERMO PVT M LF		4440.000	1.50000	6660.00
0030	4702000000-E	12"WIDE THER LF		1552.000	2.75000	4268.00
0031	4705000000-E	THERMO LINES LF		350.000	3.00000	1050.00
0032	4710000000-E	24"WIDE THER LF		1494.000	6.00000	8964.00
0033	4721000000-E	THERMO PVT M EA		65.000	80.00000	5200.00
0034	4725000000-E	THERMO PVT S EA		136.000	70.00000	9520.00
0035	4810000000-E	PAINT PVMT M LF		116484.000	0.07000	8153.88
0036	4900000000-N	PERM RAISED EA		3465.000	3.50000	12127.50

WBE COMMITMENT TOTAL FOR SUBCONTRACTOR:

458,687.88

✓ arm

TOTAL WBE COMMITMENT FOR VENDOR:

Entered: 7.28% or 458687.88
Required: 4.00% or 252196.27
<GOAL MET>

✓ arm

Contract Item Sheets For C202762

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
ROADWAY ITEMS						
0001	0000100000-N	800	MOBILIZATION	Lump Sum LS	195,000.00	195,000.00
0002	0106000000-E	230	BORROW EXCAVATION	1,108 CY	20.00	22,160.00
0003	1220000000-E	545	INCIDENTAL STONE BASE	1,268 TON	40.00	50,720.00
0004	1243000000-E	SP	SHOULDER CONSTRUCTION	9.74 SMI	2,800.00	27,272.00
0005	1245000000-E	SP	SHOULDER RECONSTRUCTION	35.09 SMI	2,800.00	98,252.00
0006	1264000000-E	SP	DITCHING	348 LF	3.00	1,044.00
0007	1297000000-E	607	MILLING ASPHALT PAVEMENT, **** DEPTH (1-1/2")	146,422 SY	1.08	158,135.76
0008	1297000000-E	607	MILLING ASPHALT PAVEMENT, **** DEPTH (4")	2,555 SY	2.85	7,281.75
0009	1308000000-E	607	MILLING ASPHALT PAVEMENT, **** TO ***** DEPTH (0" TO 1-1/2")	3,171 SY	2.55	8,086.05
0010	1330000000-E	607	INCIDENTAL MILLING	2,410 SY	6.85	16,508.50
0011	1489000000-E	610	ASPHALT CONC BASE COURSE, TYPE B25.0B	5,303 TON	35.13	186,294.39
0012	1498000000-E	610	ASPHALT CONC INTERMEDIATE COURSE, TYPE I19.0B	5,863 TON	33.87	198,579.81
0013	1503000000-E	610	ASPHALT CONC INTERMEDIATE COURSE, TYPE I19.0C	6,896 TON	36.04	248,531.84
0014	1519000000-E	610	ASPHALT CONC SURFACE COURSE, TYPE S9.5B	27,639 TON	33.28	919,825.92
0015	1520000000-E	SP	ASPHALT CONC SURFACE COURSE, TYPE S9.5B (LEVELING COURSE)	5,008 TON	37.08	185,696.64
0016	1523000000-E	610	ASPHALT CONC SURFACE COURSE, TYPE S9.5C	16,851 TON	33.95	572,091.45
0017	1524000000-E	SP	ASPHALT CONC SURFACE COURSE, TYPE S9.5C (LEVELING COURSE)	290 TON	38.50	11,165.00

Contract Item Sheets For C202762

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
0018	1560000000-E	620	ASPHALT BINDER FOR PLANT MIX, GRADE PG 64-22	2,795 TON	522.00	1,458,990.00
0019	1565000000-E	620	ASPHALT BINDER FOR PLANT MIX, GRADE PG 70-22	1,029 TON	522.00	537,138.00
0020	1704000000-E	SP	PATCHING EXISTING PAVEMENT	9,571 TON	85.00	813,535.00
0021	2600000000-N	SP	RETROFIT EXISTING WHEELCHAIR RAMPS	27 EA	490.00	13,230.00
0022	2605000000-N	848	CONCRETE WHEELCHAIR RAMPS	5 EA	735.00	3,675.00
0023	2612000000-E	848	6" CONCRETE DRIVEWAY	395 SY	37.05	14,634.75
0024	2830000000-N	858	ADJUSTMENT OF MANHOLES	45 EA	525.00	23,625.00
0025	2845000000-N	858	ADJUSTMENT OF METER BOXES OR VALVE BOXES	24 EA	330.00	7,920.00
0026	4420000000-N	1120	CHANGEABLE MESSAGE SIGN	3 EA	3,500.00	10,500.00
0027	4685000000-E	1205	THERMOPLASTIC PAVEMENT MARKING LINES (4", 90 MILS)	300,110 LF	0.70	210,077.00
0028	4686000000-E	1205	THERMOPLASTIC PAVEMENT MARKING LINES (4", 120 MILS)	256,890 LF	0.75	192,667.50
0029	4695000000-E	1205	THERMOPLASTIC PAVEMENT MARKING LINES (8", 90 MILS)	4,440 LF	1.50	6,660.00
0030	4702000000-E	1205	THERMOPLASTIC PAVEMENT MARKING LINES (12", 120 MILS)	1,552 LF	2.75	4,268.00
0031	4705000000-E	1205	THERMOPLASTIC PAVEMENT MARKING LINES (16", 120 MILS)	350 LF	3.00	1,050.00
0032	4710000000-E	1205	THERMOPLASTIC PAVEMENT MARKING LINES (24", 120 MILS)	1,494 LF	6.00	8,964.00
0033	4721000000-E	1205	THERMOPLASTIC PAVEMENT MARKING CHARACTER (120 MILS)	65 EA	80.00	5,200.00
0034	4725000000-E	1205	THERMOPLASTIC PAVEMENT MARKING SYMBOL (90 MILS)	136 EA	70.00	9,520.00
0035	4810000000-E	1205	PAINT PAVEMENT MARKING LINES (4")	116,484 LF	0.07	8,153.88

Contract Item Sheets For C202762

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
0036	4900000000-N	1251	PERMANENT RAISED PAVEMENT MARKERS	3,465 EA	3.50	12,127.50
0037	5255000000-N	1413	PORTABLE LIGHTING	Lump Sum LS	10,000.00	10,000.00
0038	6000000000-E	1605	TEMPORARY SILT FENCE	4,900 LF	1.50	7,350.00
0039	6036000000-E	1631	MATTING FOR EROSION CONTROL	7,414 SY	1.15	8,526.10
0040	6071010000-E	SP	WATTLE	4,640 LF	3.50	16,240.00
0041	6084000000-E	1660	SEEDING & MULCHING	11.6 ACR	1,225.00	14,210.00

TOTAL AMOUNT OF BID FOR ENTIRE PROJECT

\$6,304,906.84

0815/May03/Q941024.43/D120412110000/E41



**EXECUTION OF CONTRACT
NON-COLLUSION AFFIDAVIT, DEBARMENT CERTIFICATION AND GIFT BAN CERTIFICATION
CORPORATION**

The Contractor being duly sworn, solemnly swears (or affirms) that neither he, nor any official, agent or employee has entered into any agreement, participated in any collusion, or otherwise taken any action which is in restraint of free competitive bidding in connection with this Contract, and that the Contractor intends to do the work with his own bonafide employees or subcontractors and did not bid for the benefit of another contractor.

By submitting this Execution of Contract, Non-Collusion affidavit and Debarment Certification, the Contractor is certifying his status under penalty of perjury under the laws of the United States in accordance with the Debarment Certification attached, provided that the Debarment Certification also includes any required statements concerning exceptions that are applicable.

N.C.G.S. § 133-32 and Executive Order 24 prohibit the offer to, or acceptance by, any State Employee of any gift from anyone with a contract with the State, or from any person seeking to do business with the State. By execution of any response in this procurement, you attest, for your entire organization and its employees or agents, that you are not aware that any such gift has been offered, accepted, or promised by any employees of your organization.

SIGNATURE OF CONTRACTOR

J T Russell & Sons, Inc
Full name of Corporation

1721 US 52 North, Albemarle, NC 28001
Address as Prequalified

Attest A. James Russell
~~Secretary/Assistant Secretary~~
Select appropriate title

A. James Russell
Print or type Signer's name

By R. E. Russell
~~President/Vice President/Assistant Vice President~~
Select appropriate title

R. E. Russell
Print or type Signer's name

CORPORATE SEAL

AFFIDAVIT MUST BE NOTARIZED

Subscribed and sworn to before me this the
4th day of May 2011
Julie C Pyle

Signature of Notary Public
of Stanly County
State of North Carolina
My Commission Expires: 5-21-2016

NOTARY SEAL

DEBARMENT CERTIFICATION OF CONTRACTOR

Conditions for certification:

1. The Contractor shall provide immediate written notice to the Department if at any time the Contractor learns that his certification was erroneous when he submitted his debarment certification or explanation that is on file with the Department, or has become erroneous because of changed circumstances.
2. The terms *covered transaction, debarred, suspended, ineligible, lower tier covered transaction, participant, person, primary covered transaction, principal, proposal, and voluntarily excluded*, as used in this provision, have the meanings set out in the Definitions and Coverage sections of the rules implementing Executive Order 12549. A copy of the Federal Rules requiring this certification and detailing the definitions and coverages may be obtained from the Contract Officer of the Department.
3. The Contractor agrees by submitting this form, that he will not knowingly enter into any lower tier covered transaction with a person who is debarred, suspended, declared ineligible, or voluntarily excluded from participation in NCDOT contracts, unless authorized by the Department.
4. For Federal Aid projects, the Contractor further agrees that by submitting this form he will include the Federal-Aid Provision titled *Required Contract Provisions Federal-Aid Construction Contract (Form FHWA PR 1273)* provided by the Department, without subsequent modification, in all lower tier covered transactions.
5. The Contractor may rely upon a certification of a participant in a lower tier covered transaction that he is not debarred, suspended, ineligible, or voluntarily excluded from the covered transaction, unless he knows that the certification is erroneous. The Contractor may decide the method and frequency by which he will determine the eligibility of his subcontractors.
6. Nothing contained in the foregoing shall be construed to require establishment of a system of records in order to render in good faith the certification required by this provision. The knowledge and information of a participant is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.
7. Except as authorized in paragraph 3 herein, the Department may terminate any contract if the Contractor knowingly enters into a lower tier covered transaction with a person who is suspended, debarred, ineligible, or voluntarily excluded from participation in this transaction, in addition to other remedies available by the Federal Government.

DEBARMENT CERTIFICATION

The Contractor certifies to the best of his knowledge and belief, that he and his principals:

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

If the Contractor cannot certify that he is not debarred, he shall provide an explanation with this submittal. An explanation will not necessarily result in denial of participation in a contract.

Failure to submit a non-collusion affidavit and debarment certification will result in the Contractor's bid being considered non-responsive.

Check here if an explanation is attached to this certification.

Contract No **C202762**

County (ies): **Cabarrus**

**ACCEPTED BY THE
DEPARTMENT OF TRANSPORTATION**




Contract Officer



Date

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



Attorney General

Signature Sheet (Bid - Acceptance by Department)

Contract No. C202762
County Cabarrus

Rev 4-19-11

CONTRACT PAYMENT BOND

Date of Payment Bond Execution May 3, 2011

Name of Principal Contractor J.T Russell & Sons, Inc.

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: \$6,304,906.84

Contract ID No.. C202762

County Name: Cabarrus

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. C202762
County Cabarrus

Rev 4-19-11

CONTRACT PAYMENT BOND

Affix Seal of Surety Company

Travelers Casualty and Surety Company of America

Print or type Surety Company Name

By Paul T Childress

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

Paul T. Childress

Signature of Attorney-in-Fact

Pam Morton

Signature of Witness

Pam Morton

Print or type Signer's name

173 N. Second Street, Albemarle, NC 28001

Address of Attorney-in-Fact

Contract No.
County

C202762

Cabarrus

Rev 4-19-11

CONTRACT PAYMENT BOND

CORPORATION

SIGNATURE OF CONTRACTOR (Principal)

J.T Russell & Sons, Inc.

Full name of Corporation

1721 US 52 Hwy N, Albemarle, NC 28001

Address as prequalified

By R. E. Russell
Signature of President, ~~Vice President, Assistant Vice President~~
Select appropriate title

R.E. Russell, Pres.

Print or type Signer's name

Affix Corporate Seal

Attest

A. James Russell
Signature of Secretary, ~~Assistant Secretary~~
Select appropriate title

A. James Russell, Sec.

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. 222699

Certificate No. 004147501

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

James A. Harwood, Brinn K. Smith, N. Anthony Lowder, and Paul T Childress

of the City of Albemarle 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 5th day of August 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 5th day of August 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 3RD day of MAY, 2011

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


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. Please refer to the Attorney-In-Fact number, the above-named individuals and the details of the bond to which the power is attached.

Contract No. C202762
County CABARRUS

Rev 4-19-11

CONTRACT PERFORMANCE BOND

Date of Performance Bond Execution: May 3, 2011

Name of Principal Contractor: J.T Russell & Sons, Inc.

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: \$6,304,906.84

Contract ID No.: C202762

County Name: Cabarrus

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. C202762
County Cabarrus

Rev 4-19-11

CONTRACT PERFORMANCE BOND

Affix Seal of Surety Company

Travelers Casualty and Surety Company of America

Print or type Surety Company Name

By Paul T Childress

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

Paul T. Childress

Signature of Attorney-in-Fact

Pam Morton

Signature of Witness

Pam Morton

Print or type Signer's name

173 N. Second Street, Albemarle, NC 28001

Address of Attorney-in-Fact

Contract No.
County

C202762

Cabarrus

Rev 4-19-11

**CONTRACT PERFORMANCE BOND
CORPORATION**

SIGNATURE OF CONTRACTOR (Principal)

J.T Russell & Sons, Inc.

Full name of Corporation

1721 US 52 Hwy N, Albemarle, NC 28001

Address as prequalified

By R. E. Russell
Signature of President, ~~Vice President, Assistant Vice President~~
Select appropriate title

R.E. Russell, Pres.

Print or type Signer's name

Affix Corporate Seal

Attest

A. James Russell
Signature of Secretary, ~~Assistant Secretary~~
Select appropriate title

A. James Russell, Sec.

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. 222699

Certificate No. 004147504

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

James A. Harwood, Brinn K. Smith, N. Anthony Lowder, and Paul T. Childress

of the City of Albemarle, 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 5th day of August 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 5th day of August 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 3RD day of MAY, 20 11

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. Please refer to the Attorney-In-Fact number, the above-named individuals and the details of the bond to which the power is attached.

