

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

C202861

CONTRACT AND  
CONTRACT BONDS

FOR CONTRACT NO. C202861

WBS

6CR.10261.73, 6CR.10431.73, 6CR.20261.73, 6CR.20431.73 STATE FUNDED

COUNTY OF CUMBERLAND, HARNETT  
THIS IS THE ROADWAY CONTRACT  
ROUTE NUMBER US 401 LENGTH 78.950 MILES  
LOCATION 1 SECTION OF US-301 AND US-401, 1 SECTION OF NC-82, NC-24,  
NC-27, AND NC-55 AND 76 SECTIONS OF SECONDARY ROADS.

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

BIDS OPENED NOVEMBER 15, 2011  
CONTRACT EXECUTION DEC 13 2011

**Johnson Brothers Utility Paving Co., Inc. (183).  
Vendor 1 of 4 Vendors for Call Order 015 (Proposal ID C202861).**

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 Nov 15 12:23:47 2011  
 Bid Checksum: 548F01D9                      MBE GOAL SET        4.0  
 Amendment Count: 0  
 Bidding Errors: No bidding errors.  
 Bid Total: \$9,612,481.20 ✓                    MBE GOAL MET        4.0  
 Bond ID: SNC11853274  
 Bond was Verified: Yes.  
 Bond Required Percent: 5.00%                      WBE GOAL SET        5.0  
 Minimum Check Amount: \$480,624.06  
 Bid Security Maximum: \$                              WBE GOAL MET        5.0  
 Bond Agency Name:  
 Agency Execution Date: 11/15/2011 10:08:09 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.



Bid Bond Data Info - Contractor Responses:

=====

BondID: SNC11853274  
Surety Registry Agency: surety2000  
Verified?: Yes  
Surety Agency: The Cincinnati Insurance Company  
Bond Execution Date: 11/15/2011 10:08:09 AM  
Bond Amount: \$480,624.06 (Five Percent of Bid)

State of NC  
Dept of Transportation

Date: 10-17-11  
Revised:

Contract ID: C202861 Project(s): STATE FUNDED  
Letting Date: 11-15-11 Call Order: 015  
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		127,200.00
0002	0106000000-E BORROW EXCAVATION	CY	2,373.000	15.00000		35,595.00
0003	1220000000-E INCIDENTAL STONE BASE	TON	1,497.000	25.00000		37,425.00
0004	1245000000-E SHOULDER RECONSTRUCTION	SMI	128.700	1,700.00000		218,790.00
0005	1297000000-E MILLING ASPHALT PAVEMENT, ***"DEPTH (1-1/2")	SY	27,298.000	1.67000		45,587.66
0006	1308000000-E MILLING ASPHALT PAVEMENT, ***"TO *****" DEPTH (0" TO 1-1/2")	SY	66,055.000	1.17000		77,284.35
0007	1330000000-E INCIDENTAL MILLING	SY	10,901.000	5.45000		59,410.45
0008	1489000000-E ASPHALT CONC BASE COURSE, TYPE B25.0B	TON	3,805.000	39.47000		150,183.35
0009	1519000000-E ASPHALT CONC SURFACE COURSE, TYPE S9.5B	TON	47,099.000	31.42000		1,479,850.58
0010	1525000000-E ASPHALT CONC SURFACE COURSE, TYPE SF9.5A	TON	46,887.000	34.17000		1,602,128.79

State of NC  
Dept of Transportation

Date: 10-17-11  
Revised:

Contract ID: C202861 Project(s): STATE FUNDED  
Letting Date: 11-15-11 Call Order: 015  
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	1526000000-E ASPHALT CONC SURFACE COURSE, TYPE S4.75A	6,603.000 TON	46.44000		306,643.32	
0012	1575000000-E ASPHALT BINDER FOR PLANT MIX	6,584.000 TON	580.00000		3,818,720.00	
0013	1704000000-E PATCHING EXISTING PAVEMENT	2,370.000 TON	125.00000		296,250.00	
0014	1770000000-E ASPHALT SURFACE TREATMENT, MATCOAT, #6 STONE	31,305.000 SY	2.12000		66,366.60	
0015	1775000000-E ASPHALT SURFACE TREATMENT, MATCOAT, #78M STONE	33,058.000 SY	1.82000		60,165.56	
0016	2759000000-N GENERIC PAVING ITEM CONCRETE CURB RAMPS	2.000 EA	850.00000		1,700.00	
0017	2759000000-N GENERIC PAVING ITEM RETROFIT EXISTING CURB RAMPS	77.000 EA	450.00000		34,650.00	
0018	2830000000-N ADJUSTMENT OF MANHOLES	87.000 EA	250.00000		21,750.00	
0019	2845000000-N ADJUSTMENT OF METER BOXES OR VALVE BOXES	144.000 EA	250.00000		36,000.00	
0020	4589000000-N GENERIC TRAFFIC CONTROL ITEM TRAFFIC CONTROL	LUMP	LUMP		10,000.00	
0021	4685000000-E THERMOPLAST IC PAVEMENT MARKING LINES (4", 90 MILS)	425,550.000 LF	0.53000		225,541.50	
0022	4686000000-E THERMOPLAST IC PAVEMENT MARKING LINES (4", 120 MILS)	473,355.000 LF	0.62000		293,480.10	

State of NC  
Dept of Transportation

Date: 10-17-11  
Revised:

Contract ID: C202861 Project(s): STATE FUNDED  
Letting Date: 11-15-11 Call Order: 015  
Bidder: 183 - Johnson Brothers Utility & Paving Co., Inc.

Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
0023	4695000000-E THERMOPLAST IC PAVEMENT MARKING LINES (8", 90 MILS)	1,500.000 LF	2.25000		3,375.00	
0024	4697000000-E THERMOPLAST IC PAVEMENT MARKING LINES (8", 120 MILS)	10,705.000 LF	2.50000		26,762.50	
0025	4705000000-E THERMOPLAST IC PAVEMENT MARKING LINES (16", 120 MILS)	100.000 LF	5.00000		500.00	
0026	4710000000-E THERMOPLAST IC PAVEMENT MARKING LINES (24", 120 MILS)	3,345.000 LF	5.25000		17,561.25	
0027	4721000000-E THERMOPLAST IC PAVEMENT MARKING CHARACTER (120 MILS)	145.000 EA	68.00000		9,860.00	
0028	4725000000-E THERMOPLAST IC PAVEMENT MARKING SYMBOL (90 MILS)	416.000 EA	85.00000		35,360.00	
0029	4810000000-E PAINT PAVEMENT MARKING LINES (4")	880,790.000 LF	0.12000		105,694.80	
0030	4820000000-E PAINT PAVEMENT MARKING LINES (8")	250.000 LF	0.35000		87.50	
0031	4900000000-N PERMANENT RAISED PAVEMENT MARKERS	5,801.000 EA	4.50000		26,104.50	
0032	6000000000-E TEMPORARY SILT FENCE	6,460.000 LF	2.46000		15,891.60	
0033	6036000000-E MATTING FOR EROSION CONTROL	640.000 SY	3.00000		1,920.00	

State of NC  
Dept of Transportation

Date: 10-17-11  
Revised:

Contract ID: C202861 Project(s): STATE FUNDED  
Letting Date: 11-15-11 Call Order: 015  
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	6071010000-E WATTLE	1,150.000 LF	4.99000		5,738.50		
0035	6071020000-E POLYACRYLAMIDE (PAM)	46.000 LB	16.99000		781.54		
0036	6084000000-E SEEDING & MULCHING	154.000 ACR	1,600.00000		246,400.00		
0037	7288000000-E PAVED TRENCHING (*****)(1, 2")	190.000 LF	10.00000		1,900.00		
0038	7300000000-E UNPAVED TRENCHING (*****)(1, 1")	570.000 LF	5.75000		3,277.50		
0039	7300000000-E UNPAVED TRENCHING (*****)(1, 2")	1,900.000 LF	5.75000		10,925.00		
0040	7312000000-N JUNCTION BOX (*****)(STANDARD)	19.000 EA	125.00000		2,375.00		
0041	7348000000-N JUNCTION BOX (OVER-SIZED, HEA-VY DUTY)	15.000 EA	325.00000		4,875.00		
0042	7420000000-E 2" RISER WITH WEATHERHEAD	19.000 EA	325.00000		6,175.00		
0043	7444000000-E INDUCTIVE LOOP SAWCUT	17,145.000 LF	4.65000		79,724.25		
0044	7456000000-E LEAD-IN CABLE (*****)(14-2)	1,900.000 LF	1.30000		2,470.00		
Section 0001 Total						9,612,481.20	✓



State of NC  
Dept of Transportation

Date: 10-17-11  
Revised:

Contract ID: C202861

Project(s): STATE FUNDED

Letting Date: 11-15-11 Call Order: 015

Bidder: 183 - Johnson Brothers Utility & Paving Co., Inc.

Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
	Bid Total				9,612,481.20	

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:10-17-11  
 PAGE: 8

PROPOSAL: C202861  
 LETTING: L111115 CALL: 015  
 VENDOR: 183 Johnson Brothers Utility & Paving Co., Inc.

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

MBE SUBCONTRACTOR: 12420 GILBERT TRUCKING  
 Will Use Quote: Yes

0009	1519000000-E	ASP CONC SUR TON	2761.000	6.56000	18112.16
0010	1525000000-E	ASP CONC SUR TON	2700.000	6.91000	18657.00
0011	1526000000-E	ASP CONC SUR TON	500.000	12.39000	6195.00
0008	1489000000-E	ASP CONC BAS TON	300.000	8.71000	2613.00

MBE COMMITMENT TOTAL FOR SUBCONTRACTOR: 45,577.16 ✓ arm

MBE SUBCONTRACTOR: 7274 SANDERS TRUCKING  
 Will Use Quote: Yes

0009	1519000000-E	ASP CONC SUR TON	3000.000	6.56000	19680.00
0010	1525000000-E	ASP CONC SUR TON	3000.000	6.91000	20730.00
0011	1526000000-E	ASP CONC SUR TON	500.000	12.39000	6195.00
0008	1489000000-E	ASP CONC BAS TON	300.000	8.71000	2613.00

MBE COMMITMENT TOTAL FOR SUBCONTRACTOR: 49,218.00 ✓ arm

MBE SUBCONTRACTOR: 12417 MASSEY TRUCKING CO.  
 Will Use Quote: Yes

0009	1519000000-E	ASP CONC SUR TON	4000.000	6.56000	26240.00
0010	1525000000-E	ASP CONC SUR TON	4000.000	6.91000	27640.00
0011	1526000000-E	ASP CONC SUR TON	500.000	12.39000	6195.00
0008	1489000000-E	ASP CONC BAS TON	300.000	8.71000	2613.00

MBE COMMITMENT TOTAL FOR SUBCONTRACTOR: 62,688.00 ✓ arm

MBE SUBCONTRACTOR: 7924 S. MCNEILL TRUCKING  
 Will Use Quote: Yes

0009	1519000000-E	ASP CONC SUR TON	13700.000	6.56000	89872.00
0010	1525000000-E	ASP CONC SUR TON	13600.000	6.91000	93976.00
0011	1526000000-E	ASP CONC SUR TON	2500.000	12.39000	30975.00
0008	1489000000-E	ASP CONC BAS TON	1400.000	8.71000	12194.00

MBE COMMITMENT TOTAL FOR SUBCONTRACTOR: 227,017.00 ✓ arm

TOTAL MBE COMMITMENT FOR VENDOR: Entered: 4.00% or 384500.16 ✓ arm  
 Required: 4.00% or 384499.25  
 <GOAL MET>



## Contract Item Sheets For C202861

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
<b>ROADWAY ITEMS</b>						
0001	0000100000-N	800	MOBILIZATION	Lump Sum LS	127,200.00	127,200.00
0002	0106000000-E	230	BORROW EXCAVATION	2,373 CY	15.00	35,595.00
0003	1220000000-E	545	INCIDENTAL STONE BASE	1,497 TON	25.00	37,425.00
0004	1245000000-E	SP	SHOULDER RECONSTRUCTION	128.7 SMI	1,700.00	218,790.00
0005	1297000000-E	607	MILLING ASPHALT PAVEMENT, **** DEPTH (1-1/2")	27,298 SY	1.67	45,587.66
0006	1308000000-E	607	MILLING ASPHALT PAVEMENT, **** TO ***** DEPTH (0" TO 1-1/2")	66,055 SY	1.17	77,284.35
0007	1330000000-E	607	INCIDENTAL MILLING	10,901 SY	5.45	59,410.45
0008	1489000000-E	610	ASPHALT CONC BASE COURSE, TYPE B25.0B	3,805 TON	39.47	150,183.35
0009	1519000000-E	610	ASPHALT CONC SURFACE COURSE, TYPE S9.5B	47,099 TON	31.42	1,479,850.58
0010	1525000000-E	610	ASPHALT CONC SURFACE COURSE, TYPE SF9.5A	46,887 TON	34.17	1,602,128.79
0011	1526000000-E	610	ASPHALT CONC SURFACE COURSE, TYPE S4.75A	6,603 TON	46.44	306,643.32
0012	1575000000-E	SP	ASPHALT BINDER FOR PLANT MIX	6,584 TON	580.00	3,818,720.00
0013	1704000000-E	SP	PATCHING EXISTING PAVEMENT	2,370 TON	125.00	296,250.00
0014	1770000000-E	660	ASPHALT SURFACE TREATMENT, MAT COAT, #6 STONE	31,305 SY	2.12	66,366.60
0015	1775000000-E	660	ASPHALT SURFACE TREATMENT, MAT COAT, #78M STONE	33,058 SY	1.82	60,165.56
0016	2759000000-N	SP	GENERIC PAVING ITEM CONCRETE CURB RAMPS	2 EA	850.00	1,700.00
0017	2759000000-N	SP	GENERIC PAVING ITEM RETROFIT EXISTING CURB RAMPS	77 EA	450.00	34,650.00

## Contract Item Sheets For C202861

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
0018	2830000000-N	858	ADJUSTMENT OF MANHOLES	87 EA	250.00	21,750.00
0019	2845000000-N	858	ADJUSTMENT OF METER BOXES OR VALVE BOXES	144 EA	250.00	36,000.00
0020	4589000000-N	SP	GENERIC TRAFFIC CONTROL ITEM TRAFFIC CONTROL	Lump Sum LS	10,000.00	10,000.00
0021	4685000000-E	1205	THERMOPLASTIC PAVEMENT MARKING LINES (4", 90 MILS)	425,550 LF	0.53	225,541.50
0022	4686000000-E	1205	THERMOPLASTIC PAVEMENT MARKING LINES (4", 120 MILS)	473,355 LF	0.62	293,480.10
0023	4695000000-E	1205	THERMOPLASTIC PAVEMENT MARKING LINES (8", 90 MILS)	1,500 LF	2.25	3,375.00
0024	4697000000-E	1205	THERMOPLASTIC PAVEMENT MARKING LINES (8", 120 MILS)	10,705 LF	2.50	26,762.50
0025	4705000000-E	1205	THERMOPLASTIC PAVEMENT MARKING LINES (16", 120 MILS)	100 LF	5.00	500.00
0026	4710000000-E	1205	THERMOPLASTIC PAVEMENT MARKING LINES (24", 120 MILS)	3,345 LF	5.25	17,561.25
0027	4721000000-E	1205	THERMOPLASTIC PAVEMENT MARKING CHARACTER (120 MILS)	145 EA	68.00	9,860.00
0028	4725000000-E	1205	THERMOPLASTIC PAVEMENT MARKING SYMBOL (90 MILS)	416 EA	85.00	35,360.00
0029	4810000000-E	1205	PAINT PAVEMENT MARKING LINES (4")	880,790 LF	0.12	105,694.80
0030	4820000000-E	1205	PAINT PAVEMENT MARKING LINES (8")	250 LF	0.35	87.50
0031	4900000000-N	1251	PERMANENT RAISED PAVEMENT MARKERS	5,801 EA	4.50	26,104.50
0032	6000000000-E	1605	TEMPORARY SILT FENCE	6,460 LF	2.46	15,891.60
0033	6036000000-E	1631	MATTING FOR EROSION CONTROL	640 SY	3.00	1,920.00
0034	6071010000-E	SP	WATTLE	1,150 LF	4.99	5,738.50

## Contract Item Sheets For C202861

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
0035	6071020000-E	SP	POLYACRYLAMIDE (PAM)	46 LB	16.99	781.54
0036	6084000000-E	1660	SEEDING & MULCHING	154 ACR	1,600.00	246,400.00
0037	7288000000-E	1715	PAVED TRENCHING (*****) (1, 2")	190 LF	10.00	1,900.00
0038	7300000000-E	1715	UNPAVED TRENCHING (*****) (1, 1")	570 LF	5.75	3,277.50
0039	7300000000-E	1715	UNPAVED TRENCHING (*****) (1, 2")	1,900 LF	5.75	10,925.00
0040	7312000000-N	1716	JUNCTION BOX (*****) (STANDARD)	19 EA	125.00	2,375.00
0041	7348000000-N	1716	JUNCTION BOX (OVER-SIZED, HEAVY DUTY)	15 EA	325.00	4,875.00
0042	7420000000-E	1722	2" RISER WITH WEATHERHEAD	19 EA	325.00	6,175.00
0043	7444000000-E	1725	INDUCTIVE LOOP SAWCUT	17,145 LF	4.65	79,724.25
0044	7456000000-E	1726	LEAD-IN CABLE (*****) (14-2)	1,900 LF	1.30	2,470.00

TOTAL AMOUNT OF BID FOR ENTIRE PROJECT

\$9,612,481.20



Contract No. C202861  
County Cumberland, Harnett

Rev. 5-19-11

**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 N. Main Street, Lillington, N.C. 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  
23rd day of NOVEMBER 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**     **C202861**

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

**ACCEPTED BY THE  
DEPARTMENT OF TRANSPORTATION**

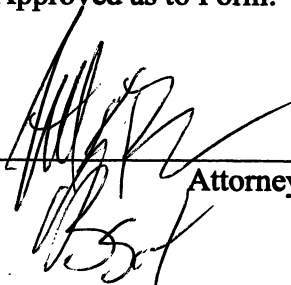


\_\_\_\_\_  
Contract Officer

12/13/11

Date

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



\_\_\_\_\_  
Attorney General

Signature Sheet (Bid - Acceptance by Department)

Contract No.  
County

**C202861**

CUMBERLAND, HARNETT

Rev 5-17-11

BOND # B0310547

**CONTRACT PAYMENT BOND**

Date of Payment Bond Execution NOVEMBER 29, 2011

Name of Principal Contractor JOHNSON BROTHERS UTILITY & PAVING COMPANY, INC.

Name of Surety: CINCINNATI INSURANCE COMPANY PO BOX 145496, CINCINNATI OH 45250

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

Amount of Bond: \$9,612,481.20

Contract ID No.: C202861

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

**C202861**

CUMBERLAND, HARNETT

Rev 5-17-11

**CONTRACT PAYMENT BOND**

*Affix Seal of Surety Company*

**CINCINNATI INSURANCE COMPANY**

Print or type Surety Company Name

By **AMY M. GODWIN**

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

  
Signature of Attorney-in-Fact

  
Signature of Witness

**ANDREA BELCHER**

Print or type Signer's name

**PO BOX 1165, DUNN, NC 28335**

Address of Attorney-in-Fact

**CONTRACT PAYMENT BOND**

**CORPORATION**

SIGNATURE OF CONTRACTOR (Principal)

**JOHNSON BROTHERS UTILITY & PAVING COMPANY, INC.**

Full name of Corporation

**1924 NORTH MAIN STREET, LILLINGTON, NC 27546**

Address as prequalified

By David G. Johnson  
Signature of ~~President, Vice President, Assistant Vice President~~  
Select appropriate title

**DAVID G. JOHNSON**

Print or type Signer's name

*Affix Corporate Seal*

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

**ANNE 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 M. Godwin; 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 10th day of October, 2008.



THE CINCINNATI INSURANCE COMPANY

Thomas H. Kelly
Vice President

STATE OF OHIO ) ss:
COUNTY OF BUTLER )

On this 10th day of October, 2008, before me came the above-named 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 29TH day of NOVEMBER 2011



Gregory J. Schlemmer
Secretary



Contract No.  
County

**C202861**

CUMBERLAND, HARNETT

Rev 5-17-11

BOND # B0310547

**CONTRACT PERFORMANCE BOND**

Date of Performance Bond Execution: NOVEMBER 29, 2011

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

Name of Surety: CINCINNATI INSURANCE COMPANY, PO BOX 145496, CINCINNATI, OH 45250

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

Amount of Bond: \$9,612,481.20

Contract ID No.: C202861

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.  
County

**C202861**

CUMBERLAND, HARNETT

Rev 5-17-11

**CONTRACT PERFORMANCE BOND**

*Affix Seal of Surety Company*

**CINCINNATI INSURANCE COMPANY**

Print or type Surety Company Name

By **AMY M. GODWIN**

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

  
Signature of Attorney-in-Fact

  
Signature of Witness

**ANDREA BELCHER**

Print or type Signer's name

**PO BOX 1165, DUNN, NC 28335**

Address of Attorney-in-Fact

**CONTRACT PERFORMANCE BOND**

**CORPORATION**

SIGNATURE OF CONTRACTOR (Principal)

**JOHNSON BROTHERS UTILITY & PAVING COMPANY, INC.**

Full name of Corporation

**1924 NORTH MAIN STREET, LILLINGTON, NC 27546**

Address as prequalified

By David G. Johnson  
Signature of ~~President, Vice President, Assistant Vice President~~  
Select appropriate title

**DAVID G. JOHNSON**

Print or type Signer's name

*Affix Corporate Seal*

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

**ANNE 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 M. Godwin; 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 10th day of October, 2008.



THE CINCINNATI INSURANCE COMPANY

Thomas H. Kelly
Vice President

STATE OF OHIO ) ss:
COUNTY OF BUTLER )

On this 10th day of October, 2008, before me came the above-named 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 29TH day of NOVEMBER 2011



Guguy J. Schlemmer
Secretary