

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

C202936

CONTRACT AND
CONTRACT BONDS

FOR CONTRACT NO. C202936

WBS 10CR.10041.39, 10CR.10041.40, 10CR.10041.41, 10CR.10041.42, 10CR.20041.36,
10CR.20041.37 STATE FUNDED

COUNTY OF ANSON
THIS IS THE ROADWAY CONTRACT
ROUTE NUMBER US 74 LENGTH 18.020 MILES
LOCATION 2 SECTIONS OF US-74, 1 SECTION OF US-52 AND NC-742, AND 2
SECTIONS OF SECONDARY ROADS.

CONTRACTOR BOGGS PAVING, INC.
ADDRESS P.O. BOX 1609
MONROE, NC 28111

BIDS OPENED FEBRUARY 21, 2012
CONTRACT EXECUTION MAR 22 2012

**Vendor 2 of 4: BOGGS PAVING, INC. (3186)
Call Order 016 (Proposal: C202936)**

Bid Information

County: ANSON

Address: P O Box 1609
Monroe , NC , 28111

Signature Check: Greg_D._Miller_3186

Time Bid Received: February 21, 2012 01:10 PM

Amendment Count: 0

Bid Checksum: F6DE1246

Bid Total: \$4,197,562.76 ✓

Items Total: \$4,197,562.76

Time Total: \$0.00

Bidding Errors:

None.

MBE GOAL SET 4.0

MBE GOAL OBT 3.8

WBE GOAL SET 4.0

WBE GOAL MET 4.0

**Vendor 2 of 4: BOGGS PAVING, INC. (3186)
Call Order 016 (Proposal: C202936)**

Bid Bond Information

Projects:	Bond Maximum:
Counties:	State of Incorporation:
Bond ID: M54Q-CN81-R3TM-2PHB	Agency Execution Date: February 21, 2012
Paid by Check: No	Surety Name: SurePathNetwork
Bond Percent:	Bond Agency Name: Liberty Mutual Insurance Company

Vendor 3186's Bid Information for Call 016, Letting L120221, 02/21/12

Boggs Paving, Inc. (3186)
Call Order 016 (Proposal ID C202936)

LIST OF MBE PARTICIPANTS

VENDOR NUMBER	DBE NAME ADDRESS	WORK CODE TYPE OF WORK	CERT TYPE AMOUNT			
2840 MB	STYX CUTHBERTSON TRUCKING POST OFFICE BOX 53 , MONROE, NC 28111		Sub 159,600.00	✓	arm	committed
9064	ADVANCED EROSION TECHNIQUES, IN 1171 MARKET STREET SUITE 212 , FORT MILL, SC 29708		Sub 8,493.23			non-committed ✓ arm
			TOTAL: \$168,093.23	✓	arm	159,600.00 ✓ arm
			4.00% 3.8 %	✓	arm	

Vendor 3186's Bid Information for Call 016, Letting L120221, 02/21/12

Boggs Paving, Inc. (3186)
Call Order 016 (Proposal ID C202936)

LIST OF WBE PARTICIPANTS

VENDOR NUMBER	DBE NAME ADDRESS	WORK CODE TYPE OF WORK	CERT TYPE AMOUNT			
8932 WB	A & R MATERIALS, LLC 9450 MOSS PLANTATION AVE , CONCORD, NC 28027		Sup 240,000.00	✓	arm	committed
3269 WB	GML CONTRACTORS, INC. P O BOX 702 , MONROE, NC 28111		Sub 25,193.00	✓	arm	committed
			TOTAL: \$169,193.00	✓	arm	
			4.03%	✓	arm	

Vendor 3186's Bid Information for Call 016, Letting L120221, 02/21/12

Boggs Paving, Inc. (3186)
Call Order 016 (Proposal ID C202936)

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: M54Q-CN81-R3TM-2PHB
 Surety Registry Agency: SurePathNetwork
 Verified?: Yes
 Surety Agency: Liberty Mutual Insurance Company
 Bond Execution Date: February 21, 2012
 Bond Amount: \$209,878.14 (Five Percent of Bid)

State of NC
Dept of Transportation

Date: 01-23-12
Revised:

Contract ID: C202936 Project(s): STATE FUNDED
Letting Date: 02-21-12 Call Order: 016
Bidder: 3186 - Boggs Paving, Inc.

Line No.	Item Description	Approx. Quantity and Units	Unit Price Dollars Cts	Bid Amount Dollars Ct
Section 0001 ROADWAY ITEMS				
Alt Group				
0001	0000100000-N MOBILIZATIO N	LUMP	LUMP	209,000.00
0002	0106000000-E BORROW EXCAVATION	2,635.000 CY	9.00000	23,715.00
0003	1110000000-E STABILIZER AGGREGATE	1,328.000 TON	5.00000	6,640.00
0004	1220000000-E INCIDENTAL STONE BASE	997.000 TON	25.00000	24,925.00
0005	1243000000-E SHOULDER CONSTRUCTION	4.600 SMI	2,000.00000	9,200.00
0006	1245000000-E SHOULDER RECONSTRUCTION	29.500 SMI	2,000.00000	59,000.00
0007	1264000000-E DITCHING	150.000 LF	1.00000	150.00
0008	1297000000-E MILLING ASPHALT PAVEMENT, ***"DEPTH (1-1/2")	34,000.000 SY	1.50000	51,000.00
0009	1330000000-E INCIDENTAL MILLING	425.000 SY	6.00000	2,550.00
0010	1491000000-E ASPHALT CONC BASE COURSE, TYPE B25.0C	3,500.000 TON	40.00000	140,000.00
0011	1503000000-E ASPHALT CONC INTERMEDIATE COURSE, TYPE I19.0C	15,800.000 TON	34.50000	545,100.00

Dept of Transportation

Revised:

Contract ID: C202936

Project(s): STATE FUNDED

Letting Date: 02-21-12 Call Order: 016

Bidder: 3186 - Boggs Paving, Inc.

Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
0012	1519000000-E ASPHALT CONC SURFACE COURSE, TYPE S9.5B	5,000.000 TON	39.00000		195,000.00	
0013	1520000000-E ASPHALT CONC SURFACE COURSE, TYPE S9.5B (LEVELING COURSE)	2,000.000 TON	36.00000		72,000.00	
0014	1523000000-E ASPHALT CONC SURFACE COURSE, TYPE S9.5C	22,975.000 TON	36.00000		827,100.00	
0015	1524000000-E ASPHALT CONC SURFACE COURSE, TYPE S9.5C (LEVELING COURSE)	950.000 TON	41.00000		38,950.00	
0016	1575000000-E ASPHALT BINDER FOR PLANT MIX	2,760.000 TON	500.00000		1,380,000.00	
0017	1704000000-E PATCHING EXISTING PAVEMENT	4,480.000 TON	85.00000		380,800.00	
0018	2612000000-E 6" CONCRETE DRIVEWAY	242.000 SY	40.00000		9,680.00	
0019	2830000000-N ADJUSTMENT OF MANHOLES	16.000 EA	500.00000		8,000.00	
0020	2845000000-N ADJUSTMENT OF METER BOXES OR VALVE BOXES	21.000 EA	435.00000		9,135.00	
0021	4399000000-N TEMPORARY TRAFFIC CONTROL	LUMP	LUMP		20,000.00	
0022	4685000000-E THERMOPLASTIC PAVEMENT MARKING LINES (4", 90 MILS)	80,198.000 LF	0.41000		32,881.18	

Dept of Transportation

Revised:

Contract ID: C202936

Project(s): STATE FUNDED

Letting Date: 02-21-12 Call Order: 016

Bidder: 3186 - Boggs Paving, Inc.

Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
0023	4686000000-E THERMOPLAST IC PAVEMENT MARKING LINES (4", 120 MILS)	77,600.000 LF	0.53000		41,128.00	
0024	4695000000-E THERMOPLAST IC PAVEMENT MARKING LINES (8", 90 MILS)	190.000 LF	2.00000		380.00	
0025	4710000000-E THERMOPLAST IC PAVEMENT MARKING LINES (24", 120 MILS)	560.000 LF	4.50000		2,520.00	
0026	4721000000-E THERMOPLAST IC PAVEMENT MARKING CHARACTER (120 MILS)	44.000 EA	120.00000		5,280.00	
0027	4725000000-E THERMOPLAST IC PAVEMENT MARKING SYMBOL (90 MILS)	68.000 EA	130.00000		8,840.00	
0028	4810000000-E PAINT PAVEMENT MARKING LINES (4")	492,150.000 LF	0.09000		44,293.50	
0029	4820000000-E PAINT PAVEMENT MARKING LINES (8")	80.000 LF	0.50000		40.00	
0030	4835000000-E PAINT PAVEMENT MARKING LINES (24")	30.000 LF	3.00000		90.00	
0031	4900000000-N PERMANENT RAISED PAVEMENT MARKERS	2,803.000 EA	3.95000		11,071.85	
0032	5255000000-N PORTABLE LIGHTING	LUMP	LUMP		10,000.00	
0033	6000000000-E TEMPORARY SILT FENCE	1,220.000 LF	1.85000		2,257.00	

Dept of Transportation

Revised:

Contract ID: C202936

Project(s): STATE FUNDED

Letting Date: 02-21-12 Call Order: 016

Bidder: 3186 - Boggs Paving, Inc.

Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
0034	6009000000-E STONE FOR EROSION CONTROL, CLASS B	366.000 TON	30.00000		10,980.00	
0035	6012000000-E SEDIMENT CONTROL STONE	183.000 TON	30.00000		5,490.00	
0036	6071010000-E WATTLE	1,415.000 LF	4.37000		6,183.55	
0037	6071020000-E POLYACRYLAMIDE (PAM)	4.000 LB	13.17000		52.68	
0038	6084000000-E SEEDING & MULCHING	2.800 ACR	1,475.00000		4,130.00	
Section 0001 Total						4,197,562.76
Bid Total						4,197,562.76

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.

MBE COMMITMENT ITEMS

PROPOSAL: C202936
 LETTING: L120221 CALL: 016
 VENDOR: 3186 Boggs Paving, Inc.

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

MBE SUBCONTRACTOR: 2840 STYX CUTHBERTSON TRUCKING committed
 Will Use Quote: Yes

0014	1523000000-E	ASP CONC SUR	TON	18750.000	6.00000	112500.00
		Haul aggregates from quarry to plant site.				
0011	1503000000-E	ASP CONC INT	TON	7850.000	6.00000	47100.00
		Haul aggregates from quarry to plant				

MBE COMMITMENT TOTAL FOR SUBCONTRACTOR: ✓ arm 159,600.00

MBE SUBCONTRACTOR: 9064 ADVANCED EROSION TECHNIQUES, INC. non-committed
 Will Use Quote: Yes

0036	6071010000-E	WATTLE	LF	1415.000	4.37000	6183.55
0033	6000000000-E	TEMPORARY SI	LF	1220.000	1.85000	2257.00
0037	6071020000-E	POLYACRYLAMI	LB	4.000	13.17000	52.68

MBE COMMITMENT TOTAL FOR SUBCONTRACTOR: 8,493.23

3.8%	159,000.00
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TOTAL MBE COMMITMENT FOR VENDOR:

Entered: ~~4.00% or 168093.23~~
 Required: 4.00% or 167902.51

~~GOAL MET~~ ✓ arm

WBE COMMITMENT ITEMS

PROPOSAL: C202936
 LETTING: L120221 CALL: 016
 VENDOR: 3186 Boggs Paving, Inc.

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

WBE SUBCONTRACTOR: 8932 A & R MATERIALS, LLC committed
 Will Use Quote: Yes

0016	1575000000-E	ASP FOR PLAN TON	480.000	500.00000	240000.00
WBE COMMITMENT TOTAL FOR SUBCONTRACTOR:					✓ am 240,000.00 144,000.00 ✓ am

WBE SUBCONTRACTOR: 3269 GML CONTRACTORS, INC. committed
 Will Use Quote: Yes

0038	6084000000-E	SEEDING AND	2.800	1475.00000	4130.00
0006	1245000000-E	SHOULDER REC SMI	29.500	714.00000	21063.00
Seeding and mulching shoulders					
WBE COMMITMENT TOTAL FOR SUBCONTRACTOR:					✓ am 25,193.00 ✓ am

TOTAL WBE COMMITMENT FOR VENDOR:	Entered:	4.03% or	169193.00
	Required:	4.00% or	167902.51
			<GOAL MET>

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
ROADWAY ITEMS						
0001	0000100000-N	800	MOBILIZATION	Lump Sum LS	209,000.00	209,000.00
0002	0106000000-E	230	BORROW EXCAVATION	2,635 CY	9.00	23,715.00
0003	1110000000-E	510	STABILIZER AGGREGATE	1,328 TON	5.00	6,640.00
0004	1220000000-E	545	INCIDENTAL STONE BASE	997 TON	25.00	24,925.00
0005	1243000000-E	SP	SHOULDER CONSTRUCTION	4.6 SMI	2,000.00	9,200.00
0006	1245000000-E	SP	SHOULDER RECONSTRUCTION	29.5 SMI	2,000.00	59,000.00
0007	1264000000-E	SP	DITCHING	150 LF	1.00	150.00
0008	1297000000-E	607	MILLING ASPHALT PAVEMENT, **** DEPTH (1-1/2")	34,000 SY	1.50	51,000.00
0009	1330000000-E	607	INCIDENTAL MILLING	425 SY	6.00	2,550.00
0010	1491000000-E	610	ASPHALT CONC BASE COURSE, TYPE B25.0C	3,500 TON	40.00	140,000.00
0011	1503000000-E	610	ASPHALT CONC INTERMEDIATE COURSE, TYPE 119.0C	15,800 TON	34.50	545,100.00
0012	1519000000-E	610	ASPHALT CONC SURFACE COURSE, TYPE S9.5B	5,000 TON	39.00	195,000.00
0013	1520000000-E	SP	ASPHALT CONC SURFACE COURSE, TYPE S9.5B (LEVELING COURSE)	2,000 TON	36.00	72,000.00
0014	1523000000-E	610	ASPHALT CONC SURFACE COURSE, TYPE S9.5C	22,975 TON	36.00	827,100.00
0015	1524000000-E	SP	ASPHALT CONC SURFACE COURSE, TYPE S9.5C (LEVELING COURSE)	950 TON	41.00	38,950.00
0016	1575000000-E	620	ASPHALT BINDER FOR PLANT MIX	2,760 TON	500.00	1,380,000.00
0017	1704000000-E	SP	PATCHING EXISTING PAVEMENT	4,480 TON	85.00	380,800.00
0018	2612000000-E	848	6" CONCRETE DRIVEWAY	242 SY	40.00	9,680.00

Contract Item Sheets For C202936

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
0019	2830000000-N	858	ADJUSTMENT OF MANHOLES	16 EA	500.00	8,000.00
0020	2845000000-N	858	ADJUSTMENT OF METER BOXES OR VALVE BOXES	21 EA	435.00	9,135.00
0021	4399000000-N	1105	TEMPORARY TRAFFIC CONTROL	Lump Sum LS	20,000.00	20,000.00
0022	4685000000-E	1205	THERMOPLASTIC PAVEMENT MARKING LINES (4", 90 MILS)	80,198 LF	0.41	32,881.18
0023	4686000000-E	1205	THERMOPLASTIC PAVEMENT MARKING LINES (4", 120 MILS)	77,600 LF	0.53	41,128.00
0024	4695000000-E	1205	THERMOPLASTIC PAVEMENT MARKING LINES (8", 90 MILS)	190 LF	2.00	380.00
0025	4710000000-E	1205	THERMOPLASTIC PAVEMENT MARKING LINES (24", 120 MILS)	560 LF	4.50	2,520.00
0026	4721000000-E	1205	THERMOPLASTIC PAVEMENT MARKING CHARACTER (120 MILS)	44 EA	120.00	5,280.00
0027	4725000000-E	1205	THERMOPLASTIC PAVEMENT MARKING SYMBOL (90 MILS)	68 EA	130.00	8,840.00
0028	4810000000-E	1205	PAINT PAVEMENT MARKING LINES (4")	492,150 LF	0.09	44,293.50
0029	4820000000-E	1205	PAINT PAVEMENT MARKING LINES (8")	80 LF	0.50	40.00
0030	4835000000-E	1205	PAINT PAVEMENT MARKING LINES (24")	30 LF	3.00	90.00
0031	4900000000-N	1251	PERMANENT RAISED PAVEMENT MARKERS	2,803 EA	3.95	11,071.85
0032	5255000000-N	1413	PORTABLE LIGHTING	Lump Sum LS	10,000.00	10,000.00
0033	6000000000-E	1605	TEMPORARY SILT FENCE	1,220 LF	1.85	2,257.00
0034	6009000000-E	1610	STONE FOR EROSION CONTROL, CLASS B	366 TON	30.00	10,980.00
0035	6012000000-E	1610	SEDIMENT CONTROL STONE	183 TON	30.00	5,490.00

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
0036	6071010000-E	SP	WATTLE	1,415 LF	4.37	6,183.55
0037	6071020000-E	SP	POLYACRYLAMIDE (PAM)	4 LB	13.17	52.68
0038	6084000000-E	1660	SEEDING & MULCHING	2.8 ACR	1,475.00	4,130.00

TOTAL AMOUNT OF BID FOR ENTIRE PROJECT**\$4,197,562.76**

1449/Mar07/Q754229.9/D122949130000/E38

Contract No. C202936
County ANSON

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

BOGGS PAVING, INC.

Full name of Corporation

PO BOX 1609, MONROE, NC 28111-1609

Address as Prequalified

Attest 
Secretary/Assistant Secretary
Select appropriate title

By 
President/Vice-President/Assistant Vice-President
Select appropriate title

GREGORY A. TUCKER

Print or type Signer's name

CARL A. BOGGS, III

Print or type Signer's name

CORPORATE SEAL

AFFIDAVIT MUST BE NOTARIZED

Subscribed and sworn to before me this the

12TH day of MARCH 2012.


Signature of Notary Public

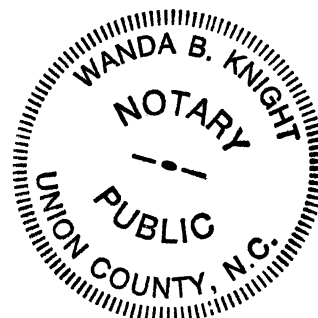
WANDA B. KNIGHT

of UNION County

State of NORTH CAROLINA

My Commission Expires: 12-21-2016

NOTARY SEAL



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 C202936

County (ies): Anson

ACCEPTED BY THE
DEPARTMENT OF TRANSPORTATION



Contract Officer



Date

Execution of Contract and Bonds
Approved as to Form:



Attorney General

Contract No. C202396 WBS 10CR.10041.39, Etc.
County Anson

CONTRACT PAYMENT BOND

Date of Payment Bond Execution March 7, 2012
Name of Principal Contractor Boggs Paving, Inc.
Name of Surety: Liberty Mutual Insurance Company
Name of Contracting Body: **North Carolina Department of Transportation**
Raleigh, North Carolina
Amount of Bond: (\$4,197,562.76) Four Million One Hundred Ninety Seven
Thousand Five Hundred Sixty Two Dollars and 76/100
Contract ID No.: C202396 WBS 10CR.10041.39, Etc.
County Name: Anson

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. C202396 WBS 10CR.10041.39, Etc.

Rev 5-17-11

County Anson


CONTRACT PAYMENT BOND

CORPORATION

SIGNATURE OF CONTRACTOR (Principal)

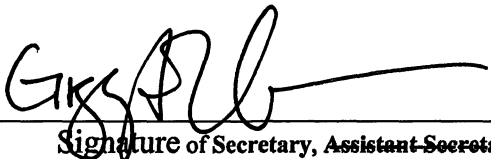
Boggs Paving, Inc.
Full name of Corporation

PO Box 1609, Monroe, NC 28111-1609
Address as prequalified

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

Carl A. Boggs, III
Print or type Signer's name

Affix Corporate Seal

Attest 
Signature of Secretary, Assistant Secretary
Select appropriate title

Gregory A. Tucker
Print or type Signer's name

Contract No. C202396 WBS 10CR.10041.39, Etc.
County Anson

CONTRACT PERFORMANCE BOND

Date of Performance Bond Execution: March 7, 2012

Name of Principal Contractor: Boggs Paving, Inc.

Name of Surety: Liberty Mutual Insurance Company

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

Amount of Bond: (\$4,197,562.76) Four Million One Hundred Ninety Seven
Thousand Five Hundred Sixty Two Dollars and 76/100

Contract ID No.: C202396 WBS 10CR.10041.39, Etc.

County Name: Anson

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. C202396 WBS 10CR 10041 39, Etc
County Anson


Rev 5-17-11

CONTRACT PERFORMANCE BOND
CORPORATION

SIGNATURE OF CONTRACTOR (Principal)

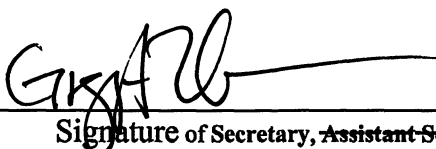
Boggs Paving, Inc.
Full name of Corporation

PO Box 1609, Monroe, NC 28111-1609
Address as prequalified

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

Carl A. Boggs, III
Print or type Signer's name

Affix Corporate Seal

Attest 
Signature of Secretary, Assistant Secretary
Select appropriate title

Gregory A. Tucker
Print or type Signer's name

This Power of Attorney limits the acts of those named herein, and they have no authority to bind the Company except in the manner and to the extent herein stated. Not valid for mortgage, note, loan, letter of credit, bank deposit, currency rate, interest rate or residual value guarantees. To confirm the validity of this Power of Attorney call 610-832-8240 between 9:00 am and 4:30 pm EST on any business day.

LIBERTY MUTUAL INSURANCE COMPANY
BOSTON, MASSACHUSETTS
POWER OF ATTORNEY

KNOW ALL PERSONS BY THESE PRESENTS:

That Liberty Mutual Insurance Company (the "Company"), a Massachusetts stock insurance company, pursuant to and by authority of the By-law and Authorization hereinafter set forth, does hereby name, constitute and appoint, Cynthia M. Partin its true and lawful attorney-in-fact, with full power and authority hereby conferred to sign, execute and acknowledge, at any location within the United States, the following surety bond:

Principal Name: Boggs Paving, Inc.

Obligee Name: North Carolina Department of Transportation

LMS Surety Bond Number: 018025554

Bond Amount: See Bond Form

That this power is made and executed pursuant to and by authority of the following By-law and Authorization:

ARTICLE XIII - Execution of Contracts: Section 5. Surety Bonds and Undertakings. Any officer of the Company authorized for that purpose in writing by the chairman or the president, and subject to such limitations as the chairman or the president may prescribe, shall appoint such attorneys-in-fact, as may be necessary to act in behalf of the Company to make, execute, seal, acknowledge and deliver as surety any and all undertakings, bonds, recognizances and other surety obligations. Such attorneys-in-fact, subject to the limitations set forth in their respective powers of attorney, shall have full power to bind the Company by their signature and execution of any such instruments and to attach thereto the seal of the Company. When so executed such instruments shall be as binding as if signed by the president and attested by the secretary.

By the following instrument the chairman or the president has authorized the officer or other official named therein to appoint attorneys-in-fact:

Pursuant to Article XIII, Section 5 of the By-laws, Garnet W. Elliott, Assistant Secretary of Liberty Mutual Insurance Company, is hereby authorized to appoint such attorneys-in-fact as may be necessary to act in behalf of the Company to make, execute, seal, acknowledge and deliver as surety any and all undertakings, bonds, recognizances and other surety obligations.

That the By-law and the Authorization set forth above are true copies thereof and are now in full force and effect.

IN WITNESS WHEREOF, this Power of Attorney has been subscribed by an authorized officer or official of the Company and the corporate seal of Liberty Mutual Insurance Company has been affixed thereto in Plymouth Meeting, Pennsylvania this 28th day of MARCH, 2009.



LIBERTY MUTUAL INSURANCE COMPANY

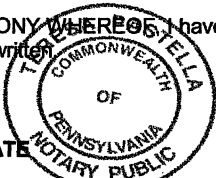
Garnet W. Elliott

By Garnet W. Elliott, Assistant Secretary

COMMONWEALTH OF PENNSYLVANIA ss
COUNTY OF MONTGOMERY

On this 28th day of MARCH, 2009, before me, a Notary Public, personally came Garnet W. Elliott, to me known, and acknowledged that he is an Assistant Secretary of Liberty Mutual Insurance Company; that he knows the seal of said corporation; and that he executed the above Power of Attorney and affixed the corporate seal of Liberty Mutual Insurance Company thereto with the authority and at the direction of said corporation.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed my notarial seal at Plymouth Meeting, Pennsylvania, on the day and year first above written.



COMMONWEALTH OF PENNSYLVANIA
Notarial Seal
Teresa Pastella, Notary Public
Plymouth Twp., Montgomery County
My Commission Expires March 28, 2013
Member, Pennsylvania Association of Notaries

By Teresa Pastella
Teresa Pastella, Notary Public

I, the undersigned, Assistant Secretary of Liberty Mutual Insurance Company, do hereby certify that the original power of attorney of which the foregoing is a full, true and correct copy, is in full force and effect on the date of this certificate; and I do further certify that the officer or official who executed the said power of attorney is an Assistant Secretary specially authorized by the chairman or the president to appoint attorneys-in-fact as provided in Article XIII, Section 5 of the By-laws of Liberty Mutual Insurance Company.

This certificate and the above power of attorney may be signed by facsimile or mechanically reproduced signatures under and by authority of the following vote of the board of directors of Liberty Mutual Insurance Company at a meeting duly called and held on the 12th day of March, 1980.

VOTED that the facsimile or mechanically reproduced signature of any assistant secretary of the company, wherever appearing upon a certified copy of any power of attorney issued by the company in connection with surety bonds, shall be valid and binding upon the company with the same force and effect as though manually affixed.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed the corporate seal of the said company, this 7th day of March, 2012.



By David M. Carey
David M. Carey, Assistant Secretary