

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

C202937

CONTRACT AND  
CONTRACT BONDS

FOR CONTRACT NO. C202937

WBS

1C.015126, 1C.027064, 1C.027068, 1CR.10151.17, 1CR.10271.3, 1CR.20151.39,  
1CR.20271.43, 1CR.20271.44, 1CR.20271.45, 1CR.20271.46, 1CR.20271.47,  
1CR.20271.48, 1CR.20271.49, 1CR.20271.50, 1CR.20271.51, 1CR.20271.52, 1CR.20271.53  
STATE FUNDED

COUNTY OF

CAMDEN, CURRITUCK

THIS IS THE

ROADWAY CONTRACT

ROUTE NUMBER

US 158

LENGTH

23.060 MILES

LOCATION

US-158 FROM RR CROSSING TO CURRITUCK CO, NC-168 FROM VA  
STATE LINE TO END OF C&G, & 15 SECTIONS OF SECONDARY ROADS.

CONTRACTOR

BARNHILL CONTRACTING COMPANY

ADDRESS

P.O. BOX 1529

TARBORO, NC 278861529

BIDS OPENED

FEBRUARY 21, 2012

CONTRACT EXECUTION

MAR 19 2012

## Vendor 2 of 2: BARNHILL CONTRACTING COMPANY (3516) Call Order 003 (Proposal: C202937)

### Bid Information

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**County:** CURRITUCK

**Address:** PO Box 1529  
Tarboro , NC , 27886

**Signature Check:** Allen\_Barnhill\_3516

**Time Bid Received:** February 21, 2012 12:28 PM

**Amendment Count:** 0

**Bid Checksum:** AFE3012B

**Bid Total:** \$3,637,968.06

**Items Total:** \$3,637,968.06 ✓

**Time Total:** \$0.00

**Bidding Errors:**

DBE Warning : MBE Warning: MBE Commitment Goal not met

DBE Warning : WBE Warning: WBE Commitment Goal not met

MBE GOAL SET 2.0

MBE GOAL OBT 1.6

WBE GOAL SET 2.0

WBE GOAL OBT 0.0

**Vendor 2 of 2: BARNHILL CONTRACTING COMPANY (3516)  
Call Order 003 (Proposal: C202937)**

**Bid Bond Information**

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<b>Projects:</b>	<b>Bond Maximum:</b>
<b>Counties:</b>	<b>State of Incorporation:</b>
<b>Bond ID:</b> SNC12868957	<b>Agency Execution Date:</b> 1-30-2012
<b>Paid by Check:</b> No	<b>Surety Name:</b> surety2000
<b>Bond Percent:</b>	<b>Bond Agency Name:</b> Travelers Casualty and Surety Company of America

Vendor 3516's Bid Information for Call 003, Letting L120221, 02/21/12

Barnhill Contracting Company (3516)  
Call Order 003 (Proposal ID C202937)

LIST OF MBE PARTICIPANTS

VENDOR NUMBER	DBE NAME ADDRESS	WORK CODE TYPE OF WORK	CERT TYPE AMOUNT	
11197 <sup>MB</sup>	MOSES ASPHALT PAVING & REPAIR P. O. BOX 657 , WINTERVILLE, NC 28590		Sub 58,779.50	✓ arm committed
			TOTAL: \$58,779.50	✓ arm
			1.62%	

Vendor 3516's Bid Information for Call 003, Letting L120221, 02/21/12 ✓ arm

Barnhill Contracting Company (3516)  
Call Order 003 (Proposal ID C202937)

LIST OF WBE PARTICIPANTS

TOTAL: \$0.00 ✓ arm  
0.00%

Vendor 3516's Bid Information for Call 003, Letting L120221, 02/21/12 ✓ arm

Barnhill Contracting Company (3516)  
Call Order 003 (Proposal ID C202937)

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: SNC12868957  
Surety Registry Agency: surety2000  
Verified?: Yes  
Surety Agency: Travelers Casualty and Surety Company of America  
Bond Execution Date: 1-30-2012  
Bond Amount: \$181,898.40 (Five Percent of Bid)

Contract ID: C202937 Project(s): STATE FUNDED  
Letting Date: 02-21-12 Call Order: 003  
Bidder: 3516 - Barnhill Contracting Company

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			182,000.00
0002	0106000000-E BORROW EXCAVATION	1,635.000 CY	18.50000			30,247.50
0003	1146000000-E CONDITIONIN G EXISTING BASE	3.000 MSY	900.00000			2,700.00
0004	1220000000-E INCIDENTAL STONE BASE	305.000 TON	35.00000			10,675.00
0005	1245000000-E SHOULDER RECONSTRUCTION	41.880 SMI	1,000.00000			41,880.00
0006	1275000000-E PRIME COAT	1,330.000 GAL	1.50000			1,995.00
0007	1297000000-E MILLING ASPHALT PAVEMENT, ***"DEPTH (1-1/2")	107,092.000 SY	1.00000			107,092.00
0008	1330000000-E INCIDENTAL MILLING	90.000 SY	15.00000			1,350.00
0009	1489000000-E ASPHALT CONC BASE COURSE, TYPE B25.0B	1,483.000 TON	45.00000			66,735.00
0010	1498000000-E ASPHALT CONC INTERMEDIATE COURSE, TYPE I19.0B	5,055.000 TON	39.00000			197,145.00
0011	1519000000-E ASPHALT CONC SURFACE COURSE, TYPE S9.5B	9,865.000 TON	35.00000			345,275.00

Dept of Transportation

Revised:

Contract ID: C202937

Project(s): STATE FUNDED

Letting Date: 02-21-12 Call Order: 003

Bidder: 3516 - Barnhill Contracting Company

Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
0012	1523000000-E ASPHALT CONC SURFACE COURSE, TYPE S9.5C	8,695.000 TON	38.00000		330,410.00	
0013	1525000000-E ASPHALT CONC SURFACE COURSE, TYPE SF9.5A	14,325.000 TON	35.00000		501,375.00	
0014	1575000000-E ASPHALT BINDER FOR PLANT MIX	2,349.000 TON	617.00000		1,449,333.00	
0015	1840000000-E MILLED RUMBLE STRIPS (ASPHALT CONCRETE)	26,717.000 LF	0.15000		4,007.55	
0016	2830000000-N ADJUSTMENT OF MANHOLES	2.000 EA	350.00000		700.00	
0017	2845000000-N ADJUSTMENT OF METER BOXES OR VALVE BOXES	9.000 EA	350.00000		3,150.00	
0018	4399000000-N TEMPORARY TRAFFIC CONTROL	LUMP	LUMP		28,000.00	
0019	4685000000-E THERMOPLASTIC PAVEMENT MARKING LINES (4", 90 MILS)	145,476.000 LF	0.49000		71,283.24	
0020	4686000000-E THERMOPLASTIC PAVEMENT MARKING LINES (4", 120 MILS)	122,899.000 LF	0.59000		72,510.41	
0021	4710000000-E THERMOPLASTIC PAVEMENT MARKING LINES (24", 120 MILS)	500.000 LF	6.00000		3,000.00	
0022	4725000000-E THERMOPLASTIC PAVEMENT MARKING SYMBOL (90 MILS)	126.000 EA	95.00000		11,970.00	

Dept of Transportation

Revised:

Contract ID: C202937

Project(s): STATE FUNDED

Letting Date: 02-21-12 Call Order: 003

Bidder: 3516 - Barnhill Contracting Company

Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
0023	4770000000-E COLD APPLIED PLASTIC PAVEMENT MARKING LINES, TYPE ** (4") (II)	200.000 LF	2.00000		400.00	
0024	4810000000-E PAINT PAVEMENT MARKING LINES (4")	395,556.000 LF	0.06000		23,733.36	
0025	4835000000-E PAINT PAVEMENT MARKING LINES (24")	1,212.000 LF	2.50000		3,030.00	
0026	4847000000-E POLYUREA PAVEMENT MARKING LINES (4", *****) (HIGHLY REFLECTIVE ELEMENTS)	38,800.000 LF	1.00000		38,800.00	
0027	4850000000-E REMOVAL OF PAVEMENT MARKING LINES (4")	200.000 LF	1.00000		200.00	
0028	4900000000-N PERMANENT RAISED PAVEMENT MARKERS	830.000 EA	6.00000		4,980.00	
0029	6000000000-E TEMPORARY SILT FENCE	4,950.000 LF	2.20000		10,890.00	
0030	6036000000-E MATTING FOR EROSION CONTROL	512.000 SY	1.75000		896.00	
0031	6071010000-E WATTLE	1,200.000 LF	4.00000		4,800.00	
0032	6071020000-E POLYACRYLAMIDE (PAM)	104.000 LB	9.00000		936.00	
0033	6084000000-E SEEDING & MULCHING	28.330 ACR	1,500.00000		42,495.00	



Dept of Transportation

Revised:

Contract ID: C202937

Project(s): STATE FUNDED

Letting Date: 02-21-12 Call Order: 003

Bidder: 3516 - Barnhill Contracting Company

Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
0034	7300000000-E UNPAVED TRENCHING (*****) (1, 2")	1,900.000 LF	5.35000		10,165.00	
0035	7324000000-N JUNCTION BOX (STANDARD SIZE)	25.000 EA	200.00000		5,000.00	
0036	7444000000-E INDUCTIVE LOOP SAWCUT	2,708.000 LF	6.75000		18,279.00	
0037	7456000000-E LEAD-IN CABLE (*****) (14-2)	5,400.000 LF	1.95000		10,530.00	
Section 0001 Total						3,637,968.06
Bid Total						3,637,968.06

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

PAGE: 7

PROPOSAL: C202937  
 LETTING: L120221 CALL: 003  
 VENDOR: 3516 Barnhill Contracting Company

LINE NO.	ITEM NO.	ITEM DESC.	UNIT TYPE	SUBCONTRACTOR QUANTITY	SUBCONTRACTOR UNIT PRICE	EXTENDED AMOUNT
-----						
MBE SUBCONTRACTOR: 11197 MOSES ASPHALT PAVING & REPAIR committed						
Will Use Quote: Yes						
0029	6000000000-E	TEMPORARY SI	LF	4950.000	1.95000	9652.50
	Partial					
0030	6036000000-E	MATTING FOR	SY	512.000	1.75000	896.00
0031	6071010000-E	WATTLE	LF	1200.000	4.00000	4800.00
0032	6071020000-E	POLYACRYLAMI	LB	104.000	9.00000	936.00
0033	6084000000-E	SEEDING AND	ACR	28.330	1500.00000	42495.00
-----						

MBE COMMITMENT TOTAL FOR SUBCONTRACTOR:  am 58,779.50  am

TOTAL MBE COMMITMENT FOR VENDOR: Entered: 1.62% or 58779.50  
 Required: 2.00% or 72759.36  
 <GOAL NOT MET>

WBE COMMITMENT ITEMS

PAGE: 8

PROPOSAL: C202937

LETTING: L120221

CALL: 003

VENDOR: 3516 Barnhill Contracting Company

✓ am.

TOTAL WBE COMMITMENT FOR VENDOR:

Entered:	0.00%	or	0.00
Required:	2.00%	or	72759.36
			<GOAL NOT MET>

## Contract Item Sheets For C202937

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
<b>ROADWAY ITEMS</b>						
0001	0000100000-N	800	MOBILIZATION	Lump Sum LS	182,000.00	182,000.00
0002	0106000000-E	230	BORROW EXCAVATION	1,635 CY	18.50	30,247.50
0003	1146000000-E	535	CONDITIONING EXISTING BASE	3 MSY	900.00	2,700.00
0004	1220000000-E	545	INCIDENTAL STONE BASE	305 TON	35.00	10,675.00
0005	1245000000-E	SP	SHOULDER RECONSTRUCTION	41.88 SMI	1,000.00	41,880.00
0006	1275000000-E	600	PRIME COAT	1,330 GAL	1.50	1,995.00
0007	1297000000-E	607	MILLING ASPHALT PAVEMENT, **** DEPTH (1-1/2")	107,092 SY	1.00	107,092.00
0008	1330000000-E	607	INCIDENTAL MILLING	90 SY	15.00	1,350.00
0009	1489000000-E	610	ASPHALT CONC BASE COURSE, TYPE B25.0B	1,483 TON	45.00	66,735.00
0010	1498000000-E	610	ASPHALT CONC INTERMEDIATE COURSE, TYPE I19.0B	5,055 TON	39.00	197,145.00
0011	1519000000-E	610	ASPHALT CONC SURFACE COURSE, TYPE S9.5B	9,865 TON	35.00	345,275.00
0012	1523000000-E	610	ASPHALT CONC SURFACE COURSE, TYPE S9.5C	8,695 TON	38.00	330,410.00
0013	1525000000-E	610	ASPHALT CONC SURFACE COURSE, TYPE SF9.5A	14,325 TON	35.00	501,375.00
0014	1575000000-E	620	ASPHALT BINDER FOR PLANT MIX	2,349 TON	617.00	1,449,333.00
0015	1840000000-E	665	MILLED RUMBLE STRIPS (ASPHALT CONCRETE)	26,717 LF	0.15	4,007.55
0016	2830000000-N	858	ADJUSTMENT OF MANHOLES	2 EA	350.00	700.00
0017	2845000000-N	858	ADJUSTMENT OF METER BOXES OR VALVE BOXES	9 EA	350.00	3,150.00
0018	4399000000-N	1105	TEMPORARY TRAFFIC CONTROL	Lump Sum LS	28,000.00	28,000.00

## Contract Item Sheets For C202937

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
0019	4685000000-E	1205	THERMOPLASTIC PAVEMENT MARKING LINES (4", 90 MILS)	145,476 LF	0.49	71,283.24
0020	4686000000-E	1205	THERMOPLASTIC PAVEMENT MARKING LINES (4", 120 MILS)	122,899 LF	0.59	72,510.41
0021	4710000000-E	1205	THERMOPLASTIC PAVEMENT MARKING LINES (24", 120 MILS)	500 LF	6.00	3,000.00
0022	4725000000-E	1205	THERMOPLASTIC PAVEMENT MARKING SYMBOL (90 MILS)	126 EA	95.00	11,970.00
0023	4770000000-E	1205	COLD APPLIED PLASTIC PAVEMENT MARKING LINES, TYPE ** (4") (II)	200 LF	2.00	400.00
0024	4810000000-E	1205	PAINT PAVEMENT MARKING LINES (4")	395,556 LF	0.06	23,733.36
0025	4835000000-E	1205	PAINT PAVEMENT MARKING LINES (24")	1,212 LF	2.50	3,030.00
0026	4847000000-E	1205	POLYUREA PAVEMENT MARKING LINES (4", *****) (HIGHLY REFLECTIVE ELEMENTS)	38,800 LF	1.00	38,800.00
0027	4850000000-E	1205	REMOVAL OF PAVEMENT MARKING LINES (4")	200 LF	1.00	200.00
0028	4900000000-N	1251	PERMANENT RAISED PAVEMENT MARKERS	830 EA	6.00	4,980.00
0029	6000000000-E	1605	TEMPORARY SILT FENCE	4,950 LF	2.20	10,890.00
0030	6036000000-E	1631	MATTING FOR EROSION CONTROL	512 SY	1.75	896.00
0031	6071010000-E	SP	WATTLE	1,200 LF	4.00	4,800.00
0032	6071020000-E	SP	POLYACRYLAMIDE (PAM)	104 LB	9.00	936.00
0033	6084000000-E	1660	SEEDING & MULCHING	28.33 ACR	1,500.00	42,495.00
0034	7300000000-E	1715	UNPAVED TRENCHING (*****) (1, 2")	1,900 LF	5.35	10,165.00
0035	7324000000-N	1716	JUNCTION BOX (STANDARD SIZE)	25 EA	200.00	5,000.00

Contract Item Sheets For C202937

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
0036	7444000000-E	1725	INDUCTIVE LOOP SAWCUT	2,708 LF	6.75	18,279.00
0037	7456000000-E	1726	LEAD-IN CABLE (***** (14-2)	5,400 LF	1.95	10,530.00

TOTAL AMOUNT OF BID FOR ENTIRE PROJECT

\$3,637,968.06

1449/Mar07/Q901625.21/D136266130000/E37





Contract No. C202937  
County Camden/Currituck

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**

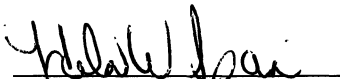
Barnhill Contracting Company

Full name of Corporation

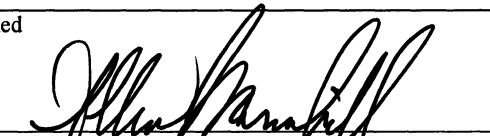
P.O.Box 1529, Tarboro, N.C. 27886

Address as Prequalified

Attest

  
Secretary/Assistant Secretary  
Select appropriate title

By

  
President/Vice President/Assistant Vice President  
Regional Select appropriate title

Helen W. Spain

Print or type Signer's name

Allen Barnhill


Print or type Signer's name

**CORPORATE SEAL**

**AFFIDAVIT MUST BE NOTARIZED**

Subscribed and sworn to before me this the

9th day of March 2012

 (Judith Sessoms)  
Signature of Notary Public

**NOTARY SEAL**

of Edgecombe County

State of North Carolina

My Commission Expires: 8/9/2015

## 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.**     C202937

**County (ies):**   Camden & Currituck

ACCEPTED BY THE  
DEPARTMENT OF TRANSPORTATION

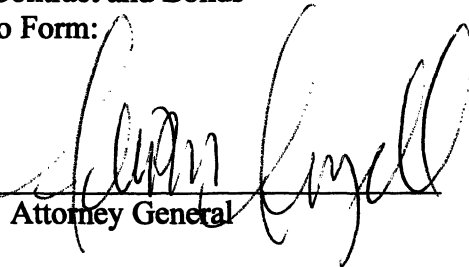


\_\_\_\_\_  
Contract Officer

3/19/12

\_\_\_\_\_  
Date

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



Assistant

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

Contract No.  
County

**C202937**  
**Camden, Currituck County**

Rev 2-1-10

105741862

## CONTRACT PAYMENT BOND

Date of Payment Bond Execution 3/9/2012

Name of Principal Contractor Barnhill Contracting Company

Name of Surety: Travelers Casualty And Surety Company of America

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

Amount of Bond: THREE MILLION SIX HUNDRED THIRTY-SEVEN THOUSAND NINE HUNDRED SIXTY-EIGHT AND 06/100THS

Contract ID No.: C202937

County Name: Camden, Currituck County

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. **C202937**  
County **Camden, Currituck County**


Rev 2-1-10

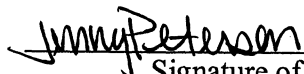
**CONTRACT PAYMENT BOND**

*Affix Seal of Surety Company*

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

By **Hunter T. Dawkins**  
Print, stamp or type name of Attorney-in-Fact

  
Signature of Attorney-in-Fact

  
Signature of Witness

**Jenny Peterson**  
Print or type Signer's name

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

Address of Attorney-in-Fact

Contract No.  
County

**C202937**  
**Camden, Currituck County**

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**CONTRACT PAYMENT BOND**

**CORPORATION**

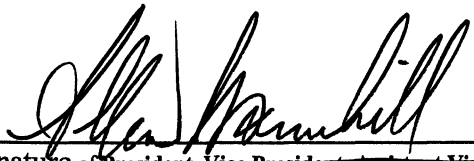
SIGNATURE OF CONTRACTOR (Principal)

**Barnhill Contracting Company**

Full name of Corporation

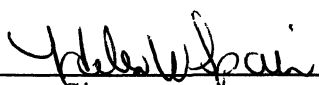
**P.O. Box 1529, Tarboro, NC 27886**

Address as prequalified

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

Allen Barnhill  
Print or type Signer's name

*Affix Corporate Seal*

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

Helen W. Spain  
Print or type Signer's name

Contract No.  
County

**C202937**  
**Camden, Currituck County**

Rev 2-1-10

105741862

## CONTRACT PERFORMANCE BOND

Date of Performance Bond Execution: 3/9/2012

Name of Principal Contractor: Barnhill Contracting Company

Name of Surety: Travelers Casualty And Surety Company of America

Name of Contracting Body: North Carolina Department of Transportation  
Raleigh, North Carolina  
THREE MILLION SIX HUNDRED THIRTY-SEVEN THOUSAND NINE HUNDRED SIXTY-EIGHT AND 06/100THS

Amount of Bond:

Contract ID No.: C202937

County Name: Camden, Currituck County

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. **C202937**  
County **Camden, Currituck County**

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**CONTRACT PERFORMANCE BOND**

*Affix Seal of Surety Company*

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

By **Hunter T. Dawkins**  
Print, stamp or type name of Attorney-in-Fact

  
Signature of Attorney-in-Fact

  
Signature of Witness

**Jenny Peterson**  
Print or type Signer's name

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

Contract No.  
County

**C202937**  
**Camden, Currituck County**

Rev 2-1-10

**CONTRACT PERFORMANCE BOND**  
**CORPORATION**


SIGNATURE OF CONTRACTOR (Principal)

**Barnhill Contracting Company**

Full name of Corporation

**P.O. Box 1529, Tarboro, NC 27886**

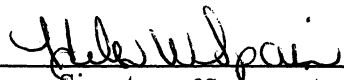
Address as prequalified

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

Allen Barnhill  
Print or type Signer's name

*Affix Corporate Seal*

Attest

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

Helen W. Spain  
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. 223862

Certificate No. 004449502

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

H. Thomas Dawkins, and Hunter T. Dawkins

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

IN WITNESS WHEREOF, the Companies have caused this instrument to be signed and their corporate seals to be hereto affixed, this 29th day of July, 2011.

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 29th day of July, 2011, 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, 2016.



[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, Kevin E. Hughes, 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 9<sup>th</sup> day of March, 20 12

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

  
Kevin E. Hughes, Assistant Secretary



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