

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

C202822

CONTRACT AND
CONTRACT BONDS

FOR CONTRACT NO. C202822

WBS 33767.3.1 BRNHS-0070(72)

T.I.P NO. B-4555

COUNTY OF JOHNSTON

THIS IS THE ROADWAY & STRUCTURE CONTRACT

ROUTE NUMBER US 70 LENGTH 0.242 MILES

LOCATION BRIDGE OVER NORFOLK SOUTHERN RAILWAY AND APPROACHES ON
US-70.

CONTRACTOR FSC II LLC DBA FRED SMITH COMPANY

ADDRESS 6105 CHAPEL HILL RD
RALEIGH, NC 27607

BIDS OPENED JUNE 19, 2012

CONTRACT EXECUTION

JUL 13 2012

**Vendor 3 of 5: FSC II LLC DBA FRED SMITH COMPANY (5072)
Call Order 016 (Proposal: C202822)**

Bid Information

County: JOHNSTON
Address: 6105 Chapel Hill Road
Raleigh , NC , 27607
Signature Check: Thomas_T_Johnson_Jr_5072
Time Bid Received: June 19, 2012 01:48 PM
Amendment Count: 1

Bid Checksum: C5E812A3
Bid Total: \$3,221,239.85
Items Total: \$3,221,239.85
Time Total: \$0.00



Bidding Errors:

None.
DBE GOAL SET 9.0
DBE GOAL MET 9.0

Vendor 3 of 5: FSC II LLC DBA FRED SMITH COMPANY (5072)
Call Order 016 (Proposal: C202822)

Bid Bond Information

Projects:	Bond Maximum:
Counties:	State of Incorporation:
Bond ID: SNC12636624	Agency Execution Date: 6/12/2012 11
Paid by Check: No	Surety Name: surety2000
Bond Percent: 5%	Bond Agency Name: Western Surety Company

Vendor 5072's Bid Information for Call 016, Letting L120619, 06/19/12

FSC II LLC, dba, Fred Smith Company (5072)
Call Order 016 (Proposal ID C202822)

LIST OF DBE PARTICIPANTS

VENDOR NUMBER	DBE NAME ADDRESS	WORK CODE TYPE OF WORK	CERT TYPE	AMOUNT	
3251	WB NARRON CONTRACTING INC 51 CROCKER'S NUB ROAD , MIDDLESEX, NC 27557		Sub	218,016.00	committed
4898	WB BULLINGTON CONSTRUCTION INC 417 FOXGLOVE LANE , INDIAN TRAIL, NC 28079		Sub	66,910.25	committed
2855	WB BOSS CONSTRUCTION CO., INC. 229 BOXWOOD CHURCH ROAD , MOCKSVILLE, NC 27028		Sub	7,277.93	committed
TOTAL:				\$292,204.18	✓ arm 9.07%

Vendor 5072's Bid Information for Call 016, Letting L120619, 06/19/12

FSC II LLC, dba, Fred Smith Company (5072)
Call Order 016 (Proposal ID C202822)

Miscellaneous Data Info - Contractor Responses:

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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	

Bid Bond Data Info - Contractor Responses:

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BondID: SNC12636624
Surety Registry Agency: surety2000
Verified?: Yes
Surety Agency: Western Surety Company
Bond Execution Date: 6/12/2012 11
Bond Amount: \$161,061.99 (Five Percent of Bid)

Contract ID: C202822 Project(s): BRNHS-0070(72)
Letting Date: 06-19-12 Call Order: 016
Bidder: 5072 - FSC II LLC, dba, Fred Smith Company

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 MOBILIZATION	LUMP	LUMP	155,000.00
0002	0029000000-N REINFORCED BRIDGE APPROACH FILL, STATION ***** (25+99.88)	LUMP	LUMP	50,000.00
0003	0036000000-E UNDERCUT EXCAVATION	700.000 CY	5.00000	3,500.00
0004	0050000000-E SUPPLEMENTARY CLEARING & GRUB-BING	1.000 ACR	1.00000	1.00
0005	0063000000-N GRADING	LUMP	LUMP	100,000.00
0006	0106000000-E BORROW EXCAVATION	12,400.000 CY	9.00000	111,600.00
0007	0195000000-E SELECT GRANULAR MATERIAL	700.000 CY	1.00000	700.00
0008	0196000000-E GEOTEXTILE FOR SOIL STABILIZATION	1,400.000 SY	2.00000	2,800.00
0009	0318000000-E FOUNDATION CONDITIONING MATERIAL, MINOR STRUCTURES	100.000 TON	20.00000	2,000.00
0010	0320000000-E FOUNDATION CONDITIONING GEOTEXTILE	300.000 SY	2.00000	600.00

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Project(s): BRNHS-0070(72)

Letting Date: 06-19-12 Call Order: 016

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Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
0011	0335200000-E 15" DRAINAGE PIPE	888.000 LF	32.00000		28,416.00	
0012	0335850000-E **" DRAINAGE PIPE ELBOWS (15")	4.000 EA	400.00000		1,600.00	
0013	0995000000-E PIPE REMOVAL	279.000 LF	7.00000		1,953.00	
0014	1099500000-E SHALLOW UNDERCUT	200.000 CY	22.00000		4,400.00	
0015	1099700000-E CLASS IV SUBGRADE STABILIZA- TION	400.000 TON	15.00000		6,000.00	
0016	1220000000-E INCIDENTAL STONE BASE	300.000 TON	22.00000		6,600.00	
0017	1330000000-E INCIDENTAL MILLING	400.000 SY	20.00000		8,000.00	
0018	1491000000-E ASPHALT CONC BASE COURSE, TYPE B25.0C	2,340.000 TON	42.00000		98,280.00	
0019	1503000000-E ASPHALT CONC INTERMEDIATE COURSE, TYPE I19.0C	840.000 TON	44.00000		36,960.00	
0020	1523000000-E ASPHALT CONC SURFACE COURSE, TYPE S9.5C	1,090.000 TON	41.00000		44,690.00	
0021	1525000000-E ASPHALT CONC SURFACE COURSE, TYPE SF9.5A	20.000 TON	80.00000		1,600.00	
0022	1575000000-E ASPHALT BINDER FOR PLANT MIX	210.000 TON	700.00000		147,000.00	

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Project(s): BRNHS-0070(72)

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			Dollars	Cts	Dollars	Ct
0023	2286000000-N MASONRY DRAINAGE STRUCTURES	4.000 EA	1,800.00000		7,200.00	
0024	2364200000-N FRAME WITH TWO GRATES, STD 840.20	4.000 EA	500.00000		2,000.00	
0025	2577000000-E CONCRETE EXPRESSWAY GUTTER	540.000 LF	20.50000		11,070.00	
0026	3030000000-E STEEL BM GUARDRAIL	2,925.000 LF	14.50000		42,412.50	
0027	3150000000-N ADDITIONAL GUARDRAIL POSTS	10.000 EA	13.00000		130.00	
0028	3210000000-N GUARDRAIL ANCHOR UNITS, TYPE CAT-1	2.000 EA	400.00000		800.00	
0029	3270000000-N GUARDRAIL ANCHOR UNITS, TYPE 350	2.000 EA	1,800.00000		3,600.00	
0030	3317000000-N GUARDRAIL ANCHOR UNITS, TYPE B-77	4.000 EA	1,350.00000		5,400.00	
0031	3360000000-E REMOVE EXISTING GUARDRAIL	2,634.000 LF	1.00000		2,634.00	
0032	3380000000-E TEMPORARY STEEL BM GUARDRAIL	1,212.500 LF	5.10000		6,183.75	
0033	3387000000-N TEMPORARY GUARDRAIL ANCHOR UNITS, TYPE ***** (CAT-1)	1.000 EA	200.00000		200.00	

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Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
0034	3435000000-N GENERIC GUARDRAIL ITEM EXTRA LENGTH GUARDRAIL POST (8' STEEL)	54.000 EA	55.00000		2,970.00	
0035	3500000000-E WOVEN WIRE FENCE, **" FABRIC (48")	290.000 LF	6.00000		1,740.00	
0036	3506000000-E 4" TIMBER FENCE POSTS, ***** LONG (8'-0")	20.000 EA	22.00000		440.00	
0037	3515000000-E 5" TIMBER FENCE POSTS, 8'-0" LONG	10.000 EA	40.00000		400.00	
0038	3649000000-E RIP RAP, CLASS B	4.000 TON	150.00000		600.00	
0039	3656000000-E GEOTEXTILE FOR DRAINAGE	395.000 SY	1.00000		395.00	
0040	4072000000-E SUPPORTS, 3-LB STEEL U-CHANNEL	50.000 LF	5.25000		262.50	
0041	4096000000-N SIGN ERECTION, TYPE D	1.000 EA	125.00000		125.00	
0042	4102000000-N SIGN ERECTION, TYPE E	2.000 EA	75.00000		150.00	
0043	4155000000-N DISPOSAL OF SIGN SYSTEM, U- CHANNEL	2.000 EA	5.00000		10.00	
0044	4400000000-E WORK ZONE SIGNS (STATIONARY)	710.000 SF	4.50000		3,195.00	

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			Dollars	Cts	Dollars	Ct
0045	4405000000-E WORK ZONE SIGNS (PORTABLE)	SF 110.000	24.00000		2,640.00	
0046	4410000000-E WORK ZONE SIGNS (BARRICADE MOUNTED)	SF 40.000	6.00000		240.00	
0047	4415000000-N FLASHING ARROW BOARD	EA 2.000	3,000.00000		6,000.00	
0048	4420000000-N PORTABLE CHANGEABLE MESSAGE SIGN	EA 2.000	7,000.00000		14,000.00	
0049	4430000000-N DRUMS	EA 210.000	55.00000		11,550.00	
0050	4445000000-E BARRICADES (TYPE III)	LF 40.000	21.00000		840.00	
0051	4450000000-N FLAGGER	HR 200.000	30.00000		6,000.00	
0052	4465000000-N TEMPORARY CRASH CUSHIONS	EA 4.000	2,000.00000		8,000.00	
0053	4480000000-N TMA	EA 2.000	2,300.00000		4,600.00	
0054	4485000000-E PORTABLE CONCRETE BARRIER	LF 1,480.000	18.00000		26,640.00	
0055	4510000000-N LAW ENFORCEMENT	HR 100.000	60.00000		6,000.00	
0056	4590000000-E GENERIC TRAFFIC CONTROL ITEM WORK ZONE ASPHALT ISLAND	LF 2,158.000	10.00000		21,580.00	

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Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
0057	4650000000-N TEMPORARY RAISED PAVEMENT MARKERS	EA 50.000	5.00000		250.00	
0058	4688000000-E THERMOPLAST IC PAVEMENT MARKING LINES (6", 90 MILS)	LF 6,721.000	1.35000		9,073.35	
0059	4690000000-E THERMOPLAST IC PAVEMENT MARKING LINES (6", 120 MILS)	LF 2,604.000	1.50000		3,906.00	
0060	4775000000-E COLD APPLIED PLASTIC PAVEMENT MARKING LINES, TYPE ** (6") (II)	LF 997.000	2.50000		2,492.50	
0061	4810000000-E PAINT PAVEMENT MARKING LINES (4")	LF 12,500.000	0.30000		3,750.00	
0062	4820000000-E PAINT PAVEMENT MARKING LINES (8")	LF 1,300.000	0.75000		975.00	
0063	4835000000-E PAINT PAVEMENT MARKING LINES (24")	LF 100.000	4.00000		400.00	
0064	4850000000-E REMOVAL OF PAVEMENT MARKING LINES (4")	LF 10,000.000	0.35000		3,500.00	
0065	4855000000-E REMOVAL OF PAVEMENT MARKING LINES (6")	LF 9,000.000	0.40000		3,600.00	
0066	4860000000-E REMOVAL OF PAVEMENT MARKING LINES (8")	LF 1,300.000	0.50000		650.00	
0067	4870000000-E REMOVAL OF PAVEMENT MARKING LINES (24")	LF 100.000	2.00000		200.00	

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Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
0068	4900000000-N PERMANENT RAISED PAVEMENT MARKERS	EA 133.000	5.00000		665.00	
0069	6000000000-E TEMPORARY SILT FENCE	LF 1,050.000	1.95000		2,047.50	
0070	6006000000-E STONE FOR EROSION CONTROL, CLASS A	TON 160.000	10.00000		1,600.00	
0071	6009000000-E STONE FOR EROSION CONTROL, CLASS B	TON 165.000	40.00000		6,600.00	
0072	6012000000-E SEDIMENT CONTROL STONE	TON 115.000	25.00000		2,875.00	
0073	6015000000-E TEMPORARY MULCHING	ACR 3.000	600.00000		1,800.00	
0074	6018000000-E SEED FOR TEMPORARY SEEDING	LB 150.000	3.00000		450.00	
0075	6021000000-E FERTILIZER FOR TEMPORARY SEED-ING	TON 1.500	1,000.00000		1,500.00	
0076	6024000000-E TEMPORARY SLOPE DRAINS	LF 400.000	20.00000		8,000.00	
0077	6030000000-E SILT EXCAVATION	CY 300.000	15.00000		4,500.00	
0078	6036000000-E MATTING FOR EROSION CONTROL	SY 4,000.000	1.20000		4,800.00	
0079	6037000000-E COIR FIBER MAT	SY 10.000	8.00000		80.00	

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			Dollars	Cts	Dollars	Ct
0080	6038000000-E PERMANENT SOIL REINFORCEMENT MAT	1,500.000 SY	4.00000		6,000.00	
0081	6042000000-E 1/4" HARDWARE CLOTH	250.000 LF	2.55000		637.50	
0082	6071010000-E WATTLE	350.000 LF	8.00000		2,800.00	
0083	6071020000-E POLYACRYLAMIDE (PAM)	50.000 LB	5.00000		250.00	
0084	6071030000-E COIR FIBER BAFFLE	100.000 LF	2.50000		250.00	
0085	6071050000-E *** SKIMMER (1-1/2")	1.000 EA	1,200.00000		1,200.00	
0086	6084000000-E SEEDING & MULCHING	5.000 ACR	1,000.00000		5,000.00	
0087	6087000000-E MOWING	2.000 ACR	65.00000		130.00	
0088	6090000000-E SEED FOR REPAIR SEEDING	50.000 LB	5.00000		250.00	
0089	6093000000-E FERTILIZER FOR REPAIR SEEDING	0.250 TON	1,000.00000		250.00	
0090	6096000000-E SEED FOR SUPPLEMENTAL SEEDING	100.000 LB	5.00000		500.00	
0091	6108000000-E FERTILIZER TOPDRESSING	3.000 TON	1,000.00000		3,000.00	

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Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
0092	6114500000-N SPECIALIZED HAND MOWING	10.000 MHR	55.00000		550.00	
0093	6117000000-N RESPONSE FOR EROSION CONTROL	13.000 EA	300.00000		3,900.00	
0094	7060000000-E SIGNAL CABLE	4,450.000 LF	2.00000		8,900.00	
0095	7108000000-E VEHICLE SIGNAL HEAD (12", 1 SECTION)	16.000 EA	400.00000		6,400.00	
0096	7120000000-E VEHICLE SIGNAL HEAD (12", 3 SECTION)	10.000 EA	800.00000		8,000.00	
0097	7264000000-E MESSENGER CABLE (3/8")	530.000 LF	1.75000		927.50	
0098	7300000000-E UNPAVED TRENCHING (*****)(1, 2")	840.000 LF	3.50000		2,940.00	
0099	7300100000-E UNPAVED TRENCHING FOR TEMPORARY LEAD-IN	615.000 LF	3.50000		2,152.50	
0100	7301000000-E DIRECTIONAL DRILL (*****)(1, 2")	100.000 LF	25.00000		2,500.00	
0101	7324000000-N JUNCTION BOX (STANDARD SIZE)	9.000 EA	250.00000		2,250.00	
0102	7360000000-N WOOD POLE	4.000 EA	700.00000		2,800.00	
0103	7372000000-N GUY ASSEMBLY	8.000 EA	100.00000		800.00	

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			Dollars	Cts	Dollars	Ct
0104	7408000000-E 1" RISER WITH WEATHERHEAD	1.000 EA	160.00000		160.00	
0105	7420000000-E 2" RISER WITH WEATHERHEAD	5.000 EA	300.00000		1,500.00	
0106	7444000000-E INDUCTIVE LOOP SAWCUT	600.000 LF	5.00000		3,000.00	
0107	7456000000-E LEAD-IN CABLE (***** (14-2)	2,162.000 LF	2.00000		4,324.00	
0108	7636000000-N SIGN FOR SIGNALS	11.000 EA	300.00000		3,300.00	
0109	7642300000-N TYPE III PEDESTAL WITH FOUNDATION	4.000 EA	1,450.00000		5,800.00	
0110	7684000000-N SIGNAL CABINET FOUNDATION	1.000 EA	1,000.00000		1,000.00	
0111	7756000000-N CONTROLLER WITH CABINET (TYPE 2070L, BASE MOUNTED)	1.000 EA	10,000.00000		10,000.00	
0112	7780000000-N DETECTOR CARD (TYPE 2070L)	4.000 EA	100.00000		400.00	
0113	7816000000-N DETECTOR CARD (NEMA TS-1)	2.000 EA	50.00000		100.00	
0114	7901000000-N CABINET BASE EXTENDER	1.000 EA	100.00000		100.00	
0115	7912000000-N BEACON CONTROLLER ASSEMBLY & CABINET (***** (F3)	1.000 EA	450.00000		450.00	

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Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
0134	0199000000-E TEMPORARY SHORING	1,674.000 SF	1.00000		1,674.00	
Section 0001 Total						1,169,617.60

Section 0003 WALL ITEMS

Alt Group

0116	8847000000-E GENERIC RETAINING WALL ITEM MSE RETAINING WALL NO 1	4,300.000 SF	50.00000		215,000.00	
Section 0003 Total						215,000.00

Section 0004 STRUCTURE ITEMS

Alt Group

0117	8014000000-N TEMPORARY RAILROAD SHORING FORBENT ***, STATION ***** (1, 25+73.32-L)	LUMP	LUMP		60,000.00	
0118	8035000000-N REMOVAL OF EXISTING STRUCTURE AT STATION ***** (25+73.32-L-)	LUMP	LUMP		268,000.00	
0119	8091000000-N FOUNDATION EXCAVATION FOR BENT** AT STATION ***** (1, 25+73.32-L-)	LUMP	LUMP		14,000.00	
0120	8112730000-N PDA TESTING	2.000 EA	2,400.00000		4,800.00	
0121	8121000000-N UNCLASSIFIED STRUCTURE EXCAVATION AT STATION ***** (25+73.32-L-)	LUMP	LUMP		20,000.00	

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			Dollars	Cts	Dollars	Ct
0122	8147000000-E REINFORCED CONCRETE DECK SLAB	11,194.000 SF	26.00000		291,044.00	
0123	8161000000-E GROOVING BRIDGE FLOORS	11,066.000 SF	0.35000		3,873.10	
0124	8182000000-E CLASS A CONCRETE (BRIDGE)	443.100 CY	750.00000		332,325.00	
0125	8210000000-N BRIDGE APPROACH SLABS, STATION***** (25+73.32-L-)	LUMP	LUMP		38,000.00	
0126	8217000000-E REINFORCING STEEL (BRIDGE)	43,605.000 LB	1.20000		52,326.00	
0127	8277000000-E MODIFIED 72" PRESTRESSED CONC GIRDERS	1,324.050 LF	260.00000		344,253.00	
0128	8364000000-E HP12X53 STEEL PILES	1,150.000 LF	38.00000		43,700.00	
0129	8385200000-E PP ** X **** GALVANIZED STEEL PILES (24 X 0.50)	1,215.000 LF	128.00000		155,520.00	
0130	8503000000-E CONCRETE BARRIER RAIL	586.930 LF	55.00000		32,281.15	
0131	8531000000-E 4" SLOPE PROTECTION	700.000 SY	95.00000		66,500.00	
0132	8657000000-N ELASTOMERIC BEARINGS	LUMP	LUMP		30,000.00	

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Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
0133	8706000000-N EXPANSION JOINT SEALS	LUMP	LUMP		60,000.00	
0135	8091000000-N FOUNDATION EXCAVATION FOR BENT** AT STATION ***** (2, 25+73.32-L-)	LUMP	LUMP		20,000.00	
	Section 0004 Total				1,836,622.25	
	Bid Total				3,221,239.85	



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	

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.

DBE COMMITMENT ITEMS

PROPOSAL: C202822
 LETTING: L120619 CALL: 016
 VENDOR: 5072 FSC II LLC, dba, Fred Smith Company

LINE NO.	ITEM NO.	ITEM DESC.	UNIT TYPE	SUBCONTRACTOR QUANTITY	SUBCONTRACTOR UNIT PRICE	EXTENDED AMOUNT
0001	0000100000-N	MOBILIZATION	LS	1.000	23000.00000	23000.00
0005	0063000000-N	GRADING	LS	1.000	55000.00000	55000.00
0006	0106000000-E	BORROW EXCAV	CY	12400.000	9.00000	111600.00
0011	0335200000-E	15" DRAINAGE	LF	888.000	32.00000	28416.00

DBE SUBCONTRACTOR: 3251 NARRON CONTRACTING INC
 Will Use Quote: Yes

DBE COMMITMENT TOTAL FOR SUBCONTRACTOR: 218,016.00 committed
 DBE COMMITMENT TOTAL FOR VENDOR (SubContractor) 218,016

DBE SUBCONTRACTOR: 4898 BULLINGTON CONSTRUCTION INC
 Will Use Quote: Yes

0035	3500000000-E	WOVEN WIRE F	LF	290.000	6.00000	1740.00
0036	3506000000-E	4" TIMBER PO	EA	20.000	22.00000	440.00
0037	3515000000-E	5" TIMBER PO	EA	10.000	40.00000	400.00
0026	3030000000-E	STL BM GUARD	LF	2925.000	14.50000	42412.50
0027	3150000000-N	ADDIT GUARDR	EA	10.000	13.00000	130.00
0028	3210000000-N	GR ANCHOR TY	EA	2.000	400.00000	800.00
0029	3270000000-N	GR ANCHOR TY	EA	2.000	1800.00000	3600.00
0030	3317000000-N	GR ANCHOR TY	EA	4.000	1350.00000	5400.00
0031	3360000000-E	REMOVE EXIST	LF	2634.000	1.00000	2634.00
0032	3380000000-E	TEMP STL BM	LF	1212.500	5.10000	6183.75
0033	3387000000-N	TEMP GDRL AN	EA	1.000	200.00000	200.00
0034	3435000000-N	GENERIC GUAR	EA	54.000	55.00000	2970.00

DBE COMMITMENT TOTAL FOR SUBCONTRACTOR: 66,910.25 committed
 DBE COMMITMENT TOTAL FOR VENDOR (SubContractor) 66,910.

DBE SUBCONTRACTOR: 2855 BOSS CONSTRUCTION CO., INC.
 Will Use Quote: Yes

0130	8503000000-E	CONCRETE BAR	LF	586.930	12.40000	7277.93
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DBE COMMITMENT TOTAL FOR SUBCONTRACTOR: 7,277.93 committed
 DBE COMMITMENT TOTAL FOR VENDOR (SubContractor) 7,277.9

TOTAL DBE COMMITMENT FOR VENDOR: Entered: 9.07% or 292204.18
 Required: 9.00% or 289911.59
 <GOAL MET>

Contract Item Sheets For C202822

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
ROADWAY ITEMS						
0001	0000100000-N	800	MOBILIZATION	Lump Sum LS	155,000.00	155,000.00
0002	0029000000-N	SP	REINFORCED BRIDGE APPROACH FILL, STATION ***** (25+99.88)	Lump Sum LS	50,000.00	50,000.00
0003	0036000000-E	225	UNDERCUT EXCAVATION	700 CY	5.00	3,500.00
0004	0050000000-E	226	SUPPLEMENTARY CLEARING & GRUB- BING	1 ACR	1.00	1.00
0005	0063000000-N	SP	GRADING	Lump Sum LS	100,000.00	100,000.00
0006	0106000000-E	230	BORROW EXCAVATION	12,400 CY	9.00	111,600.00
0007	0195000000-E	265	SELECT GRANULAR MATERIAL	700 CY	1.00	700.00
0008	0196000000-E	270	GEOTEXTILE FOR SOIL STABILIZA- TION	1,400 SY	2.00	2,800.00
0009	0318000000-E	300	FOUNDATION CONDITIONING MATE- RIAL, MINOR STRUCTURES	100 TON	20.00	2,000.00
0010	0320000000-E	300	FOUNDATION CONDITIONING GEO- TEXTILE	300 SY	2.00	600.00
0011	0335200000-E	305	15" DRAINAGE PIPE	888 LF	32.00	28,416.00
0012	0335850000-E	305	*** DRAINAGE PIPE ELBOWS (15")	4 EA	400.00	1,600.00
0013	0995000000-E	340	PIPE REMOVAL	279 LF	7.00	1,953.00
0014	1099500000-E	505	SHALLOW UNDERCUT	200 CY	22.00	4,400.00
0015	1099700000-E	505	CLASS IV SUBGRADE STABILIZA- TION	400 TON	15.00	6,000.00
0016	1220000000-E	545	INCIDENTAL STONE BASE	300 TON	22.00	6,600.00
0017	1330000000-E	607	INCIDENTAL MILLING	400 SY	20.00	8,000.00
0018	1491000000-E	610	ASPHALT CONC BASE COURSE, TYPE B25.0C	2,340 TON	42.00	98,280.00

Contract Item Sheets For C202822

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
0019	1503000000-E	610	ASPHALT CONC INTERMEDIATE COURSE, TYPE I19.0C	840 TON	44.00	36,960.00
0020	1523000000-E	610	ASPHALT CONC SURFACE COURSE, TYPE S9.5C	1,090 TON	41.00	44,690.00
0021	1525000000-E	610	ASPHALT CONC SURFACE COURSE, TYPE SF9.5A	20 TON	80.00	1,600.00
0022	1575000000-E	620	ASPHALT BINDER FOR PLANT MIX	210 TON	700.00	147,000.00
0023	2286000000-N	840	MASONRY DRAINAGE STRUCTURES	4 EA	1,800.00	7,200.00
0024	2364200000-N	840	FRAME WITH TWO GRATES, STD 840.20	4 EA	500.00	2,000.00
0025	2577000000-E	846	CONCRETE EXPRESSWAY GUTTER	540 LF	20.50	11,070.00
0026	3030000000-E	862	STEEL BM GUARDRAIL	2,925 LF	14.50	42,412.50
0027	3150000000-N	862	ADDITIONAL GUARDRAIL POSTS	10 EA	13.00	130.00
0028	3210000000-N	862	GUARDRAIL ANCHOR UNITS, TYPE CAT-1	2 EA	400.00	800.00
0029	3270000000-N	SP	GUARDRAIL ANCHOR UNITS, TYPE 350	2 EA	1,800.00	3,600.00
0030	3317000000-N	862	GUARDRAIL ANCHOR UNITS, TYPE B-77	4 EA	1,350.00	5,400.00
0031	3360000000-E	863	REMOVE EXISTING GUARDRAIL	2,634 LF	1.00	2,634.00
0032	3380000000-E	862	TEMPORARY STEEL BM GUARDRAIL	1,212.5 LF	5.10	6,183.75
0033	3387000000-N	862	TEMPORARY GUARDRAIL ANCHOR UNITS, TYPE ***** (CAT-1)	1 EA	200.00	200.00
0034	3435000000-N	SP	GENERIC GUARDRAIL ITEM EXTRA LENGTH GUARDRAIL POST (8' STEEL)	54 EA	55.00	2,970.00
0035	3500000000-E	866	WOVEN WIRE FENCE, *** FABRIC (48")	290 LF	6.00	1,740.00

Contract Item Sheets For C202822

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
0036	3506000000-E	866	4" TIMBER FENCE POSTS, ***** LONG (8'-0")	20 EA	22.00	440.00
0037	3515000000-E	866	5" TIMBER FENCE POSTS, 8'-0" LONG	10 EA	40.00	400.00
0038	3649000000-E	876	RIP RAP, CLASS B	4 TON	150.00	600.00
0039	3656000000-E	876	GEOTEXTILE FOR DRAINAGE	395 SY	1.00	395.00
0040	4072000000-E	903	SUPPORTS, 3-LB STEEL U-CHANNEL	50 LF	5.25	262.50
0041	4096000000-N	904	SIGN ERECTION, TYPE D	1 EA	125.00	125.00
0042	4102000000-N	904	SIGN ERECTION, TYPE E	2 EA	75.00	150.00
0043	4155000000-N	907	DISPOSAL OF SIGN SYSTEM, U- CHANNEL	2 EA	5.00	10.00
0044	4400000000-E	1110	WORK ZONE SIGNS (STATIONARY)	710 SF	4.50	3,195.00
0045	4405000000-E	1110	WORK ZONE SIGNS (PORTABLE)	110 SF	24.00	2,640.00
0046	4410000000-E	1110	WORK ZONE SIGNS (BARRICADE MOUNTED)	40 SF	6.00	240.00
0047	4415000000-N	1115	FLASHING ARROW BOARD	2 EA	3,000.00	6,000.00
0048	4420000000-N	1120	PORTABLE CHANGEABLE MESSAGE SIGN	2 EA	7,000.00	14,000.00
0049	4430000000-N	1130	DRUMS	210 EA	55.00	11,550.00
0050	4445000000-E	1145	BARRICADES (TYPE III)	40 LF	21.00	840.00
0051	4450000000-N	1150	FLAGGER	200 HR	30.00	6,000.00
0052	4465000000-N	1160	TEMPORARY CRASH CUSHIONS	4 EA	2,000.00	8,000.00
0053	4480000000-N	1165	TMA	2 EA	2,300.00	4,600.00
0054	4485000000-E	1170	PORTABLE CONCRETE BARRIER	1,480 LF	18.00	26,640.00

Contract Item Sheets For C202822

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
0055	4510000000-N	SP	LAW ENFORCEMENT	100 HR	60.00	6,000.00
0056	4590000000-E	SP	GENERIC TRAFFIC CONTROL ITEM WORK ZONE ASPHALT ISLAND	2,158 LF	10.00	21,580.00
0057	4650000000-N	1251	TEMPORARY RAISED PAVEMENT MARKERS	50 EA	5.00	250.00
0058	4688000000-E	1205	THERMOPLASTIC PAVEMENT MARKING LINES (6", 90 MILS)	6,721 LF	1.35	9,073.35
0059	4690000000-E	1205	THERMOPLASTIC PAVEMENT MARKING LINES (6", 120 MILS)	2,604 LF	1.50	3,906.00
0060	4775000000-E	1205	COLD APPLIED PLASTIC PAVEMENT MARKING LINES, TYPE ** (6") (II)	997 LF	2.50	2,492.50
0061	4810000000-E	1205	PAINT PAVEMENT MARKING LINES (4")	12,500 LF	0.30	3,750.00
0062	4820000000-E	1205	PAINT PAVEMENT MARKING LINES (8")	1,300 LF	0.75	975.00
0063	4835000000-E	1205	PAINT PAVEMENT MARKING LINES (24")	100 LF	4.00	400.00
0064	4850000000-E	1205	REMOVAL OF PAVEMENT MARKING LINES (4")	10,000 LF	0.35	3,500.00
0065	4855000000-E	1205	REMOVAL OF PAVEMENT MARKING LINES (6")	9,000 LF	0.40	3,600.00
0066	4860000000-E	1205	REMOVAL OF PAVEMENT MARKING LINES (8")	1,300 LF	0.50	650.00
0067	4870000000-E	1205	REMOVAL OF PAVEMENT MARKING LINES (24")	100 LF	2.00	200.00
0068	4900000000-N	1251	PERMANENT RAISED PAVEMENT MARKERS	133 EA	5.00	665.00
0069	6000000000-E	1605	TEMPORARY SILT FENCE	1,050 LF	1.95	2,047.50
0070	6006000000-E	1610	STONE FOR EROSION CONTROL, CLASS A	160 TON	10.00	1,600.00

Contract Item Sheets For C202822

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
0071	6009000000-E	1610	STONE FOR EROSION CONTROL, CLASS B	165 TON	40.00	6,600.00
0072	6012000000-E	1610	SEDIMENT CONTROL STONE	115 TON	25.00	2,875.00
0073	6015000000-E	1615	TEMPORARY MULCHING	3 ACR	600.00	1,800.00
0074	6018000000-E	1620	SEED FOR TEMPORARY SEEDING	150 LB	3.00	450.00
0075	6021000000-E	1620	FERTILIZER FOR TEMPORARY SEED- ING	1.5 TON	1,000.00	1,500.00
0076	6024000000-E	1622	TEMPORARY SLOPE DRAINS	400 LF	20.00	8,000.00
0077	6030000000-E	1630	SILT EXCAVATION	300 CY	15.00	4,500.00
0078	6036000000-E	1631	MATTING FOR EROSION CONTROL	4,000 SY	1.20	4,800.00
0079	6037000000-E	SP	COIR FIBER MAT	10 SY	8.00	80.00
0080	6038000000-E	SP	PERMANENT SOIL REINFORCEMENT MAT	1,500 SY	4.00	6,000.00
0081	6042000000-E	1632	1/4" HARDWARE CLOTH	250 LF	2.55	637.50
0082	6071010000-E	SP	WATTLE	350 LF	8.00	2,800.00
0083	6071020000-E	SP	POLYACRYLAMIDE (PAM)	50 LB	5.00	250.00
0084	6071030000-E	1640	COIR FIBER BAFFLE	100 LF	2.50	250.00
0085	6071050000-E	SP	*** SKIMMER (1-1/2")	1 EA	1,200.00	1,200.00
0086	6084000000-E	1660	SEEDING & MULCHING	5 ACR	1,000.00	5,000.00
0087	6087000000-E	1660	MOWING	2 ACR	65.00	130.00
0088	6090000000-E	1661	SEED FOR REPAIR SEEDING	50 LB	5.00	250.00
0089	6093000000-E	1661	FERTILIZER FOR REPAIR SEEDING	0.25 TON	1,000.00	250.00

Contract Item Sheets For C202822

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
0090	6096000000-E	1662	SEED FOR SUPPLEMENTAL SEEDING	100 LB	5.00	500.00
0091	6108000000-E	1665	FERTILIZER TOPDRESSING	3 TON	1,000.00	3,000.00
0092	6114500000-N	1667	SPECIALIZED HAND MOWING	10 MHR	55.00	550.00
0093	6117000000-N	SP	RESPONSE FOR EROSION CONTROL	13 EA	300.00	3,900.00
0094	7060000000-E	1705	SIGNAL CABLE	4,450 LF	2.00	8,900.00
0095	7108000000-E	1705	VEHICLE SIGNAL HEAD (12", 1 SECTION)	16 EA	400.00	6,400.00
0096	7120000000-E	1705	VEHICLE SIGNAL HEAD (12", 3 SECTION)	10 EA	800.00	8,000.00
0097	7264000000-E	1710	MESSENGER CABLE (3/8")	530 LF	1.75	927.50
0098	7300000000-E	1715	UNPAVED TRENCHING (*****) (1, 2")	840 LF	3.50	2,940.00
0099	7300100000-E	1715	UNPAVED TRENCHING FOR TEMP- ORARY LEAD-IN	615 LF	3.50	2,152.50
0100	7301000000-E	1715	DIRECTIONAL DRILL (*****) (1, 2")	100 LF	25.00	2,500.00
0101	7324000000-N	1716	JUNCTION BOX (STANDARD SIZE)	9 EA	250.00	2,250.00
0102	7360000000-N	1720	WOOD POLE	4 EA	700.00	2,800.00
0103	7372000000-N	1721	GUY ASSEMBLY	8 EA	100.00	800.00
0104	7408000000-E	1722	1" RISER WITH WEATHERHEAD	1 EA	160.00	160.00
0105	7420000000-E	1722	2" RISER WITH WEATHERHEAD	5 EA	300.00	1,500.00
0106	7444000000-E	1725	INDUCTIVE LOOP SAWCUT	600 LF	5.00	3,000.00
0107	7456000000-E	1726	LEAD-IN CABLE (*****) (14-2)	2,162 LF	2.00	4,324.00
0108	7636000000-N	1745	SIGN FOR SIGNALS	11 EA	300.00	3,300.00

Contract Item Sheets For C202822

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
0109	7642300000-N	1743	TYPE III PEDESTAL WITH FOUNDATION	4 EA	1,450.00	5,800.00
0110	7684000000-N	1750	SIGNAL CABINET FOUNDATION	1 EA	1,000.00	1,000.00
0111	7756000000-N	1751	CONTROLLER WITH CABINET (TYPE 2070L, BASE MOUNTED)	1 EA	10,000.00	10,000.00
0112	7780000000-N	1751	DETECTOR CARD (TYPE 2070L)	4 EA	100.00	400.00
0113	7816000000-N	1751	DETECTOR CARD (NEMA TS-1)	2 EA	50.00	100.00
0114	7901000000-N	1753	CABINET BASE EXTENDER	1 EA	100.00	100.00
0115	7912000000-N	1755	BEACON CONTROLLER ASSEMBLY & CABINET (*****) (F3)	1 EA	450.00	450.00
0134	0199000000-E	SP	TEMPORARY SHORING	1,674 SF	1.00	1,674.00

Contract Item Sheets For C202822

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
0116	8847000000-E	SP	GENERIC RETAINING WALL ITEM MSE RETAINING WALL NO 1	4,300 SF	50.00	215,000.00

Contract Item Sheets For C202822

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
0117	8014000000-N	SP	TEMPORARY RAILROAD SHORING FOR BENT *** STATION ***** (1, 25 + 73.32-L)	Lump Sum LS	60,000.00	60,000.00
0118	8035000000-N	402	REMOVAL OF EXISTING STRUCTURE AT STATION ***** (25 + 73.32-L)	Lump Sum LS	268,000.00	268,000.00
0119	8091000000-N	410	FOUNDATION EXCAVATION FOR BENT ** AT STATION ***** (1, 25 + 73.32-L)	Lump Sum LS	14,000.00	14,000.00
0120	8112730000-N	450	PDA TESTING	2 EA	2,400.00	4,800.00
0121	8121000000-N	412	UNCLASSIFIED STRUCTURE EXCAVATION AT STATION ***** (25 + 73.32-L)	Lump Sum LS	20,000.00	20,000.00
0122	8147000000-E	420	REINFORCED CONCRETE DECK SLAB	11,194 SF	26.00	291,044.00
0123	8161000000-E	420	GROOVING BRIDGE FLOORS	11,066 SF	0.35	3,873.10
0124	8182000000-E	420	CLASS A CONCRETE (BRIDGE)	443.1 CY	750.00	332,325.00
0125	8210000000-N	422	BRIDGE APPROACH SLABS, STATION ***** (25 + 73.32-L)	Lump Sum LS	38,000.00	38,000.00
0126	8217000000-E	425	REINFORCING STEEL (BRIDGE)	43,605 LB	1.20	52,326.00
0127	8277000000-E	430	MODIFIED 72" PRESTRESSED CONC GIRDERS	1,324.05 LF	260.00	344,253.00
0128	8364000000-E	450	HP12X53 STEEL PILES	1,150 LF	38.00	43,700.00
0129	8385200000-E	450	PP ** X **** GALVANIZED STEEL PILES (24 X 0.50)	1,215 LF	128.00	155,520.00
0130	8503000000-E	460	CONCRETE BARRIER RAIL	586.93 LF	55.00	32,281.15
0131	8531000000-E	462	4" SLOPE PROTECTION	700 SY	95.00	66,500.00
0132	8657000000-N	430	ELASTOMERIC BEARINGS	Lump Sum LS	30,000.00	30,000.00
0133	8706000000-N	SP	EXPANSION JOINT SEALS	Lump Sum LS	60,000.00	60,000.00

Contract Item Sheets For C202822

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
0135	8091000000-N	410	FOUNDATION EXCAVATION FOR BENT ** AT STATION ***** (2, 25 +73.32-L-)	Lump Sum LS	20,000.00	20,000.00

TOTAL AMOUNT OF BID FOR ENTIRE PROJECT

\$3,221,239.85

1020/Jul03/Q176036.33/D675447490000/E135



**EXECUTION OF CONTRACT
NON-COLLUSION AFFIDAVIT, DEBARMENT CERTIFICATION AND GIFT BAN CERTIFICATION
LIMITED LIABILITY COMPANY**

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

FSC II, LLC dba Fred Smith Company

Full Name of Firm

6105 Chapel Hill Road, Raleigh, NC 27607

Address as Prequalified

Adam Kingsley
Signature of Witness

Adam Kingsley
Print or type Signer's name

Jason M. Williams
Signature of ~~Member~~/Manager/Authorized Agent
Select appropriate title

Jason M. Williams
Print or type Signer's Name

AFFIDAVIT MUST BE NOTARIZED

Subscribed and sworn to before me this the

3 day of July 2012

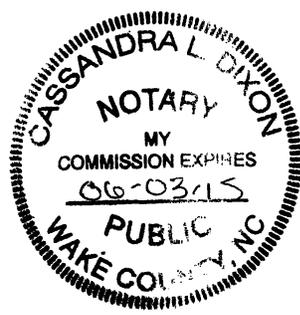
Cassandra L Dixon
Signature of Notary Public

of Wake County

State of NC

My Commission Expires: 06-03-15

NOTARY SEAL



Contract No. C202822

County (ies): Johnston

ACCEPTED BY THE
DEPARTMENT OF TRANSPORTATION



Contract Officer



Date

Execution of Contract and Bonds
Approved as to Form:



Assistant Attorney General

Contract No. C202822
County Johnston

Rev 5-17-11

CONTRACT PAYMENT BOND

Date of Payment Bond Execution July 3, 2012

Name of Principal Contractor FSC II, LLC dba Fred Smith Company

Name of Surety: Western Surety Company and Liberty Mutual Insurance Company

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

Amount of Bond: \$3,221,239.85

Contract ID No.: C202822

County Name: Johnston

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. C202822
County Johnston

Rev 5-17-11

CONTRACT PAYMENT BOND

Affix Seal of Surety Company

Western Surety Company and Liberty Mutual Insurance Company
Print or type Surety Company Name

By Renee Ellis
Print, stamp or type name of Attorney-in-Fact


Signature of Attorney-in-Fact


Signature of Witness

Billie Jo Sanders
Print or type Signer's name

2601 Bell Road, Montgomery, Alabama 36117
Address of Attorney-in-Fact

Contract No.
County

C202822

Johnston

Rev 5-17-11

CONTRACT PAYMENT BOND

LIMITED LIABILITY COMPANY

SIGNATURE OF CONTRACTOR (Principal)

Name of Contractor

FSC II, LLC dba Fred Smith Company

Full name of Firm

6105 Chapel Hill Road, Raleigh, NC 27607

Address as prequalified

By:

Jason M. Williams

Signature of ~~Member~~, ~~Manager~~, Authorized Agent
Select appropriate title

Jason M. Williams
Print or type Signer's name

Western Surety Company

POWER OF ATTORNEY APPOINTING INDIVIDUAL ATTORNEY-IN-FACT

Know All Men By These Presents, That WESTERN SURETY COMPANY, a South Dakota corporation, is a duly organized and existing corporation having its principal office in the City of Sioux Falls, and State of South Dakota, and that it does by virtue of the signature and seal herein affixed hereby make, constitute and appoint

Thomas J. Gentile, Billie Jo Sanders, Renee Ellis, Paul B Scott Jr., David J Durden, Individually

of Montgomery, AL, its true and lawful Attorney(s)-in-Fact with full power and authority hereby conferred to sign, seal and execute for and on its behalf bonds, undertakings and other obligatory instruments of similar nature

- In Unlimited Amounts -

and to bind it thereby as fully and to the same extent as if such instruments were signed by a duly authorized officer of the corporation and all the acts of said Attorney, pursuant to the authority hereby given, are hereby ratified and confirmed.

This Power of Attorney is made and executed pursuant to and by authority of the By-Law printed on the reverse hereof, duly adopted, as indicated, by the shareholders of the corporation.

In Witness Whereof, WESTERN SURETY COMPANY has caused these presents to be signed by its Senior Vice President and its corporate seal to be hereto affixed on this 5th day of May, 2011.



WESTERN SURETY COMPANY

Paul T. Bruflat

Paul T. Bruflat, Senior Vice President

State of South Dakota }
County of Minnehaha } ss

On this 5th day of May, 2011, before me personally came Paul T. Bruflat, to me known, who, being by me duly sworn, did depose and say: that he resides in the City of Sioux Falls, State of South Dakota; that he is the Senior Vice President of WESTERN SURETY COMPANY described in and which executed the above instrument; that he knows the seal of said corporation; that the seal affixed to the said instrument is such corporate seal; that it was so affixed pursuant to authority given by the Board of Directors of said corporation and that he signed his name thereto pursuant to like authority, and acknowledges same to be the act and deed of said corporation.

My commission expires

November 30, 2012



D. Krell

D. Krell, Notary Public

CERTIFICATE

I, L. Nelson, Assistant Secretary of WESTERN SURETY COMPANY do hereby certify that the Power of Attorney hereinabove set forth is still in force, and further certify that the By-Law of the corporation printed on the reverse hereof is still in force. In testimony whereof I have hereunto subscribed my name and affixed the seal of the said corporation this 3rd day of July, 2012.



WESTERN SURETY COMPANY

L. Nelson

L. Nelson, Assistant Secretary

Authorizing By-Law

ADOPTED BY THE SHAREHOLDERS OF WESTERN SURETY COMPANY

This Power of Attorney is made and executed pursuant to and by authority of the following By-Law duly adopted by the shareholders of the Company.

Section 7. All bonds, policies, undertakings, Powers of Attorney, or other obligations of the corporation shall be executed in the corporate name of the Company by the President, Secretary, and Assistant Secretary, Treasurer, or any Vice President, or by such other officers as the Board of Directors may authorize. The President, any Vice President, Secretary, any Assistant Secretary, or the Treasurer may appoint Attorneys in Fact or agents who shall have authority to issue bonds, policies, or undertakings in the name of the Company. The corporate seal is not necessary for the validity of any bonds, policies, undertakings, Powers of Attorney or other obligations of the corporation. The signature of any such officer and the corporate seal may be printed by facsimile.

THIS POWER OF ATTORNEY IS NOT VALID UNLESS IT IS PRINTED ON RED BACKGROUND.

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.

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 RENEE ELLIS, PAUL B. SCOTT JR, BILLIE JO SANDERS, THOMAS J. GENTILE, ALL OF THE CITY OF MONTGOMERY, STATE OF ALABAMA

each individually if there be more than one named, its true and lawful attorney-in-fact to make, execute, seal, acknowledge and deliver, for and on its behalf as surety and as its act and deed, any and all undertakings, bonds, recognizances and other surety obligations in the penal sum not exceeding FIFTY MILLION AND 00/100 DOLLARS (\$ 50,000,000.00) each, and the execution of such undertakings, bonds, recognizances and other surety obligations, in pursuance of these presents, shall be as binding upon the Company as if they had been duly signed by the president and attested by the secretary of the Company in their own proper persons.

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 17th day of February, 2010.

LIBERTY MUTUAL INSURANCE COMPANY

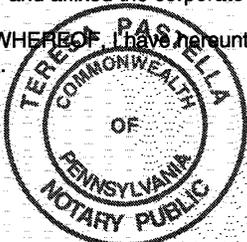
By Garnet W. Elliott, Assistant Secretary



COMMONWEALTH OF PENNSYLVANIA ss
COUNTY OF MONTGOMERY

On this 17th day of February, 2010, 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, Notary Public

CERTIFICATE

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 3rd day of July, 2012.



By David M. Carey, Assistant Secretary

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 1-610-832-8240 between 9:00 am and 4:30 pm EST on any business day

CONTRACT PERFORMANCE BOND

Date of Performance Bond Execution: July 3, 2012
Name of Principal Contractor: FSC II, LLC dba Fred Smith Company
Name of Surety: Western Surety Company and Liberty Mutual Insurance Company
Name of Contracting Body: **North Carolina Department of Transportation**
Raleigh, North Carolina
Amount of Bond: \$3,221,239.85
Contract ID No.: C202822
County Name: Johnston

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. C202822
County Johnston

Rev 5-17-11

CONTRACT PERFORMANCE BOND

Affix Seal of Surety Company

Western Surety Company and Liberty Mutual Insurance Company

Print or type Surety Company Name

By Renee Ellis
Print, stamp or type name of Attorney-in-Fact



Signature of Attorney-in-Fact



Signature of Witness

Billie Jo Sanders
Print or type Signer's name

2601 Bell Road, Montgomery, Alabama 36117
Address of Attorney-in-Fact

Contract No. C202822
County Johnston

Rev 5-17-11

CONTRACT PERFORMANCE BOND

LIMITED LIABILITY COMPANY

SIGNATURE OF CONTRACTOR (Principal)

Name of Contractor FSC II, LLC dba Fred Smith Company
Full name of Firm

6105 Chapel Hill Road, Raleigh, NC 27607
Address as prequalified

By: Jason M. Williams
Signature of ~~Member~~, **Manager, Authorized Agent**
Select appropriate title

Jason M. Williams
Print or type Signer's name

Western Surety Company

POWER OF ATTORNEY APPOINTING INDIVIDUAL ATTORNEY-IN-FACT

Know All Men By These Presents, That WESTERN SURETY COMPANY, a South Dakota corporation, is a duly organized and existing corporation having its principal office in the City of Sioux Falls, and State of South Dakota, and that it does by virtue of the signature and seal herein affixed hereby make, constitute and appoint

Thomas J. Gentile, Billie Jo Sanders, Renee Ellis, Paul B Scott Jr., David J Durden, Individually

of Montgomery, AL, its true and lawful Attorney(s)-in-Fact with full power and authority hereby conferred to sign, seal and execute for and on its behalf bonds, undertakings and other obligatory instruments of similar nature

- In Unlimited Amounts -

and to bind it thereby as fully and to the same extent as if such instruments were signed by a duly authorized officer of the corporation and all the acts of said Attorney, pursuant to the authority hereby given, are hereby ratified and confirmed.

This Power of Attorney is made and executed pursuant to and by authority of the By-Law printed on the reverse hereof, duly adopted, as indicated, by the shareholders of the corporation.

In Witness Whereof, WESTERN SURETY COMPANY has caused these presents to be signed by its Senior Vice President and its corporate seal to be hereto affixed on this 5th day of May, 2011.



WESTERN SURETY COMPANY

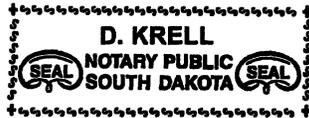
Paul T. Bruflat, Senior Vice President

State of South Dakota }
County of Minnehaha } ss

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My commission expires

November 30, 2012



D. Krell, Notary Public

CERTIFICATE

I, L. Nelson, Assistant Secretary of WESTERN SURETY COMPANY do hereby certify that the Power of Attorney hereinabove set forth is still in force, and further certify that the By-Law of the corporation printed on the reverse hereof is still in force. In testimony whereof I have hereunto subscribed my name and affixed the seal of the said corporation this 3rd day of July, 2012.



WESTERN SURETY COMPANY

L. Nelson, Assistant Secretary

Authorizing By-Law

ADOPTED BY THE SHAREHOLDERS OF WESTERN SURETY COMPANY

This Power of Attorney is made and executed pursuant to and by authority of the following By-Law duly adopted by the shareholders of the Company.

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BOSTON, MASSACHUSETTS
POWER OF ATTORNEY

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each individually if there be more than one named, its true and lawful attorney-in-fact to make, execute, seal, acknowledge and deliver, for and on its behalf as surety and as its act and deed, any and all undertakings, bonds, recognizances and other surety obligations in the penal sum not exceeding FIFTY MILLION AND 00/100 DOLLARS (\$ 50,000,000.00) each, and the execution of such undertakings, bonds, recognizances and other surety obligations, in pursuance of these presents, shall be as binding upon the Company as if they had been duly signed by the president and attested by the secretary of the Company in their own proper persons.

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.

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LIBERTY MUTUAL INSURANCE COMPANY

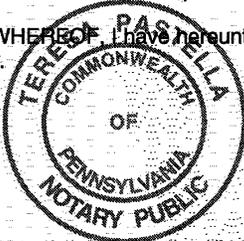
By Garnet W. Elliott, Assistant Secretary



COMMONWEALTH OF PENNSYLVANIA ss
COUNTY OF MONTGOMERY

On this 17th day of February, 2010, 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, Notary Public

CERTIFICATE

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 3rd day of July, 2012.



By David M. Carey, Assistant Secretary

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 1-610-832-8240 between 9:00 am and 4:30 pm EST on any business day.