

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

C202373

CONTRACT AND  
CONTRACT BONDS

FOR CONTRACT NO. C202373

WBS 45105.3.ST1 STM-0194(10)

T.I.P NO. R-5158

COUNTY OF AVERY

THIS IS THE ROADWAY CONTRACT

ROUTE NUMBER NC 194 LENGTH 4.200 MILES

LOCATION NC-194 FROM US-19E TO US-221.

CONTRACTOR MAYMEAD, INC.

ADDRESS P.O. BOX 911  
MOUNTAIN CITY, TN 376830911

BIDS OPENED JULY 21, 2009

CONTRACT EXECUTION AUG 20 2009

**Maymead, Inc. (2905).**

**Vendor 1 of 2 Vendors for Call Order 014 (Proposal ID C202373).**

County. AVERY  
 Address. 1995 Roan Creek Road  
 Mountain City, TN 37683  
 Phone Number 423-727-2000  
 Signature Check This bid has been properly signed by Wiley\_B\_Roark\_2905  
 Time Bid Received Tue Jul 21 12:48:01 2009  
 Bid Checksum B2F5FD81  
 Amendment Count 0  
 Bidding Errors No bidding errors.  
 Bid Total \$896,191.30 ✓  
 Bond ID SNC09179455  
 Bond was Verified Yes  
 Bond Required Percent 5.00%  
 Minimum Check Amount \$44,809.57  
 Bid Security Maximum \$  
 Bond Agency Name  
 Agency Execution Date 7/10/2009 3:25.23 PM  
 Surety Name Travelers Casualty and Surety Company of Ame  
 Surety State of Incorporation  
 Bond Company.  
 Bond Type  
 Bond Appr Flag.  
 Bond Affirm'  
 Bond was Paid by Check No.

DBE Goal Set 7.0%  
 DBE Goal Met 34.9%

LIST OF DBE PARTICIPANTS

VENDOR NUMBER	DBE NAME ADDRESS	WORK CODE TYPE OF WORK	CERT TYPE	AMOUNT
2941	MB LAKEVIEW CONSTRUCTION & EQUIPME P. O. BOX 158 , PINEOLA, NC 28662		Sub	313,167.34
			TOTAL	\$313,167.34 34.94%

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: SNC09179455  
 Surety Registry Agency: surety2000  
 Verified?: Yes  
 Surety Agency: Travelers Casualty and Surety Company of America  
 Bond Execution Date 7/10/2009 3:25.23 PM  
 Bond Amount: \$44,809.57 (Five Percent of Bid)

State of NC  
Dept of Transportation

Date: 06-23-09  
Revised:

Contract ID: C202373 Project(s): STM-0194(10)  
Letting Date: 07-21-09 Call Order: 014  
Bidder: 2905 - Maymead, Inc.

Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
Section 0001 ROADWAY ITEMS						
Alt Group						
0001	0000100000-N MOBILIZATIO N	LUMP	LUMP			50,000.00
0002	0043000000-N GRADING	LUMP	LUMP			90,000.00
0003	0057000000-E UNDERCUT EXCAVATION	CY	100.000	15.00000		1,500.00
0004	0312000000-E SELECT MATERIAL, CLASS IV	TON	300.000	25.00000		7,500.00
0005	0318000000-E FOUNDATION CONDITIONING MATE- RIAL, MINOR STRS	TON	56.000	27.00000		1,512.00
0006	0372000000-E 18" RC PIPE CULVERTS, CLASS III	LF	290.000	50.00000		14,500.00
0007	0378000000-E 24" RC PIPE CULVERTS, CLASS III	LF	80.000	55.00000		4,400.00
0008	0453000000-E *** PIPE END SECTION (15")	EA	4.000	850.00000		3,400.00
0009	0708000000-E 15" BIT COAT CS PIPE CULVERTS, TYPE B 0.064" THICK	LF	150.000	40.00000		6,000.00
0010	1121000000-E AGGREGATE BASE COURSE	TON	650.000	36.00000		23,400.00
0011	1220000000-E INCIDENTAL STONE BASE	TON	200.000	25.00000		5,000.00

State of NC  
Dept of Transportation

Date: 06-23-09  
Revised:

Contract ID: C202373 Project(s): STM-0194(10)  
Letting Date: 07-21-09 Call Order: 014  
Bidder: 2905 - Maymead, Inc.

Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
0012	1245000000-E SHOULDER RECONSTRUCTION	SMI 6.600	4,000.00000		26,400.00	
0013	1297000000-E MILLING ASPHALT PAVEMENT, ***"DEPTH (1-1/2")	SY 48,160.000	1.50000		72,240.00	
0014	1489000000-E ASPHALT CONC BASE COURSE, TYPE B25.0B	TON 1,033.000	61.00000		63,013.00	
0015	1519000000-E ASPHALT CONC SURFACE COURSE, TYPE S9.5B	TON 4,216.000	51.00000		215,016.00	
0016	1560000000-E ASPHALT BINDER FOR PLANT MIX, GRADE PG 64-22	TON 297.000	450.00000		133,650.00	
0017	1693000000-E ASPHALT PLANT MIX, PAVEMENT REPAIR	TON 50.000	115.00000		5,750.00	
0018	2286000000-N MASONRY DRAINAGE STRUCTURES	EA 7.000	1,250.00000		8,750.00	
0019	2367000000-N FRAME WITH TWO GRATES, STD 840.29	EA 7.000	375.00000		2,625.00	
0020	3984000000-E GENERIC WALL ITEM GABION WALL	SF 216.000	75.00000		16,200.00	
0021	4589000000-N GENERIC TRAFFIC CONTROL ITEM TRAFFIC CONTROL	LUMP	LUMP		10,000.00	
0022	4810000000-E PAINT PAVEMENT MARKING LINES (4")	LF 88,960.000	0.23000		20,460.80	

State of NC  
Dept of Transportation

Date: 06-23-09  
Revised:

Contract ID: C202373      Project(s): STM-0194(10)  
Letting Date: 07-21-09    Call Order: 014  
Bidder: 2905 - Maymead, Inc.

Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
0023	4847000000-E POLYUREA PAVEMENT MARKING LINES (4", *****) (HIGHLY REFLECTIVE ELEMENTS)	88,960.000 LF	0.75000		66,720.00	
0024	4905000000-N SNOWPLOWABLE PAVEMENT MARKERS	556.000 EA	27.00000		15,012.00	
0025	6000000000-E TEMPORARY SILT FENCE	1,800.000 LF	2.10000		3,780.00	
0026	6009000000-E STONE FOR EROSION CONTROL, CLASS B	150.000 TON	33.00000		4,950.00	
0027	6012000000-E SEDIMENT CONTROL STONE	150.000 TON	26.00000		3,900.00	
0028	6015000000-E TEMPORARY MULCHING	1.000 ACR	1,000.00000		1,000.00	
0029	6018000000-E SEED FOR TEMPORARY SEEDING	20.000 LB	6.50000		130.00	
0030	6029000000-E SAFETY FENCE	1,150.000 LF	2.25000		2,587.50	
0031	6030000000-E SILT EXCAVATION	100.000 CY	15.00000		1,500.00	
0032	6036000000-E MATTING FOR EROSION CONTROL	500.000 SY	1.00000		500.00	
0033	6042000000-E 1/4" HARDWARE CLOTH	250.000 LF	5.50000		1,375.00	

State of NC  
 Dept of Transportation

Date: 06-23-09  
 Revised:

Contract ID: C202373 Project(s): STM-0194(10)  
 Letting Date: 07-21-09 Call Order: 014  
 Bidder: 2905 - Maymead, Inc.

Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
0034	6084000000-E SEEDING & MULCHING	5.100 ACR	2,000.00000		10,200.00	
0035	6117000000-N RESPONSE FOR EROSION CONTROL	5.000 EA	250.00000		1,250.00	
0036	8594000000-E RIP RAP, CLASS B	34.000 TON	50.00000		1,700.00	
0037	8622000000-E FILTER FABRIC FOR DRAINAGE	108.000 SY	2.50000		270.00	
Section 0001 Total						896,191.30
Bid Total						896,191.30

NON-COLLUSION AND DEBARMENT CERTIFICATION

The bidder certifies that neither he, nor any official, agent or employee of the bidder has entered into any agreement, participated in any collusion, or otherwise taken any action which is in restraint of free competitive bidding in connection with this bid, and that the bidder intends to do the work with its own bonafide employees or subcontractors and is not bidding for the benefit of another contractor. In addition, submitting this electronic bid constitutes the bidder's certification of Status under penalty of perjury under the laws of the United States and in accordance with the Debarment Certification on file with the Department.

By submitting this bid, the bidder certifies to the best of his knowledge and belief that he and his principals:

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

Where the prospective bidder is unable to certify to any of the statements in this certification, the bidder shall submit an explanation in the blanks provided herein. The explanation will not necessarily result in denial of participation in a contract.

Explanation:  
NOT ANSWERED  
NOT ANSWERED  
NOT ANSWERED  
NOT ANSWERED

If the prequalified bidder's status changes, he shall immediately submit a new fully executed non-collusion affidavit and debarment certification with an explanation of the change to the Contract Office prior to submitting the bid.

Failure to furnish a certification or an explanation will be grounds for rejection of a bid



AWARD LIMITS ON MULTIPLE PROJECTS

By answering YES to this statement, the bidder acknowledges that they are using the award limits on multiple projects. No

A bidder who desires to bid on more than one project on which bids are to be opened on the same date, and who also desires to avoid receiving an award of more projects than he is equipped to handle, may bid on any number of projects but may limit the total amount of work awarded to him on selected projects by completing the AWARD LIMITS ON MULTIPLE PROJECTS.

The Award Limits on Multiple Projects must be filled in on each project bid for which the Bidder desires protection.

It is the desire of the Bidder to be awarded contracts, the value of which will not exceed a total of NOT ANSWERED for those projects indicated herein, for which bids will be opened on (MM/DD/YY)

The Award Limits shall apply to the following projects:

Contract Number	County
NOT ANSWERED	
NOT ANSWERED	
NOT ANSWERED	
NOT ANSWERED	
NOT ANSWERED	
NOT ANSWERED	

It is agreed that if I am (we are) the low Bidder(s) on indicated projects, the total value of which is more than the above stipulated award limits, the Board of Transportation will award me (us) projects from among those indicated that have a total value not to exceed the award limit and will result in the lowest total bids to the Department of Transportation.

NORTH CAROLINA STATE DEPARTMENT OF TRANSPORTATION  
DBE COMMITMENT ITEMS

DATE 06-23-09  
PAGE 7

PROPOSAL: C202373  
LETTING: L090721 CALL: 014  
VENDOR: 2905 Maymead, Inc

LINE NO.	ITEM NO.	ITEM DESC.	UNIT TYPE	SUBCONTRACTOR QUANTITY	SUBCONTRACTOR UNIT PRICE	EXTENDED AMOUNT
DBE SUBCONTRACTOR. 2941 LAKEVIEW CONSTRUCTION & EQUIPMENT INC						
Will Use Quote. Yes						
0002	0043000000-N	GRADING	LS	1.000	59000 00000	59000.00
0003	0057000000-E	UNDERCUT EXC	CY	100 000	20 00000	2000.00
0004	0312000000-E	SELECT MATER	TON	300.000	27 60000	8280.00
0005	0318000000-E	FND CONDIT M	TON	56.000	38 14000	2135.84
0006	0372000000-E	18" RC PIPE	LF	290 000	38.40000	11136 00
0007	0378000000-E	24" RC PIPE	LF	80 000	44 50000	3560.00
0008	0453000000-E	**" PIPE END	EA	4.000	420 00000	1680.00
0009	0708000000-E	15" BCCSP B	LF	150.000	35.12000	5268 00
0010	1121000000-E	AGGREGATE BA	TON	650 000	23.50000	15275 00
0011	1220000000-E	INCIDENTAL S	TON	200 000	24 00000	4800 00
0012	1245000000-E	SHOULDER REC	SMI	6 600	3800 00000	25080.00
0013	1297000000-E	MILL ASP PVM	SY	48160.000	2.00000	96320.00
0017	1693000000-E	ASPH PLT MIX	TON	50 000	200 00000	10000 00
0018	2286000000-N	MASNRY DRAIN	EA	7 000	1750 00000	12250 00
0019	2367000000-N	FRAME W/2GRT	EA	7 000	491 00000	3437 00
0020	3984000000-E	GENERIC WALL	SF	216 000	61.00000	13176 00
0025	6000000000-E	TEMPORARY SI	LF	1800.000	3 00000	5400.00
0026	6009000000-E	EROS CONTRL	TON	150 000	45 00000	6750 00
0027	6012000000-E	SEDIMENT CON	TON	150.000	35.60000	5340.00
0028	6015000000-E	TEMPORARY MU	ACR	1.000	1800.00000	1800 00
0029	6018000000-E	SEED FOR TEM	LB	20.000	8.00000	160.00
0030	6029000000-E	SAFETY FENCE	LF	1150 000	3.25000	3737 50
0031	6030000000-E	SILT EXCAVAT	CY	100 000	7 00000	700 00
0032	6036000000-E	MATTING FOR	SY	500.000	2.69000	1345.00
0033	6042000000-E	1/4" HARDWAR	LF	250 000	7 00000	1750.00
0034	6084000000-E	SEEDING AND	ACR	5 100	2000 00000	10200 00
0035	6117000000-N	RESPONSE FOR	EA	5 000	125.00000	625 00
0036	8594000000-E	RIP RAP B	TON	34 000	45 00000	1530 00
0037	8622000000-E	FILTER FABRI	SY	108.000	4.00000	432 00

DBE COMMITMENT TOTAL FOR SUBCONTRACTOR:  
DBE COMMITMENT TOTAL FOR VENDOR (SubContractor )

313,167.34 *ARM*  
313,167

TOTAL DBE COMMITMENT FOR VENDOR:

Entered: 34.94% or 313167.34  
Required: 7.00% or 62733.39  
<GOAL MET>

## Contract Item Sheets For C202373

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
<b>ROADWAY ITEMS</b>						
0001	0000100000-N	800	MOBILIZATION	Lump Sum LS	50,000.00	50,000.00
0002	0043000000-N	226	GRADING	Lump Sum LS	90,000.00	90,000.00
0003	0057000000-E	226	UNDERCUT EXCAVATION	100 CY	15.00	1,500.00
0004	0312000000-E	300	SELECT MATERIAL, CLASS IV	300 TON	25.00	7,500.00
0005	0318000000-E	300	FOUNDATION CONDITIONING MATERIAL, MINOR STRS	56 TON	27.00	1,512.00
0006	0372000000-E	310	18" RC PIPE CULVERTS, CLASS III	290 LF	50.00	14,500.00
0007	0378000000-E	310	24" RC PIPE CULVERTS, CLASS III	80 LF	55.00	4,400.00
0008	0453000000-E	310	*** PIPE END SECTION (15")	4 EA	850.00	3,400.00
0009	0708000000-E	310	15" BIT COAT CS PIPE CULVERTS, TYPE B 0.064" THICK	150 LF	40.00	6,000.00
0010	1121000000-E	520	AGGREGATE BASE COURSE	650 TON	36.00	23,400.00
0011	1220000000-E	545	INCIDENTAL STONE BASE	200 TON	25.00	5,000.00
0012	1245000000-E	SP	SHOULDER RECONSTRUCTION	6.6 SMI	4,000.00	26,400.00
0013	1297000000-E	607	MILLING ASPHALT PAVEMENT, ***" DEPTH (1-1/2")	48,160 SY	1.50	72,240.00
0014	1489000000-E	610	ASPHALT CONC BASE COURSE, TYPE B25.0B	1,033 TON	61.00	63,013.00
0015	1519000000-E	610	ASPHALT CONC SURFACE COURSE, TYPE S9.5B	4,216 TON	51.00	215,016.00
0016	1560000000-E	620	ASPHALT BINDER FOR PLANT MIX, GRADE PG 64-22	297 TON	450.00	133,650.00
0017	1693000000-E	654	ASPHALT PLANT MIX, PAVEMENT REPAIR	50 TON	115.00	5,750.00

## Contract Item Sheets For C202373

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
0018	2286000000-N	840	MASONRY DRAINAGE STRUCTURES	7 EA	1,250.00	8,750.00
0019	2367000000-N	840	FRAME WITH TWO GRATES, STD 840.29	7 EA	375.00	2,625.00
0020	3984000000-E	SP	GENERIC WALL ITEM GABION WALL	216 SF	75.00	16,200.00
0021	4589000000-N	SP	GENERIC TRAFFIC CONTROL ITEM TRAFFIC CONTROL	Lump Sum LS	10,000.00	10,000.00
0022	4810000000-E	1205	PAINT PAVEMENT MARKING LINES (4")	88,960 LF	0.23	20,460.80
0023	4847000000-E	1205	POLYUREA PAVEMENT MARKING LINES (4", *****) (HIGHLY REFLECTIVE ELEMENTS)	88,960 LF	0.75	66,720.00
0024	4905000000-N	1253	SNOWPLOWABLE PAVEMENT MARKERS	556 EA	27.00	15,012.00
0025	6000000000-E	1605	TEMPORARY SILT FENCE	1,800 LF	2.10	3,780.00
0026	6009000000-E	1610	STONE FOR EROSION CONTROL, CLASS B	150 TON	33.00	4,950.00
0027	6012000000-E	1610	SEDIMENT CONTROL STONE	150 TON	26.00	3,900.00
0028	6015000000-E	1615	TEMPORARY MULCHING	1 ACR	1,000.00	1,000.00
0029	6018000000-E	1620	SEED FOR TEMPORARY SEEDING	20 LB	6.50	130.00
0030	6029000000-E	SP	SAFETY FENCE	1,150 LF	2.25	2,587.50
0031	6030000000-E	1630	SILT EXCAVATION	100 CY	15.00	1,500.00
0032	6036000000-E	1631	MATTING FOR EROSION CONTROL	500 SY	1.00	500.00
0033	6042000000-E	1632	1/4" HARDWARE CLOTH	250 LF	5.50	1,375.00
0034	6084000000-E	1660	SEEDING & MULCHING	5.1 ACR	2,000.00	10,200.00
0035	6117000000-N	SP	RESPONSE FOR EROSION CONTROL	5 EA	250.00	1,250.00
0036	8594000000-E	876	RIP RAP, CLASS B	34 TON	50.00	1,700.00

## Contract Item Sheets For C202373

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
0037	8622000000-E	876	FILTER FABRIC FOR DRAINAGE	108 SY	2.50	270.00

TOTAL AMOUNT OF BID FOR ENTIRE PROJECT

\$896,191.30

0850/Jul30/Q238574.7/D125181100000/E37

Contract Number C202373  
County Avery

Rev 7-20-08

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


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

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

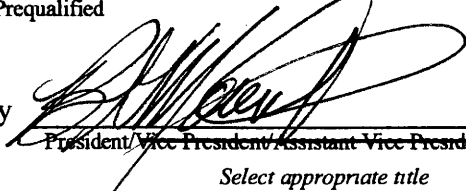
**SIGNATURE OF CONTRACTOR**

Maymead, Inc  
Full name of Corporation

P O Box 911, Mountain City, TN 37683  
Address as Prequalified

Attest   
Secretary/Assistant Secretary  
Select appropriate title

May M. Roark  
Print or type Signer's name

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

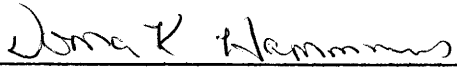
B. K. Mount  
Print or type Signer's name

**CORPORATE SEAL**

**AFFIDAVIT MUST BE NOTARIZED**

**NOTARY SEAL**

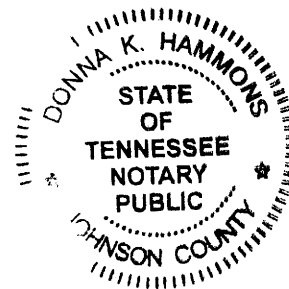
Subscribed and sworn to before me this the  
14th day of August 20 09

  
Signature of Notary Public

of Johnson County

State of Tennessee

My Commission Expires: 01-23-10



## DEBARMENT CERTIFICATION OF CONTRACTOR

### Conditions for certification:

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

### DEBARMENT CERTIFICATION

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

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

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

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

Check here if an explanation is attached to this certification.



**Contract No**     **C202373**

**County (ies):**   **Avery**

**ACCEPTED BY THE  
DEPARTMENT OF TRANSPORTATION**



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

*8/20/09* *Rank*

\_\_\_\_\_  
**Date**

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



*Assistant* **Attorney General**

Contract No. C202373  
County Avery

(Rev 7-10-08)

Bond No 105326716

### CONTRACT PAYMENT BOND

Date of Payment Bond Execution August 14, 2009

Name of Principal Contractor Maymead, Inc

Name of Surety Travelers Casualty and Surety Company of America

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

Amount of Bond: \$896,191 30

Contract ID No. C202373

County Name: Avery Co

KNOW ALL MEN BY THESE PRESENTS, That we, the PRINCIPAL CONTRACTOR (hereafter, PRINCIPAL) and SURETY above named, are held and firmly bound unto the above named Contracting Body hereinafter called the Contracting Body, in the penal sum of the amount stated above for the payment of which sum well and truly to be made, we bind ourselves, our heirs, executors, administrators, and successors, jointly and severally, firmly by these presents.

THE CONDITION OF THIS OBLIGATION IS SUCH, that whereas the principal entered into a certain contract with the Contracting Body numbered as shown above and hereto attached:

NOW THEREFORE, if the principal shall promptly make payment to all persons supplying labor and material in the prosecution of the work provided for in said contract, and any and all duly authorized modifications of said contract that may hereafter be made, notice of which modifications to the surety being hereby waived, then this obligation to be void; otherwise to remain in full force and virtue.

IN WITNESS WHEREOF the above-bound parties have executed this instrument under their several seals on the date indicated above, the name and corporate seal of each corporate party being hereto affixed and these presents duly signed by its undersigned representative, pursuant to authority of its governing body

Contract No.  
County

C202373  
Avery

(Rev 7-10-08)

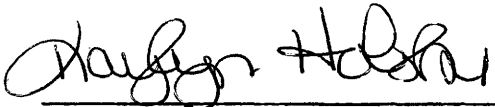
**CONTRACT PAYMENT BOND**

*Affix Seal of Surety Company*

Travelers Casualty and Surety Company of America  
Print or type Surety Company Name

By Susan E. Wachter  
Print, stamp or type name of Attorney-in-Fact

  
Signature of Attorney-in-Fact

  
Signature of Witness

Kaylyn Holshu  
Print or type Witness's name

300 Arboretum Place, Suite 390  
Richmond, VA 23236-3465  
Address of Attorney-in-Fact

Contract No.  
County

C202373  
Avery

(Rev 7-10-08)

**CONTRACT PAYMENT BOND**

**CORPORATION**

SIGNATURE OF CONTRACTOR (Principal)

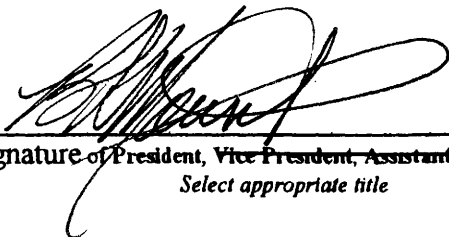
Maymead, Inc

\_\_\_\_\_  
Full name of Corporation

P O Box 911, Mountain City, TN 37683

\_\_\_\_\_  
Address as prequalified

By

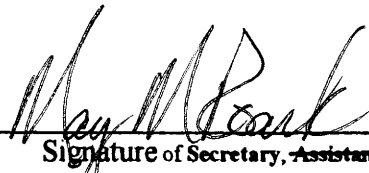
  
\_\_\_\_\_  
Signature of President, Vice President, Assistant Vice President  
Select appropriate title

B. K Mount

\_\_\_\_\_  
Print or type Signer's name

*Affix Corporate Seal*

Attest

  
\_\_\_\_\_  
Signature of Secretary, Assistant Secretary  
Select appropriate title

May M. Roark

\_\_\_\_\_  
Print or type Signer's name



POWER OF ATTORNEY

Farmington Casualty Company
Fidelity and Guaranty Insurance Company
Fidelity and Guaranty Insurance Underwriters, Inc.
Seaboard Surety Company
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. 218956

Certificate No. 002826357

KNOW ALL MEN BY THESE PRESENTS: That Seaboard Surety Company is corporation duly organized under the laws of the State of New York, 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

A. Whitfield Smith Jr., Donna M. Bisgrove, Laurie Daugherty, R.C. Moore III, Robert A. Quicke, Jr., Susan E. Wachter, and Kaylyn Holshu

of the City of Richmond, State of Virginia 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 26th day of July 2007

Farmington Casualty Company
Fidelity and Guaranty Insurance Company
Fidelity and Guaranty Insurance Underwriters, Inc.
Seaboard Surety Company
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 26th day of July 2007 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., Seaboard Surety Company, 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 duly authorized officer.

In Witness Whereof, I hereunto set my hand and official seal. My Commission expires the 30th day of June, 2011.



[Signature]
Marie C. Tetreault, Notary Public

This Power of Attorney is granted under and by the authority of the following resolutions adopted by the Boards of Directors of Farmington Casualty Company, Fidelity and Guaranty Insurance Company, Fidelity and Guaranty Insurance Underwriters, Inc., Seaboard Surety Company, 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 copy thereof is filed in the office of the Secretary; and it is

**FURTHER RESOLVED**, that any bond, recognizance, contract of indemnity, or writing obligatory in the nature of a bond, recognizance, or conditional undertaking shall be valid and binding upon the Company when (a) signed by the President, any Vice Chairman, any Executive Vice President, any Senior Vice President or any Vice President, any Second Vice President, the Treasurer, any Assistant Treasurer, the Corporate Secretary or any Assistant Secretary and duly attested and sealed with the Company's seal by a Secretary or Assistant Secretary; or (b) duly executed (under seal, if required) by one or more Attorneys-in-Fact and Agents pursuant to the power prescribed in his or her certificate or their certificates of authority or by one or more Company officers pursuant to a written delegation of authority; and it is

**FURTHER RESOLVED**, that the signature of each of the following officers: President, any Executive Vice President, any Senior Vice President, any Vice President, any Assistant Vice President, any Secretary, any Assistant Secretary, and the seal of the Company may be affixed by facsimile to any power of attorney or to any certificate relating thereto appointing Resident Vice Presidents, Resident Assistant Secretaries or Attorneys-in-Fact for purposes only of executing and attesting bonds and undertakings and other writings obligatory in the nature thereof, and any such power of attorney or certificate bearing such facsimile signature or facsimile seal shall be valid and binding upon the Company and any such power so executed and certified by such facsimile signature and facsimile seal shall be valid and binding on the Company in the future with respect to any bond or understanding to which it is attached.

I, Kori M. Johanson, the undersigned, Assistant Secretary, of Farmington Casualty Company, Fidelity and Guaranty Insurance Company, Fidelity and Guaranty Insurance Underwriters, Inc., Seaboard Surety Company, 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 14th day of August, 20 09

  
Kori M. Johanson, Assistant Secretary



To verify the authenticity of this Power of Attorney, call 1-800-421-3880 or contact us at [www.travelersbond.com](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.

Contract No. C202373  
County Avery

(Rev 7-10-08)

Bond No 105326716

### CONTRACT PERFORMANCE BOND

Date of Performance Bond Execution: August 14, 2009

Name of Principal Contractor: Maymead, Inc

Name of Surety: Travelers Casualty and Surety Company of America

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

Amount of Bond: \$896,191 30

Contract ID No.: C202373

County Name: Avery Co

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. C202373  
County Avery

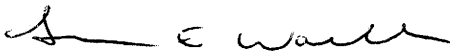
(Rev 7-10-08)

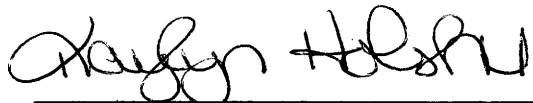
**CONTRACT PERFORMANCE BOND**

*Affix Seal of Surety Company*

Travelers Casualty and Surety Company of America  
Print or type Surety Company Name

By Susan E. Wachter  
Print, stamp or type name of Attorney-in-Fact

  
Signature of Attorney-in-Fact

  
Signature of Witness

Kaylyn Holshu  
Print or type Witness's name

300 Arboretum Place, Suite 390  
Richmond, VA 23236-3465  
Address of Attorney-in-Fact



Contract No.  
County

C202373  
Avery

(Rev 7-10-08)

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

SIGNATURE OF CONTRACTOR (Principal)

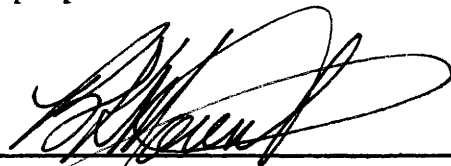
Maymead, Inc

Full name of Corporation

P O Box 911, Mountain City, TN 37683

Address as prequalified

By

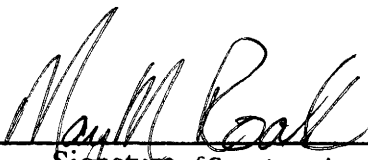
  
Signature of President, Vice President, Assistant Vice President  
Select appropriate title

B. K Mount

Print or type Signer's name

*Affix Corporate Seal*

Attest

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

May M. Roark

Print or type Signer's name



POWER OF ATTORNEY

Farmington Casualty Company
Fidelity and Guaranty Insurance Company
Fidelity and Guaranty Insurance Underwriters, Inc.
Seaboard Surety Company
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. 218956

Certificate No. 002826356

KNOW ALL MEN BY THESE PRESENTS: That Seaboard Surety Company is a corporation duly organized under the laws of the State of New York, 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

A. Whitfield Smith Jr., Donna M. Bisgrove, Laurie Daugherty, R.C. Moore III, Robert A. Quicke, Jr., Susan E. Wachter, and Kaylyn Holshu

of the City of Richmond, State of Virginia 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 26th day of July 2007

Farmington Casualty Company
Fidelity and Guaranty Insurance Company
Fidelity and Guaranty Insurance Underwriters, Inc.
Seaboard Surety Company
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 26th day of July 2007 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., Seaboard Surety Company, St. Paul Fire and Marine Insurance Company, St. Paul Guardian Insurance Company, St. Paul Mercury Insurance Company, Travelers Casualty and Surety Company, Travelers Casualty and Surety Company of America, and United States Fidelity and Guaranty Company, and that he, as such, being authorized so to do, executed the foregoing instrument for the purposes therein contained by signing on behalf of the corporations by himself as a duly authorized officer.

In Witness Whereof, I hereunto set my hand and official seal. My Commission expires the 30th day of June, 2011.



[Signature]
Marie C. Tetreault, Notary Public

This Power of Attorney is granted under and by the authority of the following resolutions adopted by the Boards of Directors of Farmington Casualty Company, Fidelity and Guaranty Insurance Company, Fidelity and Guaranty Insurance Underwriters, Inc., Seaboard Surety Company, 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 copy thereof is filed in the office of the Secretary; and it is

**FURTHER RESOLVED**, that any bond, recognizance, contract of indemnity, or writing obligatory in the nature of a bond, recognizance, or conditional undertaking shall be valid and binding upon the Company when (a) signed by the President, any Vice Chairman, any Executive Vice President, any Senior Vice President or any Vice President, any Second Vice President, the Treasurer, any Assistant Treasurer, the Corporate Secretary or any Assistant Secretary and duly attested and sealed with the Company's seal by a Secretary or Assistant Secretary; or (b) duly executed (under seal, if required) by one or more Attorneys-in-Fact and Agents pursuant to the power prescribed in his or her certificate or their certificates of authority or by one or more Company officers pursuant to a written delegation of authority; and it is

**FURTHER RESOLVED**, that the signature of each of the following officers: President, any Executive Vice President, any Senior Vice President, any Vice President, any Assistant Vice President, any Secretary, any Assistant Secretary, and the seal of the Company may be affixed by facsimile to any power of attorney or to any certificate relating thereto appointing Resident Vice Presidents, Resident Assistant Secretaries or Attorneys-in-Fact for purposes only of executing and attesting bonds and undertakings and other writings obligatory in the nature thereof, and any such power of attorney or certificate bearing such facsimile signature or facsimile seal shall be valid and binding upon the Company and any such power so executed and certified by such facsimile signature and facsimile seal shall be valid and binding on the Company in the future with respect to any bond or understanding to which it is attached.

I, Kori M. Johanson, the undersigned, Assistant Secretary, of Farmington Casualty Company, Fidelity and Guaranty Insurance Company, Fidelity and Guaranty Insurance Underwriters, Inc., Seaboard Surety Company, 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 14th day of August, 20 09

  
Kori M. Johanson, Assistant Secretary



To verify the authenticity of this Power of Attorney, call 1-800-421-3880 or contact us at [www.travelersbond.com](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.