

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

C202445

CONTRACT AND  
CONTRACT BONDS  
FOR CONTRACT NO. C202445

WBS 10CR.10041.23, 10CR.20041.23 STATE FUNDED

COUNTY OF ANSON  
THIS IS THE ROADWAY CONTRACT  
ROUTE NUMBER NC 109 LENGTH 7.350 MILES  
LOCATION NC-109 FROM SR-1216 TO THE SC STATE LINE & 1 SECTION OF  
SECONDARY ROAD.

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

BIDS OPENED FEBRUARY 16, 2010  
CONTRACT EXECUTION MAR 22 2010

**Boggs Paving, Inc. (3186).**

**Vendor 1 of 4 Vendors for Call Order 017 (Proposal ID C202445).**

County:	ANSON		
Address:	P.O. Box 1609		
	Monroe, NC 28111		
Phone Number:	7042898482		
Signature Check:	This bid has been properly signed by Greg_D._Miller_3186.		
Time Bid Received:	Tue Feb 16 13:03:23 2010	MBE GOAL SET	4.0
Bid Checksum:	D7B9637F		
Amendment Count:	1	MBE GOAL MET	4.0
Bidding Errors:	No bidding errors		
Bid Total:	\$1,035,114.91 ✓	WBE GOAL SET	4.0
Bond ID:	SNC10109802		
Bond was Verified:	Yes.	WBE GOAL MET	4.0
Bond Required Percent:	5.00%		
Minimum Check Amount:	\$51,755.75		
Bid Security Maximum:	\$		
Bond Agency Name:			
Agency Execution Date:	2/12/2010 10:33:28 AM		
Surety Name:	Safeco Insurance Company America		
Surety State of Incorporation:			
Bond Company:			
Bond Type:			
Bond Appr Flag:			
Bond Affirm:			
Bond was Paid by Check:	No.		



Bid Bond Data Info - Contractor Responses:

=====

BondID: SNC10109802  
Surety Registry Agency: surety2000  
Verified?: Yes  
Surety Agency: Safeco Insurance Company America  
Bond Execution Date: 2/12/2010 10:33:28 AM  
Bond Amount: \$51,755.75 (Five Percent of Bid)

State of NC  
Dept of Transportation

Date: 01-20-10  
Revised: 02-15-10

Contract ID: C202445      Project(s): STATE FUNDED  
 Letting Date: 02-16-10    Call Order: 017  
 Bidder: 3186 - Boggs Paving, 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			41,000.00
0002	0106000000-E BORROW EXCAVATION	CY	296.000	12.00000		3,552.00
0003	1110000000-E STABILIZER AGGREGATE	TON	592.000	5.00000		2,960.00
0004	1220000000-E INCIDENTAL STONE BASE	TON	800.000	26.00000		20,800.00
0005	1245000000-E SHOULDER RECONSTRUCTION	SMI	14.800	2,000.00000		29,600.00
0006	1264000000-E DITCHING	LF	1,103.000	0.50000		551.50
0007	1297000000-E MILLING ASPHALT PAVEMENT, ***"DEPTH (1-1/2")	SY	69,447.000	0.90000		62,502.30
0008	1330000000-E INCIDENTAL MILLING	SY	50.000	10.00000		500.00
0009	1519000000-E ASPHALT CONC SURFACE COURSE, TYPE S9.5B	TON	7,355.000	29.00000		213,295.00
0010	1520000000-E ASPHALT CONC SURFACE COURSE, TYPE S9.5B (LEVELING COURSE)	TON	2,575.000	29.50000		75,962.50

State of NC  
 Dept of Transportation

Date: 01-20-10  
 Revised: 02-15-10

Contract ID: C202445 Project(s): STATE FUNDED  
 Letting Date: 02-16-10 Call Order: 017  
 Bidder: 3186 - Boggs Paving, Inc.

Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
0011	1560000000-E ASPHALT BINDER FOR PLANT MIX, GRADE PG 64-22	609.000 TON	455.00000		277,095.00	
0012	1704000000-E PATCHING EXISTING PAVEMENT	2,940.000 TON	80.00000		235,200.00	
0013	4685000000-E THERMOPLAST IC PAVEMENT MARKING LINES (4", 90 MILS)	77,852.000 LF	0.33000		25,691.16	
0014	4686000000-E THERMOPLAST IC PAVEMENT MARKING LINES (4", 120 MILS)	73,165.000 LF	0.39000		28,534.35	
0015	4900000000-N PERMANENT RAISED PAVEMENT MARKERS	586.000 EA	5.00000		2,930.00	
0016	6000000000-E TEMPORARY SILT FENCE	1,105.000 LF	1.82000		2,011.10	
0017	6009000000-E STONE FOR EROSION CONTROL, CLASS B	148.000 TON	25.00000		3,700.00	
0018	6012000000-E SEDIMENT CONTROL STONE	74.000 TON	25.00000		1,850.00	
0019	6084000000-E SEEDING & MULCHING	7.200 ACR	1,025.00000		7,380.00	
Section 0001 Total						1,035,114.91
Bid Total						1,035,114.91

NON-COLLUSION AND DEBARMENT CERTIFICATION

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

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

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

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

Explanation:  
NOT ANSWERED  
NOT ANSWERED  
NOT ANSWERED  
NOT ANSWERED

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

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

AWARD LIMITS ON MULTIPLE PROJECTS

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

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

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

It is the desire of the Bidder to be awarded contracts, the value of which will not exceed a total of NOT ANSWERED for those

projects indicated herein, for which bids will be opened on (MM/DD/YY)

The Award Limits shall apply to the following projects:

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

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



NORTH CAROLINA STATE DEPARTMENT OF TRANSPORTATION  
 MBE COMMITMENT ITEMS

DATE: 01-20-10  
 PAGE: 5

PROPOSAL: C202445  
 LETTING: L100216 CALL: 017  
 VENDOR: 3186 Boggs Paving, Inc.

LINE NO.	ITEM NO.	ITEM DESC.	UNIT TYPE	SUBCONTRACTOR QUANTITY	SUBCONTRACTOR UNIT PRICE	EXTENDED AMOUNT
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MBE SUBCONTRACTOR: 2840 STYX CUTHBERTSON TRUCKING  
 Will Use Quote: Yes

0009	1519000000-E	ASP CONC SUR	TON	6910.000	6.00000	41460.00
		hauling aggregates from quarry to plant				

MBE COMMITMENT TOTAL FOR SUBCONTRACTOR: 41,460.00 ✓ arm

TOTAL MBE COMMITMENT FOR VENDOR: Entered: 4.01% or 41460.00 ✓ arm  
 Required: 4.00% or 41404.60  
 <GOAL MET>

NORTH CAROLINA STATE DEPARTMENT OF TRANSPORTATION  
 WBE COMMITMENT ITEMS

DATE: 01-20-10  
 PAGE: 6

PROPOSAL: C202445  
 LETTING: L100216 CALL: 017  
 VENDOR: 3186 Boggs Paving, Inc.

LINE NO.	ITEM NO.	ITEM DESC.	UNIT TYPE	SUBCONTRACTOR QUANTITY	SUBCONTRACTOR UNIT PRICE	EXTENDED AMOUNT	
-----							
WBE SUBCONTRACTOR: 5266 NORTH STATE ENVIRONMENTAL, INC							
Will Use Quote: Yes							
0016	6000000000-E	TEMPORARY SI LF		1105.000	1.82000	2011.10	
WBE COMMITMENT TOTAL FOR SUBCONTRACTOR:						2,011.10	✓ am
-----							
WBE SUBCONTRACTOR: 3765 STAY ALERT SAFETY SERVICES INC							
Will Use Quote: Yes							
0001	0000100000-N	MOBILIZATION LS		1.000	2950.00000	2950.00	
		stationary construction signs					
WBE COMMITMENT TOTAL FOR SUBCONTRACTOR:						2,950.00	✓ am
-----							
WBE SUBCONTRACTOR: 5634 H L HENRY TRUCKING LLC							
Will Use Quote: Yes							
0012	1704000000-E	PATCHING EXI TON		2940.000	6.25000	18375.00	
		hauling aggregates from quarry to plant					
0010	1520000000-E	ASP CONC SUR TON		2575.000	6.00000	15450.00	
		hauling aggregates from quarry to plant					
0009	1519000000-E	ASP CONC SUR TON		445.000	6.00000	2670.00	
		hauling aggregates from quarry to plant					
WBE COMMITMENT TOTAL FOR SUBCONTRACTOR:						36,495.00	✓ am
-----							
TOTAL WBE COMMITMENT FOR VENDOR:				Entered:	4.00% or	41456.10	✓ am
				Required:	4.00% or	41404.60	
							<GOAL MET>

## Contract Item Sheets For C202445

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
<b>ROADWAY ITEMS</b>						
0001	0000100000-N	800	MOBILIZATION	Lump.Sum LS	41,000.00	41,000.00
0002	0106000000-E	230	BORROW EXCAVATION	296 CY	12.00	3,552.00
0003	1110000000-E	510	STABILIZER AGGREGATE	592 TON	5.00	2,960.00
0004	1220000000-E	545	INCIDENTAL STONE BASE	800 TON	26.00	20,800.00
0005	1245000000-E	SP	SHOULDER RECONSTRUCTION	14.8 SMI	2,000.00	29,600.00
0006	1264000000-E	SP	DITCHING	1,103 LF	0.50	551.50
0007	1297000000-E	607	MILLING ASPHALT PAVEMENT, **** DEPTH (1-1/2")	69,447 SY	0.90	62,502.30
0008	1330000000-E	607	INCIDENTAL MILLING	50 SY	10.00	500.00
0009	1519000000-E	610	ASPHALT CONC SURFACE COURSE, TYPE S9.5B	7,355 TON	29.00	213,295.00
0010	1520000000-E	SP	ASPHALT CONC SURFACE COURSE, TYPE S9.5B (LEVELING COURSE)	2,575 TON	29.50	75,962.50
0011	1560000000-E	620	ASPHALT BINDER FOR PLANT MIX, GRADE PG 64-22	609 TON	455.00	277,095.00
0012	1704000000-E	SP	PATCHING EXISTING PAVEMENT	2,940 TON	80.00	235,200.00
0013	4685000000-E	1205	THERMOPLASTIC PAVEMENT MARKING LINES (4", 90 MILS)	77,852 LF	0.33	25,691.16
0014	4686000000-E	1205	THERMOPLASTIC PAVEMENT MARKING LINES (4", 120 MILS)	73,165 LF	0.39	28,534.35
0015	4900000000-N	1251	PERMANENT RAISED PAVEMENT MARKERS	586 EA	5.00	2,930.00
0016	6000000000-E	1605	TEMPORARY SILT FENCE	1,105 LF	1.82	2,011.10
0017	6009000000-E	1610	STONE FOR EROSION CONTROL, CLASS B	148 TON	25.00	3,700.00
0018	6012000000-E	1610	SEDIMENT CONTROL STONE	74 TON	25.00	1,850.00

Contract Item Sheets For C202445

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
0019	6084000000-E	1660	SEEDING & MULCHING	7.2 ACR	1,025.00	7,380.00

TOTAL AMOUNT OF BID FOR ENTIRE PROJECT

\$1,035,114.91

1049/Feb24/Q238720/D52251100000/E19

Contract Number C202445  
County ANSON

Rev 2-1-10

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

The Contractor being duly sworn, solemnly swears (or affirms) that neither he, nor any official, agent or employee has entered into any agreement, participated in any collusion, or otherwise taken any action which is in restraint of free competitive bidding in connection with this Contract, 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.

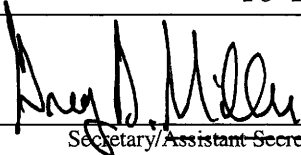
By submitting this Execution of Contract, Non-Collusion affidavit and Debarment Certification, the Contractor is certifying his status under penalty of perjury under the laws of the United States in accordance with the Debarment Certification attached, provided that the Debarment Certification also includes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

N.C.G.S. § 133-32 and Executive Order 24 prohibit the offer to, or acceptance by, any State Employee of any gift from anyone with a contract with the State, or from any person seeking to do business with the State. By execution of any response in this procurement, you attest, for your entire organization and its employees or agents, that you are not aware that any such gift has been offered, accepted, or promised by any employees of your organization.

**SIGNATURE OF CONTRACTOR**

BOGGS PAVING, INC.  
Full name of Corporation

PO BOX 1609, MONROE, NC 28111-1609  
Address as Prequalified

Attest   
Secretary/Assistant Secretary  
Select appropriate title

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

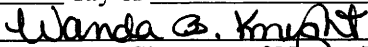
GREG D. MILLER  
Print or type Signer's name

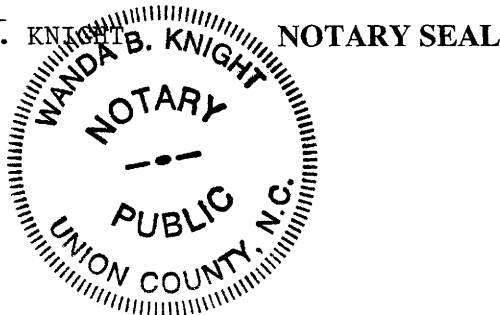
CARL A. BOGGS, III  
Print or type Signer's name

**CORPORATE SEAL**

**AFFIDAVIT MUST BE NOTARIZED**

Subscribed and sworn to before me this the  
15TH day of MARCH 2010.

  
Signature of Notary Public WANDA B. KNIGHT  
of UNION County  
State of NORTH CAROLINA  
My Commission Expires: 12/21/2011



## 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**      **C202445**

**County (ies):**    **Anson**

ACCEPTED BY THE  
DEPARTMENT OF TRANSPORTATION

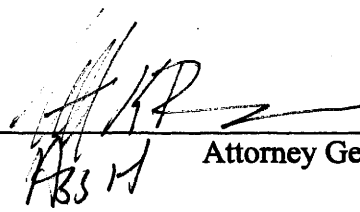


\_\_\_\_\_  
Contract Officer

3/22/10

\_\_\_\_\_  
Date

Execution of Contract and Bonds  
Approved as to Form:



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



Contract No. C202445 WBS 10CR.10041.23, 10CR.20041.23  
County Anson County

Rev 2-1-10

Bond No. 6697042

### CONTRACT PAYMENT BOND

Date of Payment Bond Execution February 23, 2010

Name of Principal Contractor Boggs Paving, Inc.

Name of Surety: Safeco Insurance Company of America

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

Amount of Bond: One Million Thirty Five Thousand  
One Hundred Fourteen Dollars and 91/100 ( \$1,035,114.91 )

Contract ID No.: C202445 WBS 10CR.10041.23, 10CR.20041.23

County Name: Anson County

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

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

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

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

Contract No. C202445 WBS 10CR.10041.23, 10CR.20041.23  
County Anson County

Rev 2-1-10

**CONTRACT PAYMENT BOND**

*Affix Seal of Surety Company*

Safeco Insurance Company of America  
Print or type Surety Company Name

By Cynthia M. Partin  
Print, stamp or type name of Attorney-in-Fact



Cynthia M. Partin  
Signature of Attorney-in-Fact

Frances Burdette  
Signature of Witness

Frances Burdette  
Print or type Signer's name

1441 Main Street  
Columbia, SC 29201  
Address of Attorney-in-Fact


**CONTRACT PAYMENT BOND**

**CORPORATION**

SIGNATURE OF CONTRACTOR (Principal)

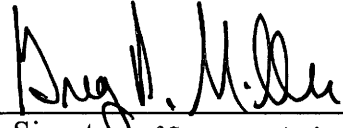
Boggs Paving, Inc.  
Full name of Corporation

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

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

CARL A. BOGGS, III  
Print or type Signer's name

*Affix Corporate Seal*

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

GREG D. MILLER  
Print or type Signer's name

Contract No.  
County

C202445 WBS 10CR.10041.23, 10CR.20041.23  
Anson County

Rev 2-1-10

Bond No. 6697042

### CONTRACT PERFORMANCE BOND

Date of Performance Bond Execution: February 23, 2010

Name of Principal Contractor: Boggs Paving, Inc.

Name of Surety: Safeco Insurance Company of America

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

Amount of Bond: One Million Thirty Five Thousand One Hundred Fourteen Dollars and 91/100 ( \$1,035,114.91 )

Contract ID No.: C202445 WBS 10CR.10041.23, 10CR.20041.23

County Name: Anson County

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

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

NOW THEREFORE, if the principal shall well and truly perform and fulfill all the undertakings, covenants, terms, conditions, and agreements of said contract during the original term of said contract and any extensions thereof that may be granted by the Contracting Body, with or without notice to the Surety, and during the life of any guaranty required under the contract, and shall also well and truly perform and fulfill all the undertakings, covenants, terms, conditions, and agreements of any and all duly authorized modifications of said contract that may hereafter be made, notice of which modifications to the surety being hereby waived, then this obligation to be void; otherwise to remain in full force and virtue.

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

**CONTRACT PERFORMANCE BOND**

*Affix Seal of Surety Company*

Safeco Insurance Company of America  
Print or type Surety Company Name

By Cynthia M. Partin  
Print, stamp or type name of Attorney-in-Fact



Cynthia M. Partin  
Signature of Attorney-in-Fact

Frances Burdette  
Signature of Witness

Frances Burdette  
Print or type Signer's name

1441 Main Street  
Columbia, SC 29201  
Address of Attorney-in-Fact


**CONTRACT PERFORMANCE BOND**

**CORPORATION**

SIGNATURE OF CONTRACTOR (Principal)

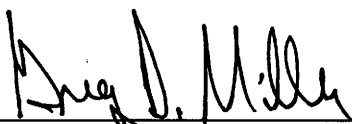
Boggs Paving, Inc.  
Full name of Corporation

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

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

CARL A. BOGGS, III  
Print or type Signer's name

*Affix Corporate Seal*

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

GREG D. MILLER  
Print or type Signer's name



POWER OF ATTORNEY

Safeco Insurance Company of America
General Insurance Company of America
1001 4th Avenue
Suite 1700
Seattle, WA 98154

No. 9721

KNOW ALL BY THESE PRESENTS:

That SAFECO INSURANCE COMPANY OF AMERICA and GENERAL INSURANCE COMPANY OF AMERICA, each a Washington corporation, does each hereby appoint

PAMELA BRANDT; HEIDI K. HARRELL; BRAD LORENZETTI; JAMES M. MALONEY; CYNTHIA M. PARTIN; Columbia, South Carolina

its true and lawful attorney(s)-in-fact, with full authority to execute on its behalf fidelity and surety bonds or undertakings and other documents of a similar character issued in the course of its business, and to bind the respective company thereby.

IN WITNESS WHEREOF, SAFECO INSURANCE COMPANY OF AMERICA and GENERAL INSURANCE COMPANY OF AMERICA have each executed and attested these presents

this 21st day of March, 2009

Dexter R. Legg (signature)

T. Mikolajewski (signature)

Dexter R. Legg, Secretary

Timothy A. Mikolajewski, Vice President

CERTIFICATE

Extract from the By-Laws of SAFECO INSURANCE COMPANY OF AMERICA and of GENERAL INSURANCE COMPANY OF AMERICA:

"Article V, Section 13. - FIDELITY AND SURETY BONDS ... the President, any Vice President, the Secretary, and any Assistant Vice President appointed for that purpose by the officer in charge of surety operations, shall each have authority to appoint individuals as attorneys-in-fact or under other appropriate titles with authority to execute on behalf of the company fidelity and surety bonds and other documents of similar character issued by the company in the course of its business...

Extract from a Resolution of the Board of Directors of SAFECO INSURANCE COMPANY OF AMERICA and of GENERAL INSURANCE COMPANY OF AMERICA adopted July 28, 1970.

"On any certificate executed by the Secretary or an assistant secretary of the Company setting out,

- (i) The provisions of Article V, Section 13 of the By-Laws, and
(ii) A copy of the power-of-attorney appointment, executed pursuant thereto, and
(iii) Certifying that said power-of-attorney appointment is in full force and effect,

the signature of the certifying officer may be by facsimile, and the seal of the Company may be a facsimile thereof."

I, Dexter R. Legg, Secretary of SAFECO INSURANCE COMPANY OF AMERICA and of GENERAL INSURANCE COMPANY OF AMERICA, do hereby certify that the foregoing extracts of the By-Laws and of a Resolution of the Board of Directors of these corporations, and of a Power of Attorney issued pursuant thereto, are true and correct, and that both the By-Laws, the Resolution and the Power of Attorney are still in full force and effect.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the facsimile seal of said corporation

this 23rd day of February, 2010



Dexter R. Legg (signature)

Dexter R. Legg, Secretary