

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

C202545

CONTRACT AND
CONTRACT BONDS
FOR CONTRACT NO. C202545

WBS 45279.3.ST1 STM-0240(2)

T.I.P NO. I-5139

COUNTY OF BUNCOMBE
THIS IS THE ROADWAY CONTRACT

ROUTE NUMBER I 240 LENGTH 5.930 MILES
LOCATION I-240 FROM SR-3284 (CHARLOTTE ST) TO I-40.

CONTRACTOR APAC- ATLANTIC, INC. ASHEVILLE DIVISION
ADDRESS P.O. BOX 6939
ASHEVILLE, NC 28816

BIDS OPENED FEBRUARY 16, 2010
CONTRACT EXECUTION MAR 0 8 2010

APAC-Atlantic, Inc. Asheville Division (4317).

Vendor 2 of 2 Vendors for Call Order 025 (Proposal ID C202545).

County: BUNCOMBE
 Address: PO Box 6939
 Asheville, NC 28816

Phone Number: 828-665-1180

Signature Check: This bid has been properly signed by David_B_Caldwell_4317.

Time Bid Received: Tue Feb 16 13:45:54 2010

Bid Checksum: 3761028C

DBE GOAL SET 7.0

Amendment Count: 0

Bidding Errors: No bidding errors.

DBE GOAL MET 9.8

Bid Total: \$5,265,162.42 ✓

Bond ID: SNC10580745

Bond was Verified: Yes.

Bond Required Percent: 5.00%

Minimum Check Amount: \$263,258.12

Bid Security Maximum: \$

Bond Agency Name:

Agency Execution Date: 1/28/2010 7:10:37 PM

Surety Name: Liberty Mutual Insurance Company

Surety State of Incorporation:

Bond Company:

Bond Type:

Bond Appr Flag:

Bond Affirm:

Bond was Paid by Check: No.

LIST OF DBE PARTICIPANTS

| VENDOR NUMBER | DBE NAME ADDRESS | WORK CODE TYPE OF WORK | CERT TYPE AMOUNT |
|---------------|---|------------------------|----------------------------|
| 3376 | WB REYNOLDS FENCE & GUARDRAIL INC 9320 MACHADO DRIVE , INDIAN TRAIL, NC 28079 | | Sub 356,850.00 ✓ am |
| 3080 | WB CURTIN TRUCKING & DRAINAGE, INC POST OFFICE BOX 38220 , CHARLOTTE, NC 282781003 | | Sub 157,824.00 ✓ am |
| TOTAL: | | | \$514,674.00 ✓ am 9.78% |

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: SNC10580745
Surety Registry Agency: surety2000
Verified?: Yes
Surety Agency: Liberty Mutual Insurance Company
Bond Execution Date: 1/28/2010 7:10:37 PM
Bond Amount: \$263,258.12 (Five Percent of Bid)

State of NC
Dept of Transportation

Date: 01-20-10
Revised:

Contract ID: C202545 Project(s): STM-0240(2)
Letting Date: 02-16-10 Call Order: 025
Bidder: 4317 - APAC-Atlantic, Inc. Asheville Division

| Line No. | Item Description | Approx. Quantity and Units | Unit Price | | Bid Amount | |
|----------------------------|--|----------------------------|------------|-------------|------------|------------|
| | | | Dollars | Cts | Dollars | Cts |
| Section 0001 ROADWAY ITEMS | | | | | | |
| Alt Group | | | | | | |
| 0001 | 0000100000-N MOBILIZATION | LUMP | LUMP | | | 350,000.00 |
| 0002 | 0036000000-E UNDERCUT EXCAVATION | CY | 823.000 | 15.00000 | | 12,345.00 |
| 0003 | 0080000000-E CLASS IV SUBGRADE STABILIZATION | TON | 497.000 | 35.00000 | | 17,395.00 |
| 0004 | 0106000000-E BORROW EXCAVATION | CY | 365.000 | 16.00000 | | 5,840.00 |
| 0005 | 0196000000-E FABRIC FOR SOIL STABILIZATION | SY | 823.000 | 5.00000 | | 4,115.00 |
| 0006 | 0241000000-E GENERIC GRADING ITEM REMOVAL OF JOINTED CONCRETE PAVEMENT SLABS | SY | 3,288.000 | 55.00000 | | 180,840.00 |
| 0007 | 1245000000-E SHOULDER RECONSTRUCTION | SMI | 18.220 | 4,200.00000 | | 76,524.00 |
| 0008 | 1297000000-E MILLING ASPHALT PAVEMENT, ***"DEPTH (1-1/2") | SY | 74,705.000 | 1.10000 | | 82,175.50 |
| 0009 | 1297000000-E MILLING ASPHALT PAVEMENT, ***"DEPTH (5/8") | SY | 9,703.000 | 1.10000 | | 10,673.30 |
| 0010 | 1308000000-E MILLING ASPHALT PAVEMENT, ***"TO *****" DEPTH (0" TO 1-1/2") | SY | 34,340.000 | 1.10000 | | 37,774.00 |

State of NC
Dept of Transportation

Date: 01-20-10
Revised:

Contract ID: C202545 Project(s): STM-0240(2)
Letting Date: 02-16-10 Call Order: 025
Bidder: 4317 - APAC-Atlantic, Inc. Asheville Division

| Line No. | Item Description | Approx. Quantity and Units | Unit Price | | Bid Amount | |
|----------|---|----------------------------|-------------|-----|--------------|----|
| | | | Dollars | Cts | Dollars | Ct |
| 0011 | 1491000000-E ASPHALT CONC BASE COURSE, TYPE B25.0C | 2,247.000 TON | 100.00000 | | 224,700.00 | |
| 0012 | 1523000000-E ASPHALT CONC SURFACE COURSE, TYPE S9.5C | 35,603.000 TON | 43.50000 | | 1,548,730.50 | |
| 0013 | 1560000000-E ASPHALT BINDER FOR PLANT MIX, GRADE PG 64-22 | 95.000 TON | 515.00000 | | 48,925.00 | |
| 0014 | 1565000000-E ASPHALT BINDER FOR PLANT MIX, GRADE PG 70-22 | 2,137.000 TON | 515.00000 | | 1,100,555.00 | |
| 0015 | 1567000000-E ASPHALT BINDER FOR PLANT MIX, GRADE PG 70-28 | 127.000 TON | 700.00000 | | 88,900.00 | |
| 0016 | 1704000000-E PATCHING EXISTING PAVEMENT | 601.000 TON | 162.00000 | | 97,362.00 | |
| 0017 | 1839110000-E ULTRATHIN HOT MIX ASPHALT, TYPE B | 2,426.000 TON | 45.00000 | | 109,170.00 | |
| 0018 | 1839200000-E APPLICATION OF ULTRATHIN HOT MIX ASPHALT | 69,335.000 SY | 2.65000 | | 183,737.75 | |
| 0019 | 1840000000-E MILLED RUMBLE STRIPS (ASPHALT CEMENT CONCRETE) | 119,556.000 LF | 0.10000 | | 11,955.60 | |
| 0020 | 2600000000-N RETROFIT EXISTING WHEELCHAIR RAMPS | 7.000 EA | 700.00000 | | 4,900.00 | |
| 0021 | 2605000000-N CONCRETE WHEELCHAIR RAMPS | 2.000 EA | 1,800.00000 | | 3,600.00 | |
| 0022 | 2815000000-N ADJUSTMENT OF DROP INLETS | 3.000 EA | 1,325.00000 | | 3,975.00 | |

State of NC
Dept of Transportation

Date: 01-20-10
Revised:

Contract ID: C202545 Project(s): STM-0240(2)
Letting Date: 02-16-10 Call Order: 025
Bidder: 4317 - APAC-Atlantic, Inc. Asheville Division

| Line No. | Item Description | Approx. Quantity and Units | Unit Price | | Bid Amount | |
|----------|---|----------------------------|-------------|-----|------------|----|
| | | | Dollars | Cts | Dollars | Ct |
| 0023 | 2830000000-N ADJUSTMENT OF MANHOLES | EA 1.000 | 1,050.00000 | | 1,050.00 | |
| 0024 | 3030000000-E STEEL BM GUARDRAIL | LF 17,500.000 | 15.00000 | | 262,500.00 | |
| 0025 | 3045000000-E STEEL BM GUARDRAIL, SHOP CURVED | LF 150.000 | 16.80000 | | 2,520.00 | |
| 0026 | 3150000000-N ADDITIONAL GUARDRAIL POSTS | EA 10.000 | 15.50000 | | 155.00 | |
| 0027 | 3210000000-N GUARDRAIL ANCHOR UNITS, TYPE CAT-1 | EA 13.000 | 525.00000 | | 6,825.00 | |
| 0028 | 3215000000-N GUARDRAIL ANCHOR UNITS, TYPE III | EA 3.000 | 1,375.00000 | | 4,125.00 | |
| 0029 | 3270000000-N GUARDRAIL ANCHOR UNITS, TYPE 350 | EA 19.000 | 1,810.00000 | | 34,390.00 | |
| 0030 | 3285000000-N GUARDRAIL ANCHOR UNITS, TYPE M-350 | EA 11.000 | 1,625.00000 | | 17,875.00 | |
| 0031 | 3317000000-N GUARDRAIL ANCHOR UNITS, TYPE B-77 | EA 20.000 | 1,450.00000 | | 29,000.00 | |
| 0032 | 3319000000-N GUARDRAIL ANCHOR UNITS, TYPE B-83 | EA 6.000 | 1,425.00000 | | 8,550.00 | |
| 0033 | 3360000000-E REMOVE EXISTING GUARDRAIL | LF 18,200.000 | 0.52000 | | 9,464.00 | |
| 0034 | 4405000000-E WORK ZONE SIGNS (PORTABLE) | SF 576.000 | 11.00000 | | 6,336.00 | |

State of NC
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|----------|---|----------------------------|--------------|-----|------------|----|
| | | | Dollars | Cts | Dollars | Ct |
| 0035 | 4415000000-N FLASHING ARROW PANELS, TYPE C | EA 4.000 | 3,000.00000 | | 12,000.00 | |
| 0036 | 4420000000-N CHANGEABLE MESSAGE SIGN | EA 2.000 | 5,000.00000 | | 10,000.00 | |
| 0037 | 4430000000-N DRUMS | EA 1,000.000 | 10.00000 | | 10,000.00 | |
| 0038 | 4480000000-N TMIA | EA 4.000 | 10,000.00000 | | 40,000.00 | |
| 0039 | 4688000000-E THERMOPLAST IC PAVEMENT MARKINGLINES (6", 90 MILS) | LF 208,740.000 | 0.63000 | | 131,506.20 | |
| 0040 | 4690000000-E THERMOPLAST IC PAVEMENT MARKINGLINES (6", 120 MILS) | LF 32,226.000 | 0.71000 | | 22,880.46 | |
| 0041 | 4695000000-E THERMOPLAST IC PAVEMENT MARKINGLINES (8", 90 MILS) | LF 300.000 | 2.10000 | | 630.00 | |
| 0042 | 4697000000-E THERMOPLAST IC PAVEMENT MARKINGLINES (8", 120 MILS) | LF 136.000 | 3.15000 | | 428.40 | |
| 0043 | 4700000000-E THERMOPLAST IC PAVEMENT MARKINGLINES (12", 90 MILS) | LF 15,952.000 | 1.30000 | | 20,737.60 | |
| 0044 | 4702000000-E THERMOPLAST IC PAVEMENT MARKINGLINES (12", 120 MILS) | LF 72.000 | 3.15000 | | 226.80 | |
| 0045 | 4710000000-E THERMOPLAST IC PAVEMENT MARKINGLINES (24", 120 MILS) | LF 765.000 | 5.25000 | | 4,016.25 | |

State of NC
Dept of Transportation

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Letting Date: 02-16-10 Call Order: 025
Bidder: 4317 - APAC-Atlantic, Inc. Asheville Division

| Line No. | Item Description | Approx. Quantity and Units | Unit Price | | Bid Amount | |
|----------|---|----------------------------|------------|-----|------------|----|
| | | | Dollars | Cts | Dollars | Ct |
| 0046 | 4721000000-E THERMOPLAST IC PAVEMENT MARKING CHARACTER (120 MILS) | 42.000 EA | 105.00000 | | 4,410.00 | |
| 0047 | 4725000000-E THERMOPLAST IC PAVEMENT MARKING SYMBOL (90 MILS) | 113.000 EA | 105.00000 | | 11,865.00 | |
| 0048 | 4810000000-E PAINT PAVEMENT MARKING LINES (4") | 240,965.000 LF | 0.24000 | | 57,831.60 | |
| 0049 | 4815000000-E PAINT PAVEMENT MARKING LINES (6") | 136.000 LF | 1.05000 | | 142.80 | |
| 0050 | 4820000000-E PAINT PAVEMENT MARKING LINES (8") | 15,952.000 LF | 0.48000 | | 7,656.96 | |
| 0051 | 4835000000-E PAINT PAVEMENT MARKING LINES (24") | 427.000 LF | 2.10000 | | 896.70 | |
| 0052 | 4840000000-N PAINT PAVEMENT MARKING CHARAC-TER | 42.000 EA | 52.50000 | | 2,205.00 | |
| 0053 | 4845000000-N PAINT PAVEMENT MARKING SYMBOL | 113.000 EA | 57.50000 | | 6,497.50 | |
| 0054 | 4900000000-N PERMANENT RAISED PAVEMENT MARKERS | 10.000 EA | 26.50000 | | 265.00 | |
| 0055 | 4905000000-N SNOWPLOWABLE PAVEMENT MARKERS | 2,365.000 EA | 18.00000 | | 42,570.00 | |
| 0056 | 5255000000-N PORTABLE LIGHTING | LUMP | LUMP | | 11,000.00 | |

State of NC
Dept of Transportation

Date: 01-20-10
Revised:

Contract ID: C202545 Project(s): STM-0240(2)
Letting Date: 02-16-10 Call Order: 025
Bidder: 4317 - APAC-Atlantic, Inc. Asheville Division

| Line No. | Item Description | Approx. Quantity and Units | Unit Price | | Bid Amount | |
|--------------------|---|----------------------------|------------|-----|--------------|----|
| | | | Dollars | Cts | Dollars | Ct |
| 0057 | 6036000000-E MATTING FOR EROSION CONTROL | 53,483.000 SY | 1.25000 | | 66,853.75 | |
| 0058 | 6135000000-E GENERIC EROSION CONTROL ITEM SEEDING | 11.050 ACR | 895.00000 | | 9,889.75 | |
| 0059 | 7324000000-N JUNCTION BOX (STANDARD SIZE) | 6.000 EA | 157.00000 | | 942.00 | |
| 0060 | 7444000000-E INDUCTIVE LOOP SAWCUT | 4,800.000 LF | 4.75000 | | 22,800.00 | |
| 0061 | 7456000000-E LEAD-IN CABLE (*****) (14-2) | 9,600.000 LF | 1.60000 | | 15,360.00 | |
| 0062 | 8867000000-E GENERIC STRUCTURE ITEM EVAZOTE EXPANSION JOINT REPLACEMENT | 240.000 LF | 32.00000 | | 7,680.00 | |
| 0063 | 8892000000-E GENERIC STRUCTURE ITEM PLACEMENT OF EPOXY | 16,480.000 SF | 5.25000 | | 86,520.00 | |
| 0064 | 8893000000-E GENERIC STRUCTURE ITEM CONCRETE DECK REPAIR USING ELASTOMERIC CONCRETE | 183.000 SY | 368.00000 | | 67,344.00 | |
| 0065 | 8893000000-E GENERIC STRUCTURE ITEM ELASTOMERIC CONCRETE FOR JOINT REPAIR | 12.000 SY | 252.00000 | | 3,024.00 | |
| Section 0001 Total | | | | | 5,265,162.42 | |
| Bid Total | | | | | 5,265,162.42 | ✓ |

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: 01-20-10
PAGE: 9

PROPOSAL: C202545
LETTING: L100216 CALL: 025
VENDOR: 4317 APAC-Atlantic, Inc. Asheville Division

| LINE NO. | ITEM NO. | ITEM DESC. | UNIT TYPE | SUBCONTRACTOR QUANTITY | SUBCONTRACTOR UNIT PRICE | EXTENDED AMOUNT |
|--|--------------|--------------|-----------|------------------------|--------------------------|-----------------|
| DBE SUBCONTRACTOR: 3376 REYNOLDS FENCE & GUARDRAIL INC | | | | | | |
| Will Use Quote: Yes | | | | | | |
| 0024 | 3030000000-E | STL BM GUARD | LF | 17500.000 | 14.25000 | 249375.00 |
| 0025 | 3045000000-E | SBGR SHOP CU | LF | 150.000 | 16.00000 | 2400.00 |
| 0026 | 3150000000-N | ADDIT GUARDR | EA | 10.000 | 15.00000 | 150.00 |
| 0027 | 3210000000-N | GR ANCHOR TY | EA | 13.000 | 500.00000 | 6500.00 |
| 0028 | 3215000000-N | GR ANCHOR TY | EA | 3.000 | 1300.00000 | 3900.00 |
| 0029 | 3270000000-N | GR ANCHOR TY | EA | 19.000 | 1725.00000 | 32775.00 |
| 0030 | 3285000000-N | GR ANCHOR TY | EA | 11.000 | 1550.00000 | 17050.00 |
| 0031 | 3317000000-N | GR ANCHOR TY | EA | 20.000 | 1375.00000 | 27500.00 |
| 0032 | 3319000000-N | GR ANCHOR TY | EA | 6.000 | 1350.00000 | 8100.00 |
| 0033 | 3360000000-E | REMOVE EXIST | LF | 18200.000 | 0.50000 | 9100.00 |

DBE COMMITMENT TOTAL FOR SUBCONTRACTOR: 356,850.00
DBE COMMITMENT TOTAL FOR VENDOR (SubContractor) 356,850

DBE SUBCONTRACTOR: 3080 CURTIN TRUCKING & DRAINAGE, INC.
Will Use Quote: Yes

| | | | | | | |
|------|--------------|--------------|----|----------|----------|-----------|
| 0006 | 0241000000-E | GENERIC GRAD | SY | 3288.000 | 48.00000 | 157824.00 |
|------|--------------|--------------|----|----------|----------|-----------|

DBE COMMITMENT TOTAL FOR SUBCONTRACTOR: 157,824.00
DBE COMMITMENT TOTAL FOR VENDOR (SubContractor) 157,824

TOTAL DBE COMMITMENT FOR VENDOR: Entered: 9.78% or 514674.00
Required: 7.00% or 368561.37
<GOAL MET>

Contract Item Sheets For C202545

| Line # | ItemNumber | Sec # | Description | Quantity Unit | Unit Bid Price | Amount Bid |
|----------------------|--------------|-------|---|----------------|----------------|--------------|
| ROADWAY ITEMS | | | | | | |
| 0001 | 0000100000-N | 800 | MOBILIZATION | Lump Sum LS | 350,000.00 | 350,000.00 |
| 0002 | 0036000000-E | 225 | UNDERCUT EXCAVATION | 823 CY | 15.00 | 12,345.00 |
| 0003 | 0080000000-E | SP | CLASS IV SUBGRADE STABILIZATION | 497 TON | 35.00 | 17,395.00 |
| 0004 | 0106000000-E | 230 | BORROW EXCAVATION | 365 CY | 16.00 | 5,840.00 |
| 0005 | 0196000000-E | 270 | FABRIC FOR SOIL STABILIZATION | 823 SY | 5.00 | 4,115.00 |
| 0006 | 0241000000-E | SP | GENERIC GRADING ITEM REMOVAL OF JOINTED CONCRETE PAVEMENT SLABS | 3,288 SY | 55.00 | 180,840.00 |
| 0007 | 1245000000-E | SP | SHOULDER RECONSTRUCTION | 18.22 SMI | 4,200.00 | 76,524.00 |
| 0008 | 1297000000-E | 607 | MILLING ASPHALT PAVEMENT, **** DEPTH (1-1/2") | 74,705 SY | 1.10 | 82,175.50 |
| 0009 | 1297000000-E | 607 | MILLING ASPHALT PAVEMENT, **** DEPTH (5/8") | 9,703 SY | 1.10 | 10,673.30 |
| 0010 | 1308000000-E | 607 | MILLING ASPHALT PAVEMENT, **** TO ***** DEPTH (0" TO 1-1/2") | 34,340 SY | 1.10 | 37,774.00 |
| 0011 | 1491000000-E | 610 | ASPHALT CONC BASE COURSE, TYPE B25.0C | 2,247 TON | 100.00 | 224,700.00 |
| 0012 | 1523000000-E | 610 | ASPHALT CONC SURFACE COURSE, TYPE S9.5C | 35,603 TON | 43.50 | 1,548,730.50 |
| 0013 | 1560000000-E | 620 | ASPHALT BINDER FOR PLANT MIX, GRADE PG 64-22 | 95 TON | 515.00 | 48,925.00 |
| 0014 | 1565000000-E | 620 | ASPHALT BINDER FOR PLANT MIX, GRADE PG 70-22 | 2,137 TON | 515.00 | 1,100,555.00 |
| 0015 | 1567000000-E | SP | ASPHALT BINDER FOR PLANT MIX, GRADE PG 70-28 | 127 TON | 700.00 | 88,900.00 |
| 0016 | 1704000000-E | SP | PATCHING EXISTING PAVEMENT | 601 TON | 162.00 | 97,362.00 |
| 0017 | 1839110000-E | 661 | ULTRATHIN HOT MIX ASPHALT, TYPE B | 2,426 TON | 45.00 | 109,170.00 |

Contract Item Sheets For C202545

| Line # | ItemNumber | Sec # | Description | Quantity Unit | Unit Bid Price | Amount Bid |
|--------|--------------|-------|--|---------------|----------------|------------|
| 0018 | 1839200000-E | 661 | APPLICATION OF ULTRATHIN HOT MIX ASPHALT | 69,335 SY | 2.65 | 183,737.75 |
| 0019 | 1840000000-E | 665 | MILLED RUMBLE STRIPS (ASPHALT CEMENT CONCRETE) | 119,556 LF | 0.10 | 11,955.60 |
| 0020 | 2600000000-N | SP | RETROFIT EXISTING WHEELCHAIR RAMPS | 7 EA | 700.00 | 4,900.00 |
| 0021 | 2605000000-N | 848 | CONCRETE WHEELCHAIR RAMPS | 2 EA | 1,800.00 | 3,600.00 |
| 0022 | 2815000000-N | 858 | ADJUSTMENT OF DROP INLETS | 3 EA | 1,325.00 | 3,975.00 |
| 0023 | 2830000000-N | 858 | ADJUSTMENT OF MANHOLES | 1 EA | 1,050.00 | 1,050.00 |
| 0024 | 3030000000-E | 862 | STEEL BM GUARDRAIL | 17,500 LF | 15.00 | 262,500.00 |
| 0025 | 3045000000-E | 862 | STEEL BM GUARDRAIL, SHOP CURVED | 150 LF | 16.80 | 2,520.00 |
| 0026 | 3150000000-N | 862 | ADDITIONAL GUARDRAIL POSTS | 10 EA | 15.50 | 155.00 |
| 0027 | 3210000000-N | 862 | GUARDRAIL ANCHOR UNITS, TYPE CAT-1 | 13 EA | 525.00 | 6,825.00 |
| 0028 | 3215000000-N | 862 | GUARDRAIL ANCHOR UNITS, TYPE III | 3 EA | 1,375.00 | 4,125.00 |
| 0029 | 3270000000-N | SP | GUARDRAIL ANCHOR UNITS, TYPE 350 | 19 EA | 1,810.00 | 34,390.00 |
| 0030 | 3285000000-N | SP | GUARDRAIL ANCHOR UNITS, TYPE M-350 | 11 EA | 1,625.00 | 17,875.00 |
| 0031 | 3317000000-N | 862 | GUARDRAIL ANCHOR UNITS, TYPE B-77 | 20 EA | 1,450.00 | 29,000.00 |
| 0032 | 3319000000-N | 862 | GUARDRAIL ANCHOR UNITS, TYPE B-83 | 6 EA | 1,425.00 | 8,550.00 |
| 0033 | 3360000000-E | 863 | REMOVE EXISTING GUARDRAIL | 18,200 LF | 0.52 | 9,464.00 |
| 0034 | 4405000000-E | 1110 | WORK ZONE SIGNS (PORTABLE) | 576 SF | 11.00 | 6,336.00 |
| 0035 | 4415000000-N | 1115 | FLASHING ARROW PANELS, TYPE C | 4 EA | 3,000.00 | 12,000.00 |

Contract Item Sheets For C202545

| Line # | ItemNumber | Sec # | Description | Quantity Unit | Unit Bid Price | Amount Bid |
|--------|--------------|-------|--|---------------|----------------|------------|
| 0036 | 4420000000-N | 1120 | CHANGEABLE MESSAGE SIGN | 2 EA | 5,000.00 | 10,000.00 |
| 0037 | 4430000000-N | 1130 | DRUMS | 1,000 EA | 10.00 | 10,000.00 |
| 0038 | 4480000000-N | 1165 | TMIA | 4 EA | 10,000.00 | 40,000.00 |
| 0039 | 4688000000-E | 1205 | THERMOPLASTIC PAVEMENT MARKING LINES (6", 90 MILS) | 208,740 LF | 0.63 | 131,506.20 |
| 0040 | 4690000000-E | 1205 | THERMOPLASTIC PAVEMENT MARKING LINES (6", 120 MILS) | 32,226 LF | 0.71 | 22,880.46 |
| 0041 | 4695000000-E | 1205 | THERMOPLASTIC PAVEMENT MARKING LINES (8", 90 MILS) | 300 LF | 2.10 | 630.00 |
| 0042 | 4697000000-E | 1205 | THERMOPLASTIC PAVEMENT MARKING LINES (8", 120 MILS) | 136 LF | 3.15 | 428.40 |
| 0043 | 4700000000-E | 1205 | THERMOPLASTIC PAVEMENT MARKING LINES (12", 90 MILS) | 15,952 LF | 1.30 | 20,737.60 |
| 0044 | 4702000000-E | 1205 | THERMOPLASTIC PAVEMENT MARKING LINES (12", 120 MILS) | 72 LF | 3.15 | 226.80 |
| 0045 | 4710000000-E | 1205 | THERMOPLASTIC PAVEMENT MARKING LINES (24", 120 MILS) | 765 LF | 5.25 | 4,016.25 |
| 0046 | 4721000000-E | 1205 | THERMOPLASTIC PAVEMENT MARKING CHARACTER (120 MILS) | 42 EA | 105.00 | 4,410.00 |
| 0047 | 4725000000-E | 1205 | THERMOPLASTIC PAVEMENT MARKING SYMBOL (90 MILS) | 113 EA | 105.00 | 11,865.00 |
| 0048 | 4810000000-E | 1205 | PAINT PAVEMENT MARKING LINES (4") | 240,965 LF | 0.24 | 57,831.60 |
| 0049 | 4815000000-E | 1205 | PAINT PAVEMENT MARKING LINES (6") | 136 LF | 1.05 | 142.80 |
| 0050 | 4820000000-E | 1205 | PAINT PAVEMENT MARKING LINES (8") | 15,952 LF | 0.48 | 7,656.96 |
| 0051 | 4835000000-E | 1205 | PAINT PAVEMENT MARKING LINES (24") | 427 LF | 2.10 | 896.70 |
| 0052 | 4840000000-N | 1205 | PAINT PAVEMENT MARKING CHARACTER | 42 EA | 52.50 | 2,205.00 |

Contract Item Sheets For C202545

| Line # | ItemNumber | Sec # | Description | Quantity Unit | Unit Bid Price | Amount Bid |
|--------|--------------|-------|--|----------------|----------------|------------|
| 0053 | 4845000000-N | 1205 | PAINT PAVEMENT MARKING SYMBOL | 113 EA | 57.50 | 6,497.50 |
| 0054 | 4900000000-N | 1251 | PERMANENT RAISED PAVEMENT MARKERS | 10 EA | 26.50 | 265.00 |
| 0055 | 4905000000-N | 1253 | SNOWPLOWABLE PAVEMENT MARKERS | 2,365 EA | 18.00 | 42,570.00 |
| 0056 | 5255000000-N | 1413 | PORTABLE LIGHTING | Lump Sum LS | 11,000.00 | 11,000.00 |
| 0057 | 6036000000-E | 1631 | MATTING FOR EROSION CONTROL | 53,483 SY | 1.25 | 66,853.75 |
| 0058 | 6135000000-E | SP | GENERIC EROSION CONTROL ITEM SEEDING | 11.05 ACR | 895.00 | 9,889.75 |
| 0059 | 7324000000-N | 1716 | JUNCTION BOX (STANDARD SIZE) | 6 EA | 157.00 | 942.00 |
| 0060 | 7444000000-E | 1725 | INDUCTIVE LOOP SAWCUT | 4,800 LF | 4.75 | 22,800.00 |
| 0061 | 7456000000-E | 1726 | LEAD-IN CABLE (***** (14-2) | 9,600 LF | 1.60 | 15,360.00 |
| 0062 | 8867000000-E | SP | GENERIC STRUCTURE ITEM EVAZOTE EXPANSION JOINT REPLACEMENT | 240 LF | 32.00 | 7,680.00 |
| 0063 | 8892000000-E | SP | GENERIC STRUCTURE ITEM PLACEMENT OF EPOXY | 16,480 SF | 5.25 | 86,520.00 |
| 0064 | 8893000000-E | SP | GENERIC STRUCTURE ITEM CONCRETE DECK REPAIR USING ELASTOMERIC CONCRETE | 183 SY | 368.00 | 67,344.00 |
| 0065 | 8893000000-E | SP | GENERIC STRUCTURE ITEM ELASTOMERIC CONCRETE FOR JOINT REPAIR | 12 SY | 252.00 | 3,024.00 |

TOTAL AMOUNT OF BID FOR ENTIRE PROJECT

\$5,265,162.42 ✓

**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

APAC-Atlantic Inc - Asheville Division
Full name of Corporation

PO Box 6939; Asheville, NC 28816
Address as Prequalified

Attest Charles L. Salmon Secretary/Assistant Secretary
Select appropriate title
By William H. Tomlinson President/Vice President/Assistant Vice President
Select appropriate title

Charles L. Salmon
Print or type Signer's name

William H. Tomlinson
Print or type Signer's name

CORPORATE SEAL

AFFIDAVIT MUST BE NOTARIZED

Subscribed and sworn to before me this the
24th day of February, 2010.
Kimberly K. Sitton
Signature of Notary Public Kimberly K. Sitton
of Buncombe County
State of North Carolina
My Commission Expires: Nov. 23, 2013

NOTARY SEAL



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.

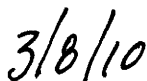
Contract No C202545

County (ies): Buncombe

ACCEPTED BY THE
DEPARTMENT OF TRANSPORTATION

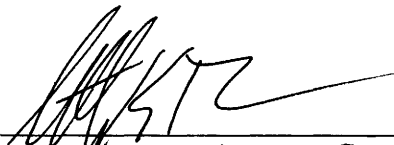


Contract Officer

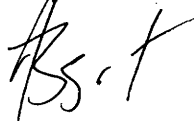


Date

Execution of Contract and Bonds
Approved as to Form:



Attorney General



Contract No. C202545
County BUNCOMBE

CONTRACT PAYMENT BOND

Date of Payment Bond Execution FEBRUARY 24, 2010

Name of Principal Contractor APAC - ATLANTIC, INC. - ASHEVILLE DIVISION

Name of Surety: LIBERTY MUTUAL INSURANCE COMPANY

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

Amount of Bond: \$5,265,162.42

Contract ID No.: C202545

County Name: BUNCOMBE

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. C202545
County BUNCOMBE

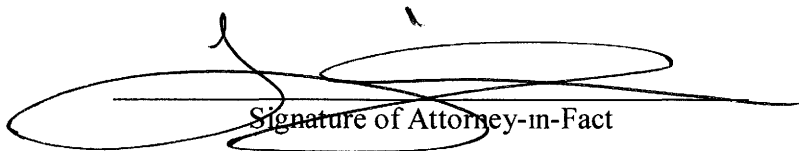
Rev 2-1-10


CONTRACT PAYMENT BOND

Affix Seal of Surety Company

LIBERTY MUTUAL INSURANCE COMPANY
Print or type Surety Company Name

By TINA DAVIS, ATTORNEY-IN-FACT
Print, stamp or type name of Attorney-in-Fact


Signature of Attorney-in-Fact


Signature of Witness

SHANNON HERBAT WITNESS
Print or type Signer's name

15 W SOUTH TEMPLE, STE. 700
SALT LAKE CITY UT 84101
Address of Attorney-in-Fact

Contract No. C202545
County BUNCOMBE

Rev 7-1-10


CONTRACT PAYMENT BOND

CORPORATION

SIGNATURE OF CONTRACTOR (Principal)

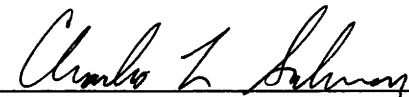
APAC ATLANTIC, INC. ASHEVILLE DIVISION
Full name of Corporation

P O. BOX 6939, ASHEVILLE, NC 28816
Address as prequalified

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

William H. Tomlinson
Print or type Signer's name

Affix Corporate Seal

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

Charles L. Salmon
Print or type Signer's name

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
TINA DAVIS, JEANNA ROMERO, ALL OF THE CITY OF SALT LAKE CITY, STATE OF UTAH

, 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 SEVENTY FIVE MILLION AND 00/100 DOLLARS (\$ 75,000,000.00) 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 7th day of December, 2009

LIBERTY MUTUAL INSURANCE COMPANY

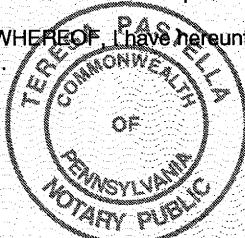
By Garnet W. Elliott
Garnet W. Elliott, Assistant Secretary



COMMONWEALTH OF PENNSYLVANIA ss
COUNTY OF MONTGOMERY

On this 7th day of December, 2009, before me, a Notary Public, personally came Garnet W. Elliott, to me known, and acknowledged that he is an Assistant Secretary of Liberty Mutual Insurance Company; that he knows the seal of said corporation; and that he executed the above Power of Attorney and affixed the corporate seal of Liberty Mutual Insurance Company thereto with the authority and at the direction of said corporation.

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



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

By Teresa Pastella
Teresa Pastella, Notary Public

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 24TH day of FEBRUARY, 2010.



By David M. Carey
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 No. C202545
County BUNCOMBE

CONTRACT PERFORMANCE BOND

Date of Performance Bond Execution: FEBRUARY 24, 2010

Name of Principal Contractor: APAC ATLANTIC, INC. ASHEVILLE DIVISION

Name of Surety: LIBERTY MUTUAL INSURANCE COMPANY

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

Amount of Bond: \$5,265,162.42

Contract ID No.: C202545

County Name: BUNCOMBE

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. C202545
County BUNCOMBE

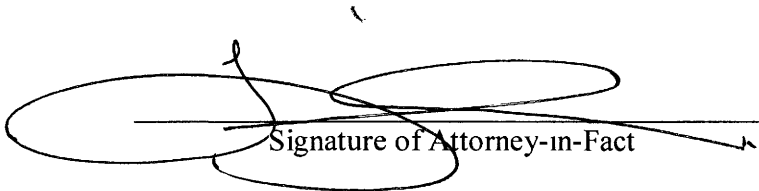
Rev 2-1-10

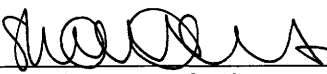
CONTRACT PERFORMANCE BOND

Affix Seal of Surety Company

LIBERTY MUTUAL INSURANCE COMPANY
Print or type Surety Company Name

By TINA DAVIS, ATTORNEY-IN-FACT
Print, stamp or type name of Attorney-in-Fact


Signature of Attorney-in-Fact


Signature of Witness

SHANNON HERBAT WITNESS
Print or type Signer's name

15 W SOUTH TEMPLE, STE. 700
SALT LAKE CITY UT 84101
Address of Attorney-in-Fact

Contract No. C202545
County BUNCOMBE

Rev 7-1-10


CONTRACT PERFORMANCE BOND

CORPORATION

SIGNATURE OF CONTRACTOR (Principal)

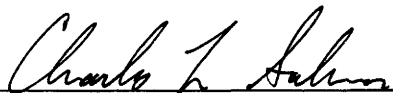
APAC ATLANTIC, INC. ASHEVILLE DIVISION
Full name of Corporation

P O. BOX 6939, ASHEVILLE, NC 28816
Address as prequalified

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

William H Tomlinson
Print or type Signer's name

Affix Corporate Seal

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

Charles L Salmon
Print or type Signer's name

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

TINA DAVIS, JEANNA ROMERO, ALL OF THE CITY OF SALT LAKE CITY, STATE OF UTAH

, 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 SEVENTY FIVE MILLION AND 00/100 DOLLARS (\$ 75,000,000.00) 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 7th day of December, 2009

LIBERTY MUTUAL INSURANCE COMPANY

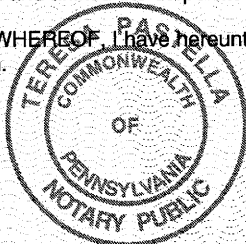
By Garnet W. Elliott, Assistant Secretary



COMMONWEALTH OF PENNSYLVANIA ss
COUNTY OF MONTGOMERY

On this 7th day of December, 2009, before me, a Notary Public, personally came Garnet W. Elliott, to me known, and acknowledged that he is an Assistant Secretary of Liberty Mutual Insurance Company; that he knows the seal of said corporation; and that he executed the above Power of Attorney and affixed the corporate seal of Liberty Mutual Insurance Company thereto with the authority and at the direction of said corporation.

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



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

By Teresa Pastella, 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 24TH day of FEBRUARY, 2010



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.