

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

C202568

CONTRACT AND
CONTRACT BONDS
FOR CONTRACT NO. C202568

WBS 7CR.10411.26, 7CR.20411.26, 7SP.10411.2 STATE FUNDED

COUNTY OF GUILFORD
THIS IS THE ROADWAY CONTRACT
ROUTE NUMBER LENGTH 21.111 MILES
LOCATION I-85 BUS/US-70/US-29 FROM US-311 BYP TO SR-1113 (KIVETTE DR)
AND 10 SECTIONS OF SECONDARY ROADS.

CONTRACTOR BLYTHE CONSTRUCTION, INC.
ADDRESS P.O. BOX 31635
CHARLOTTE, NC 28231

BIDS OPENED MARCH 16, 2010
CONTRACT EXECUTION APR 13 2010

Blythe Construction, Inc. (3655).

Vendor 2 of 4 Vendors for Call Order 005 (Proposal ID C202568).

County: GUILFORD
Address: 2911 N. Graham St.
Charlotte, nv 28206

Good Faith Effort

Phone Number: 704 375-8474

Signature Check: This bid has been properly signed by JAMES_PAUL_McBRYDE_3655.

Time Bid Received: Tue Mar 16 12:48:18 2010

Bid Checksum: 42993635 MBE GOAL SET 3.0

Amendment Count: 0

Bidding Errors: No bidding errors. MBE GOAL MET 3.7

Bid Total: \$4,365,276.44 ✓

Bond ID: SNC10202362

Bond was Verified: Yes. WBE GOAL SET 5.0

Bond Required Percent: 5.00%

Minimum Check Amount: \$218,263.82

Bid Security Maximum: \$ WBE GOAL OBT 2.6

Bond Agency Name:

Agency Execution Date: 2/23/2010 9:37:09 AM

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.

Bid Bond Data Info - Contractor Responses:

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BondID: SNC10202362
Surety Registry Agency: surety2000
Verified?: Yes
Surety Agency: Travelers Casualty and Surety Company of America
Bond Execution Date: 2/23/2010 9:37:09 AM
Bond Amount: \$218,263.82 (Five Percent of Bid)

State of NC
Dept of Transportation

Date: 02-16-10
Revised:

Contract ID: C202568 Project(s): STATE FUNDED
Letting Date: 03-16-10 Call Order: 005
Bidder: 3655 - Blythe Construction, 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			26,000.00
0002	0106000000-E BORROW EXCAVATION	CY	504.000	2.50000		1,260.00
0003	1220000000-E INCIDENTAL STONE BASE	TON	421.000	25.00000		10,525.00
0004	1245000000-E SHOULDER RECONSTRUCTION	SMI	22.800	1,800.00000		41,040.00
0005	1297000000-E MILLING ASPHALT PAVEMENT, ***"DEPTH (1-1/2")	SY	270,086.000	1.05000		283,590.30
0006	1297000000-E MILLING ASPHALT PAVEMENT, ***"DEPTH (3")	SY	9,380.000	2.90000		27,202.00
0007	1308000000-E MILLING ASPHALT PAVEMENT, ***"TO *****" DEPTH (0" TO 1-1/2")	SY	11,867.000	1.20000		14,240.40
0008	1330000000-E INCIDENTAL MILLING	SY	2,522.000	5.50000		13,871.00
0009	1489000000-E ASPHALT CONC BASE COURSE, TYPE B25.0B	TON	2,425.000	35.00000		84,875.00
0010	1498000000-E ASPHALT CONC INTERMEDIATE COURSE, TYPE I19.0B	TON	498.000	57.00000		28,386.00

State of NC
Dept of Transportation

Date: 02-16-10
Revised:

Contract ID: C202568 Project(s): STATE FUNDED
Letting Date: 03-16-10 Call Order: 005
Bidder: 3655 - Blythe Construction, Inc.

Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
0011	1503000000-E ASPHALT CONC INTERMEDIATE COURSE, TYPE I19.0C	1,129.000 TON	44.50000		50,240.50	
0012	1519000000-E ASPHALT CONC SURFACE COURSE, TYPE S9.5B	18,278.000 TON	31.00000		566,618.00	
0013	1520000000-E ASPHALT CONC SURFACE COURSE, TYPE S9.5B (LEVELING COURSE)	70.000 TON	50.00000		3,500.00	
0014	1523000000-E ASPHALT CONC SURFACE COURSE, TYPE S9.5C	11,783.000 TON	31.00000		365,273.00	
0015	1525000000-E ASPHALT CONC SURFACE COURSE, TYPE SF9.5A	16,894.000 TON	30.00000		506,820.00	
0016	1560000000-E ASPHALT BINDER FOR PLANT MIX, GRADE PG 64-22	2,379.000 TON	506.10000		1,204,011.90	
0017	1565000000-E ASPHALT BINDER FOR PLANT MIX, GRADE PG 70-22	707.000 TON	506.10000		357,812.70	
0018	1704000000-E PATCHING EXISTING PAVEMENT	404.000 TON	95.00000		38,380.00	
0019	1775000000-E ASPHALT SURFACE TREATMENT, MATCOAT, #78M STONE	200,121.000 SY	1.00000		200,121.00	
0020	1840000000-E MILED RUMBLE STRIPS (ASPHALT CEMENT CONCRETE)	30,394.000 LF	0.20000		6,078.80	
0021	2600000000-N RETROFIT EXISTING WHEELCHAIR RAMPS	15.000 EA	275.00000		4,125.00	

State of NC
Dept of Transportation

Date: 02-16-10
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Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
0022	2605000000-N CONCRETE WHEELCHAIR RAMPS	EA 3.000	799.00000		2,397.00	
0023	2830000000-N ADJUSTMENT OF MANHOLES	EA 67.000	529.00000		35,443.00	
0024	2845000000-N ADJUSTMENT OF METER BOXES OR VALVE BOXES	EA 80.000	524.00000		41,920.00	
0025	4589000000-N GENERIC TRAFFIC CONTROL ITEM TRAFFIC CONTROL	LUMP	LUMP		65,800.00	
0026	4685000000-E THERMOPLAST IC PAVEMENT MARKING LINES (4", 90 MILS)	LF 153,953.000	0.38000		58,502.14	
0027	4686000000-E THERMOPLAST IC PAVEMENT MARKING LINES (4", 120 MILS)	LF 114,298.000	0.44000		50,291.12	
0028	4688000000-E THERMOPLAST IC PAVEMENT MARKING LINES (6", 90 MILS)	LF 102.000	2.00000		204.00	
0029	4690000000-E THERMOPLAST IC PAVEMENT MARKING LINES (6", 120 MILS)	LF 90.000	3.00000		270.00	
0030	4695000000-E THERMOPLAST IC PAVEMENT MARKING LINES (8", 90 MILS)	LF 4,648.000	1.00000		4,648.00	
0031	4697000000-E THERMOPLAST IC PAVEMENT MARKING LINES (8", 120 MILS)	LF 3,729.000	2.00000		7,458.00	
0032	4702000000-E THERMOPLAST IC PAVEMENT MARKING LINES (12", 120 MILS)	LF 185.000	2.00000		370.00	
0033	4710000000-E THERMOPLAST IC PAVEMENT MARKING LINES (24", 120 MILS)	LF 2,026.000	5.00000		10,130.00	

State of NC
Dept of Transportation

Date: 02-16-10
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Contract ID: C202568 Project(s): STATE FUNDED
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Bidder: 3655 - Blythe Construction, Inc.

Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
0034	4721000000-E THERMOPLAST IC PAVEMENT MARKING CHARACTER (120 MILS)	64.000 EA	85.00000		5,440.00	
0035	4725000000-E THERMOPLAST IC PAVEMENT MARKING SYMBOL (90 MILS)	334.000 EA	100.00000		33,400.00	
0036	4810000000-E PAINT PAVEMENT MARKING LINES (4")	244,313.000 LF	0.17000		41,533.21	
0037	4815000000-E PAINT PAVEMENT MARKING LINES (6")	30.000 LF	1.00000		30.00	
0038	4820000000-E PAINT PAVEMENT MARKING LINES (8")	4,899.000 LF	0.60000		2,939.40	
0039	4825000000-E PAINT PAVEMENT MARKING LINES (12")	185.000 LF	1.00000		185.00	
0040	4835000000-E PAINT PAVEMENT MARKING LINES (24")	1,947.000 LF	2.50000		4,867.50	
0041	4845000000-N PAINT PAVEMENT MARKING SYMBOL	298.000 EA	50.00000		14,900.00	
0042	4905000000-N SNOWPLOWABLE PAVEMENT MARKERS	759.000 EA	24.48000		18,580.32	
0043	5255000000-N PORTABLE LIGHTING	LUMP	LUMP		3,547.50	
0044	6084000000-E SEEDING & MULCHING	4.910 ACR	1,440.00000		7,070.40	

State of NC
 Dept of Transportation

Date: 02-16-10
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Contract ID: C202568 Project(s): STATE FUNDED
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 Bidder: 3655 - Blythe Construction, Inc.

Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
0045	6110000000-E RESIDENTIAL SEEDING	3.350 ACR	2,250.00000		7,537.50	
0046	7300000000-E UNPAVED TRENCHING (*****) (1, 2")	3,095.000 LF	5.25000		16,248.75	
0047	7324000000-N JUNCTION BOX (STANDARD SIZE)	50.000 EA	125.00000		6,250.00	
0048	7420000000-E 2" RISER WITH WEATHERHEAD	45.000 EA	300.00000		13,500.00	
0049	7444000000-E INDUCTIVE LOOP SAWCUT	13,228.000 LF	5.00000		66,140.00	
0050	7456000000-E LEAD-IN CABLE (*****) (14-2)	7,802.000 LF	1.50000		11,703.00	
Section 0001 Total						4,365,276.44
Bid Total						4,365,276.44 ✓

NON-COLLUSION AND DEBARMENT CERTIFICATION

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

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

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

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

Explanation:
NOT ANSWERED
NOT ANSWERED
NOT ANSWERED
NOT ANSWERED

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

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

AWARD LIMITS ON MULTIPLE PROJECTS

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

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

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

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

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

The Award Limits shall apply to the following projects:

Contract Number	County
NOT ANSWERED	

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

NORTH CAROLINA STATE DEPARTMENT OF TRANSPORTATION
 MBE COMMITMENT ITEMS

DATE: 02-16-10
 PAGE: 8

PROPOSAL: C202568
 LETTING: L100316 CALL: 005
 VENDOR: 3655 Blythe Construction, Inc.

LINE NO.	ITEM NO.	ITEM DESC.	UNIT TYPE	SUBCONTRACTOR QUANTITY	SUBCONTRACTOR UNIT PRICE	EXTENDED AMOUNT
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MBE SUBCONTRACTOR: 2832 RANKIN GRADING INC
 Will Use Quote: Yes

0012	1519000000-E	ASP CONC SUR	TON	18278.000	4.89000	89379.42
		Quote based on hourly rates				
0015	1525000000-E	ASP CONC SUR	TON	16894.000	4.31000	72813.14
		Quote based on hourly rates				

MBE COMMITMENT TOTAL FOR SUBCONTRACTOR: 162,192.56 ✓ arm

TOTAL MBE COMMITMENT FOR VENDOR: Entered: 3.72% or 162192.56 ✓ arm
 Required: 3.00% or 130958.29
 <GOAL MET>

Contract Item Sheets For C202568

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
ROADWAY ITEMS						
0001	0000100000-N	800	MOBILIZATION	Lump Sum LS	26,000.00	26,000.00
0002	0106000000-E	230	BORROW EXCAVATION	504 CY	2.50	1,260.00
0003	1220000000-E	545	INCIDENTAL STONE BASE	421 TON	25.00	10,525.00
0004	1245000000-E	SP	SHOULDER RECONSTRUCTION	22.8 SMI	1,800.00	41,040.00
0005	1297000000-E	607	MILLING ASPHALT PAVEMENT, **** DEPTH (1-1/2")	270,086 SY	1.05	283,590.30
0006	1297000000-E	607	MILLING ASPHALT PAVEMENT, **** DEPTH (3")	9,380 SY	2.90	27,202.00
0007	1308000000-E	607	MILLING ASPHALT PAVEMENT, **** TO ***** DEPTH (0" TO 1-1/2")	11,867 SY	1.20	14,240.40
0008	1330000000-E	607	INCIDENTAL MILLING	2,522 SY	5.50	13,871.00
0009	1489000000-E	610	ASPHALT CONC BASE COURSE, TYPE B25.0B	2,425 TON	35.00	84,875.00
0010	1498000000-E	610	ASPHALT CONC INTERMEDIATE COURSE, TYPE I19.0B	498 TON	57.00	28,386.00
0011	1503000000-E	610	ASPHALT CONC INTERMEDIATE COURSE, TYPE I19.0C	1,129 TON	44.50	50,240.50
0012	1519000000-E	610	ASPHALT CONC SURFACE COURSE, TYPE S9.5B	18,278 TON	31.00	566,618.00
0013	1520000000-E	SP	ASPHALT CONC SURFACE COURSE, TYPE S9.5B (LEVELING COURSE)	70 TON	50.00	3,500.00
0014	1523000000-E	610	ASPHALT CONC SURFACE COURSE, TYPE S9.5C	11,783 TON	31.00	365,273.00
0015	1525000000-E	610	ASPHALT CONC SURFACE COURSE, TYPE SF9.5A	16,894 TON	30.00	506,820.00
0016	1560000000-E	620	ASPHALT BINDER FOR PLANT MIX, GRADE PG 64-22	2,379 TON	506.10	1,204,011.90

Contract Item Sheets For C202568

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
0017	1565000000-E	620	ASPHALT BINDER FOR PLANT MIX, GRADE PG 70-22	707 TON	506.10	357,812.70
0018	1704000000-E	SP	PATCHING EXISTING PAVEMENT	404 TON	95.00	38,380.00
0019	1775000000-E	660	ASPHALT SURFACE TREATMENT, MAT COAT, #78M STONE	200,121 SY	1.00	200,121.00
0020	1840000000-E	665	MILLED RUMBLE STRIPS (ASPHALT CEMENT CONCRETE)	30,394 LF	0.20	6,078.80
0021	2600000000-N	SP	RETROFIT EXISTING WHEELCHAIR RAMPS	15 EA	275.00	4,125.00
0022	2605000000-N	848	CONCRETE WHEELCHAIR RAMPS	3 EA	799.00	2,397.00
0023	2830000000-N	858	ADJUSTMENT OF MANHOLES	67 EA	529.00	35,443.00
0024	2845000000-N	858	ADJUSTMENT OF METER BOXES OR VALVE BOXES	80 EA	524.00	41,920.00
0025	4589000000-N	SP	GENERIC TRAFFIC CONTROL ITEM TRAFFIC CONTROL	Lump Sum LS	65,800.00	65,800.00
0026	4685000000-E	1205	THERMOPLASTIC PAVEMENT MARKING LINES (4", 90 MILS)	153,953 LF	0.38	58,502.14
0027	4686000000-E	1205	THERMOPLASTIC PAVEMENT MARKING LINES (4", 120 MILS)	114,298 LF	0.44	50,291.12
0028	4688000000-E	1205	THERMOPLASTIC PAVEMENT MARKING LINES (6", 90 MILS)	102 LF	2.00	204.00
0029	4690000000-E	1205	THERMOPLASTIC PAVEMENT MARKING LINES (6", 120 MILS)	90 LF	3.00	270.00
0030	4695000000-E	1205	THERMOPLASTIC PAVEMENT MARKING LINES (8", 90 MILS)	4,648 LF	1.00	4,648.00
0031	4697000000-E	1205	THERMOPLASTIC PAVEMENT MARKING LINES (8", 120 MILS)	3,729 LF	2.00	7,458.00
0032	4702000000-E	1205	THERMOPLASTIC PAVEMENT MARKING LINES (12", 120 MILS)	185 LF	2.00	370.00

Contract Item Sheets For C202568

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
0033	4710000000-E	1205	THERMOPLASTIC PAVEMENT MARKING LINES (24", 120 MILS)	2,026 LF	5.00	10,130.00
0034	4721000000-E	1205	THERMOPLASTIC PAVEMENT MARKING CHARACTER (120 MILS)	64 EA	85.00	5,440.00
0035	4725000000-E	1205	THERMOPLASTIC PAVEMENT MARKING SYMBOL (90 MILS)	334 EA	100.00	33,400.00
0036	4810000000-E	1205	PAINT PAVEMENT MARKING LINES (4")	244,313 LF	0.17	41,533.21
0037	4815000000-E	1205	PAINT PAVEMENT MARKING LINES (6")	30 LF	1.00	30.00
0038	4820000000-E	1205	PAINT PAVEMENT MARKING LINES (8")	4,899 LF	0.60	2,939.40
0039	4825000000-E	1205	PAINT PAVEMENT MARKING LINES (12")	185 LF	1.00	185.00
0040	4835000000-E	1205	PAINT PAVEMENT MARKING LINES (24")	1,947 LF	2.50	4,867.50
0041	4845000000-N	1205	PAINT PAVEMENT MARKING SYMBOL	298 EA	50.00	14,900.00
0042	4905000000-N	1253	SNOWPLOWABLE PAVEMENT MARKERS	759 EA	24.48	18,580.32
0043	5255000000-N	1413	PORTABLE LIGHTING	Lump Sum LS	3,547.50	3,547.50
0044	6084000000-E	1660	SEEDING & MULCHING	4.91 ACR	1,440.00	7,070.40
0045	6110000000-E	SP	RESIDENTIAL SEEDING	3.35 ACR	2,250.00	7,537.50
0046	7300000000-E	1715	UNPAVED TRENCHING (*****) (1, 2")	3,095 LF	5.25	16,248.75
0047	7324000000-N	1716	JUNCTION BOX (STANDARD SIZE)	50 EA	125.00	6,250.00
0048	7420000000-E	1722	2" RISER WITH WEATHERHEAD	45 EA	300.00	13,500.00
0049	7444000000-E	1725	INDUCTIVE LOOP SAWCUT	13,228 LF	5.00	66,140.00

Contract Item Sheets For C202568

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
0050	7456000000-E	1726	LEAD-IN CABLE (***** (14-2)	7,802 LF	1.50	11,703.00

TOTAL AMOUNT OF BID FOR ENTIRE PROJECT

\$4,365,276.44 ✓

0955/Mar31/Q1136141.06/D177540100000/E50

Contract Number C202568
County Guilford

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

Blythe Construction, Inc.

Full name of Corporation

P.O. Box 31635, Charlotte, North Carolina 28231

Address as Prequalified

Attest

Lawrence G. Schmidt, II
Secretary/Assistant Secretary
Select appropriate title

By

William J. Capehart
President/Vice President/Assistant Vice President
Select appropriate title

Lawrence G. Schmidt, II, Asst. Sec.

Print or type Signer's name

William J. Capehart, President & CEO

Print or type Signer's name

CORPORATE SEAL

AFFIDAVIT MUST BE NOTARIZED

Subscribed and sworn to before me this the 1st day of April 2010

Alana Brown

Signature of Notary Public

of Mecklenburg County

State of North Carolina

My Commission Expires: May 30 2012

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.

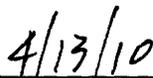
Contract No **C202568**

County (ies): **Guilford**

ACCEPTED BY THE
DEPARTMENT OF TRANSPORTATION



Contract Officer



Date

Execution of Contract and Bonds
Approved as to Form:



Attorney General

Contract No. C202568
County Guilford

Rev 2-1-10

CONTRACT PAYMENT BOND

Date of Payment Bond Execution April 1, 2010

Name of Principal Contractor Blythe Construction, 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: \$4,365,276.44

Contract ID No.: C202568

County Name: Guilford

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. C202568
County Guilford

Rev 2-1-10

CONTRACT PAYMENT BOND

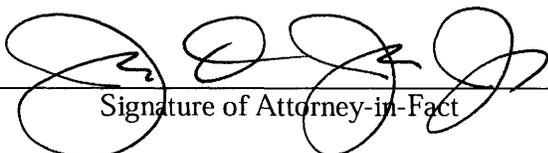
Affix Seal of Surety Company

Travelers Casualty and Surety Company of America

Print or type Surety Company Name

By Joseph D. Johnson, Jr.

Print, stamp or type name of Attorney-in-Fact



Signature of Attorney-in-Fact


Signature of Witness

JoAnn H. Bebout

Print or type Signer's name

801 N. Orange Avenue, Suite 510 Orlando, FL 32801

Address of Attorney-in-Fact

Contract No. C202568
County Guilford

Rev 2-1-10

CONTRACT PAYMENT BOND

CORPORATION

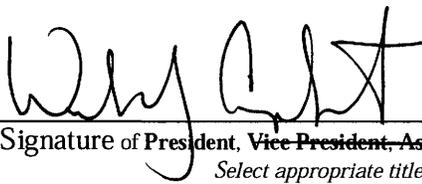
SIGNATURE OF CONTRACTOR (Principal)

Blythe Construction, Inc.

Full name of Corporation

P. O. Box 31635, Charlotte, North Carolina 28231

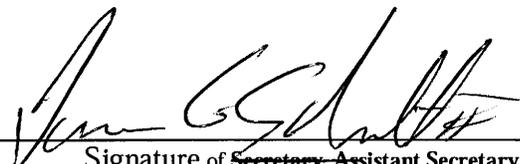
Address as prequalified

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

William J. Capehart, President & CEO

Print or type Signer's name

Affix Corporate Seal

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

Lawrence G. Schmidt, II, Asst. Sec.

Print or type Signer's name



POWER OF ATTORNEY

Farmington Casualty Company
Fidelity and Guaranty Insurance Company
Fidelity and Guaranty Insurance Underwriters, Inc.
St. Paul Fire and Marine Insurance Company
St. Paul Guardian Insurance Company

St. Paul Mercury Insurance Company
Travelers Casualty and Surety Company
Travelers Casualty and Surety Company of America
United States Fidelity and Guaranty Company

Attorney-In Fact No. 216556

Certificate No. 003315478

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

Todd L. Johnson, Joseph D. Johnson Jr., and Francis T. O'Reardon

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

IN WITNESS WHEREOF, the Companies have caused this instrument to be signed and their corporate seals to be hereto affixed, this 29th day of October, 2009.

Farmington Casualty Company
Fidelity and Guaranty Insurance Company
Fidelity and Guaranty Insurance Underwriters, Inc.
St. Paul Fire and Marine Insurance Company
St. Paul Guardian Insurance Company

St. Paul Mercury Insurance Company
Travelers Casualty and Surety Company
Travelers Casualty and Surety Company of America
United States Fidelity and Guaranty Company



State of Connecticut
City of Hartford ss.

By: [Signature]
George W. Thompson, Senior Vice President

On this the 29th day of October, 2009, before me personally appeared George W. Thompson, who acknowledged himself to be the Senior Vice President of Farmington Casualty Company, Fidelity and Guaranty Insurance Company, Fidelity and Guaranty Insurance Underwriters, Inc., St. Paul Fire and Marine Insurance Company, St. Paul Guardian Insurance Company, St. Paul Mercury Insurance Company, Travelers Casualty and Surety Company, Travelers Casualty and Surety Company of America, and United States Fidelity and Guaranty Company, and that he, as such, being authorized so to do, executed the foregoing instrument for the purposes therein contained by signing on behalf of the corporations by himself as a duly authorized officer.

In Witness Whereof, I hereunto set my hand and official seal.
My Commission expires the 30th day of June, 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., St. Paul Fire and Marine Insurance Company, St. Paul Guardian Insurance Company, St. Paul Mercury Insurance Company, Travelers Casualty and Surety Company, Travelers Casualty and Surety Company of America, and United States Fidelity and Guaranty Company, which resolutions are now in full force and effect, reading as follows:

RESOLVED, that the Chairman, the President, any Vice Chairman, any Executive Vice President, any Senior Vice President, any Vice President, any Second Vice President, the Treasurer, any Assistant Treasurer, the Corporate Secretary or any Assistant Secretary may appoint Attorneys-in-Fact and Agents to act for and on behalf of the Company and may give such appointee such authority as his or her certificate of authority may prescribe to sign with the Company's name and seal with the Company's seal bonds, recognizances, contracts of indemnity, and other writings obligatory in the nature of a bond, recognizance, or conditional undertaking, and any of said officers or the Board of Directors at any time may remove any such appointee and revoke the power given him or her; and it is

FURTHER RESOLVED, that the Chairman, the President, any Vice Chairman, any Executive Vice President, any Senior Vice President or any Vice President may delegate all or any part of the foregoing authority to one or more officers or employees of this Company, provided that each such delegation is in writing and a copy thereof is filed in the office of the Secretary; and it is

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

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

I, Kori M. Johanson, the undersigned, Assistant Secretary, of Farmington Casualty Company, Fidelity and Guaranty Insurance Company, Fidelity and Guaranty Insurance Underwriters, Inc., St. Paul Fire and Marine Insurance Company, St. Paul Guardian Insurance Company, St. Paul Mercury Insurance Company, Travelers Casualty and Surety Company, Travelers Casualty and Surety Company of America, and United States Fidelity and Guaranty Company do hereby certify that the above and foregoing is a true and correct copy of the Power of Attorney executed by said Companies, which is in full force and effect and has not been revoked.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the seals of said Companies this 1st day of April, 2010.

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


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. 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. C202568
County _____

Rev 2-1-10

CONTRACT PERFORMANCE BOND

Date of Performance Bond Execution: April 1, 2010

Name of Principal Contractor: Blythe Construction, 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: \$4,365,276.44

Contract ID No.: C202568

County Name: Guilford

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. C202568
County Guilford

Rev 2-1-10

CONTRACT PERFORMANCE BOND

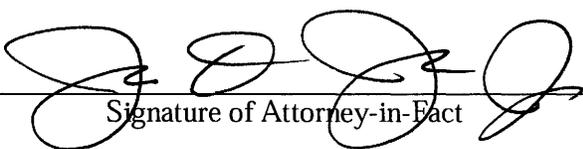
Affix Seal of Surety Company

Travelers Casualty and Surety Company of America

Print or type Surety Company Name

By Joseph D. Johnson, Jr.

Print, stamp or type name of Attorney-in-Fact


Signature of Attorney-in-Fact


Signature of Witness

JoAnn H. Bebout

Print or type Signer's name

801 N. Orange Ave., Suite 510 Orlando, FL 32801

Address of Attorney-in-Fact

Contract No. C202568
County Guilford

Rev 2-1-10

CONTRACT PERFORMANCE BOND
CORPORATION

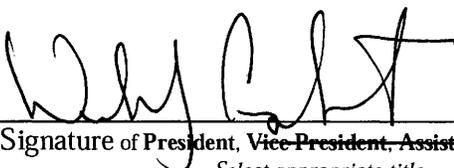
SIGNATURE OF CONTRACTOR (Principal)

Blythe Construction, Inc.

Full name of Corporation

P. O. Box 31635, Charlotte, North Carolina 28231

Address as prequalified

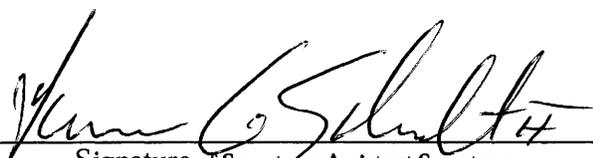
By 

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

William J. Capehart, President & CEO

Print or type Signer's name

Affix Corporate Seal

Attest 

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

Lawrence G. Schmidt, II, Asst. Sec.

Print or type Signer's name



POWER OF ATTORNEY

Farmington Casualty Company
Fidelity and Guaranty Insurance Company
Fidelity and Guaranty Insurance Underwriters, Inc.
St. Paul Fire and Marine Insurance Company
St. Paul Guardian Insurance Company

St. Paul Mercury Insurance Company
Travelers Casualty and Surety Company
Travelers Casualty and Surety Company of America
United States Fidelity and Guaranty Company

Attorney-In Fact No. 216556

Certificate No. 003315477

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

Todd L. Johnson, Joseph D. Johnson Jr., and Francis T. O'Reardon

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

IN WITNESS WHEREOF, the Companies have caused this instrument to be signed and their corporate seals to be hereto affixed, this 29th day of October, 2009

Farmington Casualty Company
Fidelity and Guaranty Insurance Company
Fidelity and Guaranty Insurance Underwriters, Inc.
St. Paul Fire and Marine Insurance Company
St. Paul Guardian Insurance Company

St. Paul Mercury Insurance Company
Travelers Casualty and Surety Company
Travelers Casualty and Surety Company of America
United States Fidelity and Guaranty Company



State of Connecticut
City of Hartford ss.

By: [Signature]
George W. Thompson, Senior Vice President

On this the 29th day of October, 2009, before me personally appeared George W. Thompson, who acknowledged himself to be the Senior Vice President of Farmington Casualty Company, Fidelity and Guaranty Insurance Company, Fidelity and Guaranty Insurance Underwriters, Inc., St. Paul Fire and Marine Insurance Company, St. Paul Guardian Insurance Company, St. Paul Mercury Insurance Company, Travelers Casualty and Surety Company, Travelers Casualty and Surety Company of America, and United States Fidelity and Guaranty Company, and that he, as such, being authorized so to do, executed the foregoing instrument for the purposes therein contained by signing on behalf of the corporations by himself as a duly authorized officer.

In Witness Whereof, I hereunto set my hand and official seal.
My Commission expires the 30th day of June, 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., St. Paul Fire and Marine Insurance Company, St. Paul Guardian Insurance Company, St. Paul Mercury Insurance Company, Travelers Casualty and Surety Company, Travelers Casualty and Surety Company of America, and United States Fidelity and Guaranty Company, which resolutions are now in full force and effect, reading as follows:

RESOLVED, that the Chairman, the President, any Vice Chairman, any Executive Vice President, any Senior Vice President, any Vice President, any Second Vice President, the Treasurer, any Assistant Treasurer, the Corporate Secretary or any Assistant Secretary may appoint Attorneys-in-Fact and Agents to act for and on behalf of the Company and may give such appointee such authority as his or her certificate of authority may prescribe to sign with the Company's name and seal with the Company's seal bonds, recognizances, contracts of indemnity, and other writings obligatory in the nature of a bond, recognizance, or conditional undertaking, and any of said officers or the Board of Directors at any time may remove any such appointee and revoke the power given him or her; and it is

FURTHER RESOLVED, that the Chairman, the President, any Vice Chairman, any Executive Vice President, any Senior Vice President or any Vice President may delegate all or any part of the foregoing authority to one or more officers or employees of this Company, provided that each such delegation is in writing and a copy thereof is filed in the office of the Secretary; and it is

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

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

I, Kori M. Johanson, the undersigned, Assistant Secretary, of Farmington Casualty Company, Fidelity and Guaranty Insurance Company, Fidelity and Guaranty Insurance Underwriters, Inc., St. Paul Fire and Marine Insurance Company, St. Paul Guardian Insurance Company, St. Paul Mercury Insurance Company, Travelers Casualty and Surety Company, Travelers Casualty and Surety Company of America, and United States Fidelity and Guaranty Company do hereby certify that the above and foregoing is a true and correct copy of the Power of Attorney executed by said Companies, which is in full force and effect and has not been revoked.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the seals of said Companies this 1st day of April, 20 10.

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


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. Please refer to the Attorney-In-Fact number, the above-named individuals and the details of the bond to which the power is attached.