

Taylor Murphy Construction Co., Inc. (3692).
Vendor 3 of 3 Vendors for Call Order 010 (Proposal ID C202590).

County: BUNCOMBE, MADISON
Address: PO Box 6215
Asheville, NC 28806
Phone Number: 828-667-4526
Signature Check: This bid has been properly signed by Michael_F_Long_3692.
Time Bid Received: Tue May 18 13:53:10 2010
Bid Checksum: 56AC653C DBE GOAL SET 0.0
Amendment Count: 0
Bidding Errors: No bidding errors. DBE GOAL MET 0.0
Bid Total: \$6,571,434.24 ✓
Bond ID: SNC10948649
Bond was Verified: Yes.
Bond Required Percent: 5.00%
Minimum Check Amount: \$328,571.71
Bid Security Maximum: \$
Bond Agency Name:
Agency Execution Date: 5/5/2010 2:49:09 PM
Surety Name: Travelers Casualty and Surety Company of Ame
Surety State of Incorporation:
Bond Company:
Bond Type:
Bond Appr Flag:
Bond Affirm:
Bond was Paid by Check: No.

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: SNC10948649
Surety Registry Agency: surety2000
Verified?: Yes
Surety Agency: Travelers Casualty and Surety Company of America
Bond Execution Date: 5/5/2010 2:49:09 PM
Bond Amount: \$328,571.71 (Five Percent of Bid)

State of NC
Dept of Transportation

Date: 04-20-10
Revised:

Contract ID: C202590 Project(s): STM-000S(594)
 Letting Date: 05-18-10 Call Order: 010
 Bidder: 3692 - Taylor & Murphy Construction Co., 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			327,000.00
0002	1525000000-E ASPHALT CONC SURFACE COURSE, TYPE SF9.5A	237.000 TON	160.00000			37,920.00
0003	1560000000-E ASPHALT BINDER FOR PLANT MIX, GRADE PG 64-22	15.000 TON	700.00000			10,500.00
0004	4400000000-E WORK ZONE SIGNS (STATIONARY)	3,092.000 SF	5.00000			15,460.00
0005	4405000000-E WORK ZONE SIGNS (PORTABLE)	522.000 SF	10.00000			5,220.00
0006	4410000000-E WORK ZONE SIGNS (BARRICADE MOUNTED)	459.000 SF	7.00000			3,213.00
0007	4415000000-N FLASHING ARROW PANELS, TYPE C	14.000 EA	1,200.00000			16,800.00
0008	4420000000-N CHANGEABLE MESSAGE SIGN	35.000 EA	2,300.00000			80,500.00
0009	4430000000-N DRUMS	1,800.000 EA	56.00000			100,800.00
0010	4435000000-N CONES	100.000 EA	29.00000			2,900.00
0011	4445000000-E BARRICADES (TYPE III)	1,208.000 LF	20.00000			24,160.00

State of NC
Dept of Transportation

Date: 04-20-10
Revised:

Contract ID: C202590 Project(s): STM-000S(594)
Letting Date: 05-18-10 Call Order: 010
Bidder: 3692 - Taylor & Murphy Construction Co., Inc.

Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
0012	4455000000-N FLAGGER	204.000 MD	260.00000		53,040.00	
0013	4465000000-N TEMPORARY CRASH CUSHIONS	5.000 EA	2,900.00000		14,500.00	
0014	4470000000-N RESET TEMPORARY CRASH CUSHIONS	5.000 EA	2,900.00000		14,500.00	
0015	4480000000-N TMIA	12.000 EA	4,500.00000		54,000.00	
0016	4485000000-E PORTABLE CONCRETE BARRIER	4,210.000 LF	15.00000		63,150.00	
0017	4500000000-E RESET PORTABLE CONCRETE BARRIER	4,210.000 LF	15.00000		63,150.00	
0018	4510000000-N LAW ENFORCEMENT	1,404.000 HR	35.50000		49,842.00	
0019	4516000000-N SKINNY DRUM	300.000 EA	58.00000		17,400.00	
0020	4685000000-E THERMOPLASTIC PAVEMENT MARKING LINES (4", 90 MILS)	750.000 LF	1.45000		1,087.50	
0021	4686000000-E THERMOPLASTIC PAVEMENT MARKING LINES (4", 120 MILS)	144.000 LF	1.75000		252.00	
0022	4770000000-E COLD APPLIED PLASTIC PAVEMENT MARKING LINES, TYPE ** (4") (IV)	2,600.000 LF	3.50000		9,100.00	

State of NC
Dept of Transportation

Date: 04-20-10
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Contract ID: C202590 Project(s): STM-000S(594)
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Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
0023	4810000000-E PAINT PAVEMENT MARKING LINES (4")	16,013.000 LF	0.65000		10,408.45	
0024	4820000000-E PAINT PAVEMENT MARKING LINES (8")	800.000 LF	1.45000		1,160.00	
0025	4847000000-E POLYUREA PAVEMENT MARKING LINES (4", *****) (HIGHLY REFLECTIVE ELEMENTS)	14,057.000 LF	2.50000		35,142.50	
0026	4847000000-E POLYUREA PAVEMENT MARKING LINES (4", *****) (STANDARD GLASS BEADS)	63.000 LF	1.75000		110.25	
0027	4847110000-E POLYUREA PAVEMENT MARKING LINES (8", *****) (HIGHLY REFLECTIVE ELEMENTS)	320.000 LF	3.75000		1,200.00	
0028	4850000000-E REMOVAL OF PAVEMENT MARKING LINES (4")	1,500.000 LF	1.10000		1,650.00	
0029	4860000000-E REMOVAL OF PAVEMENT MARKING LINES (8")	800.000 LF	1.75000		1,400.00	
0030	4905000000-N SNOWPLOWABLE PAVEMENT MARKERS	78.000 EA	63.00000		4,914.00	
0031	6084000000-E SEEDING & MULCHING	1.600 ACR	3,400.00000		5,440.00	
0032	8161000000-E GROOVING BRIDGE FLOORS	141,819.000 SF	0.34000		48,218.46	

State of NC
Dept of Transportation

Date: 04-20-10
Revised:

Contract ID: C202590 Project(s): STM-000S(594)
Letting Date: 05-18-10 Call Order: 010
Bidder: 3692 - Taylor & Murphy Construction Co., Inc.

Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
0033	8552000000-E CLASS IB, SURFACE PREPARATION	3,003.000 SY	9.00000		27,027.00	
0034	8573000000-E LATEX MODIFIED CONC OVERLAY	89.000 CY	1,100.00000		97,900.00	
0035	8580000000-E PLACING & FINISHING OF LATEX MODIFIED CONC OVERLAY	1,283.000 SY	24.00000		30,792.00	
0036	8692000000-N EVAZOTE JOINT SEALS	LUMP	LUMP		615,000.00	
0037	8881000000-E GENERIC STRUCTURE ITEM LATEX MODIFIED CONC OVERLAY - VERY EARLY STRENGTH	1,306.800 CY	1,100.00000		1,437,480.00	
0038	8892000000-E GENERIC STRUCTURE ITEM CLASS II CONC DECK REPAIR FOR EPOXY/ASPHALT OVERLAY	2,185.000 SF	38.00000		83,030.00	
0039	8892000000-E GENERIC STRUCTURE ITEM PLACEMENT OF EPOXY OVERLAY	175,627.000 SF	5.40000		948,385.80	
0040	8893000000-E GENERIC STRUCTURE ITEM HYDRO-DEMOLITION OF BRIDGE DECK	17,954.000 SY	83.82000		1,504,904.28	
0041	8893000000-E GENERIC STRUCTURE ITEM PLACING & FINISHING LATEX MOD CONCRETE OVERLAY - VERY EARLY STRENGTH	16,671.000 SY	15.00000		250,065.00	
0042	8893000000-E GENERIC STRUCTURE ITEM SCARIFYING BRIDGE DECK	17,954.000 SY	28.00000		502,712.00	
	Section 0001 Total				6,571,434.24	

State of NC
Dept of Transportation

Date: 04-20-10
Revised:

Contract ID: C202590

Project(s): STM-000S(594)

Letting Date: 05-18-10 Call Order: 010

Bidder: 3692 - Taylor & Murphy Construction Co., Inc.

Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
	Bid Total				6,571,434.24	

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.

Contract Item Sheets For C202590

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
ROADWAY ITEMS						
0001	0000100000-N	800	MOBILIZATION	Lump Sum LS	327,000.00	327,000.00
0002	1525000000-E	610	ASPHALT CONC SURFACE COURSE, TYPE SF9.5A	237 TON	160.00	37,920.00
0003	1560000000-E	620	ASPHALT BINDER FOR PLANT MIX, GRADE PG 64-22	15 TON	700.00	10,500.00
0004	4400000000-E	1110	WORK ZONE SIGNS (STATIONARY)	3,092 SF	5.00	15,460.00
0005	4405000000-E	1110	WORK ZONE SIGNS (PORTABLE)	522 SF	10.00	5,220.00
0006	4410000000-E	1110	WORK ZONE SIGNS (BARRICADE MOUNTED)	459 SF	7.00	3,213.00
0007	4415000000-N	1115	FLASHING ARROW PANELS, TYPE C	14 EA	1,200.00	16,800.00
0008	4420000000-N	1120	CHANGEABLE MESSAGE SIGN	35 EA	2,300.00	80,500.00
0009	4430000000-N	1130	DRUMS	1,800 EA	56.00	100,800.00
0010	4435000000-N	1135	CONES	100 EA	29.00	2,900.00
0011	4445000000-E	1145	BARRICADES (TYPE III)	1,208 LF	20.00	24,160.00
0012	4455000000-N	1150	FLAGGER	204 MD	260.00	53,040.00
0013	4465000000-N	1160	TEMPORARY CRASH CUSHIONS	5 EA	2,900.00	14,500.00
0014	4470000000-N	1160	RESET TEMPORARY CRASH CUSHIONS	5 EA	2,900.00	14,500.00
0015	4480000000-N	1165	TMIA	12 EA	4,500.00	54,000.00
0016	4485000000-E	1170	PORTABLE CONCRETE BARRIER	4,210 LF	15.00	63,150.00
0017	4500000000-E	1170	RESET PORTABLE CONCRETE BAR- RIER	4,210 LF	15.00	63,150.00
0018	4510000000-N	SP	LAW ENFORCEMENT	1,404 HR	35.50	49,842.00
0019	4516000000-N	1180	SKINNY DRUM	300 EA	58.00	17,400.00
0020	4685000000-E	1205	THERMOPLASTIC PAVEMENT MARKING LINES (4", 90 MILS)	750 LF	1.45	1,087.50

Contract Item Sheets For C202590

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
0021	4686000000-E	1205	THERMOPLASTIC PAVEMENT MARKING LINES (4", 120 MILS)	144 LF	1.75	252.00
0022	4770000000-E	1205	COLD APPLIED PLASTIC PAVEMENT MARKING LINES, TYPE ** (4") (IV)	2,600 LF	3.50	9,100.00
0023	4810000000-E	1205	PAINT PAVEMENT MARKING LINES (4")	16,013 LF	0.65	10,408.45
0024	4820000000-E	1205	PAINT PAVEMENT MARKING LINES (8")	800 LF	1.45	1,160.00
0025	4847000000-E	1205	POLYUREA PAVEMENT MARKING LINES (4", *****) (HIGHLY REFLECTIVE ELEMENTS)	14,057 LF	2.50	35,142.50
0026	4847000000-E	1205	POLYUREA PAVEMENT MARKING LINES (4", *****) (STANDARD GLASS BEADS)	63 LF	1.75	110.25
0027	4847110000-E	1205	POLYUREA PAVEMENT MARKING LINES (8", *****) (HIGHLY REFLECTIVE ELEMENTS)	320 LF	3.75	1,200.00
0028	4850000000-E	1205	REMOVAL OF PAVEMENT MARKING LINES (4")	1,500 LF	1.10	1,650.00
0029	4860000000-E	1205	REMOVAL OF PAVEMENT MARKING LINES (8")	800 LF	1.75	1,400.00
0030	4905000000-N	1253	SNOWPLOWABLE PAVEMENT MARKERS	78 EA	63.00	4,914.00
0031	6084000000-E	1660	SEEDING & MULCHING	1.6 ACR	3,400.00	5,440.00
0032	8161000000-E	420	GROOVING BRIDGE FLOORS	141,819 SF	0.34	48,218.46
0033	8552000000-E	SP	CLASS IB, SURFACE PREPARATION	3,003 SY	9.00	27,027.00
0034	8573000000-E	SP	LATEX MODIFIED CONC OVERLAY	89 CY	1,100.00	97,900.00
0035	8580000000-E	SP	PLACING & FINISHING OF LATEX MODIFIED CONC OVERLAY	1,283 SY	24.00	30,792.00
0036	8692000000-N	SP	EVAZOTE JOINT SEALS	Lump Sum LS	615,000.00	615,000.00
0037	8881000000-E	SP	GENERIC STRUCTURE ITEM LATEX MODIFIED CONC OVERLAY - VERY EARLY STRENGTH	1,306.8 CY	1,100.00	1,437,480.00

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
0038	8892000000-E	SP	GENERIC STRUCTURE ITEM CLASS II CONC DECK REPAIR FOR EPOXY/ASPHALT OVERLAY	2,185 SF	38.00	83,030.00
0039	8892000000-E	SP	GENERIC STRUCTURE ITEM PLACEMENT OF EPOXY OVERLAY	175,627 SF	5.40	948,385.80
0040	8893000000-E	SP	GENERIC STRUCTURE ITEM HYDRO-DEMOLITION OF BRIDGE DECK	17,954 SY	83.82	1,504,904.28
0041	8893000000-E	SP	GENERIC STRUCTURE ITEM PLACING & FINISHING LATEX MOD CONCRETE OVERLAY - VERY EARLY STRENGTH	16,671 SY	15.00	250,065.00
0042	8893000000-E	SP	GENERIC STRUCTURE ITEM SCARIFYING BRIDGE DECK	17,954 SY	28.00	502,712.00

TOTAL AMOUNT OF BID FOR ENTIRE PROJECT

\$6,571,434.24 ✓

**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

TAYLOR & MURPHY CONSTRUCTION CO., INC.
Full name of Corporation

P.O. BOX 6215, ASHEVILLE, NC 28816
Address as Prequalified

Attest William M. Newman Secretary/Assistant Secretary
Select appropriate title

By [Signature] President/Vice President/Assistant Vice President
Select appropriate title

WILLIAM M. NEWMAN Print or type Signer's name

Michael F. Long Print or type Signer's name

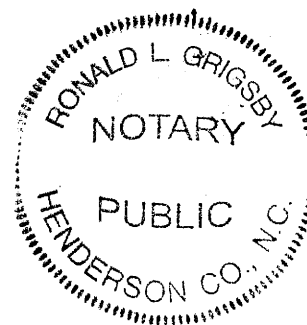
CORPORATE SEAL

State of North Carolina
County of Buncombe

AFFIDAVIT MUST BE NOTARIZED

Subscribed and sworn to before me this the
1 day of JUNE 2010.
Ronald L. Grigsby
Signature of Notary Public RONALD L. GRIGSBY
of HENDERSON County
State of NORTH CAROLINA
My Commission Expires: JANUARY 26, 2011

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 **C202590**

County (ies): **Buncombe & Madison**

ACCEPTED BY THE
DEPARTMENT OF TRANSPORTATION





Contract Officer



Date

Execution of Contract and Bonds
Approved as to Form:



 Attorney General

Contract No. C202590
County Buncombe, Madison

Rev 2-1-10

CONTRACT PAYMENT BOND

Date of Performance Bond Execution: June 7, 2010

Name of Principal Contractor: Taylor & Murphy Construction Co., 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: \$6,571,434.24

Contract ID No.: C202590

County Name: Buncombe, Madison

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. C202590
County Buncombe, Madison

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 Donna K. Ashley
Print, stamp or type name of Attorney-in-Fact

Donna K. Ashley
Signature of Attorney-in-Fact

Jennifer C. Hoehn
Signature of Witness

Jennifer C. Hoehn
Print or type Signer's name

C/O Wells Fargo Insurance Services USA, Inc.
P.O. Box 220748, Charlotte, NC 28222
Address of Attorney-in-Fact

CONTRACT PAYMENT BOND
CORPORATION

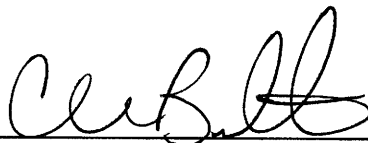
SIGNATURE OF CONTRACTOR (Principal)

TAYLOR & MURPHY CONSTRUCTION CO., INC.

Full name of Corporation

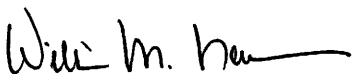
P.O. BOX 6215, ASHEVILLE, NC 28816

Address as prequalified

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

CHRISTOPHER K. BRITTON
Print or type Signer's name

Affix Corporate Seal

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

WILLIAM M. NEWMAN
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. 220863

Certificate No. 003451695

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

Joe E. Hunnicutt, Karen Alley, William J. Quinn, G. Timothy Wilkerson, Donna K. Ashley, Wendy E. Lahm, Angela D. Ramsey, John D. Leak III, Jennifer C. Hoehn, John F. Thomas, and Kay Coates

of the City of Charlotte, State of North Carolina, 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 8th day of July, 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 8th day of July, 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.

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

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the seals of said Companies this 7 day of June, 20 10


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.

Bond #105431466

CONTRACT PERFORMANCE BOND

Date of Performance Bond Execution: **June 7, 2010**

Name of Principal Contractor: **Taylor & Murphy Construction Co., 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: **\$6,571,434.24**

Contract ID No.: **C202590**

County Name: **Buncombe, Madison**

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. C202590
County Buncombe, Madison

Rev 2-1-10

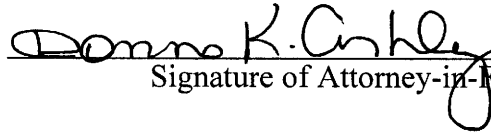
CONTRACT PERFORMANCE BOND

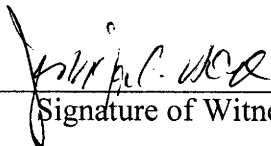
Affix Seal of Surety Company

**TRAVELERS CASUALTY AND SURETY
COMPANY OF AMERICA**

Print or type Surety Company Name

By Donna K. Ashley
Print, stamp or type name of Attorney-in-Fact


Signature of Attorney-in-Fact


Signature of Witness

Jennifer C. Hoehn
Print or type Signer's name

C/O Wells Fargo Insurance Services USA, Inc.
P.O. Box 220748, Charlotte, NC 28222
Address of Attorney-in-Fact

CONTRACT PERFORMANCE BOND
CORPORATION

SIGNATURE OF CONTRACTOR (Principal)

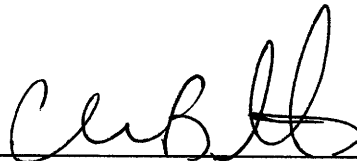
TAYLOR & MURPHY CONSTRUCTION CO., INC.

Full name of Corporation

P.O. BOX 6215, ASHEVILLE, NC 28816

Address as prequalified

By



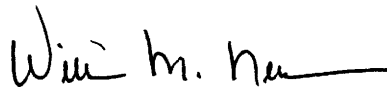
Signature of ~~President, Vice President, Assistant Vice President~~
Select appropriate title

CHRISTOPHER K. BRITTON

Print or type Signer's name

Affix Corporate Seal

Attest



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

WILLIAM M. NEWMAN

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. 220863

Certificate No. 003451647

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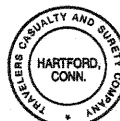
Joe E. Hunnicutt, Karen Alley, William J. Quinn, G. Timothy Wilkerson, Donna K. Ashley, Wendy E. Lahm, Angela D. Ramsey, John D. Leak III, Jennifer C. Hoehn, John F. Thomas, and Kay Coates

of the City of Charlotte, State of North Carolina, 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 8th day of July, 2009.

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State of Connecticut
City of Hartford ss.

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

On this the 8th day of July, 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 7 day of June, 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.