

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

C202428

CONTRACT AND  
CONTRACT BONDS  
FOR CONTRACT NO. C202428

WBS 32998.2.2 BRZ-1134(4)

T.I.P NO. B-3335

COUNTY OF GRAHAM

THIS IS THE ROADWAY & STRUCTURE CONTRACT

ROUTE NUMBER SR 1134 LENGTH 0.079 MILES

LOCATION BRIDGE OVER CHEOAH RIVER AND APPROACHES ON SR-1134.

CONTRACTOR TAYLOR & MURPHY CONSTRUCTION CO, INC

ADDRESS P.O. BOX 6215  
ASHEVILLE, NC 28816

BIDS OPENED JUNE 15, 2010

CONTRACT EXECUTION JUL 20 2010

**Taylor Murphy Construction Co., Inc. (3692).****Vendor 5 of 7 Vendors for Call Order 014 (Proposal ID C202428).**

County: GRAHAM  
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 Jun 15 13:18:32 2010  
Bid Checksum: FEB6EB51 DBE GOAL SET 8.0  
Amendment Count: 0  
Bidding Errors: No bidding errors DBE GOAL MET 8.6  
Bid Total: \$1,044,695.35 ✓  
Bond ID: SNC10158966  
Bond was Verified: Yes.  
Bond Required Percent: 5.00%  
Minimum Check Amount: \$52,234.77  
Bid Security Maximum: \$  
Bond Agency Name:  
Agency Execution Date: 6/8/2010 1:15:03 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.

LIST OF DBE PARTICIPANTS

VENDOR NUMBER	DBE NAME ADDRESS	WORK CODE TYPE OF WORK	CERT TYPE AMOUNT	
2759	WB SUPERIOR SEEDING, INC. POST OFFICE BOX 12642 , GASTONIA, NC 280520010		Sub 37,272.00	✓ am
3765	WB STAY ALERT SAFETY SERVICES INC POST OFFICE BOX 467 , KERNERSVILLE, NC 27285		Sub 7,615.05	✓ am
3376	WB REYNOLDS FENCE & GUARDRAIL INC 9320 MACHADO DRIVE , INDIAN TRAIL, NC 28079		Sub 20,640.00	✓ am
5266	WB NORTH STATE ENVIRONMENTAL, INC 2889 LOWERY ST SUITE B , WINSTON-SALEM, NC 27101		Sub 9,436.25	✓ am
3145	WB WATTS BARRIER WALLS 55 MUSCADINE LANE , MOUNTVILLE, SC 29370		Sub 15,347.60	✓ am
			TOTAL:	\$90,310.90 ✓ am
				8.64% ✓ am

Miscellaneous Data Info - Contractor Responses:  
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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: SNC10158966  
Surety Registry Agency: surety2000

NCDOT/berc

Vendor 3692's Load Output for Call 014, Letting L100615, 2010-06-15

Verified?: Yes

Surety Agency: Travelers Casualty and Surety Company of America

Bond Execution Date: 6/8/2010 1:15:03 PM

Bond Amount: \$52,234.77 (Five Percent of Bid)

State of NC  
 Dept of Transportation

Date: 05-18-10  
 Revised:

Contract ID: C202428 Project(s): BRZ-1134(4)  
 Letting Date: 06-15-10 Call Order: 014  
 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			50,000.00
0002	0030000000-N BRIDGE APPROACH FILL - SUB REGIONAL TIER, STATION ***** (14+34.00)	LUMP	LUMP			5,000.00
0003	0050000000-E SUPPLEMENTA RY CLEARING & GRUB-BING	ACR	1.000	1.00000		1.00
0004	0057000000-E UNDERCUT EXCAVATION	CY	200.000	9.00000		1,800.00
0005	0063000000-N GRADING	LUMP	LUMP			20,000.00
0006	0106000000-E BORROW EXCAVATION	CY	2,400.000	10.00000		24,000.00
0007	0134000000-E DRAINAGE DITCH EXCAVATION	CY	200.000	5.00000		1,000.00
0008	0196000000-E FABRIC FOR SOIL STABILIZATION	SY	50.000	4.00000		200.00
0009	0234000000-E GENERIC GRADING ITEM SELECT GRANULAR MATERIAL	CY	50.000	40.00000		2,000.00
0010	0320000000-E FOUNDATION CONDITIONING FABRIC	SY	60.000	4.00000		240.00

State of NC  
Dept of Transportation

Date: 05-18-10  
Revised:

Contract ID: C202428  
Letting Date: 06-15-10 Call Order: 014  
Bidder: 3692 - Taylor & Murphy Construction Co., Inc.

Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
0011	0330000000-E GENERIC DRAINAGE ITEM FOUNDATION CONDITIONING MATE- RIAL, MINOR STRS	20.000 TON	40.00000		800.00	
0012	0335200000-E 15" DRAINAGE PIPE	48.000 LF	25.00000		1,200.00	
0013	0986000000-E GENERIC PIPE ITEM 18" SIDE DRAIN PIPE	132.000 LF	25.00000		3,300.00	
0014	1121000000-E AGGREGATE BASE COURSE	110.000 TON	50.00000		5,500.00	
0015	1220000000-E INCIDENTAL STONE BASE	250.000 TON	40.00000		10,000.00	
0016	1275000000-E PRIME COAT	73.500 GAL	12.00000		882.00	
0017	1489000000-E ASPHALT CONC BASE COURSE, TYPE B25.0B	120.000 TON	123.00000		14,760.00	
0018	1525000000-E ASPHALT CONC SURFACE COURSE, TYPE SF9.5A	260.000 TON	130.00000		33,800.00	
0019	1560000000-E ASPHALT BINDER FOR PLANT MIX, GRADE PG 64-22	25.000 TON	615.00000		15,375.00	
0020	1693000000-E ASPHALT PLANT MIX, PAVEMENT REPAIR	50.000 TON	210.00000		10,500.00	
0021	2022000000-E SUBDRAIN EXCAVATION	22.400 CY	17.00000		380.80	

State of NC  
Dept of Transportation

Date: 05-18-10  
Revised:

Contract ID: C202428      Project(s): BRZ-1134(4)  
Letting Date: 06-15-10    Call Order: 014  
Bidder: 3692 - Taylor & Murphy Construction Co., Inc.

Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
0022	2033000000-E SUBDRAIN FINE AGGREGATE	16.800 CY	76.00000		1,276.80	
0023	2044000000-E 6" PERFORATED SUBDRAIN PIPE	100.000 LF	10.00000		1,000.00	
0024	2055000000-E 6" SUBDRAIN PIPE WYES, TEES, & ELBOWS	3.000 EA	0.50000		1.50	
0025	2066000000-N CONCRETE PAD FOR SUBDRAIN PIPE OUTLET	1.000 EA	225.00000		225.00	
0026	2077000000-E 6" OUTLET PIPE (SUBDRAINS)	6.000 LF	10.00000		60.00	
0027	2275000000-E FLOWABLE FILL	2.000 CY	560.00000		1,120.00	
0028	2286000000-N MASONRY DRAINAGE STRUCTURES	2.000 EA	2,700.00000		5,400.00	
0029	2367000000-N FRAME WITH TWO GRATES, STD 840.29	2.000 EA	500.00000		1,000.00	
0030	2556000000-E SHOULDER BERM GUTTER	25.000 LF	28.00000		700.00	
0031	3045000000-E STEEL BM GUARDRAIL, SHOP CURVED	125.000 LF	20.00000		2,500.00	
0032	3150000000-N ADDITIONAL GUARDRAIL POSTS	4.000 EA	39.00000		156.00	
0033	3165000000-N GUARDRAIL ANCHOR UNITS, TYPE ***** (350, TL-2)	3.000 EA	1,725.00000		5,175.00	

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

Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
0034	3180000000-N GUARDRAIL ANCHOR UNITS, TYPE ***** (SHOP CURVED, TYPE III)	2.000 EA	1,550.00000		3,100.00	
0035	3215000000-N GUARDRAIL ANCHOR UNITS, TYPE III	1.000 EA	1,450.00000		1,450.00	
0036	3435000000-N GENERIC GUARDRAIL ITEM IMPACT ATTENUATOR UNIT, TYPE 350 (TL-2)	1.000 EA	10,500.00000		10,500.00	
0037	3649000000-E RIP RAP, CLASS B	10.000 TON	50.00000		500.00	
0038	3656000000-E FILTER FABRIC FOR DRAINAGE	1,180.000 SY	4.00000		4,720.00	
0039	4072000000-E SUPPORTS, 3-LB STEEL U-CHANNEL	70.000 LF	5.00000		350.00	
0040	4102000000-N SIGN ERECTION, TYPE E	3.000 EA	75.00000		225.00	
0041	4108000000-N SIGN ERECTION, TYPE F	1.000 EA	205.00000		205.00	
0042	4155000000-N DISPOSAL OF SIGN SYSTEM, U- CHANNEL	4.000 EA	5.00000		20.00	
0043	4400000000-E WORK ZONE SIGNS (STATIONARY)	385.000 SF	5.00000		1,925.00	
0044	4405000000-E WORK ZONE SIGNS (PORTABLE)	96.000 SF	10.00000		960.00	



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Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
0045	4410000000-E WORK ZONE SIGNS (BARRICADE MOUNTED)	SF 141.000	6.00000		846.00	
0046	4435000000-N CONES	EA 23.000	28.00000		644.00	
0047	4445000000-E BARRICADES (TYPE III)	LF 180.000	20.00000		3,600.00	
0048	4450000000-N FLAGGER	HR 96.000	35.00000		3,360.00	
0049	4810000000-E PAINT PAVEMENT MARKING LINES (4")	LF 5,764.000	0.50000		2,882.00	
0050	4835000000-E PAINT PAVEMENT MARKING LINES (24")	LF 76.000	9.00000		684.00	
0051	6000000000-E TEMPORARY SILT FENCE	LF 1,325.000	2.40000		3,180.00	
0052	6006000000-E STONE FOR EROSION CONTROL, CLASS A	TON 330.000	37.00000		12,210.00	
0053	6009000000-E STONE FOR EROSION CONTROL, CLASS B	TON 170.000	37.00000		6,290.00	
0054	6012000000-E SEDIMENT CONTROL STONE	TON 370.000	37.00000		13,690.00	
0055	6015000000-E TEMPORARY MULCHING	ACR 2.000	1,900.00000		3,800.00	
0056	6018000000-E SEED FOR TEMPORARY SEEDING	LB 50.000	7.00000		350.00	

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

Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
0057	6021000000-E FERTILIZER FOR TEMPORARY SEED-ING	1.250 TON	1,000.00000		1,250.00	
0058	6024000000-E TEMPORARY SLOPE DRAINS	200.000 LF	9.00000		1,800.00	
0059	6027000000-N INLET PROTECTION AT TEMPORARY SLOPE DRAINS	4.000 EA	250.00000		1,000.00	
0060	6029000000-E SAFETY FENCE	1,350.000 LF	2.25000		3,037.50	
0061	6030000000-E SILT EXCAVATION	310.000 CY	9.00000		2,790.00	
0062	6036000000-E MATTING FOR EROSION CONTROL	5,460.000 SY	2.20000		12,012.00	
0063	6037000000-E COIR FIBER MAT	10.000 SY	10.50000		105.00	
0064	6038000000-E PERMANENT SOIL REINFORCEMENT MAT	175.000 SY	10.50000		1,837.50	
0065	6042000000-E 1/4" HARDWARE CLOTH	650.000 LF	2.50000		1,625.00	
0066	6070000000-N SPECIAL STILLING BASINS	8.000 EA	330.00000		2,640.00	
0067	6071010000-E WATTLE	100.000 LF	7.00000		700.00	
0068	6071020000-E POLYACRYLAMIDE (PAM)	25.000 LB	15.00000		375.00	

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Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
0069	6071030000-E COIR FIBER Baffles	180.000 LF	6.70000		1,206.00	
0070	6071050000-E *** SKIMMER (1-1/2")	1.000 EA	800.00000		800.00	
0071	6084000000-E SEEDING & MULCHING	3.000 ACR	2,700.00000		8,100.00	
0072	6087000000-E MOWING	3.000 ACR	500.00000		1,500.00	
0073	6090000000-E SEED FOR REPAIR SEEDING	50.000 LB	8.00000		400.00	
0074	6093000000-E FERTILIZER FOR REPAIR SEEDING	0.250 TON	1,000.00000		250.00	
0075	6096000000-E SEED FOR SUPPLEMENTAL SEEDING	50.000 LB	7.00000		350.00	
0076	6108000000-E FERTILIZER TOPDRESSING	1.000 TON	2,000.00000		2,000.00	
0077	6114500000-N SPECIALIZED HAND MOWING	10.000 MHR	50.00000		500.00	
0078	6117000000-N RESPONSE FOR EROSION CONTROL	12.000 EA	300.00000		3,600.00	
0079	6123000000-E REFORESTATION	0.150 ACR	3,900.00000		585.00	
Section 0001 Total						343,307.10

State of NC  
Dept of Transportation

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

Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct

Section 0003 WALL ITEMS

Alt Group

0080	8847000000-E GENERIC RETAINING WALL ITEM COBBLE FACED RETAINING WALL	SF	785.000	75.00000		58,875.00
Section 0003 Total						58,875.00

Section 0004 STRUCTURE ITEMS

Alt Group

0081	8017000000-N CONSTRUCTION, MAINTENANCE, & REMOVAL OF TEMP ACCESS AT STA ***** (14+34.00-L-)	LUMP		LUMP		100,000.00
0082	8035000000-N REMOVAL OF EXISTING STRUCTURE AT STATION ***** (14+34.00-L-)	LUMP		LUMP		35,000.00
0083	8091000000-N FOUNDATION EXCAVATION FOR BENT** AT STATION ***** (1,14+34.00-L-)	LUMP		LUMP		18,000.00
0084	8091000000-N FOUNDATION EXCAVATION FOR BENT** AT STATION ***** (2,14+34.00-L-)	LUMP		LUMP		22,000.00
0085	8096000000-E PILE EXCAVATION IN SOIL	LF	20.000	425.00000		8,500.00
0086	8097000000-E PILE EXCAVATION NOT IN SOIL	LF	25.000	1,225.00000		30,625.00

State of NC  
 Dept of Transportation

Date: 05-18-10  
 Revised:

Contract ID: C202428 Project(s): BRZ-1134(4)  
 Letting Date: 06-15-10 Call Order: 014  
 Bidder: 3692 - Taylor & Murphy Construction Co., Inc.

Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
0087	8182000000-E CLASS A CONCRETE (BRIDGE)	101.400 CY	642.00000		65,098.80	
0088	8217000000-E REINFORCING STEEL (BRIDGE)	16,270.000 LB	0.85000		13,829.50	
0089	8238000000-E SPIRAL COLUMN REINFORCING STEEL (BRIDGE)	1,394.000 LB	1.50000		2,091.00	
0090	8364000000-E HP12X53 STEEL PILES	213.000 LF	50.00000		10,650.00	
0091	8391000000-N STEEL PILE POINTS	5.000 EA	130.00000		650.00	
0092	8505000000-E VERTICAL CONCRETE BARRIER RAIL	414.800 LF	64.00000		26,547.20	
0093	8608000000-E RIP RAP CLASS II (2'-0" THICK)	430.000 TON	1.00000		430.00	
0094	8622000000-E FILTER FABRIC FOR DRAINAGE	475.000 SY	5.00000		2,375.00	
0095	8657000000-N ELASTOMERIC BEARINGS	LUMP	LUMP		6,400.00	
0096	8763000000-E 3'-0" X 2'-0" PRESTRESSED CONCCORED SLABS	2,071.150 LF	145.00000		300,316.75	
	Section 0004 Total				642,513.25	
	Bid Total				1,044,695.35	

NON-COLLUSION AND DEBARMENT CERTIFICATION

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

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

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

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

Explanation:  
NOT ANSWERED  
NOT ANSWERED  
NOT ANSWERED  
NOT ANSWERED

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

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

AWARD LIMITS ON MULTIPLE PROJECTS

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

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

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

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

The Award Limits shall apply to the following projects:

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

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

NORTH CAROLINA STATE DEPARTMENT OF TRANSPORTATION  
DBE COMMITMENT ITEMS

DATE:05-18-10  
PAGE: 12

PROPOSAL: C202428  
LETTING: L100615 CALL: 014  
VENDOR: 3692 Taylor & Murphy Construction Co., Inc.

LINE NO.	ITEM NO.	ITEM DESC.	UNIT TYPE	SUBCONTRACTOR QUANTITY	SUBCONTRACTOR UNIT PRICE	EXTENDED AMOUNT
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DBE SUBCONTRACTOR: 2759 SUPERIOR SEEDING, INC.  
Will Use Quote: Yes

0055	6015000000-E	TEMPORARY MU	ACR	2.000	1700.00000	3400.00
0056	6018000000-E	SEED FOR TEM	LB	50.000	8.00000	400.00
0057	6021000000-E	FERT FOR TEM	TON	1.250	3000.00000	3750.00
0062	6036000000-E	MATTING FOR	SY	5460.000	1.95000	10647.00
0063	6037000000-E	COIR FIBER M	SY	10.000	10.00000	100.00
0064	6038000000-E	PERM SOIL RE	SY	175.000	10.00000	1750.00
0071	6084000000-E	SEEDING AND	ACR	3.000	2400.00000	7200.00
0072	6087000000-E	MOWING	ACR	3.000	500.00000	1500.00
0073	6090000000-E	SEED FOR REP	LB	50.000	12.00000	600.00
0074	6093000000-E	FERT FOR REP	TON	0.250	4000.00000	1000.00
0075	6096000000-E	SEED FOR SUP	LB	50.000	7.00000	350.00
0076	6108000000-E	FERTILIZER T	TON	1.000	1800.00000	1800.00
0077	6114500000-N	SPECIALIZED	MHR	10.000	65.00000	650.00
0078	6117000000-N	RESPONSE FOR	EA	12.000	300.00000	3600.00
0079	6123000000-E	REFORESTATIO	ACR	0.150	3500.00000	525.00

DBE COMMITMENT TOTAL FOR SUBCONTRACTOR: 37,272.00 ✓ am  
DBE COMMITMENT TOTAL FOR VENDOR (SubContractor ) 37,272.

DBE SUBCONTRACTOR: 3765 STAY ALERT SAFETY SERVICES INC  
Will Use Quote: Yes

0001	0000100000-N	MOBILIZATION	LS	1.000	250.00000	250.00
0039	4072000000-E	SUPPORT, 3-L	LF	70.000	4.65000	325.50
0040	4102000000-N	SIGN ERECTIO	EA	3.000	65.00000	195.00
0041	4108000000-N	SIGN ERECTIO	EA	1.000	185.00000	185.00
0042	4155000000-N	DISPOSE SIGN	EA	4.000	5.00000	20.00
0043	4400000000-E	WORK ZONE SI	SF	385.000	4.48000	1724.80
0044	4405000000-E	WORK ZONE SI	SF	96.000	8.65000	830.40
0045	4410000000-E	WORK ZONE SI	SF	141.000	5.35000	754.35
0047	4445000000-E	BARRICADES (	LF	180.000	18.50000	3330.00

DBE COMMITMENT TOTAL FOR SUBCONTRACTOR: 7,615.05 ✓ am  
DBE COMMITMENT TOTAL FOR VENDOR (SubContractor ) 7,615.0

DBE SUBCONTRACTOR: 3376 REYNOLDS FENCE & GUARDRAIL INC  
Will Use Quote: Yes

0031	3045000000-E	SBGR SHOP CU	LF	125.000	18.00000	2250.00
0032	3150000000-N	ADDIT GUARDR	EA	4.000	35.00000	140.00
0033	3165000000-N	GR ANCHOR TY	EA	3.000	1550.00000	4650.00
0034	3180000000-N	GR ANCHOR TY	EA	2.000	1400.00000	2800.00
0035	3215000000-N	GR ANCHOR TY	EA	1.000	1300.00000	1300.00
0036	3435000000-N	GENERIC GUAR	EA	1.000	9500.00000	9500.00

Check: FEB6EB51 Page 12



NORTH CAROLINA STATE DEPARTMENT OF TRANSPORTATION  
DBE COMMITMENT ITEMS

DATE:05-18-10  
PAGE: 13

LINE NO.	ITEM NO.	ITEM DESC.	UNIT TYPE	SUBCONTRACTOR QUANTITY	SUBCONTRACTOR UNIT PRICE	EXTENDED AMOUNT
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DBE COMMITMENT TOTAL FOR SUBCONTRACTOR:	20,640.00	✓ am
DBE COMMITMENT TOTAL FOR VENDOR (SubContractor )	20,640.	

DBE SUBCONTRACTOR: 5266 NORTH STATE ENVIRONMENTAL, INC  
Will Use Quote: Yes

0051	6000000000-E	TEMPORARY SI	LF	1325.000	2.15000	2848.75
0060	6029000000-E	SAFETY FENCE	LF	1350.000	2.00000	2700.00
0065	6042000000-E	1/4" HARDWAR	LF	650.000	2.25000	1462.50
0067	6071010000-E	WATTLE	LF	100.000	6.25000	625.00
0069	6071030000-E	COIR FIBER B	LF	180.000	6.00000	1080.00
0070	6071050000-E	**" SKIMMER	EA	1.000	720.00000	720.00

DBE COMMITMENT TOTAL FOR SUBCONTRACTOR:	9,436.25	✓ am
DBE COMMITMENT TOTAL FOR VENDOR (SubContractor )	9,436.2	

DBE SUBCONTRACTOR: 3145 WATTS BARRIER WALLS  
Will Use Quote: Yes

0092	8505000000-E	VERT CONC BA	LF	414.800	37.00000	15347.60
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DBE COMMITMENT TOTAL FOR SUBCONTRACTOR:	15,347.60	✓ am
DBE COMMITMENT TOTAL FOR VENDOR (SubContractor )	15,347.	

TOTAL DBE COMMITMENT FOR VENDOR:	Entered:	8.64% or	90310.90	✓ am
	Required:	8.00% or	83575.63	
			<GOAL MET>	

## Contract Item Sheets For C202428

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
<b>ROADWAY ITEMS</b>						
0001	0000100000-N	800	MOBILIZATION	Lump Sum LS	50,000.00	50,000.00
0002	0030000000-N	SP	BRIDGE APPROACH FILL - SUB REGIONAL TIER, STATION ***** (14+34.00)	Lump Sum LS	5,000.00	5,000.00
0003	0050000000-E	226	SUPPLEMENTARY CLEARING & GRUB- BING	1 ACR	1.00	1.00
0004	0057000000-E	226	UNDERCUT EXCAVATION	200 CY	9.00	1,800.00
0005	0063000000-N	SP	GRADING	Lump Sum LS	20,000.00	20,000.00
0006	0106000000-E	230	BORROW EXCAVATION	2,400 CY	10.00	24,000.00
0007	0134000000-E	240	DRAINAGE DITCH EXCAVATION	200 CY	5.00	1,000.00
0008	0196000000-E	270	FABRIC FOR SOIL STABILIZATION	50 SY	4.00	200.00
0009	0234000000-E	SP	GENERIC GRADING ITEM SELECT GRANULAR MATERIAL	50 CY	40.00	2,000.00
0010	0320000000-E	SP	FOUNDATION CONDITIONING FABRIC	60 SY	4.00	240.00
0011	0330000000-E	SP	GENERIC DRAINAGE ITEM FOUNDATION CONDITIONING MATE- RIAL, MINOR STRS	20 TON	40.00	800.00
0012	0335200000-E	SP	15" DRAINAGE PIPE	48 LF	25.00	1,200.00
0013	0986000000-E	SP	GENERIC PIPE ITEM 18" SIDE DRAIN PIPE	132 LF	25.00	3,300.00
0014	1121000000-E	520	AGGREGATE BASE COURSE	110 TON	50.00	5,500.00
0015	1220000000-E	545	INCIDENTAL STONE BASE	250 TON	40.00	10,000.00
0016	1275000000-E	600	PRIME COAT	73.5 GAL	12.00	882.00
0017	1489000000-E	610	ASPHALT CONC BASE COURSE, TYPE B25.0B	120 TON	123.00	14,760.00
0018	1525000000-E	610	ASPHALT CONC SURFACE COURSE, TYPE SF9.5A	260 TON	130.00	33,800.00

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
0019	1560000000-E	620	ASPHALT BINDER FOR PLANT MIX, GRADE PG 64-22	25 TON	615.00	15,375.00
0020	1693000000-E	654	ASPHALT PLANT MIX, PAVEMENT REPAIR	50 TON	210.00	10,500.00
0021	2022000000-E	815	SUBDRAIN EXCAVATION	22.4 CY	17.00	380.80
0022	2033000000-E	815	SUBDRAIN FINE AGGREGATE	16.8 CY	76.00	1,276.80
0023	2044000000-E	815	6" PERFORATED SUBDRAIN PIPE	100 LF	10.00	1,000.00
0024	2055000000-E	815	6" SUBDRAIN PIPE WYES, TEES, & ELBOWS	3 EA	0.50	1.50
0025	2066000000-N	815	CONCRETE PAD FOR SUBDRAIN PIPE OUTLET	1 EA	225.00	225.00
0026	2077000000-E	815	6" OUTLET PIPE (SUBDRAINS)	6 LF	10.00	60.00
0027	2275000000-E	SP	FLOWABLE FILL	2 CY	560.00	1,120.00
0028	2286000000-N	840	MASONRY DRAINAGE STRUCTURES	2 EA	2,700.00	5,400.00
0029	2367000000-N	840	FRAME WITH TWO GRATES, STD 840.29	2 EA	500.00	1,000.00
0030	2556000000-E	846	SHOULDER BERM GUTTER	25 LF	28.00	700.00
0031	3045000000-E	862	STEEL BM GUARDRAIL, SHOP CURVED	125 LF	20.00	2,500.00
0032	3150000000-N	862	ADDITIONAL GUARDRAIL POSTS	4 EA	39.00	156.00
0033	3165000000-N	SP	GUARDRAIL ANCHOR UNITS, TYPE ***** (350, TL-2)	3 EA	1,725.00	5,175.00
0034	3180000000-N	862	GUARDRAIL ANCHOR UNITS, TYPE ***** (SHOP CURVED, TYPE III)	2 EA	1,550.00	3,100.00
0035	3215000000-N	862	GUARDRAIL ANCHOR UNITS, TYPE III	1 EA	1,450.00	1,450.00
0036	3435000000-N	SP	GENERIC GUARDRAIL ITEM IMPACT ATTENUATOR UNIT, TYPE 350 (TL-2)	1 EA	10,500.00	10,500.00

## Contract Item Sheets For C202428

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
0037	3649000000-E	876	RIP RAP, CLASS B	10 TON	50.00	500.00
0038	3656000000-E	876	FILTER FABRIC FOR DRAINAGE	1,180 SY	4.00	4,720.00
0039	4072000000-E	903	SUPPORTS, 3-LB STEEL U-CHANNEL	70 LF	5.00	350.00
0040	4102000000-N	904	SIGN ERECTION, TYPE E	3 EA	75.00	225.00
0041	4108000000-N	904	SIGN ERECTION, TYPE F	1 EA	205.00	205.00
0042	4155000000-N	907	DISPOSAL OF SIGN SYSTEM, U-CHANNEL	4 EA	5.00	20.00
0043	4400000000-E	1110	WORK ZONE SIGNS (STATIONARY)	385 SF	5.00	1,925.00
0044	4405000000-E	1110	WORK ZONE SIGNS (PORTABLE)	96 SF	10.00	960.00
0045	4410000000-E	1110	WORK ZONE SIGNS (BARRICADE MOUNTED)	141 SF	6.00	846.00
0046	4435000000-N	1135	CONES	23 EA	28.00	644.00
0047	4445000000-E	1145	BARRICADES (TYPE III)	180 LF	20.00	3,600.00
0048	4450000000-N	1150	FLAGGER	96 HR	35.00	3,360.00
0049	4810000000-E	1205	PAINT PAVEMENT MARKING LINES (4")	5,764 LF	0.50	2,882.00
0050	4835000000-E	1205	PAINT PAVEMENT MARKING LINES (24")	76 LF	9.00	684.00
0051	6000000000-E	1605	TEMPORARY SILT FENCE	1,325 LF	2.40	3,180.00
0052	6006000000-E	1610	STONE FOR EROSION CONTROL, CLASS A	330 TON	37.00	12,210.00
0053	6009000000-E	1610	STONE FOR EROSION CONTROL, CLASS B	170 TON	37.00	6,290.00
0054	6012000000-E	1610	SEDIMENT CONTROL STONE	370 TON	37.00	13,690.00
0055	6015000000-E	1615	TEMPORARY MULCHING	2 ACR	1,900.00	3,800.00

## Contract Item Sheets For C202428

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
0056	6018000000-E	1620	SEED FOR TEMPORARY SEEDING	50 LB	7.00	350.00
0057	6021000000-E	1620	FERTILIZER FOR TEMPORARY SEEDING	1.25 TON	1,000.00	1,250.00
0058	6024000000-E	1622	TEMPORARY SLOPE DRAINS	200 LF	9.00	1,800.00
0059	6027000000-N	1622	INLET PROTECTION AT TEMPORARY SLOPE DRAINS	4 EA	250.00	1,000.00
0060	6029000000-E	SP	SAFETY FENCE	1,350 LF	2.25	3,037.50
0061	6030000000-E	1630	SILT EXCAVATION	310 CY	9.00	2,790.00
0062	6036000000-E	1631	MATTING FOR EROSION CONTROL	5,460 SY	2.20	12,012.00
0063	6037000000-E	SP	COIR FIBER MAT	10 SY	10.50	105.00
0064	6038000000-E	SP	PERMANENT SOIL REINFORCEMENT MAT	175 SY	10.50	1,837.50
0065	6042000000-E	1632	1/4" HARDWARE CLOTH	650 LF	2.50	1,625.00
0066	6070000000-N	SP	SPECIAL STILLING BASINS	8 EA	330.00	2,640.00
0067	6071010000-E	SP	WATTLE	100 LF	7.00	700.00
0068	6071020000-E	SP	POLYACRYLAMIDE (PAM)	25 LB	15.00	375.00
0069	6071030000-E	SP	COIR FIBER BAFFLES	180 LF	6.70	1,206.00
0070	6071050000-E	SP	*** SKIMMER (1-1/2")	1 EA	800.00	800.00
0071	6084000000-E	1660	SEEDING & MULCHING	3 ACR	2,700.00	8,100.00
0072	6087000000-E	1660	MOWING	3 ACR	500.00	1,500.00
0073	6090000000-E	1661	SEED FOR REPAIR SEEDING	50 LB	8.00	400.00
0074	6093000000-E	1661	FERTILIZER FOR REPAIR SEEDING	0.25 TON	1,000.00	250.00
0075	6096000000-E	1662	SEED FOR SUPPLEMENTAL SEEDING	50 LB	7.00	350.00

## Contract Item Sheets For C202428

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
0076	6108000000-E	1665	FERTILIZER TOPDRESSING	1 TON	2,000.00	2,000.00
0077	6114500000-N	SP	SPECIALIZED HAND MOWING	10 MHR	50.00	500.00
0078	6117000000-N	SP	RESPONSE FOR EROSION CONTROL	12 EA	300.00	3,600.00
0079	6123000000-E	1670	REFORESTATION	0.15 ACR	3,900.00	585.00

Contract Item Sheets For C202428

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
0080	8847000000-E	SP	GENERIC RETAINING WALL ITEM COBBLE FACED RETAINING WALL	785 SF	75.00	58,875.00

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Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
0081	8017000000-N	SP	CONSTRUCTION, MAINTENANCE, & REMOVAL OF TEMP ACCESS AT STA ***** (14+34.00-L-)	Lump Sum LS	100,000.00	100,000.00
0082	8035000000-N	402	REMOVAL OF EXISTING STRUCTURE AT STATION ***** (14+34.00-L-)	Lump Sum LS	35,000.00	35,000.00
0083	8091000000-N	410	FOUNDATION EXCAVATION FOR BENT ** AT STATION ***** (1,14+34.00-L-)	Lump Sum LS	18,000.00	18,000.00
0084	8091000000-N	410	FOUNDATION EXCAVATION FOR BENT ** AT STATION ***** (2,14+34.00-L-)	Lump Sum LS	22,000.00	22,000.00
0085	8096000000-E	SP	PILE EXCAVATION IN SOIL	20 LF	425.00	8,500.00
0086	8097000000-E	SP	PILE EXCAVATION NOT IN SOIL	25 LF	1,225.00	30,625.00
0087	8182000000-E	420	CLASS A CONCRETE (BRIDGE)	101.4 CY	642.00	65,098.80
0088	8217000000-E	425	REINFORCING STEEL (BRIDGE)	16,270 LB	0.85	13,829.50
0089	8238000000-E	425	SPIRAL COLUMN REINFORCING STEEL (BRIDGE)	1,394 LB	1.50	2,091.00
0090	8364000000-E	SP	HP12X53 STEEL PILES	213 LF	50.00	10,650.00
0091	8391000000-N	SP	STEEL PILE POINTS	5 EA	130.00	650.00
0092	8505000000-E	SP	VERTICAL CONCRETE BARRIER RAIL	414.8 LF	64.00	26,547.20
0093	8608000000-E	876	RIP RAP CLASS II (2'-0" THICK)	430 TON	1.00	430.00
0094	8622000000-E	876	FILTER FABRIC FOR DRAINAGE	475 SY	5.00	2,375.00
0095	8657000000-N	430	ELASTOMERIC BEARINGS	Lump Sum LS	6,400.00	6,400.00
0096	8763000000-E	430	3'-0" X 2'-0" PRESTRESSED CONC CORED SLABS	2,071.15 LF	145.00	300,316.75

TOTAL AMOUNT OF BID FOR ENTIRE PROJECT

\$1,044,695.35 ✓



Contract Number C 202428  
County GRAHAM

State of North Carolina  
County of Buncombe

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**

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

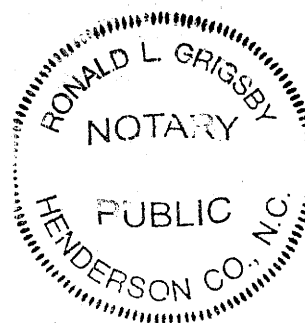
MICHAEL F. LONG  
Print or type Signer's name

**CORPORATE SEAL**

**AFFIDAVIT MUST BE NOTARIZED**

Subscribed and sworn to before me this the  
29 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**     **C202428**

**County (ies):**   **Graham**

ACCEPTED BY THE  
DEPARTMENT OF TRANSPORTATION

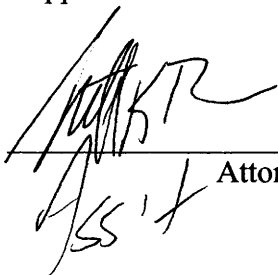


\_\_\_\_\_  
Contract Officer

7/20/10

\_\_\_\_\_  
Date

Execution of Contract and Bonds  
Approved as to Form:



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

Signature Sheet (Bid - Acceptance by Department)

Contract No. C202428  
County Graham

### CONTRACT PAYMENT BOND

Date of Performance Bond Execution: July 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: \$1,044,695.35

Contract ID No.: C202428

County Name: Graham

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. C202428  
County Graham

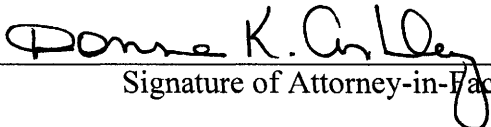
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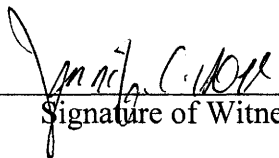
### CONTRACT PAYMENT BOND

*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

  
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

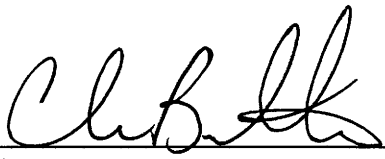
**CONTRACT PAYMENT BOND**

**CORPORATION**

SIGNATURE OF CONTRACTOR (Principal)

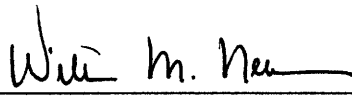
Taylor & Murphy Construction Co., Inc.  
Full name of Corporation

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. 003451528

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.

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

**Bond #1054431480**

**CONTRACT PERFORMANCE BOND**

Date of Performance Bond Execution: July 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: \$1,044,695.35

Contract ID No.: C202428

County Name: Graham

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. C202428  
County Graham

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

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 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

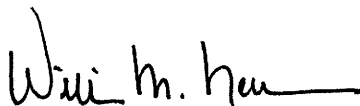


Signature of ~~President, Vice President, Assistant Vice President~~  
Select appropriate title

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. 003451526

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

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**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.

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Kori M. Johanson, Assistant Secretary



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