

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

C202637

CONTRACT AND
CONTRACT BONDS

FOR CONTRACT NO. C202637

WBS 12CR.10231.9, 12CR.20231.11 STATE FUNDED

COUNTY OF CLEVELAND
THIS IS THE ROADWAY CONTRACT
ROUTE NUMBER LENGTH 25.980 MILES
LOCATION US-74 BUS FROM W OF NC-180 TO DOVER ST, NC-150 FROM US-74
BUS TO NE OF INTERSECTION & 25 SECTIONS OF SECONDARY RDS.

CONTRACTOR ASPHALT PAVING OF SHELBY, INC.
ADDRESS P.O. BOX 1526
 SHELBY, NC 281511526

BIDS OPENED DECEMBER 21, 2010
CONTRACT EXECUTION JAN 24 2011

Asphalt Paving of Shelby, Inc. (3562).

Vendor 1 of 4 Vendors for Call Order 007 (Proposal ID C202637).

County: CLEVELAND
Address: PO Box 1526
Shelby, NC 28086
Phone Number: 704-739-4568
Signature Check: This bid has been properly signed by Ken_Fannin_3562.
Time Bid Received: Tue Dec 21 08:35:08 2010
Bid Checksum: FE910CF1 MBE GOAL SET 3.0
Amendment Count: 0
Bidding Errors: No bidding errors.
Bid Total: \$3,762,289.25 ✓ MBE GOAL MET 3.0
Bond ID: SNC10826550
Bond was Verified: Yes. WBE GOAL SET 3.0
Bond Required Percent: 5.00%
Minimum Check Amount: \$188,114.46
Bid Security Maximum: \$ WBE GOAL MET 3.0
Bond Agency Name:
Agency Execution Date: 12/16/2010 9:05:18 AM
Surety Name: Great American Insurance Company
Surety State of Incorporation:
Bond Company:
Bond Type:
Bond Appr Flag:
Bond Affirm:
Bond was Paid by Check: No.

LIST OF MBE PARTICIPANTS

1686 MB JAMES RANKIN DBA B. J. HAULING 302 RAMSEUR ROAD , MAIDEN, NC 28650	Sub	114,065.00	✓	arm
	TOTAL:	\$114,065.00	✓	arm
		3.03%		

LIST OF WBE PARTICIPANTS

VENDOR NUMBER	DBE NAME ADDRESS	WORK CODE TYPE OF WORK	CERT TYPE	AMOUNT	
12894	W ^B LITTLE L'S DUMP TRUCK SERVICE, 4393 HIGHWAY 73 , IRON STATION, NC 28080		Sub	113,365.00	✓ arm
			TOTAL:	\$113,365.00	✓ arm
				3.01%	

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: SNC10826550
Surety Registry Agency: surety2000
Verified?: Yes

NCDOT/berc

Vendor 3562's Load Output for Call 007, Letting L101221, 2010-12-21

Surety Agency: Great American Insurance Company

Bond Execution Date: 12/16/2010 9:05:18 AM

Bond Amount: \$188,114.46 (Five Percent of Bid)

State of NC
Dept of Transportation

Date: 11-23-10
Revised:

Contract ID: C202637 Project(s): STATE FUNDED
Letting Date: 12-21-10 Call Order: 007
Bidder: 3562 - Asphalt Paving of Shelby, 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			100,000.00
0002	0255000000-E GENERIC GRADING ITEM AGGREGATE SHOULDER BORROW	TON	238.000	30.00000		7,140.00
0003	1220000000-E INCIDENTAL STONE BASE	TON	1,069.000	30.00000		32,070.00
0004	1245000000-E SHOULDER RECONSTRUCTION	SMI	3.600	2,000.00000		7,200.00
0005	1297000000-E MILLING ASPHALT PAVEMENT, ***"DEPTH (1-1/2")	SY	18,943.000	0.80000		15,154.40
0006	1297000000-E MILLING ASPHALT PAVEMENT, ***"DEPTH (2")	SY	5,315.000	0.80000		4,252.00
0007	1297000000-E MILLING ASPHALT PAVEMENT, ***"DEPTH (3")	SY	4,974.000	0.80000		3,979.20
0008	1297000000-E MILLING ASPHALT PAVEMENT, ***"DEPTH (5")	SY	5,532.000	0.90000		4,978.80
0009	1489000000-E ASPHALT CONC BASE COURSE, TYPE B25.0B	TON	3,437.000	38.00000		130,606.00
0010	1491000000-E ASPHALT CONC BASE COURSE, TYPE B25.0C	TON	1,577.000	35.00000		55,195.00
0011	1519000000-E ASPHALT CONC SURFACE COURSE, TYPE S9.5B	TON	28,274.000	34.00000		961,316.00

State of NC
Dept of Transportation

Date: 11-23-10
Revised:

Contract ID: C202637 Project(s): STATE FUNDED
Letting Date: 12-21-10 Call Order: 007
Bidder: 3562 - Asphalt Paving of Shelby, Inc.

Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
0012	1520000000-E ASPHALT CONC SURFACE COURSE, TYPE S9.5B (LEVELING COURSE)	3,633.000 TON	34.00000		123,522.00	
0013	1523000000-E ASPHALT CONC SURFACE COURSE, TYPE S9.5C	3,740.000 TON	38.00000		142,120.00	
0014	1524000000-E ASPHALT CONC SURFACE COURSE, TYPE S9.5C (LEVELING COURSE)	649.000 TON	38.00000		24,662.00	
0015	1539000000-E ASPHALT CONC SURFACE COURSE, TYPE S12.5C	765.000 TON	41.00000		31,365.00	
0016	1560000000-E ASPHALT BINDER FOR PLANT MIX, GRADE PG 64-22	2,149.000 TON	517.00000		1,111,033.00	
0017	1565000000-E ASPHALT BINDER FOR PLANT MIX, GRADE PG 70-22	309.000 TON	528.00000		163,152.00	
0018	1704000000-E PATCHING EXISTING PAVEMENT	7,333.000 TON	82.00000		601,306.00	
0019	1891000000-E GENERIC PAVING ITEM INCIDENTAL MILLING	2,996.000 SY	4.00000		11,984.00	
0020	2815000000-N ADJUSTMENT OF DROP INLETS	8.000 EA	850.00000		6,800.00	
0021	2830000000-N ADJUSTMENT OF MANHOLES	46.000 EA	575.00000		26,450.00	
0022	2845000000-N ADJUSTMENT OF METER BOXES OR VALVE BOXES	45.000 EA	400.00000		18,000.00	

State of NC
Dept of Transportation
Project(s): STATE FUNDED

Date: 11-23-10
Revised:

Contract ID: C202637
Letting Date: 12-21-10 Call Order: 007
Bidder: 3562 - Asphalt Paving of Shelby, Inc.

Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
0023	4685000000-E THERMOPLAST IC PAVEMENT MARKING LINES (4", 90 MILS)	20,552.000 LF	0.70000		14,386.40	
0024	4686000000-E THERMOPLAST IC PAVEMENT MARKING LINES (4", 120 MILS)	25,715.000 LF	0.75000		19,286.25	
0025	4695000000-E THERMOPLAST IC PAVEMENT MARKING LINES (8", 90 MILS)	350.000 LF	2.50000		875.00	
0026	4700000000-E THERMOPLAST IC PAVEMENT MARKING LINES (12", 90 MILS)	160.000 LF	3.00000		480.00	
0027	4710000000-E THERMOPLAST IC PAVEMENT MARKING LINES (24", 120 MILS)	720.000 LF	5.00000		3,600.00	
0028	4721000000-E THERMOPLAST IC PAVEMENT MARKING CHARACTER (120 MILS)	24.000 EA	100.00000		2,400.00	
0029	4725000000-E THERMOPLAST IC PAVEMENT MARKING SYMBOL (90 MILS)	72.000 EA	100.00000		7,200.00	
0030	4810000000-E PAINT PAVEMENT MARKING LINES (4")	958,135.000 LF	0.12000		114,976.20	
0031	4905000000-N SNOWPLOWABLE PAVEMENT MARKERS	600.000 EA	28.00000		16,800.00	
	Section 0001 Total				3,762,289.25	
	Bid Total				3,762,289.25	

NON-COLLUSION AND DEBARMENT CERTIFICATION

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

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

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

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

Explanation:
NOT ANSWERED
NOT ANSWERED
NOT ANSWERED
NOT ANSWERED

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

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

AWARD LIMITS ON MULTIPLE PROJECTS

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

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

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

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

The Award Limits shall apply to the following projects:

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

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

NORTH CAROLINA STATE DEPARTMENT OF TRANSPORTATION
 MBE COMMITMENT ITEMS

DATE: 11-23-10
 PAGE: 6

PROPOSAL: C202637
 LETTING: L101221 CALL: 007
 VENDOR: 3562 Asphalt Paving of Shelby, Inc.

LINE NO.	ITEM NO.	ITEM DESC.	UNIT TYPE	SUBCONTRACTOR QUANTITY	SUBCONTRACTOR UNIT PRICE	EXTENDED AMOUNT

MBE SUBCONTRACTOR: 1686 JAMES RANKIN DBA B. J. HAULING						
Will Use Quote: Yes						
0009	1489000000-E	ASP CONC BAS	TON	3437.000	7.00000	24059.00
		Hauling asphalt and/or stone.				
0010	1491000000-E	ASP CONC BAS	TON	1577.000	7.00000	11039.00
		Hauling asphalt and/or stone.				
0011	1519000000-E	ASP CONC SUR	TON	11281.000	7.00000	78967.00
		Hauling asphalt and/or stone.				

MBE COMMITMENT TOTAL FOR SUBCONTRACTOR: 114,065.00 ✓ arm

TOTAL MBE COMMITMENT FOR VENDOR: Entered: 3.03% or 114065.00 ✓ arm
 Required: 3.00% or 112868.68
 <GOAL MET>

NORTH CAROLINA STATE DEPARTMENT OF TRANSPORTATION
 WBE COMMITMENT ITEMS

DATE: 11-23-10
 PAGE: 7

PROPOSAL: C202637
 LETTING: L101221 CALL: 007
 VENDOR: 3562 Asphalt Paving of Shelby, Inc.

LINE NO.	ITEM NO.	ITEM DESC.	UNIT TYPE	SUBCONTRACTOR QUANTITY	SUBCONTRACTOR UNIT PRICE	EXTENDED AMOUNT

WBE SUBCONTRACTOR: 12894 LITTLE L'S DUMP TRUCK SERVICE, INC.						
Will Use Quote: Yes						
0015	1539000000-E	ASP CONC SUR	TON	765.000	7.00000	5355.00
		Hauling asphalt and/or stone.				
0014	1524000000-E	ASP CONC SUR	TON	649.000	7.00000	4543.00
		Hauling asphalt and/or stone.				
0013	1523000000-E	ASP CONC SUR	TON	3740.000	7.00000	26180.00
		Hauling asphalt and/or stone.				
0012	1520000000-E	ASP CONC SUR	TON	3633.000	7.00000	25431.00
		Hauling asphalt and/or stone.				
0011	1519000000-E	ASP CONC SUR	TON	7408.000	7.00000	51856.00
		Hauling asphalt and/or stone.				

WBE COMMITMENT TOTAL FOR SUBCONTRACTOR: 113,365.00 ✓ arm

TOTAL WBE COMMITMENT FOR VENDOR: Entered: 3.01% or 113365.00 ✓ arm
 Required: 3.00% or 112868.68
 <GOAL MET>

Contract Item Sheets For C202637

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
ROADWAY ITEMS						
0001	0000100000-N	800	MOBILIZATION	Lump Sum LS	100,000.00	100,000.00
0002	0255000000-E	SP	GENERIC GRADING ITEM AGGREGATE SHOULDER BORROW	238 TON	30.00	7,140.00
0003	1220000000-E	545	INCIDENTAL STONE BASE	1,069 TON	30.00	32,070.00
0004	1245000000-E	SP	SHOULDER RECONSTRUCTION	3.6 SMI	2,000.00	7,200.00
0005	1297000000-E	607	MILLING ASPHALT PAVEMENT, **** DEPTH (1-1/2")	18,943 SY	0.80	15,154.40
0006	1297000000-E	607	MILLING ASPHALT PAVEMENT, **** DEPTH (2")	5,315 SY	0.80	4,252.00
0007	1297000000-E	607	MILLING ASPHALT PAVEMENT, **** DEPTH (3")	4,974 SY	0.80	3,979.20
0008	1297000000-E	607	MILLING ASPHALT PAVEMENT, **** DEPTH (5")	5,532 SY	0.90	4,978.80
0009	1489000000-E	610	ASPHALT CONC BASE COURSE, TYPE B25.0B	3,437 TON	38.00	130,606.00
0010	1491000000-E	610	ASPHALT CONC BASE COURSE, TYPE B25.0C	1,577 TON	35.00	55,195.00
0011	1519000000-E	610	ASPHALT CONC SURFACE COURSE, TYPE S9.5B	28,274 TON	34.00	961,316.00
0012	1520000000-E	SP	ASPHALT CONC SURFACE COURSE, TYPE S9.5B (LEVELING COURSE)	3,633 TON	34.00	123,522.00
0013	1523000000-E	610	ASPHALT CONC SURFACE COURSE, TYPE S9.5C	3,740 TON	38.00	142,120.00
0014	1524000000-E	SP	ASPHALT CONC SURFACE COURSE, TYPE S9.5C (LEVELING COURSE)	649 TON	38.00	24,662.00
0015	1539000000-E	610	ASPHALT CONC SURFACE COURSE, TYPE S12.5C	765 TON	41.00	31,365.00
0016	1560000000-E	620	ASPHALT BINDER FOR PLANT MIX, GRADE PG 64-22	2,149 TON	517.00	1,111,033.00

Contract Item Sheets For C202637

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
0017	1565000000-E	620	ASPHALT BINDER FOR PLANT MIX, GRADE PG 70-22	309 TON	528.00	163,152.00
0018	1704000000-E	SP	PATCHING EXISTING PAVEMENT	7,333 TON	82.00	601,306.00
0019	1891000000-E	SP	GENERIC PAVING ITEM INCIDENTAL MILLING	2,996 SY	4.00	11,984.00
0020	2815000000-N	858	ADJUSTMENT OF DROP INLETS	8 EA	850.00	6,800.00
0021	2830000000-N	858	ADJUSTMENT OF MANHOLES	46 EA	575.00	26,450.00
0022	2845000000-N	858	ADJUSTMENT OF METER BOXES OR VALVE BOXES	45 EA	400.00	18,000.00
0023	4685000000-E	1205	THERMOPLASTIC PAVEMENT MARKING LINES (4", 90 MILS)	20,552 LF	0.70	14,386.40
0024	4686000000-E	1205	THERMOPLASTIC PAVEMENT MARKING LINES (4", 120 MILS)	25,715 LF	0.75	19,286.25
0025	4695000000-E	1205	THERMOPLASTIC PAVEMENT MARKING LINES (8", 90 MILS)	350 LF	2.50	875.00
0026	4700000000-E	1205	THERMOPLASTIC PAVEMENT MARKING LINES (12", 90 MILS)	160 LF	3.00	480.00
0027	4710000000-E	1205	THERMOPLASTIC PAVEMENT MARKING LINES (24", 120 MILS)	720 LF	5.00	3,600.00
0028	4721000000-E	1205	THERMOPLASTIC PAVEMENT MARKING CHARACTER (120 MILS)	24 EA	100.00	2,400.00
0029	4725000000-E	1205	THERMOPLASTIC PAVEMENT MARKING SYMBOL (90 MILS)	72 EA	100.00	7,200.00
0030	4810000000-E	1205	PAINT PAVEMENT MARKING LINES (4")	958,135 LF	0.12	114,976.20
0031	4905000000-N	1253	SNOWPLOWABLE PAVEMENT MARKERS	600 EA	28.00	16,800.00

TOTAL AMOUNT OF BID FOR ENTIRE PROJECT

\$3,762,289.25 ✓

Contract No. C202.637
County Cleveland

Rev. 7-12-10

**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, that the Contractor has not been convicted of violating N.C.G.S. § 133-24 within the last three years, and that the Contractor intends to do the work with its 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

Asphalt Paving of Shelby, Inc
Full name of Corporation

PO Box 1526, Shelby, NC 28151
Address as Prequalified

Attest Donald G. Dedmon, Sr By Donald G. Dedmon, Jr
Secretary/Assistant Secretary President/Vice President/Assistant Vice President
Select appropriate title Select appropriate title

Donald G. Dedmon, Sr
Print or type Signer's name

Donald G. Dedmon, Jr
Print or type Signer's name

AFFIDAVIT MUST BE NOTARIZED

Subscribed and sworn to before me this the

17th day of January 2011.

Ellen D. Poston
Signature of Notary Public

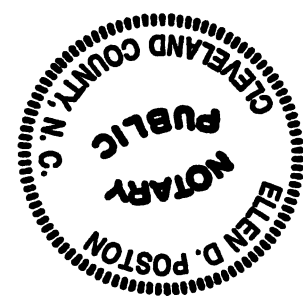
of Cleveland County

State of North Carolina

My Commission Expires: April 16, 2015



NOTARY SEAL



DEBARMENT CERTIFICATION

Conditions for certification:

1. The prequalified bidder shall provide immediate written notice to the Department if at any time the bidder learns that his certification was erroneous when he submitted his debarment certification or explanation filed 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 prequalified bidder 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 prequalified bidder 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 prequalified bidder 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 bidder 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 6 herein, the Department may terminate any contract if the bidder 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 prequalified 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.
- e. Will submit a revised Debarment Certification immediately if his status changes and will show in his bid proposal an explanation for the change in status.

If the prequalified bidder 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 prequalified bidder's bid being considered non-responsive.

Check here if an explanation is attached to this certification.

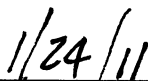
Contract No **C202637**

County (ies): **Cleveland**

**ACCEPTED BY THE
DEPARTMENT OF TRANSPORTATION**

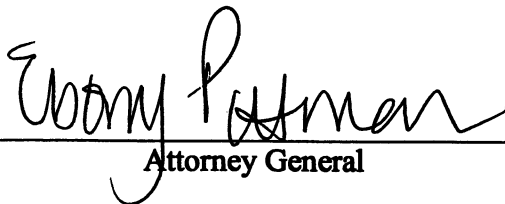


Contract Officer



Date

**Execution of Contract and Bonds
Approved as to Form:**



Attorney General

Contract No. C202637
County Cleveland County

Rev 2-1-10

CONTRACT PAYMENT BOND

Date of Payment Bond Execution January 17, 2011

Name of Principal Contractor Asphalt Paving of Shelby, Inc.

Name of Surety: Great American Insurance Co.

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

Amount of Bond: \$3,762,289.25

Contract ID No.: C202637

County Name: Cleveland County

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

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

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

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

Contract No. C202637
County Cleveland

Rev 2-1-10

CONTRACT PAYMENT BOND


Affix Seal of Surety Company

Great American Insurance co.

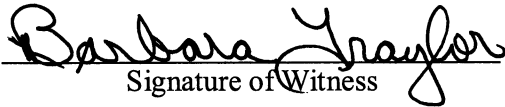
Print or type Surety Company Name

By Debbie H. Davis, Attorney-in-fact

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



Signature of Attorney-in-Fact



Signature of Witness

Barbara Traylor

Print or type Signer's name

222 N. Lafayette St., Ste. 11, Shelby, NC 28150

Address of Attorney-in-Fact

Contract No. C202637
County Cleveland County

Rev 2-1-10

CONTRACT PAYMENT BOND

CORPORATION

SIGNATURE OF CONTRACTOR (Principal)

Asphalt Paving of Shelby, Inc.

Full name of Corporation

P. O. Box 1526, Shelby, NC 28151

Address as prequalified



By [Handwritten Signature]
Signature of ~~President~~, Vice President, ~~Assistant Vice President~~
Select appropriate title

Donald G. Dedmon, Jr
Print or type Signer's name

Affix Corporate Seal

Attest [Handwritten Signature] SR
Signature of Secretary, ~~Assistant Secretary~~
Select appropriate title

Donald G. Dedmon, Sr
Print or type Signer's name

GREAT AMERICAN INSURANCE COMPANY®

Administrative Office: 580 WALNUT STREET • CINCINNATI, OHIO 45202 • 513-369-5000 • FAX 513-723-2740

The number of persons authorized by this power of attorney is not more than **FOUR**

No. 0 20059

POWER OF ATTORNEY

KNOW ALL MEN BY THESE PRESENTS: That the GREAT AMERICAN INSURANCE COMPANY, a corporation organized and existing under and by virtue of the laws of the State of Ohio, does hereby nominate, constitute and appoint the person or persons named below, each individually if more than one is named, its true and lawful attorney-in-fact, for it and in its name, place and stead to execute on behalf of the said Company, as surety, any and all bonds, undertakings and contracts of suretyship, or other written obligations in the nature thereof; provided that the liability of the said Company on any such bond, undertaking or contract of suretyship executed under this authority shall not exceed the limit stated below.

Name	Address	Limit of Power
KAY ARCHER PRICE	ALL OF	ALL
MILLIE A. WOOD	SHELBY, NORTH CAROLINA	\$75,000,000
DEBORAH H. DAVIS		
JILL BLACK		

This Power of Attorney revokes all previous powers issued on behalf of the attorney(s)-in-fact named above.

IN WITNESS WHEREOF the GREAT AMERICAN INSURANCE COMPANY has caused these presents to be signed and attested by its appropriate officers and its corporate seal hereunto affixed this 13TH day of SEPTEMBER, 2010
GREAT AMERICAN INSURANCE COMPANY



Atty L C B
Assistant Secretary

David C. Kitchin
Divisional Senior Vice President

DAVID C. KITCHIN (513-412-4602)

STATE OF OHIO, COUNTY OF HAMILTON - ss:

On this 13TH day of SEPTEMBER, 2010, before me personally appeared DAVID C. KITCHIN, to me known, being duly sworn, deposes and says that he resides in Cincinnati, Ohio, that he is a Divisional Senior Vice President of the Bond Division of Great American Insurance Company, the Company described in and which executed the above instrument; that he knows the seal of the said Company; that the seal affixed to the said instrument is such corporate seal; that it was so affixed by authority of his office under the By-Laws of said Company, and that he signed his name thereto by like authority.



KAREN L. GROSHIM
NOTARY PUBLIC, STATE OF OHIO
MY COMMISSION EXPIRES 02-20-11

Karen L. Grosheim

This Power of Attorney is granted by authority of the following resolutions adopted by the Board of Directors of Great American Insurance Company by unanimous written consent dated June 9, 2008.

RESOLVED: That the Divisional President, the several Divisional Senior Vice Presidents, Divisional Vice Presidents and Divisional Assistant Vice Presidents, or any one of them, be and hereby is authorized, from time to time, to appoint one or more Attorneys-in-Fact to execute on behalf of the Company, as surety, any and all bonds, undertakings and contracts of suretyship, or other written obligations in the nature thereof; to prescribe their respective duties and the respective limits of their authority; and to revoke any such appointment at any time.

RESOLVED FURTHER: That the Company seal and the signature of any of the aforesaid officers and any Secretary or Assistant Secretary of the Company may be affixed by facsimile to any power of attorney or certificate of either given for the execution of any bond, undertaking, contract of suretyship, or other written obligation in the nature thereof, such signature and seal when so used being hereby adopted by the Company as the original signature of such officer and the original seal of the Company, to be valid and binding upon the Company with the same force and effect as though manually affixed.

CERTIFICATION

I, STEPHEN C. BERAHA, Assistant Secretary of Great American Insurance Company, do hereby certify that the foregoing Power of Attorney and the Resolutions of the Board of Directors of June 9, 2008 have not been revoked and are now in full force and effect.

Signed and sealed this 17th day of January, 2011



Atty L C B
Assistant Secretary

Contract No. C202637
County Cleveland

Rev 2-1-10

CONTRACT PERFORMANCE BOND

Date of Performance Bond Execution: January 17, 2011

Name of Principal Contractor: Asphalt Paving of Shelby, Inc.

Name of Surety: Great American Insurance Co.

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

Amount of Bond: \$3,762,289.25

Contract ID No.: C202637

County Name: Cleveland County

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

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

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

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

Contract No. C202637
County Cleveland County

Rev 2-1-10


CONTRACT PERFORMANCE BOND

Affix Seal of Surety Company

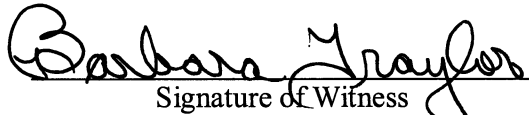
Great American Insurance Co.

Print or type Surety Company Name

By Debbie H. Davis, Attorney-in-fact
Print, stamp or type name of Attorney-in-Fact



Signature of Attorney-in-Fact



Signature of Witness

Barbara Traylor

Print or type Signer's name

222 N. Lafayette St., Ste. 11, Shelby, NC 28150

Address of Attorney-in-Fact

Contract No.
County

C202637

Cleveland

Rev 2-1-10

CONTRACT PERFORMANCE BOND

CORPORATION

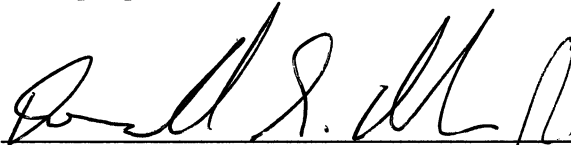
SIGNATURE OF CONTRACTOR (Principal)

Asphalt Paving of Shelby, Inc.

Full name of Corporation

P. O. Box 1526, Shelby, NC 28151

Address as prequalified


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



Donald G. Dedmon, Jr
Print or type Signer's name

Affix Corporate Seal

Attest


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

Donald G. Dedmon Sr
Print or type Signer's name

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Atty L. C. B.
Assistant Secretary