

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

C202852

CONTRACT AND  
CONTRACT BONDS

FOR CONTRACT NO. C202852

WBS 7CR.10011.32, 7CR.10171.32, 7CR.20011.32 STATE FUNDED

COUNTY OF ALAMANCE, CASWELL  
THIS IS THE ROADWAY CONTRACT  
ROUTE NUMBER US 70 LENGTH 17.085 MILES  
LOCATION 1 SECTION OF US-70, 1 SECTION OF NC-62, 2 SECTIONS OF NC-87,  
1 SECTION OF NC-87/100 AND 1 SECTION OF SECONDARY ROAD.

CONTRACTOR APAC - ATLANTIC, INC. THOMPSON ARTHUR DIVISION  
ADDRESS P.O. BOX 21088  
GREENSBORO, NC 27420

BIDS OPENED OCTOBER 18, 2011  
CONTRACT EXECUTION NOV 0 8 2011

**APAC-Atlantic, Inc. Thompson-Arthur Division (4315).  
Vendor 2 of 2 Vendors for Call Order 011 (Proposal ID C202852).**

County: ALAMANCE, CASWELL  
Address: 300 S. Benbow Road  
Greensboro, NC 27401  
Phone Number: (336) 412-6800  
Signature Check: This bid has been properly signed by Clarence\_O\_Brickey\_4315.  
Time Bid Received: Tue Oct 18 13:46:47 2011  
Bid Checksum: 4CB04F55  
Amendment Count: 0 MBE GOAL SET 3.0  
Bidding Errors: No bidding errors.  
Bid Total: \$4,062,091.43 ✓ MBE GOAL MET 3.0  
Bond ID: SNC11656715  
Bond was Verified: Yes.  
Bond Required Percent: 5.00% WBE GOAL SET 4.0  
Minimum Check Amount: \$203,104.57  
Bid Security Maximum: \$ WBE GOAL MET 4.0  
Bond Agency Name:  
Agency Execution Date: 10/11/2011 1:51:33 PM  
Surety Name: Liberty Mutual Insurance Company  
Surety State of Incorporation:  
Bond Company:  
Bond Type:  
Bond Appr Flag:  
Bond Affirm:  
Bond was Paid by Check: No.

LIST OF MBE PARTICIPANTS

4906 MB W. G. LEWIS TRUCKING, INC 1323 PENNY RD. , HIGH POINT, NC 27265	Sub	122,500.00	✓	arm
	TOTAL:	\$122,500.00	✓	arm
		3.02%		

LIST OF WBE PARTICIPANTS

VENDOR NUMBER	DBE NAME ADDRESS	WORK CODE TYPE OF WORK	CERT TYPE	AMOUNT	
10186	wb SLM CONSTRUCTION, INC. 513 WHITE SMITH ROAD , PITTSBORO, NC 27312		Sub	162,150.00	✓ arm
12701	wb FARMER TRANSPORT, LLC 319 CITY STORE ROAD , REIDSVILLE, NC 27320		Sub	500.00	✓ arm
			TOTAL:	\$162,650.00	✓ arm
				4.00%	

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: SNC11656715

NCDOT/berc

Vendor 4315's Load Output for Call 011, Letting L111018, 2011-10-18

Surety Registry Agency: surety2000

Verified?: Yes

Surety Agency: Liberty Mutual Insurance Company

Bond Execution Date: 10/11/2011 1:51:33 PM

Bond Amount: \$203,104.57 (Five Percent of Bid)

Contract ID: C202852 Project(s): STATE FUNDED  
Letting Date: 10-18-11 Call Order: 011  
Bidder: 4315 - APAC-Atlantic, Inc. Thompson-Arthur Division

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			85,000.00
0002	0106000000-E BORROW EXCAVATION	60.000 CY	22.00000			1,320.00
0003	1220000000-E INCIDENTAL STONE BASE	1,006.000 TON	34.00000			34,204.00
0004	1245000000-E SHOULDER RECONSTRUCTION	18.110 SMI	1,785.00000			32,326.35
0005	1297000000-E MILLING ASPHALT PAVEMENT, ***"DEPTH (1-1/2")	57,346.000 SY	1.15000			65,947.90
0006	1297000000-E MILLING ASPHALT PAVEMENT, ***"DEPTH (1-1/4")	3,084.000 SY	1.75000			5,397.00
0007	1297000000-E MILLING ASPHALT PAVEMENT, ***"DEPTH (3")	3,126.000 SY	3.50000			10,941.00
0008	1308000000-E MILLING ASPHALT PAVEMENT, ***"TO *****" DEPTH (0" TO 1-1/2")	22,718.000 SY	1.20000			27,261.60
0009	1330000000-E INCIDENTAL MILLING	2,989.000 SY	4.25000			12,703.25
0010	1489000000-E ASPHALT CONC BASE COURSE, TYPE B25.0B	11,208.000 TON	35.35000			396,202.80

State of NC  
Dept of Transportation

Date: 09-19-11  
Revised:

Contract ID: C202852 Project(s): STATE FUNDED  
Letting Date: 10-18-11 Call Order: 011  
Bidder: 4315 - APAC-Atlantic, Inc. Thompson-Arthur Division

Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
0011	1498000000-E ASPHALT CONC INTERMEDIATE COURSE, TYPE I19.0B	535.000 TON	56.00000		29,960.00	
0012	1519000000-E ASPHALT CONC SURFACE COURSE, TYPE S9.5B	20,101.000 TON	37.90000		761,827.90	
0013	1525000000-E ASPHALT CONC SURFACE COURSE, TYPE SF9.5A	9,690.000 TON	38.20000		370,158.00	
0014	1575000000-E ASPHALT BINDER FOR PLANT MIX	2,376.000 TON	598.00000		1,420,848.00	
0015	1775000000-E ASPHALT SURFACE TREATMENT, MATCOAT, #78M STONE	75,109.000 SY	1.05000		78,864.45	
0016	1839000000-E GENERIC PAVING ITEM ASPHALT SURFACE TREATMENT, MAT COAT, #67 STONE	169,423.000 SY	1.20000		203,307.60	
0017	2759000000-N GENERIC PAVING ITEM RETROFIT EXISTING CURB RAMPS	64.000 EA	400.00000		25,600.00	
0018	2830000000-N ADJUSTMENT OF MANHOLES	135.000 EA	600.00000		81,000.00	
0019	2845000000-N ADJUSTMENT OF METER BOXES OR VALVE BOXES	101.000 EA	550.00000		55,550.00	
0020	4589000000-N GENERIC TRAFFIC CONTROL ITEM TRAFFIC CONTROL	LUMP	LUMP		7,000.00	
0021	4685000000-E THERMOPLAST IC PAVEMENT MARKING LINES (4", 90 MILS)	97,090.000 LF	0.52000		50,486.80	

State of NC  
Dept of Transportation

Date: 09-19-11  
Revised:

Contract ID: C202852 Project(s): STATE FUNDED  
Letting Date: 10-18-11 Call Order: 011  
Bidder: 4315 - APAC-Atlantic, Inc. Thompson-Arthur Division

Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
0022	4686000000-E THERMOPLAST IC PAVEMENT MARKING LINES (4", 120 MILS)	146,454.000 LF	0.57000		83,478.78	
0023	4688000000-E THERMOPLAST IC PAVEMENT MARKING LINES (6", 90 MILS)	150.000 LF	2.00000		300.00	
0024	4690000000-E THERMOPLAST IC PAVEMENT MARKING LINES (6", 120 MILS)	488.000 LF	2.50000		1,220.00	
0025	4695000000-E THERMOPLAST IC PAVEMENT MARKING LINES (8", 90 MILS)	596.000 LF	1.50000		894.00	
0026	4697000000-E THERMOPLAST IC PAVEMENT MARKING LINES (8", 120 MILS)	459.000 LF	2.50000		1,147.50	
0027	4705000000-E THERMOPLAST IC PAVEMENT MARKING LINES (16", 120 MILS)	50.000 LF	6.00000		300.00	
0028	4710000000-E THERMOPLAST IC PAVEMENT MARKING LINES (24", 120 MILS)	1,749.000 LF	6.00000		10,494.00	
0029	4721000000-E THERMOPLAST IC PAVEMENT MARKING CHARACTER (120 MILS)	34.000 EA	100.00000		3,400.00	
0030	4725000000-E THERMOPLAST IC PAVEMENT MARKING SYMBOL (90 MILS)	285.000 EA	100.00000		28,500.00	
0031	4810000000-E PAINT PAVEMENT MARKING LINES (4")	161,438.000 LF	0.25000		40,359.50	
0032	4820000000-E PAINT PAVEMENT MARKING LINES (8")	396.000 LF	0.50000		198.00	

State of NC  
Dept of Transportation

Date: 09-19-11  
Revised:

Contract ID: C202852 Project(s): STATE FUNDED  
Letting Date: 10-18-11 Call Order: 011  
Bidder: 4315 - APAC-Atlantic, Inc. Thompson-Arthur Division

Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
0033	4830000000-E PAINT PAVEMENT MARKING LINES (16")	50.000 LF	2.00000		100.00	
0034	4835000000-E PAINT PAVEMENT MARKING LINES (24")	766.000 LF	3.00000		2,298.00	
0035	4840000000-N PAINT PAVEMENT MARKING CHARAC-TER	18.000 EA	50.00000		900.00	
0036	4845000000-N PAINT PAVEMENT MARKING SYMBOL	85.000 EA	50.00000		4,250.00	
0037	4900000000-N PERMANENT RAISED PAVEMENT MARKERS	150.000 EA	6.00000		900.00	
0038	4905000000-N SNOWPLOWABLE PAVEMENT MARKERS	1,890.000 EA	20.95000		39,595.50	
0039	5255000000-N PORTABLE LIGHTING	LUMP	LUMP		3,000.00	
0040	6084000000-E SEEDING & MULCHING	3.290 ACR	1,500.00000		4,935.00	
0041	6110000000-E RESIDENTIAL SEEDING	3.290 ACR	1,500.00000		4,935.00	
0042	7300000000-E UNPAVED TRENCHING (*****)(1, 2")	310.000 LF	4.00000		1,240.00	
0043	7324000000-N JUNCTION BOX (STANDARD SIZE)	42.000 EA	85.00000		3,570.00	
0044	7420000000-E 2" RISER WITH WEATHERHEAD	34.000 EA	1.00000		34.00	



State of NC  
 Dept of Transportation

Date: 09-19-11  
 Revised:

Contract ID: C202852 Project(s): STATE FUNDED  
 Letting Date: 10-18-11 Call Order: 011  
 Bidder: 4315 - APAC-Atlantic, Inc. Thompson-Arthur Division

Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
0045	7444000000-E INDUCTIVE LOOP SAWCUT	16,030.000 LF	4.35000		69,730.50	
0046	7456000000-E LEAD-IN CABLE (*****)(14-2)	810.000 LF	0.50000		405.00	
Section 0001 Total						4,062,091.43
Bid Total						4,062,091.43

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  
WBE COMMITMENT ITEMS

DATE:09-19-11  
PAGE: 9

PROPOSAL: C202852  
LETTING: L111018 CALL: 011  
VENDOR: 4315 APAC-Atlantic, Inc. Thompson-Arthur Division

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

WBE SUBCONTRACTOR: 10186 SLM CONSTRUCTION, INC.  
Will Use Quote: Yes

0017	2759000000-N	GENERIC PAVI	EA	64.000	400.00000	25600.00
0018	2830000000-N	ADJ MANHOLES	EA	135.000	600.00000	81000.00
0019	2845000000-N	ADJ METER OR	EA	101.000	550.00000	55550.00

· WBE COMMITMENT TOTAL FOR SUBCONTRACTOR: 162,150.00 ✓ arm

WBE SUBCONTRACTOR: 12701 FARMER TRANSPORT, LLC  
Will Use Quote: Yes

0011	1498000000-E	ASP CONC INT	TON	100.000	5.00000	500.00
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Haul Only. Based on an hourly rate of \$63.00/Hour for a Tri-axle truck.

WBE COMMITMENT TOTAL FOR SUBCONTRACTOR: 500.00 ✓ arm

TOTAL WBE COMMITMENT FOR VENDOR:	Entered:	4.00% or	162650.00	✓ arm
	Required:	4.00% or	162483.66	
			<GOAL MET>	

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
<b>ROADWAY ITEMS</b>						
0001	0000100000-N	800	MOBILIZATION	Lump Sum LS	85,000.00	85,000.00
0002	0106000000-E	230	BORROW EXCAVATION	60 CY	22.00	1,320.00
0003	1220000000-E	545	INCIDENTAL STONE BASE	1,006 TON	34.00	34,204.00
0004	1245000000-E	SP	SHOULDER RECONSTRUCTION	18.11 SMI	1,785.00	32,326.35
0005	1297000000-E	607	MILLING ASPHALT PAVEMENT, **** DEPTH (1-1/2")	57,346 SY	1.15	65,947.90
0006	1297000000-E	607	MILLING ASPHALT PAVEMENT, **** DEPTH (1-1/4")	3,084 SY	1.75	5,397.00
0007	1297000000-E	607	MILLING ASPHALT PAVEMENT, **** DEPTH (3")	3,126 SY	3.50	10,941.00
0008	1308000000-E	607	MILLING ASPHALT PAVEMENT, **** TO ***** DEPTH (0" TO 1-1/2")	22,718 SY	1.20	27,261.60
0009	1330000000-E	607	INCIDENTAL MILLING	2,989 SY	4.25	12,703.25
0010	1489000000-E	610	ASPHALT CONC BASE COURSE, TYPE B25.0B	11,208 TON	35.35	396,202.80
0011	1498000000-E	610	ASPHALT CONC INTERMEDIATE COURSE, TYPE I19.0B	535 TON	56.00	29,960.00
0012	1519000000-E	610	ASPHALT CONC SURFACE COURSE, TYPE S9.5B	20,101 TON	37.90	761,827.90
0013	1525000000-E	610	ASPHALT CONC SURFACE COURSE, TYPE SF9.5A	9,690 TON	38.20	370,158.00
0014	1575000000-E	SP	ASPHALT BINDER FOR PLANT MIX	2,376 TON	598.00	1,420,848.00
0015	1775000000-E	660	ASPHALT SURFACE TREATMENT, MAT COAT, #78M STONE	75,109 SY	1.05	78,864.45
0016	1839000000-E	660	GENERIC PAVING ITEM ASPHALT SURFACE TREATMENT, MAT COAT, #67 STONE	169,423 SY	1.20	203,307.60

## Contract Item Sheets For C202852

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
0017	2759000000-N	SP	GENERIC PAVING ITEM RETROFIT EXISTING CURB RAMPS	64 EA	400.00	25,600.00
0018	2830000000-N	858	ADJUSTMENT OF MANHOLES	135 EA	600.00	81,000.00
0019	2845000000-N	858	ADJUSTMENT OF METER BOXES OR VALVE BOXES	101 EA	550.00	55,550.00
0020	4589000000-N	SP	GENERIC TRAFFIC CONTROL ITEM TRAFFIC CONTROL	Lump Sum LS	7,000.00	7,000.00
0021	4685000000-E	1205	THERMOPLASTIC PAVEMENT MARKING LINES (4", 90 MILS)	97,090 LF	0.52	50,486.80
0022	4686000000-E	1205	THERMOPLASTIC PAVEMENT MARKING LINES (4", 120 MILS)	146,454 LF	0.57	83,478.78
0023	4688000000-E	1205	THERMOPLASTIC PAVEMENT MARKING LINES (6", 90 MILS)	150 LF	2.00	300.00
0024	4690000000-E	1205	THERMOPLASTIC PAVEMENT MARKING LINES (6", 120 MILS)	488 LF	2.50	1,220.00
0025	4695000000-E	1205	THERMOPLASTIC PAVEMENT MARKING LINES (8", 90 MILS)	596 LF	1.50	894.00
0026	4697000000-E	1205	THERMOPLASTIC PAVEMENT MARKING LINES (8", 120 MILS)	459 LF	2.50	1,147.50
0027	4705000000-E	1205	THERMOPLASTIC PAVEMENT MARKING LINES (16", 120 MILS)	50 LF	6.00	300.00
0028	4710000000-E	1205	THERMOPLASTIC PAVEMENT MARKING LINES (24", 120 MILS)	1,749 LF	6.00	10,494.00
0029	4721000000-E	1205	THERMOPLASTIC PAVEMENT MARKING CHARACTER (120 MILS)	34 EA	100.00	3,400.00
0030	4725000000-E	1205	THERMOPLASTIC PAVEMENT MARKING SYMBOL (90 MILS)	285 EA	100.00	28,500.00
0031	4810000000-E	1205	PAINT PAVEMENT MARKING LINES (4")	161,438 LF	0.25	40,359.50
0032	4820000000-E	1205	PAINT PAVEMENT MARKING LINES (8")	396 LF	0.50	198.00

## Contract Item Sheets For C202852

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
0033	4830000000-E	1205	PAINT PAVEMENT MARKING LINES (16")	50 LF	2.00	100.00
0034	4835000000-E	1205	PAINT PAVEMENT MARKING LINES (24")	766 LF	3.00	2,298.00
0035	4840000000-N	1205	PAINT PAVEMENT MARKING CHARACTER	18 EA	50.00	900.00
0036	4845000000-N	1205	PAINT PAVEMENT MARKING SYMBOL	85 EA	50.00	4,250.00
0037	4900000000-N	1251	PERMANENT RAISED PAVEMENT MARKERS	150 EA	6.00	900.00
0038	4905000000-N	1253	SNOWPLOWABLE PAVEMENT MARKERS	1,890 EA	20.95	39,595.50
0039	5255000000-N	1413	PORTABLE LIGHTING	Lump Sum LS	3,000.00	3,000.00
0040	6084000000-E	1660	SEEDING & MULCHING	3.29 ACR	1,500.00	4,935.00
0041	6110000000-E	SP	RESIDENTIAL SEEDING	3.29 ACR	1,500.00	4,935.00
0042	7300000000-E	1715	UNPAVED TRENCHING (*****) (1, 2")	310 LF	4.00	1,240.00
0043	7324000000-N	1716	JUNCTION BOX (STANDARD SIZE)	42 EA	85.00	3,570.00
0044	7420000000-E	1722	2" RISER WITH WEATHERHEAD	34 EA	1.00	34.00
0045	7444000000-E	1725	INDUCTIVE LOOP SAWCUT	16,030 LF	4.35	69,730.50
0046	7456000000-E	1726	LEAD-IN CABLE (*****) (14-2)	810 LF	0.50	405.00

TOTAL AMOUNT OF BID FOR ENTIRE PROJECT

\$4,062,091.43





C202852

Contract No. \_\_\_\_\_  
County Alamance, Caswell

Rev. 5-19-11

**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**

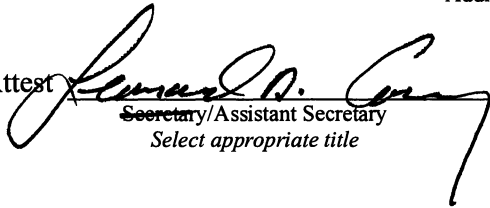
APAC-Atlantic, Inc Thompson-Arthur Division

Full name of Corporation

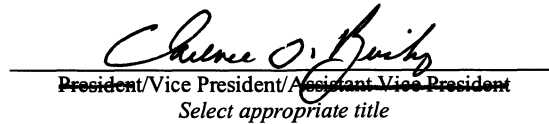
PO Box 21088, Greensboro, NC 27420

Address as Prequalified

Attest

  
Secretary/Assistant Secretary  
Select appropriate title

By

  
President/Vice President/Assistant Vice President  
Select appropriate title

Leonard D. Conway

Print or type Signer's name

Clarence O. Brickey

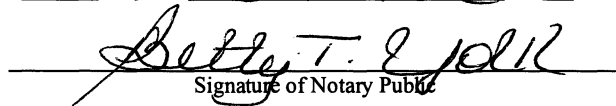
Print or type Signer's name

**CORPORATE SEAL**

**AFFIDAVIT MUST BE NOTARIZED**

Subscribed and sworn to before me this the

28<sup>th</sup> day of October 2011.

  
Signature of Notary Public

**NOTARY SEAL**

of Alamance County

State of NC

My Commission Expires: 4/11/14

## 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.

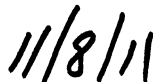
**Contract No**     **C202852**

**County (ies):**   **Alamance-Caswell**

ACCEPTED BY THE  
DEPARTMENT OF TRANSPORTATION

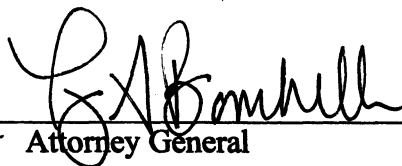


\_\_\_\_\_  
Contract Officer



\_\_\_\_\_  
Date

Execution of Contract and Bonds  
Approved as to Form:



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

Contract No. C202852  
County ALAMANCE & CASWELL

Rev 2-1-10

**CONTRACT PAYMENT BOND**

Date of Payment Bond Execution OCTOBER 27, 2011

Name of Principal Contractor APAC-ATLANTIC, INC. - THOMPSON-ARTHUR DIVISION

Name of Surety: LIBERTY MUTUAL INSURANCE COMPANY

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

Amount of Bond: \$4,062,091.43

Contract ID No.: C202852

County Name: ALAMANCE & CASWELL

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.  
County

C202852  
ALAMANCE & CASWELL

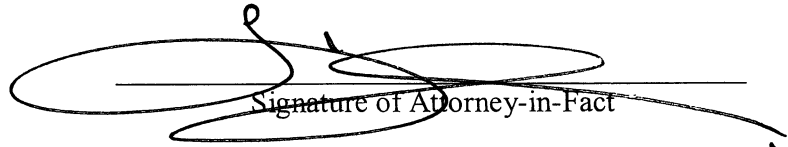
Rev 2-1-10

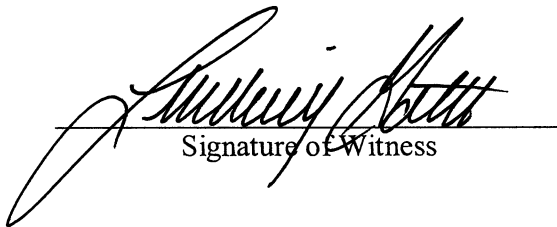
**CONTRACT PAYMENT BOND**

*Affix Seal of Surety Company*

LIBERTY MUTUAL INSURANCE COMPANY  
Print or type Surety Company Name

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

  
Signature of Attorney-in-Fact

  
Signature of Witness

LINDSEY GATES  
Print or type Signer's name

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

Contract No. C202852  
County ALAMANCE & CASWELL

Rev 2-1-10

**CONTRACT PAYMENT BOND**

**CORPORATION**

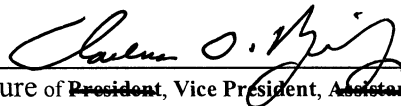
SIGNATURE OF CONTRACTOR (Principal)

APAC-ATLANTIC, INC. - THOMPSON-ARTHUR DIVISION

Full name of Corporation

P.O. BOX 21088, GREENSBORO, NC 27420

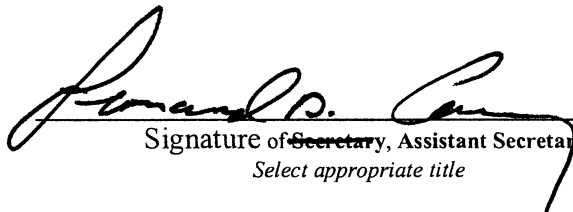
Address as prequalified

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

Clarence O. Brickey

Print or type Signer's name

*Affix Corporate Seal*

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

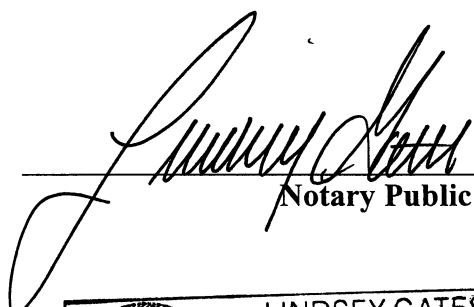
**Leonard D. Conway**

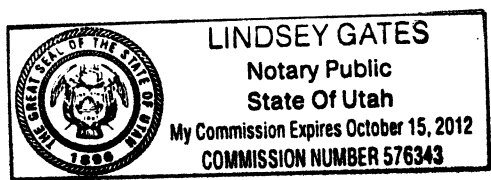
Print or type Signer's name

**SURETY ACKNOWLEDGMENT**

STATE OF UTAH                    }  
COUNTY OF SALT LAKE        } **SS**

On this 27TH day of OCTOBER, 2011, before me personally came TINA DAVIS to me known, who, being by me duly sworn, did depose and say that she is an Attorney-In-Fact of LIBERTY MUTUAL INSURANCE COMPANY the corporation described in and which executed the within instrument; that she knows the corporate seal of said corporation, that the seal affixed to the within instrument is such corporate seal, and that she signed the said instrument and affixed the said seal as Attorney-In-Fact of the Board of Directors of said corporation and by authority of this office under the Standing Resolutions thereof.

  
\_\_\_\_\_  
Notary Public





This Power of Attorney limits the acts of those named herein, and they have no authority to bind the Company except in the manner and to the extent herein stated.

LIBERTY MUTUAL INSURANCE COMPANY
BOSTON, MASSACHUSETTS
POWER OF ATTORNEY

KNOW ALL PERSONS BY THESE PRESENTS: That Liberty Mutual Insurance Company (the "Company"), a Massachusetts stock insurance company, pursuant to and by authority of the By-law and Authorization hereinafter set forth, does hereby name, constitute and appoint TINA DAVIS, LISA HALL, LINDSEY GATES, ALL OF THE CITY OF SALT LAKE CITY, STATE OF UTAH.....

, each individually if there be more than one named, its true and lawful attorney-in-fact to make, execute, seal, acknowledge and deliver, for and on its behalf as surety and as its act and deed, any and all undertakings, bonds, recognizances and other surety obligations in the penal sum not exceeding SEVENTY FIVE MILLION AND 00/100\*\*\*\*\* DOLLARS (\$ 75,000,000.00\*\*\*\*\* ) each, and the execution of such undertakings, bonds, recognizances and other surety obligations, in pursuance of these presents, shall be as binding upon the Company as if they had been duly signed by the president and attested by the secretary of the Company in their own proper persons.

That this power is made and executed pursuant to and by authority of the following By-law and Authorization:

ARTICLE XIII - Execution of Contracts: Section 5. Surety Bonds and Undertakings.

Any officer of the Company authorized for that purpose in writing by the chairman or the president, and subject to such limitations as the chairman or the president may prescribe, shall appoint such attorneys-in-fact, as may be necessary to act in behalf of the Company to make, execute, seal, acknowledge and deliver as surety any and all undertakings, bonds, recognizances and other surety obligations. Such attorneys-in-fact, subject to the limitations set forth in their respective powers of attorney, shall have full power to bind the Company by their signature and execution of any such instruments and to attach thereto the seal of the Company. When so executed such instruments shall be as binding as if signed by the president and attested by the secretary.

By the following instrument the chairman or the president has authorized the officer or other official named therein to appoint attorneys-in-fact:

Pursuant to Article XIII, Section 5 of the By-Laws, David M. Carey, Assistant Secretary of Liberty Mutual Insurance Company, is hereby authorized to appoint such attorneys-in-fact as may be necessary to act in behalf of the Company to make, execute, seal, acknowledge and deliver as surety any and all undertakings, bonds, recognizances and other surety obligations.

That the By-law and the Authorization set forth above are true copies thereof and are now in full force and effect.

IN WITNESS WHEREOF, this Power of Attorney has been subscribed by an authorized officer or official of the Company and the corporate seal of Liberty Mutual Insurance Company has been affixed thereto in Plymouth Meeting, Pennsylvania this day of 16th day of August 2011.



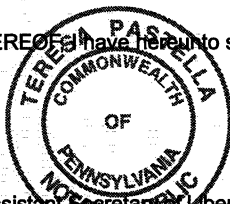
LIBERTY MUTUAL INSURANCE COMPANY

By David M. Carey
David M. Carey, Assistant Secretary

COMMONWEALTH OF PENNSYLVANIA ss
COUNTY OF MONTGOMERY

On this 16th day of August, 2011, before me, a Notary Public, personally came David M. Carey, to me known, and acknowledged that he is an Assistant Secretary of Liberty Mutual Insurance Company; that he knows the seal of said corporation; and that he executed the above Power of Attorney and affixed the corporate seal of Liberty Mutual Insurance Company thereto with the authority and at the direction of said corporation.

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



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

By Teresa Pastella
Teresa Pastella, Notary Public

CERTIFICATE

I, the undersigned, Assistant Secretary of Liberty Mutual Insurance Company, do hereby certify that the original power of attorney of which the foregoing is a full, true and correct copy, is in full force and effect on the date of this certificate; and I do further certify that the officer or official who executed the said power of attorney is an Assistant Secretary specially authorized by the chairman or the president to appoint attorneys-in-fact as provided in Article XIII, Section 5 of the By-laws of Liberty Mutual Insurance Company.

This certificate and the above power of attorney may be signed by facsimile or mechanically reproduced signatures under and by authority of the following vote of the board of directors of Liberty Mutual Insurance Company at a meeting duly called and held on the 12th day of March, 1980.

VOTED that the facsimile or mechanically reproduced signature of any assistant secretary of the company, wherever appearing upon a certified copy of any power of attorney issued by the company in connection with surety bonds, shall be valid and binding upon the company with the same force and effect as though manually affixed.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed the corporate seal of the said company, this 27TH day of OCTOBER, 2011.



Gregory W. Davenport, Assistant Secretary

Not valid for mortgage, note, loan, letter of credit, bank deposit, currency rate, interest rate or residual value guarantees.

To confirm the validity of this Power of Attorney call 1-610-832-8240 between 9:00 am and 4:30 pm EST on any business day.

Contract No. C202852  
 County ALAMANCE & CASWELL

Rev 2-1-10

### CONTRACT PERFORMANCE BOND

Date of Performance Bond Execution: OCTOBER 27, 2011

Name of Principal Contractor: APAC-ATLANTIC, INC. - THOMPSON-ARTHUR DIVISION

Name of Surety: LIBERTY MUTUAL INSURANCE COMPANY

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

Amount of Bond: \$4,062,091.43

Contract ID No.: C202852

County Name: ALAMANCE & CASWELL

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. C202852  
County ALAMANCE & CASWELL

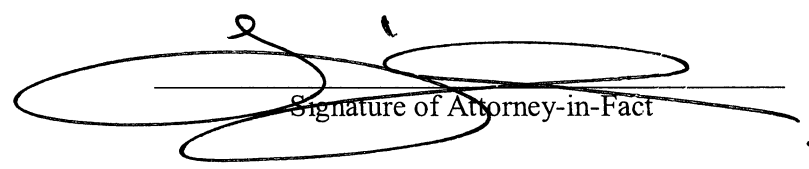
Rev 2-1-10

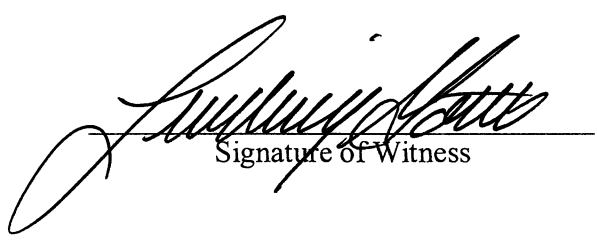
**CONTRACT PERFORMANCE BOND**

*Affix Seal of Surety Company*

LIBERTY MUTUAL INSURANCE COMPANY  
Print or type Surety Company Name

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

  
Signature of Attorney-in-Fact

  
Signature of Witness

LINDSEY GATES  
Print or type Signer's name

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

Contract No. C202852  
County ALAMANCE & CASWELL

Rev 2-1-10

**CONTRACT PERFORMANCE BOND**  
**CORPORATION**

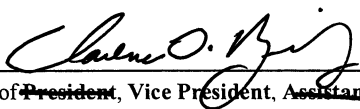
SIGNATURE OF CONTRACTOR (Principal)

APAC-ATLANTIC, INC. - THOMPSON-ARTHUR DIVISION

Full name of Corporation

P.O. BOX 21088, GREENSBORO, NC 27420

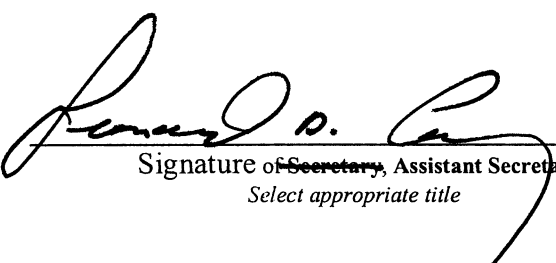
Address as prequalified

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

**Clarence O. Brickey**

Print or type Signer's name

*Affix Corporate Seal*

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

**Leonard D. Conway**

Print or type Signer's name

This Power of Attorney limits the acts of those named herein, and they have no authority to bind the Company except in the manner and to the extent herein stated.

LIBERTY MUTUAL INSURANCE COMPANY
BOSTON, MASSACHUSETTS
POWER OF ATTORNEY

KNOW ALL PERSONS BY THESE PRESENTS: That Liberty Mutual Insurance Company (the "Company"), a Massachusetts stock insurance company, pursuant to and by authority of the By-law and Authorization hereinafter set forth, does hereby name, constitute and appoint TINA DAVIS, LISA HALL, LINDSEY GATES, ALL OF THE CITY OF SALT LAKE CITY, STATE OF UTAH.....

, each individually if there be more than one named, its true and lawful attorney-in-fact to make, execute, seal, acknowledge and deliver, for and on its behalf as surety and as its act and deed, any and all undertakings, bonds, recognizances and other surety obligations in the penal sum not exceeding SEVENTY FIVE MILLION AND 00/100\*\*\*\*\* DOLLARS (\$ 75,000,000.00\*\*\*\*\* ) each, and the execution of such undertakings, bonds, recognizances and other surety obligations, in pursuance of these presents, shall be as binding upon the Company as if they had been duly signed by the president and attested by the secretary of the Company in their own proper persons.

That this power is made and executed pursuant to and by authority of the following By-law and Authorization:

ARTICLE XIII - Execution of Contracts: Section 5. Surety Bonds and Undertakings.

Any officer of the Company authorized for that purpose in writing by the chairman or the president, and subject to such limitations as the chairman or the president may prescribe, shall appoint such attorneys-in-fact, as may be necessary to act in behalf of the Company to make, execute, seal, acknowledge and deliver as surety any and all undertakings, bonds, recognizances and other surety obligations. Such attorneys-in-fact, subject to the limitations set forth in their respective powers of attorney, shall have full power to bind the Company by their signature and execution of any such instruments and to attach thereto the seal of the Company. When so executed such instruments shall be as binding as if signed by the president and attested by the secretary.

By the following instrument the chairman or the president has authorized the officer or other official named therein to appoint attorneys-in-fact:

Pursuant to Article XIII, Section 5 of the By-Laws, David M. Carey, Assistant Secretary of Liberty Mutual Insurance Company, is hereby authorized to appoint such attorneys-in-fact as may be necessary to act in behalf of the Company to make, execute, seal, acknowledge and deliver as surety any and all undertakings, bonds, recognizances and other surety obligations.

That the By-law and the Authorization set forth above are true copies thereof and are now in full force and effect.

IN WITNESS WHEREOF, this Power of Attorney has been subscribed by an authorized officer or official of the Company and the corporate seal of Liberty Mutual Insurance Company has been affixed thereto in Plymouth Meeting, Pennsylvania this day of 16th day of August, 2011.



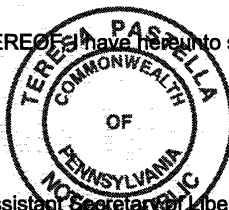
LIBERTY MUTUAL INSURANCE COMPANY

By David M. Carey
David M. Carey, Assistant Secretary

COMMONWEALTH OF PENNSYLVANIA ss
COUNTY OF MONTGOMERY

On this 16th day of August, 2011, before me, a Notary Public, personally came David M. Carey, to me known, and acknowledged that he is an Assistant Secretary of Liberty Mutual Insurance Company; that he knows the seal of said corporation; and that he executed the above Power of Attorney and affixed the corporate seal of Liberty Mutual Insurance Company thereto with the authority and at the direction of said corporation.

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



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

By Teresa Pastella
Teresa Pastella, Notary Public

CERTIFICATE

I, the undersigned, Assistant Secretary of Liberty Mutual Insurance Company, do hereby certify that the original power of attorney of which the foregoing is a full, true and correct copy, is in full force and effect on the date of this certificate; and I do further certify that the officer or official who executed the said power of attorney is an Assistant Secretary specially authorized by the chairman or the president to appoint attorneys-in-fact as provided in Article XIII, Section 5 of the By-laws of Liberty Mutual Insurance Company.

This certificate and the above power of attorney may be signed by facsimile or mechanically reproduced signatures under and by authority of the following vote of the board of directors of Liberty Mutual Insurance Company at a meeting duly called and held on the 12th day of March, 1980.

VOTED that the facsimile or mechanically reproduced signature of any assistant secretary of the company, wherever appearing upon a certified copy of any power of attorney issued by the company in connection with surety bonds, shall be valid and binding upon the company with the same force and effect as though manually affixed.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed the corporate seal of the said company, this 27TH day of OCTOBER, 2011.



By Gregory W. Davenport
Gregory W. Davenport, Assistant Secretary

Not valid for mortgage, note, loan, letter of credit, bank deposit, currency rate, interest rate or residual value guarantees.

To confirm the validity of this Power of Attorney call 1-610-832-8240 between 9:00 am and 4:30 pm EST on any business day.