

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

C202983

CONTRACT AND  
CONTRACT BONDS

FOR CONTRACT NO. C202983

WBS 2CR.20541.6 STATE FUNDED

COUNTY OF LENOIR  
THIS IS THE ROADWAY CONTRACT  
ROUTE NUMBER \_\_\_\_\_ LENGTH 15.430 MILES  
LOCATION 6 SECTIONS OF SECONDARY ROADS.

CONTRACTOR GREENVILLE PAVING & CONTRACTING, INC.  
ADDRESS P.O. BOX 7088  
GREENVILLE, NC 27835

BIDS OPENED MARCH 20, 2012  
CONTRACT EXECUTION APR 10 2012

**Vendor 2 of 2: GREENVILLE PAVING & CONTRACTING, INC.  
 (3708)  
 Call Order 011 (Proposal: C202983)**

**Bid Information**

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**County:** LENOIR  
**Address:** P.O. Box 7088  
 Greenville , NC , 27835  
**Signature Check:** Jerry\_A\_Smith\_3708  
**Time Bid Received:** March 20, 2012 10:55 AM  
**Amendment Count:** 0

**Bid Checksum:** 1F6A8A11  
**Bid Total:** \$1,838,856.15 ✓  
**Items Total:** \$1,838,856.15 ✓  
**Time Total:** \$0.00

<b>Bidding Errors:</b> None.	MBE GOAL SET	2.0
	MBE GOAL MET	2.0
	WBE GOAL SET	3.0
	WBE GOAL MET	3.0

Vendor 2 of 2: GREENVILLE PAVING & CONTRACTING, INC.  
(3708)  
Call Order 011 (Proposal: C202983)

**Bid Bond Information**

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<b>Projects:</b>	<b>Bond Maximum:</b>
<b>Counties:</b>	<b>State of Incorporation:</b>
<b>Bond ID:</b> SNC12615365	<b>Agency Execution Date:</b> 3/5/2012 12
<b>Paid by Check:</b> No	<b>Surety Name:</b> surety2000
<b>Bond Percent:</b> 5%	<b>Bond Agency Name:</b> Western Surety Company

Vendor 3708's Bid Information for Call 011, Letting L120320, 03/20/12

Greenville Paving and Contracting Inc (3708)  
 Call Order 011 (Proposal ID C202983)

LIST OF MBE PARTICIPANTS

VENDOR NUMBER	DBE NAME ADDRESS	WORK CODE TYPE OF WORK	CERT TYPE AMOUNT			
11468	MB HINES TRUCKING INC 241 STALLINGS MILL ROAD , LOUISBURG, NC 27549		Sub 37,962.00	✓	arm	committed
			TOTAL: \$37,962.00	✓	arm	
			2.06%	✓	arm	

Vendor 3708's Bid Information for Call 011, Letting L120320, 03/20/12

Greenville Paving and Contracting Inc (3708)  
 Call Order 011 (Proposal ID C202983)

LIST OF WBE PARTICIPANTS

VENDOR NUMBER	DBE NAME ADDRESS	WORK CODE TYPE OF WORK	CERT TYPE AMOUNT			
3765	WB STAY ALERT SAFETY SERVICES INC POST OFFICE BOX 467 , KERNERSVILLE, NC 27285		Sub 5,560.00	✓	arm	committed
2446	WB HAROLD A. PURYEAR TRUCKING CO. 5844 LEASE LANE , RALEIGH, NC 27617		Sub 13,860.50	✓	arm	committed
12702	WB NEHRENZ ENTERPRISES 7001 CEDRIC DRIVE , RALEIGH, NC 27603		Sub 36,936.00	✓	arm	committed
			TOTAL: \$56,356.50	✓	arm	
			3.06%	✓	arm	

Vendor 3708's Bid Information for Call 011, Letting L120320, 03/20/12

Greenville Paving and Contracting Inc (3708)  
 Call Order 011 (Proposal ID C202983)

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: SNC12615365  
 Surety Registry Agency: surety2000  
 Verified?: Yes  
 Surety Agency: Western Surety Company  
 Bond Execution Date: 3/5/2012 12  
 Bond Amount: \$91,942.81 (Five Percent of Bid)

Contract ID: C202983 Project(s): STATE FUNDED  
Letting Date: 03-20-12 Call Order: 011  
Bidder: 3708 - Greenville Paving and Contracting Inc

Line No.	Item Description	Approx. Quantity and Units	Unit Price Dollars   Cts	Bid Amount Dollars   Ct
Section 0001 ROADWAY ITEMS				
Alt Group				
0001	0000100000-N MOBILIZATIO N	LUMP	LUMP	28,087.50
0002	1297000000-E MILLING ASPHALT PAVEMENT, ***"DEPTH (2")	25,990.000 SY	2.17000	56,398.30
0003	1525000000-E ASPHALT CONC SURFACE COURSE, TYPE SF9.5A	22,544.000 TON	38.00000	856,672.00
0004	1575000000-E ASPHALT BINDER FOR PLANT MIX	1,459.000 TON	602.50000	879,047.50
0005	1693000000-E ASPHALT PLANT MIX, PAVEMENT REPAIR	75.000 TON	116.55000	8,741.25
0006	2830000000-N ADJUSTMENT OF MANHOLES	2.000 EA	252.50000	505.00
0007	2845000000-N ADJUSTMENT OF METER BOXES OR VALVE BOXES	8.000 EA	227.25000	1,818.00
0008	4399000000-N TEMPORARY TRAFFIC CONTROL	LUMP	LUMP	5,615.60
0009	7444000000-E INDUCTIVE LOOP SAWCUT	300.000 LF	6.57000	1,971.00
	Section 0001 Total			1,838,856.15
	Bid Total			1,838,856.15

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.



MBE COMMITMENT ITEMS

PAGE: 4

PROPOSAL: C202983  
 LETTING: L120320 CALL: 011  
 VENDOR: 3708 Greenville Paving and Contracting Inc

LINE NO.	ITEM NO.	ITEM DESC.	UNIT TYPE	SUBCONTRACTOR QUANTITY	SUBCONTRACTOR UNIT PRICE	EXTENDED AMOUNT
MBE SUBCONTRACTOR: 11468 HINES TRUCKING INC						
Will Use Quote: Yes						
0003	1525000000-E	ASP CONC SUR	TON	3700.000	10.26000	37962.00
MBE COMMITMENT TOTAL FOR SUBCONTRACTOR:						37,962.00 ✓ <sup>am</sup>
TOTAL MBE COMMITMENT FOR VENDOR:				Entered:	2.06% or	37962.00 ✓ <sup>am</sup>
				Required:	2.00% or	36777.12
<GOAL MET>						

WBE COMMITMENT ITEMS

PROPOSAL: C202983  
 LETTING: L120320 CALL: 011  
 VENDOR: 3708 Greenville Paving and Contracting Inc

LINE NO.	ITEM NO.	ITEM DESC.	UNIT TYPE	SUBCONTRACTOR QUANTITY	SUBCONTRACTOR UNIT PRICE	EXTENDED AMOUNT
-----						
WBE SUBCONTRACTOR: 3765 STAY ALERT SAFETY SERVICES INC						
Will Use Quote: Yes						
0008	4399000000-N	TEMP TRAFFIC LS		1.000	5560.00000	5560.00
WBE COMMITMENT TOTAL FOR SUBCONTRACTOR:						5,560.00 ✓ am
WBE SUBCONTRACTOR: 2446 HAROLD A. PURYEAR TRUCKING CO.						
Will Use Quote: Yes						
0004	1575000000-E	ASP FOR PLAN TON		1459.000	9.50000	13860.50
WBE COMMITMENT TOTAL FOR SUBCONTRACTOR:						13,860.50 ✓ am
WBE SUBCONTRACTOR: 12702 NEHRENZ ENTERPRISES						
Will Use Quote: Yes						
0003	1525000000-E	ASP CONC SUR TON		3600.000	10.26000	36936.00
WBE COMMITMENT TOTAL FOR SUBCONTRACTOR:						36,936.00 ✓ am
TOTAL WBE COMMITMENT FOR VENDOR:				Entered:	3.06% or	56356.50 ✓ am
				Required:	3.00% or	55165.68
						<GOAL MET>

## Contract Item Sheets For C202983

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
<b>ROADWAY ITEMS</b>						
0001	0000100000-N	800	MOBILIZATION	Lump Sum LS	28,087.50	28,087.50
0002	1297000000-E	607	MILLING ASPHALT PAVEMENT, **** DEPTH (2")	25,990 SY	2.17	56,398.30
0003	1525000000-E	610	ASPHALT CONC SURFACE COURSE, TYPE SF9.5A	22,544 TON	38.00	856,672.00
0004	1575000000-E	620	ASPHALT BINDER FOR PLANT MIX	1,459 TON	602.50	879,047.50
0005	1693000000-E	654	ASPHALT PLANT MIX, PAVEMENT REPAIR	75 TON	116.55	8,741.25
0006	2830000000-N	858	ADJUSTMENT OF MANHOLES	2 EA	252.50	505.00
0007	2845000000-N	858	ADJUSTMENT OF METER BOXES OR VALVE BOXES	8 EA	227.25	1,818.00
0008	4399000000-N	1105	TEMPORARY TRAFFIC CONTROL	Lump Sum LS	5,615.60	5,615.60
0009	7444000000-E	1725	INDUCTIVE LOOP SAWCUT	300 LF	6.57	1,971.00
<b>TOTAL AMOUNT OF BID FOR ENTIRE PROJECT</b>						<b>\$1,838,856.15</b>

0942/Mar30/Q50380/D23608100000/E9



C202983

Contract No. \_\_\_\_\_

Rev. 5-19-11

County Lenoir

**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**

Greenville Paving & Contracting, Inc.

Full name of Corporation

P.O. Box 7088 Greenville, NC 27835

Address as Prequalified

Attest

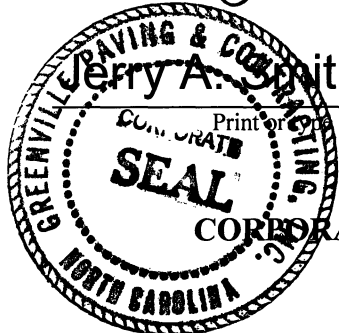
*Carl Arnold*  
Secretary/Assistant Secretary  
Select appropriate title

By

*Jerry A. Smith*  
President/Vice President/Assistant Vice President  
Select appropriate title

Carl Arnold

Print or type Signer's name



Print or type Signer's name

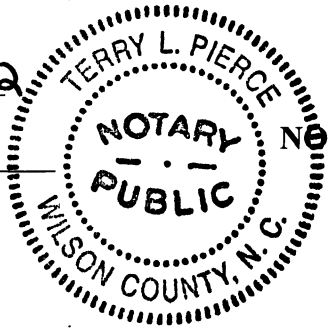
CORPORATE SEAL

**AFFIDAVIT MUST BE NOTARIZED**

Subscribed and sworn to before me this the

4<sup>th</sup> day of April 2012

*Terry L. Pierce*  
Signature of Notary Public



NOTARY SEAL

of Wilson County

State of North Carolina

My Commission Expires February 19, 2017

My Commission Expires: \_\_\_\_\_

## 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.**     **C202983**

**County (ies):**    **Lenoir**

ACCEPTED BY THE  
DEPARTMENT OF TRANSPORTATION



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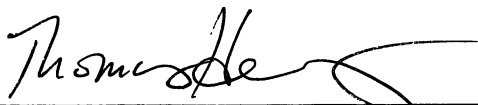
Contract Officer



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Date

Execution of Contract and Bonds  
Approved as to Form:



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ASST. Attorney General

Contract No.  
County

C202983

Lenoir

Bond # 58692134

Rev 5-17-11

### CONTRACT PAYMENT BOND

Date of Payment Bond Execution: April 2, 2012

Name of Principal Contractor: Greenville Paving & Contracting, Inc.

Name of Surety: Western Surety Company

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

Amount of Bond: \$1,838,856.15

Contract ID No.: C202983

County Name: Lenoir

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. C202983  
County Lenoir

Rev 5-17-11

**CONTRACT PAYMENT BOND**


*Affix Seal of Surety Company*

Western Surety Company

Print or type Surety Company Name

By Chelsey M. Williams  
Print, stamp or type name of Attorney-in-Fact

Chelsey M. Williams  
Signature of Attorney-in-Fact

  
Signature of Witness

Robert S. Hyatt  
Print or type Signer's name

105 E. Arlington Blvd Suite C Greenville, NC 27858  
Address of Attorney-in-Fact

Contract No. C202983  
County Lenoir

Rev 5-17-11

**CONTRACT PAYMENT BOND**  
**CORPORATION**  
SIGNATURE OF CONTRACTOR (Principal)

Greenville Paving & Contracting, Inc.  
Full name of Corporation

P.O. Box 7086 Greenville, NC 27836  
Address as prequalified

By Jerry A. Smith  
Signature of President, Vice President, Assistant Vice President  
*Select appropriate title*

Jerry A. Smith  
Print or type Signer's name



Attest Carl Arnold  
Signature of Secretary, Assistant Secretary  
*Select appropriate title*

CARL ARNOLD  
Print or type Signer's name

Contract No.  
County

C202983  
Lenoir

Bond #58692135

Rev 5-17-11

### CONTRACT PERFORMANCE BOND

Date of Performance Bond Execution: April 2, 2012

Name of Principal Contractor: Greenville Paving & Contracting, Inc.

Name of Surety: Western Surety Company

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

Amount of Bond: \$1,838,856.15

Contract ID No.: C202983

County Name: Lenoir

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.  
County

C202983  
Lenoir

Rev 5-17-11

**CONTRACT PERFORMANCE BOND**

*Affix Seal of Surety Company*

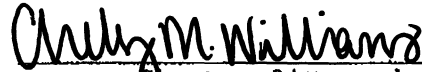
Western Surety Company

Print or type Surety Company Name


By

Chelsey M. Williams

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



Signature of Attorney-in-Fact



Signature of Witness

Robert S. Hyatt

Print or type Signer's name

105 E. Arlington Blvd Suite C Greenville, NC 27858

Address of Attorney-in-Fact

Contract No.  
County

C202983  
Lenoir

Rev 5-17-11

**CONTRACT PERFORMANCE BOND**

**CORPORATION**

**SIGNATURE OF CONTRACTOR (Principal)**

Greenville Paving & Contracting, Inc.

Full name of Corporation

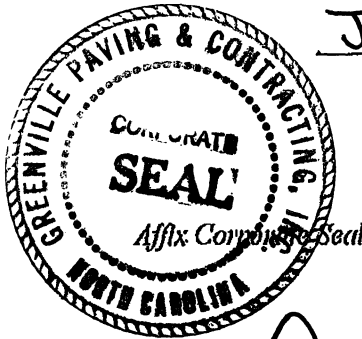
P.O. Box 7088 Greenville, NC 27835

Address as prequalified

By

*Jerry A. Smith*  
Signature of President, Vice President, Assistant Vice President  
Select appropriate title

*Jerry A. Smith*  
Print or type Signer's name



Attest

*Carl Arnold*

Signature of Secretary, Assistant Secretary  
Select appropriate title

*CARL ARNOLD*

Print or type Signer's name

# Western Surety Company

## POWER OF ATTORNEY APPOINTING INDIVIDUAL ATTORNEY-IN-FACT

Know All Men By These Presents, That WESTERN SURETY COMPANY, a South Dakota corporation, is a duly organized and existing corporation having its principal office in the City of Sioux Falls, and State of South Dakota, and that it does by virtue of the signature and seal herein affixed hereby make, constitute and appoint

**James E Clement, Robert S Hyatt, Sarah Stanford Jenkins, Betty R Moore, Scott P Cooper, Jennifer L Crawford, Chelsey M Williams, Individually**

of Greenville, NC, its true and lawful Attorney(s)-in-Fact with full power and authority hereby conferred to sign, seal and execute for and on its behalf bonds, undertakings and other obligatory instruments of similar nature

### - In Unlimited Amounts -

and to bind it thereby as fully and to the same extent as if such instruments were signed by a duly authorized officer of the corporation and all the acts of said Attorney, pursuant to the authority hereby given, are hereby ratified and confirmed.

This Power of Attorney is made and executed pursuant to and by authority of the By-Law printed on the reverse hereof, duly adopted, as indicated, by the shareholders of the corporation.

In Witness Whereof, WESTERN SURETY COMPANY has caused these presents to be signed by its Senior Vice President and its corporate seal to be hereto affixed on this 25th day of July, 2011.



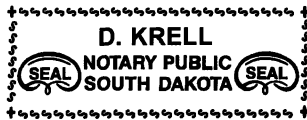
WESTERN SURETY COMPANY

Paul T. Bruflat, Senior Vice President

State of South Dakota }  
County of Minnehaha } ss

On this 25th day of July, 2011, before me personally came Paul T. Bruflat, to me known, who, being by me duly sworn, did depose and say: that he resides in the City of Sioux Falls, State of South Dakota; that he is the Senior Vice President of WESTERN SURETY COMPANY described in and which executed the above instrument; that he knows the seal of said corporation; that the seal affixed to the said instrument is such corporate seal; that it was so affixed pursuant to authority given by the Board of Directors of said corporation and that he signed his name thereto pursuant to like authority, and acknowledges same to be the act and deed of said corporation.

My commission expires  
November 30, 2012



D. Krell, Notary Public

### CERTIFICATE

I, L. Nelson, Assistant Secretary of WESTERN SURETY COMPANY do hereby certify that the Power of Attorney hereinabove set forth is still in force, and further certify that the By-Law of the corporation printed on the reverse hereof is still in force. In testimony whereof I have hereunto subscribed my name and affixed the seal of the said corporation this 2nd day of April, 2012.



WESTERN SURETY COMPANY

L. Nelson, Assistant Secretary

**Authorizing By-Law**

**ADOPTED BY THE SHAREHOLDERS OF WESTERN SURETY COMPANY**

This Power of Attorney is made and executed pursuant to and by authority of the following By-Law duly adopted by the shareholders of the Company.

Section 7. All bonds, policies, undertakings, Powers of Attorney, or other obligations of the corporation shall be executed in the corporate name of the Company by the President, Secretary, and Assistant Secretary, Treasurer, or any Vice President, or by such other officers as the Board of Directors may authorize. The President, any Vice President, Secretary, any Assistant Secretary, or the Treasurer may appoint Attorneys in Fact or agents who shall have authority to issue bonds, policies, or undertakings in the name of the Company. The corporate seal is not necessary for the validity of any bonds, policies, undertakings, Powers of Attorney or other obligations of the corporation. The signature of any such officer and the corporate seal may be printed by facsimile.