

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

C203101

CONTRACT AND  
CONTRACT BONDS

FOR CONTRACT NO. C203101

WBS

9CR.10301.130, 9CR.20301.130 STATE FUNDED

COUNTY OF DAVIE  
THIS IS THE ROADWAY CONTRACT  
ROUTE NUMBER LENGTH 15.865 MILES  
LOCATION US-158 FROM W WATERS ST TO SR-1600, US-64 FROM BRIDGE #18 TO  
US-601 AND 4 SECTIONS OF SECONDARY ROADS.

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

BIDS OPENED JUNE 19, 2012

CONTRACT EXECUTION JUL 11 2012

**Vendor 2 of 3: APAC - ATLANTIC, INC. THOMPSON ARTHUR  
DIVISION (4315)  
Call Order 026 (Proposal: C203101)**

**Bid Information**

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**County:** DAVIE  
**Address:** PO Box 21088  
 Greensboro , NC , 27420  
**Signature Check:** Clarence\_O\_Brickey\_4315  
**Time Bid Received:** June 19, 2012 01:48 PM  
**Amendment Count:** 0

**Bid Checksum:** CB5F0305  
**Bid Total:** \$2,015,259.72 ✓  
**Items Total:** \$2,015,259.72 ✓  
**Time Total:** \$0.00

**Bidding Errors:**  
 None.

MBE GOAL SET	4.0
MBE GOAL MET	4.0
WBE GOAL SET	5.0
WBE GOAL MET	5.0

Vendor 2 of 3: APAC - ATLANTIC, INC. THOMPSON ARTHUR  
DIVISION (4315)  
Call Order 026 (Proposal: C203101)

**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> SNC12131418	<b>Agency Execution Date:</b> 6/13/2012 1
<b>Paid by Check:</b> No	<b>Surety Name:</b> surety2000
<b>Bond Percent:</b> 5%	<b>Bond Agency Name:</b> Liberty Mutual Insurance Company

Vendor 4315's Bid Information for Call 026, Letting L120619, 06/19/12

APAC-Atlantic, Inc. Thompson-Arthur Division (4315)  
 Call Order 026 (Proposal ID C203101)

LIST OF MBE PARTICIPANTS

VENDOR NUMBER	DBE NAME ADDRESS	WORK CODE TYPE OF WORK	CERT TYPE AMOUNT	
4906	MB W. G. LEWIS TRUCKING, INC 1323 PENNY RD. , HIGH POINT, NC 27265		Sub 84,144.07	committed
			TOTAL: \$84,144.07	✓ arm
			4.18%	

Vendor 4315's Bid Information for Call 026, Letting L120619, 06/19/12

APAC-Atlantic, Inc. Thompson-Arthur Division (4315)  
 Call Order 026 (Proposal ID C203101)

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 7,055.00	committed
2976	WB CAROLINA ENVIRONMENTAL CONTRACT POST OFFICE BOX 1905 , MT. AIRY, NC 27030		Sub 11,965.70	committed
4434	WB LONG BROTHERS OF SUMMERFIELD, I PO BOX 35048 , GREENSBORO, NC 27425		Sub 14,456.25	committed
9602	WB CAROLINA TRANSPORT OF GREENSBOR 347 SOUTH CHERRY STREET , KERNERSVILLE, NC 27284		Sub 50,325.45	committed
10186	WB SLM CONSTRUCTION, INC. 513 WHITE SMITH ROAD , PITTSBORO, NC 27312		Sub 18,945.00	committed
			TOTAL: \$102,747.40	✓ arm
			5.10%	

Vendor 4315's Bid Information for Call 026, Letting L120619, 06/19/12

APAC-Atlantic, Inc. Thompson-Arthur Division (4315)  
 Call Order 026 (Proposal ID C203101)

Miscellaneous Data Info - Contractor Responses:

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NON-COLLUSION AND DEBARMENT CERTIFICATION

Explanation of the prospective bidder that is unable to certify to any of the statements in this certification:

Explanation:  
 NOT ANSWERED  
 NOT ANSWERED  
 NOT ANSWERED  
 NOT ANSWERED

AWARD LIMITS ON MULTIPLE PROJECTS

By answering YES to this statement, the bidder acknowledges that they are using

the award limits on multiple projects. No

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

The Award Limits shall apply to the following projects:

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

Bid Bond Data Info - Contractor Responses:

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BondID: SNC12131418  
 Surety Registry Agency: surety2000  
 Verified?: Yes  
 Surety Agency: Liberty Mutual Insurance Company  
 Bond Execution Date: 6/13/2012 1  
 Bond Amount: \$100,762.99 (Five Percent of Bid)

Contract ID: C203101 Project(s): STATE FUNDED  
Letting Date: 06-19-12 Call Order: 026  
Bidder: 4315 - APAC-Atlantic, Inc. Thompson-Arthur Division

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	35,900.00
0002	0106000000-E BORROW EXCAVATION	1,768.000 CY	25.00000	44,200.00
0003	1220000000-E INCIDENTAL STONE BASE	630.000 TON	40.50000	25,515.00
0004	1245000000-E SHOULDER RECONSTRUCTION	29.470 SMI	2,184.00000	64,362.48
0005	1297000000-E MILLING ASPHALT PAVEMENT, ***"DEPTH (1-1/2")	327.000 SY	4.35000	1,422.45
0006	1308000000-E MILLING ASPHALT PAVEMENT, ***"TO *****" (0" TO 1-1/2")	89.000 SY	15.00000	1,335.00
0007	1330000000-E INCIDENTAL MILLING	1,933.000 SY	2.60000	5,025.80
0008	1519000000-E ASPHALT CONC SURFACE COURSE, TYPE S9.5B	2,062.000 TON	40.60000	83,717.20
0009	1523000000-E ASPHALT CONC SURFACE COURSE, TYPE S9.5C	4,607.000 TON	38.90000	179,212.30
0010	1525000000-E ASPHALT CONC SURFACE COURSE, TYPE SF9.5A	13,256.000 TON	39.50000	523,612.00
0011	1575000000-E ASPHALT BINDER FOR PLANT MIX	1,285.000 TON	660.00000	848,100.00

## Dept of Transportation

Revised:

Contract ID: C203101

Project(s): STATE FUNDED

Letting Date: 06-19-12 Call Order: 026

Bidder: 4315 - APAC-Atlantic, Inc. Thompson-Arthur Division

Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
0012	2815000000-N ADJUSTMENT OF DROP INLETS	EA 1.000	525.00000		525.00	
0013	2830000000-N ADJUSTMENT OF MANHOLES	EA 20.000	525.00000		10,500.00	
0014	2845000000-N ADJUSTMENT OF METER BOXES OR VALVE BOXES	EA 16.000	495.00000		7,920.00	
0015	4685000000-E THERMOPLASTIC PAVEMENT MARKING LINES (4", 90 MILS)	LF 158,315.000	0.42000		66,492.30	
0016	4686000000-E THERMOPLASTIC PAVEMENT MARKING LINES (4", 120 MILS)	LF 171,686.000	0.54000		92,710.44	
0017	4695000000-E THERMOPLASTIC PAVEMENT MARKING LINES (8", 90 MILS)	LF 79.000	2.00000		158.00	
0018	4697000000-E THERMOPLASTIC PAVEMENT MARKING LINES (8", 120 MILS)	LF 675.000	2.15000		1,451.25	
0019	4710000000-E THERMOPLASTIC PAVEMENT MARKING LINES (24", 120 MILS)	LF 263.000	4.75000		1,249.25	
0020	4721000000-E THERMOPLASTIC PAVEMENT MARKING CHARACTER (120 MILS)	EA 28.000	100.00000		2,800.00	
0021	4725000000-E THERMOPLASTIC PAVEMENT MARKING SYMBOL (90 MILS)	EA 31.000	95.00000		2,945.00	
0022	4905000000-N SNOWPLOWABLE PAVEMENT MARKERS	EA 213.000	27.00000		5,751.00	

Dept of Transportation

Revised:

Contract ID: C203101

Project(s): STATE FUNDED

Letting Date: 06-19-12 Call Order: 026

Bidder: 4315 - APAC-Atlantic, Inc. Thompson-Arthur Division

Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
0023	6000000000-E TEMPORARY SILT FENCE	4,603.000 LF	1.75000		8,055.25	
0024	6071010000-E WATTLE	460.000 LF	5.00000		2,300.00	
	Section 0001 Total				2,015,259.72	
	Bid Total				2,015,259.72	



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: 6

PROPOSAL: C203101

LETTING: L120619

CALL: 026

VENDOR: 4315 APAC-Atlantic, Inc. Thompson-Arthur Division

LINE NO.	ITEM NO.	ITEM DESC.	UNIT TYPE	SUBCONTRACTOR QUANTITY	SUBCONTRACTOR UNIT PRICE	EXTENDED AMOUNT
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MBE SUBCONTRACTOR: 4906 W. G. LEWIS TRUCKING, INC  
 Will Use Quote: Yes

0010	1525000000-E	ASP CONC SUR	TON	10739.000	5.30000	56916.70
Haul asphaltt from our asphalt plant to the jobsite.						
0009	1523000000-E	ASP CONC SUR	TON	4607.000	5.91000	27227.37
Haul asphalt from our asphalt plant to the jobsite and haul 2,127 tons of						

MBE COMMITMENT TOTAL FOR SUBCONTRACTOR: 84,144.07 committed  
 ✓ am

TOTAL MBE COMMITMENT FOR VENDOR: Entered: 4.18% or 84144.07  
 Required: 4.00% or 80610.39  
 <GOAL MET>

WBE COMMITMENT ITEMS

PROPOSAL: C203101  
 LETTING: L120619 CALL: 026  
 VENDOR: 4315 APAC-Atlantic, Inc. Thompson-Arthur Division

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						
0001	0000100000-N	MOBILIZATION	LS	1.000	7055.00000	7055.00
		Installll work zone signs.				
WBE COMMITMENT TOTAL FOR SUBCONTRACTOR:						7,055.00 committed
-----						
WBE SUBCONTRACTOR: 2976 CAROLINA ENVIRONMENTAL CONTRACTING, INC.						
Will Use Quote: Yes						
0023	6000000000-E	TEMPORARY SI	LF	4603.000	1.90000	8745.70
		Install silt fence.				
0024	6071010000-E	WATTLE	LF	460.000	7.00000	3220.00
		Install wattles.				
WBE COMMITMENT TOTAL FOR SUBCONTRACTOR:						11,965.70 committed
-----						
WBE SUBCONTRACTOR: 4434 LONG BROTHERS OF SUMMERFIELD, INC.						
Will Use Quote: Yes						
0011	1575000000-E	ASP FOR PLAN	TON	1285.000	11.25000	14456.25
		Haul liquid asphalt cement from the liquid terminal to our asphalt plant.				
WBE COMMITMENT TOTAL FOR SUBCONTRACTOR:						14,456.25 committed
-----						
WBE SUBCONTRACTOR: 9602 CAROLINA TRANSPORT OF GREENSBORO INC						
Will Use Quote: Yes						
0003	1220000000-E	INCIDENTAL S	TON	630.000	7.00000	4410.00
		Haul stone from the quarry to the jobsite.				
0004	1245000000-E	SHOULDER REC	SMI	29.470	815.00000	24018.05
		Haul ASB stone from the quarry to the jobsie.				
0008	1519000000-E	ASP CONC SUR	TON	2062.000	4.15000	8557.30
		Haul asphalt from our asphalt plant to the jobstie.				
0010	1525000000-E	ASP CONC SUR	TON	2517.000	5.30000	13340.10
		Haul asphalt from our asphalt plant to the jobsite.				
WBE COMMITMENT TOTAL FOR SUBCONTRACTOR:						50,325.45 committed
-----						
WBE SUBCONTRACTOR: 10186 SLM CONSTRUCTION, INC.						
Will Use Quote: Yes						
0012	2815000000-N	ADJ DROP INL	EA	1.000	525.00000	525.00
		Adjust structure.				
0013	2830000000-N	ADJ MANHOLES	EA	20.000	525.00000	10500.00
		Adjust manhole.				
-----						

WBE COMMITMENT ITEMS

PAGE: 8

LINE NO.	ITEM NO.	ITEM DESC.	UNIT TYPE	SUBCONTRACTOR QUANTITY	SUBCONTRACTOR UNIT PRICE	EXTENDED AMOUNT
0014	2845000000-N	ADJ METER OR Adjust meter or valve box.	EA	16.000	495.00000	7920.00

WBE COMMITMENT TOTAL FOR SUBCONTRACTOR:

18,945.00 committed  
✓ am.

TOTAL WBE COMMITMENT FOR VENDOR:

Entered: 5.10% or 102747.40  
Required: 5.00% or 100762.99  
<GOAL MET>

## Contract Item Sheets For C203101

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
<b>ROADWAY ITEMS</b>						
0001	0000100000-N	800	MOBILIZATION	Lump Sum LS	35,900.00	35,900.00
0002	0106000000-E	230	BORROW EXCAVATION	1,768 CY	25.00	44,200.00
0003	1220000000-E	545	INCIDENTAL STONE BASE	630 TON	40.50	25,515.00
0004	1245000000-E	SP	SHOULDER RECONSTRUCTION	29.47 SMI	2,184.00	64,362.48
0005	1297000000-E	607	MILLING ASPHALT PAVEMENT, **** DEPTH (1-1/2")	327 SY	4.35	1,422.45
0006	1308000000-E	607	MILLING ASPHALT PAVEMENT, **** TO ***** (0" TO 1-1/2")	89 SY	15.00	1,335.00
0007	1330000000-E	607	INCIDENTAL MILLING	1,933 SY	2.60	5,025.80
0008	1519000000-E	610	ASPHALT CONC SURFACE COURSE, TYPE S9.5B	2,062 TON	40.60	83,717.20
0009	1523000000-E	610	ASPHALT CONC SURFACE COURSE, TYPE S9.5C	4,607 TON	38.90	179,212.30
0010	1525000000-E	610	ASPHALT CONC SURFACE COURSE, TYPE SF9.5A	13,256 TON	39.50	523,612.00
0011	1575000000-E	620	ASPHALT BINDER FOR PLANT MIX	1,285 TON	660.00	848,100.00
0012	2815000000-N	858	ADJUSTMENT OF DROP INLETS	1 EA	525.00	525.00
0013	2830000000-N	858	ADJUSTMENT OF MANHOLES	20 EA	525.00	10,500.00
0014	2845000000-N	858	ADJUSTMENT OF METER BOXES OR VALVE BOXES	16 EA	495.00	7,920.00
0015	4685000000-E	1205	THERMOPLASTIC PAVEMENT MARKING LINES (4", 90 MILS)	158,315 LF	0.42	66,492.30
0016	4686000000-E	1205	THERMOPLASTIC PAVEMENT MARKING LINES (4", 120 MILS)	171,686 LF	0.54	92,710.44
0017	4695000000-E	1205	THERMOPLASTIC PAVEMENT MARKING LINES (8", 90 MILS)	79 LF	2.00	158.00

## Contract Item Sheets For C203101

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
0018	4697000000-E	1205	THERMOPLASTIC PAVEMENT MARKING LINES (8", 120 MILS)	675 LF	2.15	1,451.25
0019	4710000000-E	1205	THERMOPLASTIC PAVEMENT MARKING LINES (24", 120 MILS)	263 LF	4.75	1,249.25
0020	4721000000-E	1205	THERMOPLASTIC PAVEMENT MARKING CHARACTER (120 MILS)	28 EA	100.00	2,800.00
0021	4725000000-E	1205	THERMOPLASTIC PAVEMENT MARKING SYMBOL (90 MILS)	31 EA	95.00	2,945.00
0022	4905000000-N	1253	SNOWPLOWABLE PAVEMENT MARKERS	213 EA	27.00	5,751.00
0023	6000000000-E	1605	TEMPORARY SILT FENCE	4,603 LF	1.75	8,055.25
0024	6071010000-E	SP	WATTLE	460 LF	5.00	2,300.00

TOTAL AMOUNT OF BID FOR ENTIRE PROJECT

\$2,015,259.72

1020/Jul03/Q362377.47/D71033110000/E24



C203101

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

Rev. 5-19-11

County Davie

**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**

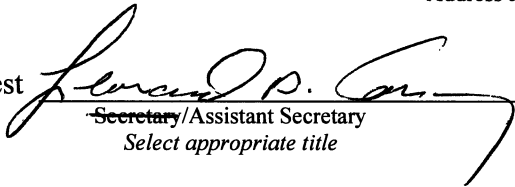
APAC-Atlantic, Inc. Thompson-Arthur Division

Full name of Corporation

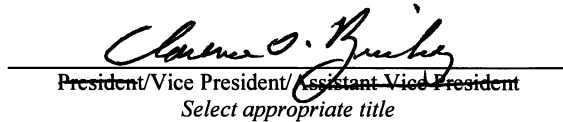
PO Box 21088, Greensboro, North Carolina 27420

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

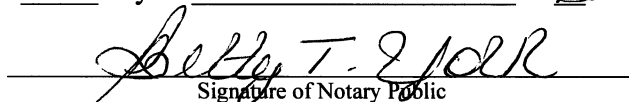
Print or type Signer's name

**CORPORATE SEAL**

**AFFIDAVIT MUST BE NOTARIZED**

Subscribed and sworn to before me this the

29th day of June 2012

  
Signature of Notary Public

**NOTARY SEAL**

of Randolph County

State of North Carolina

My Commission Expires: 4/11/16



## 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.:** C203101

**County (ies):** Davie

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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Attorney General

Contract No. C203101  
 County DAVIE

Rev 2-1-10

### CONTRACT PAYMENT BOND

Date of Payment Bond Execution JUNE 29, 2012

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: \$2,015,259.72

Contract ID No.: C203101

County Name: DAVIE

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. C203101  
County DAVIE

Rev 2-1-10

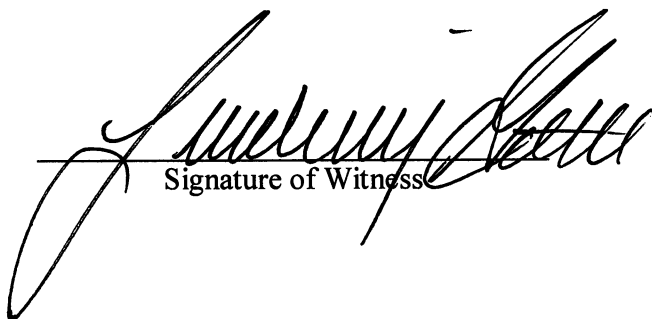
**CONTRACT PAYMENT BOND**

*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.  
County

C203101  
DAVIE

Rev 2-1-10

**CONTRACT PAYMENT BOND**

**CORPORATION**

SIGNATURE OF CONTRACTOR (Principal)

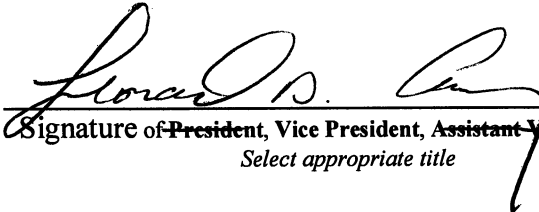
APAC - ATLANTIC, INC. - THOMPSON-ARTHUR DIVISION

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

Leonard D. Conway

Print or type Signer's name

*Affix Corporate Seal*

Attest

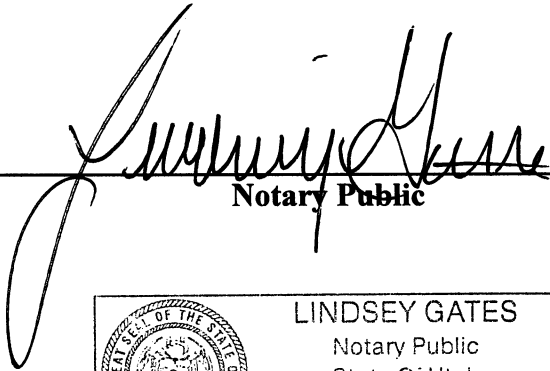
  
Signature of ~~Secretary, Assistant Secretary~~  
Select appropriate title

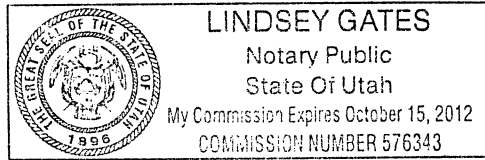
Mary J Prettyman  
Print or type Signer's name

**SURETY ACKNOWLEDGMENT**

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

**On this 29TH day of JUNE, 2012, 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.

Certificate No. \_\_\_\_\_

American Fire and Casualty Company Liberty Mutual Insurance Company
The Ohio Casualty Insurance Company Peerless Insurance Company
West American Insurance Company

POWER OF ATTORNEY

KNOWN ALL PERSONS BY THESE PRESENTS: That American Fire & Casualty Company and The Ohio Casualty Insurance Company are corporations duly organized under the laws of the State of Ohio, that Liberty Mutual Insurance Company is a corporation duly organized under the laws of the State of Massachusetts, that Peerless Insurance Company is a corporation duly organized under the laws of the State of New Hampshire, and West American Insurance Company is a corporation duly organized under the laws of the State of Indiana (herein collectively called the "Companies"), pursuant to and by authority herein set forth, does hereby name, constitute and appoint, TINA DAVIS, LISA HALL, LINDSEY GATES, JESSICA ARNOLD,

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 pursuance of these presents and shall be as binding upon the Companies as if they have been duly signed by the president and attested by the secretary of the Companies in their own proper persons.

IN WITNESS WHEREOF, this Power of Attorney has been subscribed by an authorized officer or official of the Companies and the corporate seals of the Companies have been affixed thereto this 9th day of March, 2012.



American Fire and Casualty Company
The Ohio Casualty Insurance Company
Liberty Mutual Insurance Company
Peerless Insurance Company
West American Insurance Company

By: Gregory W. Davenport, Assistant Secretary

STATE OF WASHINGTON ss
COUNTY OF KING

On this 9th day of March, 2012, before me personally appeared Gregory W. Davenport, who acknowledged himself to be the Assistant Secretary of American Fire and Casualty Company, Liberty Mutual Insurance Company, The Ohio Casualty Insurance Company, Peerless Insurance Company and West American Insurance Company, and that he, as such, being authorized so to do, execute the foregoing instrument for the purposes therein contained by signing on behalf of the corporations by himself as a duly authorized officer.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my notarial seal at Seattle, Washington, on the day and year first above written.



By: KD Riley, Notary Public

This Power of Attorney is made and executed pursuant to and by authority of the following By-laws and Authorizations of American Fire and Casualty Company, The Ohio Casualty Insurance Company, Liberty Mutual Insurance Company, West American Insurance Company and Peerless Insurance Company, which resolutions are now in full force and effect reading as follows:

ARTICLE IV - OFFICERS - Section 12. Power of Attorney. Any officer or other official of the Corporation authorized for that purpose in writing by the Chairman or the President, and subject to such limitation as the Chairman or the President may prescribe, shall appoint such attorneys-in-fact, as may be necessary to act in behalf of the Corporation 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 Corporation by their signature and execution of any such instruments and to attach thereto the seal of the Corporation. When so executed, such instruments shall be as binding as if signed by the President and attested to by the Secretary. Any power or authority granted to any representative or attorney-in-fact under the provisions of this article may be revoked at any time by the Board, the Chairman, the President or by the officer or officers granting such power or authority.

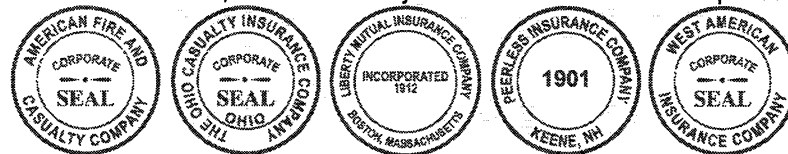
ARTICLE XIII - Execution of Contracts - SECTION 5. Surety Bonds and Undertakings. Any officer of the Company authorized for that purpose in writing by the chairman or the president, and subject to such limitations as the chairman or the president may prescribe, shall appoint such attorneys-in-fact, as 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.

Certificate of Designation - The President of the Company, acting pursuant to the Bylaws of the Company, authorizes Gregory W. Davenport, Assistant Secretary to appoint such attorney-in-fact as may be necessary to act on behalf of the Company to make, execute, seal, acknowledge and deliver as surety any and all undertakings, bonds, recognizances and other surety obligations.

Authorization - By unanimous consent of the Company's Board of Directors, the Company consents that 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.

I, David M. Carey, the undersigned, Assistant Secretary, of American Fire and Casualty Company, The Ohio Casualty Insurance Company, Liberty Mutual Insurance Company, West American Insurance Company and Peerless Insurance Company do hereby certify that the original power of attorney of which the foregoing is a full above and foregoing is a true and correct copy of the Power of Attorney executed by said Companies, which is in full force and effect and has not been revoked.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the seals of said Companies this 29TH day of JUNE, 20 12.



By: David M. Carey, 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. C203101  
 County DAVIE

Rev 2-1-10

### CONTRACT PERFORMANCE BOND

Date of Performance Bond Execution: JUNE 29, 2012

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: \$2,015,259.72

Contract ID No.: C203101

County Name: DAVIE

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. C203101  
County DAVIE

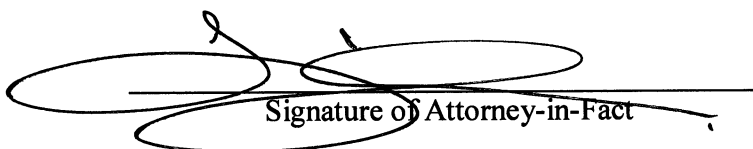
Rev 2-1-10

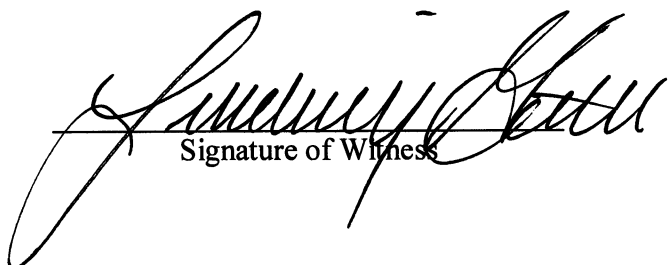
**CONTRACT PERFORMANCE BOND**

*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. C203101  
County DAVIE

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 Leonard D. Conway  
Signature of ~~President, Vice President, Assistant Vice President~~  
Select appropriate title

**Leonard D. Conway**

Print or type Signer's name

*Affix Corporate Seal*

Attest Mary J. Pettyman  
Signature of ~~Secretary, Assistant Secretary~~  
Select appropriate title

Mary J Pettyman  
Print or type Signer's name

**THIS POWER OF ATTORNEY IS NOT VALID UNLESS IT IS PRINTED ON RED BACKGROUND.**

5232616

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.

Certificate No. \_\_\_\_\_

American Fire and Casualty Company  
The Ohio Casualty Insurance Company  
West American Insurance Company

Liberty Mutual Insurance Company  
Peerless Insurance Company

**POWER OF ATTORNEY**

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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 pursuance of these presents and shall be as binding upon the Companies as if they have been duly signed by the president and attested by the secretary of the Companies in their own proper persons.

IN WITNESS WHEREOF, this Power of Attorney has been subscribed by an authorized officer or official of the Companies and the corporate seals of the Companies have been affixed thereto this 9th day of March, 2012.



American Fire and Casualty Company  
The Ohio Casualty Insurance Company  
Liberty Mutual Insurance Company  
Peerless Insurance Company  
West American Insurance Company

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

STATE OF WASHINGTON ss  
COUNTY OF KING

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By: KD Riley  
KD Riley, Notary Public

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**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.

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**Authorization** – By unanimous consent of the Company's Board of Directors, the Company consents that 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.

I, David M. Carey, the undersigned, Assistant Secretary, of American Fire and Casualty Company, The Ohio Casualty Insurance Company, Liberty Mutual Insurance Company, West American Insurance Company and Peerless Insurance Company do hereby certify that the original power of attorney of which the foregoing is a full above and foregoing is a true and correct copy of the Power of Attorney executed by said Companies, which is in full force and effect and has not been revoked.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the seals of said Companies this 29TH day of JUNE, 2012.



By: David M. Carey  
David M. Carey, 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.