

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

C201617

CONTRACT AND  
CONTRACT BONDS  
FOR CONTRACT NO. C201617

WBS 33278.3.1 BRZ-1331(5)

T.I.P NO. B-3826

COUNTY OF CHEROKEE

THIS IS THE ROADWAY & STRUCTURE CONTRACT

ROUTE NUMBER SR 1331 LENGTH 0.063 MILES

LOCATION BRIDGE OVER BATES CREEK & APPROACHES ON SR-1331.

CONTRACTOR TAYLOR & MURPHY CONSTRUCTION CO, INC

ADDRESS P.O. BOX 6215  
ASHEVILLE, NC 28816

BIDS OPENED FEBRUARY 19, 2008

CONTRACT EXECUTION MAR 24 2008

Taylor & Murphy Const. Co, Inc (3692).

Vendor 1 of 2 Vendors for Call Order 023 (Proposal ID C201617).

County: CHEROKEE  
Address: PO Box 6215  
Asheville, NC 28816

Phone Number: 828 667 4526

Signature Check: This bid has been properly signed by Michael\_F\_Long\_3692.

Time Bid Received: Tue Feb 19 12:52:20 2008

Bid Checksum: 90582FCB

Amendment Count: 0

Bidding Errors: This bid contains errors.

Bid Total: \$902,069.90 ✓

Bond ID: SNC08290829

Bond was Verified: No.

Bond Required Percent: 5.00%

Minimum Check Amount: \$45,103.50

Bid Security Maximum: \$

Bond Agency Name:

Agency Execution Date: 2/4/200/8

Surety Name: Travelers Casualty and Surety Company of Ame

surety State of Incorporation:

Bond Company:

Bond Type:

Bond Appr Flag:

Bond Affirm:

Bond was Paid by Check: No.

DBE GOAL SET - 4.0 %  
DBE GOAL OPT - 3.1 %

LIST OF DBE PARTICIPANTS

VENDOR NUMBER	DBE NAME ADDRESS	WORK CODE TYPE OF WORK	CERT TYPE	AMOUNT
5266	NORTH STATE ENVIRONMENTAL, INC 2889 LOWERY ST SUITE B , WINSTON-SALEM, NC 27101		Sub	3,475.00
3765	STAY ALERT SAFETY SERVICES INC POST OFFICE BOX 467 , KERNERSVILLE, NC 27285		Sub	2,485.20
3376	REYNOLDS FENCE & GUARDRAIL INC 9320 MACHADO DRIVE , INDIAN TRAIL, NC 28079		Sub	14,563.75
2330	ROGER F WILLIAMS CO INC 23 HERITAGE DRIVE , ASHEVILLE, NC 28806		Sup	11,747.61
			TOTAL:	\$27,572.52 3.06%

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	

Bid Bond Data Info - Contractor Responses:

BondID: SNC08290829  
 Surety Registry Agency: surety2000  
 Verified?: No  
 Surety Agency: Travelers Casualty and Surety Company of America

NCDOT/berc

Vendor 3692's Load Output for Call 023, Letting L080219, 2008-02-19

Bond Execution Date: 2/4/200/8

Bond Amount: \$45,103.50 (Five Percent of Bid)

State of NC  
Dept of Transportation

Date: 01-22-08  
Revised:

Contract ID: C201617 Project(s): BRZ-1331(5)  
Letting Date: 02-19-08 Call Order: 023  
Bidder: 3692 - Taylor & Murphy Const. Co, Inc

Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
Section 0001 ROADWAY ITEMS						
0001	0000100000-N MOBILIZATION	LUMP	LUMP			45,000.00
0002	0029000000-N REINFORCED BRIDGE APPROACH FILL, STATION ***** 10+87.86	LUMP	LUMP			22,000.00
0003	0043000000-N GRADING	LUMP	LUMP			25,000.00
0004	0050000000-E SUPPLEMENTARY CLEARING & GRUB-BING	ACR	1.000	1.00000		1.00
0005	0057000000-E UNDERCUT EXCAVATION	CY	100.000	16.00000		1,600.00
0006	0080000000-E CLASS IV SUBGRADE STABILIZATION	TON	500.000	30.00000		15,000.00
0007	0134000000-E DRAINAGE DITCH EXCAVATION	CY	1.500	15.00000		22.50
0008	0195000000-E SELECT GRANULAR MATERIAL	CY	500.000	45.00000		22,500.00
0009	0196000000-E FABRIC FOR SOIL STABILIZATION	SY	500.000	5.00000		2,500.00
0010	0199000000-E TEMPORARY SHORING	SF	190.000	100.00000		19,000.00
0011	0318000000-E FOUNDATION CONDITIONING MATERIAL, MINOR STRS	TON	30.000	30.00000		900.00

State of NC  
Dept of Transportation

Date: 01-22-08  
Revised:

Contract ID: C201617  
Letting Date: 02-19-08 Call Order: 023  
Bidder: 3692 - Taylor & Murphy Const. Co, Inc

Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
0012	0342000000-E *** SIDE DRAIN PIPE (48")	24.000 LF	115.00000	0	2,760.00	
0013	0366000000-E 15" RC PIPE CULVERTS, CLASS III	180.000 LF	40.00000	0	7,200.00	
0014	0576000000-E *** CS PIPE CULVERTS, ***** THICK (84",TYPE B 0.168")	28.000 LF	325.00000	0	9,100.00	
0015	0995000000-E PIPE REMOVAL	140.000 LF	15.00000	0	2,100.00	
0016	1220000000-E INCIDENTAL STONE BASE	500.000 TON	30.00000	0	15,000.00	
0017	1489000000-E ASPHALT CONC BASE COURSE, TYPE B25.0B	135.000 TON	120.00000	0	16,200.00	
0018	1498000000-E ASPHALT CONC INTERMEDIATE COURSE, TYPE I19.0B	95.000 TON	120.00000	0	11,400.00	
0019	1525000000-E ASPHALT CONC SURFACE COURSE, TYPE SF9.5A	140.000 TON	150.00000	0	21,000.00	
0020	1560000000-E ASPHALT BINDER FOR PLANT MIX, GRADE PG 64-22	20.000 TON	600.00000	0	12,000.00	
0021	2022000000-E SUBDRAIN EXCAVATION	20.000 CY	15.00000	0	300.00	
0022	2033000000-E SUBDRAIN FINE AGGREGATE	170.000 CY	35.00000	0	5,950.00	
0023	2044000000-E 6" PERFORATED SUBDRAIN PIPE	1,000.000 LF	12.00000	0	12,000.00	

State of NC  
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Letting Date: 02-19-08 Call Order: 023  
Bidder: 3692 - Taylor & Murphy Const. Co, Inc

Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
0024	2055000000-E 6" SUBDRAIN PIPE WYES, TEES, & ELBOWS	EA 30.000	50.00000		1,500.00	
0025	2066000000-N CONCRETE PAD FOR SUBDRAIN PIPE OUTLET	EA 2.000	150.00000		300.00	
0026	2077000000-E 6" OUTLET PIPE (SUBDRAINS)	LF 12.000	12.00000		144.00	
0027	2286000000-N MASONRY DRAINAGE STRUCTURES	EA 3.000	2,400.00000		7,200.00	
0028	2366000000-N FRAME WITH TWO GRATES, STD 840.24	EA 1.000	700.00000		700.00	
0029	2367000000-N FRAME WITH TWO GRATES, STD 840.29	EA 2.000	700.00000		1,400.00	
0030	2556000000-E SHOULDER BERM GUTTER	LF 125.000	50.00000		6,250.00	
0031	3030000000-E STEEL BM GUARDRAIL	LF 37.500	18.00000		675.00	
0032	3045000000-E STEEL BM GUARDRAIL, SHOP CURVED	LF 81.250	19.00000		1,543.75	
0033	3150000000-N ADDITIONAL GUARDRAIL POSTS	EA 5.000	45.00000		225.00	
0034	3195000000-N GUARDRAIL ANCHOR UNITS, TYPE AT-1	EA 2.000	450.00000		900.00	
0035	3215000000-N GUARDRAIL ANCHOR UNITS, TYPE III	EA 4.000	1,200.00000		4,800.00	

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

Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
0036	3270000000-N GUARDRAIL ANCHOR UNITS, TYPE 350	EA 1.000	1,795.00000		1,795.00	
0037	3380000000-E TEMPORARY STEEL BM GUARDRAIL	LF 112.500	9.00000		1,012.50	
0038	3382000000-E TEMPORARY STEEL BM GUARDRAIL (SHOP CURVED)	LF 37.500	11.00000		412.50	
0039	3387000000-N GUARDRAIL ANCHOR UNITS, TYPE ***** TEMPORARY (AT-1)	EA 2.000	400.00000		800.00	
0040	3389100000-N GUARDRAIL ANCHOR UNITS, TYPE 350 TEMPORARY	EA 2.000	1,200.00000		2,400.00	
0041	3649000000-E RIP RAP, CLASS B	TON 4.000	50.00000		200.00	
0042	3656000000-E FILTER FABRIC FOR DRAINAGE	SY 329.000	5.00000		1,645.00	
0043	4400000000-E WORK ZONE SIGNS (STATIONARY)	SF 280.000	4.98000		1,394.40	
0044	4405000000-E WORK ZONE SIGNS (PORTABLE)	SF 112.000	8.65000		968.80	
0045	4410000000-E WORK ZONE SIGNS (BARRICADE MOUNTED)	SF 20.000	6.10000		122.00	
0046	4420000000-N CHANGEABLE MESSAGE SIGN	EA 2.000	10,000.00000		20,000.00	
0047	4430000000-N DRUMS	EA 32.000	50.00000		1,600.00	

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

Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
0048	4435000000-N CONES	EA 30.000	20.00000		600.00	
0049	4445000000-E BARRICADES (TYPE III)	LF 40.000	24.50000		980.00	
0050	4450000000-N FLAGGER	HR 600.000	20.00000		12,000.00	
0051	4465000000-N TEMPORARY CRASH CUSHIONS	EA 2.000	2,000.00000		4,000.00	
0052	4480000000-N TMIA	EA 2.000	3,000.00000		6,000.00	
0053	4485000000-E PORTABLE CONCRETE BARRIER	LF 310.000	30.00000		9,300.00	
0054	4516000000-N SKINNY DRUM	EA 30.000	50.00000		1,500.00	
0055	4650000000-N TEMPORARY RAISED PAVEMENT MARKERS	EA 104.000	6.00000		624.00	
0056	4770000000-E COLD APPLIED PLASTIC PAVEMENT MARKING LINES, TYPE ** (4") (IV)	LF 1,060.000	2.75000		2,915.00	
0057	4795000000-E COLD APPLIED PLASTIC PAVEMENT MARKING LINES, TYPE ** (24") (IV)	LF 17.000	17.00000		289.00	
0058	4810000000-E PAINT PAVEMENT MARKING LINES (4")	LF 7,096.000	0.50000		3,548.00	

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Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
0059	4835000000-E PAINT PAVEMENT MARKING LINES (24")	92.000 LF	6.00000		552.00	
0060	6000000000-E TEMPORARY SILT FENCE	410.000 LF	3.50000		1,435.00	
0061	6006000000-E STONE FOR EROSION CONTROL, CLASS A	160.000 TON	30.00000		4,800.00	
0062	6009000000-E STONE FOR EROSION CONTROL, CLASS B	225.000 TON	30.00000		6,750.00	
0063	6012000000-E SEDIMENT CONTROL STONE	175.000 TON	30.00000		5,250.00	
0064	6015000000-E TEMPORARY MULCHING	0.500 ACR	1,200.00000		600.00	
0065	6018000000-E SEED FOR TEMPORARY SEEDING	50.000 LB	6.00000		300.00	
0066	6021000000-E FERTILIZER FOR TEMPORARY SEED-ING	0.250 TON	600.00000		150.00	
0067	6029000000-E SAFETY FENCE	200.000 LF	3.00000		600.00	
0068	6030000000-E SILT EXCAVATION	380.000 CY	12.00000		4,560.00	
0069	6036000000-E MATTING FOR EROSION CONTROL	240.000 SY	2.50000		600.00	
0070	6042000000-E 1/4" HARDWARE CLOTH	80.000 LF	18.00000		1,440.00	

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Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
0071	6070000000-N SPECIAL STILLING BASINS	EA 2.000	1,000.00000		2,000.00	
0072	6084000000-E SEEDING & MULCHING	ACR 0.650	2,500.00000		1,625.00	
0073	6087000000-E MOWING	ACR 0.500	150.00000		75.00	
0074	6090000000-E SEED FOR REPAIR SEEDING	LB 50.000	15.00000		750.00	
0075	6093000000-E FERTILIZER FOR REPAIR SEEDING	TON 0.250	825.00000		206.25	
0076	6096000000-E SEED FOR SUPPLEMENTAL SEEDING	LB 50.000	4.25000		212.50	
0077	6108000000-E FERTILIZER TOPDRESSING	TON 0.250	600.00000		150.00	
0078	6114000000-N SPECIALIZED HAND MOWING	HR 2.000	65.00000		130.00	
0079	6117000000-N RESPONSE FOR EROSION CONTROL	EA 8.000	400.00000		3,200.00	
0080	6126000000-E STREAMBANK REFORESTATION	ACR 0.020	10,750.00000		215.00	
0081	7060000000-E SIGNAL CABLE	LF 590.000	3.50000		2,065.00	
0082	7120000000-E VEHICLE SIGNAL HEAD (12", 3 SECTION)	EA 6.000	975.00000		5,850.00	

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

Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
0083	7264000000-E MESSENGER CABLE (3/8")	440.000 LF	2.00000		880.00	
0084	7360000000-N WOOD POLE	5.000 EA	900.00000		4,500.00	
0085	7372000000-N GUY ASSEMBLY	7.000 EA	275.00000		1,925.00	
0086	7408000000-E 1" RISER WITH WEATHERHEAD	1.000 EA	250.00000		250.00	
0087	7420000000-E 2" RISER WITH WEATHERHEAD	3.000 EA	400.00000		1,200.00	
0088	7444000000-E INDUCTIVE LOOP SAWCUT	420.000 LF	7.00000		2,940.00	
0089	7456000000-E LEAD-IN CABLE (***** (14-2)	840.000 LF	2.00000		1,680.00	
0090	7636000000-N SIGN FOR SIGNALS	4.000 EA	300.00000		1,200.00	
0091	7768000000-N CONTROLLER WITH CABINET (TYPE 2070L, POLE MOUNTED)	1.000 EA	11,500.00000		11,500.00	
0092	7780000000-N DETECTOR CARD (TYPE 2070L)	2.000 EA	150.00000		300.00	
Section 0001 Total					438,168.20	
Section 0004 STRUCTURE ITEMS						

State of NC  
Dept of Transportation

Date: 01-22-08  
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Letting Date: 02-19-08 Call Order: 023  
Bidder: 3692 - Taylor & Murphy Const. Co, Inc

Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
0093	8035000000-N REMOVAL OF EXISTING STRUCTURE AT STATION ***** (10+87.86-L-)	LUMP	LUMP			90,000.00
0094	8096000000-E PILE EXCAVATION IN SOIL	LF 80.000	275.00000			22,000.00
0095	8097000000-E PILE EXCAVATION NOT IN SOIL	LF 64.000	1,550.00000			99,200.00
0096	8182000000-E CLASS A CONCRETE (BRIDGE)	CY 36.000	1,325.00000			47,700.00
0097	8210000000-N BRIDGE APPROACH SLABS, STATION***** (10+87.86-L-)	LUMP	LUMP			49,000.00
0098	8217000000-E REINFORCING STEEL (BRIDGE)	LB 5,068.000	1.05000			5,321.40
0099	8365000000-E HP12X53 GALVANIZED STEEL PILES	LF 200.000	141.00000			28,200.00
0100	8433000000-E ***" STEEL SHEET PILES (18")	SF 770.000	60.00000			46,200.00
0101	8468000000-E ONE BAR METAL RAIL	LF 39.810	300.00000			11,943.00
0102	8517000000-E 1'-***"X ***** CONCRETE PARA- PET (1'-0" X 1'-8")	LF 55.340	200.00000			11,068.00
0103	8657000000-N ELASTOMERIC BEARINGS	LUMP	LUMP			1,800.00

State of NC  
 Dept of Transportation

Date: 01-22-08  
 Revised:

Contract ID: C201617  
 Letting Date: 02-19-08 Call Order: 023  
 Bidder: 3692 - Taylor & Murphy Const. Co, Inc

Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
0104	8762000000-E 3'-0" X 1'-9" PRESTRESSED CONCCORED SLABS	332.060 LF	155.00000		51,469.30	
	Section 0004 Total				463,901.70	
	Bid Total				902,069.90	

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	

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.

Fuel Price Adjustment Opt-Out Clause

Bidders have the option to accept or reject Fuel Price Adjustments in accordance with the requirements of Article 109-8 Fuel Price Adjustments and the provisions in the contract. To indicate the choice, the bidder shall enter an X in one of the blocks below.

The bidder will not be permitted to change the option after the bid is accepted.

Enter X in one box only:

X Yes, the bidder accepts fuel price adjustments for this project in accordance with Article 109-8.

No, the bidder declines fuel price adjustments for this project.

In the event the bidder does not enter an X in either box, the bidder will receive fuel adjustments for the items shown in the contract.

NORTH CAROLINA STATE DEPARTMENT OF TRANSPORTATION  
DBE COMMITMENT ITEMS

DATE: 01-22-08  
PAGE: 14

PROPOSAL: C201617  
LETTING: L080219 CALL: 023  
VENDOR: 3692 Taylor & Murphy Const. Co, Inc

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

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

0060	6000000000-E	TEMPORARY SI LF	410.000	3.50000	1435.00
0067	6029000000-E	SAFETY FENCE LF	200.000	3.00000	600.00
0070	6042000000-E	1/4" HARDWAR LF	80.000	18.00000	1440.00

DBE COMMITMENT TOTAL FOR SUBCONTRACTOR: 3,475.00  
DBE COMMITMENT TOTAL FOR VENDOR (SubContractor ) 3,475.00 ✓

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

0043	4400000000-E	WORK ZONE SI SF	280.000	4.98000	1394.40
0044	4405000000-E	WORK ZONE SI SF	112.000	8.65000	968.80
0045	4410000000-E	WORK ZONE SI SF	20.000	6.10000	122.00

DBE COMMITMENT TOTAL FOR SUBCONTRACTOR: 2,485.20  
DBE COMMITMENT TOTAL FOR VENDOR (SubContractor ) 2,485.20 ✓

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

0031	3030000000-E	STL BM GUARD LF	37.500	18.00000	675.00
0032	3045000000-E	SBGR SHOP CU LF	81.250	19.00000	1543.75
0033	3150000000-N	ADDIT GUARDR EA	5.000	45.00000	225.00
0034	3195000000-N	GR ANCHOR TY EA	2.000	450.00000	900.00
0035	3215000000-N	GR ANCHOR TY EA	4.000	1200.00000	4800.00
0036	3270000000-N	GR ANCHOR TY EA	1.000	1795.00000	1795.00
0037	3380000000-E	TEMP STL BM LF	112.500	9.00000	1012.50
0038	3382000000-E	TEMP STL BM LF	37.500	11.00000	412.50
0039	3387000000-N	GDRL ANCH UN EA	2.000	400.00000	800.00
0040	3389100000-N	GDRL ANCH UN EA	2.000	1200.00000	2400.00

DBE COMMITMENT TOTAL FOR SUBCONTRACTOR: 14,563.75  
DBE COMMITMENT TOTAL FOR VENDOR (SubContractor ) 14,563.75 ✓

DBE SUBCONTRACTOR: 2330 ROGER F WILLIAMS CO INC  
Will Use Quote: Yes

0012	0342000000-E	**" SIDE DRA LF	24.000	44.96000	1079.04
0013	0366000000-E	15" RC PIPE LF	180.000	12.74000	2293.20
0014	0576000000-E	**" CS PIPE LF	28.000	199.50000	5586.00
0023	2044000000-E	6" PERF SUBD LF	1000.000	1.08000	1080.00
0024	2055000000-E	6" SUBDRN Y, EA	30.000	23.48000	704.40
0025	2066000000-N	CONC PAD SUB EA	2.000	135.03000	270.06
0026	2077000000-E	6" OUTLET PI LF	12.000	1.08000	12.96
0028	2366000000-N	FRAME W/2GRT EA	1.000	243.25000	243.25

Check: 90582 FCB Page 14



## Contract Item Sheets For C201617

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
<b>ROADWAY ITEMS</b>						
0001	0000100000-N	800	MOBILIZATION	Lump Sum LS	45,000.00	45,000.00
0002	0029000000-N	SP	REINFORCED BRIDGE APPROACH FILL, STATION ***** 10+87.86	Lump Sum LS	22,000.00	22,000.00
0003	0043000000-N	226	GRADING	Lump Sum LS	25,000.00	25,000.00
0004	0050000000-E	226	SUPPLEMENTARY CLEARING & GRUB- BING	1 ACR	1.00	1.00
0005	0057000000-E	226	UNDERCUT EXCAVATION	100 CY	16.00	1,600.00
0006	0080000000-E	SP	CLASS IV SUBGRADE STABILIZA- TION	500 TON	30.00	15,000.00
0007	0134000000-E	240	DRAINAGE DITCH EXCAVATION	1.5 CY	15.00	22.50
0008	0195000000-E	265	SELECT GRANULAR MATERIAL	500 CY	45.00	22,500.00
0009	0196000000-E	270	FABRIC FOR SOIL STABILIZATION	500 SY	5.00	2,500.00
0010	0199000000-E	SP	TEMPORARY SHORING	190 SF	100.00	19,000.00
0011	0318000000-E	300	FOUNDATION CONDITIONING MATE- RIAL, MINOR STRS	30 TON	30.00	900.00
0012	0342000000-E	310	*** SIDE DRAIN PIPE (48")	24 LF	115.00	2,760.00
0013	0366000000-E	310	15" RC PIPE CULVERTS, CLASS III	180 LF	40.00	7,200.00
0014	0576000000-E	310	*** CS PIPE CULVERTS, ***** THICK (84",TYPE B 0.168")	28 LF	325.00	9,100.00
0015	0995000000-E	340	PIPE REMOVAL	140 LF	15.00	2,100.00
0016	1220000000-E	545	INCIDENTAL STONE BASE	500 TON	30.00	15,000.00
0017	1489000000-E	610	ASPHALT CONC BASE COURSE, TYPE B25.0B	135 TON	120.00	16,200.00
0018	1498000000-E	610	ASPHALT CONC INTERMEDIATE COURSE, TYPE I19.0B	95 TON	120.00	11,400.00

## Contract Item Sheets For C201617

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
0019	1525000000-E	610	ASPHALT CONC SURFACE COURSE, TYPE SF9.5A	140 TON	150.00	21,000.00
0020	1560000000-E	620	ASPHALT BINDER FOR PLANT MIX, GRADE PG 64-22	20 TON	600.00	12,000.00
0021	2022000000-E	815	SUBDRAIN EXCAVATION	20 CY	15.00	300.00
0022	2033000000-E	815	SUBDRAIN FINE AGGREGATE	170 CY	35.00	5,950.00
0023	2044000000-E	815	6" PERFORATED SUBDRAIN PIPE	1,000 LF	12.00	12,000.00
0024	2055000000-E	815	6" SUBDRAIN PIPE WYES, TEES, & ELBOWS	30 EA	50.00	1,500.00
0025	2066000000-N	815	CONCRETE PAD FOR SUBDRAIN PIPE OUTLET	2 EA	150.00	300.00
0026	2077000000-E	815	6" OUTLET PIPE (SUBDRAINS)	12 LF	12.00	144.00
0027	2286000000-N	840	MASONRY DRAINAGE STRUCTURES	3 EA	2,400.00	7,200.00
0028	2366000000-N	840	FRAME WITH TWO GRATES, STD 840.24	1 EA	700.00	700.00
0029	2367000000-N	840	FRAME WITH TWO GRATES, STD 840.29	2 EA	700.00	1,400.00
0030	2556000000-E	846	SHOULDER BERM GUTTER	125 LF	50.00	6,250.00
0031	3030000000-E	862	STEEL BM GUARDRAIL	37.5 LF	18.00	675.00
0032	3045000000-E	862	STEEL BM GUARDRAIL, SHOP CURVED	81.25 LF	19.00	1,543.75
0033	3150000000-N	862	ADDITIONAL GUARDRAIL POSTS	5 EA	45.00	225.00
0034	3195000000-N	862	GUARDRAIL ANCHOR UNITS, TYPE AT-1	2 EA	450.00	900.00
0035	3215000000-N	862	GUARDRAIL ANCHOR UNITS, TYPE III	4 EA	1,200.00	4,800.00
0036	3270000000-N	SP	GUARDRAIL ANCHOR UNITS, TYPE 350	1 EA	1,795.00	1,795.00

## Contract Item Sheets For C201617

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
0037	3380000000-E	862	TEMPORARY STEEL BM GUARDRAIL	112.5 LF	9.00	1,012.50
0038	3382000000-E	862	TEMPORARY STEEL BM GUARDRAIL (SHOP CURVED)	37.5 LF	11.00	412.50
0039	3387000000-N	862	GUARDRAIL ANCHOR UNITS, TYPE ***** TEMPORARY (AT-1)	2 EA	400.00	800.00
0040	3389100000-N	SP	GUARDRAIL ANCHOR UNITS, TYPE 350 TEMPORARY	2 EA	1,200.00	2,400.00
0041	3649000000-E	876	RIP RAP, CLASS B	4 TON	50.00	200.00
0042	3656000000-E	876	FILTER FABRIC FOR DRAINAGE	329 SY	5.00	1,645.00
0043	4400000000-E	1110	WORK ZONE SIGNS (STATIONARY)	280 SF	4.98	1,394.40
0044	4405000000-E	1110	WORK ZONE SIGNS (PORTABLE)	112 SF	8.65	968.80
0045	4410000000-E	1110	WORK ZONE SIGNS (BARRICADE MOUNTED)	20 SF	6.10	122.00
0046	4420000000-N	1120	CHANGEABLE MESSAGE SIGN	2 EA	10,000.00	20,000.00
0047	4430000000-N	1130	DRUMS	32 EA	50.00	1,600.00
0048	4435000000-N	1135	CONES	30 EA	20.00	600.00
0049	4445000000-E	1145	BARRICADES (TYPE III)	40 LF	24.50	980.00
0050	4450000000-N	1150	FLAGGER	600 HR	20.00	12,000.00
0051	4465000000-N	1160	TEMPORARY CRASH CUSHIONS	2 EA	2,000.00	4,000.00
0052	4480000000-N	1165	TMIA	2 EA	3,000.00	6,000.00
0053	4485000000-E	1170	PORTABLE CONCRETE BARRIER	310 LF	30.00	9,300.00
0054	4516000000-N	1180	SKINNY DRUM	30 EA	50.00	1,500.00
0055	4650000000-N	1251	TEMPORARY RAISED PAVEMENT MARKERS	104 EA	6.00	624.00

## Contract Item Sheets For C201617

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
0056	4770000000-E	1205	COLD APPLIED PLASTIC PAVEMENT MARKING LINES, TYPE ** (4") (IV)	1,060 LF	2.75	2,915.00
0057	4795000000-E	1205	COLD APPLIED PLASTIC PAVEMENT MARKING LINES, TYPE ** (24") (IV)	17 LF	17.00	289.00
0058	4810000000-E	1205	PAINT PAVEMENT MARKING LINES (4")	7,096 LF	0.50	3,548.00
0059	4835000000-E	1205	PAINT PAVEMENT MARKING LINES (24")	92 LF	6.00	552.00
0060	6000000000-E	1605	TEMPORARY SILT FENCE	410 LF	3.50	1,435.00
0061	6006000000-E	1610	STONE FOR EROSION CONTROL, CLASS A	160 TON	30.00	4,800.00
0062	6009000000-E	1610	STONE FOR EROSION CONTROL, CLASS B	225 TON	30.00	6,750.00
0063	6012000000-E	1610	SEDIMENT CONTROL STONE	175 TON	30.00	5,250.00
0064	6015000000-E	1615	TEMPORARY MULCHING	0.5 ACR	1,200.00	600.00
0065	6018000000-E	1620	SEED FOR TEMPORARY SEEDING	50 LB	6.00	300.00
0066	6021000000-E	1620	FERTILIZER FOR TEMPORARY SEEDING	0.25 TON	600.00	150.00
0067	6029000000-E	SP	SAFETY FENCE	200 LF	3.00	600.00
0068	6030000000-E	1630	SILT EXCAVATION	380 CY	12.00	4,560.00
0069	6036000000-E	1631	MATTING FOR EROSION CONTROL	240 SY	2.50	600.00
0070	6042000000-E	1632	1/4" HARDWARE CLOTH	80 LF	18.00	1,440.00
0071	6070000000-N	SP	SPECIAL STILLING BASINS	2 EA	1,000.00	2,000.00
0072	6084000000-E	1660	SEEDING & MULCHING	0.65 ACR	2,500.00	1,625.00
0073	6087000000-E	1660	MOWING	0.5 ACR	150.00	75.00
0074	6090000000-E	1661	SEED FOR REPAIR SEEDING	50 LB	15.00	750.00

## Contract Item Sheets For C201617

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
0075	6093000000-E	1661	FERTILIZER FOR REPAIR SEEDING	0.25 TON	825.00	206.25
0076	6096000000-E	1662	SEED FOR SUPPLEMENTAL SEEDING	50 LB	4.25	212.50
0077	6108000000-E	1665	FERTILIZER TOPDRESSING	0.25 TON	600.00	150.00
0078	6114000000-N	SP	SPECIALIZED HAND MOWING	2 HR	65.00	130.00
0079	6117000000-N	SP	RESPONSE FOR EROSION CONTROL	8 EA	400.00	3,200.00
0080	6126000000-E	SP	STREAMBANK REFORESTATION	0.02 ACR	10,750.00	215.00
0081	7060000000-E	1705	SIGNAL CABLE	590 LF	3.50	2,065.00
0082	7120000000-E	1705	VEHICLE SIGNAL HEAD (12", 3 SECTION)	6 EA	975.00	5,850.00
0083	7264000000-E	1710	MESSENGER CABLE (3/8")	440 LF	2.00	880.00
0084	7360000000-N	1720	WOOD POLE	5 EA	900.00	4,500.00
0085	7372000000-N	1721	GUY ASSEMBLY	7 EA	275.00	1,925.00
0086	7408000000-E	1722	1" RISER WITH WEATHERHEAD	1 EA	250.00	250.00
0087	7420000000-E	1722	2" RISER WITH WEATHERHEAD	3 EA	400.00	1,200.00
0088	7444000000-E	1725	INDUCTIVE LOOP SAWCUT	420 LF	7.00	2,940.00
0089	7456000000-E	1726	LEAD-IN CABLE (***** (14-2)	840 LF	2.00	1,680.00
0090	7636000000-N	1745	SIGN FOR SIGNALS	4 EA	300.00	1,200.00
0091	7768000000-N	1751	CONTROLLER WITH CABINET (TYPE 2070L, POLE MOUNTED)	1 EA	11,500.00	11,500.00
0092	7780000000-N	1751	DETECTOR CARD (TYPE 2070L)	2 EA	150.00	300.00

Contract Item Sheets For C201617

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
0093	8035000000-N	402	REMOVAL OF EXISTING STRUCTURE AT STATION ***** (10+87.86-L-)	Lump Sum LS	90,000.00	90,000.00
0094	8096000000-E	SP	PILE EXCAVATION IN SOIL	80 LF	275.00	22,000.00
0095	8097000000-E	SP	PILE EXCAVATION NOT IN SOIL	64 LF	1,550.00	99,200.00
0096	8182000000-E	420	CLASS A CONCRETE (BRIDGE)	36 CY	1,325.00	47,700.00
0097	8210000000-N	422	BRIDGE APPROACH SLABS, STATION ***** (10+87.86-L-)	Lump Sum LS	49,000.00	49,000.00
0098	8217000000-E	425	REINFORCING STEEL (BRIDGE)	5,068 LB	1.05	5,321.40
0099	8365000000-E	450	HP12X53 GALVANIZED STEEL PILES	200 LF	141.00	28,200.00
0100	8433000000-E	SP	*** STEEL SHEET PILES (18")	770 SF	60.00	46,200.00
0101	8468000000-E	460	ONE BAR METAL RAIL	39.81 LF	300.00	11,943.00
0102	8517000000-E	460	1'-***X ***** CONCRETE PARA- PET (1'-0" X 1'-8")	55.34 LF	200.00	11,068.00
0103	8657000000-N	430	ELASTOMERIC BEARINGS	Lump Sum LS	1,800.00	1,800.00
0104	8762000000-E	430	3'-0" X 1'-9" PRESTRESSED CONC CORED SLABS	332.06 LF	155.00	51,469.30

TOTAL AMOUNT OF BID FOR ENTIRE PROJECT

✓ \$902,069.90

Contract Number C201617  
County CHEROKEE

Rev 02-17-04

**EXECUTION OF CONTRACT**

State of North Carolina  
County of Buncombe

**NON-COLLUSION AFFIDAVIT, AND DEBARMENT CERTIFICATION CORPORATION**

The Contractor being duly sworn, solemnly swears (or affirms) that neither he, nor any official, agent or employee has entered into any agreement, participated in any collusion, or otherwise taken any action which is in restraint of free competitive bidding in connection with this Contract, and that the Contractor intends to do the work with his own bonafide employees or subcontractors and did not bid for the benefit of another contractor.

By submitting this Execution of Contract, Non-Collusion affidavit and Debarment Certification, the Contractor is certifying his status under penalty of perjury under the laws of the United States in accordance with the Debarment Certification attached, provided that the Debarment Certification also includes any required statements concerning exceptions that are applicable.

**SIGNATURE OF CONTRACTOR**

TAYLOR & MURPHY CONSTRUCTION Co., INC.  
Print or type full name of Corporation

P.O. BOX 6215, ASHEVILLE, NC 28816  
Address as Prequalified

Attest Wm. M. N.  
~~Secretary/Assistant Secretary~~  
Delete inappropriate title

By [Signature]  
~~President/Vice President/Assistant Vice President~~  
Delete inappropriate title

WILLIAM M. NEWMAN  
Print or type signer's name

CHRISTOPHER K. BRITTON  
Print or type signer's name

**CORPORATE SEAL**

**AFFIDAVIT MUST BE NOTARIZED**

**NOTARY SEAL**

Subscribed and sworn to before me this the

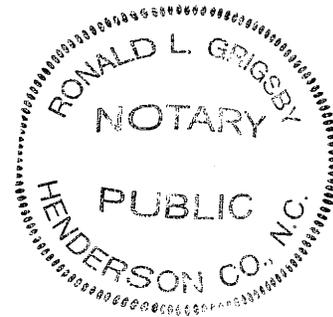
7<sup>TH</sup> day of MARCH 2008

Ronald L. Grigsby  
Signature of Notary Public RONALD L. GRIGSBY

of HENDERSON County

State of NORTH CAROLINA

My Commission Expires: JANUARY 26, 2011



**EXECUTION OF CONTRACT**

**NON-COLLUSION AFFIDAVIT, AND DEBARMENT CERTIFICATION**

## DEBARMENT CERTIFICATION OF CONTRACTOR

### Conditions for certification:

1. The Contractor shall provide immediate written notice to the Department if at any time the Contractor learns that his certification was erroneous when he submitted his debarment certification or explanation that is on file with the Department, or has become erroneous because of changed circumstances.
2. The terms *covered transaction, debarred, suspended, ineligible, lower tier covered transaction, participant, person, primary covered transaction, principal, proposal, and voluntarily excluded*, as used in this provision, have the meanings set out in the Definitions and Coverage sections of the rules implementing Executive Order 12549. A copy of the Federal Rules requiring this certification and detailing the definitions and coverages may be obtained from the Contract Officer of the Department.
3. The Contractor agrees by submitting this form, that he will not knowingly enter into any lower tier covered transaction with a person who is debarred, suspended, declared ineligible, or voluntarily excluded from participation in NCDOT contracts, unless authorized by the Department.
4. For Federal Aid projects, the Contractor further agrees that by submitting this form he will include the Federal-Aid Provision titled *Required Contract Provisions Federal-Aid Construction Contract (Form FHWA PR 1273)* provided by the Department, without subsequent modification, in all lower tier covered transactions.
5. The Contractor may rely upon a certification of a participant in a lower tier covered transaction that he is not debarred, suspended, ineligible, or voluntarily excluded from the covered transaction, unless he knows that the certification is erroneous. The Contractor may decide the method and frequency by which he will determine the eligibility of his subcontractors.
6. Nothing contained in the foregoing shall be construed to require establishment of a system of records in order to render in good faith the certification required by this provision. The knowledge and information of a participant is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.
7. Except as authorized in paragraph 3 herein, the Department may terminate any contract if the Contractor knowingly enters into a lower tier covered transaction with a person who is suspended, debarred, ineligible, or voluntarily excluded from participation in this transaction, in addition to other remedies available by the Federal Government.

**DEBARMENT CERTIFICATION**

The Contractor certifies to the best of his knowledge and belief, that he and his principals:

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

If the Contractor cannot certify that he is not debarred, he shall provide an explanation with this submittal. An explanation will not necessarily result in denial of participation in a contract.

Failure to submit a non-collusion affidavit and debarment certification will result in the Contractor's bid being considered non-responsive.

Check here if an explanation is attached to this certification.

**Contract No: C201617**

**County: Cherokee**

ACCEPTED BY THE  
DEPARTMENT OF TRANSPORTATION



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



\_\_\_\_\_  
Date

Execution of Contract and Bonds  
Approved as to Form:



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

### CONTRACT PAYMENT BOND

Date of Payment:  
Bond Execution: March 10, 2008

Name of Principal:  
Contractor Taylor & Murphy Construction Co., Inc.  
P.O. Box 6215, Asheville, NC 28816

Name of Surety: Travelers Casualty and Surety Company of America  
One Tower Square, Hartford, CT 06183

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

Amount of Bond: Nine Hundred Two Thousand Sixty-Nine and 90/100 Dollars (\$902,069.90)

Contract ID No.: C201617

County Name(s): Cherokee

KNOW ALL MEN BY THESE PRESENTS, That we, the 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-bounden 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. C201617  
County Cherokee

Rev 02-13-04

### CONTRACT PAYMENT BOND

*Affix Seal of Surety Company*

Travelers Casualty and Surety Company of America  
Print or type Surety Company Name

By Angela D. Ramsey  
Print, stamp or type name of Attorney-in-Fact

Angela Ramsey  
Signature of Attorney-in-Fact

Jennifer C. Hoehn  
Signature of witness

Jennifer C. Hoehn  
Print or type witness' name

P.O. Box 220748, Charlotte, NC 28222  
Address of Attorney-in-Fact

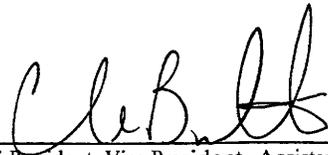
### CONTRACT PAYMENT BOND

### CORPORATION

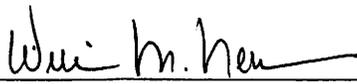
SIGNATURE OF CONTRACTOR (Principal)

Taylor & Murphy Construction Co., Inc.  
\_\_\_\_\_  
Print or type full name of Corporation

P.O. Box 6215, Asheville, NC 28816  
\_\_\_\_\_  
Address as prequalified

By   
Signature of ~~President~~, Vice President, ~~Assistant Vice President~~  
*Delete inappropriate title*

CHRISTOPHER K. BRITTON  
Print or type signer's name

Attest   
Signature of ~~Secretary~~, Assistant Secretary  
*Delete inappropriate title*

WILLIAM M. NEWMAN  
Print or type signer's name

*Affix Corporate Seal*

POWER OF ATTORNEY



Farmington Casualty Company
Fidelity and Guaranty Insurance Company
Fidelity and Guaranty Insurance Underwriters, Inc.
Seaboard Surety Company
St. Paul Fire and Marine Insurance Company

St. Paul Guardian Insurance Company
St. Paul Mercury Insurance Company
Travelers Casualty and Surety Company
Travelers Casualty and Surety Company of America
United States Fidelity and Guaranty Company

Attorney-In Fact No. 215238

Certificate No. 002136966

KNOW ALL MEN BY THESE PRESENTS: That Seaboard Surety Company is a corporation duly organized under the laws of the State of New York, that St. Paul Fire and Marine Insurance Company, St. Paul Guardian Insurance Company and St. Paul Mercury Insurance Company are corporations duly organized under the laws of the State of Minnesota, that Farmington Casualty Company, Travelers Casualty and Surety Company, and Travelers Casualty and Surety Company of America are corporations duly organized under the laws of the State of Connecticut, that United States Fidelity and Guaranty Company is a corporation duly organized under the laws of the State of Maryland, that Fidelity and Guaranty Insurance Company is a corporation duly organized under the laws of the State of Iowa, and that Fidelity and Guaranty Insurance Underwriters, Inc. is a corporation duly organized under the laws of the State of Wisconsin (herein collectively called the "Companies"), and that the Companies do hereby make, constitute and appoint

Ann D. Newton, Joe E. Hunnicutt, Karen Griffie, William J. Quinn, G. Timothy Wilkerson, James W. Bland, Donna K. Ashley, Wendy E. Lahm, Angela D. Ramsey, John D. Leak III, Jennifer C. Hoehn, and John F. Thomas

of the City of Charlotte, State of North Carolina, their true and lawful Attorney(s)-in-Fact, each in their separate capacity if more than one is named above, to sign, execute, seal and acknowledge any and all bonds, recognizances, conditional undertakings and other writings obligatory in the nature thereof on behalf of the Companies in their business of guaranteeing the fidelity of persons, guaranteeing the performance of contracts and executing or guaranteeing bonds and undertakings required or permitted in any actions or proceedings allowed by law.

IN WITNESS WHEREOF, the Companies have caused this instrument to be signed and their corporate seals to be hereto affixed, this 15th day of October, 2007.

Farmington Casualty Company
Fidelity and Guaranty Insurance Company
Fidelity and Guaranty Insurance Underwriters, Inc.
Seaboard Surety Company
St. Paul Fire and Marine Insurance Company

St. Paul Guardian Insurance Company
St. Paul Mercury Insurance Company
Travelers Casualty and Surety Company
Travelers Casualty and Surety Company of America
United States Fidelity and Guaranty Company



State of Connecticut
City of Hartford ss.

By: [Signature]
George W. Thompson, Senior Vice President

On this the 15th day of October, 2007, before me personally appeared George W. Thompson, who acknowledged himself to be the Senior Vice President of Farmington Casualty Company, Fidelity and Guaranty Insurance Company, Fidelity and Guaranty Insurance Underwriters, Inc., Seaboard Surety Company, St. Paul Fire and Marine Insurance Company, St. Paul Guardian Insurance Company, St. Paul Mercury Insurance Company, Travelers Casualty and Surety Company, Travelers Casualty and Surety Company of America, and United States Fidelity and Guaranty Company, and that he, as such, being authorized so to do, executed the foregoing instrument for the purposes therein contained by signing on behalf of the corporations by himself as a duly authorized officer.

In Witness Whereof, I hereunto set my hand and official seal. My Commission expires the 30th day of June, 2011.



[Signature]
Marie C. Tetreault, Notary Public

This Power of Attorney is granted under and by the authority of the following resolutions adopted by the Boards of Directors of Farmington Casualty Company, Fidelity and Guaranty Insurance Company, Fidelity and Guaranty Insurance Underwriters, Inc., Seaboard Surety Company, St. Paul Fire and Marine Insurance Company, St. Paul Guardian Insurance Company, St. Paul Mercury Insurance Company, Travelers Casualty and Surety Company, Travelers Casualty and Surety Company of America, and United States Fidelity and Guaranty Company, which resolutions are now in full force and effect, reading as follows:

**RESOLVED**, that the Chairman, the President, any Vice Chairman, any Executive Vice President, any Senior Vice President, any Vice President, any Second Vice President, the Treasurer, any Assistant Treasurer, the Corporate Secretary or any Assistant Secretary may appoint Attorneys-in-Fact and Agents to act for and on behalf of the Company and may give such appointee such authority as his or her certificate of authority may prescribe to sign with the Company's name and seal with the Company's seal bonds, recognizances, contracts of indemnity, and other writings obligatory in the nature of a bond, recognizance, or conditional undertaking, and any of said officers or the Board of Directors, at any time may remove any such appointee and revoke the power given him or her; and it is

**FURTHER RESOLVED**, that the Chairman, the President, any Vice Chairman, any Executive Vice President, any Senior Vice President or any Vice President may delegate all or any part of the foregoing authority to one or more officers or employees of this Company, provided that each such delegation is in writing and a copy thereof is filed in the office of the Secretary; and it is

**FURTHER RESOLVED**, that any bond, recognizance, contract of indemnity, or writing obligatory in the nature of a bond, recognizance, or conditional undertaking shall be valid and binding upon the Company when (a) signed by the President, any Vice Chairman, any Executive Vice President, any Senior Vice President or any Vice President, any Second Vice President, the Treasurer, any Assistant Treasurer, the Corporate Secretary or any Assistant Secretary and duly attested and sealed with the Company's seal by a Secretary or Assistant Secretary; or (b) duly executed (under seal, if required) by one or more Attorneys-in-Fact and Agents pursuant to the power prescribed in his or her certificate or their certificates of authority or by one or more Company officers pursuant to a written delegation of authority; and it is

**FURTHER RESOLVED**, that the signature of each of the following officers: President, any Executive Vice President, any Senior Vice President, any Vice President, any Assistant Vice President, any Secretary, any Assistant Secretary, and the seal of the Company may be affixed by facsimile to any power of attorney or to any certificate relating thereto appointing Resident Vice Presidents, Resident Assistant Secretaries or Attorneys-in-Fact for purposes only of executing and attesting bonds and undertakings and other writings obligatory in the nature thereof, and any such power of attorney or certificate bearing such facsimile signature or facsimile seal shall be valid and binding upon the Company and any such power so executed and certified by such facsimile signature and facsimile seal shall be valid and binding on the Company in the future with respect to any bond or understanding to which it is attached.

I, Kori M. Johanson, the undersigned, Assistant Secretary, of Farmington Casualty Company, Fidelity and Guaranty Insurance Company, Fidelity and Guaranty Insurance Underwriters, Inc., Seaboard Surety Company, St. Paul Fire and Marine Insurance Company, St. Paul Guardian Insurance Company, St. Paul Mercury Insurance Company, Travelers Casualty and Surety Company, Travelers Casualty and Surety Company of America, and United States Fidelity and Guaranty Company do hereby certify that the above and foregoing is a true and correct copy of the Power of Attorney executed by said Companies, which is in full force and effect and has not been revoked.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the seals of said Companies this 10th day of March, 2008.

WARNING: THIS POWER OF ATTORNEY IS INVALID WITHOUT THE RED BORDER

*Kori M. Johanson*

Kori M. Johanson, Assistant Secretary



To verify the authenticity of this Power of Attorney, call 1-800-421-3880 or contact us at www.travelersbond.com. Please refer to the Attorney-In-Fact number, the above-named individuals and the details of the bond to which the power is attached.

**CONTRACT PERFORMANCE BOND**

Date of Contract Performance

Bond Execution: March 10, 2008

Name of Principal: Taylor & Murphy Construction Co., Inc.

Contractor P.O. Box 6215, Asheville, NC 28816

Name of Surety: Travelers Casualty and Surety Company of America

One Tower Square, Hartford, CT 06183

Name of Contracting Body: North Carolina Department of Transportation

Raleigh, North Carolina

Amount of Bond: Nine Hundred Two Thousand Sixty-Nine and 90/100 Dollars (\$902,069.90)

Contract ID No.: C201617

County Name(s): Cherokee

KNOW ALL MEN BY THESE PRESENTS, That we, the 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-bounden 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 PERFORMANCE BOND

*Affix Seal of Surety Company*

Travelers Casualty and Surety Company of America

Print or type Surety Company Name

By Angela D. Ramsey

Attorney-in-Fact

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

Angela Ramsey  
Signature of Attorney-in-Fact

Jennifer C. Hoehn  
Signature of witness

Jennifer C. Hoehn

Print or type witness' name

P.O. Box 220748, Charlotte, NC 28222

Address of Attorney-in-Fact

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

SIGNATURE OF CONTRACTOR (Principal)

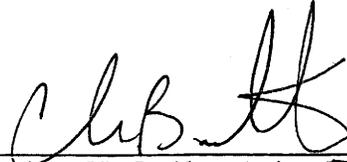
Taylor & Murphy Construction Co., Inc.

Print full name of Corporation

P.O. Box 6215, Asheville, NC 28816

Address as prequalified

By



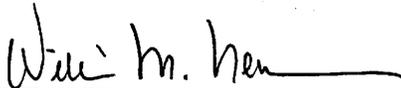
Signature of ~~President~~, Vice President, Assistant ~~Vice President~~

*Delete inappropriate title*

CHRISTOPHER K. BRITTON

Print or type signer's name

Attest



Signature of ~~Secretary~~, Assistant Secretary

*Delete inappropriate title*

WILLIAM M. NEWMAN

Print or type signer's name

*Affix Corporate Seal*



POWER OF ATTORNEY

Farmington Casualty Company
Fidelity and Guaranty Insurance Company
Fidelity and Guaranty Insurance Underwriters, Inc.
Seaboard Surety Company
St. Paul Fire and Marine Insurance Company

St. Paul Guardian Insurance Company
St. Paul Mercury Insurance Company
Travelers Casualty and Surety Company
Travelers Casualty and Surety Company of America
United States Fidelity and Guaranty Company

Attorney-In Fact No. 215238

Certificate No. 002136967

KNOW ALL MEN BY THESE PRESENTS: That Seaboard Surety Company is a corporation duly organized under the laws of the State of New York, that St. Paul Fire and Marine Insurance Company, St. Paul Guardian Insurance Company and St. Paul Mercury Insurance Company are corporations duly organized under the laws of the State of Minnesota, that Farmington Casualty Company, Travelers Casualty and Surety Company, and Travelers Casualty and Surety Company of America are corporations duly organized under the laws of the State of Connecticut, that United States Fidelity and Guaranty Company is a corporation duly organized under the laws of the State of Maryland, that Fidelity and Guaranty Insurance Company is a corporation duly organized under the laws of the State of Iowa, and that Fidelity and Guaranty Insurance Underwriters, Inc. is a corporation duly organized under the laws of the State of Wisconsin (herein collectively called the "Companies"), and that the Companies do hereby make, constitute and appoint

Ann D. Newton, Joe E. Hunnicutt, Karen Griffie, William J. Quinn, G. Timothy Wilkerson, James W. Bland, Donna K. Ashley, Wendy E. Lahm, Angela D. Ramsey, John D. Leak III, Jennifer C. Hoehn, and John F. Thomas

of the City of Charlotte, State of North Carolina, their true and lawful Attorney(s)-in-Fact, each in their separate capacity if more than one is named above, to sign, execute, seal and acknowledge any and all bonds, recognizances, conditional undertakings and other writings obligatory in the nature thereof on behalf of the Companies in their business of guaranteeing the fidelity of persons, guaranteeing the performance of contracts and executing or guaranteeing bonds and undertakings required or permitted in any actions or proceedings allowed by law.

IN WITNESS WHEREOF, the Companies have caused this instrument to be signed and their corporate seals to be hereto affixed, this 15th day of October, 2007.

Farmington Casualty Company
Fidelity and Guaranty Insurance Company
Fidelity and Guaranty Insurance Underwriters, Inc.
Seaboard Surety Company
St. Paul Fire and Marine Insurance Company

St. Paul Guardian Insurance Company
St. Paul Mercury Insurance Company
Travelers Casualty and Surety Company
Travelers Casualty and Surety Company of America
United States Fidelity and Guaranty Company



State of Connecticut
City of Hartford ss.

By: [Signature]
George W. Thompson, Senior Vice President

On this the 15th day of October, 2007, before me personally appeared George W. Thompson, who acknowledged himself to be the Senior Vice President of Farmington Casualty Company, Fidelity and Guaranty Insurance Company, Fidelity and Guaranty Insurance Underwriters, Inc., Seaboard Surety Company, St. Paul Fire and Marine Insurance Company, St. Paul Guardian Insurance Company, St. Paul Mercury Insurance Company, Travelers Casualty and Surety Company, Travelers Casualty and Surety Company of America, and United States Fidelity and Guaranty Company, and that he, as such, being authorized so to do, executed the foregoing instrument for the purposes therein contained by signing on behalf of the corporations by himself as a duly authorized officer.

In Witness Whereof, I hereunto set my hand and official seal.
My Commission expires the 30th day of June, 2011.



[Signature]
Marie C. Tetreault, Notary Public

This Power of Attorney is granted under and by the authority of the following resolutions adopted by the Boards of Directors of Farmington Casualty Company, Fidelity and Guaranty Insurance Company, Fidelity and Guaranty Insurance Underwriters, Inc., Seaboard Surety Company, St. Paul Fire and Marine Insurance Company, St. Paul Guardian Insurance Company, St. Paul Mercury Insurance Company, Travelers Casualty and Surety Company, Travelers Casualty and Surety Company of America, and United States Fidelity and Guaranty Company, which resolutions are now in full force and effect, reading as follows:

**RESOLVED**, that the Chairman, the President, any Vice Chairman, any Executive Vice President, any Senior Vice President, any Vice President, any Second Vice President, the Treasurer, any Assistant Treasurer, the Corporate Secretary or any Assistant Secretary may appoint Attorneys-in-Fact and Agents to act for and on behalf of the Company and may give such appointee such authority as his or her certificate of authority may prescribe to sign with the Company's name and seal with the Company's seal bonds, recognizances, contracts of indemnity, and other writings obligatory in the nature of a bond, recognizance, or conditional undertaking, and any of said officers or the Board of Directors at any time may remove any such appointee and revoke the power given him or her, and it is

**FURTHER RESOLVED**, that the Chairman, the President, any Vice Chairman, any Executive Vice President, any Senior Vice President or any Vice President may delegate all or any part of the foregoing authority to one or more officers or employees of this Company, provided that each such delegation is in writing and a copy thereof is filed in the office of the Secretary; and it is

**FURTHER RESOLVED**, that any bond, recognizance, contract of indemnity, or writing obligatory in the nature of a bond, recognizance, or conditional undertaking shall be valid and binding upon the Company when (a) signed by the President, any Vice Chairman, any Executive Vice President, any Senior Vice President or any Vice President, any Second Vice President, the Treasurer, any Assistant Treasurer, the Corporate Secretary or any Assistant Secretary and duly attested and sealed with the Company's seal by a Secretary or Assistant Secretary; or (b) duly executed (under seal, if required) by one or more Attorneys-in-Fact and Agents pursuant to the power prescribed in his or her certificate or their certificates of authority or by one or more Company officers pursuant to a written delegation of authority; and it is

**FURTHER RESOLVED**, that the signature of each of the following officers: President, any Executive Vice President, any Senior Vice President, any Vice President, any Assistant Vice President, any Secretary, any Assistant Secretary, and the seal of the Company may be affixed by facsimile to any power of attorney or to any certificate relating thereto appointing Resident Vice Presidents, Resident Assistant Secretaries or Attorneys-in-Fact for purposes only of executing and attesting bonds and undertakings and other writings obligatory in the nature thereof, and any such power of attorney or certificate bearing such facsimile signature or facsimile seal shall be valid and binding upon the Company and any such power so executed and certified by such facsimile signature and facsimile seal shall be valid and binding on the Company in the future with respect to any bond or understanding to which it is attached.

I, Kori M. Johanson, the undersigned, Assistant Secretary, of Farmington Casualty Company, Fidelity and Guaranty Insurance Company, Fidelity and Guaranty Insurance Underwriters, Inc., Seaboard Surety Company, St. Paul Fire and Marine Insurance Company, St. Paul Guardian Insurance Company, St. Paul Mercury Insurance Company, Travelers Casualty and Surety Company, Travelers Casualty and Surety Company of America, and United States Fidelity and Guaranty Company do hereby certify that the above and foregoing is a true and correct copy of the Power of Attorney executed by said Companies, which is in full force and effect and has not been revoked.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the seals of said Companies this 10th day of March, 20 08.

WARNING: THIS POWER OF ATTORNEY IS INVALID WITHOUT THE RED BORDER

  
Kori M. Johanson, Assistant Secretary



To verify the authenticity of this Power of Attorney, call 1-800-421-3880 or contact us at www.travelersbond.com. Please refer to the Attorney-In-Fact number, the above-named individuals and the details of the bond to which the power is attached.

