

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

C201998

CONTRACT AND  
CONTRACT BONDS

FOR CONTRACT NO. C201998

WBS

41598 STATE FUNDED

COUNTY OF

GUILFORD

THIS IS THE

ROADWAY CONTRACT

ROUTE NUMBER

US 29

LENGTH

4.340 MILES

LOCATION

US-29 FROM I-40 TO NORTH OF CONE.

CONTRACTOR

BLYTHE CONSTRUCTION, INC.

ADDRESS

P.O. BOX 31635

CHARLOTTE, NC 282311635

BIDS OPENED

FEBRUARY 19, 2008

CONTRACT EXECUTION

MAR 24 2008

**Blythe Construction, Inc (3655).**

**Vendor 2 of 4 Vendors for Call Order 012 (Proposal ID C201998).**

County: GUILFORD

Address: 2911 North Graham Street

Charlotte, NC 28206

Phone Number: 704.375.8474

Signature Check: This bid has been properly signed by JAMES\_PAUL\_McBRYDE\_3655.

Time Bid Received: Tue Feb 19 13:19:01 2008

Bid Checksum: 00D76D48

Amendment Count: 0

Bidding Errors: No bidding errors.

Bid Total: \$2,905,020.94 ✓

Bond ID: SNC08592967

Bond was Verified: Yes.

Bond Required Percent: 5.00%

Minimum Check Amount: \$145,251.05

Bid Security Maximum: \$

Bond Agency Name:

Agency Execution Date: 2/14/08

Surety Name: Johnson & Company

Surety State of Incorporation:

Bond Company:

Bond Type:

Bond Appr Flag:

Bond Affirm:

Bond was Paid by Check: No.

MBE GOAL SET 4.0%  
 WBE GOAL SET 4.0%  
 M.BE GOAL MET - 5.1%  
 WBE GOAL MET - 4.0%



NCDOT/berc

Vendor 3655's Load Output for Call 012, Letting L080219, 2008-02-19

Bid Bond Data Info - Contractor Responses:

=====

BondID: SNC08592967  
Surety Registry Agency: surety2000  
Verified?: Yes  
Surety Agency: Johnson & Company  
Bond Execution Date: 2/14/08  
Bond Amount: \$145,251.05 (Five Percent of Bid)

State of NC  
Dept of Transportation

Date: 01-22-08  
Revised:

Contract ID: C201998 Project(s): STATE FUNDED  
Letting Date: 02-19-08 Call Order: 012  
Bidder: 3655 - Blythe Construction, Inc

Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
Section 0001 ROADWAY ITEMS						
0001	0000100000-N MOBILIZATIO N	LUMP	LUMP			105,000.00
0002	0043000000-N GRADING	LUMP	LUMP			28,000.00
0003	0366000000-E 15" RC PIPE CULVERTS, CLASS III	LF	4.000	100.00000		400.00
0004	1245000000-E SHOULDER RECONSTRUCTION	SMI	1.610	4,000.00000		6,440.00
0005	1297000000-E MILLING ASPHALT PAVEMENT, ***"DEPTH (2")	SY	64,025.000	1.75000		112,043.75
0006	1330000000-E INCIDENTAL MILLING	SY	424.000	21.00000		8,904.00
0007	1523000000-E ASPHALT CONC SURFACE COURSE, TYPE S9.5C	TON	19,972.000	37.00000		738,964.00
0008	1565000000-E ASPHALT BINDER FOR PLANT MIX, GRADE PG 70-22	TON	1,197.000	397.00000		475,209.00
0009	1567000000-E ASPHALT BINDER FOR PLANT MIX, GRADE PG 70-28	TON	377.000	529.89000		199,768.53
0010	1839110000-E ULTRATHIN HOT MIX ASPHALT, TYPE B	TON	6,472.000	43.20000		279,590.40
0011	1839200000-E APPLICATION OF ULTRATHIN HOT MIX ASPHALT	SY	185,347.000	2.29000		424,444.63

State of NC  
Dept of Transportation

Date: 01-22-08  
Revised:

Contract ID: C201998 Project(s): STATE FUNDED  
Letting Date: 02-19-08 Call Order: 012  
Bidder: 3655 - Blythe Construction, Inc

Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
0012	1891000000-E GENERIC PAVING ITEM VARIABLE DEPTH MILLING	244,074.000 SY	0.65000		158,648.10	
0013	2286000000-N MASONRY DRAINAGE STRUCTURES	1.000 EA	2,500.00000		2,500.00	
0014	2374000000-N FRAME WITH GRATE & HOOD, STD 840.03, TYPE ** (E)	1.000 EA	450.00000		450.00	
0015	2549000000-E 2'-6" CONCRETE CURB & GUTTER	265.000 LF	28.00000		7,420.00	
0016	2647000000-E 5" MONOLITHIC CONCRETE ISLANDS (SURFACE MOUNTED)	1,026.000 SY	83.00000		85,158.00	
0017	2830000000-N ADJUSTMENT OF MANHOLES	17.000 EA	630.00000		10,710.00	
0018	2845000000-N ADJUSTMENT OF METER BOXES OR VALVE BOXES	8.000 EA	620.00000		4,960.00	
0019	2893000000-N CONVERT EXISTING CATCH BASIN TO JUNCTION BOX WITH MANHOLE COVER	1.000 EA	1,000.00000		1,000.00	
0020	4415000000-N FLASHING ARROW PANELS, TYPE C	2.000 EA	750.00000		1,500.00	
0021	4420000000-N CHANGEABLE MESSAGE SIGN	2.000 EA	5,000.00000		10,000.00	
0022	4430000000-N DRUMS	50.000 EA	30.00000		1,500.00	
0023	4465000000-N TEMPORARY CRASH CUSHIONS	1.000 EA	7,000.00000		7,000.00	

State of NC  
Dept of Transportation

Date: 01-22-08  
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Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
0024	4480000000-N TMIA	1.000 EA	5,000.00000		5,000.00	
0025	4495000000-E PORTABLE CONCRETE BARRIER (DRAINAGE)	400.000 LF	51.00000		20,400.00	
0026	4516000000-N SKINNY DRUM	100.000 EA	35.00000		3,500.00	
0027	4685000000-E THERMOPLAST IC PAVEMENT MARKING LINES (4", 90 MILS)	111,020.000 LF	0.32000		35,526.40	
0028	4686000000-E THERMOPLAST IC PAVEMENT MARKING LINES (4", 120 MILS)	25,367.000 LF	0.39000		9,893.13	
0029	4695000000-E THERMOPLAST IC PAVEMENT MARKING LINES (8", 90 MILS)	14,445.000 LF	0.60000		8,667.00	
0030	4697000000-E THERMOPLAST IC PAVEMENT MARKING LINES (8", 120 MILS)	270.000 LF	0.85000		229.50	
0031	4710000000-E THERMOPLAST IC PAVEMENT MARKING LINES (24", 120 MILS)	67.000 LF	5.10000		341.70	
0032	4721000000-E THERMOPLAST IC PAVEMENT MARKING CHARACTER (120 MILS)	92.000 EA	75.00000		6,900.00	
0033	4725000000-E THERMOPLAST IC PAVEMENT MARKING SYMBOL (90 MILS)	60.000 EA	95.00000		5,700.00	
0034	4810000000-E PAINT PAVEMENT MARKING LINES (4")	199,730.000 LF	0.11000		21,970.30	
0035	4820000000-E PAINT PAVEMENT MARKING LINES (8")	28,240.000 LF	0.25000		7,060.00	

State of NC  
 Dept of Transportation

Date: 01-22-08  
 Revised:

Contract ID: C201998 Project(s): STATE FUNDED  
 Letting Date: 02-19-08 Call Order: 012  
 Bidder: 3655 - Blythe Construction, Inc

Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
0036	4840000000-N PAINT PAVEMENT MARKING CHARAC-TER	EA 184.000	22.00000		4,048.00	
0037	4845000000-N PAINT PAVEMENT MARKING SYMBOL	EA 108.000	25.00000		2,700.00	
0038	4905000000-N SNOWPLOWABLE PAVEMENT MARKERS	EA 1,669.000	27.00000		45,063.00	
0039	4960000000-N GENERIC TRAFFIC CONTROL ITEM REPLACE EXIST BARRIER DELINEATORS	EA 384.000	75.00000		28,800.00	
0040	5255000000-N PORTABLE LIGHTING	LUMP	LUMP		25,000.00	
0041	6084000000-E SEEDING & MULCHING	ACR 1.600	1,450.00000		2,320.00	
0042	7288000000-E PAVED TRENCHING (*****)(1", 2)	LF 30.000	12.00000		360.00	
0043	7444000000-E INDUCTIVE LOOP SAWCUT	LF 460.000	4.15000		1,909.00	
0044	7456000000-E LEAD-IN CABLE (*****)(14-2)	LF 30.000	0.75000		22.50	
Section 0001 Total						2,905,020.94
Bid Total						✓ 2,905,020.94

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  
 MBE COMMITMENT ITEMS

DATE: 01-22-08  
 PAGE: 8

PROPOSAL: C201998  
 LETTING: L080219 CALL: 012  
 VENDOR: 3655 Blythe Construction, Inc

LINE NO.	ITEM NO.	ITEM DESC.	UNIT TYPE	SUBCONTRACTOR QUANTITY	SUBCONTRACTOR UNIT PRICE	EXTENDED AMOUNT
-----						
MBE SUBCONTRACTOR: 1991 MCCAIN STRIPING SERVICE, INC.						
Will Use Quote: Yes						
0027	4685000000-E	THERMO PVT M LF		111020.000	0.32000	35526.40
0028	4686000000-E	THERMO PVT M LF		25367.000	0.39000	9893.13
0029	4695000000-E	THERMO PVT M LF		14445.000	0.60000	8667.00
0030	4697000000-E	THERMO PVT M LF		270.000	0.85000	229.50
0031	4710000000-E	24"WIDE THER LF		67.000	5.10000	341.70
0032	4721000000-E	THERMO PVT M EA		92.000	75.00000	6900.00
0033	4725000000-E	THERMO PVT S EA		60.000	95.00000	5700.00
0034	4810000000-E	PAINT PVMT M LF		199730.000	0.11000	21970.30
0035	4820000000-E	PAINT PVMT M LF		28240.000	0.25000	7060.00
0036	4840000000-N	PAINT PVT MK EA		184.000	22.00000	4048.00
0037	4845000000-N	PAINT PVT MK EA		108.000	25.00000	2700.00
0038	4905000000-N	SNOWPLB PVMT EA		1669.000	27.00000	45063.00

MBE COMMITMENT TOTAL FOR SUBCONTRACTOR: 148,099.03  
 MBE COMMITMENT TOTAL FOR VENDOR (SubContractor ) 148,099.03 ✓

TOTAL MBE COMMITMENT FOR VENDOR: Entered: 5.10% or 148099.03  
 Required: 4.00% or 116200.84  
 <GOAL MET>

NORTH CAROLINA STATE DEPARTMENT OF TRANSPORTATION  
WBE COMMITMENT ITEMS

DATE: 01-22-08  
PAGE: 9

PROPOSAL: C201998  
LETTING: L080219 CALL: 012  
VENDOR: 3655 Blythe Construction, Inc

LINE NO.	ITEM NO.	ITEM DESC.	UNIT TYPE	SUBCONTRACTOR QUANTITY	SUBCONTRACTOR UNIT PRICE	EXTENDED AMOUNT
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WBE SUBCONTRACTOR: 4434 LONG BROTHERS OF SUMMERFIELD, INC.  
Will Use Quote: Yes

0008	1565000000-E	ASP FOR PLAN	TON	1197.000	9.50000	11371.50
0010	1839110000-E	ULTRATHIN HO	TON	6472.000		

WBE COMMITMENT TOTAL FOR SUBCONTRACTOR: 11,371.50

WBE COMMITMENT TOTAL FOR VENDOR (SubContractor ) 11,371.50 ✓

WBE SUBCONTRACTOR: 4877 ABACHI TRANSPORT, INC. DBA S&B TRUCKING CO.  
Will Use Quote: Yes

0007	1523000000-E	ASP CONC SUR	TON	19972.000	1.96000	39145.12
Base on hourly rates						
0012	1891000000-E	GENERIC PAVI	SY	244074.000	0.27000	65899.98
Based on hourly rates						

WBE COMMITMENT TOTAL FOR SUBCONTRACTOR: 105,045.10

WBE COMMITMENT TOTAL FOR VENDOR (SubContractor ) 105,045.10 ✓

TOTAL WBE COMMITMENT FOR VENDOR: Entered: 4.01% or 116416.60  
Required: 4.00% or 116200.84  
<GOAL MET>

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
<b>ROADWAY ITEMS</b>						
0001	0000100000-N	800	MOBILIZATION	Lump Sum LS	105,000.00	105,000.00
0002	0043000000-N	226	GRADING	Lump Sum LS	28,000.00	28,000.00
0003	0366000000-E	310	15" RC PIPE CULVERTS, CLASS III	4 LF	100.00	400.00
0004	1245000000-E	SP	SHOULDER RECONSTRUCTION	1.61 SMI	4,000.00	6,440.00
0005	1297000000-E	607	MILLING ASPHALT PAVEMENT, **** DEPTH (2")	64,025 SY	1.75	112,043.75
0006	1330000000-E	607	INCIDENTAL MILLING	424 SY	21.00	8,904.00
0007	1523000000-E	610	ASPHALT CONC SURFACE COURSE, TYPE S9.5C	19,972 TON	37.00	738,964.00
0008	1565000000-E	620	ASPHALT BINDER FOR PLANT MIX, GRADE PG 70-22	1,197 TON	397.00	475,209.00
0009	1567000000-E	SP	ASPHALT BINDER FOR PLANT MIX, GRADE PG 70-28	377 TON	529.89	199,768.53
0010	1839110000-E	661	ULTRATHIN HOT MIX ASPHALT, TYPE B	6,472 TON	43.20	279,590.40
0011	1839200000-E	661	APPLICATION OF ULTRATHIN HOT MIX ASPHALT	185,347 SY	2.29	424,444.63
0012	1891000000-E	SP	GENERIC PAVING ITEM VARIABLE DEPTH MILLING	244,074 SY	0.65	158,648.10
0013	2286000000-N	840	MASONRY DRAINAGE STRUCTURES	1 EA	2,500.00	2,500.00
0014	2374000000-N	840	FRAME WITH GRATE & HOOD, STD 840.03, TYPE ** (E)	1 EA	450.00	450.00
0015	2549000000-E	846	2'-6" CONCRETE CURB & GUTTER	265 LF	28.00	7,420.00
0016	2647000000-E	852	5" MONOLITHIC CONCRETE ISLANDS (SURFACE MOUNTED)	1,026 SY	83.00	85,158.00
0017	2830000000-N	858	ADJUSTMENT OF MANHOLES	17 EA	630.00	10,710.00
0018	2845000000-N	858	ADJUSTMENT OF METER BOXES OR VALVE BOXES	8 EA	620.00	4,960.00

## Contract Item Sheets For C201998

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
0019	2893000000-N	SP	CONVERT EXISTING CATCH BASIN TO JUNCTION BOX WITH MANHOLE COVER	1 EA	1,000.00	1,000.00
0020	4415000000-N	1115	FLASHING ARROW PANELS, TYPE C	2 EA	750.00	1,500.00
0021	4420000000-N	1120	CHANGEABLE MESSAGE SIGN	2 EA	5,000.00	10,000.00
0022	4430000000-N	1130	DRUMS	50 EA	30.00	1,500.00
0023	4465000000-N	1160	TEMPORARY CRASH CUSHIONS	1 EA	7,000.00	7,000.00
0024	4480000000-N	1165	TMIA	1 EA	5,000.00	5,000.00
0025	4495000000-E	1170	PORTABLE CONCRETE BARRIER (DRAINAGE)	400 LF	51.00	20,400.00
0026	4516000000-N	1180	SKINNY DRUM	100 EA	35.00	3,500.00
0027	4685000000-E	1205	THERMOPLASTIC PAVEMENT MARKING LINES (4", 90 MILS)	111,020 LF	0.32	35,526.40
0028	4686000000-E	1205	THERMOPLASTIC PAVEMENT MARKING LINES (4", 120 MILS)	25,367 LF	0.39	9,893.13
0029	4695000000-E	1205	THERMOPLASTIC PAVEMENT MARKING LINES (8", 90 MILS)	14,445 LF	0.60	8,667.00
0030	4697000000-E	1205	THERMOPLASTIC PAVEMENT MARKING LINES (8", 120 MILS)	270 LF	0.85	229.50
0031	4710000000-E	1205	THERMOPLASTIC PAVEMENT MARKING LINES (24", 120 MILS)	67 LF	5.10	341.70
0032	4721000000-E	1205	THERMOPLASTIC PAVEMENT MARKING CHARACTER (120 MILS)	92 EA	75.00	6,900.00
0033	4725000000-E	1205	THERMOPLASTIC PAVEMENT MARKING SYMBOL (90 MILS)	60 EA	95.00	5,700.00
0034	4810000000-E	1205	PAINT PAVEMENT MARKING LINES (4")	199,730 LF	0.11	21,970.30
0035	4820000000-E	1205	PAINT PAVEMENT MARKING LINES (8")	28,240 LF	0.25	7,060.00
0036	4840000000-N	1205	PAINT PAVEMENT MARKING CHARACTER	184 EA	22.00	4,048.00

## Contract Item Sheets For C201998

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
0037	4845000000-N	1205	PAINT PAVEMENT MARKING SYMBOL	108 EA	25.00	2,700.00
0038	4905000000-N	1253	SNOWPLOWABLE PAVEMENT MARKERS	1,669 EA	27.00	45,063.00
0039	4960000000-N	SP	GENERIC TRAFFIC CONTROL ITEM REPLACE EXIST BARRIER DELINEAT ORS	384 EA	75.00	28,800.00
0040	5255000000-N	1413	PORTABLE LIGHTING	Lump Sum LS	25,000.00	25,000.00
0041	6084000000-E	1660	SEEDING & MULCHING	1.6 ACR	1,450.00	2,320.00
0042	7288000000-E	1715	PAVED TRENCHING (***** (1", 2)	30 LF	12.00	360.00
0043	7444000000-E	1725	INDUCTIVE LOOP SAWCUT	460 LF	4.15	1,909.00
0044	7456000000-E	1726	LEAD-IN CABLE (***** (14-2)	30 LF	0.75	22.50

TOTAL AMOUNT OF BID FOR ENTIRE PROJECT

✓ \$2,905,020.94

Contract Number C201998  
County Guilford

Rev 02-17-04

**EXECUTION OF CONTRACT  
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**

Blythe Construction, Inc.

Print or type full name of Corporation

P.O. Box 31635, Charlotte, North Carolina 28231

Address as Prequalified

Attest

*Lawrence G. Schmidt, II*  
~~Secretary~~ Assistant Secretary  
Delete inappropriate title

By

*William J. Capehart*  
President ~~Vice President~~ ~~Assistant President~~  
Delete inappropriate title

Lawrence G. Schmidt, II

Print or type signer's name

William J. Capehart

Print or type signer's name

**CORPORATE SEAL**

**AFFIDAVIT MUST BE NOTARIZED**

Subscribed and sworn to before me this the

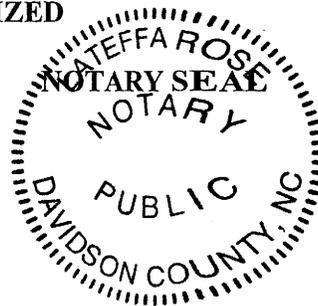
17<sup>th</sup> day of March 2008

*Lateya Rose*  
Signature of Notary Public

of Davidson County

State of North Carolina

My Commission Expires: 5/19/09



**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: C201998**

**County: Guilford**

ACCEPTED BY THE  
DEPARTMENT OF TRANSPORTATION

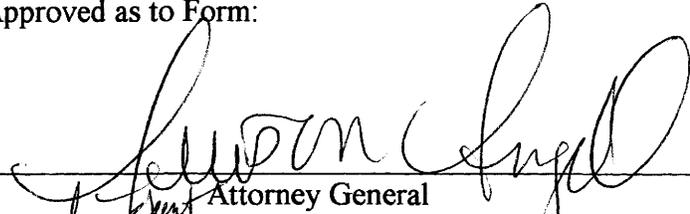


\_\_\_\_\_  
Contract Officer



\_\_\_\_\_  
Date

Execution of Contract and Bonds  
Approved as to Form:



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

Allison A. Argell

**CONTRACT PAYMENT BOND**

Date of Payment:  
Bond Execution: MARCH 10, 2008

Name of Principal:  
Contractor BLYTHE CONSTRUCTION, INC.  
P. O. BOX 31635, CHARLOTTE, NORTH CAROLINA 28231

Name of Surety: TRAVELERS CASUALTY AND SURETY COMPANY OF AMERICA  
ONE TOWER SQUARE, HARTFORD, CONNECTICUT 06183

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

Amount of Bond: \$2,905,020.94

Contract ID No.: C201998

County Name(s): GUILFORD

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. C201998  
County GUILFORD

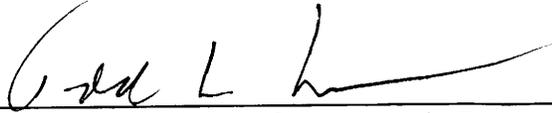
Rev 02-13-04

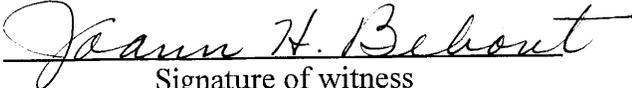
## CONTRACT PAYMENT BOND

*Affix Seal of Surety Company*

TRAVELERS CASUALTY AND SURETY COMPANY OF AMERICA  
Print or type Surety Company Name

By TODD L. JOHNSON, ATTORNEY-IN-FACT  
Print, stamp or type name of Attorney-in-Fact

  
\_\_\_\_\_  
Signature of Attorney-in-Fact

  
\_\_\_\_\_  
Signature of witness

JOANN H. BEBOUT  
Print or type witness' name

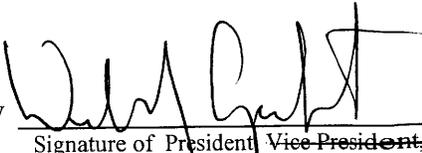
P. O. DRAWER 672  
ORLANDO, FLORIDA 32802  
\_\_\_\_\_  
Address of Attorney-in-Fact

**CONTRACT PAYMENT BOND**  
**CORPORATION**

SIGNATURE OF CONTRACTOR (Principal)

BLYTHE CONSTRUCTION, INC.  
Print or type full name of Corporation

P. O. BOX 31635, CHARLOTTE, NORTH CAROLINA 28231  
Address as prequalified

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

William J. Capehart, President & CEO  
Print or type signer's name

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

Lawrence G. Schmidt, II, Asst. Sec.  
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. 216556

Certificate No. 002045373

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

Todd L. Johnson, Joseph D. Johnson Jr., and Francis T. O'Reardon

of the City of Orlando, State of Florida, 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 6th day of November 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 6th day of November 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](http://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: BLYTHE CONSTRUCTION, INC.

Contractor P. O. BOX 31635, CHARLOTTE, NORTH CAROLINA 28231

Name of Surety: TRAVELERS CASUALTY AND SURETY COMPANY OF AMERICA

ONE TOWER SQUARE, HARTFORD, CONNECTICUT 06183

Name of Contracting Body: North Carolina Department of Transportation

Raleigh, North Carolina

Amount of Bond: \$2,905,020.94

Contract ID No.: C201998

County Name(s): GUILFORD

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**  
**CORPORATION**

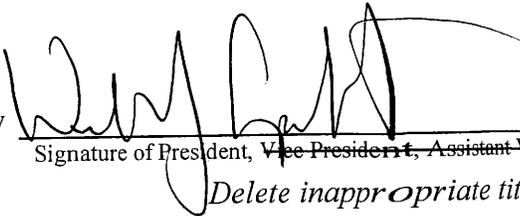
SIGNATURE OF CONTRACTOR (Principal)

BLYTHE CONSTRUCTION, INC.

Print full name of Corporation

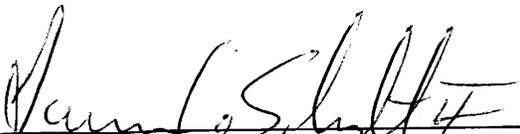
P. O. BOX 31635, CHARLOTTE, NORTH CAROLINA 28231

Address as prequalified

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

William J. Capehart, President & CEO

Print or type signer's name

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

Lawrence G. Schmidt, II, Asst. Sec.

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. 216556

Certificate No. 002045372

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

Todd L. Johnson, Joseph D. Johnson Jr., and Francis T. O'Reardon

of the City of Orlando, State of Florida, 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 6th day of November, 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 of George W. Thompson]
George W. Thompson, Senior Vice President

On this 6th day of November, 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 of Marie C. Tetreault]
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.

