

55

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

C201856

CONTRACT AND
CONTRACT BONDS

FOR CONTRACT NO. C201856

WBS 39972.3.3 IMS-040-1(192)73

T.I.P NO. I-4908BA

COUNTY OF MCDOWELL

THIS IS THE ROADWAY CONTRACT

ROUTE NUMBER I40 LENGTH 1.360 MILES

LOCATION I-40 FROM MP 73 TO MP 74.36.

CONTRACTOR MAYMEAD, INC.

ADDRESS P.O. BOX 911
MOUNTAIN CITY, TN 376830911

BIDS OPENED SEPTEMBER 16, 2008

CONTRACT EXECUTION OCT 21 2008

Maymead, Inc. (2905).

Vendor 1 of 2 Vendors for Call Order 020 (Proposal ID C201856).

County: MCDOWELL
Address: P.O. Box 911
Mountain City, TN 37683

Phone Number: 423-727-2000

Signature Check: This bid has been properly signed by Wiley_B._Roark_2905.

Time Bid Received: Tue Sep 16 13:10:55 2008

Bid Checksum: E99042A0

Amendment Count: 0

Bidding Errors: No bidding errors.

Bid Total: \$3,288,109.42 ✓

Bond ID: SNC08490025

Bond was Verified: Yes.

Bond Required Percent: 5.00%

Minimum Check Amount: \$164,405.47

Bid Security Maximum: \$

Bond Agency Name:

Agency Execution Date: 9/10/2008 9:18:19 AM

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 - 6.0%
DBE GOAL MET - 8.3%

LIST OF DBE PARTICIPANTS

VENDOR NUMBER	DBE NAME ADDRESS	WORK CODE TYPE OF WORK	CERT TYPE	AMOUNT
4761WB	TRAFFIC CONTROL SAFETY SERVICES POST OFFICE BOX 24511 , WINSTON-SALEM, NC 27114		Sub	95,625.00
308WB	CURTIN TRUCKING & DRAINAGE, INC POST OFFICE BOX 38220 , CHARLOTTE, NC 282781003		Sub	178,382.00
			TOTAL:	\$274,007.00 8.33%

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: SNC08490025
 Surety Registry Agency: surety2000
 Verified?: Yes
 Surety Agency: Travelers Casualty and Surety Company of America
 Bond Execution Date: 9/10/2008 9:18:19 AM
 Bond Amount: \$164,405.47 (Five Percent of Bid)

State of NC
Dept of Transportation

Date: 08-19-08
Revised:

Contract ID: C201856

Project(s): IMS-040-1(192)73

Letting Date: 09-16-08 Call Order: 020

Bidder: 2905 - Maymead, Inc.

Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
Section 0001 ROADWAY ITEMS						
Alt Group						
0001	0000100000-N MOBILIZATIO N	LUMP		LUMP		120,000.00
0002	1245000000-E SHOULDER RECONSTRUCTION	SMI	3.190	4,000.00000		12,760.00
0003	1503000000-E ASPHALT CONC INTERMEDIATE COURSE, TYPE I19.0C	TON	6,252.000	49.50000		309,474.00
0004	1523000000-E ASPHALT CONC SURFACE COURSE, TYPE S9.5C	TON	5,750.000	49.50000		284,625.00
0005	1560000000-E ASPHALT BINDER FOR PLANT MIX, GRADE PG 64-22	TON	294.000	780.00000		229,320.00
0006	1565000000-E ASPHALT BINDER FOR PLANT MIX, GRADE PG 70-22	TON	345.000	800.00000		276,000.00
0007	1704000000-E PATCHING EXISTING PAVEMENT	TON	11,215.000	146.00000		1,637,390.00
0008	1840000000-E MILLED RUMBLE STRIPS (ASPHALT CEMENT CONCRETE)	LF	28,724.000	0.25000		7,181.00
0009	1891000000-E GENERIC PAVING ITEM MILLING ASPHALT PAVEMENT, 2-1/2"	SY	64,640.000	1.65000		106,656.00
0010	2099000000-E SHOULDER DRAIN	LF	14,362.000	8.00000		114,896.00

State of NC
Dept of Transportation

Date: 08-19-08
Revised:

Contract ID: C201856

Project(s): IMS-040-1(192)73

Letting Date: 09-16-08 Call Order: 020

Bidder: 2905 - Maymead, Inc.

Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount		
			Dollars	Cts	Dollars	Ct	
0011	2110000000-E 4" SHOULDER DRAIN PIPE	14,362.000 LF	5.00000		71,810.00		
0012	2121000000-E 4" OUTLET PIPE FOR SHOULDER DRAINS	480.000 LF	25.00000		12,000.00		
0013	2132000000-N CONCRETE PAD FOR SHOULDER DRAIN PIPE OUTLET	48.000 EA	225.00000		10,800.00		
0014	4415000000-N FLASHING ARROW PANELS, TYPE C	2.000 EA	4,000.00000		8,000.00		
0015	4420000000-N CHANGEABLE MESSAGE SIGN	2.000 EA	10,000.00000		20,000.00		
0016	4430000000-N DRUMS	200.000 EA	45.00000		9,000.00		
0017	4480000000-N TMIA	1.000 EA	10,000.00000		10,000.00		
0018	4688000000-E THERMOPLAST IC PAVEMENT MARKING LINES (6", 90 MILS)	28,724.000 LF	0.62000		17,808.88		
0019	4690000000-E THERMOPLAST IC PAVEMENT MARKING LINES (6", 120 MILS)	3,590.000 LF	0.73000		2,620.70		
0020	4815000000-E PAINT PAVEMENT MARKING LINES (6")	64,628.000 LF	0.28000		18,095.84		
0021	4905000000-N SNOWPLOWABLE PAVEMENT MARKERS	186.000 EA	52.00000		9,672.00		
Section 0001 Total						3,288,109.42	

State of NC
 Dept of Transportation

Date: 08-19-08
 Revised:

Contract ID: C201856 Project(s): IMS-040-1(192)73
 Letting Date: 09-16-08 Call Order: 020
 Bidder: 2905 - Maymead, Inc.

Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
	Bid Total					3,288,109.42

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: 08-19-08
 PAGE: 7

PROPOSAL: C201856
 LETTING: L080916 CALL: 020
 VENDOR: 2905 Maymead, Inc.

LINE NO.	ITEM NO.	ITEM DESC.	UNIT TYPE	SUBCONTRACTOR QUANTITY	SUBCONTRACTOR UNIT PRICE	EXTENDED AMOUNT
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DBE SUBCONTRACTOR: 4761 TRAFFIC CONTROL SAFETY SERVICES, INC.
 Will Use Quote: Yes

0001	0000100000-N	MOBILIZATION LS		1.000	95625.00000	95625.00
		Daily Lane Closures for Project				

DBE COMMITMENT TOTAL FOR SUBCONTRACTOR:						95,625.00 ✓
DBE COMMITMENT TOTAL FOR VENDOR (SubContractor)						95,625.

DBE SUBCONTRACTOR: 3080 CURTIN TRUCKING & DRAINAGE, INC.
 Will Use Quote: Yes

0010	2099000000-E	SHOULDER DRA LF		14362.000	7.00000	100534.00
0011	2110000000-E	4" SHOULDER LF		14362.000	4.00000	57448.00
0012	2121000000-E	4" OUTLET PI LF		480.000	20.00000	9600.00
0013	2132000000-N	CONC PAD SHL EA		48.000	225.00000	10800.00

DBE COMMITMENT TOTAL FOR SUBCONTRACTOR:						178,382.00 ✓
DBE COMMITMENT TOTAL FOR VENDOR (SubContractor)						178,382

TOTAL DBE COMMITMENT FOR VENDOR:	Entered:	8.33% or	274007.00
	Required:	6.00% or	197286.57
			<GOAL MET>

Contract Item Sheets For C201856

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
ROADWAY ITEMS						
0001	0000100000-N	800	MOBILIZATION	Lump Sum LS	120,000.00	120,000.00
0002	1245000000-E	SP	SHOULDER RECONSTRUCTION	3.19 SMI	4,000.00	12,760.00
0003	1503000000-E	610	ASPHALT CONC INTERMEDIATE COURSE, TYPE I19.0C	6,252 TON	49.50	309,474.00
0004	1523000000-E	610	ASPHALT CONC SURFACE COURSE, TYPE S9.5C	5,750 TON	49.50	284,625.00
0005	1560000000-E	620	ASPHALT BINDER FOR PLANT MIX, GRADE PG 64-22	294 TON	780.00	229,320.00
0006	1565000000-E	620	ASPHALT BINDER FOR PLANT MIX, GRADE PG 70-22	345 TON	800.00	276,000.00
0007	1704000000-E	SP	PATCHING EXISTING PAVEMENT	11,215 TON	146.00	1,637,390.00
0008	1840000000-E	665	MILLED RUMBLE STRIPS (ASPHALT CEMENT CONCRETE)	28,724 LF	0.25	7,181.00
0009	1891000000-E	SP	GENERIC PAVING ITEM MILLING ASPHALT PAVEMENT, 2-1/2"	64,640 SY	1.65	106,656.00
0010	2099000000-E	816	SHOULDER DRAIN	14,362 LF	8.00	114,896.00
0011	2110000000-E	816	4" SHOULDER DRAIN PIPE	14,362 LF	5.00	71,810.00
0012	2121000000-E	816	4" OUTLET PIPE FOR SHOULDER DRAINS	480 LF	25.00	12,000.00
0013	2132000000-N	816	CONCRETE PAD FOR SHOULDER DRAIN PIPE OUTLET	48 EA	225.00	10,800.00
0014	4415000000-N	1115	FLASHING ARROW PANELS, TYPE C	2 EA	4,000.00	8,000.00
0015	4420000000-N	1120	CHANGEABLE MESSAGE SIGN	2 EA	10,000.00	20,000.00
0016	4430000000-N	1130	DRUMS	200 EA	45.00	9,000.00
0017	4480000000-N	1165	TMIA	1 EA	10,000.00	10,000.00
0018	4688000000-E	1205	THERMOPLASTIC PAVEMENT MARKING LINES (6", 90 MILS)	28,724 LF	0.62	17,808.88

Contract Item Sheets For C201856

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
0019	4690000000-E	1205	THERMOPLASTIC PAVEMENT MARKING LINES (6", 120 MILS)	3,590 LF	0.73	2,620.70
0020	4815000000-E	1205	PAINT PAVEMENT MARKING LINES (6")	64,628 LF	0.28	18,095.84
0021	4905000000-N	1253	SNOWPLOWABLE PAVEMENT MARKERS	186 EA	52.00	9,672.00

TOTAL AMOUNT OF BID FOR ENTIRE PROJECT

\$3,288,109.42 ✓

1429/Oct02/Q243809.19/D5813610000/E21

Contract Number C201856
County McDowell

Rev 7-20-08

**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

Maymead, Inc.

Full name of Corporation

P. O. Box 911, Mountain City, TN 37683

Address as Prequalified

Attest May M. Roark
Secretary/~~Assistant Secretary~~
Select appropriate title

By B. K. Mount
President/~~Vice President/Assistant Vice President~~
Select appropriate title

May M. Roark
Print or type Signer's name

B. K. Mount
Print or type Signer's name

CORPORATE SEAL

AFFIDAVIT MUST BE NOTARIZED

NOTARY SEAL

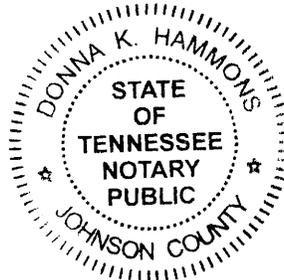
Subscribed and sworn to before me this the
16th day of October 2008

Donna K. Hammons
Signature of Notary Public

of Johnson County

State of Tennessee

My Commission Expires: 01/23/10



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.

Contract Number C201856
County McDowell

Rev 7-20-08

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.

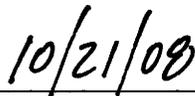
Contract No C201856

County (ies): McDowell

ACCEPTED BY THE
DEPARTMENT OF TRANSPORTATION

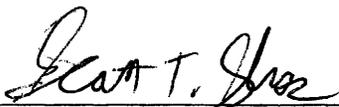


Contract Officer



Date

Execution of Contract and Bonds
Approved as to Form:



Attorney General

Contract No. C201856
County McDowell

(Rev 7-10-08)

CONTRACT PAYMENT BOND

Date of Payment Bond Execution October 16, 2008

Name of Principal Contractor Maymead, Inc.

Name of Surety: Travelers Casualty and Surety Company of America

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

Amount of Bond: \$3,288,109.42

Contract ID No.: C201856

County Name: McDowell

KNOW ALL MEN BY THESE PRESENTS, That we, the PRINCIPAL CONTRACTOR (hereafter, PRINCIPAL) and SURETY above named, are held and firmly bound unto the above named Contracting Body, hereinafter called the Contracting Body, in the penal sum of the amount stated above for the payment of which sum well and truly to be made, we bind ourselves, our heirs, executors, administrators, and successors, jointly and severally, firmly by these presents.

THE CONDITION OF THIS OBLIGATION IS SUCH, that whereas the principal entered into a certain contract with the Contracting Body, numbered as shown above and hereto attached:

NOW THEREFORE, if the principal shall promptly make payment to all persons supplying labor and material in the prosecution of the work provided for in said contract, and any and all duly authorized modifications of said contract that may hereafter be made, notice of which modifications to the surety being hereby waived, then this obligation to be void; otherwise to remain in full force and virtue.

IN WITNESS WHEREOF, the above-bound parties have executed this instrument under their several seals on the date indicated above, the name and corporate seal of each corporate party being hereto affixed and these presents duly signed by its undersigned representative, pursuant to authority of its governing body.

Contract No.
County

C201856
McDowell

(Rev 7-10-08)

CONTRACT PAYMENT BOND

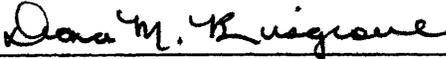
Affix Seal of Surety Company

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

By Laurie Daugherty, Attorney in Fact
Print, stamp or type name of Attorney-in-Fact



Signature of Attorney-in-Fact



Signature of Witness

Donna M. Bisgrove
Print or type Witness's name

300 Arboretum Place, Suite 390
Richmond, VA 23236-3465
Address of Attorney-in-Fact

Contract No. C201856
County McDowell

(Rev 7-10-08)

CONTRACT PAYMENT BOND

CORPORATION

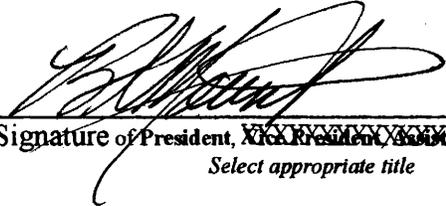
SIGNATURE OF CONTRACTOR (Principal)

Maymead, Inc.

Full name of Corporation

P. O. Box 911, Mountain City, TN 37683

Address as prequalified

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

B. K. Mount

Print or type Signer's name

Affix Corporate Seal

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

May M. Roark

Print or type Signer's name



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. 218956

Certificate No. 002357464

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

A. Whitfield Smith Jr., Donna M. Bisgrove, Laurie Daugherty, R.C. Moore III, Robert A. Quicke, Jr., Susan E. Wachter, and Kaylyn Holshu

of the City of Richmond, State of Virginia, 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 26th day of July, 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 26th day of July, 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 16th day of October, 2008.

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.

Contract No. C201856
County McDowell

(Rev 7-10-08)

CONTRACT PERFORMANCE BOND

Bond No. 105147908

Date of Performance Bond Execution: October 16, 2008

Name of Principal Contractor: Maymead, Inc.

Name of Surety: Travelers Casualty and Surety Company of America

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

Amount of Bond: \$3,288,109.42

Contract ID No.: C201856

County Name: McDowell

KNOW ALL MEN BY THESE PRESENTS, That we, the PRINCIPAL CONTRACTOR (hereafter, PRINCIPAL) and SURETY above named, are held and firmly bound unto the above named Contracting Body, hereinafter called the Contracting Body, in the penal sum of the amount stated above for the payment of which sum well and truly to be made, we bind ourselves, our heirs, executors, administrators, and successors, jointly and severally, firmly by these presents.

THE CONDITION OF THIS OBLIGATION IS SUCH, that whereas the principal entered into a certain contract with the Contracting Body, numbered as shown above and hereto attached:

NOW THEREFORE, if the principal shall well and truly perform and fulfill all the undertakings, covenants, terms, conditions, and agreements of said contract during the original term of said contract and any extensions thereof that may be granted by the Contracting Body, with or without notice to the Surety, and during the life of any guaranty required under the contract, and shall also well and truly perform and fulfill all the undertakings, covenants, terms, conditions, and agreements of any and all duly authorized modifications of said contract that may hereafter be made, notice of which modifications to the surety being hereby waived, then this obligation to be void; otherwise to remain in full force and virtue.

IN WITNESS WHEREOF, the above-bound parties have executed this instrument under their several seals on the date indicated above, the name and corporate seal of each corporate party being hereto affixed and these presents duly signed by its undersigned representative, pursuant to authority of its governing body.

Contract No.
County

C201856
McDowell

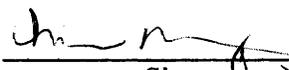
(Rev 7-10-08)

CONTRACT PERFORMANCE BOND

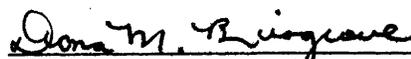
Affix Seal of Surety Company

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

By Laurie Daugherty, Attorney in Fact
Print, stamp or type name of Attorney-in-Fact



Signature of Attorney-in-Fact



Signature of Witness

Donna M. Bisgrove
Print or type Witness's name

300 Arboretum Place, Suite 390
Richmond, VA 23236-3465
Address of Attorney-in-Fact

Contract No.
County

C201856
McDowell

(Rev 7-10-08)

**CONTRACT PERFORMANCE BOND
CORPORATION**

SIGNATURE OF CONTRACTOR (Principal)

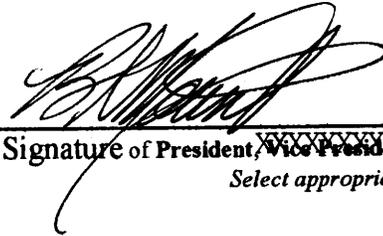
Maymead, Inc.

Full name of Corporation

P. O. Box 911, Mountain City, TN 37683

Address as prequalified

By



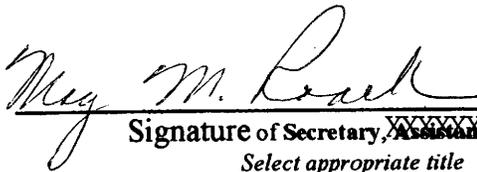
Signature of President, ~~Vice President, Assistant Vice President~~
Select appropriate title

B. K. Mount

Print or type Signer's name

Affix Corporate Seal

Attest



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

May M. Roark

Print or type Signer's name



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. 218956

Certificate No. 002357463

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

A. Whitfield Smith Jr., Donna M. Bisgrove, Laurie Daugherty, R.C. Moore III, Robert A. Quicke, Jr., Susan E. Wachter, and Kaylyn Holshu

of the City of Richmond, State of Virginia, 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 26th day of July, 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 26th day of July, 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 16th day of October, 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.

