

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

C202071

CONTRACT AND  
CONTRACT BONDS  
FOR CONTRACT NO. C202071

WBS 33002.3.1 BRZ-1318(8)

T.I.P NO. B-3343

COUNTY OF HAYWOOD

THIS IS THE ROADWAY & STRUCTURE CONTRACT

ROUTE NUMBER SR 1318 LENGTH 0.117 MILES

LOCATION BRIDGE OVER HEMPHILL CREEK & APPROACHES ON SR-1318.

CONTRACTOR CHARLES BLALOCK & SONS, INC.

ADDRESS P.O. BOX 4750  
SEVIERVILLE, TN 378644750

BIDS OPENED MARCH 17, 2009

CONTRACT EXECUTION APR 06 2009

**Charles Blalock Sons, Inc. (3679).**

**Vendor 2 of 8 Vendors for Call Order 021 (Proposal ID C202071).**

County: HAYWOOD

Address: P.O. Box 4750

Sevierville, Tennessee 37864-4750

Phone Number: 865-453-2809

Signature Check: This bid has been properly signed by Allen\_Blalock\_3679.

Time Bid Received: Tue Mar 17 11:56:58 2009

Bid Checksum: 0AAB9D2B

Amendment Count: 0

Bidding Errors: No bidding errors.

Bid Total: \$709,379.60 ✓

Bond ID: SNC09797148

Bond was Verified: Yes.

Bond Required Percent: 5.00%

Minimum Check Amount: \$35,468.98

Bid Security Maximum: \$

Bond Agency Name:

Agency Execution Date: 3/11/2009 9:50:51 AM

Surety Name: Fidelity And Deposit Company of Maryland

Surety State of Incorporation:

Bond Company:

Bond Type:

Bond Appr Flag:

Bond Affirm:

Bond was Paid by Check: No.

DBE GOAL SET 5.0% ✓

DBE GOAL MET 5.9% ✓

LIST OF DBE PARTICIPANTS

VENDOR NUMBER	DBE NAME ADDRESS	WORK CODE TYPE OF WORK	CERT TYPE	AMOUNT
4898	DB BULLINGTON CONSTRUCTION INC 417 FOXGLOVE LANE , INDIAN TRAIL, NC 28079		Sub	31,225.00
2855	DB BOSS CONSTRUCTION CO., INC. 229 BOXWOOD CHURCH ROAD , MOCKSVILLE, NC 27028		Sub	10,459.60
			TOTAL:	\$41,684.60 5.88%

Miscellaneous Data Info - Contractor Responses:  
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NON-COLLUSION AND DEBARMENT CERTIFICATION

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

Explanation:  
NOT ANSWERED  
NOT ANSWERED  
NOT ANSWERED  
NOT ANSWERED

AWARD LIMITS ON MULTIPLE PROJECTS

By answering YES to this statement, the bidder acknowledges that they are using the award limits on multiple projects. No

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

The Award Limits shall apply to the following projects:

Contract Number	County
NOT ANSWERED	

Bid Bond Data Info - Contractor Responses:  
=====

BondID: SNC09797148  
Surety Registry Agency: surety2000  
Verified?: Yes  
Surety Agency: Fidelity And Deposit Company of Maryland  
Bond Execution Date: 3/11/2009 9:50:51 AM  
Bond Amount: \$35,468.98 (Five Percent of Bid)

State of NC  
 Dept of Transportation

Date: 02-16-09  
 Revised:

Contract ID: C202071 Project(s): BRZ-1318(8)  
 Letting Date: 03-17-09 Call Order: 021  
 Bidder: 3679 - Charles Blalock & Sons, 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 MOBILIZATION	LUMP	LUMP			35,000.00
0002	0000400000-N CONSTRUCTION SURVEYING	LUMP	LUMP			8,000.00
0003	0030000000-N BRIDGE APPROACH FILL - SUB REGIONAL TIER, STATION ***** (14+92.02)	LUMP	LUMP			8,000.00
0004	0043000000-N GRADING	LUMP	LUMP			70,000.00
0005	0050000000-E SUPPLEMENTARY CLEARING & GRUB-BING	ACR	1.000	1.00000		1.00
0006	0057000000-E UNDERCUT EXCAVATION	CY	600.000	1.00000		600.00
0007	0080000000-E CLASS IV SUBGRADE STABILIZATION	TON	200.000	5.00000		1,000.00
0008	0134000000-E DRAINAGE DITCH EXCAVATION	CY	45.000	10.00000		450.00
0009	0195000000-E SELECT GRANULAR MATERIAL	CY	200.000	10.00000		2,000.00
0010	0196000000-E FABRIC FOR SOIL STABILIZATION	SY	500.000	2.00000		1,000.00

State of NC  
 Dept of Transportation

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Contract ID: C202071 Project(s): BRZ-1318(8)  
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Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
0011	0199000000-E TEMPORARY SHORING	402.000 SF	30.00000		12,060.00	
0012	0318000000-E FOUNDATION CONDITIONING MATERIAL, MINOR STRS	35.000 TON	30.00000		1,050.00	
0013	0344000000-E 18" SIDE DRAIN PIPE	144.000 LF	25.00000		3,600.00	
0014	0372000000-E 18" RC PIPE CULVERTS, CLASS III	108.000 LF	36.00000		3,888.00	
0015	0390000000-E 36" RC PIPE CULVERTS, CLASS III	56.000 LF	55.00000		3,080.00	
0016	0995000000-E PIPE REMOVAL	316.000 LF	10.00000		3,160.00	
0017	1121000000-E AGGREGATE BASE COURSE	370.000 TON	25.00000		9,250.00	
0018	1220000000-E INCIDENTAL STONE BASE	250.000 TON	28.00000		7,000.00	
0019	1489000000-E ASPHALT CONC BASE COURSE, TYPE B25.0B	530.000 TON	90.00000		47,700.00	
0020	1525000000-E ASPHALT CONC SURFACE COURSE, TYPE SF9.5A	460.000 TON	95.00000		43,700.00	
0021	1560000000-E ASPHALT BINDER FOR PLANT MIX, GRADE PG 64-22	53.000 TON	420.00000		22,260.00	
0022	1693000000-E ASPHALT PLANT MIX, PAVEMENT REPAIR	100.000 TON	160.00000		16,000.00	

State of NC  
Dept of Transportation

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Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
0023	2022000000-E SUBDRAIN EXCAVATION	CY 45.000	10.00000		450.00	
0024	2033000000-E SUBDRAIN FINE AGGREGATE	CY 35.000	40.00000		1,400.00	
0025	2044000000-E 6" PERFORATED SUBDRAIN PIPE	LF 200.000	5.00000		1,000.00	
0026	2055000000-E 6" SUBDRAIN PIPE WYES, TEES, & ELBOWS	EA 6.000	15.00000		90.00	
0027	2066000000-N CONCRETE PAD FOR SUBDRAIN PIPE OUTLET	EA 1.000	200.00000		200.00	
0028	2077000000-E 6" OUTLET PIPE (SUBDRAINS)	LF 6.000	30.00000		180.00	
0029	2209000000-E ENDWALLS	CY 4.000	800.00000		3,200.00	
0030	2570000000-N MODIFIED CONCRETE FLUME	EA 1.000	1,500.00000		1,500.00	
0031	3030000000-E STEEL BM GUARDRAIL	LF 237.500	17.00000		4,037.50	
0032	3045000000-E STEEL BM GUARDRAIL, SHOP CURVED	LF 87.500	19.00000		1,662.50	
0033	3150000000-N ADDITIONAL GUARDRAIL POSTS	EA 5.000	10.00000		50.00	
0034	3195000000-N GUARDRAIL ANCHOR UNITS, TYPE AT-1	EA 3.000	550.00000		1,650.00	

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Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
0035	3270000000-N GUARDRAIL ANCHOR UNITS, TYPE 350	EA 3.000	1,900.00000		5,700.00	
0036	3317000000-N GUARDRAIL ANCHOR UNITS, TYPE B-77	EA 4.000	1,600.00000		6,400.00	
0037	3380000000-E TEMPORARY STEEL BM GUARDRAIL	LF 137.500	9.00000		1,237.50	
0038	3389000000-N GUARDRAIL ANCHOR UNITS, TYPE ***** TEMPORARY (350 TL-2)	EA 4.000	1,100.00000		4,400.00	
0039	3436000000-N GENERIC GUARDRAIL ITEM GUARDRAIL ANCHOR UNIT, TYPE TEMPORARY RETROFIT	EA 1.000	1,500.00000		1,500.00	
0040	3574000000-E GENERIC FENCING ITEM LANDSCAPE FENCE RESET	LF 305.000	22.00000		6,710.00	
0041	3628000000-E RIP RAP, CLASS I	TON 2.000	100.00000		200.00	
0042	3649000000-E RIP RAP, CLASS B	TON 110.000	50.00000		5,500.00	
0043	3656000000-E FILTER FABRIC FOR DRAINAGE	SY 650.000	3.00000		1,950.00	
0044	4400000000-E WORK ZONE SIGNS (STATIONARY)	SF 144.000	8.00000		1,152.00	
0045	4405000000-E WORK ZONE SIGNS (PORTABLE)	SF 96.000	11.00000		1,056.00	

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Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
0046	4410000000-E WORK ZONE SIGNS (BARRICADE MOUNTED)	SF 30.000	7.00000		210.00	
0047	4430000000-N DRUMS	EA 80.000	55.00000		4,400.00	
0048	4445000000-E BARRICADES (TYPE III)	LF 40.000	35.00000		1,400.00	
0049	4450000000-N FLAGGER	HR 960.000	1.50000		1,440.00	
0050	4810000000-E PAINT PAVEMENT MARKING LINES (4")	LF 11,586.000	0.40000		4,634.40	
0051	4835000000-E PAINT PAVEMENT MARKING LINES (24")	LF 81.000	5.50000		445.50	
0052	4850000000-E REMOVAL OF PAVEMENT MARKING LINES (4")	LF 3,302.000	0.60000		1,981.20	
0053	6000000000-E TEMPORARY SILT FENCE	LF 1,780.000	6.00000		10,680.00	
0054	6006000000-E STONE FOR EROSION CONTROL, CLASS A	TON 200.000	35.00000		7,000.00	
0055	6009000000-E STONE FOR EROSION CONTROL, CLASS B	TON 445.000	35.00000		15,575.00	
0056	6012000000-E SEDIMENT CONTROL STONE	TON 145.000	35.00000		5,075.00	
0057	6015000000-E TEMPORARY MULCHING	ACR 2.500	800.00000		2,000.00	

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Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
0058	6018000000-E SEED FOR TEMPORARY SEEDING	100.000 LB	7.00000		700.00	
0059	6021000000-E FERTILIZER FOR TEMPORARY SEED-ING	2.250 TON	700.00000		1,575.00	
0060	6024000000-E TEMPORARY SLOPE DRAINS	150.000 LF	15.00000		2,250.00	
0061	6027000000-N INLET PROTECTION AT TEMPORARY SLOPE DRAINS	2.000 EA	900.00000		1,800.00	
0062	6029000000-E SAFETY FENCE	500.000 LF	3.00000		1,500.00	
0063	6030000000-E SILT EXCAVATION	840.000 CY	1.00000		840.00	
0064	6036000000-E MATTING FOR EROSION CONTROL	1,400.000 SY	2.10000		2,940.00	
0065	6037000000-E COIR FIBER MAT	20.000 SY	45.00000		900.00	
0066	6038000000-E PERMANENT SOIL REINFORCEMENT MAT	125.000 SY	10.00000		1,250.00	
0067	6042000000-E 1/4" HARDWARE CLOTH	125.000 LF	5.00000		625.00	
0068	6071030000-E COIR FIBER BAFFLES	135.000 LF	11.00000		1,485.00	
0069	6071050000-E *** SKIMMER (1-1/2")	3.000 EA	900.00000		2,700.00	

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			Dollars	Cts	Dollars	Ct
0070	6084000000-E SEEDING & MULCHING	3.500 ACR	2,300.00000		8,050.00	
0071	6087000000-E MOWING	1.000 ACR	110.00000		110.00	
0072	6090000000-E SEED FOR REPAIR SEEDING	50.000 LB	4.00000		200.00	
0073	6093000000-E FERTILIZER FOR REPAIR SEEDING	0.250 TON	500.00000		125.00	
0074	6096000000-E SEED FOR SUPPLEMENTAL SEEDING	50.000 LB	6.00000		300.00	
0075	6108000000-E FERTILIZER TOPDRESSING	1.250 TON	900.00000		1,125.00	
0076	6114000000-N SPECIALIZED HAND MOWING	5.000 HR	110.00000		550.00	
0077	6117000000-N RESPONSE FOR EROSION CONTROL	12.000 EA	710.00000		8,520.00	
Section 0001 Total						442,410.60

Section 0004 STRUCTURE ITEMS

Alt Group

0078	8035000000-N REMOVAL OF EXISTING STRUCTURE AT STATION ***** (14+92.50-L-)	LUMP	LUMP		21,000.00	
0079	8096000000-E PILE EXCAVATION IN SOIL	80.000 LF	75.00000		6,000.00	

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Bidder: 3679 - Charles Blalock & Sons, Inc.

Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
0080	8121000000-N UNCLASSIFIED STRUCTURE EXCAVATION AT STATION ***** (14+92.50-L-)	LUMP	LUMP			13,000.00
0081	8182000000-E CLASS A CONCRETE (BRIDGE)	CY 27.900	1,100.00000			30,690.00
0082	8210000000-N BRIDGE APPROACH SLABS, STATION***** (14+92.50-L-)	LUMP	LUMP			27,000.00
0083	8217000000-E REINFORCING STEEL (BRIDGE)	LB 4,342.000	1.25000			5,427.50
0084	8364000000-E HP12X53 STEEL PILES	LF 880.000	55.00000			48,400.00
0085	8391000000-N STEEL PILE POINTS	EA 16.000	100.00000			1,600.00
0086	8503000000-E CONCRETE BARRIER RAIL	LF 125.040	110.00000			13,754.40
0087	8608000000-E RIP RAP CLASS II (2'-0" THICK)	TON 180.000	45.00000			8,100.00
0088	8622000000-E FILTER FABRIC FOR DRAINAGE	SY 200.000	3.00000			600.00
0089	8657000000-N ELASTOMERIC BEARINGS	LUMP	LUMP			2,000.00
0090	8762000000-E 3'-0" X 1'-9" PRESTRESSED CONCCORED SLABS	LF 687.670	130.00000			89,397.10

State of NC  
Dept of Transportation

Date: 02-16-09  
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Letting Date: 03-17-09 Call Order: 021  
Bidder: 3679 - Charles Blalock & Sons, Inc.

Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
	Section 0004 Total				266,969.00	
	Bid Total				709,379.60	

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.

NORTH CAROLINA STATE DEPARTMENT OF TRANSPORTATION  
DBE COMMITMENT ITEMS

DATE: 02-16-09  
PAGE: 12

PROPOSAL: C202071  
LETING: L090317 CALL: 021  
VENDOR: 3679 Charles Blalock & Sons, Inc.

LINE NO.	ITEM NO.	ITEM DESC.	UNIT TYPE	SUBCONTRACTOR QUANTITY	SUBCONTRACTOR UNIT PRICE	EXTENDED AMOUNT
DBE SUBCONTRACTOR: 4898 BULLINGTON CONSTRUCTION INC						
Will Use Quote: Yes						
0031	3030000000-E	STL BM GUARD	LF	237.500	16.00000	3800.00
0032	3045000000-E	SBGR SHOP CU	LF	87.500	18.00000	1575.00
0033	3150000000-N	ADDIT GUARDR	EA	5.000	9.00000	45.00
0034	3195000000-N	GR ANCHOR TY	EA	3.000	500.00000	1500.00
0035	3270000000-N	GR ANCHOR TY	EA	3.000	1800.00000	5400.00
0036	3317000000-N	GR ANCHOR TY	EA	4.000	1500.00000	6000.00
0037	3380000000-E	TEMP STL BM	LF	137.500	8.00000	1100.00
0038	3389000000-N	GDRL ANCH UN	EA	4.000	1000.00000	4000.00
0039	3436000000-N	GENERIC GUAR	EA	1.000	1400.00000	1400.00
0040	3574000000-E	GENERIC FENC	LF	305.000	21.00000	6405.00

DBE COMMITMENT TOTAL FOR SUBCONTRACTOR: 31,225.00 ✓  
DBE COMMITMENT TOTAL FOR VENDOR (SubContractor ) 31,225.

DBE SUBCONTRACTOR: 2855 BOSS CONSTRUCTION CO., INC.  
Will Use Quote: Yes

0086	8503000000-E	CONCRETE BAR	LF	125.040	83.65000	10459.60
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DBE COMMITMENT TOTAL FOR SUBCONTRACTOR: 10,459.60 ✓  
DBE COMMITMENT TOTAL FOR VENDOR (SubContractor ) 10,459.

TOTAL DBE COMMITMENT FOR VENDOR: Entered: 5.88% or 41684.60 ✓  
Required: 5.00% or 35468.98  
<GOAL MET>

## Contract Item Sheets For C202071

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
<b>ROADWAY ITEMS</b>						
0001	0000100000-N	800	MOBILIZATION	Lump Sum LS	35,000.00	35,000.00
0002	0000400000-N	801	CONSTRUCTION SURVEYING	Lump Sum LS	8,000.00	8,000.00
0003	0030000000-N	SP	BRIDGE APPROACH FILL - SUB REGIONAL TIER, STATION ***** (14 + 92.02)	Lump Sum LS	8,000.00	8,000.00
0004	0043000000-N	226	GRADING	Lump Sum LS	70,000.00	70,000.00
0005	0050000000-E	226	SUPPLEMENTARY CLEARING & GRUB- BING	1 ACR	1.00	1.00
0006	0057000000-E	226	UNDERCUT EXCAVATION	600 CY	1.00	600.00
0007	0080000000-E	SP	CLASS IV SUBGRADE STABILIZA- TION	200 TON	5.00	1,000.00
0008	0134000000-E	240	DRAINAGE DITCH EXCAVATION	45 CY	10.00	450.00
0009	0195000000-E	265	SELECT GRANULAR MATERIAL	200 CY	10.00	2,000.00
0010	0196000000-E	270	FABRIC FOR SOIL STABILIZATION	500 SY	2.00	1,000.00
0011	0199000000-E	SP	TEMPORARY SHORING	402 SF	30.00	12,060.00
0012	0318000000-E	300	FOUNDATION CONDITIONING MATE- RIAL, MINOR STRS	35 TON	30.00	1,050.00
0013	0344000000-E	310	18" SIDE DRAIN PIPE	144 LF	25.00	3,600.00
0014	0372000000-E	310	18" RC PIPE CULVERTS, CLASS III	108 LF	36.00	3,888.00
0015	0390000000-E	310	36" RC PIPE CULVERTS, CLASS III	56 LF	55.00	3,080.00
0016	0995000000-E	340	PIPE REMOVAL	316 LF	10.00	3,160.00
0017	1121000000-E	520	AGGREGATE BASE COURSE	370 TON	25.00	9,250.00
0018	1220000000-E	545	INCIDENTAL STONE BASE	250 TON	28.00	7,000.00

## Contract Item Sheets For C202071

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
0019	1489000000-E	610	ASPHALT CONC BASE COURSE, TYPE B25.0B	530 TON	90.00	47,700.00
0020	1525000000-E	610	ASPHALT CONC SURFACE COURSE, TYPE SF9.5A	460 TON	95.00	43,700.00
0021	1560000000-E	620	ASPHALT BINDER FOR PLANT MIX, GRADE PG 64-22	53 TON	420.00	22,260.00
0022	1693000000-E	654	ASPHALT PLANT MIX, PAVEMENT REPAIR	100 TON	160.00	16,000.00
0023	2022000000-E	815	SUBDRAIN EXCAVATION	45 CY	10.00	450.00
0024	2033000000-E	815	SUBDRAIN FINE AGGREGATE	35 CY	40.00	1,400.00
0025	2044000000-E	815	6" PERFORATED SUBDRAIN PIPE	200 LF	5.00	1,000.00
0026	2055000000-E	815	6" SUBDRAIN PIPE WYES, TEES, & ELBOWS	6 EA	15.00	90.00
0027	2066000000-N	815	CONCRETE PAD FOR SUBDRAIN PIPE OUTLET	1 EA	200.00	200.00
0028	2077000000-E	815	6" OUTLET PIPE (SUBDRAINS)	6 LF	30.00	180.00
0029	2209000000-E	838	ENDWALLS	4 CY	800.00	3,200.00
0030	2570000000-N	SP	MODIFIED CONCRETE FLUME	1 EA	1,500.00	1,500.00
0031	3030000000-E	862	STEEL BM GUARDRAIL	237.5 LF	17.00	4,037.50
0032	3045000000-E	862	STEEL BM GUARDRAIL, SHOP CURVED	87.5 LF	19.00	1,662.50
0033	3150000000-N	862	ADDITIONAL GUARDRAIL POSTS	5 EA	10.00	50.00
0034	3195000000-N	862	GUARDRAIL ANCHOR UNITS, TYPE AT-1	3 EA	550.00	1,650.00
0035	3270000000-N	SP	GUARDRAIL ANCHOR UNITS, TYPE 350	3 EA	1,900.00	5,700.00
0036	3317000000-N	862	GUARDRAIL ANCHOR UNITS, TYPE B-77	4 EA	1,600.00	6,400.00

## Contract Item Sheets For C202071

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
0037	3380000000-E	862	TEMPORARY STEEL BM GUARDRAIL	137.5 LF	9.00	1,237.50
0038	3389000000-N	SP	GUARDRAIL ANCHOR UNITS, TYPE ***** TEMPORARY (350 TL-2)	4 EA	1,100.00	4,400.00
0039	3436000000-N	862	GENERIC GUARDRAIL ITEM GUARDRAIL ANCHOR UNIT, TYPE TEMPORARY RETROFIT	1 EA	1,500.00	1,500.00
0040	3574000000-E	867	GENERIC FENCING ITEM LANDSCAPE FENCE RESET	305 LF	22.00	6,710.00
0041	3628000000-E	876	RIP RAP, CLASS I	2 TON	100.00	200.00
0042	3649000000-E	876	RIP RAP, CLASS B	110 TON	50.00	5,500.00
0043	3656000000-E	876	FILTER FABRIC FOR DRAINAGE	650 SY	3.00	1,950.00
0044	4400000000-E	1110	WORK ZONE SIGNS (STATIONARY)	144 SF	8.00	1,152.00
0045	4405000000-E	1110	WORK ZONE SIGNS (PORTABLE)	96 SF	11.00	1,056.00
0046	4410000000-E	1110	WORK ZONE SIGNS (BARRICADE MOUNTED)	30 SF	7.00	210.00
0047	4430000000-N	1130	DRUMS	80 EA	55.00	4,400.00
0048	4445000000-E	1145	BARRICADES (TYPE III)	40 LF	35.00	1,400.00
0049	4450000000-N	1150	FLAGGER	960 HR	1.50	1,440.00
0050	4810000000-E	1205	PAINT PAVEMENT MARKING LINES (4")	11,586 LF	0.40	4,634.40
0051	4835000000-E	1205	PAINT PAVEMENT MARKING LINES (24")	81 LF	5.50	445.50
0052	4850000000-E	1205	REMOVAL OF PAVEMENT MARKING LINES (4")	3,302 LF	0.60	1,981.20
0053	6000000000-E	1605	TEMPORARY SILT FENCE	1,780 LF	6.00	10,680.00
0054	6006000000-E	1610	STONE FOR EROSION CONTROL, CLASS A	200 TON	35.00	7,000.00

## Contract Item Sheets For C202071

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
0055	6009000000-E	1610	STONE FOR EROSION CONTROL, CLASS B	445 TON	35.00	15,575.00
0056	6012000000-E	1610	SEDIMENT CONTROL STONE	145 TON	35.00	5,075.00
0057	6015000000-E	1615	TEMPORARY MULCHING	2.5 ACR	800.00	2,000.00
0058	6018000000-E	1620	SEED FOR TEMPORARY SEEDING	100 LB	7.00	700.00
0059	6021000000-E	1620	FERTILIZER FOR TEMPORARY SEED- ING	2.25 TON	700.00	1,575.00
0060	6024000000-E	1622	TEMPORARY SLOPE DRAINS	150 LF	15.00	2,250.00
0061	6027000000-N	1622	INLET PROTECTION AT TEMPORARY SLOPE DRAINS	2 EA	900.00	1,800.00
0062	6029000000-E	SP	SAFETY FENCE	500 LF	3.00	1,500.00
0063	6030000000-E	1630	SILT EXCAVATION	840 CY	1.00	840.00
0064	6036000000-E	1631	MATTING FOR EROSION CONTROL	1,400 SY	2.10	2,940.00
0065	6037000000-E	SP	COIR FIBER MAT	20 SY	45.00	900.00
0066	6038000000-E	SP	PERMANENT SOIL REINFORCEMENT MAT	125 SY	10.00	1,250.00
0067	6042000000-E	1632	1/4" HARDWARE CLOTH	125 LF	5.00	625.00
0068	6071030000-E	SP	COIR FIBER BAFFLES	135 LF	11.00	1,485.00
0069	6071050000-E	SP	**" SKIMMER (1-1/2")	3 EA	900.00	2,700.00
0070	6084000000-E	1660	SEEDING & MULCHING	3.5 ACR	2,300.00	8,050.00
0071	6087000000-E	1660	MOWING	1 ACR	110.00	110.00
0072	6090000000-E	1661	SEED FOR REPAIR SEEDING	50 LB	4.00	200.00
0073	6093000000-E	1661	FERTILIZER FOR REPAIR SEEDING	0.25 TON	500.00	125.00

## Contract Item Sheets For C202071

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
0074	6096000000-E	1662	SEED FOR SUPPLEMENTAL SEEDING	50 LB	6.00	300.00
0075	6108000000-E	1665	FERTILIZER TOPDRESSING	1.25 TON	900.00	1,125.00
0076	6114000000-N	SP	SPECIALIZED HAND MOWING	5 HR	110.00	550.00
0077	6117000000-N	SP	RESPONSE FOR EROSION CONTROL	12 EA	710.00	8,520.00

## Contract Item Sheets For C202071

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
0078	8035000000-N	402	REMOVAL OF EXISTING STRUCTURE AT STATION ***** (14+92.50-L-)	Lump Sum LS	21,000.00	21,000.00
0079	8096000000-E	SP	PILE EXCAVATION IN SOIL	80 LF	75.00	6,000.00
0080	8121000000-N	412	UNCLASSIFIED STRUCTURE EXCAVA- TION AT STATION ***** (14+92.50-L-)	Lump Sum LS	13,000.00	13,000.00
0081	8182000000-E	420	CLASS A CONCRETE (BRIDGE)	27.9 CY	1,100.00	30,690.00
0082	8210000000-N	422	BRIDGE APPROACH SLABS, STATION ***** (14+92.50-L-)	Lump Sum LS	27,000.00	27,000.00
0083	8217000000-E	425	REINFORCING STEEL (BRIDGE)	4,342 LB	1.25	5,427.50
0084	8364000000-E	450	HP12X53 STEEL PILES	880 LF	55.00	48,400.00
0085	8391000000-N	450	STEEL PILE POINTS	16 EA	100.00	1,600.00
0086	8503000000-E	460	CONCRETE BARRIER RAIL	125.04 LF	110.00	13,754.40
0087	8608000000-E	876	RIP RAP CLASS II (2'-0" THICK)	180 TON	45.00	8,100.00
0088	8622000000-E	876	FILTER FABRIC FOR DRAINAGE	200 SY	3.00	600.00
0089	8657000000-N	430	ELASTOMERIC BEARINGS	Lump Sum LS	2,000.00	2,000.00
0090	8762000000-E	430	3'-0" X 1'-9" PRESTRESSED CONC CORED SLABS	687.67 LF	130.00	89,397.10

TOTAL AMOUNT OF BID FOR ENTIRE PROJECT

\$709,379.60 ✓

Contract Number C202071  
County Haywood

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**

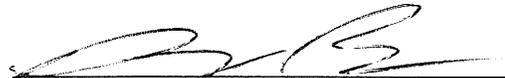
Charles Blalock & Sons, Inc.

Full name of Corporation

P.O. Box 4750, Sevierville, TN 37864-4750

Address as Prequalified

Attest

  
Secretary/~~Assistant Secretary~~  
Select appropriate title

Doug Blalock, Secretary

Print or type Signer's name

By

  
President/~~Vice President/Assistant Vice President~~  
Select appropriate title

James D. Blalock, President

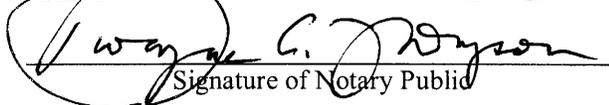
Print or type Signer's name

**CORPORATE SEAL**

**AFFIDAVIT MUST BE NOTARIZED**

Subscribed and sworn to before me this the

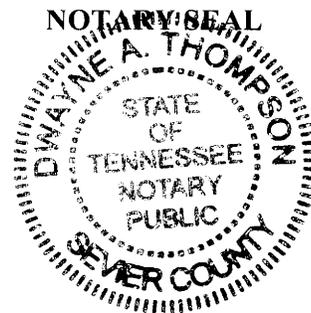
26<sup>th</sup> day of March 2009

  
Signature of Notary Public

of Sevier County

State of Tennessee

My Commission Expires: My commission expires Feb. 22, 2010



## 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     C202071

County (ies):   Haywood

ACCEPTED BY THE  
DEPARTMENT OF TRANSPORTATION

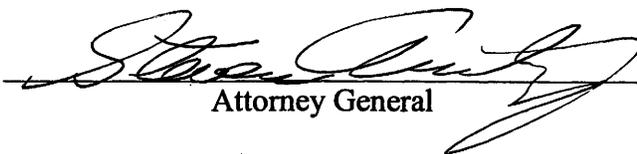


\_\_\_\_\_  
Contract Officer



\_\_\_\_\_  
Date

Execution of Contract and Bonds  
Approved as to Form:



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

Contract No. C202071  
County Haywood

(Rev 7-10-08)

### CONTRACT PAYMENT BOND

Date of Payment Bond Execution March 25, 2009

Name of Principal Contractor Charles Blalock & Sons, Inc.

Name of Surety: Fidelity and Deposit Company of Maryland

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

Amount of Bond: \$709,379.60

Contract ID No.: C202071

County Name: Haywood

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. C202071  
County Haywood

(Rev 7-10-08)

**CONTRACT PAYMENT BOND**

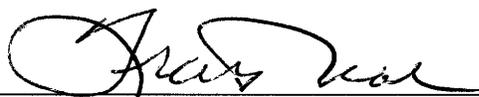
*Affix Seal of Surety Company*

Fidelity and Deposit Company of Maryland

\_\_\_\_\_  
Print or type Surety Company Name

By Frank E. Neal

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



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



\_\_\_\_\_  
Signature of Witness

Gayle Graves

\_\_\_\_\_  
Print or type Witness's name

P.O. Box 40507, Nashville, Tennessee 37204

\_\_\_\_\_  
Address of Attorney-in-Fact

Contract No. C202071  
County Haywood

(Rev 7-10-08)

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

SIGNATURE OF CONTRACTOR (Principal)

Charles Blalock & Sons, Inc.

\_\_\_\_\_  
Full name of Corporation

P.O. Box 4750, Sevierville, Tennessee 37864-4750

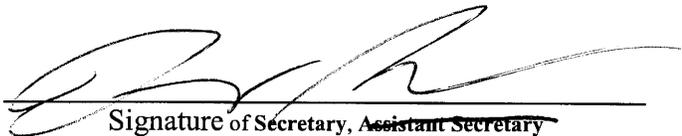
\_\_\_\_\_  
Address as prequalified

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

James D. Blalock

\_\_\_\_\_  
Print or type Signer's name

*Affix Corporate Seal*

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

Doug Blalock

\_\_\_\_\_  
Print or type Signer's name

**Power of Attorney**  
**FIDELITY AND DEPOSIT COMPANY OF MARYLAND**

KNOW ALL MEN BY THESE PRESENTS: That the FIDELITY AND DEPOSIT COMPANY OF MARYLAND, a corporation of the State of Maryland, by M. P. HAMMOND, Vice President, and GERALD F. HALEY, Assistant Secretary, in pursuance of authority granted by Article VI, Section 2, of the By-Laws of said Company, which are set forth on the reverse side hereof and are hereby certified to be in full force and effect on the date hereof, does hereby nominate, constitute and appoint **Frank E. NEAL, Frank E. NEAL, III, Mark NEAL, Brent W. NEAL and Gayle GRAVES, all of Nashville, Tennessee, EACH** its true and lawful agent and Attorney-in-Fact to make, execute, seal and deliver, for, and on its behalf as surety, and as its act and deed: **any and all bonds and undertakings, and the execution of such bonds or undertakings** in pursuance of these presents, shall be as binding upon said Company, as fully and amply, to all intents and purposes, as if they had been duly executed and acknowledged by the regularly elected officers of the Company at its office in Baltimore, Md., in their own proper persons. This power of attorney revokes that issued on behalf of Frank E. NEAL, Frank E. NEAL, III, Mark NEAL, Brent W. NEAL, Gayle GRAVES, dated August 21, 2003.

The said Assistant Secretary does hereby certify that the extract set forth on the reverse side hereof is a true copy of Article VI, Section 2, of the By-Laws of said Company, and is now in force.

IN WITNESS WHEREOF, the said Vice-President and Assistant Secretary have hereunto subscribed their names and affixed the Corporate Seal of the said FIDELITY AND DEPOSIT COMPANY OF MARYLAND, this 29th day of March, A.D. 2006.

ATTEST:

**FIDELITY AND DEPOSIT COMPANY OF MARYLAND**



*Gerald F. Haley*

*Gerald F. Haley* Assistant Secretary

*M. P. Hammond*

By:

*M. P. Hammond*

*M. P. Hammond* Vice President

State of Maryland }  
City of Baltimore } ss:

On this 29th day of March, A.D. 2006, before the subscriber, a Notary Public of the State of Maryland, duly commissioned and qualified, came M. P. HAMMOND, Vice President, and GERALD F. HALEY, Assistant Secretary of the FIDELITY AND DEPOSIT COMPANY OF MARYLAND, to me personally known to be the individuals and officers described in and who executed the preceding instrument, and they each acknowledged the execution of the same, and being by me duly sworn, severally and each for himself depose and saith, that they are the said officers of the Company aforesaid, and that the seal affixed to the preceding instrument is the Corporate Seal of said Company, and that the said Corporate Seal and their signatures as such officers were duly affixed and subscribed to the said instrument by the authority and direction of the said Corporation.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my Official Seal the day and year first above written.



*Constance A. Dunn*

*Constance A. Dunn*

*Constance A. Dunn* Notary Public

My Commission Expires: July 14, 2011

**EXTRACT FROM BY-LAWS OF FIDELITY AND DEPOSIT COMPANY OF MARYLAND**

“Article VI, Section 2. The Chairman of the Board, or the President, or any Executive Vice-President, or any of the Senior Vice-Presidents or Vice-Presidents specially authorized so to do by the Board of Directors or by the Executive Committee, shall have power, by and with the concurrence of the Secretary or any one of the Assistant Secretaries, to appoint Resident Vice-Presidents, Assistant Vice-Presidents and Attorneys-in-Fact as the business of the Company may require, or to authorize any person or persons to execute on behalf of the Company any bonds, undertakings, recognizances, stipulations, policies, contracts, agreements, deeds, and releases and assignments of judgements, decrees, mortgages and instruments in the nature of mortgages,...and to affix the seal of the Company thereto.”

**CERTIFICATE**

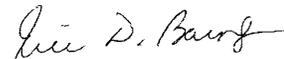
I, the undersigned, Assistant Secretary of the FIDELITY AND DEPOSIT COMPANY OF MARYLAND, do hereby certify that the foregoing Power of Attorney is still in full force and effect on the date of this certificate; and I do further certify that the Vice-President who executed the said Power of Attorney was one of the additional Vice-Presidents specially authorized by the Board of Directors to appoint any Attorney-in-Fact as provided in Article VI, Section 2, of the By-Laws of the FIDELITY AND DEPOSIT COMPANY OF MARYLAND.

This Power of Attorney and Certificate may be signed by facsimile under and by authority of the following resolution of the Board of Directors of the FIDELITY AND DEPOSIT COMPANY OF MARYLAND at a meeting duly called and held on the 10th day of May, 1990.

RESOLVED: "That the facsimile or mechanically reproduced seal of the company and facsimile or mechanically reproduced signature of any Vice-President, Secretary, or Assistant Secretary of the Company, whether made heretofore or hereafter, wherever appearing upon a certified copy of any power of attorney issued by the Company, shall be valid and binding upon the Company with the same force and effect as though manually affixed."

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed the corporate seal of the said Company,

this 25th day of March, 2009.



*Assistant Secretary*

Contract No. C202071  
County Haywood

(Rev 7-10-08)

### CONTRACT PERFORMANCE BOND

Date of Performance Bond Execution: March 25, 2009

Name of Principal Contractor: Charles Blalock & Sons, Inc.

Name of Surety: Fidelity and Deposit Company of Maryland

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

Amount of Bond: \$709,379.60

Contract ID No.: C202071

County Name: Haywood

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. C202071  
County Haywood

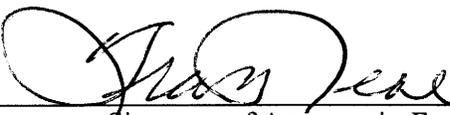
(Rev 7-10-08)

**CONTRACT PERFORMANCE BOND**

*Affix Seal of Surety Company*

Fidelity and Deposit Company of Maryland  
\_\_\_\_\_  
Print or type Surety Company Name

By Frank E. Neal  
\_\_\_\_\_  
Print, stamp or type name of Attorney-in-Fact

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

  
\_\_\_\_\_  
Signature of Witness

Gayle Graves  
\_\_\_\_\_  
Print or type Witness's name

P.O. Box 40507, Nashville, Tennessee 37204  
\_\_\_\_\_  
Address of Attorney-in-Fact

Contract No. C202071  
County Haywood

(Rev 7-10-08)

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

SIGNATURE OF CONTRACTOR (Principal)

Charles Blalock & Sons, Inc.

Full name of Corporation

P.O. Box 4750, Sevierville, Tennessee 37864-4750

Address as prequalified

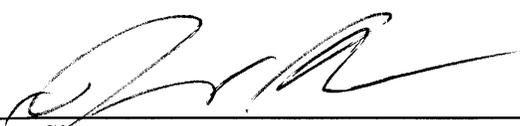
By James D. Blalock Pres  
Signature of President, ~~Vice President~~, Assistant ~~Vice President~~  
Select appropriate title

James D. Blalock

Print or type Signer's name

*Affix Corporate Seal*

Attest

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

Doug Blalock

Print or type Signer's name

**Power of Attorney  
FIDELITY AND DEPOSIT COMPANY OF MARYLAND**

KNOW ALL MEN BY THESE PRESENTS: That the FIDELITY AND DEPOSIT COMPANY OF MARYLAND, a corporation of the State of Maryland, by M. P. HAMMOND, Vice President, and GERALD F. HALEY, Assistant Secretary, in pursuance of authority granted by Article VI, Section 2, of the By-Laws of said Company, which are set forth on the reverse side hereof and are hereby certified to be in full force and effect on the date hereof, does hereby nominate, constitute and appoint **Frank E. NEAL, Frank E. NEAL, III, Mark NEAL, Brent W. NEAL and Gayle GRAVES, all of Nashville, Tennessee, EACH** its true and lawful agent and Attorney-in-Fact, to make, execute, seal and deliver, for, and on its behalf as surety, and as its act and deed: **any and all bonds and undertakings, and the execution of such bonds or undertakings** in pursuance of these presents, shall be as binding upon said Company, as fully and amply, to all intents and purposes, as if they had been duly executed and acknowledged by the regularly elected officers of the Company at its office in Baltimore, Md., in their own proper persons. This power of attorney revokes that issued on behalf of Frank E. NEAL, Frank E. NEAL, III, Mark NEAL, Brent W. NEAL, Gayle GRAVES, dated August 21, 2003.

The said Assistant Secretary does hereby certify that the extract set forth on the reverse side hereof is a true copy of Article VI, Section 2, of the By-Laws of said Company, and is now in force.

IN WITNESS WHEREOF, the said Vice-President and Assistant Secretary have hereunto subscribed their names and affixed the Corporate Seal of the said FIDELITY AND DEPOSIT COMPANY OF MARYLAND, this 29th day of March, A.D. 2006.

ATTEST:

**FIDELITY AND DEPOSIT COMPANY OF MARYLAND**



*Gerald F. Haley*

Gerald F. Haley    Assistant Secretary

By:

*M. P. Hammond*

M. P. Hammond    Vice President

State of Maryland }  
City of Baltimore } ss:

On this 29th day of March, A.D. 2006, before the subscriber, a Notary Public of the State of Maryland, duly commissioned and qualified, came M. P. HAMMOND, Vice President, and GERALD F. HALEY, Assistant Secretary of the FIDELITY AND DEPOSIT COMPANY OF MARYLAND, to me personally known to be the individuals and officers described in and who executed the preceding instrument, and they each acknowledged the execution of the same, and being by me duly sworn, severally and each for himself depose and saith, that they are the said officers of the Company aforesaid, and that the seal affixed to the preceding instrument is the Corporate Seal of said Company, and that the said Corporate Seal and their signatures as such officers were duly affixed and subscribed to the said instrument by the authority and direction of the said Corporation.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my Official Seal the day and year first above written.



*Constance A. Dunn*

Constance A. Dunn    Notary Public  
My Commission Expires: July 14, 2011

**EXTRACT FROM BY-LAWS OF FIDELITY AND DEPOSIT COMPANY OF MARYLAND**

“Article VI, Section 2. The Chairman of the Board, or the President, or any Executive Vice-President, or any of the Senior Vice-Presidents or Vice-Presidents specially authorized so to do by the Board of Directors or by the Executive Committee, shall have power, by and with the concurrence of the Secretary or any one of the Assistant Secretaries, to appoint Resident Vice-Presidents, Assistant Vice-Presidents and Attorneys-in-Fact as the business of the Company may require, or to authorize any person or persons to execute on behalf of the Company any bonds, undertakings, recognizances, stipulations, policies, contracts, agreements, deeds, and releases and assignments of judgements, decrees, mortgages and instruments in the nature of mortgages,...and to affix the seal of the Company thereto.”

**CERTIFICATE**

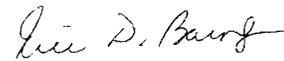
I, the undersigned, Assistant Secretary of the FIDELITY AND DEPOSIT COMPANY OF MARYLAND, do hereby certify that the foregoing Power of Attorney is still in full force and effect on the date of this certificate; and I do further certify that the Vice-President who executed the said Power of Attorney was one of the additional Vice-Presidents specially authorized by the Board of Directors to appoint any Attorney-in-Fact as provided in Article VI, Section 2, of the By-Laws of the FIDELITY AND DEPOSIT COMPANY OF MARYLAND.

This Power of Attorney and Certificate may be signed by facsimile under and by authority of the following resolution of the Board of Directors of the FIDELITY AND DEPOSIT COMPANY OF MARYLAND at a meeting duly called and held on the 10th day of May, 1990.

RESOLVED: "That the facsimile or mechanically reproduced seal of the company and facsimile or mechanically reproduced signature of any Vice-President, Secretary, or Assistant Secretary of the Company, whether made heretofore or hereafter, wherever appearing upon a certified copy of any power of attorney issued by the Company, shall be valid and binding upon the Company with the same force and effect as though manually affixed."

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed the corporate seal of the said Company,

this 25th day of March, 2009.



*Assistant Secretary*

