

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

C202196

CONTRACT AND  
CONTRACT BONDS  
FOR CONTRACT NO. C202196

WBS 12CR.10231.7, 12CR.20231.8 STATE FUNDED

COUNTY OF CLEVELAND  
THIS IS THE ROADWAY CONTRACT  
ROUTE NUMBER US 74 LENGTH 13.260 MILES  
LOCATION 1 SECTION OF US-74 BUSINESS, 3 SECTIONS OF NC-18 AND 4  
SECTIONS OF SECONDARY ROADS.

CONTRACTOR ASPHALT PAVING OF SHELBY, INC.  
ADDRESS P.O. BOX 1526  
SHELBY, NC 281511526

BIDS OPENED MAY 19, 2009  
CONTRACT EXECUTION JUN 15 2009

**Asphalt Paving of Shelby, Inc. (3562).**

**Vendor 1 of 3 Vendors for Call Order 023 (Proposal ID C202196).**

County: CLEVELAND

Address: PO 1526  
Shelby, NC 28151

Phone Number: 704-739-4568

Signature Check: This bid has been properly signed by Ken\_Fannin\_3562.

Time Bid Received: Tue May 19 08:15:40 2009

Bid Checksum: F8743E95

Amendment Count: 0

Bidding Errors: No bidding errors

Bid Total: \$1,894,215.71 ✓

Bond ID: SNC09502289

Bond was Verified: Yes.

Bond Required Percent: 5.00%

Minimum Check Amount: \$94,710.79

Bid Security Maximum: \$

Bond Agency Name:

Agency Execution Date: 5/18/2009 3:38:27 PM

Surety Name: Great American Insurance Company

Surety State of Incorporation:

Bond Company:

Bond Type:

Bond Appr Flag:

Bond Affirm:

Bond was Paid by Check: No.

MBE GOAL SET 2.0%  
WBE GOAL SET 4.0%  
MBE GOAL MET 2.0%  
WBE GOAL MET 4.1%



NCDOT/berc

Vendor 3562's Load Output for Call 023, Letting L090519, 2009-05-19

Bid Bond Data Info - Contractor Responses:

=====

BondID: SNC09502289  
Surety Registry Agency: surety2000  
Verified?: Yes  
Surety Agency: Great American Insurance Company  
Bond Execution Date: 5/18/2009 3:38:27 PM  
Bond Amount: \$94,710.79 (Five Percent of Bid)

State of NC  
Dept of Transportation

Date: 04-21-09  
Revised:

Contract ID: C202196      Project(s): STATE FUNDED  
Letting Date: 05-19-09    Call Order: 023  
Bidder: 3562 - Asphalt Paving of Shelby, 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			60,000.00
0002	1220000000-E INCIDENTAL STONE BASE	TON	175.000	30.00000		5,250.00
0003	1245000000-E SHOULDER RECONSTRUCTION	SMI	7.590	2,900.00000		22,011.00
0004	1297000000-E MILLING ASPHALT PAVEMENT, ***"DEPTH (1-1/2")	SY	19,958.000	0.80000		15,966.40
0005	1297000000-E MILLING ASPHALT PAVEMENT, ***"DEPTH (3")	SY	21,559.000	0.80000		17,247.20
0006	1308000000-E MILLING ASPHALT PAVEMENT, ***"TO *****" DEPTH (3" TO 4-1/2")	SY	57,881.000	0.80000		46,304.80
0007	1330000000-E INCIDENTAL MILLING	SY	1,000.000	4.00000		4,000.00
0008	1519000000-E ASPHALT CONC SURFACE COURSE, TYPE S9.5B	TON	20,784.000	36.00000		748,224.00
0009	1520000000-E ASPHALT CONC SURFACE COURSE, TYPE S9.5B (LEVELING COURSE)	TON	1,541.000	36.00000		55,476.00
0010	1560000000-E ASPHALT BINDER FOR PLANT MIX, GRADE PG 64-22	TON	1,342.000	402.00000		539,484.00

State of NC  
Dept of Transportation

Date: 04-21-09  
Revised:

Contract ID: C202196  
Letting Date: 05-19-09 Call Order: 023  
Bidder: 3562 - Asphalt Paving of Shelby, Inc.

Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
0011	1704000000-E PATCHING EXISTING PAVEMENT	2,658.000 TON	70.00000		186,060.00	
0012	2830000000-N ADJUSTMENT OF MANHOLES	32.000 EA	850.00000		27,200.00	
0013	2845000000-N ADJUSTMENT OF METER BOXES OR VALVE BOXES	21.000 EA	650.00000		13,650.00	
0014	4685000000-E THERMOPLAST IC PAVEMENT MARKING LINES (4", 90 MILS)	41,103.000 LF	0.43000		17,674.29	
0015	4686000000-E THERMOPLAST IC PAVEMENT MARKING LINES (4", 120 MILS)	75,098.000 LF	0.52000		39,050.96	
0016	4710000000-E THERMOPLAST IC PAVEMENT MARKING LINES (24", 120 MILS)	436.000 LF	8.50000		3,706.00	
0017	4721000000-E THERMOPLAST IC PAVEMENT MARKING CHARACTER (120 MILS)	12.000 EA	100.00000		1,200.00	
0018	4725000000-E THERMOPLAST IC PAVEMENT MARKING SYMBOL (90 MILS)	122.000 EA	100.00000		12,200.00	
0019	4810000000-E PAINT PAVEMENT MARKING LINES (4")	299,218.000 LF	0.17000		50,867.06	
0020	4905000000-N SNOWPLOWABLE PAVEMENT MARKERS	1,023.000 EA	28.00000		28,644.00	
	Section 0001 Total				1,894,215.71	
	Bid Total				1,894,215.71	✓

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.





## Contract Item Sheets For C202196

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
<b>ROADWAY ITEMS</b>						
0001	0000100000-N	800	MOBILIZATION	Lump Sum LS	60,000.00	60,000.00
0002	1220000000-E	545	INCIDENTAL STONE BASE	175 TON	30.00	5,250.00
0003	1245000000-E	SP	SHOULDER RECONSTRUCTION	7.59 SMI	2,900.00	22,011.00
0004	1297000000-E	607	MILLING ASPHALT PAVEMENT, **** DEPTH (1-1/2")	19,958 SY	0.80	15,966.40
0005	1297000000-E	607	MILLING ASPHALT PAVEMENT, **** DEPTH (3")	21,559 SY	0.80	17,247.20
0006	1308000000-E	607	MILLING ASPHALT PAVEMENT, **** TO ***** DEPTH (3" TO 4-1/2")	57,881 SY	0.80	46,304.80
0007	1330000000-E	607	INCIDENTAL MILLING	1,000 SY	4.00	4,000.00
0008	1519000000-E	610	ASPHALT CONC SURFACE COURSE, TYPE S9.5B	20,784 TON	36.00	748,224.00
0009	1520000000-E	SP	ASPHALT CONC SURFACE COURSE, TYPE S9.5B (LEVELING COURSE)	1,541 TON	36.00	55,476.00
0010	1560000000-E	620	ASPHALT BINDER FOR PLANT MIX, GRADE PG 64-22	1,342 TON	402.00	539,484.00
0011	1704000000-E	SP	PATCHING EXISTING PAVEMENT	2,658 TON	70.00	186,060.00
0012	2830000000-N	858	ADJUSTMENT OF MANHOLES	32 EA	850.00	27,200.00
0013	2845000000-N	858	ADJUSTMENT OF METER BOXES OR VALVE BOXES	21 EA	650.00	13,650.00
0014	4685000000-E	1205	THERMOPLASTIC PAVEMENT MARKING LINES (4", 90 MILS)	41,103 LF	0.43	17,674.29
0015	4686000000-E	1205	THERMOPLASTIC PAVEMENT MARKING LINES (4", 120 MILS)	75,098 LF	0.52	39,050.96
0016	4710000000-E	1205	THERMOPLASTIC PAVEMENT MARKING LINES (24", 120 MILS)	436 LF	8.50	3,706.00

## Contract Item Sheets For C202196

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
0017	4721000000-E	1205	THERMOPLASTIC PAVEMENT MARKING CHARACTER (120 MILS)	12 EA	100.00	1,200.00
0018	4725000000-E	1205	THERMOPLASTIC PAVEMENT MARKING SYMBOL (90 MILS)	122 EA	100.00	12,200.00
0019	4810000000-E	1205	PAINT PAVEMENT MARKING LINES (4")	299,218 LF	0.17	50,867.06
0020	4905000000-N	1253	SNOWPLOWABLE PAVEMENT MARKERS	1,023 EA	28.00	28,644.00

TOTAL AMOUNT OF BID FOR ENTIRE PROJECT

\$1,894,215.71

1040/May28/Q543971.59/D52917100000/E20

Contract Number C202196  
County CLEVELAND

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**

ASPHALT PAVING OF SHELBY, INC.

Full name of Corporation

PO BOX 1526, SHELBY, NC 28151

Address as Prequalified

Attest

Donald G. Dedmon Sr  
Secretary/~~Assistant Secretary~~  
Select appropriate title

By

Donald G. Dedmon Jr  
~~President/Vice President/Assistant Vice President~~  
Select appropriate title

DONALD G. DEDMON, SR.

Print or type Signer's name

DONALD G. DEDMON, JR.

Print or type Signer's name

**CORPORATE SEAL**

**AFFIDAVIT MUST BE NOTARIZED**

**NOTARY SEAL**

Subscribed and sworn to before me this the

1st day of June 2009.

Ellen D Poston Ellen D Poston  
Signature of Notary Public

of Cleveland County

State of North Carolina

My Commission Expires: April 16, 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.

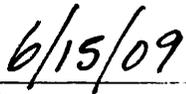
**Contract No**     C202196

**County (ies):**   Cleveland

ACCEPTED BY THE  
DEPARTMENT OF TRANSPORTATION



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



\_\_\_\_\_  
Date

Execution of Contract and Bonds  
Approved as to Form:



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

Contract No. C202196  
County Cleveland

(Rev 7-10-08)

### CONTRACT PAYMENT BOND

Date of Payment Bond Execution June 1, 2009

Name of Principal Contractor Asphalt Paving of Shelby, Inc.

Name of Surety: Great American Insurance Company

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

Amount of Bond: 1,894,215.71

Contract ID No.: C202196

County Name: Cleveland

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. C202196  
County Cleveland

(Rev 7-10-08)

**CONTRACT PAYMENT BOND**

*Affix Seal of Surety Company*

Great American Insurance Company  
Print or type Surety Company Name

By Debbie H. Davis  
Print, stamp or type name of Attorney-in-Fact

  
Signature of Attorney-in-Fact

  
Signature of Witness

Susan L. Davis  
Print or type Witness's name

222 N. Lafayette St., Suite 11  
Shelby, NC 28150  
Address of Attorney-in-Fact

Contract No. C202196  
County Cleveland

(Rev 7-10-08)

**CONTRACT PAYMENT BOND**

**CORPORATION**

SIGNATURE OF CONTRACTOR (Principal)

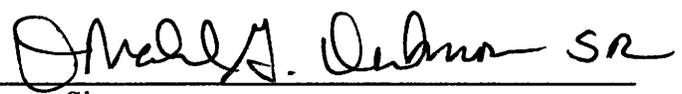
Asphalt Paving of Shelby, Inc.  
Full name of Corporation

P. O. Box 1526, Shelby, NC 28151  
Address as prequalified

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

Donald G Dedmon, Jr  
Print or type Signer's name

*Affix Corporate Seal*

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

Donald G Dedmon, Sr  
Print or type Signer's name

**GREAT AMERICAN INSURANCE COMPANY®**

**Administrative Office: 580 WALNUT STREET • CINCINNATI, OHIO 45202 • 513-369-5000 • FAX 513-723-2740**

The number of persons authorized by this power of attorney is not more than **FIVE**

No. 0 18227

**POWER OF ATTORNEY**

**KNOW ALL MEN BY THESE PRESENTS:** That the GREAT AMERICAN INSURANCE COMPANY, a corporation organized and existing under and by virtue of the laws of the State of Ohio, does hereby nominate, constitute and appoint the person or persons named below, each individually if more than one is named, its true and lawful attorney-in-fact, for it and in its name, place and stead to execute on behalf of the said Company, as surety, any and all bonds, undertakings and contracts of suretyship, or other written obligations in the nature thereof; provided that the liability of the said Company on any such bond, undertaking or contract of suretyship executed under this authority shall not exceed the limit stated below.

	Name	Address	Limit of Power
KAY ARCHER PRICE	SUSAN L. DAVIS	ALL OF	ALL
MILLIE A. WOOD	JILL BLACK	SHELBY, NORTH CAROLINA	\$75,000,000
DEBORAH H. DAVIS			

This Power of Attorney revokes all previous powers issued on behalf of the attorney(s)-in-fact named above.

IN WITNESS WHEREOF the GREAT AMERICAN INSURANCE COMPANY has caused these presents to be signed and attested by its appropriate officers and its corporate seal hereunto affixed this **16TH** day of **JANUARY**, **2009**

Attest

GREAT AMERICAN INSURANCE COMPANY



*[Signature]*  
Assistant Secretary

*[Signature]*  
Divisional Senior Vice President

STATE OF OHIO, COUNTY OF HAMILTON - ss:

DAVID C. KITCHIN (513-412-4602)

On this **16TH** day of **JANUARY**, **2009**, before me personally appeared **DAVID C. KITCHIN**, to me known, being duly sworn, deposes and says that he resides in Cincinnati, Ohio, that he is a Divisional Senior Vice President of the Bond Division of Great American Insurance Company, the Company described in and which executed the above instrument; that he knows the seal of the said Company; that the seal affixed to the said instrument is such corporate seal; that it was so affixed by authority of his office under the By-Laws of said Company, and that he signed his name thereto by like authority.



**KAREN L. GROSHEIM**  
NOTARY PUBLIC, STATE OF OHIO  
MY COMMISSION EXPIRES 02-20-11

*[Signature]*  
Karen L. Grosheim

This Power of Attorney is granted by authority of the following resolutions adopted by the Board of Directors of Great American Insurance Company by unanimous written consent dated June 9, 2008.

**RESOLVED:** That the Divisional President, the several Divisional Senior Vice Presidents, Divisional Vice Presidents and Divisional Assistant Vice Presidents, or any one of them, be and hereby is authorized, from time to time, to appoint one or more Attorneys-in-Fact to execute on behalf of the Company, as surety, any and all bonds, undertakings and contracts of suretyship, or other written obligations in the nature thereof; to prescribe their respective duties and the respective limits of their authority; and to revoke any such appointment at any time.

**RESOLVED FURTHER:** That the Company seal and the signature of any of the aforesaid officers and any Secretary or Assistant Secretary of the Company may be affixed by facsimile to any power of attorney or certificate of either given for the execution of any bond, undertaking, contract of suretyship, or other written obligation in the nature thereof, such signature and seal when so used being hereby adopted by the Company as the original signature of such officer and the original seal of the Company, to be valid and binding upon the Company with the same force and effect as though manually affixed.

**CERTIFICATION**

I, **STEPHEN C. BERAHA**, Assistant Secretary of Great American Insurance Company, do hereby certify that the foregoing Power of Attorney and the Resolutions of the Board of Directors of June 9, 2008 have not been revoked and are now in full force and effect.

Signed and sealed this **1st** day of **June**, **2009**



*[Signature]*  
Assistant Secretary

Contract No. C202196  
County Cleveland

(Rev 7-10-08)

## CONTRACT PERFORMANCE BOND

Date of Performance Bond Execution: June 1, 2009

Name of Principal Contractor: Asphalt Paving of Shelby, Inc.

Name of Surety: Great American Insurance Company

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

Amount of Bond: 1,894,215.71

Contract ID No.: C202196

County Name: Cleveland

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. C202196  
County Cleveland

(Rev 7-10-08)

**CONTRACT PERFORMANCE BOND**

*Affix Seal of Surety Company*

Great American Insurance Company  
Print or type Surety Company Name

By Debbie H. Davis  
Print, stamp or type name of Attorney-in-Fact

  
Signature of Attorney-in-Fact

  
Signature of Witness

Susan L. Davis  
Print or type Witness's name

222 N. Lafayette St., Suite 11  
Shelby, NC 28150  
Address of Attorney-in-Fact

Contract No. C202196  
County Cleveland

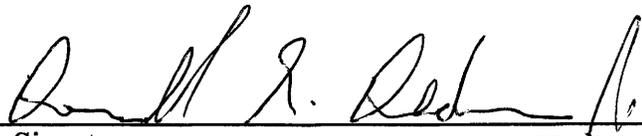
(Rev 7-10-08)

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

SIGNATURE OF CONTRACTOR (Principal)

Asphalt Paving of Shelby, Inc.  
Full name of Corporation

P. O. Box 1526, Shelby, NC 28151  
Address as prequalified

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

Donald G Dedmon, Jr  
Print or type Signer's name

*Affix Corporate Seal*

Attest   
Signature of Secretary, Assistant Secretary  
Select appropriate title

Donald G Dedmon, Sr  
Print or type Signer's name

**GREAT AMERICAN INSURANCE COMPANY®**

**Administrative Office: 580 WALNUT STREET • CINCINNATI, OHIO 45202 • 513-369-5000 • FAX 513-723-2740**

The number of persons authorized by this power of attorney is not more than **FIVE**

No. 0 18227

**POWER OF ATTORNEY**

**KNOW ALL MEN BY THESE PRESENTS:** That the GREAT AMERICAN INSURANCE COMPANY, a corporation organized and existing under and by virtue of the laws of the State of Ohio, does hereby nominate, constitute and appoint the person or persons named below, each individually if more than one is named, its true and lawful attorney-in-fact, for it and in its name, place and stead to execute on behalf of the said Company, as surety, any and all bonds, undertakings and contracts of suretyship, or other written obligations in the nature thereof; provided that the liability of the said Company on any such bond, undertaking or contract of suretyship executed under this authority shall not exceed the limit stated below.

Name	Address	Limit of Power
KAY ARCHER PRICE MILLIE A. WOOD DEBORAH H. DAVIS	SUSAN L. DAVIS ALL OF SHELBY, NORTH CAROLINA	ALL \$75,000,000

This Power of Attorney revokes all previous powers issued on behalf of the attorney(s)-in-fact named above.

IN WITNESS WHEREOF the GREAT AMERICAN INSURANCE COMPANY has caused these presents to be signed and attested by its appropriate officers and its corporate seal hereunto affixed this **16TH** day of **JANUARY**, **2009**

Attest

GREAT AMERICAN INSURANCE COMPANY



*[Signature]*  
Assistant Secretary

*[Signature]*  
Divisional Senior Vice President

STATE OF OHIO, COUNTY OF HAMILTON - ss:

DAVID C. KITCHIN (513-412-4602)

On this **16TH** day of **JANUARY**, **2009**, before me personally appeared **DAVID C. KITCHIN**, to me known, being duly sworn, deposes and says that he resides in Cincinnati, Ohio, that he is a Divisional Senior Vice President of the Bond Division of Great American Insurance Company, the Company described in and which executed the above instrument; that he knows the seal of the said Company; that the seal affixed to the said instrument is such corporate seal; that it was so affixed by authority of his office under the By-Laws of said Company, and that he signed his name thereto by like authority.



**KAREN L. GROSHEIM**  
NOTARY PUBLIC, STATE OF OHIO  
MY COMMISSION EXPIRES 02-20-11

*[Signature]*  
Karen L. Grosheim

This Power of Attorney is granted by authority of the following resolutions adopted by the Board of Directors of Great American Insurance Company by unanimous written consent dated June 9, 2008.

**RESOLVED:** That the Divisional President, the several Divisional Senior Vice Presidents, Divisional Vice Presidents and Divisional Assistant Vice Presidents, or any one of them, be and hereby is authorized, from time to time, to appoint one or more Attorneys-in-Fact to execute on behalf of the Company, as surety, any and all bonds, undertakings and contracts of suretyship, or other written obligations in the nature thereof; to prescribe their respective duties and the respective limits of their authority; and to revoke any such appointment at any time.

**RESOLVED FURTHER:** That the Company seal and the signature of any of the aforesaid officers and any Secretary or Assistant Secretary of the Company may be affixed by facsimile to any power of attorney or certificate of either given for the execution of any bond, undertaking, contract of suretyship, or other written obligation in the nature thereof, such signature and seal when so used being hereby adopted by the Company as the original signature of such officer and the original seal of the Company, to be valid and binding upon the Company with the same force and effect as though manually affixed.

**CERTIFICATION**

I, **STEPHEN C. BERAHA**, Assistant Secretary of Great American Insurance Company, do hereby certify that the foregoing Power of Attorney and the Resolutions of the Board of Directors of June 9, 2008 have not been revoked and are now in full force and effect.

Signed and sealed this **1st** day of **June**, **2009**



*[Signature]*  
Assistant Secretary