

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

C202455

CONTRACT AND  
CONTRACT BONDS  
FOR CONTRACT NO. C202455

WBS 8CR.10761.12, 8CR.20761.12 STATE FUNDED

COUNTY OF RANDOLPH  
THIS IS THE ROADWAY CONTRACT  
ROUTE NUMBER US 220 LENGTH 25.120 MILES  
LOCATION 1 SECTION OF US-220, 1 SECTION OF US-421N, 1 SECTION OF  
NC-22 AND 18 SECTIONS OF SECONDARY ROADS.

CONTRACTOR APAC - ATLANTIC, INC. THOMPSON ARTHUR DIVISION  
ADDRESS P.O. BOX 21088  
GREENSBORO, NC 27420

BIDS OPENED OCTOBER 20, 2009  
CONTRACT EXECUTION NOV 05 2009

**APAC-Atlantic, Inc. Thompson Arthur Division (4315).  
Vendor 4 of 4 Vendors for Call Order 008 (Proposal ID C202455).**

County: RANDOLPH  
 Address: PO Box 21088  
 Greensboro, NC 27420  
 Phone Number: 336-412-6861  
 Signature Check: This bid has been properly signed by Clarence\_O\_Brickey\_4315.  
 Time Bid Received: Tue Oct 20 13:09:28 2009  
 Bid Checksum: 5313F94C  
 Amendment Count: 0  
 Bidding Errors: No bidding errors.  
 Bid Total: \$3,170,294.18 ✓  
 Bond ID: SNC09946919  
 Bond was Verified: Yes.  
 Bond Required Percent: 5.00%  
 Minimum Check Amount: \$158,514.71  
 Bid Security Maximum: \$  
 Bond Agency Name:  
 Agency Execution Date: 10/14/2009 2:28:44 PM  
 Surety Name: Liberty Mutual Insurance Company  
 Surety State of Incorporation:  
 Bond Company:  
 Bond Type:  
 Bond Appr Flag:  
 Bond Affirm:  
 Bond was Paid by Check: No.

MBE GOAL SET 3.0%  
 WBE GOAL SET 3.0%  
 MBE GOAL MET 3.0%  
 WBE GOAL MET 3.0%

LIST OF MBE PARTICIPANTS

VENDOR NUMBER	DBE NAME ADDRESS	WORK CODE TYPE OF WORK	CERT TYPE AMOUNT
4906 MB	W. G. LEWIS TRUCKING, INC 1323 PENNY RD. , HIGH POINT, NC 27265		Sub 95,134.60
TOTAL:			\$95,134.60 3.00% <i>ARM</i>

LIST OF WBE PARTICIPANTS

VENDOR NUMBER	DBE NAME ADDRESS	WORK CODE TYPE OF WORK	CERT TYPE AMOUNT
1270 WB	FARMER TRANSPORT, LLC 319 CITY STORE ROAD , REIDSVILLE, NC 27320		Sub 95,132.70
TOTAL:			\$95,132.70 3.00% <i>ARM</i>

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	
NOT ANSWERED	
NOT ANSWERED	
NOT ANSWERED	
NOT ANSWERED	
NOT ANSWERED	

Bid Bond Data Info - Contractor Responses:

=====

NCDOT/berc

Vendor 4315's Load Output for Call 008, Letting L091020, 2009-10-20

BondID: SNC09946919  
Surety Registry Agency: surety2000  
Verified?: Yes  
Surety Agency: Liberty Mutual Insurance Company  
Bond Execution Date: 10/14/2009 2:28:44 PM  
Bond Amount: \$158,514.71 (Five Percent of Bid)

State of NC  
Dept of Transportation

Date: 09-22-09  
Revised:

Contract ID: C202455 Project(s): STATE FUNDED  
Letting Date: 10-20-09 Call Order: 008  
Bidder: 4315 - APAC-Atlantic, Inc. Thompson Arthur Division

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		112,000.00
0002	1220000000-E INCIDENTAL STONE BASE	TON	2,180.000	33.00000		71,940.00
0003	1243000000-E SHOULDER CONSTRUCTION	SMI	4.540	2,000.00000		9,080.00
0004	1245000000-E SHOULDER RECONSTRUCTION	SMI	7.060	2,500.00000		17,650.00
0005	1297000000-E MILLING ASPHALT PAVEMENT, ***"DEPTH (2-1/2")	SY	21,331.000	0.98000		20,904.38
0006	1330000000-E INCIDENTAL MILLING	SY	2,560.000	2.84000		7,270.40
0007	1489000000-E ASPHALT CONC BASE COURSE, TYPE B25.0B	TON	4,930.000	34.25000		168,852.50
0008	1498000000-E ASPHALT CONC INTERMEDIATE COURSE, TYPE I19.0B	TON	2,965.000	34.25000		101,551.25
0009	1503000000-E ASPHALT CONC INTERMEDIATE COURSE, TYPE I19.0C	TON	3,040.000	34.80000		105,792.00
0010	1519000000-E ASPHALT CONC SURFACE COURSE, TYPE S9.5B	TON	9,165.000	34.90000		319,858.50
0011	1523000000-E ASPHALT CONC SURFACE COURSE, TYPE S9.5C	TON	11,195.000	33.00000		369,435.00

State of NC  
Dept of Transportation

Date: 09-22-09  
Revised:

Contract ID: C202455 Project(s): STATE FUNDED  
Letting Date: 10-20-09 Call Order: 008  
Bidder: 4315 - APAC-Atlantic, Inc. Thompson Arthur Division

Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
0012	1525000000-E ASPHALT CONC SURFACE COURSE, TYPE SF9.5A	15,130.000 TON	35.20000		532,576.00	
0013	1560000000-E ASPHALT BINDER FOR PLANT MIX, GRADE PG 64-22	2,029.000 TON	400.00000		811,600.00	
0014	1565000000-E ASPHALT BINDER FOR PLANT MIX, GRADE PG 70-22	672.000 TON	417.00000		280,224.00	
0015	1704000000-E PATCHING EXISTING PAVEMENT	675.000 TON	122.00000		82,350.00	
0016	1840000000-E MILLED RUMBLE STRIPS (ASPHALT CEMENT CONCRETE)	37,280.000 LF	0.23000		8,574.40	
0017	2612000000-E 6" CONCRETE DRIVEWAY	456.000 SY	38.25000		17,442.00	
0018	4685000000-E THERMOPLAST IC PAVEMENT MARKING LINES (4", 90 MILS)	71,175.000 LF	0.35000		24,911.25	
0019	4686000000-E THERMOPLAST IC PAVEMENT MARKING LINES (4", 120 MILS)	28,600.000 LF	0.45000		12,870.00	
0020	4710000000-E THERMOPLAST IC PAVEMENT MARKING LINES (24", 120 MILS)	250.000 LF	6.00000		1,500.00	
0021	4721000000-E THERMOPLAST IC PAVEMENT MARKING CHARACTER (120 MILS)	30.000 EA	50.00000		1,500.00	
0022	4725000000-E THERMOPLAST IC PAVEMENT MARKING SYMBOL (90 MILS)	9.000 EA	100.00000		900.00	

State of NC  
 Dept of Transportation

Date: 09-22-09  
 Revised:

Contract ID: C202455 Project(s): STATE FUNDED  
 Letting Date: 10-20-09 Call Order: 008  
 Bidder: 4315 - APAC-Atlantic, Inc. Thompson Arthur Division

Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
0023	4810000000-E PAINT PAVEMENT MARKING LINES (4")	694,550.000 LF	0.10000		69,455.00	
0024	4820000000-E PAINT PAVEMENT MARKING LINES (8")	800.000 LF	0.50000		400.00	
0025	4900000000-N PERMANENT RAISED PAVEMENT MARKERS	259.000 EA	4.00000		1,036.00	
0026	4905000000-N SNOWPLOWABLE PAVEMENT MARKERS	234.000 EA	27.35000		6,399.90	
0027	6084000000-E SEEDING & MULCHING	8.400 ACR	1,399.00000		11,751.60	
0028	7444000000-E INDUCTIVE LOOP SAWCUT	650.000 LF	3.80000		2,470.00	
Section 0001 Total					3,170,294.18	
Bid Total					3,170,294.18	✓

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	
NOT ANSWERED	
NOT ANSWERED	
NOT ANSWERED	
NOT ANSWERED	
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  
 MBE COMMITMENT ITEMS

DATE: 09-22-09  
 PAGE: 6

PROPOSAL: C202455  
 LETTING: L091020 CALL: 008  
 VENDOR: 4315 APAC-Atlantic, Inc. Thompson Arthur Division

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

MBE SUBCONTRACTOR: 4906 W. G. LEWIS TRUCKING, INC  
 Will Use Quote: Yes

0007	1489000000-E	ASP CONC BAS TON	4930.000	5.00000	24650.00
		Asphalt haul only. Based upon hourly rate of \$57.00 for tri-axle truck.			
0008	1498000000-E	ASP CONC INT TON	2965.000	5.00000	14825.00
		Asphalt haul only. Based upon hourly rate of \$57.00 for tri-axle truck.			
0009	1503000000-E	ASP CONC INT TON	3040.000	4.78000	14531.20
		Asphalt haul only. Based upon hourly rate of \$57.00 for tri-axle truck.			
0010	1519000000-E	ASP CONC SUR TON	8980.000	4.58000	41128.40
		Asphalt haul only. Based upon hourly rate of \$57.00 for tri-axle truck.			

MBE COMMITMENT TOTAL FOR SUBCONTRACTOR: 95,134.60 ✓ ARM

TOTAL MBE COMMITMENT FOR VENDOR:                    Entered:                    3.00% or                    95134.60  
    Required:                    3.00% or                    95108.83  
    <GOAL MET>

NORTH CAROLINA STATE DEPARTMENT OF TRANSPORTATION  
WBE COMMITMENT ITEMS

DATE: 09-22-09  
PAGE: 7

PROPOSAL: C202455  
LETTING: L091020 CALL: 008  
VENDOR: 4315 APAC-Atlantic, Inc. Thompson Arthur Division

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

WBE SUBCONTRACTOR: 12701 FARMER TRANSPORT, LLC  
Will Use Quote: Yes

0011	1523000000-E	ASP CONC SUR TON	11100.000	4.81000	53391.00
	Asphalt haul only. Based upon hourly rate of \$57.00 for tri-axle truck.				
0012	1525000000-E	ASP CONC SUR TON	9035.000	4.62000	41741.70
	Asphalt haul only. Based upon hourly rate of \$57.00 for tri-axle truck.				

WBE COMMITMENT TOTAL FOR SUBCONTRACTOR:

95,132.70 ✓

ARM

TOTAL WBE COMMITMENT FOR VENDOR:

Entered: 3.00% or 95132.70  
Required: 3.00% or 95108.83  
<GOAL MET>

## Contract Item Sheets For C202455

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
<b>ROADWAY ITEMS</b>						
0001	0000100000-N	800	MOBILIZATION	Lump Sum LS	112,000.00	112,000.00
0002	1220000000-E	545	INCIDENTAL STONE BASE	2,180 TON	33.00	71,940.00
0003	1243000000-E	SP	SHOULDER CONSTRUCTION	4.54 SMI	2,000.00	9,080.00
0004	1245000000-E	SP	SHOULDER RECONSTRUCTION	7.06 SMI	2,500.00	17,650.00
0005	1297000000-E	607	MILLING ASPHALT PAVEMENT, **** DEPTH (2-1/2")	21,331 SY	0.98	20,904.38
0006	1330000000-E	607	INCIDENTAL MILLING	2,560 SY	2.84	7,270.40
0007	1489000000-E	610	ASPHALT CONC BASE COURSE, TYPE B25.0B	4,930 TON	34.25	168,852.50
0008	1498000000-E	610	ASPHALT CONC INTERMEDIATE COURSE, TYPE I19.0B	2,965 TON	34.25	101,551.25
0009	1503000000-E	610	ASPHALT CONC INTERMEDIATE COURSE, TYPE I19.0C	3,040 TON	34.80	105,792.00
0010	1519000000-E	610	ASPHALT CONC SURFACE COURSE, TYPE S9.5B	9,165 TON	34.90	319,858.50
0011	1523000000-E	610	ASPHALT CONC SURFACE COURSE, TYPE S9.5C	11,195 TON	33.00	369,435.00
0012	1525000000-E	610	ASPHALT CONC SURFACE COURSE, TYPE SF9.5A	15,130 TON	35.20	532,576.00
0013	1560000000-E	620	ASPHALT BINDER FOR PLANT MIX, GRADE PG 64-22	2,029 TON	400.00	811,600.00
0014	1565000000-E	620	ASPHALT BINDER FOR PLANT MIX, GRADE PG 70-22	672 TON	417.00	280,224.00
0015	1704000000-E	SP	PATCHING EXISTING PAVEMENT	675 TON	122.00	82,350.00
0016	1840000000-E	665	MILLED RUMBLE STRIPS (ASPHALT CEMENT CONCRETE)	37,280 LF	0.23	8,574.40
0017	2612000000-E	848	6" CONCRETE DRIVEWAY	456 SY	38.25	17,442.00

## Contract Item Sheets For C202455

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
0018	4685000000-E	1205	THERMOPLASTIC PAVEMENT MARKING LINES (4", 90 MILS)	71,175 LF	0.35	24,911.25
0019	4686000000-E	1205	THERMOPLASTIC PAVEMENT MARKING LINES (4", 120 MILS)	28,600 LF	0.45	12,870.00
0020	4710000000-E	1205	THERMOPLASTIC PAVEMENT MARKING LINES (24", 120 MILS)	250 LF	6.00	1,500.00
0021	4721000000-E	1205	THERMOPLASTIC PAVEMENT MARKING CHARACTER (120 MILS)	30 EA	50.00	1,500.00
0022	4725000000-E	1205	THERMOPLASTIC PAVEMENT MARKING SYMBOL (90 MILS)	9 EA	100.00	900.00
0023	4810000000-E	1205	PAINT PAVEMENT MARKING LINES (4")	694,550 LF	0.10	69,455.00
0024	4820000000-E	1205	PAINT PAVEMENT MARKING LINES (8")	800 LF	0.50	400.00
0025	4900000000-N	1251	PERMANENT RAISED PAVEMENT MARKERS	259 EA	4.00	1,036.00
0026	4905000000-N	1253	SNOWPLOWABLE PAVEMENT MARKERS	234 EA	27.35	6,399.90
0027	6084000000-E	1660	SEEDING & MULCHING	8.4 ACR	1,399.00	11,751.60
0028	7444000000-E	1725	INDUCTIVE LOOP SAWCUT	650 LF	3.80	2,470.00

TOTAL AMOUNT OF BID FOR ENTIRE PROJECT

\$3,170,294.18 ✓

**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**

APAC - Atlantic, Inc. Thompson-Arthur Division

Full name of Corporation

PO Box 21088, Greensboro, NC 27420

Address as Prequalified

Attest Leonard D. Conway  
~~Secretary~~ Assistant Secretary  
Select appropriate title

Leonard D. Conway

Print or type Signer's name

By Clarence O. Brickey  
President/Vice President/Assistant Vice President  
Select appropriate title

Clarence O. Brickey

Print or type Signer's name

**CORPORATE SEAL**

**AFFIDAVIT MUST BE NOTARIZED**

**NOTARY SEAL**

Subscribed and sworn to before me this the

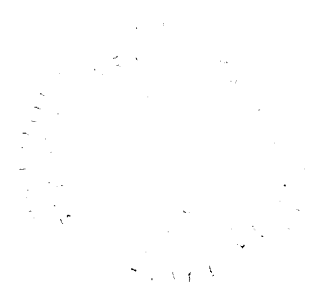
2<sup>nd</sup> day of November 2009

Betty T. York  
Signature of Notary Public

of Randolph County

State of NC

My Commission Expires: 4/11/11



## 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**      C202455

**County (ies):**    Randolph

ACCEPTED BY THE  
DEPARTMENT OF TRANSPORTATION

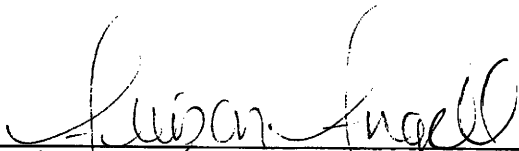


\_\_\_\_\_  
Contract Officer

11/5/09

\_\_\_\_\_  
Date

Execution of Contract and Bonds  
Approved as to Form:

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

Contract No. C202455  
County RANDOLPH

**CONTRACT PAYMENT BOND**

Date of Payment Bond Execution OCTOBER 30, 2009  
Name of Principal Contractor APAC - ATLANTIC, INC. THOMPSON-ARTHUR DIVISION  
Name of Surety: LIBERTY MUTUAL INSURANCE COMPANY  
Name of Contracting Body: **North Carolina Department of Transportation**  
**Raleigh, North Carolina**  
Amount of Bond: \$3,170,294.18  
Contract ID No.: C202455  
County Name: RANDOLPH

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

C202455  
RANDOLPH

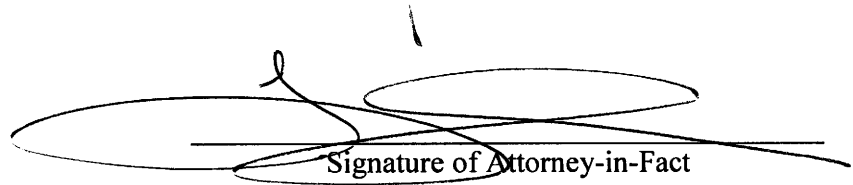
(Rev 7-10-08)

**CONTRACT PAYMENT BOND**

*Affix Seal of Surety Company*

LIBERTY MUTUAL INSURANCE COMPANY  
Print or type Surety Company Name

By TINA DAVIS, ATTORNEY-IN-FACT  
Print, stamp or type name of Attorney-in-Fact

  
Signature of Attorney-in-Fact

  
Signature of Witness

SHANNON HERBAT, WITNESS  
Print or type Witness's name

15 W. SOUTH TEMPLE, STE. 700  
SALT LAKE CITY, UT 84101  
Address of Attorney-in-Fact

Contract No. C202455  
County RANDOLPH

(Rev 7-10-08)

**CONTRACT PAYMENT BOND**

**CORPORATION**

SIGNATURE OF CONTRACTOR (Principal)

APAC - ATLANTIC, INC. THOMPSON-ARTHUR DIVISION

Full name of Corporation

PO BOX 21088, GREENSBORO, NC 27420

Address as prequalified

By



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

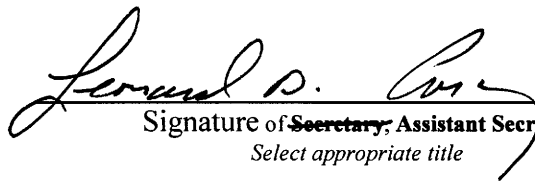
Select appropriate title

Clarence O. Brickey

Print or type Signer's name

*Affix Corporate Seal*

Attest



Signature of ~~Secretary, Assistant Secretary~~

Select appropriate title

**LEONARD D. CONWAY**

Print or type Signer's name

THIS POWER OF ATTORNEY IS NOT VALID UNLESS IT IS PRINTED ON RED BACKGROUND.

This Power of Attorney limits the acts of those named herein, and they have no authority to bind the Company except in the manner and to the extent herein stated.

LIBERTY MUTUAL INSURANCE COMPANY
BOSTON, MASSACHUSETTS
POWER OF ATTORNEY

KNOW ALL PERSONS BY THESE PRESENTS: That Liberty Mutual Insurance Company (the "Company"), a Massachusetts stock insurance company, pursuant to and by authority of the By-law and Authorization hereinafter set forth, does hereby name, constitute and appoint TINA DAVIS, MARCINDA DRYSDALE, KIRIE MARTIN, ALL OF THE CITY OF SALT LAKE CITY, STATE OF UTAH ..

, each individually if there be more than one named, its true and lawful attorney-in-fact to make, execute, seal, acknowledge and deliver, for and on its behalf as surety and as its act and deed, any and all undertakings, bonds, recognizances and other surety obligations in the penal sum not exceeding SEVENTY FIVE MILLION AND 00/100\*\*\*\*\* DOLLARS (\$ 75,000,000.00\*\*\*\*\*) each, and the execution of such undertakings, bonds, recognizances and other surety obligations, in pursuance of these presents, shall be as binding upon the Company as if they had been duly signed by the president and attested by the secretary of the Company in their own proper persons.

That this power is made and executed pursuant to and by authority of the following By-law and Authorization:

ARTICLE XIII - Execution of Contracts: Section 5. Surety Bonds and Undertakings.

Any officer of the Company authorized for that purpose in writing by the chairman or the president, and subject to such limitations as the chairman or the president may prescribe, shall appoint such attorneys-in-fact, as may be necessary to act in behalf of the Company to make, execute, seal, acknowledge and deliver as surety any and all undertakings, bonds, recognizances and other surety obligations. Such attorneys-in-fact, subject to the limitations set forth in their respective powers of attorney, shall have full power to bind the Company by their signature and execution of any such instruments and to attach thereto the seal of the Company. When so executed such instruments shall be as binding as if signed by the president and attested by the secretary.

By the following instrument the chairman or the president has authorized the officer or other official named therein to appoint attorneys-in-fact:

Pursuant to Article XIII, Section 5 of the By-Laws, Garnet W. Elliott, Assistant Secretary of Liberty Mutual Insurance Company, is hereby authorized to appoint such attorneys-in-fact as may be necessary to act in behalf of the Company to make, execute, seal, acknowledge and deliver as surety any and all undertakings, bonds, recognizances and other surety obligations.

That the By-law and the Authorization set forth above are true copies thereof and are now in full force and effect.

IN WITNESS WHEREOF, this Power of Attorney has been subscribed by an authorized officer or official of the Company and the corporate seal of Liberty Mutual Insurance Company has been affixed thereto in Plymouth Meeting, Pennsylvania this 27th day of May, 2009

LIBERTY MUTUAL INSURANCE COMPANY

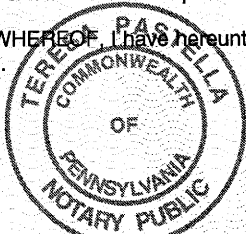
By Garnet W. Elliott
Garnet W. Elliott, Assistant Secretary



COMMONWEALTH OF PENNSYLVANIA ss
COUNTY OF MONTGOMERY

On this 27th day of May, 2009, before me, a Notary Public, personally came Garnet W. Elliott, to me known, and acknowledged that he is an Assistant Secretary of Liberty Mutual Insurance Company; that he knows the seal of said corporation; and that he executed the above Power of Attorney and affixed the corporate seal of Liberty Mutual Insurance Company thereto with the authority and at the direction of said corporation.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed my notarial seal at Plymouth Meeting, Pennsylvania, on the day and year first above written.



COMMONWEALTH OF PENNSYLVANIA
Notarial Seal
Teresa Pastella, Notary Public
Plymouth Twp., Montgomery County
My Commission Expires March 28, 2013
Member, Pennsylvania Association of Notaries

By Teresa Pastella
Teresa Pastella, Notary Public

CERTIFICATE

I, the undersigned, Assistant Secretary of Liberty Mutual Insurance Company, do hereby certify that the original power of attorney of which the foregoing is a full, true and correct copy, is in full force and effect on the date of this certificate; and I do further certify that the officer or official who executed the said power of attorney is an Assistant Secretary specially authorized by the chairman or the president to appoint attorneys-in-fact as provided in Article XIII, Section 5 of the By-laws of Liberty Mutual Insurance Company.

This certificate and the above power of attorney may be signed by facsimile or mechanically reproduced signatures under and by authority of the following vote of the board of directors of Liberty Mutual Insurance Company at a meeting duly called and held on the 12th day of March, 1980.

VOTED that the facsimile or mechanically reproduced signature of any assistant secretary of the company, wherever appearing upon a certified copy of any power of attorney issued by the company in connection with surety bonds, 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 30TH day of OCTOBER, 2009



By David M. Carey
David M. Carey, Assistant Secretary

Not valid for mortgage, note, loan, letter of credit, bank deposit, currency rate, interest rate or residual value guarantees.

To confirm the validity of this Power of Attorney call 1-610-832-8240 between 9:00 am and 4:30 pm EST on any business day.

Contract No. C202455  
County RANDOLPH

### CONTRACT PERFORMANCE BOND

Date of Performance Bond Execution: OCTOBER 30, 2009

Name of Principal Contractor: APAC - ATLANTIC, INC. THOMPSON-ARTHUR DIVISION

Name of Surety: LIBERTY MUTUAL INSURANCE COMPANY

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

Amount of Bond: \$3,170,294.18

Contract ID No.: C202455

County Name: RANDOLPH

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. C202455  
County RANDOLPH

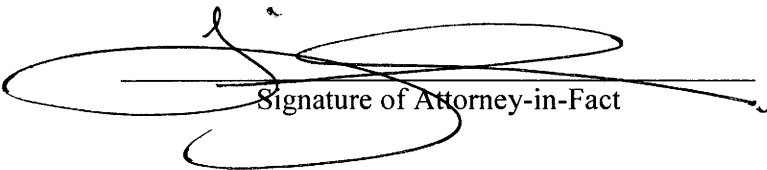
(Rev 7-10-08)


**CONTRACT PERFORMANCE BOND**

*Affix Seal of Surety Company*

LIBERTY MUTUAL INSURANCE COMPANY  
Print or type Surety Company Name

By TINA DAVIS, ATTORNEY-IN-FACT  
Print, stamp or type name of Attorney-in-Fact

  
Signature of Attorney-in-Fact

  
Signature of Witness

SHANNON HERBAT, WITNESS  
Print or type Witness's name

15 W. SOUTH TEMPLE, STE. 700  
SALT LAKE CITY, UT 84101  
Address of Attorney-in-Fact

Contract No. C202455  
County RANDOLPH

(Rev 7-10-08)

**CONTRACT PERFORMANCE BOND**

**CORPORATION**

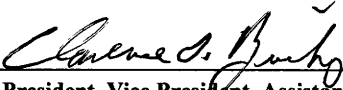
SIGNATURE OF CONTRACTOR (Principal)

APAC - ATLANTIC, INC. THOMPSON-ARTHUR DIVISION

Full name of Corporation

PO BOX 21088, GREENSBORO, NC 27420


Address as prequalified

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

Clarence O. Brickey

Print or type Signer's name

*Affix Corporate Seal*

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

**LEONARD D. CONWAY**

Print or type Signer's name



THIS POWER OF ATTORNEY IS NOT VALID UNLESS IT IS PRINTED ON RED BACKGROUND.

This Power of Attorney limits the acts of those named herein, and they have no authority to bind the Company except in the manner and to the extent herein stated.

LIBERTY MUTUAL INSURANCE COMPANY
BOSTON, MASSACHUSETTS
POWER OF ATTORNEY

KNOW ALL PERSONS BY THESE PRESENTS: That Liberty Mutual Insurance Company (the "Company"), a Massachusetts stock insurance company, pursuant to and by authority of the By-law and Authorization hereinafter set forth, does hereby name, constitute and appoint TINA DAVIS, MARCINDA DRYSDALE, KIRIE MARTIN, ALL OF THE CITY OF SALT LAKE CITY, STATE OF UTAH ..

, each individually if there be more than one named, its true and lawful attorney-in-fact to make, execute, seal, acknowledge and deliver, for and on its behalf as surety and as its act and deed, any and all undertakings, bonds, recognizances and other surety obligations in the penal sum not exceeding SEVENTY FIVE MILLION AND 00/100\*\*\*\*\* DOLLARS (\$ 75,000,000.00\*\*\*\*\*) each, and the execution of such undertakings, bonds, recognizances and other surety obligations, in pursuance of these presents, shall be as binding upon the Company as if they had been duly signed by the president and attested by the secretary of the Company in their own proper persons.

That this power is made and executed pursuant to and by authority of the following By-law and Authorization:

ARTICLE XIII - Execution of Contracts: Section 5. Surety Bonds and Undertakings.

Any officer of the Company authorized for that purpose in writing by the chairman or the president, and subject to such limitations as the chairman or the president may prescribe, shall appoint such attorneys-in-fact, as may be necessary to act in behalf of the Company to make, execute, seal, acknowledge and deliver as surety any and all undertakings, bonds, recognizances and other surety obligations. Such attorneys-in-fact, subject to the limitations set forth in their respective powers of attorney, shall have full power to bind the Company by their signature and execution of any such instruments and to attach thereto the seal of the Company. When so executed such instruments shall be as binding as if signed by the president and attested by the secretary.

By the following instrument the chairman or the president has authorized the officer or other official named therein to appoint attorneys-in-fact:

Pursuant to Article XIII, Section 5 of the By-Laws, Garnet W. Elliott, Assistant Secretary of Liberty Mutual Insurance Company, is hereby authorized to appoint such attorneys-in-fact as may be necessary to act in behalf of the Company to make, execute, seal, acknowledge and deliver as surety any and all undertakings, bonds, recognizances and other surety obligations.

That the By-law and the Authorization set forth above are true copies thereof and are now in full force and effect.

IN WITNESS WHEREOF, this Power of Attorney has been subscribed by an authorized officer or official of the Company and the corporate seal of Liberty Mutual Insurance Company has been affixed thereto in Plymouth Meeting, Pennsylvania this 27th day of May 2009

LIBERTY MUTUAL INSURANCE COMPANY

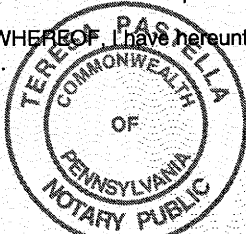
By Garnet W. Elliott, Assistant Secretary



COMMONWEALTH OF PENNSYLVANIA ss
COUNTY OF MONTGOMERY

On this 27th day of May, 2009, before me, a Notary Public, personally came Garnet W. Elliott, to me known, and acknowledged that he is an Assistant Secretary of Liberty Mutual Insurance Company; that he knows the seal of said corporation; and that he executed the above Power of Attorney and affixed the corporate seal of Liberty Mutual Insurance Company thereto with the authority and at the direction of said corporation.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed my notarial seal at Plymouth Meeting, Pennsylvania, on the day and year first above written.



COMMONWEALTH OF PENNSYLVANIA
Notarial Seal
Teresa Pastella, Notary Public
Plymouth Twp., Montgomery County
My Commission Expires March 28, 2013
Member, Pennsylvania Association of Notaries

By Teresa Pastella, Notary Public

CERTIFICATE

I, the undersigned, Assistant Secretary of Liberty Mutual Insurance Company, do hereby certify that the original power of attorney of which the foregoing is a full, true and correct copy, is in full force and effect on the date of this certificate; and I do further certify that the officer or official who executed the said power of attorney is an Assistant Secretary specially authorized by the chairman or the president to appoint attorneys-in-fact as provided in Article XIII, Section 5 of the By-laws of Liberty Mutual Insurance Company.

This certificate and the above power of attorney may be signed by facsimile or mechanically reproduced signatures under and by authority of the following vote of the board of directors of Liberty Mutual Insurance Company at a meeting duly called and held on the 12th day of March, 1980.

VOTED that the facsimile or mechanically reproduced signature of any assistant secretary of the company, wherever appearing upon a certified copy of any power of attorney issued by the company in connection with surety bonds, 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 30TH day of OCTOBER, 2009



By David M. Carey, Assistant Secretary

Not valid for mortgage, note, loan, letter of credit, bank deposit, currency rate, interest rate or residual value guarantees.

To confirm the validity of this Power of Attorney call 1-610-832-8240 between 9:00 am and 4:30 pm EST on any business day.