

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

C202532

CONTRACT AND
CONTRACT BONDS
FOR CONTRACT NO. C202532

WBS 36727.3.18 BRNHS-000S(370)

T.I.P NO. B-4700S

COUNTY OF HAYWOOD

THIS IS THE ROADWAY CONTRACT

ROUTE NUMBER I 40 LENGTH 0.000 MILES

LOCATION BRIDGE #171 OVER SR-1338 AND JONATHAN CREEK ON I-40.

CONTRACTOR TAYLOR & MURPHY CONSTRUCTION CO, INC

ADDRESS P.O. BOX 6215
ASHEVILLE, NC 28816

BIDS OPENED NOVEMBER 30, 2009

CONTRACT EXECUTION DEC 04 2009

Taylor Murphy Construction Co., Inc. (3692).

Vendor 2 of 2 Vendors for Call Order 001 (Proposal ID C202532).

County: HAYWOOD
Address: PO Box 6215
Asheville, NC 28806

Phone Number: 828-667-4526

Signature Check: This bid has been properly signed by Michael_F_Long_3692.

Time Bid Received: Mon Nov 30 13:53:15 2009

Bid Checksum: 1010D8BC

DBE GOAL SET 0.0

Amendment Count: 0

Bidding Errors: No bidding errors.

DBE GOAL MET 0.0

Bid Total: \$1,963,634.50 ✓

Bond ID: SNC09572217

Bond was Verified: Yes.

Bond Required Percent: 5.00%

Minimum Check Amount: \$98,181.73

Bid Security Maximum: \$

Bond Agency Name:

Agency Execution Date: 11/23/2009 3:41:39 PM

Surety Name: Travelers Casualty and Surety Company of Ame

Surety State of Incorporation:

Bond Company:

Bond Type:

Bond Appr Flag:

Bond Affirm:

Bond was Paid by Check: No.

Miscellaneous Data Info - Contractor Responses:

=====

NON-COLLUSION AND DEBARMENT CERTIFICATION

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

Explanation:
NOT ANSWERED
NOT ANSWERED
NOT ANSWERED
NOT ANSWERED

AWARD LIMITS ON MULTIPLE PROJECTS

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

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

The Award Limits shall apply to the following projects:

Contract Number	County
NOT ANSWERED	

Bid Bond Data Info - Contractor Responses:

=====

BondID: SNC09572217
Surety Registry Agency: surety2000
Verified?: Yes
Surety Agency: Travelers Casualty and Surety Company of America
Bond Execution Date: 11/23/2009 3:41:39 PM
Bond Amount: \$98,181.73 (Five Percent of Bid)

State of NC
 Dept of Transportation

Date: 11-20-09
 Revised:

Contract ID: C202532 Project(s): BRNHS-000S(370)
 Letting Date: 11-30-09 Call Order: 001
 Bidder: 3692 - Taylor & Murphy Construction Co., Inc.

Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Cts
Section 0001 ROADWAY ITEMS						
Alt Group						
0001	0000100000-N MOBILIZATIO N	LUMP	LUMP		850,000.00	
0002	1525000000-E ASPHALT CONC SURFACE COURSE, TYPE SF9.5A	52.000 TON	395.00000		20,540.00	
0003	4400000000-E WORK ZONE SIGNS (STATIONARY)	80.000 SF	10.00000		800.00	
0004	4410000000-E WORK ZONE SIGNS (BARRICADE MOUNTED)	20.000 SF	10.00000		200.00	
0005	4445000000-E BARRICADES (TYPE III)	90.000 LF	30.00000		2,700.00	
0006	4455000000-N FLAGGER	8.000 MD	230.00000		1,840.00	
0007	4465000000-N TEMPORARY CRASH CUSHIONS	2.000 EA	100.00000		200.00	
0008	4470000000-N RESET TEMPORARY CRASH CUSHIONS	2.000 EA	100.00000		200.00	
0009	4480000000-N TMIA	2.000 EA	100.00000		200.00	
0010	4485000000-E PORTABLE CONCRETE BARRIER	800.000 LF	1.00000		800.00	
0011	4500000000-E RESET PORTABLE CONCRETE BAR- RIER	800.000 LF	1.00000		800.00	

State of NC
Dept of Transportation

Date: 11-20-09
Revised:

Contract ID: C202532 Project(s): BRNHS-000S(370)
Letting Date: 11-30-09 Call Order: 001
Bidder: 3692 - Taylor & Murphy Construction Co., Inc.

Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
0012	4770000000-E COLD APPLIED PLASTIC PAVEMENT MARKING LINES, TYPE ** (4") (IV)	400.000 LF	4.50000		1,800.00	
0013	4847000000-E POLYUREA PAVEMENT MARKING LINES (4", *****) (HIGHLY REFLECTIVE ELEMENTS)	2,750.000 LF	2.75000		7,562.50	
0014	8161000000-E GROOVING BRIDGE FLOORS	30,480.000 SF	0.40000		12,192.00	
0015	8175000000-E CLASS AA CONCRETE (BRIDGE)	95.000 CY	550.00000		52,250.00	
0016	8692000000-N EVAZOTE JOINT SEALS	LUMP	LUMP		68,000.00	
0017	8881000000-E GENERIC STRUCTURE ITEM LATEX MODIFIED CONC OVERLAY - VERY EARLY STRENGTH	370.000 CY	1,000.00000		370,000.00	
0018	8893000000-E GENERIC STRUCTURE ITEM HYDRO-DEMOLITION OF BRIDGE DECK	3,800.000 SY	100.00000		380,000.00	
0019	8893000000-E GENERIC STRUCTURE ITEM PLACING & FINISHING OF LATEX MODIFIED CONC OVERLAY - VERY EARLY STRENGTH	3,800.000 SY	16.00000		60,800.00	
0020	8893000000-E GENERIC STRUCTURE ITEM SCARIFYING BRIDGE DECK	4,425.000 SY	30.00000		132,750.00	
Section 0001 Total					1,963,634.50	

State of NC
 Dept of Transportation

Date: 11-20-09
 Revised:

Contract ID: C202532 Project(s): BRNHS-000S(370)
 Letting Date: 11-30-09 Call Order: 001
 Bidder: 3692 - Taylor & Murphy Construction Co., Inc.

Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
	Bid Total				1,963,634.50	

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.

THIS PROPOSAL CONTAINS THE FOLLOWING ERRORS/WARNINGS (IF ANY)

This Bid contains 0 amendment files

Electronic Bid Submission

By submitting this bid electronically, I hereby acknowledge that all requirements included in the hard copy proposal, addendum, amendments, plans, standard specifications, supplemental specifications and special provisions are part of the bid and contract. Further, I acknowledge that I have read, understand, accept, acknowledge and agree to comply with all statements in this electronic bid.

I Hereby certify that I have the authority to submit this bid.

Signature

Agency

Date

Contract Item Sheets For C202532

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
ROADWAY ITEMS						
0001	0000100000-N	800	MOBILIZATION	Lump Sum LS	850,000.00	850,000.00
0002	1525000000-E	610	ASPHALT CONC SURFACE COURSE, TYPE SF9.5A	52 TON	395.00	20,540.00
0003	4400000000-E	1110	WORK ZONE SIGNS (STATIONARY)	80 SF	10.00	800.00
0004	4410000000-E	1110	WORK ZONE SIGNS (BARRICADE MOUNTED)	20 SF	10.00	200.00
0005	4445000000-E	1145	BARRICADES (TYPE III)	90 LF	30.00	2,700.00
0006	4455000000-N	1150	FLAGGER	8 MD	230.00	1,840.00
0007	4465000000-N	1160	TEMPORARY CRASH CUSHIONS	2 EA	100.00	200.00
0008	4470000000-N	1160	RESET TEMPORARY CRASH CUSHIONS	2 EA	100.00	200.00
0009	4480000000-N	1165	TMIA	2 EA	100.00	200.00
0010	4485000000-E	1170	PORTABLE CONCRETE BARRIER	800 LF	1.00	800.00
0011	4500000000-E	1170	RESET PORTABLE CONCRETE BAR- RIER	800 LF	1.00	800.00
0012	4770000000-E	1205	COLD APPLIED PLASTIC PAVEMENT MARKING LINES, TYPE ** (4") (IV)	400 LF	4.50	1,800.00
0013	4847000000-E	1205	POLYUREA PAVEMENT MARKING LINES (4", *****) (HIGHLY REFLECTIVE ELEMENTS)	2,750 LF	2.75	7,562.50
0014	8161000000-E	420	GROOVING BRIDGE FLOORS	30,480 SF	0.40	12,192.00
0015	8175000000-E	420	CLASS AA CONCRETE (BRIDGE)	95 CY	550.00	52,250.00
0016	8692000000-N	SP	EVAZOTE JOINT SEALS	Lump Sum LS	68,000.00	68,000.00
0017	8881000000-E	SP	GENERIC STRUCTURE ITEM LATEX MODIFIED CONC OVERLAY - VERY EARLY STRENGTH	370 CY	1,000.00	370,000.00

Contract Item Sheets For C202532

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
0018	8893000000-E	SP	GENERIC STRUCTURE ITEM HYDRO-DEMOLITION OF BRIDGE DECK	3,800 SY	100.00	380,000.00
0019	8893000000-E	SP	GENERIC STRUCTURE ITEM PLACING & FINISHING OF LATEX MODIFIED CONC OVERLAY - VERY EARLY STRENGTH	3,800 SY	16.00	60,800.00
0020	8893000000-E	SP	GENERIC STRUCTURE ITEM SCARIFYING BRIDGE DECK	4,425 SY	30.00	132,750.00
TOTAL AMOUNT OF BID FOR ENTIRE PROJECT						\$1,963,634.50 ✓

1030/Dec04/Q47978/D11184010000/E20

Contract Number C202532
County HAYWOOD

Rev 02-17-04

State of North Carolina
County of Buncombe

**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

TAYLOR & MURPHY CONSTRUCTION Co., INC.
Print or type full name of Corporation

P.O. BOX 6215, ASHEVILLE, NC 28816
Address as Prequalified

Attest William M. Newman
~~Secretary~~ Assistant Secretary
Delete inappropriate title

By Christopher K. Britton
~~President~~ Vice President/Assistant Vice President
Delete inappropriate title

WILLIAM M. NEWMAN
Print or type signer's name

CHRISTOPHER K. BRITTON
Print or type signer's name

CORPORATE SEAL

AFFIDAVIT MUST BE NOTARIZED

NOTARY SEAL

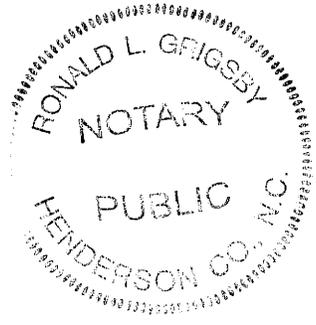
Subscribed and sworn to before me this the
3 day of DECEMBER 2009.

Ronald L. Grigsby
Signature of Notary Public
RONALD L. GRIGSBY

of HENDERSON County

State of NORTH CAROLINA

My Commission Expires: JANUARY 26, 2011



**EXECUTION OF CONTRACT
NON-COLLUSION AFFIDAVIT, AND DEBARMENT CERTIFICATION**

DEBARMENT CERTIFICATION OF CONTRACTOR

Conditions for certification:

1. The Contractor shall provide immediate written notice to the Department if at any time the Contractor learns that his certification was erroneous when he submitted his debarment certification or explanation that is on file with the Department, or has become erroneous because of changed circumstances.
2. The terms *covered transaction, debarred, suspended, ineligible, lower tier covered transaction, participant, person, primary covered transaction, principal, proposal, and voluntarily excluded*, as used in this provision, have the meanings set out in the Definitions and Coverage sections of the rules implementing Executive Order 12549. A copy of the Federal Rules requiring this certification and detailing the definitions and coverages may be obtained from the Contract Officer of the Department.
3. The Contractor agrees by submitting this form, that he will not knowingly enter into any lower tier covered transaction with a person who is debarred, suspended, declared ineligible, or voluntarily excluded from participation in NCDOT contracts, unless authorized by the Department.
4. For Federal Aid projects, the Contractor further agrees that by submitting this form he will include the Federal-Aid Provision titled *Required Contract Provisions Federal-Aid Construction Contract (Form FHWA PR 1273)* provided by the Department, without subsequent modification, in all lower tier covered transactions.
5. The Contractor may rely upon a certification of a participant in a lower tier covered transaction that he is not debarred, suspended, ineligible, or voluntarily excluded from the covered transaction, unless he knows that the certification is erroneous. The Contractor may decide the method and frequency by which he will determine the eligibility of his subcontractors.
6. Nothing contained in the foregoing shall be construed to require establishment of a system of records in order to render in good faith the certification required by this provision. The knowledge and information of a participant is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.
7. Except as authorized in paragraph 3 herein, the Department may terminate any contract if the Contractor knowingly enters into a lower tier covered transaction with a person who is suspended, debarred, ineligible, or voluntarily excluded from participation in this transaction, in addition to other remedies available by the Federal Government.

DEBARMENT CERTIFICATION

The Contractor certifies to the best of his knowledge and belief, that he and his principals:

- a. Are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from covered transactions by any Federal department or agency;
- b. Have not within a three-year period preceding this proposal been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State or local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records; making false statements; or receiving stolen property;
- c. Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, State or local) with commission of any of the offenses enumerated in paragraph b. of this certification; and
- d. Have not within a three-year period preceding this proposal had one or more public transactions (Federal, State or local) terminated for cause or default.
- e. If status changes, will submit a revised Debarment Certification immediately.

If the Contractor cannot certify that he is not debarred, he shall provide an explanation with this submittal. An explanation will not necessarily result in denial of participation in a contract.

Failure to submit a non-collusion affidavit and debarment certification will result in the Contractor's bid being considered non-responsive.

Check here if an explanation is attached to this certification.

Contract No C202532

County (ies): Haywood

ACCEPTED BY THE
DEPARTMENT OF TRANSPORTATION

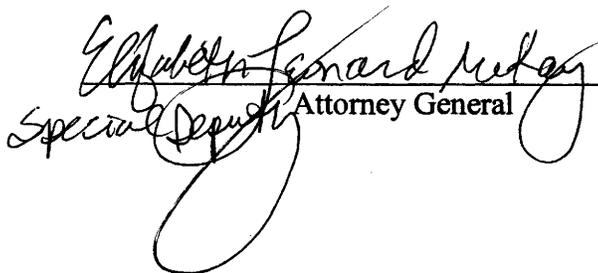


Contract Officer

12/4/09

Date

Execution of Contract and Bonds
Approved as to Form:



Special Deputy Attorney General

Signature Sheet (Bid - Acceptance by Department)

Contract No. C202532

(Rev 7-10-08)

County Haywood

Bond No. 105347905

CONTRACT PAYMENT BOND

Date of Payment Bond Execution: **December 2, 2009**

Name of Principal Contractor: **Taylor & Murphy Construction Co., Inc.**

Name of Surety: **Travelers Casualty and Surety Company of America**

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

Raleigh, North Carolina

Amount of Bond: **\$1,963,634.50**

Contract ID No.: **C202532**

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. C202532
County Haywood

(Rev 7-10-08)

CONTRACT PAYMENT BOND

Affix Seal of Surety Company

TRAVELERS CASUALTY AND SURETY
COMPANY OF AMERICA

Print or type Surety Company Name

By Donna K. Ashley, Attorney-In-Fact
Print, stamp, or type name of Attorney-in-Fact

Donna K. Ashley
Signature of Attorney-in-Fact

Jennifer C. Hoehn
Signature of Witness

Jennifer C. Hoehn
Print or type Witness's name

Wells Fargo Insurance Services USA, Inc.
P.O. Box 220748

Charlotte, NC 28222

Address of Attorney-in-Fact

Contract No. C202532
County Haywood

(Rev 7-10-08)

CONTRACT PAYMENT BOND

CORPORATION

SIGNATURE OF CONTRACTOR (Principal)

TAYLOR & MURPHY CONSTRUCTION CO., INC.

Full name of Corporation

P.O. Box 6215, Asheville, NC 28816

Address as prequalified

By 

Signature of President, Vice President, Assistant Vice President

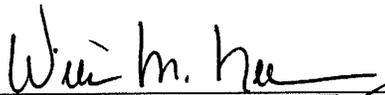
Select appropriate title

MICHAEL F. LONG

Print or type Signer's name

Affix Corporate Seal

Attest



Signature of Secretary, Assistant Secretary

Select appropriate title

WILLIAM M. NEWMAN

Print or type Signer's name



POWER OF ATTORNEY

Farmington Casualty Company
Fidelity and Guaranty Insurance Company
Fidelity and Guaranty Insurance Underwriters, Inc.
St. Paul Fire and Marine Insurance Company
St. Paul Guardian Insurance Company

St. Paul Mercury Insurance Company
Travelers Casualty and Surety Company
Travelers Casualty and Surety Company of America
United States Fidelity and Guaranty Company

Attorney-In Fact No. 220863

Certificate No. 003295128

KNOW ALL MEN BY THESE PRESENTS: That St. Paul Fire and Marine Insurance Company, St. Paul Guardian Insurance Company and St. Paul Mercury Insurance Company are corporations duly organized under the laws of the State of Minnesota, that Farmington Casualty Company, Travelers Casualty and Surety Company, and Travelers Casualty and Surety Company of America are corporations duly organized under the laws of the State of Connecticut, that United States Fidelity and Guaranty Company is a corporation duly organized under the laws of the State of Maryland, that Fidelity and Guaranty Insurance Company is a corporation duly organized under the laws of the State of Iowa, and that Fidelity and Guaranty Insurance Underwriters, Inc., is a corporation duly organized under the laws of the State of Wisconsin (herein collectively called the "Companies"), and that the Companies do hereby make, constitute and appoint

Joe E. Hunnicutt, Karen Alley, William J. Quinn, G. Timothy Wilkerson, Donna K. Ashley, Wendy E. Lahm, Angela D. Ramsey, John D. Leak III, Jennifer C. Hoehn, John F. Thomas, and Kay Coates

of the City of Charlotte, State of North Carolina, their true and lawful Attorney(s)-in-Fact, each in their separate capacity if more than one is named above, to sign, execute, seal and acknowledge any and all bonds, recognizances, conditional undertakings and other writings obligatory in the nature thereof on behalf of the Companies in their business of guaranteeing the fidelity of persons, guaranteeing the performance of contracts and executing or guaranteeing bonds and undertakings required or permitted in any actions or proceedings allowed by law.

IN WITNESS WHEREOF, the Companies have caused this instrument to be signed and their corporate seals to be hereto affixed, this 8th day of July, 2009.

Farmington Casualty Company
Fidelity and Guaranty Insurance Company
Fidelity and Guaranty Insurance Underwriters, Inc.
St. Paul Fire and Marine Insurance Company
St. Paul Guardian Insurance Company

St. Paul Mercury Insurance Company
Travelers Casualty and Surety Company
Travelers Casualty and Surety Company of America
United States Fidelity and Guaranty Company



State of Connecticut
City of Hartford ss.

By: [Signature]
George W. Thompson, Senior Vice President

On this the 8th day of July, 2009, before me personally appeared George W. Thompson, who acknowledged himself to be the Senior Vice President of Farmington Casualty Company, Fidelity and Guaranty Insurance Company, Fidelity and Guaranty Insurance Underwriters, Inc., St. Paul Fire and Marine Insurance Company, St. Paul Guardian Insurance Company, St. Paul Mercury Insurance Company, Travelers Casualty and Surety Company, Travelers Casualty and Surety Company of America, and United States Fidelity and Guaranty Company, and that he, as such, being authorized so to do, executed the foregoing instrument for the purposes therein contained by signing on behalf of the corporations by himself as a duly authorized officer.

In Witness Whereof, I hereunto set my hand and official seal.
My Commission expires the 30th day of June, 2011.



[Signature]
Marie C. Tetreault, Notary Public

Contract No. C202532

(Rev 7-10-08)

County Haywood

CONTRACT PERFORMANCE BOND

Date of Payment Bond Execution: December 2, 2009

Name of Principal Contractor: Taylor & Murphy Construction Co., Inc.

Name of Surety: Travelers Casualty and Surety Company of America

Name of Contracting Body: North Carolina Department of Transportation

Raleigh, North Carolina

Amount of Bond: \$1,963,634.50

Contract ID No.: C202532

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 agreement 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. C202532
County Haywood

(Rev 7-10-08)

CONTRACT PERFORMANCE BOND

Affix Seal of Surety Company

TRAVELERS CASUALTY AND SURETY
COMPANY OF AMERICA

Print or type Surety Company Name

By Donna K. Ashley, Attorney-In-Fact
Print, stamp, or type name of Attorney-in-Fact

Donna K. Ashley
Signature of Attorney-in-Fact

Jennifer C. Hoehn
Signature of Witness

Jennifer C. Hoehn
Print or type Witness's name

Wells Fargo Insurance Services USA, Inc.
P.O. Box 220748
Charlotte, NC 28222
Address of Attorney-in-Fact

Contract No. C202532
County Haywood

(Rev 7-10-08)

CONTRACT PERFORMANCE BOND

CORPORATION

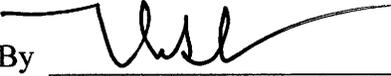
SIGNATURE OF CONTRACTOR (Principal)

TAYLOR & MURPHY CONSTRUCTION CO., INC.

Full name of Corporation

P.O. Box 6215, Asheville, NC 28816

Address as prequalified

By 

Signature of President, Vice President, Assistant Vice President

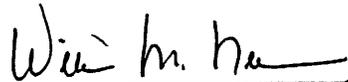
Select appropriate title

Michael F. Long

Print or type Signer's name

Affix Corporate Seal

Attest



Signature of Secretary, Assistant Secretary

Select appropriate title

WILLIAM M. NEWMAN

Print or type Signer's name



POWER OF ATTORNEY

Farmington Casualty Company
Fidelity and Guaranty Insurance Company
Fidelity and Guaranty Insurance Underwriters, Inc.
St. Paul Fire and Marine Insurance Company
St. Paul Guardian Insurance Company

St. Paul Mercury Insurance Company
Travelers Casualty and Surety Company
Travelers Casualty and Surety Company of America
United States Fidelity and Guaranty Company

Attorney-In Fact No. 220863

Certificate No. 003295130

KNOW ALL MEN BY THESE PRESENTS: That St. Paul Fire and Marine Insurance Company, St. Paul Guardian Insurance Company and St. Paul Mercury Insurance Company are corporations duly organized under the laws of the State of Minnesota, that Farmington Casualty Company, Travelers Casualty and Surety Company, and Travelers Casualty and Surety Company of America are corporations duly organized under the laws of the State of Connecticut, that United States Fidelity and Guaranty Company is a corporation duly organized under the laws of the State of Maryland, that Fidelity and Guaranty Insurance Company is a corporation duly organized under the laws of the State of Iowa, and that Fidelity and Guaranty Insurance Underwriters, Inc., is a corporation duly organized under the laws of the State of Wisconsin (herein collectively called the "Companies"), and that the Companies do hereby make, constitute and appoint

Joe E. Hunnicutt, Karen Alley, William J. Quinn, G. Timothy Wilkerson, Donna K. Ashley, Wendy E. Lahm, Angela D. Ramsey, John D. Leak III, Jennifer C. Hoehn, John F. Thomas, and Kay Coates

of the City of Charlotte, State of North Carolina, their true and lawful Attorney(s)-in-Fact, each in their separate capacity if more than one is named above, to sign, execute, seal and acknowledge any and all bonds, recognizances, conditional undertakings and other writings obligatory in the nature thereof on behalf of the Companies in their business of guaranteeing the fidelity of persons, guaranteeing the performance of contracts and executing or guaranteeing bonds and undertakings required or permitted in any actions or proceedings allowed by law.

IN WITNESS WHEREOF, the Companies have caused this instrument to be signed and their corporate seals to be hereto affixed, this 8th day of July, 2009.

Farmington Casualty Company
Fidelity and Guaranty Insurance Company
Fidelity and Guaranty Insurance Underwriters, Inc.
St. Paul Fire and Marine Insurance Company
St. Paul Guardian Insurance Company

St. Paul Mercury Insurance Company
Travelers Casualty and Surety Company
Travelers Casualty and Surety Company of America
United States Fidelity and Guaranty Company



State of Connecticut
City of Hartford ss.

By: [Signature]
George W. Thompson, Senior Vice President

On this the 8th day of July, 2009, before me personally appeared George W. Thompson, who acknowledged himself to be the Senior Vice President of Farmington Casualty Company, Fidelity and Guaranty Insurance Company, Fidelity and Guaranty Insurance Underwriters, Inc., St. Paul Fire and Marine Insurance Company, St. Paul Guardian Insurance Company, St. Paul Mercury Insurance Company, Travelers Casualty and Surety Company, Travelers Casualty and Surety Company of America, and United States Fidelity and Guaranty Company, and that he, as such, being authorized so to do, executed the foregoing instrument for the purposes therein contained by signing on behalf of the corporations by himself as a duly authorized officer.

In Witness Whereof, I hereunto set my hand and official seal.
My Commission expires the 30th day of June, 2011.



[Signature]
Marie C. Tetreault, Notary Public