

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

C202559

CONTRACT AND  
CONTRACT BONDS

FOR CONTRACT NO. C202559

WBS 14CR.10501.5, 14CR.10871.4, 14CR.20501.6, 14CR.20871.6 STATE FUNDED

COUNTY OF JACKSON, SWAIN  
THIS IS THE ROADWAY CONTRACT  
ROUTE NUMBER                      LENGTH     18.753 MILES  
LOCATION                      1 SECTION OF US-23 BUS, US-441 & NC-107, 4 SECTIONS OF US-19  
AND 3 SECTIONS OF SECONDARY ROADS.

CONTRACTOR            HARRISON CONSTRUCTION COMPANY DIVISION OF APAC-ATLANTIC, INC  
ADDRESS                P.O. BOX 359  
                                 ALCOA, TN 37701

BIDS OPENED            FEBRUARY 16, 2010  
CONTRACT EXECUTION   MAR 1 0 2010

**Harrison Construction Company Division of APAC-Atlantic, Inc. (6166).**

**Vendor 2 of 2 Vendors for Call Order 030 (Proposal ID C202559).**

County: JACKSON, SWAIN

Address: P.O. Box 359  
226 Gill St  
ALCOA, TN 37701

Phone Number: (865)983-3100

Signature Check: This bid has been properly signed by Gary\_D.\_Loflin\_6166.

Time Bid Received: Tue Feb 16 11:53:03 2010

Bid Checksum: 0061B017

MBE GOAL SET 3.0

Amendment Count: 0

Bidding Errors: No bidding errors.

MBE GOAL MET 3.1

Bid Total: \$5,835,428.11 ✓

Bond ID: SNC10105682

WBE GOAL SET 3.0

Bond was Verified: Yes.

Bond Required Percent: 5.00%

WBE GOAL MET 3.2

Minimum Check Amount: \$291,771.41

Bid Security Maximum: \$

Bond Agency Name:

Agency Execution Date: 2/2/2010 7:47:24 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.



NCDOT/berc

Vendor 6166's Load Output for Call 030, Letting L100216, 2010-02-16

Bid Bond Data Info - Contractor Responses:

=====

BondID: SNC10105682  
Surety Registry Agency: surety2000  
Verified?: Yes  
Surety Agency: Liberty Mutual Insurance Company  
Bond Execution Date: 2/2/2010 7:47:24 PM  
Bond Amount: \$291,771.41 (Five Percent of Bid)

State of NC  
Dept of Transportation

Date: 01-20-10  
Revised:

Contract ID: C202559 Project(s): STATE FUNDED  
Letting Date: 02-16-10 Call Order: 030  
Bidder: 6166 - Harrison Construction Company Division of APAC-Atlantic

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			299,177.00
0002	1245000000-E SHOULDER RECONSTRUCTION	SMI 30.430	4,491.27000			136,669.35
0003	1297000000-E MILLING ASPHALT PAVEMENT, ***"DEPTH (1-1/2")	SY 17,180.000	1.35000			23,193.00
0004	1297000000-E MILLING ASPHALT PAVEMENT, ***"DEPTH (3")	SY 149,496.000	1.80000			269,092.80
0005	1297000000-E MILLING ASPHALT PAVEMENT, ***"DEPTH (4")	SY 40,569.000	2.10000			85,194.90
0006	1498000000-E ASPHALT CONC INTERMEDIATE COURSE, TYPE I19.0B	TON 36,718.000	47.00000			1,725,746.00
0007	1519000000-E ASPHALT CONC SURFACE COURSE, TYPE S9.5B	TON 24,116.000	57.00000			1,374,612.00
0008	1560000000-E ASPHALT BINDER FOR PLANT MIX, GRADE PG 64-22	TON 3,172.000	550.00000			1,744,600.00
0009	2484000000-E GENERIC DRAINAGE ITEM DRAINAGE STRUCTURE REPAIR	LF 3.000	839.22000			2,517.66
0010	2600000000-N RETROFIT EXISTING WHEELCHAIR RAMPS	EA 6.000	665.59000			3,993.54
0011	2605000000-N CONCRETE WHEELCHAIR RAMPS	EA 2.000	1,059.16000			2,118.32

State of NC  
Dept of Transportation

Date: 01-20-10  
Revised:

Contract ID: C202559

Project(s): STATE FUNDED

Letting Date: 02-16-10 Call Order: 030

Bidder: 6166 - Harrison Construction Company Division of APAC-Atlantic

Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
0012	2738000000-E GENERIC PAVING ITEM REMOVE AND REPLACE 6" CONCRETE DRIVEWAY	160.000 SY	70.61000		11,297.60	
0013	2752000000-E GENERIC PAVING ITEM REMOVE AND REPLACE 2'-6" CONCRETE CURB & GUTTER	100.000 LF	17.94000		1,794.00	
0014	2830000000-N ADJUSTMENT OF MANHOLES	12.000 EA	691.05000		8,292.60	
0015	2845000000-N ADJUSTMENT OF METER BOXES OR VALVE BOXES	1.000 EA	544.05000		544.05	
0016	4810000000-E PAINT PAVEMENT MARKING LINES (4")	1,057,460.000 LF	0.11000		116,320.60	
0017	4820000000-E PAINT PAVEMENT MARKING LINES (8")	3,426.000 LF	0.68000		2,329.68	
0018	4825000000-E PAINT PAVEMENT MARKING LINES (12")	1,548.000 LF	1.13000		1,749.24	
0019	4830000000-E PAINT PAVEMENT MARKING LINES (16")	50.000 LF	4.54000		227.00	
0020	4835000000-E PAINT PAVEMENT MARKING LINES (24")	3,425.000 LF	2.27000		7,774.75	
0021	4840000000-N PAINT PAVEMENT MARKING CHARAC-TER	32.000 EA	56.71000		1,814.72	
0022	4845000000-N PAINT PAVEMENT MARKING SYMBOL	95.000 EA	62.38000		5,926.10	

State of NC  
 Dept of Transportation

Date: 01-20-10  
 Revised:

Contract ID: C202559 Project(s): STATE FUNDED  
 Letting Date: 02-16-10 Call Order: 030  
 Bidder: 6166 - Harrison Construction Company Division of APAC-Atlantic

Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
0023	7444000000-E INDUCTIVE LOOP SAWCUT	1,246.000 LF	8.20000		10,217.20	
0024	7456000000-E LEAD-IN CABLE (*****)(14-2)	100.000 LF	2.26000		226.00	
Section 0001 Total						5,835,428.11
Bid Total						5,835,428.11

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: 01-20-10  
 PAGE: 6

PROPOSAL: C202559  
 LETTING: L100216 CALL: 030  
 VENDOR: 6166 Harrison Construction Company Division of APAC-Atlantic, Inc.

LINE NO.	ITEM NO.	ITEM DESC.	UNIT TYPE	SUBCONTRACTOR QUANTITY	SUBCONTRACTOR UNIT PRICE	EXTENDED AMOUNT
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MBE SUBCONTRACTOR: 2941 LAKE VIEW CONSTRUCTION & EQUIPMENT INC  
 Will Use Quote: Yes

0002	1245000000-E	SHOULDER REC	SMI	30.430	4000.00000	121720.00
0005	1297000000-E	MILL ASP PVM	SY	4840.000	2.00000	9680.00
0006	1498000000-E	ASP CONC INT	TON	703.000	35.00000	24605.00

MBE COMMITMENT TOTAL FOR SUBCONTRACTOR: 156,005.00

MBE SUBCONTRACTOR: 5328 JIMENEZ CONSTRUCTION INCORPORATED  
 Will Use Quote: Yes

0012	2738000000-E	GENERIC PAVI	SY	160.000	61.00000	9760.00
0009	2484000000-E	GENERIC DRAI	LF	3.000	725.00000	2175.00
0010	2600000000-N	RETROFIT EXT	EA	6.000	575.00000	3450.00
0011	2605000000-N	CONC WHEELCH	EA	2.000	915.00000	1830.00
0013	2752000000-E	GENERIC PAVI	LF	100.000	15.50000	1550.00
0014	2830000000-N	ADJ MANHOLES	EA	12.000	597.00000	7164.00

MBE COMMITMENT TOTAL FOR SUBCONTRACTOR: 25,929.00

TOTAL MBE COMMITMENT FOR VENDOR: Entered: 3.12% or 181934.00  
 Required: 3.00% or 175062.84  
 <GOAL MET>

NORTH CAROLINA STATE DEPARTMENT OF TRANSPORTATION  
WBE COMMITMENT ITEMS

DATE: 01-20-10  
PAGE: 7

PROPOSAL: C202559  
LETTING: L100216 CALL: 030  
VENDOR: 6166 Harrison Construction Company Division of APAC-Atlantic, Inc.

LINE NO.	ITEM NO.	ITEM DESC.	UNIT TYPE	SUBCONTRACTOR QUANTITY	SUBCONTRACTOR UNIT PRICE	EXTENDED AMOUNT
-----						
WBE SUBCONTRACTOR: 3404 HERITAGE GRADING & PAVING, INC.						
Will Use Quote: Yes						
0004	1297000000-E	MILL ASP PVM SY		149496.000	1.15000	171920.40
0003	1297000000-E	MILL ASP PVM SY		17180.000	0.98000	16836.40
WBE COMMITMENT TOTAL FOR SUBCONTRACTOR:						188,756.80

TOTAL WBE COMMITMENT FOR VENDOR:                    Entered:    3.23% or    188756.80  
                                                                 Required:    3.00% or    175062.84  
                                                                                                                 <GOAL MET>

## Contract Item Sheets For C202559

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
<b>ROADWAY ITEMS</b>						
0001	0000100000-N	800	MOBILIZATION	Lump Sum LS	299,177.00	299,177.00
0002	1245000000-E	SP	SHOULDER RECONSTRUCTION	30.43 SMI	4,491.27	136,669.35
0003	1297000000-E	607	MILLING ASPHALT PAVEMENT, **** DEPTH (1-1/2")	17,180 SY	1.35	23,193.00
0004	1297000000-E	607	MILLING ASPHALT PAVEMENT, **** DEPTH (3")	149,496 SY	1.80	269,092.80
0005	1297000000-E	607	MILLING ASPHALT PAVEMENT, **** DEPTH (4")	40,569 SY	2.10	85,194.90
0006	1498000000-E	610	ASPHALT CONC INTERMEDIATE COURSE, TYPE I19.0B	36,718 TON	47.00	1,725,746.00
0007	1519000000-E	610	ASPHALT CONC SURFACE COURSE, TYPE S9.5B	24,116 TON	57.00	1,374,612.00
0008	1560000000-E	620	ASPHALT BINDER FOR PLANT MIX, GRADE PG 64-22	3,172 TON	550.00	1,744,600.00
0009	2484000000-E	SP	GENERIC DRAINAGE ITEM DRAINAGE STRUCTURE REPAIR	3 LF	839.22	2,517.66
0010	2600000000-N	SP	RETROFIT EXISTING WHEELCHAIR RAMPS	6 EA	665.59	3,993.54
0011	2605000000-N	848	CONCRETE WHEELCHAIR RAMPS	2 EA	1,059.16	2,118.32
0012	2738000000-E	SP	GENERIC PAVING ITEM REMOVE AND REPLACE 6" CONCRETE DRIVEWAY	160 SY	70.61	11,297.60
0013	2752000000-E	SP	GENERIC PAVING ITEM REMOVE AND REPLACE 2'-6" CONCRETE CURB & GUTTER	100 LF	17.94	1,794.00
0014	2830000000-N	858	ADJUSTMENT OF MANHOLES	12 EA	691.05	8,292.60
0015	2845000000-N	858	ADJUSTMENT OF METER BOXES OR VALVE BOXES	1 EA	544.05	544.05
0016	4810000000-E	1205	PAINT PAVEMENT MARKING LINES (4")	1,057,460 LF	0.11	116,320.60

## Contract Item Sheets For C202559

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
0017	4820000000-E	1205	PAINT PAVEMENT MARKING LINES (8")	3,426 LF	0.68	2,329.68
0018	4825000000-E	1205	PAINT PAVEMENT MARKING LINES (12")	1,548 LF	1.13	1,749.24
0019	4830000000-E	1205	PAINT PAVEMENT MARKING LINES (16")	50 LF	4.54	227.00
0020	4835000000-E	1205	PAINT PAVEMENT MARKING LINES (24")	3,425 LF	2.27	7,774.75
0021	4840000000-N	1205	PAINT PAVEMENT MARKING CHARACTER	32 EA	56.71	1,814.72
0022	4845000000-N	1205	PAINT PAVEMENT MARKING SYMBOL	95 EA	62.38	5,926.10
0023	7444000000-E	1725	INDUCTIVE LOOP SAWCUT	1,246 LF	8.20	10,217.20
0024	7456000000-E	1726	LEAD-IN CABLE (*****)(14-2)	100 LF	2.26	226.00

TOTAL AMOUNT OF BID FOR ENTIRE PROJECT

\$5,835,428.11 ✓

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

N.C.G.S. § 133-32 and Executive Order 24 prohibit the offer to, or acceptance by, any State Employee of any gift from anyone with a contract with the State, or from any person seeking to do business with the State. By execution of any response in this procurement, you attest, for your entire organization and its employees or agents, that you are not aware that any such gift has been offered, accepted, or promised by any employees of your organization.

**SIGNATURE OF CONTRACTOR**

Harrison Construction Company Division of Apac-Atlantic, Inc.  
Full name of Corporation

P.O. Box 359  
226 Gill Street, Alcoa, Tn 37701  
Address as Prequalified

Attest Mark Thomas Secretary/Assistant Secretary  
Select appropriate title  
By Todd J. Quigg President/Vice President/Assistant Vice President  
Select appropriate title

Mark Thomas  
Print or type Signer's name

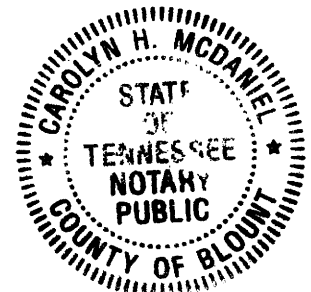
Todd J. Quigg  
Print or type Signer's name

**CORPORATE SEAL**

**AFFIDAVIT MUST BE NOTARIZED**

Subscribed and sworn to before me this the  
3rd day of March 2010.  
Carolyn H. McDaniel  
Signature of Notary Public  
of Blount County  
State of Tennessee  
My Commission Expires: 8-13-12

**NOTARY SEAL**



## 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 C202559

Counties (ies): Jackson, Swain

ACCEPTED BY THE  
DEPARTMENT OF TRANSPORTATION

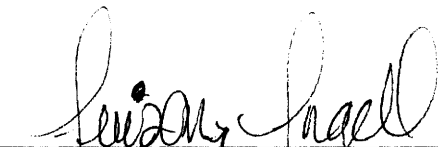


\_\_\_\_\_  
Contract Officer

3/10/10

\_\_\_\_\_  
Date

Execution of Contract and Bonds  
Approved as to Form:

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

Contract No. C202559  
 County JACKSON, SWAIN

Rev 2-1-10

### CONTRACT PAYMENT BOND

Date of Payment Bond Execution FEBRUARY 25, 2010

Name of Principal Contractor HARRISON CONSTRUCTION COMPANY DIVISION OF APAC ATLANTIC, INC.

Name of Surety LIBERTY MUTUAL INSURANCE COMPANY

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

Amount of Bond: \$5,835,428.11

Contract ID No. C202559

County Name: JACKSON, SWAIN

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. C202559  
County JACKSON, SWAIN

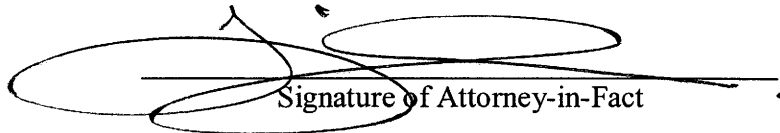
Rev 2-1-10

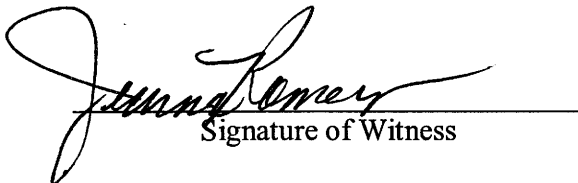
**CONTRACT PAYMENT BOND**  
**LIBERTY MUTUAL INSURANCE COMPANY**

*Affix Seal of Surety 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

JEANNA ROMERO, WITNESS  
Print or type Signer's name

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

Contract No. C202559  
County JACKSON, SWAIN

Rev 2-1-10


**CONTRACT PAYMENT BOND**

**CORPORATION**

SIGNATURE OF CONTRACTOR (Principal)

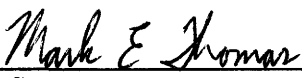
HARRISON CONSTRUCTION COMPANY DIVISION OF APAC ATLANTIC, INC.  
Full name of Corporation

P.O. BOX 359, ALCOA, TN 37701  
Address as prequalified

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

TODD J Quigg  
Print or type Signer's name

*Affix Corporate Seal*

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

Mark E Thomas  
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, JEANNA ROMERO, 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 7th day of December, 2009.

LIBERTY MUTUAL INSURANCE COMPANY

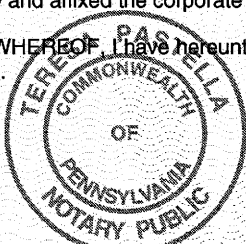
By Garnet W. Elliott, Assistant Secretary



COMMONWEALTH OF PENNSYLVANIA ss
COUNTY OF MONTGOMERY

On this 7th day of December, 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 25TH day of FEBRUARY, 2010.



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.

Contract No. C202559  
County JACKSON, SWAIN

**CONTRACT PERFORMANCE BOND**

Date of Performance Bond Execution: FEBRUARY 25, 2010

Name of Principal Contractor: HARRISON CONSTRUCTION COMPANY DIVISION OF APAC ATLANTIC, INC.

Name of Surety: LIBERTY MUTUAL INSURANCE COMPANY

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

Amount of Bond: \$5,835,428.11

Contract ID No.: C202559

County Name: JACKSON, SWAIN

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. C202559  
County JACKSON, SWAIN

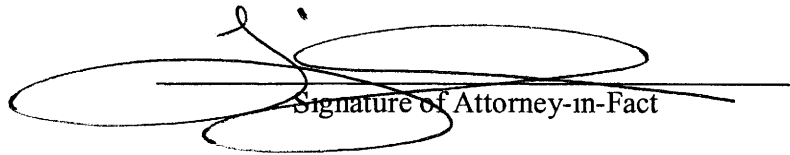
Rev 2-1-10

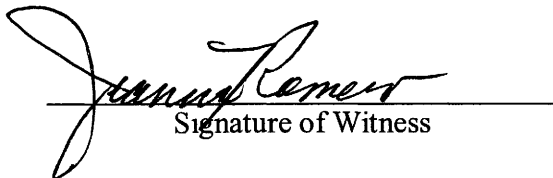
**CONTRACT PERFORMANCE BOND**

*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

JEANNA ROMERO, WITNESS  
Print or type Signer's name

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

Contract No. C202559  
County JACKSON, SWAIN

Rev 2-1-10

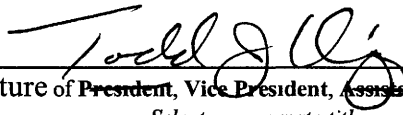
**CONTRACT PERFORMANCE BOND**

**CORPORATION**

SIGNATURE OF CONTRACTOR (Principal)

HARRISON CONSTRUCTION COMPANY DIVISION OF APAC ATLANTIC, INC.  
Full name of Corporation

P.O. BOX 359, ALCOA, TN 37701  
Address as prequalified

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

TODD J Quigg  
Print or type Signer's name

*Affix Corporate Seal*

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

Mark E Thomas  
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, JEANNA ROMERO, 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.

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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 7th day of December 2009

LIBERTY MUTUAL INSURANCE COMPANY

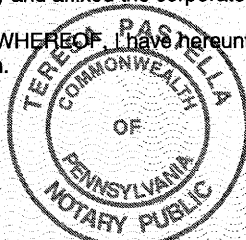
By Garnet W. Elliott, Assistant Secretary



COMMONWEALTH OF PENNSYLVANIA ss
COUNTY OF MONTGOMERY

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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

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