

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

C202546

CONTRACT AND
CONTRACT BONDS
FOR CONTRACT NO. C202546

WBS 37733.3.1 STPIMS-40-2(128)0

T.I.P NO. W-4711

COUNTY OF IREDELL, DAVIE
THIS IS THE ROADWAY CONTRACT
ROUTE NUMBER I40 LENGTH 21.100 MILES
LOCATION I-40 FROM SR-2185 (MM-154) IN IREDELL COUNTY TO SR-1436
(MM-175) IN DAVIE COUNTY.

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

BIDS OPENED APRIL 20, 2010
CONTRACT EXECUTION MAY 13 2010

**APAC-Atlantic, Inc. Thompson-Arthur Division (4315).
Vendor 3 of 3 Vendors for Call Order 010 (Proposal ID C202546).**

County: IREDELL, DAVIE
Address: PO Box 21088
Greensboro, North Carolina 27420

Phone Number: 336-412-6861

Signature Check: This bid has been properly signed by Clarence_O_Brickey_4315.

Time Bid Received: Tue Apr 20 13:25:09 2010

Bid Checksum: EEC53385 DBE GOAL SET 6.0

Amendment Count: 0 DBE GOAL MET 6.0

Bidding Errors: No bidding errors.

Bid Total: \$7,183,992.91 ✓

Bond ID: SNC10494118

Bond was Verified: Yes.

Bond Required Percent: 5.00%

Minimum Check Amount: \$359,199.65

Bid Security Maximum: \$

Bond Agency Name:

Agency Execution Date: 4/5/2010 7:31:31 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.

LIST OF DBE PARTICIPANTS

VENDOR NUMBER	DBE NAME ADDRESS	WORK CODE TYPE OF WORK	CERT TYPE AMOUNT	
12802	WB NICKELSTON INDUSTRIES, INC. POST OFFICE BOX 133 , LAWSONVILLE, NC 27022		Sub 77,250.00	✓ am
4906	MB W. G. LEWIS TRUCKING, INC 1323 PENNY RD. , HIGH POINT, NC 27265		Sub 355,240.00	✓ am
TOTAL:			\$432,490.00	✓ am
			6.02%	✓ am

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: SNC10494118
Surety Registry Agency: surety2000
Verified?: Yes
Surety Agency: Liberty Mutual Insurance Company
Bond Execution Date: 4/5/2010 7:31:31 PM
Bond Amount: \$359,199.65 (Five Percent of Bid)

State of NC
Dept of Transportation

Date: 03-23-10
Revised:

Contract ID: C202546
Letting Date: 04-20-10 Call Order: 010
Bidder: 4315 - APAC-Atlantic, Inc. Thompson-Arthur Division

Project(s): STPIMS-40-2(128)0

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		343,900.00
0002	0036000000-E UNDERCUT EXCAVATION	CY	500.000	5.25000		2,625.00
0003	0196000000-E FABRIC FOR SOIL STABILIZATION	SY	4,872.000	1.05000		5,115.60
0004	0255000000-E GENERIC GRADING ITEM AGGREGATE BASE COURSE FOR BACKFILL	TON	2,036.000	15.75000		32,067.00
0005	1297000000-E MILLING ASPHALT PAVEMENT, ***"DEPTH (4")	SY	346,603.000	1.55000		537,234.65
0006	1503000000-E ASPHALT CONC INTERMEDIATE COURSE, TYPE I19.0C	TON	50,130.000	35.85000		1,797,160.50
0007	1523000000-E ASPHALT CONC SURFACE COURSE, TYPE S9.5C	TON	29,380.000	35.47000		1,042,108.60
0008	1560000000-E ASPHALT BINDER FOR PLANT MIX, GRADE PG 64-22	TON	2,356.000	500.00000		1,178,000.00
0009	1565000000-E ASPHALT BINDER FOR PLANT MIX, GRADE PG 70-22	TON	1,763.000	500.00000		881,500.00
0010	1704000000-E PATCHING EXISTING PAVEMENT	TON	100.000	142.00000		14,200.00
0011	1840000000-E MILLED RUMBLE STRIPS (ASPHALT CEMENT CONCRETE)	LF	445,632.000	0.07000		31,194.24

State of NC
Dept of Transportation

Date: 03-23-10
Revised:

Contract ID: C202546 Project(s): STPIMS-40-2(128)0
Letting Date: 04-20-10 Call Order: 010
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	1891000000-E GENERIC PAVING ITEM 8" CRC REPAIR	2,872.000 SY	147.00000		422,184.00	
0013	1891000000-E GENERIC PAVING ITEM GROOVING EXIST CONCRETE PAVEMENT	140,800.000 SY	1.68000		236,544.00	
0014	3210000000-N GUARDRAIL ANCHOR UNITS, TYPE CAT-1	46.000 EA	525.00000		24,150.00	
0015	3270000000-N GUARDRAIL ANCHOR UNITS, TYPE 350	35.000 EA	1,628.00000		56,980.00	
0016	4415000000-N FLASHING ARROW PANELS, TYPE C	2.000 EA	2,700.00000		5,400.00	
0017	4420000000-N CHANGEABLE MESSAGE SIGN	2.000 EA	15,450.00000		30,900.00	
0018	4430000000-N DRUMS	600.000 EA	29.00000		17,400.00	
0019	4480000000-N TMIA	2.000 EA	2,700.00000		5,400.00	
0020	4815000000-E PAINT PAVEMENT MARKING LINES (6")	4,500.000 LF	0.32000		1,440.00	
0021	4847100000-E POLYUREA PAVEMENT MARKING LINES (6", *****) (HIGHLY REFLECTIVE ELEMENTS)	473,484.000 LF	0.98000		464,014.32	
0022	4847120000-E POLYUREA PAVEMENT MARKING LINES (12", *****) (HIGHLY REFLECTIVE ELEMENTS)	11,000.000 LF	3.10000		34,100.00	

State of NC
 Dept of Transportation

Date: 03-23-10
 Revised:

Contract ID: C202546 Project(s): STPIMS-40-2(128)0
 Letting Date: 04-20-10 Call Order: 010
 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	4895000000-N GENERIC PAVEMENT MARKING ITEM REPLACE SNOWPLOWABLE PAVEMENT MARKER REFLECTOR	EA 1,000.000	10.25000		10,250.00	
0024	4905000000-N SNOWPLOWABLE PAVEMENT MARKERS	EA 250.000	40.50000		10,125.00	
Section 0001 Total						7,183,992.91
Bid Total						7,183,992.91

NON-COLLUSION AND DEBARMENT CERTIFICATION

The bidder certifies that neither he, nor any official, agent or employee of the bidder has entered into any agreement, participated in any collusion, or otherwise taken any action which is in restraint of free competitive bidding in connection with this bid, and that the bidder intends to do the work with its own bonafide employees or subcontractors and is not bidding for the benefit of another contractor. In addition, submitting this electronic bid constitutes the bidder's certification of Status under penalty of perjury under the laws of the United States and in accordance with the Debarment Certification on file with the Department.

By submitting this bid, the bidder certifies to the best of his knowledge and belief that he and his principals:

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

Where the prospective bidder is unable to certify to any of the statements in this certification, the bidder shall submit an explanation in the blanks provided herein. The explanation will not necessarily result in denial of participation in a contract.

Explanation:
NOT ANSWERED
NOT ANSWERED
NOT ANSWERED
NOT ANSWERED

If the prequalified bidder's status changes, he shall immediately submit a new fully executed non-collusion affidavit and debarment certification with an explanation of the change to the Contract Office prior to submitting the bid.

Failure to furnish a certification or an explanation will be grounds for rejection of a bid

AWARD LIMITS ON MULTIPLE PROJECTS

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

A bidder who desires to bid on more than one project on which bids are to be opened on the same date, and who also desires to avoid receiving an award of more projects than he is equipped to handle, may bid on any number of projects but may limit the total amount of work awarded to him on selected projects by completing the AWARD LIMITS ON MULTIPLE PROJECTS.

The Award Limits on Multiple Projects must be filled in on each project bid for which the Bidder desires protection.

It is the desire of the Bidder to be awarded contracts, the value of which will not exceed a total of NOT ANSWERED for those

projects indicated herein, for which bids will be opened on (MM/DD/YY)

The Award Limits shall apply to the following projects:

Contract Number	County
NOT ANSWERED	

It is agreed that if I am (we are) the low Bidder(s) on indicated projects, the total value of which is more than the above stipulated award limits, the Board of Transportation will award me (us) projects from among those indicated that have a total value not to exceed the award limit and will result in the lowest total bids to the Department of Transportation.

NORTH CAROLINA STATE DEPARTMENT OF TRANSPORTATION
DBE COMMITMENT ITEMS

DATE:03-23-10
PAGE: 6

PROPOSAL: C202546
LETTING: L100420 CALL: 010
VENDOR: 4315 APAC-Atlantic, Inc. Thompson-Arthur Division

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

DBE SUBCONTRACTOR: 12802 NICKELSTON INDUSTRIES, INC.
Will Use Quote: Yes

0014	3210000000-N	GR ANCHOR TY EA	46.000	500.00000	23000.00
0015	3270000000-N	GR ANCHOR TY EA	35.000	1550.00000	54250.00

DBE COMMITMENT TOTAL FOR SUBCONTRACTOR:					77,250.00	✓ am
DBE COMMITMENT TOTAL FOR VENDOR (SubContractor)					77,250.	

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

0007	1523000000-E	ASP CONC SUR TON	28000.000	4.75000	133000.00
Based on hourly rate of \$58.00 / HR for Triaxle Truck. Unit Price is for					
0006	1503000000-E	ASP CONC INT TON	48000.000	4.63000	222240.00
Based on hourly rate of \$58.00 / HR for Triaxle Truck. Unit Price is for					

DBE COMMITMENT TOTAL FOR SUBCONTRACTOR:					355,240.00	✓ am
DBE COMMITMENT TOTAL FOR VENDOR (SubContractor)					355,240	

TOTAL DBE COMMITMENT FOR VENDOR:	Entered:	6.02% or	432490.00	✓ am
	Required:	6.00% or	431039.57	
			<GOAL MET>	

Contract Item Sheets For C202546

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
ROADWAY ITEMS						
0001	0000100000-N	800	MOBILIZATION	Lump Sum LS	343,900.00	343,900.00
0002	0036000000-E	225	UNDERCUT EXCAVATION	500 CY	5.25	2,625.00
0003	0196000000-E	270	FABRIC FOR SOIL STABILIZATION	4,872 SY	1.05	5,115.60
0004	0255000000-E	SP	GENERIC GRADING ITEM AGGREGATE BASE COURSE FOR BACKFILL	2,036 TON	15.75	32,067.00
0005	1297000000-E	607	MILLING ASPHALT PAVEMENT, **** DEPTH (4")	346,603 SY	1.55	537,234.65
0006	1503000000-E	610	ASPHALT CONC INTERMEDIATE COURSE, TYPE I19.0C	50,130 TON	35.85	1,797,160.50
0007	1523000000-E	610	ASPHALT CONC SURFACE COURSE, TYPE S9.5C	29,380 TON	35.47	1,042,108.60
0008	1560000000-E	620	ASPHALT BINDER FOR PLANT MIX, GRADE PG 64-22	2,356 TON	500.00	1,178,000.00
0009	1565000000-E	620	ASPHALT BINDER FOR PLANT MIX, GRADE PG 70-22	1,763 TON	500.00	881,500.00
0010	1704000000-E	SP	PATCHING EXISTING PAVEMENT	100 TON	142.00	14,200.00
0011	1840000000-E	665	MILLED RUMBLE STRIPS (ASPHALT CEMENT CONCRETE)	445,632 LF	0.07	31,194.24
0012	1891000000-E	SP	GENERIC PAVING ITEM 8" CRC REPAIR	2,872 SY	147.00	422,184.00
0013	1891000000-E	SP	GENERIC PAVING ITEM GROOVING EXIST CONCRETE PAVEMENT	140,800 SY	1.68	236,544.00
0014	3210000000-N	862	GUARDRAIL ANCHOR UNITS, TYPE CAT-1	46 EA	525.00	24,150.00
0015	3270000000-N	SP	GUARDRAIL ANCHOR UNITS, TYPE 350	35 EA	1,628.00	56,980.00
0016	4415000000-N	1115	FLASHING ARROW PANELS, TYPE C	2 EA	2,700.00	5,400.00

Contract Item Sheets For C202546

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
0017	4420000000-N	1120	CHANGEABLE MESSAGE SIGN	2 EA	15,450.00	30,900.00
0018	4430000000-N	1130	DRUMS	600 EA	29.00	17,400.00
0019	4480000000-N	1165	TMIA	2 EA	2,700.00	5,400.00
0020	4815000000-E	1205	PAINT PAVEMENT MARKING LINES (6")	4,500 LF	0.32	1,440.00
0021	4847100000-E	1205	POLYUREA PAVEMENT MARKING LINES (6", *****) (HIGHLY REFLECTIVE ELEMENTS)	473,484 LF	0.98	464,014.32
0022	4847120000-E	1205	POLYUREA PAVEMENT MARKING LINES (12", *****) (HIGHLY REFLECTIVE ELEMENTS)	11,000 LF	3.10	34,100.00
0023	4895000000-N	SP	GENERIC PAVEMENT MARKING ITEM REPLACE SNOWPLOWABLE PAVEMENT MARKER REFLECTOR	1,000 EA	10.25	10,250.00
0024	4905000000-N	1253	SNOWPLOWABLE PAVEMENT MARKERS	250 EA	40.50	10,125.00

TOTAL AMOUNT OF BID FOR ENTIRE PROJECT

\$7,183,992.91 ✓

**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

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

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

Leonard D. Conway
Print or type Signer's name

Clarence O. Brickey
Print or type Signer's name

CORPORATE SEAL

AFFIDAVIT MUST BE NOTARIZED

Subscribed and sworn to before me this the
5th day of May 2010
Betty T. Eidel
Signature of Notary Public
of *Randolph* County
State of *NC*
My Commission Expires: *4/11/11*

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 **C202546**

County (ies): **Iredell, Davie**

**ACCEPTED BY THE
DEPARTMENT OF TRANSPORTATION**

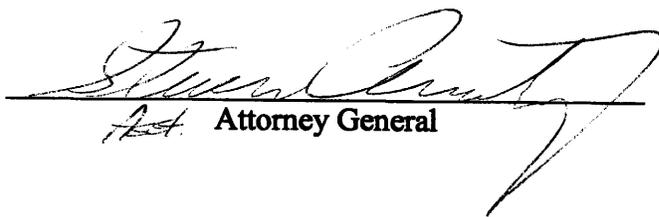


Contract Officer

5/13/10

Date

**Execution of Contract and Bonds
Approved as to Form:**



Att. Attorney General

Signature Sheet (Bid - Acceptance by Department)

Contract No. C202546
 County IREDELL AND DAVIE

Rev 2-1-10

CONTRACT PAYMENT BOND

Date of Payment Bond Execution MAY 5, 2010

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: \$7,183,992.91

Contract ID No.: C202546

County Name: IREDELL AND DAVIE

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

C202546
IREDELL AND DAVIE

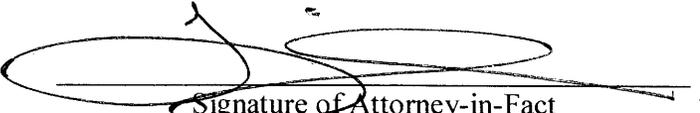
Rev 2-1-10

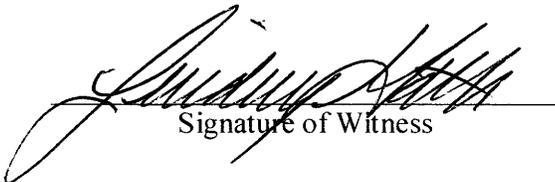
CONTRACT PAYMENT BOND

Affix Seal of Surety Company

LIBERTY MUTUAL INSURANCE COMPANY
Print or type Surety Company Name

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


Signature of Attorney-in-Fact


Signature of Witness

LINDSEY GATES, 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. C202546
County IREDELL AND DAVIE

Rev 2-1-10

CONTRACT PAYMENT BOND

CORPORATION

SIGNATURE OF CONTRACTOR (Principal)

APAC-ATLANTIC, INC., THOMPSON-ARTHUR DIVISION

Full name of Corporation

P.O. BOX 21088 GREENSBORO, NC 27420

Address as prequalified

By Clarence O. Brickey
Signature of ~~President, Vice President, Assistant Vice President~~
Select appropriate title

Clarence O. Brickey

Print or type Signer's name

Affix Corporate Seal

Attest Leonard D. Conway
Signature of ~~Secretary, Assistant Secretary~~
Select appropriate title

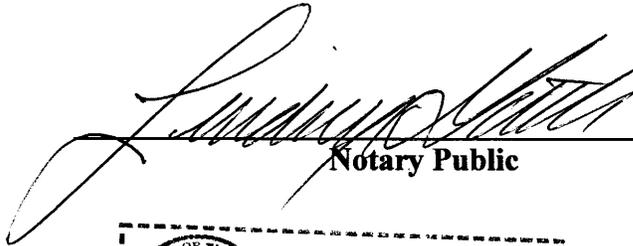
LEONARD D. CONWAY

Print or type Signer's name

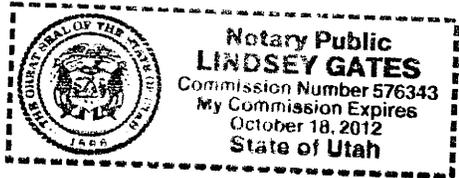
SURETY ACKNOWLEDGMENT

STATE OF UTAH }
COUNTY OF SALT LAKE }**SS**

On this 5TH day of MAY, 2010, before me personally came TINA DAVIS to me known, who, being by me duly sworn, did depose and say that she is an Attorney-In-Fact of LIBERTY MUTUAL INSURANCE COMPANY the corporation described in and which executed the within instrument; that she knows the corporate seal of said corporation, that the seal affixed to the within instrument is such corporate seal, and that she signed the said instrument and affixed the said seal as Attorney-In-Fact of the Board of Directors of said corporation and by authority of this office under the Standing Resolutions thereof.



Notary Public



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

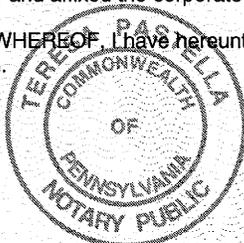
By Garnet W. Elliott, Assistant Secretary



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 5TH day of MAY, 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. C202546
 County IREDELL AND DAVIE

Rev 2-1-10

CONTRACT PERFORMANCE BOND

Date of Performance Bond Execution: MAY 5, 2010

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: \$7,183,992.91

Contract ID No.: C202546

County Name: IREDELL AND DAVIE

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.
County

C202546
IREDELL AND DAVIE

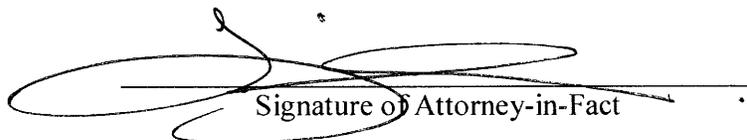
Rev 2-1-10

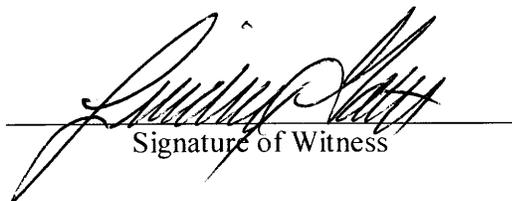
CONTRACT PERFORMANCE BOND

Affix Seal of Surety Company

LIBERTY MUTUAL INSURANCE COMPANY
Print or type Surety Company Name

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


Signature of Attorney-in-Fact


Signature of Witness

LINDSEY GATES, WITNESS
Print or type Signer's name

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

CONTRACT PERFORMANCE BOND

CORPORATION

SIGNATURE OF CONTRACTOR (Principal)

APAC ATLANTIC, INC., THOMPSON-ARTHUR DIVISON

Full name of Corporation

P.O. 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, 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

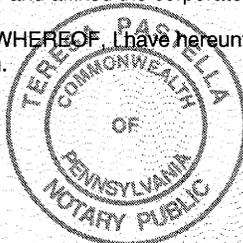


By Garnet W. Elliott, Assistant Secretary

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 5TH day of MAY, 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.