

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

C202678

CONTRACT AND
CONTRACT BONDS
FOR CONTRACT NO. C202678

WBS 9CR.10301.8, 9CR.10801.8, 9CR.20301.8, 9CR.20801.8 STATE FUNDED

COUNTY OF DAVIE, ROWAN
THIS IS THE ROADWAY CONTRACT
ROUTE NUMBER NC 801 LENGTH 33.899 MILES
LOCATION 2 SECTIONS OF NC-801, 1 SECTION OF US-64, US-601, AND 9
SECTIONS OF SECONDARY ROADS.

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

BIDS OPENED JANUARY 18, 2011

CONTRACT EXECUTION ~~FEB 03 2011~~

NCDOT/berc

Vendor 4315's Bid Information for Call 015, Letting L110118, 2011-01-18

APAC-Atlantic, Inc. Thompson-Arthur Division (4315).

Vendor 3 of 5 Vendors for Call Order 015 (Proposal ID C202678).

County: DAVIE, ROWAN
Address: PO Box 21088
Greensboro, NC 27420
Phone Number: 336-412-6861
Signature Check: This bid has been properly signed by Clarence_O_Brickey_4315.
Time Bid Received: Tue Jan 18 13:30:08 2011
Bid Checksum: 437FCF17 MBE GOAL SET 4.0
Amendment Count: 0
Bidding Errors: No bidding errors.
Bid Total: \$3,994,194.83 ✓ MBE GOAL MET 4.1
Bond ID: SNC11992402
Bond was Verified: Yes. WBE GOAL SET 4.0
Bond Required Percent: 5.00%
Minimum Check Amount: \$199,709.74
Bid Security Maximum: \$ WBE GOAL MET 4.0
Bond Agency Name:
Agency Execution Date: 1/11/2011 6:09:19 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 4315's Load Output for Call 015, Letting L110118, 2011-01-18

Bid Bond Data Info - Contractor Responses:

=====

BondID: SNC11992402
Surety Registry Agency: surety2000
Verified?: Yes
Surety Agency: Liberty Mutual Insurance Company
Bond Execution Date: 1/11/2011 6:09:19 PM
Bond Amount: \$199,709.74 (Five Percent of Bid)

State of NC
 Dept of Transportation

Date: 12-20-10
 Revised:

Contract ID: C202678 Project(s): STATE FUNDED
 Letting Date: 01-18-11 Call Order: 015
 Bidder: 4315 - APAC-Atlantic, Inc. Thompson-Arthur Division

Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct

Section 0001 ROADWAY ITEMS

Alt Group

0001	0000100000-N MOBILIZATIO N	LUMP		LUMP		57,900.00
0002	0106000000-E BORROW EXCAVATION	CY	3,764.000	6.20000		23,336.80
0003	1220000000-E INCIDENTAL STONE BASE	TON	1,623.000	37.00000		60,051.00
0004	1245000000-E SHOULDER RECONSTRUCTION	SMI	62.740	3,100.00000		194,494.00
0005	1297000000-E MILLING ASPHALT PAVEMENT, ***"DEPTH (1-1/2")	SY	15,898.000	1.20000		19,077.60
0006	1308000000-E MILLING ASPHALT PAVEMENT, ***"TO *****" DEPTH (0" TO 1-1/2")	SY	17,077.000	2.05000		35,007.85
0007	1308000000-E MILLING ASPHALT PAVEMENT, ***"TO *****" DEPTH (0" TO 2")	SY	334.000	6.90000		2,304.60
0008	1519000000-E ASPHALT CONC SURFACE COURSE, TYPE S9.5B	TON	30,325.000	36.70000		1,112,927.50
0009	1520000000-E ASPHALT CONC SURFACE COURSE, TYPE S9.5B (LEVELING COURSE)	TON	275.000	43.20000		11,880.00
0010	1523000000-E ASPHALT CONC SURFACE COURSE, TYPE S9.5C	TON	16,774.000	36.85000		618,121.90

State of NC
 Dept of Transportation

Date: 12-20-10
 Revised:

Contract ID: C202678 Project(s): STATE FUNDED
 Letting Date: 01-18-11 Call Order: 015
 Bidder: 4315 - APAC-Atlantic, Inc. Thompson-Arthur Division

Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
0011	1560000000-E ASPHALT BINDER FOR PLANT MIX, GRADE PG 64-22	1,839.000 TON	484.90000		891,731.10	
0012	1565000000-E ASPHALT BINDER FOR PLANT MIX, GRADE PG 70-22	1,006.000 TON	495.20000		498,171.20	
0013	1704000000-E PATCHING EXISTING PAVEMENT	280.000 TON	118.00000		33,040.00	
0014	2815000000-N ADJUSTMENT OF DROP INLETS	8.000 EA	411.00000		3,288.00	
0015	2830000000-N ADJUSTMENT OF MANHOLES	32.000 EA	411.00000		13,152.00	
0016	2845000000-N ADJUSTMENT OF METER BOXES OR VALVE BOXES	18.000 EA	401.00000		7,218.00	
0017	4510000000-N LAW ENFORCEMENT	200.000 HR	30.00000		6,000.00	
0018	4685000000-E THERMOPLAST IC PAVEMENT MARKING LINES (4", 90 MILS)	337,892.000 LF	0.40000		135,156.80	
0019	4686000000-E THERMOPLAST IC PAVEMENT MARKING LINES (4", 120 MILS)	375,842.000 LF	0.46000		172,887.32	
0020	4697000000-E THERMOPLAST IC PAVEMENT MARKING LINES (8", 120 MILS)	185.000 LF	2.50000		462.50	
0021	4710000000-E THERMOPLAST IC PAVEMENT MARKING LINES (24", 120 MILS)	623.000 LF	5.35000		3,333.05	

State of NC
 Dept of Transportation

Date: 12-20-10
 Revised:

Contract ID: C202678 Project(s): STATE FUNDED
 Letting Date: 01-18-11 Call Order: 015
 Bidder: 4315 - APAC-Atlantic, Inc. Thompson-Arthur Division

Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
0022	4721000000-E THERMOPLAST IC PAVEMENT MARKING CHARACTER (120 MILS)	20.000 EA	100.00000		2,000.00	
0023	4725000000-E THERMOPLAST IC PAVEMENT MARKINGSYMBOL (90 MILS)	59.000 EA	100.00000		5,900.00	
0024	4810000000-E PAINT PAVEMENT MARKING LINES (4")	375,842.000 LF	0.08000		30,067.36	
0025	4835000000-E PAINT PAVEMENT MARKING LINES (24")	623.000 LF	2.25000		1,401.75	
0026	4840000000-N PAINT PAVEMENT MARKING CHARAC-TER	20.000 EA	25.00000		500.00	
0027	4845000000-N PAINT PAVEMENT MARKING SYMBOL	59.000 EA	25.00000		1,475.00	
0028	4905000000-N SNOWPLOWABL E PAVEMENT MARKERS	1,112.000 EA	18.65000		20,738.80	
0029	5255000000-N PORTABLE LIGHTING	LUMP	LUMP		3,600.00	
0030	6000000000-E TEMPORARY SILT FENCE	13,558.000 LF	1.65000		22,370.70	
0031	6071010000-E WATTLE	1,200.000 LF	5.50000		6,600.00	
	Section 0001 Total				3,994,194.83	
	Bid Total				3,994,194.83	

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: 12-20-10
 PAGE: 6

PROPOSAL: C202678
 LETTING: L110118 CALL: 015
 VENDOR: 4315 APAC-Atlantic, Inc. Thompson-Arthur Division

LINE NO.	ITEM NO.	ITEM DESC.	UNIT TYPE	SUBCONTRACTOR QUANTITY	SUBCONTRACTOR UNIT PRICE	EXTENDED AMOUNT
MBE SUBCONTRACTOR: 4906 W. G. LEWIS TRUCKING, INC						
Will Use Quote: Yes						
0008	1519000000-E	ASP CONC SUR	TON	30325.000	4.36000	132217.00
Haul asphalt from our asphalt plant to the jobsite.						
0010	1523000000-E	ASP CONC SUR	TON	16774.000	1.80000	30193.20
Haul asphalt from our asphalt plant to the jobsite.						

MBE COMMITMENT TOTAL FOR SUBCONTRACTOR: 162,410.20 ✓ am

TOTAL MBE COMMITMENT FOR VENDOR: Entered: 4.07% or 162410.20 ✓ am
 Required: 4.00% or 159767.79
 <GOAL MET>

NORTH CAROLINA STATE DEPARTMENT OF TRANSPORTATION
WBE COMMITMENT ITEMS

DATE: 12-20-10
PAGE: 7

PROPOSAL: C202678
LETTING: L110118 CALL: 015
VENDOR: 4315 APAC-Atlantic, Inc. Thompson-Arthur Division

LINE NO.	ITEM NO.	ITEM DESC.	UNIT TYPE	SUBCONTRACTOR QUANTITY	SUBCONTRACTOR UNIT PRICE	EXTENDED AMOUNT	
WBE SUBCONTRACTOR: 2199 B & B SEEDING & LANDSCAPING							
Will Use Quote: Yes							
0030	6000000000-E	TEMPORARY SI LF		13558.000	1.65000	22370.70	
		Install silt fence.					
0031	6071010000-E	WATTLE LF		1200.000	5.50000	6600.00	
		Install wattles.					
WBE COMMITMENT TOTAL FOR SUBCONTRACTOR:						28,970.70	✓ arm
WBE SUBCONTRACTOR: 3765 STAY ALERT SAFETY SERVICES INC							
Will Use Quote: Yes							
0001	0000100000-N	MOBILIZATION LS		1.000	11730.00000	11730.00	
		Install work zone signs.					
WBE COMMITMENT TOTAL FOR SUBCONTRACTOR:						11,730.00	✓ arm
WBE SUBCONTRACTOR: 10186 SLM CONSTRUCTION, INC.							
Will Use Quote: Yes							
0014	2815000000-N	ADJ DROP INL EA		8.000	410.63000	3285.04	
		Adjust Drop Inlets					
0015	2830000000-N	ADJ MANHOLES EA		32.000	410.63000	13140.16	
		Adjust Manholes					
0016	2845000000-N	ADJ METER OR EA		18.000	400.98000	7217.64	
		Adjust meter or valve boxes.					
WBE COMMITMENT TOTAL FOR SUBCONTRACTOR:						23,642.84	✓ arm
WBE SUBCONTRACTOR: 12701 FARMER TRANSPORT, LLC							
Will Use Quote: Yes							
0010	1523000000-E	ASP CONC SUR TON		16774.000	2.70000	45289.80	
		Haul asphalt from our asphalt plant to the jobsite.					
0003	1220000000-E	INCIDENTAL S TON		1623.000	6.16000	9997.68	
		Haul stone from the quarry to the jobsite.					
0004	1245000000-E	SHOULDER REC SMI		62.740	665.00000	41722.10	
		Haul dirt from the dirt pits to the jobsite.					
WBE COMMITMENT TOTAL FOR SUBCONTRACTOR:						97,009.58	✓ arm
TOTAL WBE COMMITMENT FOR VENDOR:				Entered:	4.04% or	161353.12	✓ arm
				Required:	4.00% or	159767.79	
						<GOAL MET>	

Contract Item Sheets For C202678

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
ROADWAY ITEMS						
0001	0000100000-N	800	MOBILIZATION	Lump Sum LS	57,900.00	57,900.00
0002	0106000000-E	230	BORROW EXCAVATION	3,764 CY	6.20	23,336.80
0003	1220000000-E	545	INCIDENTAL STONE BASE	1,623 TON	37.00	60,051.00
0004	1245000000-E	SP	SHOULDER RECONSTRUCTION	62.74 SMI	3,100.00	194,494.00
0005	1297000000-E	607	MILLING ASPHALT PAVEMENT, **** DEPTH (1-1/2")	15,898 SY	1.20	19,077.60
0006	1308000000-E	607	MILLING ASPHALT PAVEMENT, **** TO ***** DEPTH (0" TO 1-1/2")	17,077 SY	2.05	35,007.85
0007	1308000000-E	607	MILLING ASPHALT PAVEMENT, **** TO ***** DEPTH (0" TO 2")	334 SY	6.90	2,304.60
0008	1519000000-E	610	ASPHALT CONC SURFACE COURSE, TYPE S9.5B	30,325 TON	36.70	1,112,927.50
0009	1520000000-E	SP	ASPHALT CONC SURFACE COURSE, TYPE S9.5B (LEVELING COURSE)	275 TON	43.20	11,880.00
0010	1523000000-E	610	ASPHALT CONC SURFACE COURSE, TYPE S9.5C	16,774 TON	36.85	618,121.90
0011	1560000000-E	620	ASPHALT BINDER FOR PLANT MIX, GRADE PG 64-22	1,839 TON	484.90	891,731.10
0012	1565000000-E	620	ASPHALT BINDER FOR PLANT MIX, GRADE PG 70-22	1,006 TON	495.20	498,171.20
0013	1704000000-E	SP	PATCHING EXISTING PAVEMENT	280 TON	118.00	33,040.00
0014	2815000000-N	858	ADJUSTMENT OF DROP INLETS	8 EA	411.00	3,288.00
0015	2830000000-N	858	ADJUSTMENT OF MANHOLES	32 EA	411.00	13,152.00
0016	2845000000-N	858	ADJUSTMENT OF METER BOXES OR VALVE BOXES	18 EA	401.00	7,218.00
0017	4510000000-N	SP	LAW ENFORCEMENT	200 HR	30.00	6,000.00

Contract Item Sheets For C202678

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
0018	4685000000-E	1205	THERMOPLASTIC PAVEMENT MARKING LINES (4", 90 MILS)	337,892 LF	0.40	135,156.80
0019	4686000000-E	1205	THERMOPLASTIC PAVEMENT MARKING LINES (4", 120 MILS)	375,842 LF	0.46	172,887.32
0020	4697000000-E	1205	THERMOPLASTIC PAVEMENT MARKING LINES (8", 120 MILS)	185 LF	2.50	462.50
0021	4710000000-E	1205	THERMOPLASTIC PAVEMENT MARKING LINES (24", 120 MILS)	623 LF	5.35	3,333.05
0022	4721000000-E	1205	THERMOPLASTIC PAVEMENT MARKING CHARACTER (120 MILS)	20 EA	100.00	2,000.00
0023	4725000000-E	1205	THERMOPLASTIC PAVEMENT MARKING SYMBOL (90 MILS)	59 EA	100.00	5,900.00
0024	4810000000-E	1205	PAINT PAVEMENT MARKING LINES (4")	375,842 LF	0.08	30,067.36
0025	4835000000-E	1205	PAINT PAVEMENT MARKING LINES (24")	623 LF	2.25	1,401.75
0026	4840000000-N	1205	PAINT PAVEMENT MARKING CHARACTER	20 EA	25.00	500.00
0027	4845000000-N	1205	PAINT PAVEMENT MARKING SYMBOL	59 EA	25.00	1,475.00
0028	4905000000-N	1253	SNOWPLOWABLE PAVEMENT MARKERS	1,112 EA	18.65	20,738.80
0029	5255000000-N	1413	PORTABLE LIGHTING	Lump Sum LS	3,600.00	3,600.00
0030	6000000000-E	1605	TEMPORARY SILT FENCE	13,558 LF	1.65	22,370.70
0031	6071010000-E	SP	WATTLE	1,200 LF	5.50	6,600.00

TOTAL AMOUNT OF BID FOR ENTIRE PROJECT

\$3,994,194.83 ✓

C202678

Contract No. _____
County Davie, Rowan

Rev. 7-12-10

**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, that the Contractor has not been convicted of violating *N.C.G.S. § 133-24* within the last three years, and that the Contractor intends to do the work with its 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

28th day of January 2011

Betty T. York
Signature of Notary Public

NOTARY SEAL

of Randolph County

State of NC

My Commission Expires: 4/11/11

DEBARMENT CERTIFICATION

Conditions for certification:

1. The prequalified bidder shall provide immediate written notice to the Department if at any time the bidder learns that his certification was erroneous when he submitted his debarment certification or explanation filed 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 prequalified bidder 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 prequalified bidder 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 prequalified bidder 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 bidder 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 6 herein, the Department may terminate any contract if the bidder 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 prequalified 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.
- e. Will submit a revised Debarment Certification immediately if his status changes and will show in his bid proposal an explanation for the change in status.

If the prequalified bidder 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 prequalified bidder's bid being considered non-responsive.

Check here if an explanation is attached to this certification.

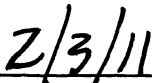
Contract No **C202678**

County (ies): **Davie-Rowan**

**ACCEPTED BY THE
DEPARTMENT OF TRANSPORTATION**

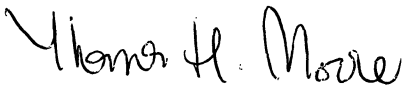


Contract Officer



Date

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



Attorney General

Contract No. C202678
 County DAVIE AND ROWAN

Rev 2-1-10

CONTRACT PAYMENT BOND

Date of Payment Bond Execution JANUARY 27, 2011

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

Name of Surety: LIBERTY MUTUAL INSURANCE COMPANY

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

Amount of Bond: \$3,994,194.83

Contract ID No.: C202678

County Name: DAVIE AND ROWAN

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. C202678
County DAVIE AND ROWAN

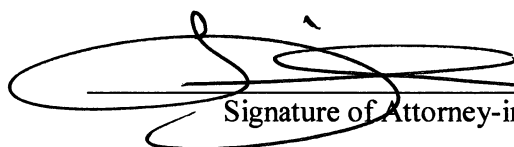
Rev 2-1-10

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

LISA HALL
Print or type Signer's name

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

Contract No.
County

C202678
DAVIE AND ROWAN

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



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

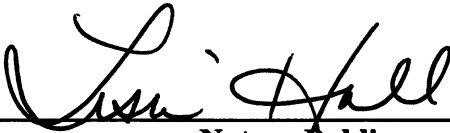
LEONARD D. CONWAY

Print or type Signer's name

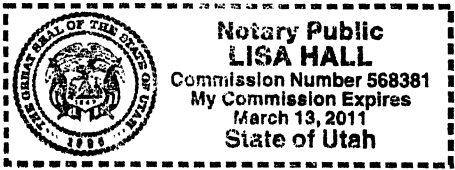
SURETY ACKNOWLEDGMENT

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

On this 27TH day of JANUARY, 2011, 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 26th day of March 2010

LIBERTY MUTUAL INSURANCE COMPANY

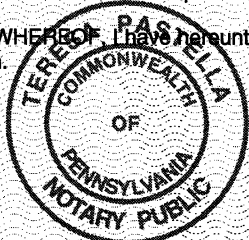
By Garnet W. Elliott
Garnet W. Elliott, Assistant Secretary



COMMONWEALTH OF PENNSYLVANIA ss
COUNTY OF MONTGOMERY

On this 26th day of March, 2010, before me, a Notary Public, personally came Garnet W. Elliott, to me known, and acknowledged that he is an Assistant Secretary of Liberty Mutual Insurance Company; that he knows the seal of said corporation; and that he executed the above Power of Attorney and affixed the corporate seal of Liberty Mutual Insurance Company thereto with the authority and at the direction of said corporation.

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



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

By Teresa Pastella
Teresa Pastella, Notary Public

CERTIFICATE

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

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

VOTED that the facsimile or mechanically reproduced signature of any assistant secretary of the company, wherever appearing upon a certified copy of any power of attorney issued by the company in connection with surety bonds, shall be valid and binding upon the company with the same force and effect as though manually affixed.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed the corporate seal of the said company, this 27TH day of JANUARY, 2011.



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

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

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

Contract No. C202678
 County DAVIE AND ROWAN

Rev 2-1-10

CONTRACT PERFORMANCE BOND

Date of Performance Bond Execution: JANUARY 27, 2011

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

Name of Surety: LIBERTY MUTUAL INSURANCE COMPANY

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

Amount of Bond: \$3,994,194.83

Contract ID No.: C202678

County Name: DAVIE AND ROWAN

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. C202678
County DAVIE AND ROWAN

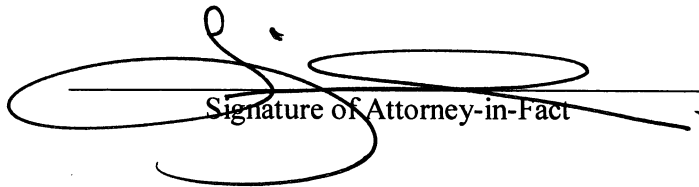
Rev 2-1-10

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

LISA HALL
Print or type Signer's name

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

Contract No.
County

C202678

DAVIE AND ROWAN

Rev 2-1-10

CONTRACT PERFORMANCE 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



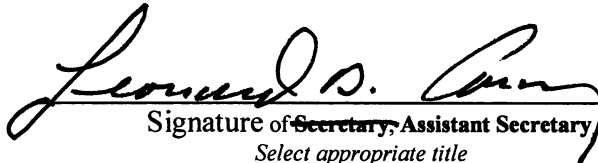
Signature of ~~President, Vice President, Assistant Vice President~~
Select appropriate title

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

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LIBERTY MUTUAL INSURANCE COMPANY
BOSTON, MASSACHUSETTS
POWER OF ATTORNEY

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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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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.

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LIBERTY MUTUAL INSURANCE COMPANY

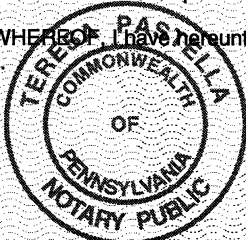
By Garnet W. Elliott, Assistant Secretary



COMMONWEALTH OF PENNSYLVANIA ss
COUNTY OF MONTGOMERY

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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.

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By David M. Carey, Assistant Secretary

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