

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

C202756

CONTRACT AND  
CONTRACT BONDS

FOR CONTRACT NO. C202756

WBS

10CR.10601.32, 10CR.20601.100, 10CR.20601.101, 10CR.20601.102, 10CR.20601.103,  
10CR.20601.104, 10CR.20601.105, 10CR.20601.106, 10CR.20601.107, 10CR.20601.108,  
10CR.20601.109, 10CR.20601.110, 10CR.20601.111, 10CR.20601.112, 10CR.20601.113  
STATE FUNDED

COUNTY OF

MECKLENBURG

THIS IS THE

ROADWAY CONTRACT

ROUTE NUMBER

LENGTH 14.010 MILES

LOCATION

NC-160 FROM SR-1255 TO SR-5469 & 14 SECTIONS OF SECONDARY  
ROADS.

CONTRACTOR

BLYTHE DEVELOPMENT CO.

ADDRESS

1415 E WESTINGHOUSE BLVD  
CHARLOTTE, NC 282735801

BIDS OPENED

APRIL 19, 2011

CONTRACT EXECUTION

MAY 09 2011

**Unknown (3740).**

**Vendor 3 of 4 Vendors for Call Order 012 (Proposal ID C202756).**

County: MECKLENBURG

Address:

Signature Check: This bid has been properly signed by L.JACK\_BLYTHE\_3740.

Time Bid Received: Tue Apr 19 07:58:23 2011

Bid Checksum: D6AB228D MBE GOAL SET 3.0

Amendment Count: 0

Bidding Errors: No bidding errors. MBE GOAL MET 3.4

Bid Total: \$4,098,544.83 ✓

Bond ID: SNC11654834

Bond was Verified: Yes.

Bond Required Percent: 5.00% WBE GOAL SET 3.0

Minimum Check Amount: \$204,927.24

Bid Security Maximum: \$

Bond Agency Name: WBE GOAL MET 3.4

Agency Execution Date: 3/30/2011 9:33:44 AM

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 MBE PARTICIPANTS

7138 MB EXPRESS LOGISTICS SERVICES, INC P.O. BOX 19761 , CHARLOTTE, NC 28219	Sub	140,932.04	✓	arm
	TOTAL:	\$140,932.04	✓	arm
		3.44%		

LIST OF WBE PARTICIPANTS

VENDOR NUMBER	DBE NAME ADDRESS	WORK CODE TYPE OF WORK	CERT TYPE AMOUNT		
5796 WB	A-1 PAVEMENT MARKING LLC 238 N BIVENS RD , MONROE, NC 28110		Sub	140,073.85	✓ arm
			TOTAL:	\$140,073.85	✓ arm
				3.42%	

Miscellaneous Data Info - Contractor Responses:  
=====

NON-COLLUSION AND DEBARMENT CERTIFICATION

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

Explanation:  
NOT ANSWERED  
NOT ANSWERED  
NOT ANSWERED  
NOT ANSWERED

AWARD LIMITS ON MULTIPLE PROJECTS

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

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

The Award Limits shall apply to the following projects:

Contract Number	County
NOT ANSWERED	
NOT ANSWERED	
NOT ANSWERED	
NOT ANSWERED	
NOT ANSWERED	
NOT ANSWERED	

Bid Bond Data Info - Contractor Responses:  
=====

BondID: SNC11654834  
Surety Registry Agency: surety2000  
Verified?: Yes

NCDOT/berc

Vendor 3655's Load Output for Call 012, Letting L110419, 2011-04-19

Surety Agency Travelers Casualty and Surety Company of America

Bond Execution Date 4/6/2011 1 15 34 PM

Bond Amount \$220,725 96 (Five Percent of Bid)

State of NC  
 Dept of Transportation  
 Contract ID: C202756  
 Letting Date 04-19-11  
 Bidder: 3740 - Unknown

Date. 03-21-11  
 Revised  
 Project(s). STATE FUNDED  
 Call Order: 012

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			72,000.00
0002	0106000000-E BORROW EXCAVATION	CY	530.000	15.00000		7,950.00
0003	1220000000-E INCIDENTAL STONE BASE	TON	105.000	25.00000		2,625.00
0004	1245000000-E SHOULDER RECONSTRUCTION	SMI	17.990	4,400.00000		79,156.00
0005	1297000000-E MILLING ASPHALT PAVEMENT, ***"DEPTH (1-1/2")	SY	183,839 000	1.10000		202,222.90
0006	1297000000-E MILLING ASPHALT PAVEMENT, ***"DEPTH (4")	SY	15,798 000	2 60000		41,074.80
0007	1297000000-E MILLING ASPHALT PAVEMENT, ***"DEPTH (8")	SY	8,600 000	5.00000		43,000.00
0008	1308000000-E MILLING ASPHALT PAVEMENT, ***"TO *****" DEPTH (0" TO 1-1/2")	SY	16,465.000	1.75000		28,813.75
0009	1330000000-E INCIDENTAL MILLING	SY	5,590.000	2.25000		12,577.50
0010	1491000000-E ASPHALT CONC BASE COURSE, TYPE B25 0C	TON	2,150.000	44.00000		94,600.00

State of NC  
Dept of Transportation

Date. 03-21-11  
Revised.

Contract ID: C202756  
Letting Date. 04-19-11 Call Order: 012  
Bidder: 3740 - Unknown

Line No	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
0011	1503000000-E ASPHALT CONC INTERMEDIATE COURSE, TYPE I19.0C	3,841.000 TON	30.00000		115,230.00	
0012	1520000000-E ASPHALT CONC SURFACE COURSE, TYPE S9.5B (LEVELING COURSE)	200.000 TON	33.00000		6,600.00	
0013	1523000000-E ASPHALT CONC SURFACE COURSE, TYPE S9.5C	34,034.000 TON	30.50000		1,038,037.00	
0014	1524000000-E ASPHALT CONC SURFACE COURSE, TYPE S9.5C (LEVELING COURSE)	1,910.000 TON	30.50000		58,255.00	
0015	1560000000-E ASPHALT BINDER FOR PLANT MIX, GRADE PG 64-22	285.000 TON	550.00000		156,750.00	
0016	1565000000-E ASPHALT BINDER FOR PLANT MIX, GRADE PG 70-22	2,156.000 TON	550.00000		1,185,800.00	
0017	1704000000-E PATCHING EXISTING PAVEMENT	7,475.000 TON	80.00000		598,000.00	
0018	2600000000-N RETROFIT EXISTING WHEELCHAIR RAMPS	16.000 EA	550.00000		8,800.00	
0019	2830000000-N ADJUSTMENT OF MANHOLES	29.000 EA	375.00000		10,875.00	
0020	2845000000-N ADJUSTMENT OF METER BOXES OR VALVE BOXES	32.000 EA	150.00000		4,800.00	
0021	4510000000-N LAW ENFORCEMENT	32.000 HR	85.00000		2,720.00	

State of NC  
Dept of Transportation

Date: 03-21-11  
Revised:

Contract ID C202756 Project(s): STATE FUNDED  
Letting Date: 04-19-11 Call Order: 012  
Bidder 3740 - Unknown

Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
0022	4589000000-N GENERIC TRAFFIC CONTROL ITEM TRAFFIC CONTROL	LUMP	LUMP			37,000.00
0023	4685000000-E THERMOPLAST IC PAVEMENT MARKING LINES (4", 90 MILS)	LF 46,081.000	0.85000			39,168.85
0024	4686000000-E THERMOPLAST IC PAVEMENT MARKING LINES (4", 120 MILS)	LF 60,281.000	0.90000			54,252.90
0025	4695000000-E THERMOPLAST IC PAVEMENT MARKING LINES (8", 90 MILS)	LF 2,857.000	2.50000			7,142.50
0026	4705000000-E THERMOPLAST IC PAVEMENT MARKING LINES (16", 120 MILS)	LF 200.000	8.00000			1,600.00
0027	4710000000-E THERMOPLAST IC PAVEMENT MARKING LINES (24", 120 MILS)	LF 1,852.000	8.25000			15,279.00
0028	4721000000-E THERMOPLAST IC PAVEMENT MARKING CHARACTER (120 MILS)	EA 43.000	185.00000			7,955.00
0029	4725000000-E THERMOPLAST IC PAVEMENT MARKING SYMBOL (90 MILS)	EA 135.000	165.00000			22,275.00
0030	4810000000-E PAINT PAVEMENT MARKING LINES (4")	LF 45,054.000	0.22000			9,911.88
0031	4820000000-E PAINT PAVEMENT MARKING LINES (8")	LF 30.000	10.00000			300.00
0032	4835000000-E PAINT PAVEMENT MARKING LINES (24")	LF 464.000	6.00000			2,784.00

State of NC  
 Dept of Transportation

Date. 03-21-11  
 Revised:

Contract ID. C202756      Project(s) · STATE FUNDED  
 Letting Date. 04-19-11    Call Order: 012  
 Bidder: 3740 - Unknown

Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
0033	4845000000-N PAINT PAVEMENT MARKING SYMBOL	EA 27.000	70.00000		1,890.00	
0034	4847000000-E POLYUREA PAVEMENT MARKING LINES (4", *****) (HIGHLY REFLECTIVE ELEMENTS)	LF 96,100.000	1.05000		100,905.00	
0035	4900000000-N PERMANENT RAISED PAVEMENT MARKERS	EA 2,405.000	5.75000		13,828.75	
0036	5255000000-N PORTABLE LIGHTING	LUMP	LUMP		4,960.00	
0037	6000000000-E TEMPORARY SILT FENCE	LF 2,100.000	1.55000		3,255.00	
0038	6036000000-E MATTING FOR EROSION CONTROL	SY 1,050.000	1.40000		1,470.00	
0039	6071010000-E WATTLE	LF 1,300.000	3.60000		4,680.00	
Section 0001 Total						4,098,544.83
Bid Total						4,098,544.83



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:03-21-11  
PAGE: 7

PROPOSAL: C202756  
LETTING: L110419 CALL: 012  
VENDOR: 3740 Unknown

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

MBE SUBCONTRACTOR: 7138 EXPRESS LOGISTICS SERVICES, INC.  
Will Use Quote: Yes

0005 1297000000-E    MILL ASP PVM SY                  183839.000                  0.36000                  66182.04  
0017 1704000000-E    PATCHING EXI TON                  7475.000                  10.00000                  74750.00

MBE COMMITMENT TOTAL FOR SUBCONTRACTOR:                  140,932.04                  ✓ arm

TOTAL MBE COMMITMENT FOR VENDOR:                  Entered:                  3.44% or                  140932.04                  ✓ arm  
   Required:                  3.00% or                  122956.34  
   <GOAL MET>

NORTH CAROLINA STATE DEPARTMENT OF TRANSPORTATION  
WBE COMMITMENT ITEMS

DATE: 03-21-11  
PAGE: 8

PROPOSAL: C202756  
LETTING: L110419 CALL: 012  
VENDOR: 3740 Unknown

LINE NO.	ITEM NO.	ITEM DESC.	UNIT TYPE	SUBCONTRACTOR QUANTITY	SUBCONTRACTOR UNIT PRICE	EXTENDED AMOUNT
-----						
WBE SUBCONTRACTOR: 5796 A-1 PAVEMENT MARKING LLC						
Will Use Quote: Yes						
0023	4685000000-E	THERMO PVT M LF		46081.000	0.85000	39168.85
0034	4847000000-E	POLYUREA LIN LF		96100.000	1.05000	100905.00

WBE COMMITMENT TOTAL FOR SUBCONTRACTOR: 140,073.85 ✓ arm

TOTAL WBE COMMITMENT FOR VENDOR: Entered: 3.42% or 140073.85 ✓ arm  
Required: 3.00% or 122956.34  
<GOAL MET>

## Contract Item Sheets For C202756

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
<b>ROADWAY ITEMS</b>						
0001	0000100000-N	800	MOBILIZATION	Lump Sum LS	72,000.00	72,000.00
0002	0106000000-E	230	BORROW EXCAVATION	530 CY	15.00	7,950.00
0003	1220000000-E	545	INCIDENTAL STONE BASE	105 TON	25.00	2,625.00
0004	1245000000-E	SP	SHOULDER RECONSTRUCTION	17.99 SMI	4,400.00	79,156.00
0005	1297000000-E	607	MILLING ASPHALT PAVEMENT, **** DEPTH (1-1/2")	183,839 SY	1.10	202,222.90
0006	1297000000-E	607	MILLING ASPHALT PAVEMENT, **** DEPTH (4")	15,798 SY	2.60	41,074.80
0007	1297000000-E	607	MILLING ASPHALT PAVEMENT, **** DEPTH (8")	8,600 SY	5.00	43,000.00
0008	1308000000-E	607	MILLING ASPHALT PAVEMENT, **** TO ***** DEPTH (0" TO 1-1/2")	16,465 SY	1.75	28,813.75
0009	1330000000-E	607	INCIDENTAL MILLING	5,590 SY	2.25	12,577.50
0010	1491000000-E	610	ASPHALT CONC BASE COURSE, TYPE B25.0C	2,150 TON	44.00	94,600.00
0011	1503000000-E	610	ASPHALT CONC INTERMEDIATE COURSE, TYPE I19.0C	3,841 TON	30.00	115,230.00
0012	1520000000-E	SP	ASPHALT CONC SURFACE COURSE, TYPE S9.5B (LEVELING COURSE)	200 TON	33.00	6,600.00
0013	1523000000-E	610	ASPHALT CONC SURFACE COURSE, TYPE S9.5C	34,034 TON	30.50	1,038,037.00
0014	1524000000-E	SP	ASPHALT CONC SURFACE COURSE, TYPE S9.5C (LEVELING COURSE)	1,910 TON	30.50	58,255.00
0015	1560000000-E	620	ASPHALT BINDER FOR PLANT MIX, GRADE PG 64-22	285 TON	550.00	156,750.00
0016	1565000000-E	620	ASPHALT BINDER FOR PLANT MIX, GRADE PG 70-22	2,156 TON	550.00	1,185,800.00
0017	1704000000-E	SP	PATCHING EXISTING PAVEMENT	7,475 TON	80.00	598,000.00

## Contract Item Sheets For C202756

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
0018	2600000000-N	SP	RETROFIT EXISTING WHEELCHAIR RAMPS	16 EA	550.00	8,800.00
0019	2830000000-N	858	ADJUSTMENT OF MANHOLES	29 EA	375.00	10,875.00
0020	2845000000-N	858	ADJUSTMENT OF METER BOXES OR VALVE BOXES	32 EA	150.00	4,800.00
0021	4510000000-N	SP	LAW ENFORCEMENT	32 HR	85.00	2,720.00
0022	4589000000-N	SP	GENERIC TRAFFIC CONTROL ITEM TRAFFIC CONTROL	Lump Sum LS	37,000.00	37,000.00
0023	4685000000-E	1205	THERMOPLASTIC PAVEMENT MARKING LINES (4", 90 MILS)	46,081 LF	0.85	39,168.85
0024	4686000000-E	1205	THERMOPLASTIC PAVEMENT MARKING LINES (4", 120 MILS)	60,281 LF	0.90	54,252.90
0025	4695000000-E	1205	THERMOPLASTIC PAVEMENT MARKING LINES (8", 90 MILS)	2,857 LF	2.50	7,142.50
0026	4705000000-E	1205	THERMOPLASTIC PAVEMENT MARKING LINES (16", 120 MILS)	200 LF	8.00	1,600.00
0027	4710000000-E	1205	THERMOPLASTIC PAVEMENT MARKING LINES (24", 120 MILS)	1,852 LF	8.25	15,279.00
0028	4721000000-E	1205	THERMOPLASTIC PAVEMENT MARKING CHARACTER (120 MILS)	43 EA	185.00	7,955.00
0029	4725000000-E	1205	THERMOPLASTIC PAVEMENT MARKING SYMBOL (90 MILS)	135 EA	165.00	22,275.00
0030	4810000000-E	1205	PAINT PAVEMENT MARKING LINES (4")	45,054 LF	0.22	9,911.88
0031	4820000000-E	1205	PAINT PAVEMENT MARKING LINES (8")	30 LF	10.00	300.00
0032	4835000000-E	1205	PAINT PAVEMENT MARKING LINES (24")	464 LF	6.00	2,784.00
0033	4845000000-N	1205	PAINT PAVEMENT MARKING SYMBOL	27 EA	70.00	1,890.00
0034	4847000000-E	1205	POLYUREA PAVEMENT MARKING LINES (4", *****) (HIGHLY REFLECTIVE ELEMENTS)	96,100 LF	1.05	100,905.00

## Contract Item Sheets For C202756

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
0035	4900000000-N	1251	PERMANENT RAISED PAVEMENT MARKERS	2,405 EA	5.75	13,828.75
0036	5255000000-N	1413	PORTABLE LIGHTING	Lump Sum LS	4,960.00	4,960.00
0037	6000000000-E	1605	TEMPORARY SILT FENCE	2,100 LF	1.55	3,255.00
0038	6036000000-E	1631	MATTING FOR EROSION CONTROL	1,050 SY	1.40	1,470.00
0039	6071010000-E	SP	WATTLE	1,300 LF	3.60	4,680.00

**TOTAL AMOUNT OF BID FOR ENTIRE PROJECT**

**\$4,098,544.83**

1320/Apr28/Q543086.99/D124210110000/E39

Contract Number C202756  
County Mecklenburg

Rev 4-19-11

**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**

Blythe Development Company  
Full name of Corporation

1415 E. Westinghouse Blvd. Charlotte NC 28273  
Address as Prequalified

Attest F.W. Blythe By [Signature]  
Secretary/Assistant Secretary President/Vice President/Assistant Vice President  
Select appropriate title Select appropriate title

F.W. BLYTHE  
Print or type Signer's name

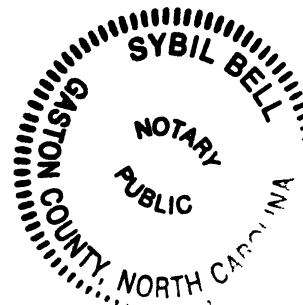
L.J. BLYTHE  
Print or type Signer's name

**CORPORATE SEAL**

**AFFIDAVIT MUST BE NOTARIZED**

Subscribed and sworn to before me this the  
2 day of May 2011.  
Sybil Bell  
Signature of Notary Public  
of Gaston County  
State of North Carolina  
My Commission Expires: 1-13-2015

**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 . C202756**

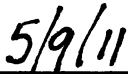
**County (ies): Mecklenburg**

**ACCEPTED BY THE  
DEPARTMENT OF TRANSPORTATION**



---

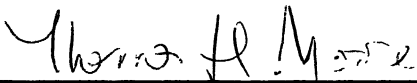
**Contract Officer**



---

**Date**

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



---

**Attorney General**

**Signature Sheet (Bid - Acceptance by Department)**

Contract No. C202756  
County Mecklenburg

Rev 2-1-10

Bond No. 018021687

### CONTRACT PAYMENT BOND

Date of Payment Bond Execution May 2, 2011

Name of Principal Contractor Blythe Development Company

Name of Surety Liberty Mutual Insurance Company

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

Amount of Bond: Four Million Ninety Eight Thousand  
Five Hundred Forty Four Dollars and 83/100 ( \$4,098,544.83 )

Contract ID No.: C202756

County Name: Mecklenburg

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

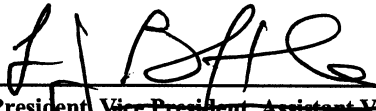


**CONTRACT PAYMENT BOND**  
**CORPORATION**

SIGNATURE OF CONTRACTOR (Principal)


Blythe Development Company  
Full name of Corporation

1415 East Westinghouse Boulevard, Charlotte, NC 28273  
Address as prequalified

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

L. J. BLYTHE  
Print or type Signer's name

*Affix Corporate Seal*

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

F. W BLYTHE  
Print or type Signer's name

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. 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 610-832-8240 between 9:00 am and 4:30 pm EST on any business day.

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, Angela D. Ramsey its true and lawful attorney-in-fact, with full power and authority hereby conferred to sign, execute and acknowledge, at any location within the United States, the following surety bond:

Principal Name: Blythe Development Company
Obligee Name: North Carolina Department of Transportation
LMS Surety Bond Number: 018021687 Bond Amount: See Bond Form

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.

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 28th day of MARCH, 2009



LIBERTY MUTUAL INSURANCE COMPANY

Garnet W. Elliott

By Garnet W Elliott, Assistant Secretary

COMMONWEALTH OF PENNSYLVANIA ss
COUNTY OF MONTGOMERY

On this 28th day of MARCH, 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

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 2nd day of May, 2011



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

Contract No. C202756  
County Mecklenburg

Rev 2-1-10

Bond No. 018021687

### CONTRACT PERFORMANCE BOND

Date of Performance Bond Execution: May 2, 2011

Name of Principal Contractor: Blythe Development Company

Name of Surety: Liberty Mutual Insurance Company

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

Amount of Bond: Four Million Ninety Eight Thousand  
Five Hundred Forty Four Dollars and 83/100 ( \$4,098,544.83 )

Contract ID No.: C202756

County Name: Mecklenburg

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. C202756  
County Mecklenburg

Rev 2-1-10

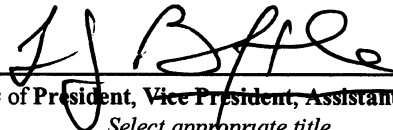
**CONTRACT PERFORMANCE BOND**

**CORPORATION**

SIGNATURE OF CONTRACTOR (Principal)


Blythe Development Company  
Full name of Corporation

1415 East Westinghouse Boulevard, Charlotte, NC 28273  
Address as prequalified

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

L. J. BLYTHE  
Print or type Signer's name

*Affix Corporate Seal*

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

F. W. BLYTHE  
Print or type Signer's name

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. 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 610-832-8240 between 9:00 am and 4:30 pm EST on any business day.

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, Angela D. Ramsey its true and lawful attorney-in-fact, with full power and authority hereby conferred to sign, execute and acknowledge, at any location within the United States, the following surety bond:

Principal Name: Blythe Development Company

Obligee Name: North Carolina Department of Transportation

LMS Surety Bond Number: 018021687

Bond Amount: See Bond Form

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 28th day of MARCH, 2009.



LIBERTY MUTUAL INSURANCE COMPANY

Garnet W. Elliott

By Garnet W Elliott, Assistant Secretary

COMMONWEALTH OF PENNSYLVANIA ss
COUNTY OF MONTGOMERY

On this 28th day of MARCH, 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

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 2nd day of May, 2011



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

