

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

C202827

CONTRACT AND
CONTRACT BONDS

FOR CONTRACT NO. C202827

WBS 5CR.20921.32 STATE FUNDED

COUNTY OF WAKE
THIS IS THE ROADWAY CONTRACT
ROUTE NUMBER _____ LENGTH 1.240 MILES
LOCATION 2 SECTIONS OF SECONDARY ROADS.

CONTRACTOR TRIANGLE GRADING & PAVING, INC
ADDRESS P.O. BOX 2570
BURLINGTON, NC 272162750

BIDS OPENED AUGUST 16, 2011
CONTRACT EXECUTION SEP 15 2011

Triangle Grading and Paving, Inc. (3752).

Vendor 1 of 3 Vendors for Call Order 002 (Proposal ID C202827).

County: WAKE

Address: 1521 S. Huffman Mill Rd.
Burlington, nc 27115

Phone Number: 336-584-1745

Signature Check: This bid has been properly signed by R_G_Kirkpatrick_Jr_3752.

Time Bid Received: Tue Aug 16 10:15:30 2011

Bid Checksum: 6C337D39

MBE GOAL SET 4.0

Amendment Count: 0

Bidding Errors: No bidding errors ✓

Bid Total: \$1,475,543.40 ✓ MBE GOAL MET 4.0

Bond ID: TS9X-92MJ-5YNX-SFLF

Bond was Verified: Yes.

Bond Required Percent: 5.00% WBE GOAL SET 4.0

Minimum Check Amount: \$73,777.17

Bid Security Maximum: \$

Bond Agency Name: WBE GOAL MET 4.0

Agency Execution Date: 8/16/2011

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

11572 MB	CRUZ BROTHERS CONCRETE, INC.	Sub	9,300.00	✓	arm
	1572 PAYNE ROAD/LOT 75 LOT 75 , GRAHAM, NC 27253				
6159 MB	BUSY BLACK TRUCKING LLC	Sub	49,722.90	✓	arm
	5 CAT TAIL COURT , DURHAM, NC 27703				
	TOTAL:		\$59,022.90	✓	arm
			4.00%		

LIST OF WBE PARTICIPANTS

VENDOR NUMBER	DBE NAME ADDRESS	WORK CODE TYPE OF WORK	CERT TYPE AMOUNT		
7072 WB	BOONE MASONRY, INC.		Sub	59,100.00	✓ arm
	NEALWOOD AVENUE , GRAHAM, NC 27253				
	TOTAL:			\$59,100.00	✓ arm
				4.01%	

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: TS9X-92MJ-5YNX-SFLF

NCDOT/berc

Vendor 3752's Load Output for Call 002, Letting L110816, 2011-08-16

Surety Registry Agency: SurePathNetwork

Verified?: Yes

Surety Agency: Liberty Mutual Insurance Company

Bond Execution Date: 8/16/2011

Bond Amount: \$73,777.17 (Five Percent of Bid)

State of NC
Dept of Transportation

Date: 07-19-11
Revised:

Contract ID: C202827 Project(s): STATE FUNDED
Letting Date: 08-16-11 Call Order: 002
Bidder: 3752 - Triangle Grading and Paving, Inc.

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			8,000.00
0002	1297000000-E MILLING ASPHALT PAVEMENT, ***"DEPTH (4")	SY	62,315.000	1.80000		112,167.00
0003	1308000000-E MILLING ASPHALT PAVEMENT, ***"TO *****" DEPTH (1-1/2" TO 3")	SY	1,980.000	5.00000		9,900.00
0004	1498000000-E ASPHALT CONC INTERMEDIATE COURSE, TYPE I19.0B	TON	9,004.000	36.00000		324,144.00
0005	1519000000-E ASPHALT CONC SURFACE COURSE, TYPE S9.5B	TON	5,399.000	35.00000		188,965.00
0006	1575000000-E ASPHALT BINDER FOR PLANT MIX	TON	756.000	732.00000		553,392.00
0007	1704000000-E PATCHING EXISTING PAVEMENT	TON	800.000	96.00000		76,800.00
0008	2549000000-E 2'-6" CONCRETE CURB & GUTTER	LF	60.000	35.00000		2,100.00
0009	2759000000-N GENERIC PAVING ITEM CONCRETE CURB RAMPS	EA	6.000	1,200.00000		7,200.00
0010	2830000000-N ADJUSTMENT OF MANHOLES	EA	102.000	485.00000		49,470.00

State of NC
Dept of Transportation

Date: 07-19-11
Revised:

Contract ID: C202827 Project(s): STATE FUNDED
Letting Date: 08-16-11 Call Order: 002
Bidder: 3752 - Triangle Grading and Paving, Inc.

Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
0011	2845000000-N ADJUSTMENT OF METER BOXES OR VALVE BOXES	EA 118.000	435.00000		51,330.00	
0012	4510000000-N LAW ENFORCEMENT	HR 100.000	55.00000		5,500.00	
0013	4589000000-N GENERIC TRAFFIC CONTROL ITEM TRAFFIC CONTROL	LUMP	LUMP		32,000.00	
0014	4686000000-E THERMOPLAST IC PAVEMENT MARKING LINES (4", 120 MILS)	LF 4,094.000	0.80000		3,275.20	
0015	4697000000-E THERMOPLAST IC PAVEMENT MARKING LINES (8", 120 MILS)	LF 4,340.000	2.50000		10,850.00	
0016	4710000000-E THERMOPLAST IC PAVEMENT MARKING LINES (24", 120 MILS)	LF 1,201.000	6.00000		7,206.00	
0017	4721000000-E THERMOPLAST IC PAVEMENT MARKING CHARACTER (120 MILS)	EA 4.000	125.00000		500.00	
0018	4725000000-E THERMOPLAST IC PAVEMENT MARKING SYMBOL (90 MILS)	EA 67.000	110.00000		7,370.00	
0019	4810000000-E PAINT PAVEMENT MARKING LINES (4")	LF 4,094.000	0.30000		1,228.20	
0020	4820000000-E PAINT PAVEMENT MARKING LINES (8")	LF 4,340.000	1.00000		4,340.00	
0021	4835000000-E PAINT PAVEMENT MARKING LINES (24")	LF 1,201.000	2.50000		3,002.50	

State of NC
 Dept of Transportation

Date: 07-19-11
 Revised:

Contract ID: C202827 Project(s): STATE FUNDED
 Letting Date: 08-16-11 Call Order: 002
 Bidder: 3752 - Triangle Grading and Paving, Inc.

Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
0022	4840000000-N PAINT PAVEMENT MARKING CHARAC-TER	EA 4.000	65.00000		260.00	
0023	4845000000-N PAINT PAVEMENT MARKING SYMBOL	EA 67.000	55.00000		3,685.00	
0024	5255000000-N PORTABLE LIGHTING	LUMP	LUMP		6,000.00	
0025	7444000000-E INDUCTIVE LOOP SAWCUT	LF 1,247.000	5.50000		6,858.50	
	Section 0001 Total				1,475,543.40	
	Bid Total				1,475,543.40	

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
 MBE COMMITMENT ITEMS

DATE: 07-19-11
 PAGE: 6

PROPOSAL: C202827
 LETTING: L110816 CALL: 002
 VENDOR: 3752 Triangle Grading and Paving, Inc.

LINE NO.	ITEM NO.	ITEM DESC.	UNIT TYPE	SUBCONTRACTOR QUANTITY	SUBCONTRACTOR UNIT PRICE	EXTENDED AMOUNT
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MBE SUBCONTRACTOR: 11572 CRUZ BROTHERS CONCRETE, INC.
 Will Use Quote: Yes

0008	2549000000-E	2'-6"CONC CU LF		60.000	35.00000	2100.00
0009	2759000000-N	GENERIC PAVI EA		6.000	1200.00000	7200.00

MBE COMMITMENT TOTAL FOR SUBCONTRACTOR: 9,300.00 ✓ arm

MBE SUBCONTRACTOR: 6159 BUSY BLACK TRUCKING LLC
 Will Use Quote: Yes

0003	1308000000-E	MILLN ASPHAL SY		1980.000	1.13000	2237.40
0004	1498000000-E	ASP CONC INT TON		2512.000	6.50000	16328.00
0002	1297000000-E	MILL ASP PVM SY		62315.000	0.50000	31157.50

MBE COMMITMENT TOTAL FOR SUBCONTRACTOR: 49,722.90 ✓ arm

TOTAL MBE COMMITMENT FOR VENDOR: Entered: 4.00% or 59022.90
 Required: 4.00% or 59021.74
 <GOAL MET> ✓ arm

NORTH CAROLINA STATE DEPARTMENT OF TRANSPORTATION
WBE COMMITMENT ITEMS

DATE: 07-19-11
PAGE: 7

PROPOSAL: C202827
LETTING: L110816 CALL: 002
VENDOR: 3752 Triangle Grading and Paving, Inc.

LINE NO.	ITEM NO.	ITEM DESC.	UNIT TYPE	SUBCONTRACTOR QUANTITY	SUBCONTRACTOR UNIT PRICE	EXTENDED AMOUNT
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WBE SUBCONTRACTOR: 7072 BOONE MASONRY, INC.
Will Use Quote: Yes

0010	2830000000-N	ADJ MANHOLES	EA	102.000	450.00000	45900.00
0011	2845000000-N	ADJ METER OR	EA	33.000	400.00000	13200.00

WBE COMMITMENT TOTAL FOR SUBCONTRACTOR:

59,100.00

✓ am

TOTAL WBE COMMITMENT FOR VENDOR:

Entered: 4.01% or 59100.00
Required: 4.00% or 59021.74
<GOAL MET>

✓ am

Contract Item Sheets For C202827

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
ROADWAY ITEMS						
0001	0000100000-N	800	MOBILIZATION	Lump Sum LS	8,000.00	8,000.00
0002	1297000000-E	607	MILLING ASPHALT PAVEMENT, **** DEPTH (4")	62,315 SY	1.80	112,167.00
0003	1308000000-E	607	MILLING ASPHALT PAVEMENT, **** TO ***** DEPTH (1-1/2" TO 3")	1,980 SY	5.00	9,900.00
0004	1498000000-E	610	ASPHALT CONC INTERMEDIATE COURSE, TYPE I19.0B	9,004 TON	36.00	324,144.00
0005	1519000000-E	610	ASPHALT CONC SURFACE COURSE, TYPE S9.5B	5,399 TON	35.00	188,965.00
0006	1575000000-E	SP	ASPHALT BINDER FOR PLANT MIX	756 TON	732.00	553,392.00
0007	1704000000-E	SP	PATCHING EXISTING PAVEMENT	800 TON	96.00	76,800.00
0008	2549000000-E	846	2'-6" CONCRETE CURB & GUTTER	60 LF	35.00	2,100.00
0009	2759000000-N	SP	GENERIC PAVING ITEM CONCRETE CURB RAMPS	6 EA	1,200.00	7,200.00
0010	2830000000-N	858	ADJUSTMENT OF MANHOLES	102 EA	485.00	49,470.00
0011	2845000000-N	858	ADJUSTMENT OF METER BOXES OR VALVE BOXES	118 EA	435.00	51,330.00
0012	4510000000-N	SP	LAW ENFORCEMENT	100 HR	55.00	5,500.00
0013	4589000000-N	SP	GENERIC TRAFFIC CONTROL ITEM TRAFFIC CONTROL	Lump Sum LS	32,000.00	32,000.00
0014	4686000000-E	1205	THERMOPLASTIC PAVEMENT MARKING LINES (4", 120 MILS)	4,094 LF	0.80	3,275.20
0015	4697000000-E	1205	THERMOPLASTIC PAVEMENT MARKING LINES (8", 120 MILS)	4,340 LF	2.50	10,850.00
0016	4710000000-E	1205	THERMOPLASTIC PAVEMENT MARKING LINES (24", 120 MILS)	1,201 LF	6.00	7,206.00
0017	4721000000-E	1205	THERMOPLASTIC PAVEMENT MARKING CHARACTER (120 MILS)	4 EA	125.00	500.00

Contract Item Sheets For C202827

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
0018	4725000000-E	1205	THERMOPLASTIC PAVEMENT MARKING SYMBOL (90 MILS)	67 EA	110.00	7,370.00
0019	4810000000-E	1205	PAINT PAVEMENT MARKING LINES (4")	4,094 LF	0.30	1,228.20
0020	4820000000-E	1205	PAINT PAVEMENT MARKING LINES (8")	4,340 LF	1.00	4,340.00
0021	4835000000-E	1205	PAINT PAVEMENT MARKING LINES (24")	1,201 LF	2.50	3,002.50
0022	4840000000-N	1205	PAINT PAVEMENT MARKING CHARACTER	4 EA	65.00	260.00
0023	4845000000-N	1205	PAINT PAVEMENT MARKING SYMBOL	67 EA	55.00	3,685.00
0024	5255000000-N	1413	PORTABLE LIGHTING	Lump Sum LS	6,000.00	6,000.00
0025	7444000000-E	1725	INDUCTIVE LOOP SAWCUT	1,247 LF	5.50	6,858.50

TOTAL AMOUNT OF BID FOR ENTIRE PROJECT

\$1,475,543.40

0922/Aug26/Q101302/D89371100000/E25

**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

Triangle Grading and Paving, Inc.
Full name of Corporation

P.O. Box 2570, Burlington, NC 27216-2570
Address as Prequalified

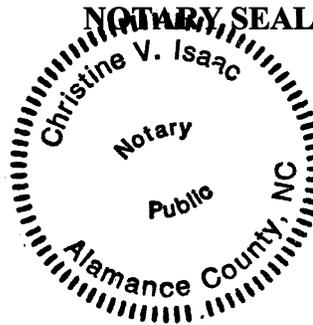
Attest *Norma Hartis* By *[Signature]*
~~Secretary~~/Assistant Secretary ~~President/Vice President/Assistant President~~
Select appropriate title Select appropriate title

Norman Hartis R.G. Kirkpatrick, Jr.
Print or type Signer's name Print or type Signer's name

CORPORATE SEAL

AFFIDAVIT MUST BE NOTARIZED

Subscribed and sworn to before me this the
1st day of September 20 11.
Christine V. Isaac
Signature of Notary Public
of Alamance County
State of NC
My Commission Expires: 1/21/14



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 C202827

County (ies): Wake

ACCEPTED BY THE
DEPARTMENT OF TRANSPORTATION



Contract Officer

9/15/11

Date

Execution of Contract and Bonds
Approved as to Form:



Attorney General

Bond No. 018024474

Contract No. C202827
County Wake

Rev 5-17-11

CONTRACT PAYMENT BOND

Date of Payment Bond Execution August 31, 2011

Name of Principal Contractor Triangle Grading & Paving, Inc.

Name of Surety: Liberty Mutual Insurance Company
175 Berkeley Street, Boston, MA 02117

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

Amount of Bond: (\$1,475,543.40) One Million Four Hundred Seventy Five
Thousand Five Hundred Forty Three Dollars and 40/100

Contract ID No.: C202827

County Name: Wake

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. C202827
County Wake

Rev 5-17-11

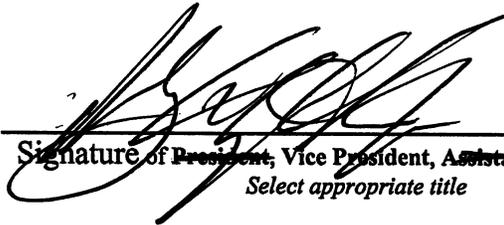
CONTRACT PAYMENT BOND

CORPORATION

SIGNATURE OF CONTRACTOR (Principal)

Triangle Grading & Paving, Inc.
Full name of Corporation

PO Drawer 2570, Burlington, NC 27216-2570
Address as prequalified

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

R. G. Kirkpatrick, Jr.
Print or type Signer's name

Affix Corporate Seal

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

Norman Hartis
Print or type Signer's name

Contract No. C202827
County Wake

CONTRACT PERFORMANCE BOND

Date of Performance Bond Execution: August 31, 2011
Name of Principal Contractor: Triangle Grading & Paving, Inc.
Name of Surety: Liberty Mutual Insurance Company
175 Berkeley Street, Boston, MA 02117
Name of Contracting Body: North Carolina Department of Transportation
Raleigh, North Carolina
Amount of Bond: (\$1,475,543.40) One Million Four Hundred Seventy Five
Thousand Five Hundred Forty Three Dollars and 40/100
Contract ID No.: C202827
County Name: Wake

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. C202827
County Wake

Rev 5-17-11

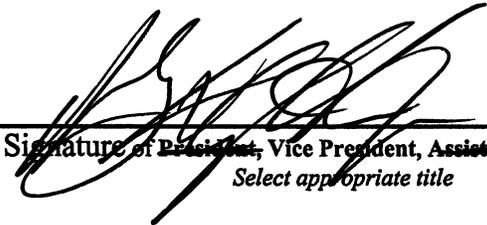
CONTRACT PERFORMANCE BOND

CORPORATION

SIGNATURE OF CONTRACTOR (Principal)

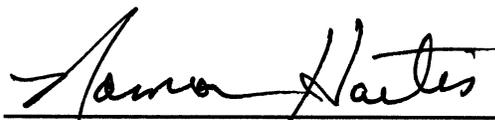
Triangle Grading & Paving, Inc.
Full name of Corporation

PO Drawer 2570, Burlington, NC 27216-2570
Address as prequalified

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

R. G. Kirkpatrick, Jr.
Print or type Signer's name

Affix Corporate Seal

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

Norman Hartis
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 M. Yount 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: Triangle Grading & Paving, Inc.

Obligee Name: North Carolina Department of Transportation, Design Services Unit

LMS Surety Bond Number: 018024474

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 31st day of August, 2011.



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