

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

C202856

CONTRACT AND
CONTRACT BONDS

FOR CONTRACT NO. C202856

WBS 7CR.10791.36, 7CR.20791.36 STATE FUNDED

COUNTY OF ROCKINGHAM
THIS IS THE ROADWAY CONTRACT
ROUTE NUMBER NC 87 LENGTH 12.528 MILES
LOCATION NC-770/87 FROM NC-14 TO SR-1533, NC-87 FROM NC-65 TO NC-770,
AND 3 SECTIONS OF SECONDARY ROADS.

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

BIDS OPENED NOVEMBER 15, 2011
CONTRACT EXECUTION DEC 20 2011

**APAC-Atlantic, Inc. Thompson-Arthur Division (4315).
Vendor 2 of 3 Vendors for Call Order 018 (Proposal ID C202856).**

County: ROCKINGHAM
Address: P.O. Box 21088
Greensboro, North Carolina 27420

Phone Number: 336-412-6861

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

Time Bid Received: Tue Nov 15 13:06:30 2011

Bid Checksum: A02FFC4E

MBE GOAL SET 5.0

Amendment Count: 0

Bidding Errors: This bid contains errors.

Bid Total: \$2,365,924.78 ✓

MBE GOAL OBT 4.2

Bond ID: SNC11885327

Bond was Verified: Yes.

Bond Required Percent: 5.00%

WBE GOAL SET 5.0

Minimum Check Amount: \$118,296.24

Bid Security Maximum: \$

Bond Agency Name:

WBE GOAL OBT 2.2

Agency Execution Date: 11/10/2011 4:33:23 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 018, Letting L111115, 2011-11-15

Bid Bond Data Info - Contractor Responses:

=====

BondID: SNC11885327
Surety Registry Agency: surety2000
Verified?: Yes
Surety Agency: Liberty Mutual Insurance Company
Bond Execution Date: 11/10/2011 4:33:23 PM
Bond Amount: \$118,296.24 (Five Percent of Bid)

State of NC
Dept of Transportation

Date: 10-17-11
Revised:

Contract ID: C202856 Project(s): STATE FUNDED
Letting Date: 11-15-11 Call Order: 018
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			16,000.00
0002	1220000000-E INCIDENTAL STONE BASE	TON	1,213.000	36.00000		43,668.00
0003	1308000000-E MILLING ASPHALT PAVEMENT, ***"TO *****" DEPTH (0" TO 1-1/2")	SY	4,608.000	3.09000		14,238.72
0004	1308000000-E MILLING ASPHALT PAVEMENT, ***"TO *****" DEPTH (0" TO 1-1/4")	SY	3,121.000	1.92000		5,992.32
0005	1330000000-E INCIDENTAL MILLING	SY	534.000	5.30000		2,830.20
0006	1519000000-E ASPHALT CONC SURFACE COURSE, TYPE S9.5B	TON	17,639.000	42.60000		751,421.40
0007	1525000000-E ASPHALT CONC SURFACE COURSE, TYPE SF9.5A	TON	514.000	45.00000		23,130.00
0008	1575000000-E ASPHALT BINDER FOR PLANT MIX	TON	1,095.000	613.50000		671,782.50
0009	1775000000-E ASPHALT SURFACE TREATMENT, MATCOAT, #78M STONE	SY	13,901.000	1.11000		15,430.11
0010	1839000000-E GENERIC PAVING ITEM ASPHALT SURFACE TREATMENT, MAT COAT, #67 STONE	SY	181,892.000	1.22000		221,908.24

State of NC
Dept of Transportation

Date: 10-17-11
Revised:

Contract ID: C202856 Project(s): STATE FUNDED
Letting Date: 11-15-11 Call Order: 018
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	1880000000-E GENERIC PAVING ITEM 3" PATCHING OF EXISTING PAVE- MENT	TON 40.000	113.00000		4,520.00	
0012	1880000000-E GENERIC PAVING ITEM 8" PATCHING OF EXISTING PAVE- MENT	TON 5,110.000	81.70000		417,487.00	
0013	2759000000-N GENERIC PAVING ITEM RETROFIT EXISTING CURB RAMPS	EA 16.000	500.00000		8,000.00	
0014	2830000000-N ADJUSTMENT OF MANHOLES	EA 27.000	475.00000		12,825.00	
0015	2845000000-N ADJUSTMENT OF METER BOXES OR VALVE BOXES	EA 21.000	450.00000		9,450.00	
0016	4685000000-E THERMOPLAST IC PAVEMENT MARKING LINES (4", 90 MILS)	LF 109,230.000	0.42000		45,876.60	
0017	4686000000-E THERMOPLAST IC PAVEMENT MARKING LINES (4", 120 MILS)	LF 103,414.000	0.54000		55,843.56	
0018	4688000000-E THERMOPLAST IC PAVEMENT MARKING LINES (6", 90 MILS)	LF 64.000	1.00000		64.00	
0019	4690000000-E THERMOPLAST IC PAVEMENT MARKING LINES (6", 120 MILS)	LF 326.000	1.25000		407.50	
0020	4695000000-E THERMOPLAST IC PAVEMENT MARKING LINES (8", 90 MILS)	LF 1,037.000	1.75000		1,814.75	
0021	4697000000-E THERMOPLAST IC PAVEMENT MARKING LINES (8", 120 MILS)	LF 735.000	2.50000		1,837.50	
0022	4702000000-E THERMOPLAST IC PAVEMENT MARKING LINES (12", 120 MILS)	LF 372.000	4.00000		1,488.00	

State of NC
Dept of Transportation

Date: 10-17-11
Revised:

Contract ID: C202856 Project(s): STATE FUNDED
Letting Date: 11-15-11 Call Order: 018
Bidder: 4315 - APAC-Atlantic, Inc. Thompson-Arthur Division

Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
0023	4710000000-E THERMOPLAST IC PAVEMENT MARKING LINES (24", 120 MILS)	519.000 LF	4.50000		2,335.50	
0024	4721000000-E THERMOPLAST IC PAVEMENT MARKING CHARACTER (120 MILS)	40.000 EA	100.00000		4,000.00	
0025	4725000000-E THERMOPLAST IC PAVEMENT MARKING SYMBOL (90 MILS)	70.000 EA	100.00000		7,000.00	
0026	4810000000-E PAINT PAVEMENT MARKING LINES (4")	32,492.000 LF	0.14000		4,548.88	
0027	4835000000-E PAINT PAVEMENT MARKING LINES (24")	44.000 LF	4.00000		176.00	
0028	4900000000-N PERMANENT RAISED PAVEMENT MARKERS	50.000 EA	10.00000		500.00	
0029	4905000000-N SNOWPLOWABLE PAVEMENT MARKERS	900.000 EA	21.81000		19,629.00	
0030	7300000000-E UNPAVED TRENCHING (*****)(1, 2")	25.000 LF	6.00000		150.00	
0031	7324000000-N JUNCTION BOX (STANDARD SIZE)	1.000 EA	275.00000		275.00	
0032	7420000000-E 2" RISER WITH WEATHERHEAD	1.000 EA	400.00000		400.00	
0033	7444000000-E INDUCTIVE LOOP SAWCUT	200.000 LF	4.35000		870.00	

State of NC
 Dept of Transportation

Date: 10-17-11
 Revised:

Contract ID: C202856 Project(s): STATE FUNDED
 Letting Date: 11-15-11 Call Order: 018
 Bidder: 4315 - APAC-Atlantic, Inc. Thompson-Arthur Division

Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
0034	7456000000-E LEAD-IN CABLE (***** (14-2)	25.000 LF	1.00000		25.00	
Section 0001 Total						2,365,924.78
Bid Total						2,365,924.78 ✓

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:10-17-11
 PAGE: 7

PROPOSAL: C202856
 LETTING: L111115 CALL: 018
 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						
0002	1220000000-E	INCIDENTAL S	TON	1213.000	6.00000	7278.00
Estimate based on an hourly rate of \$63 per hr for a triaxle trk						
0006	1519000000-E	ASP CONC SUR	TON	17639.000	4.00000	70556.00
Estimate based on an hourly rate of \$63 per hr for a triaxle trk						
0007	1525000000-E	ASP CONC SUR	TON	514.000	4.10000	2107.40
Estimate based on an hourly rate of \$63 per hr for a triaxle trk						
0009	1775000000-E	AST, MAT COA	SY	13901.000	0.10000	1390.10
Estimate based on an hourly rate of \$63 per hr for a triaxle trk						
0010	1839000000-E	GENERIC PAVI	SY	181892.000	0.10000	18189.20
Estimate based on an hourly rate of \$63 per hr for a triaxle trk						

MBE COMMITMENT TOTAL FOR SUBCONTRACTOR: 99,520.70 ✓ arm

TOTAL MBE COMMITMENT FOR VENDOR: Entered: 4.21% or 99520.70 ✓ arm
 Required: 5.00% or 118296.24
 <GOAL NOT MET>

Contract Item Sheets For C202856

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
ROADWAY ITEMS						
0001	0000100000-N	800	MOBILIZATION	Lump Sum LS	16,000.00	16,000.00
0002	1220000000-E	545	INCIDENTAL STONE BASE	1,213 TON	36.00	43,668.00
0003	1308000000-E	607	MILLING ASPHALT PAVEMENT, **** TO ***** DEPTH (0" TO 1-1/2")	4,608 SY	3.09	14,238.72
0004	1308000000-E	607	MILLING ASPHALT PAVEMENT, **** TO ***** DEPTH (0" TO 1-1/4")	3,121 SY	1.92	5,992.32
0005	1330000000-E	607	INCIDENTAL MILLING	534 SY	5.30	2,830.20
0006	1519000000-E	610	ASPHALT CONC SURFACE COURSE, TYPE S9.5B	17,639 TON	42.60	751,421.40
0007	1525000000-E	610	ASPHALT CONC SURFACE COURSE, TYPE SF9.5A	514 TON	45.00	23,130.00
0008	1575000000-E	SP	ASPHALT BINDER FOR PLANT MIX	1,095 TON	613.50	671,782.50
0009	1775000000-E	660	ASPHALT SURFACE TREATMENT, MAT COAT, #78M STONE	13,901 SY	1.11	15,430.11
0010	1839000000-E	660	GENERIC PAVING ITEM ASPHALT SURFACE TREATMENT, MAT COAT, #67 STONE	181,892 SY	1.22	221,908.24
0011	1880000000-E	SP	GENERIC PAVING ITEM 3" PATCHING OF EXISTING PAVE- MENT	40 TON	113.00	4,520.00
0012	1880000000-E	SP	GENERIC PAVING ITEM 8" PATCHING OF EXISTING PAVE- MENT	5,110 TON	81.70	417,487.00
0013	2759000000-N	SP	GENERIC PAVING ITEM RETROFIT EXISTING CURB RAMPS	16 EA	500.00	8,000.00
0014	2830000000-N	858	ADJUSTMENT OF MANHOLES	27 EA	475.00	12,825.00
0015	2845000000-N	858	ADJUSTMENT OF METER BOXES OR VALVE BOXES	21 EA	450.00	9,450.00
0016	4685000000-E	1205	THERMOPLASTIC PAVEMENT MARKING LINES (4", 90 MILS)	109,230 LF	0.42	45,876.60

Contract Item Sheets For C202856

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
0017	4686000000-E	1205	THERMOPLASTIC PAVEMENT MARKING LINES (4", 120 MILS)	103,414 LF	0.54	55,843.56
0018	4688000000-E	1205	THERMOPLASTIC PAVEMENT MARKING LINES (6", 90 MILS)	64 LF	1.00	64.00
0019	4690000000-E	1205	THERMOPLASTIC PAVEMENT MARKING LINES (6", 120 MILS)	326 LF	1.25	407.50
0020	4695000000-E	1205	THERMOPLASTIC PAVEMENT MARKING LINES (8", 90 MILS)	1,037 LF	1.75	1,814.75
0021	4697000000-E	1205	THERMOPLASTIC PAVEMENT MARKING LINES (8", 120 MILS)	735 LF	2.50	1,837.50
0022	4702000000-E	1205	THERMOPLASTIC PAVEMENT MARKING LINES (12", 120 MILS)	372 LF	4.00	1,488.00
0023	4710000000-E	1205	THERMOPLASTIC PAVEMENT MARKING LINES (24", 120 MILS)	519 LF	4.50	2,335.50
0024	4721000000-E	1205	THERMOPLASTIC PAVEMENT MARKING CHARACTER (120 MILS)	40 EA	100.00	4,000.00
0025	4725000000-E	1205	THERMOPLASTIC PAVEMENT MARKING SYMBOL (90 MILS)	70 EA	100.00	7,000.00
0026	4810000000-E	1205	PAINT PAVEMENT MARKING LINES (4")	32,492 LF	0.14	4,548.88
0027	4835000000-E	1205	PAINT PAVEMENT MARKING LINES (24")	44 LF	4.00	176.00
0028	4900000000-N	1251	PERMANENT RAISED PAVEMENT MARKERS	50 EA	10.00	500.00
0029	4905000000-N	1253	SNOWPLOWABLE PAVEMENT MARKERS	900 EA	21.81	19,629.00
0030	7300000000-E	1715	UNPAVED TRENCHING (*****) (1, 2")	25 LF	6.00	150.00
0031	7324000000-N	1716	JUNCTION BOX (STANDARD SIZE)	1 EA	275.00	275.00
0032	7420000000-E	1722	2" RISER WITH WEATHERHEAD	1 EA	400.00	400.00
0033	7444000000-E	1725	INDUCTIVE LOOP SAWCUT	200 LF	4.35	870.00

Contract Item Sheets For C202856

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
0034	7456000000-E	1726	LEAD-IN CABLE (***** (14-2)	25 LF	1.00	25.00

TOTAL AMOUNT OF BID FOR ENTIRE PROJECT

\$2,365,924.78

1342/Dec07/Q479277/D128986100000/E34

**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.

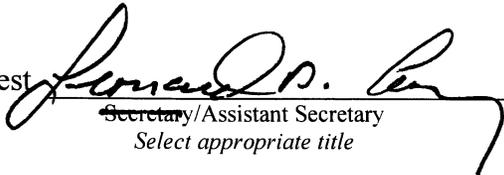
SIGNATURE OF CONTRACTOR

APAC-Atlantic, Inc. Thompson-Arthur Division

Full name of Corporation

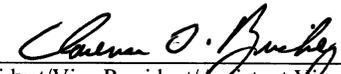
PO Box 21088, Greensboro, North Carolina 27420

Address as Prequalified

Attest 
~~Secretary~~/Assistant Secretary
Select appropriate title

Leonard D. Conway

Print or type Signer's name

By 
~~President~~/Vice President/~~Assistant~~ Vice President
Select appropriate title

Clarence O. Brickey

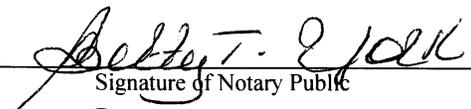
Print or type Signer's name

CORPORATE SEAL

AFFIDAVIT MUST BE NOTARIZED

Subscribed and sworn to before me this the

8th day of December 2011.


Signature of Notary Public

NOTARY SEAL

of Rockingham County

State of NC

My Commission Expires: 4/11/14

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 C202856

County (ies): Rockingham

**ACCEPTED BY THE
DEPARTMENT OF TRANSPORTATION**



Contract Officer



Date

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



Assistant Attorney General

Contract No. C202856
 County ROCKINGHAM

Rev 2-1-10

CONTRACT PAYMENT BOND

Date of Payment Bond Execution DECEMBER 8, 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: \$2,365,924.78

Contract ID No.: C202856

County Name: ROCKINGHAM

KNOW ALL MEN BY THESE PRESENTS, That we, the PRINCIPAL CONTRACTOR (hereafter, PRINCIPAL) and SURETY above named, are held and firmly bound unto the above named Contracting Body, hereinafter called the Contracting Body, in the penal sum of the amount stated above for the payment of which sum well and truly to be made, we bind ourselves, our heirs, executors, administrators, and successors, jointly and severally, firmly by these presents.

THE CONDITION OF THIS OBLIGATION IS SUCH, that whereas the principal entered into a certain contract with the Contracting Body, numbered as shown above and hereto attached:

NOW THEREFORE, if the principal shall promptly make payment to all persons supplying labor and material in the prosecution of the work provided for in said contract, and any and all duly authorized modifications of said contract that may hereafter be made, notice of which modifications to the surety being hereby waived, then this obligation to be void; otherwise to remain in full force and virtue.

IN WITNESS WHEREOF, the above-bound parties have executed this instrument under their several seals on the date indicated above, the name and corporate seal of each corporate party being hereto affixed and these presents duly signed by its undersigned representative, pursuant to authority of its governing body.

Contract No.
County

C202856
ROCKINGHAM

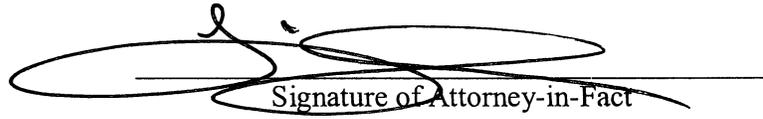
Rev 2-1-10

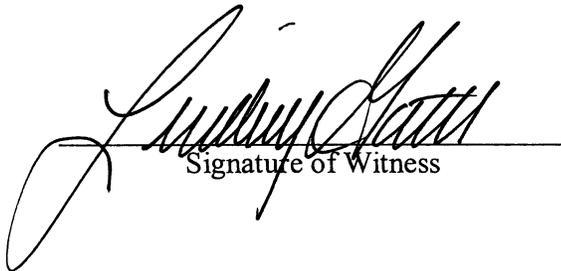
CONTRACT PAYMENT BOND

Affix Seal of Surety Company

LIBERTY MUTUAL INSURANCE COMPANY
Print or type Surety Company Name

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


Signature of Attorney-in-Fact


Signature of Witness

LINDSEY GATES
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

C202856
ROCKINGHAM

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

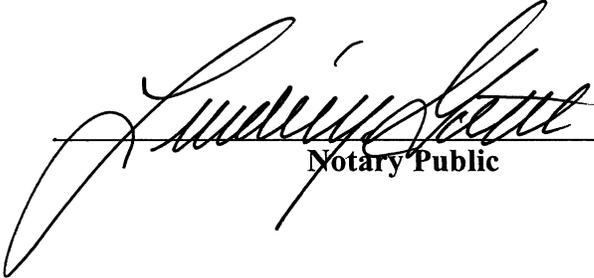
Leonard D. Conway

Print or type Signer's name

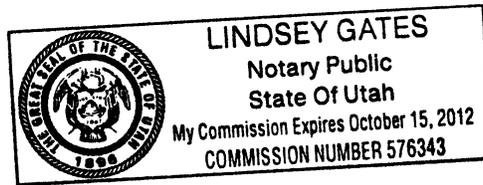
SURETY ACKNOWLEDGMENT

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

On this 8TH day of DECEMBER, 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 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, LISA HALL, LINDSEY GATES, 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, David M. Carey, 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 day of 16th day of August 2011



LIBERTY MUTUAL INSURANCE COMPANY

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

COMMONWEALTH OF PENNSYLVANIA ss
COUNTY OF MONTGOMERY

On this 16th day of August, 2011, before me, a Notary Public, personally came David M. Carey, 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.



Notarial Seal
Teresa Pastella, Notary Public
Plymouth Twp., Montgomery County
My Commission Expires Mar. 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 8TH day of DECEMBER, 2011.



By Gregory W. Davenport
Gregory W. Davenport, 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. C202856
County ROCKINGHAM

CONTRACT PERFORMANCE BOND

Date of Performance Bond Execution: DECEMBER 8, 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: \$2,365,924.78

Contract ID No.: C202856

County Name: ROCKINGHAM

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. C202856
County ROCKINGHAM

Rev 2-1-10

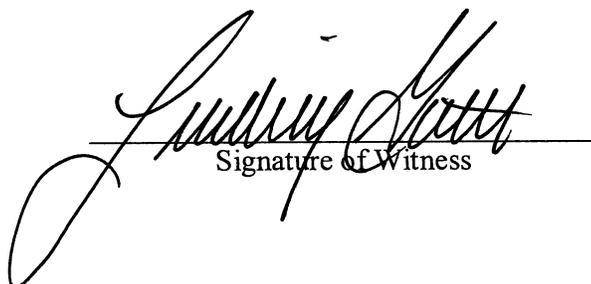
CONTRACT PERFORMANCE BOND

Affix Seal of Surety Company

LIBERTY MUTUAL INSURANCE COMPANY
Print or type Surety Company Name

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


Signature of Attorney-in-Fact


Signature of Witness

LINDSEY GATES
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

C202856
ROCKINGHAM

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~~

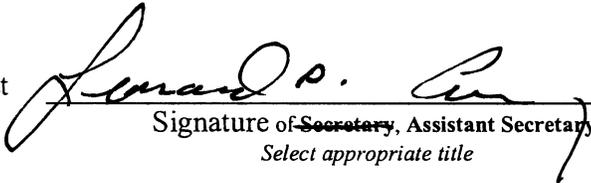
Select appropriate title

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

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, LISA HALL, LINDSEY GATES, 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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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, David M. Carey, 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 day of 16th day of August 2011



LIBERTY MUTUAL INSURANCE COMPANY

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

COMMONWEALTH OF PENNSYLVANIA ss
COUNTY OF MONTGOMERY

On this 16th day of August, 2011, before me, a Notary Public, personally came David M. Carey, 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.



Notarial Seal
Teresa Pastella, Notary Public
Plymouth Twp., Montgomery County
My Commission Expires Mar. 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 8TH day of DECEMBER 2011



By Gregory W. Davenport
Gregory W. Davenport, 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.