

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

C202925

CONTRACT AND
CONTRACT BONDS

FOR CONTRACT NO. C202925

WBS

9CR.10291.9, 9CR.20291.91 STATE FUNDED

COUNTY OF DAVIDSON
THIS IS THE ROADWAY CONTRACT
ROUTE NUMBER NC 109 LENGTH 29.473 MILES
LOCATION NC-109 FROM NC-109 / RANDOLPH ST RR CROSSING
TO SR-2067 AND 11 SECTIONS OF SECONDARY ROADS.

CONTRACTOR BLYTHE CONSTRUCTION, INC.
ADDRESS P.O. BOX 31635
CHARLOTTE, NC 28231

BIDS OPENED JANUARY 17, 2012

CONTRACT EXECUTION FEB 2 2012

**Vendor 2 of 5: BLYTHE CONSTRUCTION, INC. (3655)
Call Order 035 (Proposal: C202925)**

Bid Information

County: DAVIDSON

Address:

Signature Check: JAMES_PAUL_McBRYDE_3655

Time Bid Received: January 17, 2012 11:52 AM

Amendment Count: 0

Bid Checksum: EB29E9DB

Bid Total: \$3,904,128.01 ✓

Items Total: \$3,904,128.01

Time Total: \$0.00

Bidding Errors:

None.

~~MBE GOAL SET~~ 5.0

~~MBE GOAL MET~~ 5.0

~~WBE GOAL SET~~ 6.0

~~WBE GOAL MET~~ 6.0

**Vendor 2 of 5: BLYTHE CONSTRUCTION, INC. (3655)
Call Order 035 (Proposal: C202925)**

Bid Bond Information

Projects:
Counties:
Bond ID: SNC12844348
Paid by Check: No
Bond Percent:

Bond Maximum:
State of Incorporation:
Agency Execution Date: 01/05/2012
Surety Name: surety2000
Bond Agency Name: Travelers Casualty and
Surety Company of
America

Vendor 3655's Bid Information for Call 035, Letting L120117, 01/17/12

Blythe Construction (3655)
Call Order 035 (Proposal ID C202925)

LIST OF MBE PARTICIPANTS

VENDOR NUMBER	DBE NAME ADDRESS	WORK CODE TYPE OF WORK	CERT TYPE AMOUNT	
2832	MB RANKIN GRADING INC 821 N. ENGLISH ST. , GREENSBORO, NC 27405		Sub 196,592.00	✓ arm
			TOTAL: \$196,592.00	✓ arm
			5.04%	

Vendor 3655's Bid Information for Call 035, Letting L120117, 01/17/12

Blythe Construction (3655)
Call Order 035 (Proposal ID C202925)

LIST OF WBE PARTICIPANTS

VENDOR NUMBER	DBE NAME ADDRESS	WORK CODE TYPE OF WORK	CERT TYPE AMOUNT	
9602	WB CAROLINA TRANSPORT OF GREENSBOR 347 SOUTH CHERRY STREET , KERNERSVILLE, NC 27284		Sub 28,539.00	✓ arm
3346	WB LINEBERRY, INC. POST OFFICE BOX 307 , CLIMAX, NC 27233		Sub 87,464.88	✓ arm
4877	WB ABACHI TRANSPORT, INC. DBA S&B 4719 MILLPOINT RD. , GREENSBORO, NC 27406		Sub 78,941.00	✓ arm
3765	WB STAY ALERT SAFETY SERVICES INC POST OFFICE BOX 467 , KERNERSVILLE, NC 27285		Sub 14,785.00	✓ arm
10186	WB SLM CONSTRUCTION, INC. 513 WHITE SMITH ROAD , PITTSBORO, NC 27312		Sub 26,254.00	✓ arm
			TOTAL: \$235,983.88	✓ arm
			6.04%	

Vendor 3655's Bid Information for Call 035, Letting L120117, 01/17/12

Blythe Construction (3655)
Call Order 035 (Proposal ID C202925)

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: SNC12844348
Surety Registry Agency: surety2000
Verified?: Yes
Surety Agency: Travelers Casualty and Surety Company of America
Bond Execution Date: 01/05/2012
Bond Amount: \$195,206.40 (Five Percent of Bid)

Contract ID: C202925 Project(s): STATE FUNDED
 Letting Date: 01-17-12 Call Order: 035
 Bidder: 3655 - Blythe Construction

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			32,000.00
0002	0106000000-E BORROW EXCAVATION	CY	3,357.000	10.00000		33,570.00
0003	1220000000-E INCIDENTAL STONE BASE	TON	1,561.000	35.00000		54,635.00
0004	1245000000-E SHOULDER RECONSTRUCTION	SMI	56.410	2,500.00000		141,025.00
0005	1297000000-E MILLING ASPHALT PAVEMENT, ***"DEPTH (1-1/2")	SY	9,353.000	0.90000		8,417.70
0006	1297000000-E MILLING ASPHALT PAVEMENT, ***"DEPTH (2")	SY	14,689.000	0.97000		14,248.33
0007	1297000000-E MILLING ASPHALT PAVEMENT, ***"DEPTH (3-1/2")	SY	31,148.000	0.86000		26,787.28
0008	1308000000-E MILLING ASPHALT PAVEMENT, ***"TO *****" (0" TO 1-1/2")	SY	17,122.000	1.63000		27,908.86
0009	1308000000-E MILLING ASPHALT PAVEMENT, ***"TO *****" (0" TO 3-1/2")	SY	578.000	7.47000		4,317.66
0010	1498000000-E ASPHALT CONC INTERMEDIATE COURSE, TYPE I19.0B	TON	1,854.000	31.00000		57,474.00
0011	1503000000-E ASPHALT CONC INTERMEDIATE COURSE, TYPE I19.0C	TON	3,906.000	33.00000		128,898.00

Dept of Transportation

Revised:

Contract ID: C202925

Project(s): STATE FUNDED

Letting Date: 01-17-12 Call Order: 035

Bidder: 3655 - Blythe Construction

Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
0012	1519000000-E ASPHALT CONC SURFACE COURSE, TYPE S9.5B	35,744.000 TON	31.35000		1,120,574.40	
0013	1523000000-E ASPHALT CONC SURFACE COURSE, TYPE S9.5C	5,058.000 TON	32.00000		161,856.00	
0014	1575000000-E ASPHALT BINDER FOR PLANT MIX	2,718.000 TON	632.00000		1,717,776.00	
0015	2815000000-N ADJUSTMENT OF DROP INLETS	1.000 EA	475.00000		475.00	
0016	2830000000-N ADJUSTMENT OF MANHOLES	3.000 EA	475.00000		1,425.00	
0017	2845000000-N ADJUSTMENT OF METER BOXES OR VALVE BOXES	54.000 EA	451.00000		24,354.00	
0018	4685000000-E THERMOPLASTIC PAVEMENT MARKING LINES (4", 90 MILS)	303,253.000 LF	0.40000		121,301.20	
0019	4686000000-E THERMOPLASTIC PAVEMENT MARKING LINES (4", 120 MILS)	320,440.000 LF	0.48000		153,811.20	
0020	4688000000-E THERMOPLASTIC PAVEMENT MARKING LINES (6", 90 MILS)	355.000 LF	1.50000		532.50	
0021	4690000000-E THERMOPLASTIC PAVEMENT MARKING LINES (6", 120 MILS)	175.000 LF	2.00000		350.00	
0022	4697000000-E THERMOPLASTIC PAVEMENT MARKING LINES (8", 120 MILS)	186.000 LF	3.00000		558.00	
0023	4705000000-E THERMOPLASTIC PAVEMENT MARKING LINES (16", 120 MILS)	350.000 LF	4.00000		1,400.00	

Dept of Transportation

Revised:

Contract ID: C202925

Project(s): STATE FUNDED

Letting Date: 01-17-12 Call Order: 035

Bidder: 3655 - Blythe Construction

Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
0024	4710000000-E THERMOPLAST IC PAVEMENT MARKING LINES (24", 120 MILS)	1,680.000 LF	5.50000		9,240.00	
0025	4721000000-E THERMOPLAST IC PAVEMENT MARKING CHARACTER (120 MILS)	54.000 EA	110.00000		5,940.00	
0026	4725000000-E THERMOPLAST IC PAVEMENT MARKING SYMBOL (90 MILS)	102.000 EA	110.00000		11,220.00	
0027	4810000000-E PAINT PAVEMENT MARKING LINES (4")	17,356.000 LF	0.25000		4,339.00	
0028	4905000000-N SNOWPLOWABLE PAVEMENT MARKERS	326.000 EA	26.50000		8,639.00	
0029	6000000000-E TEMPORARY SILT FENCE	11,684.000 LF	1.82000		21,264.88	
0030	6071010000-E WATTLE	1,100.000 LF	8.90000		9,790.00	
	Section 0001 Total				3,904,128.01	
	Bid Total				3,904,128.01	

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.

MBE COMMITMENT ITEMS

PROPOSAL: C202925
 LETTING: L120117 CALL: 035
 VENDOR: 3655 Blythe Construction

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

MBE SUBCONTRACTOR: 2832 RANKIN GRADING INC
 Will Use Quote: Yes

0012 1519000000-E ASP CONC SUR TON 35744.000 5.50000 196592.00
 Unit price based on hourly rates

MBE COMMITMENT TOTAL FOR SUBCONTRACTOR:

✓ am -----
 196,592.00
 ✓ am

TOTAL MBE COMMITMENT FOR VENDOR:

Entered: 5.04% or 196592.00
 Required: 5.00% or 195206.40
 <GOAL MET>

WBE COMMITMENT ITEMS

PAGE: 7

PROPOSAL: C202925
 LETTING: L120117 CALL: 035
 VENDOR: 3655 Blythe Construction

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

WBE SUBCONTRACTOR: 9602 CAROLINA TRANSPORT OF GREENSBORO INC
 Will Use Quote: Yes

0014	1575000000-E	ASP FOR PLAN TON	2718.000	10.50000	28539.00
WBE COMMITMENT TOTAL FOR SUBCONTRACTOR:					✓ am 28,539.00

WBE SUBCONTRACTOR: 3346 LINEBERRY, INC.
 Will Use Quote: Yes

0004	1245000000-E	SHOULDER REC SMI	56.410	1000.00000	56410.00
0029	6000000000-E	TEMPORARY SI LF	11684.000	1.82000	21264.88
0030	6071010000-E	WATTLE LF	1100.000	8.90000	9790.00
WBE COMMITMENT TOTAL FOR SUBCONTRACTOR:					✓ am 87,464.88

WBE SUBCONTRACTOR: 4877 ABACHI TRANSPORT, INC. DBA S&B TRUCKING CO.
 Will Use Quote: Yes

0002	0106000000-E	BORROW EXCAV CY	3357.000	5.00000	16785.00
Unit price based on hourly rates					
0003	1220000000-E	INCIDENTAL S TON	1561.000	4.00000	6244.00
0007	1297000000-E	MILL ASP PVM SY	31148.000	0.50000	15574.00
Unit price based on hourly rates					
0013	1523000000-E	ASP CONC SUR TON	5058.000	4.50000	22761.00
Unit price based on hourly rates					
0011	1503000000-E	ASP CONC INT TON	3906.000	4.50000	17577.00
Unit price based on hourly rates					
WBE COMMITMENT TOTAL FOR SUBCONTRACTOR:					✓ am 78,941.00

WBE SUBCONTRACTOR: 3765 STAY ALERT SAFETY SERVICES INC
 Will Use Quote: Yes

0001	0000100000-N	MOBILIZATION LS	1.000	14785.00000	14785.00
WBE COMMITMENT TOTAL FOR SUBCONTRACTOR:					✓ am 14,785.00

WBE SUBCONTRACTOR: 10186 SLM CONSTRUCTION, INC.
 Will Use Quote: Yes

0015	2815000000-N	ADJ DROP INL EA	1.000	475.00000	475.00
0016	2830000000-N	ADJ MANHOLES EA	3.000	475.00000	1425.00
0017	2845000000-N	ADJ METER OR EA	54.000	451.00000	24354.00
WBE COMMITMENT TOTAL FOR SUBCONTRACTOR:					✓ am 26,254.00

TOTAL WBE COMMITMENT FOR VENDOR:

Entered: 6.04% or 235983.88
Required: 6.00% or 234247.68
<GOAL MET>



am

Contract Item Sheets For C202925

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
ROADWAY ITEMS						
0001	0000100000-N	800	MOBILIZATION	Lump Sum LS	32,000.00	32,000.00
0002	0106000000-E	230	BORROW EXCAVATION	3,357 CY	10.00	33,570.00
0003	1220000000-E	545	INCIDENTAL STONE BASE	1,561 TON	35.00	54,635.00
0004	1245000000-E	SP	SHOULDER RECONSTRUCTION	56.41 SMI	2,500.00	141,025.00
0005	1297000000-E	607	MILLING ASPHALT PAVEMENT, **** DEPTH (1-1/2")	9,353 SY	0.90	8,417.70
0006	1297000000-E	607	MILLING ASPHALT PAVEMENT, **** DEPTH (2")	14,689 SY	0.97	14,248.33
0007	1297000000-E	607	MILLING ASPHALT PAVEMENT, **** DEPTH (3-1/2")	31,148 SY	0.86	26,787.28
0008	1308000000-E	607	MILLING ASPHALT PAVEMENT, **** TO ***** (0" TO 1-1/2")	17,122 SY	1.63	27,908.86
0009	1308000000-E	607	MILLING ASPHALT PAVEMENT, **** TO ***** (0" TO 3-1/2")	578 SY	7.47	4,317.66
0010	1498000000-E	610	ASPHALT CONC INTERMEDIATE COURSE, TYPE I19.0B	1,854 TON	31.00	57,474.00
0011	1503000000-E	610	ASPHALT CONC INTERMEDIATE COURSE, TYPE I19.0C	3,906 TON	33.00	128,898.00
0012	1519000000-E	610	ASPHALT CONC SURFACE COURSE, TYPE S9.5B	35,744 TON	31.35	1,120,574.40
0013	1523000000-E	610	ASPHALT CONC SURFACE COURSE, TYPE S9.5C	5,058 TON	32.00	161,856.00
0014	1575000000-E	620	ASPHALT BINDER FOR PLANT MIX	2,718 TON	632.00	1,717,776.00
0015	2815000000-N	858	ADJUSTMENT OF DROP INLETS	1 EA	475.00	475.00
0016	2830000000-N	858	ADJUSTMENT OF MANHOLES	3 EA	475.00	1,425.00

Contract Item Sheets For C202925

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
0017	2845000000-N	858	ADJUSTMENT OF METER BOXES OR VALVE BOXES	54 EA	451.00	24,354.00
0018	4685000000-E	1205	THERMOPLASTIC PAVEMENT MARKING LINES (4", 90 MILS)	303,253 LF	0.40	121,301.20
0019	4686000000-E	1205	THERMOPLASTIC PAVEMENT MARKING LINES (4", 120 MILS)	320,440 LF	0.48	153,811.20
0020	4688000000-E	1205	THERMOPLASTIC PAVEMENT MARKING LINES (6", 90 MILS)	355 LF	1.50	532.50
0021	4690000000-E	1205	THERMOPLASTIC PAVEMENT MARKING LINES (6", 120 MILS)	175 LF	2.00	350.00
0022	4697000000-E	1205	THERMOPLASTIC PAVEMENT MARKING LINES (8", 120 MILS)	186 LF	3.00	558.00
0023	4705000000-E	1205	THERMOPLASTIC PAVEMENT MARKING LINES (16", 120 MILS)	350 LF	4.00	1,400.00
0024	4710000000-E	1205	THERMOPLASTIC PAVEMENT MARKING LINES (24", 120 MILS)	1,680 LF	5.50	9,240.00
0025	4721000000-E	1205	THERMOPLASTIC PAVEMENT MARKING CHARACTER (120 MILS)	54 EA	110.00	5,940.00
0026	4725000000-E	1205	THERMOPLASTIC PAVEMENT MARKING SYMBOL (90 MILS)	102 EA	110.00	11,220.00
0027	4810000000-E	1205	PAINT PAVEMENT MARKING LINES (4")	17,356 LF	0.25	4,339.00
0028	4905000000-N	1253	SNOWPLOWABLE PAVEMENT MARKERS	326 EA	26.50	8,639.00
0029	6000000000-E	1605	TEMPORARY SILT FENCE	11,684 LF	1.82	21,264.88
0030	6071010000-E	SP	WATTLE	1,100 LF	8.90	9,790.00

TOTAL AMOUNT OF BID FOR ENTIRE PROJECT

\$3,904,128.01

**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

Blythe Construction, Inc.

Full name of Corporation

P.O. Box 31635, Charlotte, NC 28231

Address as Prequalified

Attest

Lawrence G. Schmidt, II

Secretary/Assistant Secretary
Select appropriate title

By

Alan M. Cahill

President/Vice President/Assistant Vice President
Select appropriate title

Lawrence G. Schmidt, II, Asst. Sec.

Print or type Signer's name

Alan M. Cahill, President & CEO

Print or type Signer's name

CORPORATE SEAL

AFFIDAVIT MUST BE NOTARIZED

Subscribed and sworn to before me this the

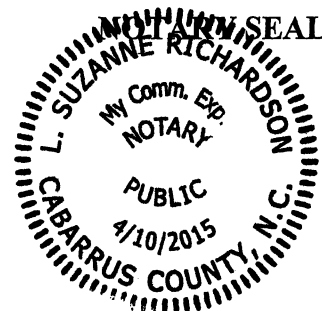
7 day of February 2012

Suzanne Richardson
Signature of Notary Public

of Cabarrus County

State of North Carolina

My Commission Expires: 4/10/15



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 **C202925**

County (ies): **Davidson**

**ACCEPTED BY THE
DEPARTMENT OF TRANSPORTATION**



Contract Officer

2/21/12

Date

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



Assistant

Attorney General

Contract No. C202925
County Davidson

Rev 5-17-11

CONTRACT PAYMENT BOND

Date of Payment Bond Execution February 1, 2012
Name of Principal Contractor Blythe Construction, Inc.
Name of Surety: Travelers Casualty and Surety Company of America
Name of Contracting Body: **North Carolina Department of Transportation**
Raleigh, North Carolina
Amount of Bond: \$3,904,128.01
Contract ID No.: C202925
County Name: Davidson

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. C202925
County Davidson

Rev 5-17-11

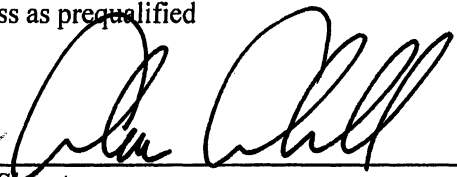
CONTRACT PAYMENT BOND

CORPORATION

SIGNATURE OF CONTRACTOR (Principal)

Blythe Construction, Inc.
Full name of Corporation


P. O. Box 31635, Charlotte, North Carolina 28231
Address as prequalified

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

Alan M. Cahill, President & CEO

Print or type Signer's name

Affix Corporate Seal

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

Lawrence G. Schmidt, II, Asst. Sec.

Print or type Signer's name



POWER OF ATTORNEY

Farmington Casualty Company
Fidelity and Guaranty Insurance Company
Fidelity and Guaranty Insurance Underwriters, Inc.
St. Paul Fire and Marine Insurance Company
St. Paul Guardian Insurance Company

St. Paul Mercury Insurance Company
Travelers Casualty and Surety Company
Travelers Casualty and Surety Company of America
United States Fidelity and Guaranty Company

Attorney-In Fact No. 223941

Certificate No. 004522091

KNOW ALL MEN BY THESE PRESENTS: That St. Paul Fire and Marine Insurance Company, St. Paul Guardian Insurance Company and St. Paul Mercury Insurance Company are corporations duly organized under the laws of the State of Minnesota, that Farmington Casualty Company, Travelers Casualty and Surety Company, and Travelers Casualty and Surety Company of America are corporations duly organized under the laws of the State of Connecticut, that United States Fidelity and Guaranty Company is a corporation duly organized under the laws of the State of Maryland, that Fidelity and Guaranty Insurance Company is a corporation duly organized under the laws of the State of Iowa, and that Fidelity and Guaranty Insurance Underwriters, Inc., is a corporation duly organized under the laws of the State of Wisconsin (herein collectively called the "Companies"), and that the Companies do hereby make, constitute and appoint

Todd L. Johnson, Joseph D. Johnson Jr., Francis T. O'Reardon, and Joseph D. Johnson III

of the City of Orlando, State of Florida, their true and lawful Attorney(s)-in-Fact, each in their separate capacity if more than one is named above, to sign, execute, seal and acknowledge any and all bonds, recognizances, conditional undertakings and other writings obligatory in the nature thereof on behalf of the Companies in their business of guaranteeing the fidelity of persons, guaranteeing the performance of contracts and executing or guaranteeing bonds and undertakings required or permitted in any actions or proceedings allowed by law.

IN WITNESS WHEREOF, the Companies have caused this instrument to be signed and their corporate seals to be hereto affixed, this 9th day of September, 2011

Farmington Casualty Company
Fidelity and Guaranty Insurance Company
Fidelity and Guaranty Insurance Underwriters, Inc.
St. Paul Fire and Marine Insurance Company
St. Paul Guardian Insurance Company

St. Paul Mercury Insurance Company
Travelers Casualty and Surety Company
Travelers Casualty and Surety Company of America
United States Fidelity and Guaranty Company



State of Connecticut
City of Hartford ss.

By: [Signature]
George W. Thompson, Senior Vice President

On this the 9th day of September, 2011, before me personally appeared George W. Thompson, who acknowledged himself to be the Senior Vice President of Farmington Casualty Company, Fidelity and Guaranty Insurance Company, Fidelity and Guaranty Insurance Underwriters, Inc., St. Paul Fire and Marine Insurance Company, St. Paul Guardian Insurance Company, St. Paul Mercury Insurance Company, Travelers Casualty and Surety Company, Travelers Casualty and Surety Company of America, and United States Fidelity and Guaranty Company, and that he, as such, being authorized so to do, executed the foregoing instrument for the purposes therein contained by signing on behalf of the corporations by himself as a duly authorized officer.

In Witness Whereof, I hereunto set my hand and official seal. My Commission expires the 30th day of June, 2016.



[Signature]
Marie C. Tetreault, Notary Public

This Power of Attorney is granted under and by the authority of the following resolutions adopted by the Boards of Directors of Farmington Casualty Company, Fidelity and Guaranty Insurance Company, Fidelity and Guaranty Insurance Underwriters, Inc., St. Paul Fire and Marine Insurance Company, St. Paul Guardian Insurance Company, St. Paul Mercury Insurance Company, Travelers Casualty and Surety Company, Travelers Casualty and Surety Company of America, and United States Fidelity and Guaranty Company, which resolutions are now in full force and effect, reading as follows:

RESOLVED, that the Chairman, the President, any Vice Chairman, any Executive Vice President, any Senior Vice President, any Vice President, any Second Vice President, the Treasurer, any Assistant Treasurer, the Corporate Secretary or any Assistant Secretary may appoint Attorneys-in-Fact and Agents to act for and on behalf of the Company and may give such appointee such authority as his or her certificate of authority may prescribe to sign with the Company's name and seal with the Company's seal bonds, recognizances, contracts of indemnity, and other writings obligatory in the nature of a bond, recognizance, or conditional undertaking, and any of said officers or the Board of Directors at any time may remove any such appointee and revoke the power given him or her; and it is

FURTHER RESOLVED, that the Chairman, the President, any Vice Chairman, any Executive Vice President, any Senior Vice President or any Vice President may delegate all or any part of the foregoing authority to one or more officers or employees of this Company, provided that each such delegation is in writing and a copy thereof is filed in the office of the Secretary; and it is

FURTHER RESOLVED, that any bond, recognizance, contract of indemnity, or writing obligatory in the nature of a bond, recognizance, or conditional undertaking shall be valid and binding upon the Company when (a) signed by the President, any Vice Chairman, any Executive Vice President, any Senior Vice President or any Vice President, any Second Vice President, the Treasurer, any Assistant Treasurer, the Corporate Secretary or any Assistant Secretary and duly attested and sealed with the Company's seal by a Secretary or Assistant Secretary; or (b) duly executed (under seal, if required) by one or more Attorneys-in-Fact and Agents pursuant to the power prescribed in his or her certificate or their certificates of authority or by one or more Company officers pursuant to a written delegation of authority; and it is

FURTHER RESOLVED, that the signature of each of the following officers: President, any Executive Vice President, any Senior Vice President, any Vice President, any Assistant Vice President, any Secretary, any Assistant Secretary, and the seal of the Company may be affixed by facsimile to any Power of Attorney or to any certificate relating thereto appointing Resident Vice Presidents, Resident Assistant Secretaries or Attorneys-in-Fact for purposes only of executing and attesting bonds and undertakings and other writings obligatory in the nature thereof, and any such Power of Attorney or certificate bearing such facsimile signature or facsimile seal shall be valid and binding upon the Company and any such power so executed and certified by such facsimile signature and facsimile seal shall be valid and binding on the Company in the future with respect to any bond or understanding to which it is attached.

I, Kevin E. Hughes, the undersigned, Assistant Secretary, of Farmington Casualty Company, Fidelity and Guaranty Insurance Company, Fidelity and Guaranty Insurance Underwriters, Inc., St. Paul Fire and Marine Insurance Company, St. Paul Guardian Insurance Company, St. Paul Mercury Insurance Company, Travelers Casualty and Surety Company, Travelers Casualty and Surety Company of America, and United States Fidelity and Guaranty Company do hereby certify that the above and foregoing is a true and correct copy of the Power of Attorney executed by said Companies, which is in full force and effect and has not been revoked.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the seals of said Companies this 1st day of February, 20 12.

WARNING: THIS POWER OF ATTORNEY IS INVALID WITHOUT THE RED BORDER


Kevin E. Hughes, Assistant Secretary



To verify the authenticity of this Power of Attorney, call 1-800-421-3880 or contact us at www.travelersbond.com. Please refer to the Attorney-In-Fact number, the above-named individuals and the details of the bond to which the power is attached.

Contract No. C202925
County Davidson

Rev 5-17-11

CONTRACT PERFORMANCE BOND

Date of Performance Bond Execution: February 1, 2012
Name of Principal Contractor: Blythe Construction, Inc.
Name of Surety: Travelers Casualty and Surety Company of America
Name of Contracting Body: North Carolina Department of Transportation
Raleigh, North Carolina
Amount of Bond: \$3,904,128.01
Contract ID No.: C202925
County Name: Davidson

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. C202925
County Davidson

Rev 5-17-11

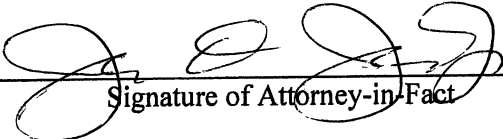
CONTRACT PERFORMANCE BOND

Affix Seal of Surety Company

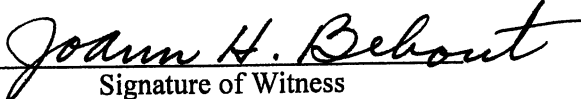
Travelers Casualty and Surety Company of America

Print or type Surety Company Name

By Joseph D. Johnson, Jr.
Print, stamp or type name of Attorney-in-Fact



Signature of Attorney-in-Fact



Signature of Witness

JoAnn H. Bebout
Print or type Signer's name

801 N. Orange Avenue, Suite 510
Orlando, Florida 32801

Address of Attorney-in-Fact

Contract No. C202925
County Davidson

Rev 5-17-11

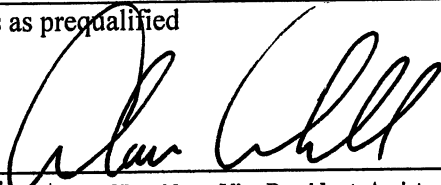
CONTRACT PERFORMANCE BOND

CORPORATION

SIGNATURE OF CONTRACTOR (Principal)

Blythe Construction, Inc.
Full name of Corporation

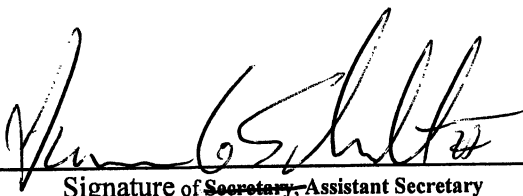
P. O. Box 31635, Charlotte, North Carolina 28231
Address as prequalified

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

Alan M. Cahill, President & CEO

Print or type Signer's name

Affix Corporate Seal

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

Lawrence G. Schmidt, II, Asst. Sec.

Print or type Signer's name



POWER OF ATTORNEY

Farmington Casualty Company
Fidelity and Guaranty Insurance Company
Fidelity and Guaranty Insurance Underwriters, Inc.
St. Paul Fire and Marine Insurance Company
St. Paul Guardian Insurance Company

St. Paul Mercury Insurance Company
Travelers Casualty and Surety Company
Travelers Casualty and Surety Company of America
United States Fidelity and Guaranty Company

Attorney-In Fact No. 223941

Certificate No. 004522092

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Todd L. Johnson, Joseph D. Johnson Jr., Francis T. O'Reardon, and Joseph D. Johnson III

of the City of Orlando, State of Florida, their true and lawful Attorney(s)-in-Fact, each in their separate capacity if more than one is named above, to sign, execute, seal and acknowledge any and all bonds, recognizances, conditional undertakings and other writings obligatory in the nature thereof on behalf of the Companies in their business of guaranteeing the fidelity of persons, guaranteeing the performance of contracts and executing or guaranteeing bonds and undertakings required or permitted in any actions or proceedings allowed by law.

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Fidelity and Guaranty Insurance Company
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State of Connecticut
City of Hartford ss.

By: [Signature]
George W. Thompson, Senior Vice President

On this the 9th day of September, 2011, before me personally appeared George W. Thompson, who acknowledged himself to be the Senior Vice President of Farmington Casualty Company, Fidelity and Guaranty Insurance Company, Fidelity and Guaranty Insurance Underwriters, Inc., St. Paul Fire and Marine Insurance Company, St. Paul Guardian Insurance Company, St. Paul Mercury Insurance Company, Travelers Casualty and Surety Company, Travelers Casualty and Surety Company of America, and United States Fidelity and Guaranty Company, and that he, as such, being authorized so to do, executed the foregoing instrument for the purposes therein contained by signing on behalf of the corporations by himself as a duly authorized officer.

In Witness Whereof, I hereunto set my hand and official seal.
My Commission expires the 30th day of June, 2016.



[Signature]
Marie C. Tetreault, Notary Public