

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

C202749

CONTRACT AND
CONTRACT BONDS

FOR CONTRACT NO. C202749

WBS 33788.3.1 BRZ-1670(1)

T.I.P NO. B-4588

COUNTY OF NASH

THIS IS THE ROADWAY & STRUCTURE CONTRACT

ROUTE NUMBER SR 1670 LENGTH 0.161 MILES

LOCATION BRIDGE OVER STONEY CREEK AND APPROACHES ON SR-1670.

CONTRACTOR FSC II LLC DBA FRED SMITH COMPANY

ADDRESS 6105 CHAPEL HILL RD
RALEIGH, NC 27607

BIDS OPENED JANUARY 17, 2012

CONTRACT EXECUTION FEB 16 2012

Vendor 3 of 4: FSC II LLC DBA FRED SMITH COMPANY (5072) Call Order 021 (Proposal: C202749)

Bid Information

County: NASH

Address: 6105 Chapel Hill Road
Raleigh , NC , 27607

Signature Check: Thomas_T_Johnson_Jr_5072

Time Bid Received: January 17, 2012 12:19 PM

Amendment Count: 0

Bid Checksum: 787D2844

Bid Total: \$1,206,702.20

Items Total: \$1,206,702.20 ✓

Time Total: \$0.00

Bidding Errors:

None.

DBE GOAL SET 11.0

DBE GOAL MET 11.0

**Vendor 3 of 4: FSC II LLC DBA FRED SMITH COMPANY (5072)
Call Order 021 (Proposal: C202749)**

Bid Bond Information

Projects:	Bond Maximum:
Counties:	State of Incorporation:
Bond ID: SNC12501863	Agency Execution Date: 1/6/2012
Paid by Check: No	Surety Name: surety2000
Bond Percent:	Bond Agency Name: Western Surety Company

Vendor 5072's Bid Information for Call 021, Letting L120117, 01/17/12

FSC II LLC, dba, Fred Smith Company (5072)
Call Order 021 (Proposal ID C202749)

LIST OF DBE PARTICIPANTS

VENDOR NUMBER	DBE NAME ADDRESS	WORK CODE TYPE OF WORK	CERT TYPE AMOUNT	
2855 WB	BOSS CONSTRUCTION CO., INC. 229 BOXWOOD CHURCH ROAD , MOCKSVILLE, NC 27028		Sub 5,502.21	✓ arm
4898 WB	BULLINGTON CONSTRUCTION INC 417 FOXGLOVE LANE , INDIAN TRAIL, NC 28079		Sub 15,315.00	✓ arm
3251 WB	NARRON CONTRACTING INC 51 CROCKER'S NUB ROAD , MIDDLESEX, NC 27557		Sub 112,025.00	✓ arm
			TOTAL: \$132,842.21	✓ arm
			11.01%	

Vendor 5072's Bid Information for Call 021, Letting L120117, 01/17/12

FSC II LLC, dba, Fred Smith Company (5072)
Call Order 021 (Proposal ID C202749)

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: SNC12501863
Surety Registry Agency: surety2000
Verified?: Yes
Surety Agency: Western Surety Company
Bond Execution Date: 1/6/2012
Bond Amount: \$60,335.11 (Five Percent of Bid)

State of NC
Dept of Transportation

Date: 12-19-11
Revised:

Contract ID: C202749 Project(s): BRZ-1670(1)
Letting Date: 01-17-12 Call Order: 021
Bidder: 5072 - FSC II LLC, dba, Fred Smith Company

Line No.	Item Description	Approx. Quantity and Units	Unit Price Dollars Cts	Bid Amount Dollars Ct
Section 0001 ROADWAY ITEMS				
Alt Group				
0001	0000100000-N MOBILIZATION	LUMP	LUMP	60,000.00
0002	0030000000-N BRIDGE APPROACH FILL - SUB REGIONAL TIER, STATION ***** (15+85)	LUMP	LUMP	10,000.00
0003	0050000000-E SUPPLEMENTARY CLEARING & GRUB-BING	1.000 ACR	1.00000	1.00
0004	0057000000-E UNDERCUT EXCAVATION	200.000 CY	15.00000	3,000.00
0005	0063000000-N GRADING	LUMP	LUMP	50,000.00
0006	0106000000-E BORROW EXCAVATION	2,600.000 CY	14.00000	36,400.00
0007	0195000000-E SELECT GRANULAR MATERIAL	200.000 CY	1.00000	200.00
0008	0196000000-E GEOTEXTILE FOR SOIL STABILIZATION	1,110.000 SY	1.00000	1,110.00
0009	0318000000-E FOUNDATION CONDITIONING MATERIAL, MINOR STRUCTURES	37.000 TON	45.00000	1,665.00
0010	0320000000-E FOUNDATION CONDITIONING GEOTEXTILE	10.000 SY	2.00000	20.00

Dept of Transportation

Revised:

Contract ID: C202749

Project(s): BRZ-1670(1)

Letting Date: 01-17-12 Call Order: 021

Bidder: 5072 - FSC II LLC, dba, Fred Smith Company

Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
0011	0335200000-E 15" DRAINAGE PIPE	24.000 LF	40.00000		960.00	
0012	0335850000-E **" DRAINAGE PIPE ELBOWS (15")	2.000 EA	400.00000		800.00	
0013	1121000000-E AGGREGATE BASE COURSE	50.000 TON	25.00000		1,250.00	
0014	1220000000-E INCIDENTAL STONE BASE	50.000 TON	27.00000		1,350.00	
0015	1489000000-E ASPHALT CONC BASE COURSE, TYPE B25.0B	700.000 TON	45.00000		31,500.00	
0016	1525000000-E ASPHALT CONC SURFACE COURSE, TYPE SF9.5A	520.000 TON	53.00000		27,560.00	
0017	1575000000-E ASPHALT BINDER FOR PLANT MIX	70.000 TON	645.00000		45,150.00	
0018	2000000000-N RIGHT OF WAY MARKERS	10.000 EA	200.00000		2,000.00	
0019	2286000000-N MASONRY DRAINAGE STRUCTURES	1.000 EA	1,800.00000		1,800.00	
0020	2367000000-N FRAME WITH TWO GRATES, STD 840.29	1.000 EA	500.00000		500.00	
0021	2549000000-E 2'-6" CONCRETE CURB & GUTTER	330.000 LF	16.00000		5,280.00	
0022	2556000000-E SHOULDER BERM GUTTER	25.000 LF	40.00000		1,000.00	

Dept of Transportation

Revised:

Contract ID: C202749

Project(s): BRZ-1670(1)

Letting Date: 01-17-12 Call Order: 021

Bidder: 5072 - FSC II LLC, dba, Fred Smith Company

Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
0023	2591000000-E 4" CONCRETE SIDEWALK	180.000 SY	30.00000		5,400.00	
0024	2605000000-N CONCRETE CURB RAMP	2.000 EA	400.00000		800.00	
0025	3030000000-E STEEL BM GUARDRAIL	200.000 LF	15.00000		3,000.00	
0026	3045000000-E STEEL BM GUARDRAIL, SHOP CURVED	37.500 LF	16.00000		600.00	
0027	3150000000-N ADDITIONAL GUARDRAIL POSTS	5.000 EA	13.00000		65.00	
0028	3195000000-N GUARDRAIL ANCHOR UNITS, TYPE AT-1	1.000 EA	350.00000		350.00	
0029	3215000000-N GUARDRAIL ANCHOR UNITS, TYPE III	4.000 EA	1,400.00000		5,600.00	
0030	3270000000-N GUARDRAIL ANCHOR UNITS, TYPE 350	3.000 EA	1,900.00000		5,700.00	
0031	3649000000-E RIP RAP, CLASS B	2.000 TON	150.00000		300.00	
0032	3656000000-E GEOTEXTILE FOR DRAINAGE	1,010.000 SY	1.00000		1,010.00	
0033	4072000000-E SUPPORTS, 3-LB STEEL U-CHANNEL	95.000 LF	4.00000		380.00	
0034	4096000000-N SIGN ERECTION, TYPE D	2.000 EA	95.00000		190.00	

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Project(s): BRZ-1670(1)

Letting Date: 01-17-12 Call Order: 021

Bidder: 5072 - FSC II LLC, dba, Fred Smith Company

Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
0035	4102000000-N SIGN ERECTION, TYPE E	1.000 EA	65.00000		65.00	
0036	4116100000-N SIGN ERECTION, RELOCATE, TYPE ***** (GROUND MOUNTED) (E)	1.000 EA	65.00000		65.00	
0037	4155000000-N DISPOSAL OF SIGN SYSTEM, U- CHANNEL	6.000 EA	1.00000		6.00	
0038	4158000000-N DISPOSAL OF SIGN SYSTEM, WOOD	2.000 EA	1.00000		2.00	
0039	4192000000-N DISPOSAL OF SUPPORT, U-CHANNEL	1.000 EA	1.00000		1.00	
0040	4400000000-E WORK ZONE SIGNS (STATIONARY)	465.000 SF	6.00000		2,790.00	
0041	4410000000-E WORK ZONE SIGNS (BARRICADE MOUNTED)	94.000 SF	6.00000		564.00	
0042	4445000000-E BARRICADES (TYPE III)	64.000 LF	18.00000		1,152.00	
0043	4810000000-E PAINT PAVEMENT MARKING LINES (4")	6,176.000 LF	0.70000		4,323.20	
0044	5325600000-E 6" WATER LINE	657.000 LF	50.00000		32,850.00	
0045	5540000000-E 6" VALVE	3.000 EA	800.00000		2,400.00	
0046	5649000000-N RECONNECT WATER METER	1.000 EA	800.00000		800.00	

Dept of Transportation

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Contract ID: C202749

Project(s): BRZ-1670(1)

Letting Date: 01-17-12 Call Order: 021

Bidder: 5072 - FSC II LLC, dba, Fred Smith Company

Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
0047	5800000000-E ABANDON 6" UTILITY PIPE	588.000 LF	8.00000		4,704.00	
0048	5871400000-E TRENCHLESS INSTALLATION OF 6" IN SOIL	155.000 LF	35.00000		5,425.00	
0049	5871410000-E TRENCHLESS INSTALLATION OF 6" NOT IN SOIL	155.000 LF	270.00000		41,850.00	
0050	6000000000-E TEMPORARY SILT FENCE	2,010.000 LF	2.00000		4,020.00	
0051	6006000000-E STONE FOR EROSION CONTROL, CLASS A	305.000 TON	1.00000		305.00	
0052	6009000000-E STONE FOR EROSION CONTROL, CLASS B	75.000 TON	55.00000		4,125.00	
0053	6012000000-E SEDIMENT CONTROL STONE	325.000 TON	18.00000		5,850.00	
0054	6015000000-E TEMPORARY MULCHING	2.500 ACR	1,000.00000		2,500.00	
0055	6018000000-E SEED FOR TEMPORARY SEEDING	100.000 LB	4.00000		400.00	
0056	6021000000-E FERTILIZER FOR TEMPORARY SEED-ING	1.500 TON	700.00000		1,050.00	
0057	6024000000-E TEMPORARY SLOPE DRAINS	200.000 LF	5.00000		1,000.00	
0058	6029000000-E SAFETY FENCE	700.000 LF	2.00000		1,400.00	

Dept of Transportation

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Letting Date: 01-17-12 Call Order: 021

Bidder: 5072 - FSC II LLC, dba, Fred Smith Company

Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
0059	6030000000-E SILT EXCAVATION	170.000 CY	5.00000		850.00	
0060	6036000000-E MATTING FOR EROSION CONTROL	2,400.000 SY	1.00000		2,400.00	
0061	6037000000-E COIR FIBER MAT	30.000 SY	15.00000		450.00	
0062	6042000000-E 1/4" HARDWARE CLOTH	800.000 LF	4.00000		3,200.00	
0063	6048000000-E FLOATING TURBIDITY CURTAIN	45.000 SY	50.00000		2,250.00	
0064	6070000000-N SPECIAL STILLING BASINS	6.000 EA	50.00000		300.00	
0065	6071010000-E WATTLE	50.000 LF	15.00000		750.00	
0066	6071020000-E POLYACRYLAMIDE (PAM)	10.000 LB	15.00000		150.00	
0067	6071030000-E COIR FIBER BAFFLE	100.000 LF	20.00000		2,000.00	
0068	6071050000-E **" SKIMMER (1-1/2")	3.000 EA	1,200.00000		3,600.00	
0069	6084000000-E SEEDING & MULCHING	2.500 ACR	1,200.00000		3,000.00	
0070	6087000000-E MOWING	2.500 ACR	150.00000		375.00	

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Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
0071	6090000000-E SEED FOR REPAIR SEEDING	50.000 LB	4.00000		200.00	
0072	6093000000-E FERTILIZER FOR REPAIR SEEDING	0.250 TON	700.00000		175.00	
0073	6096000000-E SEED FOR SUPPLEMENTAL SEEDING	50.000 LB	4.00000		200.00	
0074	6108000000-E FERTILIZER TOPDRESSING	1.500 TON	500.00000		750.00	
0075	6114500000-N SPECIALIZED HAND MOWING	10.000 MHR	30.00000		300.00	
0076	6117000000-N RESPONSE FOR EROSION CONTROL	16.000 EA	100.00000		1,600.00	
0077	6123000000-E REFORESTATION	0.150 ACR	4,000.00000		600.00	
Section 0001 Total						445,738.20

Section 0004 STRUCTURE ITEMS

Alt Group

0078	8017000000-N CONSTRUCTION, MAINTENANCE, & REMOVAL OF TEMP ACCESS AT STA ***** (15+85.00-L-)	LUMP	LUMP		19,000.00	
0079	8035000000-N REMOVAL OF EXISTING STRUCTURE AT STATION ***** (15+85.00-L-)	LUMP	LUMP		60,000.00	

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Project(s): BRZ-1670(1)

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Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
0080	8105540000-E 3'-6" DIA DRILLED PIERS IN SOIL	41.000 LF	200.00000		8,200.00	
0081	8105640000-E 3'-6" DIA DRILLED PIERS NOT IN SOIL	16.000 LF	1,600.00000		25,600.00	
0082	8111400000-E PERMANENT STEEL CASING FOR 3'-6" DIA DRILLED PIER	24.000 LF	150.00000		3,600.00	
0083	8113000000-N SID INSPECTIONS	1.000 EA	500.00000		500.00	
0084	8115000000-N CSL TESTING	1.000 EA	1,500.00000		1,500.00	
0085	8121000000-N UNCLASSIFIED STRUCTURE EXCAVATION AT STATION ***** (15+85.00-L-)	LUMP	LUMP		15,000.00	
0086	8175000000-E CLASS AA CONCRETE (BRIDGE)	28.700 CY	1,000.00000		28,700.00	
0087	8182000000-E CLASS A CONCRETE (BRIDGE)	62.900 CY	1,200.00000		75,480.00	
0088	8210000000-N BRIDGE APPROACH SLABS, STATION***** (15+85.00-L-)	LUMP	LUMP		25,000.00	
0089	8217000000-E REINFORCING STEEL (BRIDGE)	15,679.000 LB	2.00000		31,358.00	
0090	8224000000-E EPOXY COATED REINFORCING STEEL (BRIDGE)	1,462.000 LB	2.00000		2,924.00	

Dept of Transportation

Revised:

Contract ID: C202749

Project(s): BRZ-1670(1)

Letting Date: 01-17-12 Call Order: 021

Bidder: 5072 - FSC II LLC, dba, Fred Smith Company

Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
0091	8238000000-E SPIRAL COLUMN REINFORCING STEEL (BRIDGE)	1,729.000 LB	3.00000		5,187.00	
0092	8364000000-E HP12X53 STEEL PILES	280.000 LF	48.00000		13,440.00	
0093	8475000000-E TWO BAR METAL RAIL	140.250 LF	125.00000		17,531.25	
0094	8482000000-E THREE BAR METAL RAIL	140.250 LF	160.00000		22,440.00	
0095	8517000000-E 1'-***"X *****" CONCRETE PARA- PET (1'-2" X 2'-7 1/2 ")	147.750 LF	125.00000		18,468.75	
0096	8608000000-E RIP RAP CLASS II (2'-0" THICK)	410.000 TON	10.00000		4,100.00	
0097	8622000000-E GEOTEXTILE FOR DRAINAGE	460.000 SY	2.00000		920.00	
0098	8657000000-N ELASTOMERIC BEARINGS	LUMP	LUMP		10,000.00	
0099	8753100000-E 3'-0" X 2'-9" PRESTRESSED CONCBOX BEAMS	2,066.750 LF	180.00000		372,015.00	
	Section 0004 Total				760,964.00	
	Bid Total				1,206,702.20	

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.

DBE COMMITMENT ITEMS

PROPOSAL: C202749
 LETTING: L120117 CALL: 021
 VENDOR: 5072 FSC II LLC, dba, Fred Smith Company

LINE NO.	ITEM NO.	ITEM DESC.	UNIT TYPE	SUBCONTRACTOR QUANTITY	SUBCONTRACTOR UNIT PRICE	EXTENDED AMOUNT
DBE SUBCONTRACTOR: 2855 BOSS CONSTRUCTION CO., INC. Will Use Quote: Yes						
0095	8517000000-E	1'-***"X***** LF		147.750	37.24000	5502.21
DBE COMMITMENT TOTAL FOR SUBCONTRACTOR:						5,502.21
DBE COMMITMENT TOTAL FOR VENDOR (SubContractor)						5,502.2

DBE SUBCONTRACTOR: 4898 BULLINGTON CONSTRUCTION INC Will Use Quote: Yes						
0025	3030000000-E	STL BM GUARD LF		200.000	15.00000	3000.00
0026	3045000000-E	SBGR SHOP CU LF		37.500	16.00000	600.00
0027	3150000000-N	ADDIT GUARDR EA		5.000	13.00000	65.00
0028	3195000000-N	GR ANCHOR TY EA		1.000	350.00000	350.00
0029	3215000000-N	GR ANCHOR TY EA		4.000	1400.00000	5600.00
0030	3270000000-N	GR ANCHOR TY EA		3.000	1900.00000	5700.00
DBE COMMITMENT TOTAL FOR SUBCONTRACTOR:						15,315.00
DBE COMMITMENT TOTAL FOR VENDOR (SubContractor)						15,315.

DBE SUBCONTRACTOR: 3251 NARRON CONTRACTING INC Will Use Quote: Yes						
0001	0000100000-N	MOBILIZATION LS		1.000	8500.00000	8500.00
0005	0063000000-N	GRADING LS		1.000	34000.00000	34000.00
0006	0106000000-E	BORROW EXCAV CY		2600.000	14.00000	36400.00
0023	2591000000-E	4" CONCRETE SY		180.000	30.00000	5400.00
0024	2605000000-N	CONCRETE CUR EA		2.000	400.00000	800.00
0022	2556000000-E	SHOULDER BER LF		25.000	40.00000	1000.00
0021	2549000000-E	2'-6" CONC C LF		330.000	16.00000	5280.00
0050	6000000000-E	TEMPORARY SI LF		1300.000	2.00000	2600.00
0058	6029000000-E	SAFETY FENCE LF		700.000	2.00000	1400.00
0062	6042000000-E	1/4" HARDWAR LF		800.000	4.00000	3200.00
0068	6071050000-E	***" SKIMMER EA		3.000	1200.00000	3600.00
0067	6071030000-E	COIR FIBER B LF		100.000	20.00000	2000.00
0009	0318000000-E	FND CONDIT M TON		37.000	45.00000	1665.00
0010	0320000000-E	FND CONDIT G SY		10.000	2.00000	20.00
0011	0335200000-E	15" DRAINAGE LF		24.000	40.00000	960.00
0012	0335850000-E	***" DRAINAGE EA		2.000	400.00000	800.00
0013	1121000000-E	AGGREGATE BA TON		50.000	25.00000	1250.00
0014	1220000000-E	INCIDENTAL S TON		50.000	27.00000	1350.00
0019	2286000000-N	MASNRY DRAIN EA		1.000	1800.00000	1800.00
DBE COMMITMENT TOTAL FOR SUBCONTRACTOR:						112,025.00
DBE COMMITMENT TOTAL FOR VENDOR (SubContractor)						112,025

✓ am

TOTAL DBE COMMITMENT FOR VENDOR:

Entered: 11.01% or 132842.21
Required: 11.00% or 132737.24
<GOAL MET>

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
ROADWAY ITEMS						
0001	0000100000-N	800	MOBILIZATION	Lump Sum LS	60,000.00	60,000.00
0002	0030000000-N	SP	BRIDGE APPROACH FILL - SUB REGIONAL TIER, STATION ***** (15+85)	Lump Sum LS	10,000.00	10,000.00
0003	0050000000-E	226	SUPPLEMENTARY CLEARING & GRUB- BING	1 ACR	1.00	1.00
0004	0057000000-E	226	UNDERCUT EXCAVATION	200 CY	15.00	3,000.00
0005	0063000000-N	SP	GRADING	Lump Sum LS	50,000.00	50,000.00
0006	0106000000-E	230	BORROW EXCAVATION	2,600 CY	14.00	36,400.00
0007	0195000000-E	265	SELECT GRANULAR MATERIAL	200 CY	1.00	200.00
0008	0196000000-E	270	GEOTEXTILE FOR SOIL STABILIZA- TION	1,110 SY	1.00	1,110.00
0009	0318000000-E	300	FOUNDATION CONDITIONING MATE- RIAL, MINOR STRUCTURES	37 TON	45.00	1,665.00
0010	0320000000-E	300	FOUNDATION CONDITIONING GEO- TEXTILE	10 SY	2.00	20.00
0011	0335200000-E	305	15" DRAINAGE PIPE	24 LF	40.00	960.00
0012	0335850000-E	305	**" DRAINAGE PIPE ELBOWS (15")	2 EA	400.00	800.00
0013	1121000000-E	520	AGGREGATE BASE COURSE	50 TON	25.00	1,250.00
0014	1220000000-E	545	INCIDENTAL STONE BASE	50 TON	27.00	1,350.00
0015	1489000000-E	610	ASPHALT CONC BASE COURSE, TYPE B25.0B	700 TON	45.00	31,500.00
0016	1525000000-E	610	ASPHALT CONC SURFACE COURSE, TYPE SF9.5A	520 TON	53.00	27,560.00
0017	1575000000-E	620	ASPHALT BINDER FOR PLANT MIX	70 TON	645.00	45,150.00
0018	2000000000-N	806	RIGHT OF WAY MARKERS	10 EA	200.00	2,000.00

Contract Item Sheets For C202749

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
0019	2286000000-N	840	MASONRY DRAINAGE STRUCTURES	1 EA	1,800.00	1,800.00
0020	2367000000-N	840	FRAME WITH TWO GRATES, STD 840.29	1 EA	500.00	500.00
0021	2549000000-E	846	2'-6" CONCRETE CURB & GUTTER	330 LF	16.00	5,280.00
0022	2556000000-E	846	SHOULDER BERM GUTTER	25 LF	40.00	1,000.00
0023	2591000000-E	848	4" CONCRETE SIDEWALK	180 SY	30.00	5,400.00
0024	2605000000-N	848	CONCRETE CURB RAMP	2 EA	400.00	800.00
0025	3030000000-E	862	STEEL BM GUARDRAIL	200 LF	15.00	3,000.00
0026	3045000000-E	862	STEEL BM GUARDRAIL, SHOP CURVED	37.5 LF	16.00	600.00
0027	3150000000-N	862	ADDITIONAL GUARDRAIL POSTS	5 EA	13.00	65.00
0028	3195000000-N	862	GUARDRAIL ANCHOR UNITS, TYPE AT-1	1 EA	350.00	350.00
0029	3215000000-N	862	GUARDRAIL ANCHOR UNITS, TYPE III	4 EA	1,400.00	5,600.00
0030	3270000000-N	SP	GUARDRAIL ANCHOR UNITS, TYPE 350	3 EA	1,900.00	5,700.00
0031	3649000000-E	876	RIP RAP, CLASS B	2 TON	150.00	300.00
0032	3656000000-E	876	GEOTEXTILE FOR DRAINAGE	1,010 SY	1.00	1,010.00
0033	4072000000-E	903	SUPPORTS, 3-LB STEEL U-CHANNEL	95 LF	4.00	380.00
0034	4096000000-N	904	SIGN ERECTION, TYPE D	2 EA	95.00	190.00
0035	4102000000-N	904	SIGN ERECTION, TYPE E	1 EA	65.00	65.00
0036	4116100000-N	904	SIGN ERECTION, RELOCATE, TYPE **** (GROUND MOUNTED) (E)	1 EA	65.00	65.00

Contract Item Sheets For C202749

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
0037	4155000000-N	907	DISPOSAL OF SIGN SYSTEM, U-CHANNEL	6 EA	1.00	6.00
0038	4158000000-N	907	DISPOSAL OF SIGN SYSTEM, WOOD	2 EA	1.00	2.00
0039	4192000000-N	907	DISPOSAL OF SUPPORT, U-CHANNEL	1 EA	1.00	1.00
0040	4400000000-E	1110	WORK ZONE SIGNS (STATIONARY)	465 SF	6.00	2,790.00
0041	4410000000-E	1110	WORK ZONE SIGNS (BARRICADE MOUNTED)	94 SF	6.00	564.00
0042	4445000000-E	1145	BARRICADES (TYPE III)	64 LF	18.00	1,152.00
0043	4810000000-E	1205	PAINT PAVEMENT MARKING LINES (4")	6,176 LF	0.70	4,323.20
0044	5325600000-E	1510	6" WATER LINE	657 LF	50.00	32,850.00
0045	5540000000-E	1515	6" VALVE	3 EA	800.00	2,400.00
0046	5649000000-N	1515	RECONNECT WATER METER	1 EA	800.00	800.00
0047	5800000000-E	1530	ABANDON 6" UTILITY PIPE	588 LF	8.00	4,704.00
0048	5871400000-E	1550	TRENCHLESS INSTALLATION OF 6" IN SOIL	155 LF	35.00	5,425.00
0049	5871410000-E	1550	TRENCHLESS INSTALLATION OF 6" NOT IN SOIL	155 LF	270.00	41,850.00
0050	6000000000-E	1605	TEMPORARY SILT FENCE	2,010 LF	2.00	4,020.00
0051	6006000000-E	1610	STONE FOR EROSION CONTROL, CLASS A	305 TON	1.00	305.00
0052	6009000000-E	1610	STONE FOR EROSION CONTROL, CLASS B	75 TON	55.00	4,125.00
0053	6012000000-E	1610	SEDIMENT CONTROL STONE	325 TON	18.00	5,850.00
0054	6015000000-E	1615	TEMPORARY MULCHING	2.5 ACR	1,000.00	2,500.00
0055	6018000000-E	1620	SEED FOR TEMPORARY SEEDING	100 LB	4.00	400.00

Contract Item Sheets For C202749

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
0056	6021000000-E	1620	FERTILIZER FOR TEMPORARY SEED- ING	1.5 TON	700.00	1,050.00
0057	6024000000-E	1622	TEMPORARY SLOPE DRAINS	200 LF	5.00	1,000.00
0058	6029000000-E	SP	SAFETY FENCE	700 LF	2.00	1,400.00
0059	6030000000-E	1630	SILT EXCAVATION	170 CY	5.00	850.00
0060	6036000000-E	1631	MATTING FOR EROSION CONTROL	2,400 SY	1.00	2,400.00
0061	6037000000-E	SP	COIR FIBER MAT	30 SY	15.00	450.00
0062	6042000000-E	1632	1/4" HARDWARE CLOTH	800 LF	4.00	3,200.00
0063	6048000000-E	SP	FLOATING TURBIDITY CURTAIN	45 SY	50.00	2,250.00
0064	6070000000-N	1639	SPECIAL STILLING BASINS	6 EA	50.00	300.00
0065	6071010000-E	SP	WATTLE	50 LF	15.00	750.00
0066	6071020000-E	SP	POLYACRYLAMIDE (PAM)	10 LB	15.00	150.00
0067	6071030000-E	1640	COIR FIBER BAFFLE	100 LF	20.00	2,000.00
0068	6071050000-E	SP	*** SKIMMER (1-1/2")	3 EA	1,200.00	3,600.00
0069	6084000000-E	1660	SEEDING & MULCHING	2.5 ACR	1,200.00	3,000.00
0070	6087000000-E	1660	MOWING	2.5 ACR	150.00	375.00
0071	6090000000-E	1661	SEED FOR REPAIR SEEDING	50 LB	4.00	200.00
0072	6093000000-E	1661	FERTILIZER FOR REPAIR SEEDING	0.25 TON	700.00	175.00
0073	6096000000-E	1662	SEED FOR SUPPLEMENTAL SEEDING	50 LB	4.00	200.00
0074	6108000000-E	1665	FERTILIZER TOPDRESSING	1.5 TON	500.00	750.00
0075	6114500000-N	1667	SPECIALIZED HAND MOWING	10 MHR	30.00	300.00

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
0076	6117000000-N	SP	RESPONSE FOR EROSION CONTROL	16 EA	100.00	1,600.00
0077	6123000000-E	1670	REFORESTATION	0.15 ACR	4,000.00	600.00

Contract Item Sheets For C202749

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
0078	8017000000-N	SP	CONSTRUCTION, MAINTENANCE, & REMOVAL OF TEMP ACCESS AT STA ***** (15+85.00-L-)	Lump Sum LS	19,000.00	19,000.00
0079	8035000000-N	402	REMOVAL OF EXISTING STRUCTURE AT STATION ***** (15+85.00-L-)	Lump Sum LS	60,000.00	60,000.00
0080	8105540000-E	411	3'-6" DIA DRILLED PIERS IN SOIL	41 LF	200.00	8,200.00
0081	8105640000-E	411	3'-6" DIA DRILLED PIERS NOT IN SOIL	16 LF	1,600.00	25,600.00
0082	8111400000-E	411	PERMANENT STEEL CASING FOR 3'-6" DIA DRILLED PIER	24 LF	150.00	3,600.00
0083	8113000000-N	411	SID INSPECTIONS	1 EA	500.00	500.00
0084	8115000000-N	411	CSL TESTING	1 EA	1,500.00	1,500.00
0085	8121000000-N	412	UNCLASSIFIED STRUCTURE EXCAVA- TION AT STATION ***** (15+85.00-L-)	Lump Sum LS	15,000.00	15,000.00
0086	8175000000-E	420	CLASS AA CONCRETE (BRIDGE)	28.7 CY	1,000.00	28,700.00
0087	8182000000-E	420	CLASS A CONCRETE (BRIDGE)	62.9 CY	1,200.00	75,480.00
0088	8210000000-N	422	BRIDGE APPROACH SLABS, STATION ***** (15+85.00-L-)	Lump Sum LS	25,000.00	25,000.00
0089	8217000000-E	425	REINFORCING STEEL (BRIDGE)	15,679 LB	2.00	31,358.00
0090	8224000000-E	425	EPOXY COATED REINFORCING STEEL (BRIDGE)	1,462 LB	2.00	2,924.00
0091	8238000000-E	425	SPIRAL COLUMN REINFORCING STEEL (BRIDGE)	1,729 LB	3.00	5,187.00
0092	8364000000-E	450	HP12X53 STEEL PILES	280 LF	48.00	13,440.00
0093	8475000000-E	460	TWO BAR METAL RAIL	140.25 LF	125.00	17,531.25

Contract Item Sheets For C202749

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
0094	8482000000-E	460	THREE BAR METAL RAIL	140.25 LF	160.00	22,440.00
0095	8517000000-E	460	1'-***X ***** CONCRETE PARA- PET (1'-2" X 2'-7 1/2 ")	147.75 LF	125.00	18,468.75
0096	8608000000-E	876	RIP RAP CLASS II (2'-0" THICK)	410 TON	10.00	4,100.00
0097	8622000000-E	876	GEOTEXTILE FOR DRAINAGE	460 SY	2.00	920.00
0098	8657000000-N	430	ELASTOMERIC BEARINGS	Lump Sum LS	10,000.00	10,000.00
0099	8753100000-E	430	3'-0" X 2'-9" PRESTRESSED CONC BOX BEAMS	2,066.75 LF	180.00	372,015.00

TOTAL AMOUNT OF BID FOR ENTIRE PROJECT

\$1,206,702.20

1358/Jan31/Q46015/D485154950000/E99

Contract No. C202749
County Nash

Rev. 5-19-11

**EXECUTION OF CONTRACT
NON-COLLUSION AFFIDAVIT, DEBARMENT CERTIFICATION AND GIFT BAN CERTIFICATION**

LIMITED LIABILITY COMPANY

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

FSC II, LLC dba Fred Smith Company

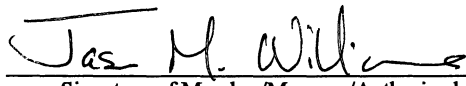
Full Name of Firm

6105 Chapel Hill Road, Raleigh, NC 27607

Address as Prequalified


Signature of Witness

Adam Kingsley
Print or type Signer's name

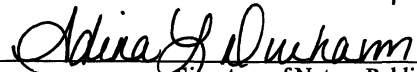

Signature of Member/Manager/Authorized Agent
Select appropriate title

Jason M. Williams
Print or type Signer's Name

AFFIDAVIT MUST BE NOTARIZED

Subscribed and sworn to before me this the

1st day of February 2012

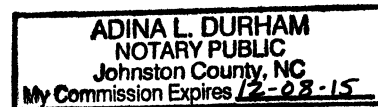

Signature of Notary Public

of Wake County

State of North Carolina

My Commission Expires: 12-08-2015

NOTARY SEAL



Contract No C202749

County (ies): Nash

ACCEPTED BY THE
DEPARTMENT OF TRANSPORTATION

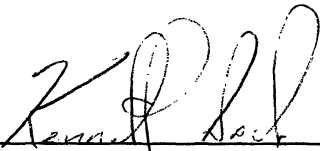


Contract Officer



Date

Execution of Contract and Bonds
Approved as to Form:



Attorney General

Contract No. **C202749**
County Nash

Rev 5-17-11

CONTRACT PAYMENT BOND

Date of Payment Bond Execution **February 1, 2012**

Name of Principal Contractor **FSC II, LLC dba Fred Smith Company**

Name of Surety: **Western Surety Company and Liberty Mutual Insurance Company**

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

Amount of Bond: **\$1,206,702.20**

Contract ID No.: **C202749**

County Name: **Nash**

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

C202749

Nash

Rev 5-17-11

CONTRACT PAYMENT BOND

Affix Seal of Surety Company

Western Surety Company and Liberty Mutual Insurance Company

Print or type Surety Company Name

By **Renee Ellis**

Print, stamp or type name of Attorney-in-Fact



Signature of Attorney-in-Fact



Signature of Witness

Billie Jo Sanders

Print or type Signer's name

2601 Bell Road, Montgomery, Alabama 36117

Address of Attorney-in-Fact

Contract No.
County

C202749

Nash

Rev 5-17-11

CONTRACT PAYMENT BOND

LIMITED LIABILITY COMPANY

SIGNATURE OF CONTRACTOR (Principal)

Name of Contractor

FSC II, LLC dba Fred Smith Company

Full name of Firm

6105 Chapel Hill Road, Raleigh, NC 27607

Address as prequalified

By:

Jason M. Williams

Signature of ~~Member, Manager, Authorized Agent~~
Select appropriate title

Jason M. Williams

Print or type Signer's name

Western Surety Company

POWER OF ATTORNEY APPOINTING INDIVIDUAL ATTORNEY-IN-FACT

Know All Men By These Presents, That WESTERN SURETY COMPANY, a South Dakota corporation, is a duly organized and existing corporation having its principal office in the City of Sioux Falls, and State of South Dakota, and that it does by virtue of the signature and seal herein affixed hereby make, constitute and appoint

Thomas J. Gentile, Billie Jo Sanders, Renee Ellis, Paul B Scott Jr., David J Durden, Individually

of Montgomery, AL, its true and lawful Attorney(s)-in-Fact with full power and authority hereby conferred to sign, seal and execute for and on its behalf bonds, undertakings and other obligatory instruments of similar nature

- In Unlimited Amounts -

and to bind it thereby as fully and to the same extent as if such instruments were signed by a duly authorized officer of the corporation and all the acts of said Attorney, pursuant to the authority hereby given, are hereby ratified and confirmed.

This Power of Attorney is made and executed pursuant to and by authority of the By-Law printed on the reverse hereof, duly adopted, as indicated, by the shareholders of the corporation.

In Witness Whereof, WESTERN SURETY COMPANY has caused these presents to be signed by its Senior Vice President and its corporate seal to be hereto affixed on this 5th day of May, 2011.



WESTERN SURETY COMPANY

Paul T. Bruflat, Senior Vice President

State of South Dakota }
County of Minnehaha } ss

On this 5th day of May, 2011, before me personally came Paul T. Bruflat, to me known, who, being by me duly sworn, did depose and say: that he resides in the City of Sioux Falls, State of South Dakota; that he is the Senior Vice President of WESTERN SURETY COMPANY described in and which executed the above instrument; that he knows the seal of said corporation; that the seal affixed to the said instrument is such corporate seal; that it was so affixed pursuant to authority given by the Board of Directors of said corporation and that he signed his name thereto pursuant to like authority, and acknowledges same to be the act and deed of said corporation.

My commission expires

November 30, 2012



D. Krell, Notary Public

CERTIFICATE

I, L. Nelson, Assistant Secretary of WESTERN SURETY COMPANY do hereby certify that the Power of Attorney hereinabove set forth is still in force, and further certify that the By-Law of the corporation printed on the reverse hereof is still in force. In testimony whereof I have hereunto subscribed my name and affixed the seal of the said corporation this 1st day of February, 2012.



WESTERN SURETY COMPANY

L. Nelson, Assistant Secretary

Authorizing By-Law

ADOPTED BY THE SHAREHOLDERS OF WESTERN SURETY COMPANY

This Power of Attorney is made and executed pursuant to and by authority of the following By-Law duly adopted by the shareholders of the Company.

Section 7. All bonds, policies, undertakings, Powers of Attorney, or other obligations of the corporation shall be executed in the corporate name of the Company by the President, Secretary, and Assistant Secretary, Treasurer, or any Vice President, or by such other officers as the Board of Directors may authorize. The President, any Vice President, Secretary, any Assistant Secretary, or the Treasurer may appoint Attorneys in Fact or agents who shall have authority to issue bonds, policies, or undertakings in the name of the Company. The corporate seal is not necessary for the validity of any bonds, policies, undertakings, Powers of Attorney or other obligations of the corporation. The signature of any such officer and the corporate seal may be printed by facsimile.

THIS POWER OF ATTORNEY IS NOT VALID UNLESS IT IS PRINTED ON RED BACKGROUND.

This Power of Attorney limits the acts of those named herein, and they have no authority to bind the Company except in the manner and to the extent herein stated.

LIBERTY MUTUAL INSURANCE COMPANY
BOSTON, MASSACHUSETTS
POWER OF ATTORNEY

KNOW ALL PERSONS BY THESE PRESENTS: That Liberty Mutual Insurance Company (the "Company"), a Massachusetts stock insurance company, pursuant to and by authority of the By-law and Authorization hereinafter set forth, does hereby name, constitute and appoint THOMAS J. GENTILE, RENEE ELLIS, BILLIE JO SANDERS, DAVID J. DURDEN, PAUL B. SCOTT JR., ALL OF THE CITY OF MONTGOMERY, STATE OF ALABAMA.....

, 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 ONE HUNDRED MILLION AND 00/100***** DOLLARS (\$ 100,000,000.00***** each, and the execution of such undertakings, bonds, recognizances and other surety obligations, in pursuance of these presents, shall be as binding upon the Company as if they had been duly signed by the president and attested by the secretary of the Company in their own proper persons.

That this power is made and executed pursuant to and by authority of the following By-law and Authorization:

ARTICLE XIII - Execution of Contracts: Section 5. Surety Bonds and Undertakings.

Any officer of the Company authorized for that purpose in writing by the chairman or the president, and subject to such limitations as the chairman or the president may prescribe, shall appoint such attorneys-in-fact, as may be necessary to act in behalf of the Company to make, execute, seal, acknowledge and deliver as surety any and all undertakings, bonds, recognizances and other surety obligations. Such attorneys-in-fact, subject to the limitations set forth in their respective powers of attorney, shall have full power to bind the Company by their signature and execution of any such instruments and to attach thereto the seal of the Company. When so executed such instruments shall be as binding as if signed by the president and attested by the secretary.

By the following instrument the chairman or the president has authorized the officer or other official named therein to appoint attorneys-in-fact:

Pursuant to Article XIII, Section 5 of the By-Laws, Garnet W. Elliott, Assistant Secretary of Liberty Mutual Insurance Company, is hereby authorized to appoint such attorneys-in-fact as may be necessary to act in behalf of the Company to make, execute, seal, acknowledge and deliver as surety any and all undertakings, bonds, recognizances and other surety obligations.

That the By-law and the Authorization set forth above are true copies thereof and are now in full force and effect.

IN WITNESS WHEREOF, this Power of Attorney has been subscribed by an authorized officer or official of the Company and the corporate seal of Liberty Mutual Insurance Company has been affixed thereto in Plymouth Meeting, Pennsylvania this 5th day of November, 2010.

LIBERTY MUTUAL INSURANCE COMPANY

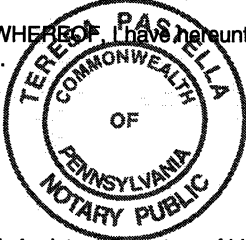
By Garnet W. Elliott, Assistant Secretary



COMMONWEALTH OF PENNSYLVANIA ss
COUNTY OF MONTGOMERY

On this 5th day of November, 2010, before me, a Notary Public, personally came Garnet W. Elliott, to me known, and acknowledged that he is an Assistant Secretary of Liberty Mutual Insurance Company; that he knows the seal of said corporation; and that he executed the above Power of Attorney and affixed the corporate seal of Liberty Mutual Insurance Company thereto with the authority and at the direction of said corporation.

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



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

By Teresa Pastella, 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 1st day of February, 2012.



By David M. Carey, Assistant Secretary

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

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

Contract No.
County

C202749

NASH

Rev 5-17-11

CONTRACT PERFORMANCE BOND

Date of Performance Bond Execution: February 1, 2012

Name of Principal Contractor: FSC II, LLC dba Fred Smith Company

Name of Surety: Western Surety Company and Liberty Mutual Insurance Company

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

Amount of Bond: \$1,206,702.20

Contract ID No.: C202749

County Name: Nash

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.
County

C202749

Nash

Rev 5-17-11

CONTRACT PERFORMANCE BOND

Affix Seal of Surety Company

Western Surety Company and Liberty Mutual Insurance Company

Print or type Surety Company Name

By **Renee Ellis**

Print, stamp or type name of Attorney-in-Fact



Signature of Attorney-in-Fact



Signature of Witness

Billie Jo Sanders

Print or type Signer's name

2601 Bell Road, Montgomery, Alabama 36117

Address of Attorney-in-Fact

Contract No.
County

C202749

Nash

Rev 5-17-11

CONTRACT PERFORMANCE BOND

LIMITED LIABILITY COMPANY

SIGNATURE OF CONTRACTOR (Principal)

Name of Contractor

FSC II, LLC dba Fred Smith Company

Full name of Firm

6105 Chapel Hill Road, Raleigh, NC 27607

Address as prequalified

By:

Jason M. Williams

Signature of ~~Member~~, Manager, Authorized Agent

Select appropriate title

Jason M. Williams

Print or type Signer's name

Western Surety Company

POWER OF ATTORNEY APPOINTING INDIVIDUAL ATTORNEY-IN-FACT

Know All Men By These Presents, That WESTERN SURETY COMPANY, a South Dakota corporation, is a duly organized and existing corporation having its principal office in the City of Sioux Falls, and State of South Dakota, and that it does by virtue of the signature and seal herein affixed hereby make, constitute and appoint

Thomas J. Gentile, Billie Jo Sanders, Renee Ellis, Paul B Scott Jr., David J Durden, Individually

of Montgomery, AL, its true and lawful Attorney(s)-in-Fact with full power and authority hereby conferred to sign, seal and execute for and on its behalf bonds, undertakings and other obligatory instruments of similar nature

- In Unlimited Amounts -

and to bind it thereby as fully and to the same extent as if such instruments were signed by a duly authorized officer of the corporation and all the acts of said Attorney, pursuant to the authority hereby given, are hereby ratified and confirmed.

This Power of Attorney is made and executed pursuant to and by authority of the By-Law printed on the reverse hereof, duly adopted, as indicated, by the shareholders of the corporation.

In Witness Whereof, WESTERN SURETY COMPANY has caused these presents to be signed by its Senior Vice President and its corporate seal to be hereto affixed on this 5th day of May, 2011.



WESTERN SURETY COMPANY

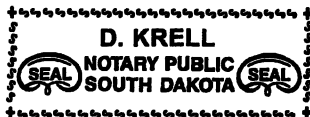
Paul T. Bruflat, Senior Vice President

State of South Dakota }
County of Minnehaha } ss

On this 5th day of May, 2011, before me personally came Paul T. Bruflat, to me known, who, being by me duly sworn, did depose and say: that he resides in the City of Sioux Falls, State of South Dakota; that he is the Senior Vice President of WESTERN SURETY COMPANY described in and which executed the above instrument; that he knows the seal of said corporation; that the seal affixed to the said instrument is such corporate seal; that it was so affixed pursuant to authority given by the Board of Directors of said corporation and that he signed his name thereto pursuant to like authority, and acknowledges same to be the act and deed of said corporation.

My commission expires

November 30, 2012



D. Krell, Notary Public

CERTIFICATE

I, L. Nelson, Assistant Secretary of WESTERN SURETY COMPANY do hereby certify that the Power of Attorney hereinabove set forth is still in force, and further certify that the By-Law of the corporation printed on the reverse hereof is still in force. In testimony whereof I have hereunto subscribed my name and affixed the seal of the said corporation this 1st day of February, 2012.



WESTERN SURETY COMPANY

L. Nelson, Assistant Secretary

Authorizing By-Law

ADOPTED BY THE SHAREHOLDERS OF WESTERN SURETY COMPANY

This Power of Attorney is made and executed pursuant to and by authority of the following By-Law duly adopted by the shareholders of the Company.

Section 7. All bonds, policies, undertakings, Powers of Attorney, or other obligations of the corporation shall be executed in the corporate name of the Company by the President, Secretary, and Assistant Secretary, Treasurer, or any Vice President, or by such other officers as the Board of Directors may authorize. The President, any Vice President, Secretary, any Assistant Secretary, or the Treasurer may appoint Attorneys in Fact or agents who shall have authority to issue bonds, policies, or undertakings in the name of the Company. The corporate seal is not necessary for the validity of any bonds, policies, undertakings, Powers of Attorney or other obligations of the corporation. The signature of any such officer and the corporate seal may be printed by facsimile.

THIS POWER OF ATTORNEY IS NOT VALID UNLESS IT IS PRINTED ON RED BACKGROUND.

This Power of Attorney limits the acts of those named herein, and they have no authority to bind the Company except in the manner and to the extent herein stated.

LIBERTY MUTUAL INSURANCE COMPANY
BOSTON, MASSACHUSETTS
POWER OF ATTORNEY

KNOW ALL PERSONS BY THESE PRESENTS: That Liberty Mutual Insurance Company (the "Company"), a Massachusetts stock insurance company, pursuant to and by authority of the By-law and Authorization hereinafter set forth, does hereby name, constitute and appoint THOMAS J. GENTILE, RENEE ELLIS, BILLIE JO SANDERS, DAVID J. DURDEN, PAUL B. SCOTT JR., ALL OF THE CITY OF MONTGOMERY, STATE OF ALABAMA.....

, 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 ONE HUNDRED MILLION AND 00/100***** DOLLARS (\$ 100,000,000.00*****) each, and the execution of such undertakings, bonds, recognizances and other surety obligations, in pursuance of these presents, shall be as binding upon the Company as if they had been duly signed by the president and attested by the secretary of the Company in their own proper persons.

That this power is made and executed pursuant to and by authority of the following By-law and Authorization:

ARTICLE XIII - Execution of Contracts: Section 5. Surety Bonds and Undertakings.

Any officer of the Company authorized for that purpose in writing by the chairman or the president, and subject to such limitations as the chairman or the president may prescribe, shall appoint such attorneys-in-fact, as may be necessary to act in behalf of the Company to make, execute, seal, acknowledge and deliver as surety any and all undertakings, bonds, recognizances and other surety obligations. Such attorneys-in-fact, subject to the limitations set forth in their respective powers of attorney, shall have full power to bind the Company by their signature and execution of any such instruments and to attach thereto the seal of the Company. When so executed such instruments shall be as binding as if signed by the president and attested by the secretary.

By the following instrument the chairman or the president has authorized the officer or other official named therein to appoint attorneys-in-fact:

Pursuant to Article XIII, Section 5 of the By-Laws, Garnet W. Elliott, Assistant Secretary of Liberty Mutual Insurance Company, is hereby authorized to appoint such attorneys-in-fact as may be necessary to act in behalf of the Company to make, execute, seal, acknowledge and deliver as surety any and all undertakings, bonds, recognizances and other surety obligations.

That the By-law and the Authorization set forth above are true copies thereof and are now in full force and effect.

IN WITNESS WHEREOF, this Power of Attorney has been subscribed by an authorized officer or official of the Company and the corporate seal of Liberty Mutual Insurance Company has been affixed thereto in Plymouth Meeting, Pennsylvania this 5th day of November, 2010.

LIBERTY MUTUAL INSURANCE COMPANY

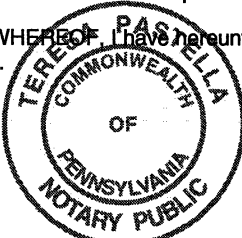
By Garnet W. Elliott, Assistant Secretary



COMMONWEALTH OF PENNSYLVANIA ss
COUNTY OF MONTGOMERY

On this 5th day of November, 2010, before me, a Notary Public, personally came Garnet W. Elliott, to me known, and acknowledged that he is an Assistant Secretary of Liberty Mutual Insurance Company; that he knows the seal of said corporation; and that he executed the above Power of Attorney and affixed the corporate seal of Liberty Mutual Insurance Company thereto with the authority and at the direction of said corporation.

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



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

By Teresa Pastella, 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 1st day of February, 2012.



By David M. Carey, Assistant Secretary

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

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