

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

C203002

CONTRACT AND
CONTRACT BONDS

FOR CONTRACT NO. C203002

WBS

10CR.10601.71, 10CR.10601.72, 10CR.20601.146, 10CR.20601.147, 10CR.20601.148,
10CR.20601.149, 10CR.20601.150, 10CR.20601.151, 10CR.20601.152, 10CR.20601.153,
10CR.20601.154, 10CR.20601.155, 10CR.20601.156 STATE FUNDED

COUNTY OF MECKLENBURG
THIS IS THE ROADWAY CONTRACT
ROUTE NUMBER US 21 LENGTH 27.650 MILES
LOCATION 1 SECTION OF US-21 AND NC-73, AND 11 SECTIONS OF SECONDARY
ROADS.

CONTRACTOR BLYTHE BROTHERS ASPHALT CO LLC
ADDRESS 1415 E WESTINGHOUSE BLVD
CHARLOTTE, NC 282735801

BIDS OPENED APRIL 17, 2012
CONTRACT EXECUTION MAY 14 2012

Vendor 3 of 4: BLYTHE BROTHERS ASPHALT CO LLC (7661) Call Order 014 (Proposal: C203002)

Bid Information

County: MECKLENBURG
Address: 1415 E. Westinghouse Blvd.
 Charlotte , North Carolina , 28273
Signature Check: Frank_Blythe_7661
Time Bid Received: April 17, 2012 11:11 AM
Amendment Count: 0

Bid Checksum: 6E7AF70C
Bid Total: \$5,955,681.65
Items Total: \$5,955,681.65 ✓
Time Total: \$0.00

Bidding Errors:
 None.

MBE GOAL SET	4.0
MBE GOAL MET	4.0
WBE GOAL SET	5.0
WBE GOAL MET	5.0

Vendor 3 of 4: BLYTHE BROTHERS ASPHALT CO LLC (7661)
Call Order 014 (Proposal: C203002)

Bid Bond Information

Projects:	Bond Maximum:
Counties:	State of Incorporation:
Bond ID: SNC12156604	Agency Execution Date: 4/11/2012 10
Paid by Check: No	Surety Name: surety2000
Bond Percent: 5%	Bond Agency Name: Liberty Mutual Insurance Company

Vendor 7661's Bid Information for Call 014, Letting L120417, 04/17/12

Blythe Brothers Asphalt Co., LLC (7661)
 Call Order 014 (Proposal ID C203002)

LIST OF MBE PARTICIPANTS

VENDOR NUMBER	DBE NAME ADDRESS	WORK CODE TYPE OF WORK	CERT TYPE AMOUNT	
7138	MBB EXPRESS LOGISTICS SERVICES, INC P.O. BOX 19761 , CHARLOTTE, NC 28219		Sub 238,997.52	committed
			TOTAL: \$238,997.52	✓ arm 4.01%

Vendor 7661's Bid Information for Call 014, Letting L120417, 04/17/12

Blythe Brothers Asphalt Co., LLC (7661)
 Call Order 014 (Proposal ID C203002)

LIST OF WBE PARTICIPANTS

VENDOR NUMBER	DBE NAME ADDRESS	WORK CODE TYPE OF WORK	CERT TYPE AMOUNT	
2072	WB CAROLINA CAJUN CONCRETE, INC. 7305 STILWELL ROAD , MATTHEWS, NC 28105		Sub 48,050.00	committed
8932	WB A & R MATERIALS, LLC 9450 MOSS PLANTATION AVE , CONCORD, NC 28027		Sup 418,173.80 250,904.28	committed
			TOTAL: \$298,954.28	✓ arm 5.02%

Vendor 7661's Bid Information for Call 014, Letting L120417, 04/17/12

Blythe Brothers Asphalt Co., LLC (7661)
 Call Order 014 (Proposal ID C203002)

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: SNC12156604
Surety Registry Agency: surety2000
Verified?: Yes
Surety Agency: Liberty Mutual Insurance Company
Bond Execution Date: 4/11/2012 10
Bond Amount: \$297,784.08 (Five Percent of Bid)

Contract ID: C203002 Project(s): STATE FUNDED
Letting Date: 04-17-12 Call Order: 014
Bidder: 7661 - Blythe Brothers Asphalt Co., LLC

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 MOBILIZATIO N	LUMP	LUMP	73,000.00
0002	0106000000-E BORROW EXCAVATION	1,695.000 CY	25.00000	42,375.00
0003	1220000000-E INCIDENTAL STONE BASE	750.000 TON	25.00000	18,750.00
0004	1243000000-E SHOULDER CONSTRUCTION	7.400 SMI	2,900.00000	21,460.00
0005	1245000000-E SHOULDER RECONSTRUCTION	36.350 SMI	3,100.00000	112,685.00
0006	1297000000-E MILLING ASPHALT PAVEMENT, ***"DEPTH (1-1/2")	80,313.000 SY	1.35000	108,422.55
0007	1308000000-E MILLING ASPHALT PAVEMENT, ***"TO *****" (0" TO 1-1/2")	32,975.000 SY	1.35000	44,516.25
0008	1308000000-E MILLING ASPHALT PAVEMENT, ***"TO *****" (0" TO 2-1/2")	500.000 SY	7.00000	3,500.00
0009	1330000000-E INCIDENTAL MILLING	5,400.000 SY	3.00000	16,200.00
0010	1491000000-E ASPHALT CONC BASE COURSE, TYPE B25.0C	2,849.000 TON	38.00000	108,262.00
0011	1503000000-E ASPHALT CONC INTERMEDIATE COURSE, TYPE I19.0C	3,193.000 TON	30.00000	95,790.00

Dept of Transportation

Revised:

Contract ID: C203002

Project(s): STATE FUNDED

Letting Date: 04-17-12 Call Order: 014

Bidder: 7661 - Blythe Brothers Asphalt Co., LLC

Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
0012	1523000000-E ASPHALT CONC SURFACE COURSE, TYPE S9.5C	45,607.000 TON	30.00000		1,368,210.00	
0013	1524000000-E ASPHALT CONC SURFACE COURSE, TYPE S9.5C (LEVELING COURSE)	7,060.000 TON	31.00000		218,860.00	
0014	1575000000-E ASPHALT BINDER FOR PLANT MIX	3,427.000 TON	630.00000		2,159,010.00	
0015	1704000000-E PATCHING EXISTING PAVEMENT	12,775.000 TON	76.00000		970,900.00	
0016	2600000000-N RETROFIT EXISTING CURB RAMP	110.000 EA	250.00000		27,500.00	
0017	2612000000-E 6" CONCRETE DRIVEWAY	435.000 SY	70.00000		30,450.00	
0018	2800000000-N ADJUSTMENT OF CATCH BASINS	3.000 EA	500.00000		1,500.00	
0019	2830000000-N ADJUSTMENT OF MANHOLES	63.000 EA	600.00000		37,800.00	
0020	2845000000-N ADJUSTMENT OF METER BOXES OR VALVE BOXES	35.000 EA	375.00000		13,125.00	
0021	4399000000-N TEMPORARY TRAFFIC CONTROL	LUMP	LUMP		64,000.00	
0022	4685000000-E THERMOPLASTIC PAVEMENT MARKING LINES (4", 90 MILS)	233,500.000 LF	0.40000		93,400.00	

Dept of Transportation

Revised:

Contract ID: C203002

Project(s): STATE FUNDED

Letting Date: 04-17-12 Call Order: 014

Bidder: 7661 - Blythe Brothers Asphalt Co., LLC

Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
0023	4686000000-E THERMOPLAST IC PAVEMENT MARKING LINES (4", 120 MILS)	286,700.000 LF	0.52000		149,084.00	
0024	4688000000-E THERMOPLAST IC PAVEMENT MARKING LINES (6", 90 MILS)	130.000 LF	0.52000		67.60	
0025	4695000000-E THERMOPLAST IC PAVEMENT MARKING LINES (8", 90 MILS)	3,735.000 LF	1.90000		7,096.50	
0026	4697000000-E THERMOPLAST IC PAVEMENT MARKING LINES (8", 120 MILS)	2,130.000 LF	2.25000		4,792.50	
0027	4705000000-E THERMOPLAST IC PAVEMENT MARKING LINES (16", 120 MILS)	100.000 LF	4.00000		400.00	
0028	4710000000-E THERMOPLAST IC PAVEMENT MARKING LINES (24", 120 MILS)	2,553.000 LF	4.25000		10,850.25	
0029	4721000000-E THERMOPLAST IC PAVEMENT MARKING CHARACTER (120 MILS)	131.000 EA	100.00000		13,100.00	
0030	4725000000-E THERMOPLAST IC PAVEMENT MARKING SYMBOL (90 MILS)	217.000 EA	100.00000		21,700.00	
0031	4810000000-E PAINT PAVEMENT MARKING LINES (4")	53,750.000 LF	0.15000		8,062.50	
0032	4830000000-E PAINT PAVEMENT MARKING LINES (16")	50.000 LF	1.00000		50.00	
0033	4835000000-E PAINT PAVEMENT MARKING LINES (24")	485.000 LF	2.50000		1,212.50	

Dept of Transportation

Revised:

Contract ID: C203002

Project(s): STATE FUNDED

Letting Date: 04-17-12 Call Order: 014

Bidder: 7661 - Blythe Brothers Asphalt Co., LLC

Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
0034	4840000000-N PAINT PAVEMENT MARKING CHARAC-TER	EA 14.000	50.00000		700.00	
0035	4900000000-N PERMANENT RAISED PAVEMENT MARKERS	EA 4,875.000	4.00000		19,500.00	
0036	5255000000-N PORTABLE LIGHTING	LUMP	LUMP		39,000.00	
0037	6000000000-E TEMPORARY SILT FENCE	LF 2,545.000	2.00000		5,090.00	
0038	6009000000-E STONE FOR EROSION CONTROL, CLASS B	TON 318.000	40.00000		12,720.00	
0039	6012000000-E SEDIMENT CONTROL STONE	TON 318.000	40.00000		12,720.00	
0040	6036000000-E MATTING FOR EROSION CONTROL	SY 210.000	2.00000		420.00	
0041	6071010000-E WATTLE	LF 430.000	4.00000		1,720.00	
0042	6071020000-E POLYACRYLAMIDE (PAM)	LB 12.000	15.00000		180.00	
0043	6084000000-E SEEDING & MULCHING	ACR 12.500	1,400.00000		17,500.00	
Section 0001 Total						5,955,681.65
Bid Total						5,955,681.65

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.

PROPOSAL: C203002
 LETTING: L120417 CALL: 014
 VENDOR: 7661 Blythe Brothers Asphalt Co., LLC

LINE NO.	ITEM NO.	ITEM DESC.	UNIT TYPE	SUBCONTRACTOR QUANTITY	SUBCONTRACTOR UNIT PRICE	EXTENDED AMOUNT
MBE SUBCONTRACTOR: 7138 EXPRESS LOGISTICS SERVICES, INC. committed						
Will Use Quote: Yes						
0006	1297000000-E	MILL ASP PVM	SY	80313.000	0.45000	36140.85
0007	1308000000-E	MILLN ASPHAL	SY	32975.000	0.45000	14838.75
0010	1491000000-E	ASP CONC BAS	TON	2849.000	6.13000	17464.37
0011	1503000000-E	ASP CONC INT	TON	3193.000	5.25000	16763.25
0015	1704000000-E	PATCHING EXI	TON	12775.000	10.75000	137331.25
0013	1524000000-E	ASP CONC SUR	TON	2685.000	6.13000	16459.05

MBE COMMITMENT TOTAL FOR SUBCONTRACTOR: arm 238,997.52
 arm

TOTAL MBE COMMITMENT FOR VENDOR: Entered: 4.01% or 238997.52
 Required: 4.00% or 238227.27
 <GOAL MET>

Contract Item Sheets For C203002

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
ROADWAY ITEMS						
0001	0000100000-N	800	MOBILIZATION	Lump Sum LS	73,000.00	73,000.00
0002	0106000000-E	230	BORROW EXCAVATION	1,695 CY	25.00	42,375.00
0003	1220000000-E	545	INCIDENTAL STONE BASE	750 TON	25.00	18,750.00
0004	1243000000-E	SP	SHOULDER CONSTRUCTION	7.4 SMI	2,900.00	21,460.00
0005	1245000000-E	SP	SHOULDER RECONSTRUCTION	36.35 SMI	3,100.00	112,685.00
0006	1297000000-E	607	MILLING ASPHALT PAVEMENT, **** DEPTH (1-1/2")	80,313 SY	1.35	108,422.55
0007	1308000000-E	607	MILLING ASPHALT PAVEMENT, **** TO ***** (0" TO 1-1/2")	32,975 SY	1.35	44,516.25
0008	1308000000-E	607	MILLING ASPHALT PAVEMENT, **** TO ***** (0" TO 2-1/2")	500 SY	7.00	3,500.00
0009	1330000000-E	607	INCIDENTAL MILLING	5,400 SY	3.00	16,200.00
0010	1491000000-E	610	ASPHALT CONC BASE COURSE, TYPE B25.0C	2,849 TON	38.00	108,262.00
0011	1503000000-E	610	ASPHALT CONC INTERMEDIATE COURSE, TYPE I19.0C	3,193 TON	30.00	95,790.00
0012	1523000000-E	610	ASPHALT CONC SURFACE COURSE, TYPE S9.5C	45,607 TON	30.00	1,368,210.00
0013	1524000000-E	SP	ASPHALT CONC SURFACE COURSE, TYPE S9.5C (LEVELING COURSE)	7,060 TON	31.00	218,860.00
0014	1575000000-E	620	ASPHALT BINDER FOR PLANT MIX	3,427 TON	630.00	2,159,010.00
0015	1704000000-E	SP	PATCHING EXISTING PAVEMENT	12,775 TON	76.00	970,900.00
0016	2600000000-N	SP	RETROFIT EXISTING CURB RAMP	110 EA	250.00	27,500.00
0017	2612000000-E	848	6" CONCRETE DRIVEWAY	435 SY	70.00	30,450.00
0018	2800000000-N	858	ADJUSTMENT OF CATCH BASINS	3 EA	500.00	1,500.00

Contract Item Sheets For C203002

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
0019	2830000000-N	858	ADJUSTMENT OF MANHOLES	63 EA	600.00	37,800.00
0020	2845000000-N	858	ADJUSTMENT OF METER BOXES OR VALVE BOXES	35 EA	375.00	13,125.00
0021	4399000000-N	1105	TEMPORARY TRAFFIC CONTROL	Lump Sum LS	64,000.00	64,000.00
0022	4685000000-E	1205	THERMOPLASTIC PAVEMENT MARKING LINES (4", 90 MILS)	233,500 LF	0.40	93,400.00
0023	4686000000-E	1205	THERMOPLASTIC PAVEMENT MARKING LINES (4", 120 MILS)	286,700 LF	0.52	149,084.00
0024	4688000000-E	1205	THERMOPLASTIC PAVEMENT MARKING LINES (6", 90 MILS)	130 LF	0.52	67.60
0025	4695000000-E	1205	THERMOPLASTIC PAVEMENT MARKING LINES (8", 90 MILS)	3,735 LF	1.90	7,096.50
0026	4697000000-E	1205	THERMOPLASTIC PAVEMENT MARKING LINES (8", 120 MILS)	2,130 LF	2.25	4,792.50
0027	4705000000-E	1205	THERMOPLASTIC PAVEMENT MARKING LINES (16", 120 MILS)	100 LF	4.00	400.00
0028	4710000000-E	1205	THERMOPLASTIC PAVEMENT MARKING LINES (24", 120 MILS)	2,553 LF	4.25	10,850.25
0029	4721000000-E	1205	THERMOPLASTIC PAVEMENT MARKING CHARACTER (120 MILS)	131 EA	100.00	13,100.00
0030	4725000000-E	1205	THERMOPLASTIC PAVEMENT MARKING SYMBOL (90 MILS)	217 EA	100.00	21,700.00
0031	4810000000-E	1205	PAINT PAVEMENT MARKING LINES (4")	53,750 LF	0.15	8,062.50
0032	4830000000-E	1205	PAINT PAVEMENT MARKING LINES (16")	50 LF	1.00	50.00
0033	4835000000-E	1205	PAINT PAVEMENT MARKING LINES (24")	485 LF	2.50	1,212.50
0034	4840000000-N	1205	PAINT PAVEMENT MARKING CHARACTER	14 EA	50.00	700.00

Contract Item Sheets For C203002

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
0035	4900000000-N	1251	PERMANENT RAISED PAVEMENT MARKERS	4,875 EA	4.00	19,500.00
0036	5255000000-N	1413	PORTABLE LIGHTING	Lump Sum LS	39,000.00	39,000.00
0037	6000000000-E	1605	TEMPORARY SILT FENCE	2,545 LF	2.00	5,090.00
0038	6009000000-E	1610	STONE FOR EROSION CONTROL, CLASS B	318 TON	40.00	12,720.00
0039	6012000000-E	1610	SEDIMENT CONTROL STONE	318 TON	40.00	12,720.00
0040	6036000000-E	1631	MATTING FOR EROSION CONTROL	210 SY	2.00	420.00
0041	6071010000-E	SP	WATTLE	430 LF	4.00	1,720.00
0042	6071020000-E	SP	POLYACRYLAMIDE (PAM)	12 LB	15.00	180.00
0043	6084000000-E	1660	SEEDING & MULCHING	12.5 ACR	1,400.00	17,500.00

TOTAL AMOUNT OF BID FOR ENTIRE PROJECT

✓ \$5,955,681.65

Contract No. C203002
County Mecklenburg

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.

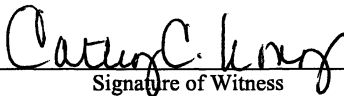
SIGNATURE OF CONTRACTOR

Blythe Brothers Asphalt Company, LLC

Full Name of Firm

1415 E. Westinghouse Blvd., Charlotte, NC 28273-5801

Address as Prequalified

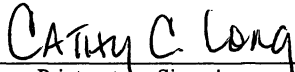


Signature of Witness



Signature of Member/Manager/Authorized Agent

Select appropriate title



Print or type Signer's name

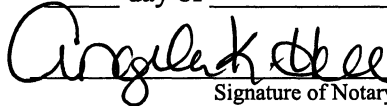
Robert E. McKinney

Print or type Signer's Name

AFFIDAVIT MUST BE NOTARIZED

Subscribed and sworn to before me this the

3 day of **May**, 20**12**.



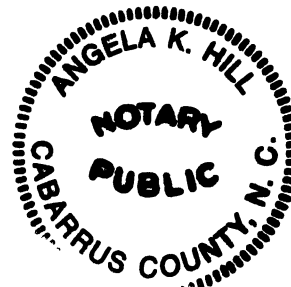
Signature of Notary Public

of **Cabarrus** County

State of **North Carolina**

My Commission Expires: **5/15/15**

NOTARY SEAL



Contract No. C203002

County (ies): Mecklenburg

ACCEPTED BY THE
DEPARTMENT OF TRANSPORTATION

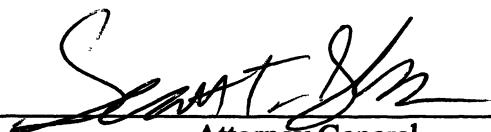


Contract Officer



Date

Execution of Contract and Bonds
Approved as to Form:



Attorney General

Contract No. C203002
 County Mecklenburg

CONTRACT PAYMENT BOND

Date of Payment Bond Execution May 3, 2012

Name of Principal Contractor Blythe Brothers Asphalt Co., LLC

Name of Surety: Liberty Mutual Insurance Company

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

Amount of Bond: Five Million Nine Hundred Fifty Five
 Thousand Six Hundred Eighty One Dollars and 65/100 \$5,955,681.65

Contract ID No.: C203002

County Name: Mecklenburg

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

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

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

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

Contract No. C203002
County Mecklenburg


Rev 5-17-11

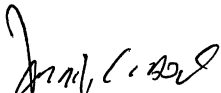
CONTRACT PAYMENT BOND

Affix Seal of Surety Company

Liberty Mutual Insurance Company
Print or type Surety Company Name

By Angela D. Ramsey
Print, stamp or type name of Attorney-in-Fact

By: 
Signature of Attorney-in-Fact


Signature of Witness

Jennifer C. Hoehn
Print or type Signer's name

P.O. Box 220748, Charlotte, NC 28222-0748
Address of Attorney-in-Fact

Contract No. C203002
County Mecklenburg

Rev 5-17-11


CONTRACT PAYMENT BOND

LIMITED LIABILITY COMPANY

SIGNATURE OF CONTRACTOR (Principal)

Name of Contractor Blythe Brothers Asphalt Co, LLC
Full name of Firm

1415 E. Westinghouse Blvd, Charlotte, NC 28273
Address as prequalified

By: 
Signature of Member, Manager, Authorized Agent
Select appropriate title

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

This Power of Attorney limits the acts of those named herein, and they have no authority to bind the Company except in the manner and to the extent herein stated. Not valid for mortgage, note, loan, letter of credit, bank deposit, currency rate, interest rate or residual value guarantees. To confirm the validity of this Power of Attorney call 610-832-8240 between 9:00 am and 4:30 pm EST on any business day.

LIBERTY MUTUAL INSURANCE COMPANY
BOSTON, MASSACHUSETTS
POWER OF ATTORNEY

KNOW ALL PERSONS BY THESE PRESENTS:

That Liberty Mutual Insurance Company (the "Company"), a Massachusetts stock insurance company, pursuant to and by authority of the By-law and Authorization hereinafter set forth, does hereby name, constitute and appoint, Angela D. Ramsey its true and lawful attorney-in-fact, with full power and authority hereby conferred to sign, execute and acknowledge, at any location within the United States, the following surety bond:

Principal Name: Blythe Brothers Asphalt Co., LLC

Obligee Name: NC DOT

LMS Surety Bond Number: 018027241

Bond Amount: See Bond Form

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

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

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

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

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

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

IN WITNESS WHEREOF, this Power of Attorney has been subscribed by an authorized officer or official of the Company and the corporate seal of Liberty Mutual Insurance Company has been affixed thereto in Plymouth Meeting, Pennsylvania this 28th day of MARCH, 2009.



LIBERTY MUTUAL INSURANCE COMPANY

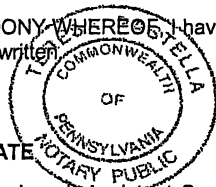
Garnet W. Elliott

By _____
Garnet W. Elliott, Assistant Secretary

COMMONWEALTH OF PENNSYLVANIA ss
COUNTY OF MONTGOMERY

On this 28th day of MARCH, 2009, before me, a Notary Public, personally came Garnet W. Elliott, to me known, and acknowledged that he is an Assistant Secretary of Liberty Mutual Insurance Company; that he knows the seal of said corporation; and that he executed the above Power of Attorney and affixed the corporate seal of Liberty Mutual Insurance Company thereto with the authority and at the direction of said corporation.

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



COMMONWEALTH OF PENNSYLVANIA

Notarial Seal
Teresa Pastella, Notary Public
Plymouth Twp., Montgomery County
My Commission Expires March 26, 2013

By Teresa Pastella
Teresa Pastella, Notary Public

CERTIFICATE

I, the undersigned, Assistant Secretary of Liberty Mutual Insurance Company, do hereby certify that the original power of attorney of which the foregoing is a full, true and correct copy, is in full force and effect on the date of this certificate; and I do further certify that the officer or official who executed the said power of attorney is an Assistant Secretary specially authorized by the chairman or the president to appoint attorneys-in-fact as provided in Article XIII, Section 5 of the By-laws of Liberty Mutual Insurance Company.

This certificate and the above power of attorney may be signed by facsimile or mechanically reproduced signatures under and by authority of the following vote of the board of directors of Liberty Mutual Insurance Company at a meeting duly called and held on the 12th day of March, 1980.

VOTED that the facsimile or mechanically reproduced signature of any assistant secretary of the company, wherever appearing upon a certified copy of any power of attorney issued by the company in connection with surety bonds, shall be valid and binding upon the company with the same force and effect as though manually affixed.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed the corporate seal of the said company, this 3rd day of May, 2012.



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

Contract No. C203002
County Mecklenburg

CONTRACT PERFORMANCE BOND

Date of Performance Bond Execution: May 3, 2012
Name of Principal Contractor: Blythe Brothers Asphalt Co., LLC
Name of Surety: Liberty Mutual Insurance Company
Name of Contracting Body: North Carolina Department of Transportation
Raleigh, North Carolina
Amount of Bond: Five Million Nine Hundred Fifty Five Thousand Six Hundred Eighty One Dollars and 65/100 \$5,955,681.65
Contract ID No.: C203002
County Name: Mecklenburg

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

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

NOW THEREFORE, if the principal shall well and truly perform and fulfill all the undertakings, covenants, terms, conditions, and agreements of said contract during the original term of said contract and any extensions thereof that may be granted by the Contracting Body, with or without notice to the Surety, and during the life of any guaranty required under the contract, and shall also well and truly perform and fulfill all the undertakings, covenants, terms, conditions, and agreements of any and all duly authorized modifications of said contract that may hereafter be made, notice of which modifications to the surety being hereby waived, then this obligation to be void; otherwise to remain in full force and virtue.

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

Contract No. C203002
County Mecklenburg

Rev 5-17-11

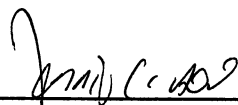
CONTRACT PERFORMANCE BOND

Affix Seal of Surety Company

Liberty Mutual Insurance Company
Print or type Surety Company Name

By Angela D. Ramsey
Print, stamp or type name of Attorney-in-Fact

By: 
Signature of Attorney-in-Fact


Signature of Witness

Jennifer C. Hoehn
Print or type Signer's name

P.O. Box 220748, Charlotte, NC 28222-0748
Address of Attorney-in-Fact

Contract No. C203002
County Mecklenburg

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CONTRACT PERFORMANCE BOND

LIMITED LIABILITY COMPANY

SIGNATURE OF CONTRACTOR (Principal)

Name of Contractor Blythe Brothers Asphalt Co, LLC
Full name of Firm

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Address as prequalified

By: 
Signature of Member, Manager, Authorized Agent
Select appropriate title

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

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LIBERTY MUTUAL INSURANCE COMPANY
BOSTON, MASSACHUSETTS
POWER OF ATTORNEY

KNOW ALL PERSONS BY THESE PRESENTS:

That Liberty Mutual Insurance Company (the "Company"), a Massachusetts stock insurance company, pursuant to and by authority of the By-law and Authorization hereinafter set forth, does hereby name, constitute and appoint, Angela D. Ramsey its true and lawful attorney-in-fact, with full power and authority hereby conferred to sign, execute and acknowledge, at any location within the United States, the following surety bond:

Principal Name: Blythe Brothers Asphalt Co., LLC

Obligee Name: NC DOT

LMS Surety Bond Number: 018027241

Bond Amount: See Bond Form

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

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

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

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

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

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

IN WITNESS WHEREOF, this Power of Attorney has been subscribed by an authorized officer or official of the Company and the corporate seal of Liberty Mutual Insurance Company has been affixed thereto in Plymouth Meeting, Pennsylvania this 28th day of MARCH, 2009.



LIBERTY MUTUAL INSURANCE COMPANY

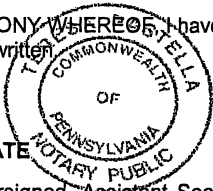
Garnet W. Elliott

By Garnet W. Elliott, Assistant Secretary

COMMONWEALTH OF PENNSYLVANIA ss
COUNTY OF MONTGOMERY

On this 28th day of MARCH, 2009, before me, a Notary Public, personally came Garnet W. Elliott, to me known, and acknowledged that he is an Assistant Secretary of Liberty Mutual Insurance Company; that he knows the seal of said corporation; and that he executed the above Power of Attorney and affixed the corporate seal of Liberty Mutual Insurance Company thereto with the authority and at the direction of said corporation.

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



Notarial Seal
Teresa Pastella, Notary Public
Plymouth Twp., Montgomery County
My Commission Expires March 28, 2013

By Teresa Pastella
Teresa Pastella, Notary Public

CERTIFICATE

I, the undersigned, Assistant Secretary of Liberty Mutual Insurance Company, do hereby certify that the original power of attorney of which the foregoing is a full, true and correct copy, is in full force and effect on the date of this certificate; and I do further certify that the officer or official who executed the said power of attorney is an Assistant Secretary specially authorized by the chairman or the president to appoint attorneys-in-fact as provided in Article XIII, Section 5 of the By-laws of Liberty Mutual Insurance Company.

This certificate and the above power of attorney may be signed by facsimile or mechanically reproduced signatures under and by authority of the following vote of the board of directors of Liberty Mutual Insurance Company at a meeting duly called and held on the 12th day of March, 1980.

VOTED that the facsimile or mechanically reproduced signature of any assistant secretary of the company, wherever appearing upon a certified copy of any power of attorney issued by the company in connection with surety bonds, shall be valid and binding upon the company with the same force and effect as though manually affixed.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed the corporate seal of the said company, this 3rd day of May, 2012.



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