

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

C201907

CONTRACT AND
CONTRACT BONDS

FOR CONTRACT NO. C201907

WBS 37897 STATE FUNDED

COUNTY OF CATAWBA
THIS IS THE ROADWAY CONTRACT
ROUTE NUMBER NC 10 LENGTH 0.980 MILES
LOCATION NC-10 FROM BLACKBURN SCHOOL TO SR-1008.

CONTRACTOR MIDSTATE CONTRACTORS, INC.
ADDRESS P.O. BOX 1238
HICKORY, NC 286031238

BIDS OPENED JANUARY 15, 2008
CONTRACT EXECUTION FEB 20 2008

MIDSTATE CONTRACTORS, INC. (3410).
Vendor 3 of 4 Vendors for Call Order 025 (Proposal ID C201907).

County: CATAWBA
Address: P.O. BOX 1238
HICKORY, NC 28603

Phone Number: 828-322-9497

Signature Check: This bid has been properly signed by James_S._Abernethy_3410.

Time Bid Received: Tue Jan 15 12:44:48 2008

Bid Checksum: C88CE413

Amendment Count: 0

Bidding Errors: No bidding errors.

Bid Total: \$1,142,776.56 ✓

Bond ID: SNC08392041

Bond was Verified: Yes.

Bond Required Percent: 5.00%

Minimum Check Amount: \$57,138.83

Bid Security Maximum: \$

Bond Agency Name:

Agency Execution Date: 01/15/2008

Surety Name: MORROW INSURANCE

Surety State of Incorporation:

Bond Company:

Bond Type:

Bond Appr Flag:

Bond Affirm:

Bond was Paid by Check: No.

MBE GOAL SET - 4.0 %

MBE GOAL MET - 4.1 %

WBE GOAL SET - 4.0 %

WBE GOAL MET - 4.1 %

NCDOT/berc

Vendor 3410's Load Output for Call 025, Letting L080115, 2008-01-15

Bid Bond Data Info - Contractor Responses:

=====

BondID: SNC08392041
Surety Registry Agency: surety2000
Verified?: Yes
Surety Agency: MORROW INSURANCE
Bond Execution Date: 01/15/2008
Bond Amount: \$57,138.83 (Five Percent of Bid)

State of NC
Dept of Transportation

Date: 12-18-07
Revised:

Contract ID: C201907 Project(s): STATE FUNDED
Letting Date: 01-15-08 Call Order: 025
Bidder: 3410 - MIDSTATE CONTRACTORS, INC.

Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
Section 0001 ROADWAY ITEMS						
0001	0000100000-N MOBILIZATION	LUMP	LUMP			45,000.00
0002	0000400000-N CONSTRUCTION SURVEYING	LUMP	LUMP			12,600.00
0003	0001000000-E CLEARING & GRUBBING .. ACRE(S)	LUMP	LUMP			20,500.00
0004	0022000000-E UNCLASSIFIED EXCAVATION	CY	4,490.000	15.00000		67,350.00
0005	0036000000-E UNDERCUT EXCAVATION	CY	200.000	0.01000		2.00
0006	0050000000-E SUPPLEMENTARY CLEARING & GRUB-BING	ACR	2.000	0.01000		0.02
0007	0106000000-E BORROW EXCAVATION	CY	100.000	50.00000		5,000.00
0008	0156000000-E REMOVAL OF EXISTING ASPHALT PAVEMENT	SY	2,395.000	4.50000		10,777.50
0009	0177000000-E BREAKING OF EXISTING ASPHALT PAVEMENT	SY	310.000	4.00000		1,240.00
0010	0318000000-E FOUNDATION CONDITIONING MATERIAL, MINOR STRS	TON	120.000	30.00000		3,600.00
0011	0343000000-E 15" SIDE DRAIN PIPE	LF	164.000	36.00000		5,904.00

State of NC
Dept of Transportation

Date: 12-18-07
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Contract ID: C201907 Project(s): STATE FUNDED
Letting Date: 01-15-08 Call Order: 025
Bidder: 3410 - MIDSTATE CONTRACTORS, INC.

Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
0012	0360000000-E 12" RC PIPE CULVERTS, CLASS III	16.000 LF	25.00000		400.00	
0013	0366000000-E 15" RC PIPE CULVERTS, CLASS III	436.000 LF	33.50000		14,606.00	
0014	0372000000-E 18" RC PIPE CULVERTS, CLASS III	304.000 LF	39.50000		12,008.00	
0015	0378000000-E 24" RC PIPE CULVERTS, CLASS III	196.000 LF	50.00000		9,800.00	
0016	0738000000-E 42" BIT COAT CS PIPE CULVERTS, TYPE B 0.109" THICK	4.000 LF	200.00000		800.00	
0017	0995000000-E PIPE REMOVAL	424.000 LF	10.00000		4,240.00	
0018	0996000000-N PIPE CLEAN-OUT	1.000 EA	600.00000		600.00	
0019	1011000000-N FINE GRADING	LUMP	LUMP		18,500.00	
0020	1121000000-E AGGREGATE BASE COURSE	60.000 TON	29.00000		1,740.00	
0021	1220000000-E INCIDENTAL STONE BASE	150.000 TON	30.00000		4,500.00	
0022	1245000000-E SHOULDER RECONSTRUCTION	1.000 SMI	3,600.00000		3,600.00	
0023	1330000000-E INCIDENTAL MILLING	50.000 SY	30.00000		1,500.00	

State of NC
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Contract ID: C201907 Project(s): STATE FUNDED
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Bidder: 3410 - MIDSTATE CONTRACTORS, INC.

Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
0024	1489000000-E ASPHALT CONC BASE COURSE, TYPE B25.0B	3,400.000 TON	50.90000		173,060.00	
0025	1498000000-E ASPHALT CONC INTERMEDIATE COURSE, TYPE I19.0B	3,560.000 TON	51.70000		184,052.00	
0026	1519000000-E ASPHALT CONC SURFACE COURSE, TYPE S9.5B	2,140.000 TON	56.25000		120,375.00	
0027	1560000000-E ASPHALT BINDER FOR PLANT MIX, GRADE PG 64-22	443.000 TON	372.20000		164,884.60	
0028	1704000000-E PATCHING EXISTING PAVEMENT	50.000 TON	125.00000		6,250.00	
0029	2000000000-N RIGHT OF WAY MARKERS	11.000 EA	100.00000		1,100.00	
0030	2253000000-E PIPE COLLARS	3.383 CY	500.00000		1,691.50	
0031	2286000000-N MASONRY DRAINAGE STRUCTURES	12.000 EA	1,600.00000		19,200.00	
0032	2308000000-E MASONRY DRAINAGE STRUCTURES	6.100 LF	200.00000		1,220.00	
0033	2352000000-N FRAME WITH GRATE, STD 840.**** (G)	1.000 EA	500.00000		500.00	
0034	2365000000-N FRAME WITH TWO GRATES, STD 840.22	2.000 EA	425.00000		850.00	
0035	2367000000-N FRAME WITH TWO GRATES, STD 840.29	7.000 EA	550.00000		3,850.00	

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Bidder: 3410 - MIDSTATE CONTRACTORS, INC.

Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
0036	2542000000-E 1'-6" CONCRETE CURB & GUTTER	140.000 LF	18.00000		2,520.00	
0037	2549000000-E 2'-6" CONCRETE CURB & GUTTER	200.000 LF	22.00000		4,400.00	
0038	2647000000-E 5" MONOLITHIC CONCRETE ISLANDS (SURFACE MOUNTED)	295.000 SY	60.00000		17,700.00	
0039	3030000000-E STEEL BM GUARDRAIL	1,100.000 LF	15.00000		16,500.00	
0040	3045000000-E STEEL BM GUARDRAIL, SHOP CURVED	50.000 LF	15.00000		750.00	
0041	3150000000-N ADDITIONAL GUARDRAIL POSTS	5.000 EA	35.00000		175.00	
0042	3270000000-N GUARDRAIL ANCHOR UNITS, TYPE 350	10.000 EA	1,575.00000		15,750.00	
0043	3566000000-E WOVEN WIRE FENCE RESET	370.000 LF	7.00000		2,590.00	
0044	3628000000-E RIP RAP, CLASS I	30.000 TON	45.00000		1,350.00	
0045	3649000000-E RIP RAP, CLASS B	309.000 TON	40.50000		12,514.50	
0046	3656000000-E FILTER FABRIC FOR DRAINAGE	954.000 SY	3.00000		2,862.00	
0047	4400000000-E WORK ZONE SIGNS (STATIONARY)	684.000 SF	5.15000		3,522.60	

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Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
0048	4405000000-E WORK ZONE SIGNS (PORTABLE)	SF 352.000	8.65000		3,044.80	
0049	4410000000-E WORK ZONE SIGNS (BARRICADE MOUNTED)	SF 96.000	7.25000		696.00	
0050	4430000000-N DRUMS	EA 223.000	34.00000		7,582.00	
0051	4445000000-E BARRICADES (TYPE III)	LF 336.000	27.50000		9,240.00	
0052	4450000000-N FLAGGER	HR 1,000.000	28.00000		28,000.00	
0053	4685000000-E THERMOPLAST IC PAVEMENT MARKING LINES (4", 90 MILS)	LF 11,645.000	0.40000		4,658.00	
0054	4686000000-E THERMOPLAST IC PAVEMENT MARKING LINES (4", 120 MILS)	LF 15,163.000	0.43000		6,520.09	
0055	4695000000-E THERMOPLAST IC PAVEMENT MARKING LINES (8", 90 MILS)	LF 205.000	6.00000		1,230.00	
0056	4710000000-E THERMOPLAST IC PAVEMENT MARKING LINES (24", 120 MILS)	LF 195.000	8.75000		1,706.25	
0057	4721000000-E THERMOPLAST IC PAVEMENT MARKING CHARACTER (120 MILS)	EA 6.000	120.00000		720.00	
0058	4725000000-E THERMOPLAST IC PAVEMENT MARKING SYMBOL (90 MILS)	EA 19.000	115.00000		2,185.00	
0059	4810000000-E PAINT PAVEMENT MARKING LINES (4")	LF 3,608.000	0.22000		793.76	

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Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
0060	4820000000-E PAINT PAVEMENT MARKING LINES (8")	50.000 LF	2.00000		100.00	
0061	4835000000-E PAINT PAVEMENT MARKING LINES (24")	11.000 LF	10.00000		110.00	
0062	4845000000-N PAINT PAVEMENT MARKING SYMBOL	4.000 EA	75.00000		300.00	
0063	4905000000-N SNOWPLOWABLE PAVEMENT MARKERS	169.000 EA	28.50000		4,816.50	
0064	6000000000-E TEMPORARY SILT FENCE	4,875.000 LF	3.75000		18,281.25	
0065	6009000000-E STONE FOR EROSION CONTROL, CLASS B	640.000 TON	40.00000		25,600.00	
0066	6012000000-E SEDIMENT CONTROL STONE	205.000 TON	35.00000		7,175.00	
0067	6015000000-E TEMPORARY MULCHING	3.500 ACR	0.01000		0.04	
0068	6018000000-E SEED FOR TEMPORARY SEEDING	150.000 LB	0.01000		1.50	
0069	6021000000-E FERTILIZER FOR TEMPORARY SEEDING	0.750 TON	0.01000		0.01	
0070	6029000000-E SAFETY FENCE	75.000 LF	2.50000		187.50	
0071	6030000000-E SILT EXCAVATION	720.000 CY	4.00000		2,880.00	

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Bidder: 3410 - MIDSTATE CONTRACTORS, INC.

Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
0072	6033000000-E SYNTHETIC ROVING	984.000 SY	2.50000		2,460.00	
0073	6036000000-E MATTING FOR EROSION CONTROL	492.000 SY	2.00000		984.00	
0074	6042000000-E 1/4" HARDWARE CLOTH	240.000 LF	3.00000		720.00	
0075	6084000000-E SEEDING & MULCHING	4.000 ACR	2,200.00000		8,800.00	
0076	6087000000-E MOWING	2.500 ACR	100.00000		250.00	
0077	6090000000-E SEED FOR REPAIR SEEDING	100.000 LB	1.50000		150.00	
0078	6093000000-E FERTILIZER FOR REPAIR SEEDING	0.500 TON	250.00000		125.00	
0079	6096000000-E SEED FOR SUPPLEMENTAL SEEDING	100.000 LB	1.50000		150.00	
0080	6108000000-E FERTILIZER TOPDRESSING	2.750 TON	500.00000		1,375.00	
0081	6117000000-N RESPONSE FOR EROSION CONTROL	14.000 EA	0.01000		0.14	
Section 0001 Total					1,142,776.56	
Bid Total					1,142,776.56	

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.

Fuel Price Adjustment Opt-Out Clause

Bidders have the option to accept or reject Fuel Price Adjustments in accordance with the requirements of Article 109-8 Fuel Price Adjustments and the provisions in the contract. To indicate the choice, the bidder shall enter an X in one of the blocks below.

The bidder will not be permitted to change the option after the bid is accepted.

Enter X in one box only:

Yes, the bidder accepts fuel price adjustments for this project in accordance with Article 109-8.

No, the bidder declines fuel price adjustments for this project.

In the event the bidder does not enter an X in either box, the bidder will receive fuel adjustments for the items shown in the contract.

NORTH CAROLINA STATE DEPARTMENT OF TRANSPORTATION
 MBE COMMITMENT ITEMS

DATE: 12-18-07
 PAGE: 11

PROPOSAL: C201907
 LETTING: L080115 CALL: 025
 VENDOR: 3410 MIDSTATE CONTRACTORS, INC.

LINE NO.	ITEM NO.	ITEM DESC.	UNIT TYPE	SUBCONTRACTOR QUANTITY	SUBCONTRACTOR UNIT PRICE	EXTENDED AMOUNT
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MBE SUBCONTRACTOR: 2941 LAKEVIEW CONSTRUCTION & EQUIPMENT
 Will Use Quote: Yes

0023	1330000000-E	INCIDENTAL M SY		50.000	30.00000	1500.00
0024	1489000000-E	ASP CONC BAS TON		2075.000	20.00000	41500.00
0028	1704000000-E	PATCHING EXI TON		50.000	75.00000	3750.00

MBE COMMITMENT TOTAL FOR SUBCONTRACTOR:						46,750.00
MBE COMMITMENT TOTAL FOR VENDOR (SubContractor)						46,750.00 ✓

TOTAL MBE COMMITMENT FOR VENDOR:	Entered:	4.09% or	46750.00
	Required:	4.00% or	45711.06
		<GOAL MET>	

NORTH CAROLINA STATE DEPARTMENT OF TRANSPORTATION
WBE COMMITMENT ITEMS

DATE: 12-18-07
PAGE: 12

PROPOSAL: C201907
LETTING: L080115 CALL: 025
VENDOR: 3410 MIDSTATE CONTRACTORS, INC.

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

WBE SUBCONTRACTOR: 11775 BARLOWE INC						
Will Use Quote: Yes						
0003	0001000000-E	CLEARING & G	LS	1.000	5000.00000	5000.00
0020	1121000000-E	AGGREGATE BA	TON	60.000	28.00000	1680.00
0021	1220000000-E	INCIDENTAL S	TON	150.000	30.00000	4500.00
0044	3628000000-E	RIP RAP, CLA	TON	30.000	45.00000	1350.00
0045	3649000000-E	RIP RAP, CLA	TON	309.000	40.00000	12360.00

WBE COMMITMENT TOTAL FOR SUBCONTRACTOR: 24,890.00 ✓
WBE COMMITMENT TOTAL FOR VENDOR (SubContractor) 24,890.00 ✓

WBE SUBCONTRACTOR: 10319 LEDBETTER PAVEMENT MARKING INC
Will Use Quote: Yes

0053	4685000000-E	THERMO PVT M	LF	11645.000	0.39000	4541.55
0054	4686000000-E	THERMO PVT M	LF	15163.000	0.42000	6368.46
0055	4695000000-E	THERMO PVT M	LF	205.000	5.28000	1082.40
0056	4710000000-E	24"WIDE THER	LF	195.000	8.46000	1649.70
0057	4721000000-E	THERMO PVT M	EA	6.000	104.00000	624.00
0058	4725000000-E	THERMO PVT S	EA	19.000	110.00000	2090.00
0059	4810000000-E	PAINT PVMT M	LF	3608.000	0.22000	793.76
0060	4820000000-E	PAINT PVMT M	LF	50.000	1.21000	60.50
0061	4835000000-E	PAINT PVT MK	LF	11.000	5.75000	63.25
0062	4845000000-N	PAINT PVT MK	EA	4.000	66.00000	264.00
0063	4905000000-N	SNOWPLB PVMT	EA	169.000	26.75000	4520.75

WBE COMMITMENT TOTAL FOR SUBCONTRACTOR: 22,058.37
WBE COMMITMENT TOTAL FOR VENDOR (SubContractor) 22,058.37 ✓

TOTAL WBE COMMITMENT FOR VENDOR: Entered: 4.11% or 46948.37
Required: 4.00% or 45711.06
<GOAL MET>

Contract Item Sheets For C201907

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
ROADWAY ITEMS						
0001	0000100000-N	800	MOBILIZATION	Lump Sum LS	45,000.00	45,000.00
0002	0000400000-N	801	CONSTRUCTION SURVEYING	Lump Sum LS	12,600.00	12,600.00
0003	0001000000-E	200	CLEARING & GRUBBING .. ACRE(S)	Lump Sum LS	20,500.00	20,500.00
0004	0022000000-E	225	UNCLASSIFIED EXCAVATION	4,490 CY	15.00	67,350.00
0005	0036000000-E	225	UNDERCUT EXCAVATION	200 CY	0.01	2.00
0006	0050000000-E	226	SUPPLEMENTARY CLEARING & GRUB- BING	2 ACR	0.01	0.02
0007	0106000000-E	230	BORROW EXCAVATION	100 CY	50.00	5,000.00
0008	0156000000-E	250	REMOVAL OF EXISTING ASPHALT PAVEMENT	2,395 SY	4.50	10,777.50
0009	0177000000-E	250	BREAKING OF EXISTING ASPHALT PAVEMENT	310 SY	4.00	1,240.00
0010	0318000000-E	300	FOUNDATION CONDITIONING MATE- RIAL, MINOR STRS	120 TON	30.00	3,600.00
0011	0343000000-E	310	15" SIDE DRAIN PIPE	164 LF	36.00	5,904.00
0012	0360000000-E	310	12" RC PIPE CULVERTS, CLASS III	16 LF	25.00	400.00
0013	0366000000-E	310	15" RC PIPE CULVERTS, CLASS III	436 LF	33.50	14,606.00
0014	0372000000-E	310	18" RC PIPE CULVERTS, CLASS III	304 LF	39.50	12,008.00
0015	0378000000-E	310	24" RC PIPE CULVERTS, CLASS III	196 LF	50.00	9,800.00
0016	0738000000-E	310	42" BIT COAT CS PIPE CULVERTS, TYPE B 0.109" THICK	4 LF	200.00	800.00
0017	0995000000-E	340	PIPE REMOVAL	424 LF	10.00	4,240.00
0018	0996000000-N	350	PIPE CLEAN-OUT	1 EA	600.00	600.00
0019	1011000000-N	500	FINE GRADING	Lump Sum LS	18,500.00	18,500.00

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
0020	1121000000-E	520	AGGREGATE BASE COURSE	60 TON	29.00	1,740.00
0021	1220000000-E	545	INCIDENTAL STONE BASE	150 TON	30.00	4,500.00
0022	1245000000-E	SP	SHOULDER RECONSTRUCTION	1 SMI	3,600.00	3,600.00
0023	1330000000-E	607	INCIDENTAL MILLING	50 SY	30.00	1,500.00
0024	1489000000-E	610	ASPHALT CONC BASE COURSE, TYPE B25.0B	3,400 TON	50.90	173,060.00
0025	1498000000-E	610	ASPHALT CONC INTERMEDIATE COURSE, TYPE I19.0B	3,560 TON	51.70	184,052.00
0026	1519000000-E	610	ASPHALT CONC SURFACE COURSE, TYPE S9.5B	2,140 TON	56.25	120,375.00
0027	1560000000-E	620	ASPHALT BINDER FOR PLANT MIX, GRADE PG 64-22	443 TON	372.20	164,884.60
0028	1704000000-E	SP	PATCHING EXISTING PAVEMENT	50 TON	125.00	6,250.00
0029	2000000000-N	806	RIGHT OF WAY MARKERS	11 EA	100.00	1,100.00
0030	2253000000-E	840	PIPE COLLARS	3,383 CY	500.00	1,691.50
0031	2286000000-N	840	MASONRY DRAINAGE STRUCTURES	12 EA	1,600.00	19,200.00
0032	2308000000-E	840	MASONRY DRAINAGE STRUCTURES	6.1 LF	200.00	1,220.00
0033	2352000000-N	840	FRAME WITH GRATE, STD 840.**** (G)	1 EA	500.00	500.00
0034	2365000000-N	840	FRAME WITH TWO GRATES, STD 840.22	2 EA	425.00	850.00
0035	2367000000-N	840	FRAME WITH TWO GRATES, STD 840.29	7 EA	550.00	3,850.00
0036	2542000000-E	846	1'-6" CONCRETE CURB & GUTTER	140 LF	18.00	2,520.00
0037	2549000000-E	846	2'-6" CONCRETE CURB & GUTTER	200 LF	22.00	4,400.00
0038	2647000000-E	852	5" MONOLITHIC CONCRETE ISLANDS (SURFACE MOUNTED)	295 SY	60.00	17,700.00

Contract Item Sheets For C201907

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
0039	3030000000-E	862	STEEL BM GUARDRAIL	1,100 LF	15.00	16,500.00
0040	3045000000-E	862	STEEL BM GUARDRAIL, SHOP CURVED	50 LF	15.00	750.00
0041	3150000000-N	862	ADDITIONAL GUARDRAIL POSTS	5 EA	35.00	175.00
0042	3270000000-N	SP	GUARDRAIL ANCHOR UNITS, TYPE 350	10 EA	1,575.00	15,750.00
0043	3566000000-E	867	WOVEN WIRE FENCE RESET	370 LF	7.00	2,590.00
0044	3628000000-E	876	RIP RAP, CLASS I	30 TON	45.00	1,350.00
0045	3649000000-E	876	RIP RAP, CLASS B	309 TON	40.50	12,514.50
0046	3656000000-E	876	FILTER FABRIC FOR DRAINAGE	954 SY	3.00	2,862.00
0047	4400000000-E	1110	WORK ZONE SIGNS (STATIONARY)	684 SF	5.15	3,522.60
0048	4405000000-E	1110	WORK ZONE SIGNS (PORTABLE)	352 SF	8.65	3,044.80
0049	4410000000-E	1110	WORK ZONE SIGNS (BARRICADE MOUNTED)	96 SF	7.25	696.00
0050	4430000000-N	1130	DRUMS	223 EA	34.00	7,582.00
0051	4445000000-E	1145	BARRICADES (TYPE III)	336 LF	27.50	9,240.00
0052	4450000000-N	1150	FLAGGER	1,000 HR	28.00	28,000.00
0053	4685000000-E	1205	THERMOPLASTIC PAVEMENT MARKING LINES (4", 90 MILS)	11,645 LF	0.40	4,658.00
0054	4686000000-E	1205	THERMOPLASTIC PAVEMENT MARKING LINES (4", 120 MILS)	15,163 LF	0.43	6,520.09
0055	4695000000-E	1205	THERMOPLASTIC PAVEMENT MARKING LINES (8", 90 MILS)	205 LF	6.00	1,230.00
0056	4710000000-E	1205	THERMOPLASTIC PAVEMENT MARKING LINES (24", 120 MILS)	195 LF	8.75	1,706.25
0057	4721000000-E	1205	THERMOPLASTIC PAVEMENT MARKING CHARACTER (120 MILS)	6 EA	120.00	720.00

Contract Item Sheets For C201907

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
0058	4725000000-E	1205	THERMOPLASTIC PAVEMENT MARKING SYMBOL (90 MILS)	19 EA	115.00	2,185.00
0059	4810000000-E	1205	PAINT PAVEMENT MARKING LINES (4")	3,608 LF	0.22	793.76
0060	4820000000-E	1205	PAINT PAVEMENT MARKING LINES (8")	50 LF	2.00	100.00
0061	4835000000-E	1205	PAINT PAVEMENT MARKING LINES (24")	11 LF	10.00	110.00
0062	4845000000-N	1205	PAINT PAVEMENT MARKING SYMBOL	4 EA	75.00	300.00
0063	4905000000-N	1253	SNOWPLOWABLE PAVEMENT MARKERS	169 EA	28.50	4,816.50
0064	6000000000-E	1605	TEMPORARY SILT FENCE	4,875 LF	3.75	18,281.25
0065	6009000000-E	1610	STONE FOR EROSION CONTROL, CLASS B	640 TON	40.00	25,600.00
0066	6012000000-E	1610	SEDIMENT CONTROL STONE	205 TON	35.00	7,175.00
0067	6015000000-E	1615	TEMPORARY MULCHING	3.5 ACR	0.01	0.04
0068	6018000000-E	1620	SEED FOR TEMPORARY SEEDING	150 LB	0.01	1.50
0069	6021000000-E	1620	FERTILIZER FOR TEMPORARY SEEDING	0.75 TON	0.01	0.01
0070	6029000000-E	SP	SAFETY FENCE	75 LF	2.50	187.50
0071	6030000000-E	1630	SILT EXCAVATION	720 CY	4.00	2,880.00
0072	6033000000-E	1631	SYNTHETIC ROVING	984 SY	2.50	2,460.00
0073	6036000000-E	1631	MATTING FOR EROSION CONTROL	492 SY	2.00	984.00
0074	6042000000-E	1632	1/4" HARDWARE CLOTH	240 LF	3.00	720.00
0075	6084000000-E	1660	SEEDING & MULCHING	4 ACR	2,200.00	8,800.00
0076	6087000000-E	1660	MOWING	2.5 ACR	100.00	250.00

Contract Item Sheets For C201907

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
0077	6090000000-E	1661	SEED FOR REPAIR SEEDING	100 LB	1.50	150.00
0078	6093000000-E	1661	FERTILIZER FOR REPAIR SEEDING	0.5 TON	250.00	125.00
0079	6096000000-E	1662	SEED FOR SUPPLEMENTAL SEEDING	100 LB	1.50	150.00
0080	6108000000-E	1665	FERTILIZER TOPDRESSING	2.75 TON	500.00	1,375.00
0081	6117000000-N	SP	RESPONSE FOR EROSION CONTROL	14 EA	0.01	0.14

TOTAL AMOUNT OF BID FOR ENTIRE PROJECT

\$1,142,776.56

1343/Feb11/Q64900.283/D257671500000/E81

Contract Number C201907
County Catawba

Rev 02-17-04

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

The Contractor being duly sworn, solemnly swears (or affirms) that neither he, nor any official, agent or employee has entered into any agreement, participated in any collusion, or otherwise taken any action which is in restraint of free competitive bidding in connection with this Contract, and that the Contractor intends to do the work with his own bonafide employees or subcontractors and did not bid for the benefit of another contractor.

By submitting this Execution of Contract, Non-Collusion affidavit and Debarment Certification, the Contractor is certifying his status under penalty of perjury under the laws of the United States in accordance with the Debarment Certification attached, provided that the Debarment Certification also includes any required statements concerning exceptions that are applicable.

SIGNATURE OF CONTRACTOR

Midstate Contractors, Inc.

Print or type full name of Corporation

PO Box 1238, Hickory, NC 28603

Address as Prequalified

Attest Robert Abernethy
~~Secretary/Assistant Secretary~~
Delete inappropriate title

Robert C Abernethy

Print or type signer's name

By James S Abernethy
~~President/Vice President/Assistant Vice President~~
Delete inappropriate title

James S Abernethy

Print or type signer's name

CORPORATE SEAL

AFFIDAVIT MUST BE NOTARIZED

NOTARY SEAL

Subscribed and sworn to before me this the
12 day of February 20 08

Peggy J. Valley
Signature of Notary Public

of Catawba County

State of NC

My Commission Expires: July 28, 2012

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

DEBARMENT CERTIFICATION OF CONTRACTOR

Conditions for certification:

1. The Contractor shall provide immediate written notice to the Department if at any time the Contractor learns that his certification was erroneous when he submitted his debarment certification or explanation that is on file with the Department, or has become erroneous because of changed circumstances.
2. The terms *covered transaction, debarred, suspended, ineligible, lower tier covered transaction, participant, person, primary covered transaction, principal, proposal, and voluntarily excluded*, as used in this provision, have the meanings set out in the Definitions and Coverage sections of the rules implementing Executive Order 12549. A copy of the Federal Rules requiring this certification and detailing the definitions and coverages may be obtained from the Contract Officer of the Department.
3. The Contractor agrees by submitting this form, that he will not knowingly enter into any lower tier covered transaction with a person who is debarred, suspended, declared ineligible, or voluntarily excluded from participation in NCDOT contracts, unless authorized by the Department.
4. For Federal Aid projects, the Contractor further agrees that by submitting this form he will include the Federal-Aid Provision titled *Required Contract Provisions Federal-Aid Construction Contract (Form FHWA PR 1273)* provided by the Department, without subsequent modification, in all lower tier covered transactions.
5. The Contractor may rely upon a certification of a participant in a lower tier covered transaction that he is not debarred, suspended, ineligible, or voluntarily excluded from the covered transaction, unless he knows that the certification is erroneous. The Contractor may decide the method and frequency by which he will determine the eligibility of his subcontractors.
6. Nothing contained in the foregoing shall be construed to require establishment of a system of records in order to render in good faith the certification required by this provision. The knowledge and information of a participant is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.
7. Except as authorized in paragraph 3 herein, the Department may terminate any contract if the Contractor knowingly enters into a lower tier covered transaction with a person who is suspended, debarred, ineligible, or voluntarily excluded from participation in this transaction, in addition to other remedies available by the Federal Government.

Contract Number C201907
County Catawba

Rev 02-17-04

DEBARMENT CERTIFICATION

The Contractor certifies to the best of his knowledge and belief, that he and his principals:

- a. Are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from covered transactions by any Federal department or agency;
- b. Have not within a three-year period preceding this proposal been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State or local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records; making false statements; or receiving stolen property;
- c. Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, State or local) with commission of any of the offenses enumerated in paragraph b. of this certification; and
- d. Have not within a three-year period preceding this proposal had one or more public transactions (Federal, State or local) terminated for cause or default.
- e. If status changes, will submit a revised Debarment Certification immediately.

If the Contractor cannot certify that he is not debarred, he shall provide an explanation with this submittal. An explanation will not necessarily result in denial of participation in a contract.

Failure to submit a non-collusion affidavit and debarment certification will result in the Contractor's bid being considered non-responsive.

Check here if an explanation is attached to this certification.

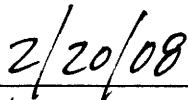
Contract No: C201907

County: Catawba

ACCEPTED BY THE
DEPARTMENT OF TRANSPORTATION



Contract Officer



Date

Execution of Contract and Bonds
Approved as to Form:



Assistant Attorney General

Contract No. C201907
County Catawba

Rev 02-13-04

CONTRACT PAYMENT BOND

Date of Payment:
Bond Execution: February 7, 2008

Name of Principal:
Contractor Midstate Contractors, Inc.
P.O. Box 1238 Hickory, NC 28603

Name of Surety: Travelers Casualty and Surety Company of America
Hartford, Ct. 06183-9062

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

Amount of Bond: \$1,142,776.56

Contract ID No.: C201907 WBS 37897

County Name(s): Catawba

KNOW ALL MEN BY THESE PRESENTS, That we, the 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-bounden 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. C201907
County Catawba

Rev 02-13-04

CONTRACT PAYMENT BOND

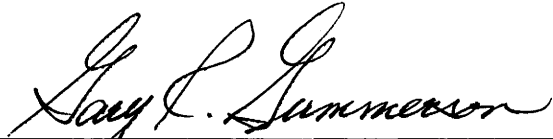
Affix Seal of Surety Company

Travelers Casualty and Surty Company
of America

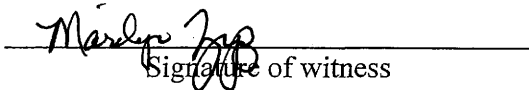
Print or type Surety Company Name

By Gary R. Gummerson

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



Signature of Attorney-in-Fact



Signature of witness

Marilyn Zyp

Print or type witness' name

Morrow Insurance Agency, Inc.
5200 Park Road Suite 100
Charlotte, NC 28209
PH: 866 522-2663

Address of Attorney-in-Fact

CONTRACT PAYMENT BOND

CORPORATION

SIGNATURE OF CONTRACTOR (Principal)

Midstate Contractors, Inc.

Print or type full name of Corporation

P.O. Box 1238 Hickory, NC 28603

Address as prequalified

By

James S. Abernethy
Signature of President, ~~Vice President, Assistant Vice President~~
Delete inappropriate title

James S. Abernethy
Print or type signer's name

Attest

Robert C. Abernethy
Signature of Secretary, ~~Assistant Secretary~~
Delete inappropriate title

Robert C. Abernethy
Print or type signer's name

Affix Corporate Seal

Contract Number C201907
County Catawba

Rev 02-13-04

CONTRACT PERFORMANCE BOND

Date of Contract Performance
Bond Execution: February 7, 2008

Name of Principal: Midstate Contractors, Inc.

Contractor P. O. Box 1238 Hickory, NC 28603

Name of Surety: Travelers Casualty and Surety Company of America
Hartford, Ct 06183-9062

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

Amount of Bond: \$1,142,776.56

Contract ID No.: C201907 WBS 37897

County Name(s): Catawba

KNOW ALL MEN BY THESE PRESENTS, That we, the 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-bounden 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 Number C201907
County Catawba


Rev 02-13-04

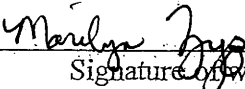
CONTRACT PERFORMANCE BOND

Affix Seal of Surety Company

TRAVELERS CASUALTY AND SURETY COMPANY OF
Print or type Surety Company Name America

By Gary R. Gummerson
Attorney-in-Fact
Print, stamp, or type name of Attorney-in Fact


Signature of Attorney-in-Fact


Signature of witness

Marilyn Zyp
Print or type witness' name

Gary R. Gummerson
Morrow Insurance Agency, Inc
5200 Park Road Suite 100
Charlotte, NC 28209
866 522-2663
Address of Attorney-in-Fact

CONTRACT PERFORMANCE BOND
CORPORATION

SIGNATURE OF CONTRACTOR (Principal)

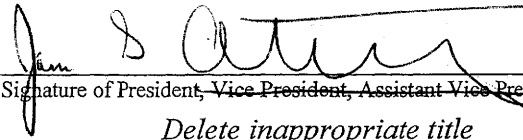
Midstate Contractors, Inc.

Print full name of Corporation

P.O. Box 1238 Hickory, NC 28603

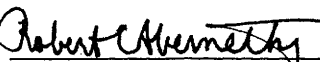
Address as prequalified

By


Signature of President, Vice President, Assistant Vice President
Delete inappropriate title

James S Abernethy
Print or type signer's name

Attest


Signature of Secretary, Assistant Secretary
Delete inappropriate title

Robert C Abernethy
Print or type signer's name

Affix Corporate Seal



POWER OF ATTORNEY

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

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

Attorney-In Fact No. 214594

Certificate No. 001148357

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

Gary R. Gummerson, and Freda R. Gummerson

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

IN WITNESS WHEREOF, the Companies have caused this instrument to be signed and their corporate seals to be hereto affixed, this 21st day of February, 2006.

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

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



State of Connecticut
City of Hartford ss.

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

On this the 21st day of February, 2006, before me personally appeared George W. Thompson, who acknowledged himself to be the Senior Vice President of Farmington Casualty Company, Fidelity and Guaranty Insurance Company, Fidelity and Guaranty Insurance Underwriters, Inc., Seaboard Surety Company, St. Paul Fire and Marine Insurance Company, St. Paul Guardian Insurance Company, St. Paul Mercury Insurance Company, Travelers Casualty and Surety Company, Travelers Casualty and Surety Company of America, and United States Fidelity and Guaranty Company, and that he, as such, being authorized so to do, executed the foregoing instrument for the purposes therein contained by signing on behalf of the corporations by himself as a duly authorized officer.

In Witness Whereof, I hereunto set my hand and official seal. My Commission expires the 30th day of June, 2011.



[Signature]
Marie C. Tetreault, Notary Public

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

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

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

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

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

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

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the seals of said Companies this 7th day of February, 2008.

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

Kori M. Johanson
Kori M. Johanson, Assistant Secretary



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

