



**Rea Contracting, LLC (4421).**

**Vendor 2 of 2 Vendors for Call Order 009 (Proposal ID C201990).**

County: GRANVILLE  
Address: 3010 Gresham Lake Road  
Raleigh, NC 27615

Signature Check: This bid has been properly signed by Carey\_K.\_Tate\_4421.

Time Bid Received: Tue Jan 15 11:28:16 2008

Bid Checksum: D666F0A9

Amendment Count: 0

Bidding Errors: No bidding errors.

Bid Total: \$2,295,270.10 ✓

Bond ID: SNC08289634

Bond was Verified: Yes.

Bond Required Percent: 5.00%

Minimum Check Amount: \$114,763.51

Bid Security Maximum: \$

Bond Agency Name:

Agency Execution Date: 1/9/08

Surety Name: Lockton Companies, Inc.

Surety State of Incorporation:

Bond Company:

Bond Type:

Bond Appr Flag:

Bond Affirm:

Bond was Paid by Check: No.

MBE GOAL MET - 5.0 %  
MBE GOAL MET - 5.0 %

WBE GOAL MET - 5.0 %  
WBE GOAL MET - 5.0 %



NCDOT/berc

Vendor 4421's Load Output for Call 009, Letting L080115, 2008-01-15

Bid Bond Data Info - Contractor Responses:

=====

BondID: SNC08289634  
Surety Registry Agency: surety2000  
Verified?: Yes  
Surety Agency: Lockton Companies, Inc.  
Bond Execution Date: 1/9/08  
Bond Amount: \$114,763.51 (Five Percent of Bid)

State of NC  
Dept of Transportation

Date: 12-18-07  
Revised:

Contract ID: C201990 Project(s): STATE FUNDED  
Letting Date: 01-15-08 Call Order: 009  
Bidder: 4421 - Rea Contracting, LLC

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			11,700.00
0002	1220000000-E INCIDENTAL STONE BASE	TON	1,079.000	33.00000		35,607.00
0003	1245000000-E SHOULDER RECONSTRUCTION	SMI	35.960	3,900.00000		140,244.00
0004	1330000000-E INCIDENTAL MILLING	SY	3,350.000	10.00000		33,500.00
0005	1489000000-E ASPHALT CONC BASE COURSE, TYPE B25.0B	TON	13,156.000	36.00000		473,616.00
0006	1525000000-E ASPHALT CONC SURFACE COURSE, TYPE SF9.5A	TON	20,491.000	32.00000		655,712.00
0007	1525100000-E ASPHALT CONC SURFACE COURSE, TYPE SF9.5A (LEVELING COURSE)	TON	575.000	35.00000		20,125.00
0008	1560000000-E ASPHALT BINDER FOR PLANT MIX, GRADE PG 64-22	TON	1,932.000	356.00000		687,792.00
0009	1704000000-E PATCHING EXISTING PAVEMENT	TON	850.000	80.00000		68,000.00
0010	4685000000-E THERMOPLASTIC PAVEMENT MARKING LINES (4", 90 MILS)	LF	193,465.000	0.30000		58,039.50
0011	4686000000-E THERMOPLASTIC PAVEMENT MARKING LINES (4", 120 MILS)	LF	170,810.000	0.37000		63,199.70

State of NC  
Dept of Transportation

Date: 12-18-07  
Revised:

Contract ID: C201990 Project(s): STATE FUNDED  
Letting Date: 01-15-08 Call Order: 009  
Bidder: 4421 - Rea Contracting, LLC

Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
0012	4697000000-E THERMOPLAST IC PAVEMENT MARKING LINES (8", 120 MILS)	250.000 LF	2.00000		500.00	
0013	4710000000-E THERMOPLAST IC PAVEMENT MARKING LINES (24", 120 MILS)	130.000 LF	5.00000		650.00	
0014	4721000000-E THERMOPLAST IC PAVEMENT MARKING CHARACTER (120 MILS)	12.000 EA	100.00000		1,200.00	
0015	4900000000-N PERMANENT RAISED PAVEMENT MARKERS	1,192.000 EA	3.30000		3,933.60	
0016	6084000000-E SEEDING & MULCHING	26.070 ACR	1,590.00000		41,451.30	
Section 0001 Total					2,295,270.10	
Bid Total					2,295,270.10	

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: 6

PROPOSAL: C201990  
 LETTING: L080115 CALL: 009  
 VENDOR: 4421 Rea Contracting, LLC

LINE NO.	ITEM NO.	ITEM DESC.	UNIT TYPE	SUBCONTRACTOR QUANTITY	SUBCONTRACTOR UNIT PRICE	EXTENDED AMOUNT
MBE SUBCONTRACTOR: 5915 LFC TRUCKING						
Will Use Quote: Yes						
0005	1489000000-E	ASP CONC BAS	TON	13156.000	5.90000	77620.40
0006	1525000000-E	ASP CONC SUR	TON	5890.000	5.90000	34751.00
0003	1245000000-E	SHOULDER REC	SMI	5.960	480.00000	2860.80

MBE COMMITMENT TOTAL FOR SUBCONTRACTOR: 115,232.20  
 MBE COMMITMENT TOTAL FOR VENDOR (SubContractor ) 115,232.20

TOTAL MBE COMMITMENT FOR VENDOR: Entered: 5.02% or 115232.20  
 Required: 5.00% or 114763.51  
 <GOAL MET>

NORTH CAROLINA STATE DEPARTMENT OF TRANSPORTATION  
WBE COMMITMENT ITEMS

DATE:12-18-07  
PAGE: 7

PROPOSAL: C201990  
LETTING: L080115 CALL: 009  
VENDOR: 4421 Rea Contracting, LLC

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

WBE SUBCONTRACTOR: 7412 SCOTT'S TRUCKING COMPANY  
Will Use Quote: Yes

0002	1220000000-E	INCIDENTAL S	TON	1000.000	6.00000	6000.00
0003	1245000000-E	SHOULDER REC	SMI	30.000	480.00000	14400.00
0007	1525100000-E	ASP CONC SUR	TON	575.000	5.90000	3392.50
0009	1704000000-E	PATCHING EXI	TON	500.000	50.00000	25000.00
0006	1525000000-E	ASP CONC SUR	TON	5000.000	5.00000	25000.00

WBE COMMITMENT TOTAL FOR SUBCONTRACTOR: 73,792.50  
WBE COMMITMENT TOTAL FOR VENDOR (SubContractor ) 73,792.50 ✓

WBE SUBCONTRACTOR: 2976 CAROLINA ENVIRONMENTAL CONTRACTING,  
Will Use Quote: Yes

0016	6084000000-E	SEEDING AND	ACR	26.070	1590.00000	41451.30
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WBE COMMITMENT TOTAL FOR SUBCONTRACTOR: 41,451.30  
WBE COMMITMENT TOTAL FOR VENDOR (SubContractor ) 41,451.30 ✓

TOTAL WBE COMMITMENT FOR VENDOR:            Entered:            5.02% or            115243.80  
   Required:            5.00% or            114763.51  
   <GOAL MET>

## Contract Item Sheets For C201990

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
<b>ROADWAY ITEMS</b>						
0001	0000100000-N	800	MOBILIZATION	Lump Sum LS	11,700.00	11,700.00
0002	1220000000-E	545	INCIDENTAL STONE BASE	1,079 TON	33.00	35,607.00
0003	1245000000-E	SP	SHOULDER RECONSTRUCTION	35.96 SMI	3,900.00	140,244.00
0004	1330000000-E	607	INCIDENTAL MILLING	3,350 SY	10.00	33,500.00
0005	1489000000-E	610	ASPHALT CONC BASE COURSE, TYPE B25.0B	13,156 TON	36.00	473,616.00
0006	1525000000-E	610	ASPHALT CONC SURFACE COURSE, TYPE SF9.5A	20,491 TON	32.00	655,712.00
0007	1525100000-E	SP	ASPHALT CONC SURFACE COURSE, TYPE SF9.5A (LEVELING COURSE)	575 TON	35.00	20,125.00
0008	1560000000-E	620	ASPHALT BINDER FOR PLANT MIX, GRADE PG 64-22	1,932 TON	356.00	687,792.00
0009	1704000000-E	SP	PATCHING EXISTING PAVEMENT	850 TON	80.00	68,000.00
0010	4685000000-E	1205	THERMOPLASTIC PAVEMENT MARKING LINES (4", 90 MILS)	193,465 LF	0.30	58,039.50
0011	4686000000-E	1205	THERMOPLASTIC PAVEMENT MARKING LINES (4", 120 MILS)	170,810 LF	0.37	63,199.70
0012	4697000000-E	1205	THERMOPLASTIC PAVEMENT MARKING LINES (8", 120 MILS)	250 LF	2.00	500.00
0013	4710000000-E	1205	THERMOPLASTIC PAVEMENT MARKING LINES (24", 120 MILS)	130 LF	5.00	650.00
0014	4721000000-E	1205	THERMOPLASTIC PAVEMENT MARKING CHARACTER (120 MILS)	12 EA	100.00	1,200.00
0015	4900000000-N	1251	PERMANENT RAISED PAVEMENT MARKERS	1,192 EA	3.30	3,933.60
0016	6084000000-E	1660	SEEDING & MULCHING	26.07 ACR	1,590.00	41,451.30

TOTAL AMOUNT OF BID FOR ENTIRE PROJECT

**\$2,295,270.10**

Contract Number C201990  
County Granville

Rev 02-17-04

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

Rea Contracting LLC

Name of Contractor - Print or type Firm Name

P.O. Box 32487, Charlotte, NC 28232

Address as Prequalified

Signature of Manager

*R. Miller*  
Individually

Richard F. Miller, Vice President

Print or type Signer's Name

**AFFIDAVIT MUST BE NOTARIZED**

**NOTARY SEAL**

Subscribed and sworn to before me this the

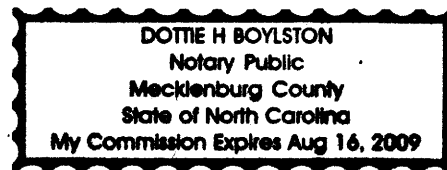
13<sup>th</sup> day of February 2008

*Dottie H. Boylston*  
Signature of Notary Public

of Mecklenburg County

State of North Carolina

My Commission Expires: 8-16-09



## 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.

### 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.

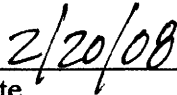
**Contract No: C201990**

**County: Granville**

ACCEPTED BY THE  
DEPARTMENT OF TRANSPORTATION

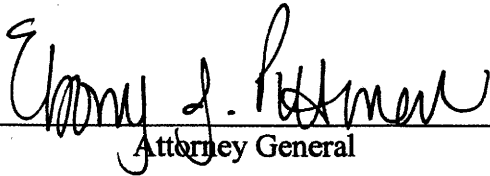


\_\_\_\_\_  
Contract Officer



\_\_\_\_\_  
Date

Execution of Contract and Bonds  
Approved as to Form:



\_\_\_\_\_  
Attorney General



Contract No. C201990  
County Granville County

Rev 02-13-04

Bond 82142701 / 08909957

### CONTRACT PAYMENT BOND

Date of Payment:  
Bond Execution: February 7, 2008

Name of Principal:  
Contractor: Rea Contracting LLC  
P.O. Box 32487 Charlotte, NC 28232

Name of Surety: Federal Insurance Company / Fidelity and Deposit Company of Maryland  
15 Mountain View Rd., Warren, NJ 07059 / 60 State St., Ste.600 Boston, MA 02109

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

Amount of Bond: Two Million Two Hundred Ninety Five Thousand Two Hundred Seventy Dollars and 10/100 (\$2,295,270.10 )

Contract ID No.: C201990

County Name(s): Granville County

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. C201990  
County Granville County

Rev 02-13-04

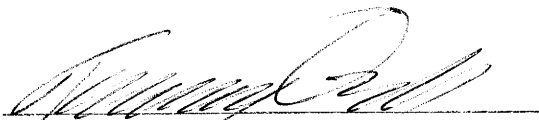
### CONTRACT PAYMENT BOND

*Affix Seal of Surety Company*

Federal Insurance Company /  
Fidelity and Deposit Company of Maryland  
\_\_\_\_\_  
Print or type Surety Company Name

By Gary J. Giulietti  
\_\_\_\_\_  
Print, stamp or type name of Attorney-in-Fact

  
\_\_\_\_\_  
Signature of Attorney-in-Fact

  
\_\_\_\_\_  
Signature of witness

Tammy Quiles  
\_\_\_\_\_  
Print or type witness' name

195 Scott Swamp Rd. Ste. 201, Farmington, CT 06032  
\_\_\_\_\_  
Address of Attorney-in-Fact

Contract No. C201990  
County Granville County

Rev 02-13-04


**CONTRACT PAYMENT BOND**

**LIMITED LIABILITY COMPANY**

SIGNATURE OF CONTRACTOR (Principal)

Name of contractor Rea Contracting LLC  
Print or type full name of Firm

P.O. Box 32487, Charlotte, NC 28232  
Address as prequalified

Signature of Manager   
Individually

Richard F. Miller, Vice President  
Print or type signer's name and title

Contract Number C201990  
County Granville County

Rev 02-13-04

Bond 82142701 / 08909957

### CONTRACT PERFORMANCE BOND

Date of Contract Performance

Bond Execution: February 7, 2008

Name of Principal: Rea Contracting LLC

Contractor P.O. Box 32487 Charlotte, NC 28232

Name of Surety: Federal Insurance Company / Fidelity and Deposit Company of Maryland

15 Mountain View Rd., Warren, NJ 07059 / 60 State St., Ste.600 Boston, MA 02109

Name of Contracting Body: North Carolina Department of Transportation

Raleigh, North Carolina

Amount of Bond: Two Million Two Hundred Ninety Five Thousand Two Hundred Seventy Dollars and 10/100 ( \$2,295,270.10 )

Contract ID No.: C201990

County Name(s): Granville County

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 PERFORMANCE BOND

*Affix Seal of Surety Company*

Federal Insurance Company /  
Fidelity and Deposit Company of Maryland  
\_\_\_\_\_  
Print or type Surety Company Name

By Gary J. Giulietti  
Attorney-in-Fact  
Print, stamp, or type name of Attorney-in Fact

  
\_\_\_\_\_  
Signature of Attorney-in-Fact

  
\_\_\_\_\_  
Signature of witness

Tammy Quiles  
Print or type witness' name

195 Scott Swamp Rd. Ste. 201, Farmington, CT 06032  
Address of Attorney-in-Fact

**CONTRACT PERFORMANCE BOND**  
**LIMITED LIABILITY COMPANY**

SIGNATURE OF CONTRACTOR (Principal)

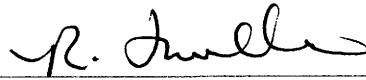
Rea Contracting LLC

Print or type full name of Firm

P.O. Box 32487, Charlotte, NC 28232

Address as prequalified

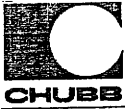
Signature of Manager



Individually

Richard F. Miller, Vice President

Print or type signer's name and title



Chubb Surety

POWER OF ATTORNEY

Federal Insurance Company  
Vigilant Insurance Company  
Pacific Indemnity Company

Attn: Surety Department  
15 Mountain View Road  
Warren, NJ 07059

Know All by These Presents, That FEDERAL INSURANCE COMPANY, an Indiana corporation, VIGILANT INSURANCE COMPANY, a New York corporation, and PACIFIC INDEMNITY COMPANY, a Wisconsin corporation, do each hereby constitute and appoint Gary J. Giuliatti and Elizabeth A. Russell of Farmington, Connecticut-----

each as their true and lawful Attorney- in- Fact to execute under such designation in their names and to affix their corporate seals to and deliver for and on their behalf as surety thereon or otherwise, bonds and undertakings and other writings obligatory in the nature thereof (other than bail bonds) given or executed in the course of business, and any instruments amending or altering the same, and consents to the modification or alteration of any instrument referred to in said bonds or obligations.

In Witness Whereof, said FEDERAL INSURANCE COMPANY, VIGILANT INSURANCE COMPANY, and PACIFIC INDEMNITY COMPANY have each executed and attested these presents and affixed their corporate seals on this 4th day of January, 2008.

*Kenneth C. Wendel*  
Kenneth C. Wendel, Assistant Secretary

*David B. Norris, Jr.*  
David B. Norris, Jr., Vice President

STATE OF NEW JERSEY ss.  
County of Somerset

On this 4th day of January, 2008 before me, a Notary Public of New Jersey, personally came Kenneth C. Wendel, to me known to be Assistant Secretary of FEDERAL INSURANCE COMPANY, VIGILANT INSURANCE COMPANY, and PACIFIC INDEMNITY COMPANY, the companies which executed the foregoing Power of Attorney, and the said Kenneth C. Wendel, being by me duly sworn, did depose and say that he is Assistant Secretary of FEDERAL INSURANCE COMPANY, VIGILANT INSURANCE COMPANY, and PACIFIC INDEMNITY COMPANY and knows the corporate seals thereof, that the seals affixed to the foregoing Power of Attorney are such corporate seals and were thereto affixed by authority of the By- Laws of said Companies; and that he signed said Power of Attorney as Assistant Secretary of said Companies by like authority; and that he is acquainted with David B. Norris, Jr., and knows him to be Vice President of said Companies; and that the signature of David B. Norris, Jr., subscribed to said Power of Attorney is in the genuine handwriting of David B. Norris, Jr., and was thereto subscribed by authority of said By- Laws and in deponent's presence.

Notarial Seal



KATHERINE KALBACHER  
NOTARY PUBLIC OF NEW JERSEY  
No 2316685  
Commission Expires July 8, 2009

*Katherine Kalbacher*  
Notary Public

CERTIFICATION

Extract from the By- Laws of FEDERAL INSURANCE COMPANY, VIGILANT INSURANCE COMPANY, and PACIFIC INDEMNITY COMPANY:

"All powers of attorney for and on behalf of the Company may and shall be executed in the name and on behalf of the Company, either by the Chairman or the President or a Vice President or an Assistant Vice President, jointly with the Secretary or an Assistant Secretary, under their respective designations. The signature of such officers may be engraved, printed or lithographed. The signature of each of the following officers: Chairman, 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 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 upon the Company with respect to any bond or undertaking to which it is attached."

I, Kenneth C. Wendel, Assistant Secretary of FEDERAL INSURANCE COMPANY, VIGILANT INSURANCE COMPANY, and PACIFIC INDEMNITY COMPANY (the "Companies") do hereby certify that

- (i) the foregoing extract of the By- Laws of the Companies is true and correct,
- (ii) the Companies are duly licensed and authorized to transact surety business in all 50 of the United States of America and the District of Columbia and are authorized by the U.S. Treasury Department; further, Federal and Vigilant are licensed in Puerto Rico and the U.S. Virgin Islands, and Federal is licensed in American Samoa, Guam, and each of the Provinces of Canada except Prince Edward Island; and
- (iii) the foregoing Power of Attorney is true, correct and in full force and effect.

Given under my hand and seals of said Companies at Warren, NJ this

February 7, 2008



*Kenneth C. Wendel*  
Kenneth C. Wendel/Assistant Secretary

IN THE EVENT YOU WISH TO NOTIFY US OF A CLAIM, VERIFY THE AUTHENTICITY OF THIS BOND OR NOTIFY US OF ANY OTHER MATTER, PLEASE CONTACT US AT ADDRESS LISTED ABOVE, OR BY Telephone (908) 903- 3493 Fax (908) 903- 3656 e-mail: surety@chubb.com

**Power of Attorney  
FIDELITY AND DEPOSIT COMPANY OF MARYLAND  
COLONIAL AMERICAN CASUALTY AND SURETY COMPANY**

KNOW ALL MEN BY THESE PRESENTS: That the FIDELITY AND DEPOSIT COMPANY OF MARYLAND, and the COLONIAL AMERICAN CASUALTY AND SURETY COMPANY, corporations of the State of Maryland, by M. P. HAMMOND, Vice President, and ERIC D. BARNES, Assistant Secretary, in pursuance of authority granted by Article VI, Section 2, of the By-Laws of said Companies, which are set forth on the reverse side hereof and are hereby certified to be in full force and effect on the date hereof, does hereby nominate, constitute and appoint **Gary J. GIULIETTI and Elizabeth A. RUSSELL, both of Farmington, Connecticut, EACH** its true and lawful agent and Attorney-in-Fact, to make, execute, seal and deliver, for, and on its behalf as surety, and as its act and deed, **any and all bonds and undertakings**, and the execution of such bonds or undertakings in pursuance of these presents, shall be as binding upon said Companies, as fully and amply, to all intents and purposes, as if they had been duly executed and acknowledged by the regularly elected officers of the Company at its office in Baltimore, Md., in their own proper persons. This power of attorney revokes that issued on behalf of Gary J. GIULIETTI, Elizabeth A. RUSSELL, Asunda BRANDT, dated August 30, 2007.

The said Assistant Secretary does hereby certify that the extract set forth on the reverse side hereof is a true copy of Article VI, Section 2, of the By-Laws of said Companies, and is now in force.

IN WITNESS WHEREOF, the said Vice-President and Assistant Secretary have hereunto subscribed their names and affixed the Corporate Seals of the said FIDELITY AND DEPOSIT COMPANY OF MARYLAND, and the COLONIAL AMERICAN CASUALTY AND SURETY COMPANY, this 18th day of October, A.D. 2007.

ATTEST:

**FIDELITY AND DEPOSIT COMPANY OF MARYLAND  
COLONIAL AMERICAN CASUALTY AND SURETY COMPANY**



*Eric D. Barnes*

*Eric D. Barnes* Assistant Secretary

By:

*M. P. Hammond*

*M. P. Hammond* Vice President

State of Maryland }  
City of Baltimore } ss:

On this 18th day of October, A.D. 2007, before the subscriber, a Notary Public of the State of Maryland, duly commissioned and qualified, came M. P. HAMMOND, Vice President, and ERIC D. BARNES, Assistant Secretary of the FIDELITY AND DEPOSIT COMPANY OF MARYLAND, and the COLONIAL AMERICAN CASUALTY AND SURETY COMPANY, to me personally known to be the individuals and officers described in and who executed the preceding instrument, and they each acknowledged the execution of the same, and being by me duly sworn, severally and each for himself deposeth and saith, that they are the said officers of the Companies aforesaid, and that the seals affixed to the preceding instrument is the Corporate Seals of said Companies, and that the said Corporate Seals and their signatures as such officers were duly affixed and subscribed to the said instrument by the authority and direction of the said Corporations.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my Official Seal the day and year first above written.



*Dennis R. Hayden*

*Dennis R. Hayden* Notary Public  
My Commission Expires: February 1, 2009



**EXTRACT FROM BY-LAWS OF FIDELITY AND DEPOSIT COMPANY OF MARYLAND**

“Article VI, Section 2. The Chairman of the Board, or the President, or any Executive Vice-President, or any of the Senior Vice-Presidents or Vice-Presidents specially authorized so to do by the Board of Directors or by the Executive Committee, shall have power, by and with the concurrence of the Secretary or any one of the Assistant Secretaries, to appoint Resident Vice-Presidents, Assistant Vice-Presidents and Attorneys-in-Fact as the business of the Company may require, or to authorize any person or persons to execute on behalf of the Company any bonds, undertaking, recognizances, stipulations, policies, contracts, agreements, deeds, and releases and assignments of judgements, decrees, mortgages and instruments in the nature of mortgages,...and to affix the seal of the Company thereto.”

**EXTRACT FROM BY-LAWS OF COLONIAL AMERICAN CASUALTY AND SURETY COMPANY**

“Article VI, Section 2. The Chairman of the Board, or the President, or any Executive Vice-President, or any of the Senior Vice-Presidents or Vice-Presidents specially authorized so to do by the Board of Directors or by the Executive Committee, shall have power, by and with the concurrence of the Secretary or any one of the Assistant Secretaries, to appoint Resident Vice-Presidents, Assistant Vice-Presidents and Attorneys-in-Fact as the business of the Company may require, or to authorize any person or persons to execute on behalf of the Company any bonds, undertaking, recognizances, stipulations, policies, contracts, agreements, deeds, and releases and assignments of judgements, decrees, mortgages and instruments in the nature of mortgages,...and to affix the seal of the Company thereto.”

**CERTIFICATE**

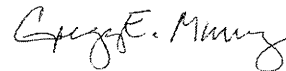
I, the undersigned, Assistant Secretary of the FIDELITY AND DEPOSIT COMPANY OF MARYLAND, and the COLONIAL AMERICAN CASUALTY AND SURETY COMPANY, do hereby certify that the foregoing Power of Attorney is still in full force and effect on the date of this certificate; and I do further certify that the Vice-President who executed the said Power of Attorney was one of the additional Vice-Presidents specially authorized by the Board of Directors to appoint any Attorney-in-Fact as provided in Article VI, Section 2, of the respective By-Laws of the FIDELITY AND DEPOSIT COMPANY OF MARYLAND, and the COLONIAL AMERICAN CASUALTY AND SURETY COMPANY.

This Power of Attorney and Certificate may be signed by facsimile under and by authority of the following resolution of the Board of Directors of the FIDELITY AND DEPOSIT COMPANY OF MARYLAND at a meeting duly called and held on the 10th day of May, 1990 and of the Board of Directors of the COLONIAL AMERICAN CASUALTY AND SURETY COMPANY at a meeting duly called and held on the 5th day of May, 1994.

RESOLVED: "That the facsimile or mechanically reproduced seal of the company and facsimile or mechanically reproduced signature of any Vice-President, Secretary, or Assistant Secretary of the Company, whether made heretofore or hereafter, wherever appearing upon a certified copy of any power of attorney issued by the Company, 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 seals of the said Companies,

this 7th day of February, 2008



*Assistant Secretary*

