

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

C202016

CONTRACT AND  
CONTRACT BONDS  
FOR CONTRACT NO. C202016

WBS 40930.3.1 HPP-0010(2)

T.I.P NO. R-4911

COUNTY OF CATAWBA  
THIS IS THE ROADWAY CONTRACT

ROUTE NUMBER NC 10 LENGTH 1.405 MILES  
LOCATION NC-10 FROM EAST OF SR-1008 TO US-321 NB RAMPS.

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

BIDS OPENED MAY 20, 2008  
CONTRACT EXECUTION JUN 27 2008

**MIDSTATE CONTRACTORS, INC. (3410).**

**Vendor 3 of 4 Vendors for Call Order 017 (Proposal ID C202016).**

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 May 20 12:00:11 2008

Bid Checksum: DCC512E5

Amendment Count: 0

Bidding Errors: No bidding errors.

Bid Total: \$1,551,130.54 ✓

Bond ID: SNC08223099

Bond was Verified: Yes.

Bond Required Percent: 5.00%

Minimum Check Amount: \$77,556.53

Bid Security Maximum: \$

Bond Agency Name:

Agency Execution Date: 5/20/2008

Surety Name: MORROW INSURANCE AGENCY, INC.

Surety State of Incorporation:

Bond Company:

Bond Type:

Bond Appr Flag:

Bond Affirm:

Bond was Paid by Check: No.

*DBE GOAL SET - 7.0%*  
*DBE GOAL MET - 7.1%*

LIST OF DBE PARTICIPANTS

VENDOR NUMBER	DBE NAME ADDRESS	WORK CODE TYPE OF WORK	CERT TYPE	AMOUNT
✓5279 <i>WB</i>	GUARDRAIL OF GREENSBORO LLC P.O. BOX 19232 , GREENSBORO, NC 27419		Sub	22,725.00
✓10319 <i>WB</i>	LEDBETTER PAVEMENT MARKING INC POST OFFICE BOX 819 , GASTONIA, NC 28052		Sub	36,027.54
✓2941 <i>WB</i>	LAKE VIEW CONSTRUCTION & EQUIPM P. O. BOX 158 , PINEOLA, NC 28662		Sub	2,500.00
✓4221 <i>WB</i>	MORETZ HAULING 4596 MACEDONIA CHRUCH ROAD , VALE, NC 281688709		Sub	20,736.00
✓11775 <i>WB</i>	BARLOWE INC P. O. BOX 3389 , LENOIR, NC 28645		Sub	28,000.00
			TOTAL:	\$109,988.54 7.09%

Miscellaneous Data Info - Contractor Responses:

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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: SNC08223099  
Surety Registry Agency: surety2000

NCDOT/berc

Vendor 3410's Load Output for Call 017, Letting L080520, 2008-05-20

Verified?: Yes

Surety Agency: MORROW INSURANCE AGENCY, INC.

Bond Execution Date: 5/20/2008

Bond Amount: \$77,556.53 (Five Percent of Bid)

State of NC  
Dept of Transportation

Date: 04-21-08  
Revised:

Contract ID: C202016 Project(s): HPP-0010(2)  
Letting Date: 05-20-08 Call Order: 017  
Bidder: 3410 - MIDSTATE CONTRACTORS, INC.

Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Cts
Section 0001 ROADWAY ITEMS						
0001	0000100000-N MOBILIZATION	LUMP	LUMP			60,000.00
0002	0000400000-N CONSTRUCTION SURVEYING	LUMP	LUMP			15,000.00
0003	0043000000-N GRADING	LUMP	LUMP			115,000.00
0004	0050000000-E SUPPLEMENTARY CLEARING & GRUB-BING	ACR 1.000	1.00000			1.00
0005	0057000000-E UNDERCUT EXCAVATION	CY 100.000	1.00000			100.00
0006	0134000000-E DRAINAGE DITCH EXCAVATION	CY 700.000	4.00000			2,800.00
0007	0141000000-E BERM DITCH CONSTRUCTION	LF 600.000	2.00000			1,200.00
0008	0318000000-E FOUNDATION CONDITIONING MATERIAL, MINOR STRS	TON 80.000	30.00000			2,400.00
0009	0343000000-E 15" SIDE DRAIN PIPE	LF 284.000	35.00000			9,940.00
0010	0344000000-E 18" SIDE DRAIN PIPE	LF 212.000	40.00000			8,480.00
0011	0366000000-E 15" RC PIPE CULVERTS, CLASS III	LF 76.000	33.00000			2,508.00

State of NC  
Dept of Transportation

Date: 04-21-08  
Revised:

Contract ID: C202016 Project(s): HPP-0010(2)  
Letting Date: 05-20-08 Call Order: 017  
Bidder: 3410 - MIDSTATE CONTRACTORS, INC.

Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
0012	0372000000-E 18" RC PIPE CULVERTS, CLASS III	176.000 LF	40.00000		7,040.00	
0013	0995000000-E PIPE REMOVAL	20.000 LF	10.00000		200.00	
0014	1220000000-E INCIDENTAL STONE BASE	300.000 TON	30.00000		9,000.00	
0015	1330000000-E INCIDENTAL MILLING	100.000 SY	40.00000		4,000.00	
0016	1491000000-E ASPHALT CONC BASE COURSE, TYPE B25.0C	5,830.000 TON	50.20000		292,666.00	
0017	1503000000-E ASPHALT CONC INTERMEDIATE COURSE, TYPE I19.0C	4,810.000 TON	49.65000		238,816.50	
0018	1523000000-E ASPHALT CONC SURFACE COURSE, TYPE S9.5C	2,690.000 TON	50.60000		136,114.00	
0019	1560000000-E ASPHALT BINDER FOR PLANT MIX, GRADE PG 64-22	480.000 TON	468.04000		224,659.20	
0020	1565000000-E ASPHALT BINDER FOR PLANT MIX, GRADE PG 70-22	165.000 TON	490.54000		80,939.10	
0021	1693000000-E ASPHALT PLANT MIX, PAVEMENT REPAIR	20.000 TON	125.00000		2,500.00	
0022	1704000000-E PATCHING EXISTING PAVEMENT	100.000 TON	125.00000		12,500.00	
0023	2154000000-N METAL FUNNELS	4.000 EA	1,000.00000		4,000.00	

State of NC  
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Date: 04-21-08  
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Letting Date: 05-20-08 Call Order: 017  
Bidder: 3410 - MIDSTATE CONTRACTORS, INC.

Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
0024	2165000000-E 12" FUNNEL DRAIN PIPE	200.000 LF	30.00000		6,000.00	
0025	2176000000-E 12" FUNNEL DRAIN PIPE ELBOWS	4.000 EA	100.00000		400.00	
0026	2253000000-E PIPE COLLARS	3.000 CY	400.00000		1,200.00	
0027	2286000000-N MASONRY DRAINAGE STRUCTURES	4.000 EA	1,800.00000		7,200.00	
0028	2364000000-N FRAME WITH TWO GRATES, STD 840.16	2.000 EA	500.00000		1,000.00	
0029	2374000000-N FRAME WITH GRATE & HOOD, STD 840.03, TYPE ** (E)	1.000 EA	500.00000		500.00	
0030	2556000000-E SHOULDER BERM GUTTER	640.000 LF	12.00000		7,680.00	
0031	2612000000-E 6" CONCRETE DRIVEWAY	115.000 SY	52.00000		5,980.00	
0032	3030000000-E STEEL BM GUARDRAIL	600.000 LF	17.00000		10,200.00	
0033	3150000000-N ADDITIONAL GUARDRAIL POSTS	5.000 EA	45.00000		225.00	
0034	3180000000-N GUARDRAIL ANCHOR UNITS, TYPE ***** (BP-III)	4.000 EA	1,800.00000		7,200.00	
0035	3270000000-N GUARDRAIL ANCHOR UNITS, TYPE 350	4.000 EA	1,800.00000		7,200.00	

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Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
0036	3503000000-E WOVEN WIRE FENCE, 47" FABRIC	2,000.000 LF	2.00000		4,000.00	
0037	3509000000-E 4" TIMBER FENCE POSTS, 7'-6" LONG	100.000 EA	20.00000		2,000.00	
0038	3515000000-E 5" TIMBER FENCE POSTS, 8'-0" LONG	90.000 EA	20.00000		1,800.00	
0039	3557000000-E ADDITIONAL BARBED WIRE	2,100.000 LF	0.50000		1,050.00	
0040	3563000000-E TEMP **" WOVEN WIRE FENCE, COMPLETE W/POSTS (47")	2,100.000 LF	5.00000		10,500.00	
0041	3649000000-E RIP RAP, CLASS B	1,530.000 TON	35.00000		53,550.00	
0042	3656000000-E FILTER FABRIC FOR DRAINAGE	2,405.000 SY	2.25000		5,411.25	
0043	4400000000-E WORK ZONE SIGNS (STATIONARY)	675.000 SF	4.65000		3,138.75	
0044	4405000000-E WORK ZONE SIGNS (PORTABLE)	96.000 SF	8.35000		801.60	
0045	4410000000-E WORK ZONE SIGNS (BARRICADE MOUNTED)	94.000 SF	6.25000		587.50	
0046	4430000000-N DRUMS	150.000 EA	35.00000		5,250.00	
0047	4445000000-E BARRICADES (TYPE III)	48.000 LF	27.00000		1,296.00	



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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
0048	4455000000-N FLAGGER	30.000 MD	250.00000		7,500.00	
0049	4650000000-N TEMPORARY RAISED PAVEMENT MARKERS	30.000 EA	15.95000		478.50	
0050	4685000000-E THERMOPLAST IC PAVEMENT MARKING LINES (4", 90 MILS)	16,200.000 LF	0.42000		6,804.00	
0051	4686000000-E THERMOPLAST IC PAVEMENT MARKING LINES (4", 120 MILS)	19,101.000 LF	0.44000		8,404.44	
0052	4695000000-E THERMOPLAST IC PAVEMENT MARKING LINES (8", 90 MILS)	235.000 LF	5.00000		1,175.00	
0053	4710000000-E THERMOPLAST IC PAVEMENT MARKING LINES (24", 120 MILS)	189.000 LF	9.25000		1,748.25	
0054	4725000000-E THERMOPLAST IC PAVEMENT MARKING SYMBOL (90 MILS)	31.000 EA	120.00000		3,720.00	
0055	4810000000-E PAINT PAVEMENT MARKING LINES (4")	21,480.000 LF	0.19000		4,081.20	
0056	4905000000-N SNOWPLOWABLE PAVEMENT MARKERS	322.000 EA	35.00000		11,270.00	
0057	6000000000-E TEMPORARY SILT FENCE	4,440.000 LF	3.00000		13,320.00	
0058	6006000000-E STONE FOR EROSION CONTROL, CLASS A	385.000 TON	35.00000		13,475.00	
0059	6009000000-E STONE FOR EROSION CONTROL, CLASS B	1,250.000 TON	35.00000		43,750.00	

State of NC  
Dept of Transportation

Date: 04-21-08  
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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
0060	6012000000-E SEDIMENT CONTROL STONE	430.000 TON	32.00000		13,760.00	
0061	6015000000-E TEMPORARY MULCHING	9.500 ACR	1.00000		9.50	
0062	6018000000-E SEED FOR TEMPORARY SEEDING	350.000 LB	1.00000		350.00	
0063	6021000000-E FERTILIZER FOR TEMPORARY SEED-ING	2.500 TON	1.00000		2.50	
0064	6024000000-E TEMPORARY SLOPE DRAINS	260.000 LF	12.00000		3,120.00	
0065	6027000000-N INLET PROTECTION AT TEMPORARY SLOPE DRAINS	4.000 EA	25.00000		100.00	
0066	6029000000-E SAFETY FENCE	340.000 LF	2.00000		680.00	
0067	6030000000-E SILT EXCAVATION	3,200.000 CY	0.01000		32.00	
0068	6036000000-E MATTING FOR EROSION CONTROL	10,790.000 SY	2.00000		21,580.00	
0069	6037000000-E COIR FIBER MAT	25.000 SY	8.00000		200.00	
0070	6042000000-E 1/4" HARDWARE CLOTH	100.000 LF	4.00000		400.00	
0071	6071030000-E COIR FIBER BAFFLES	470.000 LF	5.00000		2,350.00	

State of NC  
 Dept of Transportation

Date: 04-21-08  
 Revised:

Contract ID: C202016 Project(s): HPP-0010(2)  
 Letting Date: 05-20-08 Call Order: 017  
 Bidder: 3410 - MIDSTATE CONTRACTORS, INC.

Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
0072	6071050000-E *** SKIMMER (1-1/2")	EA 2.000	600.00000		1,200.00	
0073	6071050000-E *** SKIMMER (2")	EA 2.000	600.00000		1,200.00	
0074	6084000000-E SEEDING & MULCHING	ACR 10.000	1,500.00000		15,000.00	
0075	6087000000-E MOWING	ACR 6.000	100.00000		600.00	
0076	6090000000-E SEED FOR REPAIR SEEDING	LB 100.000	5.00000		500.00	
0077	6093000000-E FERTILIZER FOR REPAIR SEEDING	TON 0.250	1.00000		0.25	
0078	6096000000-E SEED FOR SUPPLEMENTAL SEEDING	LB 250.000	1.00000		250.00	
0079	6108000000-E FERTILIZER TOPDRESSING	TON 7.000	1.00000		7.00	
0080	6114000000-N SPECIALIZED HAND MOWING	HR 2.000	1.00000		2.00	
0081	6117000000-N RESPONSE FOR EROSION CONTROL	EA 27.000	1.00000		27.00	
Section 0001 Total						1,551,130.54
Bid Total						1,551,130.54

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:

x 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  
DBE COMMITMENT ITEMS

DATE: 04-21-08  
PAGE: 11

PROPOSAL: C202016  
LETTING: L080520 CALL: 017  
VENDOR: 3410 MIDSTATE CONTRACTORS, INC.

LINE NO.	ITEM NO.	ITEM DESC.	UNIT TYPE	SUBCONTRACTOR QUANTITY	SUBCONTRACTOR UNIT PRICE	EXTENDED AMOUNT
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DBE SUBCONTRACTOR: 5279 GUARDRAIL OF GREENSBORO LLC  
Will Use Quote: Yes

0032	3030000000-E	STL BM GUARD LF		600.000	16.00000	9600.00
0033	3150000000-N	ADDIT GUARDR EA		5.000	45.00000	225.00
0034	3180000000-N	GR ANCHOR TY EA		4.000	1500.00000	6000.00
0035	3270000000-N	GR ANCHOR TY EA		4.000	1725.00000	6900.00

DBE COMMITMENT TOTAL FOR SUBCONTRACTOR: 22,725.00  
DBE COMMITMENT TOTAL FOR VENDOR (SubContractor ) 22,725.00 ✓

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

0049	4650000000-N	TEMP RAISED EA		30.000	15.95000	478.50
0050	4685000000-E	THERMO PVT M LF		16200.000	0.42000	6804.00
0051	4686000000-E	THERMO PVT M LF		19101.000	0.44000	8404.44
0052	4695000000-E	THERMO PVT M LF		235.000	2.75000	646.25
0053	4710000000-E	24"WIDE THER LF		189.000	9.25000	1748.25
0054	4725000000-E	THERMO PVT S EA		31.000	105.00000	3255.00
0055	4810000000-E	PAINT PVMT M LF		21480.000	0.19000	4081.20
0056	4905000000-N	SNOWPLB PVMT EA		322.000	32.95000	10609.90

DBE COMMITMENT TOTAL FOR SUBCONTRACTOR: 36,027.54  
DBE COMMITMENT TOTAL FOR VENDOR (SubContractor ) 36,027.54 ✓

DBE SUBCONTRACTOR: 2941 LAKE VIEW CONSTRUCTION & EQUIPMENT  
Will Use Quote: Yes

0015	1330000000-E	INCIDENTAL M SY		100.000	25.00000	2500.00
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DBE COMMITMENT TOTAL FOR SUBCONTRACTOR: 2,500.00  
DBE COMMITMENT TOTAL FOR VENDOR (SubContractor ) 2,500.00 ✓

DBE SUBCONTRACTOR: 4221 MORETZ HAULING  
Will Use Quote: Yes

0018	1523000000-E	ASP CONC SUR TON		288.000	72.00000	20736.00
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DBE COMMITMENT TOTAL FOR SUBCONTRACTOR: 20,736.00  
DBE COMMITMENT TOTAL FOR VENDOR (SubContractor ) 20,736.00 ✓

DBE SUBCONTRACTOR: 11775 BARLOWE INC  
Will Use Quote: Yes

0059	6009000000-E	EROS CONTRL TON		800.000	35.00000	28000.00
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## Contract Item Sheets For C202016

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
<b>ROADWAY ITEMS</b>						
0001	0000100000-N	800	MOBILIZATION	Lump Sum LS	60,000.00	60,000.00
0002	0000400000-N	801	CONSTRUCTION SURVEYING	Lump Sum LS	15,000.00	15,000.00
0003	0043000000-N	226	GRADING	Lump Sum LS	115,000.00	115,000.00
0004	0050000000-E	226	SUPPLEMENTARY CLEARING & GRUB-BING	1 ACR	1.00	1.00
0005	0057000000-E	226	UNDERCUT EXCAVATION	100 CY	1.00	100.00
0006	0134000000-E	240	DRAINAGE DITCH EXCAVATION	700 CY	4.00	2,800.00
0007	0141000000-E	240	BERM DITCH CONSTRUCTION	600 LF	2.00	1,200.00
0008	0318000000-E	300	FOUNDATION CONDITIONING MATERIAL, MINOR STRS	80 TON	30.00	2,400.00
0009	0343000000-E	310	15" SIDE DRAIN PIPE	284 LF	35.00	9,940.00
0010	0344000000-E	310	18" SIDE DRAIN PIPE	212 LF	40.00	8,480.00
0011	0366000000-E	310	15" RC PIPE CULVERTS, CLASS III	76 LF	33.00	2,508.00
0012	0372000000-E	310	18" RC PIPE CULVERTS, CLASS III	176 LF	40.00	7,040.00
0013	0995000000-E	340	PIPE REMOVAL	20 LF	10.00	200.00
0014	1220000000-E	545	INCIDENTAL STONE BASE	300 TON	30.00	9,000.00
0015	1330000000-E	607	INCIDENTAL MILLING	100 SY	40.00	4,000.00
0016	1491000000-E	610	ASPHALT CONC BASE COURSE, TYPE B25.0C	5,830 TON	50.20	292,666.00
0017	1503000000-E	610	ASPHALT CONC INTERMEDIATE COURSE, TYPE I19.0C	4,810 TON	49.65	238,816.50
0018	1523000000-E	610	ASPHALT CONC SURFACE COURSE, TYPE S9.5C	2,690 TON	50.60	136,114.00

## Contract Item Sheets For C202016

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
0019	1560000000-E	620	ASPHALT BINDER FOR PLANT MIX, GRADE PG 64-22	480 TON	468.04	224,659.20
0020	1565000000-E	620	ASPHALT BINDER FOR PLANT MIX, GRADE PG 70-22	165 TON	490.54	80,939.10
0021	1693000000-E	654	ASPHALT PLANT MIX, PAVEMENT REPAIR	20 TON	125.00	2,500.00
0022	1704000000-E	SP	PATCHING EXISTING PAVEMENT	100 TON	125.00	12,500.00
0023	2154000000-N	820	METAL FUNNELS	4 EA	1,000.00	4,000.00
0024	2165000000-E	820	12" FUNNEL DRAIN PIPE	200 LF	30.00	6,000.00
0025	2176000000-E	820	12" FUNNEL DRAIN PIPE ELBOWS	4 EA	100.00	400.00
0026	2253000000-E	840	PIPE COLLARS	3 CY	400.00	1,200.00
0027	2286000000-N	840	MASONRY DRAINAGE STRUCTURES	4 EA	1,800.00	7,200.00
0028	2364000000-N	840	FRAME WITH TWO GRATES, STD 840.16	2 EA	500.00	1,000.00
0029	2374000000-N	840	FRAME WITH GRATE & HOOD, STD 840.03, TYPE ** (E)	1 EA	500.00	500.00
0030	2556000000-E	846	SHOULDER BERM GUTTER	640 LF	12.00	7,680.00
0031	2612000000-E	848	6" CONCRETE DRIVEWAY	115 SY	52.00	5,980.00
0032	3030000000-E	862	STEEL BM GUARDRAIL	600 LF	17.00	10,200.00
0033	3150000000-N	862	ADDITIONAL GUARDRAIL POSTS	5 EA	45.00	225.00
0034	3180000000-N	862	GUARDRAIL ANCHOR UNITS, TYPE ***** (BP-III)	4 EA	1,800.00	7,200.00
0035	3270000000-N	SP	GUARDRAIL ANCHOR UNITS, TYPE 350	4 EA	1,800.00	7,200.00
0036	3503000000-E	866	WOVEN WIRE FENCE, 47" FABRIC	2,000 LF	2.00	4,000.00

## Contract Item Sheets For C202016

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
0037	3509000000-E	866	4" TIMBER FENCE POSTS, 7'-6" LONG	100 EA	20.00	2,000.00
0038	3515000000-E	866	5" TIMBER FENCE POSTS, 8'-0" LONG	90 EA	20.00	1,800.00
0039	3557000000-E	866	ADDITIONAL BARBED WIRE	2,100 LF	0.50	1,050.00
0040	3563000000-E	SP	TEMP *** WOVEN WIRE FENCE, COMPLETE W/POSTS (47")	2,100 LF	5.00	10,500.00
0041	3649000000-E	876	RIP RAP, CLASS B	1,530 TON	35.00	53,550.00
0042	3656000000-E	876	FILTER FABRIC FOR DRAINAGE	2,405 SY	2.25	5,411.25
0043	4400000000-E	1110	WORK ZONE SIGNS (STATIONARY)	675 SF	4.65	3,138.75
0044	4405000000-E	1110	WORK ZONE SIGNS (PORTABLE)	96 SF	8.35	801.60
0045	4410000000-E	1110	WORK ZONE SIGNS (BARRICADE MOUNTED)	94 SF	6.25	587.50
0046	4430000000-N	1130	DRUMS	150 EA	35.00	5,250.00
0047	4445000000-E	1145	BARRICADES (TYPE III)	48 LF	27.00	1,296.00
0048	4455000000-N	1150	FLAGGER	30 MD	250.00	7,500.00
0049	4650000000-N	1251	TEMPORARY RAISED PAVEMENT MARKERS	30 EA	15.95	478.50
0050	4685000000-E	1205	THERMOPLASTIC PAVEMENT MARKING LINES (4", 90 MILS)	16,200 LF	0.42	6,804.00
0051	4686000000-E	1205	THERMOPLASTIC PAVEMENT MARKING LINES (4", 120 MILS)	19,101 LF	0.44	8,404.44
0052	4695000000-E	1205	THERMOPLASTIC PAVEMENT MARKING LINES (8", 90 MILS)	235 LF	5.00	1,175.00
0053	4710000000-E	1205	THERMOPLASTIC PAVEMENT MARKING LINES (24", 120 MILS)	189 LF	9.25	1,748.25

## Contract Item Sheets For C202016

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
0054	4725000000-E	1205	THERMOPLASTIC PAVEMENT MARKING SYMBOL (90 MILS)	31 EA	120.00	3,720.00
0055	4810000000-E	1205	PAINT PAVEMENT MARKING LINES (4")	21,480 LF	0.19	4,081.20
0056	4905000000-N	1253	SNOWPLOWABLE PAVEMENT MARKERS	322 EA	35.00	11,270.00
0057	6000000000-E	1605	TEMPORARY SILT FENCE	4,440 LF	3.00	13,320.00
0058	6006000000-E	1610	STONE FOR EROSION CONTROL, CLASS A	385 TON	35.00	13,475.00
0059	6009000000-E	1610	STONE FOR EROSION CONTROL, CLASS B	1,250 TON	35.00	43,750.00
0060	6012000000-E	1610	SEDIMENT CONTROL STONE	430 TON	32.00	13,760.00
0061	6015000000-E	1615	TEMPORARY MULCHING	9.5 ACR	1.00	9.50
0062	6018000000-E	1620	SEED FOR TEMPORARY SEEDING	350 LB	1.00	350.00
0063	6021000000-E	1620	FERTILIZER FOR TEMPORARY SEEDING	2.5 TON	1.00	2.50
0064	6024000000-E	1622	TEMPORARY SLOPE DRAINS	260 LF	12.00	3,120.00
0065	6027000000-N	1622	INLET PROTECTION AT TEMPORARY SLOPE DRAINS	4 EA	25.00	100.00
0066	6029000000-E	SP	SAFETY FENCE	340 LF	2.00	680.00
0067	6030000000-E	1630	SILT EXCAVATION	3,200 CY	0.01	32.00
0068	6036000000-E	1631	MATTING FOR EROSION CONTROL	10,790 SY	2.00	21,580.00
0069	6037000000-E	SP	COIR FIBER MAT	25 SY	8.00	200.00
0070	6042000000-E	1632	1/4" HARDWARE CLOTH	100 LF	4.00	400.00
0071	6071030000-E	SP	COIR FIBER BAFFLES	470 LF	5.00	2,350.00
0072	6071050000-E	SP	*** SKIMMER (1-1/2")	2 EA	600.00	1,200.00

## Contract Item Sheets For C202016

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
0073	6071050000-E	SP	*** SKIMMER (2")	2 EA	600.00	1,200.00
0074	6084000000-E	1660	SEEDING & MULCHING	10 ACR	1,500.00	15,000.00
0075	6087000000-E	1660	MOWING	6 ACR	100.00	600.00
0076	6090000000-E	1661	SEED FOR REPAIR SEEDING	100 LB	5.00	500.00
0077	6093000000-E	1661	FERTILIZER FOR REPAIR SEEDING	0.25 TON	1.00	0.25
0078	6096000000-E	1662	SEED FOR SUPPLEMENTAL SEEDING	250 LB	1.00	250.00
0079	6108000000-E	1665	FERTILIZER TOPDRESSING	7 TON	1.00	7.00
0080	6114000000-N	SP	SPECIALIZED HAND MOWING	2 HR	1.00	2.00
0081	6117000000-N	SP	RESPONSE FOR EROSION CONTROL	27 EA	1.00	27.00

TOTAL AMOUNT OF BID FOR ENTIRE PROJECT

\$1,551,130.54 ✓

Contract Number C202016  
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 C 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

11 day of June, 2008, 2008

Peggy J. Galley  
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.

**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.



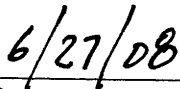
**Contract No**     C202016

**County (ies):**   Catawba

ACCEPTED BY THE  
DEPARTMENT OF TRANSPORTATION



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



\_\_\_\_\_  
Date

Execution of Contract and Bonds  
Approved as to Form:



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

Contract No. C202016  
County Catawba

Rev. 5-13-08

### CONTRACT PAYMENT BOND

Date of Payment Bond Execution: June 5, 2008

Name of Principal Contractor: MIDSTATE CONTRACTORS, INC.

Name of Surety: Travelers Casualty and Surety Company  
of America

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

Amount of Bond: \$1,551,130.54

Contract ID No.: C202016 WBS 40930.3.1

County Name(s): Catawba

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. C 2020 16  
County Catawba

Rev 02-13-04

## CONTRACT PAYMENT BOND

*Affix Seal of Surety Company*

**Travelers Casualty and Surety Company  
of America**

\_\_\_\_\_  
Print or type Surety Company Name

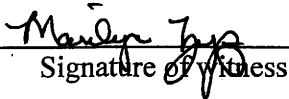
By Gary R. Gummerson

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



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

**Morrow Insurance Agency, Inc.  
Charlotte, NC 28209  
866 522-2663**



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

**Marilyn Zyp**

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

\_\_\_\_\_  
Address of Attorney-in-Fact

**CONTRACT PAYMENT BOND**

**CORPORATION**

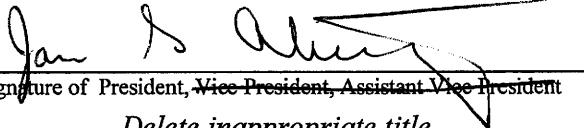
SIGNATURE OF CONTRACTOR (Principal)

**Midstate Contractors, Inc.**

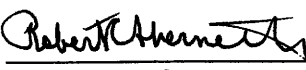
\_\_\_\_\_  
Print or type full name of Corporation

**P.O. Box 1238 Hickory, NC 28603**

\_\_\_\_\_  
Address as prequalified

By   
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*

Contract No. C202016  
County Catawba

Rev. 5-13-08

**CONTRACT PERFORMANCE BOND**

Date of Contract Bond Execution June 5, 2008

Name of Principal Contractor: MIDSTATE CONTRACTORS, INC.

Name of Surety: Travelers Casualty and Surety Company  
of America

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

Amount of Bond: \$1,551,130.54

Contract ID No.: C202016 WBS 40930.3.1

County Name(s): Catawba

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 PERFORMANCE BOND

*Affix Seal of Surety Company*

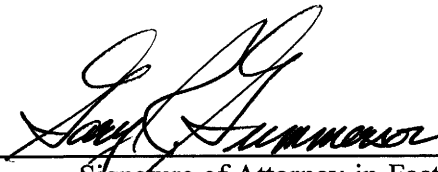
Travelers Casualty and Surety Company of America

\_\_\_\_\_  
Print or type Surety Company Name

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

5200 Park Road #100 Charlotte, NC 28209 (866-522-2663)

\_\_\_\_\_  
Address of Attorney-in-Fact

**CONTRACT PERFORMANCE BOND**  
**CORPORATION**

SIGNATURE OF CONTRACTOR (Principal)

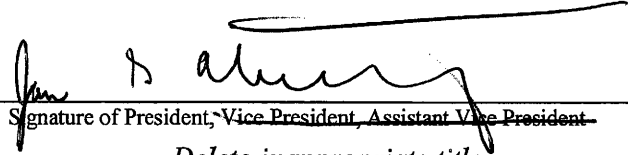
**MIDSTATE CONTRACTORS, INC.**

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. 000140267

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, 2006.



[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 5<sup>th</sup> day of June, 2008.

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

  
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](http://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.

