

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

C201839

CONTRACT AND
CONTRACT BONDS
FOR CONTRACT NO. C201839

WBS 33206.3.1 BRZ-1503(4)

T.I.P NO. B-3661

COUNTY OF HAYWOOD

THIS IS THE ROADWAY & STRUCTURE CONTRACT

ROUTE NUMBER SR 1503 LENGTH 0.158 MILES

LOCATION BRIDGE OVER CRABTREE CREEK & APPROACHES ON SR-1503.

CONTRACTOR SUMMERS-TAYLOR, INC.

ADDRESS P.O. BOX 1628
ELIZABETHTON, TN 376441628

BIDS OPENED MAY 20, 2008

CONTRACT EXECUTION JUN 24 2008

Summer-Taylor, Inc. (3746).

Vendor 5 of 6 Vendors for Call Order 018 (Proposal ID C201839).

County: HAYWOOD
Address: P.O. BOX 1628
300 WEST ELK AVE.
ELIZABETHTON, TN 37643

Phone Number: 423-543-3181

Signature Check: This bid has been properly signed by Robert_T._Summers_3746.

Time Bid Received: Tue May 20 13:50:48 2008

Bid Checksum: 5E3CAF39

Amendment Count: 0

Bidding Errors: No bidding errors

Bid Total: \$1,228,326.89 ✓

Bond ID: SNC08329460

Bond was Verified: Yes.

Bond Required Percent: 5.00%

Minimum Check Amount: \$61,416.34

Bid Security Maximum: \$

Bond Agency Name:

Agency Execution Date: 5/12/2008 12:23:33 PM

Surety Name: Fidelity And Deposit Company of Maryland

Surety State of Incorporation:

Bond Company:

Bond Type:

Bond Appr Flag:

Bond Affirm:

Bond was Paid by Check: No.

DBE GOAL SET - 6.0%
DBE GOAL MET - 6.1%

LIST OF DBE PARTICIPANTS

VENDOR NUMBER	DBE NAME ADDRESS	WORK CODE TYPE OF WORK	CERT TYPE	AMOUNT
✓ 3376 <i>WB</i>	REYNOLDS FENCE & GUARDRAIL INC 9320 MACHADO DRIVE , INDIAN TRAIL, NC 28079		Sub	25,780.00
✓ 3372 <i>WB</i>	ALH CONSTRUCTION CO. 415 WEST E. STREET , ELIZABETHTON, TN 37643		Sub	49,195.00
			TOTAL:	\$74,975.00 6.10%

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: SNC08329460
Surety Registry Agency: surety2000
Verified?: Yes
Surety Agency: Fidelity And Deposit Company of Maryland
Bond Execution Date: 5/12/2008 12:23:33 PM
Bond Amount: \$61,416.34 (Five Percent of Bid)

State of NC
Dept of Transportation

Date: 04-21-08
Revised:

Contract ID: C201839 Project(s): BRZ-1503(4)
Letting Date: 05-20-08 Call Order: 018
Bidder: 3746 - Summer-Taylor, Inc.

Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
Section 0001 ROADWAY ITEMS						
0001	0000100000-N MOBILIZATIO N	LUMP	LUMP			60,000.00
0002	0022000000-E UNCLASSIFIE D EXCAVATION	CY	20,000.000	8.25000		165,000.00
0003	0029000000-N REINFORCED BRIDGE APPROACH FILL, STATION ***** (16+65.00)	LUMP	LUMP			17,800.00
0004	0050000000-E SUPPLEMENTA RY CLEARING & GRUB-BING	ACR	1.000	1.00000		1.00
0005	0057000000-E UNDERCUT EXCAVATION	CY	570.000	10.00000		5,700.00
0006	0063000000-N GRADING	LUMP	LUMP			30,350.00
0007	0080000000-E CLASS IV SUBGRADE STABILIZA- TION	TON	500.000	26.00000		13,000.00
0008	0134000000-E DRAINAGE DITCH EXCAVATION	CY	20.000	10.00000		200.00
0009	0195000000-E SELECT GRANULAR MATERIAL	CY	500.000	36.40000		18,200.00
0010	0196000000-E FABRIC FOR SOIL STABILIZATION	SY	500.000	4.00000		2,000.00
0011	0241000000-E GENERIC GRADING ITEM ROCK PLATING	SY	275.000	25.00000		6,875.00

State of NC
Dept of Transportation

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Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
0012	0318000000-E FOUNDATION CONDITIONING MATERIAL, MINOR STRS	90.000 TON	35.00000		3,150.00	
0013	0366000000-E 15" RC PIPE CULVERTS, CLASS III	572.000 LF	35.00000		20,020.00	
0014	0372000000-E 18" RC PIPE CULVERTS, CLASS III	184.000 LF	40.00000		7,360.00	
0015	0995000000-E PIPE REMOVAL	30.000 LF	25.00000		750.00	
0016	1121000000-E AGGREGATE BASE COURSE	96.000 TON	25.00000		2,400.00	
0017	1220000000-E INCIDENTAL STONE BASE	100.000 TON	25.00000		2,500.00	
0018	1275000000-E PRIME COAT	88.000 GAL	65.00000		5,720.00	
0019	1489000000-E ASPHALT CONC BASE COURSE, TYPE B25.0B	920.000 TON	77.00000		70,840.00	
0020	1525000000-E ASPHALT CONC SURFACE COURSE, TYPE SF9.5A	315.000 TON	107.00000		33,705.00	
0021	1560000000-E ASPHALT BINDER FOR PLANT MIX, GRADE PG 64-22	65.000 TON	580.00000		37,700.00	
0022	2022000000-E SUBDRAIN EXCAVATION	115.000 CY	1.00000		115.00	
0023	2033000000-E SUBDRAIN FINE AGGREGATE	85.000 CY	35.00000		2,975.00	

State of NC
 Dept of Transportation

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Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
0024	2044000000-E 6" PERFORATED SUBDRAIN PIPE	500.000 LF	15.00000		7,500.00	
0025	2055000000-E 6" SUBDRAIN PIPE WYES, TEES, & ELBOWS	15.000 EA	30.00000		450.00	
0026	2066000000-N CONCRETE PAD FOR SUBDRAIN PIPE OUTLET	1.000 EA	250.00000		250.00	
0027	2077000000-E 6" OUTLET PIPE (SUBDRAINS)	6.000 LF	15.00000		90.00	
0028	2286000000-N MASONRY DRAINAGE STRUCTURES	10.000 EA	1,500.00000		15,000.00	
0029	2365000000-N FRAME WITH TWO GRATES, STD 840.22	1.000 EA	500.00000		500.00	
0030	2367000000-N FRAME WITH TWO GRATES, STD 840.29	9.000 EA	500.00000		4,500.00	
0031	2577000000-E CONCRETE EXPRESSWAY GUTTER	530.000 LF	40.82000		21,634.60	
0032	3030000000-E STEEL BM GUARDRAIL	575.000 LF	15.00000		8,625.00	
0033	3045000000-E STEEL BM GUARDRAIL, SHOP CURVED	40.000 LF	19.00000		760.00	
0034	3150000000-N ADDITIONAL GUARDRAIL POSTS	5.000 EA	41.00000		205.00	
0035	3195000000-N GUARDRAIL ANCHOR UNITS, TYPE AT-1	2.000 EA	475.00000		950.00	

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			Dollars	Cts	Dollars	Ct
0036	3270000000-N GUARDRAIL ANCHOR UNITS, TYPE 350	EA 6.000	1,690.00000		10,140.00	
0037	3317000000-N GUARDRAIL ANCHOR UNITS, TYPE B-77	EA 4.000	1,125.00000		4,500.00	
0038	3557000000-E ADDITIONAL BARBED WIRE	LF 100.000	5.00000		500.00	
0039	3559000000-E ** STRAND BARBED WIRE FENCE WITH POSTS (4)	LF 900.000	4.00000		3,600.00	
0040	3649000000-E RIP RAP, CLASS B	TON 20.000	40.00000		800.00	
0041	3656000000-E FILTER FABRIC FOR DRAINAGE	SY 225.000	3.00000		675.00	
0042	4400000000-E WORK ZONE SIGNS (STATIONARY)	SF 174.000	5.85000		1,017.90	
0043	4405000000-E WORK ZONE SIGNS (PORTABLE)	SF 186.000	8.35000		1,553.10	
0044	4410000000-E WORK ZONE SIGNS (BARRICADE MOUNTED)	SF 56.000	6.25000		350.00	
0045	4430000000-N DRUMS	EA 60.000	34.00000		2,040.00	
0046	4435000000-N CONES	EA 20.000	16.50000		330.00	
0047	4445000000-E BARRICADES (TYPE III)	LF 96.000	24.10000		2,313.60	

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			Dollars	Cts	Dollars	Ct
0048	4450000000-N FLAGGER	236.000 HR	15.00000		3,540.00	
0049	4516000000-N SKINNY DRUM	10.000 EA	30.50000		305.00	
0050	4810000000-E PAINT PAVEMENT MARKING LINES (4")	21,000.000 LF	0.18000		3,780.00	
0051	6000000000-E TEMPORARY SILT FENCE	930.000 LF	2.50000		2,325.00	
0052	6006000000-E STONE FOR EROSION CONTROL, CLASS A	90.000 TON	40.00000		3,600.00	
0053	6009000000-E STONE FOR EROSION CONTROL, CLASS B	285.000 TON	40.00000		11,400.00	
0054	6012000000-E SEDIMENT CONTROL STONE	240.000 TON	35.00000		8,400.00	
0055	6015000000-E TEMPORARY MULCHING	3.000 ACR	1,900.00000		5,700.00	
0056	6018000000-E SEED FOR TEMPORARY SEEDING	150.000 LB	12.00000		1,800.00	
0057	6021000000-E FERTILIZER FOR TEMPORARY SEED-ING	1.500 TON	4,000.00000		6,000.00	
0058	6029000000-E SAFETY FENCE	350.000 LF	2.00000		700.00	
0059	6030000000-E SILT EXCAVATION	540.000 CY	2.00000		1,080.00	

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			Dollars	Cts	Dollars	Ct
0060	6036000000-E MATTING FOR EROSION CONTROL	850.000 SY	2.50000		2,125.00	
0061	6037000000-E COIR FIBER MAT	10.000 SY	20.00000		200.00	
0062	6038000000-E PERMANENT SOIL REINFORCEMENT MAT	125.000 SY	10.00000		1,250.00	
0063	6042000000-E 1/4" HARDWARE CLOTH	515.000 LF	3.00000		1,545.00	
0064	6071030000-E COIR FIBER BAFFLES	25.000 LF	6.00000		150.00	
0065	6071050000-E *** SKIMMER (1-1/2")	1.000 EA	1,500.00000		1,500.00	
0066	6084000000-E SEEDING & MULCHING	4.500 ACR	2,000.00000		9,000.00	
0067	6087000000-E MOWING	2.500 ACR	100.00000		250.00	
0068	6090000000-E SEED FOR REPAIR SEEDING	50.000 LB	7.00000		350.00	
0069	6093000000-E FERTILIZER FOR REPAIR SEEDING	0.250 TON	4,000.00000		1,000.00	
0070	6096000000-E SEED FOR SUPPLEMENTAL SEEDING	100.000 LB	6.50000		650.00	
0071	6108000000-E FERTILIZER TOPDRESSING	3.000 TON	1,600.00000		4,800.00	

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Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
0072	6114000000-N SPECIALIZED HAND MOWING	2.000 HR	75.00000		150.00	
0073	6117000000-N RESPONSE FOR EROSION CONTROL	12.000 EA	250.00000		3,000.00	
0074	6123000000-E REFORESTATION	0.300 ACR	1,500.00000		450.00	
Section 0001 Total						669,695.20
Section 0004 STRUCTURE ITEMS						
0075	8035000000-N REMOVAL OF EXISTING STRUCTURE AT STATION ***** (16+65.00-L-)	LUMP	LUMP		30,000.00	
0076	8121000000-N UNCLASSIFIED STRUCTURE EXCAVATION AT STATION ***** (16+65.00-L-)	LUMP	LUMP		9,100.00	
0077	8147000000-E REINFORCED CONCRETE DECK SLAB	3,046.000 SF	39.00000		118,794.00	
0078	8161000000-E GROOVING BRIDGE FLOORS	3,067.000 SF	0.68000		2,085.56	
0079	8182000000-E CLASS A CONCRETE (BRIDGE)	59.500 CY	1,050.00000		62,475.00	
0080	8210000000-N BRIDGE APPROACH SLABS, STATION***** (16+65.00-L-)	LUMP	LUMP		32,500.00	
0081	8217000000-E REINFORCING STEEL (BRIDGE)	9,194.000 LB	2.00000		18,388.00	

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Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
0082	8280000000-E APPROX LBS STRUCTURALSTEEL	LUMP	LUMP			205,000.00
0083	8364000000-E HP12X53 STEEL PILES	LF	195.000	95.00000		18,525.00
0084	8391000000-N STEEL PILE POINTS	EA	14.000	250.00000		3,500.00
0085	8503000000-E CONCRETE BARRIER RAIL	LF	194.920	123.99000		24,168.13
0086	8608000000-E RIP RAP CLASS II (2'-0" THICK)	TON	202.000	50.00000		10,100.00
0087	8622000000-E FILTER FABRIC FOR DRAINAGE	SY	224.000	4.00000		896.00
0088	8657000000-N ELASTOMERIC BEARINGS	LUMP	LUMP			8,100.00
0089	8692000000-N EVAZOTE JOINT SEALS	LUMP	LUMP			15,000.00
Section 0004 Total						558,631.69
Bid Total						1,228,326.89 ✓

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.

Contract Item Sheets For C201839

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
ROADWAY ITEMS						
0001	0000100000-N	800	MOBILIZATION	Lump Sum LS	60,000.00	60,000.00
0002	0022000000-E	225	UNCLASSIFIED EXCAVATION	20,000 CY	8.25	165,000.00
0003	0029000000-N	SP	REINFORCED BRIDGE APPROACH FILL, STATION ***** (16 + 65.00)	Lump Sum LS	17,800.00	17,800.00
0004	0050000000-E	226	SUPPLEMENTARY CLEARING & GRUB- BING	1 ACR	1.00	1.00
0005	0057000000-E	226	UNDERCUT EXCAVATION	570 CY	10.00	5,700.00
0006	0063000000-N	SP	GRADING	Lump Sum LS	30,350.00	30,350.00
0007	0080000000-E	SP	CLASS IV SUBGRADE STABILIZA- TION	500 TON	26.00	13,000.00
0008	0134000000-E	240	DRAINAGE DITCH EXCAVATION	20 CY	10.00	200.00
0009	0195000000-E	265	SELECT GRANULAR MATERIAL	500 CY	36.40	18,200.00
0010	0196000000-E	270	FABRIC FOR SOIL STABILIZATION	500 SY	4.00	2,000.00
0011	0241000000-E	SP	GENERIC GRADING ITEM ROCK PLATING	275 SY	25.00	6,875.00
0012	0318000000-E	300	FOUNDATION CONDITIONING MATE- RIAL, MINOR STRS	90 TON	35.00	3,150.00
0013	0366000000-E	310	15" RC PIPE CULVERTS, CLASS III	572 LF	35.00	20,020.00
0014	0372000000-E	310	18" RC PIPE CULVERTS, CLASS III	184 LF	40.00	7,360.00
0015	0995000000-E	340	PIPE REMOVAL	30 LF	25.00	750.00
0016	1121000000-E	520	AGGREGATE BASE COURSE	96 TON	25.00	2,400.00
0017	1220000000-E	545	INCIDENTAL STONE BASE	100 TON	25.00	2,500.00
0018	1275000000-E	600	PRIME COAT	88 GAL	65.00	5,720.00

Contract Item Sheets For C201839

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
0019	1489000000-E	610	ASPHALT CONC BASE COURSE, TYPE B25.0B	920 TON	77.00	70,840.00
0020	1525000000-E	610	ASPHALT CONC SURFACE COURSE, TYPE SF9.5A	315 TON	107.00	33,705.00
0021	1560000000-E	620	ASPHALT BINDER FOR PLANT MIX, GRADE PG 64-22	65 TON	580.00	37,700.00
0022	2022000000-E	815	SUBDRAIN EXCAVATION	115 CY	1.00	115.00
0023	2033000000-E	815	SUBDRAIN FINE AGGREGATE	85 CY	35.00	2,975.00
0024	2044000000-E	815	6" PERFORATED SUBDRAIN PIPE	500 LF	15.00	7,500.00
0025	2055000000-E	815	6" SUBDRAIN PIPE WYES, TEES, & ELBOWS	15 EA	30.00	450.00
0026	2066000000-N	815	CONCRETE PAD FOR SUBDRAIN PIPE OUTLET	1 EA	250.00	250.00
0027	2077000000-E	815	6" OUTLET PIPE (SUBDRAINS)	6 LF	15.00	90.00
0028	2286000000-N	840	MASONRY DRAINAGE STRUCTURES	10 EA	1,500.00	15,000.00
0029	2365000000-N	840	FRAME WITH TWO GRATES, STD 840.22	1 EA	500.00	500.00
0030	2367000000-N	840	FRAME WITH TWO GRATES, STD 840.29	9 EA	500.00	4,500.00
0031	2577000000-E	846	CONCRETE EXPRESSWAY GUTTER	530 LF	40.82	21,634.60
0032	3030000000-E	862	STEEL BM GUARDRAIL	575 LF	15.00	8,625.00
0033	3045000000-E	862	STEEL BM GUARDRAIL, SHOP CURVED	40 LF	19.00	760.00
0034	3150000000-N	862	ADDITIONAL GUARDRAIL POSTS	5 EA	41.00	205.00
0035	3195000000-N	862	GUARDRAIL ANCHOR UNITS, TYPE AT-1	2 EA	475.00	950.00
0036	3270000000-N	SP	GUARDRAIL ANCHOR UNITS, TYPE 350	6 EA	1,690.00	10,140.00

Contract Item Sheets For C201839

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
0037	3317000000-N	862	GUARDRAIL ANCHOR UNITS, TYPE B-77	4 EA	1,125.00	4,500.00
0038	3557000000-E	866	ADDITIONAL BARBED WIRE	100 LF	5.00	500.00
0039	3559000000-E	866	** STRAND BARBED WIRE FENCE WITH POSTS (4)	900 LF	4.00	3,600.00
0040	3649000000-E	876	RIP RAP, CLASS B	20 TON	40.00	800.00
0041	3656000000-E	876	FILTER FABRIC FOR DRAINAGE	225 SY	3.00	675.00
0042	4400000000-E	1110	WORK ZONE SIGNS (STATIONARY)	174 SF	5.85	1,017.90
0043	4405000000-E	1110	WORK ZONE SIGNS (PORTABLE)	186 SF	8.35	1,553.10
0044	4410000000-E	1110	WORK ZONE SIGNS (BARRICADE MOUNTED)	56 SF	6.25	350.00
0045	4430000000-N	1130	DRUMS	60 EA	34.00	2,040.00
0046	4435000000-N	1135	CONES	20 EA	16.50	330.00
0047	4445000000-E	1145	BARRICADES (TYPE III)	96 LF	24.10	2,313.60
0048	4450000000-N	1150	FLAGGER	236 HR	15.00	3,540.00
0049	4516000000-N	1180	SKINNY DRUM	10 EA	30.50	305.00
0050	4810000000-E	1205	PAINT PAVEMENT MARKING LINES (4")	21,000 LF	0.18	3,780.00
0051	6000000000-E	1605	TEMPORARY SILT FENCE	930 LF	2.50	2,325.00
0052	6006000000-E	1610	STONE FOR EROSION CONTROL, CLASS A	90 TON	40.00	3,600.00
0053	6009000000-E	1610	STONE FOR EROSION CONTROL, CLASS B	285 TON	40.00	11,400.00
0054	6012000000-E	1610	SEDIMENT CONTROL STONE	240 TON	35.00	8,400.00
0055	6015000000-E	1615	TEMPORARY MULCHING	3 ACR	1,900.00	5,700.00

Contract Item Sheets For C201839

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
0056	6018000000-E	1620	SEED FOR TEMPORARY SEEDING	150 LB	12.00	1,800.00
0057	6021000000-E	1620	FERTILIZER FOR TEMPORARY SEEDING	1.5 TON	4,000.00	6,000.00
0058	6029000000-E	SP	SAFETY FENCE	350 LF	2.00	700.00
0059	6030000000-E	1630	SILT EXCAVATION	540 CY	2.00	1,080.00
0060	6036000000-E	1631	MATTING FOR EROSION CONTROL	850 SY	2.50	2,125.00
0061	6037000000-E	SP	COIR FIBER MAT	10 SY	20.00	200.00
0062	6038000000-E	SP	PERMANENT SOIL REINFORCEMENT MAT	125 SY	10.00	1,250.00
0063	6042000000-E	1632	1/4" HARDWARE CLOTH	515 LF	3.00	1,545.00
0064	6071030000-E	SP	COIR FIBER BAFFLES	25 LF	6.00	150.00
0065	6071050000-E	SP	*** SKIMMER (1-1/2")	1 EA	1,500.00	1,500.00
0066	6084000000-E	1660	SEEDING & MULCHING	4.5 ACR	2,000.00	9,000.00
0067	6087000000-E	1660	MOWING	2.5 ACR	100.00	250.00
0068	6090000000-E	1661	SEED FOR REPAIR SEEDING	50 LB	7.00	350.00
0069	6093000000-E	1661	FERTILIZER FOR REPAIR SEEDING	0.25 TON	4,000.00	1,000.00
0070	6096000000-E	1662	SEED FOR SUPPLEMENTAL SEEDING	100 LB	6.50	650.00
0071	6108000000-E	1665	FERTILIZER TOPDRESSING	3 TON	1,600.00	4,800.00
0072	6114000000-N	SP	SPECIALIZED HAND MOWING	2 HR	75.00	150.00
0073	6117000000-N	SP	RESPONSE FOR EROSION CONTROL	12 EA	250.00	3,000.00
0074	6123000000-E	1670	REFORESTATION	0.3 ACR	1,500.00	450.00

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
0075	8035000000-N	402	REMOVAL OF EXISTING STRUCTURE AT STATION ***** (16 + 65.00-L-)	Lump Sum LS	30,000.00	30,000.00
0076	8121000000-N	412	UNCLASSIFIED STRUCTURE EXCAVA- TION AT STATION ***** (16 + 65.00-L-)	Lump Sum LS	9,100.00	9,100.00
0077	8147000000-E	420	REINFORCED CONCRETE DECK SLAB	3,046 SF	39.00	118,794.00
0078	8161000000-E	420	GROOVING BRIDGE FLOORS	3,067 SF	0.68	2,085.56
0079	8182000000-E	420	CLASS A CONCRETE (BRIDGE)	59.5 CY	1,050.00	62,475.00
0080	8210000000-N	422	BRIDGE APPROACH SLABS, STATION ***** (16 + 65.00-L-)	Lump Sum LS	32,500.00	32,500.00
0081	8217000000-E	425	REINFORCING STEEL (BRIDGE)	9,194 LB	2.00	18,388.00
0082	8280000000-E	440	APPROX LBS STRUCTURAL STEEL	97,900 LS	205,000.00	205,000.00
0083	8364000000-E	450	HP12X53 STEEL PILES	195 LF	95.00	18,525.00
0084	8391000000-N	450	STEEL PILE POINTS	14 EA	250.00	3,500.00
0085	8503000000-E	460	CONCRETE BARRIER RAIL	194.92 LF	123.99	24,168.13
0086	8608000000-E	876	RIP RAP CLASS II (2'-0" THICK)	202 TON	50.00	10,100.00
0087	8622000000-E	876	FILTER FABRIC FOR DRAINAGE	224 SY	4.00	896.00
0088	8657000000-N	430	ELASTOMERIC BEARINGS	Lump Sum LS	8,100.00	8,100.00
0089	8692000000-N	SP	EVAZOTE JOINT SEALS	Lump Sum LS	15,000.00	15,000.00

TOTAL AMOUNT OF BID FOR ENTIRE PROJECT

\$1,228,326.89

Contract Number C201839
County HAYWOOD

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

SUMMERS-TAYLOR, INC.

Print or type full name of Corporation

P. O. BOX 1628, ELIZABETHTON, TN 37644-1628

Address as Prequalified

Attest

Fred Smith
~~Secretary/Assistant Secretary~~

Delete inappropriate title

Fred Smith

Print or type signer's name

By

B. E. Chandler
~~Vice President/President~~

Delete inappropriate title

B. E. Chandler

Print or type signer's name

CORPORATE SEAL

AFFIDAVIT MUST BE NOTARIZED

NOTARY SEAL

Subscribed and sworn to before me this the

17th day of JUNE 2008.

Teddy A. Greene

Signature of Notary Public

of CARTER County

State of TENNESSEE

My Commission Expires: 03/29/2011

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.

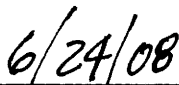
Contract No C201839

County (ies): Haywood

ACCEPTED BY THE
DEPARTMENT OF TRANSPORTATION

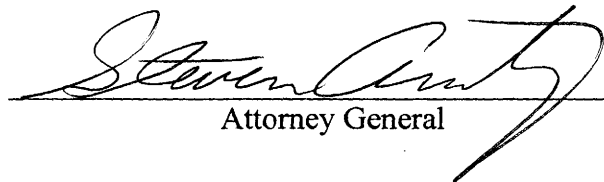


Contract Officer



Date

Execution of Contract and Bonds
Approved as to Form:



Attorney General

Contract No. C201839
County HAYWOOD
BOND NO. 8914577

Rev. 5-13-08

CONTRACT PAYMENT BOND

Date of Payment Bond Execution: JUNE 17, 2008

Name of Principal Contractor: SUMMERS-TAYLOR, INC.

Name of Surety: FIDELITY AND DEPOSIT COMPANY OF MARYLAND

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

Amount of Bond: \$1,228,326.89

Contract ID No.: C201839

County Name(s): HAYWOOD

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. C201839

Rev 02-13-04

County HAYWOOD

BOND NO. 8914577

CONTRACT PAYMENT BOND

Affix Seal of Surety Company

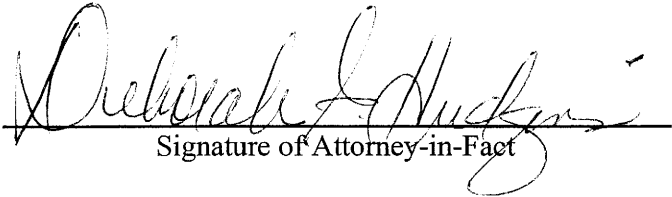
FIDELITY AND DEPOSIT COMPANY OF MARYLAND

Print or type Surety Company Name

DEBORAH S. HUDGINS

By

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



Signature of Attorney-in-Fact



Signature of witness

PAT CRISP

Print or type witness' name

MARSH USA, Inc.
1801 West End Ave. Ste. 1500
Nashville, TN 37203
(615) 340-2400 (P)
(615) 340-2437 (F)

Address of Attorney-in-Fact

Contract No. C201839
County HAYWOOD
BOND NO. 8914577

Rev 02-13-04

CONTRACT PAYMENT BOND
CORPORATION

SIGNATURE OF CONTRACTOR (Principal)

SUMMERS-TAYLOR, INC.

Print or type full name of Corporation


P. O. BOX 1628, ELIZABETHTON, TN 37644-1628

Address as prequalified

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

B. E. Chandler

Print or type signer's name

Attest 
Signature of Secretary, ~~Assistant Secretary~~
Delete inappropriate title

Fred Smith

Print or type signer's name

Affix Corporate Seal



Power of Attorney
FIDELITY AND DEPOSIT COMPANY OF MARYLAND

KNOW ALL MEN BY THESE PRESENTS: That the FIDELITY AND DEPOSIT COMPANY OF MARYLAND, a corporation of the State of Maryland, by THEODORE G. MARTINEZ, Vice President, and GREGORY E. MURRAY, Assistant Secretary, in pursuance of authority granted by Article VI, Section 2, of the By-Laws of said Company, 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 **E. J. PENNISI, JR., Deborah S. HUDGINS, Tim J. BRANDT, John A. GOLEY and Elizabeth A. HARTZBERG, all of Nashville, Tennessee, EACH** as 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 Company, 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 E. J. PENNISI, JR., Deborah S. HUDGINS, Tim J. BRANDT, John A. GOLEY, dated September 14, 2005.

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 Company, and is now in force.

IN WITNESS WHEREOF, the said Vice-President and Assistant Secretary have hereunto subscribed their names and affixed the Corporate Seal of the said FIDELITY AND DEPOSIT COMPANY OF MARYLAND, this 4th day of May, A.D. 2007.

ATTEST:

FIDELITY AND DEPOSIT COMPANY OF MARYLAND



Gregory E. Murray

Theodore G. Martinez

By:

Gregory E. Murray Assistant Secretary

Theodore G. Martinez

State of Maryland }
City of Baltimore } ss:

On this 4th day of May, A.D. 2007, before the subscriber, a Notary Public of the State of Maryland, duly commissioned and qualified, came THEODORE G. MARTINEZ, Vice President, and GREGORY E. MURRAY, Assistant Secretary of the FIDELITY AND DEPOSIT COMPANY OF MARYLAND, 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 depose and saith, that they are the said officers of the Company aforesaid, and that the seal affixed to the preceding instrument is the Corporate Seal of said Company, and that the said Corporate Seal and their signatures as such officers were duly affixed and subscribed to the said instrument by the authority and direction of the said Corporation.

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



Constance A. Dunn

Constance A. Dunn

Notary Public

My Commission Expires: July 14, 2011

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, undertakings, 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

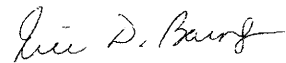
I, the undersigned, Assistant Secretary of the FIDELITY AND DEPOSIT COMPANY OF MARYLAND, do hereby certify that the foregoing Power of Attorney is still in full force and effect on the date of this certificate; and I do further certify that the Vice-President who executed the said Power of Attorney was 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 By-Laws of the FIDELITY AND DEPOSIT COMPANY OF MARYLAND.

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.

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 seal of the said Company,

this 17th day of JUNE, 2008.



Assistant Secretary

Contract No. C201839
County HAYWOOD
BOND NO. 8914577

Rev. 5-13-08

CONTRACT PERFORMANCE BOND

Date of Contract Bond Execution JUNE 17, 2008

Name of Principal Contractor: SUMMERS-TAYLOR, INC.

Name of Surety: FIDELITY AND DEPOSIT COMPANY OF MARYLAND

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

Amount of Bond: \$1,228,326.89

Contract ID No.: C201839

County Name(s): HAYWOOD

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 Number C201839

County HAYWOOD

BOND NO. 8914577

Rev 02-13-04

CONTRACT PERFORMANCE BOND

Affix Seal of Surety Company

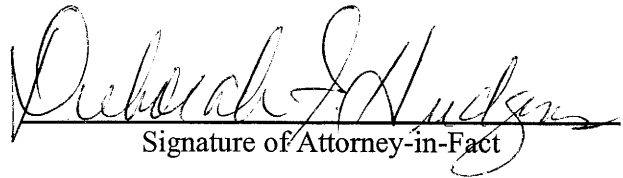
FIDELITY AND DEPOSIT COMPANY OF MARYLAND

Print or type Surety Company Name

By DEBORAH S. HUDGINS

Attorney-in-Fact

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



Signature of Attorney-in-Fact



Signature of witness

Signature of witness

PAT CRISP

Print or type witness' name

MARSH USA, Inc.
1801 West End Ave. Ste. 1500
Nashville, TN 37203
(615) 340-2400 (P)
(615) 340-2437 (F)

Address of Attorney-in-Fact

Contract Number C201830
County HAYWOOD
BOND NO. 8014577

Rev 02-13-04

CONTRACT PERFORMANCE BOND
CORPORATION

SIGNATURE OF CONTRACTOR (Principal)

SUMMERS-TAYLOR, INC.

Print full name of Corporation

P. O. BOX 1628, ELIZABETHTON, TN 37644-1628

Address as prequalified

By



Signature of ~~President~~, Vice President, ~~Assistant Secretary~~

Delete inappropriate title

B. E. Chandler

Print or type signer's name

Attest



Signature of Secretary, ~~Assistant Secretary~~

Delete inappropriate title

Fred Smith

Print or type signer's name

Affix Corporate Seal



Power of Attorney
FIDELITY AND DEPOSIT COMPANY OF MARYLAND

KNOW ALL MEN BY THESE PRESENTS: That the FIDELITY AND DEPOSIT COMPANY OF MARYLAND, a corporation of the State of Maryland, by THEODORE G. MARTINEZ, Vice President, and GREGORY E. MURRAY, Assistant Secretary, in pursuance of authority granted by Article VI, Section 2, of the By-Laws of said Company, 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 **E. J. PENNISI, JR., Deborah S. HUDGINS, Tim J. BRANDT, John A. GOLEY and Elizabeth A. HARTZBERG, all of Nashville, Tennessee, EACH** as 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 Company, 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 E. J. PENNISI, JR., Deborah S. HUDGINS, Tim J. BRANDT, John A. GOLEY, dated September 14, 2005.

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 Company, and is now in force.

IN WITNESS WHEREOF, the said Vice-President and Assistant Secretary have hereunto subscribed their names and affixed the Corporate Seal of the said FIDELITY AND DEPOSIT COMPANY OF MARYLAND, this 4th day of May, A.D. 2007.

ATTEST:

FIDELITY AND DEPOSIT COMPANY OF MARYLAND



Gregory E. Murray

Theodore G. Martinez

By:

Gregory E. Murray Assistant Secretary

Theodore G. Martinez

State of Maryland }
City of Baltimore } ss:

On this 4th day of May, A.D. 2007, before the subscriber, a Notary Public of the State of Maryland, duly commissioned and qualified, came THEODORE G. MARTINEZ, Vice President, and GREGORY E. MURRAY, Assistant Secretary of the FIDELITY AND DEPOSIT COMPANY OF MARYLAND, 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 depose and saith, that they are the said officers of the Company aforesaid, and that the seal affixed to the preceding instrument is the Corporate Seal of said Company, and that the said Corporate Seal and their signatures as such officers were duly affixed and subscribed to the said instrument by the authority and direction of the said Corporation.

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



Constance A. Dunn

Constance A. Dunn

Notary Public

My Commission Expires: July 14, 2011

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, undertakings, recognizances, stipulations, policies, contracts, agreements, deeds, and releases and assignments of judgments, decrees, mortgages and instruments in the nature of mortgages,....and to affix the seal of the Company thereto.”

CERTIFICATE

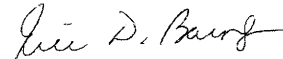
I, the undersigned, Assistant Secretary of the FIDELITY AND DEPOSIT COMPANY OF MARYLAND, do hereby certify that the foregoing Power of Attorney is still in full force and effect on the date of this certificate; and I do further certify that the Vice-President who executed the said Power of Attorney was 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 By-Laws of the FIDELITY AND DEPOSIT COMPANY OF MARYLAND.

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.

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 seal of the said Company,

this 17th day of JUNE, 2008.



Assistant Secretary

