### C202060

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

# CONTRACT AND CONTRACT BONDS

FOR CONTRACT NO. C202060

WBS

14C.045116 STATE FUNDED

**COUNTY OF** 

**HENDERSON** 

THIS IS THE

**ROADWAY CONTRACT** 

ROUTE NUMBER

SR 1171

LENGTH

2.438 MILES

LOCATION

SR-1171 (CUMMINGS RD) FROM SR-1210 (BIG WILLOW RD) TO US-64

(BREVARD RD).

CONTRACTOR

TENNOCA CONSTRUCTION CO., INC.

**ADDRESS** 

P.O. BOX 2379

CANDLER, NC 287152379

BIDS OPENED

JULY 15, 2008

CONTRACT EXECUTION \_\_\_\_

AUG 2 5 2008

NCDOT/berc

Vendor 3181's Bid Information for Call 036, Letting L080715, 2008-07-15

### Tennoca Construction Company (3181).

### Vendor 1 of 3 Vendors for Call Order 036 (Proposal ID C202060).

County: HENDERSON

Address: 1575 Smokey Park Highway

PO Box 2379

Candler, NC 28715

Phone Number: 8286658331

Signature Check: This bid has been properly signed by Bradley\_Valdo\_Goodson\_3181.

Time Bid Received: Tue Jul 15 13:58:47 2008

Bid Checksum: 44EA1BF1

Amendment Count: 0

Bidding Errors: No bidding errors. Bid Total: \$3,908,989.90

Bond ID: SNC08326864

Bond was Verified: Yes. Bond Required Percent: 5.00% Minimum Check Amount: \$195,449.50

Bid Security Maximum: \$

Bond Agency Name:

Agency Execution Date: 7/15/08

Surety Name: Morrow Insurance Agency

Surety State of Incorporation:

Bond Company: Bond Type:

Bond Appr Flag:

Bond Affirm:

Bond was Paid by Check: No.

MBE GOAL SET-3.0 %
WBE GOAL SET-5.0 %

MBE GOAL MET - 3.1% WBE GOAL MET - 6.2%

LIST OF MBE PARTICIPANTS

VENDOR DBE NAME NUMBER ADDRESS WORK CERT

TYPE AMOUNT CODE TYPE OF WORK

12392 HAMILTON HAULING LLC Sub 120,000.00

12 BARCLAY RD. , CANDLER, NC 28715

TOTAL: \$120,000.00

3.07%

LIST OF WBE PARTICIPANTS

VENDOR DBE NAME WORK CERT

NUMBER ADDRESS CODE TYPE OF WORK TYPE AMOUNT \_\_\_\_\_\_

4898 BULLINGTON CONSTRUCTION INC Sub 194,135.00

417 FOXGLOVE LANE , INDIAN TRAIL, NC 28079 SUPERIOR SEEDING, INC. Sub 49,875.00

POST OFFICE BOX 12642 , GASTONIA, NC 280520010

TOTAL: \$244,010.00

6.24%

Miscelleneous Data Info - Contractor Responses: \_\_\_\_\_\_

#### NON-COLLUSION AND DEBARMENT CERTIFICATION

Explanation of the prospective bidder that is unable to certify to any of the statements in this certification:

Explanation:

NOT ANSWERED

NOT ANSWERED

NOT ANSWERED

NOT ANSWERED

### AWARD LIMITS ON MULTIPLE PROJECTS

By answering YES to this statement, the bidder acknowleges 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

NCDOT/berc

Vendor 3181's Load Output for Call 036, Letting L080715, 2008-07-15

Bid Bond Data Info - Contractor Responses:

\_\_\_\_\_\_

BondID: SNC08326864

Surety Registry Agency: surety2000

Verified?: Yes

Surety Agency: Morrow Insurance Agency
Bond Execution Date: 7/15/08

Bond Amount: \$195,449.50 (Five Percent of Bid)

Dept of Transportation

Contract ID: C202060 Project(s): STATE FUNDED
Letting Date: 07-15-08 Call Order: 036
Bidder: 3181 - Tennoca Construction Company

Bidder: 3161 - Tellinoca Constituction Company								
Line		Approx. Quantity	Unit Price	Bid Amount				
NO.	Description	and Units	Dollars   Cts	Dollars  Ct				
Section	on 0001 ROADWAY ITEM	S						
0001	0000100000-N MOBILIZATIO	LUMP	LUMP	190,000.00				
0002	0050000000-E SUPPLEMENTA RY CLEARING & GRUB-BING	1.000 ACR	1.00000	1.00				
0003	0063000000-N GRADING	LUMP	LUMP	500,000.00				
0004	0106000000-E BORROW EXCAVATION	43,800.000 CY	9.90000	433,620.00				
0005	0134000000-E DRAINAGE DITCH EXCAVATION	360.000 CY	3.00000	1,080.00				
0006	0241000000-E GENERIC GRADING ITEM ROCK PLATING	3,500.000 SY	47.00000	164,500.00				
0007	0318000000-E FOUNDATION CONDITIONING MATE- RIAL, MINOR STRS	940.000 TON	38.00000	35,720.00				
0008	0343000000-E 15" SIDE DRAIN PIPE	112.000 LF	33.00000	3,696.00				
0009	0344000000-E 18" SIDE DRAIN PIPE	92.000 LF	35.00000	3,220.00				
0010	0345000000-E 24" SIDE DRAIN PIPE	48.000 LF	39.00000	1,872.00				
0011	0372000000-E 18" RC PIPE CULVERTS, CLASS III	538.000 LF	48.00000	25,824.00				
T	·		· · <del></del>					

Check: 44EA1BF1 Page 1

Date: 06-17-08

Revised:

ettir	Dept act ID: C202060 ng Date: 07-15-08 Call Or r: 3181 - Tennoca Construc	of T	036	n Rev STATE FUNDED	Date: 06-17-08 vised:
Line No.	Item		Approx. Quantity and Units	Unit Price Dollars   Cts	Bid Amount Dollars  Ct
0012	0378000000-E 24" RC PIPE CULVERTS, CLASS III	LF	208.000	62.00000	12,896.00
0013	0384000000-E 30" RC PIPE CULVERTS, CLASS III	LF	388.000	110.00000	42,680.00
0014	0390000000-E 36" RC PIPE CULVERTS, CLASS III	LF	208.000	180.00000	37,440.00
0015	0408000000-E 54" RC PIPE CULVERTS, CLASS III	LF	72.000	225.00000	16,200.00
0016	0414000000-E 60" RC PIPE CULVERTS, CLASS III	LF	220.000	275.00000	60,500.00
0017	0426000000-E 72" RC PIPE CULVERTS, CLASS III	LF	104.000	375.00000	39,000.00
	0570000000-E 6" CS PIPE CULVERTS, 0.064" THICK (SPRING BOX)	LF	104.000	20.00000	2,080.00
0019	0708000000-E 15" BIT COAT CS PIPE CULVERTS, TYPE B 0.064" THICK	LF	24.000	40.00000	960.00
0020	0720000000-E 24" BIT COAT CS PIPE CULVERTS, TYPE B 0.064" THICK	  LF	72.000	62.00000	4,464.00
0021	0726000000-E 30" BIT COAT CS PIPE CULVERTS, TYPE B 0.079" THICK	LF	8.000	110.00000	880.00
0022	0995000000-E PIPE REMOVAL	LF	512.000	2.00000	1,024.00
0023	1121000000-E AGGREGATE BASE COURSE	TON	10,900.000	22.00000	239,800.00

Check: 44EA1BF1 Page 2

Dept of Transportation

Contract ID: C202060 Project(s): STATE FUNDED

Letting Date: 07-15-08 Call Order: 036

Bidder: 3181 - Tennoca Construction Company

Line		Approx.	Unit Price	Bid Amount
No.	Description	Quantity and Units	Dollars   Cts	Dollars  Ct
0024	1220000000-E INCIDENTAL  STONE BASE	200.000 TON	24.00000	4,800.00
0025	1489000000-E ASPHALT  CONC BASE COURSE, TYPE  B25.0B	2,700.000 TON	62.00000	167,400.00
	1498000000-E ASPHALT  CONC INTERMEDIATE  COURSE, TYPE I19.0B	7,300.000	57.00000	416,100.00
0027	1519000000-E ASPHALT CONC SURFACE COURSE, TYPE S9.5B	3,700.000 TON	52.00000	192,400.00
0028	1560000000-E ASPHALT BINDER FOR PLANT MIX, GRADE PG 64-22	685.000 TON	696.00000	476,760.00
0029	2209000000-E ENDWALLS	18.000 CY	1,100.00000	19,800.00
0030	2220000000-E REINFORCED ENDWALLS	27.000 CY	1,800.00000	48,600.00
0031	2286000000-N MASONRY DRAINAGE STRUCTURES	6.000 EA	1,250.00000	7,500.00
0032	2308000000-E MASONRY DRAINAGE STRUCTURES	8.700 LF	150.00000	1,305.00
0033	2366000000-N FRAME WITH TWO GRATES, STD 840.24	2.000 EA	325.00000	650.00
0034	2396000000-N FRAME WITH COVER, STD 840.54	1.000 EA	250.00000	250.00
0035	2549000000-E 2'-6" CONCRETE CURB & GUTTER	405.000 LF	28.00000	11,340.00

Check: 44EA1BF1 Page 3

Date: 06-17-08

Revised:

State of NC
Dept of Transportation

Contract ID: C202060 Project(s): STATE FUNDED

Letting Date: 07-15-08 Call Order: 036

Bidder: 3181 - Tennoca Construction Company

Line			Approx. Quantity	Unit Price	Bid Amount
NO.	Description		and Units	Dollars   Cts	Dollars  Ct
0036	2845000000-N ADJUSTMENT OF METER BOXES OR VALVE BOXES	EA	3.000	350.00000	1,050.00
0037	3030000000-E STEEL BM GUARDRAIL	LF	9,312.500	17.00000	158,312.50
0038	3045000000-E STEEL BM GUARDRAIL, SHOP CURVED	LF	65.000	19.00000	1,235.00
0039	3150000000-N ADDITIONAL GUARDRAIL POSTS	EA	10.000	30.00000	300.00
0040	3270000000-N GUARDRAIL ANCHOR UNITS, TYPE 350	EA	19.000	1,900.00000	36,100.00
0041	3360000000-E REMOVE EXISTING GUARDRAIL	LF	50.000	1.00000	50.00
0042	3628000000-E RIP RAP, CLASS I	TON	100.000	40.00000	4,000.00
0043	3635000000-E RIP RAP, CLASS II	TON	150.000	40.00000	6,000.00
0044	3649000000-E RIP RAP, CLASS B	TON	40.000	40.00000	1,600.00
0045	3656000000-E FILTER FABRIC FOR DRAINAGE	SY	1,530.000	3.00000	4,590.00
0046	4400000000-E WORK ZONE SIGNS (STATIONARY)	SF	1,568.000	7.00000	10,976.00
0047	4405000000-E WORK ZONE SIGNS (PORTABLE)	SF	160.000	10.00000	1,600.00

Date: 06-17-08

Revised:

Dept of Transportation
Project(s): STATE FUNDED Revised:

Contract ID: C202060 Project Letting Date: 07-15-08 Call Order: 036
Bidder: 3181 - Tennoca Construction Company

Line No.	Item Description		Approx. Quantity and Units	Unit Price	Bid Amount       Dollars   Ct
	4410000000-E WORK ZONE  SIGNS (BARRICADE  MOUNTED)	SF	194.000	7.00000	:
0049	443000000-N DRUMS	EA	25.000	34.00000	850.00
0050	4435000000-N CONES	EA	80.000	14.00000	1,120.00
0051	4445000000-E BARRICADES (TYPE III)	LF	128.000	25.00000	3,200.00
0052	4450000000-N FLAGGER	HR	460.000	13.90000	6,394.00
	4507000000-E WATER FILLED BARRIER	LF	300.000	55.00000	16,500.00
0054	4685000000-E THERMOPLAST IC PAVEMENT MARKINGLINES (4", 90 MILS)	LF	25,938.000	0.44000	11,412.72
	4686000000-E THERMOPLAST IC PAVEMENT MARKING LINES (4", 120 MILS)	LF	25,380.000	0.48000	12,182.40
1 1	4710000000-E THERMOPLAST IC PAVEMENT MARKINGLINES (24", 120 MILS)	LF	150.000	12.00000	1,800.00
	4725000000-E THERMOPLAST IC PAVEMENT MARKINGSYMBOL (90 MILS)	EA	2.000	100.00000	200.00
	4810000000-E PAINT PAVEMENT MARKING LINES (4")	LF	116,849.000	0.22000	25,706.78
0059	4835000000-E PAINT PAVEMENT MARKING LINES (24")	LF	348.000	6.00000	2,088.00

Check: 44EA1BF1 Page 5

Date: 06-17-08

Revised:

Date: 06-17-08

Contract ID: C202060 Project
Letting Date: 07-15-08 Call Order: 036
Bidder: 3181 - Tennoca Construction Company

Line			Approx. Quantity	Unit Price	Bid Amount	
NO.	bescription		and Units	Dollars   Cts	Dollars  Ct	
0060	4845000000-N PAINT PAVEMENT MARKING SYMBOL	EA	4.000	40.00000	160.00	
0061	4905000000-N SNOWPLOWABL E PAVEMENT MARKERS	EA	224.000	35.00000	7,840.00	
0062	6000000000-E TEMPORARY  SILT FENCE	LF	11,695.000	3.00000	35,085.00	
0063	6006000000-E STONE FOR  EROSION CONTROL, CLASS  A	TON	280.000	40.00000	11,200.00	
0064	6009000000-E STONE FOR EROSION CONTROL, CLASS B	TON	2,065.000	40.00000	82,600.00	
0065	6012000000-E SEDIMENT CONTROL STONE	TON	1,300.000	40.00000	52,000.00	
0066	6015000000-E TEMPORARY  MULCHING	ACR	23.500	1,300.00000	30,550.00	
0067	6018000000-E SEED FOR  TEMPORARY SEEDING	LB	850.000	8.00000	6,800.00	
0068	6021000000-E FERTILIZER FOR TEMPORARY SEED-ING	TON	3.500	2,500.00000	8,750.00	
0069	6024000000-E TEMPORARY SLOPE DRAINS	LF	215.000	20.00000	4,300.00	
0070	6027000000-N INLET PROTECTION AT TEMPORARY SLOPE DRAINS	EA	13.000	126.00000	1,638.00	
0071	6029000000-E SAFETY FENCE	LF	980.000	5.00000	4,900.00	

Dept of Transportation
Project(s): STATE FUNDED

Contract ID: C202060 Project Cletting Date: 07-15-08 Call Order: 036
Bidder: 3181 - Tennoca Construction Company

Line	Item Description	<b>-</b> -	Approx. Quantity	Unit Price	Bid Amount
			and Units	Dollars   Cts	Dollars  Ct
0072	603000000-E SILT EXCAVATION		3,725.000	3.00000	11,175.00
0073	6036000000-E MATTING FOR EROSION CONTROL	SY	12,360.000	2.00000	24,720.00
0074	6037000000-E COIR FIBER MAT	SY	540.000	7.00000	3,780.00
0075	6038000000-E PERMANENT SOIL REINFORCEMENT MAT	sy	390.000	7.00000	2,730.00
0076	6042000000-E 1/4" HARDWARE CLOTH	LF	810.000	4.00000	3,240.00
0077	6045000000-E **" TEMPORARY PIPE (15")	LF	205.000	22.00000	4,510.00
0078	6070000000-N SPECIAL STILLING BASINS	EA	14.000	375.00000	5,250.00
0079	6071030000-E COIR FIBER BAFFLES	LF	90.000	9.00000	810.00
0080	6084000000-E SEEDING & MULCHING	ACR	25.000	2,100.00000	52,500.00
0081	6087000000-E MOWING	ACR	14.000	100.00000	1,400.00
0082	6090000000-E SEED FOR REPAIR SEEDING	LB	200.000	12.00000	2,400.00
0083	6093000000-E FERTILIZER FOR REPAIR SEEDING	TON	0.500	4,600.00000	2,300.00

Date: 06-17-08

Revised:

State of NC Dept of Transportation

Contract ID: C202060 Project(s): STATE FUNDED
Letting Date: 07-15-08 Call Order: 036
Bidder: 3181 - Tennoca Construction Company

Line	Item   Description	Approx.	Unit Pr	rice   Bid Amount	+ t
NO.	Description	and Units	Dollars	Cts   Dollars	Ct
0084	6096000000-E SEED FOR SUPPLEMENTAL SEEDING	550 LB	7.	00000 3,850	.00
0085	6108000000-E FERTILIZER TOPDRESSING	18 TON	750 1,200.	00000 22,500	.00
0086	6111000000-E IMPERVIOUS DIKE	1,130 LF	34.	15000 38,589	.50
0087	6114000000-N SPECIALIZED HAND MOWING	19 HR	000 75.	00000 1,425	.00
0088	6117000000-N RESPONSE FOR EROSION CONTROL	24. EA	000 300.	00000 7,200	.00
0089	6120000000-E CULVERT DIVERSION CHANNEL	90. CY	000 20.	00000 1,800	.00
+	Section 0001 Total			3,908,989	.90
+	Bid Total			3,908,989	.90

Date: 06-17-08

Revised:

#### 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:

- 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 acknowleges 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:

 ${\tt X}$  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 DATE: 06-17-08

PAGE: 12 MBE COMMITMENT ITEMS

PROPOSAL: C202060

LETTING: L080715 CALL: 036

VENDOR: 3181 Tennoca Construction Company

\_\_\_\_\_\_

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

MBE SUBCONTRACTOR: 12392 HAMILTON HAULING LLC

Will Use Quote: Yes

1.000 120000.00000 120000.00 0004 0106000000-E BORROW EXCAV CY

MBE COMMITMENT TOTAL FOR SUBCONTRACTOR: 120,000.00 120,000.00 MBE COMMITMENT TOTAL FOR VENDOR (SubContractor )

3.07% or 120000.00 3.00% or 117269.70 Entered: 3.07% or TOTAL MBE COMMITMENT FOR VENDOR: Required:

<GOAL MET>

### NORTH CAROLINA STATE DEPARTMENT OF TRANSPORTATION WBE COMMITMENT ITEMS

DATE:06-17-08 PAGE: 13

PROPOSAL: C202060 LETTING: L080715 CALL: 036 VENDOR: 3181 Tennoca Construction Company

LINE ITEM	ITEM		BCONTRACTOR			TENDED
NO. NO.	DESC.	TYPE QUA	ANTITY	UNIT PRICE	AM	OUNT
WBE SUBCONTRACTOR:	4898 BULLING	TON CONS	RUCTION INC			
Will Use Quote: Ye	:s					
0037 3030000000-E	STL BM GUARD	LF	9312.500	16.80	000 1	56450.00
0038 3045000000-E			65.000			
		EA	10.000	30.00	000	300.00
0039 3150000000-N 0040 3270000000-N	GR ANCHOR TY	EA	19.000	1900.00	000	36100.00
0041 3360000000-E			50.000		000	
	INT TOTAL FOR					35.00
	INT TOTAL FOR	-		<b>(</b> )	1	94,135.00
WBE SUBCONTRACTOR:		R SEEDING	∃, INC.			
Will Use Quote: Ye	es					
0080 6084000000-E	SEEDING AND	ACR	25.000	1995.00	000	49875.00
0080 6084000000-E	SEEDING AND	ACR	25.000	1995.00	000	49875.00
	SEEDING AND			1995.00	000  49,87	
WBE COMMITME		SUBCONTRA	ACTOR:		 49,87	
WBE COMMITME	INT TOTAL FOR	SUBCONTRA VENDOR (S	ACTOR: SubContractor	c )	49,87 4	5.00
WBE COMMITME	INT TOTAL FOR	SUBCONTRA VENDOR (S	ACTOR: SubContractor Entered:	6.24%	49,87 4	5.00 9,875.00 44010.00
WBE COMMITME	INT TOTAL FOR	SUBCONTRA VENDOR (S	ACTOR: SubContractor Entered:	c )	49,87 4	5.00 9,875.00 44010.00 95449.50

### North Carolina Department Of Transportation

Page: 1 of 5

_			Contract Item Sheets For C20	1 ago . 1 0, 0		
Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
			ROADWAY ITEMS			-
0001	0000100000-N	800	MOBILIZATION	Lump Sum LS	190,000.00	190,000.00
0002	0050000000-E	226	SUPPLEMENTARY CLEARING & GRUB- BING	1 ACR	1.00	1.00
0003	0063000000-N	SP	GRADING	Lump Sum LS	500,000.00	500,000.00
0004	0106000000-E	230	BORROW EXCAVATION	43,800 CY	9.90	433,620.00
0005	0134000000-E	240	DRAINAGE DITCH EXCAVATION	360 CY	3.00	1,080.00
0006	0241000000-E	SP	GENERIC GRADING ITEM ROCK PLATING	3,500 SY	47.00	164,500.00
0007	0318000000-E	300	FOUNDATION CONDITIONING MATE- RIAL, MINOR STRS	940 TON	38.00	35,720.00
8000	0343000000-E	310	15" SIDE DRAIN PIPE	112 LF	33.00	3,696.00
0009	0344000000-E	310	18" SIDE DRAIN PIPE	92 LF	35.00	3,220.00
0010	0345000000-E	310	24" SIDE DRAIN PIPE	48 LF	39.00	1,872.00
0011	0372000000-E	310	18" RC PIPE CULVERTS, CLASS III	538 LF	48.00	25,824.00
0012	0378000000-E	310	24" RC PIPE CULVERTS, CLASS	208 ĹF	62.00	12,896.00
0013	0384000000-E	310	30" RC PIPE CULVERTS, CLASS	388 LF	110.00	42,680.00
0014	0390000000-E	310	36" RC PIPE CULVERTS, CLASS	208 LF	180.00	37,440.00
0015	0408000000-E	310	54" RC PIPE CULVERTS, CLASS III	72 LF	225.00	16,200.00
0016	0414000000-E	310	60" RC PIPE CULVERTS, CLASS	220 LF	275.00	60,500.00
0017	0426000000-E	310	72" RC PIPE CULVERTS, CLASS	104 LF	375.00	39,000.00
0018	0570000000-E	310	6" CS PIPE CULVERTS, 0.064" THICK (SPRING BOX)	104 LF	20.00	2,080.00

## North Carolina Department Of Transportation Contract Item Sheets For C202060

Page: 2 of 5

	Contract Item Sheets For C202060								
Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid			
0019	0708000000-E	310	15" BIT COAT CS PIPE CULVERTS, TYPE B 0.064" THICK	24 LF	40.00	960.00			
0020	0720000000-E	310	24" BIT COAT CS PIPE CULVERTS, TYPE B 0.064" THICK	72 LF	62.00	4,464.00			
0021	0726000000-E	310	30" BIT COAT CS PIPE CULVERTS, TYPE B 0.079" THICK	8 LF	110.00	880.00			
0022	0995000000-E	340	PIPE REMOVAL	512 LF	2.00	1,024.00			
0023	1121000000-E	520	AGGREGATE BASE COURSE	10,900 TON	22.00	239,800.00			
0024	1220000000-E	545	INCIDENTAL STONE BASE	200 TON	24.00	4,800.00			
0025	1489000000-E	610	ASPHALT CONC BASE COURSE, TYPE B25.0B	2,700 TON	62.00	167,400.00			
0026	1498000000-E	610	ASPHALT CONC INTERMEDIATE COURSE, TYPE I19.0B	7,300 TON	57.00	416,100.00			
0027	1519000000-E	610	ASPHALT CONC SURFACE COURSE, TYPE S9.5B	3,700 TON	52.00	192,400.00			
0028	1560000000-E	620	ASPHALT BINDER FOR PLANT MIX, GRADE PG 64-22	685 TON	696.00	476,760.00			
0029	2209000000-E	838	ENDWALLS	18 CY	1,100.00	19,800.00			
0030	2220000000-E	838	REINFORCED ENDWALLS	27 CY	1,800.00	48,600.00			
0031	2286000000-N	840	MASONRY DRAINAGE STRUCTURES	6 EA	1,250.00	7,500.00			
0032	2308000000-E	840	MASONRY DRAINAGE STRUCTURES	8.7 LF	150.00	1,305.00			
0033	2366000000-N	840	FRAME WITH TWO GRATES, STD 840.24	2 EA	325.00	650.00			
0034	2396000000-N	840	FRAME WITH COVER, STD 840.54	1 EA	250.00	250.00			
0035	2549000000-E	846	2'-6" CONCRETE CURB & GUTTER	405 LF	28.00	11,340.00			
0036	2845000000-N	858	ADJUSTMENT OF METER BOXES OR VALVE BOXES	3 EA	350.00	1,050.00			
0037	3030000000-E	862	STEEL BM GUARDRAIL	9,312.5 LF	17.00	158,312.50			

### North Carolina Department Of Transportation

Page: 3 of 5

			Contract Item Sheets For C20			
Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
0038	3045000000-E	862	STEEL BM GUARDRAIL, SHOP CURVED	65 LF	19.00	1,235.00
0039	3150000000-N	862	ADDITIONAL GUARDRAIL POSTS	10 EA	30.00	300.00
0040	3270000000-N	SP	GUARDRAIL ANCHOR UNITS, TYPE 350	19 EA	1,900.00	36,100.00
0041	3360000000-E	863	REMOVE EXISTING GUARDRAIL	50 LF	1.00	50.00
0042	3628000000-E	876	RIP RAP, CLASS I	100 TON	40.00	4,000.00
0043	3635000000-E	876	RIP RAP, CLASS II	150 TON	40.00	6,000.00
0044	3649000000-E	876	RIP RAP, CLASS B	40 TON	40.00	1,600.00
0045	3656000000-E	876	FILTER FABRIC FOR DRAINAGE	1,530 SY	3.00	4,590.00
0046	440000000-E	1110	WORK ZONE SIGNS (STATIONARY)	1,568 SF	7.00	10,976.00
0047	4405000000-E	1110	WORK ZONE SIGNS (PORTABLE)	160 SF	10.00	1,600.00
0048	4410000000-E	1110	WORK ZONE SIGNS (BARRICADE MOUNTED)	194 SF	7.00	1,358.00
0049	443000000-N	1130	DRUMS	25 EA	34.00	850.00
0050	4435000000-N	1135	CONES	80 EA	14.00	1,120.00
0051	4445000000-E	1145	BARRICADES (TYPE III)	128 LF	25.00	3,200.00
0052	4450000000-N	1150	FLAGGER	460 HR	13.90	6,394.00
0053	4507000000-E	SP	WATER FILLED BARRIER	300 LF	55.00	16,500.00
0054	4685000000-E	1205	THERMOPLASTIC PAVEMENT MARKING LINES (4", 90 MILS)	25,938 LF	0.44	11,412.72
0055	4686000000-E	1205	THERMOPLASTIC PAVEMENT MARKING LINES (4", 120 MILS)	25,380 LF	0.48	12,182.40
0056	4710000000-E	1205	THERMOPLASTIC PAVEMENT MARKING LINES (24", 120 MILS)	150 LF	12.00	1,800.00

### North Carolina Department Of Transportation

Page: 4 of 5

			Contract Item Sheets For C202060					
Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount		
0057	4725000000-E	1205	THERMOPLASTIC PAVEMENT MARKING SYMBOL (90 MILS)	2 EA	100.00	200.00		
0058	4810000000-E	1205	PAINT PAVEMENT MARKING LINES (4")	116,849 LF	0.22	25,706.78		
0059	4835000000-E	1205	PAINT PAVEMENT MARKING LINES (24")	348 LF	6.00	2,088.00		
0060	4845000000-N	1205	PAINT PAVEMENT MARKING SYMBOL	4 EA	40.00	160.00		
0061	4905000000-N	1253	SNOWPLOWABLE PAVEMENT MARKERS	224 EA	35.00	7,840.00		
0062	600000000-E	1605	TEMPORARY SILT FENCE	11,695 LF	3.00	35,085.00		
0063	6006000000-E	1610	STONE FOR EROSION CONTROL, CLASS A	280 TON	40.00	11,200.00		
0064	6009000000-E	1610	STONE FOR EROSION CONTROL, CLASS B	2,065 TON	40.00	82,600.00		
0065	6012000000-E	1610	SEDIMENT CONTROL STONE	1,300 TON	40.00	52,000.00		
0066	6015000000-E	1615	TEMPORARY MULCHING	23.5 ACR	1,300.00	30,550.00		
0067	6018000000-E	1620	SEED FOR TEMPORARY SEEDING	850 LB	8.00	6,800.00		
0068	6021000000-E	1620	FERTILIZER FOR TEMPORARY SEED- ING	3.5 TON	2,500.00	8,750.00		
0069	6024000000-E	1622	TEMPORARY SLOPE DRAINS	215 LF	20.00	4,300.00		
0070	6027000000-N	1622	INLET PROTECTION AT TEMPORARY SLOPE DRAINS	13 EA	126.00	1,638.00		
0071	6029000000-E	SP	SAFETY FENCE	980 LF	5.00	4,900.00		
0072	603000000-E	1630	SILT EXCAVATION	3,725 CY	3.00	11,175.00		
073	6036000000-E	1631	MATTING FOR EROSION CONTROL	12,360 SY	2.00	24,720.00		
074	6037000000-E	SP	COIR FIBER MAT	540 SY	7.00	3,780.00		
075	6038000000-E	SP	PERMANENT SOIL REINFORCEMENT MAT	390 SY	7.00	2,730.00		

### North Carolina Department Of Transportation Contract Item Sheets For C202060

Contract Item Sheets For C202060  Line ItemNumber Sec Description Quantity Unit Bid						
#		#		Unit	Price	Amount Bid
0076	6042000000-E	1632	1/4" HARDWARE CLOTH	810 LF	4.00	3,240.00
0077	6045000000-E	SP	**" TEMPORARY PIPE (15")	205 LF	22.00	4,510.00
0078	6070000000-N	SP	SPECIAL STILLING BASINS	14 EA	375.00	5,250.00
0079	6071030000-E	SP	COIR FIBER BAFFLES	90 LF	9.00	810.00
0080	6084000000-E	1660	SEEDING & MULCHING	25 ACR	2,100.00	52,500.00
0081	6087000000-E	1660	MOWING	14 ACR	100.00	1,400.00
0082	609000000-E	1661	SEED FOR REPAIR SEEDING	200 LB	12.00	2,400.00
0083	6093000000-E	1661	FERTILIZER FOR REPAIR SEEDING	0.5 TON	4,600.00	2,300.00
0084	6096000000-E	1662	SEED FOR SUPPLEMENTAL SEEDING	550 LB	7.00	3,850.00
0085	6108000000-E	1665	FERTILIZER TOPDRESSING	18.75 TON	1,200.00	22,500.00
0086	6111000000-E	SP	IMPERVIOUS DIKE	1,130 LF	34.15	38,589.50
0087	6114000000-N	SP	SPECIALIZED HAND MOWING	19 HR	75.00	1,425.00
0088	6117000000-N	SP	RESPONSE FOR EROSION CONTROL	24 EA	300.00	7,200.00

TOTAL AMOUNT OF BID FOR ENTIRE PROJECT

90

CY

20.00

**CULVERT DIVERSION CHANNEL** 

\$3,908,989.90 🖋

1,800.00

Page: 5 of 5

0745/Aug08/Q297985.45/D309677130000/E89

SP

0089

6120000000-E

## 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 O	OF CONTRACTOR					
Tennoca Construction Company						
Full name	of Corporation					
P. O. Box 2379, Candler, NC 28715						
Address :	as Prequalified					
Attest Bull N.	By Timeth San					
Secretary/Assistant Secretary	President/Vice President/Assistant Vice President					
Select appropriate title	Select appropriate title					
Bradley V. Goodson	Timothy M. Goodson					
Print or type Signer's name	Print or type Signer's name					
	CORPORATE SEAL					
AFFIDAVIT MU	ST BE NOTARIZED					
	NOTARY SEAL					
Subscribed and sworn to before me this the						
14 day of august 2008	WONGE WILL					
Wistoria M. Raduana	THE STREET STREET					
Victoria M Roduine Signature of Notary Public						
of Buncombe County	IN VANOR VO					
State of MC	N. N. W.					
My Commission Expires: 2-25-2011						

#### DEBARMENT CERTIFICATION OF CONTRACTOR

### Conditions for certification:

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

Contract Number   C 2Φ1Φ6Φ	Rev 7-20-08
County HENDERSUN	

#### **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
<u></u>	certification.

Contract No

C202060

County (ies):

**Henderson** 

ACCEPTED BY THE DEPARTMENT OF TRANSPORTATION

Contract Officer

Date

Execution of Contract and Bonds Approved as to Form:

Attorney General

Signature Sheet (Bid - Acceptance by Department)

**Henderson County** 

(Rev 7-10-08)

### **CONTRACT PAYMENT BOND**

Date of Payment Bond Execution	August 13, 2008
Name of Principal Contractor	Tennoca Construction Company.
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:	\$3,908,989.90
Contract ID No.:	C202060
Country Name:	Henderson County

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.

(Rev 7-10-08)

Henderson County

### **CONTRACT PAYMENT BOND**

Affir	Soal	of Surety	Company
$\Delta IIIM$	Dear	UI DUICIY	Company

Travelers Casualty and Surety Company of America

Print or type Surety Company Name

By Amy M. Tayler, Attorney-in-Fact

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

Signature of Attorney-in-Fact

Crystal Eisenhower, CSR

Print or type Witness's name

PO Box 1109, Hendersonville, NC 28793-1109

Address of Attorney-in-Fact

(Rev 7-10-08)

Henderson County

### **CONTRACT PAYMENT BOND**

### **CORPORATION**

SIGNATURE OF CONTRACTOR (Principal)

Tennoca Construction Company, Inc.

Full name of Corporation

Po Box 2379 Candler, NC 28715-2379

Address as prequalified

Signature of President, Vice President, Assistant-Vice President Select appropriate title

TIMOTON M. GOODSUN

Print or type Signer's name

Affix Corporate Seal

nature of Sepretary, Assistant Secretary

Select appropriate title

Contract No.

County

(Rev 7-10-08)

### CONTRACT PERFORMANCE BOND

Date of Performance Bond Execution:	August 13, 2008	
Name of Principal Contractor:	Tennoca Construction Company, Jac. Tol.	
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:	\$3,908,989.90	
Contract ID No.:	C202060	
Country Name:	Henderson County	
•		

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.

(Rev 7-10-08)

Henderson County

### CONTRACT PERFORMANCE BOND

Affix	Seal	of Suretv	Company

Travelers Casualty and Surety Company of America

Print or type Surety Company Name

Rv

Amy M. Tayler, Attorney-In-Fact

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

Signature of Attorney-in-Fact

Signature of Witness

Crystal Eisenhower, CSR

Print or type Witness's name

PO Box 1109, Hendersonville, NC 28793

Address of Attorney-in-Fact

Contract No County

Henderson County

### CONTRACT PERFORMANCE BOND

### **CORPORATION**

SIGNATURE OF CONTRACTOR (Principal)

bioinfield of confidence (finespan)
Tennoca Construction Company_Inc. Th <sup>L</sup>
Full name of Corporation
Po Box 2379 Candler, NC 28715-2379
Address as prequalified
Signature of President, Vice President, Assistant Vice President Select appropriate title
Print or type Signer's name

Affix Corporate Seal

Attest

Signature of Secretary, Assistant Secretary

Select appropriate title

Print or type Signer's name



#### 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

Marie C. Jetreault

Marie C. Tetreault, Notary Public

Attorney-In Fact No.

218853

Certificate No. 001729050

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

Carolyn B. Wilson, David G. Shaffer, Robert L. Cranford, Jennifer L. Gordon, Amy M. Tayler, Joyce C. Biddix, and David Brett Shaffer

other writings obli	Hendersonville ate capacity if more than one is named above igatory in the nature thereof on behalf of the uting or guaranteeing bonds and undertaking.	to sign, execute, seal and ack Companies in their business	of guaranteeing the fi	bonds, recognizance delity of persons, g	es, conditional une	dertakings and
IN WITNESS WI	HEREOF, the Companies have caused this in,					h
	Farmington Casualty Com Fidelity and Guaranty Inst Fidelity and Guaranty Inst Seaboard Surety Company St. Paul Fire and Marine I	urance Company urance Underwriters, Inc.	St. Paul Mo Travelers O Travelers O	pardian Insurance of the court	Company ty Company ty Company of A	
1982	1977 B HOOPPORTED TO THE TOP AND THE TOP A	SEAL STANS	SEAL SEAL	HARTFORD. CONN. CO	HASTFORD, B	HEGITY AND REVIEW TO THE PARTY
State of Connectic City of Hartford ss	s.		y: Georg	geW Thompson, Seni	ior Vice President	
Inc., Seaboard Sur Casualty and Sure	h day of July  Genior Vice President of Farmington Casualty ety Company, St. Paul Fire and Marine Insur- ty Company, Travelers Casualty and Surety o, executed the foregoing instrument for the pu	Company, Fidelity and Guard ance Company, St. Paul Guard Company of America, and Un	ian Insurance Compar ited States Fidelity ar	any, Fidelity and G ny, St. Paul Mercur nd Guaranty Comp	uaranty Insurance y Insurance Comp oany, and that he,	Underwriters, bany, Travelers as such, being

58440-8-06 Printed in U.S.A.

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

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

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, 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 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 \_

day of

20 OF

Kori M. Johanson Assistant Secretary





















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