

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

C201964

CONTRACT AND  
CONTRACT BONDS

FOR CONTRACT NO. C201964

WBS 33619.3.1 BRZ-1963(2)

T.I.P NO. B-4279

COUNTY OF STANLY

THIS IS THE ROADWAY & CULVERT CONTRACT

ROUTE NUMBER SR 1963 LENGTH 0.136 MILES

LOCATION BRIDGE OVER SCALY BARK CREEK AND APPROACHES ON SR-1963 (ST  
MARTIN RD).

CONTRACTOR J.T. RUSSELL & SONS, INC.

ADDRESS 1721 US 52 HWY N  
ALBEMARLE, NC 280010000

BIDS OPENED OCTOBER 21, 2008

CONTRACT EXECUTION NOV 25 2008

**JT Russell & Sons Inc (3075).**

**Vendor 4 of 7 Vendors for Call Order 012 (Proposal ID C201964).**

County: STANLY  
Address: 1721 US HWY 52 North  
Albemarle, NC 28001

Phone Number: 704-982-2225

Signature Check: This bid has been properly signed by atlas\_james\_russell\_3075.

Time Bid Received: Tue Oct 21 13:47:03 2008

Bid Checksum: 1E91B374

Amendment Count: 0

Bidding Errors: No bidding errors.

Bid Total: \$612,750.75 ✓

Bond ID: snc08702528

Bond was Verified: Yes.

Bond Required Percent: 5.00%

Minimum Check Amount: \$30,637.54

Bid Security Maximum: \$

Bond Agency Name:

Agency Execution Date: 10/17/2008

Surety Name: Travelers Casualty and Surety Company of Ame

Surety State of Incorporation:

Bond Company:

Bond Type:

Bond Appr Flag:

Bond Affirm:

Bond was Paid by Check: No.

*DBE GOAL SET - 5.0 %  
DBE GOAL MET - 9.6 %*

LIST OF DBE PARTICIPANTS

VENDOR NUMBER	DBE NAME ADDRESS	WORK CODE TYPE OF WORK	CERT TYPE	AMOUNT
3346	LINEBERRY, INC. POST OFFICE BOX 307 , CLIMAX, NC 27233		Sub	31,983.80
4761	TRAFFIC CONTROL SAFETY SERVICES POST OFFICE BOX 24511 , WINSTON-SALEM, NC 27114		Sub	6,572.40
2920	THE SHARON COMPANY INC POST OFFICE BOX 1366 , LEXINGTON, SC 29071		Sub	20,521.25
			TOTAL:	\$59,077.45 9.64%

Miscellaneous 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 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: snc08702528  
Surety Registry Agency: surety2000  
Verified?: Yes  
Surety Agency: Travelers Casualty and Surety Company of America  
Bond Execution Date: 10/17/2008  
Bond Amount: \$30,637.54 (Five Percent of Bid)

Contract ID: C201964 Project(s): BRZ-1963(2)  
Letting Date: 10-21-08 Call Order: 012  
Bidder: 3075 - Unknown

Line No.	Item Description	Approx. Quantity and Units	Unit Price Dollars   Cts	Bid Amount Dollars   Ct
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Section 0001 ROADWAY ITEMS

Alt Group

0001	0000100000-N MOBILIZATION	LUMP	LUMP	29,200.00
0002	0043000000-N GRADING	LUMP	LUMP	48,500.00
0003	0050000000-E SUPPLEMENTARY CLEARING & GRUB-BING	1.000 ACR	1,500.00000	1,500.00
0004	0057000000-E UNDERCUT EXCAVATION	300.000 CY	12.00000	3,600.00
0005	0080000000-E CLASS IV SUBGRADE STABILIZATION	350.000 TON	40.00000	14,000.00
0006	0134000000-E DRAINAGE DITCH EXCAVATION	280.000 CY	10.00000	2,800.00
0007	0195000000-E SELECT GRANULAR MATERIAL	200.000 CY	40.00000	8,000.00
0008	0196000000-E FABRIC FOR SOIL STABILIZATION	200.000 SY	5.00000	1,000.00
0009	0318000000-E FOUNDATION CONDITIONING MATERIAL, MINOR STRS	10.000 TON	50.00000	500.00
0010	0995000000-E PIPE REMOVAL	26.000 LF	15.00000	390.00
0011	1220000000-E INCIDENTAL STONE BASE	50.000 TON	40.00000	2,000.00

State of NC  
Dept of Transportation

Date: 09-22-08  
Revised:

Contract ID: C201964  
Letting Date: 10-21-08 Call Order: 012  
Bidder: 3075 - Unknown  
Project(s): BRZ-1963(2)

Line No.	Item Description	Approx. Quantity and Units	Unit Price Dollars   Cts	Bid Amount Dollars   Cts
0012	1330000000-E INCIDENTAL MILLING	230.000 SY	15.00000	3,450.00
0013	1489000000-E ASPHALT CONC BASE COURSE, TYPE B25.0B	240.000 TON	65.00000	15,600.00
0014	1498000000-E ASPHALT CONC INTERMEDIATE COURSE, TYPE I19.0B	150.000 TON	85.00000	12,750.00
0015	1519000000-E ASPHALT CONC SURFACE COURSE, TYPE S9.5B	250.000 TON	70.00000	17,500.00
0016	1560000000-E ASPHALT BINDER FOR PLANT MIX, GRADE PG 64-22	33.000 TON	810.00000	26,730.00
0017	1693000000-E ASPHALT PLANT MIX, PAVEMENT REPAIR	50.000 TON	150.00000	7,500.00
0018	2286000000-N MASONRY DRAINAGE STRUCTURES	1.000 EA	1,500.00000	1,500.00
0019	2366000000-N FRAME WITH TWO GRATES, STD 840.24	1.000 EA	600.00000	600.00
0020	2845000000-N ADJUSTMENT OF METER BOXES OR VALVE BOXES	1.000 EA	400.00000	400.00
0021	3030000000-E STEEL BM GUARDRAIL	675.000 LF	20.55000	13,871.25
0022	3150000000-N ADDITIONAL GUARDRAIL POSTS	5.000 EA	26.25000	131.25
0023	3270000000-N GUARDRAIL ANCHOR UNITS, TYPE 350	4.000 EA	1,890.00000	7,560.00

State of NC  
Dept of Transportation

Date: 09-22-08  
Revised:

Contract ID: C201964  
Letting Date: 10-21-08  
Bidder: 3075 - Unknown

Project(s): BRZ-1963(2)  
Call Order: 012

Line No.	Item Description	Approx. Quantity and Units	Unit Price Dollars   Cts	Bid Amount Dollars   Cts
0024	3628000000-E RIP RAP, CLASS I	95.000 TON	50.00000	4,750.00
0025	3649000000-E RIP RAP, CLASS B	135.000 TON	50.00000	6,750.00
0026	3656000000-E FILTER FABRIC FOR DRAINAGE	1,930.000 SY	3.50000	6,755.00
0027	4400000000-E WORK ZONE SIGNS (STATIONARY)	347.000 SF	5.50000	1,908.50
0028	4410000000-E WORK ZONE SIGNS (BARRICADE MOUNTED)	107.000 SF	6.25000	668.75
0029	4430000000-N DRUMS	14.000 EA	70.00000	980.00
0030	4435000000-N CONES	14.000 EA	45.00000	630.00
0031	4445000000-E BARRICADES (TYPE III)	136.000 LF	26.25000	3,570.00
0032	5326200000-E 12" WATER LINE	311.000 LF	127.00000	39,497.00
0033	5558000000-E 12" VALVE	2.000 EA	3,075.00000	6,150.00
0034	5648000000-N RELOCATE WATER METER	1.000 EA	525.00000	525.00
0035	5804000000-E ABANDON 12" UTILITY PIPE	245.000 LF	13.00000	3,185.00

State of NC  
Dept of Transportation

Date: 09-22-08  
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Contract ID: C201964 Project(s): BRZ-1963(2)  
Letting Date: 10-21-08 Call Order: 012  
Bidder: 3075 - Unknown

Line No.	Item Description	Approx. Quantity and Units	Unit Price Dollars   Cts	Bid Amount Dollars   Cts
0036	5871700000-E TRENCHLESS INSTALLATION OF 12"IN SOIL	95.000 LF	178.50000	16,957.50
0037	5871710000-E TRENCHLESS INSTALLATION OF 12"NOT IN SOIL	95.000 LF	520.00000	49,400.00
0038	6000000000-E TEMPORARY SILT FENCE	1,755.000 LF	2.50000	4,387.50
0039	6006000000-E STONE FOR EROSION CONTROL, CLASS A	225.000 TON	50.00000	11,250.00
0040	6009000000-E STONE FOR EROSION CONTROL, CLASS B	70.000 TON	50.00000	3,500.00
0041	6012000000-E SEDIMENT CONTROL STONE	20.000 TON	45.00000	900.00
0042	6015000000-E TEMPORARY MULCHING	2.000 ACR	630.00000	1,260.00
0043	6018000000-E SEED FOR TEMPORARY SEEDING	100.000 LB	3.68000	368.00
0044	6021000000-E FERTILIZER FOR TEMPORARY SEED-ING	1.250 TON	2,100.00000	2,625.00
0045	6029000000-E SAFETY FENCE	400.000 LF	2.50000	1,000.00
0046	6030000000-E SILT EXCAVATION	490.000 CY	10.00000	4,900.00
0047	6036000000-E MATTING FOR EROSION CONTROL	6,390.000 SY	1.50000	9,585.00

State of NC  
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Bidder: 3075 - Unknown

Line No.	Item Description	Approx. Quantity and Units	Unit Price Dollars   Cts	Bid Amount Dollars   Cts
0048	6037000000-E COIR FIBER MAT	25.000 SY	10.50000	262.50
0049	6038000000-E PERMANENT SOIL REINFORCEMENT MAT	75.000 SY	10.50000	787.50
0050	6042000000-E 1/4" HARDWARE CLOTH	20.000 LF	15.00000	300.00
0051	6069000000-E STILLING BASINS	300.000 CY	4.20000	1,260.00
0052	6071030000-E COIR FIBER BAFFLES	195.000 LF	8.00000	1,560.00
0053	6071050000-E **" SKIMMER (1-1/2")	4.000 EA	1,100.00000	4,400.00
0054	6084000000-E SEEDING & MULCHING	4.500 ACR	2,235.00000	10,057.50
0055	6087000000-E MOWING	1.000 ACR	105.00000	105.00
0056	6090000000-E SEED FOR REPAIR SEEDING	50.000 LB	15.00000	750.00
0057	6093000000-E FERTILIZER FOR REPAIR SEEDING	0.250 TON	2,520.00000	630.00
0058	6096000000-E SEED FOR SUPPLEMENTAL SEEDING	50.000 LB	3.68000	184.00
0059	6108000000-E FERTILIZER TOPDRESSING	1.000 TON	1,470.00000	1,470.00



Contract ID: C201964 Project(s): BRZ-1963(2)  
Letting Date: 10-21-08 Call Order: 012  
Bidder: 3075 - Unknown

Line No.	Item Description	Approx. Quantity and Units	Unit Price Dollars   Cts	Bid Amount Dollars   Ct
0060	6111000000-E IMPERVIOUS DIKE	280.000 LF	21.00000	5,880.00
0061	6114000000-N SPECIALIZED HAND MOWING	5.000 HR	105.00000	525.00
0062	6117000000-N RESPONSE FOR EROSION CONTROL	12.000 EA	420.00000	5,040.00
0063	0372000000-E 18" RC PIPE CULVERTS, CLASS III	52.000 LF		
0064	0536000000-E ***" HDPE PIPE CULVERTS (18")	52.000 LF	35.00000	1,820.00
0065	0540000000-E ***" ALUMINIZED CORRUGATED STEEL PIPE CULVERTS, ****" THICK (18", 0.064")	52.000 LF		
Section 0001 Total				435,616.25

Section 0002 STRUCTURE ITEMS

Alt Group

0066	8056000000-N REMOVAL OF EXISTING STRUCTURE AT STATION ***** (15+48.00-L-)	LUMP	LUMP	20,000.00
0067	8126000000-N CULVERT EXCAVATION, STA ***** (15+48.00-L-)	LUMP	LUMP	20,000.00
0068	8133000000-E FOUNDATION CONDITIONING MATER-IAL, BOX CULVERT	146.000 TON	42.00000	6,132.00

Contract ID: C201964 Project(s): BRZ-1963(2)  
 Letting Date: 10-21-08 Call Order: 012  
 Bidder: 3075 - Unknown

Line No.	Item Description	Approx. Quantity and Units	Unit Price Dollars   Cts	Bid Amount Dollars   Cts
0069	8196000000-E CLASS A CONCRETE (CULVERT)	203.900 CY	483.00000	98,483.70
0070	8245000000-E REINFORCING STEEL (CULVERT)	36,132.000 LB	0.90000	32,518.80
Section 0002 Total				177,134.50
Bid Total				612,750.75

NON-COLLUSION AND DEBARMENT CERTIFICATION

The bidder certifies that neither he, nor any official, agent or employee of the bidder has entered into any agreement, participated in any collusion, or otherwise taken any action which is in restraint of free competitive bidding in connection with this bid, and that the bidder intends to do the work with its own bonafide employees or subcontractors and is not bidding for the benefit of another contractor. In addition, submitting this electronic bid constitutes the bidder's certification of Status under penalty of perjury under the laws of the United States and in accordance with the Debarment Certification on file with the Department.

By submitting this bid, the bidder certifies to the best of his knowledge and belief that he and his principals:

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

Where the prospective bidder is unable to certify to any of the statements in this certification, the bidder shall submit an explanation in the blanks provided herein. The explanation will not necessarily result in denial of participation in a contract.

Explanation:  
NOT ANSWERED  
NOT ANSWERED  
NOT ANSWERED  
NOT ANSWERED

If the prequalified bidder's status changes, he shall immediately submit a new fully executed non-collusion affidavit and debarment certification with an explanation of the change to the Contract Office prior to submitting the bid.

Failure to furnish a certification or an explanation will be grounds for rejection of a bid

AWARD LIMITS ON MULTIPLE PROJECTS

By answering YES to this statement, the bidder acknowledges that they are using the award limits on multiple projects. No

A bidder who desires to bid on more than one project on which bids are to be opened on the same date, and who also desires to avoid receiving an award of more projects than he is equipped to handle, may bid on any number of projects but may limit the total amount of work awarded to him on selected projects by completing the AWARD LIMITS ON MULTIPLE PROJECTS.

The Award Limits on Multiple Projects must be filled in on each project bid for which the Bidder desires protection.

It is the desire of the Bidder to be awarded contracts, the value of which will not exceed a total of NOT ANSWERED for those projects indicated herein, for which bids will be opened on (MM/DD/YY)

The Award Limits shall apply to the following projects:

Contract Number	County
NOT ANSWERED	
NOT ANSWERED	
NOT ANSWERED	
NOT ANSWERED	
NOT ANSWERED	
NOT ANSWERED	

It is agreed that if I am (we are) the low Bidder(s) on indicated projects, the total value of which is more than the above stipulated award limits, the Board of Transportation will award me (us) projects from among those indicated that have a total value not to exceed the award limit and will result in the lowest total bids to the Department of Transportation.

Fuel Price Adjustment Opt-Out Clause

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

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

Enter X in one box only:

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

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

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

PROPOSAL: C201964  
 LETTING: L081021 CALL: 012  
 VENDOR: 3075 Unknown

LINE NO.	ITEM NO.	ITEM DESC.	UNIT TYPE	SUBCONTRACTOR QUANTITY	SUBCONTRACTOR UNIT PRICE	EXTENDED AMOUNT
0042	6015000000-E	TEMPORARY MU	ACR	2.000	600.00000	1200.00
0043	6018000000-E	SEED FOR TEM	LB	100.000	3.50000	350.00
0044	6021000000-E	FERT FOR TEM	TON	1.250	2000.00000	2500.00
0047	6036000000-E	MATTING FOR	SY	6390.000	1.42000	9073.80
0048	6037000000-E	COIR FIBER M	SY	25.000	10.00000	250.00
0049	6038000000-E	PERM SOIL RE	SY	75.000	10.00000	750.00
0054	6084000000-E	SEEDING AND	ACR	4.500	2130.00000	9585.00
0055	6087000000-E	MOWING	ACR	1.000	100.00000	100.00
0056	6090000000-E	SEED FOR REP	LB	50.000	14.00000	700.00
0057	6093000000-E	FERT FOR REP	TON	0.250	2400.00000	600.00
0058	6096000000-E	SEED FOR SUP	LB	50.000	3.50000	175.00
0059	6108000000-E	FERTILIZER T	TON	1.000	1400.00000	1400.00
0061	6114000000-N	SPECIALIZED	HR	5.000	100.00000	500.00
0062	6117000000-N	RESPONSE FOR	EA	12.000	400.00000	4800.00

DBE SUBCONTRACTOR: 3346 LINEBERRY, INC.  
 Will Use Quote: Yes

DBE COMMITMENT TOTAL FOR SUBCONTRACTOR: 31,983.80 ✓  
 DBE COMMITMENT TOTAL FOR VENDOR (SubContractor ) 31,983.

DBE SUBCONTRACTOR: 4761 TRAFFIC CONTROL SAFETY SERVICES, INC.  
 Will Use Quote: Yes

0027	4400000000-E	WORK ZONE SI	SF	347.000	5.25000	1821.75
0028	4410000000-E	WORK ZONE SI	SF	107.000	5.95000	636.65
0029	4430000000-N	DRUMS	EA	14.000	36.00000	504.00
		Purchase drums only				
0030	4435000000-N	CONES	EA	14.000	15.00000	210.00
		Purchase cones only				
0031	4445000000-E	BARRICADES (	LF	136.000	25.00000	3400.00

DBE COMMITMENT TOTAL FOR SUBCONTRACTOR: 6,572.40 ✓  
 DBE COMMITMENT TOTAL FOR VENDOR (SubContractor ) 6,572.4

DBE SUBCONTRACTOR: 2920 THE SHARON COMPANY INC  
 Will Use Quote: Yes

0021	3030000000-E	STL BM GUARD	LF	675.000	19.55000	13196.25
0022	3150000000-N	ADDIT GUARDR	EA	5.000	25.00000	125.00
0023	3270000000-N	GR ANCHOR TY	EA	4.000	1800.00000	7200.00

DBE COMMITMENT TOTAL FOR SUBCONTRACTOR: 20,521.25 ✓  
 DBE COMMITMENT TOTAL FOR VENDOR (SubContractor ) 20,521.

TOTAL DBE COMMITMENT FOR VENDOR:

Entered: 9.64% or 59077.45  
Required: 5.00% or 30637.54  
<GOAL MET>

## Contract Item Sheets For C201964

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
<b>ROADWAY ITEMS</b>						
0001	0000100000-N	800	MOBILIZATION	Lump Sum LS	29,200.00	29,200.00
0002	0043000000-N	226	GRADING	Lump Sum LS	48,500.00	48,500.00
0003	0050000000-E	226	SUPPLEMENTARY CLEARING & GRUB- BING	1 ACR	1,500.00	1,500.00
0004	0057000000-E	226	UNDERCUT EXCAVATION	300 CY	12.00	3,600.00
0005	0080000000-E	SP	CLASS IV SUBGRADE STABILIZA- TION	350 TON	40.00	14,000.00
0006	0134000000-E	240	DRAINAGE DITCH EXCAVATION	280 CY	10.00	2,800.00
0007	0195000000-E	265	SELECT GRANULAR MATERIAL	200 CY	40.00	8,000.00
0008	0196000000-E	270	FABRIC FOR SOIL STABILIZATION	200 SY	5.00	1,000.00
0009	0318000000-E	300	FOUNDATION CONDITIONING MATE- RIAL, MINOR STRS	10 TON	50.00	500.00
0010	0995000000-E	340	PIPE REMOVAL	26 LF	15.00	390.00
0011	1220000000-E	545	INCIDENTAL STONE BASE	50 TON	40.00	2,000.00
0012	1330000000-E	607	INCIDENTAL MILLING	230 SY	15.00	3,450.00
0013	1489000000-E	610	ASPHALT CONC BASE COURSE, TYPE B25.0B	240 TON	65.00	15,600.00
0014	1498000000-E	610	ASPHALT CONC INTERMEDIATE COURSE, TYPE I19.0B	150 TON	85.00	12,750.00
0015	1519000000-E	610	ASPHALT CONC SURFACE COURSE, TYPE S9.5B	250 TON	70.00	17,500.00
0016	1560000000-E	620	ASPHALT BINDER FOR PLANT MIX, GRADE PG 64-22	33 TON	810.00	26,730.00
0017	1693000000-E	654	ASPHALT PLANT MIX, PAVEMENT REPAIR	50 TON	150.00	7,500.00
0018	2286000000-N	840	MASONRY DRAINAGE STRUCTURES	1 EA	1,500.00	1,500.00



## Contract Item Sheets For C201964

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
0019	2368000000-N	840	FRAME WITH TWO GRATES, STD 840.24	1 EA	600.00	600.00
0020	2845000000-N	858	ADJUSTMENT OF METER BOXES OR VALVE BOXES	1 EA	400.00	400.00
0021	3030000000-E	862	STEEL BM GUARDRAIL	675 LF	20.55	13,871.25
0022	3150000000-N	862	ADDITIONAL GUARDRAIL POSTS	5 EA	26.25	131.25
0023	3270000000-N	SP	GUARDRAIL ANCHOR UNITS, TYPE 350	4 EA	1,890.00	7,560.00
0024	3628000000-E	876	RIP RAP, CLASS I	95 TON	50.00	4,750.00
0025	3649000000-E	876	RIP RAP, CLASS B	135 TON	50.00	6,750.00
0026	3656000000-E	876	FILTER FABRIC FOR DRAINAGE	1,930 SY	3.50	6,755.00
0027	4400000000-E	1110	WORK ZONE SIGNS (STATIONARY)	347 SF	5.50	1,908.50
0028	4410000000-E	1110	WORK ZONE SIGNS (BARRICADE MOUNTED)	107 SF	6.25	668.75
0029	4430000000-N	1130	DRUMS	14 EA	70.00	980.00
0030	4435000000-N	1135	CONES	14 EA	45.00	630.00
0031	4445000000-E	1145	BARRICADES (TYPE III)	136 LF	26.25	3,570.00
0032	5326200000-E	1510	12" WATER LINE	311 LF	127.00	39,497.00
0033	5558000000-E	1515	12" VALVE	2 EA	3,075.00	6,150.00
0034	5648000000-N	1515	RELOCATE WATER METER	1 EA	525.00	525.00
0035	5804000000-E	1530	ABANDON 12" UTILITY PIPE	245 LF	13.00	3,185.00
0036	5871700000-E	1550	TRENCHLESS INSTALLATION OF 12" IN SOIL	95 LF	178.50	16,957.50
0037	5871710000-E	1550	TRENCHLESS INSTALLATION OF 12" NOT IN SOIL	95 LF	520.00	49,400.00

## Contract Item Sheets For C201964

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
0038	6000000000-E	1605	TEMPORARY SILT FENCE	1,755 LF	2.50	4,387.50
0039	6006000000-E	1610	STONE FOR EROSION CONTROL, CLASS A	225 TON	50.00	11,250.00
0040	6009000000-E	1610	STONE FOR EROSION CONTROL, CLASS B	70 TON	50.00	3,500.00
0041	6012000000-E	1610	SEDIMENT CONTROL STONE	20 TON	45.00	900.00
0042	6015000000-E	1615	TEMPORARY MULCHING	2 ACR	630.00	1,260.00
0043	6018000000-E	1620	SEED FOR TEMPORARY SEEDING	100 LB	3.68	368.00
0044	6021000000-E	1620	FERTILIZER FOR TEMPORARY SEED- ING	1.25 TON	2,100.00	2,625.00
0045	6029000000-E	SP	SAFETY FENCE	400 LF	2.50	1,000.00
0046	6030000000-E	1630	SILT EXCAVATION	490 CY	10.00	4,900.00
0047	6036000000-E	1631	MATTING FOR EROSION CONTROL	6,390 SY	1.50	9,585.00
0048	6037000000-E	SP	COIR FIBER MAT	25 SY	10.50	262.50
0049	6038000000-E	SP	PERMANENT SOIL REINFORCEMENT MAT	75 SY	10.50	787.50
0050	6042000000-E	1632	1/4" HARDWARE CLOTH	20 LF	15.00	300.00
0051	6069000000-E	1638	STILLING BASINS	300 CY	4.20	1,260.00
0052	6071030000-E	SP	COIR FIBER BAFFLES	195 LF	8.00	1,560.00
0053	6071050000-E	SP	*** SKIMMER (1-1/2")	4 EA	1,100.00	4,400.00
0054	6084000000-E	1660	SEEDING & MULCHING	4.5 ACR	2,235.00	10,057.50
0055	6087000000-E	1660	MOWING	1 ACR	105.00	105.00
0056	6090000000-E	1661	SEED FOR REPAIR SEEDING	50 LB	15.00	750.00

## Contract Item Sheets For C201964

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
0057	6093000000-E	1661	FERTILIZER FOR REPAIR SEEDING	0.25 TON	2,520.00	630.00
0058	6096000000-E	1662	SEED FOR SUPPLEMENTAL SEEDING	50 LB	3.68	184.00
0059	6108000000-E	1665	FERTILIZER TOPDRESSING	1 TON	1,470.00	1,470.00
0060	6111000000-E	SP	IMPERVIOUS DIKE	280 LF	21.00	5,880.00
0061	6114000000-N	SP	SPECIALIZED HAND MOWING	5 HR	105.00	525.00
0062	6117000000-N	SP	RESPONSE FOR EROSION CONTROL	12 EA	420.00	5,040.00

\*\*\*\*\* BEGIN SCHEDULE AA \*\*\*\*\*  
 \*\*\*\*\* ( 3 ALTERNATES ) \*\*\*\*\*

0063 AA1	0372000000-E	310	18" RC PIPE CULVERTS, CLASS III	52 LF		
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\*\*\* OR \*\*\*

0064 AA2	0536000000-E	SP	**** HDPE PIPE CULVERTS (18")	52 LF	35.00	1,820.00
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\*\*\* OR \*\*\*

0065 AA3	0540000000-E	SP	**** ALUMINIZED CORRUGATED STEEL PIPE CULVERTS, ***** THICK (18", 0.064")	52 LF		
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\*\*\*\*\* END SCHEDULE AA \*\*\*\*\*

## Contract Item Sheets For C201964

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
0066	8056000000-N	402	REMOVAL OF EXISTING STRUCTURE AT STATION ***** (15 + 48.00-L-)	Lump Sum LS	20,000.00	20,000.00
0067	8126000000-N	414	CULVERT EXCAVATION, STA ***** (15 + 48.00-L-)	Lump Sum LS	20,000.00	20,000.00
0068	8133000000-E	414	FOUNDATION CONDITIONING MATER- IAL, BOX CULVERT	146 TON	42.00	6,132.00
0069	8196000000-E	420	CLASS A CONCRETE (CULVERT)	203.9 CY	483.00	98,483.70
0070	8245000000-E	425	REINFORCING STEEL (CULVERT)	36,132 LB	0.90	32,518.80

TOTAL AMOUNT OF BID FOR ENTIRE PROJECT

✓ \$612,750.75

1341/Nov06/Q53701.9/D290064790000/E70

Contract Number C201964  
County Stanly

Rev 7-20-08

**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**

J. T. Russell & Sons, Inc.

Full name of Corporation

1721 US 52 North, Albemarle, NC 28001

Address as Prequalified

Attest J. J. Russell Jr  
~~Secretary/Assistant Secretary~~  
Select appropriate title

J. T. Russell, Jr.

Print or type Signer's name

By R. E. Russell  
~~President/Vice-President/Assistant Vice-President~~  
Select appropriate title

R. E. Russell

Print or type Signer's name

**CORPORATE SEAL**

**AFFIDAVIT MUST BE NOTARIZED**

**NOTARY SEAL**

Subscribed and sworn to before me this the

14<sup>th</sup> day of November 2008

Julie C Pyle

Signature of Notary Public

of Stanly County

State of North Carolina

My Commission Expires: May 21, 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.

### 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.

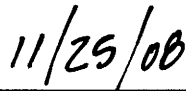
**Contract No**      C201964

**County (ies):**    Stanly

ACCEPTED BY THE  
DEPARTMENT OF TRANSPORTATION

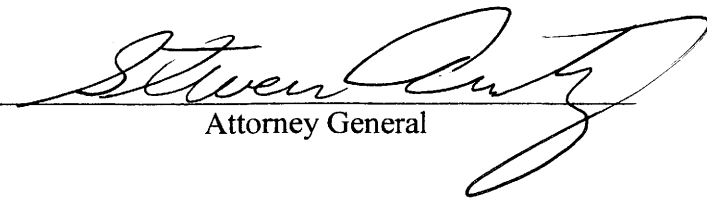


\_\_\_\_\_  
Contract Officer



\_\_\_\_\_  
Date

Execution of Contract and Bonds  
Approved as to Form:



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



Contract No. C201964  
County Stanly

(Rev 7-10-08)

### CONTRACT PAYMENT BOND

Date of Payment Bond Execution November 12, 2008

Name of Principal Contractor J.T. Russell & Sons, Inc.

Name of Surety: Travelers Casualty and Surety Company of America

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

Amount of Bond: \$612,750.75

Contract ID No.: C201964

County Name: Stanly

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. C201964  
County Stanly

(Rev 7-10-08)

**CONTRACT PAYMENT BOND**

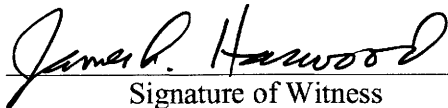
*Affix Seal of Surety Company*

Travelers Casualty and Surety Company of America

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

By Paul T. Childress  
\_\_\_\_\_  
Print, stamp or type name of Attorney-in-Fact

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

  
\_\_\_\_\_  
Signature of Witness

James A. Harwood  
\_\_\_\_\_  
Print or type Witness's name

173 N. Second St., Albemarle, NC 28001  
\_\_\_\_\_  
Address of Attorney-in-Fact

Contract No. C201964  
County Stanly

(Rev 7-10-08)

**CONTRACT PAYMENT BOND**

**CORPORATION**

SIGNATURE OF CONTRACTOR (Principal)

J.T. Russell & Sons, Inc.

\_\_\_\_\_  
Full name of Corporation

1721 US Highway 52 N., Albemarle, NC 28001

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

By Robert E. Russell  
Signature of President, ~~Vice President, Assistant Vice President~~  
Select appropriate title

Robert E. Russell

\_\_\_\_\_  
Print or type Signer's name

*Affix Corporate Seal*

Attest

J.T. Russell, Jr.  
Signature of Secretary, ~~Assistant Secretary~~  
Select appropriate title

J.T. Russell, Jr.

\_\_\_\_\_  
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

Attorney-In Fact No. 214516

Certificate No. 001474475

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

James A. Harwood, Brinn K. Timberlake, N. Anthony Lowder, and Paul T. Childress

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

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

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

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



State of Connecticut
City of Hartford ss.

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

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

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



[Signature]
Marie C. Tetreault, Notary Public

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

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

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

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

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

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

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the seals of said Companies this 12TH day of NOVEMBER, 2008.

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

  
Kori M. Johanson, Assistant Secretary



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

Contract No. C201964  
County Stanly

(Rev 7-10-08)

### CONTRACT PERFORMANCE BOND

Date of Performance Bond Execution: November 12, 2008

Name of Principal Contractor: J.T. Russell & Sons, Inc.

Name of Surety: Travelers Casualty and Surety Company of America

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

Amount of Bond: \$612,750.75

Contract ID No.: C201964

County Name: Stanly

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 No. C201964  
County Stanly

(Rev 7-10-08)

**CONTRACT PERFORMANCE BOND**

*Affix Seal of Surety Company*

Travelers Casualty and Surety Company of America

Print or type Surety Company Name

By Paul T. Childress

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

Paul T. Childress

Signature of Attorney-in-Fact

James A. Harwood  
Signature of Witness

James A. Harwood

Print or type Witness's name

173 N. Second St., Albemarle, NC 28001

Address of Attorney-in-Fact

Contract No. C201964  
County Stanly

(Rev 7-10-08)

**CONTRACT PERFORMANCE BOND**

**CORPORATION**

SIGNATURE OF CONTRACTOR (Principal)

J.T. Russell & Sons, Inc.

\_\_\_\_\_  
Full name of Corporation

1721 US Highway 52 N., Albemarle, NC 28001

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

By Robert E. Russell  
Signature of President, ~~Vice President, Assistant Vice President~~  
*Select appropriate title*

Robert E. Russell  
\_\_\_\_\_  
Print or type Signer's name

*Affix Corporate Seal*

Attest J.T. Russell, Jr.  
Signature of Secretary, ~~Assistant Secretary~~  
*Select appropriate title*

J.T. Russell, Jr.  
\_\_\_\_\_  
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

Attorney-In Fact No. 214516

Certificate No. 001474473

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

James A. Harwood, Brinn K. Timberlake, N. Anthony Lowder, and Paul T. Childress

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

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

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

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



State of Connecticut
City of Hartford ss.

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

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

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



[Signature]
Marie C. Tetreault, Notary Public

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

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

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

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

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

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

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the seals of said Companies this 12TH day of NOVEMBER, 20 08.

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

Kori M. Johanson, Assistant Secretary



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