

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

C201850

CONTRACT AND  
CONTRACT BONDS

FOR CONTRACT NO. C201850

WBS 33402.3.1 BRZ-2098(1)

T.I.P NO. B-4036

COUNTY OF BUNCOMBE

THIS IS THE ROADWAY & STRUCTURE CONTRACT

ROUTE NUMBER SR 2098 LENGTH 0.080 MILES

LOCATION BRIDGE OVER REEMS CREEK AND APPROACHES ON SR-2098.

CONTRACTOR R.E. BURNS & SONS CO., INC.

ADDRESS P.O. BOX 7168

STATESVILLE, NC 28687

BIDS OPENED DECEMBER 16, 2008  
CONTRACT EXECUTION JAN 26 2009

NCDOT/berc

Vendor 3481's Bid Information for Call 030, Letting L081216, 2008-12-16

**R. E. Burns & Sons Co., Inc. (3481).**

**Vendor 3 of 8 Vendors for Call Order 030 (Proposal ID C201850).**

County: BUNCOMBE  
Address: P. O. B ox 7168  
Statesville, NC 28687

Phone Number: 704-924-8646

Signature Check: This bid has been properly signed by Kevin\_C.\_Burns\_3481.

Time Bid Received: Tue Dec 16 09:30:42 2008

Bid Checksum: 83891EDD

Amendment Count: 0

Bidding Errors: No bidding errors.

Bid Total: \$642,799.21 ✓

Bond ID: SNC08240567

Bond was Verified: Yes.

Bond Required Percent: 5.00%

Minimum Check Amount: \$32,139.96

Bid Security Maximum: \$

Bond Agency Name:

Agency Execution Date: 12/1/2008 10:20:13 AM

Surety Name: Liberty Mutual Insurance Company

urety 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 5.0% ✓

LIST OF DBE PARTICIPANTS

VENDOR NUMBER	DBE NAME ADDRESS	WORK CODE TYPE OF WORK	CERT TYPE AMOUNT
3376	WB REYNOLDS FENCE & GUARDRAIL INC 3320 MACHADO DRIVE , INDIAN TRAIL, NC 28079		Sub 13,000.00
3145	WB WATTS BARRIER WALLS 55 MUSCADINE LANE , MOUNTVILLE, SC 29370		Sub 11,060.82
4761	WB TRAFFIC CONTROL SAFETY SERVICES POST OFFICE BOX 24511 , WINSTON-SALEM, NC 27114		Sub 8,027.10
4761	WB TRAFFIC CONTROL SAFETY SERVICES POST OFFICE BOX 24511 , WINSTON-SALEM, NC 27114		Sup 525.00
TOTAL:			\$32,402.92 5.04%

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: SNC08240567  
Surety Registry Agency: surety2000  
Verified?: Yes  
Surety Agency: Liberty Mutual Insurance Company

NCDOT/berc

Vendor 3481's Load Output for Call 030, Letting L081216, 2008-12-16

Bond Execution Date: 12/1/2008 10:20:13 AM  
Bond Amount: \$32,139.96 (Five Percent of Bid)

State of NC  
Dept of Transportation

Date: 11-18-08  
Revised:

Contract ID: C201850 Project(s): BRZ-2098(1)  
Letting Date: 12-16-08 Call Order: 030  
Bidder: 3481 - R. E. Burns & Sons Co., Inc.

Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
Section 0001 ROADWAY ITEMS						
Alt Group						
0001	0000100000-N MOBILIZATIO N	LUMP	LUMP			32,000.00
0002	0029000000-N REINFORCED BRIDGE APPROACH FILL, STATION ***** (14+22.50 -L-)	LUMP	LUMP			17,000.00
0003	0043000000-N GRADING	LUMP	LUMP			30,000.00
0004	0050000000-E SUPPLEMENTA RY CLEARING & GRUB-BING	ACR	1.000	1.00000		1.00
0005	0057000000-E UNDERCUT EXCAVATION	CY	50.000	5.00000		250.00
0006	0080000000-E CLASS IV SUBGRADE STABILIZA- TION	TON	10.000	40.00000		400.00
0007	0195000000-E SELECT GRANULAR MATERIAL	CY	10.000	40.00000		400.00
0008	0196000000-E FABRIC FOR SOIL STABILIZATION	SY	10.000	3.00000		30.00
0009	0318000000-E FOUNDATION CONDITIONING MATE- RIAL, MINOR STRS	TON	33.000	25.00000		825.00
0010	0343000000-E 15" SIDE DRAIN PIPE	LF	52.000	40.00000		2,080.00

State of NC  
Dept of Transportation

Date: 11-18-08  
Revised:

Contract ID: C201850 Project(s): BRZ-2098(1)  
Letting Date: 12-16-08 Call Order: 030  
Bidder: 3481 - R. E. Burns & Sons Co., Inc.

Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
0011	0366000000-E 15" RC PIPE CULVERTS, CLASS III	60.000 LF	50.00000		3,000.00	
0012	0372000000-E 18" RC PIPE CULVERTS, CLASS III	52.000 LF	60.00000		3,120.00	
0013	1121000000-E AGGREGATE BASE COURSE	110.000 TON	40.00000		4,400.00	
0014	1220000000-E INCIDENTAL STONE BASE	30.000 TON	40.00000		1,200.00	
0015	1489000000-E ASPHALT CONC BASE COURSE, TYPE B25.0B	190.000 TON	86.00000		16,340.00	
0016	1525000000-E ASPHALT CONC SURFACE COURSE, TYPE SF9.5A	260.000 TON	78.00000		20,280.00	
0017	1560000000-E ASPHALT BINDER FOR PLANT MIX, GRADE PG 64-22	30.000 TON	775.00000		23,250.00	
0018	1693000000-E ASPHALT PLANT MIX, PAVEMENT REPAIR	20.000 TON	200.00000		4,000.00	
0019	2000000000-N RIGHT OF WAY MARKERS	15.000 EA	200.00000		3,000.00	
0020	2022000000-E SUBDRAIN EXCAVATION	6.000 CY	3.00000		18.00	
0021	2033000000-E SUBDRAIN FINE AGGREGATE	5.000 CY	30.00000		150.00	
0022	2044000000-E 6" PERFORATED SUBDRAIN PIPE	25.000 LF	2.50000		62.50	

State of NC  
Dept of Transportation

Date: 11-18-08  
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Contract ID: C201850 Project(s): BRZ-2098(1)  
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Bidder: 3481 - R. E. Burns & Sons Co., Inc.

Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
0023	2055000000-E 6" SUBDRAIN PIPE WYES, TEES, & ELBOWS	EA 1.000	30.00000		30.00	
0024	2066000000-N CONCRETE PAD FOR SUBDRAIN PIPE OUTLET	EA 1.000	50.00000		50.00	
0025	2077000000-E 6" OUTLET PIPE (SUBDRAINS)	LF 6.000	15.00000		90.00	
0026	2286000000-N MASONRY DRAINAGE STRUCTURES	EA 3.000	1,600.00000		4,800.00	
0027	2367000000-N FRAME WITH TWO GRATES, STD 840.29	EA 3.000	600.00000		1,800.00	
0028	2556000000-E SHOULDER BERM GUTTER	LF 160.000	40.00000		6,400.00	
0029	3030000000-E STEEL BM GUARDRAIL	LF 125.000	17.25000		2,156.25	
0030	3045000000-E STEEL BM GUARDRAIL, SHOP CURVED	LF 37.500	18.50000		693.75	
0031	3150000000-N ADDITIONAL GUARDRAIL POSTS	EA 5.000	30.00000		150.00	
0032	3195000000-N GUARDRAIL ANCHOR UNITS, TYPE AT-1	EA 2.000	500.00000		1,000.00	
0033	3215000000-N GUARDRAIL ANCHOR UNITS, TYPE III	EA 4.000	1,250.00000		5,000.00	
0034	3270000000-N GUARDRAIL ANCHOR UNITS, TYPE 350	EA 2.000	2,000.00000		4,000.00	

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Project(s): BRZ-2098(1)

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Bidder: 3481 - R. E. Burns & Sons Co., Inc.

Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
0035	3649000000-E RIP RAP, CLASS B	70.000 TON	44.00000		3,080.00	
0036	3656000000-E FILTER FABRIC FOR DRAINAGE	370.000 SY	2.00000		740.00	
0037	3659000000-N PREFORMED SCOUR HOLES WITH LEVEL SPREADER APRON	1.000 EA	1,300.00000		1,300.00	
0038	4072000000-E SUPPORTS, 3-LB STEEL U-CHANNEL	44.000 LF	4.95000		217.80	
0039	4102000000-N SIGN ERECTION, TYPE E	3.000 EA	75.00000		225.00	
0040	4155000000-N DISPOSAL OF SIGN SYSTEM, U-CHANNEL	9.000 EA	1.00000		9.00	
0041	4400000000-E WORK ZONE SIGNS (STATIONARY)	471.000 SF	5.55000		2,614.05	
0042	4410000000-E WORK ZONE SIGNS (BARRICADE MOUNTED)	177.000 SF	6.50000		1,150.50	
0043	4430000000-N DRUMS	15.000 EA	35.00000		525.00	
0044	4445000000-E BARRICADES (TYPE III)	156.000 LF	26.75000		4,173.00	
0045	4810000000-E PAINT PAVEMENT MARKING LINES (4")	3,376.000 LF	0.55000		1,856.80	
0046	5326200000-E 12" WATER LINE	255.000 LF	95.00000		24,225.00	



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Bidder: 3481 - R. E. Burns & Sons Co., Inc.

Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
0047	5558000000-E 12" VALVE	EA 2.000	3,300.00000		6,600.00	
0048	5648000000-N RELOCATE WATER METER	EA 3.000	500.00000		1,500.00	
0049	5672000000-N RELOCATE FIRE HYDRANT	EA 1.000	3,000.00000		3,000.00	
0050	5800000000-E ABANDON 6" UTILITY PIPE	LF 165.000	6.00000		990.00	
0051	5804000000-E ABANDON 12" UTILITY PIPE	LF 72.000	12.00000		864.00	
0052	6000000000-E TEMPORARY SILT FENCE	LF 440.000	3.00000		1,320.00	
0053	6006000000-E STONE FOR EROSION CONTROL, CLASS A	TON 75.000	35.00000		2,625.00	
0054	6009000000-E STONE FOR EROSION CONTROL, CLASS B	TON 175.000	35.00000		6,125.00	
0055	6012000000-E SEDIMENT CONTROL STONE	TON 65.000	35.00000		2,275.00	
0056	6015000000-E TEMPORARY MULCHING	ACR 0.500	2,000.00000		1,000.00	
0057	6018000000-E SEED FOR TEMPORARY SEEDING	LB 50.000	20.00000		1,000.00	
0058	6021000000-E FERTILIZER FOR TEMPORARY SEED-ING	TON 1.250	2,000.00000		2,500.00	

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Bidder: 3481 - R. E. Burns & Sons Co., Inc.

Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
0059	6029000000-E SAFETY FENCE	LF 250.000	3.00000		750.00	
0060	6030000000-E SILT EXCAVATION	CY 430.000	4.00000		1,720.00	
0061	6036000000-E MATTING FOR EROSION CONTROL	SY 420.000	5.00000		2,100.00	
0062	6037000000-E COIR FIBER MAT	SY 10.000	15.00000		150.00	
0063	6038000000-E PERMANENT SOIL REINFORCEMENT MAT	SY 50.000	10.00000		500.00	
0064	6042000000-E 1/4" HARDWARE CLOTH	LF 60.000	5.00000		300.00	
0065	6071030000-E COIR FIBER BAFFLES	LF 110.000	6.00000		660.00	
0066	6071050000-E **" SKIMMER (1-1/2")	EA 1.000	1,000.00000		1,000.00	
0067	6084000000-E SEEDING & MULCHING	ACR 1.000	5,000.00000		5,000.00	
0068	6087000000-E MOWING	ACR 0.500	25.00000		12.50	
0069	6090000000-E SEED FOR REPAIR SEEDING	LB 50.000	1.00000		50.00	
0070	6093000000-E FERTILIZER FOR REPAIR SEEDING	TON 0.250	1,000.00000		250.00	

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Bidder: 3481 - R. E. Burns & Sons Co., Inc.

Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
0071	6096000000-E SEED FOR SUPPLEMENTAL SEEDING	50.000 LB	1.00000		50.00	
0072	6108000000-E FERTILIZER TOPDRESSING	0.500 TON	650.00000		325.00	
0073	6114000000-N SPECIALIZED HAND MOWING	2.000 HR	25.00000		50.00	
0074	6117000000-N RESPONSE FOR EROSION CONTROL	12.000 EA	1.00000		12.00	
Section 0001 Total						270,821.15

Section 0004 STRUCTURE ITEMS

Alt Group

0075	8035000000-N REMOVAL OF EXISTING STRUCTURE AT STATION ***** (14+22.50-L-)	LUMP	LUMP		15,000.00	
0076	8121000000-N UNCLASSIFIED STRUCTURE EXCAVATION AT STATION ***** (14+22.50-L-)	LUMP	LUMP		3,000.00	
0077	8182000000-E CLASS A CONCRETE (BRIDGE)	47.500 CY	980.00000		46,550.00	
0078	8210000000-N BRIDGE APPROACH SLABS, STATION***** (14+22.50-L-)	LUMP	LUMP		22,000.00	
0079	8217000000-E REINFORCING STEEL (BRIDGE)	6,953.000 LB	1.50000		10,429.50	

State of NC  
Dept of Transportation

Date: 11-18-08  
Revised:

Contract ID: C201850  
Letting Date: 12-16-08 Call Order: 030  
Bidder: 3481 - R. E. Burns & Sons Co., Inc.

Project(s): BRZ-2098(1)

Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
0080	8384000000-E HP14X73 STEEL PILES	240.000 LF	22.50000		5,400.00	
0081	8503000000-E CONCRETE BARRIER RAIL	204.830 LF	72.00000		14,747.76	
0082	8608000000-E RIP RAP CLASS II (2'-0" THICK)	330.000 TON	40.00000		13,200.00	
0083	8622000000-E FILTER FABRIC FOR DRAINAGE	367.000 SY	2.00000		734.00	
0084	8657000000-N ELASTOMERIC BEARINGS	LUMP	LUMP		4,335.00	
0085	8753200000-E 3'-0" X 3'-3" PRESTRESSED CONCBOX BEAMS	1,126.580 LF	210.00000		236,581.80	
Section 0004 Total						371,978.06
Bid Total						642,799.21

NON-COLLUSION AND DEBARMENT CERTIFICATION

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

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

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

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

Explanation:  
NOT ANSWERED  
NOT ANSWERED  
NOT ANSWERED  
NOT ANSWERED

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

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

AWARD LIMITS ON MULTIPLE PROJECTS

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

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

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

It is the desire of the Bidder to be awarded contracts, the value of which will not exceed a total of NOT ANSWERED for those

projects indicated herein, for which bids will be opened on (MM/DD/YY)

The Award Limits shall apply to the following projects:

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

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

Fuel Price Adjustment Opt-Out Clause

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

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

Enter X in one box only:

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

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

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

NORTH CAROLINA STATE DEPARTMENT OF TRANSPORTATION  
DBE COMMITMENT ITEMS

DATE:11-18-08  
PAGE: 12

PROPOSAL: C201850  
LETTING: L081216 CALL: 030  
VENDOR: 3481 R. E. Burns & Sons Co., Inc.

LINE NO.	ITEM NO.	ITEM DESC.	UNIT TYPE	SUBCONTRACTOR QUANTITY	SUBCONTRACTOR UNIT PRICE	EXTENDED AMOUNT
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DBE SUBCONTRACTOR: 3376 REYNOLDS FENCE & GUARDRAIL INC  
Will Use Quote: Yes

0029	3030000000-E	STL BM GUARD	LF	125.000	17.25000	2156.25
0030	3045000000-E	SBGR SHOP CU	LF	37.500	18.50000	693.75
0031	3150000000-N	ADDIT GUARDR	EA	5.000	30.00000	150.00
0032	3195000000-N	GR ANCHOR TY	EA	2.000	500.00000	1000.00
0033	3215000000-N	GR ANCHOR TY	EA	4.000	1250.00000	5000.00
0034	3270000000-N	GR ANCHOR TY	EA	2.000	2000.00000	4000.00

DBE COMMITMENT TOTAL FOR SUBCONTRACTOR: 13,000.00 ✓  
DBE COMMITMENT TOTAL FOR VENDOR (SubContractor ) 13,000. ✓

DBE SUBCONTRACTOR: 3145 WATTS BARRIER WALLS  
Will Use Quote: Yes

0081	8503000000-E	CONCRETE BAR	LF	204.830	54.00000	11060.82
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DBE COMMITMENT TOTAL FOR SUBCONTRACTOR: 11,060.82 ✓  
DBE COMMITMENT TOTAL FOR VENDOR (SubContractor ) 11,060. ✓

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

0039	4102000000-N	SIGN ERECTIO	EA	3.000	75.00000	225.00
0038	4072000000-E	SUPPORT, 3-L	LF	44.000	4.95000	217.80
0041	4400000000-E	WORK ZONE SI	SF	471.000	4.80000	2260.80
0042	4410000000-E	WORK ZONE SI	SF	177.000	6.50000	1150.50
0044	4445000000-E	BARRICADES (	LF	156.000	26.75000	4173.00

DBE COMMITMENT TOTAL FOR SUBCONTRACTOR: 8,027.10 ✓  
DBE COMMITMENT TOTAL FOR VENDOR (SubContractor ) 8,027.1 ✓

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

0043	4430000000-N	DRUMS	EA	15.000	35.00000	525.00
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supply

DBE COMMITMENT TOTAL FOR SUBCONTRACTOR: 525.00 ✓  
DBE COMMITMENT TOTAL FOR VENDOR ( Supplier ) \$315.00 ✓

TOTAL DBE COMMITMENT FOR VENDOR: Entered: 5.04% or 32402.92  
Required: 5.00% or 32139.96  
<GOAL MET>



## Contract Item Sheets For C201850

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
<b>ROADWAY ITEMS</b>						
0001	0000100000-N	800	MOBILIZATION	Lump Sum LS	32,000.00	32,000.00
0002	0029000000-N	SP	REINFORCED BRIDGE APPROACH FILL, STATION ***** (14 + 22.50 -L-)	Lump Sum LS	17,000.00	17,000.00
0003	0043000000-N	226	GRADING	Lump Sum LS	30,000.00	30,000.00
0004	0050000000-E	226	SUPPLEMENTARY CLEARING & GRUB- BING	1 ACR	1.00	1.00
0005	0057000000-E	226	UNDERCUT EXCAVATION	50 CY	5.00	250.00
0006	0080000000-E	SP	CLASS IV SUBGRADE STABILIZA- TION	10 TON	40.00	400.00
0007	0195000000-E	265	SELECT GRANULAR MATERIAL	10 CY	40.00	400.00
0008	0196000000-E	270	FABRIC FOR SOIL STABILIZATION	10 SY	3.00	30.00
0009	0318000000-E	300	FOUNDATION CONDITIONING MATE- RIAL, MINOR STRS	33 TON	25.00	825.00
0010	0343000000-E	310	15" SIDE DRAIN PIPE	52 LF	40.00	2,080.00
0011	0366000000-E	310	15" RC PIPE CULVERTS, CLASS III	60 LF	50.00	3,000.00
0012	0372000000-E	310	18" RC PIPE CULVERTS, CLASS III	52 LF	60.00	3,120.00
0013	1121000000-E	520	AGGREGATE BASE COURSE	110 TON	40.00	4,400.00
0014	1220000000-E	545	INCIDENTAL STONE BASE	30 TON	40.00	1,200.00
0015	1489000000-E	610	ASPHALT CONC BASE COURSE, TYPE B25.0B	190 TON	86.00	16,340.00
0016	1525000000-E	610	ASPHALT CONC SURFACE COURSE, TYPE SF9.5A	260 TON	78.00	20,280.00
0017	1560000000-E	620	ASPHALT BINDER FOR PLANT MIX, GRADE PG 64-22	30 TON	775.00	23,250.00

## Contract Item Sheets For C201850

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
0018	1693000000-E	654	ASPHALT PLANT MIX, PAVEMENT REPAIR	20 TON	200.00	4,000.00
0019	2000000000-N	806	RIGHT OF WAY MARKERS	15 EA	200.00	3,000.00
0020	2022000000-E	815	SUBDRAIN EXCAVATION	6 CY	3.00	18.00
0021	2033000000-E	815	SUBDRAIN FINE AGGREGATE	5 CY	30.00	150.00
0022	2044000000-E	815	6" PERFORATED SUBDRAIN PIPE	25 LF	2.50	62.50
0023	2055000000-E	815	6" SUBDRAIN PIPE WYES, TEES, & ELBOWS	1 EA	30.00	30.00
0024	2066000000-N	815	CONCRETE PAD FOR SUBDRAIN PIPE OUTLET	1 EA	50.00	50.00
0025	2077000000-E	815	6" OUTLET PIPE (SUBDRAINS)	6 LF	15.00	90.00
0026	2286000000-N	840	MASONRY DRAINAGE STRUCTURES	3 EA	1,600.00	4,800.00
0027	2367000000-N	840	FRAME WITH TWO GRATES, STD 840.29	3 EA	600.00	1,800.00
0028	2556000000-E	846	SHOULDER BERM GUTTER	160 LF	40.00	6,400.00
0029	3030000000-E	862	STEEL BM GUARDRAIL	125 LF	17.25	2,156.25
0030	3045000000-E	862	STEEL BM GUARDRAIL, SHOP CURVED	37.5 LF	18.50	693.75
0031	3150000000-N	862	ADDITIONAL GUARDRAIL POSTS	5 EA	30.00	150.00
0032	3195000000-N	862	GUARDRAIL ANCHOR UNITS, TYPE AT-1	2 EA	500.00	1,000.00
0033	3215000000-N	862	GUARDRAIL ANCHOR UNITS, TYPE III	4 EA	1,250.00	5,000.00
0034	3270000000-N	SP	GUARDRAIL ANCHOR UNITS, TYPE 350	2 EA	2,000.00	4,000.00
0035	3649000000-E	876	RIP RAP, CLASS B	70 TON	44.00	3,080.00

## Contract Item Sheets For C201850

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
0036	3656000000-E	876	FILTER FABRIC FOR DRAINAGE	370 SY	2.00	740.00
0037	3659000000-N	SP	PREFORMED SCOUR HOLES WITH LEVEL SPREADER APRON	1 EA	1,300.00	1,300.00
0038	4072000000-E	903	SUPPORTS, 3-LB STEEL U-CHANNEL	44 LF	4.95	217.80
0039	4102000000-N	904	SIGN ERECTION, TYPE E	3 EA	75.00	225.00
0040	4155000000-N	907	DISPOSAL OF SIGN SYSTEM, U-CHANNEL	9 EA	1.00	9.00
0041	4400000000-E	1110	WORK ZONE SIGNS (STATIONARY)	471 SF	5.55	2,614.05
0042	4410000000-E	1110	WORK ZONE SIGNS (BARRICADE MOUNTED)	177 SF	6.50	1,150.50
0043	4430000000-N	1130	DRUMS	15 EA	35.00	525.00
0044	4445000000-E	1145	BARRICADES (TYPE III)	156 LF	26.75	4,173.00
0045	4810000000-E	1205	PAINT PAVEMENT MARKING LINES (4")	3,376 LF	0.55	1,856.80
0046	5326200000-E	1510	12" WATER LINE	255 LF	95.00	24,225.00
0047	5558000000-E	1515	12" VALVE	2 EA	3,300.00	6,600.00
0048	5648000000-N	1515	RELOCATE WATER METER	3 EA	500.00	1,500.00
0049	5672000000-N	1515	RELOCATE FIRE HYDRANT	1 EA	3,000.00	3,000.00
0050	5800000000-E	1530	ABANDON 6" UTILITY PIPE	165 LF	6.00	990.00
0051	5804000000-E	1530	ABANDON 12" UTILITY PIPE	72 LF	12.00	864.00
0052	6000000000-E	1605	TEMPORARY SILT FENCE	440 LF	3.00	1,320.00
0053	6006000000-E	1610	STONE FOR EROSION CONTROL, CLASS A	75 TON	35.00	2,625.00
0054	6009000000-E	1610	STONE FOR EROSION CONTROL, CLASS B	175 TON	35.00	6,125.00

## Contract Item Sheets For C201850

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
0055	6012000000-E	1610	SEDIMENT CONTROL STONE	65 TON	35.00	2,275.00
0056	6015000000-E	1615	TEMPORARY MULCHING	0.5 ACR	2,000.00	1,000.00
0057	6018000000-E	1620	SEED FOR TEMPORARY SEEDING	50 LB	20.00	1,000.00
0058	6021000000-E	1620	FERTILIZER FOR TEMPORARY SEEDING	1.25 TON	2,000.00	2,500.00
0059	6029000000-E	SP	SAFETY FENCE	250 LF	3.00	750.00
0060	6030000000-E	1630	SILT EXCAVATION	430 CY	4.00	1,720.00
0061	6036000000-E	1631	MATTING FOR EROSION CONTROL	420 SY	5.00	2,100.00
0062	6037000000-E	SP	COIR FIBER MAT	10 SY	15.00	150.00
0063	6038000000-E	SP	PERMANENT SOIL REINFORCEMENT MAT	50 SY	10.00	500.00
0064	6042000000-E	1632	1/4" HARDWARE CLOTH	60 LF	5.00	300.00
0065	6071030000-E	SP	COIR FIBER BAFFLES	110 LF	6.00	660.00
0066	6071050000-E	SP	*** SKIMMER (1-1/2")	1 EA	1,000.00	1,000.00
0067	6084000000-E	1660	SEEDING & MULCHING	1 ACR	5,000.00	5,000.00
0068	6087000000-E	1660	MOWING	0.5 ACR	25.00	12.50
0069	6090000000-E	1661	SEED FOR REPAIR SEEDING	50 LB	1.00	50.00
0070	6093000000-E	1661	FERTILIZER FOR REPAIR SEEDING	0.25 TON	1,000.00	250.00
0071	6096000000-E	1662	SEED FOR SUPPLEMENTAL SEEDING	50 LB	1.00	50.00
0072	6108000000-E	1665	FERTILIZER TOPDRESSING	0.5 TON	650.00	325.00
0073	6114000000-N	SP	SPECIALIZED HAND MOWING	2 HR	25.00	50.00

Contract Item Sheets For C201850

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
0074	6117000000-N	SP	RESPONSE FOR EROSION CONTROL	12 EA	1.00	12.00

## Contract Item Sheets For C201850

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
0075	8035000000-N	402	REMOVAL OF EXISTING STRUCTURE AT STATION ***** (14+22.50-L)	Lump Sum LS	15,000.00	15,000.00
0076	8121000000-N	412	UNCLASSIFIED STRUCTURE EXCAVA- TION AT STATION ***** (14+22.50-L)	Lump Sum LS	3,000.00	3,000.00
0077	8182000000-E	420	CLASS A CONCRETE (BRIDGE)	47.5 CY	980.00	46,550.00
0078	8210000000-N	422	BRIDGE APPROACH SLABS, STATION ***** (14+22.50-L)	Lump Sum LS	22,000.00	22,000.00
0079	8217000000-E	425	REINFORCING STEEL (BRIDGE)	6,953 LB	1.50	10,429.50
0080	8384000000-E	450	HP14X73 STEEL PILES	240 LF	22.50	5,400.00
0081	8503000000-E	460	CONCRETE BARRIER RAIL	204.83 LF	72.00	14,747.76
0082	8608000000-E	876	RIP RAP CLASS II (2'-0" THICK)	330 TON	40.00	13,200.00
0083	8622000000-E	876	FILTER FABRIC FOR DRAINAGE	367 SY	2.00	734.00
0084	8657000000-N	430	ELASTOMERIC BEARINGS	Lump Sum LS	4,335.00	4,335.00
0085	8753200000-E	430	3'-0" X 3'-3" PRESTRESSED CONC BOX BEAMS	1,126.58 LF	210.00	236,581.80

TOTAL AMOUNT OF BID FOR ENTIRE PROJECT

\$642,799.21 ✓

Contract Number C201850  
County Buncombe

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**

R. E. Burns & Sons Co., Inc.  
Full name of Corporation

P. O. Box 7168, Statesville, N. C. 28687  
Address as Prequalified

Attest Nancy L. Burns By KC Burns  
~~Secretary~~/Assistant Secretary President/Vice President/Assistant Vice President  
Select appropriate title Select appropriate title

Nancy L. Burns  
Print or type Signer's name

Kevin C. Burns  
Print or type Signer's name

**CORPORATE SEAL**

**AFFIDAVIT MUST BE NOTARIZED**

**NOTARY SEAL**

Subscribed and sworn to before me this the

12 day of January 2009  
Stephan B. Beane  
Signature of Notary Public

of Iredell County

State of North Carolina

My Commission Expires: June 17, 2013

## 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.

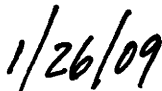
**Contract No**     **C201850**

**County (ies):**   **Buncombe**

ACCEPTED BY THE  
DEPARTMENT OF TRANSPORTATION

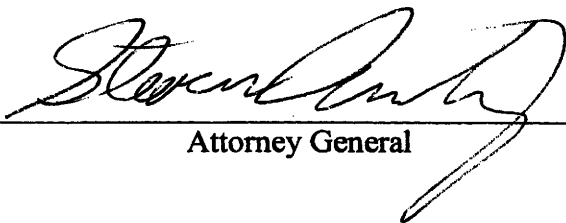


\_\_\_\_\_  
Contract Officer



\_\_\_\_\_  
Date

Execution of Contract and Bonds  
Approved as to Form:



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

Contract No. C201850  
County Buncombe County

(Rev 7-10-08)

**CONTRACT PAYMENT BOND**  
BOND NO. 837042319

Date of Payment Bond Execution January 9, 2009

Name of Principal Contractor R.E. Burns & Sons Co., Inc.

Name of Surety: Liberty Mutual Insurance Company

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

Amount of Bond: Six Hundred Forty Two Thousand Seven Hundred  
Ninety Nine Dollars and 21/100ths (\$642,799.21)

Contract ID No.: C201850; WBS No. 33402.3.1

County Name: Buncombe 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.

Contract No. C201850  
County Buncombe County

(Rev 7-10-08)

**CONTRACT PAYMENT BOND**


*Affix Seal of Surety Company*

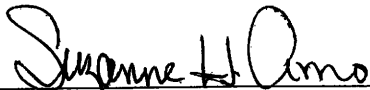
Liberty Mutual Insurance Company

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

By Katherine D. Jennison

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

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

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

Suzanne H. Amo

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

6315 Fly Road, E. Syracuse NY 13057

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

Contract No. C201850  
County Buncombe County

(Rev 7-10-08)

**CONTRACT PAYMENT BOND  
CORPORATION**

SIGNATURE OF CONTRACTOR (Principal)

R.E. Burns & Sons Co., Inc.

Full name of Corporation

P.O. Box 7168 Statesville, N.C. 28687  
Address as prequalified

By KCBurns  
Signature of President, ~~Vice President~~, Assistant Vice-President  
Select appropriate title

KEVIN BURNS  
Print or type Signer's name

*Affix Corporate Seal*

Attest Nancy L. Burns  
Signature of Secretary, Assistant Secretary  
Select appropriate title

Nancy L. Burns  
Print or type Signer's name

Contract No. C201850  
County Buncombe County

(Rev 7-10-08)

**CONTRACT PERFORMANCE BOND**  
BOND NO. 837042319

Date of Performance Bond Execution: January 9, 2009

Name of Principal Contractor: R.E. Burns & Sons Co., Inc.

Name of Surety: Liberty Mutual Insurance Company

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

Amount of Bond: Six Hundred Forty Two Thousand Seven Hundred  
Ninety Nine Dollars and 21/100ths (\$642,799.21)

Contract ID No.: C201850; WBS No. 33402.3.1

County Name: Buncombe 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.

Contract No. C201850  
County Buncombe County

(Rev 7-10-08)


**CONTRACT PERFORMANCE BOND**

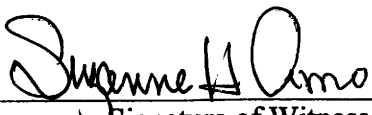
*Affix Seal of Surety Company*

Liberty Mutual Insurance Company

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

By Katherine D. Jennison  
\_\_\_\_\_  
Print, stamp or type name of Attorney-in-Fact

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

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

Suzanne H. Amo  
\_\_\_\_\_  
Print or type Witness's name

6315 Fly Road, E. Syracuse NY 13057  
\_\_\_\_\_  
Address of Attorney-in-Fact

Contract No. C201850  
County Buncombe County

(Rev 7-10-08)

**CONTRACT PERFORMANCE BOND**

**CORPORATION**

SIGNATURE OF CONTRACTOR (Principal)

R.E. Burns & Sons Co., Inc.

Full name of Corporation

P.O. Box 7168

Statesville, N.C. 28687

Address as prequalified

By

*Kevin Burns*

Signature of President, Vice-President, Assistant Vice-President

Select appropriate title

KEVIN BURNS

Print or type Signer's name

*Affix Corporate Seal*

Attest

*Nancy L. Burns*

Signature of Secretary, Assistant Secretary

Select appropriate title

Nancy L. Burns

Print or type Signer's name



THIS POWER OF ATTORNEY IS NOT VALID UNLESS IT IS PRINTED ON RED BACKGROUND.

This Power of Attorney limits the acts of those named herein, and they have no authority to bind the Company except in the manner and to the extent herein stated.

LIBERTY MUTUAL INSURANCE COMPANY
BOSTON, MASSACHUSETTS
POWER OF ATTORNEY

KNOW ALL PERSONS BY THESE PRESENTS: That Liberty Mutual Insurance Company (the "Company"), a Massachusetts stock insurance company, pursuant to and by authority of the By-law and Authorization hereinafter set forth, does hereby name, constitute and appoint

CHARLES T. RELLER, KEITH P. BUTLER, SUZANNE H. AMO, DEBRA A. HULCHANSKI, KATHERINE D. JENNISON, ALL OF THE CITY OF EAST SYRACUSE, STATE OF NEW YORK

each individually if there be more than one named, its true and lawful attorney-in-fact to make, execute, seal, acknowledge and deliver, for and on its behalf as surety and as its act and deed, any and all undertakings, bonds, recognizances and other surety obligations in the penal sum not exceeding TWENTY MILLION AND 00/100 DOLLARS (\$ 20,000,000.00) each, and the execution of such undertakings, bonds, recognizances and other surety obligations, in pursuance of these presents, shall be as binding upon the Company as if they had been duly signed by the president and attested by the secretary of the Company in their own proper persons.

That this power is made and executed pursuant to and by authority of the following By-law and Authorization:

ARTICLE XIII - Execution of Contracts: Section 5. Surety Bonds and Undertakings.

Any officer of the Company authorized for that purpose in writing by the chairman or the president, and subject to such limitations as the chairman or the president may prescribe, shall appoint such attorneys-in-fact, as may be necessary to act in behalf of the Company to make, execute, seal, acknowledge and deliver as surety any and all undertakings, bonds, recognizances and other surety obligations. Such attorneys-in-fact, subject to the limitations set forth in their respective powers of attorney, shall have full power to bind the Company by their signature and execution of any such instruments and to attach thereto the seal of the Company. When so executed such instruments shall be as binding as if signed by the president and attested by the secretary.

By the following instrument the chairman or the president has authorized the officer or other official named therein to appoint attorneys-in-fact:

Pursuant to Article XIII, Section 5 of the By-Laws, Garnet W. Elliott, Assistant Secretary of Liberty Mutual Insurance Company, is hereby authorized to appoint such attorneys-in-fact as may be necessary to act in behalf of the Company to make, execute, seal, acknowledge and deliver as surety any and all undertakings, bonds, recognizances and other surety obligations.

That the By-law and the Authorization set forth above are true copies thereof and are now in full force and effect.

IN WITNESS WHEREOF, this Power of Attorney has been subscribed by an authorized officer or official of the Company and the corporate seal of Liberty Mutual Insurance Company has been affixed thereto in Plymouth Meeting, Pennsylvania this 22nd day of October 2008

LIBERTY MUTUAL INSURANCE COMPANY

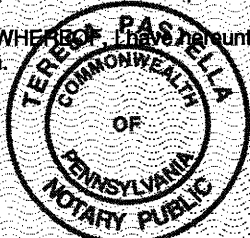
By Garnet W. Elliott, Assistant Secretary



COMMONWEALTH OF PENNSYLVANIA ss
COUNTY OF MONTGOMERY

On this 22nd day of October, 2008, before me, a Notary Public, personally came Garnet W. Elliott, to me known, and acknowledged that he is an Assistant Secretary of Liberty Mutual Insurance Company; that he knows the seal of said corporation; and that he executed the above Power of Attorney and affixed the corporate seal of Liberty Mutual Insurance Company thereto with the authority and at the direction of said corporation.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed my notarial seal at Plymouth Meeting, Pennsylvania, on the day and year first above written.



COMMONWEALTH OF PENNSYLVANIA
Notarial Seal
Teresa Pastella, Notary Public
Plymouth Twp., Montgomery County
My Commission Expires Mar. 28, 2009
Member, Pennsylvania Association of Notaries

By Teresa Pastella, Notary Public

CERTIFICATE

I, the undersigned, Assistant Secretary of Liberty Mutual Insurance Company, do hereby certify that the original power of attorney of which the foregoing is a full, true and correct copy, is in full force and effect on the date of this certificate; and I do further certify that the officer or official who executed the said power of attorney is an Assistant Secretary specially authorized by the chairman or the president to appoint attorneys-in-fact as provided in Article XIII, Section 5 of the By-laws of Liberty Mutual Insurance Company.

This certificate and the above power of attorney may be signed by facsimile or mechanically reproduced signatures under and by authority of the following vote of the board of directors of Liberty Mutual Insurance Company at a meeting duly called and held on the 12th day of March, 1980.

VOTED that the facsimile or mechanically reproduced signature of any assistant secretary of the company, wherever appearing upon a certified copy of any power of attorney issued by the company in connection with surety bonds, shall be valid and binding upon the company with the same force and effect as though manually affixed.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed the corporate seal of the said company, this 9th day of January, 2009



By David M. Carey, Assistant Secretary

Not valid for mortgage, note, loan, letter of credit, bank deposit, currency rate, interest rate or residual value guarantees.

To confirm the validity of this Power of Attorney call 1-610-832-8240 between 9:00 am and 4:30 pm EST on any business day.

