

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

C202333

CONTRACT AND  
CONTRACT BONDS  
FOR CONTRACT NO. C202333

WBS 33035.3.1 BRZ-1127(6)

T.I.P NO. B-3404

COUNTY OF ANSON

THIS IS THE ROADWAY & STRUCTURE CONTRACT

ROUTE NUMBER SR 1127 LENGTH 0.136 MILES

LOCATION BRIDGE OVER SOUTH FORK JONES CREEK & APPROACHES ON SR-1127.

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

ADDRESS P.O. BOX 7168  
STATESVILLE, NC 28687

BIDS OPENED MARCH 16, 2010

CONTRACT EXECUTION APR 09 2010

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

**Vendor 4 of 9 Vendors for Call Order 009 (Proposal ID C202333).**

County: ANSON  
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 Mar 16 12:03:22 2010

Bid Checksum: 09AC09B8

Amendment Count: 0

DBE GOAL SET 9.0

Bidding Errors: No bidding errors.

DBE GOAL MET 9.3

Bid Total: \$693,969.50 ✓

Bond ID: SNC10615819

Bond was Verified: Yes.

Bond Required Percent: 5.00%

Minimum Check Amount: \$34,698.47

Bid Security Maximum: \$

Bond Agency Name:

Agency Execution Date: 2/24/2010 10:10:07 AM

Surety Name: Liberty Mutual Insurance Company

Surety State of Incorporation:

Bond Company:

Bond Type:

Bond Appr Flag:

Bond Affirm:

Bond was Paid by Check: No.

LIST OF DBE PARTICIPANTS

VENDOR NUMBER	DBE NAME ADDRESS	WORK CODE TYPE OF WORK	CERT TYPE	AMOUNT	
5266	WB NORTH STATE ENVIRONMENTAL, INC 2889 LOWERY ST SUITE B , WINSTON-SALEM, NC 27101		Sub	8,708.00	✓ am
3792	MB SOUTH EAST GROUP P.A. POST OFFICE BOX 2483 , CORNELIUS, NC 28031		Sub	4,814.00	✓ am
2855	WB BOSS CONSTRUCTION CO., INC. 229 BOXWOOD CHURCH ROAD , MOCKSVILLE, NC 27028		Sub	10,142.17	✓ am
3269	WB GML CONTRACTORS, INC. P O BOX 702 , MONROE, NC 28111		Sub	25,900.00	✓ am
2920	WB THE SHARON COMPANY INC POST OFFICE BOX 1366 , LEXINGTON, SC 29071		Sub	11,090.00	✓ am
3765	WB STAY ALERT SAFETY SERVICES INC POST OFFICE BOX 467 , KERNERSVILLE, NC 27285		Sub	4,010.80	✓ am
TOTAL:				\$64,664.97	✓ am
				9.32%	

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	

Bid Bond Data Info - Contractor Responses:

=====

NCDOT/berc

Vendor 3481's Load Output for Call 009, Letting L100316, 2010-03-16

BondID: SNC10615819  
Surety Registry Agency: surety2000  
Verified?: Yes  
Surety Agency: Liberty Mutual Insurance Company  
Bond Execution Date: 2/24/2010 10:10:07 AM  
Bond Amount: \$34,698.47 (Five Percent of Bid)

State of NC  
Dept of Transportation

Date: 02-16-10  
Revised:

Contract ID: C202333 Project(s): BRZ-1127(6)  
Letting Date: 03-16-10 Call Order: 009  
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			34,000.00
0002	0000400000-N CONSTRUCTIO N SURVEYING	LUMP	LUMP			5,000.00
0003	0030000000-N BRIDGE APPROACH FILL - SUB REGIONAL TIER, STATION ***** (21+25.00 -L-)	LUMP	LUMP			6,000.00
0004	0038000000-E SHALLOW UNDERCUT	CY	100.000	4.00000		400.00
0005	0043000000-N GRADING	LUMP	LUMP			54,423.00
0006	0050000000-E SUPPLEMENTA RY CLEARING & GRUB-BING	ACR	1.000	1.00000		1.00
0007	0057000000-E UNDERCUT EXCAVATION	CY	250.000	2.00000		500.00
0008	0080000000-E CLASS IV SUBGRADE STABILIZA- TION	TON	200.000	20.00000		4,000.00
0009	0134000000-E DRAINAGE DITCH EXCAVATION	CY	242.000	6.50000		1,573.00
0010	0196000000-E FABRIC FOR SOIL STABILIZATION	SY	1,250.000	1.00000		1,250.00

State of NC  
Dept of Transportation

Date: 02-16-10  
Revised:

Contract ID: C202333 Project(s): BRZ-1127(6)  
Letting Date: 03-16-10 Call Order: 009  
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	0234000000-E GENERIC GRADING ITEM SELECT GRANULAR MATERIAL	1,500.000 CY	1.00000		1,500.00	
0012	0320000000-E FOUNDATION CONDITIONING FABRIC	10.000 SY	1.50000		15.00	
0013	0330000000-E GENERIC DRAINAGE ITEM FOUNDATION CONDITIONING MATE- RIAL, MINOR STRS	5.000 TON	45.00000		225.00	
0014	0335200000-E 15" DRAINAGE PIPE	28.000 LF	35.00000		980.00	
0015	0335850000-E *** DRAINAGE PIPE ELBOWS (15")	2.000 EA	230.00000		460.00	
0016	1220000000-E INCIDENTAL STONE BASE	100.000 TON	12.00000		1,200.00	
0017	1489000000-E ASPHALT CONC BASE COURSE, TYPE B25.0B	250.000 TON	46.66000		11,665.00	
0018	1525000000-E ASPHALT CONC SURFACE COURSE, TYPE SF9.5A	190.000 TON	60.00000		11,400.00	
0019	1560000000-E ASPHALT BINDER FOR PLANT MIX, GRADE PG 64-22	25.000 TON	531.00000		13,275.00	
0020	1693000000-E ASPHALT PLANT MIX, PAVEMENT REPAIR	25.000 TON	100.00000		2,500.00	
0021	2286000000-N MASONRY DRAINAGE STRUCTURES	1.000 EA	1,500.00000		1,500.00	

State of NC  
Dept of Transportation

Date: 02-16-10  
Revised:

Contract ID: C202333 Project(s): BRZ-1127(6)  
Letting Date: 03-16-10 Call Order: 009  
Bidder: 3481 - R. E. Burns & Sons Co., Inc.

Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
0022	2367000000-N FRAME WITH TWO GRATES, STD 840.29	EA 1.000	375.00000		375.00	
0023	2556000000-E SHOULDER BERM GUTTER	LF 19.000	40.00000		760.00	
0024	3030000000-E STEEL BM GUARDRAIL	LF 25.000	20.00000		500.00	
0025	3150000000-N ADDITIONAL GUARDRAIL POSTS	EA 5.000	10.00000		50.00	
0026	3215000000-N GUARDRAIL ANCHOR UNITS, TYPE III	EA 4.000	1,000.00000		4,000.00	
0027	3270000000-N GUARDRAIL ANCHOR UNITS, TYPE 350	EA 4.000	1,635.00000		6,540.00	
0028	3649000000-E RIP RAP, CLASS B	TON 130.000	33.00000		4,290.00	
0029	3656000000-E FILTER FABRIC FOR DRAINAGE	SY 1,150.000	1.00000		1,150.00	
0030	3659000000-N PREFORMED SCOUR HOLES WITH LEVEL SPREADER APRON	EA 1.000	1,000.00000		1,000.00	
0031	4400000000-E WORK ZONE SIGNS (STATIONARY)	SF 302.000	5.85000		1,766.70	
0032	4410000000-E WORK ZONE SIGNS (BARRICADE MOUNTED)	SF 94.000	6.85000		643.90	
0033	4445000000-E BARRICADES (TYPE III)	LF 96.000	19.50000		1,872.00	

State of NC  
Dept of Transportation

Date: 02-16-10  
Revised:

Contract ID: C202333  
Project(s): BRZ-1127(6)  
Letting Date: 03-16-10 Call Order: 009  
Bidder: 3481 - R. E. Burns & Sons Co., Inc.

Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
0034	4810000000-E PAINT PAVEMENT MARKING LINES (4")	5,760.000 LF	0.33000		1,900.80	
0035	6000000000-E TEMPORARY SILT FENCE	1,850.000 LF	1.88000		3,478.00	
0036	6006000000-E STONE FOR EROSION CONTROL, CLASS A	230.000 TON	5.00000		1,150.00	
0037	6009000000-E STONE FOR EROSION CONTROL, CLASS B	100.000 TON	5.00000		500.00	
0038	6012000000-E SEDIMENT CONTROL STONE	125.000 TON	5.00000		625.00	
0039	6015000000-E TEMPORARY MULCHING	1.500 ACR	1,000.00000		1,500.00	
0040	6018000000-E SEED FOR TEMPORARY SEEDING	50.000 LB	5.00000		250.00	
0041	6021000000-E FERTILIZER FOR TEMPORARY SEED-ING	1.250 TON	600.00000		750.00	
0042	6024000000-E TEMPORARY SLOPE DRAINS	310.000 LF	6.00000		1,860.00	
0043	6027000000-N INLET PROTECTION AT TEMPORARY SLOPE DRAINS	4.000 EA	100.00000		400.00	
0044	6029000000-E SAFETY FENCE	450.000 LF	1.80000		810.00	
0045	6030000000-E SILT EXCAVATION	300.000 CY	1.00000		300.00	

State of NC  
Dept of Transportation

Date: 02-16-10  
Revised:

Contract ID: C202333 Project(s): BRZ-1127(6)  
Letting Date: 03-16-10 Call Order: 009  
Bidder: 3481 - R. E. Burns & Sons Co., Inc.

Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
0046	6036000000-E MATTING FOR EROSION CONTROL	8,000.000 SY	1.50000		12,000.00	
0047	6037000000-E COIR FIBER MAT	50.000 SY	6.00000		300.00	
0048	6042000000-E 1/4" HARDWARE CLOTH	40.000 LF	5.00000		200.00	
0049	6070000000-N SPECIAL STILLING BASINS	4.000 EA	165.00000		660.00	
0050	6071030000-E COIR FIBER BAFFLES	280.000 LF	5.50000		1,540.00	
0051	6071050000-E **" SKIMMER (1-1/2")	4.000 EA	595.00000		2,380.00	
0052	6084000000-E SEEDING & MULCHING	5.000 ACR	1,000.00000		5,000.00	
0053	6087000000-E MOWING	1.000 ACR	200.00000		200.00	
0054	6090000000-E SEED FOR REPAIR SEEDING	50.000 LB	10.00000		500.00	
0055	6093000000-E FERTILIZER FOR REPAIR SEEDING	0.250 TON	600.00000		150.00	
0056	6096000000-E SEED FOR SUPPLEMENTAL SEEDING	50.000 LB	3.00000		150.00	
0057	6108000000-E FERTILIZER TOPDRESSING	1.000 TON	600.00000		600.00	

State of NC  
Dept of Transportation

Date: 02-16-10  
Revised:

Contract ID: C202333 Project(s): BRZ-1127(6)  
Letting Date: 03-16-10 Call Order: 009  
Bidder: 3481 - R. E. Burns & Sons Co., Inc.

Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
0058	6114500000-N SPECIALIZED HAND MOWING	MHR 12.000	50.00000		600.00	
0059	6117000000-N RESPONSE FOR EROSION CONTROL	EA 12.000	1.00000		12.00	
Section 0001 Total						212,630.40

Section 0004 STRUCTURE ITEMS

Alt Group

0060	8017000000-N CONSTRUCTION, MAINTENANCE, & REMOVAL OF TEMP ACCESS AT STA ***** (21+25.00 -L-)	LUMP	LUMP		11,000.00	
0061	8035000000-N REMOVAL OF EXISTING STRUCTURE AT STATION ***** (21+25.00 -L-)	LUMP	LUMP		35,000.00	
0062	8105520000-E 3'-0" DIA DRILLED PIERS IN SOIL	LF 24.000	288.00000		6,912.00	
0063	8105620000-E 3'-0" DIA DRILLED PIERS NOT IN SOIL	LF 18.000	1,152.00000		20,736.00	
0064	8111200000-E PERMANENT STEEL CASING FOR 3'-0" DIA DRILLED PIER	LF 16.000	173.00000		2,768.00	
0065	8113000000-N SIDE INSPECTION	EA 1.000	500.00000		500.00	
0066	8115000000-N CROSSHOLE SONIC LOGGING	EA 1.000	2,500.00000		2,500.00	

State of NC  
Dept of Transportation

Date: 02-16-10  
Revised:

Contract ID: C202333 Project(s): BRZ-1127(6)  
Letting Date: 03-16-10 Call Order: 009  
Bidder: 3481 - R. E. Burns & Sons Co., Inc.

Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
0067	8121000000-N UNCLASSIFIED STRUCTURE EXCAVATION AT STATION ***** (21+25.00 -L-)	LUMP	LUMP		1,500.00	
0068	8182000000-E CLASS A CONCRETE (BRIDGE)	CY 53.800	835.00000		44,923.00	
0069	8210000000-N BRIDGE APPROACH SLABS, STATION***** (21+25.00 -L-)	LUMP	LUMP		15,000.00	
0070	8217000000-E REINFORCING STEEL (BRIDGE)	LB 11,386.000	1.20000		13,663.20	
0071	8238000000-E SPIRAL COLUMN REINFORCING STEEL (BRIDGE)	LB 1,108.000	4.40000		4,875.20	
0072	8364000000-E HP12X53 STEEL PILES	LF 250.000	18.00000		4,500.00	
0073	8505000000-E VERTICAL CONCRETE BARRIER RAIL	LF 335.500	50.00000		16,775.00	
0074	8608000000-E RIP RAP CLASS II (2'-0" THICK)	TON 350.000	31.00000		10,850.00	
0075	8622000000-E FILTER FABRIC FOR DRAINAGE	SY 390.000	1.25000		487.50	
0076	8657000000-N ELASTOMERIC BEARINGS	LUMP	LUMP		4,385.00	
0077	8753100000-E 3'-0" X 2'-9" PRESTRESSED CONCBOX BEAMS	LF 1,676.260	170.00000		284,964.20	

State of NC  
 Dept of Transportation

Date: 02-16-10  
 Revised:

Contract ID: C202333 Project(s): BRZ-1127(6)  
 Letting Date: 03-16-10 Call Order: 009  
 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 0004 Total				481,339.10	
	Bid Total				693,969.50	

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	

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.

NORTH CAROLINA STATE DEPARTMENT OF TRANSPORTATION  
DBE COMMITMENT ITEMS

DATE:02-16-10  
PAGE: 11

PROPOSAL: C202333  
LETTING: L100316 CALL: 009  
VENDOR: 3481 R. E. Burns & Sons Co., Inc.

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

DBE SUBCONTRACTOR: 5266 NORTH STATE ENVIRONMENTAL, INC  
Will Use Quote: Yes

0035	60000000000-E	TEMPORARY SI LF	1850.000	1.88000	3478.00
0044	60290000000-E	SAFETY FENCE LF	450.000	1.80000	810.00
0047	60370000000-E	COIR FIBER M SY	50.000	6.00000	300.00
0048	60420000000-E	1/4" HARDWAR LF	40.000	5.00000	200.00
0050	60710300000-E	COIR FIBER B LF	280.000	5.50000	1540.00
0051	60710500000-E	*** SKIMMER EA	4.000	595.00000	2380.00

DBE COMMITMENT TOTAL FOR SUBCONTRACTOR: 8,708.00 ✓ am  
DBE COMMITMENT TOTAL FOR VENDOR (SubContractor ) 8,708.0

DBE SUBCONTRACTOR: 3792 SOUTH EAST GROUP P.A.  
Will Use Quote: Yes

0002	00004000000-N	CONSTRUCTION LS	1.000	4814.00000	4814.00
------	---------------	-----------------	-------	------------	---------

DBE COMMITMENT TOTAL FOR SUBCONTRACTOR: 4,814.00 ✓ am  
DBE COMMITMENT TOTAL FOR VENDOR (SubContractor ) 4,814.0

DBE SUBCONTRACTOR: 2855 BOSS CONSTRUCTION CO., INC.  
Will Use Quote: Yes

0073	85050000000-E	VERT CONC BA LF slipform	335.500	30.23000	10142.17
------	---------------	-----------------------------	---------	----------	----------

DBE COMMITMENT TOTAL FOR SUBCONTRACTOR: 10,142.17 ✓ am  
DBE COMMITMENT TOTAL FOR VENDOR (SubContractor ) 10,142.

DBE SUBCONTRACTOR: 3269 GML CONTRACTORS, INC.  
Will Use Quote: Yes

0039	60150000000-E	TEMPORARY MU ACR	1.500	1000.00000	1500.00
0040	60180000000-E	SEED FOR TEM LB	50.000	5.00000	250.00
0041	60210000000-E	FERT FOR TEM TON	1.250	600.00000	750.00
0046	60360000000-E	MATTING FOR SY	8000.000	1.50000	12000.00
0052	60840000000-E	SEEDING AND ACR	5.000	1600.00000	8000.00
0053	60870000000-E	MOWING ACR	1.000	200.00000	200.00
0054	60900000000-E	SEED FOR REP LB	50.000	10.00000	500.00
0055	60930000000-E	FERT FOR REP TON	0.250	600.00000	150.00
0056	60960000000-E	SEED FOR SUP LB	50.000	3.00000	150.00
0057	61080000000-E	FERTILIZER T TON	1.000	600.00000	600.00
0058	61145000000-N	SPECIALIZED MHR	12.000	50.00000	600.00
0059	61170000000-N	RESPONSE FOR EA	12.000	100.00000	1200.00

NORTH CAROLINA STATE DEPARTMENT OF TRANSPORTATION  
DBE COMMITMENT ITEMS

DATE: 02-16-10  
PAGE: 12

LINE NO.	ITEM NO.	ITEM DESC.	UNIT TYPE	SUBCONTRACTOR QUANTITY	SUBCONTRACTOR UNIT PRICE	EXTENDED AMOUNT	
DBE COMMITMENT TOTAL FOR SUBCONTRACTOR:						25,900.00	✓ arm
DBE COMMITMENT TOTAL FOR VENDOR (SubContractor )						25,900.	
DBE SUBCONTRACTOR: 2920 THE SHARON COMPANY INC							
Will Use Quote: Yes							
0024	3030000000-E	STL BM GUARD LF		25.000	20.00000	500.00	
0025	3150000000-N	ADDIT GUARDR EA		5.000	10.00000	50.00	
0026	3215000000-N	GR ANCHOR TY EA		4.000	1000.00000	4000.00	
0027	3270000000-N	GR ANCHOR TY EA		4.000	1635.00000	6540.00	
DBE COMMITMENT TOTAL FOR SUBCONTRACTOR:						11,090.00	✓ arm
DBE COMMITMENT TOTAL FOR VENDOR (SubContractor )						11,090.	
DBE SUBCONTRACTOR: 3765 STAY ALERT SAFETY SERVICES INC							
Will Use Quote: Yes							
0031	4400000000-E	WORK ZONE SI SF		302.000	4.95000	1494.90	
0032	4410000000-E	WORK ZONE SI SF		94.000	6.85000	643.90	
0033	4445000000-E	BARRICADES ( LF		96.000	19.50000	1872.00	
DBE COMMITMENT TOTAL FOR SUBCONTRACTOR:						4,010.80	✓ arm
DBE COMMITMENT TOTAL FOR VENDOR (SubContractor )						4,010.8	
TOTAL DBE COMMITMENT FOR VENDOR:				Entered:	9.32% or	64664.97	✓ arm
				Required:	9.00% or	62457.26	
				<GOAL MET>			

## Contract Item Sheets For C202333

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
<b>ROADWAY ITEMS</b>						
0001	0000100000-N	800	MOBILIZATION	Lump Sum LS	34,000.00	34,000.00
0002	0000400000-N	801	CONSTRUCTION SURVEYING	Lump Sum LS	5,000.00	5,000.00
0003	0030000000-N	SP	BRIDGE APPROACH FILL - SUB REGIONAL TIER, STATION ***** (21 + 25.00 -L-)	Lump Sum LS	6,000.00	6,000.00
0004	0038000000-E	SP	SHALLOW UNDERCUT	100 CY	4.00	400.00
0005	0043000000-N	226	GRADING	Lump Sum LS	54,423.00	54,423.00
0006	0050000000-E	226	SUPPLEMENTARY CLEARING & GRUB- BING	1 ACR	1.00	1.00
0007	0057000000-E	226	UNDERCUT EXCAVATION	250 CY	2.00	500.00
0008	0080000000-E	SP	CLASS IV SUBGRADE STABILIZA- TION	200 TON	20.00	4,000.00
0009	0134000000-E	240	DRAINAGE DITCH EXCAVATION	242 CY	6.50	1,573.00
0010	0196000000-E	270	FABRIC FOR SOIL STABILIZATION	1,250 SY	1.00	1,250.00
0011	0234000000-E	SP	GENERIC GRADING ITEM SELECT GRANULAR MATERIAL	1,500 CY	1.00	1,500.00
0012	0320000000-E	SP	FOUNDATION CONDITIONING FABRIC	10 SY	1.50	15.00
0013	0330000000-E	SP	GENERIC DRAINAGE ITEM FOUNDATION CONDITIONING MATE- RIAL, MINOR STRS	5 TON	45.00	225.00
0014	0335200000-E	SP	15" DRAINAGE PIPE	28 LF	35.00	980.00
0015	0335850000-E	SP	*** DRAINAGE PIPE ELBOWS (15")	2 EA	230.00	460.00
0016	1220000000-E	545	INCIDENTAL STONE BASE	100 TON	12.00	1,200.00
0017	1489000000-E	610	ASPHALT CONC BASE COURSE, TYPE B25.0B	250 TON	46.66	11,665.00
0018	1525000000-E	610	ASPHALT CONC SURFACE COURSE, TYPE SF9.5A	190 TON	60.00	11,400.00

## Contract Item Sheets For C202333

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
0019	1560000000-E	620	ASPHALT BINDER FOR PLANT MIX, GRADE PG 64-22	25 TON	531.00	13,275.00
0020	1693000000-E	654	ASPHALT PLANT MIX, PAVEMENT REPAIR	25 TON	100.00	2,500.00
0021	2286000000-N	840	MASONRY DRAINAGE STRUCTURES	1 EA	1,500.00	1,500.00
0022	2367000000-N	840	FRAME WITH TWO GRATES, STD 840.29	1 EA	375.00	375.00
0023	2556000000-E	846	SHOULDER BERM GUTTER	19 LF	40.00	760.00
0024	3030000000-E	862	STEEL BM GUARDRAIL	25 LF	20.00	500.00
0025	3150000000-N	862	ADDITIONAL GUARDRAIL POSTS	5 EA	10.00	50.00
0026	3215000000-N	862	GUARDRAIL ANCHOR UNITS, TYPE III	4 EA	1,000.00	4,000.00
0027	3270000000-N	SP	GUARDRAIL ANCHOR UNITS, TYPE 350	4 EA	1,635.00	6,540.00
0028	3649000000-E	876	RIP RAP, CLASS B	130 TON	33.00	4,290.00
0029	3656000000-E	876	FILTER FABRIC FOR DRAINAGE	1,150 SY	1.00	1,150.00
0030	3659000000-N	SP	PREFORMED SCOUR HOLES WITH LEVEL SPREADER APRON	1 EA	1,000.00	1,000.00
0031	4400000000-E	1110	WORK ZONE SIGNS (STATIONARY)	302 SF	5.85	1,766.70
0032	4410000000-E	1110	WORK ZONE SIGNS (BARRICADE MOUNTED)	94 SF	6.85	643.90
0033	4445000000-E	1145	BARRICADES (TYPE III)	96 LF	19.50	1,872.00
0034	4810000000-E	1205	PAINT PAVEMENT MARKING LINES (4")	5,760 LF	0.33	1,900.80
0035	6000000000-E	1605	TEMPORARY SILT FENCE	1,850 LF	1.88	3,478.00
0036	6006000000-E	1610	STONE FOR EROSION CONTROL, CLASS A	230 TON	5.00	1,150.00

## Contract Item Sheets For C202333

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
0037	6009000000-E	1610	STONE FOR EROSION CONTROL, CLASS B	100 TON	5.00	500.00
0038	6012000000-E	1610	SEDIMENT CONTROL STONE	125 TON	5.00	625.00
0039	6015000000-E	1615	TEMPORARY MULCHING	1.5 ACR	1,000.00	1,500.00
0040	6018000000-E	1620	SEED FOR TEMPORARY SEEDING	50 LB	5.00	250.00
0041	6021000000-E	1620	FERTILIZER FOR TEMPORARY SEED- ING	1.25 TON	600.00	750.00
0042	6024000000-E	1622	TEMPORARY SLOPE DRAINS	310 LF	6.00	1,860.00
0043	6027000000-N	1622	INLET PROTECTION AT TEMPORARY SLOPE DRAINS	4 EA	100.00	400.00
0044	6029000000-E	SP	SAFETY FENCE	450 LF	1.80	810.00
0045	6030000000-E	1630	SILT EXCAVATION	300 CY	1.00	300.00
0046	6036000000-E	1631	MATTING FOR EROSION CONTROL	8,000 SY	1.50	12,000.00
0047	6037000000-E	SP	COIR FIBER MAT	50 SY	6.00	300.00
0048	6042000000-E	1632	1/4" HARDWARE CLOTH	40 LF	5.00	200.00
0049	6070000000-N	SP	SPECIAL STILLING BASINS	4 EA	165.00	660.00
0050	6071030000-E	SP	COIR FIBER BAFFLES	280 LF	5.50	1,540.00
0051	6071050000-E	SP	*** SKIMMER (1-1/2")	4 EA	595.00	2,380.00
0052	6084000000-E	1660	SEEDING & MULCHING	5 ACR	1,000.00	5,000.00
0053	6087000000-E	1660	MOWING	1 ACR	200.00	200.00
0054	6090000000-E	1661	SEED FOR REPAIR SEEDING	50 LB	10.00	500.00
0055	6093000000-E	1661	FERTILIZER FOR REPAIR SEEDING	0.25 TON	600.00	150.00

## Contract Item Sheets For C202333

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
0056	6096000000-E	1662	SEED FOR SUPPLEMENTAL SEEDING	50 LB	3.00	150.00
0057	6108000000-E	1665	FERTILIZER TOPDRESSING	1 TON	600.00	600.00
0058	6114500000-N	SP	SPECIALIZED HAND MOWING	12 MHR	50.00	600.00
0059	6117000000-N	SP	RESPONSE FOR EROSION CONTROL	12 EA	1.00	12.00

## Contract Item Sheets For C202333

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
0060	8017000000-N	SP	CONSTRUCTION, MAINTENANCE, & REMOVAL OF TEMP ACCESS AT STA ***** (21 + 25.00 -L-)	Lump Sum LS	11,000.00	11,000.00
0061	8035000000-N	402	REMOVAL OF EXISTING STRUCTURE AT STATION ***** (21 + 25.00 -L-)	Lump Sum LS	35,000.00	35,000.00
0062	8105520000-E	SP	3'-0" DIA DRILLED PIERS IN SO IL	24 LF	288.00	6,912.00
0063	8105620000-E	SP	3'-0" DIA DRILLED PIERS NOT IN SOIL	18 LF	1,152.00	20,736.00
0064	8111200000-E	SP	PERMANENT STEEL CASING FOR 3'-0" DIA DRILLED PIER	16 LF	173.00	2,768.00
0065	8113000000-N	SP	SID INSPECTION	1 EA	500.00	500.00
0066	8115000000-N	SP	CROSSHOLE SONIC LOGGING	1 EA	2,500.00	2,500.00
0067	8121000000-N	412	UNCLASSIFIED STRUCTURE EXCAVA- TION AT STATION ***** (21 + 25.00 -L-)	Lump Sum LS	1,500.00	1,500.00
0068	8182000000-E	420	CLASS A CONCRETE (BRIDGE)	53.8 CY	835.00	44,923.00
0069	8210000000-N	422	BRIDGE APPROACH SLABS, STATION ***** (21 + 25.00 -L-)	Lump Sum LS	15,000.00	15,000.00
0070	8217000000-E	425	REINFORCING STEEL (BRIDGE)	11,386 LB	1.20	13,663.20
0071	8238000000-E	425	SPIRAL COLUMN REINFORCING STEEL (BRIDGE)	1,108 LB	4.40	4,875.20
0072	8364000000-E	SP	HP12X53 STEEL PILES	250 LF	18.00	4,500.00
0073	8505000000-E	SP	VERTICAL CONCRETE BARRIER RAIL	335.5 LF	50.00	16,775.00
0074	8608000000-E	876	RIP RAP CLASS II (2'-0" THICK)	350 TON	31.00	10,850.00
0075	8622000000-E	876	FILTER FABRIC FOR DRAINAGE	390 SY	1.25	487.50
0076	8657000000-N	430	ELASTOMERIC BEARINGS	Lump Sum LS	4,385.00	4,385.00

Contract Item Sheets For C202333

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
0077	8753100000-E	430	3'-0" X 2'-9" PRESTRESSED CONC BOX BEAMS	1,676.26 LF	170.00	284,964.20

TOTAL AMOUNT OF BID FOR ENTIRE PROJECT

\$693,969.50 ✓

0955/Mar31/Q39319.56/D358960570000/E77

Contract Number C202333  
County Anson

Rev 2-1-10

**EXECUTION OF CONTRACT  
NON-COLLUSION AFFIDAVIT, DEBARMENT CERTIFICATION AND GIFT BAN 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.

N.C.G.S. § 133-32 and Executive Order 24 prohibit the offer to, or acceptance by, any State Employee of any gift from anyone with a contract with the State, or from any person seeking to do business with the State. By execution of any response in this procurement, you attest, for your entire organization and its employees or agents, that you are not aware that any such gift has been offered, accepted, or promised by any employees of your organization.

**SIGNATURE OF CONTRACTOR**

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

P. O. Box 7168, Statesville, N. C. 28676  
Address as Prequalified

Attest Nancy L Burns Secretary/Assistant Secretary  
Select appropriate title

By Kevin C Burns President/Vice President/Assistant Vice President  
Select appropriate title

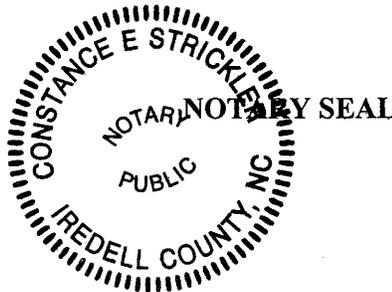
Nancy L. Burns  
Print or type Signer's name

Kevin C. Burns  
Print or type Signer's name

**CORPORATE SEAL**

**AFFIDAVIT MUST BE NOTARIZED**

Subscribed and sworn to before me this the  
1 day of April 2010.  
Constance E Strickley  
Signature of Notary Public  
of Iredell County  
State of North Carolina  
My Commission Expires: June 30, 2014



## 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**     **C202333**

**County (ies):**   **Anson**

ACCEPTED BY THE  
DEPARTMENT OF TRANSPORTATION

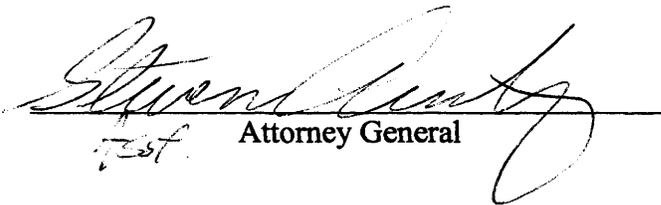


\_\_\_\_\_  
Contract Officer

4/9/10

\_\_\_\_\_  
Date

**Execution of Contract and Bonds**  
**Approved as to Form:**



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

Signature Sheet (Bid - Acceptance by Department)

Contract No. C202333  
County Anson County

Rev 2-1-10

**CONTRACT PAYMENT BOND**  
BOND NO. 837048767

Date of Payment Bond Execution March 31, 2010

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 Ninety Three Thousand Nine Hundred Sixty Nine Dollars and 50/100ths (\$693,969.50)

Contract ID No.: C202333

County Name: Anson 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. C202333  
County Anson County

Rev 2-1-10

**CONTRACT PAYMENT BOND**

*Affix Seal of Surety Company*

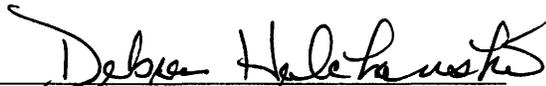
Liberty Mutual Insurance Company

\_\_\_\_\_  
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

Debra Hulchanski

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

6315 Fly Road, East Syracuse NY 13057

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

Contract No. C202333  
County Anson County

Rev 2-1-10

**CONTRACT PAYMENT BOND**

**CORPORATION**

SIGNATURE OF CONTRACTOR (Principal)

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

Full name of Corporation

P.O. Box 7168 Statesville, NC 28687

Address as prequalified

By KCBurn  
Signature of President, ~~Vice President, Assistant Vice President~~  
*Select appropriate title*

Kevin C. 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. C202333  
County Anson County

Rev 2-1-10

**CONTRACT PERFORMANCE BOND**  
BOND NO. 837048767

Date of Performance Bond Execution: March 31, 2010

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 Ninety Three Thousand Nine Hundred Sixty Nine Dollars and 50/100ths (\$693,969.50)

Contract ID No.: C202333

County Name: Anson 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. C202333  
County Anson County

Rev 2-1-10

**CONTRACT PERFORMANCE BOND**

*Affix Seal of Surety Company*

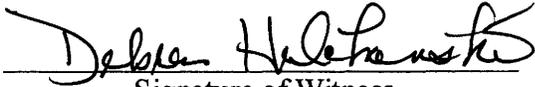
Liberty Mutual Insurance Company

\_\_\_\_\_  
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

Debra Hulchanski

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

6315 Fly Road, East Syracuse NY 13057

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

Contract No. C202333  
County Anson County

Rev 2-1-10

**CONTRACT PERFORMANCE BOND**

**CORPORATION**

SIGNATURE OF CONTRACTOR (Principal)

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

Full name of Corporation

P.O. Box 7168

Statesville, NC 28687

Address as prequalified

By

KC Burns

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

Select appropriate title

Kevin C. 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 17th day of September, 2009.

LIBERTY MUTUAL INSURANCE COMPANY

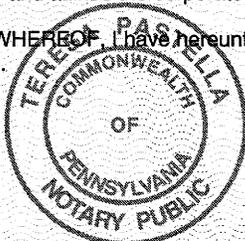
By Garnet W. Elliott, Assistant Secretary



COMMONWEALTH OF PENNSYLVANIA ss
COUNTY OF MONTGOMERY

On this 17th day of September, 2009, 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 March 28, 2013
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 31st day of March, 2010.



By David M. Carey, Assistant Secretary

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

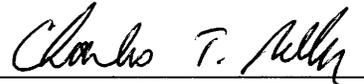
To confirm the validity of this Power of Attorney call 1-610-832-8240 between 9:00 am and 4:30 pm EST on any business day.

SURETY ACKNOWLEDGEMENT

STATE OF NEW YORK

COUNTY OF ONONDAGA

On this 31<sup>st</sup> day of MARCH, 2010 before me personally came  
KATHERINE D. JENNISON to me known who being by me duly sworn, did depose and say  
that he/she resides in EAST SYRACUSE, NY; that he/she is the  
ATTORNEY-IN-FACT of the WESTERN SURETY COMPANY  
the corporation described in and which executed the within instrument; that he/she knows the  
seal of said corporation; that the seal affixed to said instrument is such corporate seal; that it was  
so affixed by order of the Board of Directors of said corporation, and that he/she signed his/her  
name thereto by like order.

  
\_\_\_\_\_  
Notary Public

**Charles T. Reller # 4990791  
Notary Public, State of New York  
Qualified in Onondaga County  
My Commission Expires 01/13/2014**

