

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

C202328

CONTRACT AND
CONTRACT BONDS

FOR CONTRACT NO. C202328

WBS 33809.3.1 BRSTP-0074(61)

T.I.P NO. B-4641

COUNTY OF SCOTLAND

THIS IS THE ROADWAY & STRUCTURE CONTRACT

ROUTE NUMBER US 74B LENGTH 0.161 MILES

LOCATION BRIDGE OVER BIG SHOE HEEL CREEK AND APPROACHES ON US-74B.

CONTRACTOR TCB BUILDERS, LLC

ADDRESS P.O. BOX 1625
LEXINGTON, NC 27293

BIDS OPENED MAY 18, 2010

CONTRACT EXECUTION JUN 21 2010

TCB Builders, LLC (8986).

Vendor 5 of 6 Vendors for Call Order 006 (Proposal ID C202328).

County: SCOTLAND
Address: P.O. Box 1625
Lexington, NC 27293

Phone Number: 336-224-2200

Signature Check: This bid has been properly signed by Jeffrey_Todd_Yates_8986.

Time Bid Received: Tue May 18 13:45:58 2010

Bid Checksum: 43AEBAC8

DBE GOAL SET 6.0

Amendment Count: 0

Bidding Errors: No bidding errors. ✓

DBE GOAL MET 6.2

Bid Total: \$1,286,319.40 ✓

Bond ID: SNC10945944

Bond was Verified: Yes.

Bond Required Percent: 5.00%

Minimum Check Amount: \$64,315.97

Bid Security Maximum: \$

Bond Agency Name:

Agency Execution Date: 5/14/2010 5:31:46 PM

Surety Name: Developers Surety and Indemnity 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	
3346	WB LINEBERRY, INC. POST OFFICE BOX 307 , CLIMAX, NC 27233		Sub	42,599.60	✓ am
3145	WB WATTS BARRIER WALLS 55 MUSCADINE LANE , MOUNTVILLE, SC 29370		Sub	12,568.50	✓ am
4898	WB BULLINGTON CONSTRUCTION INC 417 FOXGLOVE LANE , INDIAN TRAIL, NC 28079		Sub	20,239.00	✓ am
3765	WB STAY ALERT SAFETY SERVICES INC POST OFFICE BOX 467 , KERNERSVILLE, NC 27285		Sub	3,920.90	✓ am
TOTAL:				\$79,328.00	✓ am
				6.17%	

Miscellaneous Data Info - Contractor Responses:

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NON-COLLUSION AND DEBARMENT CERTIFICATION

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

Explanation:
NOT ANSWERED
NOT ANSWERED
NOT ANSWERED
NOT ANSWERED

AWARD LIMITS ON MULTIPLE PROJECTS

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

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

The Award Limits shall apply to the following projects:

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

Bid Bond Data Info - Contractor Responses:

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BondID: SNC10945944
Surety Registry Agency: surety2000
Verified?: Yes
Surety Agency: Developers Surety and Indemnity Company

NCDOT/berc

Vendor 8986's Load Output for Call 006, Letting L100518, 2010-05-18

Bond Execution Date: 5/14/2010 5:31:46 PM

Bond Amount: \$64,315.97 (Five Percent of Bid)

State of NC
 Dept of Transportation

Date: 04-20-10
 Revised:

Contract ID: C202328 Project(s): BRSTP-0074(61)
 Letting Date: 05-18-10 Call Order: 006
 Bidder: 8986 - TCB Builders, LLC

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			62,500.00
0002	0029000000-N REINFORCED BRIDGE APPROACH FILL, STATION ***** (15+97.50-L-)	LUMP	LUMP			9,500.00
0003	0036000000-E UNDERCUT EXCAVATION	CY	2,500.000	4.00000		10,000.00
0004	0038000000-E SHALLOW UNDERCUT	CY	350.000	4.00000		1,400.00
0005	0043000000-N GRADING	LUMP	LUMP			75,000.00
0006	0050000000-E SUPPLEMENTA RY CLEARING & GRUB-BING	ACR	1.000	1.00000		1.00
0007	0080000000-E CLASS IV SUBGRADE STABILIZA- TION	TON	700.000	18.55000		12,985.00
0008	0196000000-E FABRIC FOR SOIL STABILIZATION	SY	2,000.000	1.25000		2,500.00
0009	0234000000-E GENERIC GRADING ITEM SELECT GRANULAR MATERIAL	CY	2,500.000	10.00000		25,000.00
0010	0320000000-E FOUNDATION CONDITIONING FABRIC	SY	50.000	2.00000		100.00

State of NC
 Dept of Transportation

Date: 04-20-10
 Revised:

Contract ID: C202328 Project(s): BRSTP-0074(61)
 Letting Date: 05-18-10 Call Order: 006
 Bidder: 8986 - TCB Builders, LLC

Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
0011	0330000000-E GENERIC DRAINAGE ITEM FOUNDATION CONDITIONING MATE- RIAL, MINOR STRS	20.000 TON	24.00000		480.00	
0012	0335200000-E 15" DRAINAGE PIPE	144.000 LF	29.00000		4,176.00	
0013	0335850000-E *** DRAINAGE PIPE ELBOWS (15")	4.000 EA	75.00000		300.00	
0014	1489000000-E ASPHALT CONC BASE COURSE, TYPE B25.0B	160.000 TON	69.00000		11,040.00	
0015	1498000000-E ASPHALT CONC INTERMEDIATE COURSE, TYPE I19.0B	100.000 TON	69.00000		6,900.00	
0016	1519000000-E ASPHALT CONC SURFACE COURSE, TYPE S9.5B	370.000 TON	60.00000		22,200.00	
0017	1560000000-E ASPHALT BINDER FOR PLANT MIX, GRADE PG 64-22	35.000 TON	586.00000		20,510.00	
0018	2000000000-N RIGHT OF WAY MARKERS	8.000 EA	200.00000		1,600.00	
0019	2286000000-N MASONRY DRAINAGE STRUCTURES	4.000 EA	1,100.00000		4,400.00	
0020	2367000000-N FRAME WITH TWO GRATES, STD 840.29	4.000 EA	300.00000		1,200.00	
0021	2556000000-E SHOULDER BERM GUTTER	44.000 LF	23.00000		1,012.00	

State of NC
Dept of Transportation

Date: 04-20-10
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Bidder: 8986 - TCB Builders, LLC

Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
0022	3030000000-E STEEL BM GUARDRAIL	600.000 LF	14.00000		8,400.00	
0023	3150000000-N ADDITIONAL GUARDRAIL POSTS	3.000 EA	13.00000		39.00	
0024	3215000000-N GUARDRAIL ANCHOR UNITS, TYPE III	4.000 EA	1,200.00000		4,800.00	
0025	3270000000-N GUARDRAIL ANCHOR UNITS, TYPE 350	4.000 EA	1,750.00000		7,000.00	
0026	3628000000-E RIP RAP, CLASS I	4.000 TON	32.00000		128.00	
0027	3656000000-E FILTER FABRIC FOR DRAINAGE	465.000 SY	1.10000		511.50	
0028	4400000000-E WORK ZONE SIGNS (STATIONARY)	577.000 SF	5.45000		3,144.65	
0029	4410000000-E WORK ZONE SIGNS (BARRICADE MOUNTED)	115.000 SF	6.75000		776.25	
0030	4420000000-N CHANGEABLE MESSAGE SIGN	1.000 EA	4,500.00000		4,500.00	
0031	4430000000-N DRUMS	5.000 EA	33.00000		165.00	
0032	4445000000-E BARRICADES (TYPE III)	96.000 LF	19.50000		1,872.00	
0033	4685000000-E THERMOPLASTIC PAVEMENT MARKING LINES (4", 90 MILS)	1,230.000 LF	1.00000		1,230.00	

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Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
0034	4686000000-E THERMOPLAST IC PAVEMENT MARKING LINES (4", 120 MILS)	1,230.000 LF	1.00000		1,230.00	
0035	4770000000-E COLD APPLIED PLASTIC PAVEMENT MARKING LINES, TYPE ** (4") (II)	940.000 LF	2.00000		1,880.00	
0036	4900000000-N PERMANENT RAISED PAVEMENT MARKERS	11.000 EA	20.00000		220.00	
0037	6000000000-E TEMPORARY SILT FENCE	1,470.000 LF	1.68000		2,469.60	
0038	6006000000-E STONE FOR EROSION CONTROL, CLASS A	225.000 TON	34.00000		7,650.00	
0039	6009000000-E STONE FOR EROSION CONTROL, CLASS B	70.000 TON	34.00000		2,380.00	
0040	6012000000-E SEDIMENT CONTROL STONE	400.000 TON	29.25000		11,700.00	
0041	6015000000-E TEMPORARY MULCHING	2.500 ACR	420.00000		1,050.00	
0042	6018000000-E SEED FOR TEMPORARY SEEDING	100.000 LB	2.90000		290.00	
0043	6021000000-E FERTILIZER FOR TEMPORARY SEED-ING	0.250 TON	1,000.00000		250.00	
0044	6024000000-E TEMPORARY SLOPE DRAINS	375.000 LF	7.50000		2,812.50	

State of NC
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Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
0045	6027000000-N INLET PROTECTION AT TEMPORARY SLOPE DRAINS	EA 7.000	200.00000		1,400.00	
0046	6029000000-E SAFETY FENCE	LF 2,100.000	1.55000		3,255.00	
0047	6030000000-E SILT EXCAVATION	CY 150.000	4.00000		600.00	
0048	6036000000-E MATTING FOR EROSION CONTROL	SY 8,500.000	1.10000		9,350.00	
0049	6042000000-E 1/4" HARDWARE CLOTH	LF 1,900.000	3.45000		6,555.00	
0050	6071010000-E WATTLE	LF 125.000	8.10000		1,012.50	
0051	6071020000-E POLYACRYLAMIDE (PAM)	LB 30.000	17.40000		522.00	
0052	6071030000-E COIR FIBER BAFFLES	LF 50.000	8.00000		400.00	
0053	6084000000-E SEEDING & MULCHING	ACR 5.000	1,895.00000		9,475.00	
0054	6087000000-E MOWING	ACR 1.000	48.00000		48.00	
0055	6090000000-E SEED FOR REPAIR SEEDING	LB 50.000	10.00000		500.00	
0056	6093000000-E FERTILIZER FOR REPAIR SEEDING	TON 0.250	1,200.00000		300.00	

State of NC
Dept of Transportation

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Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
0057	6096000000-E SEED FOR SUPPLEMENTAL SEEDING	50.000 LB	2.10000		105.00	
0058	6108000000-E FERTILIZER TOPDRESSING	1.250 TON	750.00000		937.50	
0059	6114500000-N SPECIALIZED HAND MOWING	10.000 MHR	48.00000		480.00	
0060	6117000000-N RESPONSE FOR EROSION CONTROL	12.000 EA	500.00000		6,000.00	
Section 0001 Total						378,242.50

Section 0004 STRUCTURE ITEMS

Alt Group

0061	8017000000-N CONSTRUCTION, MAINTENANCE, & REMOVAL OF TEMP ACCESS AT STA ***** (15+97.50-L-)	LUMP	LUMP		29,075.00	
0062	8035000000-N REMOVAL OF EXISTING STRUCTURE AT STATION ***** (15+97.50-L-)	LUMP	LUMP		130,000.00	
0063	8112730000-N PDA TESTING	3.000 EA	2,500.00000		7,500.00	
0064	8112740000-N PDA ASSISTANCE	3.000 EA	500.00000		1,500.00	
0065	8121000000-N UNCLASSIFIED STRUCTURE EXCAVATION AT STATION ***** (15+97.50-L-)	LUMP	LUMP		18,000.00	

State of NC
Dept of Transportation

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Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
0066	8156000000-E CONCRETE WEARING SURFACE	SF 7,870.000	7.80000		61,386.00	
0067	8161000000-E GROOVING BRIDGE FLOORS	SF 8,557.000	0.40000		3,422.80	
0068	8182000000-E CLASS A CONCRETE (BRIDGE)	CY 78.400	852.00000		66,796.80	
0069	8210000000-N BRIDGE APPROACH SLABS, STATION***** (15+97.50-L-)	LUMP	LUMP		21,954.00	
0070	8217000000-E REINFORCING STEEL (BRIDGE)	LB 13,262.000	0.65000		8,620.30	
0071	8364000000-E HP12X53 STEEL PILES	LF 950.000	51.00000		48,450.00	
0072	8387000000-E PP 18 X 0.50 GALVANIZED STEEL PILES	LF 1,925.000	96.00000		184,800.00	
0073	8393000000-N PILE REDRIVES	EA 38.000	600.00000		22,800.00	
0074	8505000000-E VERTICAL CONCRETE BARRIER RAIL	LF 465.500	40.00000		18,620.00	
0075	8608000000-E RIP RAP CLASS II (2'-0" THICK)	TON 390.000	41.00000		15,990.00	
0076	8622000000-E FILTER FABRIC FOR DRAINAGE	SY 430.000	1.50000		645.00	

State of NC
 Dept of Transportation

Date: 04-20-10
 Revised:

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 Bidder: 8986 - TCB Builders, LLC

Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
0077	8657000000-N ELASTOMERIC BEARINGS	LUMP	LUMP			7,400.00
0078	8692000000-N EVAZOTE JOINT SEALS	LUMP	LUMP			7,500.00
0079	8762000000-E 3'-0" X 1'-9" PRESTRESSED CONCCORED SLABS	LF	2,787.000	91.00000		253,617.00
Section 0004 Total						908,076.90
Bid Total						1,286,319.40

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.

NORTH CAROLINA STATE DEPARTMENT OF TRANSPORTATION
DBE COMMITMENT ITEMS

DATE: 04-20-10
PAGE: 11

PROPOSAL: C202328
LETTING: L100518 CALL: 006
VENDOR: 8986 TCB Builders, LLC

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

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

0037	6000000000-E	TEMPORARY SI LF	1470.000	1.68000	2469.60
0041	6015000000-E	TEMPORARY MU ACR	2.500	420.00000	1050.00
0042	6018000000-E	SEED FOR TEM LB	100.000	2.90000	290.00
0043	6021000000-E	FERT FOR TEM TON	0.250	1000.00000	250.00
0046	6029000000-E	SAFETY FENCE LF	2100.000	1.55000	3255.00
0048	6036000000-E	MATTING FOR SY	8500.000	1.10000	9350.00
0049	6042000000-E	1/4" HARDWAR LF	1900.000	3.45000	6555.00
0050	6071010000-E	WATTLE LF	125.000	8.10000	1012.50
0051	6071020000-E	POLYACRYLAMI LB	30.000	17.40000	522.00
0053	6084000000-E	SEEDING AND ACR	5.000	1895.00000	9475.00
0054	6087000000-E	MOWING ACR	1.000	48.00000	48.00
0055	6090000000-E	SEED FOR REP LB	50.000	10.00000	500.00
0056	6093000000-E	FERT FOR REP TON	0.250	1200.00000	300.00
0057	6096000000-E	SEED FOR SUP LB	50.000	2.10000	105.00
0058	6108000000-E	FERTILIZER T TON	1.250	750.00000	937.50
0059	6114500000-N	SPECIALIZED MHR	10.000	48.00000	480.00
0060	6117000000-N	RESPONSE FOR EA	12.000	500.00000	6000.00

DBE COMMITMENT TOTAL FOR SUBCONTRACTOR: 42,599.60 ✓ arm
DBE COMMITMENT TOTAL FOR VENDOR (SubContractor) 42,599.

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

0074	8505000000-E	VERT CONC BA LF	465.500	27.00000	12568.50
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DBE COMMITMENT TOTAL FOR SUBCONTRACTOR: 12,568.50 ✓ arm
DBE COMMITMENT TOTAL FOR VENDOR (SubContractor) 12,568.

DBE SUBCONTRACTOR: 4898 BULLINGTON CONSTRUCTION INC
Will Use Quote: Yes

0022	3030000000-E	STL BM GUARD LF	600.000	14.00000	8400.00
0023	3150000000-N	ADDIT GUARDR EA	3.000	13.00000	39.00
0024	3215000000-N	GR ANCHOR TY EA	4.000	1200.00000	4800.00
0025	3270000000-N	GR ANCHOR TY EA	4.000	1750.00000	7000.00

DBE COMMITMENT TOTAL FOR SUBCONTRACTOR: 20,239.00 ✓ arm
DBE COMMITMENT TOTAL FOR VENDOR (SubContractor) 20,239.

DBE SUBCONTRACTOR: 3765 STAY ALERT SAFETY SERVICES INC
Will Use Quote: Yes

0028	4400000000-E	WORK ZONE SI SF	577.000	5.45000	3144.65
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NORTH CAROLINA STATE DEPARTMENT OF TRANSPORTATION
 DBE COMMITMENT ITEMS

DATE: 04-20-10
 PAGE: 12

LINE NO.	ITEM NO.	ITEM DESC.	UNIT TYPE	SUBCONTRACTOR QUANTITY	SUBCONTRACTOR UNIT PRICE	EXTENDED AMOUNT	
0029	4410000000-E	WORK ZONE	SI SF	115.000	6.75000	776.25	
DBE COMMITMENT TOTAL FOR SUBCONTRACTOR:						3,920.90	✓ am
DBE COMMITMENT TOTAL FOR VENDOR (SubContractor)						3,920.9	
TOTAL DBE COMMITMENT FOR VENDOR:				Entered:	6.17% or	79328.00	✓ am
				Required:	6.00% or	77179.16	
				<GOAL MET>			

Contract Item Sheets For C202328

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
ROADWAY ITEMS						
0001	0000100000-N	800	MOBILIZATION	Lump Sum LS	62,500.00	62,500.00
0002	0029000000-N	SP	REINFORCED BRIDGE APPROACH FILL, STATION ***** (15+97.50-L-)	Lump Sum LS	9,500.00	9,500.00
0003	0036000000-E	225	UNDERCUT EXCAVATION	2,500 CY	4.00	10,000.00
0004	0038000000-E	SP	SHALLOW UNDERCUT	350 CY	4.00	1,400.00
0005	0043000000-N	226	GRADING	Lump Sum LS	75,000.00	75,000.00
0006	0050000000-E	226	SUPPLEMENTARY CLEARING & GRUB- BING	1 ACR	1.00	1.00
0007	0080000000-E	SP	CLASS IV SUBGRADE STABILIZA- TION	700 TON	18.55	12,985.00
0008	0196000000-E	270	FABRIC FOR SOIL STABILIZATION	2,000 SY	1.25	2,500.00
0009	0234000000-E	SP	GENERIC GRADING ITEM SELECT GRANULAR MATERIAL	2,500 CY	10.00	25,000.00
0010	0320000000-E	SP	FOUNDATION CONDITIONING FABRIC	50 SY	2.00	100.00
0011	0330000000-E	SP	GENERIC DRAINAGE ITEM FOUNDATION CONDITIONING MATE- RIAL, MINOR STRS	20 TON	24.00	480.00
0012	0335200000-E	SP	15" DRAINAGE PIPE	144 LF	29.00	4,176.00
0013	0335850000-E	SP	*** DRAINAGE PIPE ELBOWS (15")	4 EA	75.00	300.00
0014	1489000000-E	610	ASPHALT CONC BASE COURSE, TYPE B25.0B	160 TON	69.00	11,040.00
0015	1498000000-E	610	ASPHALT CONC INTERMEDIATE COURSE, TYPE I19.0B	100 TON	69.00	6,900.00
0016	1519000000-E	610	ASPHALT CONC SURFACE COURSE, TYPE S9.5B	370 TON	60.00	22,200.00
0017	1560000000-E	620	ASPHALT BINDER FOR PLANT MIX, GRADE PG 64-22	35 TON	586.00	20,510.00
0018	2000000000-N	806	RIGHT OF WAY MARKERS	8 EA	200.00	1,600.00

Contract Item Sheets For C202328

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
0019	2286000000-N	840	MASONRY DRAINAGE STRUCTURES	4 EA	1,100.00	4,400.00
0020	2367000000-N	840	FRAME WITH TWO GRATES, STD 840.29	4 EA	300.00	1,200.00
0021	2556000000-E	846	SHOULDER BERM GUTTER	44 LF	23.00	1,012.00
0022	3030000000-E	862	STEEL BM GUARDRAIL	600 LF	14.00	8,400.00
0023	3150000000-N	862	ADDITIONAL GUARDRAIL POSTS	3 EA	13.00	39.00
0024	3215000000-N	862	GUARDRAIL ANCHOR UNITS, TYPE III	4 EA	1,200.00	4,800.00
0025	3270000000-N	SP	GUARDRAIL ANCHOR UNITS, TYPE 350	4 EA	1,750.00	7,000.00
0026	3628000000-E	876	RIP RAP, CLASS I	4 TON	32.00	128.00
0027	3656000000-E	876	FILTER FABRIC FOR DRAINAGE	465 SY	1.10	511.50
0028	4400000000-E	1110	WORK ZONE SIGNS (STATIONARY)	577 SF	5.45	3,144.65
0029	4410000000-E	1110	WORK ZONE SIGNS (BARRICADE MOUNTED)	115 SF	6.75	776.25
0030	4420000000-N	1120	CHANGEABLE MESSAGE SIGN	1 EA	4,500.00	4,500.00
0031	4430000000-N	1130	DRUMS	5 EA	33.00	165.00
0032	4445000000-E	1145	BARRICADES (TYPE III)	96 LF	19.50	1,872.00
0033	4685000000-E	1205	THERMOPLASTIC PAVEMENT MARKING LINES (4", 90 MILS)	1,230 LF	1.00	1,230.00
0034	4686000000-E	1205	THERMOPLASTIC PAVEMENT MARKING LINES (4", 120 MILS)	1,230 LF	1.00	1,230.00
0035	4770000000-E	1205	COLD APPLIED PLASTIC PAVEMENT MARKING LINES, TYPE ** (4") (II)	940 LF	2.00	1,880.00
0036	4900000000-N	1251	PERMANENT RAISED PAVEMENT MARKERS	11 EA	20.00	220.00
0037	6000000000-E	1605	TEMPORARY SILT FENCE	1,470 LF	1.68	2,469.60

Contract Item Sheets For C202328

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
0038	6006000000-E	1610	STONE FOR EROSION CONTROL, CLASS A	225 TON	34.00	7,650.00
0039	6009000000-E	1610	STONE FOR EROSION CONTROL, CLASS B	70 TON	34.00	2,380.00
0040	6012000000-E	1610	SEDIMENT CONTROL STONE	400 TON	29.25	11,700.00
0041	6015000000-E	1615	TEMPORARY MULCHING	2.5 ACR	420.00	1,050.00
0042	6018000000-E	1620	SEED FOR TEMPORARY SEEDING	100 LB	2.90	290.00
0043	6021000000-E	1620	FERTILIZER FOR TEMPORARY SEED- ING	0.25 TON	1,000.00	250.00
0044	6024000000-E	1622	TEMPORARY SLOPE DRAINS	375 LF	7.50	2,812.50
0045	6027000000-N	1622	INLET PROTECTION AT TEMPORARY SLOPE DRAINS	7 EA	200.00	1,400.00
0046	6029000000-E	SP	SAFETY FENCE	2,100 LF	1.55	3,255.00
0047	6030000000-E	1630	SILT EXCAVATION	150 CY	4.00	600.00
0048	6036000000-E	1631	MATTING FOR EROSION CONTROL	8,500 SY	1.10	9,350.00
0049	6042000000-E	1632	1/4" HARDWARE CLOTH	1,900 LF	3.45	6,555.00
0050	6071010000-E	SP	WATTLE	125 LF	8.10	1,012.50
0051	6071020000-E	SP	POLYACRYLAMIDE (PAM)	30 LB	17.40	522.00
0052	6071030000-E	SP	COIR FIBER BAFFLES	50 LF	8.00	400.00
0053	6084000000-E	1660	SEEDING & MULCHING	5 ACR	1,895.00	9,475.00
0054	6087000000-E	1660	MOWING	1 ACR	48.00	48.00
0055	6090000000-E	1661	SEED FOR REPAIR SEEDING	50 LB	10.00	500.00
0056	6093000000-E	1661	FERTILIZER FOR REPAIR SEEDING	0.25 TON	1,200.00	300.00
0057	6096000000-E	1662	SEED FOR SUPPLEMENTAL SEEDING	50 LB	2.10	105.00

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
0058	6108000000-E	1665	FERTILIZER TOPDRESSING	1.25 TON	750.00	937.50
0059	6114500000-N	SP	SPECIALIZED HAND MOWING	10 MHR	48.00	480.00
0060	6117000000-N	SP	RESPONSE FOR EROSION CONTROL	12 EA	500.00	6,000.00

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
0061	8017000000-N	SP	CONSTRUCTION, MAINTENANCE, & REMOVAL OF TEMP ACCESS AT STA ***** (15+97.50-L-)	Lump Sum LS	29,075.00	29,075.00
0062	8035000000-N	402	REMOVAL OF EXISTING STRUCTURE AT STATION ***** (15+97.50-L-)	Lump Sum LS	130,000.00	130,000.00
0063	8112730000-N	SP	PDA TESTING	3 EA	2,500.00	7,500.00
0064	8112740000-N	SP	PDA ASSISTANCE	3 EA	500.00	1,500.00
0065	8121000000-N	412	UNCLASSIFIED STRUCTURE EXCAVA- TION AT STATION ***** (15+97.50-L-)	Lump Sum LS	18,000.00	18,000.00
0066	8156000000-E	SP	CONCRETE WEARING SURFACE	7,870 SF	7.80	61,386.00
0067	8161000000-E	420	GROOVING BRIDGE FLOORS	8,557 SF	0.40	3,422.80
0068	8182000000-E	420	CLASS A CONCRETE (BRIDGE)	78.4 CY	852.00	66,796.80
0069	8210000000-N	422	BRIDGE APPROACH SLABS, STATION ***** (15+97.50-L-)	Lump Sum LS	21,954.00	21,954.00
0070	8217000000-E	425	REINFORCING STEEL (BRIDGE)	13,262 LB	0.65	8,620.30
0071	8364000000-E	SP	HP12X53 STEEL PILES	950 LF	51.00	48,450.00
0072	8387000000-E	SP	PP 18 X 0.50 GALVANIZED STEEL PILES	1,925 LF	96.00	184,800.00
0073	8393000000-N	SP	PILE REDRIVES	38 EA	600.00	22,800.00
0074	8505000000-E	SP	VERTICAL CONCRETE BARRIER RAIL	465.5 LF	40.00	18,620.00
0075	8608000000-E	876	RIP RAP CLASS II (2'-0" THICK)	390 TON	41.00	15,990.00
0076	8622000000-E	876	FILTER FABRIC FOR DRAINAGE	430 SY	1.50	645.00
0077	8657000000-N	430	ELASTOMERIC BEARINGS	Lump Sum LS	7,400.00	7,400.00
0078	8692000000-N	SP	EVAZOTE JOINT SEALS	Lump Sum LS	7,500.00	7,500.00

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
0079	8762000000-E	430	3'-0" X 1'-9" PRESTRESSED CONC CORED SLABS	2,787 LF	91.00	253,617.00

TOTAL AMOUNT OF BID FOR ENTIRE PROJECT

\$1,286,319.40 ✓

Contract Number C202328 WBS 33809.3.1
County SCOTLAND

Rev 2-1-10

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

LIMITED LIABILITY COMPANY

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

TCD BUILDERS, LLC

Full Name of Firm

P.O. Box 1625 LEWINGTON, NC 27293

Address as Prequalified

Signature of Member/Manager

Todd Yates
Individually

TODD YATES

Print or type Signer's Name

AFFIDAVIT MUST BE NOTARIZED

Subscribed and sworn to before me this the
16th day of June 2010.

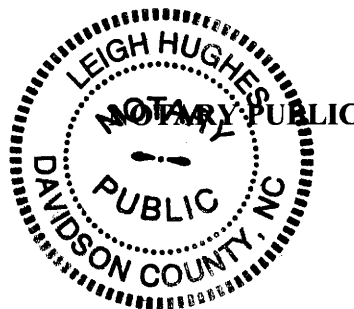
Leigh Hughes

Signature of Notary Public

of Davidson County

State of North Carolina

My Commission Expires: March 9 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.

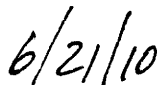
Contract No C202328

County (ies): Scotland

ACCEPTED BY THE
DEPARTMENT OF TRANSPORTATION




Contract Officer



Date

Execution of Contract and Bonds
Approved as to Form:



assistant Attorney General

Contract No. C202328, WBS 33809.3.1
County Scotland

Rev 2-1-10

Bond No. 872758P

CONTRACT PAYMENT BOND

Date of Payment Bond Execution 5/28/10

Name of Principal Contractor TCB Builders, LLC

Name of Surety: Developers Surety and Indemnity Company

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

Amount of Bond: One Million Two Hundred Eighty Six Thousand Three Hundred Nineteen Dollars and 40/100 (\$1,286,319.40)

Contract ID No.: C202328, WBS 33809.3.1

County Name: Scotland

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. C202328. WBS 33809.3.1
County Scotland

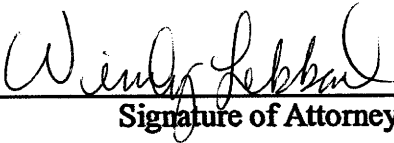
Rev 2-1-10

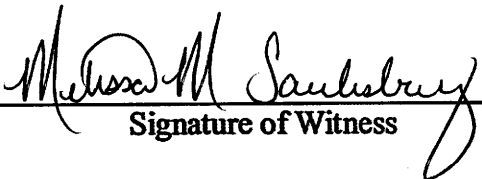
CONTRACT PAYMENT BOND

Affix Seal of Surety Company

Developers Surety and Indemnity Company
Print or type Surety Company Name

By Windy Lebbad
Print, stamp or type name of Attorney-in-Fact


Signature of Attorney-in-Fact


Signature of Witness

Melissa M. Saulisbury
Print or type Signer's name

4700 Falls of Neuse Road, Suite 320, Raleigh, NC 27609
Address of Attorney-in-Fact

Contract No. C202328, WBS 33809.3.1
County Scotland

Rev 2-1-10

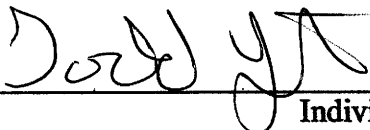
CONTRACT PAYMENT BOND

LIMITED LIABILITY COMPANY

SIGNATURE OF CONTRACTOR (Principal)

Name of Contractor TCB Builders, LLC
Full name of Firm

PO Box 1625, Lexington, NC 27293
Address as prequalified

Signature of Member/Manager 
Individually

TODD YATES
Print or type Signer's name

POWER OF ATTORNEY FOR
DEVELOPERS SURETY AND INDEMNITY COMPANY
PO Box 19725, IRVINE, CA 92623 (949) 263-3300

KNOW ALL BY THESE PRESENTS that except as expressly limited, DEVELOPERS SURETY AND INDEMNITY COMPANY, does hereby make, constitute and appoint:

Robert M. Coon, Susan Westbrook, Geraldine B. Tilley, Lindsey M. DeJarnette, Theresa S. Stump, Windy Lebbad, jointly or severally

as its true and lawful Attorney(s)-in-Fact, to make, execute, deliver and acknowledge, for and on behalf of said corporation, as surety, bonds, undertakings and contracts of suretyship giving and granting unto said Attorney(s)-in-Fact full power and authority to do and to perform every act necessary, requisite or proper to be done in connection therewith as each of said corporation could do, but reserving to each of said corporation full power of substitution and revocation, and all of the acts of said Attorney(s)-in-Fact, pursuant to these presents, are hereby ratified and confirmed.

This Power of Attorney is granted and is signed by facsimile under and by authority of the following resolution adopted by the Board of Directors of DEVELOPERS SURETY AND INDEMNITY COMPANY, effective as of January 1st, 2008.

RESOLVED, that a combination of any two of the Chairman of the Board, the President, any Executive Vice-President, Senior Vice-President or Vice-President of the corporation be, and that each of them hereby is, authorized to execute this Power of Attorney, qualifying the attorney(s) named in the Power of Attorney to execute, on behalf of the corporation, bonds, undertakings and contracts of suretyship; and that the Secretary or any Assistant Secretary of the corporation be, and each of them hereby is, authorized to attest the execution of any such Power of Attorney;

RESOLVED, FURTHER, that the signatures of such officers may be affixed to any such Power of Attorney or to any certificate relating thereto by facsimile, and any such Power of Attorney or certificate bearing such facsimile signatures shall be valid and binding upon the corporation when so affixed and in the future with respect to any bond, undertaking or contract of suretyship to which it is attached.

IN WITNESS WHEREOF, DEVELOPERS SURETY AND INDEMNITY COMPANY has caused these presents to be signed by its officers and attested by its Secretary or Assistant Secretary this January 1st, 2008.

By: Daniel Young
Daniel Young, Vice-President

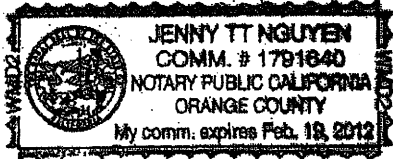
By: Stephen T. Pate
Stephen T. Pate, Senior Vice-President



State of California
County of Orange

On August 13th, 2008 before me, Jenny TT Nguyen, Notary Public
Date Here Insert Name and Title of the Officer

personally appeared Daniel Young and Stephen T. Pate
Name(s) of Signer(s)



Place Notary Seal Above

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature Jenny TT Nguyen
Jenny TT Nguyen, Notary Public

CERTIFICATE

The undersigned, as Secretary or Assistant Secretary of DEVELOPERS SURETY AND INDEMNITY COMPANY does hereby certify that the foregoing Power of Attorney remains in full force and has not been revoked and, furthermore, that the provisions of the resolution of the Board of Directors of said corporation set forth in the Power of Attorney are in force as of the date of this Certificate.

This Certificate is executed in the City of Irvine, California, this 28 day of MAY, 2010

By: Gregg Okura
Gregg Okura, Assistant Secretary

Contract No. C202328, WBS 33809.3.1
County Scotland

Rev 2-1-10

Bond No. 872758P

CONTRACT PERFORMANCE BOND

Date of Performance Bond Execution: 5/28/10

Name of Principal Contractor: TCB Builders, LLC

Name of Surety: Developers Surety and Indemnity Company

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

Raleigh, North Carolina
One Million Two Hundred Eighty Six
Thousand Three Hundred Nineteen Dollars and 40/100 (\$1,286,319.40)

Amount of Bond:

Contract ID No.: C202328, WBS 33809.3.1

County Name: Scotland

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. C202328, WBS 33809.3.1
County Scotland


Rev 2-1-10


CONTRACT PERFORMANCE BOND

Affix Seal of Surety Company

Developers Surety and Indemnity Company
Print or type Surety Company Name

By Windy Lebbad
Print, stamp or type name of Attorney-in-Fact


Signature of Attorney-in-Fact


Signature of Witness

Melissa M. Saulisbury
Print or type Signer's name

4700 Falls of Neuse Road, Suite 320, Raleigh, NC 27609
Address of Attorney-in-Fact

Contract No. C202328, WBS 33809.3.1

Rev 2-1-10

County Scotland

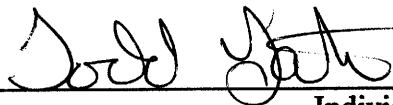
CONTRACT PERFORMANCE BOND

LIMITED LIABILITY COMPANY

SIGNATURE OF CONTRACTOR (Principal)

Name of Contractor TCB Builders, LLC
Full name of Firm

PO Box 1625, Lexington, NC 27293
Address as prequalified

Signature of Member/Manager 
Individually

TODD YATES
Print or type Signer's name

POWER OF ATTORNEY FOR
DEVELOPERS SURETY AND INDEMNITY COMPANY
PO Box 19725, IRVINE, CA 92623 (949) 263-3300

KNOW ALL BY THESE PRESENTS that except as expressly limited, DEVELOPERS SURETY AND INDEMNITY COMPANY, does hereby make, constitute and appoint:

Robert M. Coon, Susan Westbrook, Geraldine B. Tilley, Lindsey M. DeJarnette, Theresa S. Stump, Windy Lebbad, jointly or severally

as its true and lawful Attorney(s)-in-Fact, to make, execute, deliver and acknowledge, for and on behalf of said corporation, as surety, bonds, undertakings and contracts of suretyship giving and granting unto said Attorney(s)-in-Fact full power and authority to do and to perform every act necessary, requisite or proper to be done in connection therewith as each of said corporation could do, but reserving to each of said corporation full power of substitution and revocation, and all of the acts of said Attorney(s)-in-Fact, pursuant to these presents, are hereby ratified and confirmed.

This Power of Attorney is granted and is signed by facsimile under and by authority of the following resolution adopted by the Board of Directors of DEVELOPERS SURETY AND INDEMNITY COMPANY, effective as of January 1st, 2008.

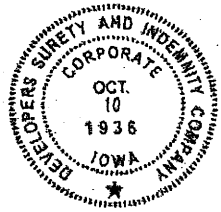
RESOLVED, that a combination of any two of the Chairman of the Board, the President, any Executive Vice-President, Senior Vice-President or Vice-President of the corporation be, and that each of them hereby is, authorized to execute this Power of Attorney, qualifying the attorney(s) named in the Power of Attorney to execute, on behalf of the corporation, bonds, undertakings and contracts of suretyship; and that the Secretary or any Assistant Secretary of the corporation be, and each of them hereby is, authorized to attest the execution of any such Power of Attorney;

RESOLVED, FURTHER, that the signatures of such officers may be affixed to any such Power of Attorney or to any certificate relating thereto by facsimile; and any such Power of Attorney or certificate bearing such facsimile signatures shall be valid and binding upon the corporation when so affixed and in the future with respect to any bond, undertaking or contract of suretyship to which it is attached.

IN WITNESS WHEREOF, DEVELOPERS SURETY AND INDEMNITY COMPANY has caused these presents to be signed by its officers and attested by its Secretary or Assistant Secretary this January 1st, 2008.

By: Daniel Young
Daniel Young, Vice-President

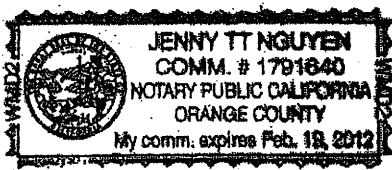
By: Stephen T. Pate
Stephen T. Pate, Senior Vice-President



State of California
County of Orange

On August 13th, 2008 before me, Jenny TT Nguyen, Notary Public
Date Here Insert Name and Title of the Officer

personally appeared Daniel Young and Stephen T. Pate
Name(s) of Signer(s)



Place Notary Seal Above

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature Jenny TT Nguyen
Jenny TT Nguyen, Notary Public

CERTIFICATE

The undersigned, as Secretary or Assistant Secretary of DEVELOPERS SURETY AND INDEMNITY COMPANY does hereby certify that the foregoing Power of Attorney remains in full force and has not been revoked and, furthermore, that the provisions of the resolution of the Board of Directors of said corporation set forth in the Power of Attorney are in force as of the date of this Certificate.

This Certificate is executed in the City of Irvine, California, this 28 day of MAY, 2010

By: Gregg Okura
Gregg Okura, Assistant Secretary