

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

C202433

CONTRACT AND
CONTRACT BONDS
FOR CONTRACT NO. C202433

WBS 33785.3.1 BRZ-1864(1)

T.I.P NO. B-4584

COUNTY OF MOORE

THIS IS THE ROADWAY & STRUCTURE CONTRACT

ROUTE NUMBER SR 1864 LENGTH 0.148 MILES

LOCATION BRIDGE OVER THE LITTLE RIVER AND APPROACHES ON SR-1864.

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

ADDRESS P.O. BOX 7168
STATESVILLE, NC 28687

BIDS OPENED JUNE 15, 2010

CONTRACT EXECUTION JUL 12 2010

NCDOT/berc

Vendor 3481's Bid Information for Call 007, Letting L100615, 2010-06-15

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

Vendor 4 of 6 Vendors for Call Order 007 (Proposal ID C202433).

County: MOORE

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 Jun 15 13:27:31 2010

Bid Checksum: B36D4C8A

Amendment Count: 0

DBE GOAL SET 7.0

Bidding Errors: No bidding errors.

DBE GOAL MET 7.2

Bid Total: \$689,867.45 ✓

Bond ID: SNC10492689

Bond was Verified: Yes.

Bond Required Percent: 5.00%

Minimum Check Amount: \$34,493.37

Bid Security Maximum: \$

Bond Agency Name:

Agency Execution Date: 6/4/2010 9:47:34 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	
3346	WB LINEBERRY, INC. POST OFFICE BOX 307 , CLIMAX, NC 27233		Sub 34,491.50	✓ am
5279	WB GUARDRAIL OF GREENSBORO LLC P.O. BOX 19232 , GREENSBORO, NC 27419		Sub 11,856.25	✓ am
3765	WB STAY ALERT SAFETY SERVICES INC POST OFFICE BOX 467 , KERNERSVILLE, NC 27285		Sub 3,639.40	✓ am
TOTAL:			\$49,987.15	✓ am
			7.25%	7.2%

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:

BondID: SNC10492689
Surety Registry Agency: surety2000
Verified?: Yes
Surety Agency: Liberty Mutual Insurance Company
Bond Execution Date: 6/4/2010 9:47:34 AM
Bond Amount: \$34,493.37 (Five Percent of Bid)

State of NC
 Dept of Transportation

Date: 05-18-10
 Revised:

Contract ID: C202433 Project(s): BRZ-1864(1)
 Letting Date: 06-15-10 Call Order: 007
 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			34,450.00
0002	0029000000-N REINFORCED BRIDGE APPROACH FILL, STATION ***** (16+29.50)	LUMP	LUMP			12,000.00
0003	0043000000-N GRADING	LUMP	LUMP			87,500.00
0004	0050000000-E SUPPLEMENTA RY CLEARING & GRUB-BING	ACR 1.000	1.00000			1.00
0005	0057000000-E UNDERCUT EXCAVATION	CY 350.000	15.00000			5,250.00
0006	0234000000-E GENERIC GRADING ITEM SELECT GRANULAR MATERIAL	CY 500.000	5.00000			2,500.00
0007	0320000000-E FOUNDATION CONDITIONING FABRIC	SY 22.000	5.00000			110.00
0008	0330000000-E GENERIC DRAINAGE ITEM FOUNDATION CONDITIONING MATE- RIAL, MINOR STRS	TON 8.000	70.00000			560.00
0009	0335200000-E 15" DRAINAGE PIPE	LF 60.000	38.00000			2,280.00
0010	0335850000-E **" DRAINAGE PIPE ELBOWS (15")	EA 4.000	225.00000			900.00

State of NC
Dept of Transportation

Date: 05-18-10
Revised:

Contract ID: C202433
Letting Date: 06-15-10 Call Order: 007
Bidder: 3481 - R. E. Burns & Sons Co., Inc.

Project(s): BRZ-1864(1)

Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
0011	1489000000-E ASPHALT CONC BASE COURSE, TYPE B25.0B	130.000 TON	65.00000		8,450.00	
0012	1525000000-E ASPHALT CONC SURFACE COURSE, TYPE SF9.5A	260.000 TON	60.00000		15,600.00	
0013	1560000000-E ASPHALT BINDER FOR PLANT MIX, GRADE PG 64-22	25.000 TON	575.00000		14,375.00	
0014	1693000000-E ASPHALT PLANT MIX, PAVEMENT REPAIR	20.000 TON	100.00000		2,000.00	
0015	2000000000-N RIGHT OF WAY MARKERS	11.000 EA	200.00000		2,200.00	
0016	2022000000-E SUBDRAIN EXCAVATION	56.000 CY	4.00000		224.00	
0017	2033000000-E SUBDRAIN FINE AGGREGATE	42.000 CY	10.00000		420.00	
0018	2044000000-E 6" PERFORATED SUBDRAIN PIPE	250.000 LF	1.00000		250.00	
0019	2055000000-E 6" SUBDRAIN PIPE WYES, TEES, & ELBOWS	8.000 EA	25.00000		200.00	
0020	2066000000-N CONCRETE PAD FOR SUBDRAIN PIPE OUTLET	1.000 EA	50.00000		50.00	
0021	2077000000-E 6" OUTLET PIPE (SUBDRAINS)	6.000 LF	1.00000		6.00	
0022	2286000000-N MASONRY DRAINAGE STRUCTURES	2.000 EA	1,400.00000		2,800.00	

State of NC
Dept of Transportation

Date: 05-18-10
Revised:

Contract ID: C202433 Project(s): BRZ-1864(1)
Letting Date: 06-15-10 Call Order: 007
Bidder: 3481 - R. E. Burns & Sons Co., Inc.

Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
0023	2367000000-N FRAME WITH TWO GRATES, STD 840.29	EA 2.000	350.00000		700.00	
0024	2556000000-E SHOULDER BERM GUTTER	LF 45.000	35.00000		1,575.00	
0025	3030000000-E STEEL BM GUARDRAIL	LF 575.000	13.75000		7,906.25	
0026	3150000000-N ADDITIONAL GUARDRAIL POSTS	EA 5.000	10.00000		50.00	
0027	3215000000-N GUARDRAIL ANCHOR UNITS, TYPE III	EA 4.000	975.00000		3,900.00	
0028	3270000000-N GUARDRAIL ANCHOR UNITS, TYPE 350	EA 4.000	1,700.00000		6,800.00	
0029	3649000000-E RIP RAP, CLASS B	TON 2.000	214.00000		428.00	
0030	3656000000-E FILTER FABRIC FOR DRAINAGE	SY 510.000	2.00000		1,020.00	
0031	4400000000-E WORK ZONE SIGNS (STATIONARY)	SF 290.000	5.85000		1,696.50	
0032	4410000000-E WORK ZONE SIGNS (BARRICADE MOUNTED)	SF 94.000	6.85000		643.90	
0033	4445000000-E BARRICADES (TYPE III)	LF 80.000	19.50000		1,560.00	
0034	4685000000-E THERMOPLASTIC PAVEMENT MARKING LINES (4", 90 MILS)	LF 1,214.000	0.85000		1,031.90	

State of NC
 Dept of Transportation

Date: 05-18-10
 Revised:

Contract ID: C202433 Project(s): BRZ-1864(1)
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 Bidder: 3481 - R. E. Burns & Sons Co., Inc.

Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
0035	4686000000-E THERMOPLASTIC PAVEMENT MARKING LINES (4", 120 MILS)	1,214.000 LF	0.90000		1,092.60	
0036	4770000000-E COLD APPLIED PLASTIC PAVEMENT MARKING LINES, TYPE ** (4") (II)	700.000 LF	2.00000		1,400.00	
0037	4900000000-N PERMANENT RAISED PAVEMENT MARKERS	40.000 EA	10.00000		400.00	
0038	6000000000-E TEMPORARY SILT FENCE	1,100.000 LF	1.78000		1,958.00	
0039	6006000000-E STONE FOR EROSION CONTROL, CLASS A	225.000 TON	18.00000		4,050.00	
0040	6009000000-E STONE FOR EROSION CONTROL, CLASS B	70.000 TON	28.00000		1,960.00	
0041	6012000000-E SEDIMENT CONTROL STONE	255.000 TON	20.00000		5,100.00	
0042	6015000000-E TEMPORARY MULCHING	2.000 ACR	400.00000		800.00	
0043	6018000000-E SEED FOR TEMPORARY SEEDING	60.000 LB	3.00000		180.00	
0044	6021000000-E FERTILIZER FOR TEMPORARY SEED-ING	1.500 TON	1,200.00000		1,800.00	
0045	6024000000-E TEMPORARY SLOPE DRAINS	250.000 LF	9.00000		2,250.00	

State of NC
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Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
0046	6027000000-N INLET PROTECTION AT TEMPORARY SLOPE DRAINS	EA 4.000	150.00000		600.00	
0047	6029000000-E SAFETY FENCE	LF 850.000	1.68000		1,428.00	
0048	6030000000-E SILT EXCAVATION	CY 200.000	4.00000		800.00	
0049	6036000000-E MATTING FOR EROSION CONTROL	SY 8,700.000	1.20000		10,440.00	
0050	6037000000-E COIR FIBER MAT	SY 10.000	4.60000		46.00	
0051	6042000000-E 1/4" HARDWARE CLOTH	LF 1,200.000	3.55000		4,260.00	
0052	6048000000-E FLOATING TURBIDITY CURTAIN	SY 100.000	15.00000		1,500.00	
0053	6071010000-E WATTLE	LF 150.000	9.20000		1,380.00	
0054	6071020000-E POLYACRYLAMIDE (PAM)	LB 40.000	18.50000		740.00	
0055	6071030000-E COIR FIBER BAFFLES	LF 75.000	7.00000		525.00	
0056	6071050000-E **" SKIMMER (1-1/2")	EA 1.000	720.00000		720.00	
0057	6084000000-E SEEDING & MULCHING	ACR 5.000	1,000.00000		5,000.00	

State of NC
Dept of Transportation

Date: 05-18-10
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Bidder: 3481 - R. E. Burns & Sons Co., Inc.

Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
0058	6087000000-E MOWING	5.000 ACR	48.00000		240.00	
0059	6090000000-E SEED FOR REPAIR SEEDING	50.000 LB	10.00000		500.00	
0060	6093000000-E FERTILIZER FOR REPAIR SEEDING	0.250 TON	1,200.00000		300.00	
0061	6096000000-E SEED FOR SUPPLEMENTAL SEEDING	50.000 LB	1.35000		67.50	
0062	6108000000-E FERTILIZER TOPDRESSING	0.750 TON	860.00000		645.00	
0063	6114500000-N SPECIALIZED HAND MOWING	10.000 MHR	48.00000		480.00	
0064	6117000000-N RESPONSE FOR EROSION CONTROL	12.000 EA	1.00000		12.00	
Section 0001 Total						270,111.65

Section 0004 STRUCTURE ITEMS

Alt Group

0065	8035000000-N REMOVAL OF EXISTING STRUCTURE AT STATION ***** (16+29.50-L-)	LUMP	LUMP		15,000.00	
0066	8121000000-N UNCLASSIFIED STRUCTURE EXCAVATION AT STATION ***** (16+29.50-L-)	LUMP	LUMP		2,800.00	

State of NC
Dept of Transportation

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

Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
0067	8182000000-E CLASS A CONCRETE (BRIDGE)	CY 49.200	650.00000		31,980.00	
0068	8210000000-N BRIDGE APPROACH SLABS, STATION***** (16+29.50-L-)	LUMP	LUMP		15,000.00	
0069	8217000000-E REINFORCING STEEL (BRIDGE)	LB 8,284.000	1.20000		9,940.80	
0070	8364000000-E HP12X53 STEEL PILES	LF 425.000	45.00000		19,125.00	
0071	8384200000-E HP14X73 GALVANIZED STEEL PILES	LF 560.000	85.00000		47,600.00	
0072	8505000000-E VERTICAL CONCRETE BARRIER RAIL	LF 345.500	45.00000		15,547.50	
0073	8608000000-E RIP RAP CLASS II (2'-0" THICK)	TON 250.000	40.00000		10,000.00	
0074	8622000000-E FILTER FABRIC FOR DRAINAGE	SY 275.000	2.50000		687.50	
0075	8657000000-N ELASTOMERIC BEARINGS	LUMP	LUMP		5,400.00	
0076	8763000000-E 3'-0" X 2'-0" PRESTRESSED CONCCORED SLABS	LF 1,897.500	130.00000		246,675.00	
	Section 0004 Total				419,755.80	
	Bid Total				689,867.45	

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:05-18-10
PAGE: 10

PROPOSAL: C202433
LETTING: L100615 CALL: 007
VENDOR: 3481 R. E. Burns & Sons Co., Inc.

LINE NO.	ITEM NO.	ITEM DESC.	UNIT TYPE	SUBCONTRACTOR QUANTITY	SUBCONTRACTOR UNIT PRICE	EXTENDED AMOUNT
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DBE SUBCONTRACTOR: 3346 LINEBERRY, INC.
Will Use Quote: Yes

0038	6000000000-E	TEMPORARY SI	LF	1100.000	1.78000	1958.00
0042	6015000000-E	TEMPORARY MU	ACR	2.000	400.00000	800.00
0043	6018000000-E	SEED FOR TEM	LB	60.000	3.00000	180.00
0044	6021000000-E	FERT FOR TEM	TON	1.500	1200.00000	1800.00
0047	6029000000-E	SAFETY FENCE	LF	850.000	1.68000	1428.00
0049	6036000000-E	MATTING FOR	SY	8700.000	1.20000	10440.00
0050	6037000000-E	COIR FIBER M	SY	10.000	4.60000	46.00
0051	6042000000-E	1/4" HARDWAR	LF	1200.000	3.55000	4260.00
0053	6071010000-E	WATTLE	LF	150.000	9.20000	1380.00
0054	6071020000-E	POLYACRYLAMI	LB	40.000	18.50000	740.00
0057	6084000000-E	SEEDING AND	ACR	5.000	1843.00000	9215.00
0058	6087000000-E	MOWING	ACR	5.000	48.00000	240.00
0059	6090000000-E	SEED FOR REP	LB	50.000	10.00000	500.00
0060	6093000000-E	FERT FOR REP	TON	0.250	1200.00000	300.00
0061	6096000000-E	SEED FOR SUP	LB	50.000	1.35000	67.50
0062	6108000000-E	FERTILIZER T	TON	0.750	860.00000	645.00
0063	6114500000-N	SPECIALIZED	MHR	10.000	48.00000	480.00
0064	6117000000-N	RESPONSE FOR	EA	12.000	1.00000	12.00

DBE COMMITMENT TOTAL FOR SUBCONTRACTOR: 34,491.50 ✓ am
DBE COMMITMENT TOTAL FOR VENDOR (SubContractor) 34,491.

DBE SUBCONTRACTOR: 5279 GUARDRAIL OF GREENSBORO LLC
Will Use Quote: Yes

0025	3030000000-E	STL BM GUARD	LF	575.000	13.75000	7906.25
0026	3150000000-N	ADDIT GUARDR	EA	5.000	10.00000	50.00
0027	3215000000-N	GR ANCHOR TY	EA	4.000	975.00000	3900.00

DBE COMMITMENT TOTAL FOR SUBCONTRACTOR: 11,856.25 ✓ am
DBE COMMITMENT TOTAL FOR VENDOR (SubContractor) 11,856.

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

0031	4400000000-E	WORK ZONE SI	SF	290.000	4.95000	1435.50
0032	4410000000-E	WORK ZONE SI	SF	94.000	6.85000	643.90
0033	4445000000-E	BARRICADES (LF	80.000	19.50000	1560.00

DBE COMMITMENT TOTAL FOR SUBCONTRACTOR: 3,639.40 ✓ am
DBE COMMITMENT TOTAL FOR VENDOR (SubContractor) 3,639.4

TOTAL DBE COMMITMENT FOR VENDOR:

Entered: 7.25% or 49987.15 ✓ am
Required: 7.00% or 48290.72
<GOAL MET>

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
ROADWAY ITEMS						
0001	0000100000-N	800	MOBILIZATION	Lump Sum LS	34,450.00	34,450.00
0002	0029000000-N	SP	REINFORCED BRIDGE APPROACH FILL, STATION ***** (16+29.50)	Lump Sum LS	12,000.00	12,000.00
0003	0043000000-N	226	GRADING	Lump Sum LS	87,500.00	87,500.00
0004	0050000000-E	226	SUPPLEMENTARY CLEARING & GRUB- BING	1 ACR	1.00	1.00
0005	0057000000-E	226	UNDERCUT EXCAVATION	350 CY	15.00	5,250.00
0006	0234000000-E	SP	GENERIC GRADING ITEM SELECT GRANULAR MATERIAL	500 CY	5.00	2,500.00
0007	0320000000-E	SP	FOUNDATION CONDITIONING FABRIC	22 SY	5.00	110.00
0008	0330000000-E	SP	GENERIC DRAINAGE ITEM FOUNDATION CONDITIONING MATE- RIAL, MINOR STRS	8 TON	70.00	560.00
0009	0335200000-E	SP	15" DRAINAGE PIPE	60 LF	38.00	2,280.00
0010	0335850000-E	SP	*** DRAINAGE PIPE ELBOWS (15")	4 EA	225.00	900.00
0011	1489000000-E	610	ASPHALT CONC BASE COURSE, TYPE B25.0B	130 TON	65.00	8,450.00
0012	1525000000-E	610	ASPHALT CONC SURFACE COURSE, TYPE SF9.5A	260 TON	60.00	15,600.00
0013	1560000000-E	620	ASPHALT BINDER FOR PLANT MIX, GRADE PG 64-22	25 TON	575.00	14,375.00
0014	1693000000-E	654	ASPHALT PLANT MIX, PAVEMENT REPAIR	20 TON	100.00	2,000.00
0015	2000000000-N	806	RIGHT OF WAY MARKERS	11 EA	200.00	2,200.00
0016	2022000000-E	815	SUBDRAIN EXCAVATION	56 CY	4.00	224.00
0017	2033000000-E	815	SUBDRAIN FINE AGGREGATE	42 CY	10.00	420.00
0018	2044000000-E	815	6" PERFORATED SUBDRAIN PIPE	250 LF	1.00	250.00

Contract Item Sheets For C202433

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
0019	2055000000-E	815	6" SUBDRAIN PIPE WYES, TEES, & ELBOWS	8 EA	25.00	200.00
0020	2066000000-N	815	CONCRETE PAD FOR SUBDRAIN PIPE OUTLET	1 EA	50.00	50.00
0021	2077000000-E	815	6" OUTLET PIPE (SUBDRAINS)	6 LF	1.00	6.00
0022	2286000000-N	840	MASONRY DRAINAGE STRUCTURES	2 EA	1,400.00	2,800.00
0023	2367000000-N	840	FRAME WITH TWO GRATES, STD 840.29	2 EA	350.00	700.00
0024	2556000000-E	846	SHOULDER BERM GUTTER	45 LF	35.00	1,575.00
0025	3030000000-E	862	STEEL BM GUARDRAIL	575 LF	13.75	7,906.25
0026	3150000000-N	862	ADDITIONAL GUARDRAIL POSTS	5 EA	10.00	50.00
0027	3215000000-N	862	GUARDRAIL ANCHOR UNITS, TYPE III	4 EA	975.00	3,900.00
0028	3270000000-N	SP	GUARDRAIL ANCHOR UNITS, TYPE 350	4 EA	1,700.00	6,800.00
0029	3649000000-E	876	RIP RAP, CLASS B	2 TON	214.00	428.00
0030	3656000000-E	876	FILTER FABRIC FOR DRAINAGE	510 SY	2.00	1,020.00
0031	4400000000-E	1110	WORK ZONE SIGNS (STATIONARY)	290 SF	5.85	1,696.50
0032	4410000000-E	1110	WORK ZONE SIGNS (BARRICADE MOUNTED)	94 SF	6.85	643.90
0033	4445000000-E	1145	BARRICADES (TYPE III)	80 LF	19.50	1,560.00
0034	4685000000-E	1205	THERMOPLASTIC PAVEMENT MARKING LINES (4", 90 MILS)	1,214 LF	0.85	1,031.90
0035	4686000000-E	1205	THERMOPLASTIC PAVEMENT MARKING LINES (4", 120 MILS)	1,214 LF	0.90	1,092.60
0036	4770000000-E	1205	COLD APPLIED PLASTIC PAVEMENT MARKING LINES, TYPE ** (4") (II)	700 LF	2.00	1,400.00

Contract Item Sheets For C202433

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
0037	4900000000-N	1251	PERMANENT RAISED PAVEMENT MARKERS	40 EA	10.00	400.00
0038	6000000000-E	1605	TEMPORARY SILT FENCE	1,100 LF	1.78	1,958.00
0039	6006000000-E	1610	STONE FOR EROSION CONTROL, CLASS A	225 TON	18.00	4,050.00
0040	6009000000-E	1610	STONE FOR EROSION CONTROL, CLASS B	70 TON	28.00	1,960.00
0041	6012000000-E	1610	SEDIMENT CONTROL STONE	255 TON	20.00	5,100.00
0042	6015000000-E	1615	TEMPORARY MULCHING	2 ACR	400.00	800.00
0043	6018000000-E	1620	SEED FOR TEMPORARY SEEDING	60 LB	3.00	180.00
0044	6021000000-E	1620	FERTILIZER FOR TEMPORARY SEEDING	1.5 TON	1,200.00	1,800.00
0045	6024000000-E	1622	TEMPORARY SLOPE DRAINS	250 LF	9.00	2,250.00
0046	6027000000-N	1622	INLET PROTECTION AT TEMPORARY SLOPE DRAINS	4 EA	150.00	600.00
0047	6029000000-E	SP	SAFETY FENCE	850 LF	1.68	1,428.00
0048	6030000000-E	1630	SILT EXCAVATION	200 CY	4.00	800.00
0049	6036000000-E	1631	MATTING FOR EROSION CONTROL	8,700 SY	1.20	10,440.00
0050	6037000000-E	SP	COIR FIBER MAT	10 SY	4.60	46.00
0051	6042000000-E	1632	1/4" HARDWARE CLOTH	1,200 LF	3.55	4,260.00
0052	6048000000-E	SP	FLOATING TURBIDITY CURTAIN	100 SY	15.00	1,500.00
0053	6071010000-E	SP	WATTLE	150 LF	9.20	1,380.00
0054	6071020000-E	SP	POLYACRYLAMIDE (PAM)	40 LB	18.50	740.00
0055	6071030000-E	SP	COIR FIBER BAFFLES	75 LF	7.00	525.00

Contract Item Sheets For C202433

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
0056	6071050000-E	SP	*** SKIMMER (1-1/2")	1 EA	720.00	720.00
0057	6084000000-E	1660	SEEDING & MULCHING	5 ACR	1,000.00	5,000.00
0058	6087000000-E	1660	MOWING	5 ACR	48.00	240.00
0059	6090000000-E	1661	SEED FOR REPAIR SEEDING	50 LB	10.00	500.00
0060	6093000000-E	1661	FERTILIZER FOR REPAIR SEEDING	0.25 TON	1,200.00	300.00
0061	6096000000-E	1662	SEED FOR SUPPLEMENTAL SEEDING	50 LB	1.35	67.50
0062	6108000000-E	1665	FERTILIZER TOPDRESSING	0.75 TON	860.00	645.00
0063	6114500000-N	SP	SPECIALIZED HAND MOWING	10 MHR	48.00	480.00
0064	6117000000-N	SP	RESPONSE FOR EROSION CONTROL	12 EA	1.00	12.00

Contract Item Sheets For C202433

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
0065	8035000000-N	402	REMOVAL OF EXISTING STRUCTURE AT STATION ***** (16+29.50-L-)	Lump Sum LS	15,000.00	15,000.00
0066	8121000000-N	412	UNCLASSIFIED STRUCTURE EXCAVA- TION AT STATION ***** (16+29.50-L-)	Lump Sum LS	2,800.00	2,800.00
0067	8182000000-E	420	CLASS A CONCRETE (BRIDGE)	49.2 CY	650.00	31,980.00
0068	8210000000-N	422	BRIDGE APPROACH SLABS, STATION ***** (16+29.50-L-)	Lump Sum LS	15,000.00	15,000.00
0069	8217000000-E	425	REINFORCING STEEL (BRIDGE)	8,284 LB	1.20	9,940.80
0070	8364000000-E	SP	HP12X53 STEEL PILES	425 LF	45.00	19,125.00
0071	8384200000-E	SP	HP14X73 GALVANIZED STEEL PILES	560 LF	85.00	47,600.00
0072	8505000000-E	SP	VERTICAL CONCRETE BARRIER RAIL	345.5 LF	45.00	15,547.50
0073	8608000000-E	876	RIP RAP CLASS II (2'-0" THICK)	250 TON	40.00	10,000.00
0074	8622000000-E	876	FILTER FABRIC FOR DRAINAGE	275 SY	2.50	687.50
0075	8657000000-N	430	ELASTOMERIC BEARINGS	Lump Sum LS	5,400.00	5,400.00
0076	8763000000-E	430	3'-0" X 2'-0" PRESTRESSED CONC CORED SLABS	1,897.5 LF	130.00	246,675.00

TOTAL AMOUNT OF BID FOR ENTIRE PROJECT

\$689,867.45 ✓

Contract Number C202433
County Moore

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. 28687
Address as Prequalified

Attest Nancy L Burns By K Burns
Secretary/Assistant Secretary President/Vice President/Assistant Vice President
Select appropriate title Select appropriate title

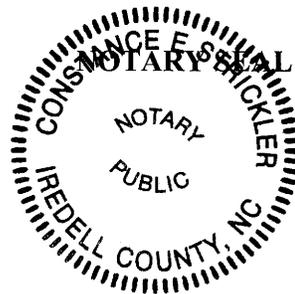
Nancy L. Burns
Print or type Signer's name

Kevin C. Burns
Print or type Signer's name

CORPORATE SEAL

AFFIDAVIT MUST BE NOTARIZED

Subscribed and sworn to before me this the
2 day of July 2010.
Courtnice E Strickler
Signature of Notary Public
of Iredell County
State of North Carolina
My Commission Expires: June 28, 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 **C202433**

County (ies): **Moore**

ACCEPTED BY THE
DEPARTMENT OF TRANSPORTATION

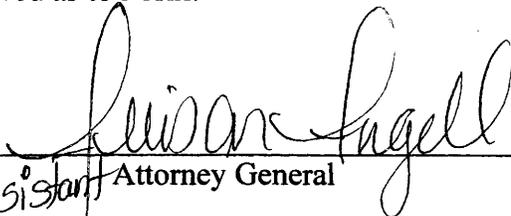


Contract Officer

7/12/10

Date

Execution of Contract and Bonds
Approved as to Form:



Assistant Attorney General

Contract No. C202433
County Moore County

Rev 2-1-10

CONTRACT PAYMENT BOND
Bond No. 837048774

Date of Payment Bond Execution June 29, 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 Eighty Nine Thousand Eight Hundred Sixty Seven Dollars and 45/100ths (\$689,867.45)

Contract ID No.: C202433

County Name: Moore 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. C202433
County Moore County

Rev 2-1-10

CONTRACT PAYMENT BOND

Affix Seal of Surety Company

Liberty Mutual Insurance Company

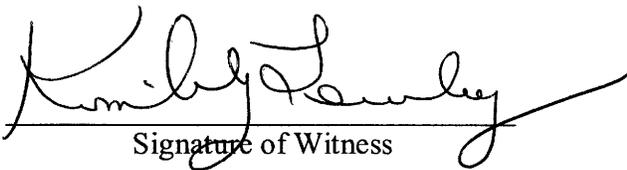
Print or type Surety Company Name

By Katherine D. Jennison

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



Signature of Attorney-in-Fact



Signature of Witness

Kimberly Lounsbery

Print or type Signer's name

6315 Fly Road, East Syracuse NY 13057

Address of Attorney-in-Fact

Contract No. C202433
County Moore 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, N.C. 28687

Address as prequalified

By KCBurns

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. C202433
County Moore County

Rev 2-1-10

CONTRACT PERFORMANCE BOND
Bond No. 837048774

Date of Performance Bond Execution: June 29, 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 Eighty Nine Thousand Eight Hundred Sixty Seven Dollars and 45/100ths (\$689,867.45)

Contract ID No.: C202433

County Name: Moore 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. C202433
County Moore 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

Kimberly Lounsbery

Print or type Signer's name

6315 Fly Rd., East Syracuse NY 13057

Address of Attorney-in-Fact

Contract No. C202433
County Moore 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, N.C. 28687

Address as prequalified

By KCBurns

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, KIMBERLY LOUNSBERY, 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 4th day of March 2010

LIBERTY MUTUAL INSURANCE COMPANY

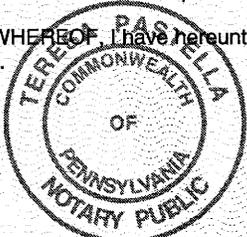


By Garnet W. Elliott, Assistant Secretary

COMMONWEALTH OF PENNSYLVANIA ss
COUNTY OF MONTGOMERY

On this 4th day of March, 2010, 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 29th day of June, 2010



By David M. Carey, Assistant Secretary

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

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

ASSETS

	Current Year			Prior Year
	1	2	3	4
	Assets	Nonadmitted Assets	Net Admitted Assets (Cols. 1 - 2)	Net Admitted Assets
1. Bonds (Schedule D)	11,425,766,895		11,425,766,895	11,057,669,501
2. Stocks (Schedule D):				
2.1 Preferred stocks	782,976,318		782,976,318	737,319,706
2.2 Common stocks	9,135,552,552		9,135,552,552	7,570,471,320
3. Mortgage loans on real estate (Schedule B):				
3.1 First liens	519,022,709		519,022,709	548,091,252
3.2 Other than first liens				
4. Real estate (Schedule A):				
4.1 Properties occupied by the company (less \$ 0 encumbrances)	337,179,530		337,179,530	425,989,166
4.2 Properties held for the production of income (less \$ 0 encumbrances)	978,262		978,262	1,039,982
4.3 Properties held for sale (less \$ 0 encumbrances)				
5. Cash (\$ 389,502,555, Schedule E - Part 1), cash equivalents (\$ 82,179,054, Schedule E - Part 2), and short-term investments (\$ 352,650,853, Schedule DA)	824,332,462		824,332,462	1,349,305,516
6. Contract loans (including \$ 0 premium notes)				
7. Other invested assets (Schedule BA)	5,771,150,576	206,157	5,770,944,419	5,131,343,213
8. Receivables for securities	12,271,548		12,271,548	2,859,056
9. Aggregate write-ins for invested assets				
10. Subtotals, cash and invested assets (Lines 1 to 9)	28,809,230,852	206,157	28,809,024,695	26,844,068,712
11. Title plants less \$ 0 charged off (for Title insurers only)				
12. Investment income due and accrued	133,129,777		133,129,777	140,188,757
13. Premiums and considerations:				
13.1 Uncollected premiums and agents' balances in the course of collection	993,264,743	14,732,220	978,532,523	1,071,899,224
13.2 Deferred premiums, agents' balances and installments booked but deferred and not yet due (including \$ 0 earned but unbilled premiums)	1,519,460,073		1,519,460,073	1,594,927,150
13.3 Accrued retrospective premiums	366,445,346	36,644,535	329,800,811	363,694,097
14. Reinsurance:				
14.1 Amounts recoverable from reinsurers	593,195,507		593,195,507	560,300,803
14.2 Funds held by or deposited with reinsured companies	13,527,020		13,527,020	17,294,633
14.3 Other amounts receivable under reinsurance contracts				
15. Amounts receivable relating to uninsured plans	21,095	11,418	9,677	175,315
16.1 Current federal and foreign income tax recoverable and interest thereon	313,172,066		313,172,066	
16.2 Net deferred tax asset	1,188,251,090	164,925,490	1,023,325,600	846,790,256
17. Guaranty funds receivable or on deposit	33,248,467		33,248,467	32,559,328
18. Electronic data processing equipment and software	319,102,379	257,221,814	61,880,565	50,291,004
19. Furniture and equipment, including health care delivery assets (\$ 0)	126,014,225	126,014,225		
20. Net adjustment in assets and liabilities due to foreign exchange rates				
21. Receivables from parent, subsidiaries and affiliates	346,223,617	610	346,223,007	312,158,606
22. Health care (\$ 0) and other amounts receivable				
23. Aggregate write-ins for other than invested assets	715,856,703	39,949,956	675,906,747	715,420,301
24. Total assets excluding Separate Accounts, Segregated Accounts and Protected Cell Accounts (Lines 10 to 23)	35,470,142,960	639,706,425	34,830,436,535	32,549,788,186
25. From Separate Accounts, Segregated Accounts and Protected Cell Accounts				
26. Total (Lines 24 and 25)	35,470,142,960	639,706,425	34,830,436,535	32,549,788,186

DETAILS OF WRITE-IN LINES				
0901.				
0902.				
0903.				
0998. Summary of remaining write-ins for Line 09 from overflow page				
0999. Totals (Lines 0901 through 0903 plus 0998) (Line 9 above)				
2301. Cash Surrender Value Life Insurance	383,284,396		383,284,396	348,631,523
2302. Amounts receivable under high deductible policies	172,319,200	115,054	172,204,146	165,149,487
2303. Other assets	132,718,497	39,834,902	92,883,595	165,597,198
2398. Summary of remaining write-ins for Line 23 from overflow page	27,534,610		27,534,610	36,042,093
2399. Totals (Lines 2301 through 2303 plus 2398) (Line 23 above)	715,856,703	39,949,956	675,906,747	715,420,301

LIABILITIES, SURPLUS AND OTHER FUNDS

	1	2
	Current Year	Prior Year
1. Losses (Part 2A, Line 35, Column 8)	12,580,897,955	12,604,675,356
2. Reinsurance payable on paid losses and loss adjustment expenses (Schedule F, Part 1, Column 6)	76,374,442	82,048,425
3. Loss adjustment expenses (Part 2A, Line 35, Column 9)	2,545,218,963	2,495,475,556
4. Commissions payable, contingent commissions and other similar charges	119,922,389	96,083,863
5. Other expenses (excluding taxes, licenses and fees)	234,522,784	390,923,555
6. Taxes, licenses and fees (excluding federal and foreign income taxes)	168,208,453	256,823,744
7.1 Current federal and foreign income taxes (including \$ 0 on realized capital gains (losses))		36,105,135
7.2 Net deferred tax liability		905,212
8. Borrowed money \$ 0 and interest thereon \$ 0		
9. Unearned premiums (Part 1A, Line 36, Column 5) (after deducting unearned premiums for ceded reinsurance of \$ 2,135,447,190 and including warranty reserves of \$ 0)	3,293,042,808	3,320,119,872
10. Advance premium	43,887,917	60,012,654
11. Dividends declared and unpaid:		
11.1 Stockholders		
11.2 Policyholders	1,800,778	1,136,856
12. Ceded reinsurance premiums payable (net of ceding commissions)	717,199,249	690,465,345
13. Funds held by company under reinsurance treaties (Schedule F, Part 3, Column 19)	1,746,563,156	1,807,274,064
14. Amounts withheld or retained by company for account of others	655,967,197	465,703,129
15. Remittances and items not allocated		
16. Provision for reinsurance (Schedule F, Part 7)	69,876,168	73,987,601
17. Net adjustments in assets and liabilities due to foreign exchange rates		
18. Drafts outstanding	294,010,958	292,955,747
19. Payable to parent, subsidiaries and affiliates	35,080,360	72,875,612
20. Payable for securities	59,521,615	15,457,672
21. Liability for amounts held under uninsured plans		
22. Capital notes \$ 0 and interest thereon \$ 0		
23. Aggregate write-ins for liabilities	(202,891,588)	(478,583,930)
24. Total liabilities excluding protected cell liabilities (Lines 1 through 23)	22,338,883,620	22,215,056,768
25. Protected cell liabilities		
26. Total liabilities (Lines 24 and 25)	22,338,883,620	22,215,056,768
27. Aggregate write-ins for special surplus funds	1,209,068,460	957,921,671
28. Common capital stock	10,000,000	10,000,000
29. Preferred capital stock		
30. Aggregate write-ins for other than special surplus funds	1,250,000	1,250,000
31. Surplus notes	785,347,694	692,074,990
32. Gross paid in and contributed surplus	6,435,272,283	6,335,272,283
33. Unassigned funds (surplus)	4,040,614,478	2,138,213,474
34. Less treasury stock, at cost:		
34.1 0 shares common (value included in Line 28 \$ 0)		
34.2 0 shares preferred (value included in Line 29 \$ 0)		
35. Surplus as regards policyholders (Lines 27 to 33, less 34) (Page 4, Line 39)	12,491,552,915	10,334,732,418
36. Totals (Page 2, Line 26, Col. 3)	34,830,436,535	32,548,788,186

DETAILS OF WRITE-IN LINES		
2301. Amounts held under uninsured plans		
2302. Other liabilities	651,634,174	581,997,189
2303. Collateral held for securities loaned	410,875,388	424,947,876
2398. Summary of remaining write-ins for Line 23 from overflow page	279,831,199	110,828,705
2399. Totals (Lines 2301 through 2303 plus 2398) (Line 23 above)	(1,645,032,349)	(1,696,357,800)
2701. Special surplus from retroactive reinsurance	(202,891,588)	(478,583,930)
2702. SSAPICR incremental change	957,721,654	957,921,671
2703. Summary of remaining write-ins for Line 27 from overflow page	241,348,806	
2798. Totals (Lines 2701 through 2703 plus 2798) (Line 27 above)	1,209,068,460	957,921,671
3001. Guaranty funds	1,250,000	1,250,000
3002. Summary of remaining write-ins for Line 30 from overflow page		
3099. Totals (Lines 3001 through 3003 plus 3099) (Line 30 above)	1,250,000	1,250,000

State of Massachusetts

County of Suffolk

The officers of this reporting entity being duly sworn, each depose and say that they are the described officers of said reporting entity, and that on the reporting period stated above, all of the herein described assets were the absolute property of the said reporting entity, free and clear from any liens or claims thereon, except as herein stated, and that this statement, together with related exhibits, schedules and explanations therein contained, annexed or referred to, is a full and true statement of all the assets and liabilities and of the condition and affairs of the said reporting entity as of the reporting period stated above, and of its income and deductions therefrom for the period ended, and have been completed in accordance with the NAIC Annual Statement Instructions and Accounting Practices and Procedures manual except to the extent that: (1) state law may differ; or, (2) that state rules or regulations require differences in reporting not related to accounting practices and procedures, according to the best of their information, knowledge and belief, respectively. Furthermore, the scope of this attestation by the described officers also includes the related corresponding electronic filing with the NAIC, when required, together with any hard copy (except for formatting differences due to electronic filing) of the enclosed statement. The electronic filing may be requested by various regulators in lieu of or in addition to the enclosed statement.

Edmund Francis Kelly
 (Signature)
 Edmund Francis Kelly
 (Printed Name)
 1.
 Chairman of the Board, President & CEO
 (Title)

Dexter Robert Leger
 (Signature)
 Dexter Robert Leger
 (Printed Name)
 2.
 Vice President & Secretary
 (Title)

Laurance Henry Soyle Yehis
 (Signature)
 Laurance Henry Soyle Yehis
 (Printed Name)
 3.
 Senior Vice President & Treasurer
 (Title)

Subscribed and sworn to (or affirmed) before me on this
 1st day of February, 2010, by
Walter J. ...



a. Is this an original filing? [X] Yes | No
 b. If no: 1. State the amendment number
 2. Date filed
 3. Number of pages attached

SURETY ACKNOWLEDGEMENT

STATE OF NEW YORK

COUNTY OF ONONDAGA

On this 29th day of JUNE, 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 LIBERTY MUTUAL INSURANCE 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. Keller # 4990791
Notary Public, State of New York
Qualified in Onondaga County
My Commission Expires 01/13/2014