

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

C202061

CONTRACT AND
CONTRACT BONDS
FOR CONTRACT NO. C202061

WBS 4CR.10641.6, 4CR.20641.10 STATE FUNDED

COUNTY OF NASH, EDGEcombe
THIS IS THE ROADWAY CONTRACT
ROUTE NUMBER NC 97 LENGTH 20.980 MILES
LOCATION 3 SECTIONS OF NC-97 AND US-64 ALT, 1 SECTION OF US-64 BUS
AND NC-43, AND 10 SECTIONS OF SECONDARY ROADS.

CONTRACTOR BARNHILL CONTRACTING COMPANY
ADDRESS P.O. BOX 1529
TARBORO, NC 278861529

BIDS OPENED MAY 20, 2008
CONTRACT EXECUTION JUN 17 2008

Barnhill Contracting Company (3516).

Vendor 1 of 1 Vendor for Call Order 006 (Proposal ID C202061).

County: NASH, EDGECOMBE
Address: PO Box 1529
Tarboro, North Carolina 27886

Phone Number: 252-823-1021

Signature Check: This bid has been properly signed by Allen_Barnhill_3516.

Time Bid Received: Mon May 19 17:04:27 2008

Bid Checksum: C3B02F72

Amendment Count: 0

Bidding Errors: This bid contains errors.

Bid Total: \$1,842,083.27 ✓

Bond ID: JEGR-TEGD-Q9DA-VTDV

Bond was Verified: Yes.

Bond Required Percent: 5.00%

Minimum Check Amount: \$92,104.16

Bid Security Maximum: \$

Bond Agency Name:

Agency Execution Date: 5-20-2008

Surety Name: Willis of North Carolina, Inc.

Surety State of Incorporation:

Bond Company:

Bond Type:

Bond Appr Flag:

Bond Affirm:

Bond was Paid by Check: No.

*MBE GOAL SET - 3.0 %
WBE GOAL SET - 5.0 %*

*MBE GOAL OBT - 0.0 %
WBE GOAL OBT - 0.0 %*

LIST OF MBE PARTICIPANTS

TOTAL: \$0.00
0.00%

LIST OF WBE PARTICIPANTS

TOTAL: \$0.00
0.00%

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: JEGR-TEGD-Q9DA-VTDV
Surety Registry Agency: SurePathNetwork
Verified?: Yes
Surety Agency: Willis of North Carolina, Inc.
Bond Execution Date: 5-20-2008
Bond Amount: \$92,104.16 (Five Percent of Bid)

State of NC
Dept of Transportation

Date: 04-21-08
Revised:

Contract ID: C202061 Project(s): STATE FUNDED
Letting Date: 05-20-08 Call Order: 006
Bidder: 3516 - Barnhill Contracting Company

Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Cts
Section 0001 ROADWAY ITEMS						
0001	0000100000-N MOBILIZATIO N	LUMP	LUMP			33,600.00
0002	1308000000-E MILLING ASPHALT PAVEMENT, ***"TO *****" DEPTH (0" TO 1-1/2")	34,933.000 SY	1.77000			61,831.41
0003	1519000000-E ASPHALT CONC SURFACE COURSE, TYPE S9.5B	11,067.000 TON	35.30000			390,665.10
0004	1525000000-E ASPHALT CONC SURFACE COURSE, TYPE SF9.5A	14,176.000 TON	37.60000			533,017.60
0005	1560000000-E ASPHALT BINDER FOR PLANT MIX, GRADE PG 64-22	1,584.000 TON	441.00000			698,544.00
0006	2800000000-N ADJUSTMENT OF CATCH BASINS	48.000 EA	550.00000			26,400.00
0007	2830000000-N ADJUSTMENT OF MANHOLES	28.000 EA	400.00000			11,200.00
0008	2845000000-N ADJUSTMENT OF METER BOXES OR VALVE BOXES	28.000 EA	310.00000			8,680.00
0009	4685000000-E THERMOPLAST IC PAVEMENT MARKING LINES (4", 90 MILS)	35,816.000 LF	0.39000			13,968.24
0010	4686000000-E THERMOPLAST IC PAVEMENT MARKING LINES (4", 120 MILS)	35,363.000 LF	0.49000			17,327.87
0011	4810000000-E PAINT PAVEMENT MARKING LINES (4")	520,545.000 LF	0.09000			46,849.05

State of NC
 Dept of Transportation

Date: 04-21-08
 Revised:

Contract ID: C202061 Project(s): STATE FUNDED
 Letting Date: 05-20-08 Call Order: 006
 Bidder: 3516 - Barnhill Contracting Company

Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
	Section 0001 Total				1,842,083.27	
	Bid Total				1,842,083.27	

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.

Fuel Price Adjustment Opt-Out Clause

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

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

Enter X in one box only:

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

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

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

NORTH CAROLINA STATE DEPARTMENT OF TRANSPORTATION
MBE COMMITMENT ITEMS

DATE: 04-21-08
PAGE: 6

PROPOSAL: C202061
LETTING: L080520 CALL: 006
VENDOR: 3516 Barnhill Contracting Company

TOTAL MBE COMMITMENT FOR VENDOR:	Entered:	0.00% or	0.00
	Required:	3.00% or	55262.50
			<GOAL NOT MET>

NORTH CAROLINA STATE DEPARTMENT OF TRANSPORTATION
WBE COMMITMENT ITEMS

DATE: 04-21-08
PAGE: 7

PROPOSAL: C202061
LETTING: L080520 CALL: 006
VENDOR: 3516 Barnhill Contracting Company

TOTAL WBE COMMITMENT FOR VENDOR:	Entered:	0.00% or	0.00
	Required:	5.00% or	92104.16
			<GOAL NOT MET>

Contract Item Sheets For C202061

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
ROADWAY ITEMS						
0001	0000100000-N	800	MOBILIZATION	Lump Sum LS	33,600.00	33,600.00
0002	1308000000-E	607	MILLING ASPHALT PAVEMENT, **** TO ***** DEPTH (0" TO 1-1/2")	34,933 SY	1.77	61,831.41
0003	1519000000-E	610	ASPHALT CONC SURFACE COURSE, TYPE S9.5B	11,067 TON	35.30	390,665.10
0004	1525000000-E	610	ASPHALT CONC SURFACE COURSE, TYPE SF9.5A	14,176 TON	37.60	533,017.60
0005	1560000000-E	620	ASPHALT BINDER FOR PLANT MIX, GRADE PG 64-22	1,584 TON	441.00	698,544.00
0006	2800000000-N	858	ADJUSTMENT OF CATCH BASINS	48 EA	550.00	26,400.00
0007	2830000000-N	858	ADJUSTMENT OF MANHOLES	28 EA	400.00	11,200.00
0008	2845000000-N	858	ADJUSTMENT OF METER BOXES OR VALVE BOXES	28 EA	310.00	8,680.00
0009	4685000000-E	1205	THERMOPLASTIC PAVEMENT MARKING LINES (4", 90 MILS)	35,816 LF	0.39	13,968.24
0010	4686000000-E	1205	THERMOPLASTIC PAVEMENT MARKING LINES (4", 120 MILS)	35,363 LF	0.49	17,327.87
0011	4810000000-E	1205	PAINT PAVEMENT MARKING LINES (4")	520,545 LF	0.09	46,849.05

TOTAL AMOUNT OF BID FOR ENTIRE PROJECT

\$1,842,083.27

Contract Number C202061
County NASH, EDGECOMBE

Rev 02-17-04

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

The Contractor being duly sworn, solemnly swears (or affirms) that neither he, nor any official, agent or employee has entered into any agreement, participated in any collusion, or otherwise taken any action which is in restraint of free competitive bidding in connection with this Contract, and that the Contractor intends to do the work with his own bonafide employees or subcontractors and did not bid for the benefit of another contractor.

By submitting this Execution of Contract, Non-Collusion affidavit and Debarment Certification, the Contractor is certifying his status under penalty of perjury under the laws of the United States in accordance with the Debarment Certification attached, provided that the Debarment Certification also includes any required statements concerning exceptions that are applicable.

SIGNATURE OF CONTRACTOR

BARNHILL CONTRACTING COMPANY
Print or type full name of Corporation

P.O. BOX 1529 TARBORO, NC 27886
Address as Prequalified

Attest Helen W. Spain
~~Secretary/Assistant Secretary~~
Delete inappropriate title

By [Signature]
~~President/Vice President/Assistant Vice President~~
Delete inappropriate title

Helen W. Spain
Print or type signer's name

ALLEN BARNHILL
Print or type signer's name

CORPORATE SEAL

AFFIDAVIT MUST BE NOTARIZED

NOTARY SEAL

Subscribed and sworn to before me this the

6th day of June 2008

[Signature]
Signature of Notary Public

of Edgecombe County

State of North Carolina

My Commission Expires: 7/29/2011



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

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 C202061

County (ies): Nash-Edgecombe

ACCEPTED BY THE
DEPARTMENT OF TRANSPORTATION



Contract Officer



Date

Execution of Contract and Bonds
Approved as to Form:



Attorney General

Contract No. C202061
County Nash, Edgecombe County

Rev 02-13-04

Bond No. 105074885

CONTRACT PAYMENT BOND

Date of Payment:
Bond Execution: June 9, 2008

Name of Principal:
Contractor Barnhill Contracting Company
Post Office Box 1529 Tarboro, NC 27886

Name of Surety: Travelers Casualty and Surety Company of America
11440 Carmel Commons Blvd. Charlotte, NC 28226

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

Amount of Bond: One Million Eight Hundred Forty Two Thousand Eighty Three Dollars and 27/100 (\$1,842,083.27)

Contract ID No.: C202061

County Name(s): Nash, Edgecombe County

KNOW ALL MEN BY THESE PRESENTS, That we, the 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-bounden 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. C202061
County Nash, Edgecombe County

Rev 02-13-04

CONTRACT PAYMENT BOND

Affix Seal of Surety Company

Travelers Casualty and Surety Company of America
Print or type Surety Company Name

By Bobbi D. Pendleton
Print, stamp or type name of Attorney-in-Fact

Bobbi D. Pendleton
Signature of Attorney-in-Fact

Suzanne R. Parker
Signature of witness

Suzanne R. Parker
Print or type witness' name



4000 CentreGreen Way Suite 250, Cary, NC 27513
Address of Attorney-in-Fact

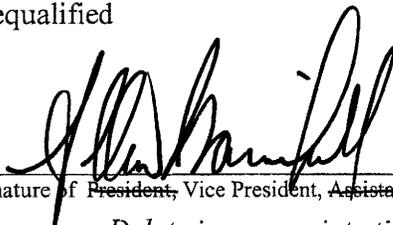
CONTRACT PAYMENT BOND

CORPORATION

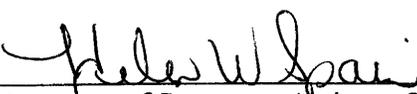
SIGNATURE OF CONTRACTOR (Principal)

Barnhill Contracting Company
Print or type full name of Corporation

Post Office Box 1529, Tarboro, NC 27886
Address as prequalified

By 
Signature of ~~President, Vice President, Assistant Vice President~~
Delete inappropriate title

Allen Barnhill
Print or type signer's name

Attest 
Signature of ~~Secretary, Assistant Secretary~~
Delete inappropriate title

Helen W. Spain
Print or type signer's name

Affix Corporate Seal

Contract Number C202061
County Nash, Edgecombe County

Rev 02-13-04

Bond No. 105074885

CONTRACT PERFORMANCE BOND

Date of Contract Performance

Bond Execution:

June 9, 2008

Name of Principal:

Barnhill Contracting Company

Contractor

Post Office Box 1529 Tarboro, NC 27886

Name of Surety:

Travelers Casualty and Surety Company of America

11440 Carmel Commons Blvd. Charlotte, NC 28226

Name of Contracting Body:

North Carolina Department of Transportation

Raleigh, North Carolina

Amount of Bond:

One Million Eight Hundred Forty Two Thousand Eighty Three Dollars and 27/100 (\$1,842,083.27)

Contract ID No.:

C202061

County Name(s):

Nash, Edgecombe County

KNOW ALL MEN BY THESE PRESENTS, That we, the 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-bounden 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 PERFORMANCE BOND

Affix Seal of Surety Company

Travelers Casualty and Surety Company of America
Print or type Surety Company Name

By Bobbi D. Pendleton
Attorney-in-Fact
Print, stamp, or type name of Attorney-in Fact

Bobbi D. Pendleton
Signature of Attorney-in-Fact

Suzanne R. Parker
Signature of witness

Suzanne R. Parker
Print or type witness' name



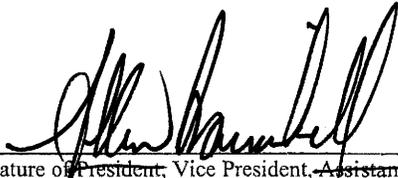
4000 CentreGreen Way Suite 250, Cary, NC 27513
Address of Attorney-in-Fact

CONTRACT PERFORMANCE BOND
CORPORATION

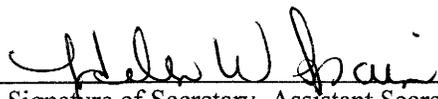
SIGNATURE OF CONTRACTOR (Principal)

Barnhill Contracting Company
Print full name of Corporation

Post Office Box 1529, Tarboro, NC 27886
Address as prequalified

By 
Signature of President, Vice President, ~~Assistant Vice President~~
Delete inappropriate title

Allen Barnhill
Print or type signer's name

Attest 
Signature of Secretary, Assistant Secretary
Delete inappropriate title

Helen W. Sparr
Print or type signer's name

Affix Corporate Seal



POWER OF ATTORNEY

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

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

Surety Bond No. 105074885

Principal: Barnhill Contracting Company

OR

Project Description: C202061 Nash Edgcombe County

Obligee: North Carolina Department of Transportation

KNOW ALL MEN BY THESE PRESENTS: That Seaboard Surety Company is a corporation duly organized under the laws of the State of New York, that St. Paul Fire and Marine Insurance Company, St. Paul Guardian Insurance Company and St. Paul Mercury Insurance Company are corporations duly organized under the laws of the State of Minnesota, that Farmington Casualty Company, Travelers Casualty and Surety Company, and Travelers Casualty and Surety Company of America are corporations duly organized under the laws of the State of Connecticut, that United States Fidelity and Guaranty Company is a corporation duly organized under the laws of the State of Maryland, that Fidelity and Guaranty Insurance Company is a corporation duly organized under the laws of the State of Iowa, and that Fidelity and Guaranty Insurance Underwriters, Inc. is a corporation duly organized under the laws of the State of Wisconsin (herein collectively called the "Companies"), and that the Companies do hereby make, constitute and appoint Bobbi D. Pendleton of the City of Cary, State of NC, their true and lawful Attorney(s)-in-Fact, each in their separate capacity if more than one is named above, to sign, execute, seal and acknowledge any and all bonds, recognizances, conditional undertakings and other writings obligatory in the nature thereof on behalf of the Companies in their business of guaranteeing the fidelity of persons, guaranteeing the performance of contracts and executing or guaranteeing bonds and undertakings required or permitted in any actions or proceedings allowed by law.

IN WITNESS WHEREOF, the Companies have caused this instrument to be signed and their corporate seals to be hereto affixed, this 11th day of August, 2006.

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

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



State of Connecticut

City of Hartford ss.

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

On this the 11th day of August, 2006, before me personally appeared George W. Thompson, who acknowledged himself to be the Senior Vice President of Farmington Casualty Company, Fidelity and Guaranty Insurance Company, Fidelity and Guaranty Insurance Underwriters, Inc., Seaboard Surety Company, St. Paul Fire and Marine Insurance Company, St. Paul Guardian Insurance Company, St. Paul Mercury Insurance Company, Travelers Casualty and Surety Company, Travelers Casualty and Surety Company of America, and United States Fidelity and Guaranty Company, and that he, as such, being authorized so to do, executed the foregoing instrument for the purposes therein contained by signing on behalf of the corporations by himself as a duly authorized officer.

In Witness Whereof, I hereunto set my hand and official seal.

My Commission expires the 30th day of June, 2011.



[Signature]
Marie C. Tetreault, Notary Public

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

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

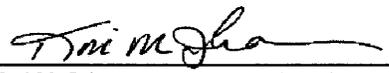
FURTHER RESOLVED, that the Chairman, the President, any Vice Chairman, any Executive Vice President, any Senior Vice President or any Vice President may delegate all or any part of the foregoing authority to one or more officers or employees of this Company, provided that each such delegation is in writing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

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

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

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

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the seals of said Companies this 9th day of June, 2008.


Kori M. Johanson, Assistant Secretary



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

