

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

C201903

CONTRACT AND  
CONTRACT BONDS  
FOR CONTRACT NO. C201903

WBS 38902.3.1 NHS-000S(502)

T.I.P NO. R-4405

COUNTY OF DIVISIONWIDE  
THIS IS THE GUARDRAIL CONTRACT  
ROUTE NUMBER US 17 LENGTH 253.900 MILES  
LOCATION DIVISION 3 & 6 - US-17, US-74, US-76, US-117, NC-24 & NC-87.

CONTRACTOR ELDERLEE INC  
ADDRESS 729 CROSS ROAD  
OAKS CORNER, NY 14518

BIDS OPENED AUGUST 19, 2008  
CONTRACT EXECUTION SEP 22 2008

**Elderlee, Inc. (10389).****Vendor 1 of 4 Vendors for Call Order 003 (Proposal ID C201903).**

County: DIVISIONWIDE  
Address: 729 Cross Road  
Oaks Corners, NY 14518-0010

Phone Number: 315-789-6670

Signature Check: This bid has been properly signed by Robert\_M.\_Rook\_10389.

Time Bid Received: Tue Aug 19 11:16:07 2008

Bid Checksum: 1B5D76F4

Amendment Count: 1

Bidding Errors: No bidding errors.

Bid Total: \$509,262.66 ✓

Bond ID: SNC08263377

Bond was Verified: Yes.

Bond Required Percent: 5.00%

Minimum Check Amount: \$25,463.13

Bid Security Maximum: \$

Bond Agency Name:

Agency Execution Date: 8/18/2008 2:23:50 PM

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.

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: SNC08263377  
Surety Registry Agency: surety2000  
Verified?: Yes  
Surety Agency: Liberty Mutual Insurance Company  
Bond Execution Date: 8/18/2008 2:23:50 PM  
Bond Amount: \$25,463.13 (Five Percent of Bid)

State of NC  
Dept of Transportation

Date: 07-22-08  
Revised: 08-07-08

Contract ID: C201903 Project(s): NHS-000S(502)  
Letting Date: 08-19-08 Call Order: 003  
Bidder: 10389 - Elderlee, 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			6,000.00
0002	3030000000-E STEEL BM GUARDRAIL	LF	4,700.000	16.00000		75,200.00
0003	3060000000-E STEEL BM GUARDRAIL, DOUBLE FACED	LF	360.000	30.00000		10,800.00
0004	3150000000-N ADDITIONAL GUARDRAIL POSTS	EA	25.000	40.00000		1,000.00
0005	3180000000-N GUARDRAIL ANCHOR UNITS, TYPE ***** (III-A MOD)	EA	35.000	2,200.00000		77,000.00
0006	3180000000-N GUARDRAIL ANCHOR UNITS, TYPE ***** (III-B MOD)	EA	7.000	1,900.00000		13,300.00
0007	3180000000-N GUARDRAIL ANCHOR UNITS, TYPE ***** (III-C MOD)	EA	4.000	1,700.00000		6,800.00
0008	3195000000-N GUARDRAIL ANCHOR UNITS, TYPE AT-1	EA	1.000	350.00000		350.00
0009	3210000000-N GUARDRAIL ANCHOR UNITS, TYPE CAT-1	EA	23.000	500.00000		11,500.00
0010	3270000000-N GUARDRAIL ANCHOR UNITS, TYPE 350	EA	110.000	2,000.00000		220,000.00
0011	3285000000-N GUARDRAIL ANCHOR UNITS, TYPE M-350	EA	29.000	1,775.00000		51,475.00

State of NC  
Dept of Transportation

Date: 07-22-08  
Revised: 08-07-08

Contract ID: C201903  
Letting Date: 08-19-08 Call Order: 003  
Bidder: 10389 - Elderlee, Inc.

Project(s): NHS-000S(502)

Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
0012	3317000000-N GUARDRAIL ANCHOR UNITS, TYPE B-77	2.000 EA	1,500.00000		3,000.00	
0013	3360000000-E REMOVE EXISTING GUARDRAIL	9,300.000 LF	0.01000		93.00	
0014	3435000000-N GENERIC GUARDRAIL ITEM 25' CLEAR SPAN	10.000 EA	2,200.00000		22,000.00	
0015	4405000000-E WORK ZONE SIGNS (PORTABLE)	2,560.000 SF	0.01000		25.60	
0016	4415000000-N FLASHING ARROW PANELS, TYPE C	8.000 EA	0.01000		0.08	
0017	4420000000-N CHANGEABLE MESSAGE SIGN	8.000 EA	0.01000		0.08	
0018	4430000000-N DRUMS	344.000 EA	0.01000		3.44	
0019	4435000000-N CONES	152.000 EA	0.01000		1.52	
0020	4450000000-N FLAGGER	960.000 HR	0.01000		9.60	
0021	4480000000-N TMIA	10.000 EA	0.01000		0.10	
0022	4510000000-N POLICE	360.000 HR	25.00000		9,000.00	
0023	4516000000-N SKINNY DRUM	424.000 EA	0.01000		4.24	

State of NC  
 Dept of Transportation

Date: 07-22-08  
 Revised: 08-07-08

Contract ID: C201903      Project(s): NHS-000S(502)  
 Letting Date: 08-19-08    Call Order: 003  
 Bidder: 10389 - Elderlee, Inc.

Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
0024	5255000000-N PORTABLE LIGHTING	LUMP	LUMP			1,000.00
0025	6084000000-E SEEDING & MULCHING	ACR 2.000	100.00000			200.00
0026	6114000000-N SPECIALIZED HAND MOWING	HR 20.000	25.00000			500.00
Section 0001 Total						509,262.66
Bid Total						509,262.66

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:

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.

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
<b>ROADWAY ITEMS</b>						
0001	0000100000-N	800	MOBILIZATION	Lump Sum LS	6,000.00	6,000.00
0002	3030000000-E	862	STEEL BM GUARDRAIL	4,700 LF	16.00	75,200.00
0003	3060000000-E	862	STEEL BM GUARDRAIL, DOUBLE FACED	360 LF	30.00	10,800.00
0004	3150000000-N	862	ADDITIONAL GUARDRAIL POSTS	25 EA	40.00	1,000.00
0005	3180000000-N	862	GUARDRAIL ANCHOR UNITS, TYPE ***** (III-A MOD)	35 EA	2,200.00	77,000.00
0006	3180000000-N	862	GUARDRAIL ANCHOR UNITS, TYPE ***** (III-B MOD)	7 EA	1,900.00	13,300.00
0007	3180000000-N	862	GUARDRAIL ANCHOR UNITS, TYPE ***** (III-C MOD)	4 EA	1,700.00	6,800.00
0008	3195000000-N	862	GUARDRAIL ANCHOR UNITS, TYPE AT-1	1 EA	350.00	350.00
0009	3210000000-N	862	GUARDRAIL ANCHOR UNITS, TYPE CAT-1	23 EA	500.00	11,500.00
0010	3270000000-N	SP	GUARDRAIL ANCHOR UNITS, TYPE 350	110 EA	2,000.00	220,000.00
0011	3285000000-N	SP	GUARDRAIL ANCHOR UNITS, TYPE M-350	29 EA	1,775.00	51,475.00
0012	3317000000-N	862	GUARDRAIL ANCHOR UNITS, TYPE B-77	2 EA	1,500.00	3,000.00
0013	3360000000-E	863	REMOVE EXISTING GUARDRAIL	9,300 LF	0.01	93.00
0014	3435000000-N	SP	GENERIC GUARDRAIL ITEM 25' CLEAR SPAN	10 EA	2,200.00	22,000.00
0015	4405000000-E	1110	WORK ZONE SIGNS (PORTABLE)	2,560 SF	0.01	25.60
0016	4415000000-N	1115	FLASHING ARROW PANELS, TYPE C	8 EA	0.01	0.08
0017	4420000000-N	1120	CHANGEABLE MESSAGE SIGN	8 EA	0.01	0.08

Contract Item Sheets For C201903

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
0018	4430000000-N	1130	DRUMS	344 EA	0.01	3.44
0019	4435000000-N	1135	CONES	152 EA	0.01	1.52
0020	4450000000-N	1150	FLAGGER	960 HR	0.01	9.60
0021	4480000000-N	1165	TMIA	10 EA	0.01	0.10
0022	4510000000-N	SP	POLICE	360 HR	25.00	9,000.00
0023	4516000000-N	1180	SKINNY DRUM	424 EA	0.01	4.24
0024	5255000000-N	1413	PORTABLE LIGHTING	Lump Sum LS	1,000.00	1,000.00
0025	6084000000-E	1660	SEEDING & MULCHING	2 ACR	100.00	200.00
0026	6114000000-N	SP	SPECIALIZED HAND MOWING	20 HR	25.00	500.00

TOTAL AMOUNT OF BID FOR ENTIRE PROJECT

\$509,262.66 ✓

Contract Number C201903  
County Bladen, Brunswick, Columbus, Cumberland, Duplin, Onslow  
Robeson and Sampson (Division Wide)

Rev 7-20-08

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

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

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

**SIGNATURE OF CONTRACTOR**

Elderlee, Inc.  
Full name of Corporation

729 Cross Road, Oaks Corners, NY 14518  
Address as Prequalified

Attest Leslie DeLamarter  
Secretary/~~Assistant Secretary~~  
Select appropriate title

By Robert M. Rook  
~~President~~/Vice President/~~Assistant Vice President~~  
Select appropriate title

Eileen DeLamarter  
Print or type Signer's name

Robert M. Rook  
Print or type Signer's name

**CORPORATE SEAL**

**AFFIDAVIT MUST BE NOTARIZED**

**NOTARY SEAL**

Subscribed and sworn to before me this the

10th day of September 2008

Brenda L. Vosburg  
Signature of Notary Public

of Ontario County

State of New York

My Commission Expires: BRENDA L. VOSBURG  
Notary Public, State of New York  
No. 4884648  
Qualified in Ontario County  
Commission Expires Feb. 2, 20 11

## 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**     **C201903**

**County (ies):**   **Divisions 3 and 6**

ACCEPTED BY THE  
DEPARTMENT OF TRANSPORTATION



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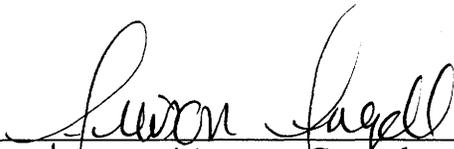
Contract Officer

9/22/08

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Date

Execution of Contract and Bonds  
Approved as to Form:



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Assistant Attorney General

Contract No. C201903  
County Bladen, Brunswick, Columbus, Cumberland, Duplin, Onslow, Robeson and Sampson (Division Wide)

(Rev 7-10-08)

**CONTRACT PAYMENT BOND**

Date of Payment Bond Execution September 8, 2008  
Name of Principal Contractor Elderlee, Inc.  
Name of Surety: Liberty Mutual Insurance Company  
Name of Contracting Body: **North Carolina Department of Transportation**  
**Raleigh, North Carolina**  
Amount of Bond: \$509,262.66  
Contract ID No.: C201903  
County Name: Bladen, Brunswick, Columbus, Cumberland, Duplin, Onslow, Robeson and Sampson (Division Wide)

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.  
County

C201903

Bladen, Brunswick, Columbus, Cumberland, Duplin  
Onslow, Robeson and Sampson (Division Wide)

(Rev 7-10-08)

**CONTRACT PAYMENT BOND**

*Affix Seal of Surety Company*

Liberty Mutual Insurance Company

Print or type Surety Company Name

By Karen Guest Mummert, Attorney-In-Fact

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



Signature of Attorney-in-Fact



Signature of Witness

Christina Haggerty, Customer Service Agent

Print or type Witness's name

2555 Kingston Road Suite 100, York, PA 17402

Address of Attorney-in-Fact

Contract No.  
County

C201903

Bladen, Brunswick, Columbus, Cumberland, Duplin  
Onslow, Robeson and Sampson (Division Wide)

(Rev 7-10-08)

**CONTRACT PAYMENT BOND**

**CORPORATION**

SIGNATURE OF CONTRACTOR (Principal)

Elderlee, Inc.

Full name of Corporation

729 Cross Road, Oaks Corners, NY 14518

Address as prequalified

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

Robert M. Rook

Print or type Signer's name

*Affix Corporate Seal*

Attest   
Signature of Secretary, ~~Assistant Secretary~~  
Select appropriate title

Eileen DeLamarter

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 HENRY J. CHRIST III, NORMAN F. BASSO, KAREN GUEST MUMMERT, CHRISTINA M. HAGGERTY, TISHA M. O'DONNELL, ALL OF THE CITY OF YORK, STATE OF PENNSYLVANIA.....

, 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 TEN MILLION AND 00/100\*\*\*\*\* DOLLARS (\$ 10,000,000.00\*\*\*\*\*) 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 2nd day of October, 2007.

LIBERTY MUTUAL INSURANCE COMPANY

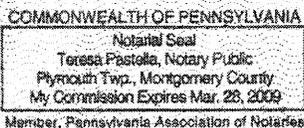
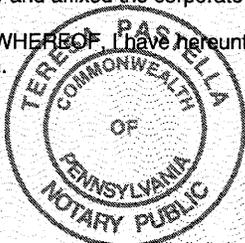
By Garnet W. Elliott
Garnet W. Elliott, Assistant Secretary



COMMONWEALTH OF PENNSYLVANIA ss
COUNTY OF MONTGOMERY

On this 2nd day of October, 2007, 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.



By Teresa Pastella
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 8th day of September, 2008.



By David M. Carey
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.

Contract No. C201903  
 County Bladen, Brunswick, Columbus, Cumberland, Duplin  
Onslow, Robeson and Sampson (Division wide)

(Rev 7-10-08)

**CONTRACT PERFORMANCE BOND**

Date of Performance Bond Execution: September 8, 2008

Name of Principal Contractor: Elderlee, Inc.

Name of Surety: Liberty Mutual Insurance Company

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

Amount of Bond: \$509,262.66

Contract ID No.: C201903

County Name: Bladen, Brunswick, Columbus, Cumberland, Duplin, Onslow  
Robeson and Sampson (Division Wide)

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.  
County

C201903  
Bladen, Brunswick, Columbus, Cumberland, Duplin  
Onslow, Robeson and Sampson (Division Wide)

(Rev 7-10-08)

**CONTRACT PERFORMANCE BOND**

*Affix Seal of Surety Company*

Liberty Mutual Insurance Company

Print or type Surety Company Name

By Karen Guest Mumert, Attorney-In-Fact

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

  
Signature of Attorney-in-Fact

  
Signature of Witness

Christina Haggerty, Customer Service Agent  
Print or type Witness's name

2555 Kingston Road Suite 100, York, PA 17402  
Address of Attorney-in-Fact

Contract No.  
County

C201903

Bladen, Brunswick, Columbus, Cumberland, Duplin  
Onslow, Robeson and Sampson (Division Wide)

(Rev 7-10-08)

**CONTRACT PERFORMANCE BOND**

**CORPORATION**

SIGNATURE OF CONTRACTOR (Principal)

Elderlee, Inc.

Full name of Corporation

729 Cross Road, Oaks Corners, NY 14518

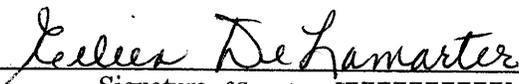
Address as prequalified

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

Robert M. Rook

Print or type Signer's name

*Affix Corporate Seal*

Attest   
Signature of Secretary, ~~Assistant Secretary~~  
Select appropriate title

Eileen DeLamarter

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 **HENRY J. CHRIST III, NORMAN F. BASSO, KAREN GUEST MUMMERT, CHRISTINA M. HAGGERTY, TISHA M. O'DONNELL, ALL OF THE CITY OF YORK, STATE OF PENNSYLVANIA**.....

....., 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 **TEN MILLION AND 00/100\*\*\*\*\*** DOLLARS (\$ **10,000,000.00\*\*\*\*\***) 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 2nd day of October, 2007

LIBERTY MUTUAL INSURANCE COMPANY

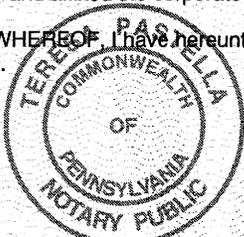
By Garnet W. Elliott  
Garnet W. Elliott, Assistant Secretary



COMMONWEALTH OF PENNSYLVANIA ss  
COUNTY OF MONTGOMERY

On this 2nd day of October, 2007, before me, a Notary Public, personally came Garnet W. Elliott, to me known, and acknowledged that he is an Assistant Secretary of Liberty Mutual Insurance Company; that he knows the seal of said corporation; and that he executed the above Power of Attorney and affixed the corporate seal of Liberty Mutual Insurance Company thereto with the authority and at the direction of said corporation.

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



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

By Teresa Pastella  
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 8th day of September, 2008



By David M. Carey  
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.

