

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

C201899

CONTRACT AND
CONTRACT BONDS
FOR CONTRACT NO. C201899

WBS 33765.3.1 BRZ-1526(3)

T.I.P NO. B-4552

COUNTY OF IREDELL

THIS IS THE ROADWAY & STRUCTURE CONTRACT

ROUTE NUMBER SR 1526 LENGTH 0.123 MILES

LOCATION BRIDGE # 100 OVER A CREEK AND APPROACHES ON SR-1526.

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

ADDRESS P.O. BOX 7168
STATESVILLE, NC 28687

BIDS OPENED AUGUST 19, 2008

CONTRACT EXECUTION SEP 22 2008

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

Vendor 4 of 8 Vendors for Call Order 018 (Proposal ID C201899).

County: IREDELL
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 Aug 19 13:33:27 2008

Bid Checksum: 30AC55DD

Amendment Count: 1

Bidding Errors: This bid contains errors.

Bid Total: \$743,384.75 ✓

Bond ID: SNC08521803

Bond was Verified: Yes.

Bond Required Percent: 5.00%

Minimum Check Amount: \$37,169.24

Bid Security Maximum: \$

Bond Agency Name:

Agency Execution Date: 8/7/2008 10:49:34 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.

DBE GOAL SET - 7.8%
DBE GOAL OBT - 6.4%

LIST OF DBE PARTICIPANTS

VENDOR NUMBER	DBE NAME ADDRESS	WORK CODE TYPE OF WORK	CERT TYPE	AMOUNT
4761	WB TRAFFIC CONTROL SAFETY SERVICES POST OFFICE BOX 24511 , WINSTON-SALEM, NC 27114		Sub	3,950.00
2855	WB BOSS CONSTRUCTION CO., INC. 229 BOXWOOD CHURCH ROAD , MOCKSVILLE, NC 27028		Sub	8,730.15
4898	WB BULLINGTON CONSTRUCTION INC 417 FOXGLOVE LANE , INDIAN TRAIL, NC 28079		Sub	15,925.00
1991	WB MCCAIN STRIPING SERVICE, INC. 5711 CRAVEN ROAD , BROWNS SUMMIT, NC 27214		Sub	1,592.00
5266	WB NORTH STATE ENVIRONMENTAL, INC 2889 LOWERY ST SUITE B , WINSTON-SALEM, NC 27101		Sub	3,607.25
3805	WB SOUTH EAST GROUP, PA 651 W. WILSON AVENUE , MOORESVILLE, NC 28115		Sub	5,462.50
11775	WB BARLOWE INC P. O. BOX 3389 , LENOIR, NC 28645		Sub	8,280.00
			TOTAL:	\$47,546.90
				6.40%

Miscellaneous Data Info - Contractor Responses:
=====

NON-COLLUSION AND DEBARMENT CERTIFICATION

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

Explanation:
NOT ANSWERED
NOT ANSWERED
NOT ANSWERED
NOT ANSWERED

AWARD LIMITS ON MULTIPLE PROJECTS

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

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

The Award Limits shall apply to the following projects:

Contract Number	County
NOT ANSWERED	

Bid Bond Data Info - Contractor Responses:

NCDOT/berc

Vendor 3481's Load Output for Call 018, Letting L080819, 2008-08-19

=====

BondID: SNC08521803
Surety Registry Agency: surety2000
Verified?: Yes
Surety Agency: Liberty Mutual Insurance Company
Bond Execution Date: 8/7/2008 10:49:34 AM
Bond Amount: \$37,169.24 (Five Percent of Bid)

State of NC
Dept of Transportation

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

Contract ID: C201899 Project(s): BRZ-1526(3)
Letting Date: 08-19-08 Call Order: 018
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			37,000.00
0002	0000400000-N CONSTRUCTIO N SURVEYING	LUMP	LUMP			12,000.00
0003	0029000000-N REINFORCED BRIDGE APPROACH FILL, STATION ***** (16+95.00)	LUMP	LUMP			15,000.00
0004	0043000000-N GRADING	LUMP	LUMP			57,195.00
0005	0050000000-E SUPPLEMENTA RY CLEARING & GRUB-BING	ACR 1.000	1.00000			1.00
0006	0057000000-E UNDERCUT EXCAVATION	CY 200.000	8.00000			1,600.00
0007	0134000000-E DRAINAGE DITCH EXCAVATION	CY 128.000	8.00000			1,024.00
0008	0195000000-E SELECT GRANULAR MATERIAL	CY 100.000	16.00000			1,600.00
0009	0196000000-E FABRIC FOR SOIL STABILIZATION	SY 100.000	2.00000			200.00
0010	0318000000-E FOUNDATION CONDITIONING MATE- RIAL, MINOR STRS	TON 40.000	24.00000			960.00

State of NC
Dept of Transportation

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

Contract ID: C201899 Project(s): BRZ-1526(3)
Letting Date: 08-19-08 Call Order: 018
Bidder: 3481 - R. E. Burns & Sons Co., Inc.

Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
0011	0366000000-E 15" RC PIPE CULVERTS, CLASS III	188.000 LF	50.00000		9,400.00	
0012	0372000000-E 18" RC PIPE CULVERTS, CLASS III	108.000 LF	55.00000		5,940.00	
0013	0995000000-E PIPE REMOVAL	70.000 LF	11.00000		770.00	
0014	1220000000-E INCIDENTAL STONE BASE	50.000 TON	45.00000		2,250.00	
0015	1489000000-E ASPHALT CONC BASE COURSE, TYPE B25.0B	275.000 TON	68.00000		18,700.00	
0016	1525000000-E ASPHALT CONC SURFACE COURSE, TYPE SF9.5A	260.000 TON	78.00000		20,280.00	
0017	1560000000-E ASPHALT BINDER FOR PLANT MIX, GRADE PG 64-22	30.000 TON	750.00000		22,500.00	
0018	1693000000-E ASPHALT PLANT MIX, PAVEMENT REPAIR	38.000 TON	200.00000		7,600.00	
0019	2286000000-N MASONRY DRAINAGE STRUCTURES	5.000 EA	2,000.00000		10,000.00	
0020	2366000000-N FRAME WITH TWO GRATES, STD 840.24	4.000 EA	600.00000		2,400.00	
0021	2367000000-N FRAME WITH TWO GRATES, STD 840.29	1.000 EA	600.00000		600.00	
0022	3030000000-E STEEL BM GUARDRAIL	175.000 LF	21.00000		3,675.00	

State of NC
Dept of Transportation

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

Contract ID: C201899 Project(s): BRZ-1526(3)
Letting Date: 08-19-08 Call Order: 018
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	3045000000-E STEEL BM GUARDRAIL, SHOP CURVED	50.000 LF	24.00000		1,200.00	
0024	3150000000-N ADDITIONAL GUARDRAIL POSTS	5.000 EA	10.00000		50.00	
0025	3180000000-N GUARDRAIL ANCHOR UNITS, TYPE ***** (BIC)	1.000 EA	1,200.00000		1,200.00	
0026	3195000000-N GUARDRAIL ANCHOR UNITS, TYPE AT-1	2.000 EA	600.00000		1,200.00	
0027	3270000000-N GUARDRAIL ANCHOR UNITS, TYPE 350	1.000 EA	2,400.00000		2,400.00	
0028	3317000000-N GUARDRAIL ANCHOR UNITS, TYPE B-77	4.000 EA	1,550.00000		6,200.00	
0029	3635000000-E RIP RAP, CLASS II	30.000 TON	58.00000		1,740.00	
0030	3649000000-E RIP RAP, CLASS B	305.000 TON	55.00000		16,775.00	
0031	3656000000-E FILTER FABRIC FOR DRAINAGE	1,010.000 SY	2.00000		2,020.00	
0032	4400000000-E WORK ZONE SIGNS (STATIONARY)	372.000 SF	5.75000		2,139.00	
0033	4410000000-E WORK ZONE SIGNS (BARRICADE MOUNTED)	94.000 SF	6.50000		611.00	
0034	4445000000-E BARRICADES (TYPE III)	48.000 LF	25.00000		1,200.00	

State of NC
Dept of Transportation

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

Contract ID: C201899 Project(s): BRZ-1526(3)
Letting Date: 08-19-08 Call Order: 018
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	4810000000-E PAINT PAVEMENT MARKING LINES (4")	5,200.000 LF	0.21000		1,092.00	
0036	6000000000-E TEMPORARY SILT FENCE	535.000 LF	2.75000		1,471.25	
0037	6006000000-E STONE FOR EROSION CONTROL, CLASS A	150.000 TON	40.00000		6,000.00	
0038	6009000000-E STONE FOR EROSION CONTROL, CLASS B	150.000 TON	40.00000		6,000.00	
0039	6012000000-E SEDIMENT CONTROL STONE	105.000 TON	40.00000		4,200.00	
0040	6015000000-E TEMPORARY MULCHING	1.000 ACR	1,000.00000		1,000.00	
0041	6018000000-E SEED FOR TEMPORARY SEEDING	50.000 LB	10.00000		500.00	
0042	6021000000-E FERTILIZER FOR TEMPORARY SEED-ING	1.250 TON	1,000.00000		1,250.00	
0043	6029000000-E SAFETY FENCE	240.000 LF	2.50000		600.00	
0044	6030000000-E SILT EXCAVATION	415.000 CY	5.00000		2,075.00	
0045	6036000000-E MATTING FOR EROSION CONTROL	750.000 SY	3.00000		2,250.00	
0046	6037000000-E COIR FIBER MAT	15.000 SY	15.00000		225.00	

State of NC
Dept of Transportation

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

Contract ID: C201899 Project(s): BRZ-1526(3)
Letting Date: 08-19-08 Call Order: 018
Bidder: 3481 - R. E. Burns & Sons Co., Inc.

Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
0047	6071030000-E COIR FIBER BAFFLES	60.000 LF	10.00000		600.00	
0048	6071050000-E *** SKIMMER (1-1/2")	2.000 EA	1,000.00000		2,000.00	
0049	6084000000-E SEEDING & MULCHING	1.500 ACR	4,000.00000		6,000.00	
0050	6087000000-E MOWING	0.500 ACR	100.00000		50.00	
0051	6090000000-E SEED FOR REPAIR SEEDING	50.000 LB	1.00000		50.00	
0052	6093000000-E FERTILIZER FOR REPAIR SEEDING	0.250 TON	1,000.00000		250.00	
0053	6096000000-E SEED FOR SUPPLEMENTAL SEEDING	50.000 LB	1.00000		50.00	
0054	6108000000-E FERTILIZER TOPDRESSING	0.750 TON	800.00000		600.00	
0055	6114000000-N SPECIALIZED HAND MOWING	2.000 HR	25.00000		50.00	
0056	6117000000-N RESPONSE FOR EROSION CONTROL	12.000 EA	1.00000		12.00	
Section 0001 Total					303,755.25	

Section 0004 STRUCTURE ITEMS

Alt Group

State of NC
Dept of Transportation

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

Contract ID: C201899 Project(s): BRZ-1526(3)
Letting Date: 08-19-08 Call Order: 018
Bidder: 3481 - R. E. Burns & Sons Co., Inc.

Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
0057	8017000000-N CONSTRUCTION, MAINTENANCE, & REMOVAL OF TEMP ACCESS AT STA ***** (16+95.00-L-)	LUMP	LUMP			25,000.00
0058	8035000000-N REMOVAL OF EXISTING STRUCTURE AT STATION ***** (16+95.00-L-)	LUMP	LUMP			10,000.00
0059	8096000000-E PILE EXCAVATION IN SOIL	LF 5.000	750.00000			3,750.00
0060	8097000000-E PILE EXCAVATION NOT IN SOIL	LF 53.000	750.00000			39,750.00
0061	8121000000-N UNCLASSIFIED STRUCTURE EXCAVATION AT STATION ***** (16+95.00-L-)	LUMP	LUMP			5,000.00
0062	8182000000-E CLASS A CONCRETE (BRIDGE)	CY 44.000	800.00000			35,200.00
0063	8210000000-N BRIDGE APPROACH SLABS, STATION***** (16+95.00-L-)	LUMP	LUMP			20,000.00
0064	8217000000-E REINFORCING STEEL (BRIDGE)	LB 7,101.000	2.00000			14,202.00
0065	8364000000-E HP12X53 STEEL PILES	LF 285.000	80.00000			22,800.00
0066	8387000000-E PP 18 X 0.50 GALVANIZED STEEL PILES	LF 200.000	275.00000			55,000.00

State of NC
Dept of Transportation

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

Contract ID: C201899 Project(s): BRZ-1526(3)
Letting Date: 08-19-08 Call Order: 018
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	8392000000-N PIPE PILE PLATES	EA 7.000	300.00000		2,100.00	
0068	8503000000-E CONCRETE BARRIER RAIL	LF 214.500	60.00000		12,870.00	
0069	8608000000-E RIP RAP CLASS II (2'-0" THICK)	TON 310.000	50.00000		15,500.00	
0070	8622000000-E FILTER FABRIC FOR DRAINAGE	SY 345.000	2.00000		690.00	
0071	8657000000-N ELASTOMERIC BEARINGS	LUMP	LUMP		4,000.00	
0072	8762000000-E 3'-0" X 1'-9" PRESTRESSED CONCCORED SLABS	LF 1,179.750	130.00000		153,367.50	
0073	8892000000-E GENERIC STRUCTURE ITEM 18" GALVANIZED STEEL SHEET PILES	SF 510.000	40.00000		20,400.00	
Section 0004 Total						439,629.50
Bid Total						743,384.75

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.

NORTH CAROLINA STATE DEPARTMENT OF TRANSPORTATION
DBE COMMITMENT ITEMS

DATE: 07-22-08
PAGE: 11

PROPOSAL: C201899
LETTING: L080819 CALL: 018
VENDOR: 3481 R. E. Burns & Sons Co., Inc.

LINE NO.	ITEM NO.	ITEM DESC.	UNIT TYPE	SUBCONTRACTOR QUANTITY	SUBCONTRACTOR UNIT PRICE	EXTENDED AMOUNT
DBE SUBCONTRACTOR: 4761 TRAFFIC CONTROL SAFETY SERVICES, INC. Will Use Quote: Yes						
0032	4400000000-E	WORK ZONE SI SF		372.000	5.75000	2139.00
0033	4410000000-E	WORK ZONE SI SF		94.000	6.50000	611.00
0034	4445000000-E	BARRICADES (LF		48.000	25.00000	1200.00
DBE COMMITMENT TOTAL FOR SUBCONTRACTOR:						3,950.00 ✓
DBE COMMITMENT TOTAL FOR VENDOR (SubContractor)						3,950.0
DBE SUBCONTRACTOR: 2855 BOSS CONSTRUCTION CO., INC. Will Use Quote: Yes						
0068	8503000000-E	CONCRETE BAR LF slipform		214.500	40.70000	8730.15
DBE COMMITMENT TOTAL FOR SUBCONTRACTOR:						8,730.15 ✓
DBE COMMITMENT TOTAL FOR VENDOR (SubContractor)						8,730.1
DBE SUBCONTRACTOR: 4898 BULLINGTON CONSTRUCTION INC Will Use Quote: Yes						
0022	3030000000-E	STL BM GUARD LF		175.000	21.00000	3675.00
0023	3045000000-E	SBGR SHOP CU LF		50.000	24.00000	1200.00
0024	3150000000-N	ADDIT GUARDR EA		5.000	10.00000	50.00
0025	3180000000-N	GR ANCHOR TY EA		1.000	1200.00000	1200.00
0026	3195000000-N	GR ANCHOR TY EA		2.000	600.00000	1200.00
0027	3270000000-N	GR ANCHOR TY EA		1.000	2400.00000	2400.00
0028	3317000000-N	GR ANCHOR TY EA		4.000	1550.00000	6200.00
DBE COMMITMENT TOTAL FOR SUBCONTRACTOR:						15,925.00 ✓
DBE COMMITMENT TOTAL FOR VENDOR (SubContractor)						15,925.
DBE SUBCONTRACTOR: 1991 MCCAIN STRIPING SERVICE, INC. Will Use Quote: Yes						
0001	0000100000-N	MOBILIZATION LS		1.000	500.00000	500.00
0035	4810000000-E	PAINT PVMT M LF		5200.000	0.21000	1092.00
DBE COMMITMENT TOTAL FOR SUBCONTRACTOR:						1,592.00 ✓
DBE COMMITMENT TOTAL FOR VENDOR (SubContractor)						1,592.0
DBE SUBCONTRACTOR: 5266 NORTH STATE ENVIRONMENTAL, INC Will Use Quote: Yes						
0036	6000000000-E	TEMPORARY SI LF		535.000	2.15000	1150.25
0043	6029000000-E	SAFETY FENCE LF		240.000	2.05000	492.00

NORTH CAROLINA STATE DEPARTMENT OF TRANSPORTATION
DBE COMMITMENT ITEMS

DATE: 07-22-08
PAGE: 12

LINE NO.	ITEM NO.	ITEM DESC.	UNIT TYPE	SUBCONTRACTOR QUANTITY	SUBCONTRACTOR UNIT PRICE	EXTENDED AMOUNT
0046	6037000000-E	COIR FIBER M	SY	15.000	7.00000	105.00
0047	6071030000-E	COIR FIBER B	LF	60.000	6.00000	360.00
0048	6071050000-E	**" SKIMMER	EA	2.000	750.00000	1500.00
DBE COMMITMENT TOTAL FOR SUBCONTRACTOR:						3,607.25 ✓
DBE COMMITMENT TOTAL FOR VENDOR (SubContractor)						3,607.2
DBE SUBCONTRACTOR: 3805 SOUTH EAST GROUP, PA Will Use Quote: Yes						
0002	0000400000-N	CONSTRUCTION	LS	1.000	5462.50000	5462.50
DBE COMMITMENT TOTAL FOR SUBCONTRACTOR:						5,462.50 ✓
DBE COMMITMENT TOTAL FOR VENDOR (SubContractor)						5,462.5
DBE SUBCONTRACTOR: 11775 BARLOWE INC Will Use Quote: Yes						
0003	0029000000-N	REINF BRG AP	LS	1.000	1440.00000	1440.00
		haul				
0010	0318000000-E	FND CONDIT M	TON	40.000	6.00000	240.00
		haul				
0014	1220000000-E	INCIDENTAL S	TON	50.000	6.00000	300.00
		haul				
0029	3635000000-E	RIP RAP, CLA	TON	30.000	6.00000	180.00
0030	3649000000-E	RIP RAP, CLA	TON	305.000	6.00000	1830.00
0037	6006000000-E	EROS CONTRL	TON	150.000	6.00000	900.00
0038	6009000000-E	EROS CONTRL	TON	150.000	6.00000	900.00
0039	6012000000-E	SEDIMENT CON	TON	105.000	6.00000	630.00
0069	8608000000-E	RIP RAP II (TON	310.000	6.00000	1860.00
DBE COMMITMENT TOTAL FOR SUBCONTRACTOR:						8,280.00 ✓
DBE COMMITMENT TOTAL FOR VENDOR (SubContractor)						8,280.0
TOTAL DBE COMMITMENT FOR VENDOR:						
				Entered:	6.40% or	47546.90 ✓
				Required:	7.00% or	52036.93
<GOAL NOT MET>						

Contract Item Sheets For C201899

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
ROADWAY ITEMS						
0001	0000100000-N	800	MOBILIZATION	Lump Sum LS	37,000.00	37,000.00
0002	0000400000-N	801	CONSTRUCTION SURVEYING	Lump Sum LS	12,000.00	12,000.00
0003	0029000000-N	SP	REINFORCED BRIDGE APPROACH FILL, STATION ***** (16 + 95.00)	Lump Sum LS	15,000.00	15,000.00
0004	0043000000-N	226	GRADING	Lump Sum LS	57,195.00	57,195.00
0005	0050000000-E	226	SUPPLEMENTARY CLEARING & GRUB- BING	1 ACR	1.00	1.00
0006	0057000000-E	226	UNDERCUT EXCAVATION	200 CY	8.00	1,600.00
0007	0134000000-E	240	DRAINAGE DITCH EXCAVATION	128 CY	8.00	1,024.00
0008	0195000000-E	265	SELECT GRANULAR MATERIAL	100 CY	16.00	1,600.00
0009	0196000000-E	270	FABRIC FOR SOIL STABILIZATION	100 SY	2.00	200.00
0010	0318000000-E	300	FOUNDATION CONDITIONING MATE- RIAL, MINOR STRS	40 TON	24.00	960.00
0011	0366000000-E	310	15" RC PIPE CULVERTS, CLASS III	188 LF	50.00	9,400.00
0012	0372000000-E	310	18" RC PIPE CULVERTS, CLASS III	108 LF	55.00	5,940.00
0013	0995000000-E	340	PIPE REMOVAL	70 LF	11.00	770.00
0014	1220000000-E	545	INCIDENTAL STONE BASE	50 TON	45.00	2,250.00
0015	1489000000-E	610	ASPHALT CONC BASE COURSE, TYPE B25.0B	275 TON	68.00	18,700.00
0016	1525000000-E	610	ASPHALT CONC SURFACE COURSE, TYPE SF9.5A	260 TON	78.00	20,280.00
0017	1560000000-E	620	ASPHALT BINDER FOR PLANT MIX, GRADE PG 64-22	30 TON	750.00	22,500.00
0018	1693000000-E	654	ASPHALT PLANT MIX, PAVEMENT REPAIR	38 TON	200.00	7,600.00

Contract Item Sheets For C201899

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
0019	2286000000-N	840	MASONRY DRAINAGE STRUCTURES	5 EA	2,000.00	10,000.00
0020	2366000000-N	840	FRAME WITH TWO GRATES, STD 840.24	4 EA	600.00	2,400.00
0021	2367000000-N	840	FRAME WITH TWO GRATES, STD 840.29	1 EA	600.00	600.00
0022	3030000000-E	862	STEEL BM GUARDRAIL	175 LF	21.00	3,675.00
0023	3045000000-E	862	STEEL BM GUARDRAIL, SHOP CURVED	50 LF	24.00	1,200.00
0024	3150000000-N	862	ADDITIONAL GUARDRAIL POSTS	5 EA	10.00	50.00
0025	3180000000-N	862	GUARDRAIL ANCHOR UNITS, TYPE ***** (BIC)	1 EA	1,200.00	1,200.00
0026	3195000000-N	862	GUARDRAIL ANCHOR UNITS, TYPE AT-1	2 EA	600.00	1,200.00
0027	3270000000-N	SP	GUARDRAIL ANCHOR UNITS, TYPE 350	1 EA	2,400.00	2,400.00
0028	3317000000-N	862	GUARDRAIL ANCHOR UNITS, TYPE B-77	4 EA	1,550.00	6,200.00
0029	3635000000-E	876	RIP RAP, CLASS II	30 TON	58.00	1,740.00
0030	3649000000-E	876	RIP RAP, CLASS B	305 TON	55.00	16,775.00
0031	3656000000-E	876	FILTER FABRIC FOR DRAINAGE	1,010 SY	2.00	2,020.00
0032	4400000000-E	1110	WORK ZONE SIGNS (STATIONARY)	372 SF	5.75	2,139.00
0033	4410000000-E	1110	WORK ZONE SIGNS (BARRICADE MOUNTED)	94 SF	6.50	611.00
0034	4445000000-E	1145	BARRICADES (TYPE III)	48 LF	25.00	1,200.00
0035	4810000000-E	1205	PAINT PAVEMENT MARKING LINES (4")	5,200 LF	0.21	1,092.00
0036	6000000000-E	1605	TEMPORARY SILT FENCE	535 LF	2.75	1,471.25

Contract Item Sheets For C201899

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
0037	6006000000-E	1610	STONE FOR EROSION CONTROL, CLASS A	150 TON	40.00	6,000.00
0038	6009000000-E	1610	STONE FOR EROSION CONTROL, CLASS B	150 TON	40.00	6,000.00
0039	6012000000-E	1610	SEDIMENT CONTROL STONE	105 TON	40.00	4,200.00
0040	6015000000-E	1615	TEMPORARY MULCHING	1 ACR	1,000.00	1,000.00
0041	6018000000-E	1620	SEED FOR TEMPORARY SEEDING	50 LB	10.00	500.00
0042	6021000000-E	1620	FERTILIZER FOR TEMPORARY SEED- ING	1.25 TON	1,000.00	1,250.00
0043	6029000000-E	SP	SAFETY FENCE	240 LF	2.50	600.00
0044	6030000000-E	1630	SILT EXCAVATION	415 CY	5.00	2,075.00
0045	6036000000-E	1631	MATTING FOR EROSION CONTROL	750 SY	3.00	2,250.00
0046	6037000000-E	SP	COIR FIBER MAT	15 SY	15.00	225.00
0047	6071030000-E	SP	COIR FIBER BAFFLES	60 LF	10.00	600.00
0048	6071050000-E	SP	*** SKIMMER (1-1/2")	2 EA	1,000.00	2,000.00
0049	6084000000-E	1660	SEEDING & MULCHING	1.5 ACR	4,000.00	6,000.00
0050	6087000000-E	1660	MOWING	0.5 ACR	100.00	50.00
0051	6090000000-E	1661	SEED FOR REPAIR SEEDING	50 LB	1.00	50.00
0052	6093000000-E	1661	FERTILIZER FOR REPAIR SEEDING	0.25 TON	1,000.00	250.00
0053	6096000000-E	1662	SEED FOR SUPPLEMENTAL SEEDING	50 LB	1.00	50.00
0054	6108000000-E	1665	FERTILIZER TOPDRESSING	0.75 TON	800.00	600.00
0055	6114000000-N	SP	SPECIALIZED HAND MOWING	2 HR	25.00	50.00

Contract Item Sheets For C201899

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
0056	6117000000-N	SP	RESPONSE FOR EROSION CONTROL	12 EA	1.00	12.00

Contract Item Sheets For C201899

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
0057	8017000000-N	SP	CONSTRUCTION, MAINTENANCE, & REMOVAL OF TEMP ACCESS AT STA ***** (16+95.00-L-)	Lump Sum LS	25,000.00	25,000.00
0058	8035000000-N	402	REMOVAL OF EXISTING STRUCTURE AT STATION ***** (16+95.00-L-)	Lump Sum LS	10,000.00	10,000.00
0059	8096000000-E	SP	PILE EXCAVATION IN SOIL	5 LF	750.00	3,750.00
0060	8097000000-E	SP	PILE EXCAVATION NOT IN SOIL	53 LF	750.00	39,750.00
0061	8121000000-N	412	UNCLASSIFIED STRUCTURE EXCAVATION AT STATION ***** (16+95.00-L-)	Lump Sum LS	5,000.00	5,000.00
0062	8182000000-E	420	CLASS A CONCRETE (BRIDGE)	44 CY	800.00	35,200.00
0063	8210000000-N	422	BRIDGE APPROACH SLABS, STATION ***** (16+95.00-L-)	Lump Sum LS	20,000.00	20,000.00
0064	8217000000-E	425	REINFORCING STEEL (BRIDGE)	7,101 LB	2.00	14,202.00
0065	8364000000-E	450	HP12X53 STEEL PILES	285 LF	80.00	22,800.00
0066	8387000000-E	450	PP 18 X 0.50 GALVANIZED STEEL PILES	200 LF	275.00	55,000.00
0067	8392000000-N	450	PIPE PILE PLATES	7 EA	300.00	2,100.00
0068	8503000000-E	460	CONCRETE BARRIER RAIL	214.5 LF	60.00	12,870.00
0069	8608000000-E	876	RIP RAP CLASS II (2'-0" THICK)	310 TON	50.00	15,500.00
0070	8622000000-E	876	FILTER FABRIC FOR DRAINAGE	345 SY	2.00	690.00
0071	8657000000-N	430	ELASTOMERIC BEARINGS	Lump Sum LS	4,000.00	4,000.00
0072	8762000000-E	430	3'-0" X 1'-9" PRESTRESSED CONC CORED SLABS	1,179.75 LF	130.00	153,367.50

Contract Item Sheets For C201899

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
0073	8892000000-E	SP	GENERIC STRUCTURE ITEM 18" GALVANIZED STEEL SHEET PILES	510 SF	40.00	20,400.00

TOTAL AMOUNT OF BID FOR ENTIRE PROJECT

\$743,384.75 ✓

0852/Sep09/Q21749.5/D337759580000/E73

Contract Number C201899
County Iredell

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

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

Nancy L. Burns
Print or type Signer's name

Kevin C. Burns
Print or type Signer's name

CORPORATE SEAL

AFFIDAVIT MUST BE NOTARIZED

NOTARY SEAL

Subscribed and sworn to before me this the

5 day of September 2008
Deuis J. Renegaw
Signature of Notary Public

of Iredell County

State of North Carolina

My Commission Expires: Sept. 13, 2009

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.

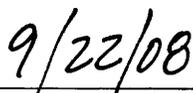
Contract No C201899

County (ies): Iredell

ACCEPTED BY THE
DEPARTMENT OF TRANSPORTATION

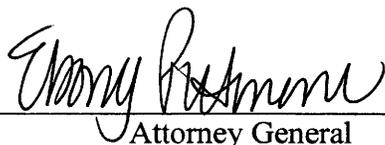


Contract Officer



Date

Execution of Contract and Bonds
Approved as to Form:



Attorney General

Contract No. C201899
County Iredell

(Rev 7-10-08)

CONTRACT PAYMENT BOND
BOND NO. 837042308

Date of Payment Bond Execution September 5, 2008

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: Seven Hundred Forty Three Thousand Three Hundred Eighty Four Dollars and 75/100ths (\$743,384.75)

Contract ID No.: C201899; WBS #33765.3.1

County Name: Iredell

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. C201899
County Iredell

(Rev 7-10-08)

CONTRACT PAYMENT BOND

Affix Seal of Surety Company

Liberty Mutual Insurance Company

Print or type Surety Company Name

By Katherine D. Jennison

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



Signature of Attorney-in-Fact



Signature of Witness

Debra Hulchanski

Print or type Witness's name

6315 Fly Road, East Syracuse NY 13057

Address of Attorney-in-Fact

Contract No. C201899
County Iredell

(Rev 7-10-08)

**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. C201899
County Iredell

(Rev 7-10-08)

CONTRACT PERFORMANCE BOND
BOND NO. 837042308

Date of Performance Bond Execution: September 5, 2008

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: Seven Hundred Forty Three Thousand Three Hundred Eighty Four Dollars and 75/100ths (\$743,384.75)

Contract ID No.: C201899; WBS #33765.3.1

County Name: Iredell

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. C201899
County Iredell

(Rev 7-10-08)

CONTRACT PERFORMANCE BOND

Affix Seal of Surety Company

Liberty Mutual Insurance Company

Print or type Surety Company Name

By Katherine D. Jennison

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



Signature of Attorney-in-Fact



Signature of Witness

Debra Hulchanski

Print or type Witness's name

6315 Fly Road, East Syracuse NY 13057

Address of Attorney-in-Fact

Contract No. C201899
County Iredell

(Rev 7-10-08)

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 

Signature of **President, Vice President, Assistant Vice President**
Select appropriate title

Kevin C. Burns

Print or type Signer's name

Affix Corporate Seal

Attest 

Signature of **Secretary, Assistant Secretary**
Select appropriate title

Nancy L. Burns

Print or type Signer's name

THIS POWER OF ATTORNEY IS NOT VALID UNLESS IT IS PRINTED ON RED BACKGROUND.

This Power of Attorney limits the acts of those named herein, and they have no authority to bind the Company except in the manner and to the extent herein stated.

LIBERTY MUTUAL INSURANCE COMPANY
BOSTON, MASSACHUSETTS
POWER OF ATTORNEY

KNOW ALL PERSONS BY THESE PRESENTS: That Liberty Mutual Insurance Company (the "Company"), a Massachusetts stock insurance company, pursuant to and by authority of the By-law and Authorization hereinafter set forth, does hereby name, constitute and appoint

CHARLES T. RELLER, KEITH P. BUTLER, SUZANNE H. AMO, DEBRA A. HULCHANSKI, KATHERINE D. JENNISON, ALL OF THE CITY OF EAST SYRACUSE, STATE OF NEW YORK

, each individually if there be more than one named, its true and lawful attorney-in-fact to make, execute, seal, acknowledge and deliver, for and on its behalf as surety and as its act and deed, any and all undertakings, bonds, recognizances and other surety obligations in the penal sum not exceeding TWENTY MILLION AND 00/100 DOLLARS (\$ 20,000,000.00) each, and the execution of such undertakings, bonds, recognizances and other surety obligations, in pursuance of these presents, shall be as binding upon the Company as if they had been duly signed by the president and attested by the secretary of the Company in their own proper persons.

That this power is made and executed pursuant to and by authority of the following By-law and Authorization:

ARTICLE XIII - Execution of Contracts: Section 5. Surety Bonds and Undertakings.

Any officer of the Company authorized for that purpose in writing by the chairman or the president, and subject to such limitations as the chairman or the president may prescribe, shall appoint such attorneys-in-fact, as may be necessary to act in behalf of the Company to make, execute, seal, acknowledge and deliver as surety any and all undertakings, bonds, recognizances and other surety obligations. Such attorneys-in-fact, subject to the limitations set forth in their respective powers of attorney, shall have full power to bind the Company by their signature and execution of any such instruments and to attach thereto the seal of the Company. When so executed such instruments shall be as binding as if signed by the president and attested by the secretary.

By the following instrument the chairman or the president has authorized the officer or other official named therein to appoint attorneys-in-fact:

Pursuant to Article XIII, Section 5 of the By-Laws, Garnet W. Elliott, Assistant Secretary of Liberty Mutual Insurance Company, is hereby authorized to appoint such attorneys-in-fact as may be necessary to act in behalf of the Company to make, execute, seal, acknowledge and deliver as surety any and all undertakings, bonds, recognizances and other surety obligations.

That the By-law and the Authorization set forth above are true copies thereof and are now in full force and effect.

IN WITNESS WHEREOF, this Power of Attorney has been subscribed by an authorized officer or official of the Company and the corporate seal of Liberty Mutual Insurance Company has been affixed thereto in Plymouth Meeting, Pennsylvania this 21st day of March, 2008.

LIBERTY MUTUAL INSURANCE COMPANY

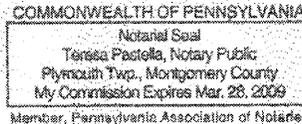
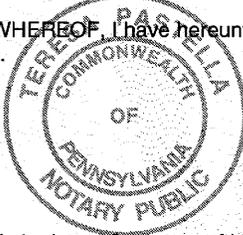
By Garnet W. Elliott, Assistant Secretary



COMMONWEALTH OF PENNSYLVANIA ss
COUNTY OF MONTGOMERY

On this 21st day of March, 2008, 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, 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 5th day of September, 2008.



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.

