

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

C202146

CONTRACT AND
CONTRACT BONDS

FOR CONTRACT NO. C202146

WBS 42398.3.1 IMS-095-3(101)128

T.I.P NO. I-5017

COUNTY OF NASH

THIS IS THE ROADWAY CONTRACT

ROUTE NUMBER I95 LENGTH 15.000 MILES

LOCATION I-95 FROM THE TAR RIVER (MP 128) TO SR-1524 (RED OAK -
BATTLEBORO RD).

CONTRACTOR DIAMOND SURFACE, INC.

ADDRESS 13792 REIMER DRIVE
MAPLE GROVE, MN 55311

BIDS OPENED NOVEMBER 18, 2008

CONTRACT EXECUTION DEC 29 2008

Diamond Surface, Inc. (2216).

Vendor 3 of 5 Vendors for Call Order 015 (Proposal ID C202146).

County: NASH
Address: 13792 Reimer Dr.
Maple Grove, MN 55311

Phone Number: 763-420-5009

Signature Check: This bid has been properly signed by TERRENCE_L_KRAEMER_2216.

Time Bid Received: Tue Nov 18 12:09:22 2008

Bid Checksum: 15A4A99D

Amendment Count: 1

Bidding Errors: No bidding errors

Bid Total: \$2,289,095.00 ✓

Bond ID: SNC08278634

Bond was Verified: Yes.

Bond Required Percent: 5.00%

Minimum Check Amount: \$114,454.75

Bid Security Maximum: \$

Bond Agency Name:

Agency Execution Date: 11/10/2008 4:17:37 PM

Surety Name: Employers Mutual Casualty Company

urety State of Incorporation:

Bond Company:

Bond Type:

Bond Appr Flag:

Bond Affirm:

Bond was Paid by Check: No.

DBE GOAL SET - 6.0%

DBE GOAL MET - 17.8%

LIST OF DBE PARTICIPANTS

VENDOR NUMBER	DBE NAME ADDRESS	WORK CODE TYPE OF WORK	CERT TYPE	AMOUNT
3765	DB STAY ALERT SAFETY SERVICES INC POST OFFICE BOX 467 , KERNERSVILLE, NC 27285		Sup	52,818.00
12445	DB CUT-RITE CONCRETE CUTTING, INC. 456 ANSLEY WALK TERRACE , ATLANTA, GA 30309		Sub	376,250.00
			TOTAL:	\$407,940.80 17.82%

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	
NOT ANSWERED	
NOT ANSWERED	
NOT ANSWERED	
NOT ANSWERED	
NOT ANSWERED	

Bid Bond Data Info - Contractor Responses:

BondID: SNC08278634
Surety Registry Agency: surety2000
Verified?: Yes
Surety Agency: Employers Mutual Casualty Company
Bond Execution Date: 11/10/2008 4:17:37 PM
Bond Amount: \$114,454.75 (Five Percent of Bid)

State of NC
Dept of Transportation

Date: 10-21-08
Revised: 11-07-08

Contract ID: C202146

Project(s): IMS-095-3(101)128

Letting Date: 11-18-08 Call Order: 015

Bidder: 2216 - Diamond Surface, 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 MOBILIZATION	LUMP				91,000.00
0002	0036000000-E UNDERCUT EXCAVATION	CY	100.000	21.00000		2,100.00
0003	0080000000-E CLASS IV SUBGRADE STABILIZATION	TON	150.000	26.00000		3,900.00
0004	0196000000-E FABRIC FOR SOIL STABILIZATION	SY	200.000	4.00000		800.00
0005	1890000000-N GENERIC PAVING ITEM UNDERDRAIN REPAIR	EA	10.000	250.00000		2,500.00
0006	1891000000-E GENERIC PAVING ITEM DIAMOND GRINDING PCC PAVEMENT	SY	501,000.000	2.06000		1,032,060.00
0007	1891000000-E GENERIC PAVING ITEM REPAIR OF JOINTED CONCRETE PAVEMENT SLABS	SY	200.000	213.00000		42,600.00
0008	4405000000-E WORK ZONE SIGNS (PORTABLE)	SF	600.000	14.00000		8,400.00
0009	4415000000-N FLASHING ARROW PANELS, TYPE C	EA	2.000	1,300.00000		2,600.00
0010	4420000000-N CHANGEABLE MESSAGE SIGN	EA	4.000	3,500.00000		14,000.00

State of NC
Dept of Transportation

Date: 10-21-08
Revised: 11-07-08

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Letting Date: 11-18-08 Call Order: 015

Bidder: 2216 - Diamond Surface, Inc.

Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Ct
0011	4430000000-N DRUMS	EA 600.000	25.00000		15,000.00	
0012	4480000000-N TMIA	EA 2.000	7,500.00000		15,000.00	
0013	4815000000-E PAINT PAVEMENT MARKING LINES (6")	LF 424,000.000	0.23000		97,520.00	
0014	4825000000-E PAINT PAVEMENT MARKING LINES (12")	LF 16,354.000	0.50000		8,177.00	
0015	4845000000-N PAINT PAVEMENT MARKING SYMBOL	EA 38.000	50.00000		1,900.00	
0016	4847100000-E POLYUREA PAVEMENT MARKING LINES (6", *****) (HIGHLY REFLECTIVE ELEMENTS)	LF 424,000.000	0.87000		368,880.00	
0017	4847120000-E POLYUREA PAVEMENT MARKING LINES (12", *****) (HIGHLY REFLECTIVE ELEMENTS)	LF 16,354.000	2.00000		32,708.00	
0018	4847220000-N POLYUREA PAVEMENT MARKING SYMBOL (*****) (HIGHLY REFLECTIVE ELEMENTS)	EA 38.000	200.00000		7,600.00	
0019	4905000000-N SNOWPLOWABLE PAVEMENT MARKERS	EA 4,700.000	34.70000		163,090.00	
0020	2752000000-E GENERIC PAVING ITEM SEALING EXISTING CONCRETE PAVEMENT JOINT	LF 301,000.000	1.26000		379,260.00	

State of NC
 Dept of Transportation

Date: 10-21-08
 Revised: 11-07-08

Contract ID: C202146

Project(s): IMS-095-3(101)128

Letting Date: 11-18-08 Call Order: 015

Bidder: 2216 - Diamond Surface, Inc.

Line No.	Item Description	Approx. Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cts	Dollars	Cts
	Section 0001 Total				2,289,095.00	
	Bid Total				2,289,095.00	

NON-COLLUSION AND DEBARMENT CERTIFICATION

The bidder certifies that neither he, nor any official, agent or employee of the bidder has entered into any agreement, participated in any collusion, or otherwise taken any action which is in restraint of free competitive bidding in connection with this bid, and that the bidder intends to do the work with its own bonafide employees or subcontractors and is not bidding for the benefit of another contractor. In addition, submitting this electronic bid constitutes the bidder's certification of Status under penalty of perjury under the laws of the United States and in accordance with the Debarment Certification on file with the Department.

By submitting this bid, the bidder certifies to the best of his knowledge and belief that he and his principals:

- a. Are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from covered transactions by any Federal department or agency;
- b. Have not within a three-year period preceding this proposal been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State or local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records; making false statements; or receiving stolen property;
- c. Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, State or local) with commission of any of the offenses enumerated in paragraph b. of this certification; and
- d. Have not within a three-year period preceding this proposal had one or more public transactions (Federal, State or local) terminated for cause or default.

Where the prospective bidder is unable to certify to any of the statements in this certification, the bidder shall submit an explanation in the blanks provided herein. The explanation will not necessarily result in denial of participation in a contract.

Explanation:
NOT ANSWERED
NOT ANSWERED
NOT ANSWERED
NOT ANSWERED

If the prequalified bidder's status changes, he shall immediately submit a new fully executed non-collusion affidavit and debarment certification with an explanation of the change to the Contract Office prior to submitting the bid.

Failure to furnish a certification or an explanation will be grounds for rejection of a bid

AWARD LIMITS ON MULTIPLE PROJECTS

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

A bidder who desires to bid on more than one project on which bids are to be opened on the same date, and who also desires to avoid receiving an award of more projects than he is equipped to handle, may bid on any number of projects but may limit the total amount of work awarded to him on selected projects by completing the AWARD LIMITS ON MULTIPLE PROJECTS.

The Award Limits on Multiple Projects must be filled in on each project bid for which the Bidder desires protection.

It is the desire of the Bidder to be awarded contracts, the value of which will not exceed a total of NOT ANSWERED for those

projects indicated herein, for which bids will be opened on (MM/DD/YY)

The Award Limits shall apply to the following projects:

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

It is agreed that if I am (we are) the low Bidder(s) on indicated projects, the total value of which is more than the above stipulated award limits, the Board of Transportation will award me (us) projects from among those indicated that have a total value not to exceed the award limit and will result in the lowest total bids to the Department of Transportation.

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: 10-21-08
PAGE: 7

PROPOSAL: C202146
LETTING: L0811118 CALL: 015
VENDOR: 2216 Diamond Surface, Inc.

LINE NO.	ITEM NO.	ITEM DESC.	UNIT TYPE	SUBCONTRACTOR QUANTITY	SUBCONTRACTOR UNIT PRICE	EXTENDED AMOUNT
DBE SUBCONTRACTOR: 3765 STAY ALERT SAFETY SERVICES INC						
Will Use Quote: Yes						
0009	4415000000-N	FLASHING ARR	EA	2.000	1275.00000	2550.00
0008	4405000000-E	WORK ZONE SI	SF	600.000	13.88000	8328.00
0010	4420000000-N	CHANGEABLE M	EA	4.000	3450.00000	13800.00
0011	4430000000-N	DRUMS	EA	600.000	23.00000	13800.00
0012	4480000000-N	TMIA	EA	2.000	7170.00000	14340.00

DBE COMMITMENT TOTAL FOR SUBCONTRACTOR: 52,818.00
DBE COMMITMENT TOTAL FOR VENDOR (Supplier) \$31,690

DBE SUBCONTRACTOR: 12445 CUT-RITE CONCRETE CUTTING, INC. OF NC
Will Use Quote: Yes

0020	2752000000-E	GENERIC PAVI	LF	301000.000	1.25000	376250.00
DBE COMMITMENT TOTAL FOR SUBCONTRACTOR:						376,250.00
DBE COMMITMENT TOTAL FOR VENDOR (SubContractor)						376,250

TOTAL DBE COMMITMENT FOR VENDOR: Entered: 17.82% or 407940.80
Required: 6.00% or 137345.70
<GOAL MET>

Contract Item Sheets For C202146

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
ROADWAY ITEMS						
0001	0000100000-N	800	MOBILIZATION	Lump Sum LS	91,000.00	91,000.00
0002	0036000000-E	225	UNDERCUT EXCAVATION	100 CY	21.00	2,100.00
0003	0080000000-E	SP	CLASS IV SUBGRADE STABILIZATION	150 TON	26.00	3,900.00
0004	0196000000-E	270	FABRIC FOR SOIL STABILIZATION	200 SY	4.00	800.00
0005	1890000000-N	SP	GENERIC PAVING ITEM UNDERDRAIN REPAIR	10 EA	250.00	2,500.00
0006	1891000000-E	SP	GENERIC PAVING ITEM DIAMOND GRINDING PCC PAVEMENT	501,000 SY	2.06	1,032,060.00
0007	1891000000-E	SP	GENERIC PAVING ITEM REPAIR OF JOINTED CONCRETE PAVEMENT SLABS	200 SY	213.00	42,600.00
0008	4405000000-E	1110	WORK ZONE SIGNS (PORTABLE)	600 SF	14.00	8,400.00
0009	4415000000-N	1115	FLASHING ARROW PANELS, TYPE C	2 EA	1,300.00	2,600.00
0010	4420000000-N	1120	CHANGEABLE MESSAGE SIGN	4 EA	3,500.00	14,000.00
0011	4430000000-N	1130	DRUMS	600 EA	25.00	15,000.00
0012	4480000000-N	1165	TMIA	2 EA	7,500.00	15,000.00
0013	4815000000-E	1205	PAINT PAVEMENT MARKING LINES (6")	424,000 LF	0.23	97,520.00
0014	4825000000-E	1205	PAINT PAVEMENT MARKING LINES (12")	16,354 LF	0.50	8,177.00
0015	4845000000-N	1205	PAINT PAVEMENT MARKING SYMBOL	38 EA	50.00	1,900.00
0016	4847100000-E	1205	POLYUREA PAVEMENT MARKING LINES (6", *****) (HIGHLY REFLECTIVE ELEMENTS)	424,000 LF	0.87	368,880.00
0017	4847120000-E	1205	POLYUREA PAVEMENT MARKING LINES (12", *****) (HIGHLY REFLECTIVE ELEMENTS)	16,354 LF	2.00	32,708.00

Contract Item Sheets For C202146

Line #	ItemNumber	Sec #	Description	Quantity Unit	Unit Bid Price	Amount Bid
0018	4847220000-N	1205	POLYUREA PAVEMENT MARKING SYMBOL (*****) (HIGHLY REFLECTIVE ELEMENTS)	38 EA	200.00	7,600.00
0019	4905000000-N	1253	SNOWPLOWABLE PAVEMENT MARKERS	4,700 EA	34.70	163,090.00
0020	2752000000-E	SP	GENERIC PAVING ITEM SEALING EXISTING CONCRETE PAVEMENT JOINT	301,000 LF	1.26	379,260.00
TOTAL AMOUNT OF BID FOR ENTIRE PROJECT						\$2,289,095.00 ✓

0925/Dec15/Q1689353/D64817540000/E20

Contract Number C202146
County NASH

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

DIAMOND SURFACE, INC.

Full name of Corporation

13792 Reimer Drive, Maple Grove, MN 55311

Address as Prequalified

Attest

Terry C. Heintz
~~Secretary~~ Assistant Secretary
Select appropriate title

By

Terrence L. Kraemer
~~President~~ Vice President/Assistant Vice President
Select appropriate title

TERRY C. HEINTZ

Print or type Signer's name

TERRENCE L. KRAEMER

Print or type Signer's name

CORPORATE SEAL

AFFIDAVIT MUST BE NOTARIZED

NOTARY SEAL

Subscribed and sworn to before me this the

15th day of December 2008

Patricia A. Chouinard
Signature of Notary Public

of Hennepin County

State of Minnesota

My Commission Expires: January 31, 2010



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.

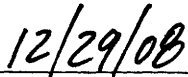
Contract No **C202146**

County (ies): **Nash**

ACCEPTED BY THE
DEPARTMENT OF TRANSPORTATION

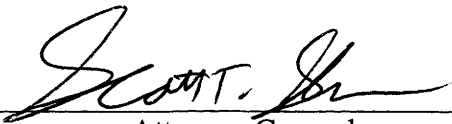


Contract Officer



Date

Execution of Contract and Bonds
Approved as to Form:



Attorney General

Contract No. C202146
County NASH

BOND NO. S375840

CONTRACT PAYMENT BOND

Date of Payment Bond Execution December 15th, 2008

Name of Principal Contractor DIAMOND SURFACE, INC.

Name of Surety: EMPLOYERS MUTUAL CASUALTY COMPANY

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

Amount of Bond: \$2,289,095.00

Contract ID No.: C202146

County Name: NASH

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. C202146
County NASH

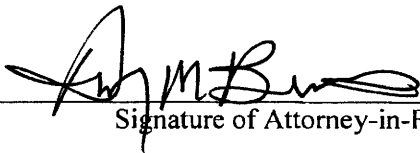
(Rev 7-10-08)

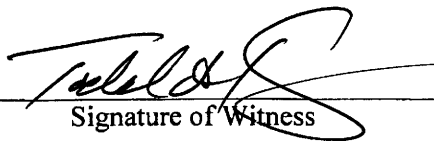
CONTRACT PAYMENT BOND

Affix Seal of Surety Company

EMPLOYERS MUTUAL CASUALTY COMPANY
Print or type Surety Company Name

By Amy M. Burns
Print, stamp or type name of Attorney-in-Fact


Signature of Attorney-in-Fact


Signature of Witness

Todd Kelsey
Print or type Witness's name

Wells Fargo Insurance services of Minnesota, Inc.

4300 MarketPointe Drive, Suite 600, Bloomington, MN 55435
Address of Attorney-in-Fact

Contract No. C202146
County NASH

(Rev 7-10-08)

CONTRACT PAYMENT BOND

CORPORATION

SIGNATURE OF CONTRACTOR (Principal)

DIAMOND SURFACE, INC.

Full name of Corporation

13792 Reimer Drive North, Maple Grove, MN 55311

Address as prequalified

By 

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

TERRENCE L. KRAEMER/President

Print or type Signer's name

Affix Corporate Seal

Attest ✓


Signature of Secretary, Assistant Secretary
Select appropriate title

TERRY C. HEINTZ/Secretary

Print or type Signer's name

EMC Insurance Companies

P.O. Box 712 • Des Moines, IA 50306-0712

No. 800928

CERTIFICATE OF AUTHORITY INDIVIDUAL ATTORNEY-IN-FACT

KNOW ALL MEN BY THESE PRESENTS, that:

1. Employers Mutual Casualty Company, an Iowa Corporation
2. EMCASCO Insurance Company, an Iowa Corporation
3. Union Insurance Company of Providence, an Iowa Corporation
4. Illinois EMCASCO Insurance Company, an Iowa Corporation
5. Dakota Fire Insurance Company, a North Dakota Corporation
6. EMC Property & Casualty Company, an Iowa Corporation
7. Hamilton Mutual Insurance Company, an Iowa Corporation

hereinafter referred to severally as "Company" and collectively as "Companies", each does, by these presents, make, constitute and appoint:

TODD A. KELSEY, KATHLEEN SORENSON, LAURENT R. LAVENTURE, JANET D. BUERG, AMY M. BURNS, INDIVIDUALLY, BLOOMINGTON, MINNESOTA.....

its true and lawful attorney-in-fact, with full power and authority conferred to sign, seal, and execute its lawful bonds, undertakings, and other obligatory instruments of a similar nature as follows:

IN AN AMOUNT NOT EXCEEDING TEN MILLION DOLLARS (\$10,000,000.00)

and to bind each Company thereby as fully and to the same extent as if such instruments were signed by the duly authorized officers of each such Company, and all of the acts of said attorney pursuant to the authority hereby given are hereby ratified and confirmed.

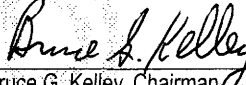
The authority hereby granted shall expire APRIL 1, 2011 unless sooner revoked.


AUTHORITY FOR POWER OF ATTORNEY

This Power-of-Attorney is made and executed pursuant to and by the authority of the following resolution of the Boards of Directors of each of the Companies at a regularly scheduled meeting of each company duly called and held in 1999:

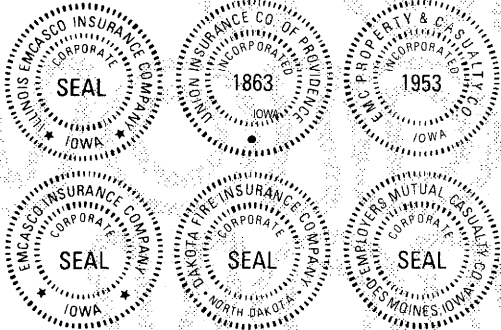
RESOLVED: The President and Chief Executive Officer, any Vice President, the Treasurer and the Secretary of Employers Mutual Casualty Company shall have power and authority to (1) appoint attorneys-in-fact and authorize them to execute on behalf of each Company and attach the seal of the Company thereto, bonds and undertakings, recognizances, contracts of indemnity and other writings obligatory in the nature thereof, and (2) to remove any such attorney-in-fact at any time and revoke the power and authority given to him or her. Attorneys-in-fact shall have power and authority, subject to the terms and limitations of the power-of-attorney issued to them, to execute and deliver on behalf of the Company, and to attach the seal of the Company thereto, bonds and undertakings, recognizances, contracts of indemnity and other writings obligatory in the nature thereof, and any such instrument executed by any such attorney-in-fact shall be fully and in all respects binding upon the Company. Certification as to the validity of any power-of-attorney authorized herein made by an officer of Employers Mutual Casualty Company shall be fully and in all respects binding upon this Company. The facsimile or mechanically reproduced signature of such officer, whether made heretofore or hereafter, wherever appearing upon a certified copy of any power-of-attorney of the Company, shall be valid and binding upon the Company with the same force and affect as though manually affixed.

IN WITNESS WHEREOF, the Companies have caused these presents to be signed for each by their officers as shown, and the Corporate seals to be hereto affixed this 4TH day of JUNE, 2008


Bruce G. Kelley, Chairman
of Companies 2, 3, 4, 5 & 6; President
of Company 1; Vice Chairman and
CEO of Company 7


Jeffrey S. Birdsley
Assistant Secretary

Seals




RUTA KRUMINS
Commission Number 176255
My Comm. Exp. Sept. 30, 2009

On this 4TH day of JUNE AD 2008 before me a Notary Public in and for the State of Iowa, personally appeared Bruce G. Kelley and Jeffrey S. Birdsley, who, being by me duly sworn, did say that they are, and are known to me to be the Chairman, President, Vice Chairman and CEO, and/or Assistant Secretary, respectively, of each of The Companies above; that the seals affixed to this instrument are the seals of said corporations; that said instrument was signed and sealed on behalf of each of the Companies by authority of their respective Boards of Directors; and that the said Bruce G. Kelley and Jeffrey S. Birdsley, as such officers, acknowledge the execution of said instrument to be the voluntary act and deed of each of the Companies.
My Commission Expires September 30, 2009.


Notary Public in and for the State of Iowa

CERTIFICATE

I, David L. Hixenbaugh, Vice President of the Companies, do hereby certify that the foregoing resolution of the Boards of Directors by each of the Companies, and this Power of Attorney issued pursuant thereto on JUNE 4, 2008 on behalf of Todd A. Kelsey, Kathleen Sorenson, Laurent R. Laventure, Janet D. Buerg, Amy M. Burns are true and correct and are still in full force and effect.

In Testimony Whereof I have subscribed my name and affixed the facsimile seal of each Company this 15th day of December, 2008.


Vice-President

#200911

Contract No. C202146
County NASH
BOND NO. S375840

(Rev 7-10-08)

CONTRACT PERFORMANCE BOND

Date of Performance Bond Execution: December 15th, 2008
Name of Principal Contractor: DIAMOND SURFACE, INC.
Name of Surety: EMPLOYERS MUTUAL CASUALTY COMPANY
Name of Contracting Body: North Carolina Department of Transportation
Raleigh, North Carolina
Amount of Bond: \$2,289,095.00
Contract ID No.: C202146
County Name: NASH

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. C202146
County NASH

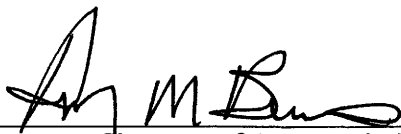
(Rev 7-10-08)

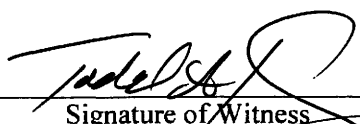
CONTRACT PERFORMANCE BOND

Affix Seal of Surety Company

EMPLOYERS MUTUAL CASUALTY COMPANY
Print or type Surety Company Name

By Amy M. Burns
Print, stamp or type name of Attorney-in-Fact


Signature of Attorney-in-Fact


Signature of Witness

Todd Kelsey
Print or type Witness's name

Wells Fargo Insurance Services of Minnesota, Inc.
4300 MarketPointe Drive, Suite 600, Bloomington, MN 55435
Address of Attorney-in-Fact

Contract No. C202146
County NASH

(Rev 7-10-08)

CONTRACT PERFORMANCE BOND

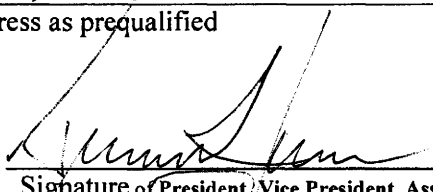
CORPORATION

SIGNATURE OF CONTRACTOR (Principal)

DIAMOND SURFACE, INC.

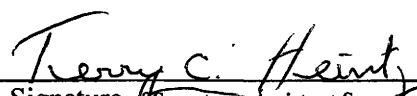
Full name of Corporation

13792 Reimer Drive, Maple Grove, MN 55311
Address as prequalified

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

TERRENCE L. KRAEMER/President
Print or type Signer's name

Affix Corporate Seal

Attest 
Signature of Secretary, Assistant Secretary
Select appropriate title

TERRY C. HEINTZ/Secretary
Print or type Signer's name

EMC Insurance Companies

P.O. Box 712 • Des Moines, IA 50306-0712

No. 800927

CERTIFICATE OF AUTHORITY INDIVIDUAL ATTORNEY-IN-FACT

KNOW ALL MEN BY THESE PRESENTS, that:

1. Employers Mutual Casualty Company, an Iowa Corporation
2. EMCASCO Insurance Company, an Iowa Corporation
3. Union Insurance Company of Providence, an Iowa Corporation
4. Illinois EMCASCO Insurance Company, an Iowa Corporation
5. Dakota Fire Insurance Company, a North Dakota Corporation
6. EMC Property & Casualty Company, an Iowa Corporation
7. Hamilton Mutual Insurance Company, an Iowa Corporation

hereinafter referred to severally as "Company" and collectively as "Companies", each does, by these presents, make, constitute and appoint:

TODD A. KELSEY, KATHLEEN SORENSON, LAURENT R. LAVENTURE, JANET D. BUERG, AMY M. BURNS, INDIVIDUALLY, BLOOMINGTON, MINNESOTA.....

its true and lawful attorney-in-fact, with full power and authority conferred to sign, seal, and execute its lawful bonds, undertakings, and other obligatory instruments of a similar nature as follows:

IN AN AMOUNT NOT EXCEEDING TEN MILLION DOLLARS (\$10,000,000.00)

and to bind each Company thereby as fully and to the same extent as if such instruments were signed by the duly authorized officers of each such Company, and all of the acts of said attorney pursuant to the authority hereby given are hereby ratified and confirmed.

The authority hereby granted shall expire APRIL 1, 2011 unless sooner revoked.

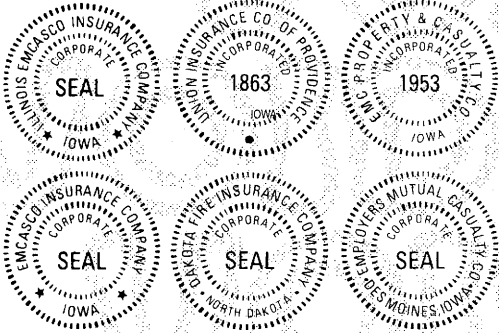
AUTHORITY FOR POWER OF ATTORNEY

This Power-of-Attorney is made and executed pursuant to and by the authority of the following resolution of the Boards of Directors of each of the Companies at a regularly scheduled meeting of each company duly called and held in 1999:

RESOLVED: The President and Chief Executive Officer, any Vice President, the Treasurer and the Secretary of Employers Mutual Casualty Company shall have power and authority to (1) appoint attorneys-in-fact and authorize them to execute on behalf of each Company and attach the seal of the Company thereto, bonds and undertakings, recognizances, contracts of indemnity and other writings obligatory in the nature thereof, and (2) to remove any such attorney-in-fact at any time and revoke the power and authority given to him or her. Attorneys-in-fact shall have power and authority, subject to the terms and limitations of the power-of-attorney issued to them, to execute and deliver on behalf of the Company, and to attach the seal of the Company thereto, bonds and undertakings, recognizances, contracts of indemnity and other writings obligatory in the nature thereof, and any such instrument executed by any such attorney-in-fact shall be fully and in all respects binding upon the Company. Certification as to the validity of any power-of-attorney authorized herein made by an officer of Employers Mutual Casualty Company shall be fully and in all respects binding upon this Company. The facsimile or mechanically reproduced signature of such officer, whether made heretofore or hereafter, wherever appearing upon a certified copy of any power-of-attorney of the Company, shall be valid and binding upon the Company with the same force and affect as though manually affixed.

IN WITNESS WHEREOF, the Companies have caused these presents to be signed for each by their officers as shown, and the Corporate seals to be hereto affixed this 4TH day of JUNE, 2008

Seals



Bruce G. Kelley
 Bruce G. Kelley, Chairman
 of Companies 2, 3, 4, 5 & 6; President
 of Company 1; Vice Chairman and
 CEO of Company 7

Jeffrey S. Birdsley
 Jeffrey S. Birdsley
 Assistant Secretary

On this 4TH day of JUNE AD 2008 before me a Notary Public in and for the State of Iowa, personally appeared Bruce G. Kelley and Jeffrey S. Birdsley, who, being by me duly sworn, did say that they are, and are known to me to be the Chairman, President, Vice Chairman and CEO, and/or Assistant Secretary, respectively, of each of The Companies above; that the seals affixed to this instrument are the seals of said corporations; that said instrument was signed and sealed on behalf of each of the Companies by authority of their respective Boards of Directors; and that the said Bruce G. Kelley and Jeffrey S. Birdsley, as such officers, acknowledge the execution of said instrument to be the voluntary act and deed of each of the Companies.
 My Commission Expires September 30, 2009.

Ruta Krumins
 Notary Public in and for the State of Iowa

CERTIFICATE

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In Testimony Whereof I have subscribed my name and affixed the facsimile seal of each Company this 15th day of December, 2008.

David L. Hixenbaugh
 Vice-President

